

LARAMIE COUNTY CLERK BOARD OF COUNTY COMMISSIONERS AGENDA ITEM PROCESSING FORM

1. Date of proposed action: June 15, 2004
2. Agenda Item: Preliminary Plat for Aspen Pointe, the NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the east 40.00-feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T.14N., R65W., 6th P.M., Laramie County, Wyoming (located west of and adjacent to Reese Road, approximately $\frac{1}{4}$ mile north of U.S. Highway 30).
3. Department: Development Applicant: Dan Gregg
Teton Land Development, LLC
- Agent: John Steil, Steil Surveying Services, LLC
4. Notes: The Regional Planning Commission made a favorable recommendation to allow the proposed AR zone and recommended approval of the preliminary plat by a unanimous vote of 9 to 0 at their June 7, 2004 meeting with Planning Commission conditions. See the attached Staff Report for more definitive information.
5. Documentation: Sea. – Staff
Report and Map
6. Motion: Acknowledge receipt

COMMISSIONERS VOTE

<u>Knudson</u>	
<u>Ketcham</u>	
<u>Humphrey</u>	
<u>Action</u>	
<u>Postponed</u>	

Received And Approved
As To Form Only
By The County Attorney

[Signature] 6/19/04

STAFF REPORT

Aspen Pointe

County Preliminary Plat (zone change intended)

CASE NUMBER: P-04-17

FILE CODE: ASPP-P

MEETING June 7, 2004 - Planning Commission
DATES: June 15, 2004 - County Commissioners

OWNER: Dan Gregg
% Teton Land Development, LLC
P.O. Box 20404
Cheyenne WY 82003

307-634-0408

AGENT: John Steil
% Steil Surveying Services, LLC
P.O. Box 2073
Cheyenne WY 82003

307-634-7273

REQUEST: County Preliminary Plat

PURPOSE: Rural residential development (12 lots)

LOCATION:

(1) Legal Description: A portion land in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the east 40.00-feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T.14N., R65W., 6th P.M., Laramie County, Wyoming

(2) General Location: West of and adjacent to Reese Road, approximately $\frac{1}{4}$ mile north of U.S. Highway 30

(3) Addresses: N/A

(4) Map Page: D-68 County

SIZE:	Total:	61.54-acres
	Residential Tracts:	12
	Smallest Tract (gross):	5.00-acres
	Largest Tract (gross):	5.02-acres
	Average Tract Density (gross):	5.00-acres
	Right-of-way (internal roadway):	3.08-acres
	Right-of-way (developed Reese roadway):	1.51-acres

EXISTING ZONING: A-2: Agricultural

PROPOSED ZONING: AR: Agricultural Residential

EXISTING LAND USE: Vacant

PROPOSED LAND USE: Rural residential development

RECOMMENDED LAND USE PER ADOPTED PLAN: Rural Density (5-10 Acres)
(ref: Laramie County Comprehensive Plan October 2001).

SURROUNDING LAND USE:	ZONING	ANNEXATION STATUS
North: Residential	A-2	County
South: Residential	A-2	County
East: Agricultural	A-2	County
West: Residential	A-2	County

DESCRIPTION OF SITE AND SURROUNDINGS: The site is vacant land and is located west of and adjacent to Reese Road. The property to the north was platted as Wind Song Estates in 2002 consisting of 30 tracts with an average gross density of 5.00-acres. The properties to the immediate west, south and east (directly across Reese Road) remain unplatted. In close proximity to the southwest is Christensen Tracts, platted in 1953, consisting of 12 tracts with an average density of 4.41 gross acres. Also, in close proximity to the northwest is property platted as Indian Paintbrush in 2001, consisting of 30 tracts with an average gross density of 5-acres property.

PLAT DATA: A zone change to District AR: Agricultural Residential will be required to develop this property into 5-acre tracts (see Zone Change Data below) The preliminary plat includes approximately 61.54-acres of unplatted property located west of and adjacent to Reese Road, an improved county roadway. Rights-of-way will be dedicated for Reese Road with this plat. This portion of Reese Road will provide access to the proposed subdivision. The subdivision is intended for single-family rural residential tracts. Twelve lots are planned with this development. All of the lots will be accessed via an internal road system to be constructed to County standards by the developer. The proposed lots meet the 5-acre criteria set forth in Section 30.000(a) of The Cheyenne and Laramie County Zoning Ordinance 1988, as amended. Lot density is computed using the entire area of the lots or tract including the area extending to the center of the adjacent road rights-of-way. **Note:** One-half of the Reese Road right-of-way is not included in these calculations and the gross lot acreage still meets the 5-acre minimum. The tracts are proposed to be served by individual wells and septic systems contingent on Environmental Health, DEQ and State Engineer approvals. Fire protection will be provided by Laramie County Fire District #2. The preliminary drainage analysis has been approved.

ZONE CHANGE DATA: A zone change from District A-2 to District AR will be requested with the final plat to allow 5-acre tracts. A zone change may be requested pursuant to Article VIII - Subdivision/Development Design Standards, Section 80.020(d)2., Rural Density Area of The Cheyenne-Laramie County Subdivision/Development Regulations 2000. This property is located within the area defined as a Rural Density Area.

AREA HISTORY ZONE CHANGES: Wind Song Estates, located to the north, was granted a zone change to District AR in November 2002. Indian Paintbrush Estates, to the northwest, was granted a zone change to District AR in 2001. Christensen Tracts located to the southwest was granted a zone change to allow 5-acre tracts. Given the latter, 5-acre tracts for

this proposed subdivision would appear to be consistent with what has been happening in the area.

COMMUNITY FACILITY FEES AND SUBDIVISION PERMIT: Will be addressed upon submittal of the final plat. Fees will be assessed at \$50.00 per acre.

REVIEWING AGENCY AND REVIEWERS COMMENTS:

Qwest: Qwest is requesting the 10' utility easements be increased to 16'.

County Public Works Department: Developer should consider Pavement of interior road. Developer should consider private maintenance & submit a work plan to accomplish that maint, for approval. Road designed to county standards. Design approved prior to construction. Final construction inspected for conformance prior to signing of plat. Utilities placed & inspected in right-of-way. Utility easements reduced or removed wherever possible, or incorporated by engineering design. If utility easements left in place submit design for review.

Environmental Health: Small wastewater permits will be required. Any septic system shall have a 50' setback from all property lines and drainage easements. A complete USDA soil survey and a copy of the signed final plat shall be submitted to this office prior to application for any small wastewater system permits. Tract 01 will have some drainage issues due to the culverts running below Reese Rd. on the southeast corner.

School District #1: This subdivision falls within the Dildine Elementary School, (over capacity at this time) Carey Jr. and East High School boundary.

DEQ: The Wyoming Department of Environmental Quality (WDEQ) received a copy of the preliminary plat for the above referenced subdivision from the Laramie County Development Office on May 5, 2004. Information needed for a WDEQ review of the safety and adequacy of the water supply and sewer systems pursuant to W.S. §18-5-306 has not been submitted as yet. We will inform you when we receive this information. The department will begin review of this subdivision application when the necessary information has been submitted; the 30 day period for the review of the application will begin upon receipt of that information. If necessary WDEQ may extend its review period for an additional 30days if an extension is necessary to complete the review.

County Planner/Zoning:

1. The Laramie County Comprehensive Plan 2001 shows future land use for this area as Rural Density, 5 – 10 acres.
2. Comments from Laramie County's review Engineer are attached, and are approval conditions.

Laramie County's Engineer

1. The Drainage Analysis adequately addresses the runoff for this development.
2. I do not have any comments regarding the Environmental Impact Assessment.
3. The Preliminary Plat appears to meet the minimum requirements and would recommend approval.

Department of Energy:

1. All construction activities on the United States easement shown on the plat map should be coordinated with this office. **NOTE:** A Right-of Way Application has been enclosed to grant a License Agreement for any construction activities within the transmission line easement area.
2. When the final plat is submitted for recording, it should indicate the Department of Energy easement area with the following language included: "The United States easement is a restricted area and all construction activities within said easement should be coordinated with WESTERN AREA POWER ADMINISTRATION, P.O. Box 3700, Loveland, Colorado 80539-3003."
3. In addition, the easement width of the transmission line is **80' wide (40' feet each side of the center line)**. This language needs to replace the reference: "40' power easement".
4. To avert continual severe pruning and eventual removal of tall growing trees, only low growing vegetation (not exceeding 15 feet in maximum mature heights) are allowed on the easement area. If the plantings ever reach more than 20 feet, they will be removed.
5. No plantings are allowed within a 40-foot radius of power poles.
6. The easement width is 80 feet (40 feet each side of the centerline). Operation and maintenance of the transmission line requires that Western use heavy equipment within the easement area, therefore, Western will not be held liable for damages to landscaping or irrigation systems within the easement area.
7. No buildings are allowed within the easement area.
8. A minimum overhead clearance of 12 feet from the conductors of Western Area Power Administration's Archer-Stegall 115kB Transmission Lines must be maintained at all times.

Within these parameters, Western Area Power Administration has no objection to the preliminary plat map.

AGENCIES AND REVIEWERS RESPONDING WITHOUT COMMENTS: Suncor Pipeline, Sheriff's Office.

AGENCIES AND REVIEWERS NOT RESPONDING: Bresnan Communications, County Assessor, County Clerk, County Fire District #2, State Engineer, U.S. Post Office, Xcel Energy.

OTHER COMMENTS RECEIVED: None

RECOMMENDATION: The Development Office recommends the zone change needs to be discussed by the Planning Commission during the preliminary plat review and a recommendation needs to be made. In addition, the Development Office recommends the following:

- 1) Resolve easements issues.
- 2) Add language to the final plat map requested by the Department of Energy.

encl: Preliminary Plat Map
Aerial

cc: Owner
Agent
County Planning/Zoning
File (ASPP-P)

STAFF REPORT UPDATE (06/08/04):

At its June 7, 2004, meeting, the Cheyenne/Laramie County Regional Planning Commission made a favorable recommendation to allow the proposed AR zone district. The Commission recommended approval of the preliminary plat of Aspen Pointe, by a unanimous vote of 9-0 with the following conditions:

- 3) Add language to the final plat map requested by the Department of Energy.
- 4) Provide only those easements that currently exist.

FIRETHORN LN

SNOWBERRY DR

ALLAN RD

US 30

Aspen Pointe
Prelim Plat Area