

City of Laramie

Planning Division
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LARAMIE PLANNING COMMISSION

December 12, 2022

STAFF REPORT

FILE: Z-22-01: Rezoning for Laradise Estates (B1/B2 to R1)

REQUEST: An amendment to the City of Laramie's Official Zoning Map to rezone for the Laradise Estates Preliminary Plat, generally located northeast of Grand Avenue and North of Bill Nye Avenue from B1 (Limited Business)/Business (B2) to R1 (Single Family Residential)

LOCATION: Located northeast of Grand Avenue and North of Bill Nye Avenue

APPLICANT(S)/AGENT: Laradise Land, LLC

OWNER: Laradise Land, LLC

PURPOSE: Zoning Amendment from B1 (Limited Business)/ B2 (Business) to R1 (Single Family Residential)

CURRENT ZONING: B1 (Limited Business)/ Business (B2)

PREPARED BY: Derek T. Teini, AICP, Planning Manager

STAFF RECOMMENDATION:

Move to recommend that the City Council **approve** an amendment to The City of Laramie's Official Zoning Map rezoning a property from B1 (Limited Business)/ B2 (Business) to R1 (Single Family Residential) District according to the findings of fact and conclusions of law.

APPLICABLE CODE SECTION(S):

Zoning Amendments must be reviewed by the Planning Commission and City Council. Planning Commission action is forwarded to the City Council as a recommendation.

- Laramie Municipal Code Title 15, Unified Development Code
- Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
- Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning
- Laramie Comprehensive Plan
- Major Street Plan
- Parks and Recreation Master Plan
- Casper Aquifer Protection Plan

BACKGROUND AND SUMMARY:

The following Rezoning Application is part of four submittals all associated with the Laradise Estates Preliminary Plat which if approved would allow for the development of 55 single family residential lots.

- CPA-22-01: Comprehensive Plan Amendment requesting the Future Land Use Designation to be changed from Suburban Commercial (SC) to Suburban Residential (SR).
- Z-22-01: A Zoning Amendment rezoning existing Limited Business (B1)/Business (B2) property to Single Family Residential (R1); and establishing Single Family Residential (R1) Zoning on newly annexed right-of-way.
- A-22-01: Annexation of a portion of Bill Nye Avenue right-of-way, just north of Grand Avenue into the City to facilitate the development of a subdivision called Laradise Estates.
- PP-22-01: A Preliminary Plat for the Laradise Estates Subdivision, platting 55 single family residential lots.

The area proposed for Rezoning is generally the same area being considered for subdivision, in addition to some adjacent right-of-ways like Grand Avenue and Bill Nye Avenue. As noted above the request is being made in conjunction with the Comprehensive Plan Amendment that would allow for this request to R1 zoning to be approved. The property is currently zoned B1 (Limited Business) and B2 (Business), with most of the property being zoned B1. The rezoning request would change all the B1 and B2 land to R1 Zoning, which is a single family residential zoning district.

Initiated by the Laradise Land, LLC an application for a Zoning Amendment was made regarding revisions to The City of Laramie’s Official Zoning map so that the property could be zoned R1 (Single Family Zoning District) in order to accommodate a single family residential development.

SURROUNDING LAND USE AND ZONING:

The area proposed for rezoning is currently zoned (B1) Limited Business/(B2) Business/(APO) Aquifer Protection Overlay Zone with the applicant requesting (R1) Single-Family Residential/(APO) Aquifer Protection Overlay Zone. (The information below represents the requested Comprehensive Plan Amendment designation of SR (Suburban Residential) and zoning R1 (Single-Family Residential), with no change to the APO Overlay Zone)

	Future Land Use Designation (Map 3.2)	Zoning	Land Use
Subject Property	(SR) Suburban Residential	(R1) Single-Family Residential/(APO) Aquifer Protection Overlay Zone	Undeveloped
North	(AUM) Auto Urban Multi-family/(SC) Suburban Commercial	(B1) Limited Business & (R2) Limited Multi-Family Residential/(APO) Aquifer Protection Overlay Zone	4-Plex Residential and Office Buildings
South	(EST) Estate/(SC) Suburban Commercial	County Small Lot Residential & Rural Residential Residential/County Aquifer Protection Overlay Zone	Undeveloped/Single-Family Homes/Gas Station
East	(SR) Suburban Residential/(AUM) Auto	(R1) Single-Family Residential/County	Imperial Heights Park

	Urban Multi-Family/(EST) Estate	Agriculture/(APO) Aquifer Protection Overlay Zone	
West	(EST) Estate/(SC) Suburban Commercial	County Small Lot Residential /County Aquifer Protection Overlay Zone	Single-Family Homes

APPLICABILITY TO THE COMPREHENSIVE PLAN, OTHER ADOPTED PLANS & STUDIES:

Relationship to the Comprehensive Plan, Housing Study & Action Plan 2030 & Casper Aquifer Protection Plan

The Comprehensive Plan's Future Land Use (FLU) Map (Map 3.2) shows this area as Suburban Commercial (SC)/Estate (EST). The development requests for a comprehensive plan amendment that changes the future use from Suburban Commercial (SC)/Estate (EST) to Suburban Residential (SR), which are sought as relief from more intensive urban settings, thereby leading to the popularity of contemporary neighborhoods denoted for their larger lots, privacy fences, and open areas. The request is being made to allow for the applicant to request single family residential (R1) zoning for the property, which is associated with a proposed 55 lot subdivision called Laradise Estates.

Staff believes this request still lies within the guidance give to us by the Comprehensive Plan, Housing Study and Action Plan 2030, Thrive Plan, Major Street Plan and the Casper Aquifer Protection Plan.

The [Comprehensive Plan](#) has existing Suburban Residential (SR) designations in this area just to the north of the property commonly known as the Imperial Heights neighborhood. This neighborhood is consistent with the desired designation and would fit with the existing pattern of development seen in the area. The current land use designation of Suburban Commercial and zoning of B1/B2 would allow for a more intense commercial use, versus the residential uses which comprise a majority of the uses in this area. Because this designation is consistent with surrounding designations, down-designating this area is not a concern. Also, it matches with other guidance provided in other plans which we will address below. Throughout the Comprehensive Plan, the need/support for more housing of all types, including single family residential units is noted and thus generally supports this requested change as presented. Because the property is already located within the City Limits, it is also located within the Urban Growth Area. Bill Nye Avenue, the only portion of the development not in the City is also located within the Urban Growth Area, which is considered area recommended for annexation and city style development.

The [Housing Study and Action Plan 2030](#) also provides guidance related to this request due to the variety of housing needed in our community. Land for almost all housing types, including single-family housing, is in short supply within the city and developing land for this purpose falls in direct line with the and the Housing Study 2030. Throughout the plan, the need for more, better quality, different types, different price points of single family homes is recommended. Within the study, the estimated 15 year demand for housing is 4,100 units, some of which include single family housing. The Housing Study also states, "Recommendations within the Housing Study process were developed to

identify areas within the current Corporate Limits of the City of Laramie that were ideally suited for new single family subdivisions. These areas would be comprised of vacant tracts of land that were:

- Within close proximity of existing infrastructure and utility systems and pertinent public facilities.
- Continue the progression of concentric growth patterns.
- Located in areas that are cost-effective for development or not within floodways, flood plains, steep slopes or ridgelines and not located with the Casper Aquifer Protection Area.
- In areas planned for residential development in the Future Land Use Plan and potentially Zoned appropriately for residential construction.

All of these which are being met by this development and through this request, except for the notation about being located within the Casper Aquifer Protection Area (staff will address this aspect below).

The [Thrive Laramie Community and Economic Development Action Strategy 2020](#) also supports the requested designation that would allow for single family housing. Throughout the plan, single family housing and housing in general is noted as a barrier to economic development in the Laramie Community. In fact, 6 areas of economic “Focus” were designated in this plan, one of which is “Expanding Housing Quality and Quantity”. The fact this is a “Focus” shows the importance housing is to the community. This focus is developed further in the plan within “Strategy 13” of the plan, which includes action statements all geared towards increasing housing options in the community. Finally, the Thrive Laramie Community and Economic Development Action Strategy 2020, includes statements such as:

- A second foundational barrier to business readiness is housing that is of high quality and quantity – a requirement of all people that is in short supply in Laramie.
- Increasing the availability of workforce housing will give employers confidence that they can invest in Laramie and support their employees.
- Increase the volume of construction, as well as enhance the existing quality and diversity of housing stock in strategic locations to contribute to a more livable Laramie.
- In the case of parcels that sit on the city-county line and that abut city land but are technically outside of its limits, a best practice solution is for the city to annex the intervening property to easily extend city infrastructure to that property.

For this request, staff believes that the guidance provided by the [Casper Aquifer Protection Plan](#) should also be considered. Because the Comprehensive Plan Amendment request area is located within the Casper Aquifer Protection Area consideration of the impacts to the Aquifer and how this request may impact the aquifer was considered. With the current designation of Suburban Commercial and Limited Business (B1)/Business (B2) designation, more intense uses associated with Commercial development and the B1 zoning district would be allowed today. This often bring other aquifer related issues into the picture that non-commercial uses don't such as stormwater management, larger parking lots and uses that have more of a potential for aquifer impacts. However, in this case the applicant is requesting a new Comprehensive Plan Land Use Designation to one of the least intense designations Suburban Residential (SR) and zoning districts of Single Family Residential (R1). Through eventual rezoning, this will allow the developer to develop single family homes within a zoning district that will allow for homes to be connected to city water and sewer, reducing the potential that this land would use septic systems or wells, each of which are identified in the Plan as potential contaminate sources or pathways to the aquifer. The plan states, “Residential areas that are attached to a centralized wastewater system will have much less of an

impact on the aquifer than those using septic systems.” Furthermore, through the Site Specific Investigation Process that was required with the associated Subdivision, the residential design and layout of the subdivision allows for the development to be cautious of the valuable features and other sensitive areas in the project area, thus allowing the developer to move lots out of these vulnerable areas to avoid potential contamination concerns.

Overall, the combination of factors and guidance being provide by the different plans, staff believes that the requested rezoning amendment from B1/B2 to R1 is supported.

PUBLIC COMMENTS:

Legal notice was published in the Laramie Boomerang on November 12, 2022. Certified Letters were sent to surrounding property owners within 300 feet of the subject property on November 9, 2022. Additionally, the property has been posted with the required development proposal sign. Staff has received 3 phone calls regarding the project, which were just inquiries into the project and what was going to be built. Additionally, the most public comment has come from the Sherman Hills Road Improvement District, which resulted in the MOU which is attached and addressed issues brought up by this group.

FINDINGS OF FACT:

The amendment is found to be in accordance with substantive and procedural requirements and necessities in City of Laramie Code and the Comprehensive Plan.

CONCLUSIONS OF LAW:

The amendment is proceeding in accordance with applicable law.

ALTERNATIVES:

1. Approve the Code Text Amendment based on findings of fact and conclusions of law (**Staff recommendation**);
2. Approve the Code Text Amendment based upon modifications recommended by the Planning Commission based on findings of fact and conclusions of law;
3. Deny the Code Text Amendment based on findings of fact;
4. Postpone the Code Text Amendment until issues identified during the meeting can be resolved.

RECOMMENDED MOTION:

Move to recommend that the City Council **approve** an amendment to The City of Laramie’s Official Zoning Map rezoning a property from B1 (Limited Business)/ B2 (Business) to R1 (Single Family Residential) District according to the findings of fact and conclusions of law.

Note: If the Planning Commission wishes to recommend **denial** of the applicant’s request, the Planning Commission must come up with alternative findings of fact, and to state those in a motion for denial.

ATTACHMENT:

1. Vicinity Map (1 page)
2. Map of the new zoning amendment (1 page)

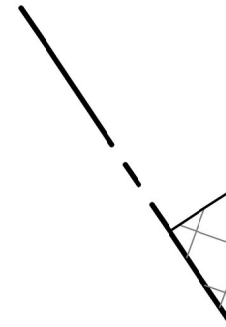
CURRENT ZONING: B1
PROPOSED ZONING: R1

OWNER LIST:

WYOMING FOUNDATION
1000 N. WYOMING AVE.
LARAMIE, WY 82070

DEPARTMENT OF TRANSPORTATION
1000 W. HWY 30 RIGHT OF WAY

WYOMING COUNTY
1000 W. AVENUE RIGHT OF WAY



LOCATION MAP

NO SCALE