# LARAMIE COUNTY CLERK BOARD OF COUNTY COMMISSIONERS AGENDA ITEM PROCESSING FORM

1. DATE OF PROPOSED ACTION	December 5, 2017
Contracts/Agreements/Leases	ntments Bids/Purchases Claims  Grants x Land Use: Board App/Subdivision/ZC  dearings/Rules & Reg's Reports & Public Petitions
3. <b>DEPARTMENT:</b> Planning & De	evelopment Office
WESTCOM PROPE LLC.	RTIES, Steil Surveying Services, LLC.
4. DESCRIPTION:	
	RECEIVED AND APPROVED AS TO FORM ONLY BY THE DEPUTY LARAMIE COUNTY ATTORNEY
Amount \$	From
5. DOCUMENTATION: 1	Originals Ocopies
Commissioner  Thompson Kailey Ash	Clerks Use Only: Signatures Co Atty Asst Co Atty



#### LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

#### Planning • Building

#### **MEMORANDUM**

**TO:** Laramie County Board of Commissioners

FROM: Nancy M. Trimble, Associate Planner

DATE: December 5, 2017

TITLE: Review and action of a Subdivision Permit and Plat for North Range

Business Park, 9th Filing, a replat of Lot 4, Block 10, North Range Business

Park, 3<sup>rd</sup> Filing, Laramie County, WY.

#### **EXECUTIVE SUMMARY**

Steil Surveying Services, on behalf of Westcom Properties LLC, has submitted a Subdivision Permit and Plat application for approval of North Range Business Park, 9th Filing, a replat of Lot 4, Block 10, North Range Business Park, 3rd Filing, Laramie County, WY, located northwest of the intersection of Roundtop Road and Horizon Drive. The application has been submitted for the purpose of subdividing approximately 19.5 acres into six (6) lots to prepare for future commercial development.

#### **BACKGROUND**

The subject property is located in the southeasterly portion of North Range Business Park, north of Interstate 80, and is currently undeveloped. The applicant stated the primary impetus for the subdivision is to provide a fee-simple lot for a new gas station and convenience store, to be located on Lot 1 of the proposed subdivision.

#### **Pertinent Regulations**

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

**Section 4-2-112** of the Laramie County Land Use Regulations governing the PUD – Planned Unit Development zone district; *more specifically*, the North Range Business Park PUD.

#### **DISCUSSION**

The Laramie County Comprehensive Plan identifies the area as Urban Rural Interface (URI), which is intended to accommodate a mix of more intensive land uses than other areas.

PlanCheyenne contemplates Mixed-Use Employment Campus as the future land use. This category provides for a variety of uses, with a primary focus on employment designed in a business campus setting.

The property is zoned Planned Unit Development (PUD); *more specifically*, North Range Business Park PUD. This zone allows for commercial and industrial uses, and community open space. The PUD does not establish minimum or maximum lot size, but rather setbacks, open space, and landscaping requirements based on lot size and building coverage percentages.

A letter requesting a waiver of the drainage study was submitted with the application, with explanation that development of the proposed lots will substantially conform to the existing drainage patterns, historic rates, and the Master Drainage Plan for North Range Business Park. Any proposed commercial construction will require a site plan application submittal, which shall be reviewed by the County Engineer to ensure drainage impacts are evaluated, with subsequent updates to the Master Drainage Plan required, as necessary.

As indicated on the plat, water and sewer services shall be provided by the City of Cheyenne Board of Public Utilities.

A development action sign was posted on the property and notifications were sent to the adjacent property owners regarding the application. No comments were received.

Staff received agency comments requesting submittal of drainage information for the proposed platted area and a detailed traffic study, required mapping revisions, building permit requirements, and food service plans and licensing specific to the proposed commercial activity.

A copy of the Traffic Impact Study was submitted on October 23, 2017, and a request for review was submitted to WYDOT and the County Engineer. WYDOT responded regarding access spacing policy dependent upon speed limit, and signalized intersection concerns. The County Engineer responded he had no comments regarding the study as it related to Horizon Drive, which is a county road.

The applicant has provided sufficient traffic information for the platting process to be completed. At the time of site plan for each of these lots, a more detailed traffic and drainage report will be required. Approval of this plat does not guarantee access locations on Roundtop Road or Horizon Drive, which will be evaluated at the site plan stage.

The Laramie County Planning Commission held a public hearing of this application on November 9, 2017. No public comment was received. Commissioner Moffett asked if WYDOT's comments had been addressed. Casey Palma, Steil Surveying Services, responded that most of those comments pertained to site access and would be addressed with the site plan

process. Commissioner Caughey asked if semi-trucks would have adequate access to the property. Mr. Palma explained that the site layout would be designed to accommodate truck traffic and parking. The Planning Commission voted 5-0 to recommend approval of the subdivision permit and plat to the Board with conditions 1 through 3.

Staff finds the proposal to be in general conformance with the plans and policies of the Laramie County Land Use Regulations, PlanCheyenne, and the North Range Business Park PUD zone district.

#### **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.
- **b.** This application is in conformance with the North Range Business Park PUD zone district.

and that the Board approve the Subdivision Permit and Plat for North Range Business Park, 9th Filing, a replat of Lot 4, Block 10, North Range Business Park, 3<sup>rd</sup> Filing, Laramie County, WY, with the following conditions:

**Prior to plat recordation:** 

- 1. A Master Drainage Plan for the proposed new lots shall be approved by the County Engineer.
- 2. Revisions shall be made to the plat according to BOPU and County Planner comments
- 3. Clerical errors and technical corrections shall be completed on the plat.

#### **PROPOSED MOTION**

I move to approve the Subdivision Permit and Plat for North Range Business Park, 9th Filing, with conditions 1 through 3, and adopt the findings of facts a and b of the staff report.

#### **ATTACHMENTS**

Attachment 1: Location Map Attachment 2: Aerial Map

**Attachment 3: Comprehensive Plan Map** 

**Attachment 4: PlanCheyenne Map** 

**Attachment 5: Zoning Map** 

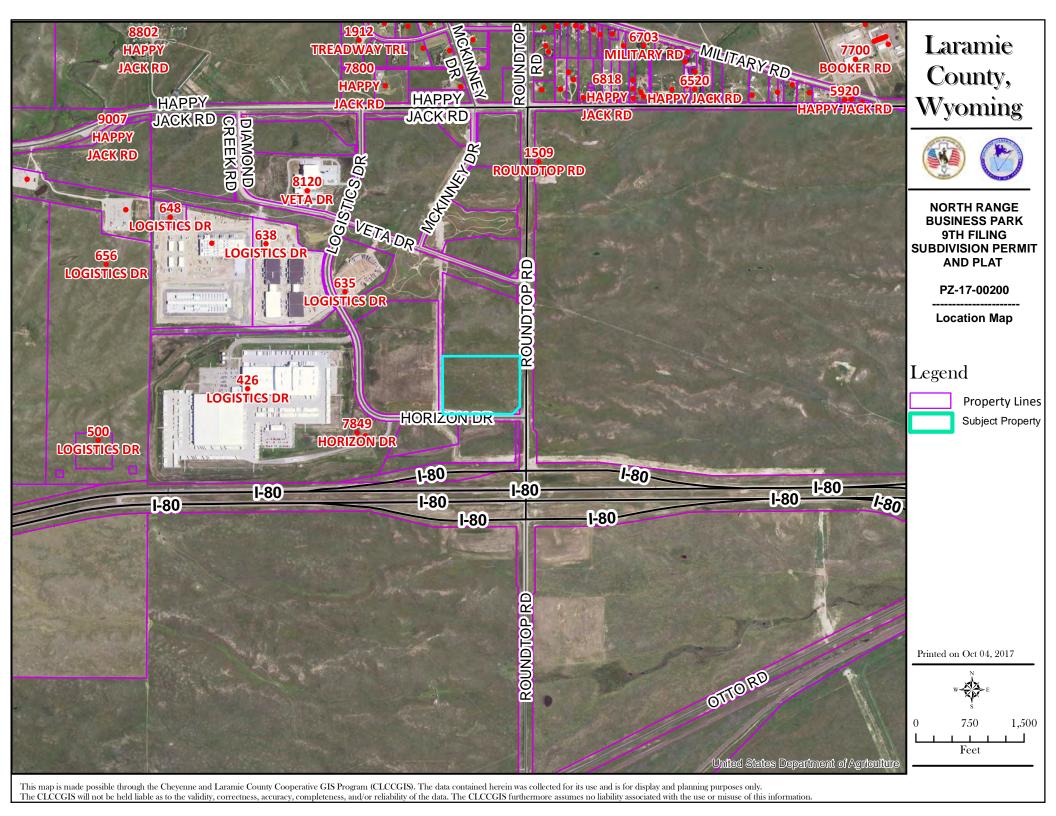
**Attachment 6: Applicant Project Letter** 

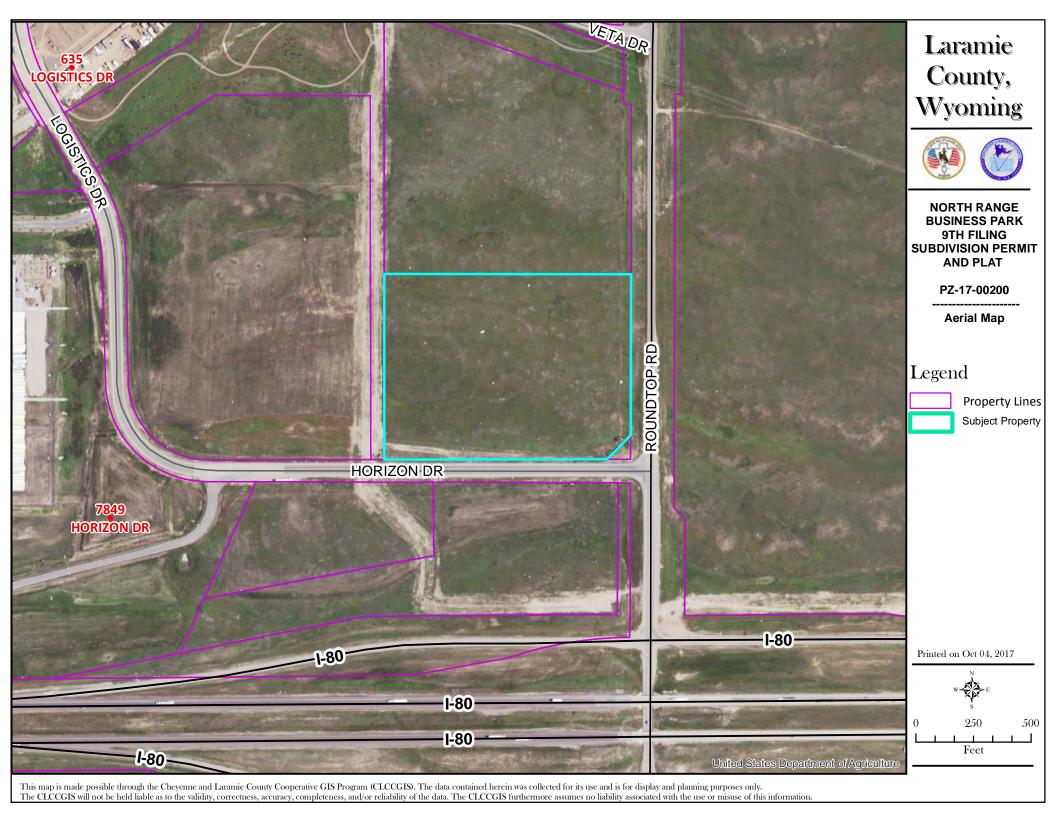
**Attachment 7: Agency Review Comments Report** 

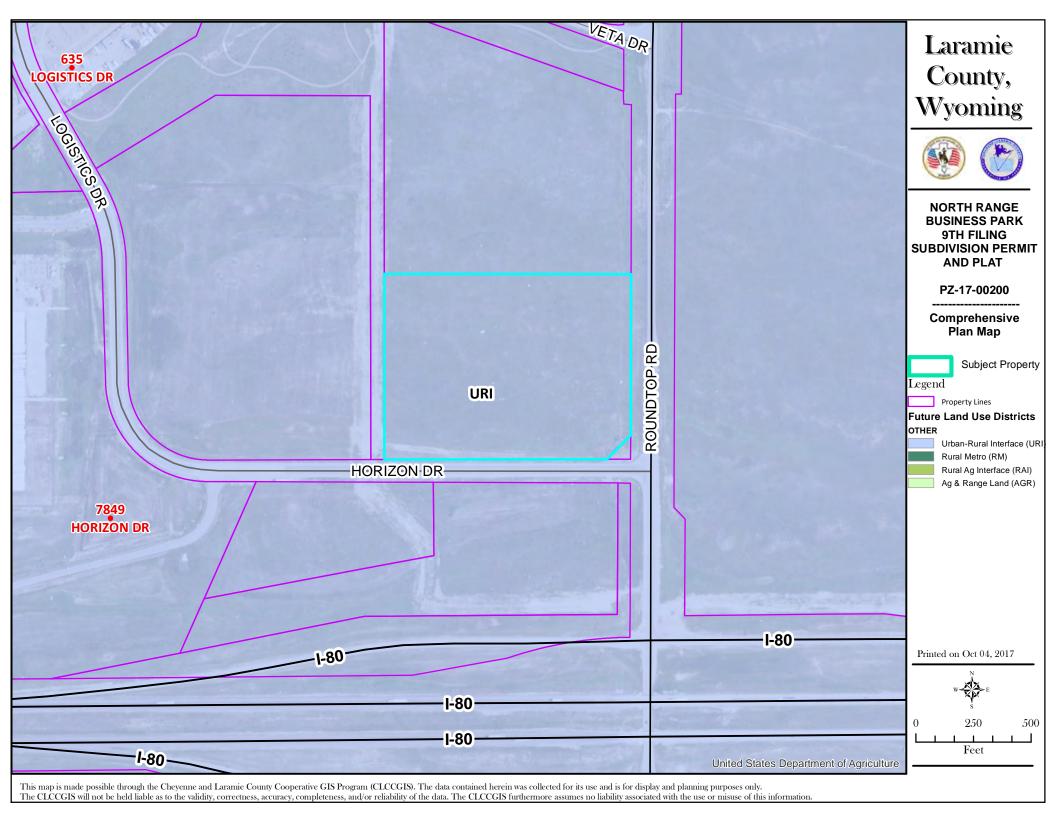
**Attachment 8: Proposed Development Map** 

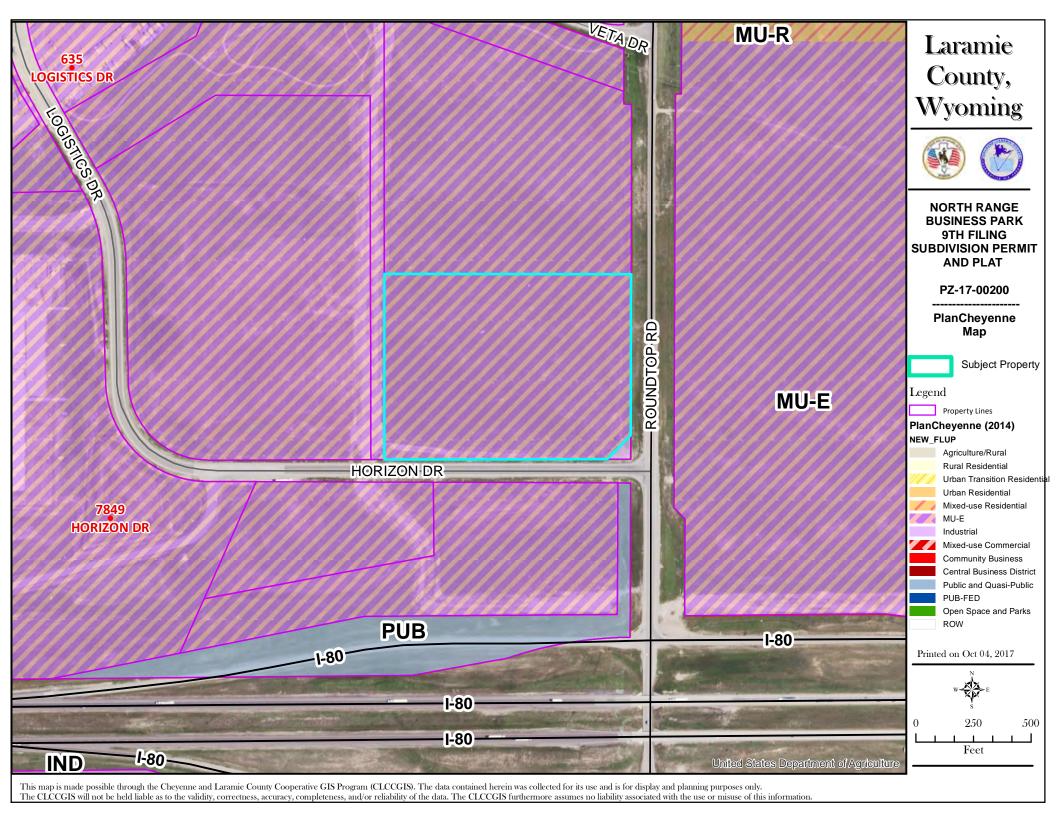
Attachment 9: Plat

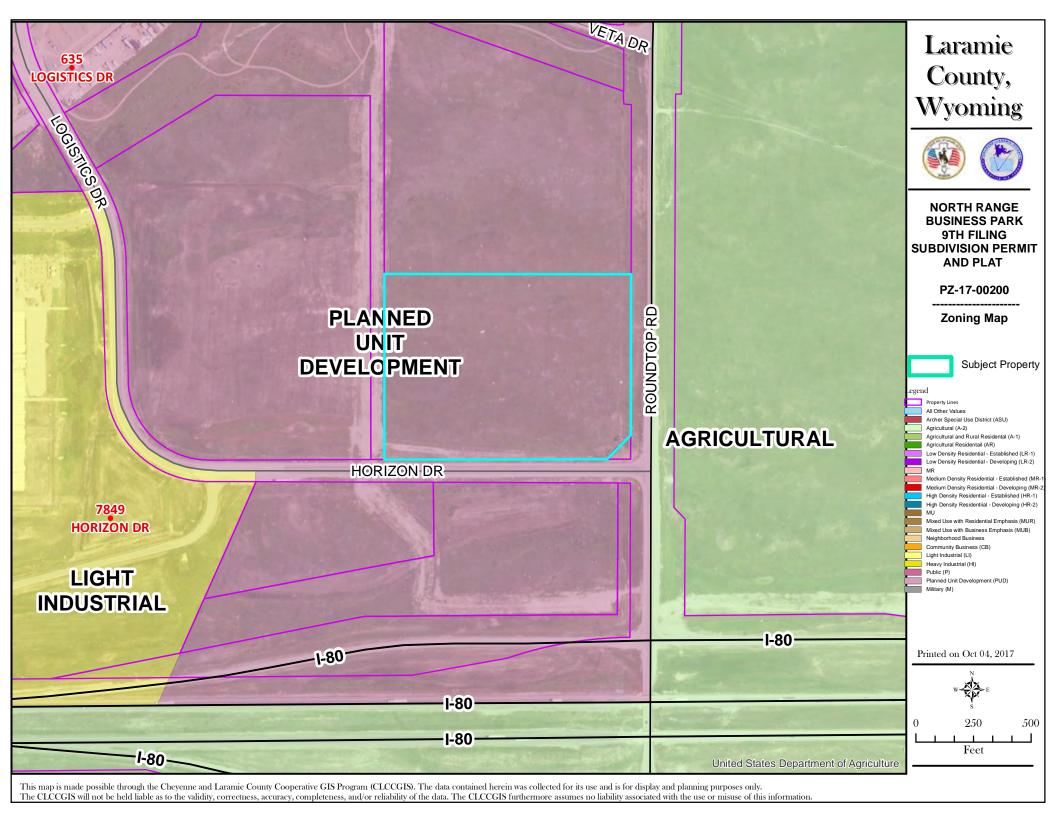
**Attachment 10: Resolution** 













September 28, 2017

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

InRe: <u>Project Narrative and Request for waiver of the PDP, Drainage Study & GESC</u> requirements for a Final Plat, to be known as *North Range Business Park*, 9th Filing, a replat of Lot 4, Block 10, North Range Business Park, 3rd Filing, Laramie County, Wyoming (±19.54 acres)

To whom it may concern:

Steil Surveying Services, agent for the owner, Westcom Properties, LLC, intends to plat the above-noted property into six (6) commercial lots averaging 3.90 acres per lot. Following the pre-application meeting, this letter is submitted requesting a waiver from the requirements for a Preliminary Development Plan (PDP), Drainage Study, and GESC Permit pursuant to Sections 2-1-100 (b)iii, 3-1-105, and 3-2-102 of the Laramie County Land Use Regulations. A Traffic Study (Transportation Impact Analysis (TIA)) was submitted in conjunction with the Subdivision Permit application and a detailed study specific to Lot 1 is currently being prepared.

The primary impetus for the proposed subdivision is to provide a fee-simple lot for purchase by Kum & Go for a new gas station and convenience store at the intersection of Roundtop Road and Horizon Drive. The owner has been notified by LEADS of the extreme need for this use and services at the North Range Business Park.

Along with the Final Plat map, we have submitted a supporting *Master Preliminary Plat*, per the North Range Business Park, 3<sup>rd</sup> Filing PUD Section B; this preliminary plat (PDP) indicates the proposed fueling center along with a potential hotel site at the northwest corner. Remaining lots 2, 3 & 4 are anticipated to be developed in the medium time-horizon, provided that the pending Gas Station Site Plan is approved to the developer's satisfaction. Proposed Lot 6 is anticipated to remain vacant and to be subdivided in the longer-term future as the area develops.

There is no SFHA on the property(ies) per FEMA FIRM Panel No.56021C1335F. Development of the proposed lots will substantially conform to the existing drainage patters, historic rates and the Master Drainage Plan for North Range Business Park. It is expected that as proposed Lot 1 is reviewed under administrative site plan procedures, more detailed information will be provided and will help in creating an update to the Master Drainage Plan as necessary.

As no physical construction is proposed with the subdivision (except under the forthcoming Site Plan application), GESC permit is not pertinent to the application. Given the limited scope of proposed development at this time and the additional detailed information forthcoming with the Site Plan for Lot 1, administrative oversight regarding development of Lots 2, 3 &4, the "reservation" of Lot 6 for future resubdivision, the discussions during the preapplication meeting, and 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 <u>Board of Public Utilities:</u> Linda Gunter COMMENTS ATTACHED 10/11/2017 Where there is an anticipation or purposed BOPU Water and or Sewer mains to be installed, The Easement is required to be labeled as "BOPU Utility Easement".

Also, this Easement Foot Note needs to be add to the Final Plat:

This WATER AND SEWER UTILITY EASEMENT (hereinafter referred to as the "BOPU UTILITY EASEMENT"), as shown and described hereon, is granted to the Board of Public Utilities of the City of Cheyenne ("BOPU"). No other utilities may install facilities on or within the BOPU UTILITY EASEMENT, except as follows: Other utilities may cross the BOPU UTILITY EASEMENT, if and only if: (i) a utility's facilities cross the BOPU facilities at no less than a 60 degree angle; (ii) a minimum of 24 inches of vertical clearance is provided between the BOPU facilities and the crossing facilities, unless otherwise approved by the BOPU; and (iii) a copy of any utility easement authorizing the crossing of the BOPU UTILITY EASEMENT is provided to the BOPU prior to any construction within the BOPU UTILITY EASEMENT.

<u>Cheyenne MPO:</u> Nancy Olson COMMENTS ATTACHED 10/20/2017 The access for this site off of Roundtop should be located at the joint access easement between lot 1 and lot 5. This creates the spacing required as per WYDOT Access Manual.

A left turn lane needs to be provided for the Roundtop joint access, as per WYDOT recommendations.

#### <u>County Engineer:</u> Scott Larson COMMENTS ATTACHED 10/19/2017 <u>Engineer Review</u>

- 1. The drainage information submitted outlines the various regional detention pond volumes for the entire subdivision. However, this platted area drains to the east directly to Round Top Road, across Round Top Road via a culvert, and not to one of the regional detention ponds. Therefore, the applicant shall supply adequate information to show how all the runoff from this entire platted area will get to the regional pond it was intended to. It appears, based on the information provided, that the runoff was intended to go north to Pond 3B, but it does not appear that the runoff can physically make it into that pond. Pond 5, which is directly to the south, but not yet constructed, appears to be the logical place for the runoff from this platted area to go. If it cannot be clearly shown how all of the runoff from this platted area will get to Pond 3B (without hindering any other properties and/or right-of-way), then a detailed drainage study needs to be completed for this platted area outlining how it will handle the increased runoff, etc. 2. A detailed Traffic Study is required and was not submitted with the application. Surveyor Review
- 1. Plat requirements indicate the title shall indicate the tract or parcel of land of which the subdivision/development is a part, including the section, township and range from

the sixth principal meridian, county (or counties) and state (or states). This plat does not indicate the township and range from the 6th Principal Meridian.

- 2. Plats shall include the date of plat preparation, written and graphic scales, and north arrow designating true north. There is a small north arrow in the Vicinity Plat, however there is no north arrow or scales included in the main body of the plat.
- 3. For subdivisions in the County, survey tie(s) by bearing/azimuth and the distance to the nearest public land survey system monument shall be accurately described on the plat. In addition, for the purposes of enhancing the City and County GIS Program framework, all public land survey corners on or within the subdivision boundary shall have field observation coordinates provided on the plat. These coordinates shall reference Wyoming State Plane Coordinate System, East Zone, U.S. Survey foot, NAD 1983(CORS96). The coordinates shall be observed and verified at the time of the plat survey. Coordinate basis on the plat is City of Cheyenne Datum, Wyoming State Plane Coordinate System is not referenced.
- 4. Plat requirements indicate if any lot, block, boundary or right-of-way from a previously recorded plat is being vacated by this plat a notation shall be provided, describing the area or boundaries to be vacated under a section titled Statement to Vacate. An executed "Petition to Vacate" signed by all affected owners is required as part of the application packet. In the area of the southeast corner of Lot 1, Block 16 of this plat, a triangular shaped parcel identified as Lot 5 of Block 10 is shown. What is this? There needs to be some more clear definition of intent of use for this area. What is the status of the easements and Right-of-Way in this area? Is it being vacated and replatted? In the Dedication there is mention of vacation and re-plat. How is this being handled? There is no section titled Statement to Vacate?
- 5. Plat layouts require boundary lines with bearings/azimuths and distances and the location of all recorded rights-of-way intersecting the boundary of the subdivision. The 80' X 100' Joint access easement partially falls outside of this subdivision and needs to be dimensionally clarified.
- 6. Plat layouts require the location and dimensions, with boundary ties, for all existing and proposed utility, drainage, access, or other easements. There needs to be further clarification and identification of the origin of the 20' and 40' utilities easements along the south and east boundaries of the subdivision. There needs to be further clarification and identification of the 32' mutual ingress/egress easement between Lots 2 and 3. Could not find the note referenced.
- 7. Plat layouts require a vicinity map indicating the location of the proposed subdivision development with respect to the surrounding area. 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. It is helpful to identify where the subdivision is located with respect to nearest well known community or significant area feature that the general public is familiar with and can relate to.
- 8. There is no legend shown on the plat and no mention of irrigation water rights on the subdivision.

#### County Engineer Traffic Impact Study Review 11/01/2017

I do not have any comments regarding the study relative to the County road (i.e. Horizon Drive). WYDOT will determine if the study is adequate for Round Top Road. Therefore, I have no further comments regarding the traffic study submitted for this plat.

## <u>Environmental Health Department:</u> Roy Kroeger COMMENTS ATTACHED 10/12/2017

Cheyenne-Laramie County Food Rule:

Plans shall be submitted to this office at least thirty (30)days prior to the start of construction. Contact Environmental Health for the plan review application.

A Wyoming Food License shall be obtained prior to opening.

<u>Department of Energy (WAPA):</u> Kevin Clinebell COMMENTS ATTACHED 10/17/2017 Per Engineering Dept, no interference on their end.

#### **WYDOT:** Randy Griesbach COMMENTS ATTACHED 10/19/2017

Review of proposed access cannot be completed until traffic impact study info is available. Recommendation would be to design for a single access point at the north line of Lot 5 (joint access easement) and use an internal distribution system to serve the lots within the development. A continuous center turn lane would be required on Roundtop.

Any drainage entering WYDOT R/W must not exceed historic rates. Any utility work within the R/W will require a WYDOT utility licence.

Include a Legend on the Plat so we know what monuments are shown and can be found in the future. There are different monument symbols, but not a description of what was found or set.

#### WYDOT Traffic Impact Study Review 10/30/17

Per WYDOT access policy, spacing on an urban arterial or collector with speeds of 50 mph or above (Roundtop is posted at 55 mph) needs to be 1320 ft between public streets and commercial access. The spacing can be reduced to 660 ft if a continuous left turn lane is in place on the highway. The proposed access points to the North Range Business Park, 9th Filing, do not meet this criteria. A single access point north of Lot 5 (joint access with the lot to the north of the 9th filing) could be accommodated if a continuous left turn lane is constructed.

Lowering the speed limit to 45 mph would decrease the required spacing by half (330 ft if a continuous left turn lane is in place.) Any reduction is speed limit would require a speed study to justify the proposed limit. If this takes place, we would want to see the speed profile for the full length of Roundtop Rd between Otto Rd and Happy Jack Rd. Speed counters could be used to obtain the speed profile, but spot speed analysis of free-flow vehicles would also be necessary for the review.

The T.I.S. indicated signalized intersections will be required in the future at the I-80 ramps and at Horizon Dr. WYDOT does not have a mechanism to collect payment for future improvements, we may need to rely on agreements that can be put in place by the County or by LEADS. Spacing of signalized intersections will also be an issue. For any speeds above 30 mph, the signal spacing required in the access policy is one-half mile. Horizon Dr is located approximately 750 north of the I-80 westbound ramp intersection. Alternate intersection designs may need to be considered.

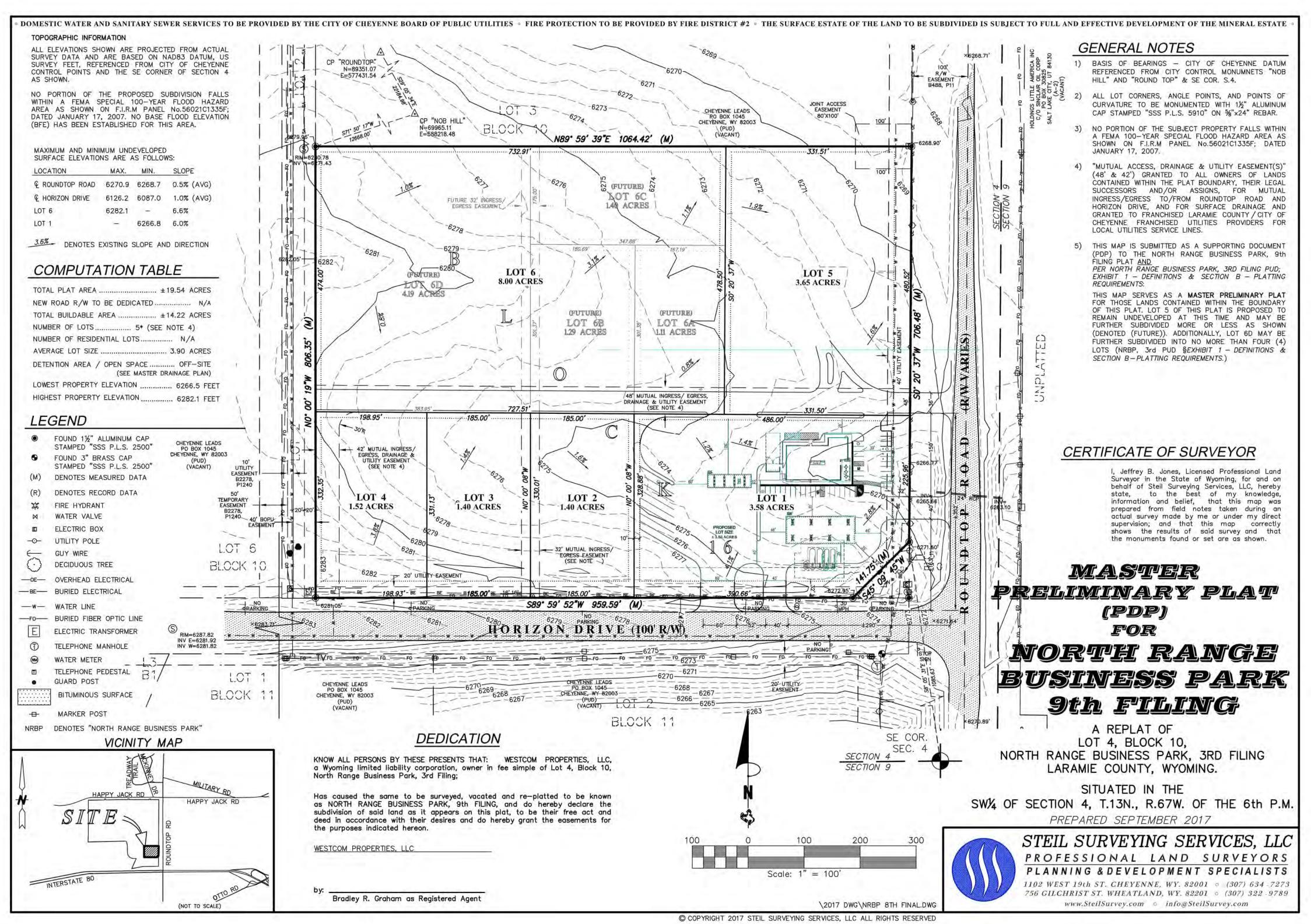
#### Planner: Nancy Trimble COMMENTS ATTACHED 10/19/2017

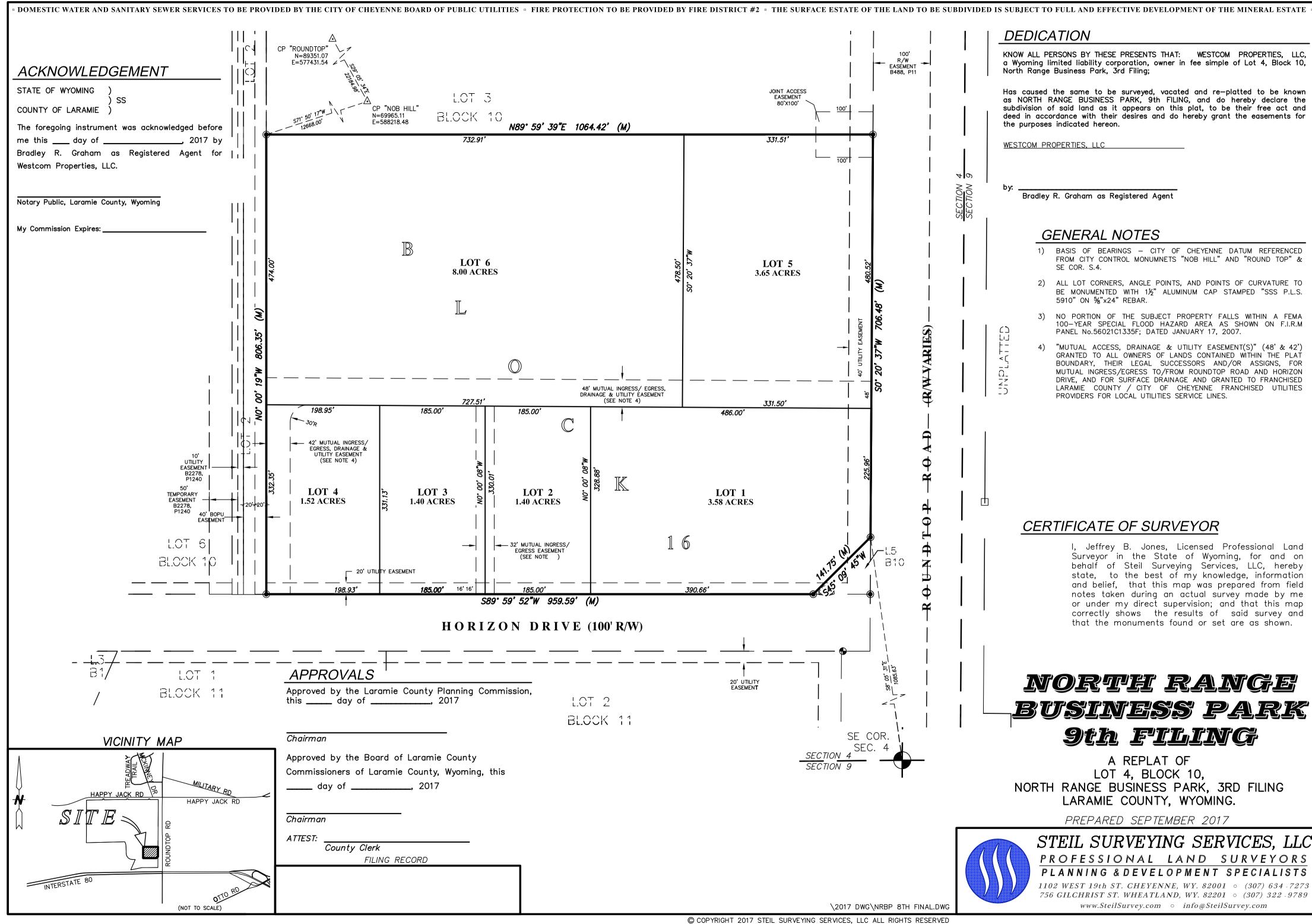
- 1) In Note 4 of the "General Notes" section on the plat, add the language "with approved approach permit from WYDOT" after "Roundtop Road".
- 2) Add Note # for 32' Mutual Ingress/Egress Easement between Lots 2 and 3.
- 2) Clerical errors on the plat shall be corrected prior to recordation.

<u>Building Dept.:</u> Karen Moon COMMENTS ATTACHED 10/11/2017 NO COMMENTS AT THIS TIME. OWNER/APPLICANT IS ADVISED THAT UPON BUILDING APPLICATION SUBMITTAL, BUILDING CODE REQUIREMENTS SHALL BE ADDRESSED.

Agencies responding with No Comment: County Assessor, County Real Estate Office, Cheyenne Light Fuel & Power, CenturyLink, Sinclair Oil Company.

**Agencies not responding:** County Public Works Dept., County Treasurer, US Post Office, Combined Communications Center, Emergency Management, Fire District No. 2, Sheriff's Office, Charter Cable Services.





#### DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT: WESTCOM PROPERTIES, LLC, a Wyoming limited liability corporation, owner in fee simple of Lot 4, Block 10, North Range Business Park, 3rd Filing;

Has caused the same to be surveyed, vacated and re-platted to be known as NORTH RANGE BUSINESS PARK, 9th FILING, and do hereby declare the subdivision of said land as it appears on this plat, to be their free act and deed in accordance with their desires and do hereby grant the easements for the purposes indicated hereon.

WESTCOM PROPERTIES, LLC

Bradley R. Graham as Registered Agent

## GENERAL NOTES

- 1) BASIS OF BEARINGS CITY OF CHEYENNE DATUM REFERENCED FROM CITY CONTROL MONUMNETS "NOB HILL" AND "ROUND TOP" & SE COR. S.4.
  - ALL LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVATURE TO BE MONUMENTED WITH 11/2" ALUMINUM CAP STAMPED "SSS P.L.S.
- 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.56021C1335F; DATED JANUARY 17, 2007.
- "MUTUAL ACCESS, DRAINAGE & UTILITY EASEMENT(S)" (48' & 42') GRANTED TO ALL OWNERS OF LANDS CONTAINED WITHIN THE PLAT BOUNDARY, THEIR LEGAL SUCCESSORS AND/OR ASSIGNS, FOR MUTUAL INGRESS/EGRESS TO/FROM ROUNDTOP ROAD AND HORIZON DRIVE, AND FOR SURFACE DRAINAGE AND GRANTED TO FRANCHISED LARAMIE COUNTY / CITY OF CHEYENNE FRANCHISED UTILITIES PROVIDERS FOR LOCAL UTILITIES SERVICE LINES.

### 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.

# NORTH RANGE BUSINESS PARK 9th FILING

A REPLAT OF LOT 4, BLOCK 10, NORTH RANGE BUSINESS PARK, 3RD FILING LARAMIE COUNTY, WYOMING.

PREPARED SEPTEMBER 2017



STEIL SURVEYING SERVICES, LLC PROFESSIONAL LAND SURVEYORS PLANNING & DEVELOPMENT SPECIALISTS

1102 WEST 19th ST. CHEYENNE, WY. 82001 o (307) 634 -7273 756 GILCHRIST ST. WHEATLAND, WY. 82201 o (307) 322 - 9789 www.SteilSurvey.com o info@SteilSurvey.com

RESOLUT	ION NO.	

# A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR NORTH RANGE BUSINESS PARK, 9TH FILING, A REPLAT OF LOT 4, BLOCK 10, NORTH RANGE BUSINESS PARK, 3<sup>RD</sup> FILING, 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, the proposed subdivision is in conformance with the plans and policies of the North Range Business Park PUD zone district; and

WHEREAS, this resolution is the subdivision permit for North Range Business Park, 9th 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.
- b. This application is in conformance with the North Range Business Park PUD zone district.

And the Board approves the Subdivision Permit and Plat for North Range Business Park, 9th Filing, with the following conditions:

Prior to plat recordation:

- 1. A Master Drainage plan for the proposed new lots shall be approved by the County Engineer.
- 2. Revisions shall be made to the plat according to BOPU and County Planner comments.
- 3. Clerical errors and technical corrections shall be completed on the plat.

PRESENTED, READ AND ADOPTE	D THIS	SDAY OF				
, 2017.						
	LARAMIE	COUNTY I	BOARD C	OF COMM	ISSIONERS	
	Troy Thompson, Chairman					
ATTEST:						
Debra K. Lee, Laramie County Clerk						
Reviewed and approved as to form:						
Mark T. Voss, Laramie County Attorney						