

LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Nancy M. Trimble, Associate Planner

DATE: June 5, 2018

TITLE: Review and action on a Subdivision Permit and Plat for Hawk's Landing

Subdivision, a replat of a portion of Tract 8, Capitol Tracts, Laramie

County, WY.

EXECUTIVE SUMMARY

AVI, PC, on behalf of Charles and Sheri Anderson, has submitted a Subdivision Permit and Plat application for "Hawk's Landing Subdivision" located southwest of Hellwig Road and York Avenue, at 1916 York Avenue. The application has been submitted to subdivide the property of approximately 4.25 acres into four (4) single-family residential lots.

BACKGROUND

An existing residence and several outbuildings are located in the north portion of the property. The existing home and a new stormwater detention pond shall be contained within Lot 4 of the proposed subdivision, with drainage conveyed to the pond via drainage easements located within the development. On January 11, 2018, the Laramie County Planning Commission voted 5–0 to acknowledge the Preliminary Development Plan with 3 comments regarding the project.

The proposed subdivision occurs within a mile of the City and requires Governing Body review and approval. The City has confirmed the final plat has been approved by City Council.

Pertinent Regulations

Section 2-1-101 (a-e) of the Laramie County Land Use Regulations governing the criteria for a subdivision permit and plat.

Section 4-2-104 of the Laramie County Land Uses Regulations governing the MR zone district.

DISCUSSION

The Laramie County Comprehensive Plan identifies the area as Urban Rural Interface (URI). Within this area, higher density residential, intensive commercial, employment centers and industrial uses are indicated. Generally, these uses have access to public water and sewer services. This property is located within the South Cheyenne Water and Sewer District.

PlanCheyenne contemplates Urban Residential (UR) uses for this area. This category includes many of the Cheyenne Area's existing neighborhoods, with primary uses including a broader variety of residential types, such as single-family residences, duplexes, patio homes, townhomes, condominiums, and apartments.

The subject property is located within the MR – Medium Density Residential zone district, and is surrounded by established residential uses. The proposed lot sizes meet the zone district minimum requirement of 6,000 square feet per lot for single-family residential use.

At the Preliminary Development Plan phase, the County Engineer requested a final drainage report be submitted with the subdivision permit and plat application. A letter submitted with this application indicated the detention pond and related drainage facilities have not yet been designed, and proposed to submit the Final Drainage Study with construction drawings prior to issuance of the grading permit. The County Engineer has concurred with this request.

Preliminary Development Plan comments regarding right-of-way width requirements for York Avenue were discussed with the Laramie County Director of Public Works on March 14th, at which time it was determined that the additional 10' of right-of-way for York Avenue was not necessary.

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

A revised plat was submitted on May 1, 2018 which has addressed agency comments regarding clerical issues.

On May 10, 2018, the Laramie County Planning Commission held a public hearing of this application. No public concerns were expressed. The Planning Commission voted 3-0 to recommend approval to the Board with one condition.

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 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. This application is in conformance with section 4-2-104 governing the MR – Medium Density Residential zone district.

and that the Board approve the Subdivision Permit and Plat for Hawk's Landing Subdivision with the following condition:

1. A final drainage report and plans shall be approved by the County prior to commencement of any construction activity.

PROPOSED MOTION

I move to approve the Subdivision Permit and Plat for Hawk's Landing Subdivision with condition 1, and adopt the findings of facts a and b of the staff report.

ATTACHMENTS

Attachment 1: Location Map Attachment 2: Aerial Map

Attachment 3: Comprehensive Plan Map

Attachment 4: PlanCheyenne Map

Attachment 5: Zoning Map

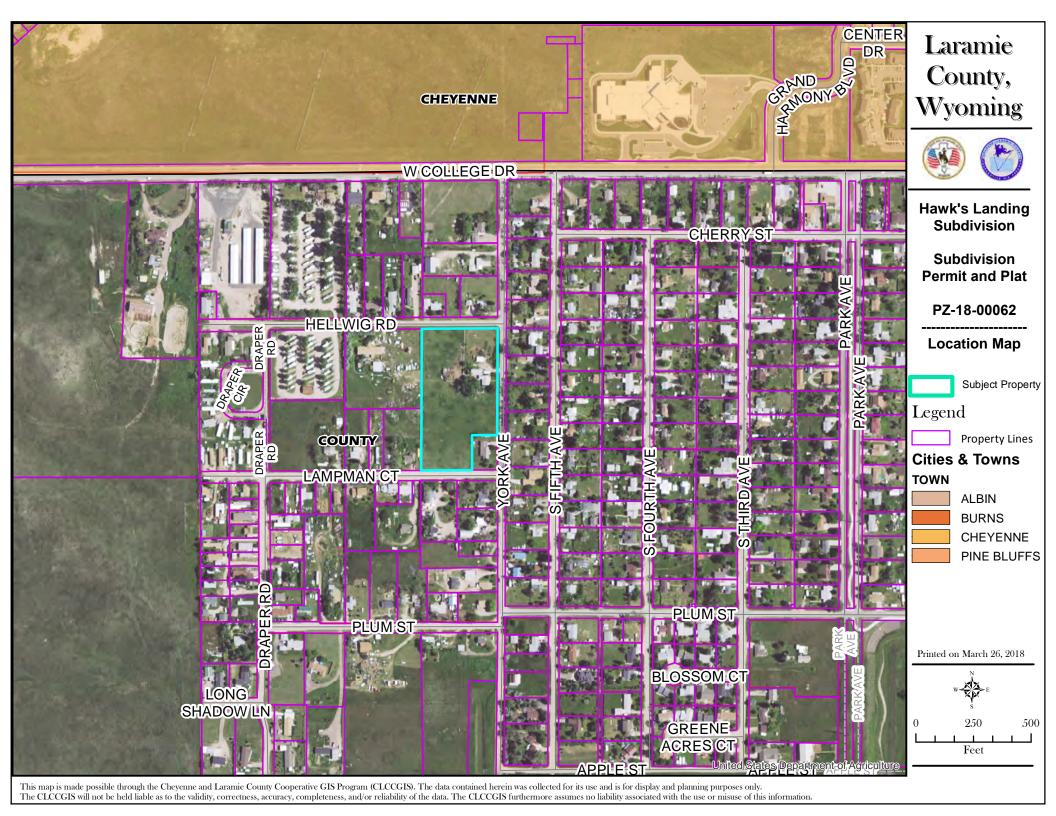
Attachment 6: Applicant Submittal Letter Attachment 7: Agency Comments Report

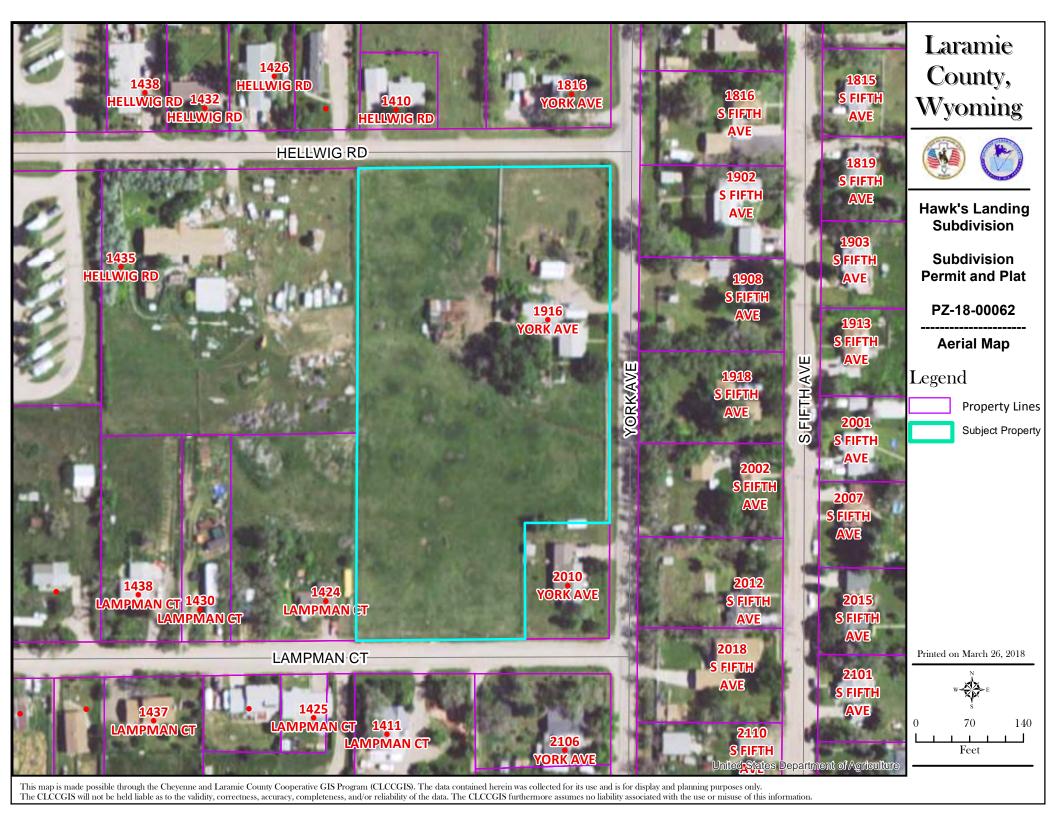
Attachment 8: AVI Response to Agency Comments

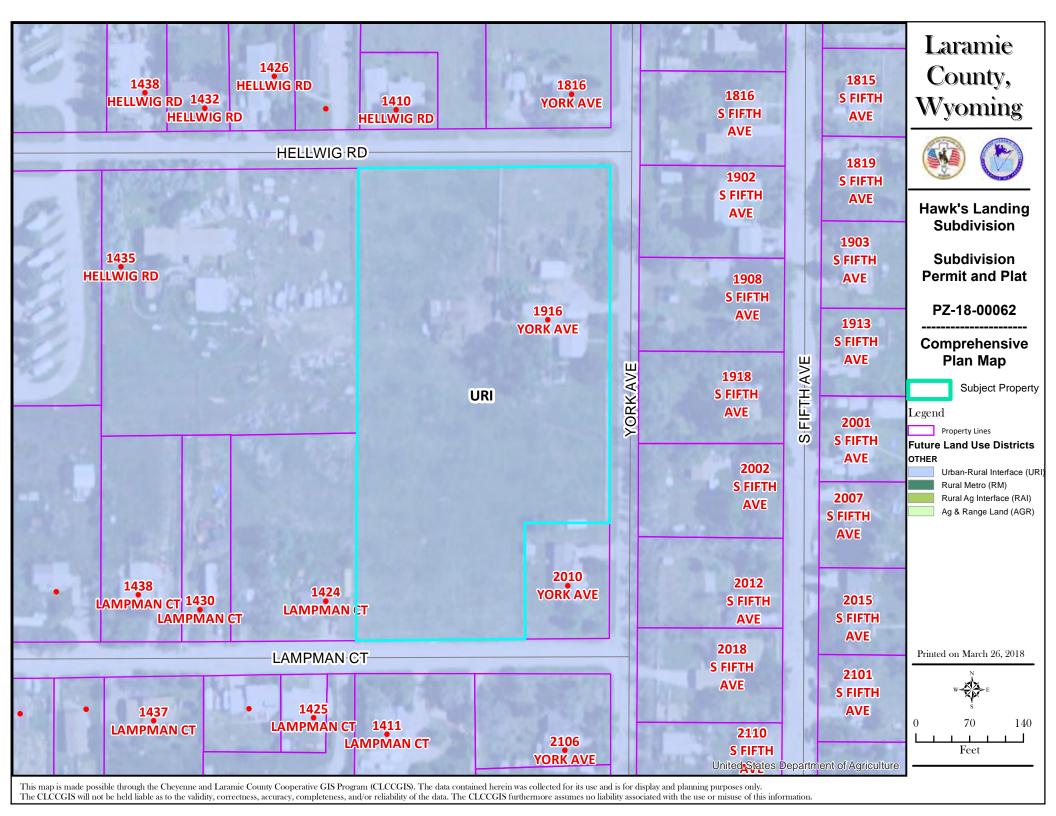
Attachment 9: Planning Commission Meeting Minutes – May 10, 2018

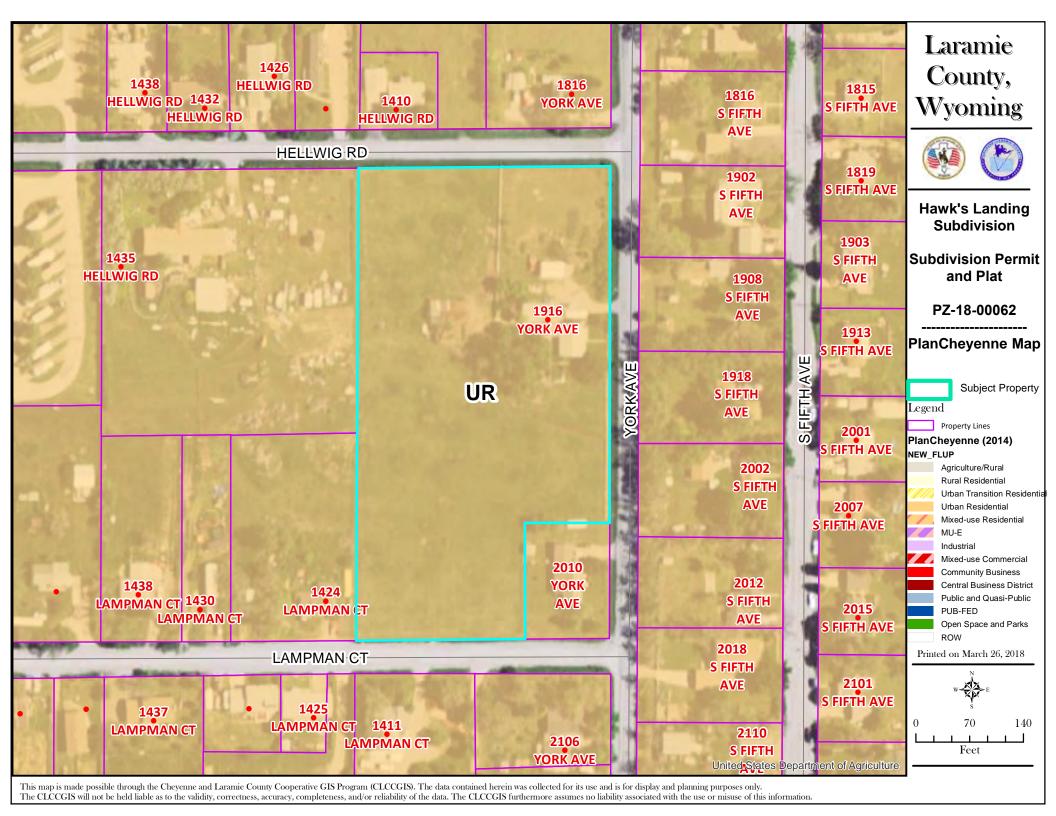
Attachment 10: Plat – Revised May 1, 2018

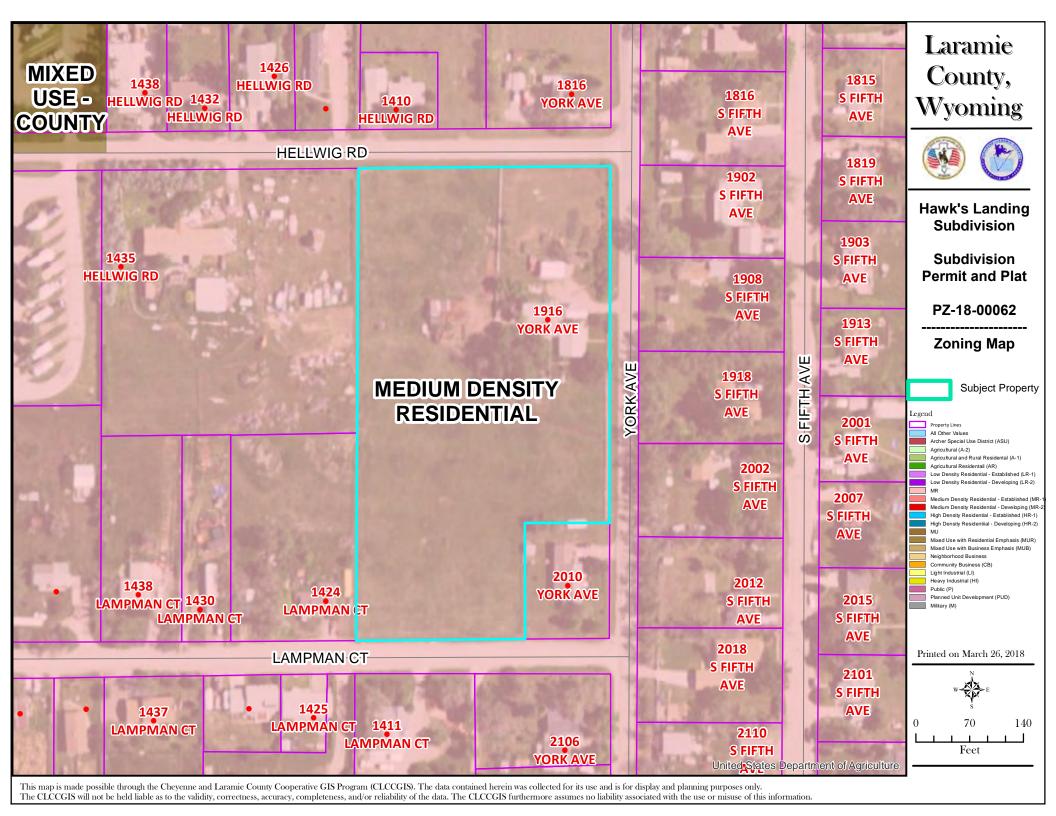
Attachment 11: Resolution













March 22nd, 2018 3992

Nancy Trimble Associate Planner Laramie County Planning & Development Office 3966 Archer Pkwy. Cheyenne, Wyoming 82009

RE: Cover Letter - Hawk's Landing Subdivision Final Plat

Dear Mrs. Trimble,

The Hawk's Landing Subdivision Final Plat has been submitted for your review. A couple of items that need to be noted are as follows:

During the review of the Preliminary Development Plan a comment, originated by the City of Cheyenne, was made to vacate a portion of the Owner's parcel to widen the ROW of York Avenue westerly by 10'. During a discussion with Rob Geringer, P.E., Laramie County Public Works Director, on March 14th it was determined that this 10' ROW widening is unnecessary. The final plat submitted reflects this.

The Preliminary Development Plan showed 9 lots, 5 of which fronted Hellwig Road. These 5 lots on Hellwig Road have been removed for the Final Plat. The Final Plat only has 4 lots.

It was requested that the Final Drainage Study be submitted with the Final Plat since there are no internal roads. However, the detention pond and related drainage facilities need to be designed to prepare the Final Drainage Study. It's proposed that it be submitted with construction drawings prior to a grading permit being issued.

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

Respectfully Submitted,

Christofer S. Lovas, P.

AVI PROFESSIONAL CORPORATION

Final Comments - April 24, 2018

Cheyenne Development Services: Lisa Pafford COMMENTS ATTACHED 04/16/2018 This subdivision is occurring within a mile of the City and requires Governing Body review (W.S. 18-5-308(b) and approval. This plat has been submitted to the City and is processing concurrently with the County.

County Engineer: Scott Larson COMMENTS ATTACHED 04/16/2018 Engineer Review

- 1. Since there is no right-of-way being dedicated per this plat, it should be eliminated from the Legend.
- 2. I concur with the request to submit the Final Drainage Study with the Construction Plans prior to a grading permit or any other permit such at a building permit for any lot. The drainage report and designs shall be reviewed and approved by the County prior to any construction activity on any lot.

Surveyor Review

1. It seems to me like there should be a "Statement to Vacate" included on the plat. The "Hawk's Landing Subdivision" is a portion of Tract 8, Capitol Tracts. A small piece in the Southeast corner of Tract 8 still exists. It would probably clear up the records if a "Statement to Vacate" clearly explaining the intent of this replat was included on the plat. 2. Is the whole Southeast corner of Lot 4 intended to be a Drainage Easement? The other Drainage Easements are connected to that area.

County Public Works Department: David Bumann COMMENTS ATTACHED 04/16/2018

Drainage study will be reviewed with final grading permit prior to construction.

Laramie Co School Dist. No. 1: Chris Hout COMMENTS ATTACHED 04/10/2018 General:

This development falls within the South Triad - student's home attendance boundaries are South High School, Johnson Junior High School and Rossman Elementary Schools. School Enrollments:

Rossman Elementary - near or at capacity with little to no space available all grades. Johnson Junior High - below capacity with space available in both 7th and 8th grades. South High - below capacity with space available in all grades 9-12.

Environmental Health Department: Roy Kroeger COMMENTS ATTACHED 04/10/2018

Laramie County Small Wastewater Systems Regulations.

Any development in this subdivision shall utilize South Chevenne Sewer District.

WYDOT: Randy Griesbach COMMENTS ATTACHED 04/16/2018

WYDOT would be interested in seeing the drainage report when it is completed and available for review.

<u>Agencies with No Comments:</u> Cheyenne MPO, County Assessor, Fire District No. 1, Sheriff's Office, Cheyenne Engineering Services.

<u>Agencies not responding:</u> County Real Estate Office, County Treasurer, Combined Communications Center, Emergency Management, Cheyenne Light Fuel & Power, South Cheyenne Water & Sewer.



Ms. Nancy Trimble
Associate Planner
Laramie County Planning & Development Office
3966 Archer Parkway
Cheyenne, WY 82009

May 1, 2018 3992

RE: Hawk's Landing Review Comments

PZ-18-00062

Dear Ms. Trimble,

Please find enclosed the revised Final Plat for the above referenced project. Revisions were made per comments received from your office on April 16th, 2018.

Attached, for convenience of review, are your comments and AVI's short responses.

Should you have any questions or require additional information regarding the project, please do not hesitate to contact our office at your convenience.

Respectfully Submitted
AVI PROFFESIONAL CORPORATION

Christofer S. Lovas, PE

dc:

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Cheyenne Development Services: Lisa Pafford

This subdivision is occurring within a mile of the City and requires Governing Body review (W.S. 18-5-308(b) and approval. This plat has been submitted to the City and is processing concurrently with the County.

Comment Acknowledged.

County Engineer: Scott Larson

1. Since there is no right-of-way being dedicated per this plat, it should be eliminated from the Legend.

Addressed

2. I concur with the request to submit the Final Drainage Study with the Construction Plans prior to a grading permit or any other permit such at a building permit for any lot. The drainage report and designs shall be reviewed and approved by the County prior to any construction activity on any lot.

Comment Acknowledged.

Surveyor Review

1. It seems to me like there should be a "Statement to Vacate" included on the plat. The "Hawk's Landing Subdivision" is a portion of Tract 8, Capitol Tracts. A small piece in the Southeast corner of Tract 8 still exists. It would probably clear up the records if a "Statement to Vacate" clearly explaining the intent of this replat was included on the plat.

The plat states "a replat of a portion of Tract 8" then proceeds to give a metes a bounds legal description of the replat. We do not believe that a statement to vacate is applicable; the "small piece in the Southeast corner of Tract 8" referred to in the comments is not included in this plat nor being vacated.

2. Is the whole Southeast corner of Lot 4 intended to be a Drainage Easement? The other Drainage Easements are connected to that area.

Yes it is part of the drainage easement. This has now been clearly labeled.

County Public Works Department: David Bumann

Drainage Study will be reviewed with final grading permit prior to construction.

Comment Acknowledged.



Laramie County School District No. 1: Chris Hout

General: This development falls within the South Triad - student's home attendance boundaries are South High School, Johnson Junior High School and Rossman Elementary Schools. School Enrollments: Rossman Elementary - near or at capacity with little to no space available all grades. Johnson Junior High - below capacity with space available in both 7th and 8th grades. South High - below capacity with space available in all grades 9-12.

Comment Acknowledged.

Environmental Health Department: Roy Kroeger

Laramie County Small Wastewater Systems Regulations. Any development in this subdivision shall utilize South Cheyenne Sewer District.

Comment Acknowledged.

WYDOT: Randy Griesbach

WYDOT would be interested in seeing the drainage report when it is completed and available for review.

Comment Acknowledged.

Agencies with No Comments: Cheyenne MPO, County Assessor, Fire District No. 1, Sheriff's Office, Cheyenne Engineering Services.

Agencies not responding: County Real Estate Office, County Treasurer, Combined Communications Center, Emergency Management, Cheyenne Light Fuel & Power, South Cheyenne Water & Sewer.

Minutes of the Proceedings Hawk's Landing Subdivision Laramie County Planning Commission Prepared by the Laramie County Planning & Development Office Laramie County Wyoming

Thursday, May 10, 2018

180510 OO The Laramie County Planning Commission met in regular session on Thursday, May 10, 2018 at 3:30 p.m.

Members in attendance were: Commissioner Jody Clark, Chairperson; Commissioners Bert Macy and Joe Patterson; Nancy Trimble, Associate Planner; Bryan Nicholas, Associate Planner; Dave Bumann, Asst Director of Public Works.

The meeting register was signed by: Steve and Cathe Boldebuck, 2453 Road 218, Cheyenne; Cristy Hall-Ederer and Dustin Ederer, 2474 Road 218, Cheyenne; Lynn Boak and John Pippinger, 2481 Road 218, Cheyenne; Dennis and Chris Santora, 2424 Road 218, Cheyenne; Kathy Watt, 2486 Road 218, Cheyenne; Tom Taylor, 1811 Road 124, Cheyenne; Tom Hirsig, 3796 Campstool, Cheyenne; Shawn Madden, PO Box 670, Torrington; Justin Beckner, 4025 Automation Way, Suite B2, Fort Collins, CO; Gary M Hickman, 100 Central Ave, Cheyenne; Iesha Costalez and Cody Shaffer, 142 Kansas Ave, #2, Cheyenne; Joe D'Eufemia, 2454 Road 218, Cheyenne; Howard and Vicki Willis, 2525 Road 218, Cheyenne; Casey Palma, 1102 W 19th St, Cheyenne; Seth Lloyd, 2101 O'Neil Ave, Cheyenne; Chris Lovas, 1103 Old Town Lane, #101, Cheyenne; Ray and Juanita Fisher, 2431 Road 218, Cheyenne.

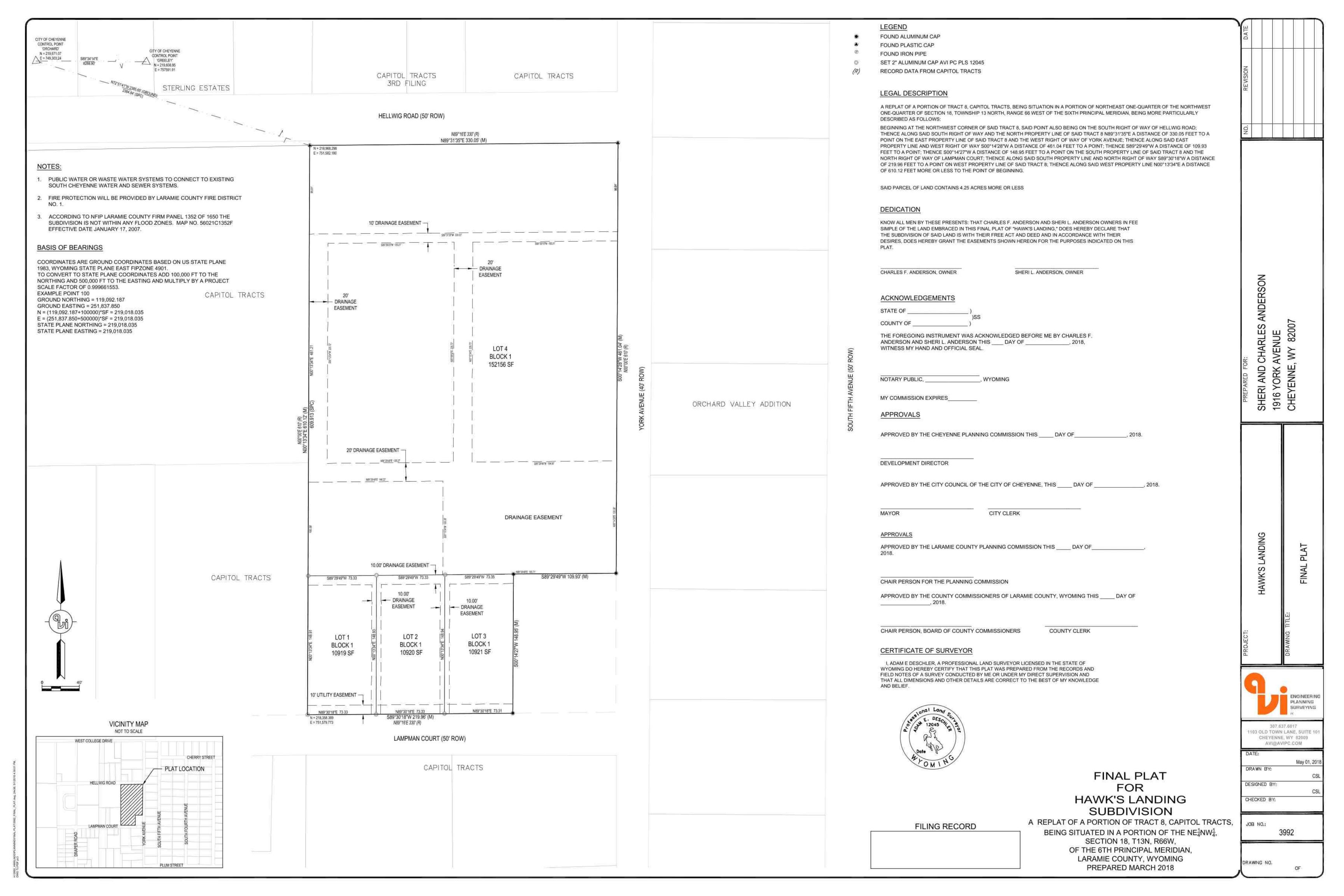
02 Review and action on a Subdivision Permit and Plat for Hawk's Landing Subdivision, a replat of a portion of Tract 8, Capitol Tracts, Laramie County, WY.

Nancy Trimble introduced the application and Chris Lovas of AVI to provide testimony regarding the application. Commissioner Patterson asked if there was a utility easement to the north of this development, and shouldn't it be included on this plat? Mr. Lovas responded that research showed there was no easement, and if the applicant decided to subdivide the north area into 5 more lots, it would require replatting and the easement would be added at that time. Commissioner Patterson inquired about the drainage easements. Mr. Lovas responded that the drainage easements located on all the lots will help divert the storm runoff (which runs west to east) to the detention easement area on Lot 4.

Commissioner Clark opened the hearing to the public. Seth Lloyd, Planner with the City of Cheyenne, stated the final plat was approved by the City Council, and may need a few clerical corrections before recordation.

With no more comment, the public portion of the hearing was closed.

Commissioner Macy moved to recommend approval with condition 1. Commissioner Patterson seconded the motion, and it was passed with a vote of 3-0.



RESOLUTION NO.	

A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR HAWK'S LANDING SUBDIVISION, A REPLAT OF A PORTION OF TRACT 8, CAPITOL 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 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 conformance with the MR – Medium Density Residential zone district; and

WHEREAS, this resolution is the subdivision permit for Hawk's Landing Subdivision.

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

The Laramie County Board of Commissioners finds that:

Mark T. Voss, Laramie County Attorney

- **a.** This 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 4-2-104 governing the MR Medium Density Residential zone district.

And the Board approves the Subdivision Permit and Plat for Hawk's Landing Subdivision with the following condition:

1. A final drainage report and plans shall be approved by the County prior to commencement of any construction activity.

PRESENTED, READ AND ADOPT	ED THIS		_DAY OF
, 2018.			
	LARAMIE CC	OUNTY BOAR	RD OF COMMISSIONER
	K.N. Buck Ho	lmes, Chairma	ın
ATTEST:			
Debra K. Lee, Laramie County Clerk	_		
Reviewed and approved as to form:			
106			