

CITY OF CHEYENNE
PLANNING COMMISSION MINUTES
November 1, 2021
6:00 P.M.

MEMBERS PRESENT: Philip Griggs, Chair; Brian Tyrrell, Vice-Chair, Phillip Regeski, Secretary; Bob Mathia, Jeremy Arneson

MEMBERS ABSENT: Robert Chamberlin, Greg Palmquist

CITY STAFF PRESENT: Charles W. Bloom, Planning & Development Director; Seth Lloyd, Planner II; Valerie Pickard, Office Manager; Tom Mason, MPO Director

OTHERS PRESENT: Brad Emmons, Ty Berry, Peaches Tyrrell, Butch Tilton, Dr. Mark Rinne, Casey Palma, Kristina Richardson, Alessandra Fakelman

Philip Griggs, Chair, called the meeting to order at 6:03 P.M.

1. Roll Call was done by Charles W. Bloom, Planning & Development Director. There was a quorum with 5 members present.
2. 2.b.i. Minutes – Brian Tyrrell made a motion to approve the meeting minutes from the September 20, 2021 meeting. Phillip Regeski seconded the motion. The minutes were approved unanimously.

ITEM A: [UDC-21-00286 / Meadowlark Estates, 2nd Filing, Final Plat](#)

Case Planner: Seth Lloyd, Planner II

Charles Bloom, Planning & Development Director, read the item into the record.

Brad Emmons, AVI.PC presented the item.

Philip Griggs, Chair, asked for questions from the Board. Hearing none, he asked Staff to present.

Mr. Lloyd gave a staff report.

Mr. Griggs asked if there are any questions for Staff.

Mr. Regeski There were many conditions that were up in the air during discussion of Preliminary Plat and it appears that all of those are either resolved or on their way to being resolved.

Mr. Lloyd said that is correct.

Mr. Regeski asked a question of the consultant. We looked at some designs on Whitney, have those design issues been resolved, are you matching the requirements of the designs that will be put in place on Whitney?

Mr. Emmons answered, The design by Trihydro 4-way intersection?

Mr. Regeski, mainly on Whitney downhill to Dell Range. Did that ever get resolved?

Mr. Emmons, that is being designed through Trihydro project and both Whitney Ranch and Meadowlark Estates are matching the design parameters. North of Porter Drive those are not being designed at this time and will be in the next phases.

Mr. Regeski, so when you did the preliminary designed you looked at the right-of-way for Whitney Ranch?

Mr. Emmons, we added an additional 10' of right-of-way.

Mr. Regeski, is that lot where the detention basin is going to be, on the corner? Do you expect that to be a commercial lot?

Mr. Emmons, that is zoned for a commercial lot.

Mr. Regeski do you feel comfortable with the access coming out of that lot going out onto Dell Range or Whitney? Have you thought through that process as you did that design?

Mr. Emmons, that is part of the addition traffic studies by Kimley Horn. The commercial lot has two access of internal streets.

Mr. Regeski, in the design of Whitney there is a storm drain to Dry Creek. Are you planning to use that as an outfall for Whitney Ranch?

Mr. Emmons, I did not do the drainage study, but goes down the Whitney Rd storm sewer section.

Mr. Regeski, we looked at the property to the west of Whitney Ranch and the flow from that property when across Dell Range to the private properties on the south side of Dell Range. Will the flow of the retention basin flow west on Dell Range and through the private property?

Mr. Emmons, this drainage will not go into Green Prairie Subdivision, it will go down the Whitney Rd right-of-way.

Mr. Regeski, question to the staff, to Tom Mason: Does the City maintain flows in Whitney Ranch to accept flows from this project.

Mr. Bloom, Whitney Ranch is required to withhold stormwater on their property, with the Whitney Ranch 4th they are withholding what is required and discharging at historic rates.

Mr. Emmons, Whitney Road at that section is County right-of-way.

Mr. Tyrrell, the County project for the storm drain, is that next year or the year after?

Mr. Emmons, last we saw there were 50% design plans, maybe next summer and then road paving the next summer. I am not sure of the schedule.

Mr. Tyrrell, so when they changed the roundabout, it changed the process?

Mr. Mason, it extended the timeframe of design.

No public comments.

Mr. Tyrrell made a motion to recommend the Governing Body to approve the Final Plat for Meadowlark Estates, 2nd Filing. Mr. Regeski seconded the motion.

Roll Call: Motion approved by a unanimous vote of 5-0.

ITEM B: [UDC-21-00331 / 6021 Osage Zone Change](#)

Case Planner: Seth Lloyd, Planner II

** 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.*

Charles Bloom, Planning & Development Director, read the item into the record.

Casey Palma, Palma Land Planning presented the item.

Mr. Arneson, so they plan on expanding the building?

Mr. Palma, yes that is true.

Mr. Mathia, is the residence occupied at this time?

Mr. Palma, yes, it is occupied now, I am not sure how that arrangement has been made, but it is not in our scope of work. I can see if I can find out more from the owner.

Philip Griggs, Chair, asked for questions from the Board.

Mr. Lloyd gave a staff report.

Mr. Griggs asked if there are any questions for Staff.

Mr. Regeski, Seth, this is just a zone change but there are concerns with the northern entrance onto Osage, it appears that the commercial business to the east of the zone change takes up the parking and a lot of street parking. Are all of those things going to be addressed during the design of the redevelopment? Will we be able to address at that time or now with the zone change?

Mr. Lloyd, the specific site development will be processed through the site plan process where we will look at the existing accesses, parking, future parking and future access. With the removal for the apartment building and placement of a new building would trigger improvements to the site along with parking requirements.

Mr. Regeski, so when we go through the site plan review it's different than a plat review? And will not come in front of us, is that correct?

Mr. Lloyd, That is correct.

Mr. Regeski, so if there are issues with parking, we need to address that at this point.

Mr. Lloyd, what we are looking at is if this is appropriate use in this zone district. The parking requirements if the new development can't meet the requirements then they will need to redesign the site or get a variance from the parking requirements.

Mr. Arneson, I am very familiar with this area, and I can speak to the fact that this area has serious parking issues, their policy is that all employees park on the street to leave room for customers in the parking lot. They are impeding traffic, sight lines and creating a safety hazard I feel like it was a big failure on the City's part to allow the expansion from two years ago with no additional parking. I think approving this would be a bigger threat, with the concentration of residence in this area, I don't think we should allow a commercial expansion in this area.

Mr. Tyrrell, We don't have to have that information to guess what is going on, they could have bought this just to put in a parking lot.

Mr. Arneson, he just said that he was going to put in a building.

Mr. Tyrrell, I don't know how big that building will be.

Mr. Lloyd, while this application is associated with a specific use. The consideration is whether or not commercial is appropriate here, you may ask the applicant what their plan for site development is.

** 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.*

Mr. Palma, I appreciate the discussion and Mr. Arneson's concerns. We know that parking lot can be full at times. The failure to provide adequate parking in the past was certainly caused by whoever designed the site previously. And whoever approved that site plan. Rather than look at the past, we are looking at additional parking on this piece along with minor building. The site directly east of the business is often under booked for parking and the owners are in a discussion for a shared parking agreement. We will work with staff to provide adequate parking on-site. We are looking at if this is a good spot for this zone district. Whether or not expansion is appropriate, the code supports the zone change. Staff supports the zone change. I will note that they are a little overcrowded in the current building, Staff is not only looking at the new piece, but both as a whole. And will provide the parking agreement with site plan submittal.

Mr. Arneson, the current situation in the parking brings to light that there are a lot of residences in that area, don't think that expanding commercial business in the that area is appropriate.

Mr. Griggs, any other questions?

No public comments.

Mr. Tyrrell made a motion to the Governing Body to approve the rezoning of Lot 13, Block 5 Westgate Addition, Mr. Regeski seconded the motion.

Roll Call: Motion fails by a vote of 3-1.

Mr. Bloom, the next step would be to formulate a new recommendation that you would like to present to the Council, one is to recommend approval, one is to recommend denial and the other to postpone for additional information.

Mr. Griggs, moved to postpone for additional information.

Mr. Bloom, regarding the additional information. What information would you like to receive regarding the rezoning? To better help the Applicant.

Mr. Palma, Planning Commission is recommending that the zone change not be approved.

Mr. Bloom, Chair: I think an appropriate motion would be one to recommend the Council deny of zone change unless the applicant would like a postponement for additional information.

Mr. Palma, I think that it very clearly meets the change for zone change, I am not sure what additional information would be relevant. I would prefer that it move forward with recommendation to deny than provide information that has already been provided. I am a little unclear as why it does not meet the criteria, I would prefer that it move on to Council.

Mr. Arneson, I would say that I would like to see the parking for this development to show less people parking on the street.

Mr. Griggs, the parking is not part of this question. The parking will be addressed in the site plan review. The question is simply whether or not this zoning is appropriate for this area and the surrounding areas. I would suggest to move forward to City Council.

Mr. Regeski, I think that if we had a motion where we approved this with the indication that City staff would look at parking during the site plan process, I have enough confidence with Staff that in the site plan process they will address the parking issues. If we allow the zone change to go through that we note that parking is an issue as a condition of approval. Then the developer can go through the development and the City would address in the site plan process.

Mr. Griggs, parking is an issue that comes after.

Mr. Tyrrell, I think that we need to look at the community surrounding the project.

Mr. Arneson motion to deny zone change, seconded by Mr. Tyrrell

Mr. Bloom, what we would present to the City Council is an ordinance for them to consider that Planning Commission recommendation that it be denied. An ordinance would be introduced at 1st reading, then Public Services Committee discussed there, and they will consider the recommendation of Planning Commission. PSC will choose whether or not to forward on a positive recommendation on for their 2nd reading.

Mr. Regeski, this could get approved through City Council?

Mr. Bloom, yes this could get approved through City Council.

The motion to recommend denial passes 3-1.

ITEM C: [UDC-21-00373-01 / 6021 Westland Road Zone Change](#)

Case Planner: Seth Lloyd, Planner II

Charles Bloom, Planning & Development Director, read the item into the record.

Casey Palma, Steil Surveying presented the item.

Philip Griggs, Chair, asked for questions from the Board.

Mr. Tyrrell, how will you access City sewer?

Mr. Palma, there are a couple options available, there are 3 manholes within a short distance from the property. One on a private drive, one on Westland Road and the other on the Toyota property. We have an engineer hired to do the plans for that.

Mr. Lloyd gave the Staff Report

Mr. Griggs asked if there are any questions for Staff.

Mr. Tyrrell, motion to approve, Mr. Arneson seconds.

Motion passes 4-0.

OTHER BUSINESS/STAFF ANNOUCEMENTS:

- There are no items for the Agenda mid-month November
- There is no timeframe on when the boilers in the Municipal Building will be repaired
- The functional turf amendments will be presented in December

MEETING ADJOURNED: 6:55 P.M.



Staff Signature



Board Officer