

⌘ **Minutes** ⌘  
**Regular Meeting**  
**Albany County Planning and Zoning Commission**  
**July 8, 2015**

**Albany County Commissioner's Room**

A regular meeting of the Albany County Planning and Zoning Commission was held on July 8, 2015, at 7:00 p.m. in the Albany County Board of County Commissioner's Meeting Room in the Albany County Courthouse.

**I. PLEDGE OF ALLEGIANCE**

**II. CALL TO ORDER/ROLL CALL**

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

**Staff present:** David Gertsch, Susan Adler

**County Engineer:** None

**Albany County Attorney Liaison:** Peggy Trent

**Board of County Commissioners' Liaison:** None

**Public Present:** Matt Goetz, Flint Polson, George Heard, Paul Greaser, Warren Greaser, Mike Fortman, Terri Frausto, Kimberly Starkey, Ted Serdiuk, Dan Netzel, and Jeri C. Hamilton.

**III. APPROVAL OF AGENDA** – Chairman Moline indicated he would entertain a motion to accept the agenda as presented. **Mr. Cunningham made a motion to approve the July 8, 2015, Planning and Zoning Commission Meeting agenda as presented. Mr. Spiegelberg seconded the motion. Motion carried on voice vote.**

**IV. APPROVAL OF MINUTES** – The Chairman asked if there were any corrections to the meeting minutes for the June 10, 2015, Regular Meeting. **Mr. Moore made a motion to approve the minutes for the June 10, 2015, Regular Meeting as presented. Mr. Cunningham seconded the motion. Motion carried on voice vote.**

**V. DISCLOSURES** – Mr. Moore disclosed the real estate company he works for has been involved with listing of the Mountain View Estates Subdivision and he will abstain from discussion and vote. Chairman Moline disclosed he works for Mountain West Farm Bureau, but did not feel he had a conflict because of his employment.

**VI. PUBLIC APPLICATIONS**

**A. Gemstone Holdings, LLC Land Use Change** – Susan Adler, Assistant Planner gave the staff report. The property is located at the southwest corner of Pierce Street and Curtis Street and consists of approximately 41.27 acres. The request is to change the land use/zoning to Commercial for marketing purposes. Current

zoning is Residential and it is vacant land. This property is adjacent to Curtis Street on the north and Pierce Street on the east and has no existing access. Applicant will be required to provide access to the individual lots during the subdivision process. Land uses surrounding this property are Agricultural and Residential to the north, west and south. To the northeast and east land uses are commercial. Cyrus Rahman, Fire Warden, has no problems related to fire for this application. Laramie Rivers Conservation District had no substantial critical comments or natural resource concerns. This property is within an area designated Priority Growth Area (PGA) 1 by the Albany County Comprehensive Plan. This area "is an area where City services may be able to be extended efficiently. It is the area where the City is planning future extensions of roads, water, sewer, and other public services...". The Albany County Comprehensive Plan's Priority Growth Area 1 (PGA) is the equivalent to the City of Laramie's designated Urban Growth Area. In the County's comprehensive Plan this area is designed Auto Urban Multifamily. However, the Applicant has filed an application for a comprehensive plan amendment with the City of Laramie to rezone this area Auto-Urban Commercial. The City's Comprehensive Plan defines Auto-Urban Commercial development as a mixture of retail, service, and office uses where the retail is predominantly single-story and the office and service businesses are generally two-story. Fast food restaurants, gas stations, and strip shopping centers. Notice has been provided by posted sign, publication, and certified mailing as required. Ms. Adler indicated that as the Applicant proceeds through the subdivision process for this area, he will be required to provide adequate access to all lots. The Findings Necessary for Approval, as listed in this report, are incorporated herein as findings of fact. Staff recommends that the Planning and Zoning Commission certify a recommendation of approval for Land Use Change Application, LUC-02-15, to the Board of County Commissioners.

The Applicant's representative, Paul Greaser, spoke in favor of the land use change. He indicated this was a long term development. He anticipates this property will be annexed into the city and felt this location near the interstate with easy access would be ideal for a commercial area.

Chairman Moline opened the public hearing.

Terry Frausto, 977 North Pierce. Ms. Frausto indicated she or her family had been a resident of the area for over seventy years. She is opposed to the change because of the increase in traffic. When the roads are closed, Pierce Street becomes a parking lot. It is her belief that with the new commercial area there will be an increase in crime in the area. She was also concerned for the future of the wildlife in there area.

Mike Fortman, 1168 Welch Lane. Mr. Fortman spoke against the land use change because there is no information on what type of commercial will be developed.

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 Gemstone Holdings Land Use Change, LUC-02-15, based upon and incorporating the findings of fact and conclusions of law listed in the staff report. Mr. Cunningham seconded the motion. Motion carried on voice vote.**

**B. Mountain West Estates Subdivision Preliminary Plat (SD-02-15)** – David Gertsch, Planning Director, gave the staff report. The Applicant is Mountain West Farm Bureau Mutual Insurance Company, and their representative, Matt Goetz, was present to answer any questions for the Commission. Mr. Gertsch explained this is for the recommendation of approval for the preliminary plat application. The final plat will follow. The land is vacant land and will be accessed from Pilot Peak Road and Sherman Hill Road. This subdivision falls within one mile of the City boundary and will need the City's approval. The County Fire Warden had no concerns; Tony Hoch, Laramie Rivers Conservation District Director, had no significant comments. The County Engineer, Bill Gorman, reviewed the preliminary plat and the drainage report is currently under review. Wyoming Department of Environmental Quality indicated a note must be added to the final plat that states, "All domestic drinking water wells shall be constructed into the confined Casper Aquifer". The subdivision is in the Casper Aquifer Protection Area. The Applicants had a site specific investigation completed by Weston Engineering, Inc. which concluded a 100-foot setback from the drainage passing through lots 5-8 be required. The application notification was completed as directed in the County regulations. The applicant has met the county requirement set forth in the Platting and Subdivision Regulations. Staff recommends approval of the preliminary plat based upon the Finding of Facts and Conclusions of Law and including the conditions listed in the Staff report.

Chairman Moline opened the public hearing asking parties to approach the lectern. Matt Goetz, 1259 Hildago, the Applicant's representative spoke in favor of the application.

Jeri Hamilton, 2525 Sherman Hills Road, indicated he was not against this but had a couple of suggestions. His first suggestion is the area enjoys a lot of wildlife along the north and south and would like to see a wildlife corridor. Secondly, he suggested a height limitation of building to match what Sherman Hill Subdivision originally had in their covenants. The last suggestion was to have the Application provide an additional hydrant for fire suppression on the city line to the west. There were no more public comments provided and the Chairman closed the public hearing. **After discussion, Mr. Miller made a motion to certify to the Board of County Commissioners a recommendation for approval of the proposed Mountain West Estates Subdivision Preliminary Plat, SD-02-15, based upon and incorporating the findings of fact and conclusions of law listed in the staff report with the following contingencies:**

- **A note is added to the final plat stating: “This development is within the Casper Aquifer Protection Area and is subject to any adopted rules governing this area”.**
- **If the County Engineer finds that any information needs to be added or modified in the storm drainage plan, these changes are done prior to submittal of the final plat.**

**Mr. Cunningham seconded the motion. Mr. Spiegelberg made a motion to amend the original motion to include the following:**

- **Include a wildlife corridor**
- **Height limitation similar to the height limitation for the area.**

**Chairman Moline seconded the motion. After further discussion Mr. Spiegelberg, Mr. Miller and Mr. Cunningham voted in favor of the motion. Mr. Moore abstained from the vote.**

## **VII. CURRENT PLANNING PROJECTS**

- A. City of Laramie Comprehensive Plan Amendment** – Susan Adler, Assistant Planner, explained this amendment goes along with the Gemstone Holdings, LLC Land Use change. Gemstone Holdings, LLC has filed an application for a comprehensive plan amendment with the City of Laramie to rezone this area Auto-Urban Commercial. The City of Laramie’s Planning Commission met on June 22, 2015, and the item did not pass. However, an amendment to the City’s Comprehensive Plan requires a majority of the seven Planning Commissioners. At the June 22, 2015, meeting there were 4 members present with 3 voting in favor and one opposed. This application will be heard by the City Council on July 21, 2015. After discussion, **Mr. Moore made a motion to forward a recommendation to concur with the amendment to the City of Laramie Comprehensive Plan to change the future land use map for this area to Auto-Urban Commercial to the Board of County Commissioners contingent upon the City Council approving the City Comprehensive Plan Amendment on July 21, 2015. Mr. Cunningham seconded the motion. Motion carried on voice vote.**
- B. Pod Definition** – David Gertsch, Planning Director, presented a proposed amendment to the Albany County Zoning Resolution by adding a definition of POD (Portable On Demand) storage. The Planning and Zoning Commission reviewed the amendment and after discussion, **Mr. Cunningham made a motion to forward to the Board of County Commissioners a recommendation for ADOPTION OF THE Portable Storage Container amendment as presented. Mr. Miller seconded the motion. Motion carried on voice vote.**
- C. Discussion on Platting and Subdivision update of Fire Safety Sections** - David Gertsch, Planning Director, indicated staff is in the process of drafting an

amendment to the fire safety requirements. As soon as these are ready, staff will bring them to the Planning and Zoning Commission for review.

**VIII. OTHER ITEMS/ANNOUNCEMENTS**

**IX. PUBLIC COMMENT**

**X. ADJOURNMENT**

Chairman Moline adjourned the meeting at 8:14 p.m.

Minutes taken by Susan Adler, Administrative Assistant/Assistant Planner