

☞ Minutes ☞
Regular Meeting
Albany County Planning and Zoning Commission
April 9, 2014

Albany County Commissioner's Room

A regular meeting of the Albany County Planning and Zoning Commission was held on April 9, 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, Shaun Moore, Brett Moline and John Spiegelberg

Staff present: Susan Adler and David Gertsch

County Engineer: None

Albany County Attorney Liaison: None

Board of County Commissioners' Liaison: None

Public Present: Kimberly Starkey, Gene Watson, Diane Watson, James Osborne, James Rinehart, Allyson Anderson and Danielle Wiebers (Pete Lien & Sons, Inc.)

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA – Chairman Moline indicated he would entertain a motion to accept the agenda as presented. Ms. Adler indicated the Public Application for Osborn was a Conditional Use Application, not a Land Use Change. **Mr. Cunningham made a motion to approve the April 9, 2014, Planning and Zoning Commission meeting agenda as amended. Mr. Moore 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 March 12, 2014, Regular Meeting. **Mr. Cunningham made a motion to approve the Minutes for the March 12, 2014, Regular Meeting as presented. Mr. Miller seconded the motion. Motion carried on voice vote.**

V. DISCLOSURES – There were no disclosures.

VI. PUBLIC APPLICATIONS

A. Osborne Conditional Use Permit- CU-02-14 – David Gertsch, Planning Director, gave the staff report. This is for a riding arena approximately four tenths of a mile south of the intersection of Skyline Drive and Soldier Springs Road. This area was changed to Commercial zone in 2010 by a land use change. Currently the land is vacant with residential to the south and east, the railroad and commercial property are west of the site and north of the site are commercial uses. Well and wastewater will be provided on site. There is a fire hydrant on the northeast corner of Skyline Drive and Soldier Springs Road. The Comprehensive Plan shows this area in the Priority Growth Area 1 and will access from Soldier Springs Road, a minor arterial. The applicant had met the requirements. Staff recommends approval of the conditional use permit based upon the Finding of Facts and Conclusions of Law listed in the Staff report. Staff requests the conditions listed in the staff report are included in the recommendation for approval. Mr. Osborne was present to answer questions. After discussion, **Mr. Moore made a motion to certify to the Board of County Commissioners a recommendation for approval of the proposed Osborne Conditional Use Application CU-02-14 based upon and incorporating the findings of fact and conclusions of law stated in the staff report with the following conditions:**

- 1. A landscape plan must be submitted and approved by the Albany County Planning Office at the time of application for a Zoning Certificate for construction of the arena (Albany County Zoning Resolution, Chapter V, Section 9).**
- 2. An Outdoor Sign Permit application will be submitted and approved for wall signage or any other signage on the property by the Board of County Commissioners prior to installation (Albany County Zoning Resolution, Chapter V, Section 6).**
- 3. All other County regulations and standards will be met.**

Mr. Miller seconded the motion. Motion carried on voice vote.

B. Pete Lien & Sons, Inc. Land Use Change LUC-01-14 –Ms. Adler gave the staff report. Pete Lien & Sons, Inc., at 792 Jonathon Quarry Haul Road, located SE ¼ of Section 2, Township 17 North, Range 73 West, 6th P.M., Albany County, Wyoming have applied for approval of a Land Use Change application changing the zoning of a 160 acre parcel from Agricultural to Industrial. There are no structures currently on the property and it is zoned

Agricultural. The parcel is surrounded by the remains of the parent parcel which is zoned agricultural. The parent parcel is surrounded by Agricultural land with a BLM parcel to the east. This property is accessed off Jonathan Quarry Road which intersects with U.S. Highway 30. Laramie Rivers Conservation District Director Tony Hoch commented that his concerns should be addressed by Department of Environmental Quality Land Quality Division and the Wyoming Game and Fish Division. Wyoming Department of Transportation Engineer Randy Griesbach indicated the Industrial Road Project had mitigated any concerns with truck traffic turning on and off of the highway. Wyoming Game and Fish Department Deputy Director Mark Konishi provided comments indicating that the project complies with the Governor's Executive Order for Sage Grouse 2011-05. He recommended the applicant should minimize impacts to aquatic resources. The Comprehensive Plan states, "The Industrial land use is for properties with existing industrial and existing extractive uses or land determined appropriate for industrial and extraction uses". Notice has been provided by posted sign, publication, and certified mailing as required. The applicant has met the requirements for a land use change as set out in the provisions of the Albany County Zoning Resolution, Chapter I, Section 13 and Chapter V, Section 5. Staff recommends that the Planning and Zoning Commission certify a recommendation of approval of this Land Use Change application from Agricultural to Industrial adopting and incorporating the Findings of Fact and Conclusions of Law to the Board of County Commissioners. Danielle Wiebers was present to answer question on behalf of Pete Lien & Sons, Inc. Chairman Moline opened the public hearing. Allyson Anderson and James Rinehart spoke against the application expressing concerns about dust control, economic compensation to surrounding landowners and ground water. Ms. Wiebers indicated the company tries to mitigate dust and ground water issues and is under the Wyoming Department of Environmental Quality rules and oversight. There being no further public comments, Chairman Moline closed the public hearing.

After discussion, **Mr. Cunningham made a motion to certify to the Board of County Commissioners a recommendation for approval of the proposed Pete Lien & Sons, Inc. Land Use Change application LUC-01-14 based upon and incorporating the Findings of Fact and Conclusions of Law stated in the staff report. Mr. Moore seconded the motion. Motion carried with all members voting in favor.**

- C. **Pete Lien & Sons, Inc. Conditional Use Permit CU-01-14** – Ms. Adler gave the staff report. Pete Lien & Sons, Inc., at 792 Jonathon Quarry

Haul Road, located SE ¼ of Section 2, Township 17 North, Range 73 West, 6th P.M., Albany County, Wyoming applied for a conditional use permit to allow a fine grind plant, lime plant and office building. The buildings are used for production of crushed limestone and lime. The product uses include air and water purification and mineral supplementation for feed. Ms. Adler indicated the information contained in the Land Use Change also applied to this application. Notice has been provided by posted sign, publication, and certified mailing as required. The applicant has met the requirements for a land use change as set out in the provisions of the Albany County Zoning Resolution, Chapter I, Section 13 and Chapter V, Section 4. Staff recommended that the Planning and Zoning Commission certify a recommendation of approval of this Conditional Use application adopting and incorporating the Findings of Fact and Conclusions of Law to the Board of County Commissioners with the following conditions: Any signs must conform to Chapter V, Section 6 of the Albany County Zoning Resolution and any lighting must conform to the outdoor lighting standards found in Chapter V, Section 11 of the Albany County Zoning Resolution.

Chairman Moline opened the public hearing. Allyson Anderson spoke against the application expressing concerns about the Casper Aquifer Protection Area. Staff indicated this property is not in the boundaries of the Casper Aquifer Protection Area. There being no further public comments, Chairman Moline closed the public hearing.

After discussion, Mr. Moore made a motion to certify to the Board of County Commissioners a recommendation for approval of the proposed Pete Lien & Sons Conditional Use Permit application CU-01-14 based upon and incorporating the Findings of Fact and Conclusions of Law stated in the staff report with the following conditions:

- 1. Any signs must conform to Chapter V, Section 6 of the Albany County Zoning Resolution.**
- 2. Any lighting must conform to the outdoor lighting standards found in Chapter V, Section 11 of the Albany County Zoning Resolution.**

Mr. Miller seconded the motion. Motion carried with all members voting in favor of the Conditional Use Permit.

VII. CURRENT PLANNING PROJECTS

- A. Zoning Resolution Discussion** – The Planning and Zoning Commission discussed Chapter VII, **Mr. Cunningham made a motion**

to accept and incorporate the edits discussed April 9, 2014. Mr. Miller seconded the motion. Motion carried on voice vote.

IX. OTHER ITEMS/ANNOUNCEMENTS

A. Gene Watson spoke to the Planning and Zoning Commission members about the situation on Howe Road.

X. PUBLIC COMMENT

XI. ADJOURNMENT

Chairman Moline adjourned the meeting at 9:22 p.m.

Minutes taken by Susan Adler, Assistant Planner