



BOARD OF ADJUSTMENT MEETING MINUTES

FEBRUARY 17, 2022
6:00 P.M.

- MEMBERS PRESENT:** Tony Laird (Chair), Trent Carroll, Curtis Clabaugh, Milo Vigil, Dustin Brown, Jeffrey Boldt (Board Attorney)
- MEMBER ABSENT:** Linda Burt
- QUORUM PRESENT:** Tony Laird (Chair) called the meeting to order at 6:00 pm. Roll Call was taken; a quorum was present with 4 members in attendance
- CITY STAFF PRESENT:** Connor White (Planner), Erin Fagan (Planner), Charles Bloom, AICP (Planning and Development Director), Valerie Pickard (Planning & Development Office Manager), Stefanie Boster (Staff Attorney)
- OTHERS PRESENT:** Brent Rhodes, Randy Byers, Cameron Smith, Jack Greer, Kris Brown, Matt Kaufman, Jeremy Hamilton, Kyle Ridgeway, Lana Mahoney, Andrew Kuhlmann
- APPROVAL OF MINUTES:** January 20, 2022

Dustin Brown made a motion to approve the minutes and Curtis Clabaugh seconded the motion. Mr. Laird stated a correction that needed to be made to the minutes. The minutes with corrections were approved unanimously.

ITEM A: REQUEST: UDC-22-00003: Conditional use request to allow liquor sales at 307 Hatchet House located in the CB Community Business zone.

Location: 3151 Nationway

Applicant: Cameron M. Smith
Case Planner: Connor White, Planner II

Valerie Pickard, Planning & Development Office Manager, read Item A into the record.

Connor White, Planner, presented the staff report.

Tony Laird, Chair, asked for questions from the Board. Hearing none, he asked the applicant to give a description of the item.

Cameron Smith, applicant, gave a description of the item.

Mr. Laird asked for questions from the Board.

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

Trent Carroll arrived at the meeting at 6:12pm.

Dustin Brown made a motion to recuse Mr. Carroll from the item. Curtis Clabaugh seconded the motion. The motion was approved unanimously by a vote of 4-0.

Mr. Clabaugh made a motion to approve a Conditional Use request to allow liquor sales located at 3151 Nationway, Unit A-2, legally known as Lot 4, Block 9, Grier Leech Addition, 4th Filing, Cheyenne, Wyoming due to meeting all of the review criteria for approval. Mr. Brown seconded the motion.

Mr. Laird stated he was in support of the motion.

Jeremy Hamilton asked if this was a gaming center.

Mr. Laird stated this item was for liquor sales at a hatchet throwing facility on Nationway.

Mr. Hamilton stated he was here for the next item.

RESULT: The motion to approve the item passed by a unanimous vote of 4-0.

ITEM B: REQUEST: UDC-22-00006: Conditional use request to allow Entertainment, Amusement, Recreation – Other in the CB Community Business zone.

Location: 1510 Pershing Blvd.

Applicant: Randy Byers, The Design Studio, Inc.
Case Planner: Connor White, Planner II

Valerie Pickard, Planning & Development Office Manager, read Item B into the record.

Connor White, Planner, presented the staff report. He stated staff received a letter in opposition to the item from Jeremy Hamilton. He read the letter into the record.

Mr. Laird asked where the police report was from that Jeremy Hamilton had mentioned in his letter.

Mr. White stated it was a police report from the Horse Palace which is located on Dell Range Boulevard.

Mr. Laird asked for questions from the Board. Hearing none, he asked for a description from the applicant.

Randy Byers, agent, gave a description of the item.

Mr. Laird asked for questions from the Board. Hearing none, he asked for a description of the project from the applicant.

Kyle Ridgeway, applicant, gave a description of the item.

Jack Greer, applicant, stated he was happy to answer any questions.

Mr. Laird asked for questions from the Board.

Curtis Clabaugh asked if there are any plans for improving the traffic flow within the parking lot.

Mr. Byers stated they will look to make reasonable improvements and to have safe traffic patterns. He stated they are currently working on a traffic study for the site.

Mr. Laird stated he had emailed staff a question about the police department reviewing this item and if they would have any conditions that needed to be added.

Charles Bloom, AICP, Planning and Development Director, stated when the last gaming center project was proposed in the City the police department had requested several conditions be added to the approval of the item. He stated the current police administration agreed that those items should be included in an approval.

1. The use shall be allowed to operate provided a security station be located within the establishment in a position where the security officer has continuous view of all gaming devices, the front door, and restroom access doors. Such location or locations shall be shown on subsequent building permit applications and shall be subject to review and approval by the Police Department.
2. The interior and exterior of the business shall be well-lit and shall be installed in accordance with applicable City standards. Interior and exterior lighting plans shall be subject to review and approval by the Police Department.
3. The interior and exterior of the property shall have security cameras recorded to a Digital Video Recorder (DVR) and such DVR records shall be retained for a minimum of seven (7) days and shall be capable of being produced immediately upon request by law enforcement.

Mr. Laird stated there had been a change in leadership in the police department and the conditions were last minute. He stated the item could be postponed if the applicant needed to review the conditions.

Mr. Ridgeway stated the conditions are consistent with the planned project. He stated the conditions do not seem unreasonable.

Mr. Greer stated the conditions are consistent with the planned project and are already requirements from the Wyoming Gaming Commission.

Mr. Laird asked if food and alcohol will be served in the gaming center.

Mr. Ridgeway stated there would be a bar in the gaming center but there would not be a kitchen. He stated food would be provided from other venues in the area.

Mr. Laird asked if this use will need a conditional use for the approval of alcohol sales.

Mr. Bloom asked the applicant if the liquor license that is being acquired for the lounge and liquor store on the same property would also be used for the gaming center.

Mr. Ridgeway stated yes.

Mr. Bloom stated that is what staff had assumed. He stated the primary use would be the gaming center and the accessory use would be a bar. He stated staff is comfortable with both uses existing at the location.

Mr. Laird thanked him for the clarification on the uses.

Mr. Laird opened public comment.

Jeremy Hamilton stated this location is not the best location for the project. He stated there are lots of young families in the area and it is not a family friendly project. He stated there is a flex elementary school in the area. He stated there is a problem with parking at the site due to the existing businesses. He stated he didn't think this was the right location for the project. He stated that he was disappointed the meeting was only on zoom. He stated there is a lack of office space in Cheyenne.

Matt Kaufman, agent, stated there has been a lot of work in planning the project and addressing concerns and he felt the project was a good fit for the area. He stated the applicant has looked at other locations, but this was the best fit. He stated this redevelopment project would bring life to the mostly vacant building.

Mr. Laird closed the public comment.

Milo Vigil made a motion to approve a Conditional Use request to allow Entertainment, Amusement, Recreation – Other, specifically a Historic Horse Racing Gaming Center subject to staffs recommended conditions, located in a portion of the existing building at 1510 E Pershing Blvd, noting that as conditioned, the project meets the review criteria for approval.

Mr. Laird asked if his motion included the recommended conditions from the police department.

Mr. Vigil stated yes, the motion includes the supplemental condition.

Curtis Clabaugh seconded the motion.

Mr. Vigil stated the use is family friendly and a good fit for the area.

Mr. Laird stated he was in support of the motion and it is a good fit for the area.

Trent Carroll stated he was also in support of the motion based on the review criteria being met and the additional conditions placed on the item.

RESULT: The motion to approve was passed by a unanimous vote of 5-0.

ITEM C: **REQUEST:** UDC-22-00033: Conditional use request to allow a Liquor Store and Lounge in the CB Community Business zone.

Location: 1510 Pershing Blvd.

Applicant: Randy Byers, The Design Studio, Inc.

Case Planner: Connor White, Planner II

Valerie Pickard, Planning & Development Office Manager, read Item C into the record.

Connor White, Planner, presented the staff report.

Tony Laird, Chair, asked for questions from the Board.

Mr. Laird stated the liquor sales would be for a liquor store and lounge and also included the gaming

center.

Charles Bloom, AICP, Planning and Development Director, stated he believe that was true but they should confirm with the applicant.

Mr. Laird asked the agent to give a description of the project.

Randy Byers, agent, gave a description of the item.

Mr. Laird asked for questions from the Board.

Kyle Ridgeway, applicant, gave a description of the project.

Jack Greer, applicant, stated Mr. Byers and Mr. Ridgeway had explained the project well.

Mr. Laird asked for public comment.

Jeremy Hamilton stated there are already enough liquor stores in the area. He stated he is opposed to an additional liquor store and bar at this location.

Mr. Laird asked Mr. Hamilton to explain further.

Mr. Hamilton stated this is too close of proximity to the residential units for an establishment with possible problems.

Mr. Bloom stated this is not the last approval the liquor store and lounge will have to go through. He stated that the gaming center that was proposed for the old Jacksons was withdrawn by the applicant and was not denied by the City.

Mr. Laird closed the public comment.

Dustin Brown made a motion to approve the Conditional Use request to allow a Liquor Store and Lounge subject to staffs recommended conditions, located in the existing building at 1510 E Pershing Blvd, noting that as conditioned, the project meets the review criteria for approval. Milo Vigil seconded the motion.

Mr. Brown stated he was in support of the item.

Curtis Clabaugh stated he was in support of the item and it met all the criteria.

Mr. Laird stated he was in support of the item.

Mr. Vigil stated he was in support of the item.

RESULT: The motion to approve passed unanimously by a vote of 5-0.

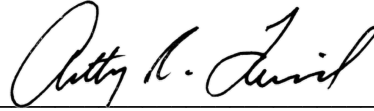
OTHER BUSINESS:

- City staff may be back in office in late March
- Next agenda has 3 items
- Next meeting will be on Zoom
- Resignation from Swede Nelson
- Updated UDC is online now

ADJOURNED: 7:45 p.m.



Produced by City Staff



Board Official

** 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.*