



City of Laramie

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LARAMIE PLANNING COMMISSION

April 13, 2020
STAFF REPORT

FILE: A-20-01: Annexation: Sundance Hills

REQUEST: Annexation of vacant lot at the Southwest corner of Colorado Ave. and Venture Dr.

LOCATION: Southwest corner of Colorado Ave. and Venture Dr.

APPLICANT(S)/AGENT: Laramie Reboot, LLC

OWNER: Regions Holdings Group LLC, Mark Gunnerson, City of Laramie

PURPOSE: Annexation of property for future zoning of property for preliminary plat and future residential development

CURRENT ZONING: County Zoning Rural Residential and requested City R2, R2M and R3 Zoning

PREPARED BY: Matthew Cox, Associate Planner

RECOMMENDED MOTION:

Move to recommend **approval** to the City Council the annexation of an approximate 24.34 acres of land generally located at the southwest corner of Venture Drive and Colorado Avenue, based on findings of fact and conclusions of law.

APPLICABLE CITY CODE SECTION(S):

Laramie Comprehensive Plan
Laramie Municipal Code Title 15, Unified Development Code

Wyoming State Statutes Title 15 Cities and Towns, Article 4 Annexation
Wyoming State Statutes Title 15 Cities and Towns, Article 5 Planning
Wyoming State Statutes Title 15 Cities and Towns, Article 6 Zoning

BACKGROUND:

This request would result in the annexation of an area of approximately 24.34 acres in size which is generally located at the Southwest corner of Venture Dr. and Colorado Ave.

The area proposed for subdivision is currently in the county and is requesting Annexation, a Zoning Amendment and a Comprehensive Plan Amendment along with the Preliminary Plat. As proposed the subdivision will develop Section 6, T 15 N, R 73W. West of Colorado Avenue, and begins approximately 215 feet north of Venture Drive then extends to the south approximately 1,475 feet

towards Riverside Drive. As proposed with the Preliminary Plat the development will consist of 3 multi-family lots north of the future Venture Drive and 91 twin home and single-family lots south of the future Venture Drive. The proposed zoning is R3 (multi-family) District, R2 (limited multi-family) District and R2M (limited multi-family & Manufactured Home) District which requires a Comprehensive Plan Amendment in order to amend the future land use plan from Suburban Residential (SR) to Auto-Urban Multi-Family (AUM) and Urban Residential (UR). The developer has not released exactly what type of houses will be on the R2 and R2M lots, but it is expected that each R3 zoned lot will have 12 units per each lot. The reason for having R2M and R2 is that R2M allows for smaller single-family lots at 4,800 square feet rather than 6,000 square feet per principal structure as can be found under Table 15.12-2 under LMC.

There is land owned by the City of Laramie on the north side that includes one of the city's water distribution pump stations and through this process, it will be brought into the city but nothing will change with the lots boundaries. The slender lot on the south end of the development was originally plated illegally by the property owner. Staff had initiated an enforcement action on the illegal subdivision, but through this process, it will be platted legally and will be required to be included in the first final plat.

PROJECT DESIGN ANALYSIS:

Water and Sewer Service

The annexed property will be served by City water and sewer upon annexation. Water and Sewer services already exist along Colorado Ave. and there are also existing water lines along the newly proposed portion of Venture Dr. and within an easement at the south portion of the property. The applicant is responsible for the infrastructure improvements and service lines to bring City services to the site and all individual lots.

Fire and Police Protection

The annexed property will be served by the City Fire Department. Currently this area is served by the City Fire Department and will continue to be served after annexation; fire service will improve upon annexation because of 8 new fire hydrants being located on-site. This property will become part of the City of Laramie Police Department jurisdiction and will increase their service area.

Public and Private Infrastructure Improvements

The Annexation Report contains estimated costs of installing public utility improvements to serve the property. These have been reviewed and determined to be developed to the standards as required by the City. Total roads, costs for water, sanitary sewer, and fire service lines to the property are approximately \$2,212,165; all paid for by the applicant.

Franchise utilities have been contacted regarding this project and are noted within the Annexation Report provided by the applicant. None have expressed concern regarding the proposal. The petitioner does not include private infrastructure estimates (electric, cable, etc.), except to state that they will be provided to the development at their connection fee rates. The Postal Service has not returned their Franchise sheet.

ANNEXATION COST-BENEFITS ANALYSIS:

The applicant has provided staff with an annexation report detailing estimated costs for public sector improvements along with annual fee and service costs for water and sewer placement. The current estimates provided by the applicant's consultant have been reviewed and deemed accurate by the relevant City departments.

Development plans may result in additional costs and/or benefits for the City; if so, they will be reviewed through the platting and building permit processes.

Building Permit / Development Revenue

An estimated building permit cost was calculated based off of the estimated sell price of the single-family lots and similar products in the area for the multi-family units. Below are the estimated values of cost for all the units anticipated:

1. Total Single Family and Twin Home Building Permit and Plan Review Fee:
 - a. \$301,081
2. Total Multi-Family Permit and Plan Review Fee:
 - a. \$13,135

These building permit and plan review numbers are estimated and will fluctuate as more finalized designs are submitted.

There will be no immediate building permit and site plan application revenue for the area proposed for annexation. These fees will come as the developer submits site plans and building permits for each final plat that is submitted. The Site Plan application will generate revenue in the amount of \$420.00 per site plan. Plan review fees and building permits fees will be collected for each separate structure that is submitted for, including single-family and multi-family developments.

1. The developer estimates that each single-family house and twin home will be between \$250,000 and \$350,000. Using \$300,000 as a sale price, the valuation of the development, only looking at the single-family homes would be \$27,900,000 at completion of the project. It is unknown as to what the rental rates of the multi-family units will be, but we estimate that there will be three buildings with 12 units per building and 36 units in total.

Water and Sewer Service and Delivery

In addition Plant Investment fees related to Water and Sewer Service will range as detailed below:

Infrastructure	Fee*/Unit	Fee
<u>Single Family and Twin Home Units</u>		
32 - ¾" Water Services	93 x \$458.98	\$42,685.14
Water plant Investment Fee	93 x \$3,021.00	\$280,953
Sewer Plant investment fee	93 x \$2,811	\$261,423
<u>Multi-Family Units</u>		
2 – Commercial 2" Water Services	3 x \$1,641.94	\$4,925.82
Water Plant Investment Fee	3 x \$16,112	\$48,336
Sewer Plant Investment Fee	3 x \$14,992	\$44,976
Total Fees Paid to the City		\$402,345.96

These figures may vary if rates change, if different sized lines are needed in the future, or if additional development on site is considered.

Water and sewer delivery rates are primarily based on water usage. Estimated income from water service at this time would be based on the residential development. Upon connection, water delivery revenue would be based on the base rate of \$21.83 (¾" line) plus average water usage income of \$4.69 per water-unit for water service. The City of Laramie expects usage of 6 units of water per month. Based on these numbers, the development would generate \$49.97 per month and \$599.64 per year for each residential unit.

Sewer service will also be provided to the annexation area. Regarding sewer service, a flat rate monthly sewer fee of \$451.54 (8" line) is collected monthly and a user fee calculated at a price of \$4.41 per sewer-unit is also collected.

Solid Waste

Solid waste collection and disposal services will be available to the property. The current annexation will not by itself exceed the current landfill capacity, however the city continues to monitor the need for additional cells and space at all times. Fees are determined by the amount of kitchens within a residential unit. All of the single-family residential units are assumed to contain only 1 kitchen, in which the rate is \$9.16 for collection, \$7.23 for Disposal and \$4.39 for Recycling. In the case that every house requests both disposal and recycling cans, the monthly revenue for the city would be \$20.78 per month. This equates to \$249.36 per year per unit. Assuming there will be approximately 93 single family units and 3 multi-family buildings with 12 units each within the development, this comes to \$32,167.44 per year for the development.

Mosquito Control

The monthly Mosquito Control Rate per housing unit is \$4.89 per month. Using 129 units again, this comes out to \$630.81 per month in revenue and \$7,569.72 for a year. This development

does not change the service area for mosquito control other than the servicing of the detention pond at the south side of the property.

Park In Lieu Fee

Within Service Area 12 of the City of Laramie Parks and Recreation Plan, there already exists a shared use path along Colorado Ave. Under the plan, a park in-lieu fee or land will be required for all lots and units created within this preliminary plat. Staff has requested a fee in-lieu for this subdivision.

- 1) $5.63 \text{ acres} \times (129 \text{ units}) \times (2.19)/1,000 = 1.78 \text{ Acres} \times \$50,000 = \$89,000$.
 - i) Note: 129 units is based upon the 93 proposed single-family lots and assuming that each multi-family development has 12 units each.
 - ii) Each Final Plat will be required to provide the proper park in-lieu fee for service Area 12. Staff will condition the preliminary plat to include this requirement. Also, staff will condition the preliminary plat to allow for necessary adjustment for park in-lieu fee for the future development area at the time of site plan review in order to adjust for proposed units over or under the projected 129 units.

Emergency Response Services (Police, Fire, Medical)

The City will provide police patrol, fire suppression, fire prevention, emergency medical services, and full city response (2 pumpers, platform, ambulance, and command vehicle) to the development. Funding for these services comes as a percentage of the City's general fund, and additional revenue from sources such as: contracts with the rural fire districts, intergovernmental agreements (IGAs) with neighboring communities, contracts with area hospitals, and grants. It is not feasible to project costs with any certainty, since services are provided on demand. The relevant departments have not provided any concerns with adding the property to their service areas.

Snow Removal

This annexation is located along Colorado Ave. and Venture Dr. and Venture Dr. will be constructed to the new city limits on the West side of this land. The responsibility of snow removal for sidewalks falls on the residents that will occupy the houses along S. Johnson St., Cassidy Ridge, Venture Dr. and S. Grant St.. Snow removal on Collector Streets (Colorado Ave. and Venture Dr.) will fall to the City on a priority schedule set by the Streets Department, however Colorado Ave. and Venture Drive are Existing Collectors and do receive a higher priority due to its classification status. The City will be responsible for plowing the shared use path running along Colorado Ave.

Infrastructure Improvements

No direct cost to the City will be incurred for construction of infrastructure such as sewer and water lines, roads, sidewalks, curb, gutter and detention ponds in conjunction with this annexation. The Developer is required to oversize Venture Drive due to its status as a Collector Street. The applicant has the option to request partial reimbursement from the city for the required oversizing. If granted reimbursement, the developer would be responsible for 88 percent of the construction and the City would be responsible for 12 percent.

Road, Water and sewer infrastructure for this site will come under maintenance and ownership of the City once annexation is complete, easements created, and the improvements have been

approved and accepted. The applicant will be responsible for these development improvements, which are estimated at \$2,212,165.

Property Taxes

Based on Albany County Assessor information provided by the applicant, the property is currently assessed a Mill Levy of \$0.068 per \$1,000 of assessed property value within tax district 101. Upon annexation, the applicant has indicated they will be within the tax district 150 with a mill levy of \$0.073 per \$1,000 of assessed property value. This would total an estimated 2019 tax of \$36,500 based upon a valuation of the property at \$500,000.

As this property develops, three distinct development types are assumed to occur; twin-home development, single family development and a multi-family development of some density as permitted within the R3, R2 and R2M zoning districts. Using assessed values based upon similar properties in the area, each single-family or twin home unit's market value is around \$300,000, each paying approximately \$1,500.00 in taxes. With a total of 93 units, at full build out, tax revenue for all the units will be approximately \$139,500 per year. In addition, the multi-family building will result in additional tax revenue, using assessed values based upon similar properties a market value of \$2,000,000.00, tax revenue would be approximately \$42,000.00 per year.

Summary

In summary, this annexation may result in annual tax revenue to the City of approximately \$181,500.00 per year, increased value of land, constructed houses, built road infrastructure, sewer and water service, solid waste service, mosquito control and trash handling needs. In addition to the revenue generated, a total of \$314,216 in estimated permit fees will be collected and \$2,212,165 in infrastructure improvements will be invested in conjunction with the annexation. Revenue and cost would be allocated among the various applicable City Enterprise and general funds, as defined by code.

PUBLIC COMMENTS:

Legal notice was published in the Laramie Boomerang on March 28, 2020 Letters were sent to surrounding property owners within 300 feet of the subject property on March 27, 2020. Additionally the property has been posted with the required development proposal sign. Staff has received multiple enquiries surrounding the Preliminary Plat.

Below is a summary of the public comments that we have received. Attached to the Staff Report are copies of the emails we received from the public.

- 1) Privacy concerns of neighbors during construction.
- 2) Neighbors concerns of livestock escaping into the development.

Staff's Response to Public Concerns:

Staff believes that concerns around privacy are not of detrimental to the public's health and well-being. Development is necessary for the growth of Laramie and the land under consideration is

surrounded by the city on the north, south and east side. Staff believes this is a natural urban growth area for Laramie.

Concerns around livestock should be solved through the construction of a fence, separating the site under consideration and that of the concerned public. There is also residential development to the south and staff has not heard any concern of livestock entering the residential land at that location.

ANNEXATION -STATUTORILY REQUIRED FINDINGS:

W.S. 15-1-402(a) - 15-1-402(e) requires that before any territory is eligible for annexation, the governing body of any city or town shall make the following findings:

Required Findings:

1. An annexation of the area is for the protection of the health, safety and welfare of the persons residing in the area and in the city or town;
2. The urban development of the area sought to be annexed would constitute a natural, geographical, economical and social part of the annexing city or town;
3. The area sought to be annexed is a logical and feasible addition to the annexing city or town and the extension of basic and other services customarily available to residents of the city or town shall, within reason, be available to the area proposed to be annexed;
4. The area sought to be annexed is contiguous with or adjacent to the annexing city or town, or the area meets the requirements of W.S. 15-1-407;
5. The city's governing body is prepared to issue one (1) or more franchises as necessary to serve the annexed area pursuant to W.S. 15-1-410; and
6. The city, not less than twenty (20) business days prior to the public hearing required by W.S. 15-1-405(a), has been sent by certified mail to all landowners and affected public utilities within the territory, a summary of the proposed annexation report as required under subsection (c) of this section and a notice of the time, date, and location of the public hearing required by W.S. 15-1-405(a).
7. Contiguity will not be adversely affected by the existence of the platted street or alley, a public or private right-of-way, a public or private transportation right-of-way, a lake, stream, reservoir or other natural or artificial waterway located between the annexing city or town and the land sought to be annexed.
8. The annexing municipality shall prepare a proposed annexation report as specified by W.S. 15-1-402(c) (i-vi).
9. The city shall prepare for each landowner and affected public utility, requesting in writing, the estimated cost of infrastructure improvements required of the landowner and affected public utility related to the annexation. The request shall be made to the city or town clerk not less than ten (10) days prior to the public hearing required by W.S. 15-1-405(a).

The statutorily required findings can be affirmed and the property and the petition for annexation substantially comply with the requirements set forth in Wyoming Statutes. Responses justifying the required findings are found in the Project Design Analysis and Annexation Cost-Benefits Analysis of this staff report and the annexation report provided by the petitioner.

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Findings of Fact:

- The application complies with Wyoming State Statutes Title 15 Cities and Towns, Article 4 Annexation
- The application complies with the requirements of Laramie Municipal Code, Title 15
- Approval of this petition will add approximately 6 acres to the corporate limits of the City of Laramie.
- No new County properties are being brought within ½ mile of the City limits as a result of this annexation.

Conclusions of Law:

- The annexation is being processed pursuant to Wyoming State Statutes Title 15 Cities and Towns, Article 4 Annexation
- Establishing City zoning for the property is consistent with the urban growth goals of the comprehensive plan.
- Introducing diverse housing to the area is consistent with Action Goals identified under the *Laramie, WY Housing Study 2030*.
- *Conformance with the Major Street Plan*

ALTERNATIVES:

1. Approve the project as recommended by staff, based on findings of fact and conclusion of law. (**staff's recommendation**)
2. Approve the project with other modifications, based on findings of fact and conclusion of law.
3. Deny the project based on findings of denial. Since staff recommends approval, the Planning Commission must conclude that the entire project does not meet all of the findings. As part of the motion, findings for denial must be stated.
4. Postpone the project until issues identified during the meeting can be resolved with the applicant.

STAFF RECOMMENDATION:

Move to recommend **approval** to the City Council of the annexation of an approximate 24.34 acre area of land located at the southwest corner of Colorado Ave. and Venture Dr., based on findings of fact and conclusions of law.

ATTACHMENTS

1. Vicinity Map (1 page)
2. Annexation Report (9 pages)
3. Public Comments (4 pages)