

PLATTE COUNTY
PLANNING AND ZONING
APRIL 9, 2014

Chairman Marty Shepard called the Platte County Planning and Zoning Commission meeting to order at 7:00 P.M. Commission members present were Bill Klein, Sherry Warner, Bonnie Lockhart, and Bob Brockman. Also present were Reed Elmquist, Planner, and County Commissioners Tim Millikin and Steve Shockley.

The Commission reviewed the minutes from the February 12, 2014 meeting. Commission member Brockman made a motion to accept the minutes from that meeting. Commission member Lockhart seconded the motion and it carried.

Old Business

Planner Elmquist presented a Special Permit to allow a shooting range in an Agricultural District from the Town of Wheatland, applicant and titleholder.

This lot was originally purchased by the Town of Wheatland in the late 1990s to create a buffer for the landfill. A few years later, the police department began using the side of the hill for target practice. Over the years the Sheriff's department, State Highway Patrol, and Game & Fish Department have joined the police department in using the site for training purposes, and the Town has requested a Special Permit to accommodate the extra uses.

ADVANTAGES: The lay of the land appears to allow for adequate containment of any stray bullets. The facility is reserved for law enforcement training and is not open for civilian use.

DISADVANTAGES: There appear to be none.

AGENCY COMMENTS: None received at the time of this report.

OTHER COMMENT: None received at the time of this report.

ANALYSIS: This property has been used as a shooting range for several years. As it is only used for law enforcement training, safety concerns should be minimal.

STAFF RECOMMENDATION: This office recommends approval of this request to allow a shooting range in an Agricultural District with the following condition, plus any others the Board may deem necessary:

That the use of this facility be limited to law enforcement personnel.

Acting Chairman Brockman opened the floor to public comment. Don Hale stated that while he was not opposed to this request, he would like the hours to be limited to daytime on weekends to cut down on the noise.

Cindy Kahler, Wheatland Town Clerk, stated that Mr. Hale had brought this issue to the Town's attention and that was why the Town chose to appear before the Board. If the hours were to be limited, the Town would be willing to abide to some extent, but officers can only receive certain qualifications training at night. Mr. Hale stated that he had no problem with nighttime shooting during the week and asked whether those officers could do the training on those days. Town Clerk Kahler answered that they could.

Chairman Shepard closed public comment and brought the issue to the Board for discussion. Commission member Klein proposed limiting hours of operation from 7 A.M. Monday to 5 P.M. Friday. Commission member Warner made a motion to recommend do pass for the Special Permit to allow a shooting range in an Agricultural District with the following conditions:

1. That the use of this facility be limited to law enforcement personnel; and
2. That the hours of operation be between 7 A.M. Monday and 5 P.M. Friday.

Chairman Shepard called for the vote and the motion carried.

New Business

Item #1: Reed Elmquist, Planner, presented a Subdivision Request to subdivide one parcel into four parcels in an Agricultural District from Chuck Sturgeon, applicant; and TeamCon, Ltd., titleholder.

The applicant proposes to develop an oilfield support business in the northwest quadrant of this 50-acre property and sell three other parcels. A rezone to Industrial District has also been proposed. Because only four parcels are proposed and because all parcels will be over five acres in size, this can be processed as a simple subdivision. The property has good access to Interstate 25.

The property is zoned Agricultural District and is surrounded by Agricultural District on the north, west, and south sides. I-25 lies to the east, and the property to the immediate northwest is zoned High Density Residential District.

ADVANTAGES: The proposed lot sizes easily allow for adequate individual water supply. Wastewater disposal systems will be approved by DEQ. The property has good access to the interstate.

DISADVANTAGES: There appear to be none.

AGENCY COMMENTS:

The County Engineer's concerns include (copy attached):

- Any existing utilities?
- Ground Water. Need to submit geotechnical investigation from Terracon
- Proposed utilities- water, sanitary sewer, gas, elect, comm.
- Drainage. Existing drainage of the site appears to all end up in WYDOT ROW?
Development of the area will increase runoff. An overall drainage plan will need to be developed and submitted assuming full development of the site. On site detention of storm water will probably be necessary to mitigate downstream impacts to neighboring properties and WYDOT.
- If Wells and septic systems are to be used, permits from the State of Wyoming Department of Environmental Quality will need to be obtained and submitted to the County.
- The developer will be required to make improvements as well as some signage to Swanson road to handle the increased traffic.
- You indicated that the new road and cul-de-sac shown on your layout is to be privately maintained. This new road should also be indicated as an access easement.

Todd Parfitt, director of the State Department of Environmental Quality, commented that a project of this nature may require permits from several divisions.

Brady Irvine, Platte County Resource District Manager, commented that there appear to be limitations regarding soils associated with dwellings, small commercial buildings, ponds, embankments, roads, streets, shallow excavations, lawns, landscaping, sewage lagoons, water management, and septic tank absorption fields. (Please call this office for a copy of the full report.)

OTHER COMMENTS: As this is not an advertised hearing and as notices are not sent to adjoining landowners there should be no other comments.

ANALYSIS: The proposed lot sizes easily allow for adequate individual water supply and wastewater disposal systems.

If water rights exist on this property, the subdivider will need to satisfy State requirements regarding those matters.

The proposed access easement connecting the southern two parcels to Swanson Road should be given a separate name approved by Emergency Management Services.

STAFF RECOMMENDATIONS: The Planning Office recommends approval of this subdivision request with the following conditions:

1. That a maximum of four (4) parcels be created, each being a minimum of five (5) acres;
2. That the southern two parcels be connected to Swanson Road via an access easement; and
3. That separate drainage plans or an agreement between property owners be prepared by a licensed civil engineer.

Chairman Shepard opened the floor to public comment. Jim Kumelos and Skeeter Kuntz both expressed concerns that rezoning the property to Industrial district would devalue their property. Planner Elmquist and the Board informed them that the rezone was not being considered at this time.

Chuck Sturgeon, applicant, stated that his intent was to develop and lease all four lots and that he would be primarily targeting oilfield companies and make improvements to Swanson Road.

Mr. Kumelos asked who owned TeamCon, Ltd. Mr. Sturgeon stated that TeamCon is his own private company and is not a subsidiary of any other company. Mr. Kumelos asked why Mr. Sturgeon had not requested a rezone to Commercial district. Mr. Sturgeon answered that a rezone to commercial would have limited the clientele to different uses than what he intended.

Chairman Shepard closed public comment and brought the issue to the Board for discussion. Commission member Klein asked why Mr. Sturgeon was requesting a subdivision if he was only going to be leasing the lots. Alan McIntosh answered that there would be different businesses located on each parcel, and they could each be sold later on. Commission member Lockhart asked for further clarification. Mr. Sturgeon answered that one building would be built on the northwestern lot in the immediate term, and they would seek to accommodate prospective tenants for the other three lots.

Mr. Kuntz asked what improvements would be made to Swanson Road. Mr. Sturgeon answered that he would gravel it.

Commission member Klein asked about adding a condition to widen Swanson Road. Planner Elmquist answered that County Engineer Cowley had not made any recommendation to widen the right-of-way.

Commission member Brockman asked how wide the access easement would be. Mr. Sturgeon answered that it would be a total of 60 feet wide with 45 feet of pavement, and the circle would have a 100-foot turning radius.

Hearing no further Board discussion, Chairman Shepard called for a motion. Commission member Brockman moved to recommend do pass for the Subdivision Request to divide one parcel into four parcels in an Agricultural District. Commission member Lockhart seconded the motion. Chairman Shepard called for discussion, there was none; he called for questions, there were none. Chairman Shepard then called for the vote and the motion carried.

Item #2: Reed Elmquist, Planner, presented a Request to Rezone to Industrial District from Agricultural District from Chuck Sturgeon, applicant; and TeamCon Ltd., titleholder.

The applicant intends to rezone to Industrial District to accommodate an oilfield support business and has concurrently applied for a Simple Subdivision request to divide the property into four parcels. The current zoning is Agricultural and is surrounded by Agricultural District on the north, west, and south sides. The onramp to I-25 is on the east side, and the Sinclair/A&W in Town limits on the opposite side of the interstate is zoned Highway Business District. A property to the immediate northwest is zoned High Density Residential.

ADVANTAGES: The property has good access to the interstate.

DISADVANTAGES: There is High Density Residential district to the immediate northwest, and no fewer than three established residences in the vicinity. This rezone could eventually result in a significant increase in truck traffic.

AGENCY COMMENTS: No comments have been received at this time specifically regarding the rezone; for the County Engineer's comments see the staff report on the Simple Subdivision.

OTHER COMMENTS: One neighbor called and stopped by the office. He stated that he lives across the road from the property and opposes the rezone to Industrial District, citing loss of property value as a concern.

ANALYSIS: An interchange is a more ideal location for an industrial district than just about any place, as there should not be a significant increase in noise levels from what presently exists. A rezone to Commercial District would appear to also be a favorable request. Rezoning will allow other industrial uses of the property, but those that are not relatively benign would require an approved Special Permit in addition to the Industrial Zoning. Although the property to the northwest is zoned High Density Residential, there is only one dwelling unit.

STAFF RECOMMENDATIONS: Staff recommends neither denial nor approval of this request to rezone to Industrial District.

Chairman Shepard opened the floor to public comment. Jim Kumelos opined that the proposal he had heard seemed to be more commercial in nature than industrial and asked what the permitted uses are in the two districts. Planner Elmquist read off the list of uses permitted in Industrial and Commercial districts.

Chairman Shepard then reiterated that because the applicant had specifically requested a rezone to Industrial district, the Board would only be considering a rezone to Industrial at this time.

Herschel Pruitt asked whether a plat would be filed. Planner Elmquist explained that Platte County does not require a plat to be filed for simple subdivisions.

Hearing no further comment, Chairman Shepard closed public comment and brought the issue to the Board for discussion. Hearing none, Chairman Shepard called for a motion. Commission member Warner moved to recommend do pass for the Request to Rezone to Industrial District from Agricultural District for TeamCon, Ltd. Commission member Brockman seconded the motion.

Chairman Shepard called for discussion, there was none; he called for questions, there were none. Chairman Shepard called for the vote and the motion carried.

The meeting closed at 7:35 P.M.

Respectfully Submitted, Reed Elmquist, County Planner