

LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Planning Commission

FROM: Marissa Pomerleau, Associate Planner

DATE: September 23, 2021

TITLE: PUBLIC HEARING regarding a review and recommendation of the

Preliminary Development Plan for Meadowlark Ridge Estates, 2nd Filing, with two parcels located in the SW1/4 SE1/4 Sect. 31, and a parcel located in the in the SW1/4 SE1/4 and the W1/2 NE1/4 Sect. 31, T.15N., R.67W., of the

6th P.M., Laramie County, WY.

EXECUTIVE SUMMARY

Steil Surveying Services, LLC, on behalf of Triple Dot Development, LLC, has submitted a Preliminary Development Plan application for "Meadowlark Ridge Estates, 2nd Filing" located northeast of the intersection of Road 118A and Horse Creek Rd. The application has been submitted in order to prepare for a subdivision of 16 single-family residential lots.

BACKGROUND

The subject property is unplatted, with a residence and associated structures located on the southernmost property, which will remain. The surrounding area consists of rural residential and agricultural properties of varying acreage.

Pertinent Regulations

Section 2-1-100 of the Laramie County Land Use Regulations governing the requirements for submittal of a Preliminary Development Plan.

DISCUSSION

The Laramie County Comprehensive Plan identifies the area as Rural Ag Interface (RAI). Rural residential uses are primarily anticipated in these areas. The subject property is located outside the PlanCheyenne and zoned boundaries.

A subdivision of more than 5 lots requires submittal of a Chapter 23 study to the Wyoming Department of Environmental Quality (DEQ). Approval from DEQ, in the form of a "Non-Adverse Recommendation", is required prior to recordation of the plat. A DEQ letter of submission for this study is required to be submitted with the subdivision application.

Agency review comments were received regarding small wastewater systems, easement naming and clerical corrections to the plat. The applicant states the subdivision is proposed to be accessed off Channell Drive by four private cul-de-sac easements. Letters requesting waiver of traffic impact and drainage studies were submitted with the application. The County Engineer has concurred with the waiver requests based on the information provided.

The Environmental and Services Impact Report indicates the proposed development would have minimal impacts to the area, with no known historic structures, cultural features, or existing hazardous features on the site. Water and sewage disposal shall be provided by individual well and septic systems. With the gross minimum acreage of each tract being 5.25 acres, the minimum requirements for septic system permits are met.

Public comment was received regarding the proposed subdivision's name, road conditions, traffic, wildlife, water availability, and covenants. These public comment letters are attached.

RECOMMENDATION and FINDINGS

Based on evidence provided, staff recommends the Planning Commission find that:

a. This application meets the criteria for a preliminary development plan pursuant to section 2-1-100 of the Laramie County Land Use Regulations.

And that the Planning Commission provide the following recommendations concerning the Meadowlark Ridge Estates, 2nd Filing Preliminary Development Plan:

- 1. Evidence of submittal of the Chapter 23 Study to DEQ shall be provided with the subdivision permit & plat application, with proof of DEQ approval required prior to plat recordation.
- 2. All remaining agency comments shall be addressed prior to submittal of the Subdivision Permit & Plat application.

PROPOSED MOTION

I move to approve recommendations 2 for the Meadowlark Ridge Estates, 2nd Filing Preliminary Development Plan and adopt the findings of fact a of the staff report.

ATTACHMENTS

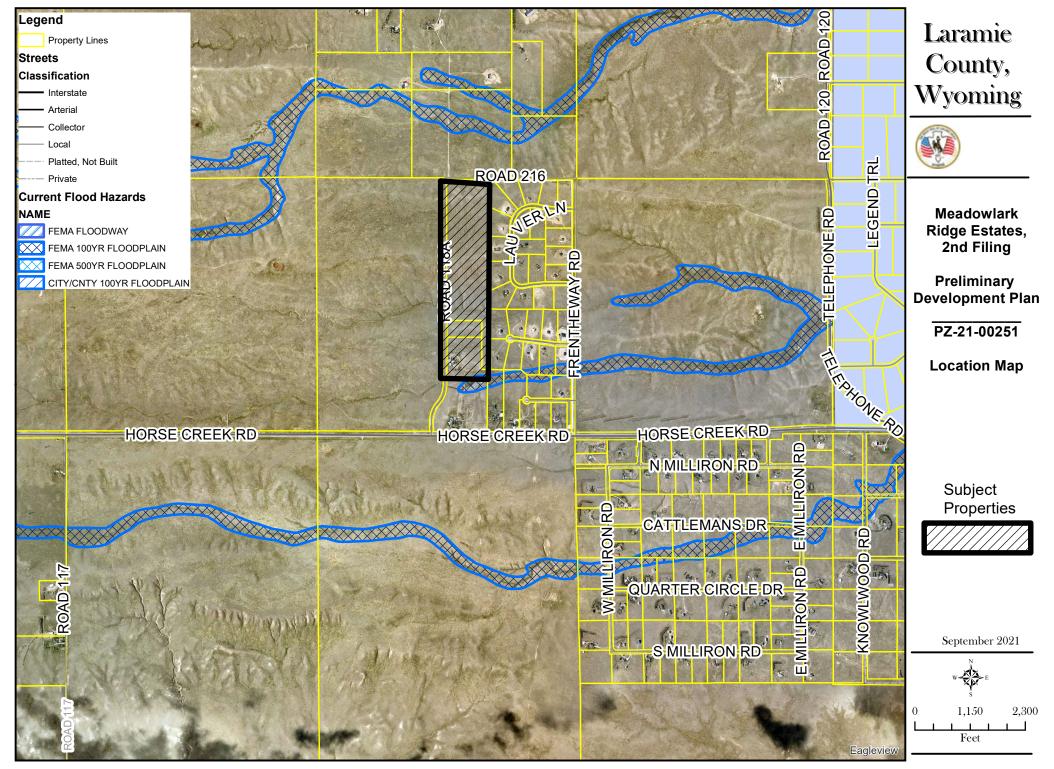
Attachment 1: Location Map Attachment 2: Aerial Map

Attachment 3: Comprehensive Plan Map

Attachment 4: Traffic and Drainage Study Waiver Request Letter

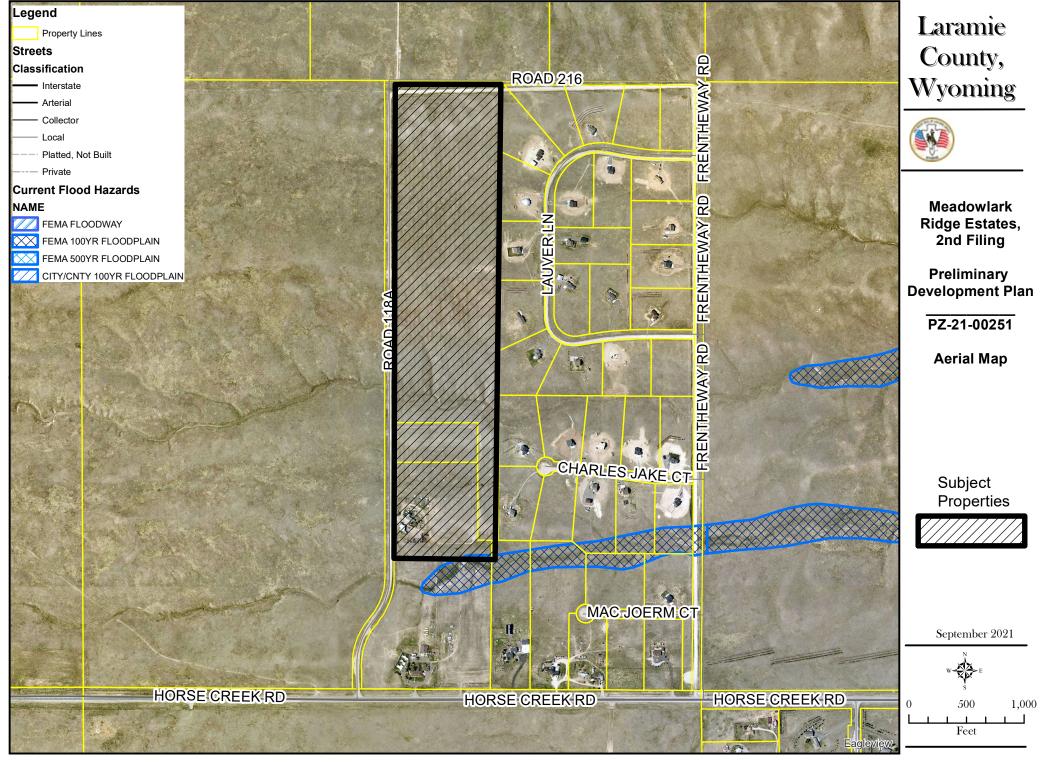
Attachment 5: Agency Comments Report
Attachment 6: Public Comment Letters

Attachment 7: Preliminary Development Plan / Land Analysis Map



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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August 11, 2021

Laramie County Planning & Development Office 3966 Archer Parkway Cheyenne, WY 82007 (307) 633-4303

InRe: Request for waiver of the Traffic Study, Drainage Report & GESC requirements for a Preliminary Development Plan (PDP) & Final Plat, to be known as MEADOWLARK RIDGE ESTATES, 2nd FILING, a subdivision situated in the W1/2E1/2 of Section 31, Township 15 North, Range 67 West of the 6th P.M., Laramie County, WY (±80.56 acres)

Steil Surveying Services, agent for the owner, intends to plat the above-noted property into sixteen (16) Tracts averaging 5.32-acres (gross) each.

All of the new residential tracts will take access from existing Road 118A via mutual residential driveway via "MUTUAL INGRESS/ EGRESS, UTILITY & DRAINAGE EASEMENT(s)" established on the Plat and designated by name for addressing purposes.

Following the pre-application meeting, this letter is submitted, on behalf of the owner, requesting a waiver from the requirements for a Traffic Study, Drainage Report, and GESC Permit pursuant to Sections 2-1-100.b, 3-1-105, 3-5-105, and 3-2-102 of the Laramie County Land Use Regulations.

No portion of the proposed subdivision falls within a FEMA 100-year Special Flood Hazard Area per F.I.R.M PANEL No.56021C1060F; dated January 17, 2007; and given the lack of existing drainage/flood problems in the area and the minimal scope of proposed development, we are requesting a waiver from any detailed drainage study. Preliminary traffic generation numbers are as follows:

TRAFFIC AND TRIP GENERATION BY USE			
SINGLE-FAMILY RURAL RE	SIDENTIAL		
AVERAGE DAILY TRIPS			
Existing Residential Parcels	2 Unit x 6 ADT =	12	
Proposed additional	14 Units x 6 ADT $=$	84	
TOTAL		96 AVERA	AGE DAILY TRIPS (ADT)
A.M./P.M. PEAK-HOUR TRIPS			
Existing Residential Parcels	2 Units x 1.6/Unit	= 3.2	
Proposed additional	1 4 Units x 1.6/Unit	= 22.4	
TOTAL		25.6	PEAK HOUR TRIPS

Given these preliminary plans and analyses, limited surface runoff increases, and/or potential of significant traffic generation or alternative transportation network connections, we respectfully submit this waiver request on behalf of the owner.

Please contact me with any questions or concerns. Sincerely,

Casey L. Palma, AICP Steil Surveying Services, LLC CPalma@SteilSurvey.com

Preliminary Development Plan

County Engineer: County Engineer, Scott Larson Comments Attached 08/30/2021

- 1. I concur with the request of a waiver of a detailed Drainage Study at this time.
- 2. I concur with the request of a waiver of a detailed Traffic Study. Using the ITE or the method submitted, neither meets the requirements for a Traffic Study.
- 3. In the Environmental & Services Impact Report, it indicates "Critical Health Care:" as being ExpressCare Care approximately 7.2 miles away. However, Urgent Care facilities such as ExpressCare do not provide "critical health care" which is only offered at CRMC. The Urgent Care only provides general medical care. It may be beneficial to list the Urgent Care under "General Health Care" and CRMC under "Critical Health Care" in the report.
- 4. The PDP drawing indicates at the top of the drawing "No proposed centralized sewage system". It is not a requirement for the PDP (Note 3 is adequate for the PDP), but when the plat is submitted, it will need to indicate that "No proposed centralized water system" with the sewer note.
- 5. There are two labels that are stacked on top of each other for "Horse Creek Road (160' R/W)". One of them can be deleted.
- 6. The 72' mutual ingress/egress, utility & drainage easement needs to be changed to 80' to ensure all of those items can fit within the easement.
- 7. County Road 216 should be added to the last sentence of Note number 9.

Environmental Health: Environmental Health Department, Roy Kroeger Comments Attached 08/24/2021 Regulations:

LARAMIE COUNTY SMALL WASTEWATER SYSTEMS REGULATIONS

Comments:

Wastewater permits are required for each lot. All small wastewater systems must have a 50' setback from all property lines and intermittent bodies of water i.e. drainages and floodplains. Also, keep wastewater systems out of easements. A DEQ letter and Chapter 23 report must be submitted to this office along with the signed final plat prior to application for any permits.

<u>Intraoffice:</u> Planners, Cambia McCollom Comments Attached 08/27/2021 Please consider a new name for the easement marked "Grassland". That name is already in use in Laramie County.

There is an existing address of 1535 Road 118A on the proposed property. Is that being

removed, or is it anticipated to change to meet the requirements of the Subdivision for all addressed to be located off the internal named easements?

Planners: Planners, Marissa Pomerleau Comments Attached 09/02/2021

- 1. Horse Creek Road wording needs to be cleaned up.
- 2. To add to the County Engineer's comments, please add Road 216 to note 9. "County Road 216" is incorrect. Note 5 should also be updated to read Road "216".
- 3. There is only one indication of a 16' utility easement. It appears that this easement runs along the entirety of the perimeter property lines. A note should be added stating this as it is not currently clear.
- 4. The land description states "Two parcels of land". Is it not two parcels and a portion of the most southern, making it in fact three?
- 5. Tract numbers must be updated.
- 6. General Note 10 contradicts the second paragraph under Topographic Information. The paragraph references "proposed tract 5 thru 12, but technically there are no proposed tract 5 thru 12 shown on the map. Clarification is needed.
- 6. It is not clear, at least to me where the items in the legend "Existing telephone/ Cable Pedestal and Existing Bituminous Asphalt Surface" are. If they are not on the map, please remove from legend.
- 7. If the cul-de-sac in Meadowlark Ridge Estates, 1st Filing is going to be included on this map it should be labeled as Mac Joerm Ct.
- 8. Where are the Parcels A and B that are called out in the Land Description? I only see a Parcel D with these book and page numbers. Clarification is needed.
- 9. Areas in which slopes are 10 percent or greater; floodways and 100-year flood plains; bodies of water; significant natural features; such as ridge lines and mature trees to be preserve;, soils unsuitable for building; and existing and proposed easements, roads, trails, or other features where building is prohibited are all items that should be included in one table and resulting in a total non-buildable area. I only see buildable area which is fine, but these other items must be in a table.
- 10. All section lines must be identified. Pleas identify Section Line 31 along Road 118A.
- 11. Arrows showing the direction of surface drainage must be added.
- 12. I will defer to the County Engineer's comments regarding the 72' mutual ingress/egress, utility & drainage easement. Please update Note 7 at this time as well.

<u>County Public Works Department:</u> County Public Works Department, Molly Bennett Comments Attached 09/01/2021

All internal roads or easements shall be built to County Standards. A Right-of-Way and Grading Permit will be required for all road/easements to be constructed.

WYDOT: WYDOT, Ryan Shields Comments Attached 08/30/2021

The development must maintain historic drainage corridors so that drainage is not diverted to other entry points to the R/W. If drainage is affected in the highway right-of-way, a drainage study needs to demonstrate that post-development discharge

rates are metered at or below pre- development rates for 2, 5, 10, 25, 50 and 100 year events and will need to be reviewed by WYDOT Bridge/Hydraulics Program.

-Any work within WYDOT rights-of-way will need to be permitted through the WYDOT District office.

<u>Wyoming Game & Fish Dept:</u> Wyoming Game & Fish, Wyoming Game and Fish Dept Comments Attached 08/27/2021

AGENCIES WITH NO COMMENTS:

Building Dept.
Combined Communications Center
County Public Works Department
County Real Estate Office
County Assessor
County Attorney
Fire District No 2

AGENCIES WITH NO RESPONSE:

Black Hills Energy CenturyLink County Treasurer Emergency Management Sheriff's Office

Hello my name is Tom Durrum

My questions are as follows

Why are we naming it meadowlark ridge estates 2nd filing when it has nothing to do with our HOA. Need a new name.

Since we are taking care of both Frentheway and county road 216 I believe it should now be the Laramie county responsible to maintain these roads since we will have increased traffic roe we make Frentheway a private road and 216 is now Laramie county responsibility.

A back fence should be added to separate both of our properties.

BullD

From: TBull D [midni48811@gmail.com] Sent: Friday, August 20, 2021 12:48 PM To: Planning Subject: Meadowlark ridge estates 2nd filing

Hello my name is Tom Durrum

My questions are as follows
Why are we naming it meadowlark ridge estates 2nd filing when it has nothing to do with our HOA. Need a new name.

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A back fence should be added to separate both of our properties.

BullD

The following comments are submitted by Matt and Vicky Fry who reside at 1884 LAUVER LN, CHEYENNE, WY 82009:

- The proposed subdivision should select a different name. They are in no way associated with Meadowlark Ridge Estates (MRE) and should be treated as a completely separate entity.
- The proposed subdivision should be required to develop and have approved an erosion and sediment control plan. Drainage from the proposed subdivision will flow onto MRE properties. The developer and residents should be required to contain sediment on their properties. Additionally, disturbed areas should be reseeded or adequately reclaimed once construction activities are complete.
- The proposed subdivision should be required to manage construction waste and any hazardous materials so that they do not deposit on MRE properties. We are downwind and downstream of this proposed development.
- The land analysis plat map indicates that the new subdivision will be required to maintain CR 216 with the exact same language as MRE. Currently MRE maintains CR216 and we do not intend to provide future maintenance for impacts associated with the proposed subdivision. The County should require the new subdivision the develop a plan for maintaining their portion of CR 216 and make that plan available to MRE residents.
- Roads in MRE are privately owned and maintained. Frentheway Rd is available for public use, however, it should not be considered a public county road available as primary ingress and egress for residents of the proposed subdivision. The proposed subdivision should be required to develop a road access and maintenance plan that specifically describes how access to their properties will be limited to CR 118A and CR 216.
- The proposed subdivision should be required to develop an HOA that manages their roads. Additionally, they should be required to establish covenants that prevent offensive activities and do not allow storage of "junk" that will reduce neighboring property values.

Thank you for your consideration.

Sincerely,

Matt and Vicky Fry

From: Matthew Fry [mfry_22980@yahoo.com]
Sent: Monday, August 23, 2021 6:28 PM
To: Planning
Cc: Matt Fry; Victoria Fry
Subject: Comments RE: Meadowlark Ridge Estates 2nd Filing - PZ-21-00251

The following comments are submitted by Matt and Vicky Fry who reside at 1884 LAUVER LN, CHEYENNE, WY 82009:

- The proposed subdivision should select a different name. They are in no way associated with Meadowlark Ridge Estates (MRE) and should be treated as a completely separate entity.
- The proposed subdivision should be required to develop and have approved an erosion and sediment control plan. Drainage from the proposed subdivision will flow onto MRE properties. The developer and residents should be required to contain sediment on their properties. Additionally, disturbed areas should be reseeded or adequately reclaimed once construction activities are complete.
- The proposed subdivision should be required to manage construction waste and any hazardous materials so that they do not deposit on MRE properties. We are downwind and downstream of this proposed development
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- Roads in MRE are privately owned and maintained. Frentheway Rd is available for public use, however, it should not be considered a public county road available as primary ingress and egress for residents of the proposed subdivision. The proposed subdivision should be required to develop a road access and maintenance plan that specifically describes how access to their properties will be limited to CR 118A and CR 216.
- The proposed subdivision should be required to develop an HOA that manages their roads. Additionally, they should be required to establish covenants that prevent offensive activities and do not allow storage of "junk" that will reduce neighboring property values.

Thank you for your consideration.

Sincerel

Matt and Vicky Fry

To Whom it May Concern,

My name is Clayton Legare & I am a resident of Meadowlark Ridge Estates at 1878 Lauver Lane. I was recently sent a letter regarding proposed construction of a new subdivision directly adjacent to my property. I have concerns, comments, and questions regarding this proposed development that I would like addressed.

My concern as to this development is many faceted but derives from the use of roads, affect on ecology & wildlife, well/water availability, as well as retarding the beautification of the landscape & property value for development.

Concerns:

Currently my subdivision (Meadowlark Ridge Estates – MRE #1) maintains a road for MRE #1 (Frentheway Rd & Rd 216) use, as well as a back portion of highway 118A. If this proposed Development, Meadowlark Ridge Estates 2nd filing - MRE #2, continues...the road use for the private part of my residence, as well as highway 118A will dramatically increase. The current waiver lists an expected increase for average daily trips as 96 on highway 118A. This also needs to consider the amount of delivery drivers, trash collectors, as well as the other residents who use & live along highway 118A. Another concern is that future residents of MRE #2 will also use the privately maintained roads within MRE #1, especially those future residents who would live nearer my current residence and the north side of MRE #1 & MRE #2. There is no traffic study conducted, as required for over 100 trips per day, because the bad math adds to 96 trips per day. A real number of trips per day is likely 140-150, possibly closer to 200 if you include the residents and their needs who use highway 118A. Do not allow a waiver without a traffic study because it's 96. As someone who can see highway 118A from my backyard every single day, I guarantee there are already 30-40+ trips per day on that road, just from what I see, and adding 16+ homes will cause this number to easily be around 150-200. The road that leads to the north of MRE #1 will also see much increased use because delivery drivers and others will use that to access both MRE #1 and MRE #2. If this development proceeds, the developer and county should be liable for maintaining the roads that this development will affect – Frentheway & 118A. If there are no improvements made to 118A there is the probability that traffic from the north end of the new development will choose to cut through as well.

Secondly, I have a great concern for the effect of local wildlife and the ecology of the proposed development. Where I live the back of my property directly touches the boundaries of MRE #2, and I can easily see how this will interfere with wildlife such as antelope, deer, even somewhat rare elk & moose, foxes, ferrets, badgers, and other animals. It is very common for pronghorn, deer, and other animals to use the land within my property, as those of my neighbors, as a way to travel through the area so as not to use Horsecreek Rd or surrounding larger roads. This proposed development, MRE #2, will be guaranteed to disrupt this flow of nature, as a construction project of 16+ homes over 2-4 years will scare & push animals into other areas – possibly over dangerous roads like Horsecreek. They will no longer travel through the area around my neighbors and instead cause hazards to travel. The survey says this is not a wildlife corridor...but as someone who watches large herds or antelope/deer dozens of times per year in my backyard, this should be a wildlife corridor in some kind of aspect. There are also other problems associated with this development, since they will need electric, gas, and access to MRE #2 –

these utilities will also cause much more disruption to local wildlife and will be an ongoing problem for months or years.

Additionally, 16+ more homes drawing on a well system would further tax the existing homes and possibly cause issues with water availability. We were told when we purchased our home at MRE #1 that the well system is nearing max as there are many homes with about 5 acres...and any future developments should be 10-20+ acres so as to keep the wells flowing as intended. 16+ homes, all about 5 acres, will do exactly as we were warned against...and will directly affect every home in my subdivision, as well as families living very near us. Each house that was built in my current subdivision had to dig successively deeper and deeper wells to access the same aquifer.

Lastly, my final concern is for the retardation of the beautification of the landscape. Myself & my neighbors within MRE #1 bought our properties due in very large part to the views and natural area to our west...directly where MRE #2 is proposed. This will cause a strong drop in property values for those of us previously established since the view we all currently enjoy will be eliminated and ruined. We will no longer be able to see the hills & mountains in the distance, or the defined natural areas on our horizon, and this will be an especially large negative drop to our properties for future buyers and families. In addition to this, the proposed outline for their "roads" points directly at the backs of every single one of our properties within MRE #1. This means that every day we will see headlights pointing at the back of our houses, every single day, 96+ times per day based on the travel assessment (but in reality, well over 100 times per day). Once again, this is also a negative to all our property values since another large decision that many of us in MRE #1 used in buying our homes is the very limited light, the value of dark areas, and the night skies— especially in our backyards.

Closing Comments/Questions:

- If this goes forward, who will pay for the additional road use and the needed improvements? Myself and all of my neighbors each pay hundreds of dollars per year to maintain our current roads, and the same roads will only see more traffic. This is for Frentheway, 118A, and CR216.
- Current HOA and covenants that apply to MRE #1 will not be the same as MRE #2 I strongly believe there should be a fence put in place to separate the property developments. The developer should pay for the construction of the fence as to the specification of the HOA and covenants already outlined within MRE #1. Without knowing what future HOA covenants MRE #2 would use, future houses could cause either property value drops or situations where current residents would be liable for HOA violations.
- The design for the roads and the driveways should be re-worked to not point directly at all our current residences. A separate North/South road that bisects the proposed development should be used rather than multiple East/West roads that will ruin backyards.
- There should be a plan in place for construction waste or other materials since we are all downwind of every single proposed house construction. This is further reason to have the developer pay for boundary fencing in accordance with currently established MRE #1 HOA/covenants. In this vein of thought, the sediment & drainage from the proposed

development will flow onto MRE#1 residences and should be considered in some fashion to not affect current properties in any way.

Overall I am against this new development, for many reasons, and there are valid concerns for how it will affect 30+ families already living at Meadowlark Ridge Estates.

Thank you for your consideration, Clayton Legare

Reply Reply All Reply All Reply All Reply Reply All Reply Reply Reply All Reply Repl

Wed 8/25/2021 9:08 AM

Planning

FW: Comments for Project PZ-21-00251 Meadowlark Ridge Estates 2nd Filing - Clayton Legare @1878 Lauver Lane

To Joseph Scherden

Retention Policy 2 Year Delete Inbox (2 years)

Expires 8/25/2023

Public Comment below.

From: Clayton Legare [claytonlegare@gmail.com]

Sent: Tuesday, August 24, 2021 5:56 PM

To: Planning

Subject: Comments for Project PZ-21-00251 Meadowlark Ridge Estates 2nd Filing - Clayton Legare @1878 Lauver Lane

Greetings, below are my comments in regard to the proposed project PZ-21-00251 Meadowlark Ridge Estates 2nd Filing:

To whom it may concern,

As a resident of Meadowlark Ridge Estates Filing 1, residing at 1890 Lauver Ln., I would like to address my concern with this proposed development. We are responsible for maintaining our subdivision roads as well as County Rd 216. As of now, the condition of Rd 118A is such that any traffic to the north of county Rd 216 uses our subdivision roads when exiting to the south because 118A becomes muddy and rutted after rain and snow. The flow is east on 216 and South on Frentheway to avoid 118A southbound.

I am concerned that unless substantial improvements are made to 118A there is the probability that traffic from the north end of the new development will choose to cut through as well.

This has a potential to create additional financial burden to our residents due to increased traffic volume and the impact on our privately maintained road system.

I wish to also ask that you provide clarification as to how the 2 developments are to share the cost of maintaining County Rd 216.

Thank You

--

Michael E. Wieszcholek

From: Mike [mwieszcholek@gmail.com]
Sent: Wednesday, August 18, 2021 2:22 PM
To: Planning
Subject: PZ-21-00251 Meadowlark Ridge Estates Filing 2

To whom it may concern,

As a resident of Meadowlark Ridge Estates Filing 1, residing at 1890 Lauver Ln., I would like to address my concern with this proposed development. We are responsible for maintaining our subdivision roads as well as County Rd 216. As of now, the condition of Rd 118A is such that any traffic to the north of county Rd 216 uses our subdivision roads when exiting to the south because 118A becomes muddy and rutted after rain and snow. The flow is east on 216 and South on Frentheway to avoid 118A southbound.

I am concerned that unless substantial improvements are made to 118A there is the probability that traffic from the north end of the new development will choose to cut through as well.

This has a potential to create additional financial burden to our residents due to increased traffic volume and the impact on our privately maintained road system

I wish to also ask that you provide clarification as to how the 2 developments are to share the cost of maintaining County Rd 216

Thank You

Michael E. Wieszcholek

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

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DRAWN BY: CLP

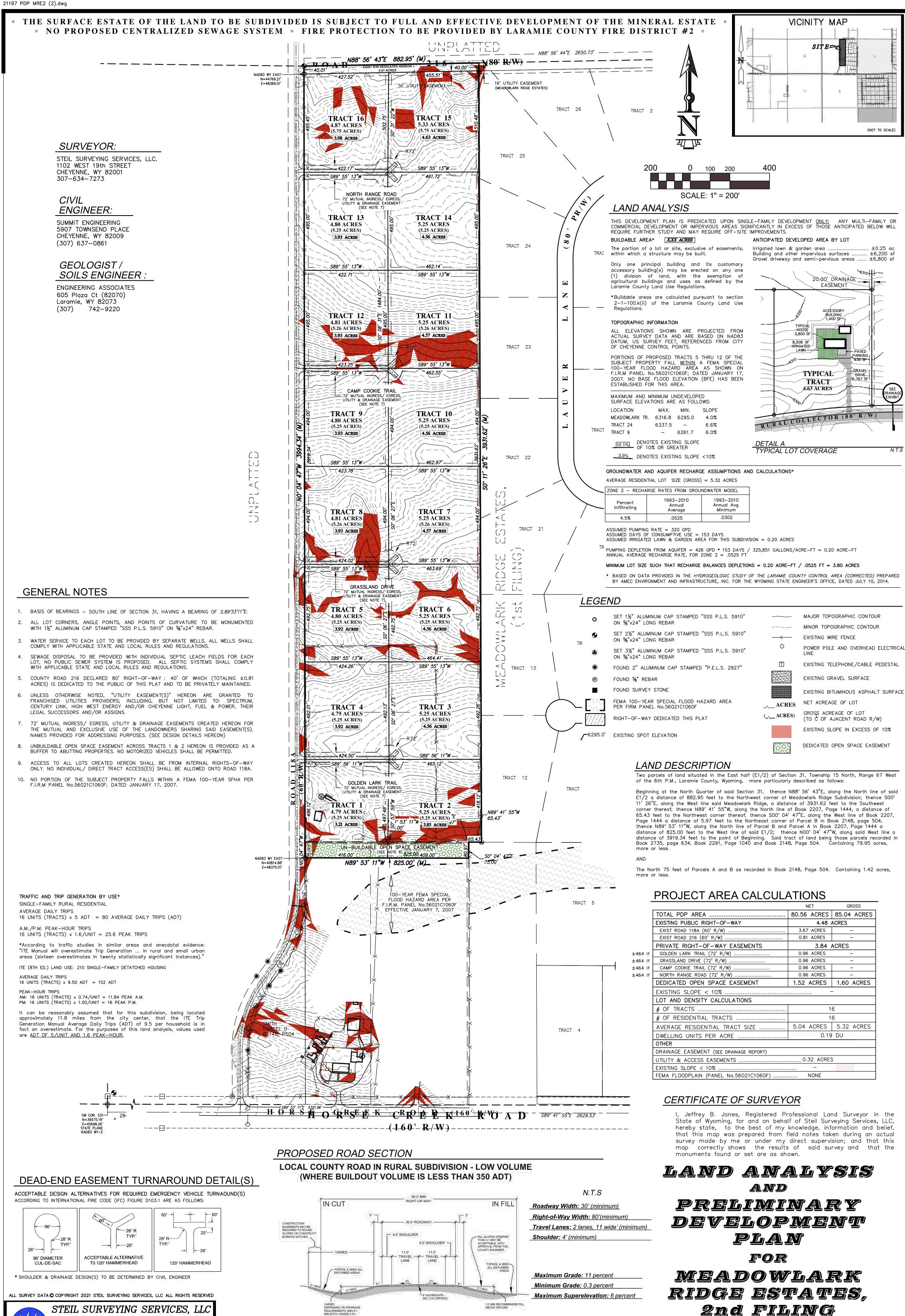
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REV: 08/12/21 SD0.1

MEADOWLARK RIDGE ESTATES, 2nd FILING

POR. SECTION 31, T.15N, R.67W of THE 6^{TH} P.M., LARAMIE COUNTY, WY