

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

Albany County Commissioner's Room

A regular meeting of the Albany County Planning and Zoning Commission was held on July 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 and John Spiegelberg

Staff present: Susan Adler and David Gertsch

County Engineer: None

Albany County Attorney Liaison: Jennifer Stone

Board of County Commissioners' Liaison: None

Public Present: Dave Hammond, Reni Hornamo, Bob Davis, Jon Essley, Lyman McDonald, Gary Wilken, Candy Hamaker, Gene and Diane Watson and Kimberly Starkey

II. EXCUSE ABSENT MEMBERS - Vice-Chairman Cunningham stated he would entertain a motion to excuse absent member. **Mr. Spiegelberg made a motion to excuse absent member Brett Moline of the Commission from the Planning and Zoning Commission meeting. Mr. Miller seconded the motion. Motion carried on voice vote.**

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF AGENDA – Vice-Chairman Cunningham indicated he would entertain a motion to accept the agenda as presented. Mr. Gertsch indicated that the Laramie Rivers Conservation District had cancelled and requested to be put on the agenda for August. **Mr. Miller made a motion to approve the July 9, 2014, Planning and Zoning Commission meeting agenda as amended. Mr. Moore seconded the motion. Motion carried on voice vote.**

V. APPROVAL OF MINUTES – Vice-Chairman Cunningham asked if there were any corrections to the meeting minutes for the June 11, 2014, Regular Meeting. **Mr. Cunningham made a motion to approve the Minutes for the June**

11, 2014, Regular Meeting as presented. Mr. Miller seconded the motion. Motion carried on voice vote.

VI. DISCLOSURES – Mr. Moore stated that his business partner is working with the land owner on Spotted Horse Subdivision there for he would abstain from voting and discussion.

VII. PUBLIC APPLICATIONS

A. Spotted Horse Subdivision – Preliminary and Final Plats SD-02-14 – Mr. Gertsch gave the staff report. The Applicant is Reni Hornamo, who is present along with Bob Davis and Dave Hammond, her developer and engineer. The property is located south of Pope Springs Road and to the east of Evets Lane. The parcel is 35.14 acres. Ms. Hornamo is requesting approval of a subdivision permit application (this application qualifies as a Small Subdivision), including the preliminary and final plats for a two lot subdivision. Currently the property is zoned Residential and is vacant land. Surrounding properties are Agricultural and rural Residential. The two lots will access the property from Pope Springs Road. This application has been reviewed by the Albany County Engineer, Bill Gorman, who required a few minor changes. Mr. Gorman also reviewed the drainage study and found no problems with it. The Fire Warden, Fire District #1 and Laramie Rivers Conservation District provided no comments. The Wyoming Game and Fish Department advised no terrestrial or aquatic concerns. Water will be provided by individual on-site wells and individual on-site wastewater systems are proposed. There will be no interior roads in the subdivision. Each lot will access from Pope Springs Road. Pope Springs Road, a privately owned and maintained road, intersects with Soldier Springs Road, a public road maintained by the County. The Subdivider has legal access to the subdivision via Pope Springs Road. The applicant provided a signed road maintenance agreement as part of the application materials. This agreement should be filed in the County Clerk's Office prior to final approval of this application. This subdivision is within a Priority Growth Area 3. These areas "have been identified as relatively growth efficient places to direct future development". Overall this subdivision is consistent with the Albany County Comprehensive Plan. Pope Springs Road is shown as a future collector on the Major Street and Highway Plan. The Fire Warden did not provide a review. However, because this subdivision meets the requirements to be classified as a small subdivision, staff waived the fire protection standards, which is consistent with previous small subdivision applications. Requirements of the Albany County Platting and Subdivision Regulation, Chapter I-VIII and Appendix A have been met. Staff's recommendation of approval to the Board of County Commissioners incorporating the findings of fact and conclusions of law as listed in the staff report

with the **condition** that the following be done prior to the public hearing before the Board of County Commissioners:

1. The road maintenance agreement must be recorded in the County Clerk's Office.
2. A corrected final plat is provided.

Vice-Chairman Cunningham opened the public hearing. Lyman McDonald, 2818 Pope Springs Road, indicated he had not had a chance to review the information in relation to the covenants, plat and other documents, but had no objections to lots of 35+ acres. There being no further public comments, Vice-Chairman Cunningham closed the public hearing.

After discussion, **Mr. Spiegelberg made a motion to certify to the Board of County Commissioners a recommendation for approval of the proposed Spotted Horse Subdivision Preliminary and Final Plats, application SD-02-14, based upon and incorporating the Findings of Fact and Conclusions of Law stated in the staff report along with the two conditions listed in the staff recommendation. Mr. Miller seconded the motion. Motion carried with all members voting in favor with Mr. Moore abstaining from the vote.**

VIII. CURRENT PLANNING PROJECTS

- A. Zoning Resolution Discussion – The Planning and Zoning Commission discussed the draft Zoning Map, **Mr. Miller made a motion to accept and incorporate the edits discussed July 9, 2014, into the Zoning Map. Mr. Moore seconded the motion. Motion carried on voice vote.**

IX. OTHER ITEMS/ANNOUNCEMENTS

- A. Mr. Cunningham stated that the Final Version of City Parks and Recreation Master Plan was scheduled before the Board of County Commissioners on August 19, 2014. After discussion, the Planning and Zoning Commission agreed to send a resolution to the Board of County Commissioners expressing their dissatisfaction with not having the opportunity to review the plan and allow county residents to comment on the plan. After discussion, **Mr. Spiegelberg made a motion to forward to the Board of County Commissioners the following resolution and authorized the Vice-Chairman to sign:**

**ALBANY COUNTY PLANNING AND ZONING COMMISSION
RESOLUTION OPPOSING THE CITY OF LARAMIE PARKS AND
RECREATION DEPARTMENT'S PARKS AND RECREATION MASTER
PLAN APPROVAL TIMELINE**

**RE: ALBANY COUNTY COMMISSIONERS MEETING OF AUGUST 19,
2014.**

Whereas, the Albany County Planning and Zoning Commission has become aware of the intent of the City of Laramie Parks and Recreation Department to appear before the August 19, 2014 Albany County Board of County Commissioners meeting to request concurrence of the City Parks and Recreation Master Plan. This despite lacking consideration of the proposed City Parks and Recreation Master Plan by the Albany County Planning and Zoning Commission; and

Whereas, the Albany County Planning and Zoning Commission has NOT had the opportunity to review, discuss and take public comment upon said City Parks and Recreation Master Plan and, in fact, the Albany County Planning and Zoning Commission has provided for such review, discussion and public comment at its October 8, 2014, regular meeting; and

Whereas, the Albany County Planning and Zoning Commission has requested sufficient copies of the final draft City Parks and Recreation Master Plan as well as detailed large scale maps of the areas and properties affected by said City Parks and Recreation Master Plan. NONE have been provided; and

Whereas, the Albany County Planning and Zoning Commission has numerous salient questions about the intent and content of said City Parks and Recreation Master Plan as well as its associated maps. Further, the Commission is aware of questions and concerns of Albany County residents. To not have these questions answered is poor public policy and is clearly contrary to the public interest; and

Whereas, no justification has been provided to the Albany County Planning and Zoning Commission for the need of a sudden acceleration of the need for approval of the City Parks and Recreation Master Plan after years of official inactivity and a lack of Albany County Planning and Zoning Commission concurrence; and

Whereas, the request by the City of Laramie Parks and Recreation Department to present the City Parks and Recreation Master Plan to the Albany County Board of County Commissioners at the August 19,

2014, meeting does NOT provide the opportunity for those Albany County residents who are otherwise engaged in their occupations, including agriculture (which is in its peak season), or are on vacation, to provide knowledgeable comments or concerns; and

Whereas, the City of Laramie Parks and Recreation Department's clear and contemptuous attempt to circumvent the designated authority of The Albany County Planning and Zoning Commission is contrary to the public interest. And, the citizens of Albany County can be adversely affected by planning and decision making by City of Laramie bureaucrats without proper consideration of this important topic and its relevant consequences; and

Whereas, any formal consideration of the Laramie Parks and Recreation Department's City Parks and Recreation Master Plan by the Albany County Board of County Commissioners at this time would be grossly premature and would be based upon incomplete information and a lack of adequate public comment; and

NOW THEREFORE, BE IT RESOLVED, That the Albany County Planning and Zoning Commission urgently requests that the Albany County Board of County Commissioners NOT place the Laramie Parks and Recreation Department's City Parks and Recreation Master Plan upon its August 19, 2014, agenda nor consider it for concurrence unless and until the Albany County Planning and Zoning Commission has the opportunity to consider, deliberate upon and hold public hearings concerning the said City Parks and Recreation Master Plan; and

BE IT FURTHER RESOLVED, that this resolution be placed into proper form and forwarded, individually and collectively, to the Albany County Board of County Commissioners no later than Monday July 14, 2014. This will allow the Albany County Planning and Zoning Commission sufficient time to conduct a thorough examination of the merits of the Laramie Parks and Recreation Department's City Parks and Recreation Master Plan with reference to its near and long term effect upon the residents of Albany County.

PASSED AND APPROVED this 9th day of July, 2014.

**David Cunningham
Vice-Chairman**

Planning and Zoning Commission

ATTEST:

Susan Adler

Secretary for Planning and Zoning Commission

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

X. PUBLIC COMMENT

A. Mr. Moore and Gene Watson expressed their concern over the situation with Howe Road and Mountain Cement.

XI. ADJOURNMENT

Vice-Chairman Cunningham adjourned the meeting at 9:01 p.m.

Minutes taken by Susan Adler, Assistant Planner