

**CITY OF CHEYENNE
PLANNING COMMISSION MINUTES
September 6, 2022
6:00 P.M.**

MEMBERS PRESENT: Philip Griggs, Chair; Brian Tyrrell, Vice-Chair; Boyd Wiggam, Megan Connor, Bob Mathia

MEMBERS ABSENT: Amy Hernandez, Robert Chamberlin, Secretary

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

OTHERS PRESENT: Rande Pouppirt, Kelly Hafner, Shane Hansen, Kirk Johanson, Devon McHenry, Daniel McHenry, Jonathan Clark, Michael White, Ben Hornok, Kristina Richardson

ITEM 1: CALL MEETING TO ORDER / ROLL CALL

Philip Griggs, Chair, called the meeting to order at 6:00 PM

Roll Call was done by Seth Lloyd, Planner II. There was a quorum with 6 members present.

ITEM 2: APPROVAL OF MINUTES

Brian Tyrrell made a motion to approve the meeting minutes from August 1, 2022. Boyd Wiggam seconded the motion. The minutes from the August 1st Planning Commission meeting were approved unanimously.

ITEM 3: PLANNING PROJECTS

ITEM A: [UDC-22-00248-02 / 2121 E 12th Street, Expedited Plat](#)

Agent: Kirk Johanson

Case Planner: Seth Lloyd, Planner II

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

Kirk Johanson, agent, presented the item.

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

Mr. Lloyd gave the staff report.

Boyd Wiggam asked if the replat can be approved under the MR zone.

Mr. Lloyd stated no and that if the zone change was not approved then the plat would also fail.

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

Mr. Wiggam stated he would vote no because he believed it was a spot zone.

Brian Tyrrell asked if this could fall under the Cottage Lot regulations.

Mr. Lloyd stated Cottage lot regulations require a centralized open space and this development does not propose a centralized open space.

Brian Tyrrell made a motion to approve the Lake Minnehaha II Expedited Preliminary Plat, advancing the Final Plat to the Governing Body. Bob Mathia seconded the motion.

Roll Call: The motion to approve the item was passed by a vote of 3-1.

ITEM B: [UDC-22-00254-01-01 / Les Schwab, Expedited Plat](#)
Agent: Blake Widmer and Michael White
Case Planner: Seth Lloyd, Planner II

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

Michael White, agent, presented the item.

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

Megan Connor asked if the item had posted notice or if the mailed notice was sent out.

Mr. White stated it has been posted notice and the notice has gone out.

Mr. Griggs stated he has not seen a posted sign.

Mr. White stated it has been posted and he will get it corrected to be more visible.

Mr. Griggs asked if the current residents have been notified about the development.

Mr. White stated the residents' leases have not been renewed. He stated some have been vacated and some are in the process of being vacated.

Boyd Wiggam asked how many residents' have not yet been up for renewal.

Mr. White stated he could find out the information and could provide it to staff.

Mr. Griggs asked if the residents would get their deposits back as the buildings would be demolished.

Mr. White stated he could find out that information but he would need to ask the current property owner.

Mr. Griggs asked for the staff report.

Mr. Lloyd gave the staff report.

Mr. Wiggam stated he had concerns about the posted notice and the plat did not note utility easements. He asked what the options are going forward to ensure the items are resolved.

Mr. Lloyd stated the Planning Commission could approve, deny or postpone the item. He stated if the item is approved or denied, it would move forward to the Governing Body.

Mr. Wiggam asked if it would be faster for the applicant to have the item postponed.

Mr. Lloyd stated it would be faster to postpone the item.

Mr. White stated the technical issues have been corrected with the plat but it has not been submitted. He stated the existing waterline would be removed and a replacement will be installed. He stated the easement location has been corrected. He stated he is working to correct the posted notice as the sign has not held up in the environmental conditions.

Mr. Lloyd stated that the applicant is required to make a good faith effort to post notice.

Mr. Griggs stated he has not seen the sign. Mr. Griggs asked for public comment.

Shane Hansen stated the posted notice was there and it had blown down and he put it up again.

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

Mr. Wiggam stated his preference was to postpone the item to make sure residents are aware of the development and he would like to see the corrected map with the easements.

Mr. Tyrrell made a motion postpone the Frontier Gardens, 4th Filing Expedited Preliminary Plat. Mr. Wiggam seconded the motion.

Roll Call: The motion to postpone the item was passed by a unanimous vote of 4-0.

Mr. Wiggam asked if it is clear why the item was postponed.

Mr. Lloyd stated the item was postponed because the Planning Commission is looking for a revised map and to ensure posted notice.

ITEM C: [UDC-22-00267 / 4120 & 4121 W 5th Street, 201 Exception](#)

Agent: Jonathan Clark

Case Planner: Seth Lloyd, Planner II

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

Jonathan Clark, agent, presented the item.

Philip Griggs, Chair, stated the present 201 Exception was approved in 2012.

Mr. Clark agreed.

Mr. Griggs asked if this was a renewal.

Mr. Clark agreed.

Mr. Griggs asked if they would need to renew it again if something was planned for the interchange.

Mr. Clark stated the project hinges on funding and it would take their entire budget to fund the project. He stated he could not give an exact date as to when the project will be built.

Mr. Griggs asked for the staff report.

Mr. Lloyd gave the staff report.

Brian Tyrrell stated they have discussed discontinuing 201 Exceptions. He asked why they would renew this 201 Exception.

Mr. Lloyd stated staff has proposed allowing 201 Exceptions more frequently within City limits. He stated they did not want to make hardships on County pocket annexations. He stated this property has an existing septic. He stated they would need to extend the sewer to this property and remove the existing waste water system at this location.

Mr. Tyrrell stated they force residents to connect to sewer and water and install curb and gutter. He stated a State agency should have to be held to the same standard.

Boyd Wiggam asked if infrastructure of water and sewer was installed, would it need to be removed if there was reconstruction of the interchange.

Mr. Clark stated only one building of the three buildings would remain.

Bob Mathia asked if the system was working well now.

Jennifer Escobedo, Environment Health, stated she didn't know how the system was working and would refer the question to Mr. Clark.

Mr. Clark stated he wasn't aware of any issues. He stated there are tenants in two of the buildings.

Ms. Escobedo asked if the system is currently in use and if the buildings are currently occupied.

Mr. Clark stated they are currently occupied.

Mr. Lloyd stated he had spoken to Roy Kroger and he had indicated there were no issues and they were meeting all of Environmental Health's requirements.

Mr. Griggs stated he believed they should allow this to renew, as it would save the government some money for when they need to reconstruct the interchange. Mr. Griggs asked for public comment. Hearing none, he closed the public comment.

Mr. Wiggam made a motion to recommend the City Council approve the continuation of the exception to the 201 Facilities Plan requirement for City sewer service, subject to Staff's recommended conditions. Megan Connor seconded the motion.

Roll Call: Motion to approve the item passed by a vote of 3-1.

ITEM D: [UDC-22-00271 / 516 Pontillo Drive, 201 Exception](#)

Agent: Daniel and Devon McHenry

Case Planner: Seth Lloyd, Planner II

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

Devon McHenry, agent, presented the item.

Boyd Wiggam asked how many cattle are on the property.

Mrs. McHenry stated enough to keep you well fed.

Bob Mathia asked what the system is being used for.

Mrs. McHenry stated it would be used for an additional caretaker dwelling.

Mr. Lloyd presented the staff report.

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

Brian Tyrrell made a motion to recommend the City Council approve the exception to the 201 Facilities Plan requirement for sewer service to a new house at 516 Pontillo Drive. Ms. Conner seconded the motion.

Roll Call: Motion to approve the item passed unanimously by a vote of 4-0.

ITEM E: [UDC-22-00274 / Harmony Valley, Preliminary Plat](#)

Agent: Justin Beckner

Case Planner: Seth Lloyd, Planner II

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

Kelly Hafner, agent, presented the item.

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

Boyd Wiggam asked if there is pedestrian connectivity planned to the schools.

Mr. Hafner stated the School District asked for it to be fenced off and to not have pedestrian connectivity.

Mr. Griggs asked if the fences were due to the security issues.

Mr. Hafner stated it was due to security.

Megan Connor asked what the School District has reservations about.

Mr. Hafner stated mostly security issues.

Mr. Wiggam asked if the area south of the football field is School District property.

Mr. Hafner stated that was correct.

Mr. Wiggam stated he was concerned about drainage and water runoff.

Mr. Hafner stated much of the drainage goes down to the existing drainage pond. He stated the 2nd phase will go towards a large detention pond along the southern part of the property.

Mr. Griggs asked for the staff report.

Mr. Lloyd gave the staff report.

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

Mr. Wiggam asked if phase 3 would need a preliminary plat.

Mr. Lloyd stated staff did not correctly request a new preliminary plat for phase 3. He stated they could add that as a condition.

Mr. Wiggam asked if the applicant had an objection to the request.

Mr. Hafner stated they would not object to the request.

Brian Tyrrell stated the biggest concern in the past was drainage and flooding. He asked if there are still concerns.

Mr. Lloyd stated there weren't any higher-level drainage issues and just a few technical details need to be worked out.

Mr. Wiggam asked what the technical details were for the drainage.

Mr. Lloyd stated there were details about a daisy chain inlet.

Tom Cobb, City Engineer, stated there are no concerns about drainage.

Mr. Wiggam asked if the inlet/outlet could be at risk for getting plugged up.

Mr. Cobb stated a daisy chain is a maintenance issue due to the long-term maintenance.

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

Brian Tyrrell made a motion to approve the Harmony Valley, 3rd Filing Preliminary Plat, subject to staff conditions. Mr. Wiggam seconded the motion.

Roll Call: Motion to approve the item passed unanimously by a vote of 4-0.

ITEM F: [UDC-22-00117-01 / WHR Off Track Betting, Zone Change](#)

Agent: Shane Hansen

Case Planner: Seth Lloyd, Planner II

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

Shane Hansen, agent, presented the item.

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

Mr. Lloyd gave the staff report.

Boyd Wiggam asked if the parcel was large enough for an on-track betting facility.

Mr. Lloyd stated it is large enough but it is not proposed.

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

Mr. Tyrrell made a motion to approve the rezoning of the South Half of Section 27, Township 13 North, Range 67 West of the 6th Principal Meridian to CB Community Business as shown in the attached zone change map, noting that the project meets the review criteria for approval. Bob Mathia seconded the motion.

Roll Call: Motion to approve the item passed by a unanimous vote of 4-0.

ITEM G: [UDC-22-00281 / Senior Activity Center, Zone Change](#)

Agent: Ben Hornok

Case Planner: Seth Lloyd, Planner II

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

Ben Hornok, agent, presented the item.

Philip Griggs, Chair, asked for questions from the Board. He asked if the access could be from Cox Court or from Pershing.

Mr. Hornok stated there would be access from both and the Pershing access would be one way in and one way out only.

Boyd Wiggam asked what business was to the west.

Mr. Griggs stated it was a Maverick gas station.

Mr. Wiggam asked if there could be a joint access with Maverick.

Mr. Hornok stated there is a large retaining wall between the two properties.

Mr. Lloyd gave the staff report.

Brian Tyrrell asked if the driveways would be big enough for buses.

Mr. Lloyd stated he did not know the width of the driveways.

Mr. Wiggam stated he was in support of the item but he had concerns about the CB zone abutting the residential properties.

Mr. Lloyd stated the lots are proposed to be consolidated into one parcel and it is best practice to have one zoning on the parcel.

Mr. Wiggam asked if there have been any complaints from the surrounding residents.

Mr. Lloyd stated he has not heard of any complaints and the surrounding residents will be using the new activity center.

Mr. Hornok stated the Cheyenne Housing Authority is building the Senior Activity Center and it will serve the residents nearby.

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

Mr. Tyrrell made a motion to approve the rezoning of Lots 4 and 5, Block 4, Foxcrest Subdivision and the south half of the south half of Tracts 27 and 28 and 8640 sqft of vacated Monroe Avenue adjacent thereto, Sunnyside Addition, 2nd Filing to CB Community Business as shown in the attached zone change map, noting that the project meets the review criteria for approval. Mr. Wiggam seconded the motion.

Roll Call: Motion to approve the item passed by a unanimous vote of 4-0.

ITEM 4: FOLLOW-UP INFORMATION ON PREVIOUS ACTIONS:

None

ITEM 5: OTHER BUSINESS/STAFF ANNOUCEMENTS:

No midmonth meeting

ITEM 6: MEETING ADJOURNED: 7:23 PM



Staff Signature



Board Officer

