

#### LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

#### Planning • Building

#### MEMORANDUM

**TO:** Laramie County Board of Commissioners

FROM: Marissa Pomerleau, Associate Planner

**DATE:** June 21, 2022

TITLE: PUBLIC HEARING regarding a Subdivision Permit and Plat for Crown S

Ranch, located in a portion of the of the NW1/4 Section 24, T.15N., R.67W.,

of the 6th P.M., Laramie County, WY.

#### **EXECUTIVE SUMMARY**

Lovas Engineering, on behalf of Lanette and Thomas Cress of Cheyenne, WY, has submitted a Subdivision Permit and Plat application for Crown S Ranch, located southwest of the intersection of Road 218 and I-25 Service Road. The application has been submitted for the purpose of subdividing the property into nine (9) residential-use tracts.

#### **BACKGROUND**

The subject property is currently undeveloped and unplatted. It is 48 acres with the subdivision's proposed tract sizes averaging 5.33 acres.

#### **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**

The Laramie County Comprehensive Plan identifies the area as Rural Ag Interface (RAI). Rural residential uses are primarily anticipated in these areas. Commercial uses in this designation shall not have a significant impact to the surround residential area. Development should take into account limited water availability, delayed response times from emergency services, and existing topography. Cisterns and fire-wise planning are encouraged here due to unreliable water

resources. The subject property is located outside the PlanCheyenne and zoned boundaries and therefore is not impacted by these regulations.

According to the Order of the State Engineer for the Laramie County Control Area dated April 1, 2015, this property lies within the Conservation Area, in which the well spacing requirements for new permits are indicated at one (1) well for domestic use per each lawfully subdivided lot or one (1) per each ten (10) acres of any other legal parcel of land.

According to the AMEC Memo dated January 31, 2014, the property lies within Zone 2 of the study area. Development standards dictate that lots within this zone shall be a minimum of 5.25 acres in order to sufficiently recharge groundwater after withdraws from a pumping well.

A subdivision of more than 5 lots requires submittal of a Chapter 23 study to the Wyoming Department of Environmental Quality (DEQ). On June 8<sup>th</sup>, DEQ sent there Non-Adverse recommendation for this subdivision to the County Commissioners. DEQ requires that a note be added to the plat stating: "WYDEQ requires for this subdivision that all septic systems for homes with basements or greater than 3 bedrooms be constructed with advanced Nitrogen removal technology approved by the WYDEQ and the Cheyenne/Laramie County Environmental Health Department."

A letter requesting waiver of the traffic study was submitted by the applicant, a copy of which is attached. The reviewing engineer has concurred with this request based on the justification provided in the letter. A conceptual drainage report was submitted with the preliminary development plan and the reviewing engineer has concurred with it. A complete drainage study will be required with the right-of-way construction application. Agency comments pertained to FEMA details, fire protection errors, missing information, clerical errors on the plat, and required grading and rights-of-way permits. All necessary corrections will be required prior to the plat being recorded.

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

This application was heard by the Planning Commission on May 26, 2022 and recommended for approval 3-0 with two conditions.

Staff finds this application is in conformance with the plans and policies of Laramie County. The attached resolution shall serve as the subdivision permit upon approval by the Board.

#### **RECOMMENDATION and FINDINGS**

Based on evidence provided, the Planning Commission with 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 Crown S Ranch, located in a portion of the NW1/4 Section 24, T.15N., R.67W., of the 6<sup>th</sup> P.M., Laramie County, WY with two conditions:

- 1. All clerical errors and missing information must be addressed and added to the plat prior to recordation.
- 2. DEQ's required note must be added to the plat prior to recordation.

#### PROPOSED MOTION

I move to approve the Subdivision Permit and Plat for Crown S Ranch, located in the NW1/4 Section 24, T.15N., R.67W., of the 6<sup>th</sup> P.M., Laramie County WY, with two conditions and adopt the findings of fact a of the staff report.

#### **ATTACHMENTS**

**Attachment 1: Location and Jurisdiction Map** 

**Attachment 2: Project Narrative Letter** 

Attachment 3: DEQ Chapter 23 Study Recommendation Letter

**Attachment 4: Agency Comments Report** 

**Attachment 5: Plat** 

**Attachment 6: Resolution** 







Ms. Marissa Pomerleau – Associate Planner Laramie County Planning & Development

Via: email

marissa.pomerleau@laramiecountywy.gov

RE: CROWN S RANCH - FINAL PLAT & SUBDIVISION PERMIT TRANSMITTAL NARRATIVE

3/28/2022

#### Dear Ms. Pomerleau,

As the Agent for and on behalf of Crown S Ranch, LLC I'm please to submit a Final Plat & Subdivision Permit Application package and associated required documents for the above referenced Project. Crown S Ranch is a 48.00 acre parcel proposed for development of (9) rural residential tracts averaging 5.33 acres per tract. The Development proposes construction of approximately 780 LF of internal roadway inside a proposed 80' ROW dedicated as a part of the plat.

Enclosed with this Letter are the following documents as required by Laramie County Land Use Regulations:

- Pre-Application Meeting Minutes by Marissa Pomerleau Associate Planner
- Completed Subdivision Permit Application
- Final Plat
- Warranty Deed
- Community Facilities Fee Acknowledgement Letter
- Proof of Chapter 23 Study Submittal to DEQ

If you have any questions or require additional information, please contact me directly.

Respectfully Submitted,

Christofer S. Lovas, PE | Lovas Engineering, PC

# Mark Gordon, Governor

### **Department of Environmental Quality**

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.





June 8, 2022

Laramie County Board of Commissioners 309 West 20<sup>th</sup> Street Cheyenne, WY 82001

RE: Non-Adverse Recommendation,

> Crown S Ranch Subdivision, Laramie County WDEQ/WQD Application #2022-136

#### Dear Commissioners:

The Wyoming Department of Environmental Quality has completed the review of the proposed Crown S Ranch Subdivision located in the NW ¼ of Section 24, T15N, R67W, 6<sup>th</sup> P.M., in Laramie County, Wyoming. The Crown S Ranch Subdivision will create 9 lots out of approximately 48 acres. The information was submitted by Thomas Cress, Owner, signed by John Wetstein, PE, PG, a Wyoming Licensed Engineer and Wyoming Professional Geologist. This letter represents the recommendations of the Wyoming Department of Environmental Quality as required by W.S. 18-5-306(c).

#### Findings as to the safety and adequacy of the proposed sewage system:

The proposed sewage system is the use of individual on-site septic tanks and leach fields permitted by and constructed to Wyoming Department of Environmental Quality Water Quality Rules and Regulations and the standards established by the Cheyenne/Laramie County Environmental Health Division. The information submitted addresses the safety and adequacy of the proposed sewage system, provided the statements indicated in the "Notes required to be added to the final plat" are adhered to.

Per the Chapter 23 report submitted the proposed homes will be 3 bedrooms. Should the homes be constructed with basements an additional 2 bedrooms will be required to be permitted. The use of systems to increase the reduction of effluent nitrate concentrations to 30 mg/L using enhanced septic systems will be required due to the increase in Nitrates above the 10 mg/l limit. This will result in cumulative nitrate loading that is less than 10.0 mg/L.

#### Findings as to the safety and adequacy of the proposed water system:

The proposed water system is the use of individual water supply wells completed on each lot. Each well must be permitted by and constructed to the Wyoming State Engineer's Office standards. The information submitted addresses the safety and adequacy of the proposed water system, provided Laramie County Board of Commissioners

June 8, 2022

Page 2

compliance with the statements indicated in the "Notes required to be added to the final plat and

other pertinent documents" are maintained.

Notes required to be added to the final plat, and other pertinent documents:

WYDEQ requires for this subdivision that all septic systems for homes with basements or greater than 3 bedrooms be constructed with advanced Nitrogen removal technology approved by the WYDEQ and the Cheyenne/Laramie County Environmental Health Department.

#### **Conclusions:**

The Department of Environmental Quality has "No Adverse" recommendations applicable to the Crown S Ranch Subdivision.

#### Disclaimer:

The Non-Adverse recommendation provided above has nothing to do with, nor has any bearing on the water rights associated with the Crown S Ranch Subdivision. Any questions or concerns about the water rights for the Crown S Ranch Subdivision should be directed to the State Engineer's Office.

Nothing in Department of Environmental Quality recommendations or comments regarding the proposal for the Crown S Ranch Subdivision shall be construed to relieve Thomas Cress, Owner, of the obligation to obtain any permits or additional approval from any local, state or federal agencies as required by law, rules, regulations, or ordinances. Nothing in these recommendations commits the Department of Environmental Quality or Laramie County to the issuance of required permits for construction, operation, or modification of water supply or sewage systems.

Sincerely,

Dennis Lewis, PE.

Southeast District Engineer

Water & Wastewater Program, Water Quality Division

DL/

cc: Thomas Cress, Owner, lannettecress@hotmail.com

Laramie County Board of Commissioners June 8, 2022 Page 3

John Wetstein, PE, PG, Engineering Associates, john.wetstein@eaengineers.com Laramie County Planning & Development Office, 3966 Archer Pkwy, Cheyenne, Wyoming 82009
Cheyenne/Laramie County Environmental Health Division, 100 Central Avenue Cheyenne, Wyoming 82007
Markus Malessa, SEO via email, <a href="markus.malessa@wyo.gov">markus.malessa@wyo.gov</a>

<u>County Engineer:</u> County Engineer, Scott Larson Comments Attached 05/02/2022 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. The FEMA FIRM panel number and date are not referenced on the plat in the notes. The first bullet note is a little misleading -- there is a floodplain located within the platted boundary/area (i.e., the road ROW), but it just does not extend into the individual tracts.
- 3. The last bullet note indicates an easement for a water supply/storage for Fire District No. 2. I cannot find location of the referenced easement on the drawing. Also, should the note be modified to indicate the easement is for Laramie County Fire Authority instead of Fire District No. 2?
- 4. The following note needs to be included on the plat: "THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE".

#### Surveyor Review

- 1. All of the "10' UTILITY EASEMENTS" should be labeled and dimensioned.
- 2. The solid hatch utilized for the "FEMA 100 YR FLOOD PLAIN" makes the hatch for the "EXISTING COUNTY RIGHT-OF-WAY 40 FEET TO BE DEDICATED BY THIS PLAT" difficult to see.

**Environmental Health:** Environmental Health Department, Tiffany Gaertner Comments Attached 05/05/2022 Regulations:

#### LARAMIE COUNTY SMALL WASTEWATER SYSTEMS REGULATIONS

#### Comments:

Wastewater permits are required for each lot. All small wastewater systems must have a 50' setback from all property lines. A DEQ letter and Chapter 23 report must be submitted to this office along with the signed final plat prior to application for any permits.

<u>Laramie County Fire Authority:</u> Laramie County Fire Authority, Cooper McCullar Comments Attached 04/19/2022

LCFA requests that subdivision follows Laramie County Land Use for road width of cul de sac for emergency vehicle turn around and use.

**Planners:** Planners, Marissa Pomerleau Comments Attached 05/16/2022

1. Please remove "1st Filing" from the plat title as it called out as Crown S Ranch

everywhere else in the project and the filing number is not necessary in a first filing.

- 2. The legal description should state a portion of the NW1/4 rather than N1/2.
- 3. The note "THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE" must be included on the plat.
- 4. All 10' utility easements should be labeled especially if they are not included in the legend.
- 5. A note regarding the properties location within the CWPP area. The property appears to be within the Low fuel load area.
- 6. The proposed radius of 75' meets the minimum size requirement of 96' diameter for cul-de-sacs.
- 7. As a note a grading and ROW construction permits will be required prior to construction.
- 8. As a note, the Chapter 23 DEQ Study submittal letter has been received from DEQ. A non-adverse recommendation will be required from DEQ prior to recordation of this plat.

#### WYDOT: WYDOT, Taylor McCort Comments Attached 05/02/2022

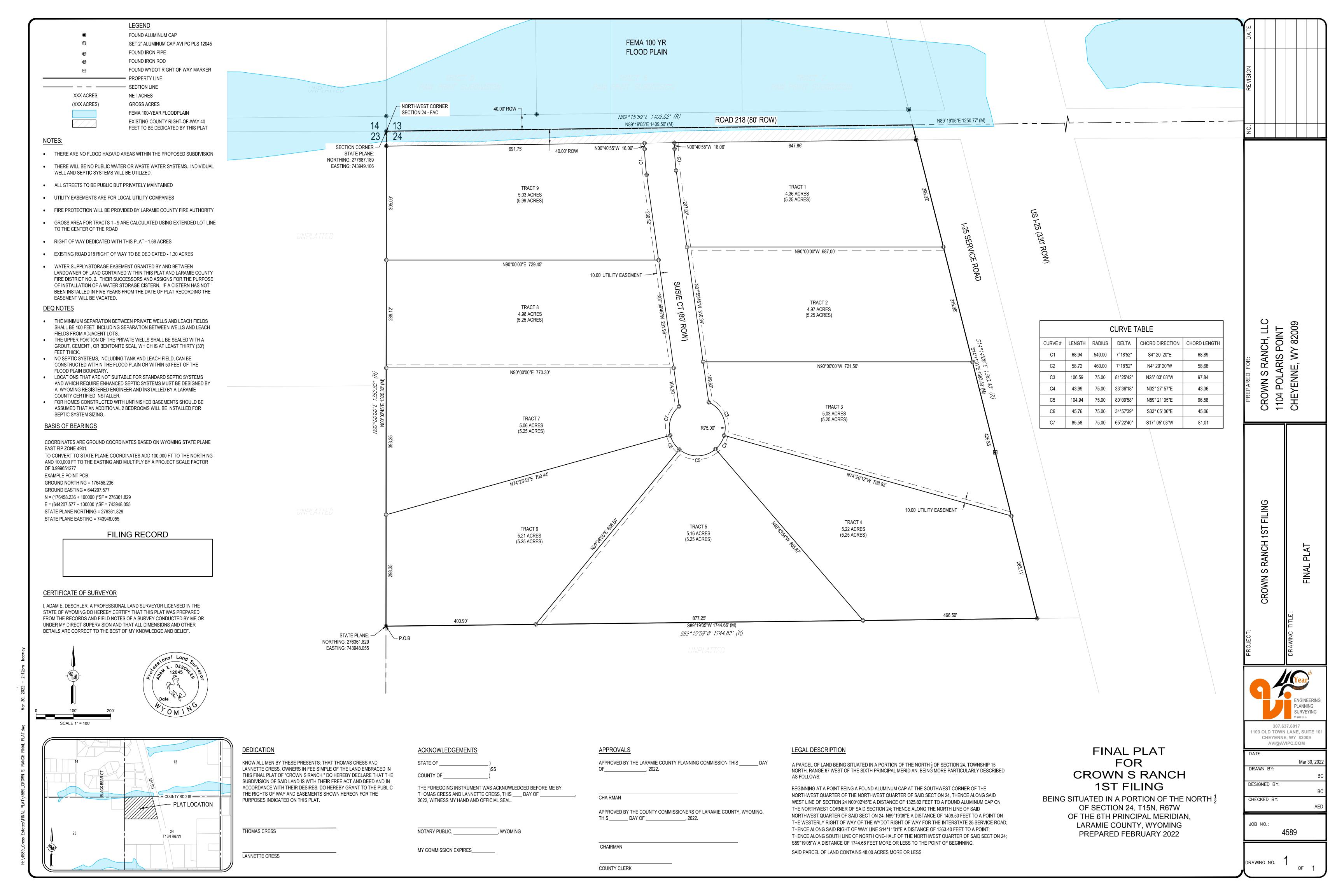
Developers should be aware that any work or presence in the right of way created by development/construction for this project will need the appropriate permitting or licensing between the utility owner (or appropriate local agency for fence modifications) and WYDOT District 1 Maintenance. Also, the development must maintain historic drainage corridors so that drainage is not diverted to other entry points to the R/W. If drainage is affected in the highway right-of-way, a drainage study needs to demonstrate that post-development discharge rates are metered at or below pre- development rates for 2, 5, 10, 25, 50 and 100 year events and will need to be reviewed by WYDOT Bridge/Hydraulics Program. Please contact Micheal Elliot (James.Elliott@wyo.gov -- 307.745.2154) for utility permit information.

#### AGENCIES WITH NO COMMENT

Building Dept., County Assessor, County Attorney, County Real Estate Office, Intraoffice

#### **AGENCIES WITH NO RESPONSE**

Black Hills Energy, CenturyLink, County Clerk, County Conservation District, County Public Works Department, County Treasurer, Emergency Management Weed & Pest, Sheriff's Office, US Post Office, WY State Engineer's Office, Wyoming DEQ, Wyoming Game & Fish Dept



RESOLUTION NO.	

# A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR A PORTION OF THE NW1/4 SECTION 24, T.15N., R.67W., OF THE 6<sup>TH</sup> P.M., LARAMIE COUNTY, WY, TO BE PLATTED AND KNOWN AS "CROWN S RANCH".

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 Crown S Ranch.

## 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 Crown S Ranch, located in a portion of the NW1/4 Section 24, T.15N., R.67W., of the 6<sup>th</sup> P.M., Laramie County, WY with the following conditions:

- 1. All clerical errors and missing information must be addressed and added to the plat prior to recordation.
- 2. DEQ's required note must be added to the plat prior to recordation.

PRESENTED, READ AND ADOPT	ED THIS DAY OF
, 2022.	
	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	