

**CITY OF CHEYENNE
PLANNING COMMISSION MINUTES
November 2, 2020
6:00 P.M.**

MEMBERS PRESENT: Jeremy Arneson, Secretary; Phillip Regeski, Vice Chair; Brian Tyrrell, Philip Griggs, James Bowers

MEMBERS ABSENT: Greg Palmquist, Chair; Ted Gertsch

CITY STAFF PRESENT: Charles W. Bloom, Planning and Development Director; Seth Lloyd, Planner; Connor White, Planner; Sam Crowley, Planner

OTHERS PRESENT: Casey Palma, Kristy Richardson

Jeremy Arneson, Chair, called the meeting to order at 6:05 P.M.

Roll Call was taken by Seth Lloyd, Planner. There was a quorum with 5 members present.

MINUTES: Philip Griggs made a motion to approve the October 5 meeting minutes. Brian Tyrrell seconded the motion. The minutes were approved unanimously.

ITEM 1: **Sweetgrass, 5th Filing, Preliminary Plat**, a subdivision of a portion of the N ½ of Section 16, Township 13 North, Range 66 West of the 6th P.M, Laramie County, Wyoming (located south of E. College Drive, east of Sweetgrass Drive).
UDC-20-00354 / Sweetgrass, 5th Filing, Preliminary Plat

Casey Palma, Steil Surveying Services – Agent
Sweetgrass Land Co., LLC – Owner
Connor White – Office Representative

Mr. Lloyd read the item into the record.

Casey Palma, agent, presented the project.

Mr. Griggs asked who Joe Alexander is, and Mr. Palma replied that he is a famous rodeo athlete.

Connor White, Planner, provided the staff report.

Mr. Arneson opened the floor to public comment. Mr. Palma clarified that the open space proposed in this plat is private and will be maintained by the Sweetgrass Estate. Hearing no other comments, Mr. Arneson closed the public comment period.

Mr. Griggs made a motion to recommend approval of the preliminary plat for Sweetgrass, 5th Filing, with conditions as listed in the staff report. Brian Tyrrell seconded the motion.

Roll Call: Motion approved unanimously with a vote of 4-0.

ITEM 2: The Enclave at Northgate, Final PUD, a Planned Unit Development (PUD) for a portion of Lots 6 & 7, all of Lot 8, and the east half of Lots 9 thru 12; Block 19; North Cheyenne, 2nd Filing; Cheyenne; Laramie County; Wyoming (located at the northwest corner of North Gate Avenue and Yellowstone Road).
UDC-20-00256-01 / The Enclave at Northgate, Planned Unit Development (PUD)

Casey Palma, AICP, Steil Surveying Services – Agent
Northgate Developers, LLC – Owner

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Seth Lloyd – Office Representative
Casey Palma, Steil Surveying Services – Agent
Laramie County School District #1 – Owner
Connor White – Office Representative

Mr. Lloyd read the item into the record.

Casey Palma, agent, presented the project.

Mr. Griggs asked if the drainage area in the gardens will be irrigated. Mr. Palma stated that there will likely be some type of drip or mechanical irrigation, but that pond gathers stormwater and drains into the storm system. He also mentioned that the challenge is to find a plant mix that will survive there. Mr. Tyrell commented that setback rules were overcome for this project. Casey explained although the site did get tight due to smaller setbacks, the low maintenance design fits the target demographic of younger professionals and retirees. Mr. Tyrell asked if Mandan lane will stay open to the north. Mr. Palma answered that the public right-of-way functions as an alley but does not have an access onto Yellowstone. This project would propose an additional 5 feet to make Mandan lane a 30-foot right-of-way and would possibly add another 30-foot right-of-way in the future. Additionally, the project would include a 6-foot attached sidewalk with gutter and curb on the south side, and two twelve-foot-wide drive lanes on that street with direct access to Yellowstone; the north side would have no curb and gutter. Philip Regeski stated that he would like to hear from staff. He was also concerned with the use of Mandan Lane as an entrance to Yellowstone Road. He stated that south of North Gate Avenue and north of Mandan Lane are good accesses to Yellowstone Road. All the residential units can access Yellowstone easily – Mandan Lane is not needed and would be a clumsy exit. He requested that Mandan not be included in the project or developed as an entrance to Yellowstone Road. Mr. Regeski also voiced his concern with the danger of an intersection created by Northgate Avenue and the street that is offset from it. Mr. Regeski requested that either the Applicant or the City put a divider on Yellowstone, between Northgate and the street directly across from it, to create a right turn-in and right turn-out on both roads. He emphasized again that he would like to hear from staff about these comments.

Seth Lloyd, Planner, provided the staff report.

Philip Regeski requested for staff to address his previous comments. Seth Lloyd responded that the staff has discussed Mandan Lane and Northgate with the City Engineers office. There is potential when Mandan Lane is developed through the engineering plan review process to make further limitations. The engineers have reviewed the Mandan Lane and Northgate accesses and are planning to proceed with that connection to Yellowstone. Charles Bloom added that this was submitted to the Engineering department for review, and they did not see any limits of access that were necessary. They requested that 5 feet be added to Mandan Lane. Upon future development to the north, any developer would be required to submit a revised traffic study, to see if there are any warrants for further mitigation for roadway closure or limiting right turn ins and right turn outs. Mr. Arneson attempted to ask a clarifying question but revoked it. Casey Palma acknowledged that it is a problematic intersection where Montclair and Northgate are misaligned. Part of the issue, in terms of traffic flow, is that Mandan is about 860 feet from the other road, which means there is room for a safe separation for entering or exiting. But if it was closed, traffic would be redirected to Northgate which is a dangerous intersection. If that intersection is limited, traffic will be pushed onto the Prairie Hills intersection which already carries significant traffic. The engineering department will continue to look at this. The most logical step for the City would be to make limitations on Northgate and Montclair. Philip Regeski stated that the project is great for Cheyenne, but still does not believe Mandan avenue would be appropriate to enter Yellowstone. Mr. Regeski repeated his previously stated concerns and reiterated that he is against having Mandan installed. He went on to say that long-term planning could address the problem with Northgate but, in the meantime, a concrete divider on Yellowstone would make it safer. Mr. Regeski suggested sending the project to City Council with a recommendation for approval but request that The Council discuss these issues as well. He asked Mr. Bloom how this could be accomplished. Mr. Bloom stated that there were no warrants provided by the applicant or engineers to indicate this is an area of concern. He also answered that the Planning Commission is still able to make the recommendation with specific conditions for the Governing Body. Mr.

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Regeski would like to know if the other commissioners share his concerns. Mr. Griggs stated that he does not share these concerns and would be opposed to any additional considerations. Mr. Bloom clarified that if there is a motion made that does not get approved by the Planning Commission, it will be noted and put it in front of The Governing Body.

Mr. Arneson opened the floor to public comment. Kristy Richardson of the Council for People with Disabilities office pointed out that people who are mobility-challenged will not be able to access the sunken garden area. She asked that the stairs would be reconsidered, and a ramp put in so it would be accessible. Mr. Palma responded that the Engineering Department will review the area for access. He added that the Applicant has considered American Disabilities Act (ADA) compliance, and this is something they can investigate further. He also said there could be a pullout installed from the sidewalk. Hearing no other comments, Mr. Arneson closed the public comment period.

Mr. Tyrell and Mr. Regeski both think that meeting American Disabilities Act compliance is important, and the project should not be approved before meeting these requirements. Mr. Regeski asked if this would be a financial difficulty. Mr. Palma replied that the sidewalk off Yellowstone Road is not compliant with the American Disabilities Act, so there are limits due to the topography. He also mentioned that it is not a flat site, but he thinks this is something that can be accommodated, and he will meet with the owner and project engineer. Mr. Tyrell clarified that he was referencing the inner stairs to the sunken garden, not Yellowstone Road. Mr. Regeski agreed. Mr. Griggs asked what the drop of the stairs is. Mr. Palma answered that there are four steps with a landing and a couple more steps up. Mr. Griggs asked if they could approve it with the American Disabilities act condition. Mr. Bloom clarified that compliance may not be required because it is a private space. He suggested adding the caveat that if it is required in a public space, it must be included. Mr. Arneson asked if ADA compliance is required for this as a private project. Mr. Bloom clarified that accessibility is only required on the exterior of the development.

Mr. Regeski made a motion to recommend approval the screening fence as shown in Attachment B of the proposed PUD Ordinance. Mr. Tyrell seconded the motion.

Roll Call: Motion approved unanimously with a vote of 4-0.

Mr. Regeski made a motion strike to approve the sunken garden as shown in Attachment C with a recommendation that the project engineer look at achieving ADA compliance for access to the garden on the proposed PUD Ordinance.

Mr. Griggs made a motion strike to approve the sunken garden as shown in Attachment C of the Proposed PUD Ordinance with the caveat that the engineer investigate ADA requirement for private property and look into the possibility of making it ADA if possible. Mr. Regeski removed his previous motioned and seconded it.

Roll Call: Motion approved with a vote of 3-1, with Mr. Tyrell voting no.

Mr. Regeski made a motion to move to recommend the Governing Body approve The Enclave at Northgate Final PUD, noting that the project meets the review criteria for approval with the condition that the Planning Commission comments be taken in advisement to the City Council.

Mr. Regeski clarified that he feels it is inappropriate to demand a condition to the City Council, so he would like to phrase it as a request. He asked Mr. Bloom to weigh in. Mr. Bloom stated that it is appropriate to use conditions in the motion, as the Governing Body has a right to approve the condition or modify it. He also mentioned that any conditions should be based on specific findings to justify those conditions. This may be relevant to the final plat after this item.

Mr. Regeski stated that addressing the street is appropriate with the PUD because the PUD takes action for improvement of the street. He asked that the motion he put forth previously would stand. Mr. Arneson asked that he repeat the motion for the record.

Mr. Regeski made a motion to move to recommend the Governing Body approve The Enclave at

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Northgate Final PUD, noting that the project meets the review criteria for approval, and asking that the City Council take into account the Planning Commission discussion of Mandan Lane access to Yellowstone Road and the intersection of Yellowstone Road and Northgate Avenue. This was seconded by Mr. Tyrell.

Roll call: Motion approved with a vote of 3-1, with Mr. Griggs voting no.

ITEM 3: The Enclave at Northgate, Final Plat, a replat of a portion of Lots 6 & 7, all of Lot 8, and the east half of Lots 9 thru 12; Block 19; North Cheyenne, 2nd Filing; Cheyenne; Laramie County; Wyoming (located at the northwest corner of North Gate Avenue and Yellowstone Road).
UDC-20-00257-01 / The Enclave at Northgate, Final Plat

Casey Palma, AICP, Steil Surveying Services – Agent
Northgate Developers, LLC – Owner
Seth Lloyd – Office Representative

Mr. Lloyd read the item into the record.

Casey Palma, agent, presented the project.

Seth Lloyd, Planner, provided the staff report.

Mr. Arneson opened the floor to public comment. Hearing none, public comment was closed.

Mr. Arneson noted that the traffic should be considered as it is in a school district. Casey Palma agreed that this is something to consider but thinks the slower speed limit in the school zone alleviates the situation.

Mr. Tyrell made a motion to recommend that the Governing Body approve The Enclave at Northgate Final Plat, noting that the project meets the review criteria for approval. Mr. Regeski seconded the motion.

Roll Call: Motion approved with a unanimous vote of 4-0.

ITEM 4: Enhanced Use Lease, Zone Change, rezoning of an approximate 75.277-acre parcel of land from "County Exempt" to "Support Services" zoning district, being part of protracted Sections 35, & 36, Township 14 North, Range 67 West, of the 6th P.M., Laramie County, Wyoming (located at the southwest corner of Happy Jack Road and I-25).
UDC-20-00443 / Enhanced Use Lease, Zone Change

FE Warren Air Force Base – Owner
Charles Bloom – Office Representative

Mr. Lloyd read the item into the record.

Mr. Lloyd stated that this item has been withdrawn. Mr. Bloom explained that annexation will be delayed until additional information is obtained from the U.S. Government.

Mr. Griggs moved to acknowledge the withdrawal of the application. Mr. Tyrell seconded the motion.

Roll Call: Motion approved with a unanimous vote of 4-0.

ITEM 5: Valor Creek, Preliminary Plat [Expedited Review], a plat, being part of protracted Sections 35, & 36, Township 14 North, Range 67 West, of the 6th P.M., Laramie County, Wyoming (located at the southwest corner of Happy Jack Road and I-25).
UDC-20-00404 / Valor Creek, Preliminary Plat

FE Warren Air Force Base – Owner
Charles Bloom – Office Representative

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Seth Lloyd, Planner, read the item into record.

Mr. Bloom recommended a motion to acknowledge withdrawal of the application.

Mr. Tyrell made a motion to acknowledge withdrawal of the application. Mr. Griggs seconded the motion.

Roll Call: Motion approved with a unanimous vote of 4-0.

ITEM 6: The Village PUD, PUD Amendment, Amendments to The Village Planned Unit Development (PUD) for the purpose of amending permitted uses and development standards, being part of protracted Sections 35, & 36, Township 14 North, Range 67 West, of the 6th P.M., Laramie County, Wyoming (located at the generally located southwest of Storey Blvd, and Powderhouse Road) UDC-20-00442 / The Village PUD, PUD Amendment

Edward Ernste – Agent
Charles Bloom – Office Representative

Mr. Lloyd read the item into the record.

Mr. Griggs moved to postpone this item to the December 7, 2020 meeting. Mr. Tyrell seconded the motion.

Roll Call: Motion approved unanimously with a vote of 4-0.

OTHER BUSINESS: Mr. Bloom stated that the new applications attached to the staff reports have hyperlinks that allow the public, the Planning Commission, and Governing Body to access the original submittals. He also mentioned the Plan Cheyenne 2045 plan is in the agenda, and the members can provide a detailed review to staff and the MPO at the mid-month meeting. Mr. Lloyd informed Planning Commission members nearing the end of their terms that they may re-up for another term, and applications are available for this.

MEETING ADJOURNED: 7:35 PM



Prepared by Sam Crowley



for - Jeremy Arneson, Vice-Chair