



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Planning Commission

FROM: Logan Graves, Planner

DATE: April 8, 2021

TITLE: Review and action for a Subdivision Permit and Plat for Archer Estates, 9th Filing, a replat of Tract 45 and Tract 46, Archer Estates, 4th Filing, located in a portion of the S1/2 of the E1/2 of Section 15, T.14N., R.65W., of the 6th PM, Laramie County, WY.

EXECUTIVE SUMMARY

AVI, PC, on behalf of Mark Nelson, has submitted a Subdivision Permit and Plat application for Archer Estates, 9th Filing, located at 6503 Patricia Court, Cheyenne, WY 82009. The application has been submitted for the purpose of subdividing the two existing tracts that are 19.42 acres when combined into three separate tracts of 5.26 acres, 8.86 acres, and 5.3 acres respectively.

BACKGROUND

The subject property has a residence and associated structure located in the northern portion of the property, which will remain on Tract 1 of the new subdivision. The surrounding area consists of rural residential properties that average approximately 10 acres each. As the proposed parcel is over 1-mile from City Limits, no review with the City is required.

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 2-1-104 of the Laramie County Land Uses Regulations for Subdivision Development Design Standards.

DISCUSSION

A Preliminary Development Plan (PDP) was not required as the proposed subdivision and plat meets the criteria for exemption outlined in 2-1-100(b) as follows:

The Planning and Development Director may waive the requirement for the preliminary development plan if:

- i. the purpose of the subsequent development is to bring a property that is in violation of statutory subdivision requirements into conformance with Wyoming statutes and there are no plans to alter existing land use and/or site conditions.
- ii. the proposed development will not require DEQ/Conservation District review.
- iii. the proposed development will create five (5) or fewer lots, will require no new public right of way, is in conformance with all requirements of the Laramie County Land Use Regulations and is consistent with the Laramie County Comprehensive Plan.

The Laramie County Comprehensive Plan identifies the area as Rural Ag Interface (RAI), which is intended for rural residential uses and limited service commercial and retail uses at major intersections. Generally, the density of uses is based on availability and access to water. The property is unzoned and located outside the PlanCheyenne boundary and therefore cannot be impacted by these regulations.

No new Right-of-Way is being proposed with this application. Access to the existing house on the proposed Tract 1 will likely continue to be via Denise Road, along with the proposed Tract 3. Access to the proposed Tract 2 will be from Patricia Court.

A letter requesting waiver of traffic and drainage studies was submitted by the applicant, a copy of which is attached. The requests were granted as the subdivision and anticipated uses are very unlikely to impact either the traffic or drainage in the area.

Agency review comments were received regarding addressing and corrections to the plat.

In accordance with Section 1-2-104 of the Land Use Regulations, certified mailings were forwarded to the adjacent landowners on March 5th, 2021. Public comment in the form of several phone calls, and a comment letter were received regarding the covenants for Archer Estates, 4th Filing filed at Book 1132, Page 724; item number 8. While not enforced by the County, the covenants states that no tract may be divided into 2 tracts, but does not clarify if 2 tracts can be divided into 3. The comment letter is included in this report.

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 Planning Commission 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 meets the criteria for the Subdivision development Design Standards pursuant to Section 2-1-104 of the Laramie County Land Use Regulations.

and that the Planning Commission recommend approval of the Subdivision Permit and Plat for Archer Estates, 9th Filing to the Laramie County Board of Commissioners with the following conditions:

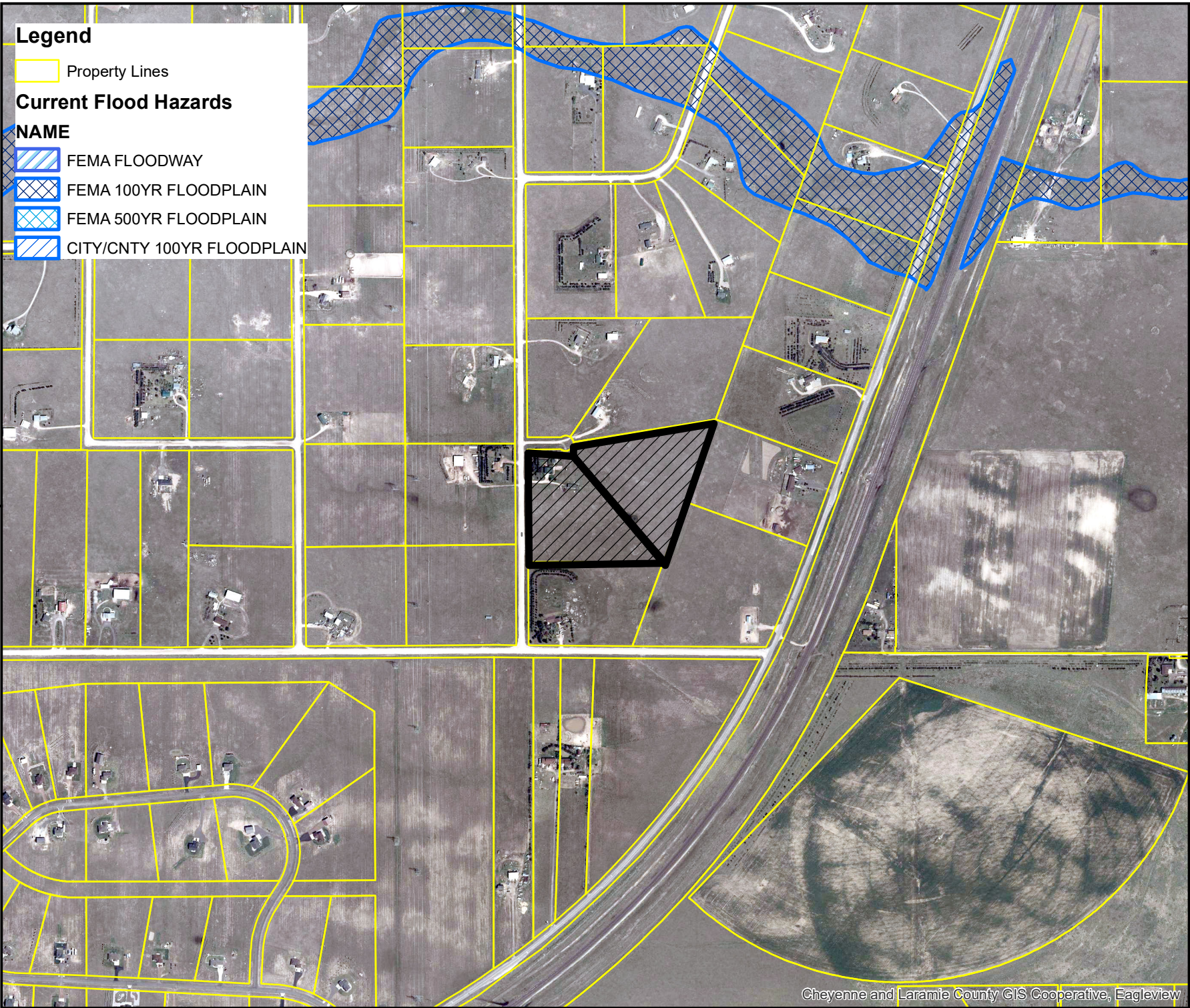
- 1.** All minor plat corrections including grammatical errors shall be resolved prior to recordation of the final plat.

PROPOSED MOTION

I move to recommend approval of the Subdivision Permit and Plat for Archer Estates, 9th Filing to the Laramie County Board of Commissioners with one condition, and adopt the findings of facts of the staff report.

ATTACHMENTS

- Attachment 1: Location Map**
- Attachment 2: Aerial Map**
- Attachment 3: Comprehensive Plan Map**
- Attachment 6: Applicant Traffic/Drainage Study Waiver Request**
- Attachment 7: Agency Comments Report**
- Attachment 8: Neighbor Comment Letter**
- Attachment 9: Draft Resolution**
- Attachment 10: Plat**



Laramie County, Wyoming



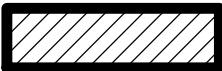
**Archer Estates,
9th Filing**

**Subdivision
Permit & Plat**

PZ-21-00053

Location Map

**Subject
Properties**



March 2021



0 500 1,000
Feet

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.

Legend

 Property Lines

Laramie County, Wyoming



**Archer Estates,
9th Filing**

**Subdivision
Permit & Plat**

PZ-21-00053

Aerial Map

**Subject
Properties**



March 2021



0 200 400
Feet

Cheyenne and Laramie County GIS Cooperative, Eagleview

Laramie County, Wyoming



**Archer Estates,
9th Filing**

**Subdivision
Permit & Plat**

PZ-21-00053

**Comprehensive
Plan Map**

**Subject
Properties**

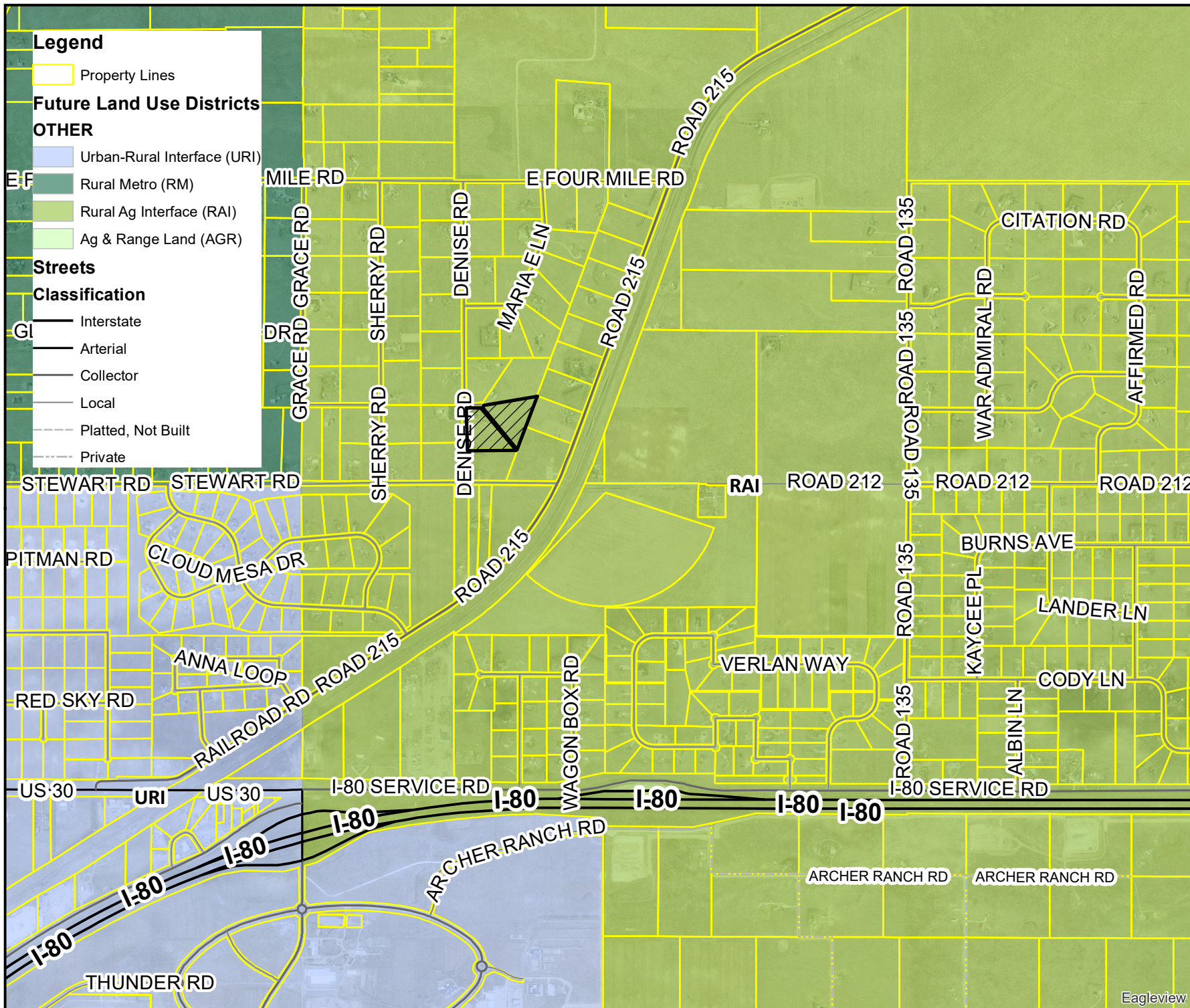


March 2021



0 1,250 2,500
Feet

Eagleview



Archer Estates 9th Filing
Wednesday, March 10, 2021



Laramie County Planning & Development
3931 Archer Parkway
Cheyenne, WY 82009

March 10th, 2021
2-4477.21

Project Narrative & Waiver Requests – Archer Estates 9th Filing

Owner: Mark Nelson

Applicant: AVI Engineering

The owner Mark Nelson wishes to take the area that makes up 2 existing tracts and split them into a total of 3 tracts. More specifically, the area he wants to split is existing Archer Estates 4th Filing Tract 45 and Tract 46, located at 6503 Patricia Court Cheyenne, Wyoming 82009. The current land use is for residential purposes and is unzoned.

AVI requests a waiver for the traffic study and drainage study at this time. The project will have minimal impact on these two areas as it will be only adding 8 trips per day and not include any grading or road improvements.

Respectfully Submitted
AVI Engineering

Daniel Bebo, EIT

PZ-21-00053
Subdivision Permit

Black Hills Energy: Black Hills Energy, Eric Underhill No Response 03/29/2021
No Comments

Building Dept.: Building Dept., Antony Pomerleau No Comments 03/25/2021
No Comments

CenturyLink: CenturyLink, Darrin Klawon No Response 03/29/2021
No Comments

Cheyenne Development Services: Cheyenne Development Services, Seth Lloyd
Comments Attached 03/19/2021

1. Project is not within 1 mile of City limits - no official City comment letter is required.
2. Note: While likely not enforced by the County, I wonder if the applicant is aware of the covenants for Archer Estates, 4th Filing filed at Book 1132, Page 724; item number 8. This states that no tract may be divided into 2 tracts, but does not clarify if 2 tracts can be divided into 3.
3. Note: Tracts in this subdivision currently average about 10 acres each.

Cheyenne MPO: Cheyenne MPO, Christopher Yaney No Comments 03/25/2021
No Comments

Combined Communications Center: Combined Communications Center, Chuck Trimble No Comments 03/19/2021
No Comments

County Assessor: County Assessor, Kaycee Eisele Comments Attached 03/22/2021
In the title block, please update that this is coming from Archer Estates, 4th Filing. I show that the last recorded deed (2645/2290) was to Mark Nelson by himself, not as a representing member of any company. Please update that in the signature area. Also the notary block would need to match how Mark Nelson signs the dedication (Not Doug Samuelson)

County Attorney: County Attorney, Mark Voss No Response 03/29/2021

No Comments

County Conservation District: County Conservation District, Shaun Kirkwood No
Response 03/29/2021
No Comments

County Engineer: County Engineer, Scott Larson Comments Attached 03/29/2021
Engineer Review

1. I concur with the request for a waiver of a detailed Traffic Study and Drainage Study since the proposed action will have an insignificant impact on both.
2. In the Dedication signature line, it lists Mark Nelson but in the Acknowledgements it lists Doug Samuelson and West Slope Development, LLC.
3. In the Note section, it states there are no Flood Hazard areas within the Tracts, but reference needs to be made to the correct FEMA Panel and date that is associated with this area.
4. The total "Measured" distance shown for the west boundaries of Tract 1 and 3 is 729.53' but the total of the two individual measurements for each tract adds up for a total of 747.53' (497.53' + 250').
5. Changes in the dimensions shown for the east boundary lines for Tract 2 and 3 need to be made. The 569.47' dimension is for the west boundary line of Tract 65. The dimension should be taken to point where Tract 2 and Tract 3 meet. The same goes for the 419.97' dimension shown. This dimension should be the east boundary line of Tract 3, to where it ties into the corner with Tract 3, which is less than 419.97'.
6. The Curve Table includes information for curve C3M which is not shown or identified on the plat drawing.
7. The Notes section clearly identifies the 16' easements shown on the plat. However, there are smaller easements (I assume 8' wide?) that are shown along the west boundary lines of Tracts 1, 2, and 3 and the norther boundary line of Tract 1 that are not identified (i.e., width and type).

Surveyor Review

1. A portion of the title block in the lower right hand corner of the plat should read "TRACTS 45 & 46 OF ARCHER ESTATES FOURTH FILING" as it is described in the LEGAL DESCRIPTION.
2. There are no Wyoming State Plane field observation coordinates shown on the plat.

County Public Works Department: County Public Works Department, David Bumann
No Comments 03/29/2021
No Comments

County Real Estate Office: County Real Estate Office, Laura Pate Comments

Attached 03/22/2021

In the Title Block, this is coming out of Archer Estates 4th Filing (please add 4th filing)

The Deed (bk2645/pg2290) is to Mark Nelson personally. Either Mark needs to record a Deed from his personal name to the company name or the Plat needs to be in Mark's personal name

Emergency Management: Emergency Management, Matt Butler No Response
03/29/2021

No Comments

Environmental Health: Environmental Health Department, Roy Kroeger Comments
Attached 03/29/2021
Regulations:

LARAMIE COUNTY SMALL WASTEWATER SYSTEMS REGULATIONS

Comments:

Small wastewater permit is required for lot. Small wastewater system must have 50' setback from property lines and intermittent bodies of water i.e. drainages. A signed final plat must be submitted prior to application for any permits.

High West Energy: High West Energy, David Golden No Comments 03/18/2021
No Comments

Intraoffice: Planners, Cambia McCollom Comments Attached 03/19/2021
The structure currently on Tract 45 of Archer Estates 4th filing is currently addressed as 6503 Patricia CT. Reviewing the Aerial Photography, it is clear that the residence's main access point is off of Denise RD. It could be a benefit to property owner at this time to change the address of the structure to reflect a Denise RD and reduce any confusion that currently exists about the location and access of this structure.

Laramie Co School Dist No 1: Laramie Co School Dist. No. 1, Chris Hout No
Response 03/29/2021
No Comments

Laramie County Weed & Pest: Laramie County Weed & Pest, Brett Nelson No

Response 03/29/2021
No Comments

Planners: Planners, Logan Graves No Response 03/29/2021
No Comments

Sheriff's Office: Sheriff's Office, Rae Morgan No Response 03/29/2021
No Comments

US Post Office: US Post Office, Denise Null No Response 03/29/2021
No Comments

WY State Engineer's Office: Wyoming State Engineer's Office, Lisa Lindemann No Response 03/29/2021
No Comments

WYDOT: WYDOT, Michael Ginther No Response 03/29/2021
No Comments

Wyoming DEQ: Wyoming DEQ, Colin McKee No Response 03/29/2021
No Comments

Wyoming Game & Fish Dept: Wyoming Game & Fish, Wyoming Game and Fish Dept Comments Attached 03/22/2021
No Comments

Fire District No 2: Fire District No. 2, Cooper McCullar No Comments 03/22/2021
No Comments

PZ-21-00053 Public Comment – Peter Nadeau 3/11/21

PZ 21-00053

Gifted Housing LLC [giftedhousingllc@gmail.com]

To: [Planning](#)

   [Actions](#)

Thursday, March 11, 2021 2:22 PM

- Retention Policy: 2 Year Delete Inbox (2 Years) Expires: 3/11/2023

I would like to submit the following comments on the proposed lots split of tracts 45 and 46.

The original covenants Archer Estates 4th Filing expressly prohibits the splitting of lots any further. See #8. Also any change to the original covenants requires a majority vote from all land owners in #9. To my knowledge this vote has never occurred and was not published.

Peter J Nadeau, Realtor
CMO Gifted Housing LLC
President 4-Ever Homes Inc
HomeSmart Realty Group
307-414-0220
508-496-8908

RESOLUTION NO. _____

A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR TRACTS 45 AND 46, ARCHER ESTATES, 4TH FILING, LARAMIE COUNTY, WY, TO BE PLATTED AND KNOWN AS “ARCHER ESTATES, 9TH 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 meets the criteria for the Subdivision Development Design Standards pursuant to section 2-1-104 of the Laramie County Land Use Regulations; and

WHEREAS, this resolution is the subdivision permit for Archer Estates, Ninth Filing 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.
- b. This application is in conformance with section 2-1-104 of the Laramie County Land Use Regulations.

And the Board approves the Subdivision Permit and Plat for Archer Estates, Ninth Filing Subdivision with the following condition:

1. All minor plat corrections including grammatical errors shall be resolved prior to recordation of the final plat.

PRESENTED, READ AND ADOPTED THIS _____ DAY OF _____, 2021.

LARAMIE COUNTY BOARD OF COMMISSIONERS

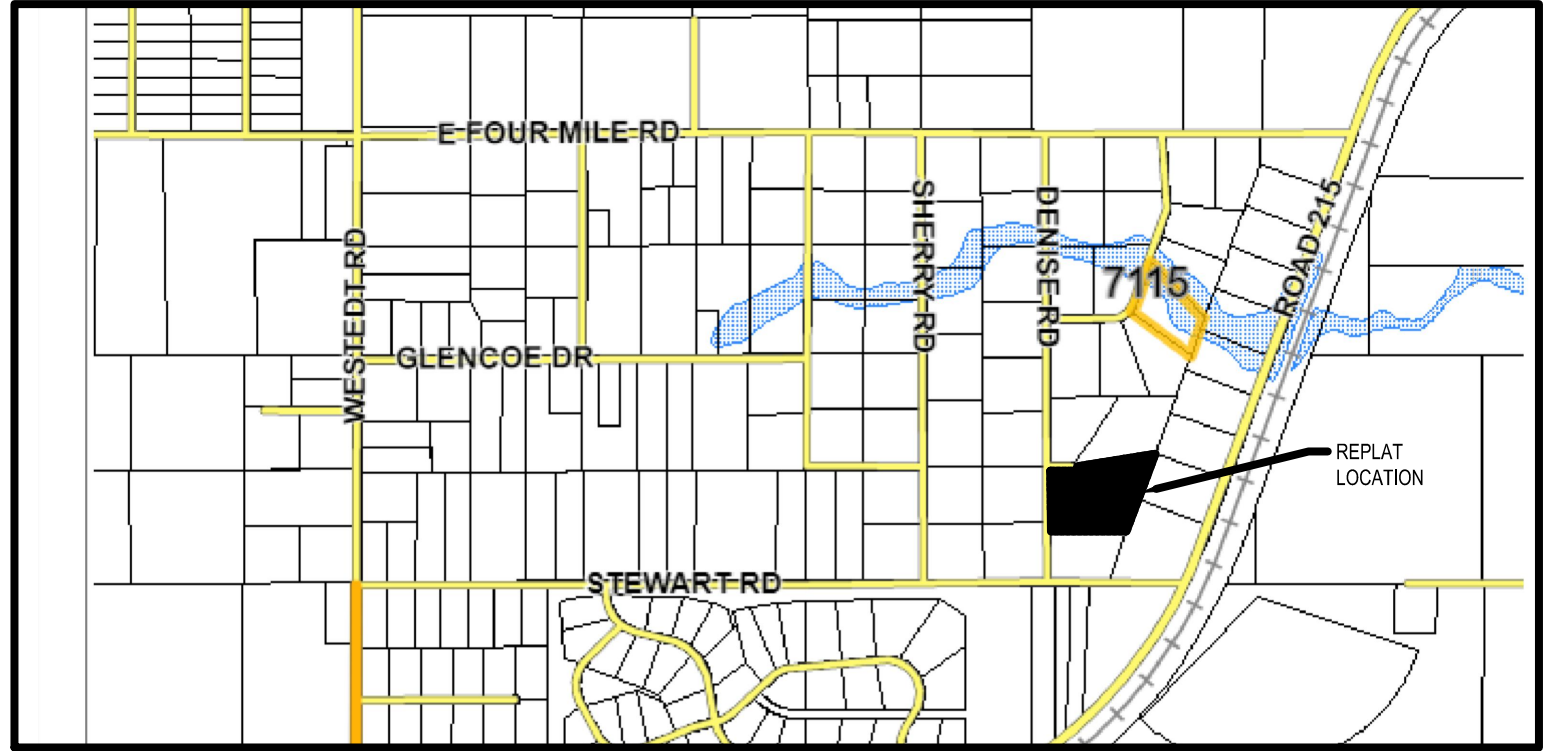
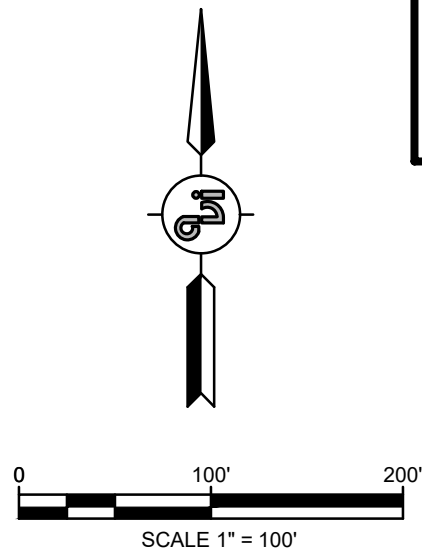
Gunnar Malm, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

Laramie County Attorney's Office



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1M	66.39	50	78°56'18"	N88°48'26"E	61.62
C2M	52.29	50	59°59'27"	N20°48'32"E	49.94
C3M	118.66	50	135°59'49"	N89°50'43"E	92.72
C1R		50	78°56'24"	N89°09'01"E	49.92
C2R		50	59°53'32"	N21°11'52"E	61.57

CURVE TABLE LEGEND
C1M = MEASURED CURVE SEGMENT
C1R = RECORD CURVE SEGMENT
C2 = C1 + C2

NOTES:

- EASEMENTS SHOWN ARE EXISTING 16' UTILITY & DRAINAGE EASEMENTS CENTERED AT SHARED PROPERTY LINES OR ALONG DEDICATED ROADS.
- THERE WILL BE NO PUBLIC WATER OR WASTE WATER SYSTEMS. INDIVIDUAL WELL AND SEPTIC SYSTEMS WILL BE UTILIZED.
- FIRE PROTECTION WILL BE PROVIDED BY LARAMIE COUNTY FIRE DISTRICT NO. 2.

BASIS OF BEARINGS

COORDINATES ARE GROUND COORDINATES BASED ON WYOMING STATE PLANE EAST FIP ZONE 4901.
TO CONVERT TO STATE PLANE COORDINATES ADD 100,000 FT TO THE NORTHING AND 200,000 FT TO THE EASTING AND MULTIPLY BY A PROJECT SCALE FACTOR OF 0.99967886716
EXAMPLE POINT POB
GROUND NORTHING = 146610.978
GROUND EASTING = 599966.717
N = (146610.978 + 100000)/SF = 246531.783
E = (599966.717 + 200000)/SF = 799709.821
STATE PLANE NORTHING = 246531.783
STATE PLANE EASTING = 799709.821

LEGEND

- FOUND ALUMINUM CAP
- FOUND IRON ROD
- SET 8" REBAR WITH 2" ALUMINUM CAP MARKED PLS 12045
- PROPOSED UPDATED PROPERTY BORDER
- EXISTING PROPERTY LINES

LEGAL DESCRIPTION

A PORTION OF SECTION 15, T.14 N. R.65 W. 6TH P.M. LARAMIE COUNTY WYOMING, BEING KNOWN AS TRACTS 45 & 46 OF ARCHER ESTATES FOURTH FILING AS FILED AT THE LARAMIE COUNTY COURT HOUSE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A FOUND ALUMINUM CAP AT THE SOUTHWEST CORNER OF TRACT 45 OF SAID ARCHER ESTATES FOURTH FILING, THENCE ALONG THE WEST PROPERTY LINE OF SAID TRACT 45 AND THE EASTERLY RIGHT OF WAY OF DENISE ROAD N00°16'31"W A DISTANCE OF 729.53 FEET TO A FOUND IRON ROD AT THE NORTH WEST CORNER OF SAID TRACT 45 AND THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF PATRICIA COURT AND THE EASTERLY RIGHT OF WAY OF DENISE ROAD, THENCE ALONG THE NORTHERN PROPERTY LINE OF SAID TRACT 45 AND THE SOUTH RIGHT OF WAY LINE OF PATRICIA COURT, N89°55'10"E A DISTANCE OF 219.89 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, SAID CURVE HAVING A RADIUS OF 50 FEET, A CENTRAL ANGLE OF 135°59'49", A CHORD BEARING OF N 68°50'43" E, A CHORD DISTANCE OF 92.72 FEET; THENCE ALONG THE ARC OF SAID CURVE 118.66 FEET TO A FOUND ALUMINUM CAP AT THE NORTHWEST CORNER OF TRACT 46 OF SAID ARCHER ESTATES FOURTH FILING; THENCE ALONG THE NORTHERN PROPERTY LINE OF SAID TRACT 46, N80°55'26"E A DISTANCE OF 933.91 FEET TO A FOUND ALUMINUM CAP; THENCE ALONG THE EASTERLY BOUNDARY OF SAID TRACT 46, S20°09'54"W A DISTANCE OF 989.44 FEET TO A FOUND ALUMINUM CAP; THENCE ALONG THE SOUTHERLY PROPERTY LINE OF SAID TRACT 45 N89°45'37"W A DISTANCE OF 876.87 FEET MORE OR LESS TO THE POINT OF BEGINNING.
SAID PARCEL OF LAND CONTAINS 19.43 ACRES MORE OR LESS

CERTIFICATE OF SURVEYOR

I, ADAM E. DESCHLER, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF WYOMING DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM THE RECORDS AND FIELD NOTES OF A SURVEY CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT MARK NELSON, OWNER IN FEE SIMPLE OF THE LAND EMBRACED IN THIS FINAL PLAT OF "ARCHER ESTATES EIGHT FILING," DO HEREBY DECLARE THAT THE SUBDIVISION OF SAID LAND IS WITH THEIR FREE ACT AND DEED AND IN ACCORDANCE WITH THEIR DESIRES. DO HEREBY GRANT TO THE PUBLIC THE RIGHTS OF WAY AND EASEMENTS SHOWN HEREON FOR THE PURPOSES INDICATED ON THIS PLAT.

MARK NELSON, REPRESENTING MEMBER

ACKNOWLEDGEMENTS

STATE OF _____)
COUNTY OF _____) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY DOUG SAMUELSON, REPRESENTING MEMBER OF WEST SLOPE DEVELOPMENT, LLC, THIS ____ DAY OF _____, 2021, WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC, _____, WYOMING

MY COMMISSION EXPIRES _____

APPROVALS

APPROVED BY THE LARAMIE COUNTY PLANNING COMMISSION THIS ____ DAY OF _____, 2021.

CHAIRMAN

APPROVED BY THE COUNTY COMMISSIONERS OF LARAMIE COUNTY, WYOMING, THIS ____ DAY OF _____, 2021.

CHAIRMAN

COUNTY CLERK

FILING RECORD

FINAL PLAT
FOR
ARCHER ESTATES EIGHTH FILING
BEING A REPLAT OF TRACTS 45 & 46 OF ARCHER ESTATES & BEING
SITUATED IN A PORTION OF THE SOUTH ½ OF THE EAST ½ OF
SECTION 15, T.14N, R.65W,
OF THE 6TH PRINCIPAL MERIDIAN,
LARAMIE COUNTY, WYOMING
PREPARED FEBRUARY 2021

NO.	REVISION	DATE

PREPARED FOR:
MARK NELSON
6503 PATRICIA COURT
CHEYENNE, WY 82009
(605) 203-0618

PROJECT: ARCHER ESTATES EIGHT FILING
DRAWING TITLE: FINAL PLAT



DATE: Feb 26, 2021
DRAWN BY: DV
DESIGNED BY: AD
CHECKED BY: AD

JOB NO.: 4477

DRAWING NO. 1 OF 1