



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Bryan Nicholas, Associate Planner

DATE: March 5, 2019

TITLE: Review and action of a Subdivision Permit and Plat for West Cheyenne Substation, a portion of land located in the NW1/4, SE1/4, Section 12, T.13N., R.68W., of the 6th P.M., Laramie County, WY.

EXECUTIVE SUMMARY

Steil Surveying Services, LLC, agent for the King Ranch Company, LP, on behalf of Black Hills Energy of PO Box 1400, Rapid City, SD, has submitted an application for a Subdivision Permit and Plat for “West Cheyenne Substation”, located south of Interstate 80, approximately 5 miles east of Cheyenne. The application has been submitted for the purpose of platting 20 acres into one lot for an unmanned electrical substation.

BACKGROUND

The proposed tract owned by the King Ranch Company, is located on vacant land with agriculture and livestock being the primary land use, with development being non-existent other than access roads for oil and gas operations.

Pertinent Regulations

Section 2-1-101 (a-e) of the Laramie County Land Use Regulations governing the criteria for a subdivision permit and plat.

DISCUSSION

This proposed tract of land lies within the Agricultural & Range Land (AGR) land use designation of the Laramie County Comprehensive Plan. Areas in this category are generally located on the outlying portions of the county with public utilities being absent, and limited road access. This land use category discourages freestanding residential uses not associated with agricultural purposes. Agricultural crop and livestock production with associated residences are encouraged as primary uses.

PlanCheyenne and the Laramie County Zoned Boundary do not reach this property, and thus does not have any bearing on the discussion of this proposed subdivision.

This proposed plat would create one 20-acre tract for which Community Facility Fees will be due prior to recordation. Upon approval by the Board, applications for Board Approval and a Site Plan will be required to be submitted to the Planning and Development Office for the substation; unless the Planning Department receives documentation necessary for determining the substation falls under the definition of an essential service utility.

Under Section 1-3-102, Essential Services Utilities are defined as “Utilities that operate in accordance with the Wyoming Public Services Commission and have obtained a Certificate of Public Convenience and Necessity. Cellular phone services, cable internet and communication infrastructure shall be considered essential service utilities”. All essential service utilities are a use by right in Laramie County, per Section 2-2-128(a).

Per Section 2-1-101(c) (vi), subdivisions of five (5) or fewer divisions of land are exempt from a Department of Environmental Quality Chapter 23 Review pursuant to W.S. 18-5-306.

Public notice was published and neighbor notice letters were sent by certified mail per Section 1-2-104. Staff received no comments from adjacent landowners.

The Planning Commission held a public hearing for this project on February 14th, and unanimously recommended approval to the Board with the condition of submitting a revised plat addressing County Engineer comments prior to this public hearing. No public comment was received for this project. At this time, the Planning Staff has not received a revised plat addressing agency comments, and will be required to submit a plat for review prior to recordation.

RECOMMENDATION and FINDINGS

Based on evidence provided, staff recommends the Board 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.

and that the Board approve the Subdivision Permit and Plat for West Cheyenne Substation, with the following condition:

1. Clerical corrections on the plat, per County Engineer/Surveyor comments, shall be addressed prior to recordation of the plat.

PROPOSED MOTION

I move to approve the Subdivision Permit and Plat for West Cheyenne Substation with condition 1, and adopt the findings of fact a of the staff report.

ATTACHMENTS

Attachment 1: Aerial Map

Attachment 2: Location Map

Attachment 3: Comprehensive Plan Map

Attachment 4: Project Narrative/Waiver Request Letter

Attachment 5: Agency Review Comments

Attachment 6: Plat

Attachment 7: Resolution

Laramie County, Wyoming




West Cheyenne SubStation Subdivision Permit & Plat

PZ-19-00003

Aerial Map


 Subject Property

 Approx Tract Location

Legend

 Property Lines

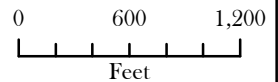
Current Flood Hazards

NAME
 FEMA 100YR FLOODPLAIN

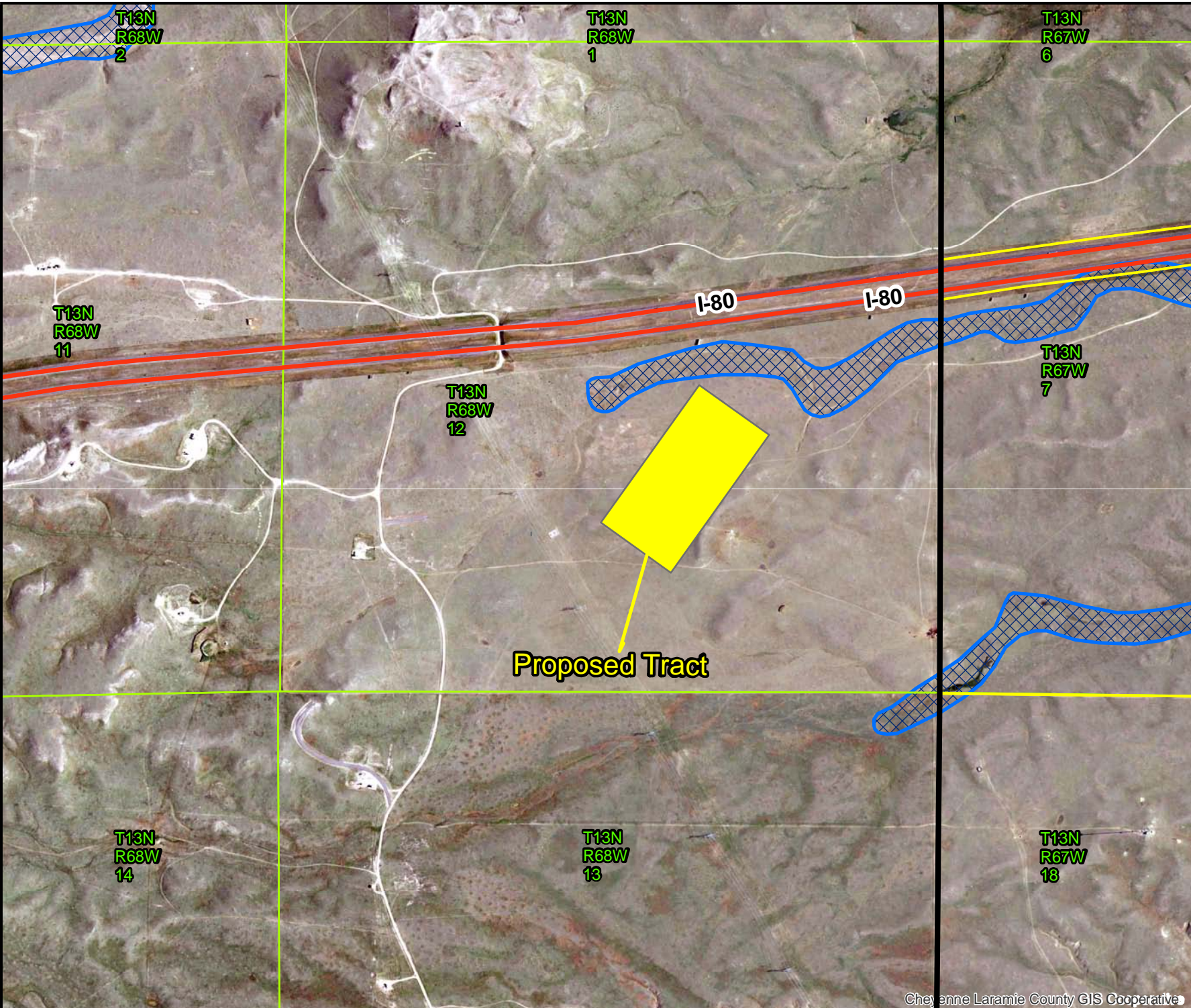
Streets

Classification
 Interstate

January 2019



Cheyenne Laramie County GIS Cooperative



This map is made possible through the Cheyenne and Laramie County Cooperative GIS Program (CLCCGIS). The data contained herein was collected for its use and is for display and planning purposes only. The CLCCGIS will not be held liable as to the validity, correctness, accuracy, completeness, and/or reliability of the data. The CLCCGIS furthermore assumes no liability associated with the use or misuse of this information.



Laramie County, Wyoming



West Cheyenne SubStation
Subdivison
Permit & Plat

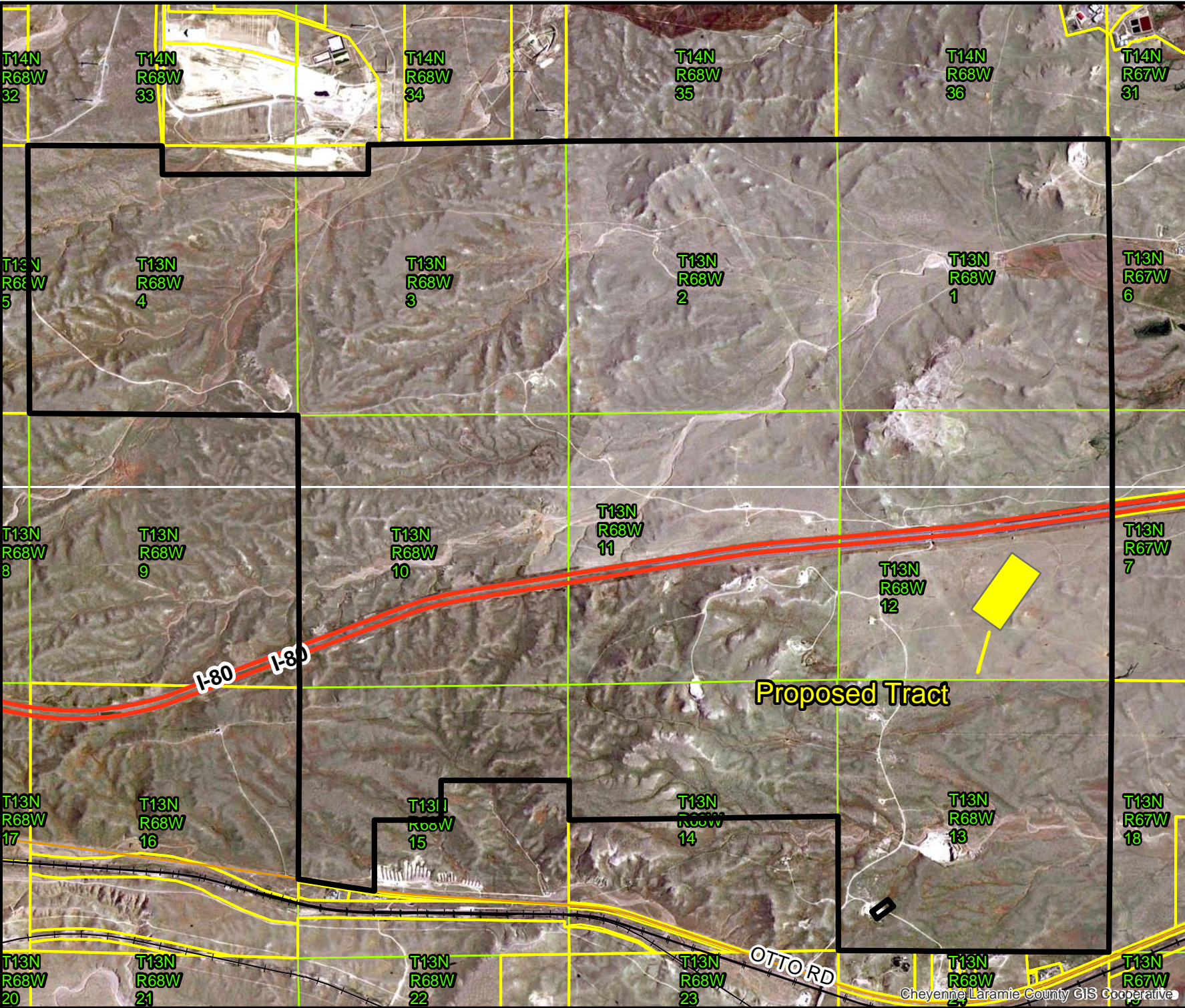
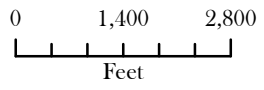
PZ-19-00003

Location Map

-  Subject Property
-  Approx Tract Location

- Legend**
-  Property Lines
- Streets**
-  Interstate
 -  Collector
 -  Rail Road

January 2019



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Laramie County, Wyoming



West Cheyenne SubStain
Subdivison
Permit & Plat

PZ-19-00003

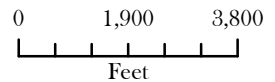
Comp Plan Map
(AGR)

Subject Property

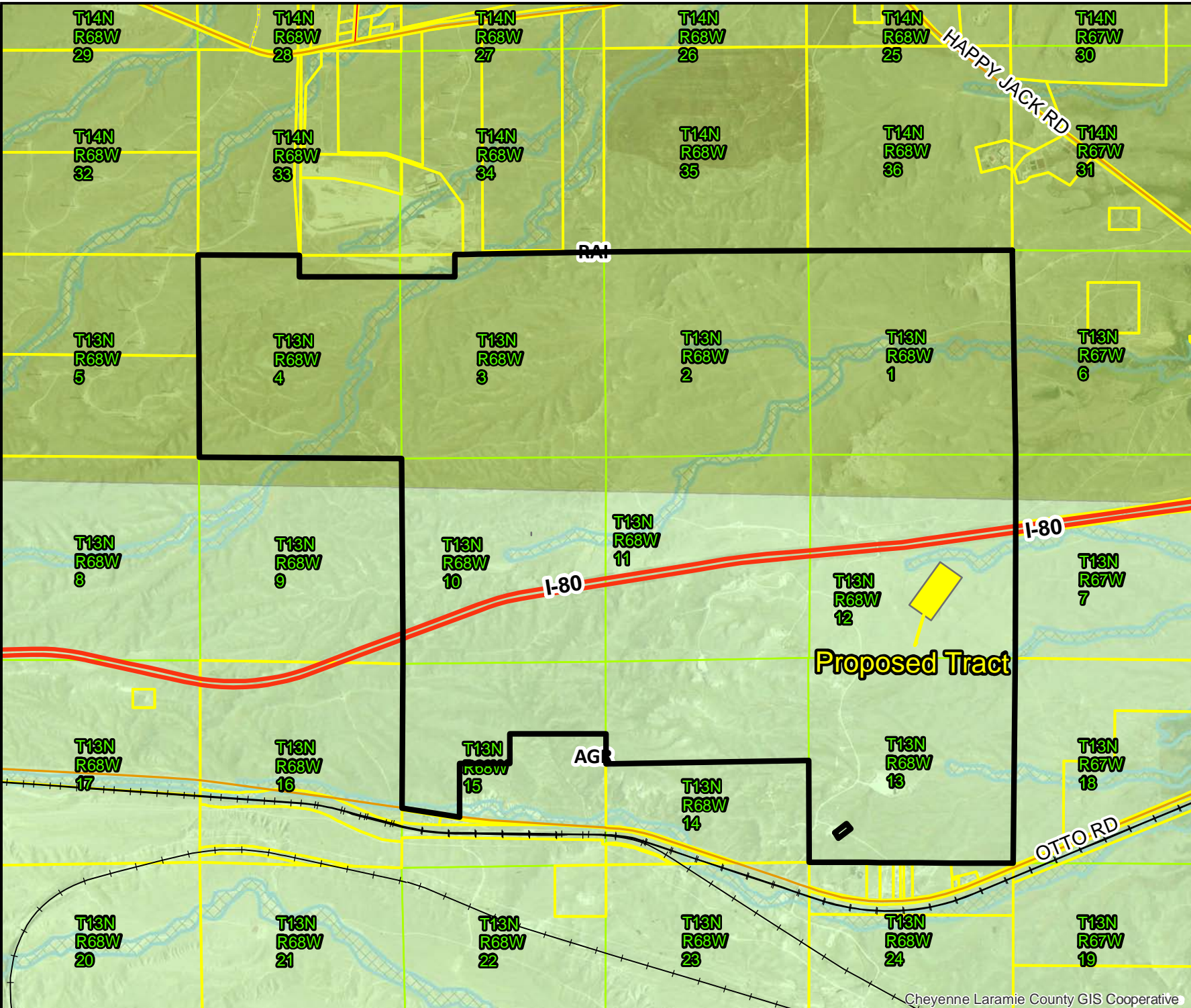
Approx Tract Location

- Legend**
- Property Lines
 - Future Land Use Districts**
 - OTHER**
 - Rural Ag Interface (RAI)
 - Ag & Range Land (AGR)
 - Current Flood Hazards**
 - NAME**
 - FEMA 100YR FLOODPLAIN
 - Streets**
 - Classification**
 - Interstate
 - Collector
 - Local
 - Private
 - Rail Road

January 2019



Cheyenne Laramie County GIS Cooperative



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Steil Surveying Services

Professional Land Surveyors & Development Specialists

November 30, 2018

Laramie County Planning & Development Office
3966 Archer Parkway
Cheyenne, WY 82007
(307) 633-4303

InRe: Request for waiver of the PDP, Traffic Study, Drainage Study & GESC requirements for a Final Plat, to be known as West Cheyenne Substation, situated in Section 12, T.13 N., R.68 W., 6th P.M., Laramie County, WY (20.00 acres)

To whom it may concern:

Steil Surveying Services, agent for the owner King Ranch Company, LP (on behalf of Cheyenne Light Fuel & Power Company DBA Black Hills Energy), intends to plat the above-noted property into a single lot for the purpose of construction of an unmanned electrical substation. This letter is submitted requesting a waiver from the requirements for a Preliminary Development Plan (PDP), Traffic Study, Drainage Study, and GESC Permit pursuant to Sections 2-1-100 (b)iii, 3-1-105, 3-2-102 and 2-2-133 of the Laramie County Land Use Regulations.

The proposed Tract will meet all applicable regulations and will not generate any perceivable change to the traffic and drainage patterns in the area.

There is no SFHA on the property to be platted per FEMA FIRM Panel No. 56021C1350F. There is no history of, or potential for, drainage problems at the site, or downstream of the site as a result of this subdivision.

The construction of the substation will require administrative coordination with Laramie County Planning & Development Office; at such time detailed engineering and best management practices will be completed with reference to specific design and construction parameters for the project. Given conformance with applicable sections of the Laramie County Land Use Regulations and other applicable state and local regulations, we respectfully submit this request on behalf of the owner. Please contact us with any questions or concerns.

Thank you,

Casey L. Palma, AICP
Steil Surveying Services, LLC
CPalma@SteilSurvey.com

LARAMIE
COUNTY
JAN -4 2019
PLANNING & DEVELOPMENT
OFFICE

County Assessor: Clarice Blanton COMMENTS ATTACHED 01/15/2019

When plotting this out, the parcel falls across I-80. It leaves me to believe the distance from the northeast corner of Section 12, 1880.58, is incorrect.

County Engineer: Scott Larson COMMENTS ATTACHED 01/21/2019*Engineer Review*

1. I concur with the request for a waiver of a detailed Traffic Study and Drainage Study given neither will be impacted significantly.
2. On the Plat drawing, under the "Approvals", the year shown for signatures is 2016. This should be changed to 2019.
3. The scale of the drawing (both graphic and written) is shown as 1" = 200'. However, the actual scale of the drawing appears to be 1" = 300'. The scale should be changed accordingly.

Surveyor Review

1. The survey tie between the Northeast corner of Section 12 and the P.O.B. (point of beginning) as shown on the subdivision map and as described in the legal description of the DEDICATION is the same, N23°45'01"E -- 1880.45 feet. However, when inverting the state plane coordinates of those 2 points the result is - N23°45'01"E -- 3410.41 feet.
2. The Access to Tract 1 is not clearly mapped or identified on the drawing. Does the Access referenced in Notes 4 and 5 overlap? Access boundaries are not clearly shown on the map. Where is the "existing established road" referenced in Note 4? It always makes me a little nervous when a Final Plat references easements that "are to be recorded by separate instrument". The only Book 2515, Page 2025 easement shown on the plat is on the North side of the INTERSTATE.
3. The VICINITY MAP is very small and it is very difficult to read the road/highway/street names and the Section numbers. It would be beneficial to add the Township and Range data, which is required to be shown in the Title Block, to the VICINITY MAP, with enough detail to indicate the location of the subdivision within the Section.
4. The line connecting the Northeast and Southeast corners should be shown with a "line-break" symbol.

Environmental Health Department: Roy Kroeger COMMENTS ATTACHED

01/18/2019

Laramie County Small Wastewater System Regulations

If a restroom is put on the property a commercial small wastewater system permit shall be obtained. The system shall be designed by a Wyoming Licensed PE. If porta-potties are used they shall be pumped by a Laramie County Licensed Contractor.

Planners: COMMENTS ATTACHED 01/31/2019

1. Clerical corrections on the plat, per County Engineer/Surveyor comments, shall be addressed prior to the Board public hearing scheduled for March 5, 2019.
2. Prior to development of the site, Board Approval and Site Plan Applications shall be required.

Agencies responding with No Comment: County Real Estate Office, County Public Works Dept., Black Hills Energy, Building Dept., Board of Public Utilities.

Agencies not responding: County Treasurer, County Conservation District, WYDOT, Wyoming Game & Fish, US Post Office, Combined Communications Center, Emergency Management, Fire District No. 10, Sheriff's Office, Planners, Laramie County Weed & Pest.

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT:

KING RANCH COMPANY, LP, a Colorado Limited Partnership, owner in fee simple of that 20-acre portion of Section 12, Township 13 North, Range 68 West of the 6th P.M., Laramie County, Wyoming; being more particularly described as follows:

Beginning at a point from which the northeast corner of said Section 12 bears N.23°45'01"E., a distance of 1880.58 feet (when considering the East line of Section 12 bears N.0°22'56"E); thence S.33°38'14"W., a distance of 1300.00 feet; thence N.56°21'46"W., a distance of 670.00 feet; thence N.33°38'14"E., a distance of 1300.00 feet; thence S.56°21'46"E., a distance of 670.00 feet to the Point of Beginning.

Said lands containing 20.00 acres, more or less.

Has caused the same to be surveyed, platted and known as WEST CHEYENNE SUBSTATION, and do hereby declare the subdivision of said land as it appears on this plat, to be their free act and deed and in accordance with their desires.

KING RANCH COMPANY, LP

ACKNOWLEDGEMENT

by: _____
 _____ as _____
 PRINT NAME TITLE

STATE OF _____ }
 COUNTY OF _____ } SS

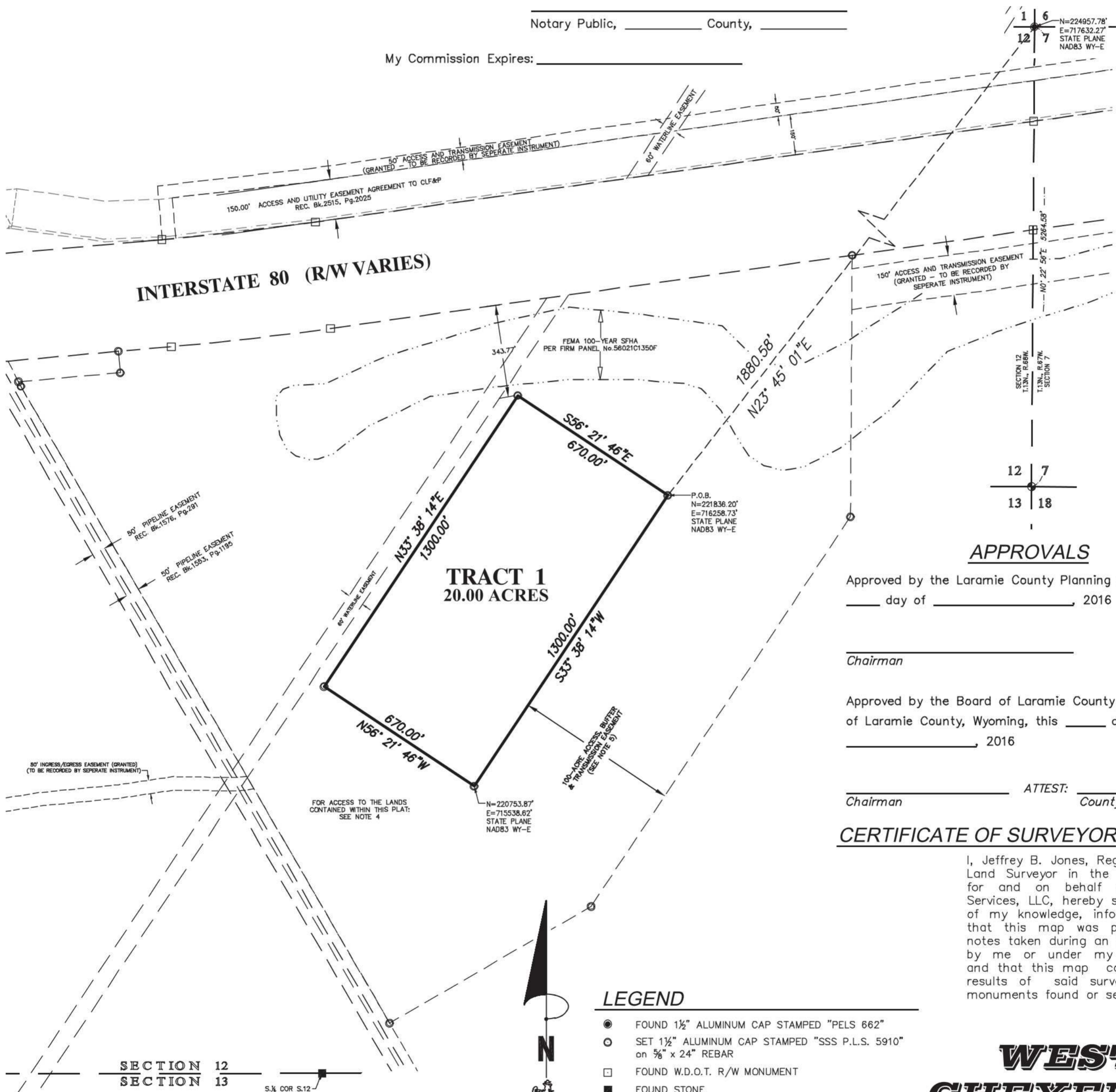
The foregoing instrument was acknowledged before me this ____ day
 of _____, 2019 by _____ as
 _____ for King Ranch Company, LP.

Notary Public, _____ County, _____

My Commission Expires: _____

GENERAL NOTES

1. BASIS OF BEARINGS: WYOMING STATE PLANE COORDINATES, EAST ZONE, NAD83-2011, US SURVEY FEET. DISTANCES ARE GRID DISTANCES. COMBINATION FACTOR = 0.999635629. ELEVATIONS: NAVD88, BENCHMARK C-90.
2. ALL LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVATURE TO BE MONUMENTED WITH 1 1/2" ALUMINUM CAP STAMPED "SSS P.L.S. 5910" ON 5/8"x24" REBAR.
3. NO PORTION OF THE SUBJECT PROPERTY FALLS WITHIN A FEMA 100-YEAR SPECIAL FLOOD HAZARD AREA AS SHOWN ON F.I.R.M PANEL No.56021C1350F; DATED JANUARY 17, 2007.
4. ACCESS TO TRACT 1, WEST CHEYENNE SUBSTATION (THIS PLAT) IS VIA EXISTING ESTABLISHED ROAD PER THAT ACCESS ROAD EASEMENT RECORDED IN BOOK 2515, PAGE 2025 IN THE REAL ESTATE OFFICE OF THE COUNTY CLERK OF LARAMIE COUNTY, WYOMING; AND EXTENSION(S) THEREFROM AS GRANTED (TO BE RECORDED BY SEPERATE INSTRUMENT).
5. "ACCESS, BUFFER & TRANSMISSION EASEMENT" (±100-ACRES) GRANTED (TO BE RECORDED BY SEPERATE INSTRUMENT)



APPROVALS

Approved by the Laramie County Planning Commission, this ____ day of _____, 2016

Chairman

Approved by the Board of Laramie County Commissioners of Laramie County, Wyoming, this ____ day of _____, 2016

ATTEST: _____
 Chairman County Clerk

CERTIFICATE OF SURVEYOR

I, Jeffrey B. Jones, Registered Professional Land Surveyor in the State of Wyoming, for and on behalf of Steil Surveying Services, LLC, hereby state, to the best of my knowledge, information and belief, that this map was prepared from field notes taken during an actual survey made by me or under my direct supervision; and that this map correctly shows the results of said survey and that the monuments found or set are as shown.

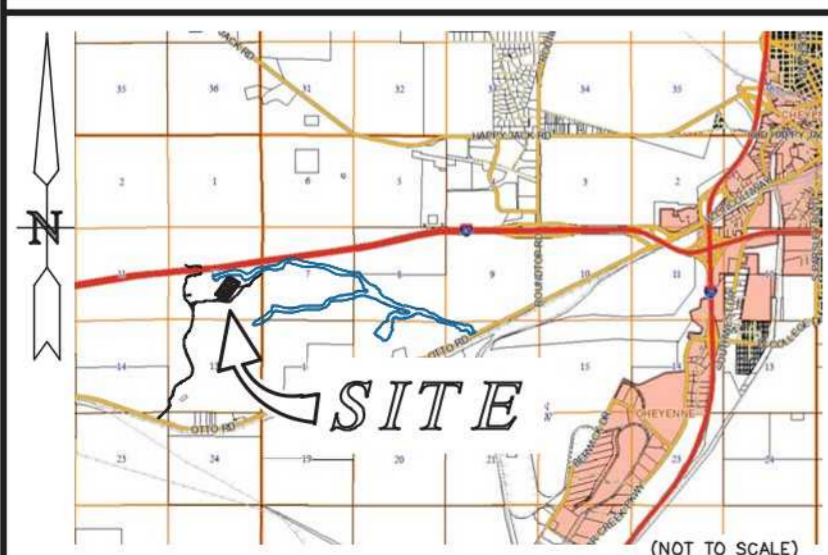
WEST CHEYENNE SUBSTATION

SITUATED IN SECTION 12, T.13 N., R.68 W., 6TH P.M., LARAMIE COUNTY, WYOMING

PREPARED DECEMBER 2018

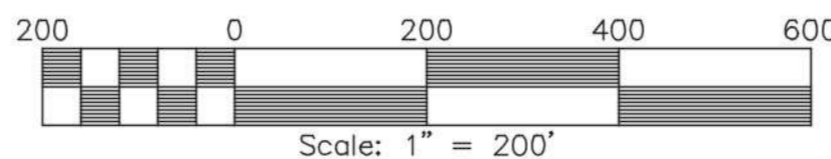
STEIL SURVEYING SERVICES, LLC
 PROFESSIONAL LAND SURVEYORS
 PLANNING & DEVELOPMENT SPECIALISTS
 1102 WEST 19th ST. CHEYENNE, WY. 82001 ◻ (307) 634-7273
 756 GILCHRIST ST. WHEATLAND, WY. 82201 ◻ (307) 922-9789
 www.SteilSurvey.com ◻ info@SteilSurvey.com

SECTION 12
 SECTION 13
 VICINITY MAP



LEGEND

- FOUND 1 1/2" ALUMINUM CAP STAMPED "PELS 662"
- SET 1 1/2" ALUMINUM CAP STAMPED "SSS P.L.S. 5910" on 5/8" x 24" REBAR
- FOUND W.D.O.T. R/W MONUMENT
- FOUND STONE
- FOUND 2" BRASS CAP STAMPED "LS 566" & APPROPRIATE DATA



FILING RECORD



REVISED: 1/4/2019

RESOLUTION NO. _____

A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR WEST CHEYENNE SUBSTATION, A PORTION OF LAND LOCATED IN THE NW1/4, SE1/4, SECTION 12, T.13N., R.68W., OF THE 6TH P.M., LARAMIE COUNTY, WY

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, this resolution is the subdivision permit for West Cheyenne Substation.

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.

and the Board approves the Subdivision Permit and Plat for West Cheyenne Substation with the following condition:

- 1. Clerical corrections on the plat, per County Engineer/Surveyor comments, shall be addressed prior to recordation of the plat.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF _____, 2019.


LARAMIE COUNTY BOARD OF COMMISSIONERS

Linda Heath, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:



Mark T. Voss, Laramie County Attorney