



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Marissa Pomerleau, Planning Technician

DATE: April 7th, 2020

TITLE: PUBLIC HEARING regarding a Zone Change to MR - Medium Density Residential and CB - Community Business for Tract 45, except the north 60', Allison Tracts, 1st Filing, to be platted and known as Tracts 1 and 2, Continental Tracts, Laramie County, WY.

EXECUTIVE SUMMARY

Steil Surveying Services, LLC, on behalf of Continental Estates, LLC and DBL Holdings, LLC, has submitted a Zone Change application for a parcel to be known as Tracts 1 and 2, Continental Tracts, located at 1408 S Greeley Highway. The purpose of the application is to formalize the current zone districts of MR - Medium Density Residential and CB - Community Business to the current platted boundaries.

BACKGROUND

The subject property is made up of two tracts. Tract 1 of Continental Tracts has a commercial business operating on it and Tract 2 has a mobile home park.

Pertinent Regulations

Section 1-2-103(b) of the Laramie County Land Use Regulations governing the criteria for a zone map amendment.

Section 4-2-104 of the Laramie County Land Use Regulations governing the MR- Medium Density Residential Zone District.

Section 4-2-107 of the Laramie County Land Use Regulations governing the CB - Community Business zone district.

DISCUSSION

The Laramie County Comprehensive Plan identifies the area as Urban Rural Interface (URI). Properties with uses directed towards community services are encouraged here. The URI land use designation is designed to allow for more intensive land uses as well as a higher level of vehicular access.

PlanCheyenne identifies the property as having a Mixed-Use Residential Emphasis (MU – R). The MU – R includes all existing and future neighborhoods. Neighborhoods containing a mix of housing densities with complementary Neighborhood Business Centers are highly encouraged here. Primary uses within this designation include a large variety of residential housing such as single-family residences, townhomes, and live-work units. This land designation is typically located in close proximity to arterials and collector streets.

Tract 1 of the Zone Change map is currently zoned CB – Community Business and Tract 2 of the Zone Change map is currently zone MR – Medium Density Residential. The zoning of this property had been established as MR and CB previously, but there are no records indicating the zone boundaries. This Zone Change would provide an official record with exact boundary lines. The property is bordered almost exclusively by the MR and CB zone districts, with a PUD zoning to the southwest.

The FEMA 500-year floodplain covers all but the northeastern most corner of the property. Any future development or disturbance within the floodplain area would be subject to all floodplain regulations administered through the Laramie County Land Use Regulations.

Agency review comments were received regarding future development and corrections to the map. A revised Zone Change map was submitted on March 3rd, 2020 addressing all agency comments.

A public hearing of this application was held on March 12th, 2020 by the Laramie County Planning Commission where it was recommended for approval (3 – 0) with the condition that the Continental Tracts plat be recorded prior to recordation of the Zone Change Resolution and the Resolution Exhibit ‘A’ – Zone Change Map. The Continental Tracts plat was recorded on March 11th, 2020.

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

Section 1-2-103 (b) states that in order for Planning Commission to recommend approval, one of the following must be found:

- i. That the zoning district map amendments or regulations are consistent with plans and policies of Laramie County; *or*
- ii. That the original zoning classification given to the property was inappropriate or improper; *or*

- iii. That there have been changes of an economic, physical or social nature within the area involved which altered the basic character of such area, and that the amendment will not detrimentally affect the area involved.

Criteria i. is met by the conformance with the Laramie County Comprehensive Plan and PlanCheyenne with type of development.

RECOMMENDATION and FINDINGS

Based on evidence provided, staff recommends the Board find that:

- a. This application does meets the criteria for a zone map amendment pursuant to section 1-2-103 (b) i. and iii. of the Laramie County Land Use Regulations.
- b. The proposed and current zone district is in conformance with the requirements of section 4-2-104 of the Laramie County Land Use Regulations.
- c. The proposed and current zone district is in conformance with the requirements of section 4-2-107 of the Laramie County Land Use Regulations.

and that the Board approve a Zone Change to MR - Medium Density Residential and CB - Community Business for Tract 1 and 2, Continental Tracts, Laramie County, WY with no conditions.

PROPOSED MOTION

I move to approve a Zone Change to MR - Medium Density Residential and CB - Community Business for Tracts 1 and 2, Continental Tracts, Laramie County, WY, with no conditions and adopt the findings of facts a, b, and c of the staff report.

ATTACHMENTS

- Attachment 1: Location Map**
- Attachment 2: Aerial Map**
- Attachment 3: Comprehensive Plan Map**
- Attachment 4: PlanCheyenne Map**
- Attachment 5: Current Zoning Map**
- Attachment 6: Agency Review Comments**
- Attachment 7: Resolution Exhibit 'A' - Zone Change Map**
- Attachment 8: Resolution**

Laramie County, Wyoming



Zone Change

PZ-20-00019

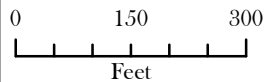
Tract 45 (except the north 60'), Allison Tracts, 1st Filing to be known as Tracts 1 & 2, Continental Tracts

Location Map

Subject Property



February 2020



United States Department of Agriculture

Legend

Property Lines

Current Flood Hazards

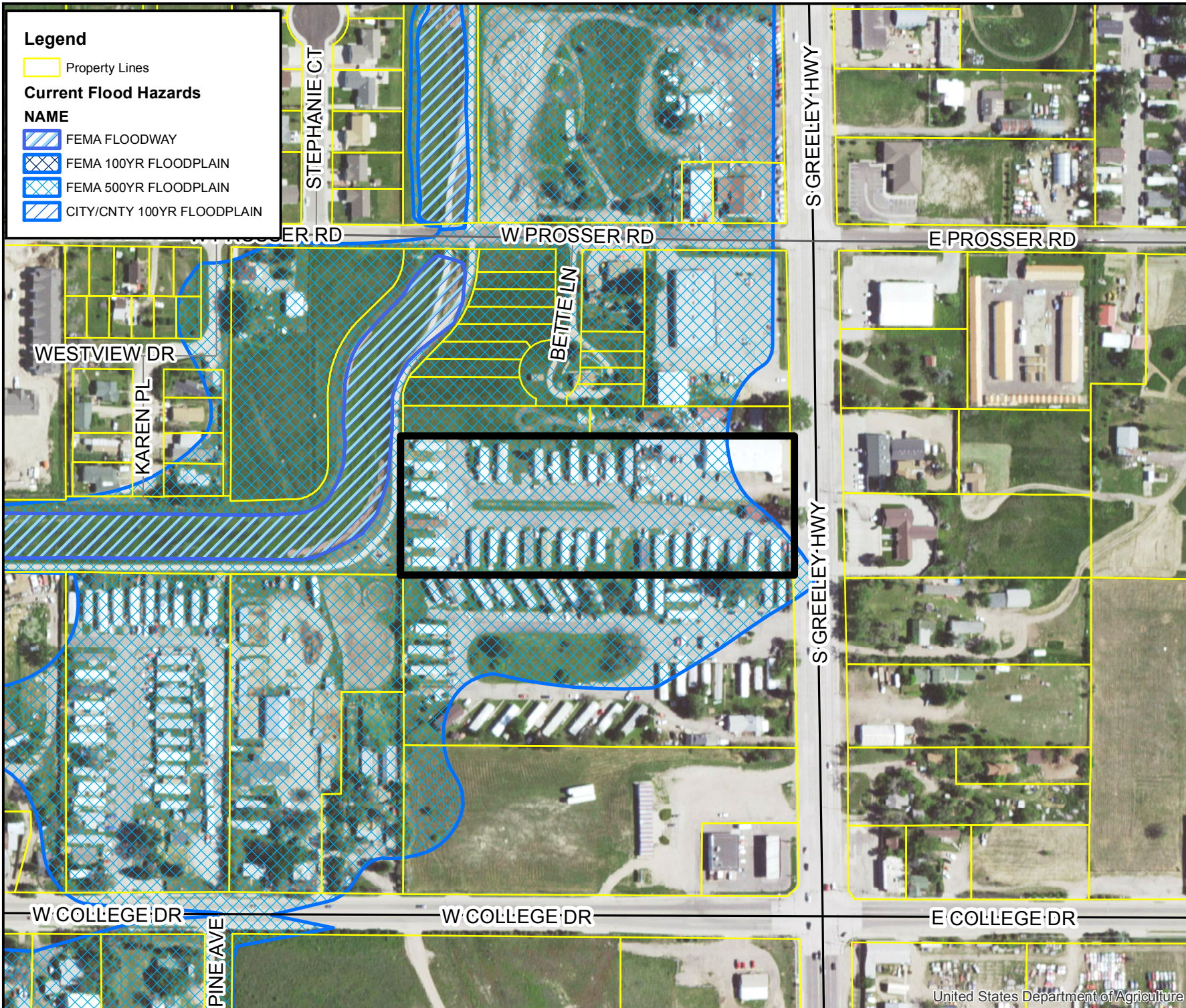
NAME

FEMA FLOODWAY

FEMA 100YR FLOODPLAIN

FEMA 500YR FLOODPLAIN

CITY/CNTY 100YR FLOODPLAIN



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



Zone Change

PZ-20-00019

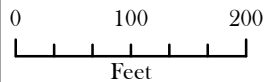
Aerial Map

Tract 45 (except the north 60'), Allison Tracts, 1st Filing

Subject Property



February 2020



United States Department of Agriculture



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Laramie County, Wyoming



Zone Change

PZ-20-00019

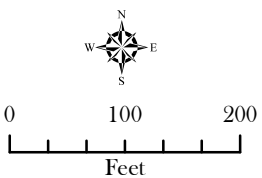
Tract 45 (except the north 60'), Allison Tracts, 1st Filing to be known as Tracts 1 & 2, Continental Tracts

Comprehensive Plan Map

Subject Property



February 2020



United States Department of Agriculture

Legend

Property Lines

Future Land Use Overlay Districts

OTHER

Gateway Corridor (GC)

Recreation Hub (REC)

Rural Center (RC)

Future Land Use Districts

OTHER

Urban-Rural Interface (URI)

Rural Metro (RM)

Rural Ag Interface (RAI)

Ag & Range Land (AGR)



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Laramie County, Wyoming



Zone Change

PZ-20-00019

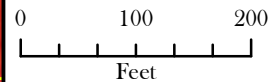
Tract 45 (except the north 60'), Allison Tracts, 1st Filing to be known as Tracts 1 & 2, Continental Tracts

PlanCheyenne Map

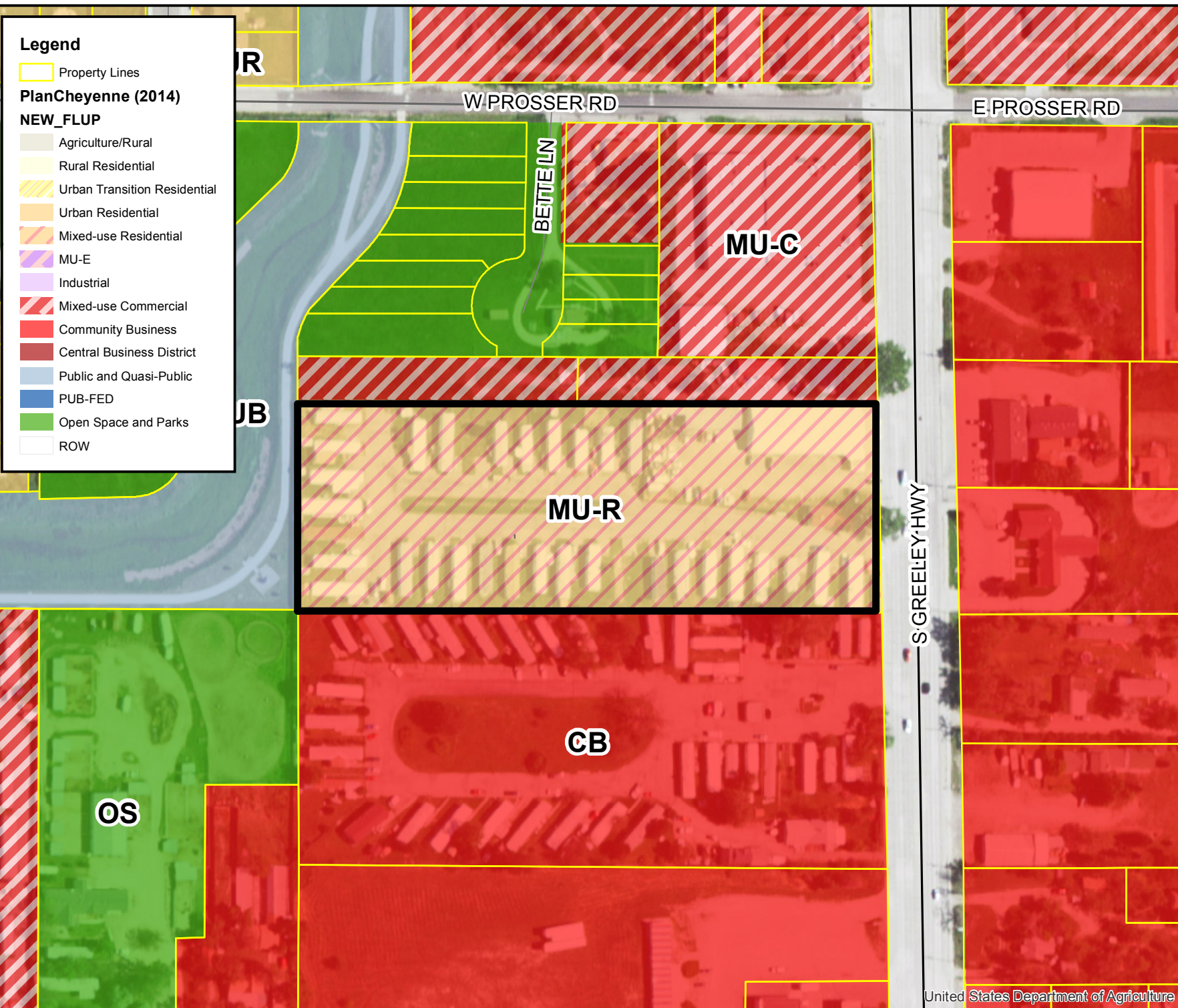
Subject Property



February 2020



United States Department of Agriculture



Legend

- Property Lines
- PlanCheyenne (2014)**
- NEW_FLUP**
- Agriculture/Rural
- Rural Residential
- Urban Transition Residential
- Urban Residential
- Mixed-use Residential
- MU-E
- Industrial
- Mixed-use Commercial
- Community Business
- Central Business District
- Public and Quasi-Public
- PUB-FED
- Open Space and Parks
- ROW

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Laramie County, Wyoming



Zone Change

PZ-20-00019

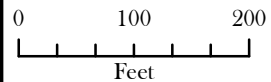
Tract 45 (except the north 60'), Allison Tracts, 1st Filing to be known as Tracts 1 & 2, Continental Tracts

Current Zoning Map

Subject Property



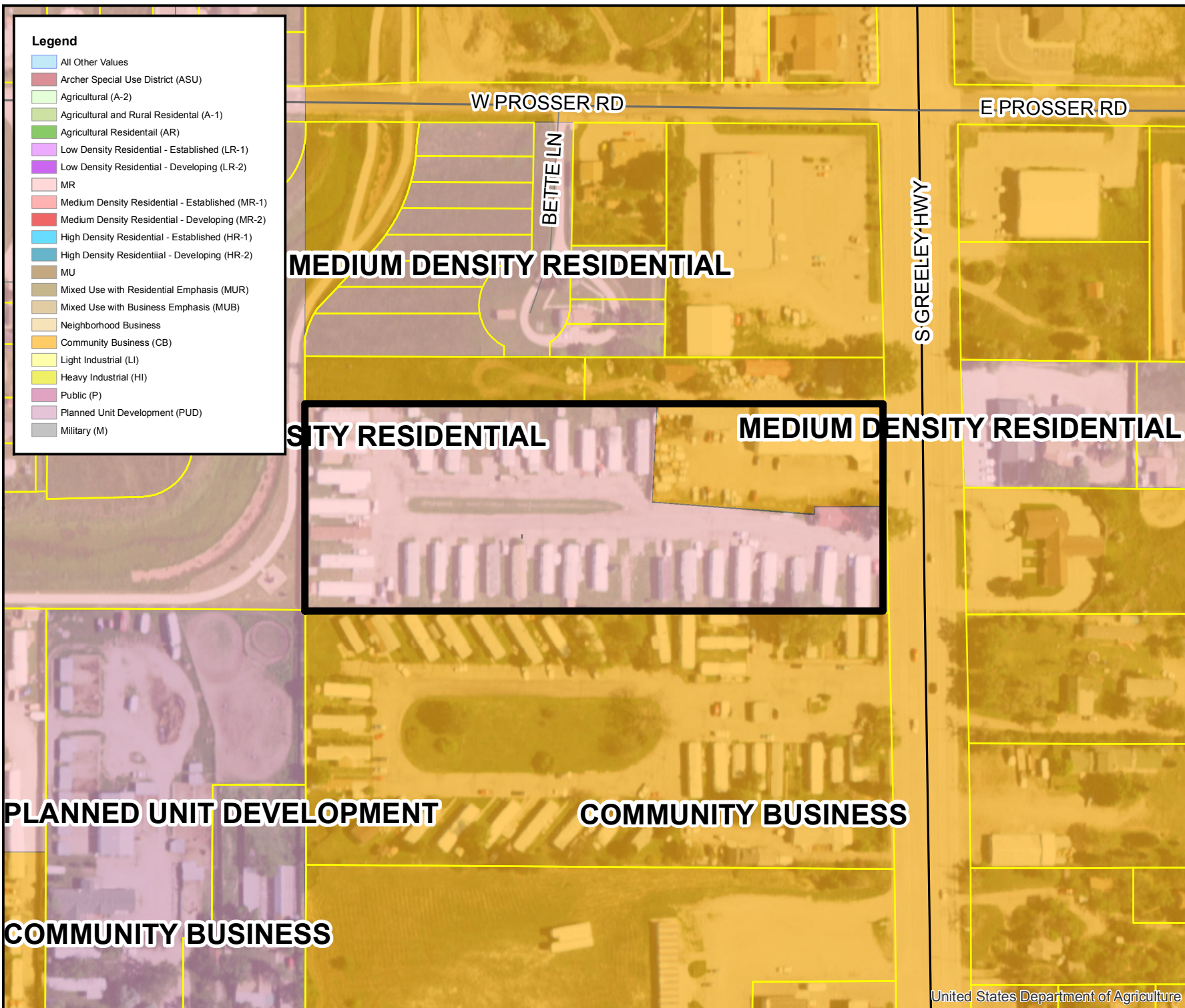
February 2020



United States Department of Agriculture

Legend

- All Other Values
- Archer Special Use District (ASU)
- Agricultural (A-2)
- Agricultural and Rural Residential (A-1)
- Agricultural Residential (AR)
- Low Density Residential - Established (LR-1)
- Low Density Residential - Developing (LR-2)
- MR
- Medium Density Residential - Established (MR-1)
- Medium Density Residential - Developing (MR-2)
- High Density Residential - Established (HR-1)
- High Density Residential - Developing (HR-2)
- MU
- Mixed Use with Residential Emphasis (MUR)
- Mixed Use with Business Emphasis (MUB)
- Neighborhood Business
- Community Business (CB)
- Light Industrial (LI)
- Heavy Industrial (HI)
- Public (P)
- Planned Unit Development (PUD)
- Military (M)



MEDIUM DENSITY RESIDENTIAL

CITY RESIDENTIAL

MEDIUM DENSITY RESIDENTIAL

PLANNED UNIT DEVELOPMENT

COMMUNITY BUSINESS

COMMUNITY BUSINESS

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WYDOT: WYDOT, Randy Griesbach COMMENTS ATTACHED 02/13/2020

There are existing access spacing deficiencies in this area along South Greeley Hwy. If new development takes place, we will need to address access. No action required at this time for the zone change.

Intraoffice: Planners, Marissa Pomerleau COMMENTS ATTACHED 02/21/2020

1. In the title, it is recommended that the section portion be updated to include quarter quarters to match the plat. In this case to read, "Situated in the SE1/4 SW1/4, Section 8,".
2. Tract 50, Allison Tracts is assessed as Commercial, not Residential (Multi).
3. Tract 4, Allison Draw Flood Control Project is zoned Medium Density Residential. This zoning should be indicated on the plat.
4. The north 60' of Tract 45, Allison Tracts is assessed as Commercial Vacant Land, not Vacant Residential.
5. Please note that this Zone Change is dependent upon the recordation of the Plat for Tracts 1 and 2, Continental Tracts.

Cheyenne Planning: Cheyenne Development Services, Seth Lloyd COMMENTS ATTACHED 02/10/2020

The zone change request is to formalize the dividing line between the two districts along the line of the new property line, therefore there is no substantial change to zones with this application.

AGENCIES WITH NO COMMENTS:

Cheyenne MPO
County Assessor
County Engineer
County Public Works Department
Environmental Health
Fire District No 1
South Cheyenne Water & Sewer
Intraoffice

AGENCIES WITH NO RESPONSE:

Cheyenne Urban Planning Office
Cheyenne Development Services
Greater Cheyenne Greenway
County Attorney
County Real Estate Office

County Treasurer
Black Hills Energy
CenturyLink
Cheyenne Engineering Services
South Chey Community Dev Assoc



WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4699

wgfd.wyo.gov

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February 14, 2020

WER 14365.00
Continental Estates, LLC/Steil Surveying Services
Continental Estates Zone Change
Laramie County

Marissa Pomerleau
Laramie County Planning & Development Office
3966 Archer Pkwy
Cheyenne, WY 82009
mpomerleau@laramiecounty.com

Dear Ms. Pomerleau,

The staff of the Wyoming Game and Fish Department (Department) has reviewed the proposed Continental Estates Zone Change located in Laramie County. We have no terrestrial wildlife or aquatic concerns with this proposed zone change.

Thank you for the opportunity to comment.

Sincerely,

Amanda Withroder
Habitat Protection Supervisor

AW/mf/ap

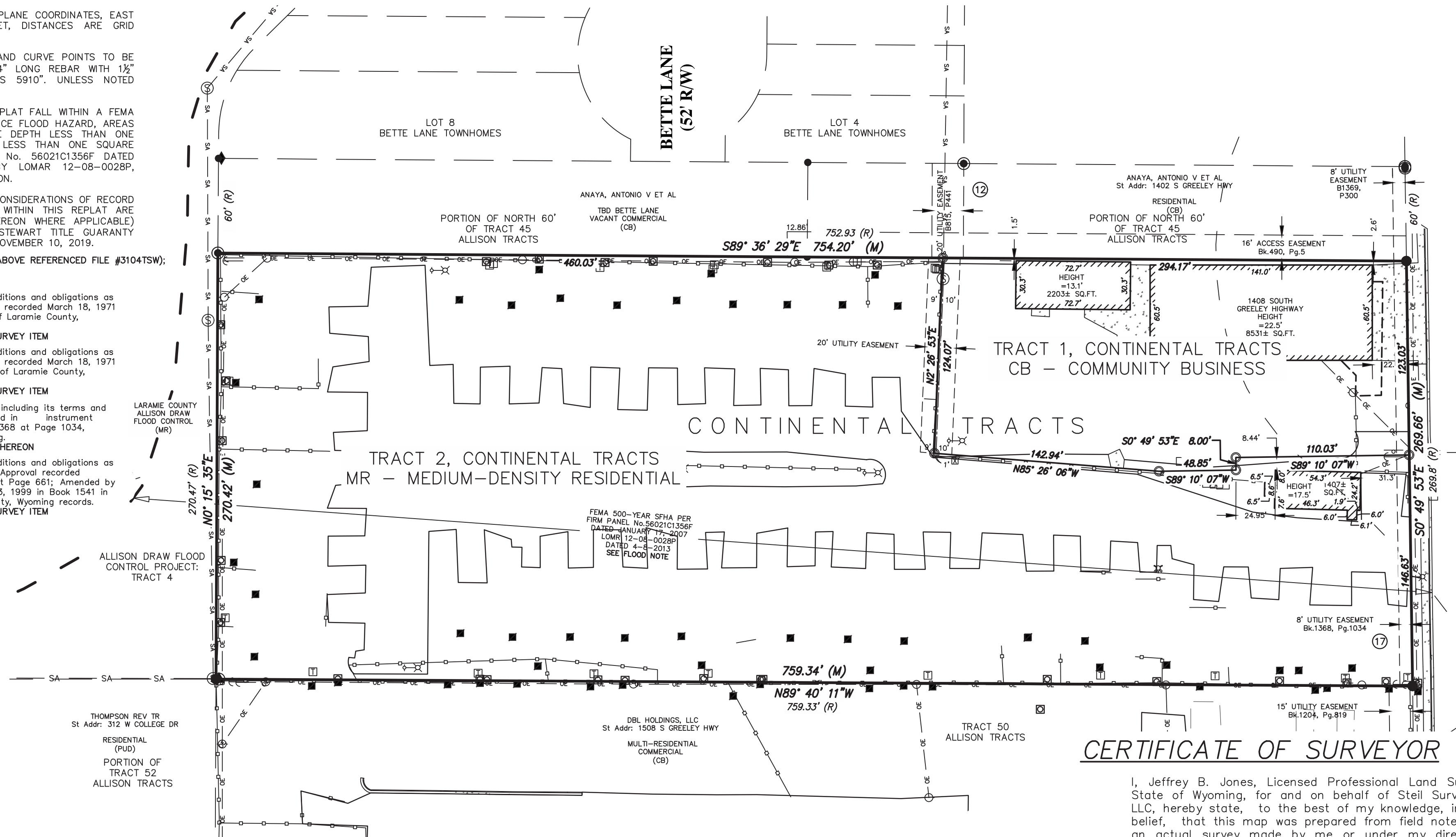
cc: U.S. Fish and Wildlife Service
Chris Wichmann, Wyoming Department of Agriculture

Exhibit 'A'

GENERAL NOTES

1. **BASIS OF BEARINGS:** WYOMING STATE PLANE COORDINATES, EAST ZONE, NAD83-2011, US SURVEY FEET, DISTANCES ARE GRID DISTANCES.
2. ALL TRACT CORNERS, ANGLE POINTS AND CURVE POINTS TO BE MONUMENTED WITH A SET 5/8" X 24" LONG REBAR WITH 1/2" ALUMINUM CAP STAMPED "SSS PLS 5910". UNLESS NOTED OTHERWISE.
3. THE LANDS CONTAINED WITHIN THIS REPLAT FALL WITHIN A FEMA SFHA DESIGNATED ZONE X, (0.2% CHANCE FLOOD HAZARD, AREAS OF 1% CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE) AS SHOWN ON F.I.R.M. PANEL No. 56021C1356F DATED JANUARY 17, 2007 AS REVISED BY LOMAR 12-08-0028P, EFFECTIVE 4/08/2013 AS SHOWN HEREON.
4. EXISTING EASEMENTS, AGREEMENTS & CONSIDERATIONS OF RECORD APPLYING TO THE LANDS CONTAINED WITHIN THIS REPLAT ARE DESCRIBED BELOW (& ILLUSTRATED HEREON WHERE APPLICABLE) AS IDENTIFIED IN TITLE REPORT BY STEWART TITLE GUARANTY COMPANY, FILE NO.; 3104TSW, DATED NOVEMBER 10, 2019.
THESE ITEMS (NUMBERED PURSUANT TO ABOVE REFERENCED FILE #3104TSW); INCLUDE, BUT ARE NOT LIMITED TO :

13. Terms, agreements, provisions, conditions and obligations as contained in Consent to Agreement recorded March 18, 1971 in Book 921 at Page 19, records of Laramie County, Wyoming records.
AFFECTS SUBJECT PROPERTY, NOT A SURVEY ITEM
14. Terms, agreements, provisions, conditions and obligations as contained in Consent to Agreement recorded March 18, 1971 in Book 921 at Page 339, records of Laramie County, Wyoming records.
AFFECTS SUBJECT PROPERTY, NOT A SURVEY ITEM
17. Easements and/or right(s) of way, including its terms and conditions, as granted and described in instrument recorded March 16, 1994 in Book 1368 at Page 1034, records of Laramie County, Wyoming.
AFFECTS SUBJECT PROPERTY, PLOTTED HEREON
18. Terms, agreements, provisions, conditions and obligations as contained in County Administrative Approval recorded November 17, 1999 in Book 1539 at Page 661; Amended by instrument recorded December 13, 1999 in Book 1541 in Page 939, records of Laramie County, Wyoming records.
AFFECTS SUBJECT PROPERTY, NOT A SURVEY ITEM



CERTIFICATE OF SURVEYOR

I, Jeffrey B. Jones, Licensed 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.

PURPOSE OF ZONE CHANGE REQUEST

THE PROPERTY(IES) INCLUDED WITHIN THIS ZONE CHANGE BOUNDARY WERE ESTABLISHED AS TWO DISPARATE USES ON A SINGLE PARCEL. A CONDITIONAL USE APPLICATION WAS APPROVED FOR THE COMMERCIAL USE SOMETIME IN 1984. AT THAT TIME, ZONE DISTRICT DESIGNATIONS WERE APPLIED PROPORTIONATELY TO THE RESPECTIVE USE AREAS; CB FOR THE COMMERCIAL USE AND MR FOR THE MOBILE HOME PARK. IN FEBRUARY 2020, CONTINENTAL TRACTS, A REPLAT OF THE SUBJECT PROPERTY SPLIT THE LAND INTO TWO (2) FEE-SIMPLE TRACTS.

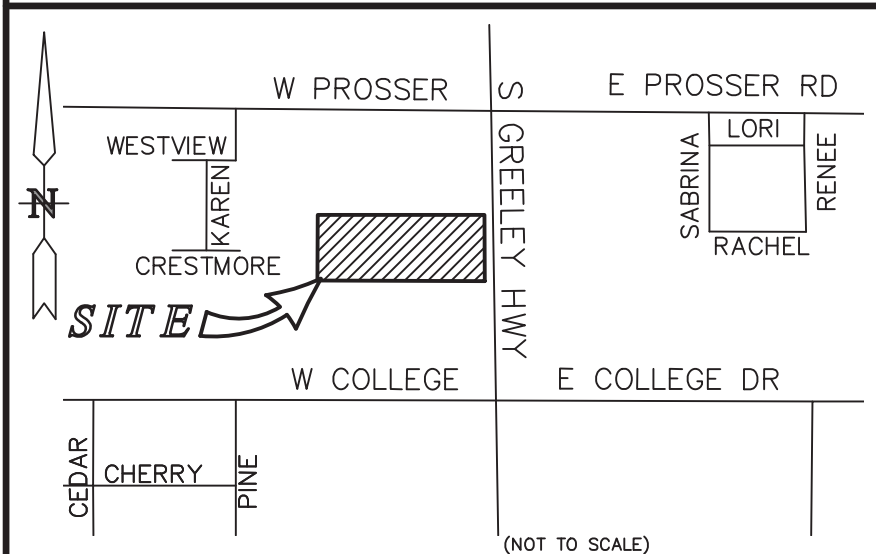
THIS ZONE CHANGE REQUEST IS A FORMAL ZONE DISTRICT BOUNDARY AMENDMENT INTENDED SOLELY TO REMEDY THE IMPROPERLY DEFINED ZONE DISTRICT BOUNDARY BETWEEN THE USES AND FORMALIZE THE RESPECTIVE ZONE DISTRICTS.

ZONE CHANGE MAP FOR

ALL OF TRACTS 1 & 2, CONTINENTAL TRACTS
SITUATED IN THE SE1/4SW¼ of SECTION 8,
T.13 N., R.66 W., 6th P.M.
LARAMIE COUNTY, WYOMING

PREPARED January, 2020

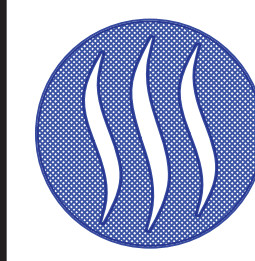
VICINITY MAP



(NOT TO SCALE)

REVISED: 3/3/2020
19325a REV FINAL.dwg

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STEIL SURVEYING SERVICES, LLC
PROFESSIONAL LAND SURVEYORS
PLANNING & DEVELOPMENT SPECIALISTS
1105 WEST 19th ST. CHEYENNE, WY 82001 • (307) 634-7273
356 GILCHRIST ST. WHEATLAND, WY 82201 • (307) 322-9788
www.steilsurvey.com • info@steilsurvey.com

RESOLUTION NO. _____

A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT TO MR – MEDIUM DENSITY RESIDENTIAL AND CB – COMMUNITY BUSINESS FOR TRACTS 1 AND 2, CONTINENTAL TRACTS, 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 previously adopted the Laramie County Land Use Regulations; and

WHEREAS, the proposed zone change is in conformance with the requirements of section 1-2-103(b) of the Laramie County Land Use Regulations; and

WHEREAS, the proposed zone change is in conformance with the requirements of section 4-2-104 of the Laramie County Land Use Regulations.

WHEREAS, the proposed zone change is in conformance with the requirements of section 4-2-107 of the Laramie County Land Use Regulations.

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 meets the criteria for a zone map amendment pursuant to section 1-2-103 (b) of the Laramie County Land Use Regulations.
- b. The proposed change in zone district is in conformance with the requirements of section 4-2-104 of the Laramie County Land Use Regulations.
- c. The proposed change in zone district is in conformance with the requirements of section 4-2-107 of the Laramie County Land Use Regulations.

And the Board approves a Zone Change to MR – Medium Density Residential to CB – Community Business for Tracts 1 and 2, Continental Tracts, Laramie County, WY, as shown on the attached ‘Exhibit A’ – Zone Change Map with no conditions.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF _____, 2020.

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