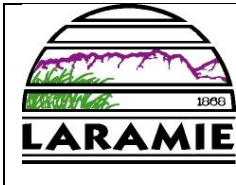


## CITY OF LARAMIE COUNCIL REGULAR MEETING     June 16, 2020



Agenda Item: Subdivision Plat - Final

Title: Spring Creek Village, First Filing, Final Plat

### Recommended Council MOTION:

Move to acknowledge receipt of the Spring Creek Village, First Filing, Final Plat as recommend by the Planning Commission, and continuing action on the plat pursuant to LMC 15.06.060.P.5.e.(ii) by postponing consideration until the July 7, 2020 regularly scheduled City Council meeting.

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### Administrative or Policy Goal:

Platting of unplatted property is in accordance with the goals of the Comprehensive Plan and the Major Street Plan. The proposed subdivision **does not comply** with the conditions of Council approval associated with the Preliminary Plat, Comprehensive Plan and Major Street Plan.

All regulations found within the Laramie Municipal Code (including the Unified Development Code) were approved and adopted through Ordinance by the City Council. Furthermore, conditions of approval included within the Staff Report were approved by the City Council. It is the professional obligation and responsibility of staff to follow and enforce adopted codes and decision made by Council.

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### Background:

#### Final Plat:

On March 7, 2019 a final plat for two lots associated with the Spring Creek Village Preliminary Plat was submitted. The two lots, Lot 1 & 2, Block 7 are located south of Boswell Drive, west of 9<sup>th</sup> Street and east of the future extension of Bill Nye Avenue. Lot 1 currently is developed with a storage unit complex with Lot 2 being undeveloped. Per the condition 1 of the preliminary plat the applicant was required to submit as part of their first final plat these lots in order to correct an unlawful subdivision. In addition to the creation of two lots, this final plat is required to dedicate and construct a portion of Bill Nye Avenue south of the Boswell Drive, as well as other associated infrastructure such as sewer, and a shared use path.

The final plat as submitted does not meet the required final plat findings found in LMC 15.06.060.P.5.e.(iv). More detail regarding our denial recommendation and analysis can be found within the Staff Report. Because this Final Plat does not comply with the approved Conditions as approved by the City Council, staff cannot recommend approval.

The City of Laramie Planning Commission reviewed this item on February 10, 2020.

At the February 10, 2020 Planning Commission meeting the city provided a recommendation of **denial** for Spring Creek Village, First Filing, Final Plat due to the fact that the submitted materials and Final Plat did not comply with the conditions of approval of the Preliminary Plat approved by

Council, the layout of the Preliminary Plat was not in substantial compliance with the approved Preliminary Plat, the improvements associated with the Final Plat had not been reviewed and approved by the City, that all required public and private improvements have not been financially secured and the Final Plat did not comply with all applicable development and design standards set forth by Laramie Municipal Code. Details related to the non-compliance of the Final Plat that was presented to the Planning Commission can be found within the attached Planning Commission Staff Report.

Following discussion by the Planning Commission, the Planning Commission recommended **approval** of the Spring Creek Village, First Filing, Final Plat. The Commission recommended the City Council **approve** the Final Plat (4 yes, 3 no, 0 absent) with no stated findings of fact or conclusions of law.

The February 10, 2020 Planning Commission Staff report is attached. The staff report has not been altered after the Planning Commission meeting.

**Legal/Statutory Authority:**

- 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
- Wyoming State Statutes Title 34 Property Conveyances and Security Transactions, Chapter 12 Platting and Dedication
- Laramie Comprehensive Plan 2007
- Major Street Plan

Note: No conditions can be modified or added. The final plat review evaluates for compliance with conditions of preliminary plat approval. (15.06.060.P.5.e.(iv))

**BUDGET/FISCAL INFORMATION:**

**REVENUE**

Source	Amount	Type
Fees/Charges for Service	\$300.00	Application Fee
Grants for Projects		
Loans on Project		
Other		
Total	\$300.00	

**Responsible Staff:**

Future dates are subject to change

Todd Feezer, Assistant City Manager,  
721-5304

Derek Teini, AICP, Planning Manager,  
721-5245

Attachments:

Work Session	
Advertised	
Public Hearing Held	February 10, 2020 (Planning Commission)
Public Hearing Advertised	February 10, 2020 (Planning Commission)
Introduction/1 <sup>st</sup> Reading	April 7, 2020
2 <sup>nd</sup> Reading	n/a
3 <sup>rd</sup> Reading	n/a

February 10, 2020 Planning Commission Staff Report