



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Marissa Pomerleau, Associate Planner

DATE: October 19, 2021

TITLE: PUBLIC HEARING regarding a Zone Change from A2 – Agricultural to AR – Agricultural Residential and a Subdivision Permit & Plat for Cherry Hills North located in a portion of the SW1/4 SW1/4 Section 20, T.14N., R.65W., of the 6th P.M., Laramie County, WY.

EXECUTIVE SUMMARY

Steil Surveying Services, LLC, on behalf of Cache Creek Land Company, LLC, has submitted Zone Change and Subdivision Permit & Plat applications for Cherry Hills north, consisting of one tract located at the northeast corner of the intersection of Reese Road and US Highway 30. The applications have been submitted to request a zone change from A2 to AR and to subdivide the property into five tracts.

Both applications have been combined into one staff report for ease of presentation and discussion, with separate motions required on the two actions.

BACKGROUND

The property is currently unplatted and assessed as Residential Vacant Land. The surrounding area consists of rural residential and agricultural properties of varying acreage.

Pertinent Regulations

Section 1-2-103(b) of the Laramie County Land Use Regulations governing the criteria for a zone map amendment.

Section 4-2-100 of the Laramie County Land Use Regulations governing the Agricultural Residential Zone District.

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 designates this area as Urban Transitional Residential (UTR), which emphasizes a gradual transition from the more urbanized areas of the city to the rural areas of the county. This category focuses on a range of single-family residences and multi-family duplexes, patio homes and townhomes while blending both urban and rural standards.

The subject property is bordered by the A2 zone district on the north and east, AR, A2 and A1 – Agricultural and Rural Residential to the south and west. Uses in the area range from single-family residential and a few small businesses. A change in zone for this property from A2 to AR would align with the surrounding AR zone district.

Section 1-2-103 (b) of the Laramie County Land Use Regulations specifies that in order to recommend approval of this zone change, the Planning Commission must find at least one of the following:

- i. That the zoning district map amendments or regulations are consistent with plans and policies of Laramie County; or
- ii. That the original zoning classification given to the property was inappropriate or improper; or
- iii. That there have been changes of an economic, physical or social nature within the area involved which altered the basic character of such area, and that the amendment will not detrimentally affect the area involved.

Criteria i. is met by conformance with the Laramie County Comprehensive Plan and PlanCheyenne with the type of development.

The applicant submitted a letter requesting waivers on both a traffic and drainage study. The County Engineer has concurred with this request based on the fact that the development will have negligible impacts on both. Agency review comments were received regarding corrections to the zone change and plat maps, maintaining drainage flows, and road construction. The applicant is currently working to address these comments.

These applications were scheduled to be heard at the September 23, 2021 Planning Commission. However, due to lack of quorum the application was postponed to the October 14, 2021 meeting. The result of this meeting will be provided at the October 19, 2021 County Commissioners Public Hearing.

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

Staff finds the applications are consistent with the plans and policies of Laramie County.

RECOMMENDATION and FINDINGS

Based on evidence provided for the *zone change* request, staff recommends the Board find that:

- a. This application meets the criteria for a zone map amendment pursuant to section 1-2-103 (b) of the Laramie County Land Use Regulations.
- b. The proposed change in zone district is in conformance with the requirements of section 4-2-100 of the Laramie County Land Use Regulations.

And that the Board approve a Zone Change from A2 to AR for a portion of the SW1/4 SW1/4 Section 20, T.14N., R.65W., of the 6th P.M., Laramie County, WY with one condition:

- 1. All agency comments regarding the Zone Change Map shall be addressed prior to recordation of the Exhibit 'A' Zone Change Map.

Based on evidence provided for the *subdivision permit & plat*, 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. The proposed subdivision is in conformance with the requirements of section 4-2-100 of the Laramie County Land Use Regulations.

And that the Board approve the Subdivision Permit and Plat for Cherry Hills North to the Laramie County Board of Commissioners with one condition.

- 1. All agency comments regarding the Plat shall be addressed prior to recordation of the plat.

PROPOSED MOTION – ZONE CHANGE

I move to approve the Zone Change from A2 to AR for a portion of the SW1/4 SW1/4 Section 20, T.14N., R.65W., of the 6th P.M., Laramie County, WY with one condition, and adopt the findings of facts a and b for the *zone change*, as shown in the staff report.

PROPOSED MOTION – SUBDIVISION PERMIT & PLAT

I move to approve the Subdivision Permit and Plat for Cherry Hills North with one condition, and adopt the findings of fact a and b for the *subdivision permit & plat*, 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: Current Zoning Map**
- Attachment 6: Combined Agency Comments Report**
- Attachment 7: Resolution Exhibit 'A' - Zone Change Map**
- Attachment 8: Resolution – Zone Change**
- Attachment 9: Plat**
- Attachment 10: Resolution – Subdivision Permit & Plat**

Laramie County, Wyoming



Cherry Hills
North

Zone Change &
Subdivision Permit
and Plat

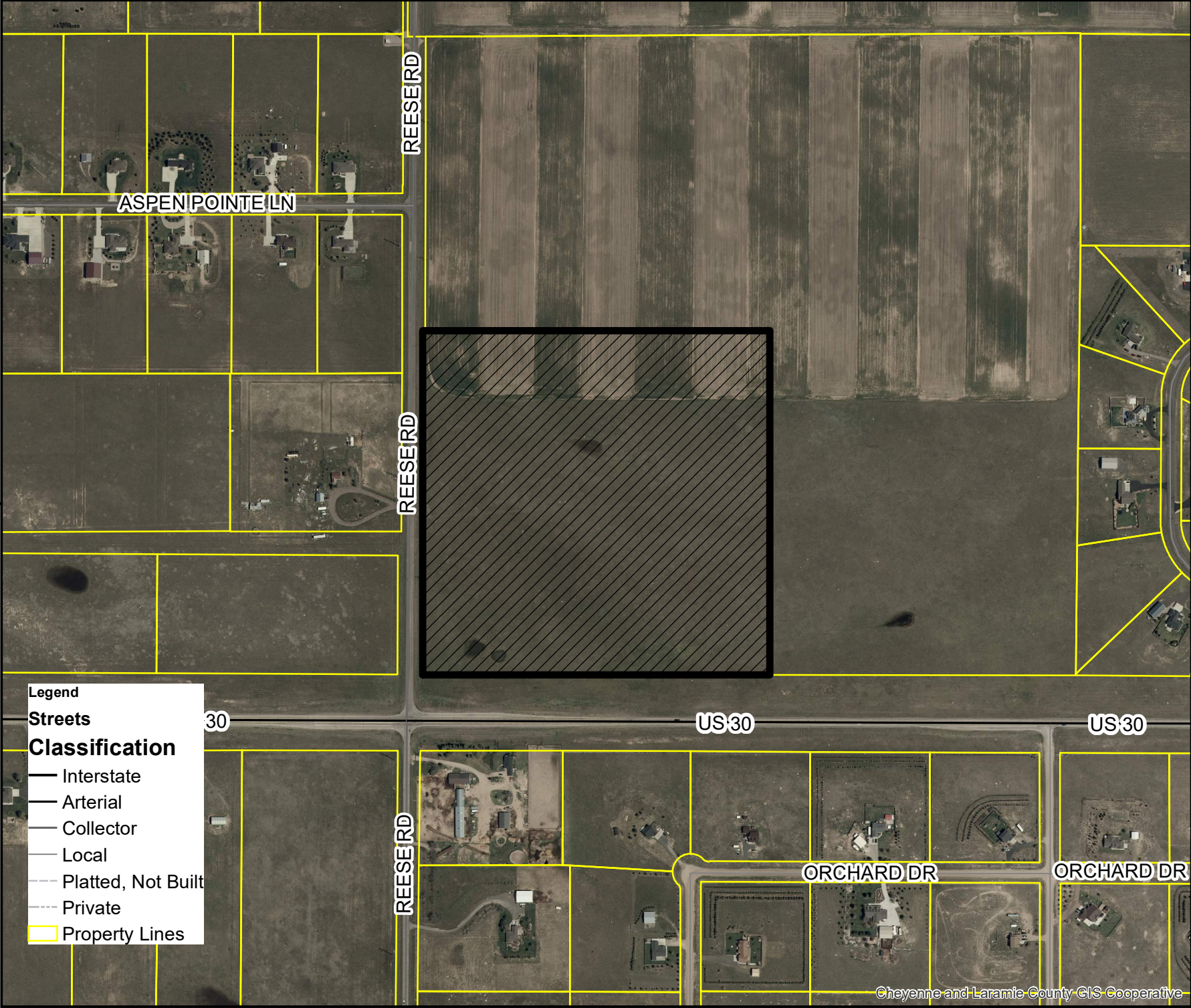
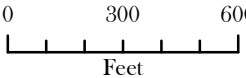
PZ-21-00248(49)

Location
Map

Subject
Property



August 2021



Legend

Streets

Classification

- Interstate
- Arterial
- Collector
- Local
- Platted, Not Built
- Private
- Property Lines

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.

Laramie
County,
Wyoming



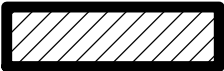
Cherry Hills
North

Zone Change &
Subdivision Permit
and Plat

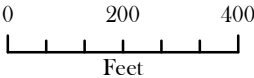
PZ-21-00248(49)

Aerial Map

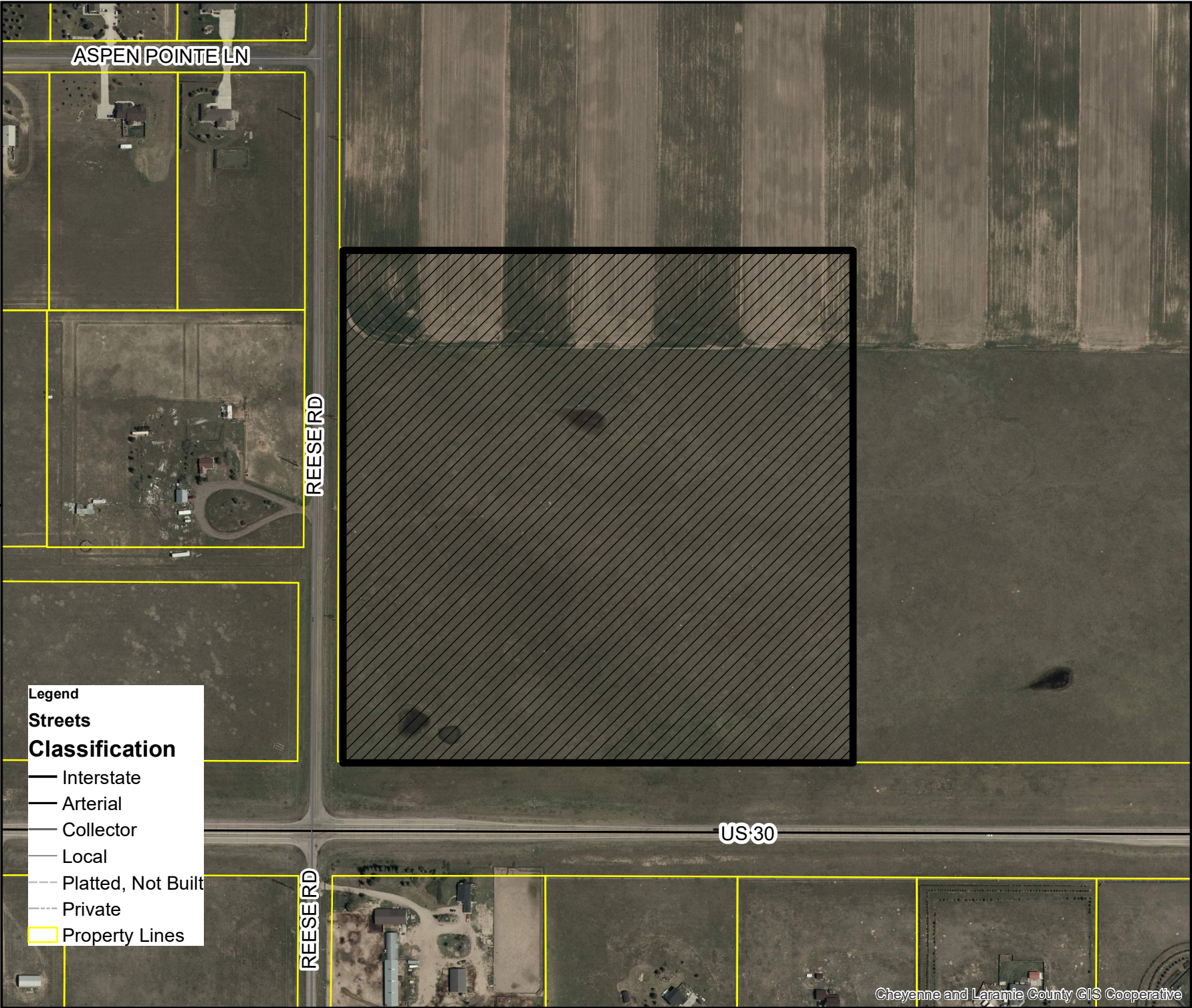
Subject
Property



August 2021



Cheyenne and Laramie County GIS Cooperative



Legend

Streets

Classification

—

 Interstate

—

 Arterial

—

 Collector

—

 Local

 Platted, Not Built

 Private

□

 Property Lines

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Laramie County, Wyoming



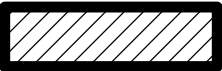
Cherry Hills North

Zone Change &
Subdivision Permit
and Plat

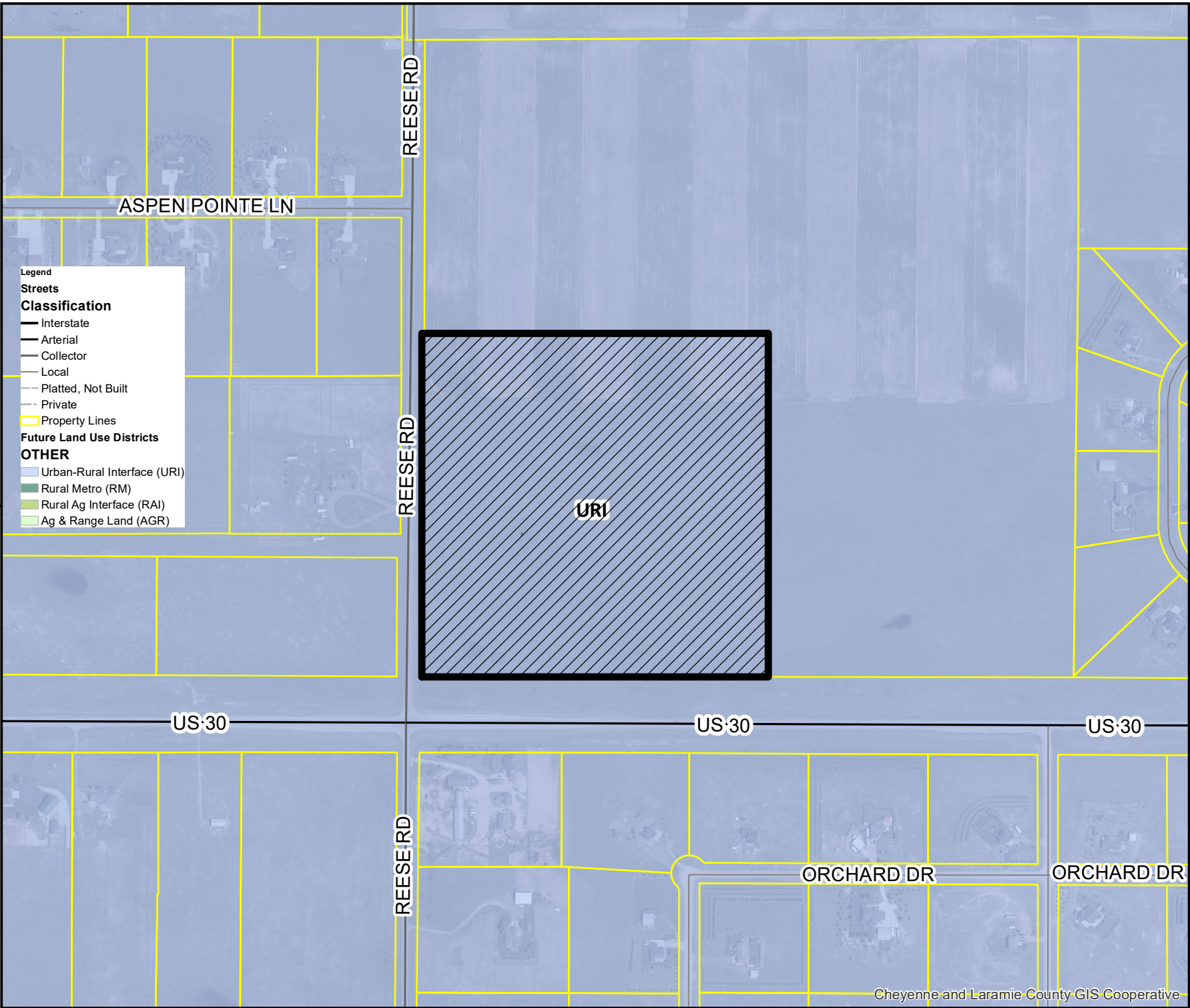
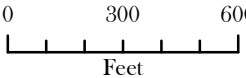
PZ-21-00248(49)

Comprehensive
Plan Map

Subject
Property



August 2021



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Laramie County, Wyoming



Cherry Hills North

Zone Change & Subdivision Permit and Plat

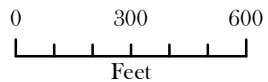
PZ-21-00248(49)

PlanCheyenne Map

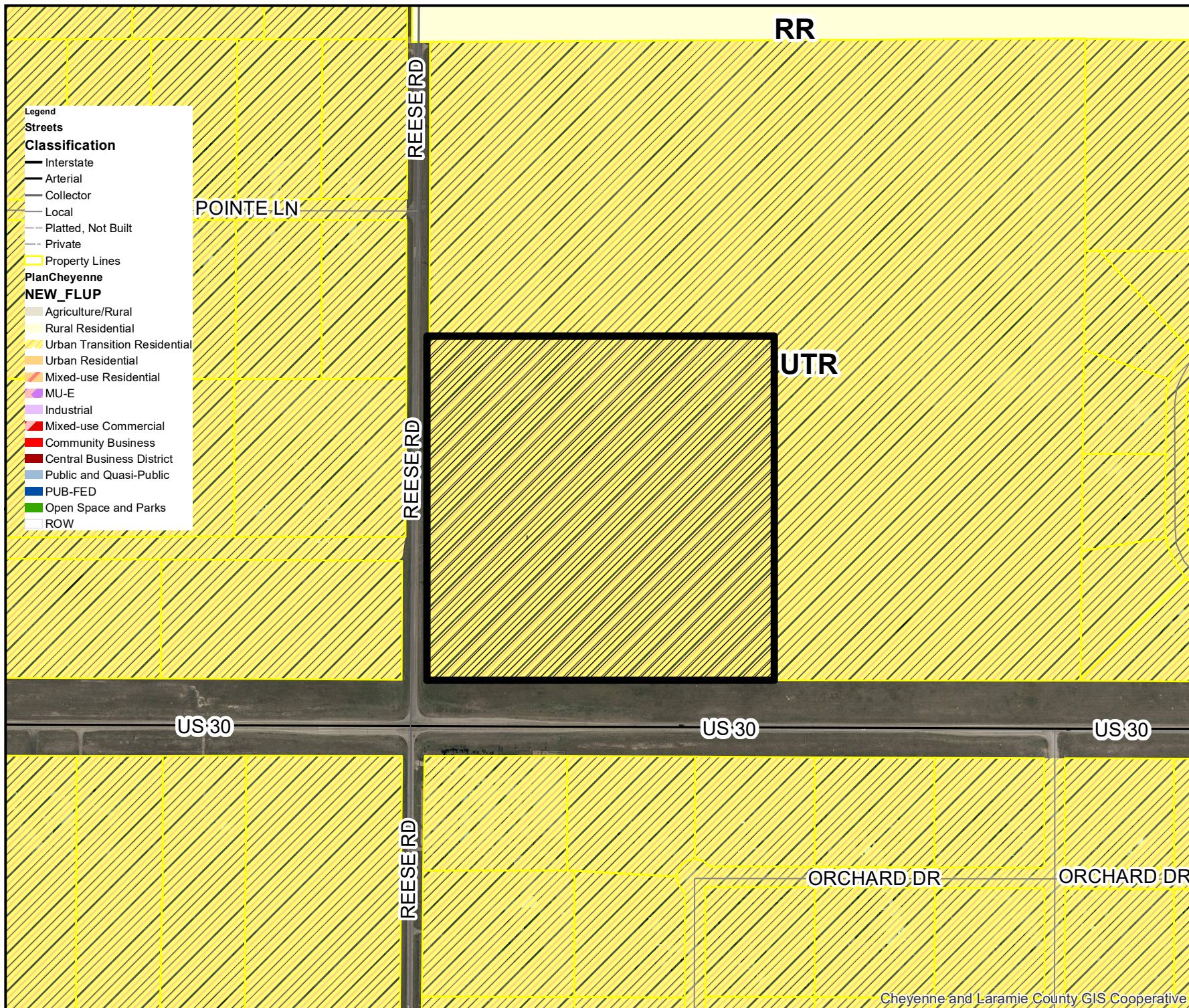
Subject Property

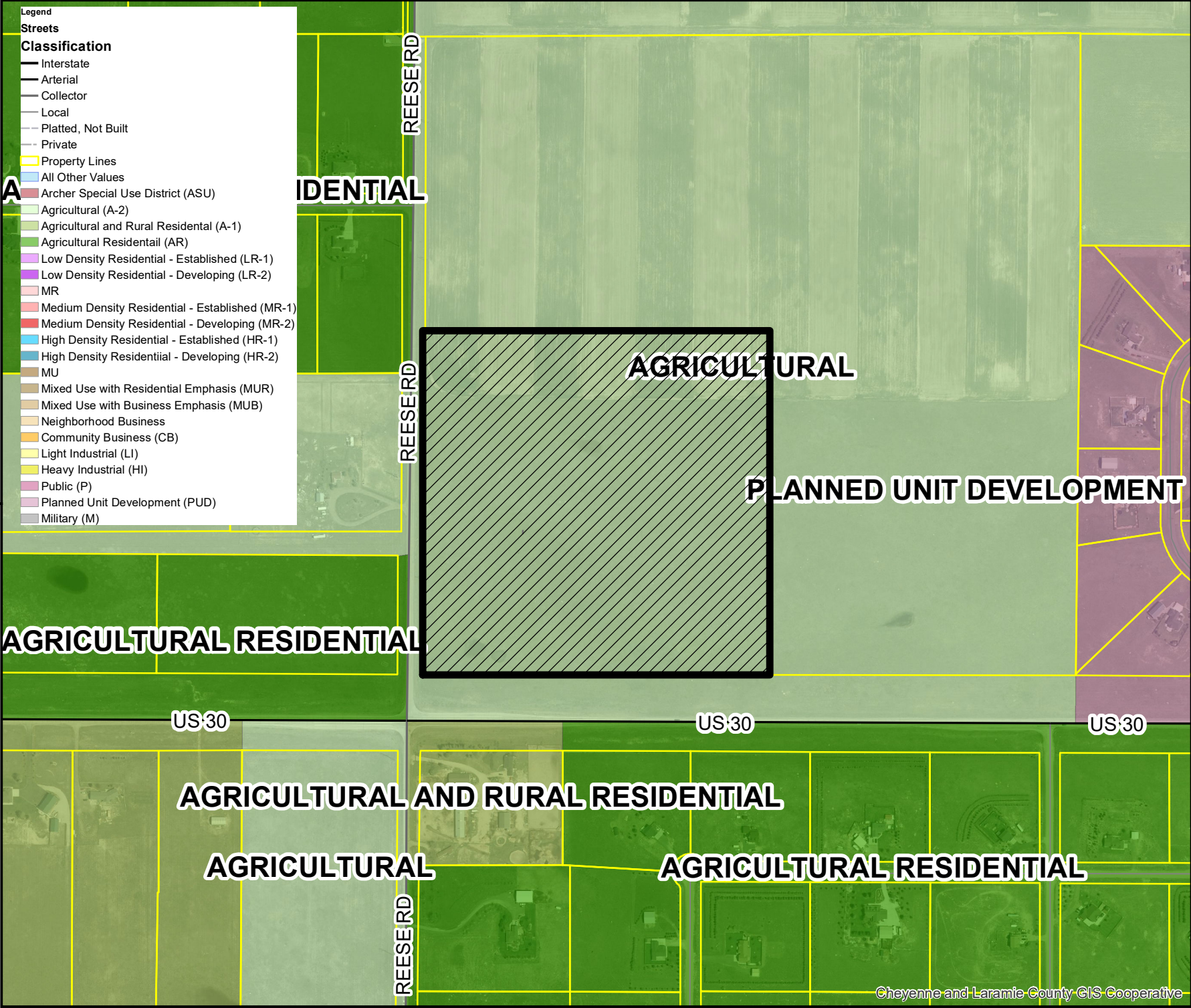


August 2021



Cheyenne and Laramie County GIS Cooperative





Laramie County, Wyoming



Cherry Hills North

Zone Change & Subdivision Permit and Plat

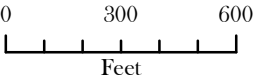
PZ-21-00248(49)

Zoning Map

Subject Property



August 2021



Cheyenne and Laramie County GIS Cooperative

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County Public Works Department: County Public Works Department, Jeremy Fulks
Comments Attached 08/26/2021

Its unclear what the subject property zone is being changed to. Indicate what zone the proposed project is changing to.

WYDOT: WYDOT, Ryan Shields Comments Attached 08/30/2021

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.

- Any work within WYDOT rights-of-way will require permitting through the WYDOT District Office

Intraoffice: Planners, Marissa Pomerleau Comments Attached 09/07/2021
Proposed zoning must be updated on map.

AGENCIES WITH NO COMMENT:

Building Dept.
Cheyenne MPO
Combined Communications Cente
County Assessor
County Attorney
County Real Estate Office
Fire District No 2
Intraoffice: Planners, Cambia McCollom
Planners: Planners, Joe Scherden

AGENCIES WITH NO RESPONSE:

County Treasurer
Emergency Management
Sheriff's Office
WY State Engineer's Office

Building Dept.: Building Dept., Daniel Peters Comments Attached 08/26/2021
Fire apparatus access roads required per IFC 2018 Section 503.

Building permits shall be required for all new building construction.

Laramie County has adopted the 2018 I-codes and the 2020 NEC.

County Engineer: County Engineer, Scott Larson Comments Attached 08/26/2021
Engineer Review

1. I concur with the request for a waiver of a detailed Drainage Study and Traffic Study since the proposed action will have a negligible impact on both.
2. Above the label for Tract 2 there is a label "Tract A" that should not be there.
3. The 80' strip of property extending east from the cul-de-sac needs to be labeled. I assume it is an easement of some sort.

Surveyor Review

1. What part of the 10' TELEPHONE EASEMENT (B749, P540) shown along the south boundary of TRACTS 1, 2 & 3 falls in TRACTS 1, 2 & 3 and what part of said 10' TELEPHONE EASEMENT falls in TRACT A?
2. Some of the text on the VICINITY MAP is very small and a little difficult to read.

County Public Works Department: County Public Works Department, Jeremy Fulks
Comments Attached 08/26/2021

Fees need paid to the Planning and Development Office.

No construction shall start until the plat is signed and recorded.

High West Energy: High West Energy, David Golden Comments Attached 08/18/2021
No easement shown for High West Energy (electric utility). Developers need to ensure that allowances for power are available in development of plat. Selling properties without developed power is problematic for buyers. Clear disclaimers need to be provided to property purchasers clarifying power development costs are their burden.

WYDOT: WYDOT, Ryan Shields Comments Attached 08/30/2021

- 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.

- Install a monument at the Southeast corner of Tract 3 to designate the right of way.
- Any work within WYDOT rights-of-way will require permitting through the WYDOT district office.

Environmental Health: Environmental Health Department, Roy Kroeger Comments Attached 08/24/2021
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 and intermittent bodies of water i.e. drainages and floodplains. Future development will require a DEQ letter and Chapter 23 report. A signed final plat must be submitted to this office prior to application for any permits.

Intraoffice: Planners, Marissa Pomerleau Comments Attached 09/07/2021
1. Tract 2 is also labelled Tract A. Please remove.

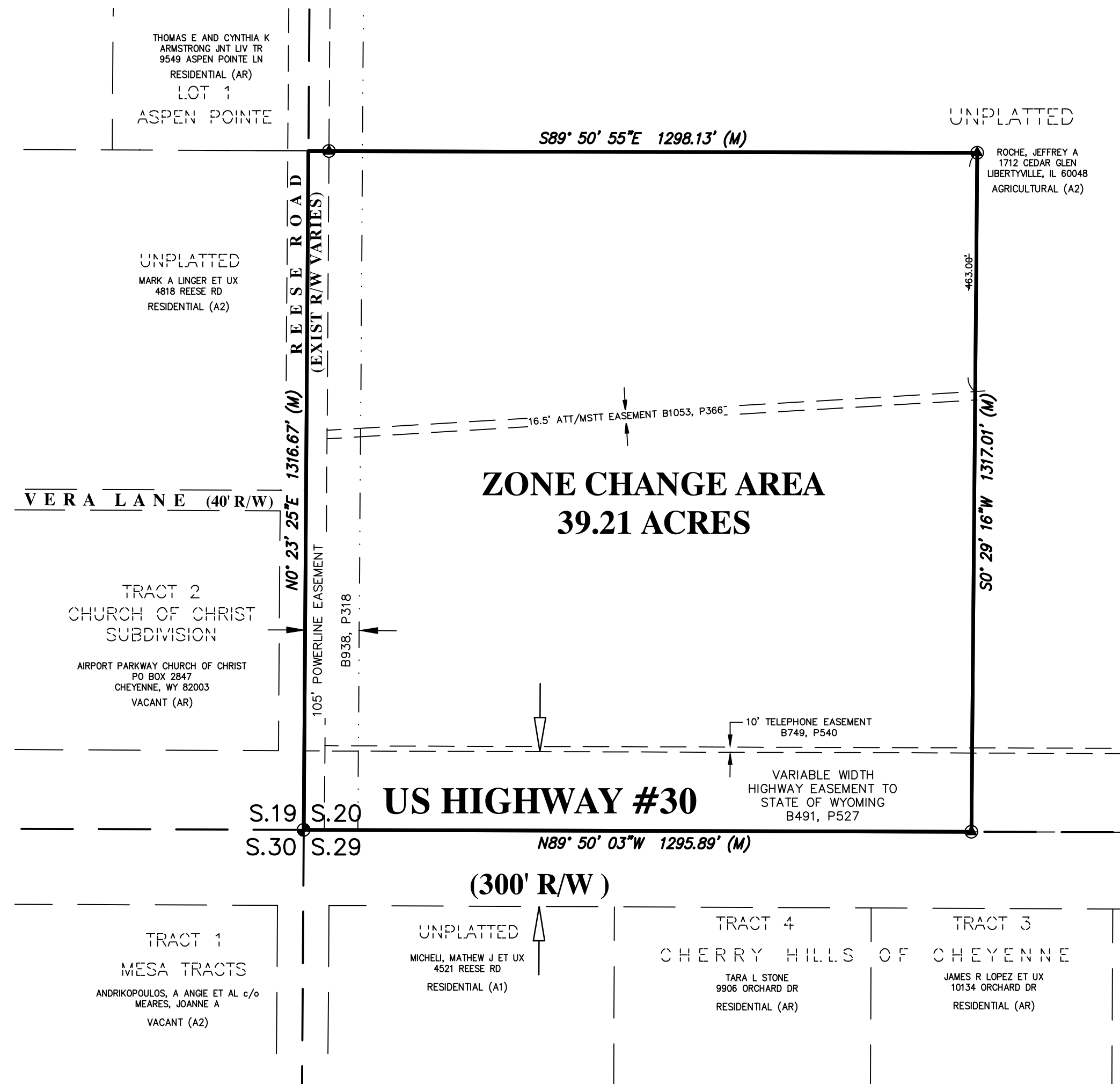
AGENCIES WITH NO COMMENT:

Cheyenne MPO
County Assessor
County Attorney
County Real Estate Office
Fire District No 2
Intraoffice: Planners, Cambia McCollom
Planners: Planners, Joe Scherden
Combined Communications Center

AGENCIES WITH NO RESPONSE:

CenturyLink
County Conservation District
County Treasurer
Emergency Management
Sheriff's Office
WY State Engineer's Office
Laramie County Weed & Pest

Exhibit 'A'

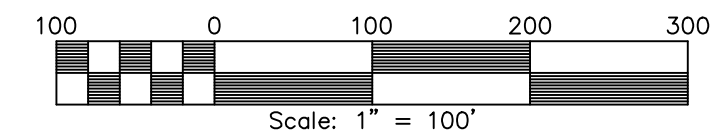


LEGEND

- FOUND 3/4" ALUMINUM SURVEY CAP STAMPED "SSS PLS 2500 AND APPROPRIATE DATA"
- FOUND IRON PIPE

ZONING

EXISTING: A-2 - AGRICULTURAL
PROPOSED: MU - MIXED-USE



LAND DESCRIPTION

The SW1/4SW1/4 of Section 20, Township 14 North, Range 65 West of the 6th P.M., Laramie County, Wyoming;

NOTES

- BASIS OF BEARINGS:
WYOMING STATE PLANE COORDINATES, EAST ZONE, NAD83-2011, US SURVEY FEET, GRID DISTANCES.
SITE COMBINATION FACTOR = 0.999670378
- NO PORTION OF THIS PROPERTY FALLS WITHIN A FEMA 100-YEAR SFHA PER F.I.R.M PANEL No.56021C1112F; DATED JANUARY 17, 2007.

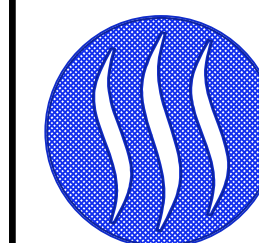
CERTIFICATE OF SURVEYOR

I, Jeffrey B. Jones, A 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.

ZONE CHANGE MAP

THE SW1/4SW1/4 OF SECTION 20, TOWNSHIP 14 NORTH,
RANGE 65 WEST of the 6TH P.M.
LARAMIE COUNTY, WYOMING

PREPARED JULY 2021

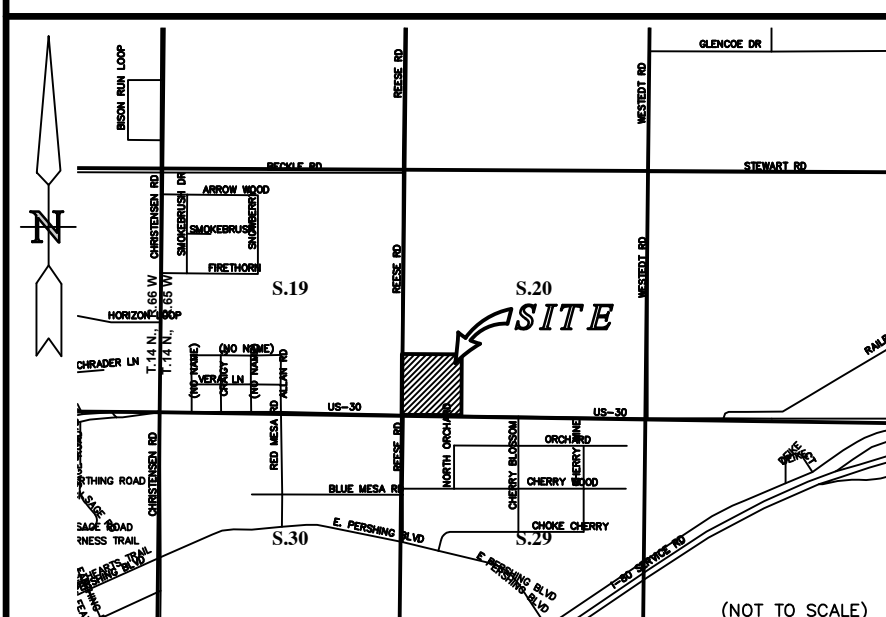


STEIL SURVEYING SERVICES, LLC
PROFESSIONAL LAND SURVEYORS
PLANNING & DEVELOPMENT SPECIALISTS
1102 WEST 19th ST. CHEYENNE, WY. 82001 • (307) 634-7273
756 GILCHRIST ST. WHEATLAND, WY. 82201 • (307) 322-9789
www.SteilSurvey.com • info@SteilSurvey.com

REVISED: 08/12/2021
\\2021 DWG\\21286 S20-14-65\\21286 FINAL.DWG

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VICINITY MAP



RESOLUTION NO. _____

**A RESOLUTION TO APPROVE A CHANGE IN ZONE DISTRICT
FROM A2 – AGRICULTURAL TO AR – AGRICULTURAL RESIDENTIAL
FOR A PORTION OF THE SW1/4 SW1/4 SECTION 20, T.14N., R.65W.,
OF THE 6TH P.M., 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 zone change is in conformance with the requirements of section 1-2-103(b) of the Laramie County Land Use Regulations; and

WHEREAS, the proposed zone change is in conformance with the requirements of section 4-2-100 of the Laramie County Land Use Regulations.

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 meets the criteria for a zone map amendment pursuant to section 1-2-103 (b) of the Laramie County Land Use Regulations.
- b. The proposed change in zone district is in conformance with the requirements of section 4-2-100 of the Laramie County Land Use Regulations.

And the Board approves a Zone Change from A2 to AR for a portion of the SW1/4 SW1/4 Section 20, T.14N., R.65W., of the 6th P.M., Laramie County, WY with one condition, as shown on the attached Exhibit ‘A’ – Zone Change Map.

1. All agency comments regarding the Zone Change Map shall be addressed prior to recordation of the Exhibit ‘A’ Zone Change Map.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF _____, 2021.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Gunnar Malm, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

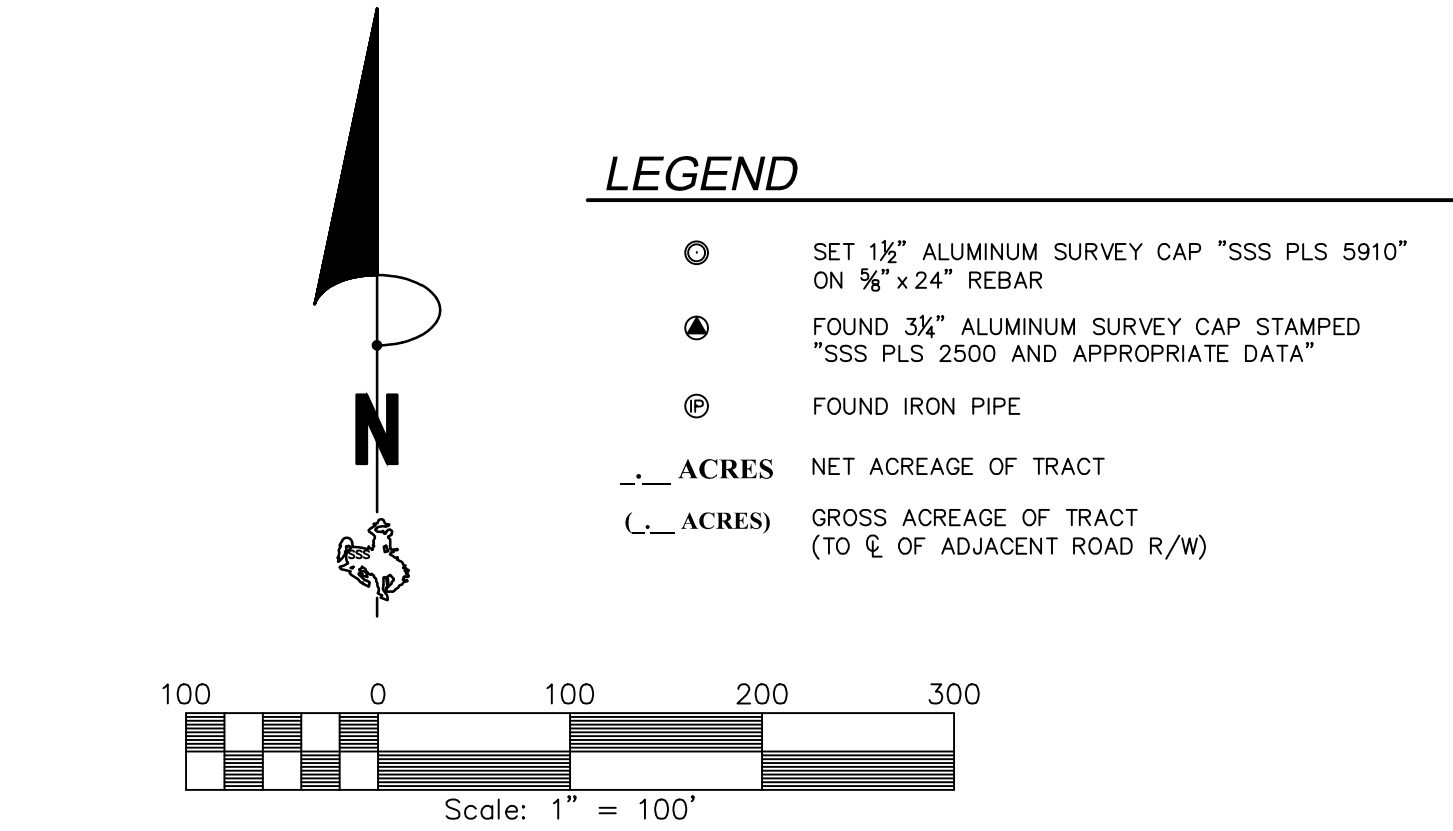
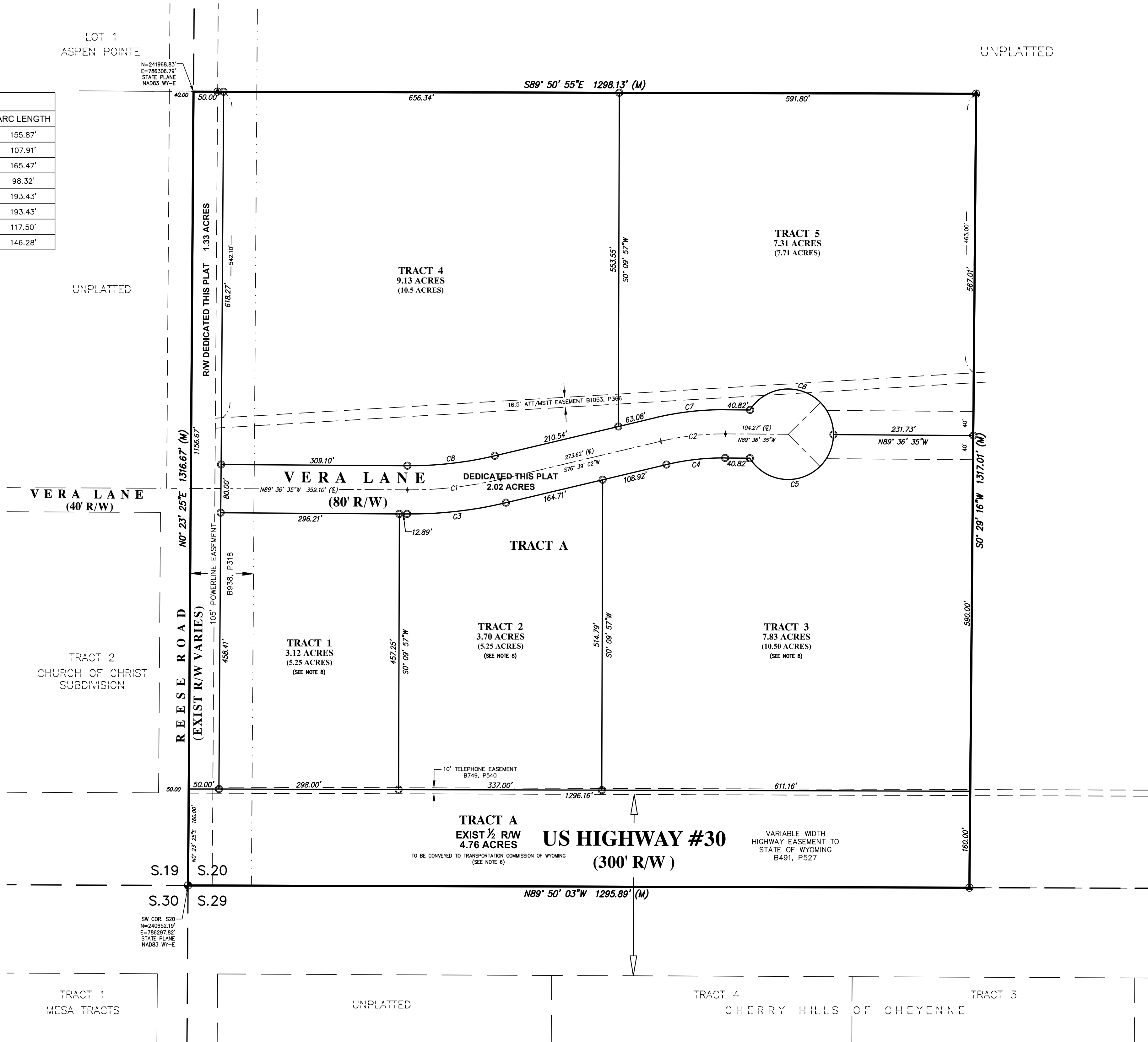
Reviewed and approved as to form:



Laramie County Attorney's Office

NO PROPOSED CENTRALIZED SEWAGE SYSTEM NO PROPOSED CENTRAL WATER SUPPLY SYSTEM FIRE PROTECTION TO BE PROVIDED BY LARAMIE COUNTY FIRE DISTRICT #2
THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE

CURVE TABLE					
CURVE #	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	13° 44' 23"	650.00'	S83° 31' 13"W	155.50'	155.87'
C2	13° 44' 23"	450.00'	S83° 31' 13"W	107.65'	107.91'
C3	13° 44' 23"	690.00'	N83° 31' 13"E	165.07'	165.47'
C4	13° 44' 23"	410.00'	N83° 31' 13"E	98.08'	98.32'
C5	147° 46' 09"	75.00'	N74° 16' 29"E	144.11'	193.43'
C6	147° 46' 09"	75.00'	N73° 29' 39"W	144.11'	193.43'
C7	13° 44' 23"	490.00'	S83° 31' 13"W	117.22'	117.50'
C8	13° 44' 23"	610.00'	S83° 31' 13"W	145.93'	146.28'



DEDICATION
KNOW ALL PERSONS BY THESE PRESENTS THAT: CACHE CREEK LAND COMPANY, LLC, owner in fee simple of the SW¼SW¼ of Section 20, Township 14 North, Range 65 West of the 6th P.M., Laramie County, Wyoming; Has caused the same to be surveyed, platted, and known as CHERRY HILLS NORTH and does hereby declare the subdivision of said land as it appears on this plat, to be their free act and deed and in accordance with their desires and do hereby dedicate to the public the Rights-of-Way as shown and do furthermore grant the easements for the purposes indicated hereon.
CACHE CREEK LAND COMPANY, LLC

by: _____
PRINT NAME OS TITLE

ACKNOWLEDGEMENT
STATE OF WYOMING)
COUNTY OF LARAMIE) SS
The foregoing instrument was acknowledged before me this ____ day of _____, 2021 by _____ who, upon oath, acknowledged that he is the _____ for Cache Creek Land Company, LLC, and executed the foregoing instrument for the purposes therein contained, by signing their name as such officer and as the free and voluntary act and deed of said company.

Notary Public, Laramie County, Wyoming

- NOTES**
- BASIS OF BEARINGS: WYOMING STATE PLANE COORDINATES, EAST ZONE, NAD83-2011, US SURVEY FEET, GRID DISTANCES. SITE COMBINATION FACTOR = 0.999670378
 - ALL TRACT CORNERS, ANGLE POINTS AND CURVE POINTS TO BE MONUMENTED WITH A 1½" ALUMINUM CAP STAMPED "SSS PLS 5910 ON ¾" x 24" REBAR.
 - NO PORTION OF THIS PLAT FALLS WITHIN A FEMA 100-YEAR SFHA PER F.I.R.M. PANEL No.56021C1112F; DATED JANUARY 17, 2007.
 - ALL WELLS AND SEPTIC SYSTEMS SHALL COMPLY WITH ALL APPLICABLE ORDINANCE(S), RULES AND REGULATIONS.
 - NO CENTRALIZED SEWER OR WATER SYSTEM(S) ARE PROPOSED. WATER SERVICE & WASTEWATER DISPOSAL TO BE PROVIDED BY INDIVIDUAL WELL & SEPTIC LEACH FIELDS FOR EACH TRACT, ALL SYSTEMS SHALL BE PROPERLY PERMITTED AND SHALL COMPLY WITH ALL APPLICABLE STATE AND LOCAL RULES AND REGULATIONS.
 - FURTHER SUBDIVISION OF THE LANDS CONTAINED WITHIN THIS REPLAT WILL REQUIRE A FULL SUBDIVISION PERMIT AND PLAT AND NON-ADVERSE RECOMMENDATION FROM THE WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY (WYDEQ).
 - "TRACT A" HEREON IS CONSIDERED AN UNBUILDABLE LOT AND IS TO BE CONVEYED TO THE TRANSPORTATION COMMISSION OF WYOMING FOLLOWING RECORDING OF THIS PLAT FOR THE PURPOSE OF STATE HIGHWAY RIGHT-OF-WAY AND SUBJECT TO THAT "Right-of-Way Easement" recorded March 8, 1973 in Book 491, Page 527 in the Real Estate Office of the County Clerk of Laramie County, Wyoming.
 - AS THE PUBLIC R/W USE (TRACT A) WILL BE RETAINED, GROSS ACREAGE CALCULATIONS OF TRACTS 1, 2, & 3 HEREON INCLUDE TRACT A.

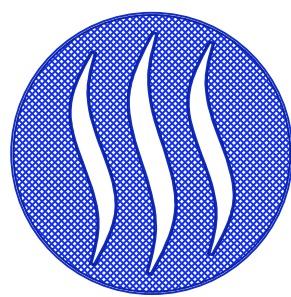
CERTIFICATE OF SURVEYOR

I, Jeffrey B. Jones, A 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.

CHERRY HILLS NORTH

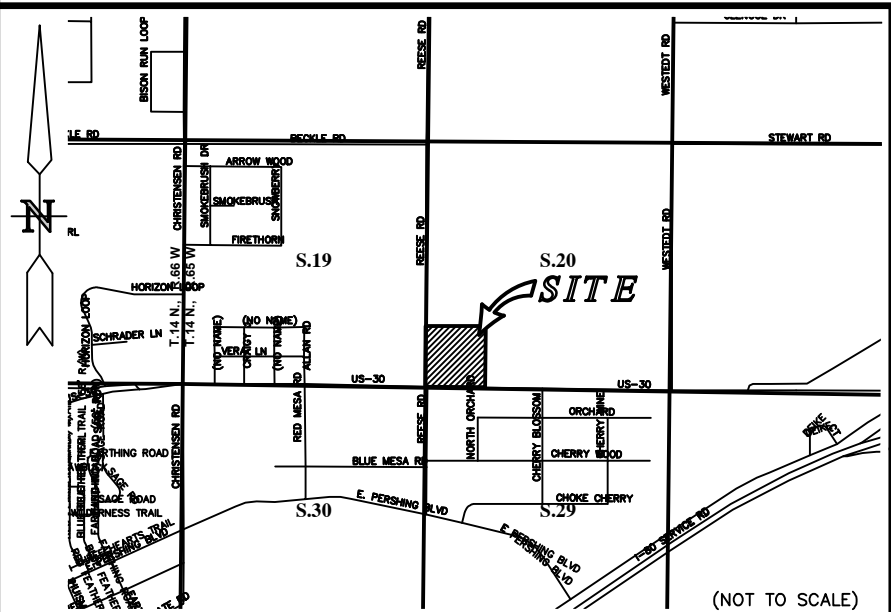
A SUBDIVISION OF THE SW¼SW¼ OF SECTION 20, TOWNSHIP 14 NORTH, RANGE 65 WEST OF THE 6TH P.M. LARAMIE COUNTY, WYOMING

PREPARED JULY 2021



STEIL SURVEYING SERVICES, LLC
PROFESSIONAL LAND SURVEYORS
PLANNING & DEVELOPMENT SPECIALISTS
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756 GILCHRIST ST. WHEATLAND, WY. 82201 o (307) 322-9789
www.SteilSurvey.com o info@SteilSurvey.com

VICINITY MAP



VACATION STATEMENT

THIS PLAT DOES NOT PROPOSE TO VACATE ANY EASEMENT OR RIGHT-OF-WAY OF RECORD

FILING RECORD

APPROVALS

Approved by the Laramie County Planning Commission this ____ day of _____, 2021.

Chairman

Approved by the Board of Commissioners of Laramie County, Wyoming this ____ day of _____, 2021.

Chairman ATTEST: _____
County Clerk

RESOLUTION NO. _____

**A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR
A PORTION OF THE SW1/4 SW1/4 SECTION 20, T.14N., R.65W.,
OF THE 6TH P.M., LARAMIE COUNTY, WY,
TO BE PLATTED AND KNOWN AS "CHERRY HILLS NORTH".**

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, the proposed subdivision is in conformance with the requirements of section 4-2-100 of the Laramie County Land Use Regulations.

WHEREAS, this resolution is the subdivision permit for Cherry Hills North.

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. The proposed subdivision is in conformance with the requirements of section 4-2-100 of the Laramie County Land Use Regulations.

And the Board approves the Subdivision Permit and Plat for Cherry Hills North with one condition.

- 1. All agency comments regarding the Plat shall be addressed prior to recordation of the plat.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF _____, 2021.

LARAMIE COUNTY BOARD OF COMMISSIONERS

Gunnar Malm, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

Laramie County Attorney's Office