

# LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

# Planning • Building

# **MEMORANDUM**

**TO:** Laramie County Board of Commissioners

FROM: Paul Whalen, AICP, Senior Planner

**DATE:** June 2, 2020

TITLE: PUBLIC HEARING regarding a Subdivision Permit & Plat for Westedt

Meadows, 2<sup>nd</sup> Filing, located in a portion of land situated in the SW 1/4

Section 21, T.14N., R.65W., of the 6th P.M., Laramie County, WY.

# **EXECUTIVE SUMMARY**

AVI PC, on behalf of South Ridgeview, LLC., has submitted Zone Change and Subdivision Permit & Plat applications for Westedt Meadows, 2<sup>nd</sup> Filing, located northeast of the Westedt Road - US Hwy 30 intersection. The zone change application was approved May 19<sup>th</sup>, 2020 with the Subdivision Permit and Plat continued to the June 2<sup>nd</sup>, 2020 BOCC hearing. The applicant seeks approval to subdivide the approximate 157.5-acre site into 29 single-family residential lots averaging 5.43 acres per lot.

This subdivision permit and plat request is for the southern half of the Westedt Meadows Preliminary Development Plan that was approved by the Laramie County Planning Commission on May 23, 2019.

# **BACKGROUND**

The second filing of the Westedt Meadows subdivision remains unplatted and surrounded by subdivisions of similar density, with several larger agricultural properties situated west of the Filing 2 site. The northern portion of the subdivision- Westedt Meadows 1<sup>st</sup> Filing (PZ-19-00140(141) directly north and adjacent to this proposal, was approved August 6, 2019.

# **Pertinent Regulations**

**Section 4-2-100** of the Laramie County Land Use Regulations governing the AR – Agricultural Residential Zone District.

**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 area as Urban Rural Interface (URI), which is intended to accommodate a mix of more-intensive land uses. These areas may have public water and sewer services, a higher level of vehicular access, and a greater overall level of community services. Higher density residential, intensive commercial, employment centers and industrial uses are preferred in these areas. Large lot, low density residential or intensive agricultural uses are generally not encouraged. While some of these areas may include existing agricultural uses, eventual development into more service—oriented land uses is anticipated in the future.

PlanCheyenne envisions Urban Transition Residential uses for this area, providing a gradual transition from the urbanized core of the Cheyenne area to the outlying rural regions. Primary uses include a limited range of lower-density residential uses, blending urban and rural standards, with appropriate supporting and complementary uses such as open space and recreation, equestrian uses, schools, places of worship, and other public or civic uses.

The zone change to AR- Agricultural Residential allows for the 5.25+ acre lot size proposed for the subdivision.

Water and sewage disposal shall be provided by on-site individual wells and septic systems. The minimum lot size requirements for septic system permits is satisfied with the average 5.43-acre lot size. The subject property lies within the Laramie County Control Area Conservation Area, and per the State Engineer's 2015 Order well spacing requirements for new permits allow one well per lawfully subdivided lot or one per ten (10) acres of any other legal parcel of land.

In accordance with the Wyoming Department of Environmental Quality (DEQ), a Chapter 23 study was conducted for the Westedt Meadows subdivision with DEQ granting approval, in the form of a "Non-Adverse Recommendation" on July 17, 2019.

A traffic study, and a drainage study waiver request for the entire Westedt Meadows subdivision was reviewed and approved during the 1<sup>st</sup> Filing. The County Engineer found the traffic study adequate and concurred with the drainage study waiver request based on the information provided by the applicant.

Pursuant to W.S. 34-12-103 (b), comments were solicited from the Cheyenne Planning and Development Office regarding the plat. Response was received on April 2, 2020 regarding City requirements for potential future annexation.

An initial review scheduled March 20 to April 4, 2020 provided multiple agency review comments. A second review of the revised plat scheduled April 16 to April 23, 2020 addressed all comments with the exception of the Fire District 2 fire cistern request; that request has been added as a condition of approval.

Public notice was provided per Section 1-2-104 of the Land Use Regulations, a second notice was mailed to the adjacent neighbors on May 20<sup>th</sup>, 2020. No public comment was received.

At the April 23, 2020 public hearing, the Planning Commission also voted 4-0 to recommend approval of the subdivision permit and plat with one condition. No public comment was received regarding either action.

# **RECOMMENDATION and FINDINGS**

Based on evidence provided for the *subdivision permit & plat*, 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 Westedt Meadows,  $2^{nd}$  Filing with the following condition:

1. A 30,000 gallon cistern at a location to be determined prior to recordation of the plat, contingent upon the agreement that the cistern shall be maintained by Fire District 2. The Community Facility Fees shall be applied to the cost of the installation.

# PROPOSED MOTION – SUBDIVISION PERMIT & PLAT

I move to approve the Subdivision Permit and Plat for Westedt Meadows, 2<sup>nd</sup> Filing with condition 1, and adopt the findings of fact a as shown in the staff report.

# **ATTACHMENTS**

Attachment 1: Location Map
Attachment 2: Aerial Map

Attachment 3: Comprehensive Plan Map

**Attachment 4: PlanCheyenne Map** 

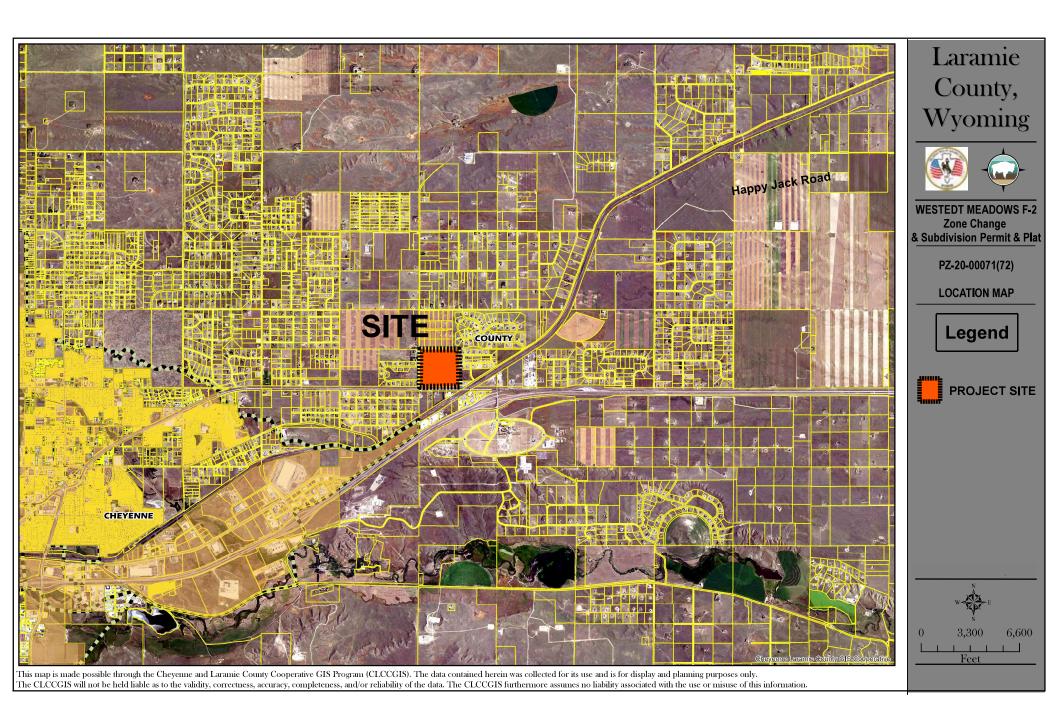
Attachment 5: Applicant Drainage Study Waiver Request Letter

**Attachment 6: Combined Agency Comments Reports** 

Attachment 7: AVI Response to Agency Comments – April 15, 2020

Attachment 8: Plat – Revised April 15, 2020

Attachment 9: Resolution – Subdivision Permit & Plat





Laramie County, Wyoming





WESTEDT MEADOWS F-2 **Zone Change** 

Subdivision Permit & Plat

PZ-20-00071(72)

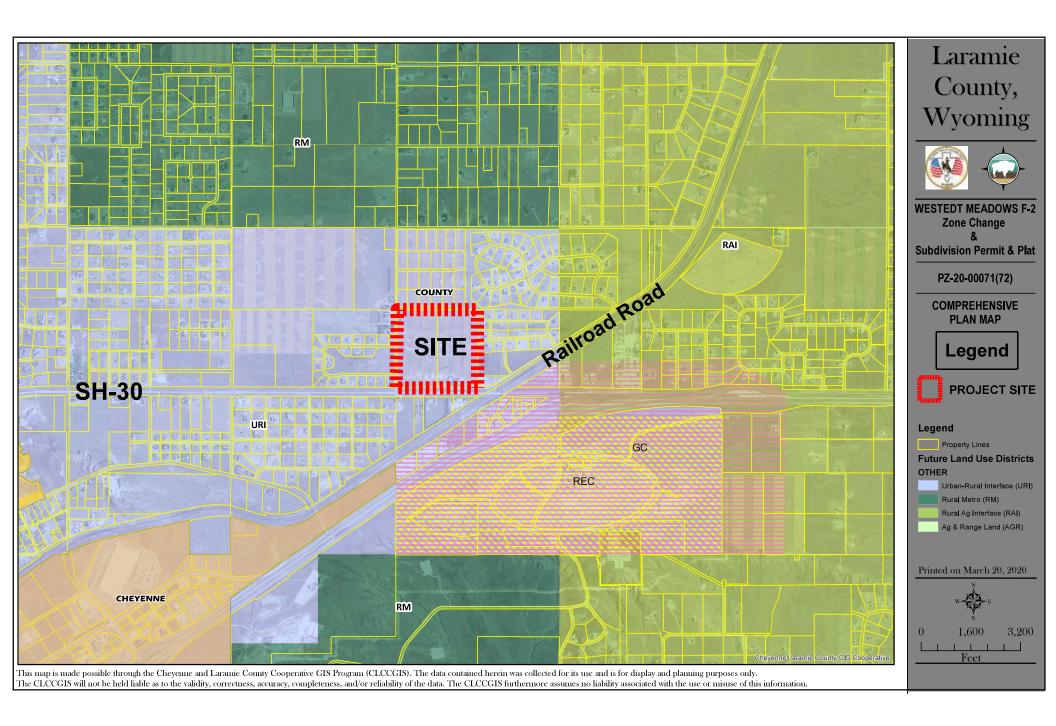
**AERIAL MAP** 

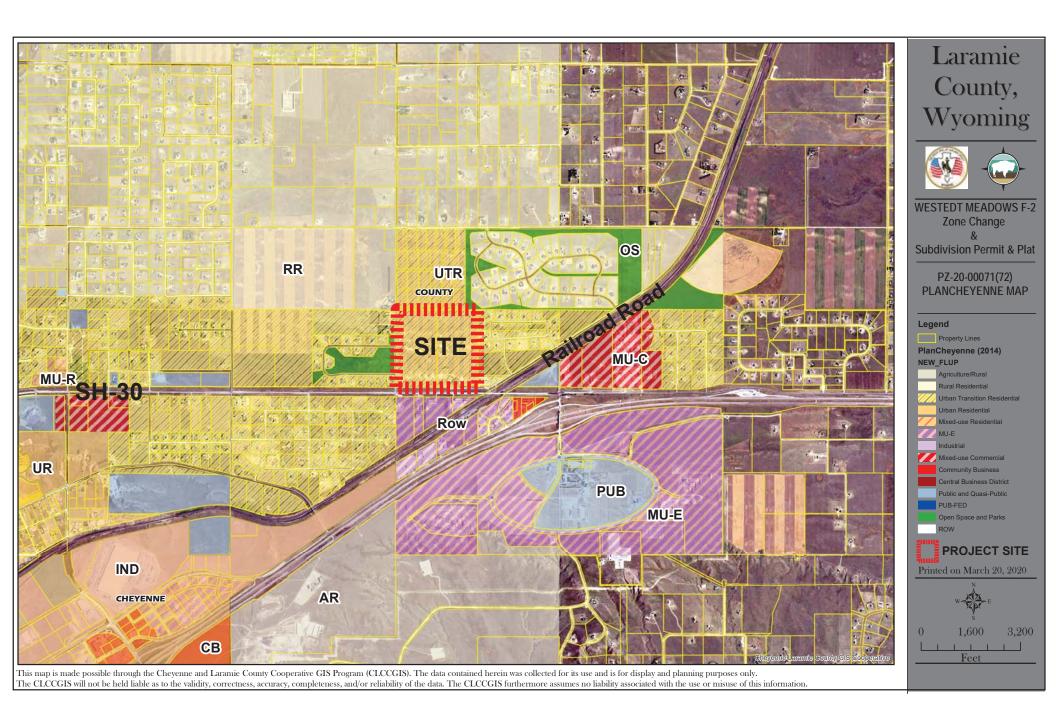
Legend

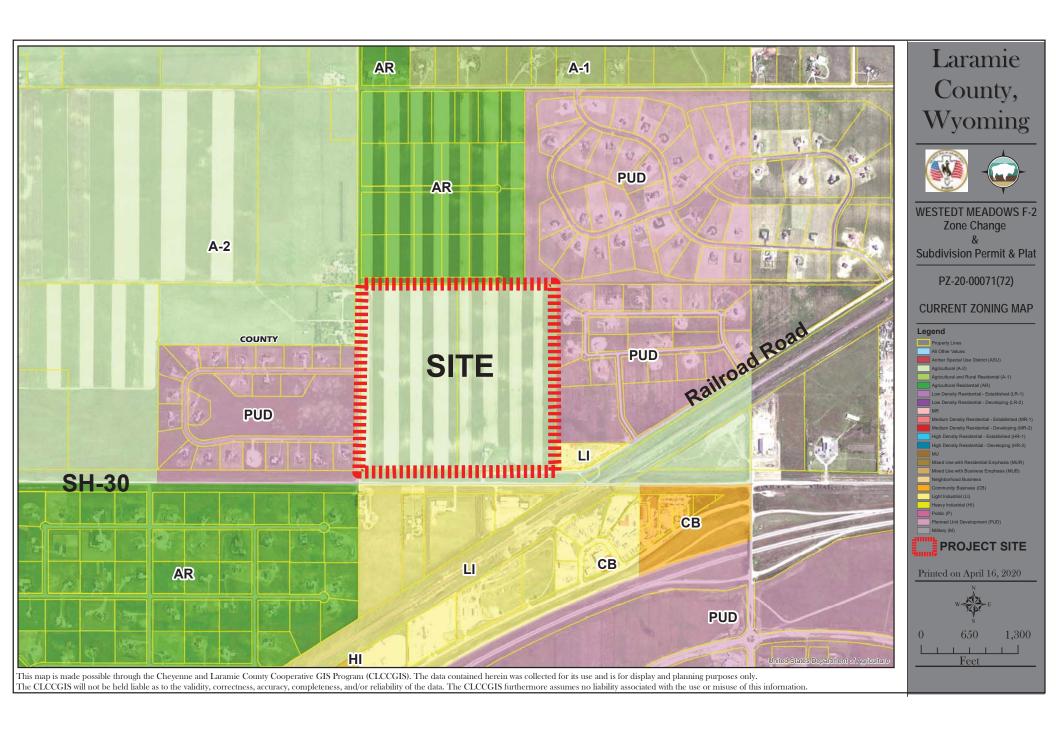
PROJECT SITE

830 Feet

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.









March 9, 2020 4240

Paul Whalen, Laramie County Planning 3931 Archer Parkway Chevenne, WY 82009

RE: Westedt Meadows 2<sup>nd</sup> Filing - Project Narrative, CFF, Traffic, Drainage and DEQ

Dear Mr. Whalen,

AVI, pc on behalf of South Ridgeview, LLC is seeking a recommendation of a subdivision permit and zoned change. This is the second phase of a preliminary development plan approved on May 23<sup>rd</sup>, 2019 and a subdivision permit and zone change approved by the Commissioners on August 6<sup>th</sup>, 2019.

The subdivision permit includes twenty-nine (29) single-family lots and roadways almost identical to the preliminary development plan. The Traffic study, Drainage waiver and DEQ permitting for the second phase were completed with the first phase under PZ-19-00140.

Drainage plans for roadways will be submitted with the construction drawings.

All proposed septic systems and wells will meet the setback requirements from the property lines and floodplain as required from the Laramie County Land Use Regulations, as well as the Small Waste Water System regulations from Laramie County Environmental Health.

The developer is aware of Community Facility Fees being due prior to recording of the plat.

Please feel free to contact our office with any questions regarding the Subdivision Permit and Zone Change application.

Sincerely,

**Brad Emmons** 

A VI PROFESSIONAL CORPORATION

h:\4240\_westedt\4240 phase 2 project narrative.docx

P|307.637.6017 F|307.632.9326

# First Review March 20 to April 4, 2020

# Second Review April 16 to April 23, 2020

PZ-20-00072

WESTEDT MEADOWS F-2

**Subdivision Permit** 

Intraoffice: Planners, Paul Whalen Comments Attached 04/07/2020 PLANNER COMMENTS:

- 1. Per Section 1-1-106, please provide the Community Facility Fee acknowledgment letter;
- 2. Please clarify the Tract 40 label-- it appears the text overlaps;
- 3. Under Area calculations, it states "6.64 acres are to be re-platted" whereas Tract 20 is comprised of 8.34 acres in Filing 1??

**Second Review: 4/17/2020** 

"Prior comments addressed, no additional comments at this time".

<u>Cheyenne Development Services:</u> Cheyenne Development Services, Seth Lloyd Comments Attached 04/02/2020

- 1. Official City Comment Letter unable to be attached (system issue) letter sent via email to County Planning Staff.
- 2. Connections to neighboring developments to the east would be appropriate, but previously-approved subdivisions have removed the capability.
- 3. This plat 'fixes' the issues with unconnected Raymond Road and elongated Tract 20 from the Westedt Meadows plat.
- 4. Plat states Westedt Road right-of-way is "to be dedicated". Suggest the language be modified to read "dedicated hereon" or similar.
- 5. Labels on Tract 40 are illegible.

Second Review: 4/17/2020

"No comments on second round submittal".

<u>County Engineer:</u> County Engineer, Scott Larson Comments Attached 04/01/2020 Engineer Review

- 1. Access for Tract 53 shall line up with Red Sky Loop and a note on the plat should be included to indicate this.
- 2. The label for the acres is on top of the label for the Tract on Tract 40 on the plat which makes it difficult to read.
- 3. C1 through C6 are included in the Curve Table, however C8 and C9 located at the south end of Dominique Road are not shown in the Curve Table.

# Surveyor Review:

- 4. There is a State Plane Coordinate shown near the northwest corner of TRACT 6 which is not clearly identified as specifically representing any one of the 3 points in the immediate area of the coordinate. The State Plane Coordinate representing the P.O.B. looks the same on the plat, but it is described in the BASIS OF BEARING note.
- 5. The LEGAL DESCRIPTION and the Title Block both indicate that this plat is also a REPLAT OF TRACT 20 AND A PORTION OF RAYMOND ROAD OF WESTEDT MEADOWS FIRST FILING. Should this plat include a notation specifically referencing the partial Vacation and RePlat of TRACT 20 and RAYMOND ROAD?
- 6. A portion of the length of the West Boundary of the subdivision is unreadable.
- 7. Several of the boundary tie dimensions for the DRAINAGE EASEMENT and the UTILITY EASEMENTS are very small and unreadable.
- 8. What is the defined use/purpose of the 16.50' EASEMENT (BK 1053, PG 366)? Second Review: 4/23/2020

"I have reviewed the updated/revised information and determined they have adequately addressed my previous comments. Therefore, I have no further comments at this time".

<u>County Real Estate Office:</u> County Real Estate Office, Laura Pate Comments Attached 03/30/2020

1. Tract 40 has wording typed over it, please make sure that we can read all tract number on the final plat

# Second Review: 4/17/2020

"They made the change I requested. Looks good to me".

<u>Environmental Health:</u> Environmental Health Department, Roy Kroeger Comments Attached 03/31/2020

- 1. Laramie County Small Wastewater System Regulations.
- 2. A copy of the signed final plat will be required prior to the issuance of any small wastewater system permit.
- 3. A perc test and 10' deep site hole will be required on each lot prior to the issuance of any small wastewater system permit.
- 4. Drainages that are not designated on the plat may require a survey stake designating an edge of the drainage so that 50' set back can be determined according to the regulations.

Second Review: 4/20/2020

"The Environmental Health comments are the same as before".

Fire District No. 2: Fire District No. 2, Cooper McCullar Comments Attached 03/23/2020

1. With the large amount of lots, Laramie County Fire District #2 requests that a 30,000-gallon fire cistern is installed in the subdivision that way we have a water source readily available within the subdivision in the event of a fire incident.

Second Review: 4/23/2020

No response.

Intraoffice: Planners, Cambia McCollom Comments Attached 03/30/2020

- 1. There are 2 existing addresses on this property, at 11800 Railroad RD and 11802 Railroad RD.
- 2. What is the intent with these as part of the new development?

Second Review: 4/28/2020

No Response (applicant to remove existing residences).

<u>Laramie Co School Dist No 1:</u> Laramie Co School Dist. No. 1, Chris Hout Comments Attached 03/23/2020

- 1. This development site falls within the East Triad -- student's home attendance boundaries are East High School, Carey Junior High School, Meadowlark and Saddle Ridge Elementary Schools.
- 2. The current attendance for these schools is as follows:
- 3. Saddle Ridge Elementary, grades K-4 -- at or above capacity, little to no space available.
- 4. Meadowlark Elementary, grades 5-6 -- at or above capacity, little to no space available.
- 5. Carey Junior High, grades 7-8 -- slightly below capacity with limited space available in both grades.
- 6. East High, grades 9-12 -- at or above capacity, little to no space available in all grades.

Second Review: 4/17/2020

"I have no additional comments".

WYDOT: WYDOT, Randy Griesbach Comments Attached 04/03/2020

- 1. Any utilities traversing the WYDOT R/W they will need appropriate licenses through the district maintenance office.
- 2. When drainage plan for roadways is developed, make sure any drainage that reaches WYDOT R/W follows historic drainage corridors and is maintained at or

## below historic rates.

Existing highway lane configuration is adequate and will be addressed on the future WYDOT US 30 construction project.

Second Review: 4/21/2020

"Sorry I didn't get this to you yesterday. No more comments".

# **Agencies with NO RESPONSE:**

Wyoming Game & Fish; Wyoming DEQ; Wyoming State Engineer's Office; Laramie County Weed & Pest; Laramie Co School Dist. No. 2; High West Energy; Emergency Management; County Conservation District; County Attorney; County Clerk; Cheyenne MPO; Combined Communications Center; CenturyLink;

# **Agencies with NO COMMENT:**

Sheriff's Office; County Public Works Department; County Assessor; Cheyenne Development Services



# **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

April 3, 2020

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

RE: Westedt Meadows, 2<sup>nd</sup> Filing Comments

Board of County Commissioners,

In compliance with W.S. 34-12-103 (b) the City hereby submits the following comments regarding the Westedt Meadows, 2nd 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



# WYOMING GAME AND FISH DEPARTMENT

5400 Bishop Blvd. Cheyenne, WY 82006

Phone: (307) 777-4600 Fax: (307) 777-4699 wgfd.wyo.gov

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March 30, 2020

WER 4502.164
Laramie County Planning and Development Office
PZ-20-00072 Preliminary Development Plan
WESTEDT MEADOWS F-2 - 11802 RAILROAD RD
Laramie County

Laramie County Planning and Development Office 3966 Archer Parkway Cheyenne, WY 82009

To Whom it May Concern:

The staff of the Wyoming Game and Fish Department (Department) has reviewed the WESTEDT MEADOWS F-2-11802 RAILROAD RD Preliminary Development Plan-PZ-20-00072 in Laramie County. We have no terrestrial or aquatic concerns pertaining to this proposed development.

Thank you for the opportunity to comment.

Small Whin

Sincerely,

Amanda Withroder Habitat Protection Supervisor

AW/mf

cc: U.S. Fish and Wildlife Service

Bobby Compton, Wyoming Game and Fish Department Martin Hicks, Wyoming Game and Fish Department Chris Wichmann, Wyoming Department of Agriculture WESTEDT MEADOWS PZ-20-00072 Subdivision Permit April 14, 2020

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2-4240.19



Paul Whalen Senior Planner, Laramie County Public Works 3966 Archer Pkwy Cheyenne, WY 82009 April 14, 2020 2-4240.18

### RE: REVIEW COMMENTS – PZ-20-00072 WESTEDT MEADOWS F-2 SUBDIVISION PERMIT

Dear Mr. Whalen,

Attached for your review is a resubmittal of the Final Plat for the above referenced project. This letter is in response to the County's comments (dated 04/08/2020) on the original final plat submittal. The County's review comments are listed below with AVI's response or solution in *red*.

# Planners, Paul Whalen

- Per Section 1-1-106, please provide the Community Facility Fee acknowledgment letter;
   Attached
- Please clarify the Tract 40 label-- it appears the text overlaps; Corrected.
- 3. Under Area calculations, it states "6.64 acres are to be replatted" whereas Tract 20 is comprised of 8.34 acres in Filing 1?? 8.34 acres was the gross area including half of the adjacent right of way. The net area for the lot was 6.46 acres.

# **Cheyenne Development Services: Seth Lloyd**

- 1. Official City Comment Letter unable to be attached (system issue) letter sent via email to County Planning Staff.
- Connections to neighboring developments to the east would be appropriate, but previously-approved subdivisions have removed the capability.
- This plat 'fixes' the issues with unconnected Raymond Road and elongated Tract 20 from the Westedt Meadows plat.
- 4. Plat states Westedt Road right-of-way is "to be dedicated". Suggest the language be modified to read "dedicated hereon" or similar. *Incorporated*
- 5. Labels on Tract 40 are illegible. *Corrected*.

# **County Engineer: Scott Larson**

- Access for Tract 53 shall line up with Red Sky Loop and a note on the plat should be included to indicate this. A note has been added to the plat.
- 2. The label for the acres is on top of the label for the Tract on Tract 40 on the plat which makes it difficult to read. *Corrected*.

WESTEDT MEADOWS PZ-20-00072 Subdivision Permit April 14, 2020



**ENGINEERING** 

40+ YEARS OF SERVICE

Page 2 of 4 2-4240.19

> C1 through C6 are included in the Curve Table, however C8 and C9 located at the south end of Dominique Road are not shown in the Curve Table. They have been renumbered to be C7 and C8 and added to the curve table.

# **Surveyor Review:**

- There is a State Plane Coordinate shown near the northwest corner of TRACT 6 which is not clearly identified as specifically representing any one of the 3 points in the immediate area of the coordinate. The State Plane Coordinate representing the P.O.B. looks the same on the plat, but it is described in the BASIS OF BEARING note. Leaders have been added to the coordinates to show the location they represent.
- The LEGAL DESCRIPTION and the Title Block both indicate that this plat is also a REPLAT OF TRACT 20 AND A PORTION OF RAYMOND ROAD OF WESTEDT MEADOWS FIRST FILING. Should this plat include a notation specifically referencing the partial Vacation and Replat of TRACT 20 and RAYMOND ROAD? Yes and added
- A portion of the length of the West Boundary of the subdivision is unreadable. Corrected
- Several of the boundary tie dimensions for the DRAINAGE EASEMENT and the UTILITY EASEMENTS are very small and unreadable. The text size has been increased.
- What is the defined use/purpose of the 16.50' EASEMENT (BK 1053, PG 366)? The easement is for a telecommunications line. It has been labeled as a 16.50' Utility easement on the plat.

# **County Real Estate Office: Laura Pate**

1. Tract 40 has wording typed over it, please make sure that we can read all tract number on the final plat. Corrected.

# **Environmental Health: Roy Kroeger**

- Laramie County Small Wastewater System Regulations.
- 2. A copy of the signed final plat will be required prior to the issuance of any small wastewater system permit.
- 3. A perc test and 10' deep site hole will be required on each lot prior to the issuance of any small wastewater system permit.

WESTEDT MEADOWS
PZ-20-00072 Subdivision Permit
April 14, 2020



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2-4240.19

4. Drainages that are not designated on the plat may require a survey stake designating an edge of the drainage so that 50' set back can be determined according to the regulations.

# Fire District No 2: Cooper McCullar

1. With the large amount of lots, Laramie County Fire District #2 requests that a 30,000-gallon fire cistern is installed in the subdivision that way we have a water source readily available within the subdivision in the event of a fire incident. This item will be discussed at the Commission meeting

# Planners, Cambia McCollom

- There are 2 existing addresses on this property, at 11800 Railroad RD and 11802 Railroad RD. These should be eliminated as those residence will be removed.
- 2. What is the intent with these as part of the new development? See reply to comment #1

### Laramie Co School Dist No 1: Chris Hout

- This development site falls within the East Triad -- student's home attendance boundaries are East High School, Carey Junior High School, Meadowlark and Saddle Ridge Elementary Schools.
- 2. The current attendance for these schools is as follows:
- 3. Saddle Ridge Elementary, grades K-4 -- at or above capacity, little to no space available.
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- 6. East High, grades 9-12 -- at or above capacity, little to no space available in all grades.

# **WYDOT: Randy Griesbach**

- Any utilities traversing the WYDOT R/W they will need appropriate licenses through the district maintenance office.
- When drainage plan for roadways is developed, make sure any drainage that reaches WYDOT R/W follows historic drainage corridors and is maintained at or below historic rates.
- Existing highway lane configuration is adequate and will be addressed on the future WYDOT US 30 construction project.

WESTEDT MEADOWS
PZ-20-00072 Subdivision Permit
April 14, 2020
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Respectfully Submitted

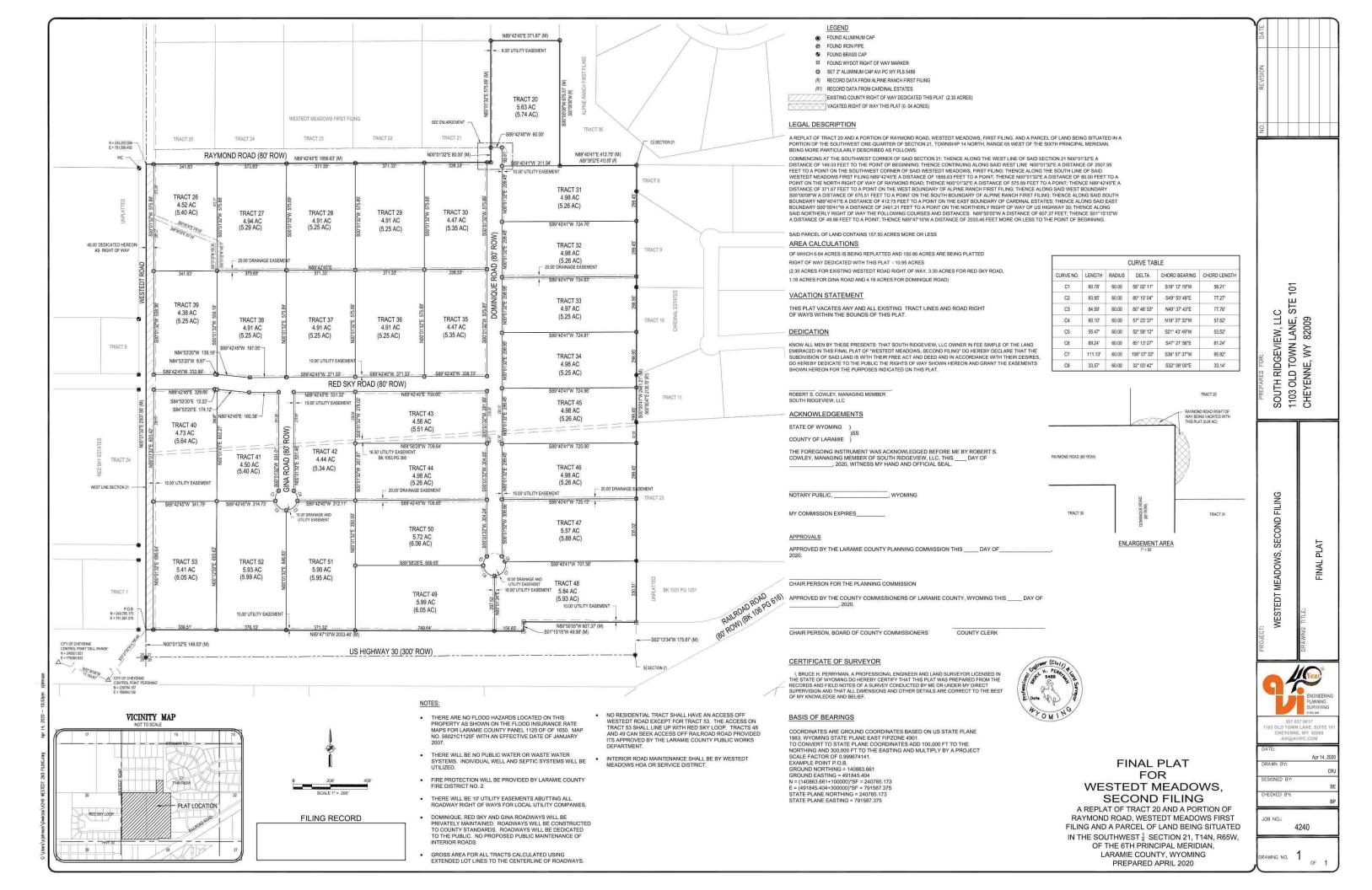
AVI PROFESSIONAL CORPORATION

Bruce H. Perryman, PE LS

Surveyor of Record

Cc: Southridge View, LLC

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RESOLI	JTION NO.	
KLSOL	DITON NO.	

# A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR WESTEDT MEADOWS, 2<sup>ND</sup> FILING, LOCATED IN A PORTION OF THE SW1/4 SECTION 21, T14N, R65W, OF THE 6TH PM, 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 previously 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 Westedt Meadows, 2<sup>nd</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.

And the Board approves the Subdivision Permit and Plat for Westedt Meadows, 2<sup>nd</sup> Filing with the following condition:

1. A 30,000 gallon cistern at a location to be determined prior to recordation of the plat, contingent upon the agreement the cistern shall be maintained by Fire District 2. The Community Facility Fees shall be applied to the cost of the installation.

PRESENTED, READ AND ADOPTED THISDAY OF		
, 2020.		
	LARAMIE COUNTY BOARD OF COMMISSIONERS	
	BOCC Chairman	
ATTEST:		
Debra K. Lee, Laramie County Cler	k	
Reviewed and approved as to form:		
Laramie County Attorney		