

LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Nancy M. Trimble, Associate Planner

DATE: April 2, 2019

TITLE: Review and action on a Subdivision Permit and Plat for Niobrara Energy

Park, 3rd Filing, a replat of Lot 4, Block 4, Niobrara Energy Park, 1st Filing,

Laramie County, WY.

EXECUTIVE SUMMARY

AVI, PC, on behalf of 4G Properties LLC, has submitted a Subdivision Permit and Plat application for Niobrara Energy Park, 3rd Filing, located southwest of E. Allison Road and S. College Drive. The application has been submitted for the purpose of subdividing the property into four industrial use lots.

BACKGROUND

A Site Plan for proposed development of this property was approved by Laramie County Planning on July 16, 2018 – a copy is attached. A core and shell building for new shop space is currently under construction on the east end of the property, which will be located on Lot 4 of the new subdivision. Based on the site plan layout, the location of the structure meets the setback requirements of the Light Industrial zone district.

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 4-2-108 of the Laramie County Land Uses Regulations governing the LI – Light Industrial 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. The subject property is located within the South Cheyenne Water and Sewer District.

PlanCheyenne contemplates Industrial uses for this area. This category encompasses existing and planned areas that include a range of employment-focused uses, which may have impacts such as noise, outdoor storage, and freight needs making them incompatible in other areas of the community. Uses such as offices, distribution and warehouses, and manufacturing and fabrication are appropriate in this category, as well as supporting retail uses and services, open space and recreation, and other public or civic uses.

As part of the Niobrara Energy Park, the subject property is located within the LI – Light Industrial zone district. Property to the south is owned by the Laramie County Community College Foundation and zoned PUD – Planned Unit Development. Allison Draw and the Cheyenne Greenway traverses east/west between the two developments and serves as a buffer.

This property is located within one mile of the City of Cheyenne's jurisdiction. Pursuant to the 2018 amendment to W.S.S. 34-12-103 effective January 1, 2019, comments were solicited from the City Planning and Development Offices regarding the plat. A copy of the response to the Board of County Commissioners was received on February 21, 2019 from the Cheyenne Planning and Development Director, which outlined City requirements should the property be annexed in the future. The letter stated there were no items of disagreement on the City's part that warranted a response by the Board.

A letter requesting waiver of traffic and drainage studies was submitted by the applicant, a copy of which is attached. The County Engineer has concurred with this request based on the justification provided in the letter. Agency comments pertained to access spacing, traffic patterns within Niobrara Energy Park, and corrections to the plat. Any necessary changes in access deviating from the approved Site Plan on record will require an amended Site Plan application submittal to County Planning. A revised plat was submitted on February 26, 2019 which has addressed agency comments regarding plat corrections.

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

This application was originally scheduled to be heard by the Laramie County Planning Commission on March 14, 2019; however, due to inclement weather closure of County offices, it was continued to the Planning Commission public hearing on March 28th. As submittal of this Board staff report was due prior to occurrence of the Planning Commission meeting, findings from that meeting shall be reported to the Board at the April 2, 2019 public hearing.

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 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 4-2-108 governing the LI Light Industrial zone district.

and that the Board approve the Subdivision Permit and Plat for Niobrara Energy Park, 3rd Filing with no conditions

PROPOSED MOTION

I move to approve the Subdivision Permit and Plat for Niobrara Energy Park, 3rd Filing 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

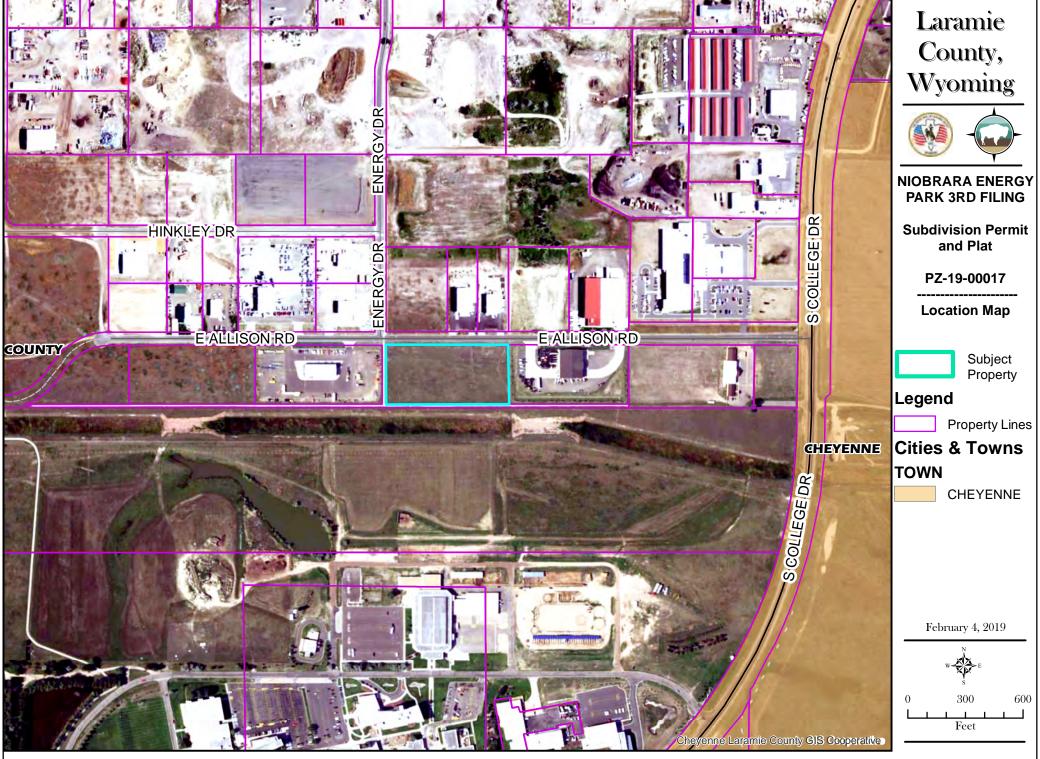
Attachment 5: Zoning Map

Attachment 6: Applicant Traffic/Drainage Study Waiver Request

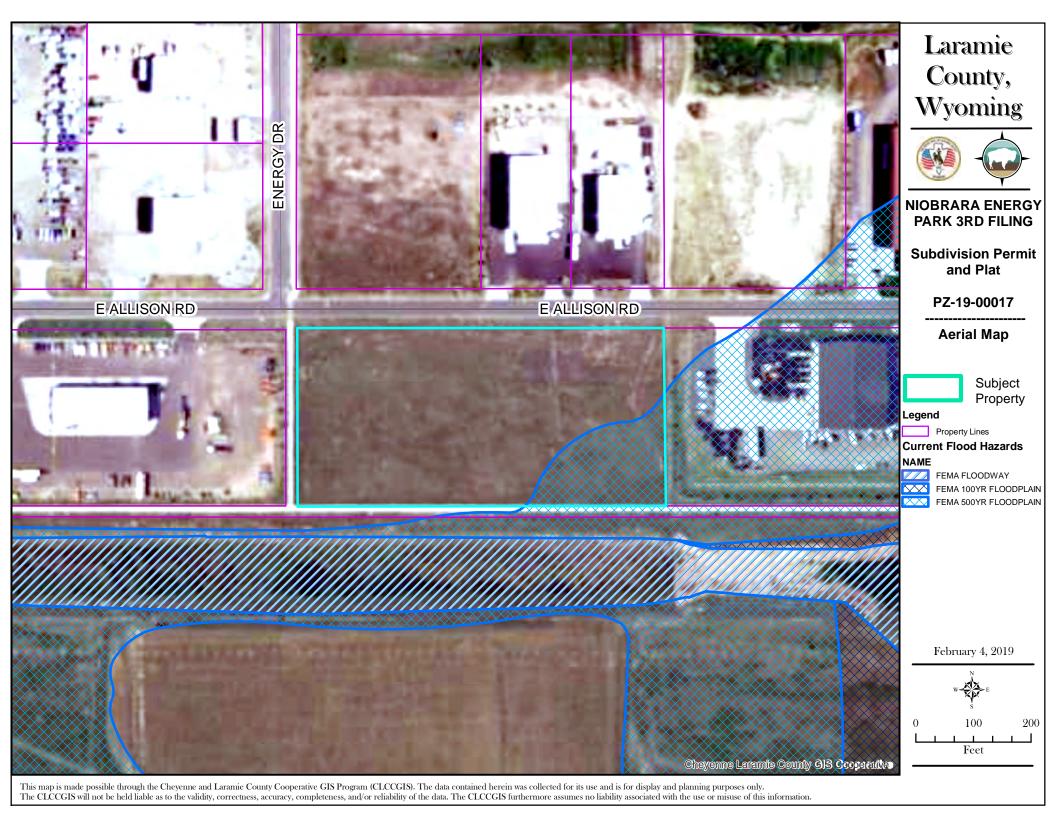
Attachment 7: Agency Comments Report – Amended February 27, 2019

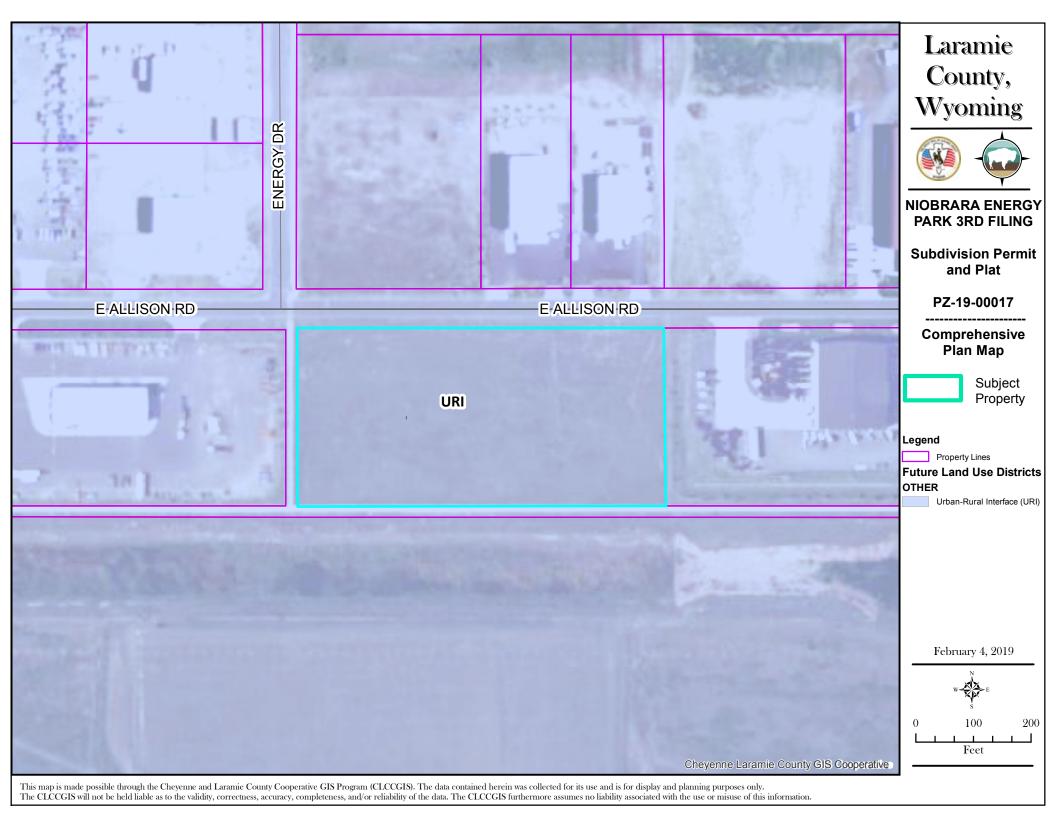
Attachment 8: Site Plan – Approved July 16, 2018 Attachment 9: Plat – Revised February 26, 2019

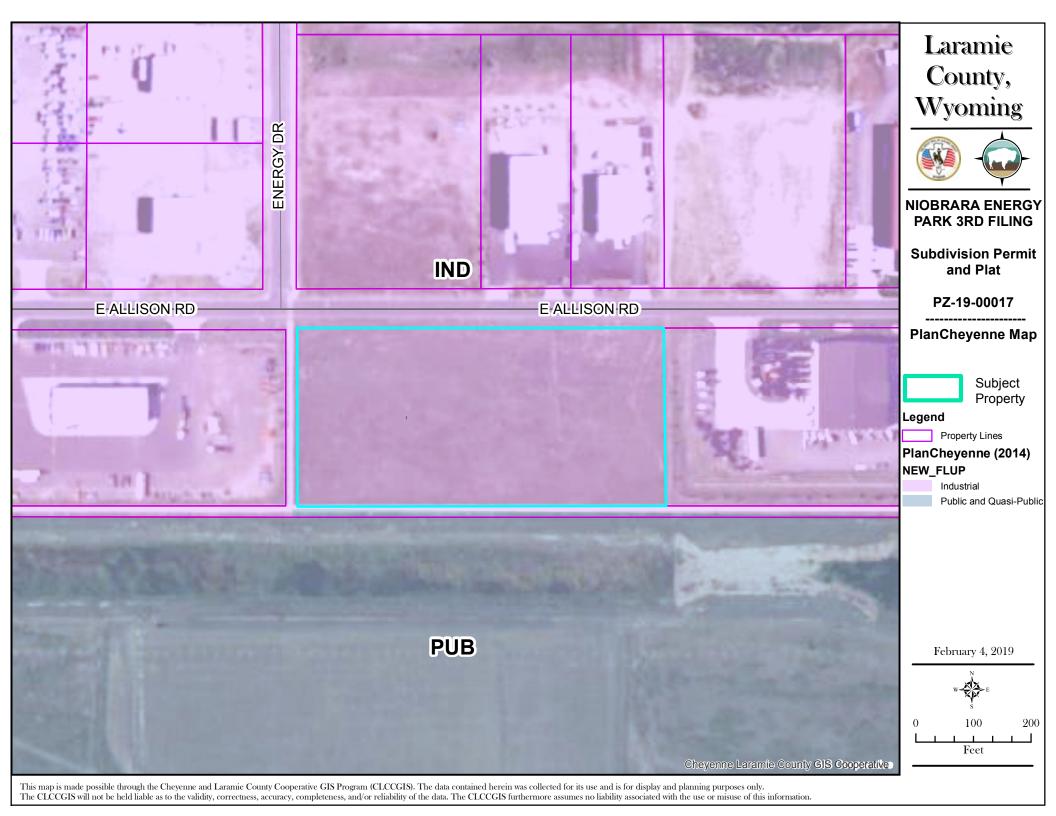
Attachment 10: Resolution

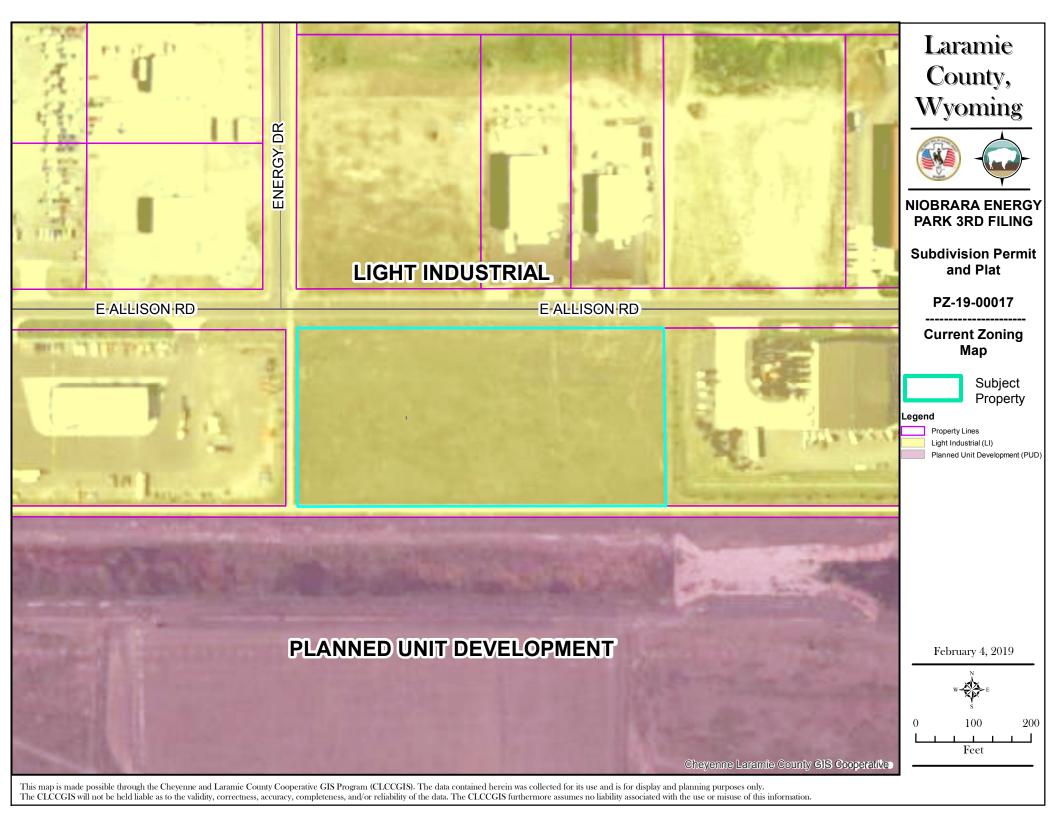


This map is made possible through the Cheyenne and Laramie County Cooperative GIS Program (CLCCGIS). The data contained herein was collected for its use and is for display and planning purposes only. The CLCCGIS will not be held liable as to the validity, correctness, accuracy, completeness, and/or reliability of the data. The CLCCGIS furthermore assumes no liability associated with the use or misuse of this information.











Laramie County Planning & Development 3931 Archer Parkway Cheyenne, WY 82009 February 1, 2019 2-4211.19

RE: Traffic and Drainage Waiver for Niobrara Energy Park 3rd Filing

To Whom It May Concern:

The owners of the Lot 4, Block 4, Niobrara Energy Park are requesting that the requirement for a Traffic Study and Drainage Report for the re-plat to Niobrara Energy Park 3rd Filing be waived at this time. The proposed plan is to erect three industrial type buildings on the site. Two of the buildings will be 8000 sf while the third building will be 16,000 sf and separated down the middle by a fire wall. These four 8000 sf spaces will then be available for lease by various businesses. At this time the future tenants are unknown. As a result the traffic demands of this site are also unknown and an accurate traffic study cannot be completed. This site will be accessed off of East Allison Road which was designed as a county collector. East Allison Road and The Niobrara Energy Park were always intended for industrial sites similar to this one and the existing streets within the subdivision are believed to be adequate.

Additionally, the ITE Trip Generation Manual (9th Edition) was used to estimate the daily number of trips. According to the ITE, for general light industrial facilities, the total trips per day is 6.97 trips per 1000 square feet of building space. As discussed above, the total proposed building area at the site is 32,000 square feet, which results in 223 daily trips.

Drainage on this site has already been accounted for by grading the site so that storm water will be collected in the regional detention pond. Calculations for runoff were included with the site plan application for Lot 4, Block 4 Niobrara Energy Park and are still valid.

The applicant is not increasing the available use of the property so it is understood that no community facility fees will be due. The same zoning will apply therefore the same amount of commercial development could be completed whether there is one lot or four lots.

A development agreement or DEQ letter are not required on this project. The road is already in place and maintained by the County and the water and sewer mains exist and are maintained by South Cheyenne Water and Sewer District.

If you have any additional questions please give me a call.

AVI PROFESSIONAL CORPORATION

Brad Emmons, AICP

Amended due to comments received from Cheyenne Engineering on 2/27/19

Cheyenne MPO: Nancy Olson COMMENTS ATTACHED 02/21/2019 The access easement shall extend to the north lot lines.

Spacing for the accesses to the four lots shall follow the requirements as per the LCLUR considering distance from each one and from the accesses on the adjacent parcels as well.

Chevenne Development Services: Lisa Pafford COMMENTS ATTACHED 02/21/2019 Official City comments to the Board is in the attached memo.

Other comments:

The access easement should extend to the north property line. City of Cheyenne approval blocks are no longer necessary on the plat map.

**Cheyenne Engineering Services: Wes Bay COMMENTS ATTACHED 02/27/2019 Energy Drive is expected to be a 4 leg intersection in the future. E. Allison is expected to be a Major Collector. Ideally all lots will access an alley on the south side of the development which will access Energy Drive. Thus all traffic will enter/exit at the Energy Drive. If this is not possible, the access on E. Allison for Lot 1 should be 150 feet from the intersection of Energy Drive and the other accesses 150 feet from the access for Lot 1 and Lot 2, etc.

County Engineer: Scott Larson COMMENTS ATTACHED 02/21/2019 Engineer Review

- 1. I concur with the request for a waiver of a detailed Drainage Study and Traffic Study for the reasons given in the waiver request.
- 2. On the plat drawing along E. Allison Road, there is a 16' Utility Easement and on the southern line of the utility easement there is a 73.85' (on one side) and a 74.38' (on the other side) "Joint Access Easement for Lots 1-4". The access easement needs to extend north to the property line otherwise there is a 16' gap between the ROW and the easement that wouldn't be allowed to be used for access.

Surveyor Review

- 1. The State Plane coordinate inverses along the south boundary of the subdivision match the bearing and distance shown on the plat, but the other 2 State Plane inverses do not match the plat bearings and distances shown on the plat.
- 2. The Vicinity Map would be easier to read and it would be more useful to the 'lay public' if one were to add some information such as the Section, Township and Range data with enough detail to indicate the location of the subdivision within the Section.

<u>County Public Works Department:</u> David Bumann COMMENTS ATTACHED 02/21/2019

Site plan was approved in July of 2018. I believe site has already been developed including utility tie-ins on county roads. No comments on the subdivision permit/replat.

<u>Environmental Health Department:</u> Roy Kroeger COMMENTS ATTACHED 02/15/2019

Laramie County Small Wastewater System Regulations 201 Area Facility Management Plan

Property is located in the 201 Area and South Cheyenne Water and Sewer District. Property shall use the public sewer system in the area.

<u>SunCor Energy USA Pipeline:</u> Dillon Ohrt COMMENTS ATTACHED 02/18/2019 Property poses no impact to Suncor's operations or assets.

<u>Planners:</u> Nancy Trimble COMMENTS ATTACHED 02/21/2019 Pursuant to WSS 34-12-103 effective January 1, 2019, City Approval of the plat is not required, and the signature block shall be removed from the plat.

<u>Building Dept.:</u> Antony Pomerleau COMMENTS ATTACHED 02/22/2019 Building permits will be required.

<u>Agencies responding with No Comment:</u> County Assessor, County Real Estate Office, Fire District No. 1, Sheriff's Office, Black Hills Energy, South Cheyenne Water & Sewer, GIS/Addressing.

<u>Agencies not responding:</u> County Treasurer, US Post Office, Combined Communications Center, Emergency Management, CenturyLink.



Planning and Development Department

2101 O'Neil Avenue, Suite 202, Cheyenne WY 82001 (Phone) 307-637-6282 (Fax) 307-637-6366

A COMMUNITY OF CHOICE

February 21, 2019

Board of County Commissioners 310 W 19th St #320 Cheyenne, WY 82001

RE: Niobrara Subdivision City Comments

Board of County Commissioners,

In compliance with W.S. 34-12-103 (b) the City hereby submits the following comments regarding the Niobrara Subdivision:

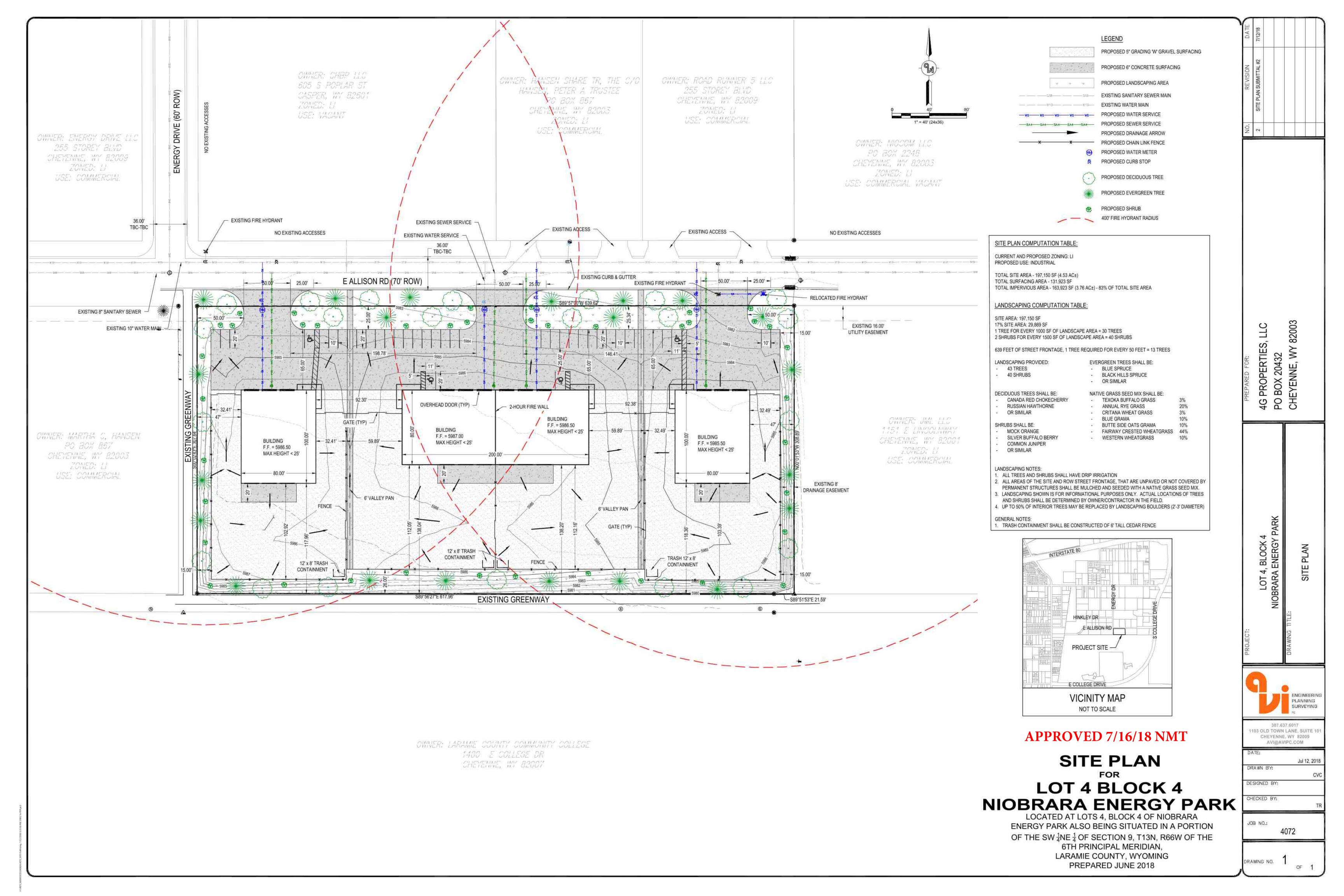
1. Future annexation of the property will prompt review by the City. Concurrent with annexation by petition, public improvements to streets may be required; driveway accesses will be reviewed for conformance with City standards and may require modification; and Community Facility Fees will be required to be paid to the City.

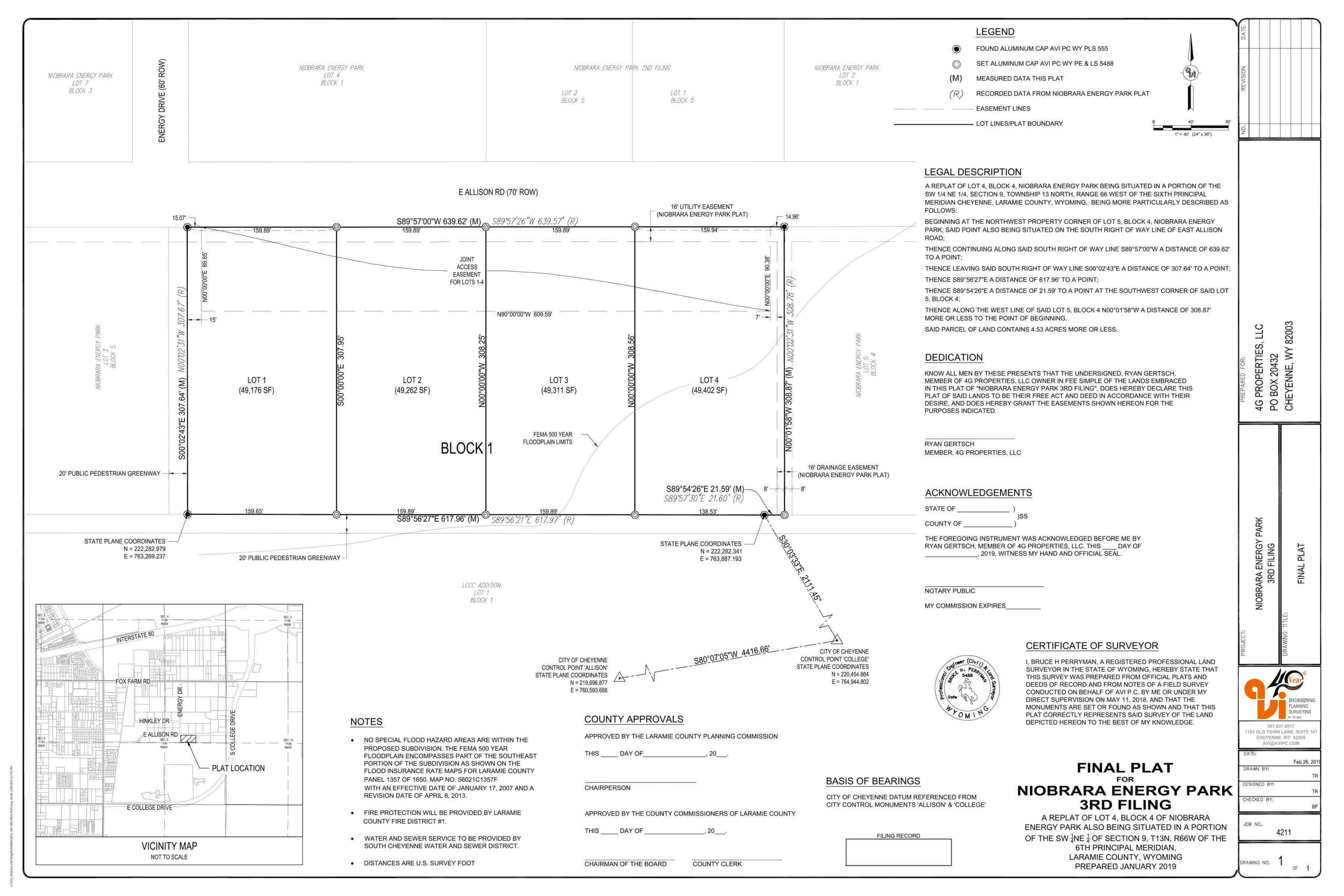
I do not believe that there are any items of disagreement that warrant a response by the Board of County Commissioners pursuant to W.S. 34-12-103-(b).

Thank you,

Charles W. Bloom, AICP

Planning and Development Director





RESOLUTION NO.	
TEDULE TIOT TIO.	

A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR NIOBRARA ENERGY PARK, 3RD FILING, A REPLAT OF LOT 4, BLOCK 4, NIOBRARA ENERGY PARK, 1ST FILING, 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 LI – Light Industrial zone district; and

WHEREAS, this resolution is the subdivision permit for Niobrara Energy Park, 3rd 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-e) of the Laramie County Land Use Regulations.
- **b.** This application is in conformance with section 4-2-108 governing the LI Light Industrial zone district.

And the Board approves the Subdivision Permit and Plat for Niobrara Energy Park, 3rd Filing.

PRESENTED, READ AND ADOPT	ED THIS DAY OF
, 2019.	
	LARAMIE COUNTY BOARD OF COMMISSIONERS
	Linda Heath, Chairman
ATTEST:	
Debra K. Lee, Laramie County Clerk	
Reviewed and approved as to form:	
FOR	
Mark T. Voss, Laramie County Attorne	