

#### LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

#### Planning • Building

#### **MEMORANDUM**

**TO:** Laramie County Board of Commissioners

FROM: Michael Surface, Planner

**DATE:** May 19, 2020

TITLE: PUBLIC HEARING regarding a Subdivision Permit and Plat for Diamond

Hills, located in a portion of the NW1/4 NW1/4, Section 29, T.14N., R.60W.,

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

#### **EXECUTIVE SUMMARY**

## The applicant has requested that this agenda item be postponed due to changes with the parcel.

Russ Dahlgren, on behalf of Diamond Hill Storage, LLC has submitted a Subdivision Permit and Plat application for Diamond Hill Subdivision. The application proposes to subdivide the property to make one (1) 7.73-acre tract. The parent tract is 83.49 acres.

#### **BACKGROUND**

The property has an existing agricultural product storage structure located upon it. The surrounding area consists of rural residential and agricultural properties of varying acreage. It is located north of Interstate 80 near Pine Bluffs. The property is unzoned.

#### **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). Within this area, more intense commercial, employment centers and industrial uses are

appropriate. The proposed subdivision meets the intent of the Laramie County Comprehensive Plan.

The applicant requested a waiver of traffic and drainage studies and the County Engineer concurred. Most agency comments pertained to corrections to the plat. The State Engineer provided comments concerning approved wells.

The property receives water from the Fox Hills Formation. The applicant and County staff are working on what this means for future subdivision of the land.

Public notice was given through Section 1-2-104 of the Land Use Regulations. There were no public comments given to County staff.

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, staff recommends the Board of County Commissioners 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 of County Commissioners approve the Subdivision Permit and Plat for Diamond Hill Subdivision to the Laramie County Board of Commissioners with the following condition.

1. The plat may be recorded once the applicant makes corrections to the plat per the review of the County Engineer, County Real Estate Office and Planning Department.

#### PROPOSED MOTION

I move to approve the Subdivision Permit and Plat for Diamond Hills Subdivision and adopt finding of fact a, along with the staff report condition.

#### **ATTACHMENTS**

Attachment 1: Location Map
Attachment 2: Aerial Map

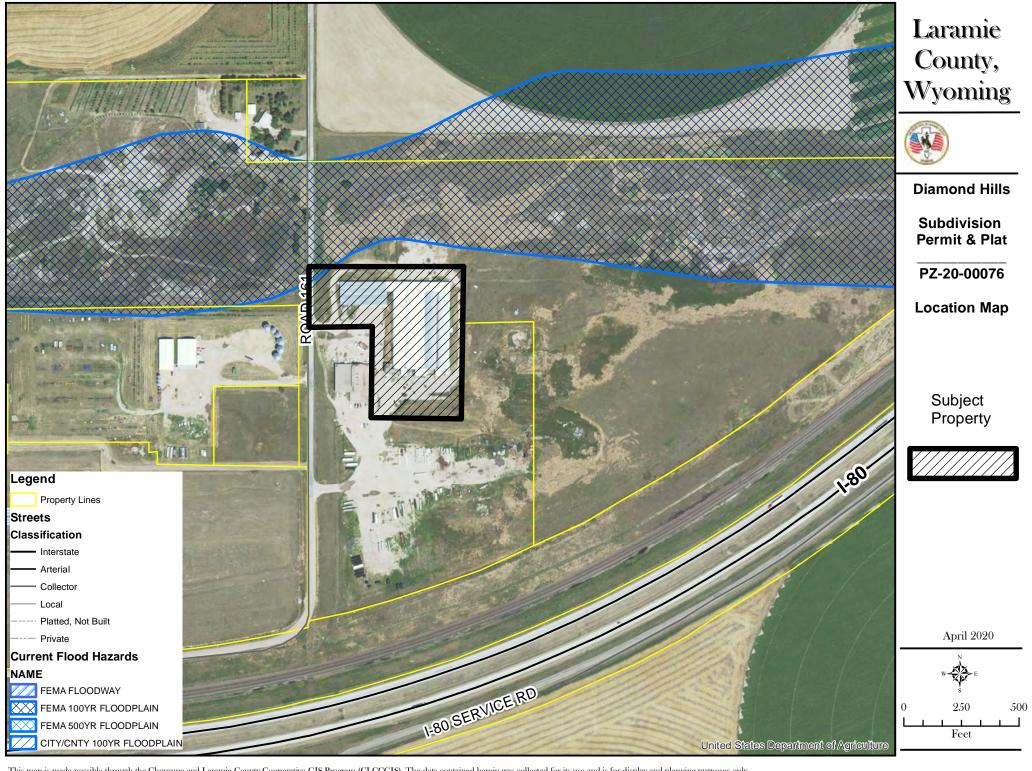
Attachment 3: Comprehensive Plan Map Attachment 4: Agency Comments Report Attachment 5: State Engineer's Comments

**Attachment 6: Context Map** 

**Attachment 7: Existing Conditions Map** 

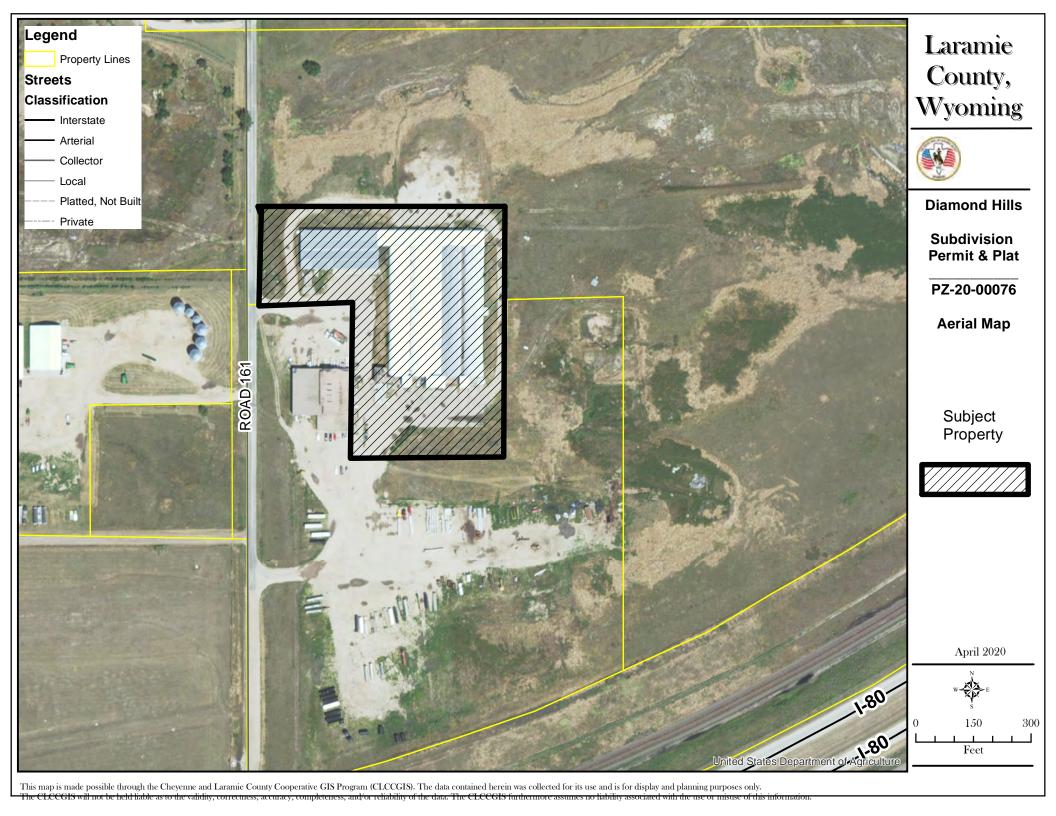
**Attachment 8: Resolution** 

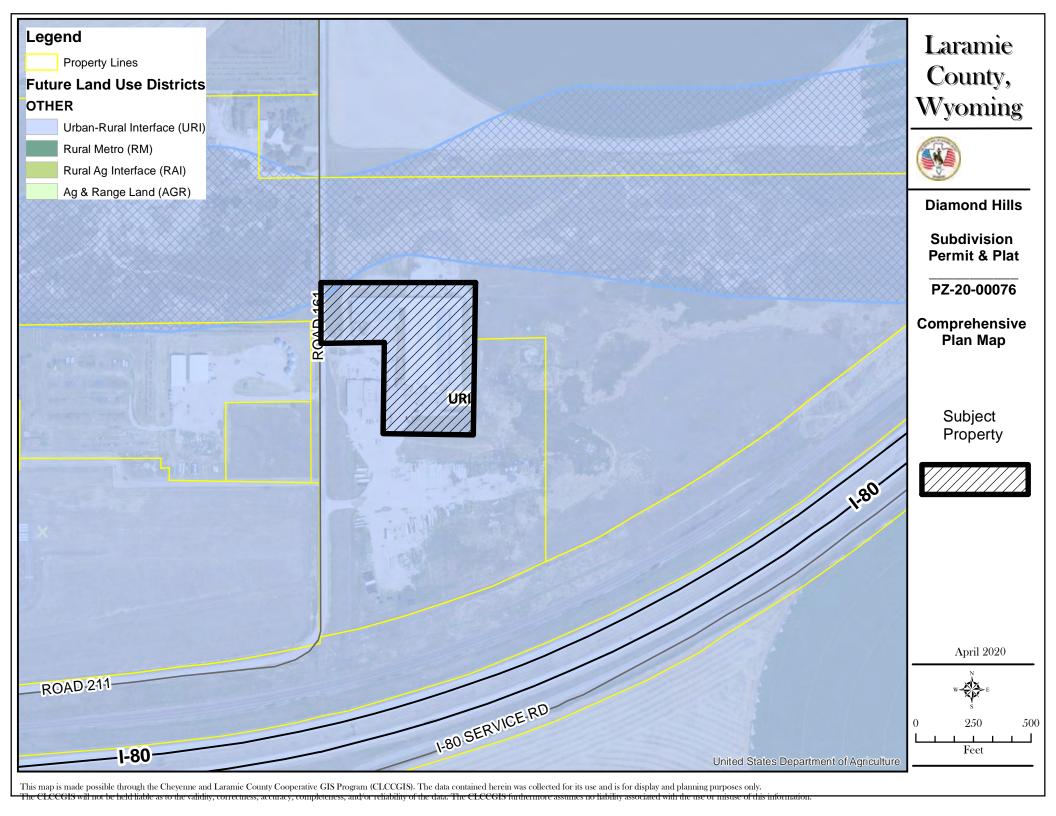
**Attachment 9: Plat** 



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 feld habit as to the validity, our course, accuracy, counterpress, and/or reliability of the data. The CLCCGIS further more assumes not liability associated with the use or misuse of this information.





#### **County Engineer:** County Engineer, Scott Larson Comments Attached 04/02/2020

#### **Engineer Review**

- 1. It would be helpful if CR 161 was labeled on the plat.
- 2. There are several line types shown that are not identified and it would be helpful if the legend included the line types.
- 3. I concur with the request for a waiver of a detailed Traffic Study and Drainage Study based on the information provided with the application.

#### Surveyor Review

- 1. It would be helpful to label the Point of Beginning and the tie to the Northwest corner of Section 29, with both being referenced in the legal description included in the DEDICATION. As currently shown on the plat, the bearings and distances called out in said legal description are a little confusing when they are placed next to the TRACT 1 boundary bearings and distances.
- 2. There are no State Plane Coordinates shown on the plat.
- 3. There is no "Statement to Vacate" shown on the plat. The DEDICATION states "Has caused the same to be surveyed, vacated and re-platted".
- 4. There are several instances where "the location of the recorded rights-of-way intersecting the boundary of the subdivision" are not shown.
- 12' POWER AND DATA EASEMENT EASEMENT #5, BK 1787, PG 513 DRAIN PIPE EASEMENT #1, BK 1787, PG 513

60' ACCESS EASEMENT, BK 2116, PG 1682

ACCESS EASEMENT, BK 1409, PG 1719 (??)

## <u>County Real Estate Office:</u> County Real Estate Office, Laura Pate Comments Attached 03/30/2020

Need notary statement for Diamond Hills Storage LLC.

In the title block add PTN... Situaten in a Portion of the North Half...

#### Intraoffice: Planners, Marissa Pomerleau Comments Attached 04/06/2020

- 1. The legal description, stated in both the Dedication and the title should be updated from the north half to include quarter quarters, to read "Situated in the NW1/4 NW1/4, Section 29, T.14N., R.60W., of the 6th P.M., Laramie County, WY.
- 2. The letter 'A' is capitalized unnecessarily several times in the Dedication, please correct.
- 3. The plat states that the it was prepared March, 2020, however the Revised date states 2/13/2020. This will need to be updated as the revision date cannot take place before the preparation date.

- 4. The Dedication states "Right-oi-way", please correct.
- 5. As this is a Subdivision Permit & Plat, rather than an Administrative Plat the signature blocks for the Planning Director and the Public Works Director need to be removed and spaces for the Planning Commission Chairman and the Board of County Commissioners Chairman added. These blocks must be directly adjacent to the right or bottom border of the plat. There also needs to be a signature block for the County Clerk added.
- 6. A statement must be added to the plat indicating the type of sewage disposal, the type of water supply, and the type of fire protection proposed for the subdivision.
- 7. Because Potato Plant Road is not an official county road, it should be removed from all language on the plat.
- 8. In the Dedication the number 19 has been hand-corrected to 29, please correct.
- 9. The Filing Record box must be completely clear of any wording.
- 10. There is no Statement to Vacate on the plat. This must be titled and stated clearly on the plat.
- 11. The Railroad Spur Easement #4 state Book 787, Page 513. Should the book number be 1787 as all the other records are?

#### **AGENCIES WITH NO COMMENTS:**

High West Energy Sheriff's Office

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

County Attorney
County Clerk
County Treasurer
Emergency Management
Environmental Health
Planners: Michael Surface
Town of Pine Bluffs
WY State Engineer's Office
Wyoming DEQ
Fire District No 5



## LARAMIE COUNTY PLANNING & DEVELOPMENT OFFICE

3966 Archer Pkwy
Cheyenne, WY 82009
Email: planning@laramiecounty.com
Phone (307) 633-4303 Fax (307) 633-4616

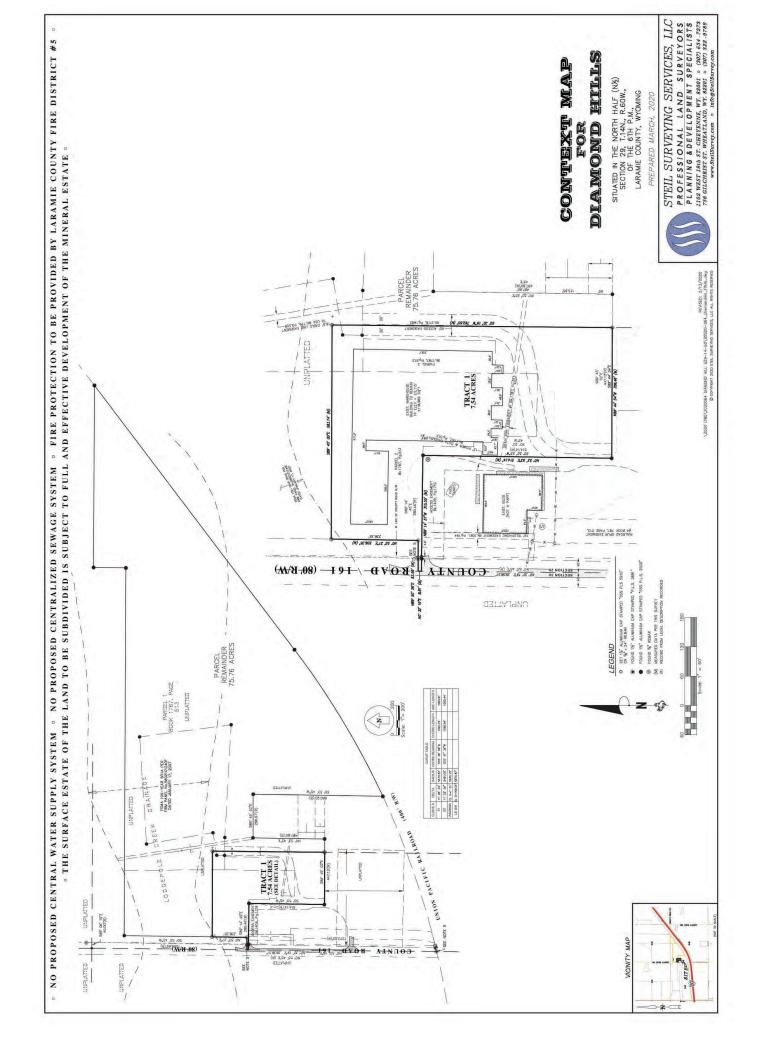
#### **Comment Request**

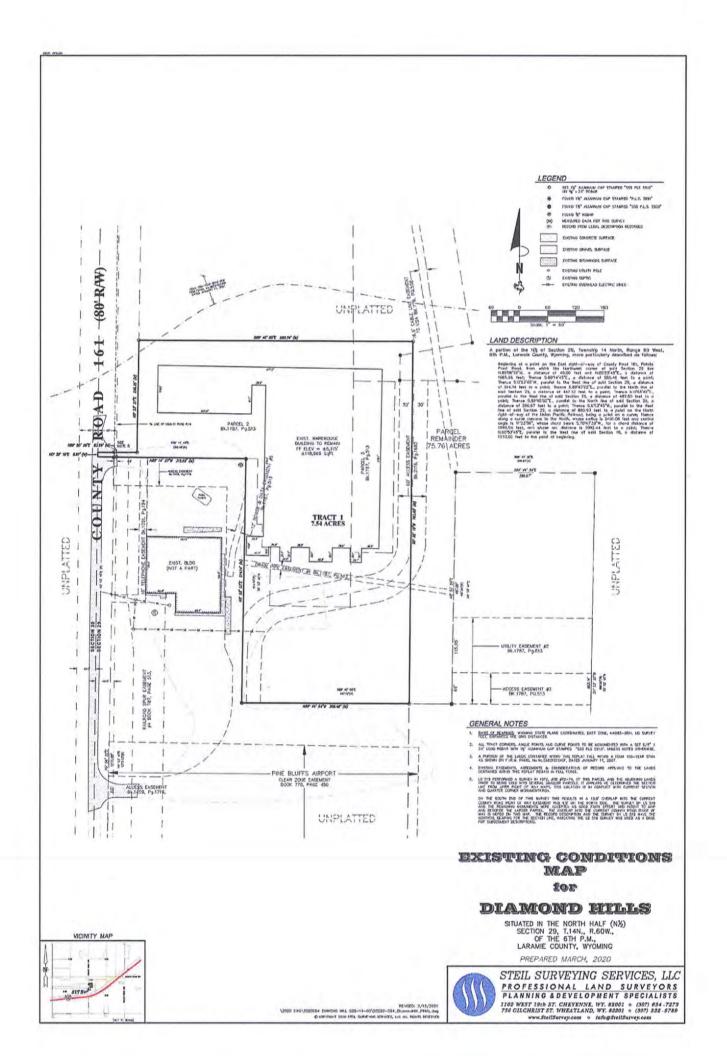
Request	Review and Comment	Cas	se # PZ-20-00076			
Purpose	Subdivision Permit					
Project Name	Diamond Hill					
Due Date	Submitted at the requ	Submitted at the request of Michael Surface, Planner				
Applicant Name	Steil Surveying Services	S				
Phone	(307) 634-7273					
Address	1102 W. 19 <sup>th</sup> Street, Che	eyenne, WY 8200	01			
Project Location	1089 Road 161; Parcel No	o. R0008658-14602	910000600-T14N-R60W-29			
	e applicant as appropriate ( e cite applicable regulation tached -		mments)			
☐No Com	ments Comments A	bove Comi	nents Attached			
Reviewer: <u>Lisa Li</u>	ndemann S	ignature:	rulling.			
Reviewing Agency	Name: Wyoming State	Engineen's OCC				
te rie mig rigoliej	rumewyoming State	Engineer's Offic	e - Ground Water Division			
Phone:307-77						
	7-5063	Date:				

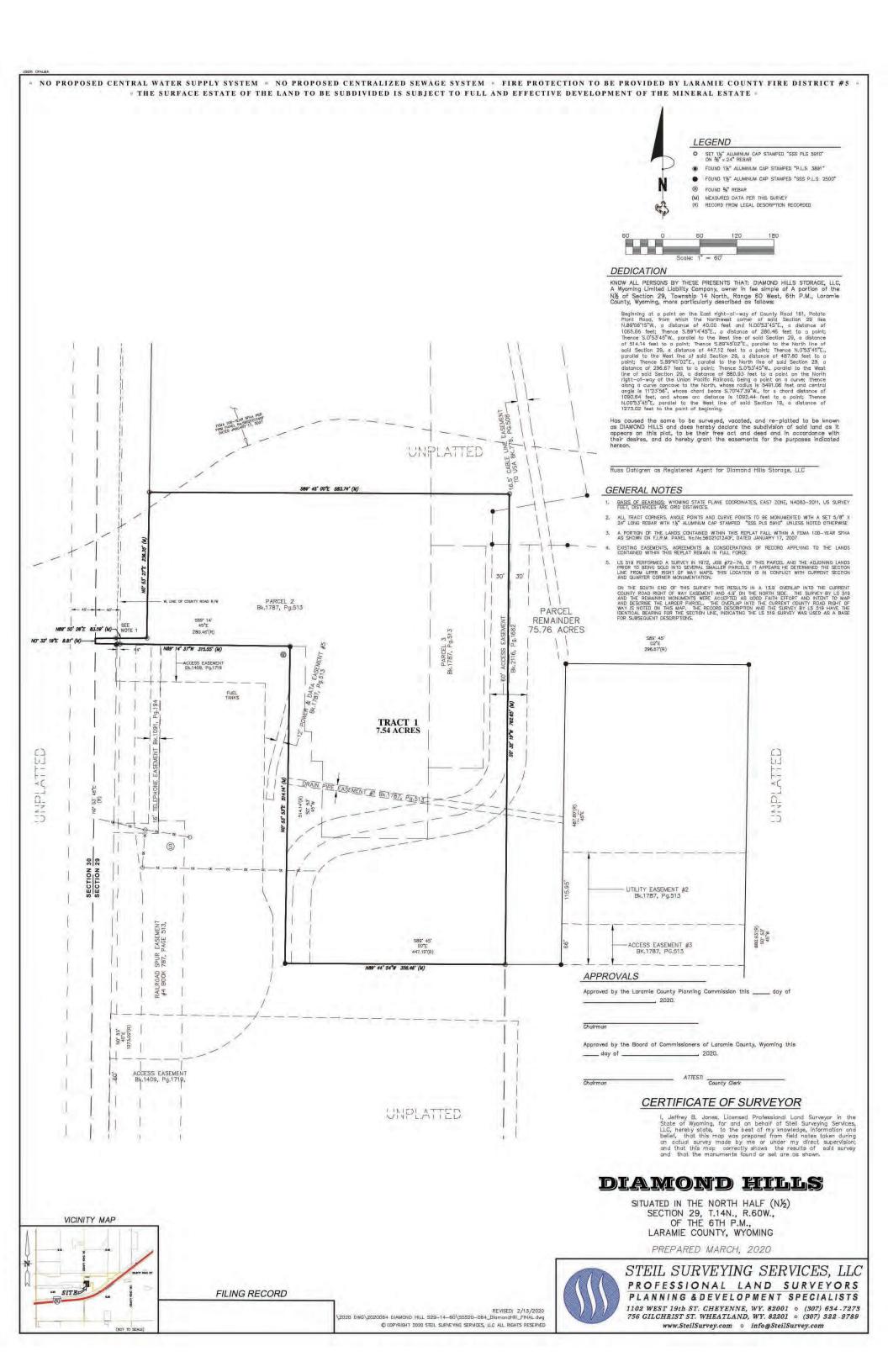
# COMMENTS STATE ENGINEER'S OFFICE – GROUND WATER DIVISION APRIL 1, 2020

The applicant identified two groundwater permits located in the NWNW, Section 29, T14N, R60W; Permit No. U.W. 34606, the Foxhills Observation Well No. 1, and Permit No. U.W. 190151, an Enlargement of the Fox Hills Observation Well No. 1.

- Permit No. U.W. 34606 is an adjudicated water right for industrial use which allows up to 90 gallons per minute (gpm) to be developed and beneficially used for drinking and sanitary purposes and for washing potatoes at the Lodgepole Valley Potatoes, Inc. plant in the NWNW, Section 29, T14N, R60W.
- Permit No. U.W. 190151 is a time-limited "enlargement" of Permit No. U.W. 34606 (same well) which allows the additional use of gravel washing and other industrial/miscellaneous use and to permit an additional 20 acre-feet of water.
- Neither Permit No. U.W. 34606 or 190151 is compliant with the water production requirements of the Order of the State Engineer for the Laramie County Control Area (April 1, 2015).
- Permit No. U.W. 190151 is not compliant with the Additional Conditions and Limitations
  attached to the permit which require reporting of at least two semi-annual measurements
  of the static water level in the well. Permit No. U.W. 190151 is a time-limited permit which
  expires December 31, 2020 unless a written request for an extension of time is received by
  the State Engineer prior to expiration. It is unlikely that request would be approved if the
  appropriator is not compliant with the conditions attached to the permit.
- The Foxhills Observation Well No. 1 is located in the Drawdown area of the Laramie County Control Area.
- Based on information provided on the Form U.W. 6, Statement of Completion and Description of Well or Spring, the well appears to be completed in the Lance Formation, or an "Underlying Unit" as defined by the Order of the State Engineer for the Laramie County Control Area (April 1, 2015).







ESOLUTION NO.

#### A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR A PORTION OF LAND IN THE NW1/4 NW1/4, SECTION 29, T.14N., R.60W. OF THE 6<sup>TH</sup> P.M., LARAMIE COUNTY, WY, TO BE PLATTED AND KNOWN AS DIAMOND HILL SUBDIVISION.

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 Diamond Hill Subdivision.

#### 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.

Moreover, the Board approves the Subdivision Permit and Plat for Diamond Hill **Subdivision with the following condition:** 

> 1. The plat may be recorded once the applicant makes corrections to the plat per the review of the County Engineer, County Real Estate Office and Planning Department.

PRESENTED, READ AND ADOPT	TED THIS	DAY OF	DAY OF	
	LARAMIE COU	NTY BOARD OF COMMISSIO	NERS	
	Gunnar Malm, C	hairman		
ATTEST:				
Debra K. Lee, Laramie County Clerk				
Reviewed and approved as to form:				
Laramie County Attorney's Office	<u> </u>			