



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Planning Commission

FROM: Cate Cundall, Associate Planner

DATE: April 24, 2025

TITLE: PUBLIC HEARING regarding a review and recommendation of the Capitol Tracts, 4th Filing Subdivision Permit and Plat located at Tract 4, Capitol Tracts, Laramie County, WY.

EXECUTIVE SUMMARY

Marc A. and Jane R. Harrington has submitted a Subdivision Permit and Plat application for Capitol Tracts, 4th Filing. The proposed subdivision will create two (2) residential tracts from the 4.13-acre parcel. Originally submitted as an administrative plat action the project was changed to a subdivision permit and plat since a one-time statutory lot split had occurred on this parcel in 1992. Regulations state that any parcel created previously through administrative approval must go through a subdivision permit and plat approval process for any revisions.

BACKGROUND

The subject parcel lies in two zone districts - the CB – Community Business Zone District and the MR – Medium Density Residential Zone District. Currently the property is used as a storage facility with surface storage on the proposed Tract 1 and storage units on the proposed Tract 2. The surrounding area consists of residential and commercial uses.

Pertinent Statutes and Regulations include:

Wyoming State Statute Section 18-5-301 thru 18-5-306 and 34-12-101 thru 34-12-115.
Section 2-1-101 governing the requirements for submittal of a Subdivision Permit and Plat.
Section 4-2-104 governing the Medium Density Residential zone district (MR).
Section 4-2-107 governing the Community Business zone district (CB).

DISCUSSION

The Laramie County Comprehensive Plan identifies the area as Urban Residential Interface (URI) and are intended to accommodate a mix of more intensive land uses than other areas. Higher density residential, intensive commercial, employment centers and industrial uses are preferred in these areas. The subject property lies within the Plan Cheyenne Urban Residential category (UR).

The proposed subdivision is within the South Cheyenne Water and Sewer District.

The subdivision will be accessed via Hellwig Road and West College Drive. A traffic study and drainage study were determined to not be warranted for this development.

Agency comments are being addressed and corrections made to the plat.

RECOMMENDATION and FINDINGS

Based on evidence provided, staff recommend the Planning Commission find that:

- a. This application meets the criteria for a subdivision permit and plat pursuant to section 2-1-101 (a-e) of the Laramie County Land Use Regulations.
- b. This application is in conformance with section 4-2-104 governing the MR – Medium Density Residential zone district.
- c. This application is in conformance with section 4-2-107 governing the CB – Community Business zone district.

and the Planning Commission may recommend approval to the Laramie County Board of Commissioners with one condition.

1. Changes to the plat need to be completed to reflect the change from an Administrative Plat to a Subdivision Permit and Plat.

PROPOSED MOTION

I move to recommend the approval of the Subdivision Permit and Plat for Capitol Tracts, 4th Filing located at Tract 4, Capitol Tracts, Laramie County, WY, to the Board of County Commissioners, with one condition and adopt the findings of fact a, b, and c of the staff report.

ATTACHMENTS

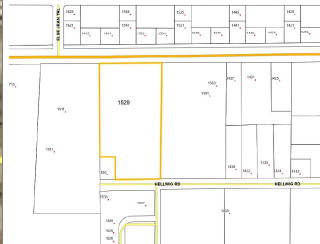
- Attachment 1: Location Map**
- Attachment 2: Pre-App Meeting Notes**
- Attachment 3: Project Narrative**
- Attachment 4: Agency Comment Reports and Applicant Responses**
- Attachment 5: CFF & PSF Acknowledgement**
- Attachment 6: Draft Resolution**
- Attachment 7: Capitol Tracts, 4th Filing Plat**



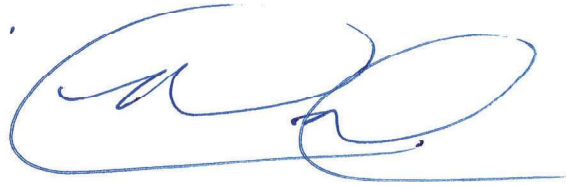
**Capitol Tracts,
4th Filing
Subdivision**

**1529 West College
Cheyenne, WY**

PZ-25-00010



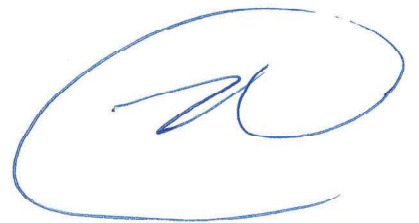
I am Requesting to split off/Divide
.64 of an Acre From 1529 W. College Dr.
It is Located on the S.E. Portion
of the property.



We are Requesting a Waiver on
the Drainage & Traffic Study.



I Acknowledg ~~there~~ will be
Community Facility & Public Safety
Fee.



AGENCY REVIEW #1

Permit Notes

Permit Number: PZ-25-00010

Parcel Number: 13661820101600

Submitted: 02/20/2025

Applicant: HARRINGTON, MARC A ET UX

Site Address: 1529 W COLLEGE DR

Technically Complete: 02/20/2025

Owner: HARRINGTON, MARC A ET UX

Cheyenne, WY 82007

Approved:
Issued:

Project Description: create 2 parcels

<u>Begin Date</u>	<u>End Date</u>	<u>Permit Area</u>	<u>Subject</u>	<u>Note Type</u>	<u>Note Text</u>	<u>Created By</u>
10/12/2023	03/01/2024	Parcels	13661820101600	POP-UP	COMMERICAL RENOVATION APPLICATION, AND INCOMPLETE PLANS ARE ATTACHED BELOW.	SONIA.CHRISTEN SEN@LARAMIECO UNTYWY.GOV
02/20/2025		Application	PZ-25-00010	GENERAL	No comment-	DARRICK.MITTLES TADT@LARAMIEC OUNTYWY.GOV
02/20/2025		Application	PZ-25-00010	GENERAL	Approval of the admin plat will be done administratively. Public comments accepted until March 24, 2025.	CATHERINE.CUND ALL@LARAMIECO UNTYWY.GOV
02/20/2025	02/26/2025	Workflow	COUNTY REAL ESTATE OFFICE REVIEW	DEFICIENCY	Jane R. Harrington needs to be added to the dedication, signature and notary acknowledgment. The legal description & Title Block needs to be a Replat of Tract 4 Except Portion.	TERESA.LEMASTE R@LARAMIECOUN TYWY.GOV
02/21/2025	03/11/2025	Workflow	COUNTY ASSESSOR REVIEW	DEFICIENCY	We are currently assessing Marc A. Harrington and Jane R. Harrington. No further comments.	CINDY.KEMIVES@ LARAMIECOUNTY WY.GOV
02/24/2025		Application	PZ-25-00010	GENERAL	No comment	SCOTT.SPRAKTIE S@LARAMIECOUN TYWY.GOV
02/25/2025		Workflow	WYDOT REVIEW	GENERAL	No comment.	TAYLOR.MCCORT @LARAMIECOUNT YWY.GOV
03/03/2025		Application	PZ-25-00010	GENERAL	No comment	MATTHEW.BUTLE R@LARAMIECOUN TYWY.GOV
03/04/2025		Workflow	PUBLIC WORKS REVIEW	GENERAL	1. Access for Tract 1 is off of a road under the jurisdiction of WYDOT. Any access changes shall be coordinated through WYDOT. 2. Future infrastructure upgrades may be required with any development of these Tracts. This could include but is not limited to access, right-of-way (road construction), re-vegetation and signage. Permit applications through Public Works will be required at the time of development. 3. At time of review by Public Works, the review engineer comments had not been submitted. If the comments need further conversation and/or clarification, please do not hesitate to reach out to Public Works. 4. All comments from the review engineer and/or surveyor shall be addressed.	MOLLY.BENNETT @LARAMIECOUNT YWY.GOV

Permit Notes

03/05/2025	Application	PZ-25-00010	GENERAL	WAPA has no conflict with this project.	ROGERS@LARAMIECOUNTYWY.GOV
03/06/2025	Application	PZ-25-00010	GENERAL	<p>1. Official City Comment Letter attached (no comments warranting response).</p> <p>2. Title block needs to be modified as this plat does not propose replatting the entirety of Tract 4.</p> <p>3. Although the City has not acted on it in 50+ years and has no plans at present to do so, owner should be aware the land contained within this plat boundary is under a consent agreement to annex to the City of Cheyenne (Book 921, Page 327). (no response required for this item)</p>	SETH.LLOYD@LARAMIECOUNTYWY.GOV
03/06/2025	Application	PZ-25-00010	GENERAL	<p>Property ownership in the entirety of the parcel in consideration for the administrative plat is held by the same owner, Mr. Harrington. The larger portion of tract for which the applicant seeks to divide is zoned CB on its northern three quarters and MR in its southern portion. It is unusual to see a single parcel with two different zone classifications absent division of the property.</p> <p>If the northern portion designated CB had been previously divided, perhaps by deed, the administrative plat may be redundant, in that a segregated parcel on the southern portion in the area designated MR would have been created and then, divided again by the creation of the lot indicated as 1530 Hellwig. Is that possible?</p> <p>First; Application notes indicate Possibly recorded by Steil, need to verify if anything has been recorded Has it been determined if something was recorded? If so what? That would need review by this office.</p> <p>Questions and/or information which might provide an answer to the question above:</p> <p>1)Can you provide to us information from the planning departments records in regard to the zone change which created this dual zoning? Looking at the map, one can presume that perhaps the entire parcel was MR at one point in the CB was created subsequently. Was this division of zoning based on a pre-existing property division? If not, how was the separation point between the zones determined in the single parcel? Does it reflect an underlying division of property?</p> <p>2)Does the deed attached as proof of ownership describe the larger parcel as it appears on the assessors GIS. That is with no separation between the CB zoned portion and the southern MR zoned portion?</p> <p>3)What do planning department records demonstrate in regard to the division of the portion of the property currently designated as 1530 Hellwig? Assessors record indicates the deed being from 3-3-22. Again, presumably, this is the deed attached as proof of ownership.</p> <p>4)What is the history of deeds on this parcel including the smaller portion currently addressed as 1530 Hellwig Rd. It</p>	LARAMIECOUNTYATTORNEY@LARAMIECOUNTYWY.GOV

Permit Notes

may be that a prior division of the property occurred, whether lawfully or otherwise separating the northern portion which is now zoned CB. If so, this wouldve created a southern parcel which perhaps was later divided again, to produce the 1530 address and potentially a parcel identical to that sought in the administrative plat. This would render the admin plat redundant. In any case, the history of deeds will shed light on previous ownership and/or divisions of the property.

03/07/2025	Application	PZ-25-00010	GENERAL	<p>1st Review Engineer Review</p> <p>1.The ROW widths for Hellwig Road and West College Drive need to be shown on the plat.</p> <p>2.That plat needs to include information regarding if a FEMA floodplain exists within the platted area or not and reference the FIRM panel.</p> <p>3.Although there was no justification given for a waiver of a Drainage Study and Traffic Study as required, I agree that a Drainage Study and Traffic Study is not warranted with this plat.</p> <p>Surveyor Review</p> <p>1.The DEDICATION states DOES HEREBY GRANT THE RIGHT OF WAY AND EASEMENTS SHOWN HEREON FOR THE PURPOSES INDICATED ON THE PLAT. Are there any new Right of Ways or Easements proposed as a result of this plat? It appears that HELLWIG RD and W COLLEGE DR were previously dedicated to the public.</p> <p>2.There are no survey ties by bearing and distance to the nearest public land survey system (i.e., Section Corner) monument described on the plat per the requirements.</p>	SCOTT.LARSON@ LARAMIECOUNTY WY.GOV
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From: Jane Harrington <abcamping@gmail.com>
Sent: Friday, March 28, 2025 8:59 AM
To: Planning
Subject: Harrington Permit Notes

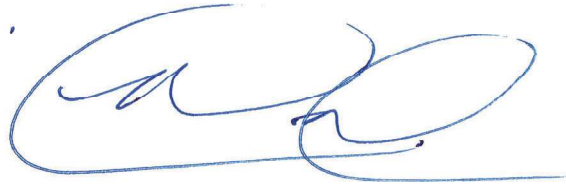
Categories: CATE

Attention: This email message is from an **external(non-County)** email address. Please exercise caution and/or verify authenticity before opening the email/attachments/links from an email you aren't expecting.

Not sure why Jane isn't listed, so please update that information.
As far as the zoning is concerned. The previous owner had the zoning changed as the lower portion was approved for 2 4 plex apt. buildings at one time.
I spoke with Steil and they did not do a full survey to be recorded at the time the apts. were in talks of being built.
1530 Helwig was designated with its own address in 94/95 when they were built.
As to the Flood Waiver, it was determined by parties other than myself that a drainage study was not required when we applied for and were approved for permits to develop said property into r.v. sites.
AVI should have addressed the other questions on the admin plat.
Hopefully this is helpful and sufficient. Please let me know if you need anything else. Time is of the essence on this matter.

Thanks for all your help. Marc

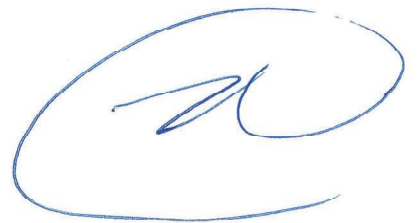
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We are Requesting a Waiver on
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Fee.



RESOLUTION NO. _____

**A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR TRACT 4,
CAPITOL TRACTS, LARAMIE COUNTY, WYOMING, TO BE PLATTED AND KNOWN
AS
“CAPITOL TRACTS, 4TH FILING SUBDIVISION”**

WHEREAS, Wyoming State Statutes §18-5-201 to 18-5-208; §18-5-301 to 18-5-315 authorize Laramie County, in promoting the public health, safety, morals and general welfare of the county, to regulate the use of land through zoning in unincorporated Laramie County; and

WHEREAS, the Laramie County Board of Commissioners adopted the Laramie County Land Use Regulations; and

WHEREAS, the proposed subdivision and plat is in accordance with section 2-1-101 (a-e) of the Laramie County Land Use Regulations; and

WHEREAS, the application is in conformance with the CB – Community Business and MR – Medium Density Residential zone districts; and

WHEREAS, this resolution is the subdivision permit for Capitol Tracts, 4th Filing.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING, as follows:

The Laramie County Board of Commissioners finds that:

- a. This application is in conformance with section 2-1-101 (a-e) of the Laramie County Land Use Regulations governing Subdivision.
- b. This application is in conformance with section 4-2-104 governing the MR – Medium Density Residential zone district.
- c. This application is in conformance with section 4-2-107 governing the CB – Community Business zone district.

And the Board approves the Subdivision Permit and Plat for Capitol Tracts, 4th Filing located at Tract 4, Capitol Tracts, Laramie County, WY, with one condition:

- 1. Changes to the plat need to be completed to reflect the change from an Administrative Plat to a Subdivision Permit and Plat.**

PRESENTED, READ, AND ADOPTED THIS _____ DAY OF _____, 2025.

LARAMIE COUNTY BOARD OF COMMISSIONERS

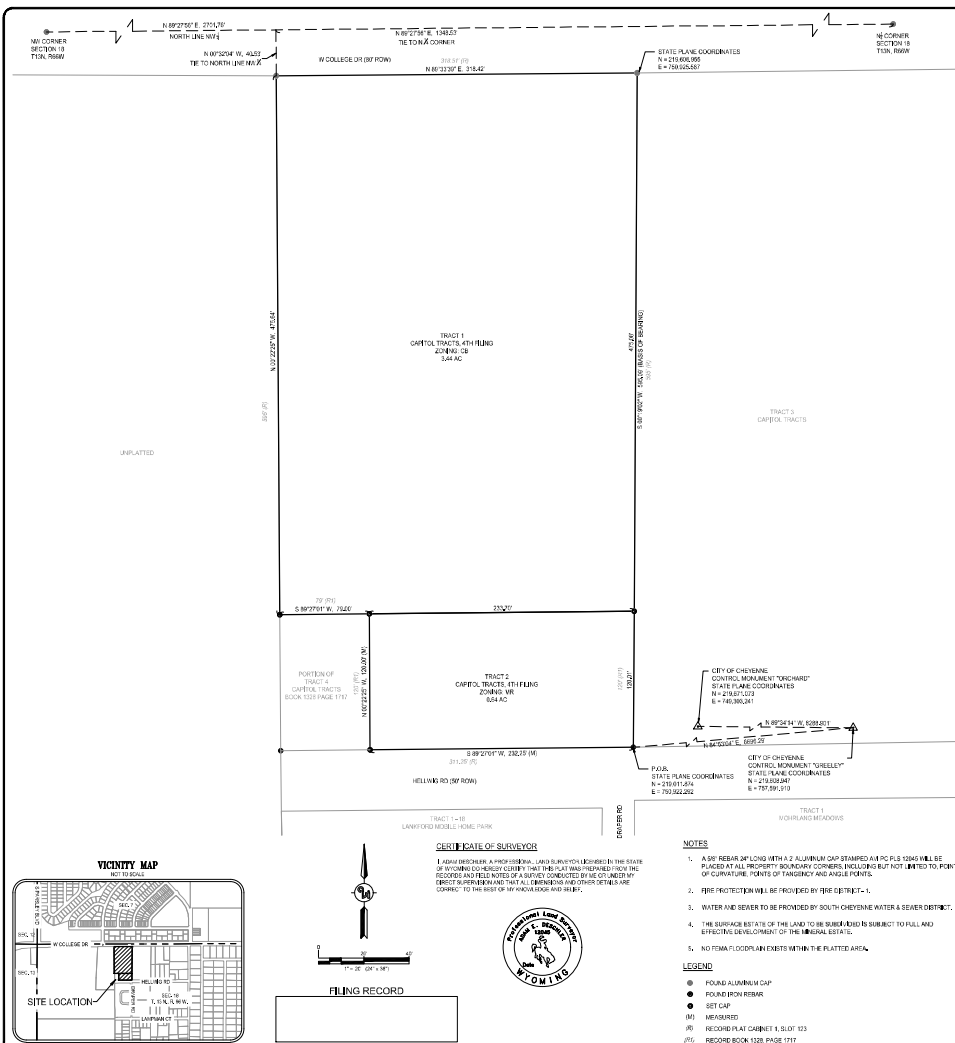
Gunnar Malm, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

Laramie County Attorney's Office



BASIS OF BEARINGS