

#### LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

#### Planning • Building

#### **MEMORANDUM**

**TO:** Laramie County Board of Commissioners

FROM: Michael Surface, Planner

DATE: December 3, 2019

TITLE: Review and action on a Subdivision Permit and Plat, for a re-plat of Tract 1,

Seven Cousins Subdivision and Lot 1, Block 1, Seven Cousins, 2<sup>nd</sup> Filing, Laramie County, WY; to be Platted and Known as "Seven Cousins, 3<sup>rd</sup>

Filing".

#### **EXECUTIVE SUMMARY**

The Timothy L. and Theresa A. Hupp Trust, as property owner, desire to create three lots from previously platted property. The 12.37-acre tract is located on the west side of College Drive between East Allison Road and Fox Farm Road. Steil Surveying Service, LLC is the agent.

#### **BACKGROUND**

The property is used as a storage unit facility along the west side of College Drive, with an undeveloped portion directly to the rear of the existing business. All urban services are available and provided to the proposed subdivision. The land uses on either side of the site are light industrial land uses. Laramie Community College and Niobrara Industrial Park are situated nearby to the south. Vacant, open land located within the city limits is situated directly east of the proposed subdivision. City limits also touch the northern boundary of the property, where another industrial use is located.

The property has a zoning designation of L-I, Light Industrial with an average lot size of 4.12 acres for the proposed 12.37-acre subdivision. The owner wishes to subdivide for ownership purposes.

#### **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 existing land uses show a mixed commercial/light industrial area providing services to the surrounding area and the community. This property on College Drive is one of several mixed commercial areas served by the principal arterial roadway.

The Laramie County Comprehensive Plan shows the property being within the Urban Rural Interface Area. This interface area is designated to accommodate a mix of more intensive land uses than other areas. Higher density industrial type uses, like the proposed subdivision, fulfills its role within the Urban Rural Interface Area. The proposed subdivision meets the guidance intent of the Laramie County Comprehensive Plan.

Plan Cheyenne shows the proposed subdivision being a part of a mixed-use area with a commercial emphasis. One of the primary land uses and activities in this category is light industrial located near an arterial road, and situated within the urban services boundary. The proposed subdivision demonstrates those characteristics. Thus, it meets the intent of the City of Cheyenne Comprehensive Plan.

This higher intensity land use site being adjacent to similar uses on a principal arterial, combined with its' onsite urban services create common denominators for long range planning. The common denominators join both jurisdictional comprehensive plans to provide clear future land use guidance.

All public notice requirements of the Laramie County Land Use Regulations (Section 1-2-104) have been met. No comments were received through the public notice process.

A public hearing on this application was held November 13, 2014 by the Laramie County Planning Commission. No public comment was provided. The Planning Commission voted 4-0 to recommend approval of the application to the Board with three (3) conditions.

The applicant has provided a revised plat which meets all three conditions approved by the Planning Commission. Those conditions were:

- 1. All clerical matters are to be resolved prior to recordation of the plat.
- 2. Drainage easement sizing and placement are to be resolved prior to recordation of the plat.

3. Demonstrate that the off-site access easements are to remain in place prior to recordation of the plat.

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 Seven Cousins, 3<sup>rd</sup> Filing with no conditions.

#### **PROPOSED MOTION**

I move to approve the Subdivision Permit and Plat for Seven Cousins, 3<sup>rd</sup> Filing and adopt the findings of fact a and b of the staff report.

#### **ATTACHMENTS**

Attachment 1: Location Map
Attachment 2: Aerial Map

**Attachment 3: Comprehensive Plan Map** 

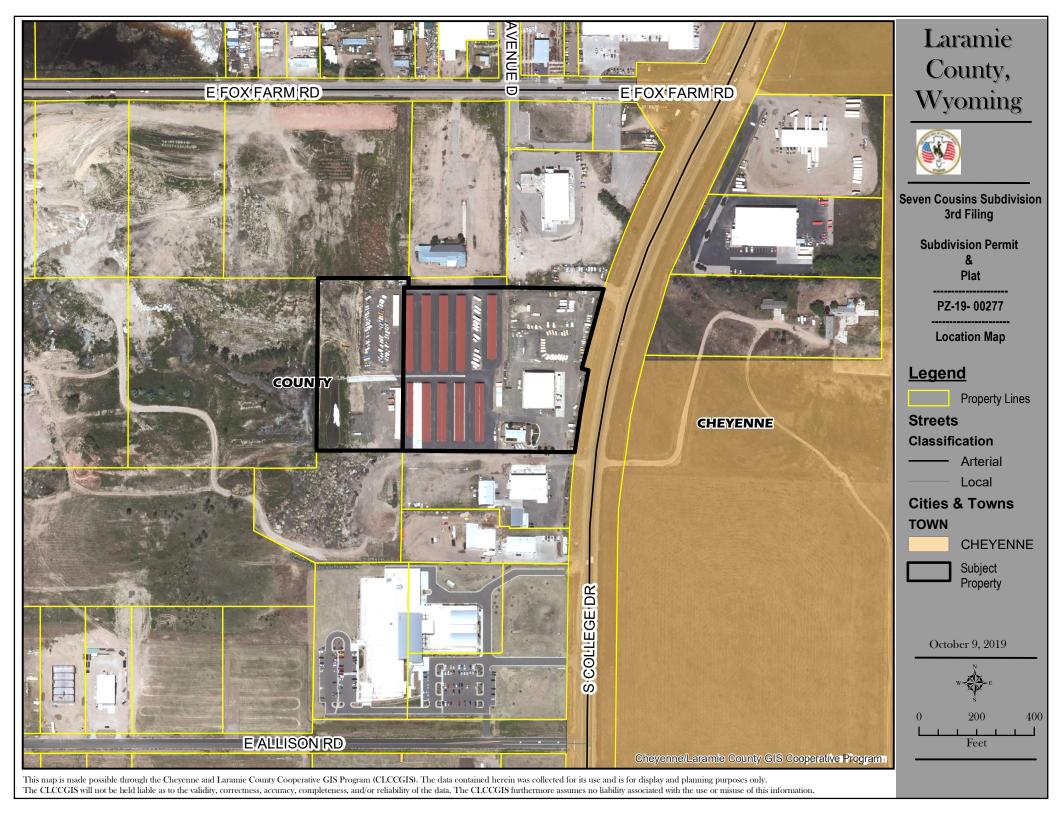
**Attachment 4: PlanCheyenne Map** 

**Attachment 5: Zoning map** 

Attachment 6: Agency Comments Report Attachment 7: Existing Conditions Map

Attachment 8: Plat – Revised November 20th, 2019

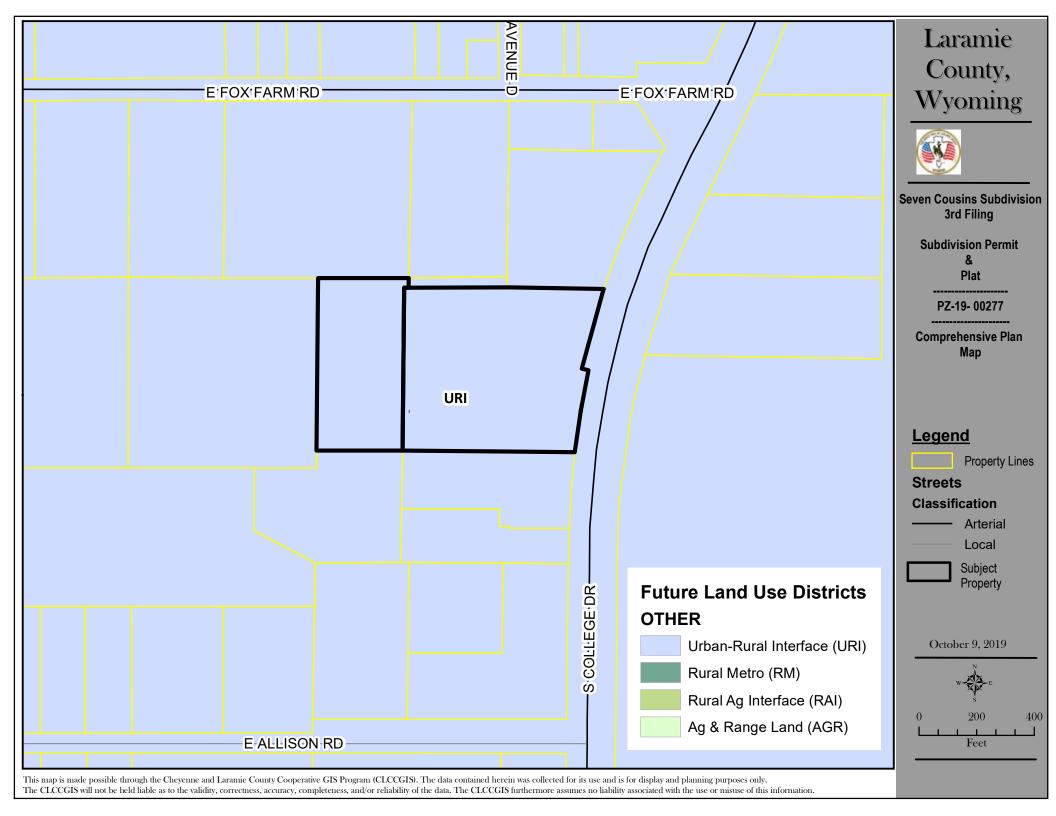
Attachment 9: Resolution

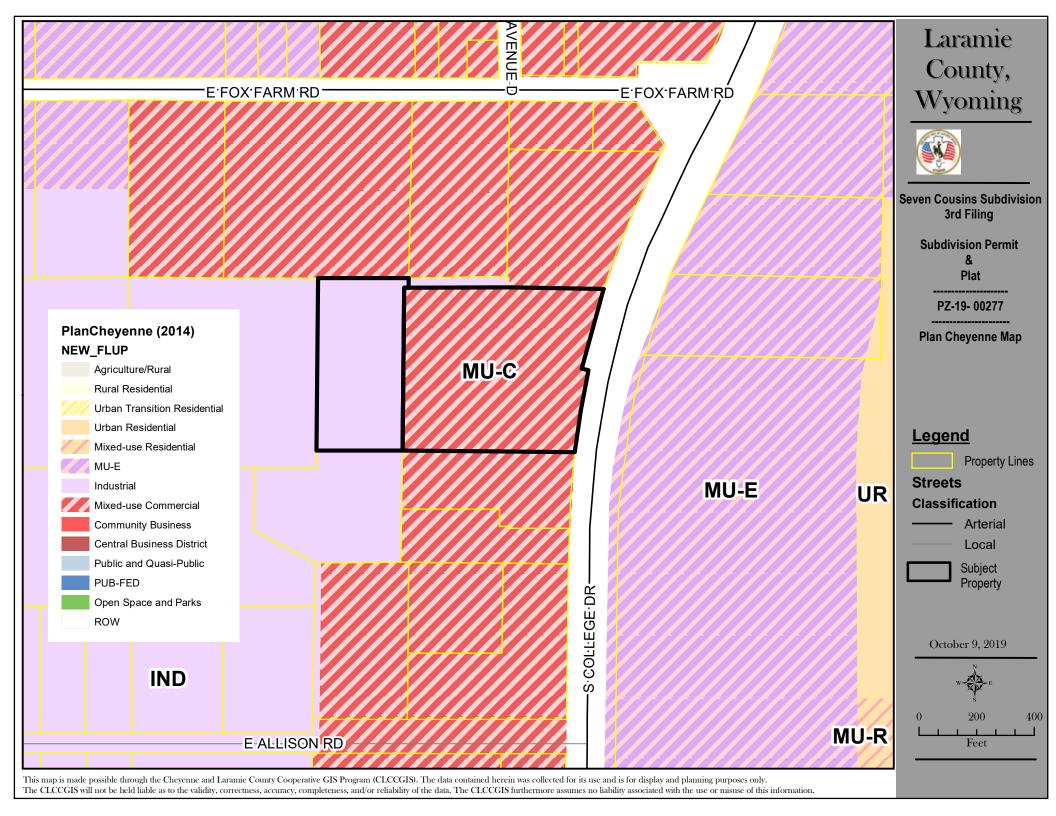


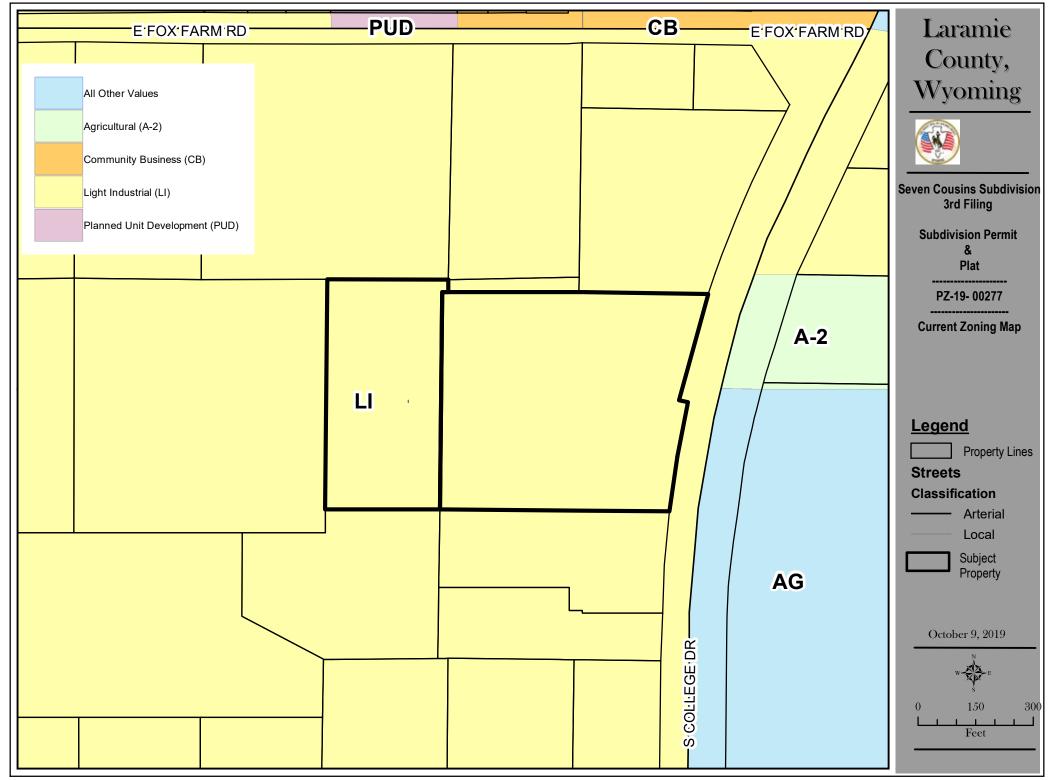


This map is made possible through the Cheyenne and Laramie County Cooperative GIS Program (CLCCGIS). The data contained herein was collected for its use and is for display and planning purposes only.

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#### PZ-19-00277 SEVEN COUSINS SUBDIVISION, 3RD FILING SUBDIVISION PERMIT

<u>Cheyenne MPO:</u> Cheyenne MPO, Nancy Olson COMMENTS ATTACHED 10/31/2019 1. The existing bituminous surface extends and ties into the existing 60' ingress/egress, Drainage & Utility easement with approximately 50' bituminous surface that is attached to the joint access on seven cousins subdivision property. Is this access going to be maintained for Lot 1 & 2?

2. What is the size of the detention area required for all three lots combined? Is there going to be a joint drainage easement and for all three lots to allow surface water to drain into the detention area? If not, do all three lots have to build a detention area so not to place surface drainage issues onto the adjacent properties?

## <u>County Engineer:</u> County Engineer, Scott Larson COMMENTS ATTACHED 10/29/2019

#### **Engineer Review**

- 1. I concur with the request for a waiver of a detailed Traffic Study. The proposed action will have a negligible impact on traffic volumes.
- 2. There are no signature blocks provided for the Planning Commission, the County Commissioners and County Clerk.
- 3. The title does not include the section, township and range from the 6th principal meridian.
- 4. Note 5b refers to a 30' easement but it appears on the drawing that it is 65'. In addition, on the drawing it says "(See Note 6b)" which I believe should be 5b. The access easement to the ease of this also refers to "See Note 6b" and there is no Note 6b.
- 5. Along the north property line of Lot 1, the measured distance is blocked by the recorded distance.
- 6. Although I do not believe it is necessary for the applicant to submit a complete detailed Drainage Study, there does need to be something submitted that outlines how the drainage will work for all three Lots. Do all lots and will all lots drain to the detention pond in Lot 3? If so, then there should be drainage easements located on the plat to insure the drainage paths from each lot to the detention pond will be maintained. The detention easement shown on the plat appears to be a significantly smaller area than the actual detention pond that is located there now. This plat should revise the easement to fit the actual detention pond. A discussion regarding how the drainage currently operates for all lots and how the drainage will operate in the future, if different, needs to be submitted. Verification that the detention pond currently has the capacity and is sized for all three lots if it is the intent to drain all lots to the pond needs to be completed.

#### Surveyor Review

1. Grammatically the DEDICATION is a little inconsistent to follow, switching from plural to singular and vice-versa. Maybe the following example would be helpful. KNOW ALL PERSONS BY THESE PRESENTS THAT the Timothy L. and Theresa A. Hupp Trust

dated July 16, 2018, duly represented by Timothy L. Hupp, Trustee of the Timothy L. and Theresa Hupp Trust of July 16, 2018, is the owner in fee simple of All of Tract 1, Seven Cousins Subdivision, and All of Lot 1, Block 1, Seven Cousins Subdivision, 2nd Filing, Laramie County, Wyoming; Has caused the same to be surveyed, vacated and re-platted to be known as SEVEN COUSINS 3RD FILING, and does hereby declare the subdivision of said land as it appears on this plat, to be its free act and deed in accordance with its desires and does hereby grant the easements as shown and described to the specified grantee(s).

- 2. The boundary ties are incomplete for the 8' UTILITY EASEMENT (Bk. 2053, Pg. 1125) located along the northwest edge of Lot 2, you can't identify the south end of the easement.
- 3. The boundary ties are incomplete for the 15' UTILITY EASEMENT (Bk. 2053, Pg. 1125) located along the north boundary of Lot 2, you can't identify the west end of the easement.
- 4. The boundary ties are incomplete for the 20' SEWER EASEMENT (Bk. 841, Pg. 326) running diagonal southeast in the eastern half of Lot 1, you can't identify location of the location of the centerline of the south end of the easement.
- 5. There is a dimension missing at the north end of the ±38' wide INGRESS/EGRESS, UTILITY & DRAINAGE EASEMENT running along the west boundary of Lot 1, the (as scaled) ±15' east-west segment.
- 6. 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, at a minimum, the Section, Township and Range data with enough detail to indicate the location of the subdivision within the Section.

<u>South Cheyenne Water & Sewer:</u> South Cheyenne Water & Sewer, Dena Hansen COMMENTS ATTACHED 10/21/2019

Please maintain access to sewer easement through lot 1 block 1 Finalizing District boundaries involving lot 3 Block 1

Intraoffice: Planners, Michael Surface COMMENTS ATTACHED 10/29/2019

- 1. Add signature blocks for Planning Commission and Board of County Commissioners.
- 2. Place a note on the plat which states: "There shall be no permanent structure on any easement".

<u>Cheyenne Planning:</u> Cheyenne Development Services, Seth Lloyd COMMENTS ATTACHED 10/29/2019

- \* Official City Comment Letter attached
- \* Other comments from City reviewers:
- o The existing bituminous surface extends and ties into the existing 60' ingress/egress, Drainage & Utility easement with approximately 50' bituminous surface that is attached to the joint access on seven cousins subdivision property. Is this access going to be maintained for Lot 1 & 2?

o What is the size of the detention area required for all three lots combined? Is there going to be a joint drainage easement and for all three lots to allow surface water to drain into the detention area? If not, do all three lots have to build a detention area so not to place surface drainage issues onto the adjacent properties? o The Existing Conditions Map does not include the 40+ metal storage containers located on the western property. If these containers are to remain, it is unclear if they are completely on the new lot. (Measurement on the County Assessor aerial shows the NW corner of the metal containers as about 40' away from the NW corner of the storage building, while the Existing Conditions Map shows a distance of 38.5' from NW corner to the proposed property line)

#### **AGENCIES WITH NO COMMENTS**

County Assessor
County Real Estate Office
County Public Works Department
Environmental Health
Fire District No 1
Intraoffice

#### **AGENCIES WITH NO RESPONSE**

Cheyenne Urban Planning Office
Cheyenne Development Services
County Attorney
County Treasurer
County Conservation District
Combined Communications Center
Emergency Management
Sheriff's Office
Black Hills Energy
CenturyLink
Cheyenne Engineering Services
South Cheyenne Community Dev Assoc.
Laramie County Weed & Pest



#### **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

October 28, 2019

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

RE: Seven Cousins, 3<sup>rd</sup> Filing City Comments

Board of County Commissioners,

In compliance with W.S. 34-12-103 (b) the City hereby submits the following comments regarding the Seven Cousins, 3<sup>rd</sup> Filing Plat:

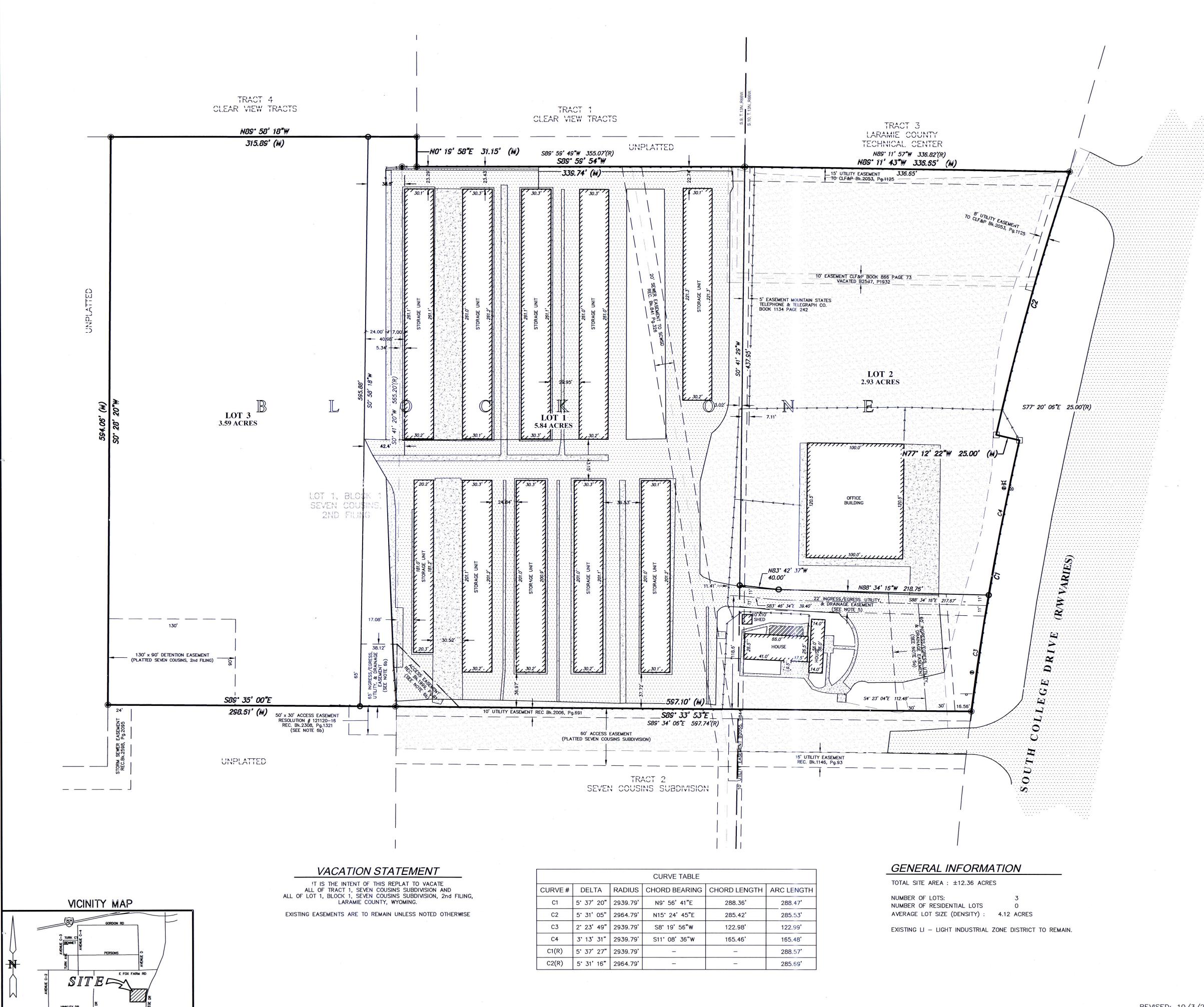
1. Future annexation of the property will prompt review by the City. Concurrent with annexation by petition, public improvements to streets may be required; driveway accesses will be reviewed for conformance with City standards and may require modification; and Community Facility Fees will be required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

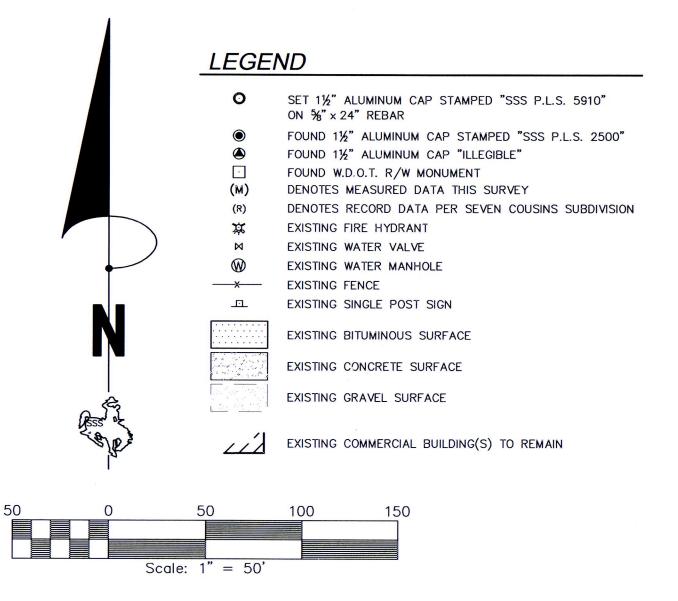
I do not believe that there are any items of disagreement that warrant a response by the Board of County Commissioners pursuant to W.S. 34-12-103-(b).

Thank you,

Charles W. Bloom, AICP

Planning and Development Director





#### **DEDICATION**

KNOW ALL PERSONS BY THESE PRESENTS THAT: Timothy L. and Therese A. Hupp Trust, dated July 16, 2018, owners in fee simple of All of Tract 1, Seven Cousins Subdivision, AND All of Lot 1, Block 1, Seven Cousins Subdivision, 2nd Filing, Laramie County, Wyoming;

Has caused the same, to be surveyed, vacated and re-platted to be known as SEVEN COUSINS 3RD FILING, and do hereby declare the subdivision of said land as it appears on this plat, to be their free act and deed in accordance with their desires and do hereby grant the easements as shown and described to the specified grantee(s).

Timothy L. Hupp as Trustee fo rTimothy L. and Therese A. Hupp Trust, dated July 16, 2018,

#### **NOTES**

- 1. BASIS OF BEARINGS WYOMING STATE PLANE COORDINATES, EAST ZONE NAD83-2011. US SURVEY FEET, DISTANCES ARE GRID DISTANCES. ELEVATIONS: NAVD88, BENCHMARK C-90. SITE COMBINATION FACTOR = 0.9996637913
- 2. ALL UNMONUMENTED TRACT CORNERS, ANGLE POINTS AND CURVE POINTS TO BE MONUMENTED WITH 1½" ALUMINUM CAP STAMPED "SSS PLS 5910" ON %" x 24" REBAR.
- 3. NO PORTION OF THE PROPOSED SUBDIVISION FALLS WITHIN A FEMA 100-YEAR SPECIAL FLOOD HAZARD AREA PER F.I.R.M.
- 4. DOMESTIC WATER AND SANITARY SEWER SERVICES TO BE PROVIDED BY SOUTH CHEYENNE WATER AND SEWER DISTRICT (SCWSD).
- 5. "INGRESS/EGRESS, UTILITY, & DRAINAGE EASEMENT(S)" GRANTED HEREON:
- a. "60' INGRESS/EGRESS, UTILITY, & DRAINAGE EASEMENT" AND "22' INGRESS/EGRESS, UTILITY, & DRAINAGE EASEMENT" ACROSS LOT 1, BLOCK ONE, THIS PLAT GRANTED TO THE OWNER(S) OF LOT 1 & LOT 3, BLOCK ONE, THIS PLAT, THEIR LEGAL SUCCESSORS INVITEES AND/OR ASSIGNS, FOR THE PURPOSES INDICATED.
- b. "30' INGRESS/EGRESS, UTILITY, & DRAINAGE EASEMENT" ACROSS THE SOUTHWEST CORNER OF LOT 1, BLOCK ONE, THIS PLAT GRANTED TO THE OWNER(S) OF LOT 3, BLOCK ONE, THIS PLAT, THEIR LEGAL SUCCESSORS INVITEES AND/OR ASSIGNS, FOR THE PURPOSES INDICATED; SAID EASEMENT BEING AN EXTENSION OF THAT "50' x 30' ACCESS EASEMENT RECORDED IN BOOK 2308, PAGE 1321 AND THAT ACCESS EASEMENT RECORDED IN BOOK 1999, PAGE 91.

## CERTIFICATE OF SURVEYOR

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 shown.

# EXISTING CONDITIONS FOR SEVEN COUSINS

# SRD FILING

A REPLAT OF TRACT 1, SEVEN COUSINS SUBDIVISION, AND LOT 1, BLOCK 1, SEVEN COUSINS SUBDIVISION, 2nd FILING LARAMIE COUNTY, WYOMING

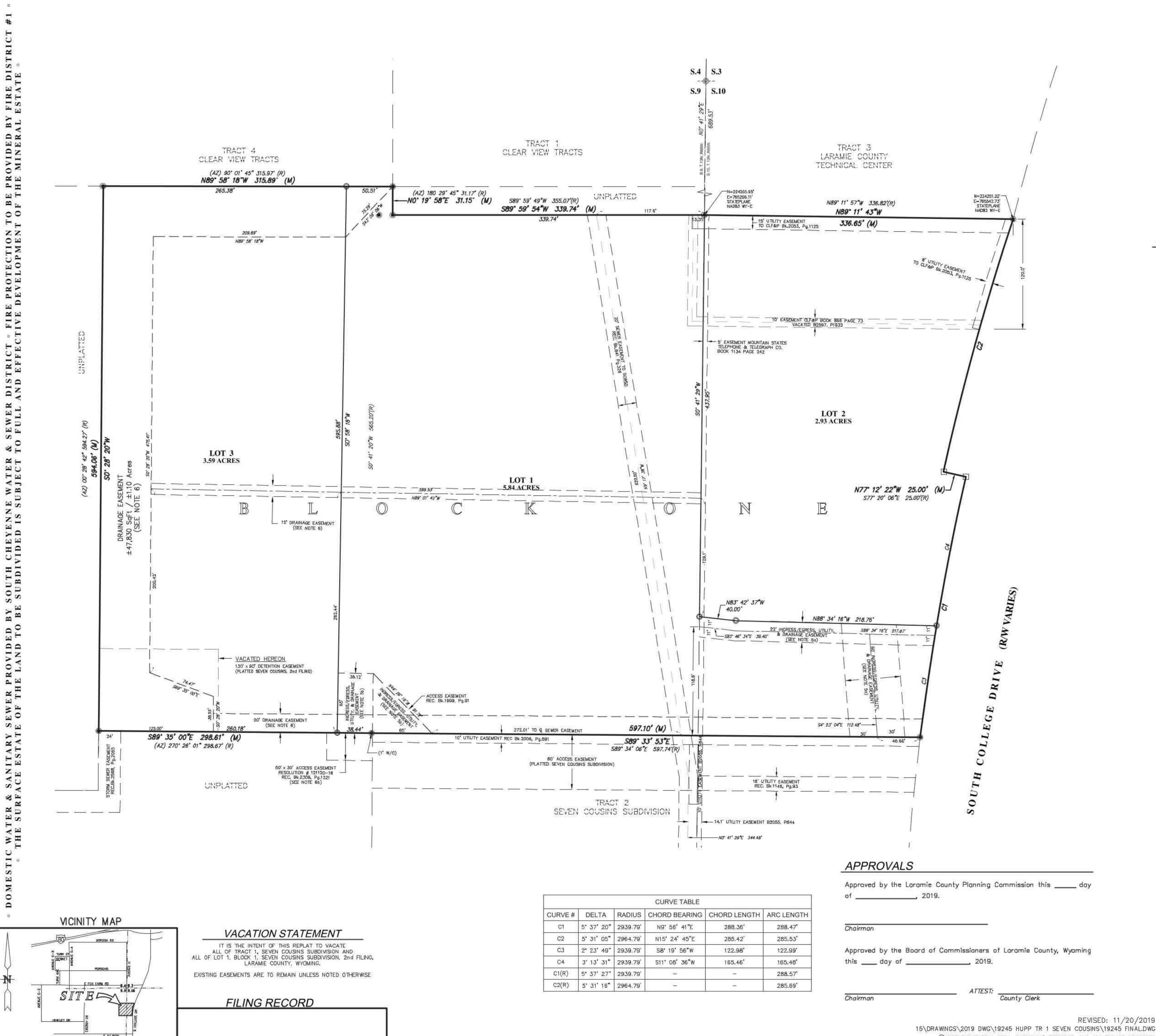
PREPARED September, 2019



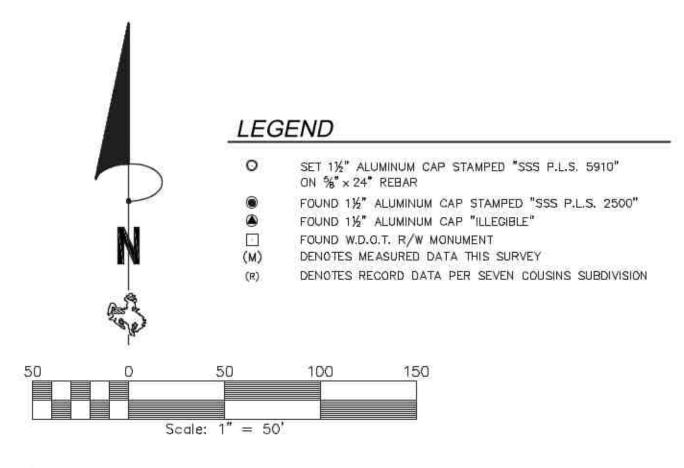
# STEIL SURVEYING SERVICES, LLC PROFESSIONAL LAND SURVEYORS PLANNING & DEVELOPMENT SPECIALISTS

1102 WEST 19th ST. CHEYENNE, WY. 82001 o (307) 634 - 7273 756 GILCHRIST ST. WHEATLAND, WY. 82201 o (307) 322 - 9789 www.SteilSurvey.com o info@SteilSurvey.com

REVISED: 10/3/2019
15\drawings\2019 DWG\19245 HUPP TR 1 SEVEN COUSINS\19245 FINAL.DWG
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(NOT TO SCALE)



#### DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT: The Timothy L. Hupp and Therese A. Hupp Trust, dated July 16, 2018, owner in fee simple of All of Tract 1, Seven Cousins Subdivision, AND All of Lot 1, Block 1, Seven Cousins Subdivision, 2nd Filing, Laramie County, Wyaming;

Has caused the same to be surveyed, vacated and re-platted to be known as SEVEN COUSINS 3RD FILING. and do hereby declare the subdivision of said land as it appears on this plat, to be their free act and deed in accordance with their desires and does hereby grant the easements as shown and described to the specified grantee(s).

Timothy L. Hupp as Trustee for Timothy L. and Therese A. Hupp Trust, dated July 16, 2018,

### **ACKNOWLEDGEMENT**

STATE OF WYOMING COUNTY OF LARAMIE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019 by Timothy L. Hupp as trustee for Timothy L. and Therese A. Hupp Trust, dated July 16, 2018.

Notary Public, Laramie County, Wyoming

My Commission Expires: \_\_

- 1. BASIS OF BEARINGS WYOMING STATE PLANE COORDINATES, EAST ZONE NAD83-2011. US SURVEY FEET, DISTANCES ARE GRID DISTANCES ELEVATIONS: NAVD88, BENCHMARK C-90. SITE COMBINATION FACTOR = 0.9996676067
- 2. ALL UNMONUMENTED TRACT CORNERS, ANGLE POINTS AND CURVE POINTS TO BE MONUMENTED WITH 11/2" ALUMINUM CAP STAMPED "SSS PLS 5910" ON %" x 24" REBAR.
- 3. NO PORTION OF THE PROPOSED SUBDIVISION FALLS WITHIN A FEMA 100-YEAR SPECIAL FLOOD HAZARD AREA PER F.I.R.M PANEL NO 56021C1357F; DATED JANUARY 17, 2007.
- 4. DOMESTIC WATER AND SANITARY SEWER SERVICES TO BE PROVIDED BY SOUTH CHEYENNE WATER AND SEWER DISTRICT (SCWSD).
- 5. "INGRESS/EGRESS, UTILITY, & DRAINAGE EASEMENT(S)" GRANTED HEREON:
- d. "60' INGRESS/EGRESS, UTILITY, & DRAINAGE EASEMENT" AND "22' INGRESS/EGRESS, UTILITY, & DRAINAGE EASEMENT" ACROSS LOT 1, BLOCK ONE, THIS PLAT GRANTED TO THE OWNER(S) OF LOT 1 & LOT 3, BLOCK ONE, THIS PLAT, THEIR LEGAL SUCCESSORS INVITEES AND/OR ASSIGNS, FOR THE PURPOSES INDICATED.
- b. VARIABLE-WIDTH "INGRESS/EGRESS, UTILITY, & DRAINAGE EASEMENT" ACROSS THE SOUTHWEST CORNER OF LOT 1, BLOCK ONE, THIS PLAT GRANTED TO THE OWNER(S) OF LOT 3, BLOCK ONE, THIS PLAT, THEIR LEGAL SUCCESSORS INVITEES AND/OR ASSIGNS, FOR THE PURPOSES INDICATED; SAID EASEMENT BEING AN EXTENSION OF THAT "50" x 30" ACCESS EASEMENT RECORDED IN BOOK 230B, PAGE 1321 AND THAT ACCESS EASEMENT RECORDED IN BOOK 1999, PAGE 91.
- 6. ALL "DRAINAGE EASEMENT"(S) SHOWN HEREON GRANTED MUTALLY BETWEEN ALL OWNERS OF LANDS CONTAINED WITHIN THIS PLAT, THEIR LEGAL SUCCESSORS AND/OR ASSIGNS FOR THE PURPOSE OF STORMWATER DRAINAGE FACILITES, CONVEYANCE,
- 7. THERE SHALL BE NO PERMANENT STRUCTURE PLACED ON ANY EASEMENT SHOWN HEREON.

### CERTIFICATE OF SURVEYOR

I, Jeffrey B. Janes, 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 shown.

# SEVEN COUSINS 3RD FILING

A REPLAT OF ALL OF TRACT 1, SEVEN COUSINS SUBDIVISION, AND ALL OF LOT 1, BLOCK 1, SEVEN COUSINS, 2nd FILING

SITUATED IN THE E1/2NE1/4 OF SECTION 9 AND THE W1/2NW1/4 OF SECTION 10, T.13 N., R.66 W. OF THE 6th P.M. LARAMIE COUNTY, WYOMING

PREPARED September, 2019



STEIL SURVEYING SERVICES, LLC PROFESSIONAL LAND SURVEYORS PLANNING & DEVELOPMENT SPECIALISTS

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www.SteilSurvey.com o info@SteilSurvey.com

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RESOLUTION NO.	
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# A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR TRACT 1, SEVEN COUSINS SUBDIVISION, AND LOT 1, BLOCK 1, SEVEN COUSINS, 2<sup>ND</sup> FILING, LARAMIE COUNTY, WY, TO BE RE-PLATTED AND KNOWN AS "SEVEN COUSINS, 3<sup>RD</sup> FILING".

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 the Seven Cousins, 3<sup>rd</sup> 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 Seven Cousins, 3<sup>rd</sup> Filing with no conditions.

PRESENTED, READ AND ADOPT	ED THIS	DAY OF
, 2019.		
	LARAMIE COI	UNTY BOARD OF COMMISSIONERS
	Linda Heath, C	hairman
ATTEST:		
Debra K. Lee, Laramie County Clerk	_	
Reviewed and approved as to form:		
Laramie County Attorney's Office	nekatoria	