

**Minutes of the Proceedings**  
**Laramie County Planning Commission**  
**Prepared by the Laramie County Planning & Development Office**

**Laramie County Wyoming**

Thursday, March 08, 2018

**180308 00** The Laramie County Planning Commission met in regular session on Thursday, March 8th, 2018, at 3:30 p.m.

The members in attendance were Commissioner Jody Clark, Chairwoman; Commissioners Pat Moffett, Joe Patterson, Bert Macy; Mark Voss, County Attorney; Dave Bumann, Assistant Director; Brad Emmons, Planning Director; Nancy Trimble, Associate Planner; Bryan Nicholas, Associate Planner.

The meeting register was signed by: Julie Read, 2020 Running Brooke Lane, Pearland, Texas; Greg Hastings, 2495 Road 143, Cheyenne, WY 82009; David Read, 6817 Brave Court, Cheyenne, WY 82009; Keith Kennedy, 2219 Carey Avenue, Cheyenne, WY 82001; Timothy Read, 2020 Running Brook Lane, Pearland, Texas 77584; Doug Foley, 1966 Road 124, Cheyenne, WY 82009; Lori Sandberg, 18201 Lookout Drive, Houston, TX 77058; Ed Allen, 2565 Road 143, Cheyenne, WY 82009; Joanne Sandberg, 4734 State Highway 216, Albin, WY 82050; Kathleen Lyon, P.O. Box 312, Pine Bluffs, WY 82082; Dick Padon, Helis Oil & Gas, Terry Sandberg, 4734 State Highway 216, Albin, WY 82050, Casey Epler, Hillsdale, WY 82060; Jim Hastings, no contact information; Brandon Jensen, 300 East 18th Street, Cheyenne, WY 82003; Gary Lyon, 4906 Road 218, Burns, WY 82053; Bob Tarantola, 1021 Stafford, Casper, WY 82609; Jim Pike, 4322 Road 223, Cheyenne, WY 82009; Ted Hus, 606 Sako Drive, Gillette, WY 82718.

**01 Review and action on a Zone Change for Tract 3, Mountain View Homes Subdivision, Laramie County, WY, from LR – Low Density Residential to the Mountain View Homes PUD, and an amendment to the PUD.**

**02 Review and action of a Subdivision Permit and Plat for Mountain View Homes Subdivision, 2nd Filing, a replat of Tracts 3 and 4, Mountain View Homes Subdivision, Laramie County, WY.**

Nancy Trimble introduced application and Scott Cowley, AVI, PC. Mr. Cowley gave testimony on application. Nancy gave overview of the staff report. Commissioner Moffett asked about the previous discussion for this property, and if the PUD would apply to Tracts 3 & 4.

Commissioner Clark opened the hearing to public comment: Glen Connor of

1304 Broken Arrow Road lives in subdivision east of proposed area. Asked Planning Staff if the proposed site has a Comprehensive Plan designation and is the proposed site would be compatible to the adjacent areas. Nancy responded the Comprehensive Plan classifies the area as URI. Mr. Connor asked what the applicant is proposing to do, Nancy responded there is no development at this time. Nancy asked Scott Cowley to provide possible clarification. Mr. Connor again asked what would be the proposed development. Scott Cowley responded that the past discussions for the site intended to be a self-storage facility, and knew of no other options. Mr. Connor stated the proposed use isn't compatible with the residential area. He expressed concerns of heavy traffic, trains, crime activity, and water wells.

Commissioner Moffett discussed about the initial PUD and how some of the issues Mr. Connor was concerned about were addressed at that time. And that this discussion today only addressed the amendment to the PUD and did not significantly impact the adjacent area.

Nancy Trimble stated that if development were to be proposed, the applicant would have to apply for a Site Plan, and all issues would be revisited including traffic.

Commissioner Clark inquired if water issues would have to go through DEQ, Nancy clarified it would go through DEQ and Environmental Health since the property is in the 201 Sewerable Area.

Commissioner Clark asked for a motion. Commissioner Patterson moved to approve with no conditions, Commissioner Macy seconded.

Zone Change approved (4-0).

Nancy provided findings & recommendations for the Subdivision Permit & Plat.

Commissioner Clark opened the hearing to public comment: Seth Lloyd provided testimony for the city on the Plat review and approval process due to the property being within a one mile radius.

Commissioner Clark asked for a motion. Commissioner Macy moved to approve with no conditions, Commissioner Patterson seconded.

Subdivision Permit & Plat approved (4-0).

**03 Review and action of a change in Zone Change for Winkler PUD Amendment, Laramie County, WY; Located adjacent to the south across Tate Rd.**

Brad Emmons introduced application provided background for the original PUD, and introduced the applicants representative/agent to provide testimony.

Mr. Basom provided testimony that the amendment would be for an increase of area for storage. Other similar businesses/competitors have gone out of business, increasing the need for their business. Per the original PUD addressed the aesthetic issues and concerns brought up from the adjacent neighbors. New development was not impeded due to visibility. The assessor's records indicate no reduction in property value of homes in the area.

Commissioner Moffett asked the staff to discuss the County Engineer's comments regarding Tate Road.

Brad Emmons responded that the comment was irrelevant to the application's purpose and was submitted through a Pre-Application Meeting, and it is a Right-of-Way issue that would be addressed through a road vacation process.

Brad Emmons gave overview of the staff report.

Commissioner Clark opened the hearing to the public comment: Dawn Irvine of 3317 Farthing Road stated she objected to the original 2014 Zone Change, and didn't want the approval of the Zone Change because it has dramatically affected the area, commercializing the area. Ms. Irvine provided pictures as examples of her concerns. She has an elevated home/porch, which allows her to see into the yard. She also stated there are trucks/trailers being parked into the Right-of-Way. Asked about the J&H business sign stated it wasn't part of the original PUD, and asked to deny the application.

Mr. Basom addressed the pictures and concerns, and stated the applicant has met the PUD requirements.

Commissioner Macy asked about the fencing locations and lengths, Mr. Basom clarified distances and locations.

Commissioner Clark asked for a motion. Commissioner Moffett moved to approve with no conditions, Commissioner Patterson seconded.

PUD Amendment & Zone Change approved (4-0).

**04 Review and action of a Site Plan for Cheyenne Regulators, Inc. Shooting Range, located on Tracts 9 and 16 of Calico Hills Ranches Map of Survey, being in a portion of the NW ¼, NE ¼, Section 18, T.16N., R.63W. of the 6th P.M., Laramie County WY.**

Commissioner Clark addressed the procedure and rules for Agenda Item 04, clarified time duration of comments.

Bryan Nicholas introduced application and John Manley, Cheyenne Regulators, Inc.

Mr. Manley provided testimony on the application by a PowerPoint Presentation. In his testimony Mr. Manley introduced Mr. Leon Kent Risher of 4276 Calico Hill Ranch Road, and Bill K. as Treasurer. He also provided his personal background and experience with firearms. He continued to address the importance of the meeting and the main concerns of the public, and the background of the Cheyenne Regulators, Inc. He also provided the history of past experiences and operating conditions with past shooting ranges, and the reasons of why they are proposing the new range on the Risher Property.

Commissioner Clark asked Mr. Manley, in regards to fire mitigation, about the hydrant Mr. Manley discussed in his testimony and the type of the hydrant. Mr. Manley responded it was a residential hydrant used for garden hoses. Commissioner Clark clarified it wasn't a water cistern with the ability to have enough water to put a fire out if it occurs. Mr. Manley stated it was a typical residential hydrant and not specifically used for the range.

Commissioner Clark asked about the issue of repetitively shooting the hay bales in the same location and what affect that would have on them. Mr. Manley stated they weren't shooting at the hay bales but metal targets. Commissioner Clark asked about the possibility of strings breaking, Mr. Manley answered that there are multiple strings, and they would fix the broken string.

Commissioner Clark asked about the deterioration of the bales over time and how what the lifetime of the bales were. Mr. Manley stated in a similar climate in Oregon, the bales can last 8 – 10 years. Commissioner asked to compare bales to climates more similar to Cheyenne, Mr. Manley comparing hay bales in Colorado would last an excess of 10 years. Commissioner Clark asked about the condition of the pallets the bales sit on, and how long they typically last. Mr. Manley stated that eventually the bales would deteriorate, but he had no quantifiable information to answer that question. Commissioner Clark stated based on internet research she had found no examples of hay bales and pallets being used. Mr. Manley stated he can only go on what he has seen.

Commissioner Moffett stated he wanted to applaud Mr. Manley on his intentions of submitting the application, and wanting to bring it to the attention of the community. Commissioner Moffett stated he had visited the site and wanted Mr. Manley to clarify what the mitigation plan was for the hay bales falling over. Mr. Manley answered the short term plan was to use telephone poles as braces.

Commissioner Moffett asked about lead mitigation the effects of lead run-off and contamination. Mr. Manley stated that lead in the soil is fairly inert, and lead salts can migrate. But based on the drainage didn't see it as a long term problem, and the shooting wasn't intense enough to cause damage. They would be participating in a national program that skims the range to pick up the lead and recycle it.

Commissioner Clark asked about the caliber size, Mr. Manley provided a range of caliber sizes. The nature of the shooting is quick in nature with low velocity ammunition. But clarified people could use higher calibers and the targets were designed to handle larger calibers. Commissioner Clark stated that based on a .45 caliber bullet the range is 7,000 linear feet. Mr. Manley agreed and stated that there are no habitable structures behind the shooting range for 2 miles.

Commissioner Clark expressed concerns not about habitable structures but citizens on the land farming. Mr. Manley addressed the issues and discussed about the adjacent landowners north of the range. He stated that the landowners would be on the land intermittently, and with the schedule of shooting events or by-appointment only shooting, Mr. Risher could visually determine if landowners were on the land. They would also contact them by phone or email the times and dates of shooting days. Mr. Manley stated he would cancel any event that would fall on a time or day the landowner would be outside farming. He also stated the landowner had a right to use his land when he wanted, and by being a good neighbor they would visually inspect the area to make sure no one was downrange, and if so they wouldn't shoot. Commissioner Clark addressed her issues with such communication methods and its impact on the landowner. Mr. Manley stated that the landowner allows hunting on the property, and the possibility of being injured from a stray bullet from a hunter is more likely than from the proposed shooting range.

Bryan Nicholas gave an overview of the staff report.

Commissioner Clark opened the hearing to public comment: Kent Risher of 4276 Calico Hill Ranch Road provided comment about the nature of the Cheyenne Regulators club. Commissioner Clark asked what was the acreage of Otto Road Shooting Range, Mr. Risher estimated the range was 30 acres in size. Commissioner Clark asked about the size of Cheyenne Rifle and Pistol Club, Mr. Risher estimated 600 acres. Commissioner Moffett asked if the range

will have a notification flag when the range is hot.

The following citizens provided concerns and comments regarding safety, lead run-off, agricultural use, farming, fires, stray bullets, oil & gas operations, lack of higher regulations, design, or engineering:

Julie Read – 2020 Running Brooke Lane, Pearland, Texas 77584

Greg Hastings – 2495 Road 143, Cheyenne, WY 82009

David Read – 6817 Brave Court, Cheyenne, WY 82009

Keith Kennedy – 2219 Carey Avenue, Cheyenne, WY 82001

Timothy Read – 2020 Running Brook Lane, Pearland, Texas 77584

Doug Foley of 1966 Road 124, Cheyenne, WY 82009 provided comments regarding his property, shooting on his property, the responsibility of safety and shooting, and the importance of safety for the Cheyenne Regulators, Inc. He stated the legality of him shooting on his range, as well as Mr. Risher's right to shoot on his property. He stated 100% safety is not possible regarding the use of firearms, but the impacts it has on the Cheyenne Regulators, Inc. operations if harm to occur. Mr. Foley stated that the difference is the Cheyenne Regulators, Inc. brought this to the public with good intentions, and involving Laramie County.

Commissioner Moffett commented that during testimony that it was stated that Cheyenne Regulators, Inc. is taking responsibility, eluding to a possible lease agreement between Mr. Risher and the Cheyenne Regulators, Inc.

Mr. Manley clarified they do not have a lease agreement, but a had a Land Use, allowing Mr. Risher to continue to use his land. Mr. Manly also stated an existing shooting range exists near his residence and is allowed by the county.

Lori Sandberg – 18201 Lookout Drive, Houston, TX 77058

Ed Allen – 2565 Road 143, Cheyenne, WY 82009

Commissioner Clark asked what was the response time to the Ward Fire. Mr. Allen stated they arrived fairly quickly, and estimated 100,00 gallons were needed. Commissioner Clark asked where would the water come from, Mr. Allen answered they were getting the water from the hydrants in Burns, WY.

Joanne Sandberg – 4734 State Highway 216, Albin, WY 82050

Kathleen Lyon – P.O. Box 312, Pine Bluffs, WY 82082

Dick Padon – Helis Oil & Gas

Terry Sandberg – 4734 State Highway 216, Albin, WY 82050

Casey Epler – Hillsdale, WY 82060

Jim Hastings

Brandon Jensen – 300 East 18<sup>th</sup> Street, Cheyenne, WY 82003

Gary Lyon – 4906 Road 218, Burns, WY 82053

Bob Tarantola – 1021 Stafford, Casper, WY 82609

Jim Pike – 4322 Road 223, Cheyenne, WY 82009

Ted Huss – 606 Sako Drive, Gillette, WY 82718

Justin McCoy of 5145 Road 222, Burns, WY 82053 provided comments regarding his property, leasing land adjacent to the shooting range. He stated he is in support of the shooting range, feeling sufficiently safe. He stated if the bales were not sufficient and livestock would be harmed he'd be the first to

know. Mr. McCoy stated many landowners have private ranges, and sometimes stray bullets do occur, and is not necessarily more risk to the landowners.

Mr. Manley responded to Mr. Jensen's comments about the Cheyenne Regulator's, Inc. insurance, clarifying he provided Mr. Jensen a certificate of liability and he has proof they are insured. Mr. Manley clarified that the NRA guidelines are not hard and fast rules. Mr. Manley also clarified that I-80 is within one mile and has no incidents, and that a shooting range is more controlled and the Cheyenne Regulators, Inc. have enforced safety.

Commissioner Moffett stated he has property himself, and children using his property with ATV, should be advised to stop that situation. He also stated that because there is no regulatory guidance in the LCLUR, the next higher standards should be referred to. And although the NRA although are not legally binding or enforceable, they should be referred to. Mr. Moffett also expressed his concern of lack of capability to mitigate fires.

Commissioner Clark referred to the Comprehensive Plan land use description and how it would affect the agricultural nature, and how business owners would be affected. Mrs. Clark also stated there should be no room for error or mishaps.

Commissioner Patterson stated his concerns were addressed by the public, and there was more support against the shooting range, and was concerned about the lack of safety and design.

Commissioner Moffett stated that because there is a land use agreement between the landowner and the Cheyenne Regulators, Inc the nature of the land use changes from private to public.

Commissioner Macy stated he had visited the site and moved to deny the application.

Commissioner Clark asked for a motion.

Site Plan Denied (4-0).