Planning • Building

MEMORANDUM

TO:Laramie County Board of CommissionersFROM:Bryan Nicholas, Associate Planner

DATE: October 1st, 2019

TITLE: PUBLIC HEARING regarding a Subdivision Permit and Plat for the Di Senso Subdivision, a portion of land in the SE1/4, Section 19, T.14N., R.62W., of the 6th P.M., Laramie County, WY.

EXECUTIVE SUMMARY

Dan Cooley of Griz Creek Engineering, LLC, on behalf of Gurnam Singh, has submitted a Subdivision Permit and Plat application for the Di Senso Subdivision, located at 4850 I-80 Service Road, Burns, WY 82053. The application has been submitted for the purpose of subdividing the property into two lots, with the intent of preserving the existing commercial use on Lot 1 and placing a single-family residence on Lot 2.

BACKGROUND

A mixture of commercial uses currently is in operation on the site, which includes a restaurant/convenient store, metal shop, gas pumps, and an open area used for auctions of agricultural products. There are two existing accesses to the site, one off of State Highway 213, and the other from the I-80 Service Road, along with water and septic infrastructure on the site. The surrounding properties are a combination of both residential to the west and agricultural uses to the north and east.

Pertinent Regulations

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 subject property as Urban Rural Interface (URI). Within this designation, higher density residential, intensive commercial, employment centers and industrial uses are indicated. Generally, these uses have access to public water and sewer services, with the intention that service-oriented development may occur over time.

The Rural Centers (RC) overlay designation also covers the subject property. Areas within the Rural Center designation occur where there is limited commercial and public services available to the immediate residents including ranchers and farms. The commercial uses are historically located along crossroads, with grocery services, post offices, schools, and emergency service stations being examples of such commercial uses. It is stated that any future development should consider scale regarding road access, water and sewer services, and to include mitigation methods to lessen impacts to adjacent land owners.

The property lies outside of the PlanCheyenne and Zoned Boundary and therefore do not have any bearing on the discussion of this proposed development.

County Agency review was conducted for this proposed development, with the received comments addressing clerical issues on the plat, parcel sizes not meeting the required minimum area, address conflictions, existing and potential future accesses, and wastewater system permits for future development. Per Section 2-1-103(c)(i), the lot size shall be determined by the density designation found in the AMEC Memo adopted on January 1st, 2019, and within Zone 2 to be 5.25 acres' gross.

A letter requesting waiver of traffic and drainage studies was submitted by the applicant, a copy of which is attached. Per Section 2-1-101(c)(v) of the Laramie County Land Use Regulations, "Subdivisions of five (5) or fewer divisions of land, or subdivisions within a public water/sewer district, are exempt from a Department of Environmental Quality Chapter 23 Review pursuant of W.S. 18-5-306." The County Engineer has concurred with this request based on the justification provided in the waiver request letter.

The Planning Commission held a public hearing for this project on August 22, 2019, postponing the project due to Mr. Cooley recusing himself, and the remaining two Planning Commission members unable to make a quorum and provide a motion on the project. Therefore, Planning Staff postponed the project to the public hearing to the September 12th public hearing. At that hearing the Planning Commission voted (4-0) to recommend approval to the Board with two conditions:

- 1. The applicant shall provide a revised Plat showing that all proposed Lots meet the required minimum density of areas within Zone 2 designated by the adopted AMEC Memo, prior to the Laramie County Board of Commissioner public hearing on October 1st, 2019.
- 2. Clerical errors are to be corrected, and a revised Plat shall be submitted to the Planning Staff for review prior to recordation of the Plat.

The applicant has submitted a revised Plat on September 17th, and is currently being reviewed by the Planning Staff and the commenting County agencies. At this time condition one has been met.

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

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.

and that the Board approve the Subdivision Permit and Plat for the Di Senso Subdivision with the following condition:

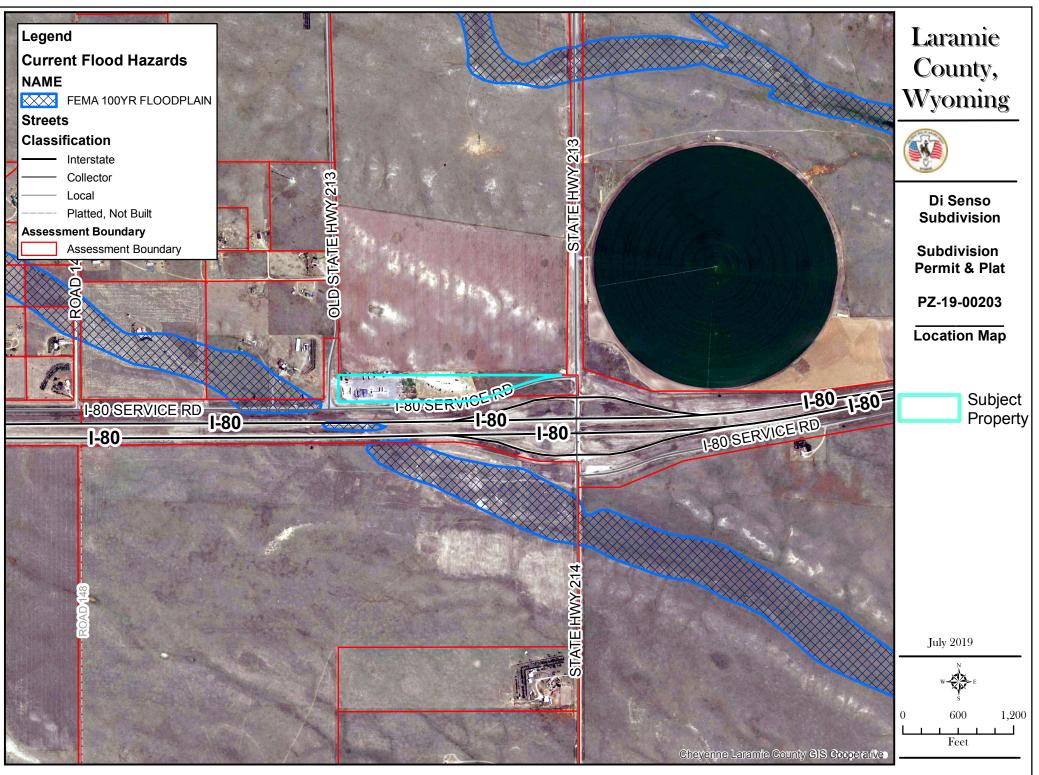
1. A revised Plat shall be submitted to the Planning Staff for review prior to recordation of the Plat.

PROPOSED MOTION

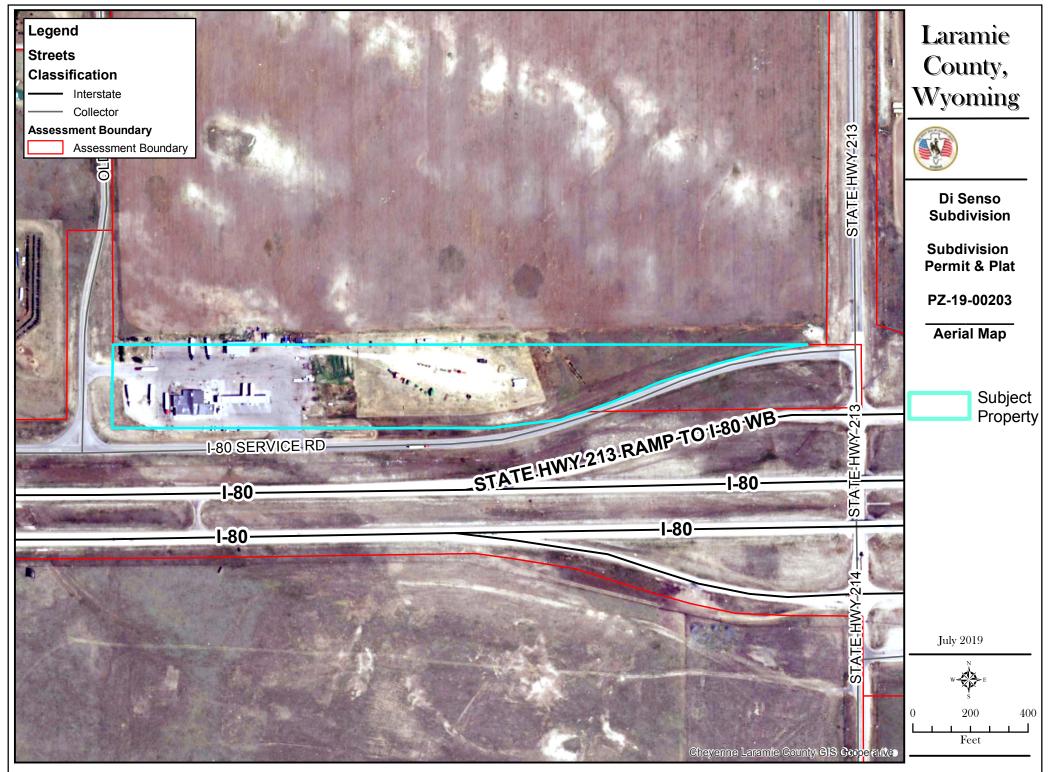
I move to approve the Subdivision Permit and Plat for the Di Senso Subdivision with condition 1, and adopt the findings of facts a of the staff report.

ATTACHMENTS

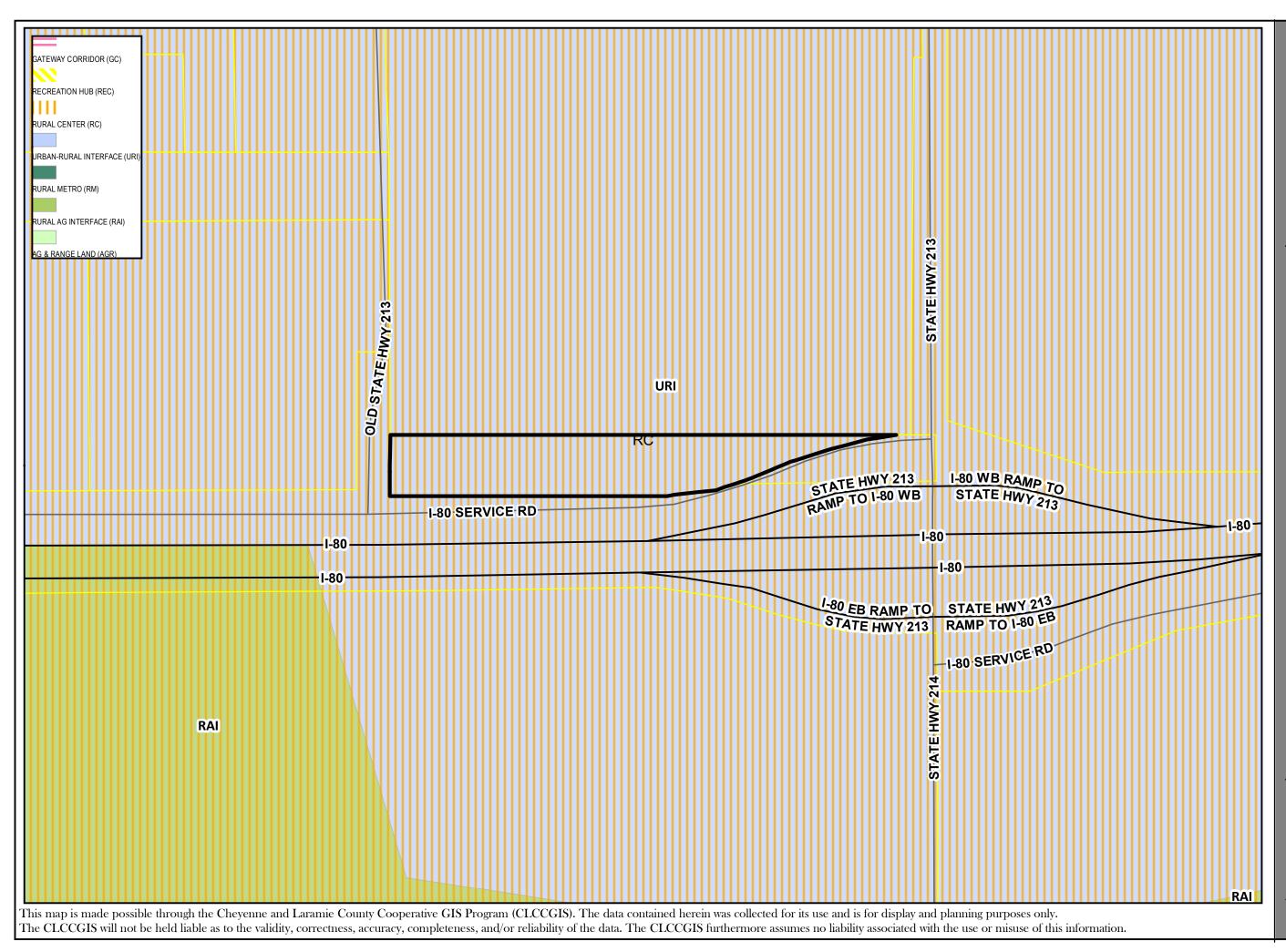
- Attachment 1: Location Map
- Attachment 2: Aerial Map
- Attachment 3: Comprehensive Plan Map
- Attachment 4: Traffic and Drainage Waiver Request Letter
- Attachment 5: Agency Comments Report
- Attachment 6: Applicant Response Letter August 12th, 2019
- Attachment 7: Existing Conditions Map Revised September 18th, 2019
- Attachment 8: Plat Map Revised September 18th, 2019
- Attachment 9: Resolution

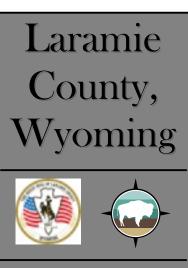


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Di Senso Subdivision

Subdivision Permit & Plat

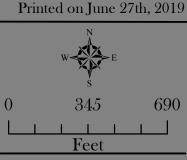
PZ-19-00203

Comprehensive Plan Map

LEGEND

Property Lines

Subject Property



Dan Cooley, PE, Griz Creek Engineering LLC 1843 Bluegrass Circle Cheyenne, WY. 82009 307-640-1718

June 27, 2019

To whom it concerns;

Please accept this correspondence as documentation requesting a Traffic Study Waiver for the requirements of the 2019 Laramie County Land Use Regulations Section 3-5-105a Traffic Study Waver Request Criteria.

The site is currently approximately 11.65 acres and is comprised of the Antelope Truck Stop on the western half of the property. The eastern half of the property is currently undeveloped. The propose division of the property would allow a residence to be constructed on the eastern 5.20 acres of the 11.65 acre property. The addition and construction of the new home and proposed new home will have very little to any impact on the current traffic flows to and from the property. The ingress and egress into Antelope Truck Stop will remain unchanged and traffic will flow as always. The residence will have a minimal increase in the amount 2-3 trips per day

Respectfully,

Dan Cooley, PE, Griz Creek Engineering LLC

LARAMIE

JUL 1 2 2019 PLANNING & DEVELOPMENT OFFICE

Dan Cooley, PE, Griz Creek Engineering LLC 1843 Bluegrass Circle

Cheyenne, WY. 82009 307-640-1718

June 27, 2019

To whom it concerns;

Please accept this correspondence as documentation requesting a Drainage Study Waiver for the requirements of the 2019 Laramie County Land Use Regulations Section 3-1-105 Drainage Study Waver Request Criteria.

The site is currently approximately 11.65 acres and is comprised of the Antelope Truck Stop on the western half of the property. The drainage on the existing truck stop will remain unchanged. The eastern half of the property is currently undeveloped. The propose division of the property would allow a residence to be constructed on the eastern 5.20 acres of the 11.65 acres property. The addition and construction of the new home and proposed new home will have very little to any impact on the current drainage patterns of the existing property. The additional runoff created by the impervious addition of the new home and driveway will be contained onsite by the natural contours of the lot. The construction/addition of the new home will not affect the drainage downstream of the site.

Respectfully,

Dan Cooley, PE, Griz Creek Engineering LLC

JUL 1 2 2019 FLANNING & DEVELOPMENT OFFICE **County Real Estate Office:** Laura Pate COMMENTS ATTACHED 08/01/2019 Missing the notary acknowledgement for Gurnam Singh.

County Engineer: Scott Larson COMMENTS ATTACHED 07/29/2019

Engineer Review

1. I concur with the request for a waiver of a detailed Drainage Study and Traffic Study based on the information provided in the request.

2. Note 1 on the Plat drawing is missing the Site Combination Factor.

3. There is no Acknowledgement for Gurnam Singh.

4. It would be helpful if the Legend included designation/definition of the various line types used on the Plat.

Surveyor Review

1. Gurnam Singh is shown as the sole owner, therefore in the last paragraph of the DEDICATION, have should be has, do should be does, their should be his (twice) and do should be does.

2. There are no Wyoming State Plane Coordinate field observation coordinates shown on the plat.

3. There are some distance differences that are not shown on the plat. There are some distances included in the legal description of the DEDICATION that are different than the plat distances, but not shown on the plat.

Environmental Health Department: Roy Kroeger COMMENTS ATTACHED

07/23/2019

Laramie County Small Wastewater System Regulations

Any small wastewater system shall be designed by a Wyoming Licensed Professional Engineer.

Any development on tract 2 shall obtain a commercial small wastewater system permit prior to start of any construction.

The lot split appears to be in the vicinity of the commercial wastewater system for tract one and care needs to be taken to assure that the small wastewater system is completely with the boundaries of tract 1.

WYDOT: Randy Griesbach COMMENTS ATTACHED 07/31/2019

It appears from the drainage and traffic waiver request letter that access will be from the existing access point to the Antelope Truck Stop. If this is not the case, WYDOT needs to be contacted, Mike Ginther 307-745-2100.

The combined factor should be put in where the X's are in the note.

Planners: Bryan Nicholas COMMENTS ATTACHED 08/06/2019

1. The acreage should show both net and gross if the net acreage will be under the required 5.25 acres based on the AMEC Memo for areas in Zone 2.

2. Symbols along the south portion of the plat are shown but not referred to in the legend. Please remove or add.

3. It appears on the Assessors Map that the parcel adjacent along the east boundary is owned by the State Highway Commission, this should be shown on the plat instead of being labeled "I-80 Service Road".

Building Dept.: Antony Pomerleau COMMENTS ATTACHED 08/01/2019 ALL PERTINENT BUILDING PERMITS WILL BE REQUIRED AT TIME OF DEVELOPMENT.

Planners: Cambia McCollom COMMENTS ATTACHED 07/24/2019 Some of our records show that there are currently 3 addresses located on the property in question. They are 4850 I-80 Service RD (Commercial Use), 4852 I-80 Service RD (Commercial Use) and 1105 State Hwy 213 (Multi Unit Residential Use). Is this still the case and will the Subdivision effect their use?

AGENCIES WITH NO COMMENTS

County Assessor, County Public Works Department, Sheriff's Office.

AGENCIES WITH NO RESPONSE

County Attorney, County Treasurer, County Conservation District, Wyoming State Engineer's Office, Wyoming DEQ, US Post Office, Combined Communications Center, Emergency Management, Fire District No. 6, High West Energy, RT Communications, Town of Burns, Laramie County Weed & Pest. Dan Cooley, PE Griz Creek Engineering LLC 1843 Bluegrass Circle Cheyenne, WY. 82009 307-640-1718

August 13, 2019

To: Bryan Nichols, Associate Planner From: Dan Cooley, Griz Creek Engineering; Gurnam Singh, Antelope Truck Stop RE: responses to subdivision review comments

Please accept this correspondence as documentation of the proposed responses to the comments received for the Di Senso Subdivision Permit and Plat application. PZ-19-00203.

County Real Estate Office: The notary acknowledgement for Gurnam Singh will be added to the plat.

County Engineer: The comments (2-7) by the county engineer will be addressed on the plat prior to recordation.

Environmental Health: The proposed new wastewater system will be a residential system and entirely contained on the proposed new lot 2. The commercial system for the existing lot and truck stop will be contained entirely on proposed lot 1. The proper permits shall be obtained prior to construction on lot 2.

WYDOT: Access will be from the I-80 service road. The necessary permits will be obtained from WYDOT.

Planners: The proposed lot 2 size shall be increased to meet the minimum recommendation of the AMEC memo.

A legend will be added to the plat prior to recordation.

The ownership of the adjacent lot shall be corrected on the plat prior to recordation.

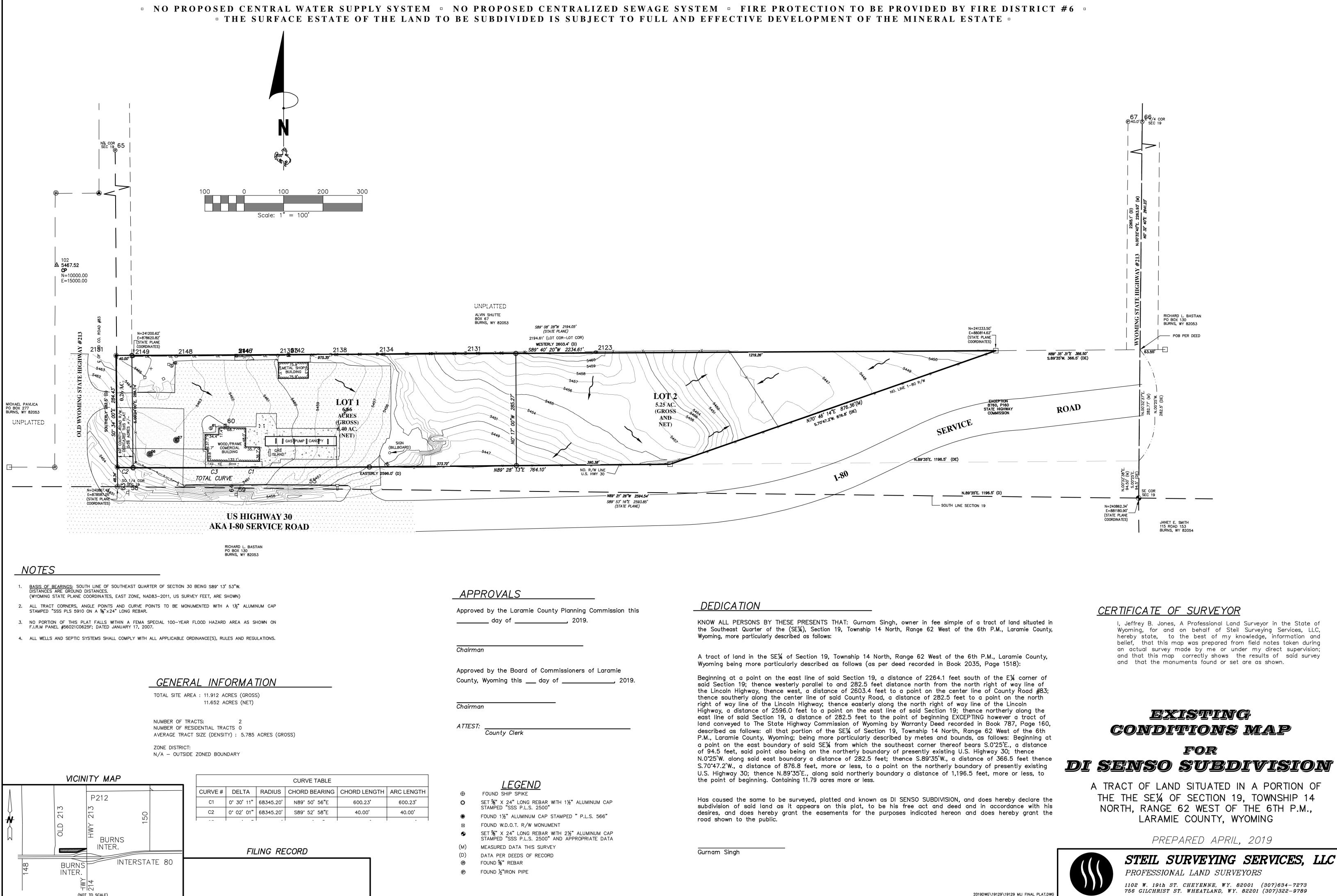
The 3 addresses at the current existing location will remain. The subdivision will not affect their use.

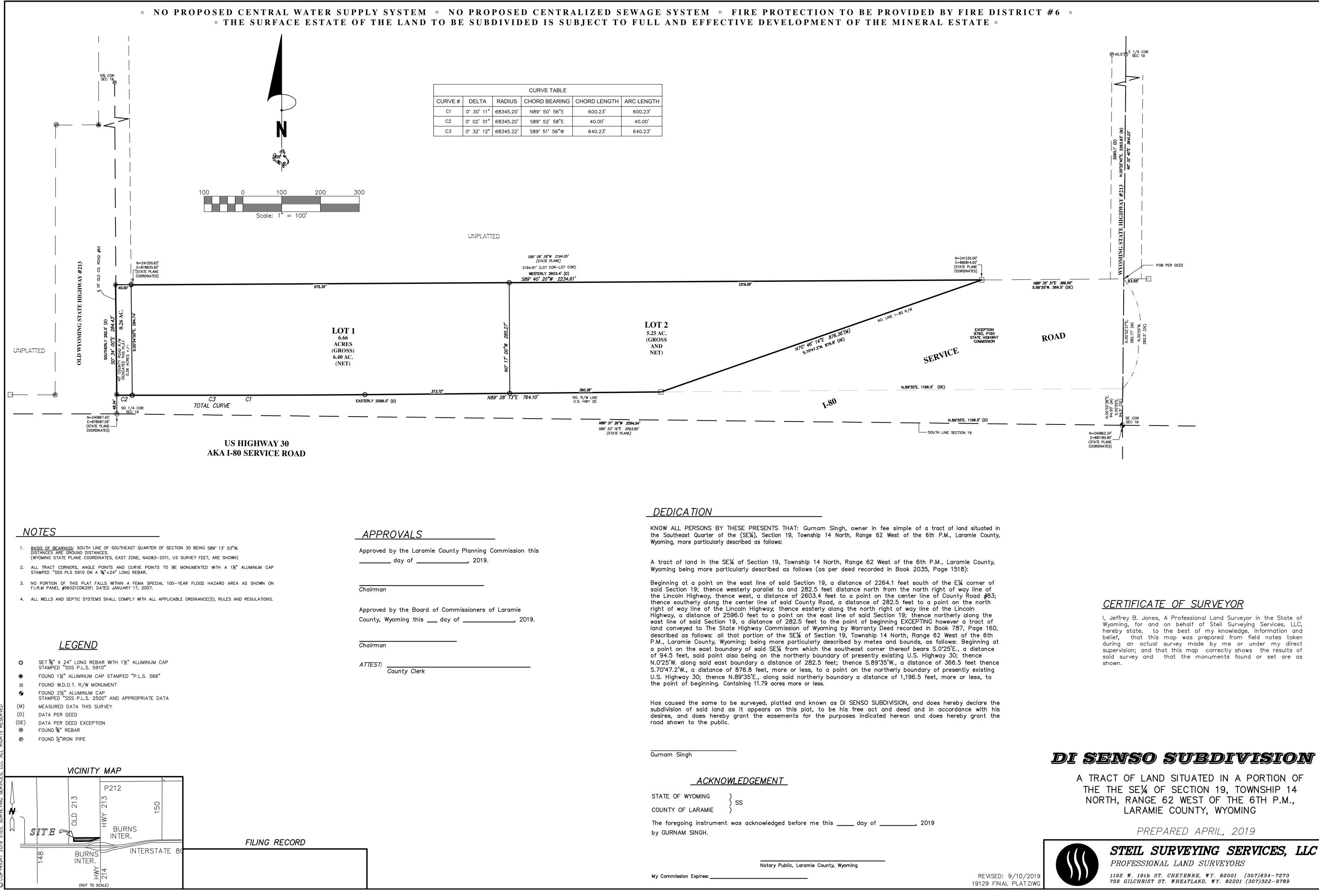
Building Dept: All necessary building permits will be obtained prior to construction on the proposed new lot 2.

Respectfully,

an Oo

Dan Cooley, PE Griz Creek Engineering LLC





CURVE TABLE					
CURVE #	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C1	0° 30' 11"	68345.20'	N89° 50' 56"E	600.23'	600.23'
C2	0°02'01"	68345.20'	S89* 52' 58"E	40.00'	40.00'
C3	0* 32' 12"	68345.22'	S89° 51' 56"W	640.23'	640.23 '

<u>CERTIFICATE OF SURVEYOR</u>

I, Jeffrey B. Jones, A 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

DI SENSO SUBDIVISION

A TRACT OF LAND SITUATED IN A PORTION OF THE THE SE¼ OF SECTION 19, TOWNSHIP 14 NORTH, RANGE 62 WEST OF THE 6TH P.M., LARAMIE COUNTY, WYOMING

PROFESSIONAL LAND SURVEYORS 1102 W. 19th ST. CHEYENNE, WY. 82001 (307)634-7273 756 GILCHRIST ST. WHEATLAND, WY. 82201 (307)322-9789

RESOLUTION NO.

A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR A PORTION OF LAND IN THE SE1/4, SECTION 19, T. 14 N., R. 62 W., OF THE 6TH P.M., LARAMIE COUNTY, WY, TO BE PLATTED AND KNOWN AS 'DI SENSO 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 Di Senso 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.

And the Board approves the Subdivision Permit and Plat for Di Senso Subdivision with the following condition:

1. A revised Plat shall be submitted to the Planning Staff for review prior to recordation of the Plat.

PRESENTED, READ AND ADOPTED 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:

FOIL

Mark T. Voss, Laramie County Attorney