

"ANYTHING TWO PEOPLE KNOW IS NOT A SECRET."



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WAL*MART and LEADS "stiff" neighbors

"100% variance" to rules means no trees

by DaveFEATHERLY

If you wanted to build the identical building on identical acreage, but at another location - not in an industrial park fronted by the erstwhile local economic development group comically called Cheyenne-Laramie County Corporation for Economic Development but wanting to be called "Cheyenne LEADS" - you'd have to plant 1,926 trees.

That is a calculation based on the "total site area" of 147.42 acres and zoning of Light Industrial being required to have landscaping area of 15% of the total site area and one tree for every 500 square feet. The math works out to 1,926 trees.

When Bob Jensen of the Wyoming Business Council and Randy Bruns of "Cheyenne LEADS" went hat in hand to the neighbors who had successfully fought the illegal annexation of the same land when it was to become a dense city housing subdivision. The tears-in-their-eyes plea was to seek silence as the section of land was rezoned for the third time in three years - this time to the L1, Light Industrial, so an industrial park could be developed on this ever-changing land.

One can only imagine the head nodding on the part of Jensen and Bruns. Because at that meeting, they were facing the likes of Elizabeth Cox, Ann King and their neighbors. Did I mention Gay Woodhouse? She's beaten that cast of characters in court more often than Perry Mason did Hamilton Burger in the Erle Stanley Gardner books and television series.

So, the purpose of meeting with these neighbors was to solicit their support for the latest rezoning. Silence would do.

Were there conditions put on the neighbors acquiescence to an industrial park instead of a couple thousand low-income houses on a section of land? Perhaps not. At the time, the illegal annexations were winding to and through the Wyoming Supreme Court. They hadn't lost yet.

Even as the Village West plans were going up in smoke, LEADS and city elected officials were working on a way to pull the developer's fat out of the fire. Publicly pretending that they were right and the Supreme Court would vindicate their repeated illegal acts, they were stealthily working under the radar to convert the same land west of town to a second industrial park.

Ah, the good old boys network.

As a result of that meeting, neighbors went on record as saying that they did not - repeat, did not - want the land annexed to the city because of the potential risk they'd have of their own land being annexed. And, of course, the other drawbacks of being even closer to the city border than they were then.

It is reasonable to believe that the primary purpose for Jensen and Bruns meeting with those neighbors was to head off any future litigation while they pursued their goals. Anyone that thinks Mrs. Cox and Mrs. King will not protect their property interests do not know them very well.

But in return for that cooperation, the same pair advanced the efforts of the City to change annexation statutes which, had they been successful, would have allowed the City to annex land for an industrial park as far as three miles from the city borders.

The neighbor's concerns were conveyed to Jensen and Bruns. Their No. 1 concern was **Landscaping**.

Like the familiar dog on the rear window deck of a '57 Chevy, rapidly nodding its head for no reason other than the car had stopped, these two guys whose success is spending money, not producing jobs, would agree to anything to avoid another losing lawsuit for themselves.

"The Area Residents are concerned about the proposed industrial uses and their environmental impacts and would like to see the properties landscaped similarly to the new industrial parks located along the Front Range." Also, **"They hope covenants will be put in place which require landscaping that is well-designed aesthetically and functionally. They propose creating a landowners landscaping committee to approve landscaping plans, which committee would be composed of 2 or 3 of the Area Residents and LEADS representatives."**

Can't you just see those two ~~characters~~ guys sitting there nodding their heads vigorously in agreement? Oh, yea. Oh, yea.

What did the neighbors get and how did LEADS protect their interests in exchange for no opposition to rezoning for an industrial park? They got nothing and LEADS protected them like Benedict Arnold protected the Colonies.

As the scrapers were being fired up, the world's largest retailer all of a sudden made a ~~demand~~ plea for a "County Variance request for a 100% landscape variance for relief from required street trees and internal trees ..."

Not a 25% variance. Nor 50%. But 100%. Total. Don't have to provide a thing.

Now, close your eyes for a minute. Are they closed?

Imagine the two weakest Laramie County Commissioners being confronted with the demand from the world's largest retailer that they not have to plant a single tree on 147.42 acres of land. Not a tree!

Remember, if it were you, you'd have to buy and pay to have planted 1,926 trees.

The Staff Report supported the total variance but thought "seedlings" would do.

Part of the reason for the trees was to shield the neighbors from the sight, sound and smell of operation of a 24/7 major distribution center. Seedlings will either die or not develop in the lifetime of the neighbors who deserved the consideration.

The only department with the guts to object, albeit meekly and ineffectively, was the MPO - the Metropolitan Planning Organization. Their comment: **"Standards are there for a reason. This is not acceptable. Landscaping should be concentrated along the Interstate, entries and Logistics Drive with irrigation."**

Yes, the world's largest retailer - and defendant in countless employee claims and lawsuits - should have been required to plant the required 1,926 trees **AND** they should have been required to provide a drip irrigation system to keep them alive.

Seedlings, my ascot.

Did they comply with the requirements to be granted a variance? See page 3.

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(307) 637-2879 ♦ e-mail ... CheyenneHerald@bresnan.net
P.O. Box 2208 ♦ Cheyenne WY 82003

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