



Agenda Item: Agreement

Title: Memorandum of Understanding between the City of Laramie and Bittersweet Group, LLC regarding Development at 2000 S 15th Street

Recommended Council MOTION:

Move to **approve** the Memorandum of Understanding between the City of Laramie and Bittersweet Group, LLC regarding Development at 2000 S 15th Street, Authorizing the Mayor and Clerk to Sign.

Administrative or Policy Goal:

Allow for redevelopment of an existing property prior to completion of a major street, Bill Nye Avenue, which is required by Laramie Municipal Code, however due to ownership and lack of a final design development of the road cannot occur per Laramie Municipal Code.

Background:

This MOU has been developed to allow for redevelopment of an existing property and building, 2000 S 15th Street, prior to construction of a Major Street, Bill Nye Avenue, directly adjacent to the property.

The Council first saw this property as part of a rezoning request considered in 2018. The request, which was approved by the City Council approved a rezoning amendment from B2 to C2 for the property, to accommodate a desired warehousing/storage/retail mixed use building within the existing vacated lumber yard (Pro Build). In 2020, following the zoning approval, the applicant submitted for a Site Plan Application. After review and comments provided by staff, the applicant did not respond and ultimately the application was automatically withdrawn per LMC, as an inactive application. However, during this review a major issue, the issue behind this MOU, which is the construction of Bill Nye Avenue was detailed in our comments and likely the major stumbling block in the project moving forward at that time.

In 2021 the applicant submitted a new application for the site. Through staff review and subsequent resubmittals, the applicant has addressed almost all issues related to the site, except for the requirements associated with the construction of Bill Nye Avenue in conjunction with the Site Plan Application. Per LMC 15.18.010.A.3,

“Planned or existing roads adjoining a property on which a minor land division or major subdivision, or a development which requires site plan review, that are not improved to the city’s engineering and public works design standards, and at a minimum shall include the following: a. Full pavement width; b. Curb, gutter and sidewalk on the side of the road adjoining the minor land division, major subdivision, or development; c. Curb and gutter on the opposite side of the road from the minor land division, major subdivision or development; d. Stormwater conveyance

infrastructure necessary for proper drainage; e. Hydrants, if required by city standards; f. Street signs, if required by city standards; and g. Street lights, if required by city standards.”

Due to the fact that Bill Nye Avenue is a “planned” Collector Street, per the City and County adopted Major Street Plan, construction is required. Furthermore, per the general provisions of LMC 15.18 this section is intend to, “Provide for the proper arrangement and construction of streets and public utilities and public infrastructure devices; (LMC 15.18.000.A.1)”, “ Ensure proper relationship of public improvements to existing or proposed public improvements; (LMC 15.18.000.A.2), “Ensure compliance with the Laramie Comprehensive Plan; (LMC 15.18.000.A.4), “Establish a mechanism for securing public improvements for new subdivisions and development permits; and (LMC 15.18.000.A.6)” and “Generally promote the health, safety and welfare of the people of Laramie, both present and future. (LMC 15.18.000.A.7).” However, in this development situation the applicant does not own a majority of the land where Bill Nye is planned to be located, nor does the city have a final design that would detail out exactly what would be required for construction, which is essential for the Major Street.

In light of these issues, the proposed MOU, provides the City and applicant a solution that will allow for the developer to begin construction and ultimately use the site, prior to the acquisition and construction of Bill Nye Avenue being addressed. As outlined in the MOU, the city is pursuing acquisition of the majority of Bill Nye Avenue to the north of the site; which currently is not completed but in process. The developer, based upon a preferred alignment for Bill Nye Avenue as desired by the City, will deed land necessary for alignment and construction of Bill Nye Avenue. The developer will also purchase land from the City that it would acquire if acquisition of the Bill Nye corridor to the north is purchased. Also, the MOU outlines obligations associated with development agreements and financial security associated with site modifications that will be required throughout the development of the site and eventual construction of Bill Nye Avenue.

In summary, staff believe that this MOU is in the best interest of all parties and provides a solution that does not hold the current development to an unknown timeline or construction expectation due to the needed acquisition and construction of Bill Nye Avenue. Furthermore, the importance of Bill Nye Avenue is critical to the long-term transportation network for the City of Laramie and this MOU is representative of a step in the correct direction in terms of acquisition and construction of Bill Nye Avenue.

Responsible Staff:

Derek T. Teini, Planning Manager,
307-721-5245

Todd Feezer, Assistant City Manager,
307-721-5304

Future dates are subject to change

Work Session	
Advertised	
Public Hearing (PH) Held	
PH Advertised	
Introduction/1 st Reading	9/7/2021
2 nd Reading	
3 rd Reading	

Attachments:

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Development at 2000 S 15th Street