MEMORANDUM

TO: Laramie County Board of Commissioners
FROM: Michael Surface, Planner
DATE: June 16, 2020
TITLE: PUBLIC HEARING regarding a Subdivision Permit and Plat for Diamond Hill, located in a portion of the NW1/4 NW1/4, Section 29, T.14N., R.60W., of the 6th P.M., Laramie County, WY.

EXECUTIVE SUMMARY

Russ Dahlgren, on behalf of Diamond Hill Storage, LLC has submitted a Subdivision Permit and Plat application for Diamond Hill Subdivision. The application proposes to subdivide the property to make one (1) 11.11-acre tract. The parent tract is 83.49 acres.

BACKGROUND

The property has an existing agricultural product storage structure located upon it. The surrounding area consists of rural residential and agricultural properties of varying acreage. It is located north of Interstate 80 near Pine Bluffs. The property is unzoned.

Pertinent Regulation:

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). Within this area, more intense commercial, employment centers and industrial uses are appropriate. The proposed subdivision meets the intent of the Laramie County Comprehensive Plan.
The applicant requested a waiver of traffic and drainage studies and the County Engineer concurred. Most agency comments pertained to corrections to the plat. The State Engineer provided comments concerning approved wells.

The property receives water from the Fox Hills Formation. The applicant and County staff are working on what this means for future subdivision of the land.

Public notice using Section 1-2-104 of the Land Use Regulations was provided. There were no public comments given to County staff.

Staff finds this application is in conformance with the plans and policies of Laramie County. The attached resolution shall serve as the subdivision permit upon approval by the Board.

**RECOMMENDATION and FINDINGS**

Based on evidence provided, staff recommends the Board of County Commissioners 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 of County Commissioners approve the Subdivision Permit and Plat for Diamond Hill.

**PROPOSED MOTION**

I move to approve the Subdivision Permit and Plat for Diamond Hill and adopt finding of fact a.

**ATTACHMENTS**

Attachment 1: Location Map
Attachment 2: Aerial Map
Attachment 3: Comprehensive Plan Map
Attachment 4: Agency Comments Report
Attachment 5: State Engineer’s Comments
Attachment 6: Context Map
Attachment 7: Existing Conditions Map
Attachment 8: Resolution
Attachment 9: Plat
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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**County Engineer:** County Engineer, Scott Larson Comments Attached 04/02/2020

Engineer Review
1. It would be helpful if CR 161 was labeled on the plat.
2. There are several line types shown that are not identified and it would be helpful if the legend included the line types.
3. I concur with the request for a waiver of a detailed Traffic Study and Drainage Study based on the information provided with the application.

Surveyor Review
1. It would be helpful to label the Point of Beginning and the tie to the Northwest corner of Section 29, with both being referenced in the legal description included in the DEDICATION. As currently shown on the plat, the bearings and distances called out in said legal description are a little confusing when they are placed next to the TRACT 1 boundary bearings and distances.
2. There are no State Plane Coordinates shown on the plat.
3. There is no “Statement to Vacate” shown on the plat. The DEDICATION states “Has caused the same to be surveyed, vacated and re-platted”.
4. There are several instances where “the location of the recorded rights-of-way intersecting the boundary of the subdivision” are not shown.

12’ POWER AND DATA EASEMENT EASEMENT #5, BK 1787, PG 513
60’ ACCESS EASEMENT, BK 2116, PG 1682

**County Real Estate Office:** County Real Estate Office, Laura Pate Comments Attached 03/30/2020

Need notary statement for Diamond Hills Storage LLC.
In the title block add PTN... Situaten in a Portion of the North Half...

**Intraoffice:** Planners, Marissa Pomerleau Comments Attached 04/06/2020

1. The legal description, stated in both the Dedication and the title should be updated from the north half to include quarter quarters, to read “Situated in the NW1/4 NW1/4, Section 29, T.14N., R.60W., of the 6th P.M., Laramie County, WY.
2. The letter ‘A’ is capitalized unnecessarily several times in the Dedication, please correct.
3. The plat states that the it was prepared March, 2020, however the Revised date states 2/13/2020. This will need to be updated as the revision date cannot take place before the preparation date.
4. The Dedication states “Right-oi-way”, please correct.
5. As this is a Subdivision Permit & Plat, rather than an Administrative Plat the signature blocks for the Planning Director and the Public Works Director need to be removed and spaces for the Planning Commission Chairman and the Board of County Commissioners Chairman added. These blocks must be directly adjacent to the right or bottom border of the plat. There also needs to be a signature block for the County Clerk added.
6. A statement must be added to the plat indicating the type of sewage disposal, the type of water supply, and the type of fire protection proposed for the subdivision.
7. Because Potato Plant Road is not an official county road, it should be removed from all language on the plat.
8. In the Dedication the number 19 has been hand-corrected to 29, please correct.
9. The Filing Record box must be completely clear of any wording.
10. There is no Statement to Vacate on the plat. This must be titled and stated clearly on the plat.
11. The Railroad Spur Easement #4 state Book 787, Page 513. Should the book number be 1787 as all the other records are?

AGENCIES WITH NO COMMENTS:
High West Energy
Sheriff’s Office

AGENCIES WITH NO RESPONSE:
County Attorney
County Clerk
County Treasurer
Emergency Management
Environmental Health
Planners: Michael Surface
Town of Pine Bluffs
WY State Engineer’s Office
Wyoming DEQ
Fire District No 5
Comment Request

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Applicant Name: Steil Surveying Services
Phone: (307) 634-7273
Address: 1102 W. 19th Street, Cheyenne, WY 82001

Project Location: 1089 Road 161; Parcel No. R0008658-14602910000600-T14N-R60W-29

This development action is forwarded for your review. Please submit comments before the “Due Date” noted above. COMMENTS NOT RECEIVED BY THE “DUE DATE” WILL NOT BE PUT FORWARD AS PART OF THIS DEVELOPMENT ACTION. Please send any comments you may have directly to our office as addressed at the top of this sheet and to the applicant as appropriate (listed above).

Comments: (please cite applicable regulation source with comments)
Comments attached -

☐ No Comments  ☐ Comments Above  ☑ Comments Attached

Reviewer: Lisa Lindemann Signature: [Signature]

Reviewing Agency Name: Wyoming State Engineer’s Office – Ground Water Division

Phone: 307-777-5063 Date: April 1, 2020

Scheduled Meeting and Dates:

County Commissioners: ___________________ County Planning Commission: ___________________
The applicant identified two groundwater permits located in the NWNW, Section 29, T14N, R60W; Permit No. U.W. 34606, the Foxhills Observation Well No. 1, and Permit No. U.W. 190151, an Enlargement of the Fox Hills Observation Well No. 1.

- Permit No. U.W. 34606 is an adjudicated water right for industrial use which allows up to 90 gallons per minute (gpm) to be developed and beneficially used for drinking and sanitary purposes and for washing potatoes at the Lodgepole Valley Potatoes, Inc. plant in the NWNW, Section 29, T14N, R60W.

- Permit No. U.W. 190151 is a time-limited “enlargement” of Permit No. U.W. 34606 (same well) which allows the additional use of gravel washing and other industrial/miscellaneous use and to permit an additional 20 acre-feet of water.

- Neither Permit No. U.W. 34606 or 190151 is compliant with the water production requirements of the Order of the State Engineer for the Laramie County Control Area (April 1, 2015).

- Permit No. U.W. 190151 is not compliant with the Additional Conditions and Limitations attached to the permit which require reporting of at least two semi-annual measurements of the static water level in the well. Permit No. U.W. 190151 is a time-limited permit which expires December 31, 2020 unless a written request for an extension of time is received by the State Engineer prior to expiration. It is unlikely that request would be approved if the appropriator is not compliant with the conditions attached to the permit.

- The Foxhills Observation Well No. 1 is located in the Drawdown area of the Laramie County Control Area.

- Based on information provided on the Form U.W. 6, Statement of Completion and Description of Well or Spring, the well appears to be completed in the Lance Formation, or an “Underlying Unit” as defined by the Order of the State Engineer for the Laramie County Control Area (April 1, 2015).
NO PROPOSED CENTRAL WATER SUPPLY SYSTEM  •  NO PROPOSED CENTRALIZED SEWAGE SYSTEM  •  FIRE PROTECTION TO BE PROVIDED BY LARAMIE COUNTY FIRE DISTRICT #5  •  THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE

CONTEXT MAP FOR DIAMOND HILLS

SITUATED IN THE NORTH HALF (1/2) SECTION 29, T.14N., R.66W., OF THE 6TH P.M., LARAMIE COUNTY, WYOMING

PREPARED MARCH, 2020

STEIL SURVEYING SERVICES, LLC
PROFESSIONAL LAND SURVEYORS
PLANNING & DEVELOPMENT SPECIALISTS
2340 WEST 146 ST. GREELEY, WY. 80634  •  (970) 634-7478
756 GILCREASE ST. WYOMING, WY. 82081  •  (307) 922-9749
www.steilsurvey.com  •  tech@steilsurvey.com
EXISTING CONDITIONS MAP for DIAMOND HILLS
SITUATED IN THE NORTH HALF (N/2)
SECTION 29, T.14N., R.40W.,
OF THE 4TH P.M.,
LARIMIE COUNTY, WYOMING
PREPARED MARCH, 2002

STEEL SURVEYING SERVICES, LLC
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710 CELESTIAL ST. WHEATLAND, WY 82201 • (307) 825-5748
www.steelesurvey.com • info@steelesurvey.com
RESOLUTION NO. ________________________

A RESOLUTION TO APPROVE A SUBDIVISION PERMIT AND PLAT FOR A PORTION OF LAND IN THE NW1/4 NW1/4, SECTION 29, T.14N., R.60W. OF THE 6TH P.M., LARAMIE COUNTY, WY, TO BE PLATTED AND KNOWN AS DIAMOND HILL.

WHEREAS, Wyoming State Statutes §18-5-201 to 18-5-208; §18-5-301 to 18-5-315 authorize Laramie County, in promoting the public health, safety, morals and general welfare of the county, to regulate the use of land through zoning in unincorporated Laramie County; and

WHEREAS, the Laramie County Board of Commissioners adopted the Laramie County Land Use Regulations; and

WHEREAS, the proposed subdivision and plat is in accordance with section 2-1-101 (a-e) of the Laramie County Land Use Regulations; and

WHEREAS, this resolution is the subdivision permit for Diamond Hill.

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.

Moreover, the Board approves the Subdivision Permit and Plat for Diamond Hill.

PRESENTED, READ AND ADOPTED THIS _______________ DAY OF _______________, 2020.

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