



## City of Laramie

Community Development Department  
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### MINUTES

#### Laramie Planning Commission

October 25, 2006 4:00 PM  
City Council Chambers  
406 Iverson Street, Laramie, WY  
(City Hall)

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*The Planning Commission meetings are open to the public. Requests from person with disabilities must be made to the Community Development Department 24 hours in advance of the meeting.*

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1. **CALL TO ORDER/ ROLL CALL** – Meeting convened at 4:04 PM  
Members present: Dave Paulekas, Kaye Willis, Dennis Dreher, Anne Larsen, Scott Mullner and Vicki Henry  
Members absent: Bob Bryant and John Hester  
There was a quorum present at all times with Anne Larsen arriving at 4:39 PM.  
Council Liaison: Jodi Guerin  
Staff present: Peter Wysocki, Mark A. Collins, Terry Haugen, Peggy Trent, Paul Harrison, Charles Bloom, Derek Teini, and Sara Davis  
Guests present: Karla Pomeroy, John Galbreath, Jim Hurley, John Evans, Mike Stoesz, Tim Stamp, Bill Gribb, Gary Linford, Reed Zars, and Diana Hulme.
2. **APPROVAL OF AGENDA AND MINUTES**  
Minutes of October 11, 2006 meeting –  
  
Ms. Willis motioned for approval of the minutes.  
  
Ms. Henry seconded.  
  
Motion carried unanimously.
3. **CITIZEN COMMENTS - Non-Agenda Related Topics – No Action Can Be Taken**  
No comments.
4. **PLANNING COMMISSION AND STAFF REPORTS AND COMMENTS**  
Mr. Wysocki stated that planning staff received a letter of withdrawal of plans from the Jacoby Ridge developers. Staff has not seen revised plans and the withdrawal holds no bearing on the amendments.
5. **DISCLOSURES**  
Ms. Henry requested to be permitted to vote on agenda items 7-A and 7-B since she is no longer associated with the groups petitioning the proposed amendments.

Mr. Paulekas stated that agenda items 7-A and 7-B are ordinances; therefore, they should be treated differently than the petitions.

Motion of Ms. Henry's authorization to vote on items 7-A and 7-B was approved unanimously.

## **6. CURRENT PLANNING PROJECTS**

### **OLD BUSINESS:**

#### **6-A. Cottonwood Drive Vacation (Withdrawal)**

Mr. Bloom presented the staff report.

Jim Hurley, from the Cottonwood Drive homeowner association, submitted two maps. The maps are included in the minutes. Mr. Hurley recommended a new fence for the property for accessibility to the river. Mr. Paulekas suggested speaking with Mr. Wysocki on this matter.

Mr. Dreher approved the withdrawal.

Mr. Mullner seconded.

Motion approved unanimously.

### **NEW BUSINESS:**

#### **6-B. University Heights Final Plat**

Mr. Teini presented the staff report.

Ms. Henry stated concern with the developers fulfilling the staff requirements. Mr. Teini assured the Planning Commission that the staff requirements have been met.

Mr. Dreher motioned for approval of the University Heights Final Plat subject to findings of fact and conclusions of law and all staff recommendations in the staff report.

Mr. Mullner seconded.

Motion carried unanimously.

## **7. LONG RANGE PLANNING PROJECTS**

**Continued consideration of two citizens' petitions filed with the Planning Commission on September 30, 2006, including the following:**

#### **7-A. Public hearing and consideration of an ordinance amending Laramie Municipal Code Chapter 17.82, Aquifer Protection Overlay Zone.**

Mr. Wysocki presented the staff report and reviewed the proposed ordinances.

Mr. Mullner stated concern with the lack of measurable standards in the ordinance. Ms. Trent stated that the ordinance can continue to be amended as more scientific data is received.

John Evans, a member of the Alta Vista/Indian Hills citizen petitioners' group, stated his disapproval of the ordinance. Mr. Evans stated that the ordinance is not specific enough.

Gary Linford, a citizen, is in opposition to development on or near the aquifer and agrees that the ordinance is not specific enough. However, Mr. Linford stated the ordinance should be adopted.

Diana Hulme, a citizen petitioner, stated support for the ordinance and there is plenty of time to make improvements to the ordinance as more information is found.

Tim Stamp, president of the Laramie Economic Development Commission, believes that the Aquifer does need protection and stated support for the ordinance.

Ms. Larsen stated that she cannot support the ordinance because she believes that the moratorium would be more effective.

Ms. Henry motioned for recommendation of the ordinance not as an emergency action item with an amendment of well monitoring responsibilities to be reviewed.

Ms. Willis seconded.

Planning Commissioners Henry, Willis, Paulekas, Dreher and Mullner approved. Planning Commissioner Larsen opposed. Motion carried.

**7-B. Public hearing and consideration of an ordinance establishing a temporary building moratorium within the Casper Aquifer Protection Plan area.**

John Evans, a member of the Alta Vista/Indian Hills citizen petitioners' group, recommended a moratorium. Mr. Evans stated that the moratorium accurately represents the desires of the citizens and the Council. Further, Mr. Evans stated that a moratorium would be the wisest action until more scientific data is available.

Mike Stoesz, a citizen, also stated that a moratorium would be favorable until an official report is submitted.

Bill Gribb, a citizen, stated support of a moratorium because it will stop any and all development in the Aquifer Zone and allow more time to conduct research.

Tim Stamp, president of the Laramie Economic Development Commission, disagreed with the idea of the moratorium because of the economic impacts a moratorium could have on the community and lack of scientific data to support the moratorium.

Mr. Wysocki stated that two developments located in the Casper Aquifer Zone, Imperial Heights 5<sup>th</sup> & 6<sup>th</sup> Additions, have been submitted to the Planning Department. Imperial

Heights 5<sup>th</sup> Addition Final Plat has already been approved by the Planning Commission and that the Imperial Heights 6<sup>th</sup> Addition Preliminary Plat will be reviewed by the Planning Commission on November 8, 2006. Mr. Mullner questioned what will happen with past developments in the area. Mr. Paulekas stated that a moratorium will stop any further development in the Aquifer Zone and halt any building permits.

Ms. Trent stated that agenda items 7-A and 7-B will have to go through City Council and the county will be liable for following the state statutes if adopted, but not the moratorium. Further, Ms. Trent stated that if a moratorium is adopted the moratorium will need to be renewed before its expiration date or nothing will be left to protect the zone. Ms. Trent suggested setting the expiration of 90 days if the Planning Commission decides to approve the moratorium.

Mr. Paulekas stated that he does not recommend a moratorium due to only a small section of the Aquifer Zone within the city limits, and the moratorium will not apply to the county. Ms. Willis stated her lack of support for a moratorium and doubts the county will adopt the moratorium.

Ms. Larsen motioned for approval of an emergency action moratorium for 90 days or until the Casper Aquifer Protection Plan is updated or until the effective date of the APO amendment.

Mr. Dreher seconded.

Planning Commissioners Larsen, Dreher, Mullner and Henry approved. Planning Commissioners Paulekas and Willis opposed. Motion carried.

**7-C. Public hearing and consideration of a Planning Commission Resolution adopting a Greenbelt and Trail Plan as part of the 1995 Land Use Element.**

Mr. Wysocki stated that the city has the ability to reserve land, but the code states that the city needs to compensate land owners for all land except roads and alleys. Mr. Wysocki also stated that the city will have two years to purchase the reserved land and Title 16 will need to be revised to change the code.

Ms. Larsen questioned if the bike trail is considered a road. Mr. Wysocki stated that a bike trail is not considered a road.

John Evans, the Bike Net chair, stated the Comprehensive Plan should include requirements to make Laramie a more bike-friendly community.

Ms. Willis motioned for approval adopting a Greenbelt and Trail Plan as part of the 1995 Land Use Element.

Mr. Dreher seconded.

Motioned approved unanimously.

**8. ADJOURNMENT**

Mr. Paulekas adjourned the meeting at 7:40 PM.

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Dave Paulekas, Planning Commission Chair Date

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Respectfully submitted ~ Sara Davis, Administrative Assistant Date