

## **PUBLIC SERVICES COMMITTEE MINUTES**

A meeting of the Public Services Committee was held on Tuesday, March 19, 2019, in Committee Room 104, starting at 12:00 P.M. Those in attendance were as follows:

**COMMITTEE MEMBERS:** Dr. Mark Rinne, Chairman, Scott Roybal and Bryan Cook.  
Absent: Dicky Shanor

**CITY STAFF:** Eric Fountain, Mayor's Chief of Staff; Susana Montana and Seth Lloyd, Planning and Development Department; Alessandra McCoy Fakelman, Assistant City Attorney; Joe Chenchar, Assistant City Attorney; Teresa Moore, Community Recreation & Events Director; Kris Jones, City Clerk; Charles Bloom, Planning & Development Director; Molly Bennett, Senior Staff Engineer; Anissa Gerard, Traffic Engineer; Chief Brian Kozak, Police Department; and Jennifer McClelland, Executive Assistant to the City Council.

**OTHERS PRESENT:** Brad Emmons, AVI; Chrissy Suttles and Steve Knight, WTE; John Sayers, US 30 BP, LLC; Gene MacDonald, Tina Worthran, Renee Middleton and Ray Martin, Botanic Gardens; Kelly Hafner, CivilWorx, LLC; Glen Conner; Dr. Kay Sheehan, Riml Mers, and Boyd Wiggam.

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### **AGENDA ITEMS**

14. **ORDINANCE – 2<sup>nd</sup> READING –** Annexing to the City of Cheyenne, Wyoming, all of Lots 6 and 7, Block 1, and all that 16' alley located in Block 1, Countryside Addition, Laramie, County, Wyoming, (located southwest of the intersection of Countryside Avenue and Whitney Road). (SPONSOR – Dr. Rinne)

Mr. Roybal moved to approve on 2<sup>nd</sup> reading, seconded by Mr. Cook. Motion carried by unanimous voice vote.

**DISCUSSION:** Seth Lloyd, Planning and Development Department, provided a staff report and advised staff supports approval for the annexation of the ½ acre land noting, #15 is the affiliated zone change request. John Sayers, US 30 BP, LLC, advised #27 (a) is the affiliated replat.

15. **ORDINANCE – 2<sup>nd</sup> READING –** Pursuant to Section 2.2.1 Zoning Map Amendments, Section 5.1.2 Zoning District Established, and Section 5.1.3 Official Zoning Map, of the Unified Development Code, changing the zoning classification from County AR Agricultural Residential to CB Community Business for all of Lots 1, 2, 5, 6, 7, and 8, Block 1 and all of Lots 2, 3, and 4, Block 2, Countryside Addition, Laramie County Wyoming, (located south of Countryside Avenue, west of Whitney Road). (SPONSOR – DR. MARK RINNE)

Mr. Cook moved to approve on 2<sup>nd</sup> reading, seconded by Mr. Roybal. Motion carried by unanimous voice vote.

**DISCUSSION:** Seth Lloyd, Planning and Development Department, provided a staff report and advised staff supports approval and advised the land is mostly vacant with one single family home on a portion of the property noting, #14 is the affiliated annexation request. Upon inquiry, John Sayers, US 30 BP, LLC, advised water and sewer is already existing.

16. ORDINANCE – 2<sup>nd</sup> READING – Annexing to the City of Cheyenne, Wyoming, all of FW Subdivision, Laramie County, Wyoming (Located northeast of the intersection of College Drive and Southwest Drive). (SPONSOR – DR. MARK RINNE)

Mr. Roybal moved to approve on 2<sup>nd</sup> reading, seconded by Mr. Cook. Motion carried by unanimous voice vote.

**DISCUSSION:** Seth Lloyd, Planning and Development Department, provided a staff report and advised staff supports approval for approximately 6.5 acres of land, noting #17 is the affiliated zone change request. Upon inquiry, Mr. Lloyd advised the annexation includes all Broken Arrow Road right-of-way and costs for repairing road would rely on the first developer. Charles Bloom, Planning and Development Director, provided the benefits of including Broken Arrow Road in the annexation. Gene MacDonald, agent for the applicant, advised the owner has no current plans to develop the property but is planning to sell in the near future. Dr. Kay Sheehan, voiced concerns and provided a detailed history relating to her property, and request either to table or postpone the item. Glan Conner, voiced concerns regarding the wait time for railroad, and emergency medical services (EMS) response time and developer reimbursements.

17. ORDINANCE – 2<sup>nd</sup> READING – Pursuant to Section 2.2.1 Zoning Map Amendments, Section 5.1.2 Zoning District Established, and Section 5.1.3 Official Zoning Map, of the Unified Development Code, changing the zoning classification from County CB Community Business to CB Community Business for all of FW Subdivision, Laramie County, Wyoming (located northeast of the intersection of College Drive and Southwest Drive). (SPONSOR – DR. MARK RINNE)

Mr. Roybal moved to acknowledge the applicants request to withdraw, seconded by Mr. Cook. Motion carried by unanimous voice vote.

**DISCUSSION:** Seth Lloyd, Planning and Development Department, advised the applicant has requested to withdrawal the zone change request.

18. ORDINANCE – 2<sup>nd</sup> READING – Pursuant to Section 2.2.1 Zoning Map Amendments, Section 5.1.2 Zoning District Established, and Section 5.1.3 Official Zoning Map, and Section 5.6.2 PUD – Planned Unit Development District, of the Unified Development Code, amending the zoning classification for a portion of the southeast quarter of Section 11 and the northeast quarter of Section 14 in Township 13 North, Range 67 West from the Overland Trails Planned Unit Development (PUD) to the CFD Park-N-Ride PUD for the 27.69-acre Lot 1 of the CFD Park-N-Ride Subdivision in the City of Cheyenne, Laramie County, Wyoming (located west of Southwest Drive, north of College Drive, and adjacent to I-25). (SPONSOR – DR. MARK RINNE)

Mr. Roybal moved to approve on 2<sup>nd</sup> reading, seconded by Mr. Cook. Mr. Roybal moved to amend by substitute dated 3/19/19, seconded by Mr. Cook. Motion carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

**DISCUSSION:** Susana Montana, Planning and Development Department, provided a staff report and advised staff supports approval and advised the 27.69 acres will accommodate the CFD Park-N-Ride and will serve as their permanent location and will include a wide array of land uses. Brad Emmons, AVI, requested approval.

19. **ORDINANCE – 2<sup>nd</sup> READING – Amending Chapters 5.48, Detective, Patrol and Guard Service Businesses, 5.52, Massage Establishments, and 5.72, Public Transportation, within Title 5, Business Licenses and Regulations, of the Municipal Code of the City of Cheyenne, Wyoming. (SPONSOR – DR. MARK RINNE)**

Mr. Cook moved to approve on 2<sup>nd</sup> reading, seconded by Mr. Roybal. Motion carried by unanimous voice vote.

**DISCUSSION:** Chief Brian Kozak, Police Department, provided a staff report and advised the revision to remove finger printing as a requirement will allow for a more efficient and speedy process.

25. **RESOLUTION – Naming the Cheyenne Botanic Gardens Grand Conservatory the Shane Smith Grand Conservatory. (SPONSORS – MR. CASE, MR. COOK, MR. LAYBOURN, AND MR. WHITE).**

Mr. Cook moved to adopt, seconded by Mr. Roybal. Motion carried by unanimous voice vote.

**DISCUSSION:** Ray Martin, Botanic Gardens, provided a detailed history of the foundation and the contributions Shane Smith has provided to the organization dating back to 1970's.

27. **PRELIMINARY PLATS/PRELIMINARY ZONE CHANGES:**

- a) Preliminary Plat for US 30 Business Plaza, Second Filing, a replat of Lots 1, 2, 3, 5, 6, 7, and 8, Block 1 and all of Lots 2, 3, and 4, Block 2, and all of Tim Tam Street, and all of that 16' alley located in Block 1, Countryside Addition, together with Lots 7, 8, and 9, Block 1, US 30 Business Plaza, Cheyenne, Laramie County Wyoming, (located south of and adjacent to Countryside Avenue, west of Whitney Road).

Mr. Cook moved to approve, seconded by Mr. Roybal. Mr. Roybal moved to amend staff condition #1 to read "Should necessary access to the unplatted land south of US 30 Business Plaza Second Filing need ingress/egress access thru, Lot 1, Block One, the property owner, will work together to determine the location and prepare a Memorandum of Understanding to include easement and maintenance", seconded by Mr. Cook. Motion carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

**DISCUSSION:** Seth Lloyd, Planning and Development Department, provided a staff report and advised staff supports approval with conditions 1-2 and advised the land is mostly vacant with one single family home. John Sayers, US 30 BP, LLC, provided alternative language to staff conditions #1 to allow for the vacation of Tim Tam Street if future development does not occur. Anissa Gerard, Traffic Engineer voiced concerns with vacating Tim Tam Street and not having future connections through the developed area.

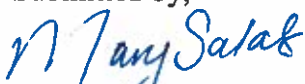
- b) Preliminary PUD for Harmony Valley, a portion of the S½ of Section 7 and the SE¼NE¼ of Section 7, T.13N., R.66W., 6<sup>th</sup> P.M., Cheyenne, Laramie County, Wyoming (located north of and adjacent to W. College Drive, west of Walterscheid Boulevard).

Mr. Roybal moved to approve, seconded by Mr. Cook. Motion to approve failed with Mr. Roybal voting "YES" and Mr. Cook voting "NO".

**DISCUSSION:** Seth Lloyd, Planning and Development Department, provided a staff report and advised staff supports approval changing approximately 145 acres of land from largely agricultural zoning to a PUD. Upon Inquiry, Mr. Lloyd confirmed staff conditions a-j are workable and advised staff is in communication with the applicant to resolve them. Kelly Hafner, CivilWorx, LLC, advised he has been and continues to work with the City to resolve the staff conditions and provided an explanation for his disagreement with f, g, and i.

There being no further items for the agenda to come before the Public Services Committee, the meeting was adjourned at 2:00 P.M.

Submitted by,



Mary Sales,

Administrative Assistant to the City Council