

LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Bryan Nicholas, Associate Planner

DATE: November 20, 2018

TITLE: Review and action of a Subdivision Permit and Plat for Pronghorn Bluff, 1st

Filing, located in Tract 5, Sells Addition, Laramie County, WY.

EXECUTIVE SUMMARY

Steil Surveying Services, on behalf of Thomas M. Johnson of P.O. Box 2077, Cheyenne, WY has submitted an application for a Subdivision Permit and Plat for "Pronghorn Bluffs, 1st Filing", located at 263 US 85, southeasterly of Chalk Bluff Road and US 85. The application has been submitted for the purpose of subdividing the property to create three single-family residential lots, with the existing residence to remain on proposed Tract 1.

BACKGROUND

Currently there is a single-family residence with a water well and septic system, associated accessory structures, and utility infrastructure. Access to this residence is off US 85, with an existing 30' ingress/egress drainage, utility and emergency access easement. This easement will remain, a proposed 40' ingress/egress easement will provide access to Tract 2 and Tract 3 will accessed from US 85. There are also utility and pipeline easements along the West and South property lines.

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 subdivision 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, although residential development that is similar in nature occupies land to the North and South. Agricultural crop and livestock production with associated residences are encouraged as primary uses. As such, this proposed subdivision lies within an area designated as a Gateway Corridor (GC) by the Comprehensive Plan. Areas within the Gateway Corridor designation are appropriate for a mixture of commercial, industrial, office, and public facilities.

PlanCheyenne categorizes this land as Agriculture/Rural (AR). It states appropriate uses should primarily include farming, ranching, and other agriculturally related uses. This proposed subdivision could be viewed as a secondary use, which is "very low density residential, e.g., large lots or designed on smaller lots to conserve land for agricultural or ranching or natural and cultural resources."

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

This proposed plat would create less than five tracts, with an average tract size of 6 acres. 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.

On October 25, 2018, the Laramie County Planning Commission held a public hearing of this application. No public comment was received, with the Planning Staff receiving a letter of opposition from a citizen attending the meeting. The Planning Commission voted (3-0) to recommend approval of the application to the Board with one condition. A revised plat was submitted to the Planning Staff on October 29, 2018, a copy of which is attached. At this time all agency comments have been addressed.

The attached resolution shall serve as the Subdivision Permit upon approval by the Board.

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 Pronghorn Bluff, 1st Filing.

PROPOSED MOTION

I move to approve the Subdivision Permit and Plat for Pronghorn Bluff, 1st Filing, 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: PlanCheyenne Map

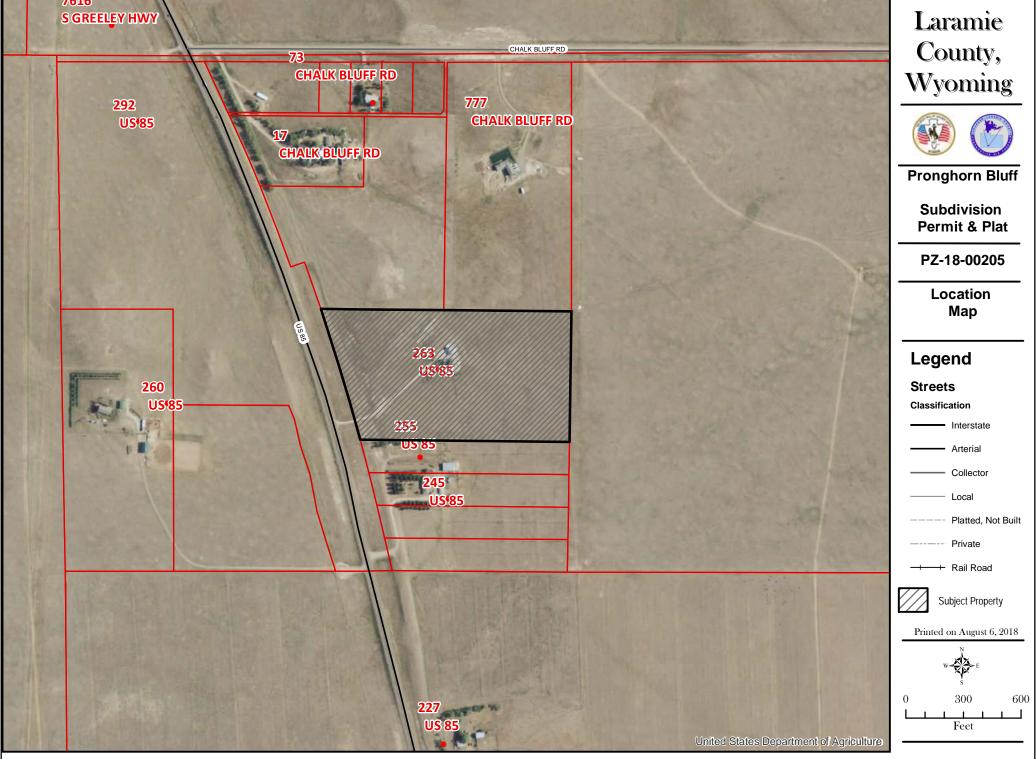
Attachment 5: Agency Review Comments

Attachment 6: Adjacent Neighbor Letter of Opposition

Attachment 7: Existing Conditions Map

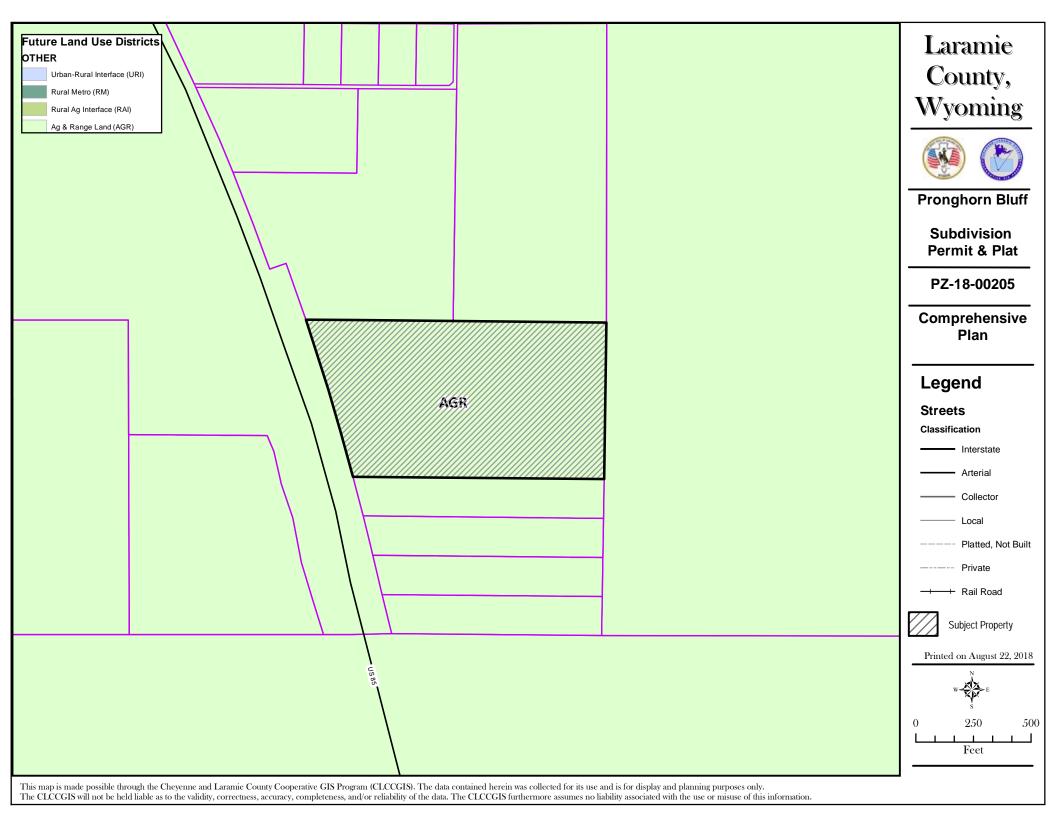
Attachment 8: Plat – Revised October 29, 2018

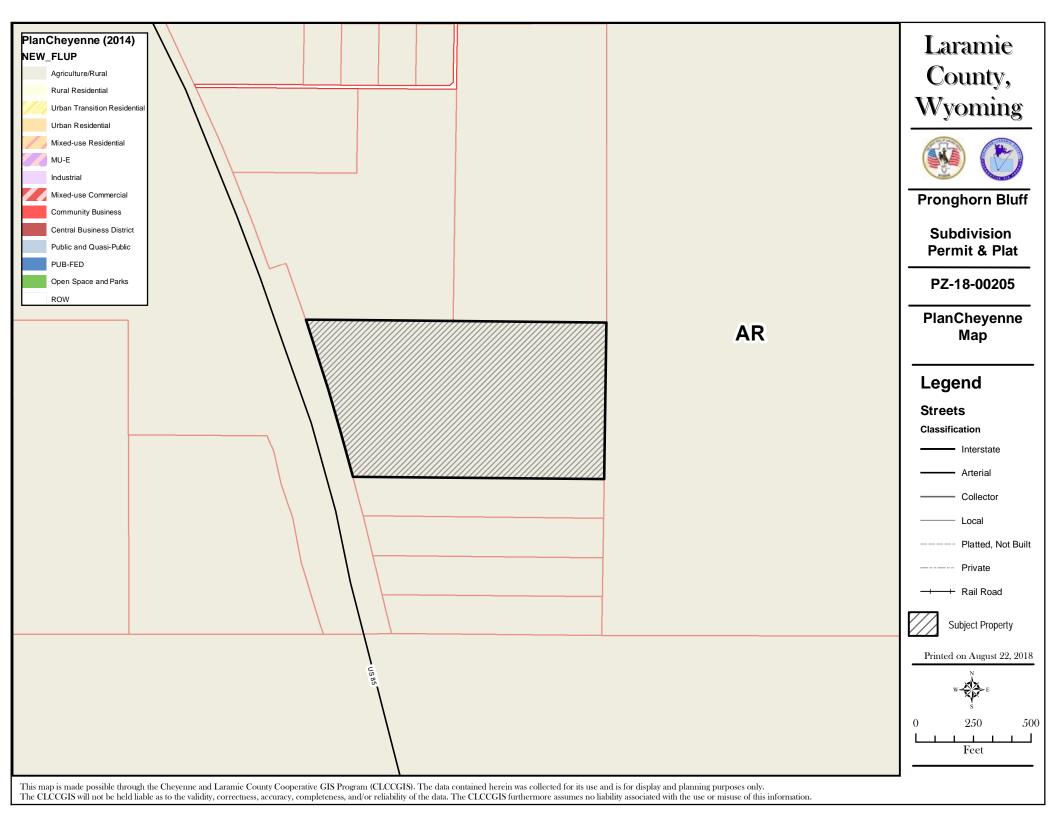
Attachment 9: Resolution



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.







<u>Cheyenne MPO:</u> Nancy Olson COMMENTS ATTACHED 09/07/2018

The MPO has no issue with this subdivision of land as long as all parcels continue to take access from the existing access.

<u>County Engineer:</u> Scott Larson COMMENTS ATTACHED 09/10/2018 Engineer Review

- 1. On Note 6 in the second paragraph it refers to "Lot 1" and it should say "Tract 1".
- 2. On Note 7 in the second paragraph it says "...such theat the easement..." and it should say "...such that the easement...".
- 3. On Note 8 in the second paragraph is says "Beginning a point..." and it should say "Beginning at a point...".
- 4. Also on Note 8 in the second paragraph it says "...such theat the easement..." and it should say "...such that the easement...".
- 5. I concur with the request for a waiver of a detailed Traffic Study and Drainage Study since this development will have an insignificant impact on either. Surveyor Review
- 1. There is no survey tie to the nearest public land survey system monument. The east boundary of the subdivision appears to be near or on the north-south centerline of the section, but it is not labeled as such and no PLSS monument tie is shown.
- 2. The Vicinity Map would be easier to read and it would be more useful to the 'lay public' if one were to add some information such as, at a minimum, the Section, Township and Range data with enough detail to indicate the location of the subdivision within the Section. There is a 38 above the site, should that be a 33?
- 3. With respect to the legend, the FOUND IRON PIPE symbol is difficult to identify on the plat.
- 4. The ACKNOWLEDGEMENT for Thomas M. Johnson would be more appropriately placed directly under the DEDICATION, that which he is actually acknowledging.

<u>Environmental Health Department:</u> Roy Kroeger COMMENTS ATTACHED 09/07/2018

Laramie County Small Wastewater System Regulations

A copy of the signed final plat shall be submitted to this office prior to the issuance of any small wastewater system permit.

A perc test and site hole will be required on each lot prior to the issuance of any small wastewater system permit.

<u>WYDOT:</u> Randy Griesbach COMMENTS ATTACHED 09/10/2018 Existing access to US 85 qualifies as a residential access and can support three residential properties. No modifications to the access will be needed.

Any right-of-way fencing modifications would require a permit through the District office.

Assure drainage patterns that reach the highway R/W are not altered. If drainage is changed in the highway R/W, a drainage study needs to demonstrate that post-development discharge rates are metered at or below pre-development rates for 2, 5, 10, 20, 50 and 100 year events. This must be documented in tabular form.

Fire District No. 1: Darrick Mittlestadt COMMENTS ATTACHED 08/31/2018

IFC 2015

Section 503, Fire Apparatus Access Road, All, pages 69 and 70.

Section 505, Premises Identification, pages 70 and 71.

Section 507, Fire Protection Water Supplies, 507.1, 507.2. page 71.

NFPA 1142 Rural Water Supply, as adopted by the County. On site water cistern for fire protection, Annex A and B, all that applies.

Planners: Bryan Nicholas COMMENTS ATTACHED 09/10/2018

- 1. Applicant is required to meet all applicable requirements per Section 2-1-1-1 (e)(i-xiv).
- 2. The Fire District providing fire protection is stated as FD #2, this needs to be corrected to FD #1.
- 3. A Wyoming P.L.S. Stamp needs to be included on the plat.

<u>Building Dept.:</u> Antony Pomerleau COMMENTS ATTACHED 09/07/2018 BUILDING PERMITS REQUIRED.

AGENCIES WITH NO COMMENTS:

GIS/Planners
Cheyenne Development Services
County Real Estate Office
County Public Works Department
Laramie Co School Dist. No. 1
Black Hills Energy

AGENCIES WITH NO RESPONSE:

County Assessor
County Attorney
County Treasurer
Wyoming State Engineer's Office
US Post Office
Combined Communications Center
Emergency Management
Sheriff's Office
South Chey Community Development

Thursday, October 25, 2018 11:33 AM

Planning Committee,

I, Richard Juschka, have a few comments concerning the proposed Pronghorn Bluffs Subdivision.

I have been on are family ranch for 60 years. I have seen the south side grow when there was nothing out here. It used to be no one wanted to live on south side, but I have watched these housing subdivisions slowly spread.

To be honest, I am not happy with any of them. Finally came to the conclusion they were here and had to accept it.

My main concern has been the water table dropping and the families that have lived here for a long time having the water in their wells drop and have to drill new ones. I worked for a well drilling company in the 70's and have seen wells drilled over Laramie County. In some parts the wells are not very productive.

On the southside with Winchester Hills, Bison Crossing, and the development of Cowboy South Subdivision's there are a lot of wells in this area that surround my wells which concerns me. Seen our well drop from being able to run water outside and in house to if I run water outside have no water inside.

Like to see if these Subdivisions would be made to 20 or 40 acre lots

In regards to this proposed small subdivision, does it qualify for a subdivision? It appears to be building 2 houses in backyard.

My objection to this subdivision is that it is out of place. The surrounding lots are 18, 20, and 40 acres.

To put 2 more houses on this lot makes it out of place. It doesn't fit the surrounding lots.

This, in my opinion is not far to the surrounding land owners because when they bought their homes they expected to live in a more open space area.

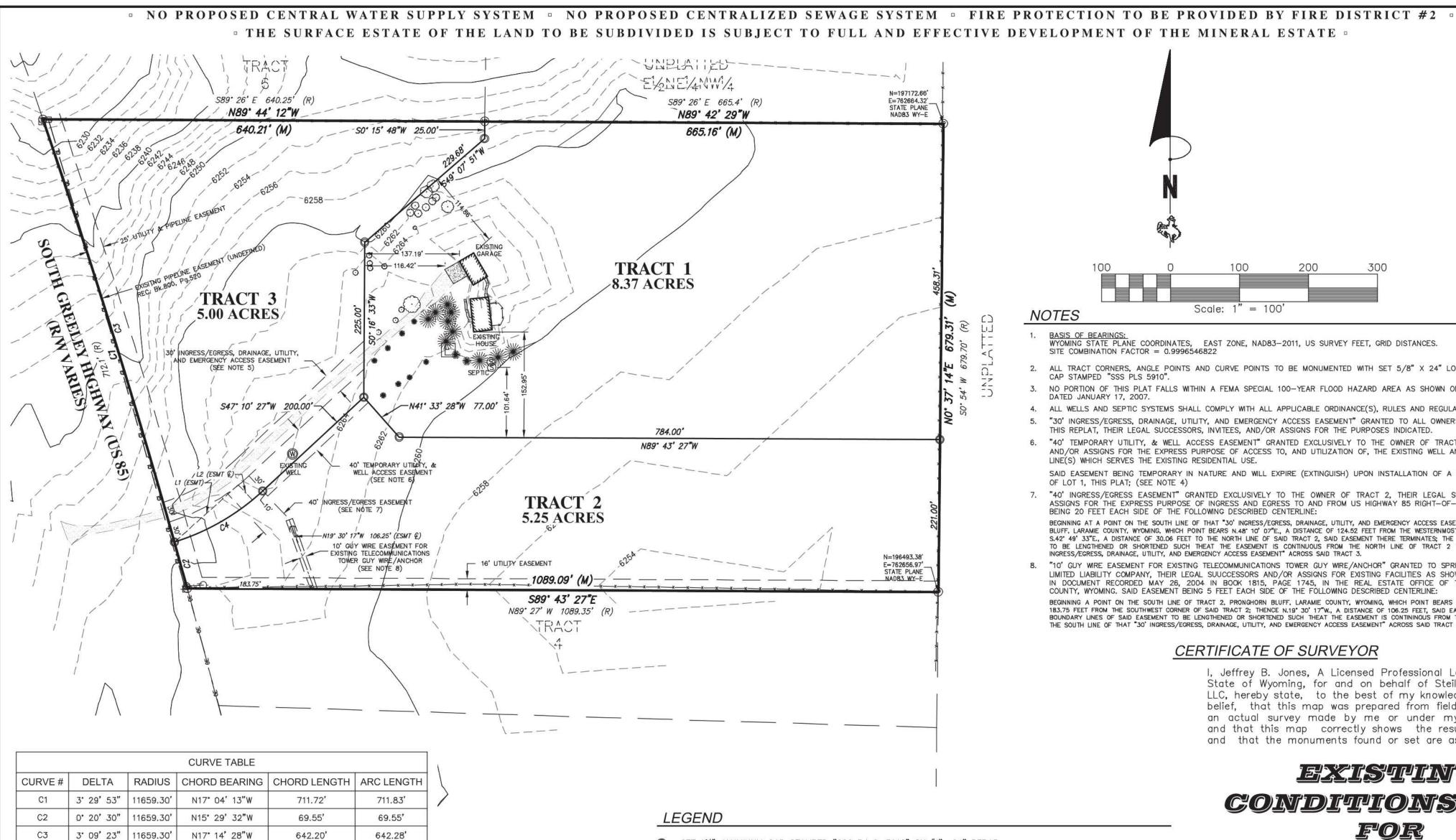
These proposed lots would be more acceptable across my pasture in Cowboy South subdivision.

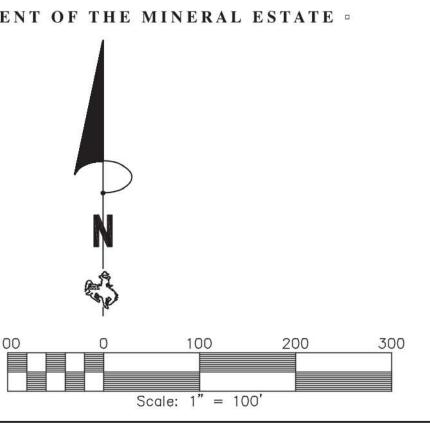
In agreement with surrounding home owners, I would ask the planning commission to DENY this request.

Thank-you

Richard Juschka







NOTES

- BASIS OF BEARINGS:
 WYOMING STATE PLANE COORDINATES, EAST ZONE, NAD83-2011, US SURVEY FEET, GRID DISTANCES.
- ALL TRACT CORNERS, ANGLE POINTS AND CURVE POINTS TO BE MONUMENTED WITH SET 5/8" X 24" LONG REBAR WITH 11/2" ALUMINUM CAP STAMPED "SSS PLS 5910".
- NO PORTION OF THIS PLAT FALLS WITHIN A FEMA SPECIAL 100-YEAR FLOOD HAZARD AREA AS SHOWN ON F.I.R.M PANEL #56021C1375F; DATED JANUARY 17, 2007.
- 4. ALL WELLS AND SEPTIC SYSTEMS SHALL COMPLY WITH ALL APPLICABLE ORDINANCE(S), RULES AND REGULATIONS.
- "30' INGRESS/EGRESS, DRAINAGE, UTILITY, AND EMERGENCY ACCESS EASEMENT" GRANTED TO ALL OWNERS OF LANDS CONTAINED WITHIN THIS REPLAT, THEIR LEGAL SUCCESSORS, INVITEES, AND/OR ASSIGNS FOR THE PURPOSES INDICATED.
- "40' TEMPORARY UTILITY, & WELL ACCESS EASEMENT" GRANTED EXCLUSIVELY TO THE OWNER OF TRACT 1, THEIR LEGAL SUCCESSORS AND/OR ASSIGNS FOR THE EXPRESS PURPOSE OF ACCESS TO, AND UTILIZATION OF, THE EXISTING WELL AND ASSOCIATED WATER SERVICE LINE(S) WHICH SERVES THE EXISTING RESIDENTIAL USE.
- SAID EASEMENT BEING TEMPORARY IN NATURE AND WILL EXPIRE (EXTINGUISH) UPON INSTALLATION OF A NEW WELL WITHIN THE BOUNDS OF LOT 1, THIS PLAT; (SEE NOTE 4)
- "40' INGRESS/EGRESS EASEMENT" GRANTED EXCLUSIVELY TO THE OWNER OF TRACT 2, THEIR LEGAL SUCCESSORS, INVITEES, AND/OR ASSIGNS FOR THE EXPRESS PURPOSE OF INGRESS AND EGRESS TO AND FROM US HIGHWAY 85 RIGHT-OF-WAY. SAID BEING 20 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:
 - BEGINNING AT A POINT ON THE SOUTH LINE OF THAT "30' INGRESS/EGRESS, DRAINAGE, UTILITY, AND EMERGENCY ACCESS EASEMENT" ACROSS TRACT 3, PRONGHORN BLUFF, LARAMIE COUNTY, WYOMING, WHICH POINT BEARS N.48' 10' 07"E., A DISTANCE OF 124.52 FEET FROM THE WESTERNMOST CORNER OF SAID TRACT 2; THENCE S.42' 49' 33"E., A DISTANCE OF 30.06 FEET TO THE NORTH LINE OF SAID TRACT 2, SAID EASEMENT THERE TERMINATES; THE BOUNDARY LINES OF SAID EASEMENT ELENGTHENED OR SHORTENED SUCH THEAT THE EASEMENT IS CONTINUOUS FROM THE NORTH LINE OF TRACT 2 TO THE SOUTH LINE OF THAT "30" INGRESS/EGRESS, DRAINAGE, UTILITY, AND EMERGENCY ACCESS EASEMENT" ACROSS SAID TRACT 3.
- "10' GUY WIRE EASEMENT FOR EXISTING TELECOMMUNICATIONS TOWER GUY WIRE/ANCHOR" GRANTED TO SPRINT SPECTRUM L.P., A DELAWARE LIMITED LIABILITY COMPANY, THEIR LEGAL SUUCCESSORS AND/OR ASSIGNS FOR EXISTING FACILITIES AS SHOWN AND DESCRIBED HEREON AND IN DOCUMENT RECORDED MAY 26, 2004 IN BOOK 1815, PAGE 1745, IN THE REAL ESTATE OFFICE OF THE COUNTY CLERK OF LARAMIE COUNTY, WYOMING. SAID EASEMENT BEING 5 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:
 - BEGINNING A POINT ON THE SOUTH LINE OF TRACT 2. PRONGHORN BLUFF, LARAMIE COUNTY, WYOMING, WHICH POINT BEARS 5.89° 43' 27"E., A DISTANCE OF 183.75 FEET FROM THE SOUTHWEST CORNER OF SAID TRACT 2; THENCE N.19" 30" 17"W., A DISTANCE OF 106.25 FEET, SAID EASEMENT THERE TERMINATES; THE BOUNDARY LINES OF SAID EASEMENT TO BE LENGTHENED OR SHORTENED SUCH THEAT THE EASEMENT IS CONTINUOUS FROM THE NORTH LINE OF TRACT 2 TO THE SOUTH LINE OF THAT "30" INGRESS/EGRESS, DRAINAGE, UTILITY, AND EMERGENCY ACCESS EASEMENT" ACROSS SAID TRACT 3.

CERTIFICATE OF SURVEYOR

I, Jeffrey B. Jones, A 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.

existing CONDITIONS MAP FOR PRONGHORN BLUFF

A REPLAT OF ALL OF TRACT 5, SELLS ADDITION

SITUATED IN THE SE1/4NW1/4 OF SECTION 4, T.12N, R.66W., 6TH P.M. LARAMIE COUNTY, WYOMING

PREPARED JULY, 2018



STEIL SURVEYING SERVICES, LLC PROFESSIONAL LAND SURVEYORS PLANNING & DEVELOPMENT SPECIALISTS 1102 WEST 19th ST. CHEYENNE, WY. 82001 o (307) 634 -7273

www.SteilSurvey.com o info@SteilSurvey.com

REVISED: 8/17/2018

- O SET 11/2" ALUMINUM CAP STAMPED "SSS P.L.S. 5910" ON 5/8" x 24" REBAR
- FOUND 11/2" ALUMINUM CAP STAMPED "SSS P.L.S. 2500"
- FOUND 11/2" ALUMINUM CAP STAMPED "LS 495"
- DENOTES MEASURED DATA THIS SURVEY
- DENOTES RECORD DATA PER STEARNS SUBDIVISION & AFFIDAVIT TO CHANGE LOT LINE (REC. Bk.1226, Pg.972)
- EXISTING WATER VALVE
- EXISTING OVERHEAD ELECTRIC LINES

EXISTING FENCE LINE

- EXISTING WELL EXISTING UTILITY POLE
- - EXISTING CONCRETE SURFACE
- - EXISTING GRAVEL SURFACE
- EXISTING CONIFEROUS TREE
- EXISTING DECIDUOUS TREE

EXISTING GUY WIRE

EXISTING ASPHALT SURFACE

ZONE DISTRICT: N/A - OUTSIDE ZONED BOUNDARY

NUMBER OF RESIDENTIAL LOTS

GENERAL INFORMATION

AVERAGE LOT SIZE (DENSITY): 6.2 ACRES (NET)

149.42'

TOTAL SITE AREA:

NUMBER OF LOTS:

NET: ±18.69 ACRES

148.18

S59° 58' 11"W

(NOT TO SCALE

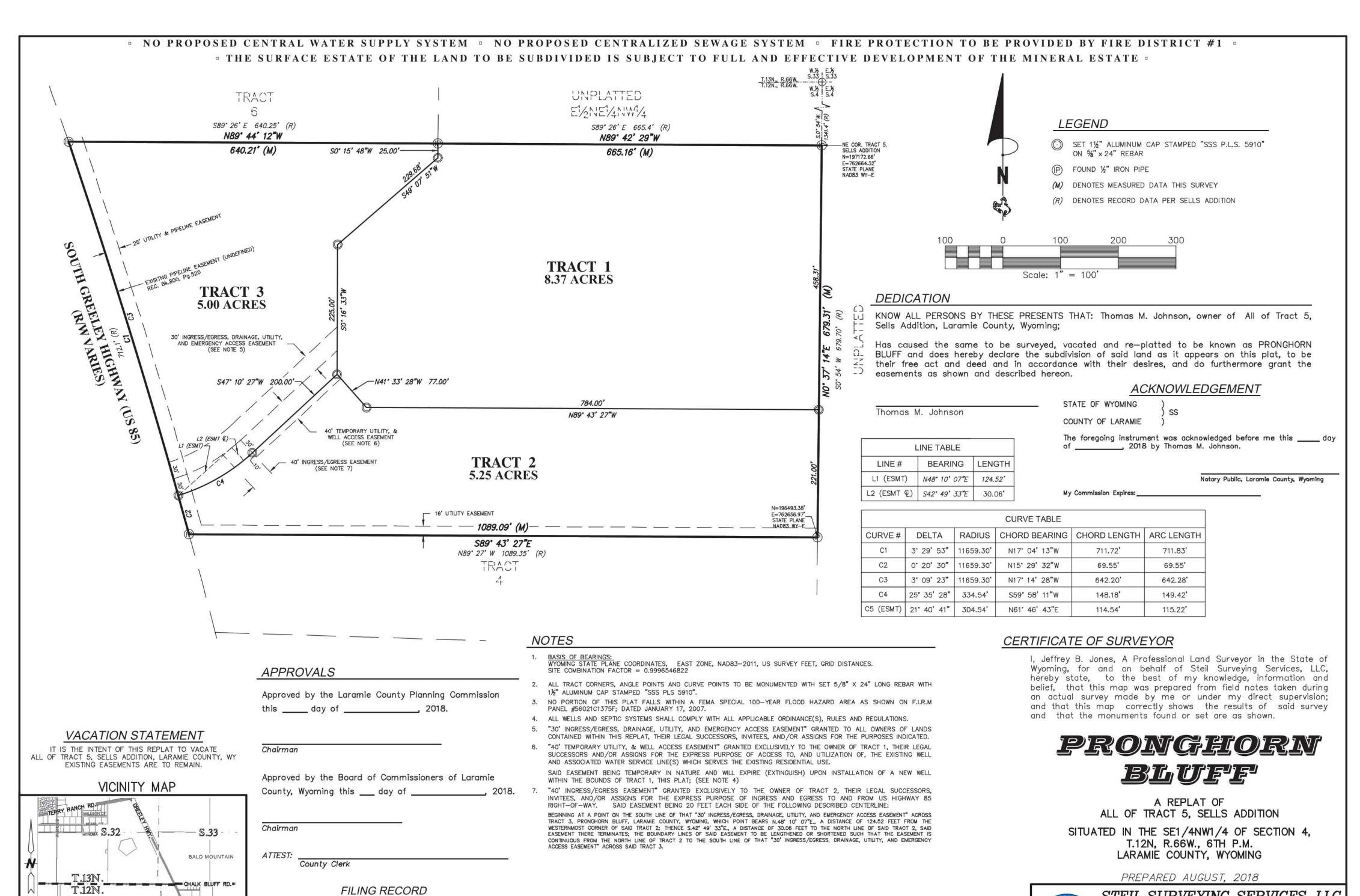
C4

25' 35' 28"

334.54

VICINITY MAP

© COPYRIGHT 2018 STEIL SURVEYING SERVICES, LLC ALL RIGHTS RESERVED



S.5

(NOT TO SCALE

REVISED: 10/29/2018 \2018 DWG\18232 SELLS ADD REPLAT\18232 L5 SELLS REPLAT.dwg $\left(\left(\left(\right) \frac{PI}{PI} \right) \right)$

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) 322 -9789

www.SteilSurvey.com • info@SteilSurvey.com

RESOLUTION NO.	
----------------	--

A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR PRONGHORN BLUFF, 1ST FILING, LOCATED AT TRACT 5, SELLS ADDITION, 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 Pronghorn Bluff, 1st Filing.

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

The Laramie County Board of Commissioners finds that:

Mark T. Voss, Laramie County Attorney

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 Pronghorn Bluff, 1st Filing.

PRESENTED, READ AND ADOI	PTED THIS	_DAY OF
, 2018.		
	LARAMIE COUNTY BOARD	OF COMMISSIONERS
	K.N. Buck Holmes, Chairman	
ATTEST:		
Debra K. Lee, Laramie County Clerk	<u> </u>	
Reviewed and approved as to form:		
FOR		