



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Marissa Pomerleau, Planner

DATE: May 4th, 2021

TITLE: PUBLIC HEARING regarding a Subdivision Permit and Plat for J BAR L Subdivision, for a portion of the NW1/4 SE1/4 Section 24, T.15N., R.65W., of the 6th P.M., Laramie County, WY..

EXECUTIVE SUMMARY

Jones Land Surveying, Inc, on behalf of JL Investments, LLC, has submitted a Subdivision Permit and Plat application for a property located at 1714 Road 136. The application has been submitted to subdivide the property into eight (8) residential lots.

BACKGROUND

An existing single-family residence and associated accessory structures are located in the northeastern portion of the property, and will be located on Tract 4 of the proposed subdivision.

Pertinent Regulations

Section 2-1-100 of the Laramie County Land Use Regulations governing the requirements for submittal of a Preliminary Development Plan.

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

DISCUSSION

The Laramie County Comprehensive Plan identifies the area as Ag and Range Land (AGR), which is intended for agricultural uses and associated residential uses. Rural residential uses are primarily anticipated in areas with existing development where expansion is appropriate.

The subject property lies outside both the Zoned boundary and PlanCheyenne boundary and therefore cannot be impacted by these regulations.

A subdivision of more than 5 lots requires submittal of a Chapter 23 study to the Wyoming Department of Environmental Quality (DEQ). Approval from DEQ, in the form of a “Non-Adverse Recommendation”, is required prior to recordation of the plat. DEQ responded on March 8th, 2021 with a “Non-Adverse” recommendation for this subdivision.

A letter requesting waiver of the traffic and drainage studies was received with the Subdivision Permit and Plat application. The County Engineer has concurred with the waiver requests.

Public notice was provided per Section 1-2-104 of the Land Use Regulations. No public comment was received regarding the application.

A public hearing of this application was held on April 8th, 2021 by the Planning Commission. Public comment was received regarding access to the subdivision. The Planning Commission voted 4 - 1 to postpone the PDP application and 5 – 0 to postpone the Subdivision Permit & Plat application to allow for the applicant to work out corrections with the access road/easement.

The applicant met with the Planning Department and Public Works on April 13th, 2021. It was determined that the subdivision’s proposed access cannot be made into a ROW and would remain an easement. The access’ design and construction will be required to be reviewed and approved by Public Works. On April 22nd, 2021 the Planning Commission voted 4 – 0 on the PDP with one recommendation and 4 – 0 to recommend approval of the Subdivision Permit & Plat application with one condition.

Updated maps were submitted by the applicant on April 16th and April 28th, 2021. Reviews of both maps have shown that all agency comments have been addressed.

The attached resolution for the Subdivision Permit and Plat shall serve as the subdivision permit upon approval by the Board.

RECOMMENDATION and FINDINGS

Based on evidence provided *for the Subdivision Permit and Plat*, staff recommends 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.

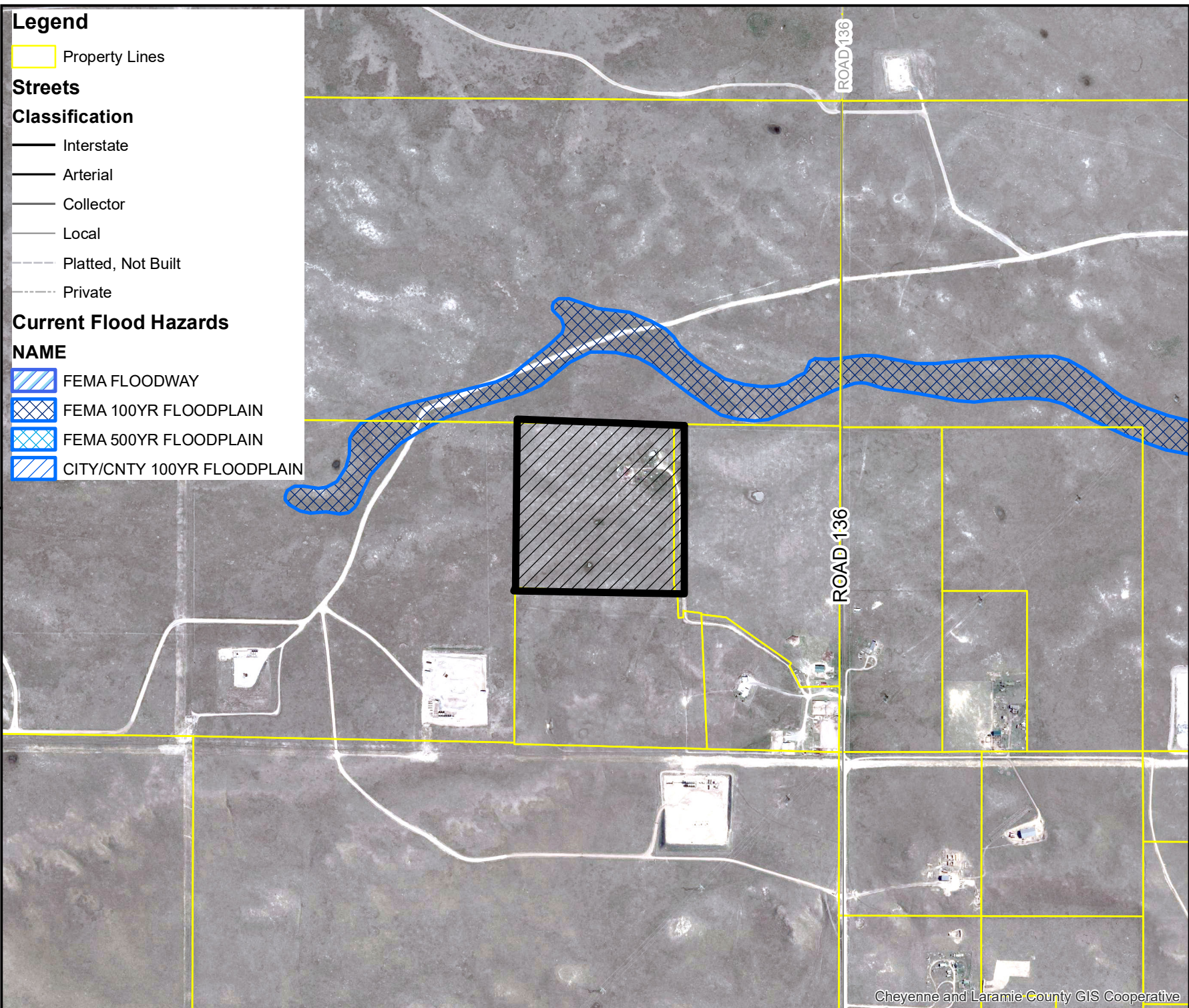
and that the Board approve the Subdivision Permit and Plat for J BAR L Subdivision with no conditions.

PROPOSED MOTION FOR THE SUBDIVISION PERMIT & PLAT

I move to approve the Subdivision Permit and Plat for J BAR L Subdivision and adopt the findings of fact a of the staff report.

ATTACHMENTS

- Attachment 1: Location Map**
- Attachment 2: Aerial Map**
- Attachment 3: Comprehensive Plan Map**
- Attachment 4: Project Narrative Letter**
- Attachment 5: Waiver Request Letter**
- Attachment 6: DEQ “Non-Adverse” Recommendations Letter**
- Attachment 7: Agency Comments Report**
- Attachment 8: Applicant Recommendation Response Letter**
- Attachment 9: Plat**
- Attachment 10: Resolution**



Legend

Property Lines

Streets

Classification

- Interstate
- Arterial
- Collector
- Local
- Platted, Not Built
- Private

Current Flood Hazards

NAME

- FEMA FLOODWAY
- FEMA 100YR FLOODPLAIN
- FEMA 500YR FLOODPLAIN
- CITY/CNTY 100YR FLOODPLAIN

**Laramie
County,
Wyoming**



**J BAR L
Subdivision**

**Preliminary
Development
Plan and
Subdivision
Permit & Plat**

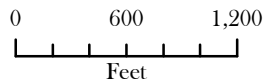
PZ-21-00058(59)

Location Map

**Subject
Properties**



March 2021



Cheyenne and 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.


Legend

 Property Lines


Streets

Classification

 Interstate

 Arterial

 Collector

 Local

 Platted, Not Built

 Private

Laramie County, Wyoming



J BAR L Subdivision

Preliminary Development Plan and Subdivision Permit & Plat

PZ-21-00058(59)

Aerial Map

Subject
Properties



March 2021



0 200 400
Feet

Cheyenne and Laramie County GIS Cooperative


Legend


 Property Lines

Future Land Use Districts

OTHER

 Urban-Rural Interface (URI)


 Rural Metro (RM)


 Rural Ag Interface (RAI)


 Ag & Range Land (AGR)


Streets

Classification

 Interstate

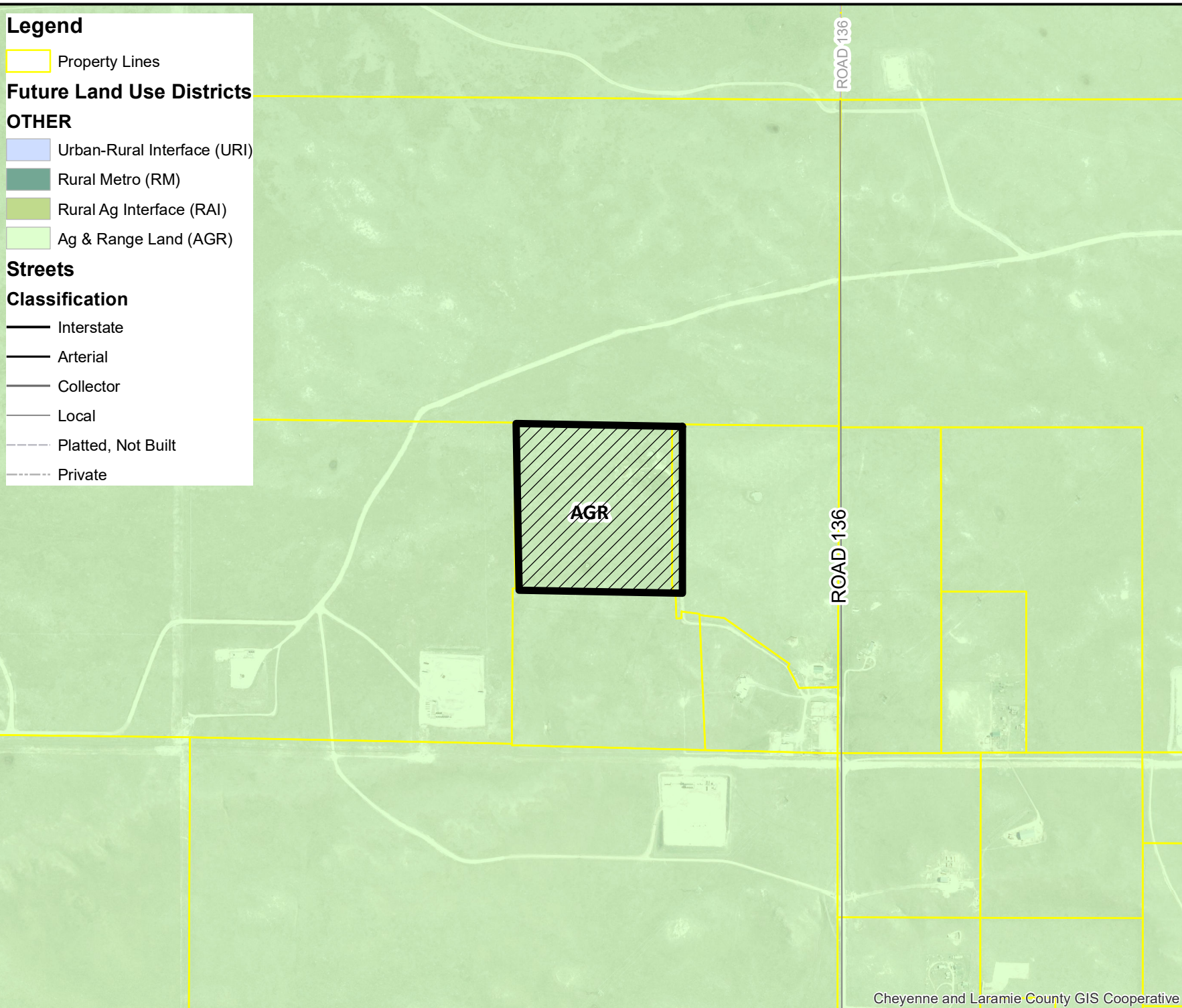
 Arterial

 Collector

 Local

 Platted, Not Built

 Private



Laramie County, Wyoming



**J BAR L
Subdivision**

**Preliminary
Development
Plan and
Subdivision
Permit & Plat**

PZ-21-00058(59)

**Comprehensive
Plan Map**

**Subject
Properties**



March 2021



0 600 1,200
Feet

Cheyenne and Laramie County GIS Cooperative



February 23, 2021

Ms. Marissa Pomerleau
Laramie County Planning
3931 Archer Parkway
Cheyenne, WY 82009

RE: J BAR L Subdivision Final Plat Narrative

Ms. Pomerleau,

Jones Land Surveying, Inc. on behalf of JL Investments. LLC is seeking a recommendation of approval for the Final Plat of J BAR L Subdivision. It is our intent to submit a Subdivision Permit and Plat for the property which is currently used for residential and agricultural purposes.

The final plat is proposing eight (8) single-family tracts, being 5.25 acres or larger.

Because the zoned boundary does not reach this property, we are required to meet the minimum acreage of 5.25 gross acres per tract. One access into the subdivision is proposed from existing County Road 136 and an existing ingress/egress access and utility easement recorded in the Laramie County Clerk's Office.

There is only 1 existing single-family structure and 3 outbuildings on the property with both well and septic in place which are situated in proposed Tract 4. All proposed septic systems and wells shall meet setback requirements from the property lines and floodplain. The proposed subdivision does not lie within the FEMA 100-year Floodplain (SFHA) area.

All future water wells and septic systems will meet the regulations of the State Engineer and Cheyenne/Laramie County Health Department.

Please feel free to contact my office with any questions regarding the Final Plat Application.

Regards,

A handwritten signature in black ink, appearing to read 'Cotton D. Jones'.

Cotton D. Jones, P.L.S.



6750 Say Kally Rd., Cheyenne, Wyoming 82009

Off. (307) 637-7107

FAX (307) 778-3979

www.joneslandsurvey.com

February 23, 2021

Ms. Marissa Pomerleau
Laramie County Planning
3931 Archer Parkway
Cheyenne, WY 82009

**RE: J BAR L Subdivision Final Plat Traffic, Drainage and Environmental Impact Study
Waiver Request**

Ms. Pomerleau,

On behalf of JL Investments, LLC., we would like to request a waiver for providing a detailed Traffic Impact Study for the above-referenced development. With the subdivision consisting of eight residential lots, it is estimated that the subdivision will have approximately 64 trips per day. The number of trips is well below the 200 trips threshold that would not constitute a need for a traffic study and we therefore request a waiver for the study.

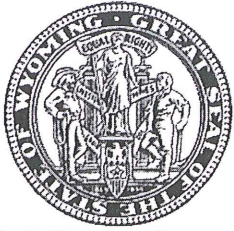
We would also like to request a waiver for a Drainage Plan and Environmental Impact Study at this time. The proposed development will be single-family rural residential. Impacts to the existing terrain will be minimal, with most of the grading to occur for the residential structures, associated structures, and driveways. All pertinent Floodplain Development Permits, Right-of-Way and G.E.S.C. Permits will be submitted to the Laramie County Planning and Development Office prior to the start of construction.

If you have any questions or would like to discuss this project in greater detail, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cotton D. Jones'.

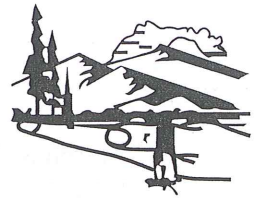
Cotton D. Jones, P.L.S.



Mark Gordon, Governor

Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Todd Parfitt, Director

Laramie County Board of Commissioners
309 West 20th Street
Cheyenne, WY 82001

**LARAMIE
COUNTY**

MAR 12 2021

**PLANNING & DEVELOPMENT
OFFICE**

RE: **Non-Adverse Recommendation,**
J Bar L 8-Lot Subdivision, Laramie County
WDEQ/WQD Application #21-051

Dear Commissioners:

The Wyoming Department of Environmental Quality has completed the review of the proposed J Bar L Subdivision located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, T15N, R65W, 6th P.M., in Laramie County, Wyoming. The J Bar L Subdivision will create 8 lots out of approximately 42 acres. The information was submitted by Jon Pietsch, signed by, Jerry Hunt, PE and Ben Jordan, PG, Wyoming Licensed Engineer and Wyoming Professional Geologist. This letter represents the recommendations of the Wyoming Department of Environmental Quality as required by W.S. 18-5-306(c).

Findings as to the safety and adequacy of the proposed sewage system:

The proposed sewage system is the use of individual on-site septic tanks and leach fields permitted by and constructed to Wyoming Department of Environmental Quality Water Quality Rules and Regulations and the standards established by the Cheyenne/Laramie County Environmental Health Division. The information submitted addresses the safety and adequacy of the proposed sewage system, provided the statements indicated in the "**Notes required to be added to the final plat**" are adhered to.

Findings as to the safety and adequacy of the proposed water system:

The proposed water system is the use of individual water supply wells completed on each lot. Each well must be permitted by and constructed to the Wyoming State Engineer's Office standards. The information submitted addresses the safety and adequacy of the proposed water system, provided compliance with the statements indicated in the "**Notes required to be added to the final plat and other pertinent documents**" is maintained.

Conclusions:

The Department of Environmental Quality has "No Adverse" recommendations applicable to the Lone Star Estates Subdivision.

County Attorney: County Attorney, Joe Chenchar Comments Attached 03/23/2021
This appears to be a duplicate request - our comments have already been provided.

Building Dept.: Building Dept., Antony Pomerleau Comments Attached 03/23/2021
Note that all fire apparatus access roads shall be constructed for required widths and to handle imposed loads in accordance with 2020 IFC chapter 5.

Advise that Laramie County has adopted the 2018 I-codes and the 2020 NEC.

Advise that building permits will be required for all new building construction.

County Engineer: County Engineer, Scott Larson Comments Attached 03/24/2021
PZ-21-00058 -- J BAR L Subdivision -- Preliminary Development Plan Review

1. The PDP map indicates that the topography and contours are from the Cheyenne & Laramie County GIS but there is no topography/contours shown on the map as required.
2. Although I understand that aerial photography may not exactly line up with the digital information, the existing access road shown on the aerial where it ties into CR136 appears to deviate significantly from the access easement (i.e., the easement shown is very close to being perpendicular to CR136 but the actual existing access curves significantly to the south to tie into CR136). If the actual access road does fall outside of the recorded easement, will the easement be re-established or will the access road be relocated such that it falls within the dedicated easement area?
3. The access roadway from CR136 to the end of the cul-de-sac shall be designed and constructed to meet the current LCLUR. The designs shall be submitted to the County for review and approval.
4. I concur with the request for a waiver of a detailed Traffic Study and Drainage Study since this development will have a negligible impact on both.

Environmental Health: Environmental Health Department, Roy Kroeger Comments Attached 03/23/2021
Regulations:

LARAMIE COUNTY SMALL WASTEWATER SYSTEMS REGULATIONS

Comments:

Wastewater permits are required for each lot. All small wastewater systems must have a 50' setback from all property lines and intermittent bodies of water i.e. drainages and floodplains. A DEQ letter and Chapter 23 report must be submitted to this office along with the signed final plat prior to application for any permits.

Intraoffice: Planners, Marissa Pomerleau Comments Attached 03/23/2021

1. Are the tract acreages net or gross?
2. Note 5 refers to ROW's and access easements being privately maintained. However, I only see an access easement on the plan.
3. The vicinity map is not legible.
4. The existing access does not line up with the proposed subdivisions access easement. How will this be addressed?
5. Surface Drainage, shown by arrows, is not indicated on the map. See County Engineer's comments regarding topography and contours on the map.
6. The land Analysis must state the total buildable are for the development.
7. The present and proposed zoning is included, but the present and proposed land uses are not.

Intraoffice: Planners, Cambia McCollom Comments Attached 03/10/2021

Addresses are based on a combination of physical structure location and access point. As proposed, all 8 tracts would need to be addressed of Road 136 as even numbers. There is currently room for 2 additional addresses in that area without causing confusion.

AGENCIES WITH NO COMMENTS:

County Assessor
County Real Estate Office
Combined Communications Center

AGENCIES WITH NO RESPONSE:

County Public Works Department
County Treasurer
WY State Engineer's Office
WYDOT
Wyoming DEQ
Wyoming Game & Fish Dept
Emergency Management
Sheriff's Office
Black Hills Energy
CenturyLink
Fire District No 2

County Assessor: County Assessor, Kaycee Eisele Comments Attached 03/10/2021
APPROVALS AREA, DATE IS STILL MARKED 2020.

Building Dept.: Building Dept., Antony Pomerleau Comments Attached 03/23/2021
Note that all fire apparatus access roads shall be constructed for required widths and to handle imposed loads in accordance with 2020 IFC chapter 5.

Advise that Laramie County has adopted the 2018 I-codes and the 2020 NEC.

Advise that building permits will be required for all new building construction.

Intraoffice: Planners, Cambia McCollom Comments Attached 03/10/2021
Addresses are based on a combination of physical structure location and access point.
As proposed, all 8 tracts would need to be addressed of Road 136 as even numbers.
There is currently room for 2 additional addresses in that area without causing confusion.

County Attorney: County Attorney, Joe Chenchar Comments Attached 03/23/2021
Our office has concerns regarding the access to the property. First, the easement does not clearly identify a dominant estate owner. Second, it is unclear whether the easement effectively transferred to the current owner, or if it will transfer given the proposed subdivision of land. Third, the expected increase in daily traffic has the potential to increase the burden on the servient land.

Additionally, it is unclear from the dedication whether the roads will be dedicated to the public, or kept private.

County Engineer: County Engineer, Scott Larson Comments Attached 03/23/2021
PZ-21-00059 -- J BAR L Subdivision -- Subdivision Permit/Plat Review
Engineer Review

1. The year listed under the Approvals are both shown as 2020 which should actually be 2021.
2. I concur with the request for a waiver of a detailed Traffic Study and Drainage Study since this development will have a negligible impact on both.
3. The roadway from CR136 to the end of the cul-de-sac shall be designed and constructed to meet the current LCLUR. The designs shall be submitted to the County for review and approval.

Surveyor Review

1. The exact location and specifications for the 50' radius curve of the INGRESS/EGRESS ACCESS EASEMENT located in the southwest corner of Tract 1 and the exact location and specifications for the CUL-DE-SAC located at the north end of the INGRESS/EGRESS ACCESS EASEMENT are not completely identified as specified in this section of the regulations.
2. With respect to the 50' INGRESS/ACCESS & UTILITY EASEMENT shown as recorded in Book 1587 on Page 1003, it would be good to include the survey tie to the Southeast Corner of Section 24.
3. Should the 50' INGRESS/EGRESS ACCESS EASEMENTS have road names?
4. Some of the text is pretty small and difficult to read.

County Public Works Department: County Public Works Department, David Bumann
Comments Attached 03/26/2021

My only comment would be recommendation to be dedicated ROW.

Environmental Health: Environmental Health Department, Roy Kroeger Comments
Attached 03/23/2021

Regulations:

LARAMIE COUNTY SMALL WASTEWATER SYSTEMS REGULATIONS

Comments:

Wastewater permits are required for each lot. All small wastewater systems must have a 50' setback from all property lines and intermittent bodies of water i.e. drainages and floodplains. A DEQ letter and Chapter 23 report must be submitted to this office along with the signed final plat prior to application for any permits.

Intraoffice: Planners, Marissa Pomerleau Comments Attached 03/23/2021

1. Are the tract acreages net or gross? I assume they're net due to Note 4, but it is not clear.
2. The vicinity map is not legible.
3. Approval dates must be updated to 2021.
4. See Engineer/Surveyor's comments regarding missing cul-de-sac and radius details. These, along with a curve table, must be shown on the plat per 2-1-101 (e)(xiii)(b).
5. County Road 136 needs to be labeled as just Road 136.

Wyoming Game & Fish Dept: Wyoming Game & Fish, Wyoming Game and Fish Dept
Comments Attached 03/18/2021

See attached letter.

AGENCIES WITH NO COMMENTS:
County Real Estate Office
Combined Communications Center
Fire District No 2

AGENCIES WITH NO RESPONSE:
County Treasurer
County Conservation District
WY State Engineer's Office
WYDOT
Wyoming DEQ
US Post Office
Emergency Management
Sheriff's Office
Black Hills Energy
CenturyLink
Laramie County Weed & Pest

April 14, 2021

JL Investments, LLC
7317 Legacy Parkway
Cheyenne, WY 82009

Laramie County Planning Dept
3966 Archer Parkway
Cheyenne WY 82009

Dear Sirs:

I am writing to address concerns that were brought out in staff comments and other meetings. The first concern was in the ability to provide addresses to the new houses. After meeting with Cambria McCollom, it was proposed that we vacate the 1714 Road 136 Address and begin the addresses in the new subdivision to begin at 1720 and go up from there.

The second concern was that there was a legal access to the subdivision. I have discussed the project with First American Title and they stated that they would provide title protection for the houses constructed in the subdivision. I have asked for that commitment in writing and will forward once received. Prior to placing the property under contract, I discussed this easement with Steil Surveying the initial surveyor in the splitting of the property into 40 ac parcels. They stated that this easement was provided for the access to this parcel. Therefore, we believe the easement is satisfactory to service the new subdivision.

The third concern was the construction of the access road to the subdivision. The easement is a 50' easement so the plan is to construct a 24' wide gravel road constructed with at least a 1' rise and adjacent ditches to meet county standards. These will be designed and submitted for approval to the County Public Works department.

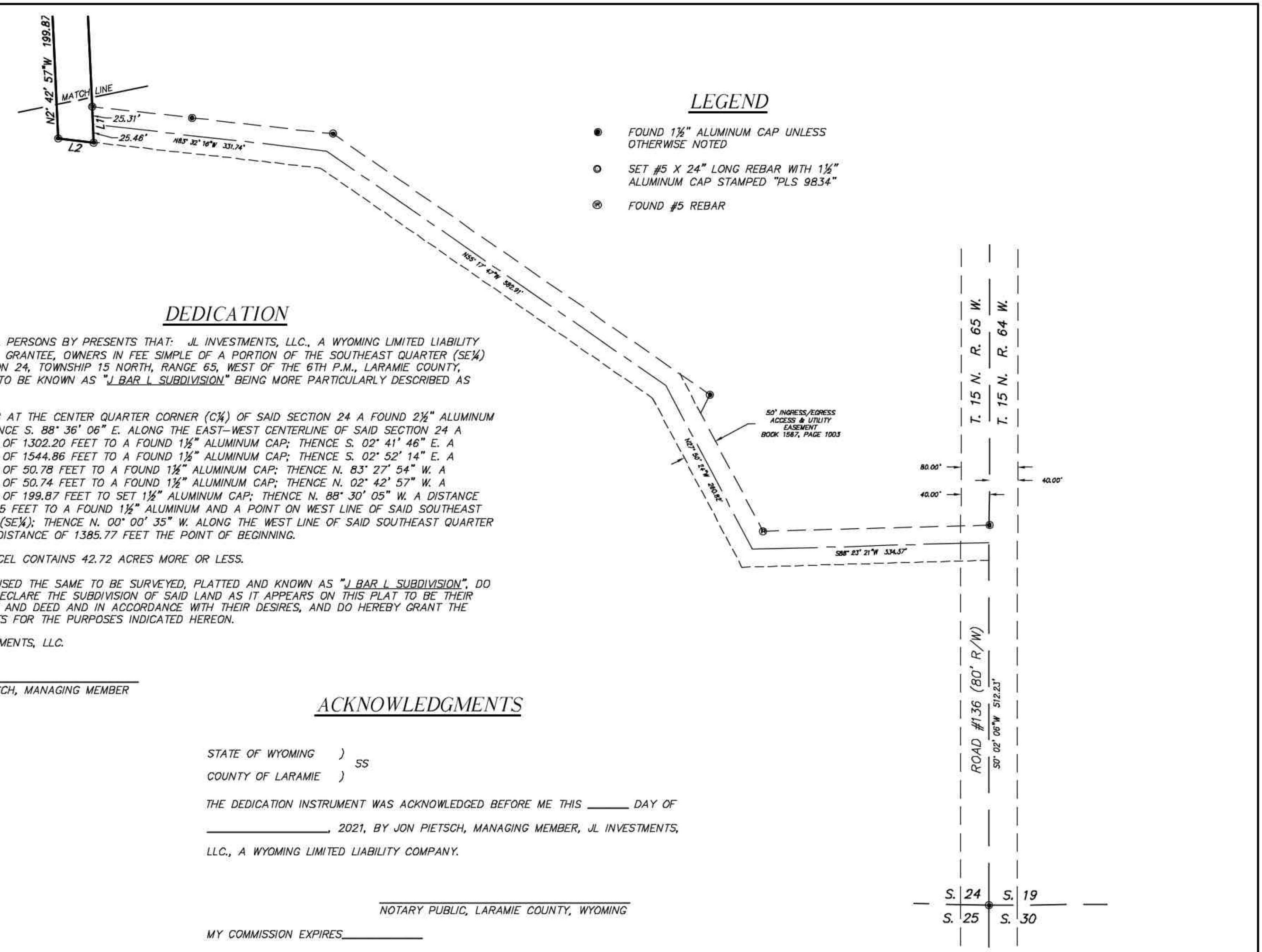
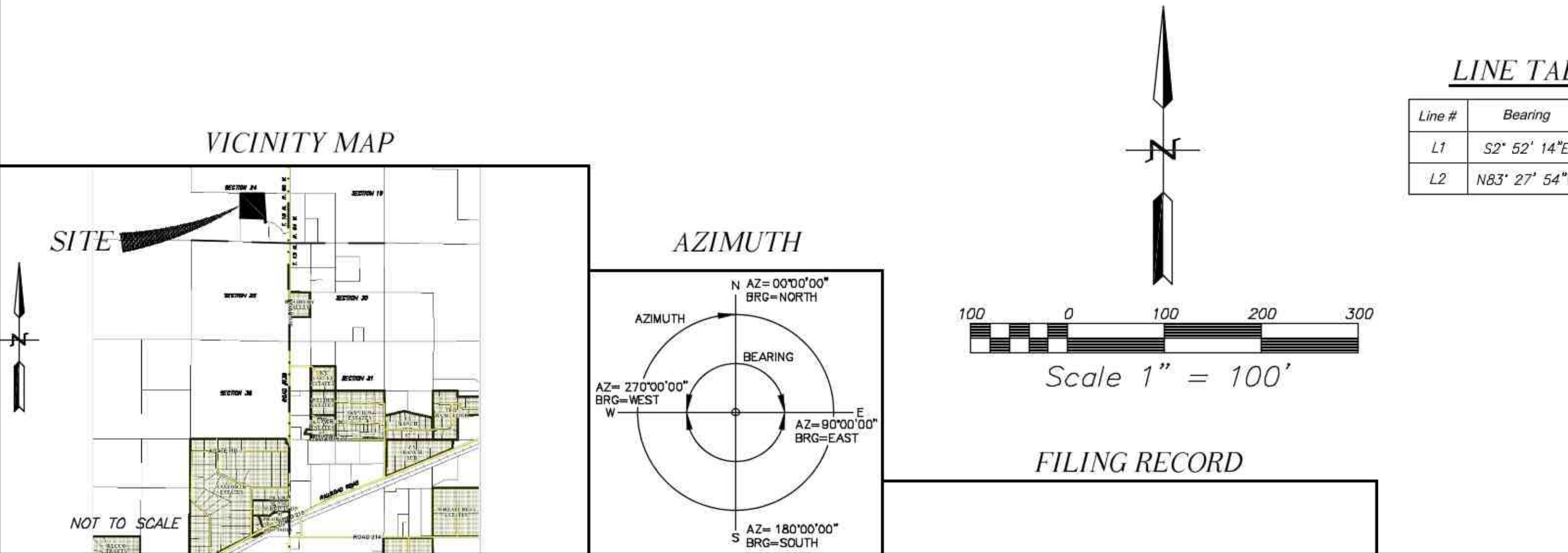
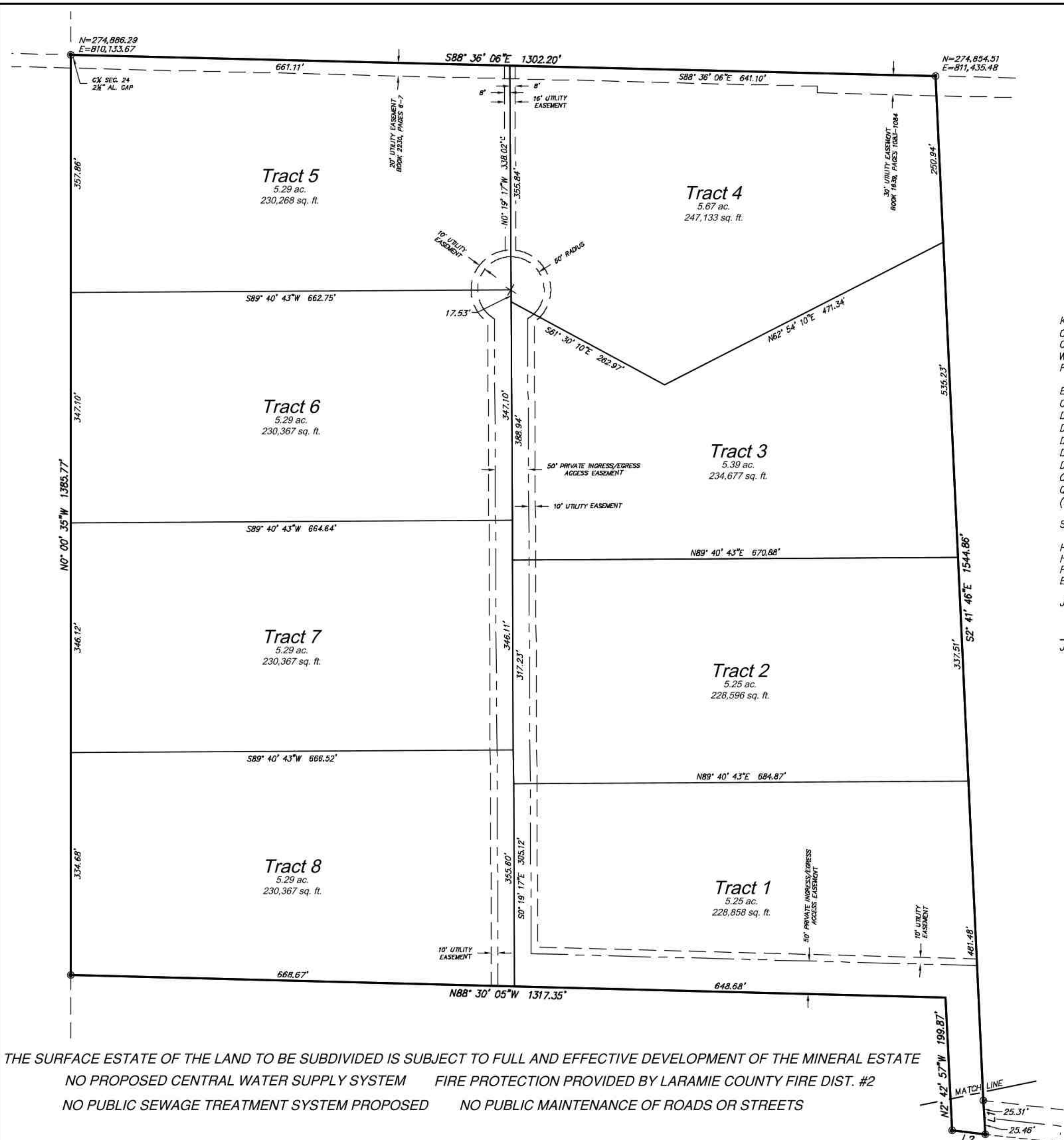
I hope this addresses the concerns brought out in the staff reports and allows the J Bar L subdivision to go forward.

JL Investments, LLC



Jon Pietsch

Manager



CERTIFICATE OF SURVEYOR

I COTTON D. JONES, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF WYOMING, HEREBY STATE THAT THIS PLAT OF "J BAR L SUBDIVISION" WAS PREPARED FROM OFFICIAL PLATS AND DEEDS OF RECORD AND FROM NOTES OF A FIELD SURVEY CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION DURING THE MONTH OF JANUARY 2021, THAT THE MONUMENTS ARE SET OR FOUND AS SHOWN AND THAT THIS PLAT CORRECTLY REPRESENTS SAID SURVEY OF THE LAND DEPICTED HEREON TO THE BEST OF MY KNOWLEDGE.

JONES LAND SURVEYING, INC.

Licensed in:
WY, CO, MT, SD,
ND, ID, UT, NV

6750 Say Kally Rd.,
Cheyenne, WY 82009
Ph: 307-637-7107
Cell: 307-630-8550
Email: cotton.jones@msn.com

REV. 04/28/21
REV. 04/16/21
REV. 03/25/21

RESOLUTION NO. _____

**A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT
LOCATED IN A PORTION OF THE NW1/4 SE1/4, SECTION 24,
T.15N., R.65W., OF THE 6TH P.M., LARAMIE COUNTY, WY,
TO BE PLATTED AND KNOWN AS "J BAR L 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, this resolution is the subdivision permit for J BAR L Subdivision.

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 J BAR L Subdivision.

**PRESENTED, READ AND ADOPTED THIS _____ DAY OF
_____, 2021.**

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