

☞ Minutes ☞
Regular Meeting
Albany County Planning and Zoning Commission
October 8, 2014

Albany County Commissioner's Room

A regular meeting of the Albany County Planning and Zoning Commission was held on October 8, 2014, at 7:00 p.m. in the Albany County Board of County Commissioner's Meeting Room of the Albany County Courthouse.

I. CALL TO ORDER/ROLL CALL

Members present: David Cunningham, Carl Miller, Brett Moline, Shaun Moore and John Spiegelberg

Staff present: Susan Adler and David Gertsch

County Engineer: None

Albany County Attorney Liaison: Jennifer Stone

Board of County Commissioners' Liaison: Tim Sullivan

Public Present: Terri E. Jones, Kimberly Starkey, Bob Starkey, Terry Cushatt, Diane and Gene Watson, Jerry and Jeanette Schmidt, William and Carrie Brumbough, Keith Woolf, Ron and Ruth Blake, Raymond A. Leach, Patricia Parker, Jody Nordin, Brenda Spiegelberg, Taylor and Millicent Leaming, Janet Talbott, Margery Richardson, Thyra Page, Bob and Ruthie Blake, Chariti and Blain Fisher, Glenn Moniz, John Patrick Murphy, Diana Marlow, LeRoy Gabriel, Sandra Eike, Reed Pedrick, Arnie and Wanda Willems, John M. Evans, George Heard, Joe Vitale, Larry Romsa, JD Romsa, Mark R. Gunnerson, Monica Snook, Stacy Snook, Gabrielle Tupper, Lynn Benson, Linda Johnson, Edith and Bill Jones, Gail Christensen, Justin Romero, Brian K. McGarvey, Matt and Susan Kay, Bob Corliss, Lew Vavra, Charmaine Tupper, Walter Tupper, R. Portugal, Connie Hathaway, Clyde Harnden, George Gill, Hugh Garver, Marsha A. Ford, Robert and Carol Bacon, Merl and Diane Raisbeck, Gary and JoAnn Spiegelberg, Steve Ford, Heber Richardson, Max Coulthard, Lori Coulthard, James R. Fisher, Gary J. Linford, Thane McKinsey, Tim Hale, Toni Abbott, Derek Tieni and Paul Harrison

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA – Mr. Gertsch requested the City of Laramie Parks and Recreation Master Plan discussion be moved above the Draft Zoning Resolution discussion. Chairman Moline indicated he would entertain a motion to accept the agenda as amended. **Mr. Cunningham made a motion to amend**

the agenda as suggested by staff. Mr. Miller seconded the motion. Mr. Cunningham made a motion to approve the October 8, 2014, Planning and Zoning Commission meeting agenda as amended. Mr. Spiegelberg seconded the motion. Motion carried on voice vote.

IV. APPROVAL OF MINUTES – Chairman Moline asked if there were any corrections to the meeting minutes for the September 10, 2014, Regular Meeting. **Mr. Miller made a motion to approve the minutes for the August 13, 2014, Regular Meeting as presented. Mr. Moore seconded the motion. Motion carried on voice vote.**

I. DISCLOSURES – Commissioner Moore indicated he owned property that will be affected by the City of Laramie Parks and Recreation Master Plan.

II. OTHER ITEMS/ANNOUNCEMENTS

A. City of Laramie Parks and Recreation Master Plan - - Paul Harrison, City of Laramie Parks and Recreation Director, presented a power point which outlined the process of developing the City of Laramie Parks and Recreation Master Plan and the changes to the document since the City Staff had presented it to the Planning and Zoning Commission. After the presentation, Mr. Harrison answered questions from the Commissioners.

Chairman Moline opened the floor for public comments. He requested anyone wanting to speak in favor of the City of Laramie Parks and Recreation Master Plan step up to the podium and state their name and address.

John Patrick Murphy, 3755 Hill Drive, Colorado Springs, Colorado – Mr. Murphy stated he is a partner in two different limited liability companies where the plan would affect their property. Our companies are in favor and willing to sell property to create this bridge. This plan is going to enhance property values for those closer to the proposed trail or park.

There were no further comments in favor, so the Chairman opened the floor for comments against the City of Laramie Parks and Recreation Master Plan.

Terry Jones, P. O. Box 1 – Ms. Jones indicated her family owns 25 acres adjacent to I-80 between Vista and Skyline. She feels that the City of Laramie Parks and Recreation Master Plan has opened their property to public use. She requested the icon be taken off their property.

George Heard, 2619 Berner Hill Road – Mr. Heard indicated he owns 73 acres east of Laramie and there is a 17 acre park on the plan and he does not like it.

Sandra Eike, 7214 Black Elk Trail - Ms. Eike indicated she had attended some of the Ad Hoc meetings and the county residents felt like everything they said fell on deaf ears. If the City had gone about this differently, then all these people would not be here voicing concerns against the plan.

Joe Vitale, 1708 W. Hill – Mr. Vitale indicated that in his opinion this meeting with the county residents should have happened at the beginning of the

process. The directive from the City Council was to look at the city and city owned property. He thought that since this is private property, those icons should have never been in the master plan unless those property owners agreed to have them there. The Ad Hoc Committee should have invited the people that are going to be affected in at the beginning, not three years later. He is upset about the process that was used.

Tim Hale, 815 Mitchell – Mr. Hale spoke against the City of Laramie Parks and Recreation Master Plan. He indicated he has attended the Ad Hoc meetings and did not agree with the plan.

Heber Richardson, 1321 Downey – Mr. Richardson indicated he felt the county lacked representation in the drafting of this plan. He urged the Planning and Zoning Commission to request the removal of the icons outside the city limits.

Taylor Leaming, 845 Howe Road, – Mr. Leaming stated his property has been earmarked with a trail along the west property line. He moved to the county to have open space which he feels is in jeopardy. He indicated that he in no way supports the City of Laramie Parks and Recreation Master Plan.

Glen Moniz, 2059 Riverside – Mr. Moniz made a formal request that all icons removed.

JD Hamaker, Centennial Valley Road – Mr. Hamaker asked if the Board of County Commissioners concurred with this plan if it would be applicable to county resident that develop. He indicated that if the answer is yes, he urged the Planning and Zoning Commission to request removal of the icons.

Ruben Portugal, 4540 Dome Road – Mr. Portugal indicated there was an icon going through his property. He stated that trespass is a problem and he did not buy his property to have a trail through it.

Leroy Gabriel, 2474 E. Park – Mr. Gabriel stated that he owns property on Soldiers Springs Road. The City of Laramie Parks and Recreation Master Plan has a trail right over the top of his domestic well and he can foresee problems with trespass.

Stacy Snook, 3901 Ft. Buford Lane – Mr. Snook indicated he had attended many of the Ad Hoc committee meetings. He felt the public comments were ignored. The citizens, who voice concerns, voiced them against the icons outside the city limits. The Ad Hoc committee voted to retain the icons. There was a year's worth of input ignored. When the city was inviting citizens to become members of the Ad Hoc Committee they went to special interest groups, like cyclists. He indicated the county citizens, who attended these meetings and spoke against the plan do not feel they weighed the comments equally and responded to them.

Gary Linford, 2921 Larkspur Lane – Mr. Linford stated that they already had trespass problems.

Toni Abbott, 396 Hayes – Ms. Abbott voiced her concerns against the City of Laramie Parks and Recreation Master Plan. The nature trail would bring unwanted traffic to their area where there is one way in and out.

Gene Watson, Centennial – Mr. Watson wanted to thank the Planning and Zoning Commission as they are the first line of defense for county residents. He agreed with the citizens speaking against the plan.

Max Couthard, 4815 Quarterhorse Drive – Mr. Couthard urged the Commissioners to vote against the icons. He indicated the Planning and Zoning Commission is the voice for the county residence.

Linda Johnson, 6620 pilot peak road – Ms. Johnson indicated the trail meets her property and she respectfully ask the Planning and Zoning Commission to ask for the icons to be removed.

Robert Starkey, 2215 Skyview lane – Mr. Starkey thanked the Planning and Zoning Commission for letting the citizens speak.

Kimberly Starkey, 2215 Skyview Lane – Ms. Starkey indicated she felt the City had misrepresented the facts because the public comments had been dismissed. She stated that it is clear the county residents do not want to be involved with the City of Laramie Parks and Recreation Master Plan. The Planning and Zoning Commission and Board of County Commissioners need to stand up to the city to represent the county residents.

Marion Griffin, 104 Corthell – Ms. Griffin indicated she felt the county should step up and take care of the county residents.

There were no more public comments and after discussion Mr. Spiegelberg requested a legal opinion from the County Attorney as to the question of eminent domain can be used to get a park. He also made a second request for the opinion on statutory requirement of county concurrence with the City of Laramie's Park and Recreation Master Plan. **Mr. Spiegelberg made a motion to recommend that the Board of County Commissioners request that the City of Laramie remove all icons on the City of Laramie's Draft Parks and Recreation Master Plan Maps (including maps on the website) that exist outside of the City of Laramie. Mr. Cunningham seconded the motion. Motion carried on voice vote with all voting in favor.** After further discussion, **Mr. Cunningham made a motion to recommend that without substantial changes the City of Laramie Parks and Recreation Master Plan the Board of County Commissioners NOT concur with this plan. Mr. Spiegelberg seconded the motion. Motion carried with all members voting in favor of the motion.**

III. CURRENT PLANNING PROJECTS

- A. Zoning Resolution Discussion – Chairman Moline indicated he would entertain a motion to table the discussion on the Zoning Resolution until the November 12, 2014, meeting due to the late hour. **Mr. Miller made a motion to table the draft Zoning Resolution until the November Planning and Zoning Commission meeting. Mr. Spiegelberg seconded the motion. Motion carried on voice vote.**

IV. PUBLIC COMMENT

V. ADJOURNMENT

Chairman Moline adjourned the meeting at 10:00 p.m.

Minutes taken by Susan Adler, Assistant Planner

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