

**LARAMIE COUNTY CLERK
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM PROCESSING FORM**

(B) ITEM 2 OF 2

1. DATE OF PROPOSED ACTION: September 6, 2016

2. AGENDA ITEM: ☐ Appointments ☐ Bids/Purchases ☐ Claims
☐ Contracts/Agreements/Leases ☐ Grants ☒ Land Use: Board App/Subdivision/ZC
☐ Proclamations ☐ Public Hearings/Rules & Reg's ☐ Reports & Public Petitions
☐ Resolutions ☐ Other

3. DEPARTMENT: Planning & Development Office

APPLICANT: Microsoft Corp and Black Hills Energy **AGENT:** Steil Surveying Services

4. DESCRIPTION:

Consideration of a Subdivision Permit and Plat for North Range Business Park, 8th Filing, a replat of North Range Business Park, 6th Filing: Lot 3, Block 13, Laramie County, WY.

RECEIVED AND APPROVED AS
TO FORM ONLY BY THE
LARAMIE COUNTY ATTORNEY

Amount \$ _____ From _____

5. DOCUMENTATION: 1 Originals 0 Copies

<u>Clerks Use Only:</u>	
<u>Commissioner</u>	<u>Signatures</u>
Holmes _____	Co Atty _____
Heath _____	Asst Co Atty _____
Ash _____	Grants Manager _____
Kailey _____	
Thompson _____	
Action _____	Outside Agency _____



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Pepper McClenahan, AICP, Planning Manager

DATE: September 6, 2016

TITLE: Review and action of a Subdivision Permit and Plat for North Range Business Park, 8th Filing, a replat of North Range Business Park, 6th Filing: Lot 3, Block 13, Laramie County, WY.

EXECUTIVE SUMMARY

Steil Surveying Services, on behalf of Microsoft Corp and Black Hills Energy, has submitted an application for approval of a Subdivision Permit and Plat to replat the approximately 119.35 acre property into four lots. The application is being run concurrently with a Board Approval to approve the use by Black Hills Energy for the “King Ranch Substation” on the property to be known as Lot 2, Block 15 in North Range Business Park, 8th Filing.

BACKGROUND

The North Range Business Park is primarily owned by Cheyenne LEADS and currently totals around 620 acres. The park houses Wal-Mart’s food distribution facility, NCAR’s super-computing center, and Microsoft’s Data Center.

Pertinent Regulations

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

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

Section B.1(a-c) of the North Range Business Park PUD, regulating criteria for a subdivision permit and plat, as amended.

AGENCY REVIEW

Combined Comments for the Board Approval & Subdivision Applications

Board of Public Utilities

BOPU has no comments at this time but will as development accrues.

County Assessor

It does not appear that Lot 1 has any legal access to a dedicated road. The 32' ingress/egress easement terminates at the west property line of Lot 2, Block 13, NRBPO6. Lot 2, Block 6, which runs between Logistics Dr. and the east property line is common area.

County Engineer

1. The plat should indicate if the platted area shown will ultimately be served by a public water supply and/or sanitary sewer system or by private wells and septic systems.
2. I concur with the request for a waiver of a detailed drainage study and traffic study. These items shall be submitted with the site plan application and can be reviewed at that time.
3. All areas (i.e., notes, etc.) that refer to Cheyenne Light, Fuel & Power should be removed and replaced with just Black Hills Corporation.
4. General Notes 4b and 4c shall be rewritten such that they are much more clear to understand - they currently do not make sense.
5. General Note 4b indicates the centerline of the easements are described, but the description is not located on the plat drawing. The easements shall be adequately located and/or described (i.e., via meets and bounds and/or bearings and distances) on the plat drawing.
6. A note should be added that clarifies access for Lot 1, Block 15 will be through the use of Lot 2, Block 6.
7. A note should be added that indicates Lot 2, Block 13 has an easement that ties into the 32' ingress/egress easement shown on this plat that provides Black Hills Corp. ingress/egress through Lot 2, Block 13.

WYDOT

If area was part of initial traffic impact study for the North Range Business Park and traffic calculations are different from the original assumptions, then that difference should be noted with the study to keep track of changes as actual development of the Park takes place.

WAPA

1. All construction activities within WAPA's overhead transmission line easement areas, including, but not limited to, road crossings, utilities, landscaping, fencing, and site grading, must be coordinated with this office.
2. The plat should provide for appropriate setbacks from WAPA's transmission line. Note: WAPA maintains a 75 foot wide right of way, being 37.5 feet on each side of the center line.

The following language should be amended on the plat:

- a) All construction activities within Western Area Power Administration's (WAPA) easement are restricted areas and must be coordinated with WESTERN AREA POWER ADMINISTRATION Lands Department, P.O. Box 3700, Loveland, Colorado 80539-3003, (800) 472-2306.
- b) No trees or other vegetation, which will exceed 10 feet in height at full maturity, are allowed within the easement area.
- c) No buildings or other structures are allowed within the transmission line easement area.
- d) A minimum overhead clearance of 20 feet from the transmission line conductors must be maintained at all times.
- e) Induced voltages and currents may occur on the facility constructed or placed under or near high voltage transmission lines. The owner shall be responsible for the protection of personnel and equipment in their design, construction, operation and maintenance of the facility.
- f) Any changes in existing topography must be coordinated and approved by WAPA. Excavation is not permitted within 20 feet of any transmission line structure.
- g) No fences shall be installed on or across the easement area without first submitting the fence/gate for review and approval by WAPA.

Within these parameters, Western Area Power Administration has no objections with the proposed Subdivision Permit and Board Approval.

Agencies Responding with No Comments: Cheyenne MPO, County Real Estate Office, Environmental Health Dept., Combined Communications Center.

Agencies Not Responding: County Treasurer, County Conservation District, US Post Office, Emergency Management, Fire District No. 2, Sheriff's Office.

DISCUSSION

The application is *literally* in accordance with the development policies and physical patterns identified in PlanCheyenne, which recommends Mixed-Use Employment Campus as the future land uses, and states:

The Mixed-Use Employment Campus category is intended to include a variety of uses, with a primary focus on employment designed in a business campus setting. Many of the Mixed-Use Employment Campuses in the community (e.g. portions of Swan Ranch) are in the early stages of development or are established (e.g. **North Range Business Park**, and Cheyenne Business Parkway), but still have many sites available.

The Mixed-Use Employment Campus category envisions offices and light industry in a campus setting, emphasizing the importance of being located near major transportation facilities. Along with retail and service uses, these categories also list public and civic uses, such as open space, parks, and pedestrian walkways, as secondary uses. Residential uses are discouraged.

The North Range Business Park PUD states “the Planning Commission shall review the application to find the following”:

- a. That the proposed subdivision permit is in substantial conformance with the approved Master Final Plat
- b. That public access is provided to all lots and tracts
- c. That drainage is addressed in conformance with the Master Drainage Plan

The PUD document was updated and approved by the Laramie County Board of Commissioners on January 6, 2015. One of the critical changes was a clause modifying (b) above to read:

- b. That public access is provided to all lots and tracts. INGRESS/EGRESS ACCESS FOR COMMERCIAL LOTS SHALL BE ALLOWED VIA PRIVATE ACCESS WITH REVIEW AND APPROVAL BY THE LARAMIE COUNTY PLANNING AND DEVELOPMENT DEPARTMENT FOR SUFFICIENCY.**

This subdivision permit and plat would create one 5.74-acre and two 0.23-acre lots, connective easements for access and utilities, and a remaining tract of 113.15 acres. The three smaller lots are intended for use by Black Hills Energy Corporation for a new substation and gas metering yards. A site plan for an industrial data center has been submitted for approval on the remaining parcel at this time.

Access to the site would be provided via an existing 80’ Ingress/Egress Easement coming from the East along Logistics Drive. The existing barriers of the substation and WAPA corridor to the North make access from Happy Jack Road difficult. The PUD allows for access for commercial uses to be an easement if approved by the Planning Department for sufficiency. At this time, staff would recommend allowing the use of the easement for this property.

Full drainage and traffic studies will be reviewed with subsequent Site Plans to ensure conformance with the Laramie County Land Use Regulations and the Master Drainage Plan for the North Range Business Park.

A public hearing was held before the Laramie County Planning Commission on August 25, 2016. No comment was received from the public. Applicant Casey Palma stated that the references on the plat to Cheyenne Light, Fuel and Power are correct. The entity is legally known as Cheyenne Light, Fuel and Power, with daily business correspondence such as billing conducted under the name Black Hills Energy. A discussion was held regarding access to the site and easements on the plat. It was noted that the easements did not specify to whom they would be dedicated. Applicant acknowledged the need to add specifics relative to the use of the easements, and noted transmission lines and easements for gas and power would be created later. The Planning Commission voted (5 – 0) to recommend approval to the Board with 2 conditions.

Staff finds the proposal in conformance with the plans and policies of PlanCheyenne (2014), the Laramie County Land Use Regulations (2011), and the amended North Range Business Park PUD.

RECOMMENDATION and FINDINGS

Based on evidence provided, staff recommends the Laramie County Board of Commissioners find that:

- a.** This application meets the criteria for a subdivision permit pursuant to section 2-1-101 (a-d) of the Laramie County Land Use Regulations.
- b.** This application meets the criteria for a plat pursuant to section 2-1-101 (e) of the Laramie County Land Use Regulations.
- c.** This application meets the criteria for a subdivision permit and plat pursuant to section B.1 (a-c) of the North Range Business Park PUD, as amended.

and that the Board approves the Subdivision Permit and Plat for North Range Business Park, 8th Filing, Laramie County, Wyoming, with the following conditions:

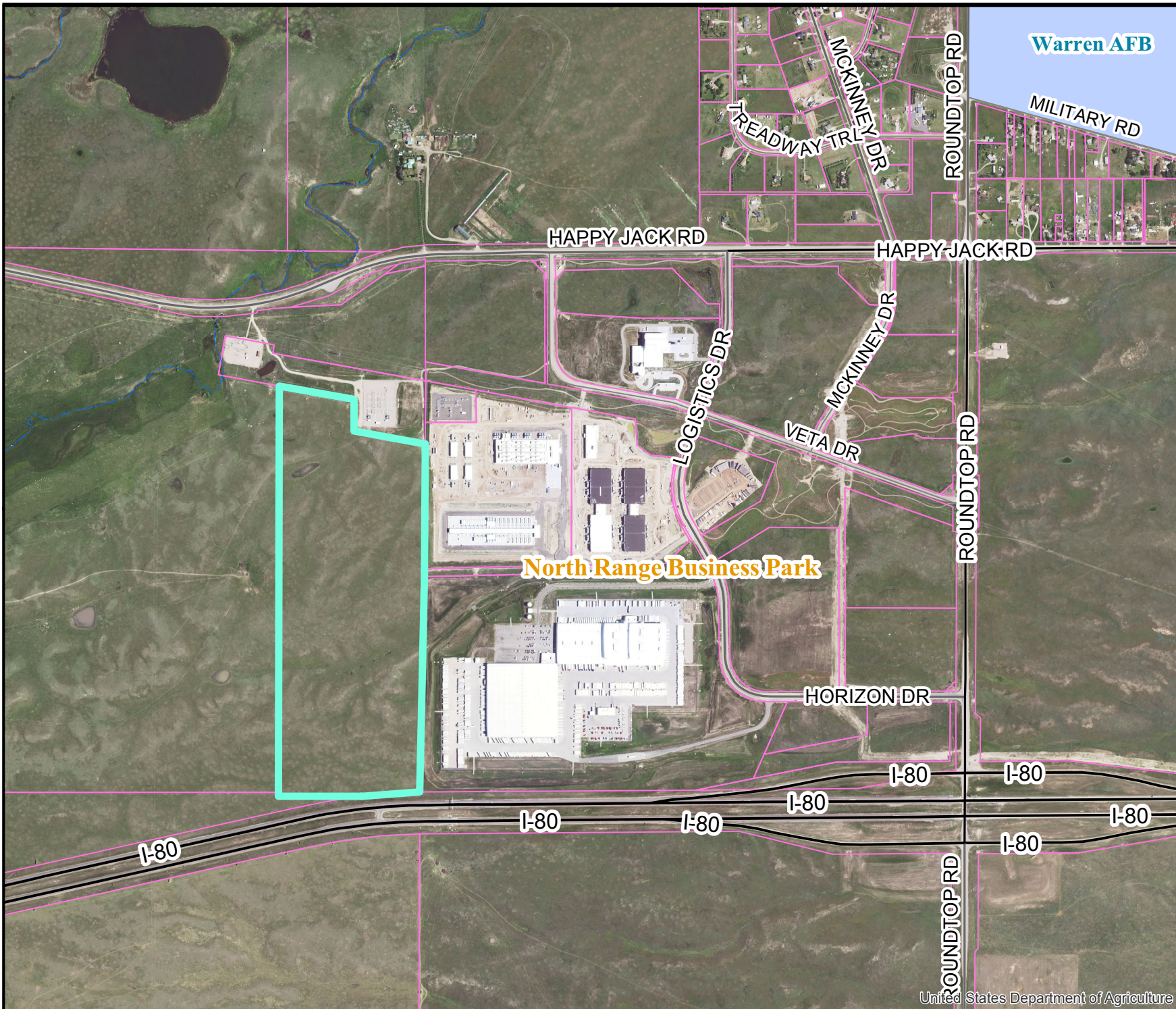
- 1.** Comments from the County Engineer shall be addressed and the plat updated accordingly, prior to the hearing with the Laramie County Board of Commissioners.
- 2.** Suggested language from WAPA shall be included and updated on the plat prior to the hearing with the Laramie County Board of Commissioners.

PROPOSED MOTION

I move to approve the Subdivision Permit and Plat for North Range Business Park, 8th Filing, with conditions 1 and 2, and adopt the findings of fact a, b and c of the staff report.

ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Aerial Map
Attachment 3: PlanCheyenne Map
Attachment 4: Zoning Map
Attachment 5: Plat Map
Attachment 6: Resolution





Laramie County, Wyoming



NRBP 08 &
King Ranch
Substation
PZ-16-00120 &
PZ-16-00121

Legend

-  Property Lines
-  Subject Property

Printed on Jul 08, 2016



0 625 1,250
Feet

United States Department of Agriculture

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



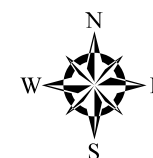
NRBP 08 &
King Ranch
Substation
PZ-16-00120 &
PZ-16-00121

Legend

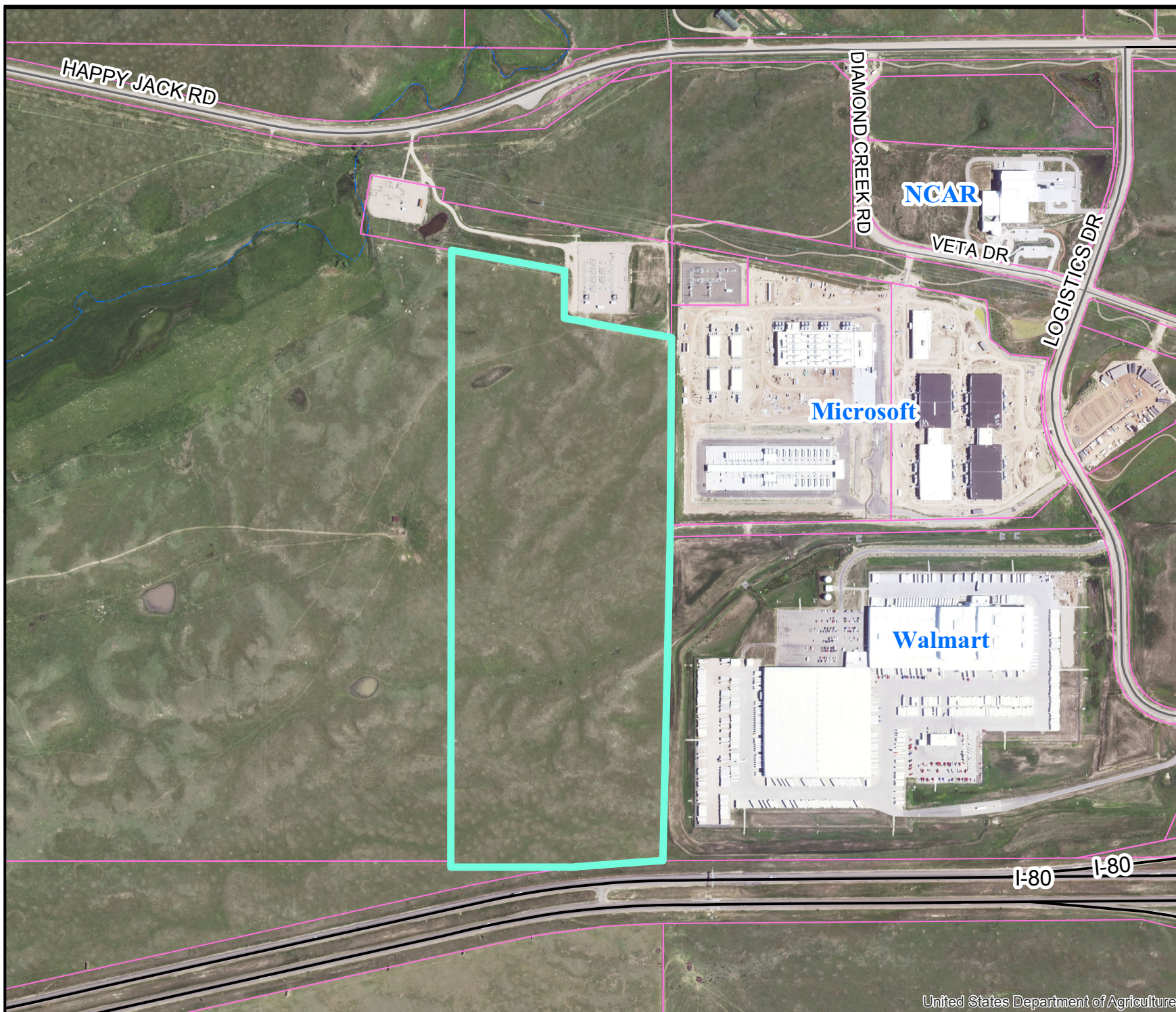
 Property Lines

 Subject Property

Printed on Jul 08, 2016

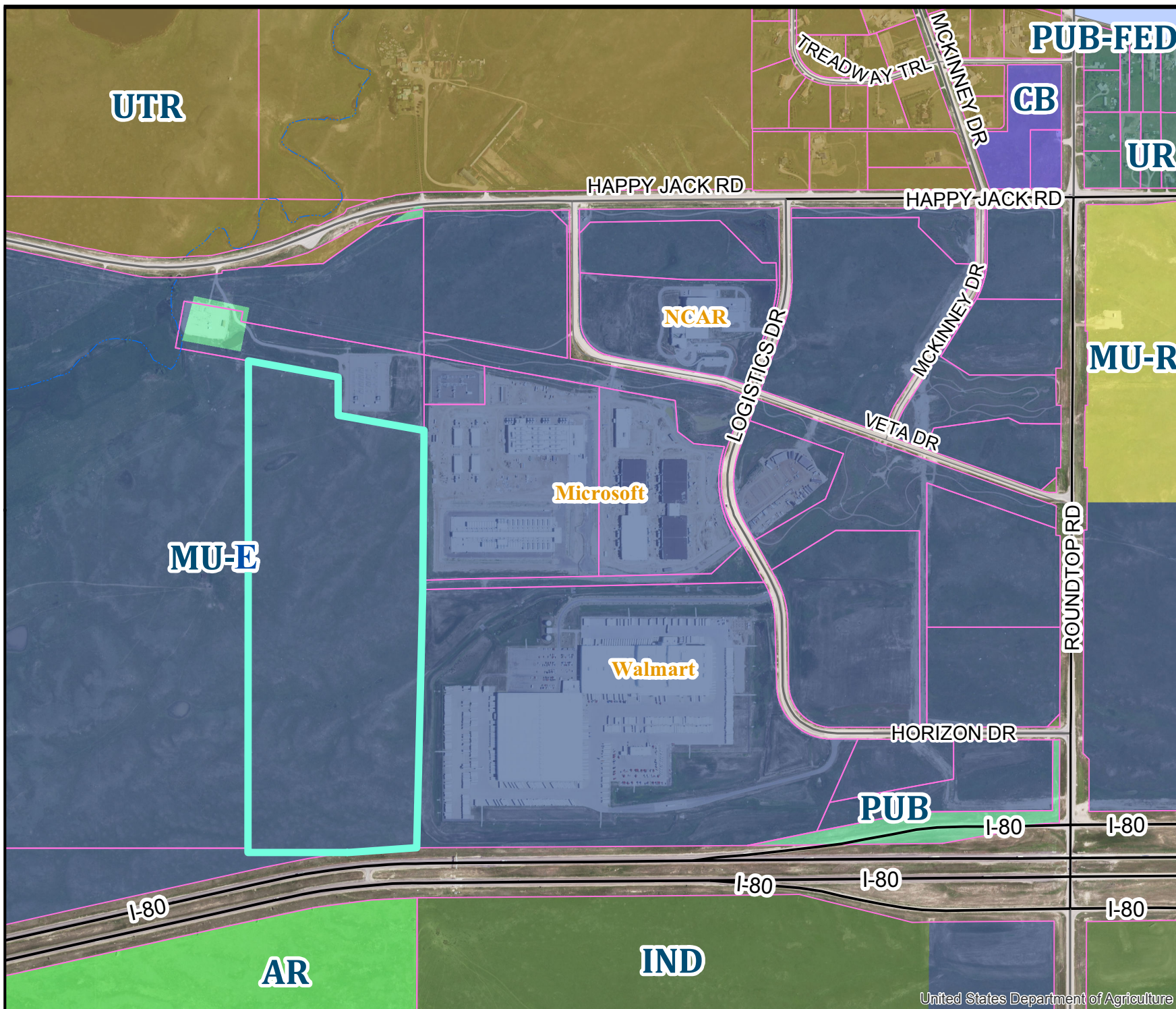


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United States Department of Agriculture

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Laramie County, Wyoming



NRBP 08 & King Ranch Substation

Legend

Property Lines

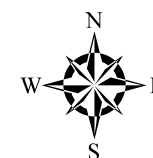
PlanCheyenne (2014)

Future Land Use

- AR
- CB
- CBD
- IND
- MU-C
- MU-E
- MU-R
- OS
- PUB
- PUB-FED
- ROW
- RR
- UR
- UTR

Subject Property

Printed on Jul 08, 2016



0 500 1,000
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Laramie County, Wyoming



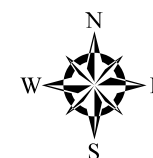
NRBP 08 &
King Ranch
Substation
PZ-16-00120 &
PZ-16-00121

Legend

- Property Lines
- All Other Values
- Archer Special Use District (ASU)
- Agricultural (A-2)
- Agricultural and Rural Residential (A-1)
- Agricultural Residential (AR)
- Low Density Residential (LR)
- Medium Density Residential (MR)
- Neighborhood Business (NB)
- Mixed Use (MU)
- Community Business (CB)
- Light Industrial (LI)
- Heavy Industrial (HI)
- Public (P)
- Planned Unit Development (PUD)
- Military (M)

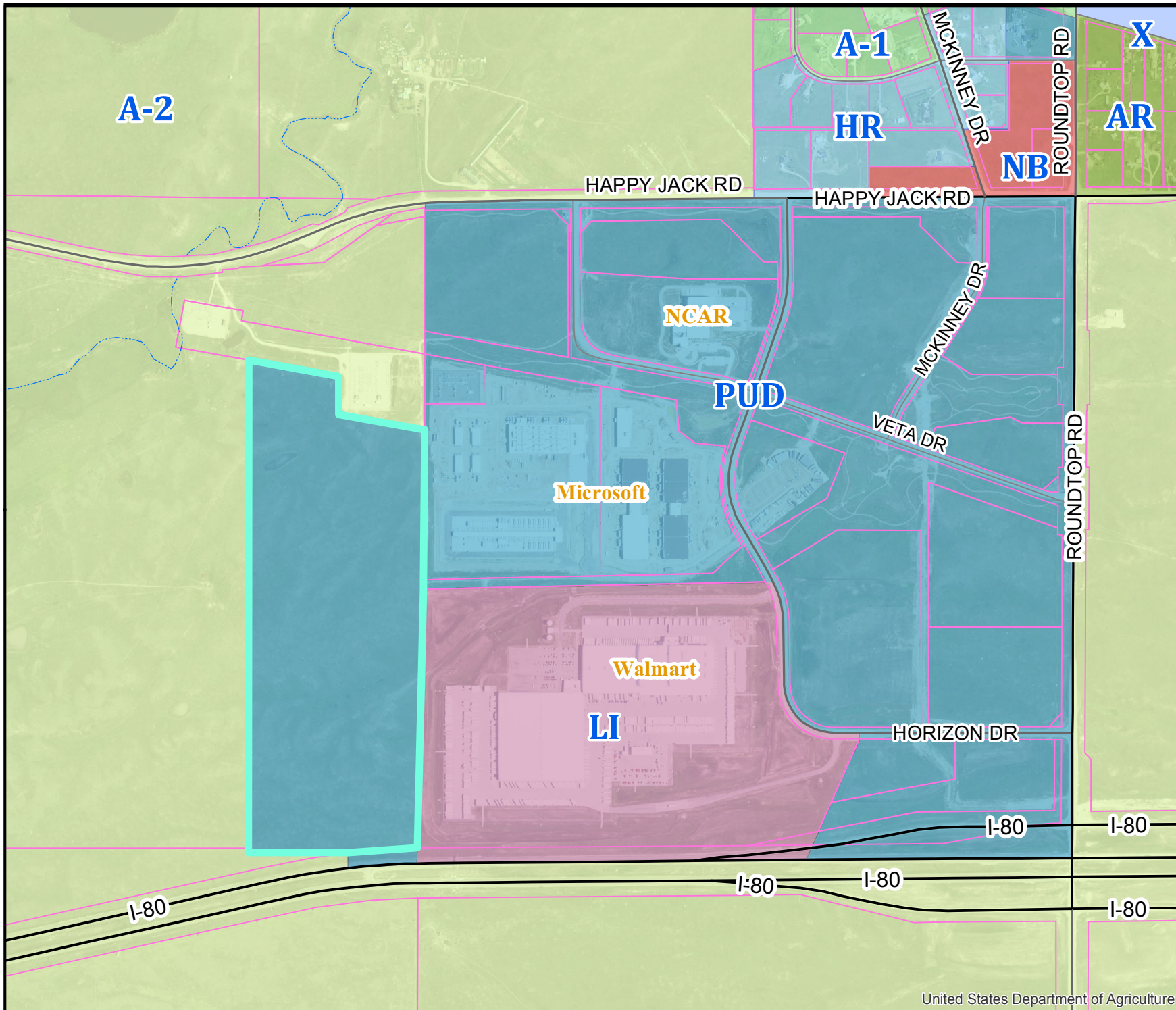
Subject Property

Printed on Jul 08, 2016



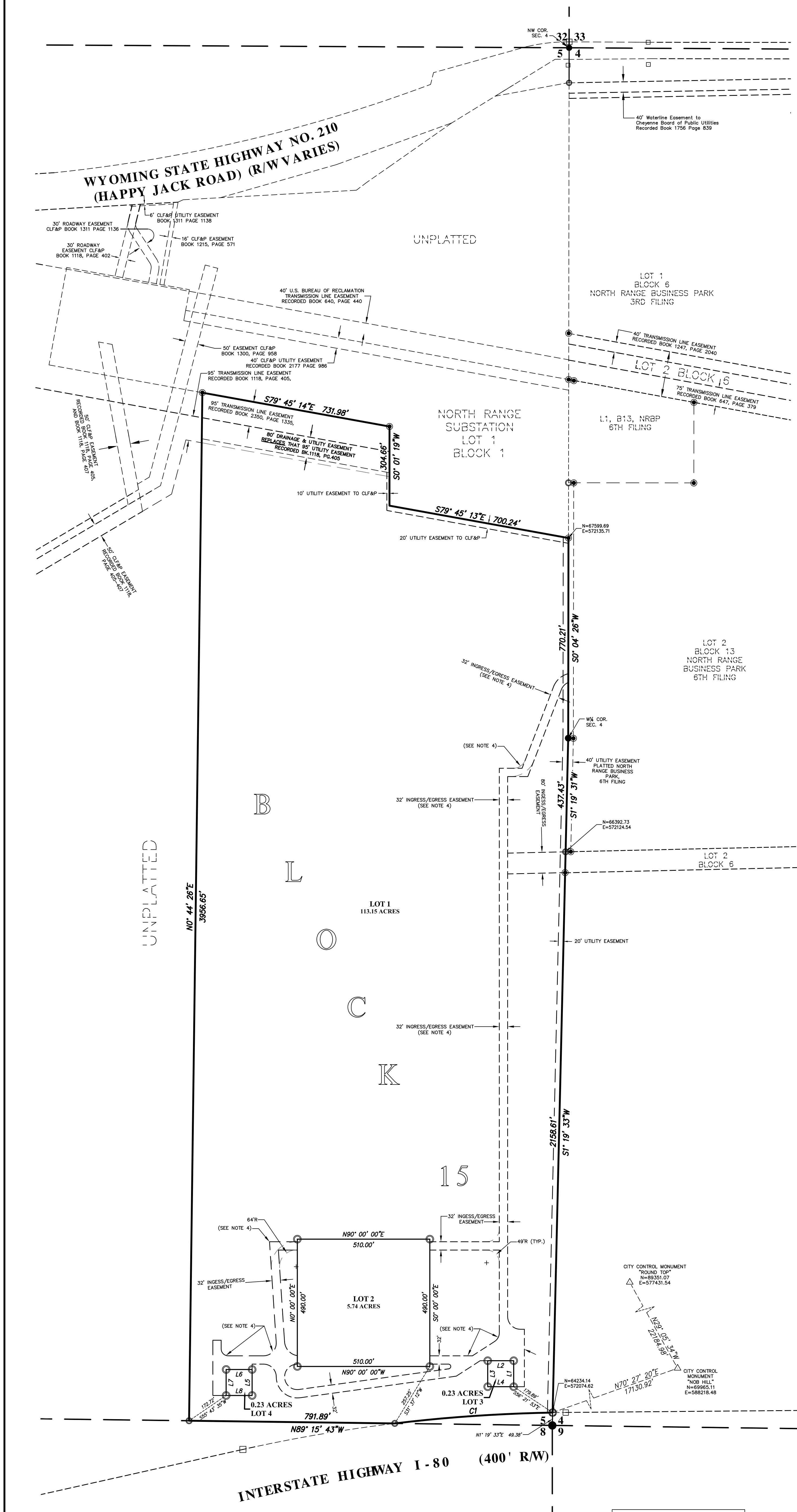
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◻ FIRE PROTECTION TO BE PROVIDED BY FIRE DISTRICT #2 ◻ THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE ◻



GENERAL NOTES

- 1) BASIS OF BEARINGS -- CITY OF CHEYENNE DATUM REFERENCED FROM CITY CONTROL MONUMENTS "NOB HILL" AND "ROUND TOP".
- 2) ALL LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVATURE TO BE MONUMENTED WITH 1½" ALUMINUM CAP STAMPED "SSS P.L.S. 5910" ON ¾"x24" REBAR.
- 3) NO PORTION OF THE SUBJECT PROPERTY FALLS WITHIN A FEA 100-YEAR SPECIAL FLOOD HAZARD AREA AS SHOWN ON F.I.R.M. PANEL NO.56021C1335F; DATED JANUARY 17, 2007.
- 4) a. PERPETUAL "32" INGRESS/EGRESS EASEMENT" EXCLUSIVE TO CHEYENNE LIGHT FUEL AND POWER (BLACK HILLS CORPORATION), AND THE LEGAL OWNER OF LOTS 2, 3 AND 4 THIS PLAT, THEIR LEGAL SUCCESSORS AND/OR ASSIGNS, FOR ACCESS AND SERVICE TO UTILITY FACILITY(IES) AND SAID LOTS 2 THRU 4.

b. WHERE NOTED, "32" INGRESS/EGRESS EASEMENT" TO CLF&P SHALL INCLUDE ANY AREA CONTAINED WITHIN THE BOUNDARIES OF THE DESCRIBED ADJACENT EASEMENT CENTERLINE(S) AND/OR AT CENTERLINE INTERSECTIONS, EASEMENT BOUNDARIES SHALL INCLUDE A TANGENT 50' RADIUS IS SPECIFICALLY INCLUDED AS BELONGING TO SAID EASEMENT.

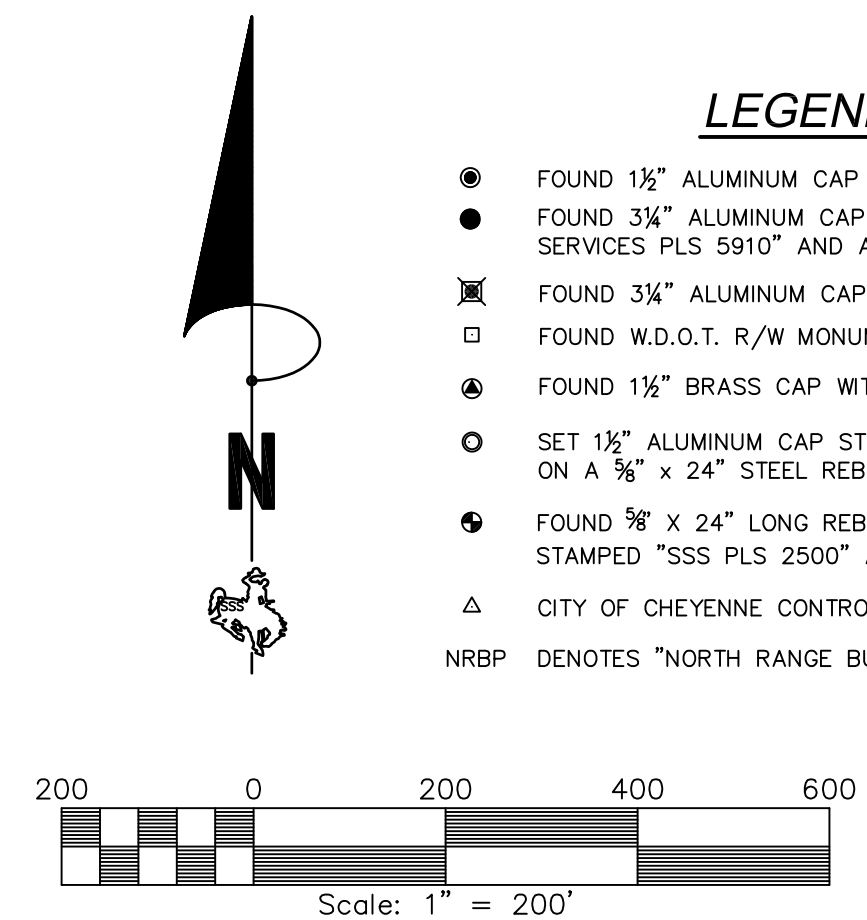
c. AT ALL INTERSECTIONS OF EASEMENT CENTERLINES, EASEMENT BOUNDARY(IES) SHALL INCLUDE A TANGENT 49' INTERIOR RADIUS OR 96' EXTERIOR RADIUS UNLESS NOTED OTHERWISE.

DEPT. OF ENERGY NOTES

- A. All construction activities within Western's Cheyenne-Miracle Mile 115-kV, Cheyenne-Happy Jack 115-kV, and Happy Jack-Warren Air Force Base 115-kV Transmission Line easements should be coordinated with the Western Area Power Administration, P.O. Box 3700, Loveland, Colorado 80539-3003.
- B. The transmission line easements shown herein, are, "The United States easement, which is a restricted area and all Construction activities within said easement should be coordinated with the Western Area Power Administration, P.O. Box 3700, Loveland, Colorado 80539-3003."
- C. To avert continual severe pruning and eventual removal of tall growing trees, only low growing shrubs and plants (not exceeding 15 feet maximum mature height) are allowed on the easement area.
- D. No buildings are allowed within the easement area.
- E. A minimum overhead clearance of 12 feet from the conductors of Western Area Power Administration's 115-kV Transmission Lines must be maintained at all times.

LEGEND

- FOUND 1½" ALUMINUM CAP STAMPED "SSS P.L.S. 2500"
 - FOUND 3¼" ALUMINUM CAP STAMPED "STL SURVEYING SERVICES PLS 5910" AND APPROPRIATE DATA.
 - FOUND 3¼" ALUMINUM CAP STAMPED "PLS 2927"
 - FOUND W.D.O.T. R/W MONUMENT
 - FOUND 1½" BRASS CAP WITNESS CORNER STAMPED "LS 519"
 - SET 1½" ALUMINUM CAP STAMPED "SSS P.L.S. 5910" ON A ¾" x 24" STEEL REBAR
 - FOUND ¾" x 24" LONG REBAR WITH 1½" ALUMINUM CAP STAMPED "SSS PLS 2500" AND APPROPRIATE DATA.
 - △ CITY OF CHEYENNE CONTROL MONUMENT
- NRBP DENOTES "NORTH RANGE BUSINESS PARK"



DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT:

MICROSOFT CORPORATION, a Washington corporation, owner in fee simple of Lot 3, Block 13, North Range Business Park, 6th Filing, Larimer County, Wyoming;

Have caused the same to be surveyed, platted and known as NORTH RANGE BUSINESS PARK, 8TH FILING, and do 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 grant the easements for the purposes indicated hereon.

MICROSOFT CORPORATION

by: _____

_____ as _____

ACKNOWLEDGEMENT

STATE OF _____)
COUNTY OF _____) SS

The foregoing instrument was acknowledged before me this ____ day of _____, 2016 by _____ as _____ for Microsoft Corporation.

Notary Public, Laramie County, Wyoming

My Commission Expires: _____

APPROVALS

Approved by the Laramie County Planning Commission, this ____ day of _____, 2016

Chairman

Approved by the Board of Laramie County Commissioners of Laramie
County, Wyoming, this ____ day of _____, 2016

Chairman

ATTEST: _____
County Clerk

CERTIFICATE OF SURVEYOR

I, Jeffrey B. Jones, Registered 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.

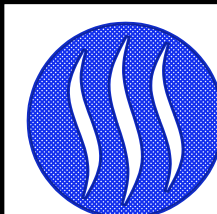
CURVE TABLE					
CURVE #	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	5° 53' 11"	5929.60'	S86° 05' 14"W	608.93'	609.20'

LINE TABLE		
Line #	Bearing	Length
L1	N0° 00' 00"E	100.00'
L2	N90° 00' 00"W	100.00'
L3	S0° 00' 00"E	100.00'
L4	N90° 00' 00"E	100.00'
L5	S0° 00' 00"E	100.00'
L6	N90° 00' 00"E	100.00'
L7	N0° 00' 00"E	100.00'
L8	N90° 00' 00"W	100.00'

***NORTH RANGE
BUSINESS PARK
8TH FILING***

A REPLAT OF LOT 3, BLOCK 13,
NORTH RANGE BUSINESS PARK, 6TH FILING
LARAMIE COUNTY, WYOMING

PREPARED JUNE, 2016



STEIL SURVEYING SERVICES, LLC
PROFESSIONAL LAND SURVEYORS
 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

VACATION STATEMENT
IT IS THE INTENT OF THIS REPLAT TO VACATE
ALL OF LOT 3, BLOCK 13, NORTH RANGE
BUSINESS PARK, 6TH FILING; INCLUDING ALL
EASEMENTS AND LOT LINES UNLESS
OTHERWISE NOTED HEREON.

FILING RECORD

REVISÉ: 7/1/2016

REVISD: 7/1/2016
\\2016 DWG\\16162 CLFP KING RANCH SUB\\16162 KING RANCH 14344 NRBP 8TH.DWG

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A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR NORTH RANGE BUSINESS PARK, 8TH FILING, A REPLAT OF NORTH RANGE BUSINESS PARK, 6TH FILING: LOT 3, BLOCK 13, LARAMIE COUNTY, WYOMING

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 is in accordance with section 2-1-101 (a-d) of the Laramie County Land Use Regulations; and

WHEREAS, the proposed plat is in accordance with section 2-1-101 (e) of the Laramie County Land Use Regulations; and

WHEREAS, the proposed subdivision and plat is in accordance with section B.1 (a-c) of the North Range Business Park PUD; and

WHEREAS, this resolution is the subdivision permit for North Range Business Park, 8th 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-d) of the Laramie County Land Use Regulations.
- b. This application is in conformance with section 2-1-101 (e) of the Laramie County Land Use Regulations.
- c. This application is in conformance with section B.1(a-c) of the North Range Business Park PUD.

And that the Board approves the Subdivision Permit and Plat for North Range Business Park, 8th Filing, with the following conditions:

1. Comments from the County Engineer shall be addressed and the plat updated accordingly, prior to the hearing with the Laramie County Board of Commissioners.
2. Suggested language from WAPA shall be included and updated on the plat prior to the hearing with the Laramie County Board of Commissioners.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF

_____, 2016.

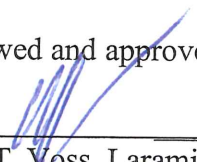
LARAMIE COUNTY BOARD OF COMMISSIONERS

Buck Holmes, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:



Mark T. Voss, Laramie County Attorney