



BOARD OF ADJUSTMENT MEETING MINUTES

APRIL 16, 2020
6:00 P.M.

Stefanie Boster (Chair) called the meeting to order at 6:01 p.m.

MEMBERS PRESENT: Stefanie Boster (Chair), Michelle Garcia, Kevin Schwaiger, Tony Laird, Trent Carroll, Brian Ferimore, , and Jeffrey Boldt (Board Attorney)

MEMBER ABSENT: Swede Nelson

QUORUM PRESENT: Roll Call was taken; a quorum was present.

CITY STAFF PRESENT: Charles Bloom (Planning and Development Director), Lisa Pafford (Deputy Director), Connor White (Planner), Stephanie Lowe (Planner II), Nancy Olson (MPO)

OTHERS PRESENT: Bill Weaver, Brad Emmons (AVI), Renae Jording (Cheyenne Transit)

APPROVAL OF MINUTES: March 26, 2020

Ms. Garcia made a Motion to approve the minutes. Mr. Carroll seconded. The March 26, 2020 minutes were approved unanimously 6 to 0.

Deputy Director Lisa Pafford read Item 1 into the record.

ITEM 1: UDC-20-00107: Conditional Use approval request to allow new townhouse apartments on a single lot in the MUR Mixed-Use Residential zone, pursuant to Section 5.1.4 Table 5-1: Zoning District Uses of the UDC for Lot 1, Block 1, Aspen Creek, Cheyenne, Wyoming.

LOCATION: 6800 Powderhouse Road
Owner: Cottonwood Creek Development LLC
Agent: Brad Emmons, AVI

Connor White presented the staff report.

Mr. Laird asked what the adjacent memory care project is to the west; Mr. White explained that he knew it was a senior housing type project, but didn't know the exact details on the memory care facility. Mr. Laird further asked if it's not yet built; Mr. White affirmed.

Ms. Boster asked what the other agencies have said in reference to input on the project, because Ms. Olson from the MPO is present; Mr. White explained that Ms. Olson is here for the next project, but other agencies have expressed concerned about access to Powderhouse, which was a comment from Engineering and MPO, but that is no longer an issue. He continued that regarding use of this land, there weren't very many comments; most comments will come in during site plan review, if this Board grants use. Ms. Boster asked if the landscaping is a primary concern other than the fact this is not typically the type of use for this neighborhood; Mr. White responded that Staff felt that requiring more than the required 10% better fits the neighborhood. This project has already gone through one preliminary site plan review so far and the landscaping plan does show over 40% landscaping; the condition is to make

sure it can't change and be reduced.

Chair Boster opened the meeting for Public Comment.

Brad Emmons, agent representing the applicant, presented. To address Mr. Laird's question of Mr. White: This is primarily senior living in the fact that they will pay a rent and everything will be covered, all utilities, mowing, maintenance, geared toward senior housing project; not provide assisted living, nursing, or anything, it's separate in the sense that it's not with the state health department or any of those levels of service. This is to allow a transition from the home to more of a like a condo type apartment to moving out to have to go into assisted living.

Mr. Laird asked about the dead end street that does not have a hammer head type at the end of the street; Mr. Emmons answered that the team had met with the fire department multiple times and these will be sprinkled, due to that fact, the fire turn around at the end is not required.

Mr. Carroll asked if the staff recommendation of the 30% of the landscaping causes any concern; Mr. Emmons answered that the team doesn't think it's necessary but has no concerns. He further explained that a preliminary site plan has been provided and his only concern is about tracking the requirement long term, but the minimum requirement is already being met.

Bill Weaver, of 6910 Powderhouse Rd., expressed concerns about Mr. Emmons saying that they're transitioning from the Pointe, which is commercial use to residential use. Basically, he's talking about the property to the north of this current project. There's really nothing guaranteeing that it's not going to go commercial north of this. Mr. Emmons is assuming that this property is going to go residential. Mr. Emmons responded that he was referencing the property north of this property still in the Pointe. If Mr. Weaver wanted to go commercial there should be no concern since these look residential but will be rented so technically is a commercial use.

Having no other questions from the Board of Mr. Emmons and no other comments from the public, Chair Boster closed the Public Comment period.

Ms. Garcia made a Motion to approve the Conditional Use to allow Multifamily development in the MUR Mixed-Use Residential zone with staffs recommended condition located at 6800 Powderhouse Road, legally known as Lot 1, Block 1, Aspen Creek, Cheyenne, Wyoming. Mr. Schwaiger seconded. Ms. Garcia stated that with the housing shortage this would be great for the older population, she is in support of this. Ms. Boster is in support and appreciates Mr. Weaver's comments because we don't want to boot strap anyone's property. She likes this project and thinks they are good looking townhomes and the location next to the memory care center makes a lot of sense and, like Ms. Garcia, needs this in our community.

RESULT: There being no further comment by the Board, the motion passed by a unanimous 6-0 vote.

Ms. Pafford read Item 2 into the record.

ITEM 2: UDC-20-00116: Conditional Use approval request to allow a new transit facility in the CB Community Business zone, pursuant to Section 5.1.4 Table 5-1: Zoning District Uses of the UDC for the W 100' of the North ½ of Lot 2, & West 48' of the South ½ of Lot 2, Block 11, Garden Homes Subdivision, Cheyenne, Wyoming.

LOCATION: 2400 E Lincolnway

Owner: Mason Properties LLC
Applicant and Agent: Renae Jording

Mr. Write presented the staff report.

Ms. Boster asked for Ms. Olson's opinion on this item. Ms. Olson stated that she is attending tonight as part of her job to in preparing an equity analysis for the FTA on choosing a new site and she is interested if there would be any public comment in regards to this.

Chair Boster opened the meeting for Public Comment.

Renae Jording provided her presentation.

Mr. Schwaiger asked how much of the foot traffic would be related to Carey JH; Ms. Jording does not know. He wondered is the existing heavy foot traffic the main thing pushing the need to move or is that just part of it; Ms. Jording answered that it's just part of it. She continued that with the new Metropolitan restaurant, the Rib and Chophouse and Municipal Courthouse, the City is expecting more pedestrian traffic. It is also more difficult with traffic when entering and exiting the parking garage when the busses are lined up on the curb every hour for 15 minutes. All in regards to the safety of the passengers and the public who are accessing the new facilities.

Mr. Laird asked if this relocation will be done in conjunction with changing routes to make it work operationally; Ms. Jording answered that there will be changes but not expecting to be big changes right now. The routes will still have a stop at the current transfer station location so people can still access it downtown.

Mr. Fenimore asked if Ms. Jording has done any impact interviews or surveys to the three residential blocks immediately to the north, to ask about additional traffic, bus noise, etc.; Ms. Jording has not, she has been trying to move this along. Ms. Olson, as she stated, is working on an impact study now to figure out how it will affect people. The grant application period closes at the end of this month, and they needed to get this piece done. Ms. Jording did send the required letters notifying property owners of this meeting and she only received one telephone call.

Ms. Boster asked how much time has been spent on this; Ms. Jording answered that is actually has been a lot. She has looked at several locations, and it's very hard to make sure they provide a place that is safe and easily accessible to the public. She has completed an appraisal review of the property, environmental assessment of the property, a lot of hours in this property but also others. She has looked at the other properties: the old Cedars Health building next to Comea Shelter which was a lot of money to put into a condition to use for our purposes.

Having no other questions from the Board of Ms. Jording and no other comments from the public, Chair Boster closed the Public Comment period.

Mr. Fenimore made a Motion to approve the conditional use to allow a Transportation Facility in the CB Community Business zone located at 2400 E Lincolnway, legally known as the W 100-feet of the North ½ of Lot 2, & the West 48-feet of the South ½ of Lot 2, Block 11, Garden Homes Subdivision, Cheyenne, Wyoming. Mr. Laird seconded. Ms. Boster is confident that a lot of time and energy has been put into this project and she appreciates MPO's work and the work of the property owner and applicant in moving this forward. Seems like it will fit into the broad plan of the downtown, and she is in support. Mr. Laird also supports this motion. Like Mr. Fenimore he was a little curious whether some of the residents, since there is dense residential to the north, might be concerned or have comments, but apparently they don't, so there is no reason, looks like a good location to me, and the operations of it is mostly during the main hours of the day, so he is good with it. Mr. Carroll echoes those comments and appreciates information from applicant. It's a thorough explanation and a suitable location; he understands the challenges expressed by current location, and he supports the motion.

RESULT: There being no further comment by the Board, the motion passed by a unanimous 6-0 vote.

OTHER BUSINESS:

1. Mr. Bloom shared an update on the West Edge workshop since it could not be held on March 25th as planned. It will be available online through April 30th through a website, www.westedgedecheyenne.konveio.com. He encouraged everyone to attend and share their opinions.

ADJOURNED: 6:46 p.m.

Lisa Pappard
Prepared by: Stephanie Lowe

Stephanie Boster
Chair: Stephanie Boster

** Minutes are meant to provide a brief summary of the meeting's action items, discussions, and decisions made. For more detailed information, please refer to the audio recording found on the City of Cheyenne's website.*