

LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

M EMORANDUM

TO: Laramie County Board of Commissioners

FROM: Bryan Nicholas, Associate Planner

DATE: May 21, 2019

TITLE: Review and action on a Subdivision Permit & Plat for Mesa Tracts, 3rd

Filing, a replat of Tract 8, Mesa Tracts, Laramie County, WY.

EXECUTIVE SUMMARY

Steil Surveying Services, on behalf of Holly Allison and the City of Cheyenne, has submitted a Subdivision Permit & Plat application for Mesa Tracts, 3rd Filing. The application has been submitted to re-plat Tract 8 into three tracts; one for an existing single-family residence, one for future development, either residential or commercial, and one that is to be conveyed to the Transportation Commission of Wyoming for the future expansion of US Highway 30.

BACKGROUND

A single-family residence with associated structures and an access from US Hwy 30 lies on the northern portion of Tract 8. The residence is currently on a private water well and septic system. A portion of Tract 8 was deeded to the City of Cheyenne in April 2018, which is being re-platted and dedicated as part of the 100-foot right-of-way for Christensen Road.

Pertinent Regulation

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 Urban Rural Interface (URI), which is intended to accommodate a mix of more intensive land uses than other areas. These areas may have public water and sewer services, a higher level of vehicular access and a greater overall level of community services. Higher density residential, intensive commercial, employment centers and industrial uses are preferred in these areas.

PlanCheyenne

categorizes this area as Mixed-Use Commercial. This category promotes primary land uses such as retail, offices, light industrial, parks, plazas, and activity centers. Residential uses, such as apartments or townhomes, are viewed as secondary uses. Areas within this category should be located near principle arterial or minor arterial streets, or transit facilities, with the intent of creating an environment that has employment and shopping opportunities.

This property now lies within the Mixed-Use (MU) Zone District. Adjacent Zone Districts are primarily Agricultural in nature, ranging from AR to A2. The MU Zone District allows for a mixture of residential and commercial uses; including duplexes, multi-family residential, retail sales conducted within a building, and mixed-use residential developments. If developed, the lot coverage ranges from 60 to 70 percent depending on the type of development.

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.

On March 28th, 2019 the Planning Commission held a public hearing for this project, voting to recommend denial of the Zone Change due to opinion that change would create "spot zoning". Therefore, the Planning Commission voted to postpone their decision on the proposed subdivision, in order to await the decision of this Board for the Zone Change.

This Board held a public hearing on April 16th, unanimously voting to approve the Zone Change, stating that the future expansion of US Hwy 30, along with the construction of the Christensen Overpass influenced their support, and the proposed Zone District of Mixed Use was appropriate based on the future development surrounding the property.

The subdivision was recommended to the Board for approval, by a vote of (3-0) by the Planning Commission at the public hearing held on May 9th with conditions. No public comments were received by the Planning Commission during the hearing.

A revised plat was submitted to County Planning on March 19, 2019, along with a recorded warranty deed transferring ownership from Holly Bruegman to Holly Allison, thus addressing agency comments and the remaining clerical issues. Public notice was provided per Section 1-2-104 of the Land Use Regulations. No public comment was received.

Staff finds the application is consistent with the plans and policies of Laramie County.

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 Mesa Tracts, 3rd Filing with no conditions.

PROPOSED MOTION

I move to approve the Subdivision Permit and Plat for Mesa Tracts, 3^{rd} Filing, and adopt the findings of fact a, as shown in the staff report.

ATTACHMENTS

Attachment 1: Location Map Attachment 2: Aerial Map

Attachment 3: Comprehensive Plan Map

Attachment 4: PlanCheyenne Map

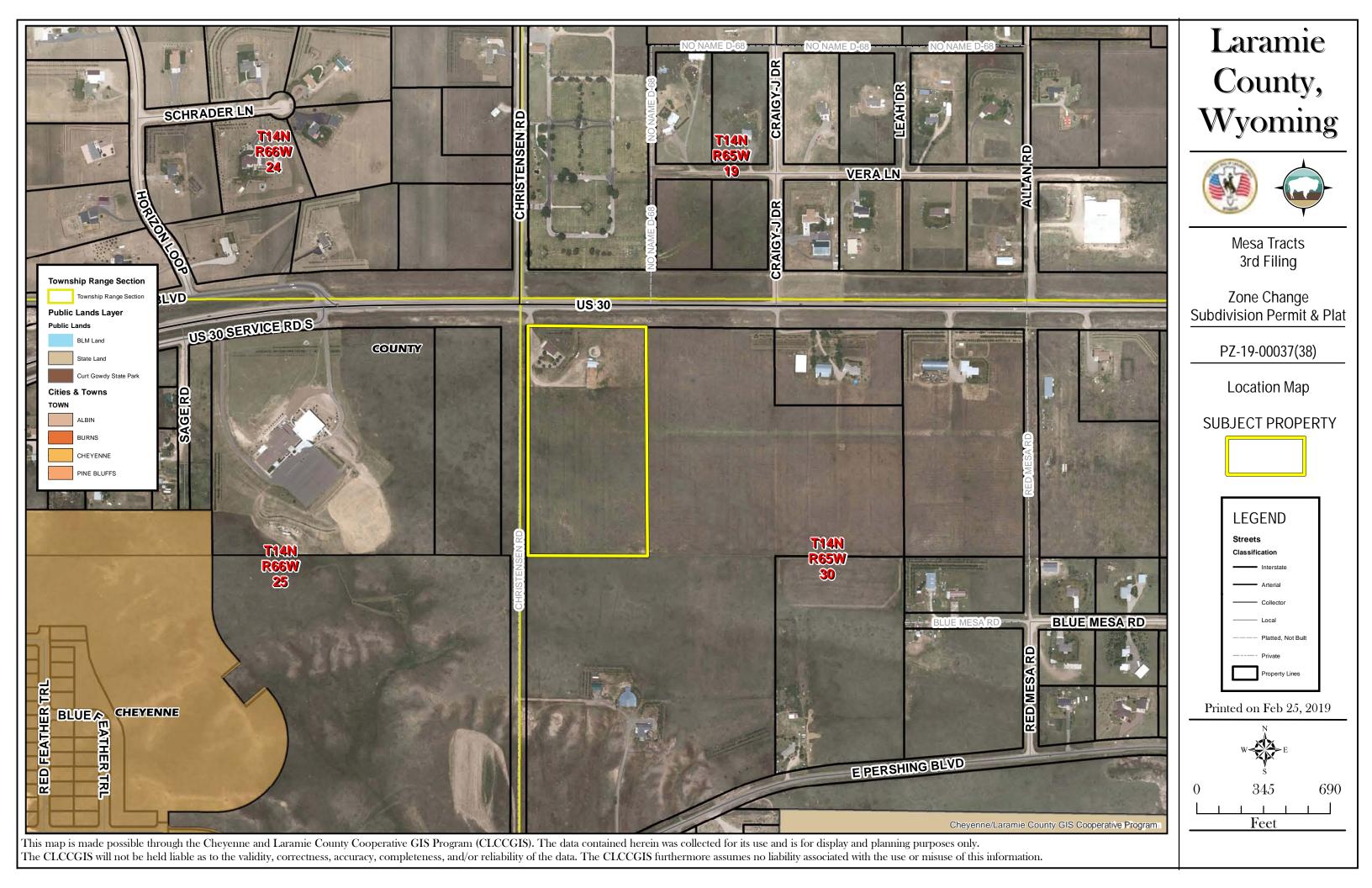
Attachment 5: Combined Agency Comments Report

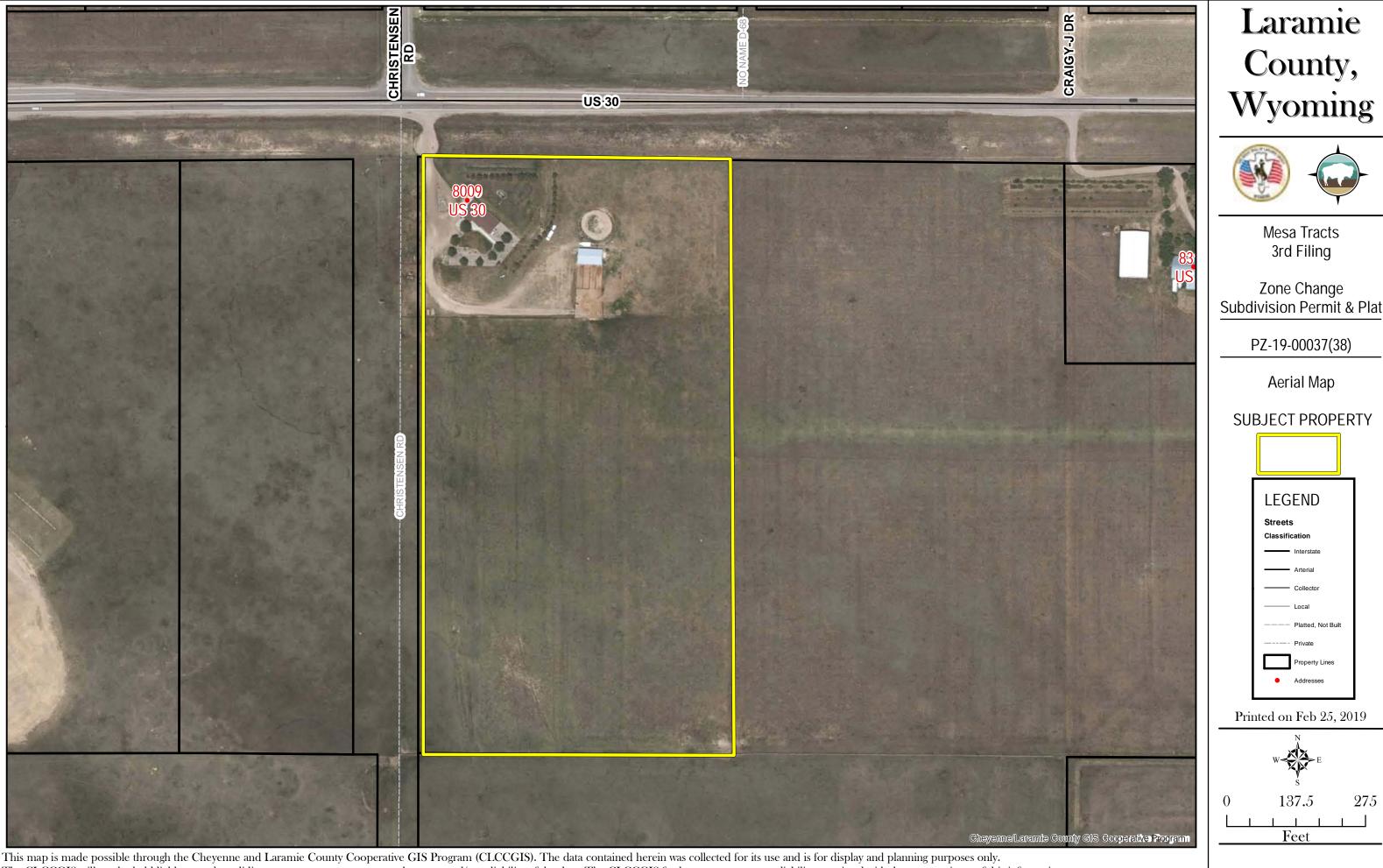
Attachment 6: Applicant Traffic and Drainage Waiver Request Letter – Revised 3.19.19

Attachment 7: Applicant CFF Acknowledgement Letter – Revised 3.19.19

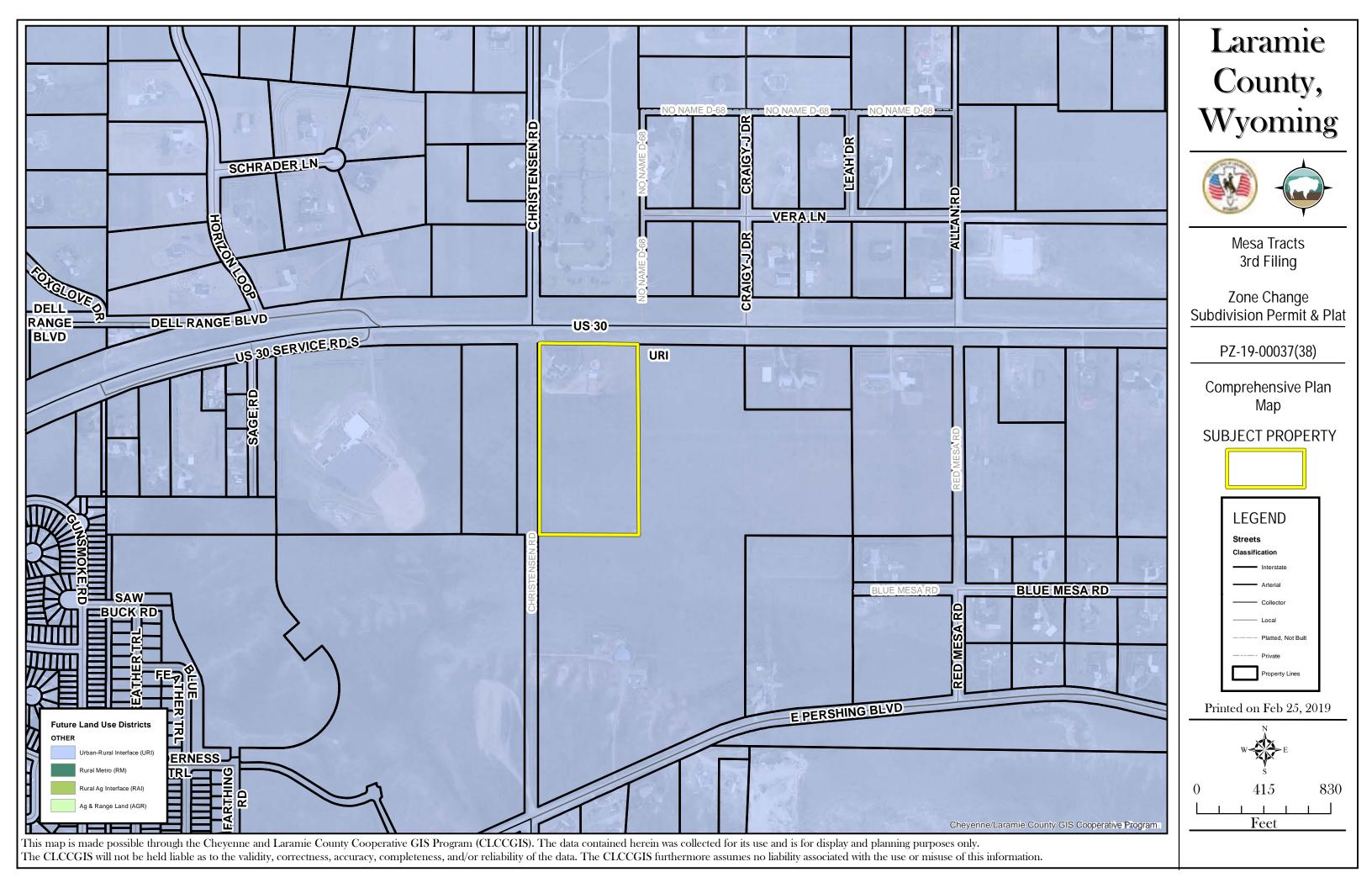
Attachment 8: Existing Conditions Map Attachment 9: Plat – Revised 3.19.19

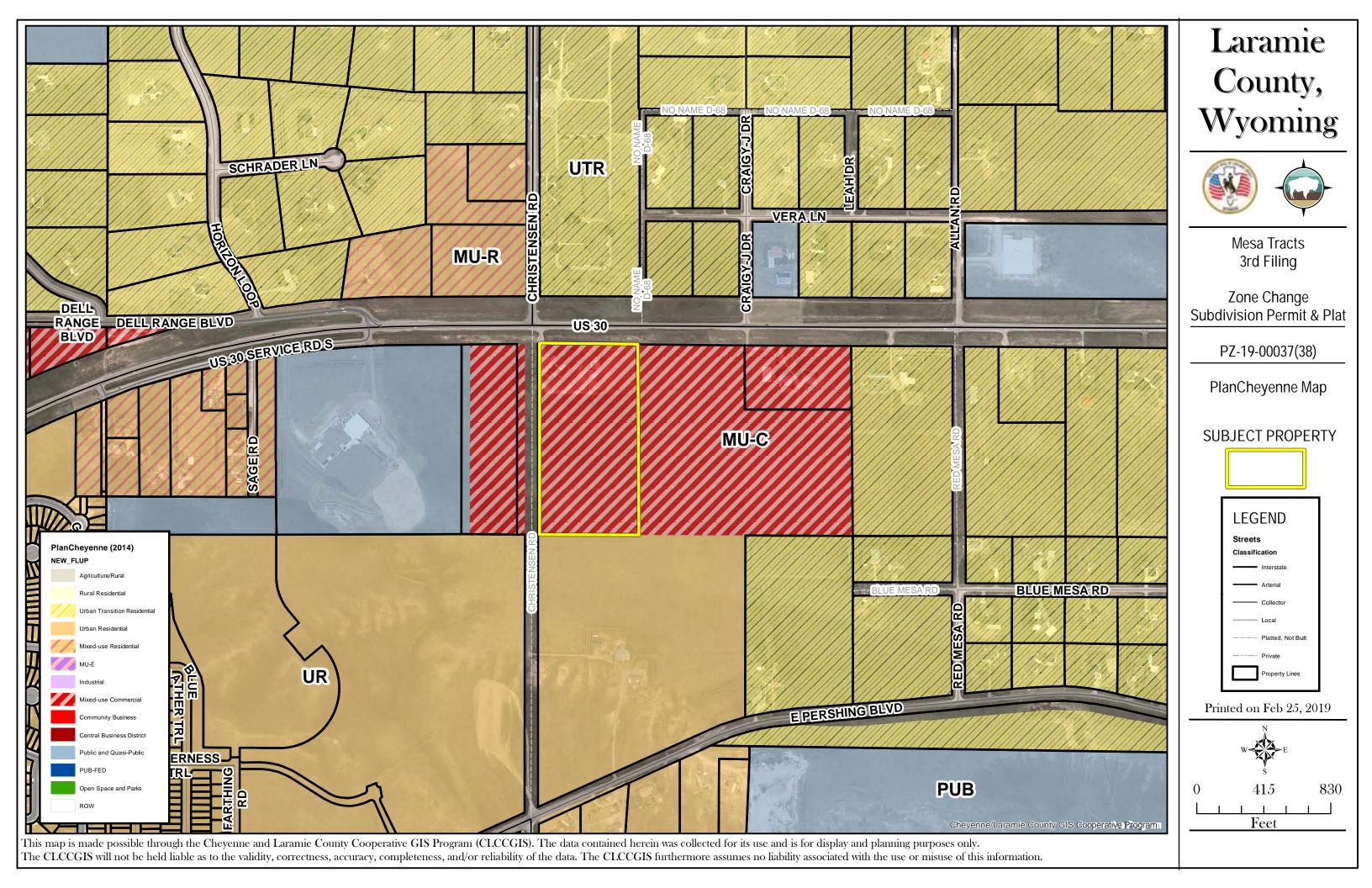
Attachment 10: Resolution





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>County Engineer:</u> Scott Larson COMMENTS ATTACHED 03/08/2019 Under General Information on the Zone Change map, it indicates there are 2 lots, but the Zone Change map only shows one Tract and not two. This was more than likely copied from the plat map, but isn't applicable for the Zone Change Map.

WYDOT: Randy Griesbach COMMENTS ATTACHED 03/07/2019

In order to protect the Transportation Commission interest in the highway, and to anticipate any future changes to the highway, the preferred interest is fee ownership by the Transportation Commission to handle the right of way in the best manner and avoid any possible legal or access issues in the future. The most appropriate and desirable course for this development would be to transfer the 1.55 acres, shown as dedicated to the public on the plat, to the Transportation Commission by Warranty Deed or Quit Claim deed. That area would then be removed from the plat boundary, and would not require Transportation Commission approval.

Planners: Bryan Nicholas COMMENTS ATTACHED 03/08/2019

- 1. For the purposes of a Zone Change Map, existing conditions should be removed from the map.
- 2. Information, land use, and current zoning of adjacent properties need to be shown on the map.
- 3. Legal description should be for the existing property, and not reflect the new legal for the proposed subdivision.

<u>Cheyenne Development Services:</u> Seth Lloyd COMMENTS ATTACHED 03/08/2019 Please see the plat for official comments from the City to the Board of County Commissioners on the platting action.

PlanCheyenne identifies this area as Mixed-use Commercial and within the Urban Service Boundary. The future uses anticipated on this property would include a mix of commercial and residential uses at an urban density with full connection to urban services. The proposed zoning appears in line with the future land use designation of the property, though the actual development of the subject property with an urban-level mix of uses would likely require annexation.

AGENCIES WITH NO COMMENTS:

County Assessor County Public Works Department Environmental Health Department Sheriff's Office Planners

AGENCIES WITH NO RESPONSE:

Cheyenne MPO

Cheyenne Development Services

County Attorney

County Real Estate Office

County Treasurer

County Conservation District

Wyoming State Engineer's Office

US Post Office

Combined Communications Center

Emergency Management

Fire District No. 2

High West Energy

CenturyLink

Cheyenne Engineering Services

Laramie County Weed & Pest



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

March 8, 2019

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

RE: Mesa Tracts, 3rd 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 Mesa Tracts, 3rd Filing 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

County Assessor: Clarice Blanton COMMENTS ATTACHED 02/27/2019 We are currently assessing Holly Bruegman for Tract 8, Mesa Tracts. As of February 26th, no document has been recorded transferring Ms. Bruegman's interest to another party. Until such time the Dedication should state Holly Bruegman is the owner in fee simple.

Mesa Tracts, in the Dedication, has an extra 'A'.

County Real Estate Office: Laura Pate COMMENTS ATTACHED 02/28/2019 Owner of majority of Tract 8 is Holly Bruegman. Plat needs to be signed and notarized to match her name on her deed.

County Engineer: Scott Larson COMMENTS ATTACHED 03/08/2019 **Engineer Review**

- 1. The Traffic waiver request letter indicates, "The proposed final plat proposes a 40'x80' Joint access easement at the current driveway access at Christensen Road" but this easement is not shown on the plat drawing.
- 2. I concur with the request for a waiver of a detailed Traffic Study and Drainage Study since there is no significant increase with either traffic or drainage for this development.
- 3. In the second paragraph of the Dedication, it says "Mesaa" and it should be "Mesa".
- 4. Since this is within one mile of the City, shouldn't there be a place in the approvals for the Mayor to sign?

Surveyor Review

- 1. The subdivision falls within one (1) mile of the city limits of Cheyenne, it should have survey tie(s) by bearing/azimuth and the distance to two (2) of the City of the City of Cheyenne's Horizontal Control Network monuments accurately described on the plat.
- 2. Some of the text/labels are very small and difficult to clearly distinguish, it would help if they were a little larger, this could become more problematic if they are copied or scanned again.
- 3. The total width of CHRISTENSEN ROAD is not clearly identified. Labeling this will add clarity to the intended use of the 10' City of Chevenne strip along the East edge of CHRISTENSEN ROAD.
- 4. The Gross Acreage of Tract 1 does not appear to be correct, it may be a typographical error. With rough calculations I arrive at ±7.01 acres.

Environmental Health Department: Roy Kroeger COMMENTS ATTACHED 03/07/2019

Laramie Co Small Wastewater System Regulations.

A copy of the signed final plat shall be on file with Environmental Health prior to the application for any small wastewater system permit on the undeveloped tract.

WYDOT: Randy Griesbach COMMENTS ATTACHED 03/07/2019

In order to protect the Transportation Commission interest in the highway, and to anticipate any future changes to the highway, the preferred interest is fee ownership by the Transportation Commission to handle the right of way in the best manner and avoid any possible legal or access issues in the future. The most appropriate and desirable course for this development would be to transfer the 1.55 acres, shown as dedicated to the public on the plat, to the Transportation Commission by Warranty Deed or Quit Claim deed. That area would then be removed from the plat boundary, and would not

require Transportation Commission approval.

Any work in the WYDOT R/W will need permit or license. This includes fencing, landscaping and utilities. Existing access to US 30 to be removed on the Christensen Rd construction project.

It is assumed that a chance for review of traffic impacts and drainage changes would coincide with site specific development. Stormwater discharge would need to be limited to not greater than historic rates for any drainage that enters WYDOT R/W. Maintain historic drainage patterns so that drainage is not diverted to other entry points to the R/W.

Planners: Bryan Nicholas COMMENTS ATTACHED 03/08/2019

- 1. Clerical issues need to be addressed prior the Planning Commission meeting on the 28th, please submit a revised plat before Tuesday the 19th.
- 2. The Plat is in conformance with Section 2-1-101(a-e) of the LCLUR.

<u>Cheyenne Development Services:</u> Seth Lloyd COMMENTS ATTACHED 03/08/2019 Official Comments pursuant to State Statute are attached.

Other comments from City Staff:

- 1. The Flood Insurance Rate Map (FIRM) panel(s) cited on all documents is incorrect.
- 2. Access from Lot 1 will be close to a major arterial intersection. As this develops access should be provided from an internal drive to Lot 2 or to the east.
- 3. Both Christensen and Highway 30 need identified within the plat boundaries as dedicated Rights-of-way for such.
- 4. Mesa is misspelled in the Dedication statement.

AGENCIES WITH NO COMMENTS:

County Public Works Department Sheriff's Office Planners

AGENCIES WITH NO RESPONSE:

Cheyenne MPO
Cheyenne Development Services
County Attorney
County Treasurer
County Conservation District
WY State Historic Preservation
Wyoming Game & Fish
US Post Office
Combined Communications Center
Emergency Management
Fire District No. 2
High West Energy
CenturyLink
Laramie County Weed & Pest



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A COMMUNITY OF CHOICE

March 8, 2019

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

RE: Mesa Tracts, 3rd Filing City Comments

Board of County Commissioners,

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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



Professional Land Surveyors & Development Specialists

February 4, 2019

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

InRe: Request for waiver of the Traffic Study, Drainage Report & GESC requirements for a Final Plat, to be known as MESA TRACTS, 3rd FILING, a subdivision of Tract 8, Mesa Tract, Laramie County, WY (±19.91 acres)

Steil Surveying Services, agent for the owners, intends to plat the above-noted property into two tracts; one for the existing residential use and another for potential commercial or residential use. The plat is accompanied by a Zone Change to MU-Mixed-Use to allow the existing residential use to remain while allowing for potential commercial use of the remaining ± 12 acres. Following the pre-application meeting, this letter is submitted, on behalf of the owner, requesting a waiver from the requirements for a Traffic Study, Drainage Report, and GESC Permit pursuant to Sections 2-1-100.b, 3-1-105, 3-5-105, and 3-2-102 of the Laramie County Land Use Regulations.

No portion of the proposed subdivision falls within a FEMA 100-year Special Flood Hazard Area per F.I.R.M PANEL No. 56021C1114F; dated January 17, and given the lack of existing drainage/flood problems in the area and the minimal scope of proposed development, we are requesting a waiver from any detailed drainage study.

The proposed final plat proposes a "40'x80' Joint access easement at the current driveway access at Christensen Road. Preliminary traffic generation numbers are provided on the Existing Conditions Map as follows:

SINGLE-FAMILY RURAL RESIDENTIAL			
AVERAGE DAILY TRIPS			
Existing use 1 Unit x 6 ADT	=	6	
Proposed additional 1 Units x 6 ADT	=	6	
TOTAL		12 AV	VERAGE DAILY TRIPS (ADT)
A.M./P.M. PEAK-HOUR TRIPS			
Existing platted lots 1 Units x 1.6/Unit	=	1.6	
Proposed additional 1 Units x 1.6/Unit	=	1.6	
TOTAL		3.2	PEAK HOUR TRIPS

Given these preliminary plans and analyses, prior reviews and approvals, limited surface runoff increases, and/or potential of significant traffic generation, or alternative transportation network connections, we respectfully submit this waiver request on behalf of the owner.

Please contact us with any questions or concerns. Sincerely,

Casey L. Palma, AICP Steil Surveying Services L.

Steil Surveying Services, LLC CPalma@SteilSurvey.com COUNTY

FEB 1 5 2019

PLANNING & DEVELOPMENT OFFICE



February 4, 2019

Laramie County Planning & Development Office 3966 Archer Parkway Cheyenne, WY 82009 (307) 633-4303

InRe: Community Facility Fees for a Final Plat, to be known as MESA TRACTS, 3rd FILING, a subdivision of Tract 8, Mesa Tracts Laramie County, WY (±19.91 acres)

To whom it may concern:

Steil Surveying Services, agent for the owner(s), provides this letter on their behalf, confirming that the owner intends to pay the appropriate Community Facility Fee(s) at the appropriate time to the proper authority, pursuant to §§1-1-106 of the Laramie County Land Use Regulations.

Thank you

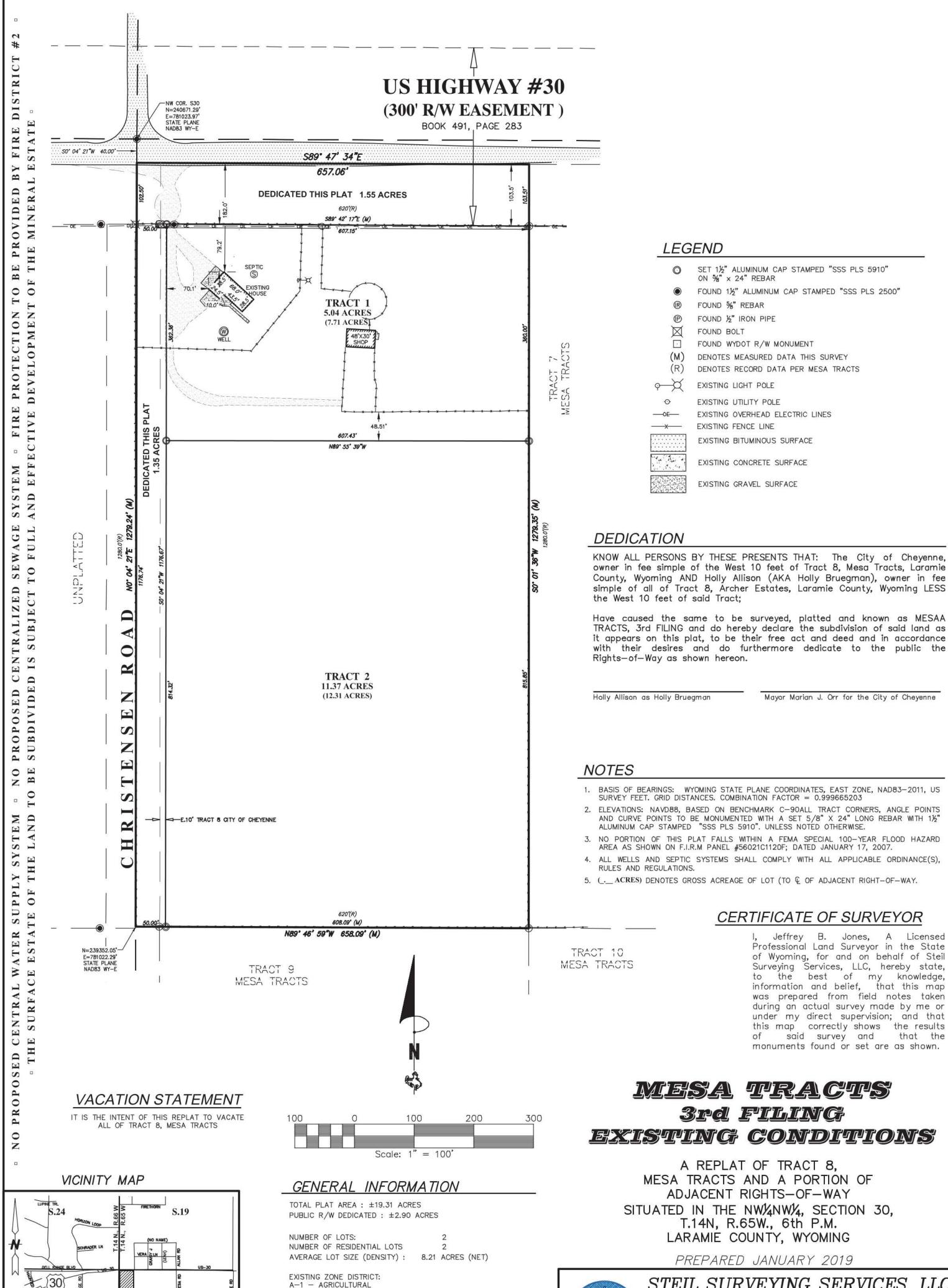
Casey Palma

Steil Surveying Services, LLC CPalma@SteilSurvey.com

> LARAMIE COUNTY

FEB 1 5 2019

PLANNING & DEVELOPMENT OFFICE



\2019 DWG\19080 T10-T3POR ArcherEst2ndREPLAT.dwg

REVISED: 02/13/19

PROPOSED ZONE DISTRICT:

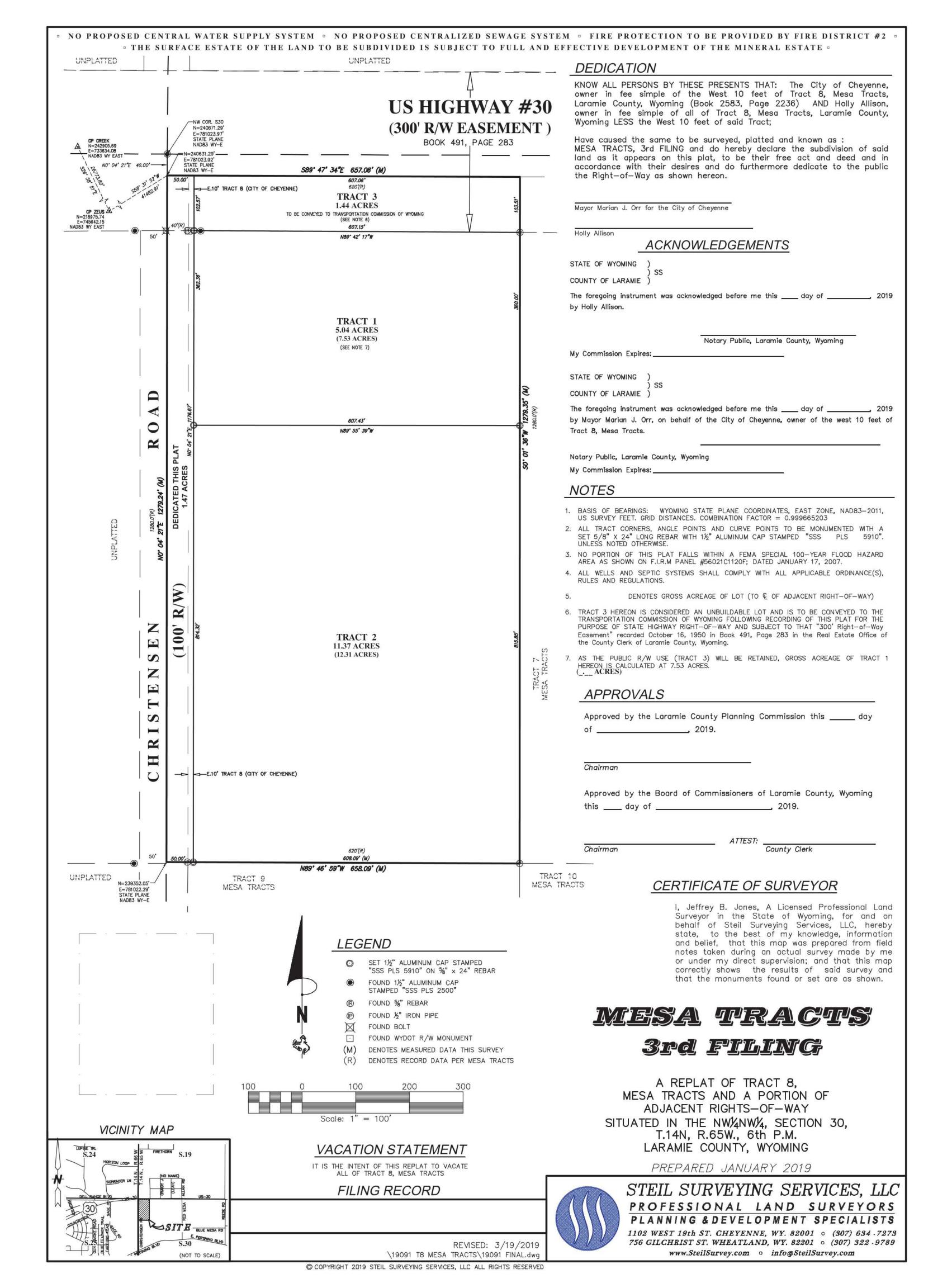
MU - MIXED-USE

SITE BLUE MESA RD

(NOT TO SCALE)

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



RESOLUTION NO.	

A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR MESA TRACTS, 3RD FILING, A REPLAT OF TRACT 8, MESA 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 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 Mesa Tracts, 3rd 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.

And the Board approves the Subdivision Permit and Plat for Mesa Tracts, 3rd Filing.

PRESENTED, READ AND ADOPT	ED THIS DAY OF
, 2019.	
	LARAMIE COUNTY BOARD OF COMMISSIONERS
	T' 1 II d Cl
	Linda Heath, Chairman
ATTEST:	
Debra K. Lee, Laramie County Clerk	
Reviewed and approved as to form:	
Mark T. Voss, Laramie County Attorne	ey