

LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Cate Cundall, Associate Planner

DATE: October 3, 2023

TITLE: PUBLIC HEARING regarding a Subdivision Permit and Plat for Lots 6 and 7,

Block 1, Country Homes Subdivision, Laramie County, WY to be platted and

known as Country Homes Subdivision, 7th Filing.

EXECUTIVE SUMMARY

AVI, PC, on behalf of Rodney Stein, has submitted a Subdivision Permit and Plat application for Country Homes Subdivision, 7th Filing located at 604 and 608 Cherry Street, Cheyenne, WY. The application has been submitted to replat Lots 6 and 7, Block 1, Country Homes Subdivision into three (3) residential tracts.

BACKGROUND

The 1.02-acre subject property is vacant residential land located in the MU-Mixed Use zone district. This district requires a minimum lot size of 6,000 square feet for a single-family residence. The proposed tracts sizes of 14,186 square feet exceed this requirement. The proposed subdivision is bordered by Country Homes, 3rd, 4th & 5th Filing. These residential developments' lot sizes range from 6,200 square feet to 7,900 square feet.

Pertinent Statutes and Regulations include:

Wyoming State Statute: Section 34-12-101 through 34-12-115.

Section 1-2-104 governing public notice.

Section 2-1-101 (a-e) governing subdivision permit and plats.

Section 4-2-111 governing Mixed Use zone districts (MU).

DISCUSSION

The Laramie County Comprehensive Plan identifies the area as Urban Rural Interface (URI). These areas are intended to accommodate a mix of more intensive land uses than other areas. They may have public water and sewer services and higher density residential. Large lot and low density residential is less suitable.

Water and sewage disposal will be provided by the South Cheyenne Water and Sewer District. The proposed subdivision does lie within the FEMA 500-year Floodplain area which is not regulated by NFIP, so therefore no floodplain permits will be required when construction commences. Access to the lots will be from Cherry Street.

The County Engineer has concurred with requests for waiver of the drainage and traffic studies since the development will have minimal impacts to both. The City of Cheyenne commented that they had no items of disagreement with the application.

All agency review comments have been addressed and the plat updated to reflect the changes. Public notice was provided per Section 1-2-104 of the Land Use Regulations. One written public comment was received from the Country Homes Subdivision, 2nd Filing HOA who maintains Cherry Street. The applicant was notified of this request for participation in the HOA and will be resolved between the parties.

On September 14,2023 the Laramie County Planning Commission held a public hearing on this application. The Planning Commission voted (4-0) to recommend approval with no conditions.

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 Country Homes Subdivision, 7^{th} Filing.

PROPOSED MOTION

I move to approve the Subdivision Permit and Plat for Country Homes Subdivision, 7th Filing with no conditions, and adopt the findings of fact a of the staff report.

ATTACHMENTS

Attachment 1: Location and Aerial Map

Attachment 2: Project Narrative

Attachment 3: Agency Comments Report

Attachment 4: Public Comment

Attachment 5: Traffic and Drainage Report Waiver Request

Attachment 6: CFF Acknowledgement

Attachment 7: City of Cheyenne Correspondence

Attachment 8: Resolution

Attachment 9: Plat – Revised August 30, 2023

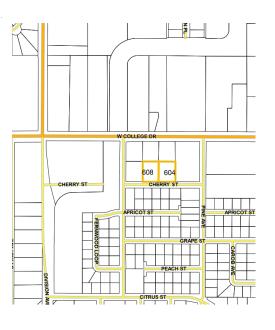


Laramie County Wyoming

Country Homes, 7th Filing Subdivision Permit & Plat

PZ-23-00096

MU- Mixed Use Zone District
Fire District 1
South Cheyenne Water & Sewer District
URI - Urban Rural Interface District
School District Number 1





Country Homes Subdivision, 7th Filing Thursday, July 20, 2023 Page **1** of **1**



July 20, 2023 4772

Cate Cundall, Laramie County Planning 3966 Archer Parkway Cheyenne, WY 82009

RE: Country Homes Subdivision, 7th Filing - Drainage Study, Traffic Study Waiver Request and Community Facility Fees Acknowledgement

Dear Ms. Cundall,

AVI, P.C., on behalf of Rodney Stein, is submitting a subdivision permit and plat application for the purpose of subdividing Lots 6 & 7, Block 1 of Country Homes Subdivision into 3 lots. Each lot will be approximately 14,800 square feet and is intended for single-family residential development.

We would like to request a waiver for providing Drainage and Traffic studies for this project. With adding only one additional lot to the existing two, impacts to the existing terrain, roadways and traffic patterns is expected to be minimal.

The owner is also aware that Community Facility Fees will be assessed on the property.

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

Respectfully Submitted,

Kelly Schroeder, Planner

A.V.I. PROFESSIONAL CORPORATION

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Permit Notes

Site Address: 608 CHERRY ST

Cheyenne, WY 82007

Applicant: AVI, PC

Owner: STEIN, RODNEY

Project Description: Create 3 parcel subdivision from 2 parcels

Technically

Complete:
Approved:
Issued:

Begin Date 07/21/2023	End Date 07/21/2023	Permit Area Application	<u>Subject</u> PZ-23-00096	Note Type GENERAL	No Comment	CHRISTOPHER.YA NEY@LARAMIECC UNTYWY.GOV
07/21/2023	07/21/2023	Application	PZ-23-00096	GENERAL	No Comment	CHRISTOPHER.YA NEY@LARAMIECO UNTYWY.GOV
07/25/2023	07/25/2023	Application	PZ-23-00096	GENERAL	Shaylin Stein was added to ownership of L7 BL1 Country Homes Subd on May 30th, deed recorded 06/02/2023 Document #857053. In the Legal description please add the current legal description of Lots 6 & 7 Block 1 Country Homes Subdivision to the township and range legal provided	LAURA.PATE@LA RAMIECOUNTYWY .GOV
07/27/2023		Application	PZ-23-00096	GENERAL	Water and sewer permits have been purchased for address 608 and 604 Cherry. As development progresses permits are required for additional lots.	SCOTT.SPRAKTIE S@LARAMIECOUN TYWY.GOV
07/28/2023	07/28/2023	Application	PZ-23-00096	GENERAL	See Laura Pate notes, otherwise no comment	DAWN.LANNING@ LARAMIECOUNTY WY.GOV
07/31/2023		Application	PZ-23-00096	GENERAL	See official comment letter from the City (attached - no comments warranting response).	SETH.LLOYD@LA RAMIECOUNTYWY .GOV
07/31/2023		Workflow	PUBLIC WORKS REVIEW	GENERAL	1. Due to the internal roads being dedicated to the public, access permit applications through Public Works will be required for each lot. Call (307-633-4302) or email (permits@laramiecountywy.gov) Public Works for more information. 2. All roadways shall be designed and constructed to LCLUR, and the design plans shall be submitted to the County for review and approval. 3. Any work taking place within the boundaries of the designated floodplain and/or floodway will require an approved Floodplain Development Permit through the Laramie County Planning and Development office. 4. All comments from the review engineer and surveyor shall be addressed.	MOLLY.BENNETT @LARAMIECOUNT YWY.GOV
07/31/2023	07/31/2023	Application	PZ-23-00096	GENERAL	Engineer Review 1.I concur with the request for a waiver of a detailed Drainage Study and Traffic Study since this development will have	SCOTT.LARSON@ LARAMIECOUNTY WY.GOV

Permit Notes

	npact	

2.According to FEMA Panel 56021C1356F and the associated revisions, the entire platted area is almost completely within the FEMA flood hazard area. The revisions to the Panel remove the properties on the south side of Cherry Street, but the north side remains within the floodplain. Therefore, Note 2 on the plat needs to be modified and the FEMA special flood hazard area needs to be shown on the plat.

3. Any development within the platted area will require a floodplain development permit application to be submitted to the County for review and approval.

4.The southern ROW line for Cherry Street should be shown on the plat.

Surveyor Review

1.In the ACKNOWLEDGEMENT of RODNEY STEIN, ownership appears as singular (OWNER) and it might sound better if THEIR would be HIS.

2.Realizing that this PLAT represents a Vacation and Re-Plat of an existing subdivision and that the LEGAL DESCRIPTION is mostly based on the COUNTRY HOMES SUBDIVISION. The preamble of the description also references the Section, Township and Range. It would be helpful if a survey tie by bearing and distance to the nearest public land survey system would be noted or shown on the Plat.

08/10/2023	08/10/2023	Application	PZ-23-00096	GENERAL	Note 2 on the Plat needs to be updated. The Property lands in the FEMA 500 yr floodplain.	LARAMIECOUNTY ATTORNEY@LARA MIECOUNTYWY.G
					A floodplain permit will be needed for this subdivision.	OV
08/17/2023		Workflow	PLAN REVIEW BY PLANNING AND ZONING	GENERAL	All agency comments must be addressed.	CATHERINE.CUND ALL@LARAMIECO UNTYWY.GOV

Country Homes Subdivision, 7th Filing Page **1** of **3**



Cate Cundall Laramie County Planning & Development 3966 Archer Parkway Cheyenne, WY 82009

8/28/2023

4772

RE: COUNTRY HOMES SUBDIVISION, 7TH FILING (PZ-23-00096)

Dear Ms. Cundall,

Attached for your review is a response letter to the County's comments on the above referenced project. The County's review comments are listed below with AVI's response or solution in red.

County Real Estate

Shaylin Stein was added to ownership of L7 BL1 Country Homes Subd on May 30th, deed recorded 06/02/2023 Document #857053.

Shaylin Stein added to the dedication and acknowledgement statements.

In the Legal description please add the current legal description of Lots 6 & 7 Block 1 Country Homes Subdivision to the township and range legal provided

Corrected on revised plat.

South Chevenne Water & Sewer District

Water and sewer permits have been purchased for address 608 and 604 Cherry. As development progresses permits are required for additional lots

Acknowledged

City of Cheyenne Planning & Development

See official comment letter from the City (attached - no comments warranting response).

Acknowledged

County Public Works Department



- Due to the internal roads being dedicated to the public, access permit applications through Public Works will be required for each lot. Call (307-633-4302) or email (permits@laramiecountywy.gov) Public Works for more information. Acknowledged
- 2. All roadways shall be designed and constructed to LCLUR, and the design plans shall be submitted to the County for review and approval. Acknowledged. There are no roadways for this subdivision.
- 3. Any work taking place within the boundaries of the designated floodplain and/or floodway will require an approved Floodplain Development Permit through the Laramie County Planning and Development office. Acknowledged. This property falls within the 500-year floodplain, which does not require a floodplain development permit.
- 4. All comments from the review engineer and surveyor shall be addressed. Acknowledged

County Engineer

Engineer Review

- 1. I concur with the request for a waiver of a detailed Drainage Study and Traffic Study since this development will have negligible impact on both.
- 2. According to FEMA Panel 56021C1356F and the associated revisions, the entire platted area is almost completely within the FEMA flood hazard area. The revisions to the Panel remove the properties on the south side of Cherry Street, but the north side remains within the floodplain. Therefore, Note 2 on the plat needs to be modified and the FEMA special flood hazard area needs to be shown on the plat.
 - Corrected on revised plat.
- Any development within the platted area will require a floodplain development permit
 application to be submitted to the County for review and approval.

 This property falls within the 500-year floodplain, which does not require a floodplain
 development permit.
- The southern ROW line for Cherry Street should be shown on the plat Added on revised plat.

Surveyor Review

 In the ACKNOWLEDGEMENT of RODNEY STEIN, ownership appears as singular (OWNER) and it might sound better if THEIR would be HIS.
 Shaylin Stein was added to the acknowledgement and dedication statements, so all

singulars have been changed to plurals.



 Realizing that this PLAT represents a Vacation and Re-Plat of an existing subdivision and that the LEGAL DESCRIPTION is mostly based on the COUNTRY HOMES SUBDIVISION. The preamble of the description also references the Section, Township and Range. It would be helpful if a survey tie by bearing and distance to the nearest public land survey system would be noted or shown on the Plat.

Ties to the nearest City of Cheyenne control monuments added to the revised plat.

County Attorney

Note 2 on the Plat needs to be updated. The Property lands in the FEMA 500 yr floodplain. A floodplain permit will be needed for this subdivision.

Note 2 updated. This property falls within the 500-year floodplain, which does not require a floodplain development permit.

Planners

All agency comments must be addressed.

All agency comments have been addressed.

If you have any questions or require additional information, please feel free to contact us. Respectfully Submitted

AVI PROFESSIONAL CORPORATION

Kelly Schroeder, Planner

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Catherine Cundall

From: Bruce Heimbuck <gb3boys@gmail.com>

Sent: Friday, August 25, 2023 2:25 PM

To: Planning

Subject: Project PZ-23-00096

Categories: CATE

Attention: This email message is from an external (non-County) email address. Please exercise caution and/or verify authenticity before opening the email/attachments/links from an email you aren't expecting.

To whom it may concern,

I am writing with concern about the development of County Homes #7 on Cherry Street. The development is for three new homes that will only have access through Cherry Street. Cherry Street is owned and maintained by the County Homes #2 HOA.

The HOA would ask that the three new homes be required to join the HOA that maintains the street that will serve these homes. Our current dues are \$100 a year, collected each July 1st. The other option is if the county is going to approve development on a street that is not a county street, they take control of the street and are responsible for its upkeep.

Thank you for taking my comments into consideration.

Bruce Heimbuck, Treasurer County Homes #2 HOA Country Homes Subdivision, 7th Filing Thursday, July 20, 2023 Page **1** of **1**



July 20, 2023 4772

Cate Cundall, Laramie County Planning 3966 Archer Parkway Cheyenne, WY 82009

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Kelly Schroeder, Planner

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Country Homes Subdivision, 7th Filing Thursday, July 20, 2023 Page **1** of **1**



July 20, 2023 4772

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Kelly Schroeder, Planner

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Planning and Development Department

2101 O'Neil Avenue, Suite 202, Cheyenne WY 82001 (Phone) 307-637-6282 (Fax) 307-637-6366

A COMMUNITY OF CHOICE

July 31, 2023

Board of County Commissioners 310 W 19th St #320 Cheyenne, WY 82001

RE: Country Homes Subdivision, 7th Filing City Comments

Board of County Commissioners,

In compliance with W.S. 34-12-103 (b) the City hereby submits the following comments regarding the above-described Subdivision plat:

1. Future annexation of the property will prompt review by the City. Concurrent with annexation by petition, public improvements to streets may be required; driveway accesses will be reviewed for conformance with City standards and may require modification; and Community Facility Fees will be required to be paid to the City.

I do not believe that there are any items of disagreement that warrant a response by the Board of County Commissioners pursuant to W.S. 34-12-103-(b).

Thank you,

Charles W. Bloom, AICP

Planning and Development Director

RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR LOTS 6 AND 7, COUNTRY HOMES SUBDIVISION, LARAMIE COUNTY, WY, TO BE PLATTED AND KNOWN AS "COUNTRY HOMES SUBDIVISION, 7TH FILING".

WHEREAS, W.S. §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 application is in accordance with the MU-Mixed Use zone district; and

WHEREAS, this resolution is the subdivision permit for Country Homes Subdivision, 7th Filing.

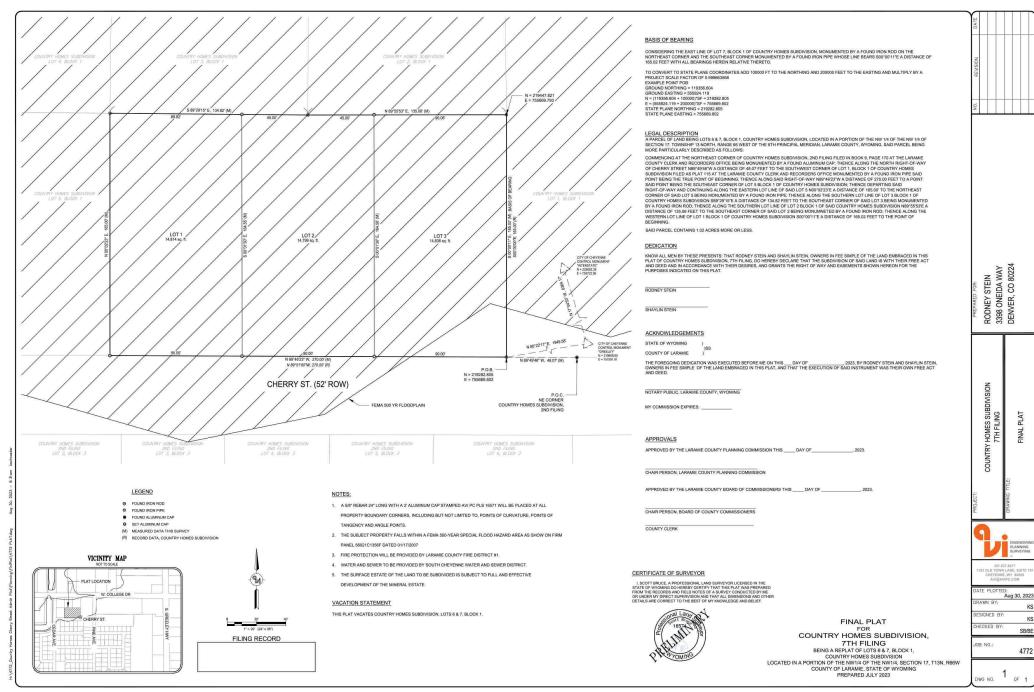
NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING, as follows:

The Laramie County Board of Commissioners finds that:

- a. The 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 section 4-2-111 governing the MU-Mixed Use zone district.

And the Board approves the Subdivision Permit and Plat known as Country Homes Subdivision, 7^{th} Filing.

PRESENTED, READ AND ADOPT	ED THIS DAY OF
, 2023.	
	LARAMIE COUNTY BOARD OF COMMISSIONERS
	Troy Thompson, Chairman
ATTEST:	
Debra K. Lee, Laramie County Clerk	_
Reviewed and approved as to form:	
Laramie County Attorney's Office	



KS

SR/RF

4772