

**CITY OF CHEYENNE  
PLANNING COMMISSION MINUTES  
September 7, 2021  
6:19 P.M.**

**MEMBERS PRESENT:** Philip Griggs, Chair; Brian Tyrrell, Vice-Chair; Jeremy Arneson, Greg Palmquist

**MEMBERS ABSENT:** Phillip Regeski

**CITY STAFF PRESENT:** Charles W. Bloom, Planning & Development Director; Erin Fagan, Planner I; Seth Lloyd, Planner II; Valerie Pickard, Planning and Development Office Manager; Tom Cobb, City Engineer; Stephanie Boster, City Attorney; Roy Kroeger, City/County Health Department; Jennifer Escobedo, City/County Health Department

**OTHERS PRESENT:** Brad Emmons, Kristina Richards, Dr. Mark Rinne, Tammy Plunkett, Darci Hendon, Ed Ernste

Philip Griggs, Chair, called the meeting to order at 6:02 PM

1. Roll Call was done by Seth Lloyd, Planner II. There was a quorum with 4 members present.

2.b.i. Minutes – Brian Tyrrell made a motion to approve the meeting minutes from August 2, 2021. Jeremy Arneson seconded the motion. The minutes from the August 2<sup>nd</sup> Planning Commission Meeting were approved unanimously.

**BOARD ADMINISTRATION:** None.

**ITEM A:****(Postponed from August 2, 2021)**  
**[UDC-21-00258 / Whitney Ranch, 4<sup>th</sup> Filing Zone Change](#)**

Agent: Brad Emmons, AVI PC  
Case Planner: Seth Lloyd, Planner II

Seth Lloyd, Planner II, read the item into record.

Brad Emmons, agent, presented the project.

Philip Griggs, Chair, asked for questions from the Board. Hearing none, he asked for the staff report.

Mr. Lloyd gave the staff report.

Mr. Griggs asked for questions from the Board.

Brian Tyrrell asked if part of the project was in the County.

Mr. Lloyd stated the surrounding property to the north and south is County but the item is in the City.

Mr. Griggs asked for public comment. Hearing none, he closed the public comment.

Mr. Tyrrell made a motion to approve the rezoning of Lots 1-23, Block 1, all of Blocks 2-6, and Lots 1-17 and 19, Block 7, Whitney Ranch, 4th Filing to MR Medium-density Residential; Lot 1, Block 8, Whitney Ranch, 4th Filing to HR High-density Residential; Lots 24 and 25, Block 1, and Lot 18, Block 7, Whitney Ranch, 4th Filing to MUB Mixed-use Business Emphasis; and Lot 2, Block 8, Whitney Ranch, 4th Filing to CB Community Business as shown in the attached zone change map, noting that the project meets the review criteria for approval. Jeremy Arneson seconded the motion.

Roll Call: Motion to approve the item was passed unanimously by a vote of 3-0.

**ITEM B: (Postponed from August 2, 2021)**  
[UDC-21-00255 / Whitney Ranch, 4<sup>th</sup> Filing Final Plat](#)

Agent: Brad Emmons, AVI, pc  
Case Planner: Seth Lloyd, Planner II

Seth Lloyd, Planner II, read the item into record.

Brad Emmons, agent, presented the project.

Brian Tyrrell asked if the drainage issues were resolved.

Mr. Emmons stated the drainage would be routed from the detention pond to the west to Van Buren to Dry Creek. He stated this was discussed and approved by City Engineering.

Philip Griggs, Chair, asked if storm sewer would go down Van Buren.

Mr. Emmons stated it would be a new storm sewer in Van Buren and would end up in Dry Creek. He stated it would be in the public right-of-way.

Mr. Tyrrell asked if the drainage would be done with the State project.

Mr. Emmons stated the entities involved are still working on the design of the Whitney Road and Dell Range intersection. He stated the current plan is to have a signaled intersection. He stated that project is farther east than Van Buren so it will be its own separate project.

Mr. Griggs asked for questions from the Board. Hearing none, he asked for the staff report.

Mr. Lloyd gave the staff report.

Mr. Griggs asked for questions from the Board. Hearing none, he asked public comment. Hearing none, he closed the public comment.

Greg Palmquist made a motion to recommend the Governing Body approve the Whitney Ranch, 4<sup>th</sup> Filing Plat, subject to staff's recommended conditions, noting that as conditioned, the project meets the review criteria for approval; and that final plat addressing this condition of approval be prepared and presented to the Governing Body. Jeremy Arneson seconded the motion.

Roll Call: Motion approved by a vote of 3-0.

**ITEM C: [UDC-21-00257 / Miller Addition, 5<sup>th</sup> Filing Preliminary Plat \(Expedited Review\)](#)**

Agent: Brad Emmons, AVI, pc  
Case Planner: Seth Lloyd, Planner II

Seth Lloyd, Planner II, read the item into record.

Brad Emmons, agent, presented the item.

Philip Griggs, Chair, asked for questions from the Board. He asked if Miller Lane would be paved.

Mr. Emmons stated they would pave Miller Lane from the east entrance of the project to Sunset Drive. He stated there would be curb, gutter and pavement.

Mr. Griggs asked if the curb and gutter would be on both sides of the street.

Mr. Emmons stated there would be curb and gutter on both sides of the street.

Mr. Griggs asked for questions from the Board. Hearing none, he asked for the staff report.

Mr. Lloyd gave the staff report.

Brian Tyrrell stated there was an increase in the Public Safety Fees.

Mr. Lloyd stated the Public Safety Fee has not increased since the Governing Body approval.

Mr. Tyrrell stated the fees are too high for affordable housing.

Charles Bloom, Planning and Development Director, stated the original fee presented was an estimate but City Council approved the fee at the current rate.

Mr. Tyrrell asked if the Public Safety Fee will increase in January.

Mr. Bloom stated it would.

Mr. Tyrrell stated fees keep increasing and we already have a problem with affordable housing.

Mr. Bloom stated the fees will increase with the construction price index.

Mr. Griggs asked for questions from the Board. Hearing none, he asked for public comment.

Tammy Plunkett, neighbor, stated she was concerned about drainage and wanted to know how her property would be protected. She stated she was concerned about parking for the development. She stated she was concerned with sewer capacity and wanted to know if she developed her property would it have enough capacity. She stated the BOPU easement is drawn wrong on the site plan. She said she would like to see the item postponed in order for all the issues to be resolved.

Mr. Emmons stated a Site Plan has been turned in with a Drainage Study which shows how the water will be controlled. He stated there is an additional pond in the courtyard of the development. Mr. Emmons stated the new BOPU easement runs to the north to service the lots. He stated BOPU looks at sewer capacity issues and if BOPU approves it then they must not have concerns. He stated they are vacating Dean Court and dedicating an access easement. He stated the open space would be owned by each homeowner. He stated each unit has 4 spaces available on their lot and there are additional spaces available on the access loop. He stated they are working with the property owner to the east about putting in a sidewalk along Miller Lane.

Mr. Griggs asked for additional public comment. Hearing none, he closed the public comment.

Jeremy Arneson stated the public comment issues have been addressed.

Mr. Arneson made a motion to approve the Miller Addition, 5<sup>th</sup> Filing Preliminary Plat subject to Staff's recommended condition, noting that as conditioned, the project meets the review criteria for approval; and that a final plat addressing these conditions of approval be prepared and presented to the Governing Body. Mr. Tyrrell seconded the motion.

Roll Call: Motion approved unanimously by a vote of 3-0.

**ITEM D:**     [UDC-21-00286 / Meadowlark Estates, 2<sup>nd</sup> Filing, Final Plat](#)

Agent: Bruce Perryman, AVI, pc

Case Planner: Seth Lloyd, Planner II

Seth Lloyd, Planner II, read the item into record.

Brad Emmons, AVI PC, presented the item.

Mr. Lloyd gave the staff report.

Philip Griggs, Chair, asked if the drainage would need to go to the west.

Mr. Emmons stated there will be storm sewer put into Whitney Road.

Brian Tyrrell asked if the State is constructing the project.

Mr. Emmons said it is a County project funded by the State and they would construct the Whitney/Dell Range intersection and they would pave Whitney and Dell Range to US 30.

Mr. Tyrrell asked if the intersection was proposed to be a roundabout.

Mr. Emmons stated it was originally designed to be a roundabout but it was discovered there are high pressure gas lines in the right-of-way.

Mr. Tyrrell asked if the storm water construction would be completed next year.

Mr. Emmons stated he did not have the timeline and there were several steps that would need to be completed prior to the storm water project.

Mr. Griggs asked for questions from the public. Hearing none, he closed the public comment.

Jeremy Arneson stated there is a lot going on in the area and it should not be approved until some of the issues are resolved.

Mr. Tyrrell made a motion to postpone the item to the October 4, 2021 meeting. Greg Palmquist seconded the motion.

Roll Call: The motion to postpone was approved unanimously by a vote of 3-0.

**ITEM E:**      [UDC-21-00303 / Microsoft Construction Trailer Temporary Septic Service](#)

Agent: Darci Hendon, P.E., Summit Engineering, LLC  
Case Planner: Charles Bloom, AICP, Planning and Development Director

Seth Lloyd, Planner II, read the item into record.

Darci Hendon, Summit Engineering, LLC, presented the item.

Philip Griggs, Chair, asked if there is more than one septic system proposed.

Ms. Hendon stated it was only one.

Brian Tyrrell asked why the State Engineers office is not reviewing the item.

Roy Kroeger, Cheyenne Laramie County Health, stated the Planning Commission must review this permit because it is within the City limits. He stated they write the permits for septic systems within Laramie County. He stated they can not approve a permit within the City limits or within the 201 Boundary unless the

Planning Commission and City Council approve. He stated this is a temporary system until sewer can be provided.

Jeremy Arneson asked if it would be vaulted and pumped out and taken away.

Mr. Kroeger stated there would be a holding tank and it would be taken off site to be disposed of properly.

Mr. Griggs asked if there would be a leach field.

Mr. Kroeger stated there would not be a leach field.

Mr. Tyrrell asked if the City/County Health Department was in support of the item.

Mr. Kroeger stated his department is in agreement for approval of the item.

Charles Bloom, Planning and Development Director, stated this is stemming from a 1982 agreement as a part of the Clean Water Act which states you must connect to a sewer system if you are within certain boundaries otherwise you would need to seek an exception. He stated staff has found it meets the criteria to approve the exception.

Greg Palmquist asked if there is a timeline for completion of the Data Center project.

Mr. Bloom stated the completion date is proposed for 2023.

Mr. Palmquist made a motion to recommend the City Council approve the exception to the 201 Facilities Plan requirement for City sewer service to be extended to this property and permit installation of a septic holding system, subject to staff's recommended conditions. Mr. Arneson seconded the motion.

Roll Call: Motion approved unanimously by a vote of 3-0.

**OTHER BUSINESS/STAFF ANNOUCEMENTS:**

- Discussion on future Planning Commission meetings via Zoom – The Board decided to keep the meetings as is – hybrid of zoom and in person meetings
- WestEdge rezoning – A public hearing before Planning Commission will likely be in mid-October
- Urban Renewal – Hitching Post property has been sold and should be redeveloped soon
- New Planning Commission members should be at the September meeting

**MEETING ADJOURNED: 7:25 PM**



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Staff Signature



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Board Officer