

**CITY OF CHEYENNE
PLANNING COMMISSION MINUTES
May 2, 2022
6:00 P.M.**

MEMBERS PRESENT: Philip Griggs, Chair; Brian Tyrrell, Vice-Chair; Robert Chamberlin, Secretary; Bob Mathia, Boyd Wiggam

MEMBERS ABSENT: Greg Palmquist, Jeremy Arneson

CITY STAFF PRESENT: Charles W. Bloom, Planning & Development Director; Seth Lloyd, Planner II; Erin Fagan, Planner I; Valerie Pickard, Planning and Development Office Manager; Stephanie Boster, City Attorney; Connor White, Planner II;

OTHERS PRESENT: Kelly Hafner, Shane Hansen, John Edwards, Kristina Richards, Casey Palma

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 5 members present.

ITEM 2: APPROVAL OF MINUTES

Brian Tyrrell made a motion to approve the meeting minutes from April 4, 2022. Bob Mathia seconded the motion. The minutes from the April 4th Planning Commission meeting were approved unanimously.

ITEM 3: PLANNING PROJECTS

ITEM A: [UDC-22-00067 / Stanfield Apartments, Expedited Plat](#)
Agent: Kelly Hafner, CivilWorx LLC
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.

Mr. Griggs asked if it would be a single-story apartment building.

Mr. Hafner stated they could go up to 3 stories.

Mr. Griggs asked how many apartments were planned.

Mr. Hafner stated they planned to have 24-28 units.

Mr. Griggs asked if there would be a Traffic Study done.

Mr. Hafner stated he did not believe they needed a Traffic Study.

Brian Tyrrell stated there is a wall to the west that is in poor condition and asked if that would be repaired.

Mr. Hafner stated they would replace the west side with a rock wall. He stated there is an unusable sanitary sewer and they planned to set a new manhole for the BOPU.

Boyd Wiggam asked if the parking and access would be from the south of the lot.

Mr. Hafner stated the building would be on the north side and the parking would be on the southern side of the lot.

Mr. Wiggam asked if there would be a connection through 4th Street.

Mr. Hafner stated 4th Street is vacated in many areas and does not connect through.

Mr. Wiggam asked if there was a plan for traffic to go through 4th Street.

Mr. Hafner stated 4th Street is not a right-of-way so they would not push traffic through there.

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

Mr. Lloyd gave the staff report.

Mr. Griggs asked for questions from the Board.

Mr. Wiggam asked if there are any concerns about emergency access not being able to go through on 4th Street.

Mr. Lloyd stated emergency vehicles would stage on 5th Street. He stated the parking will be on the south side of the lot and access would be off Stanfield Avenue. He stated the general layout has not caused any concern for staff yet.

Mr. Wiggam stated he had concerns about abandoning the original transportation network.

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

Brian Tyrrell made a motion to approve the Stanfield Apartments Expedited Preliminary Plat, advancing the Final Plat to the Governing Body. Robert Chamberlin seconded the motion.

Mr. Wiggam asked if they could condition the item to require access through 4th Street to the west.

Mr. Lloyd stated the Planning Commission could condition the item with an access easement to the south if the west property was developed but 4th Street is ambiguous in title and it may be difficult to know how it will develop. He stated the applicant should be able to speak to that proposal if it is conditioned.

Mr. Hafner stated 4th Street does not exist to the west, over to Snyder. He stated some of it is developed and some is used for drainage. He stated putting an access there would not have any advantages. He stated they wouldn't be in favor of that condition.

Mr. Wiggam stated he was concerned about walkability and he would like to see something preserve the ability to get through where 4th Street was located.

Mr. Griggs asked why traffic should go west instead of east.

Mr. Hafner said the primary route would be to 5th Street. He stated there was a 12' right-of-way (alley) dedicated to the south. He stated they could look at creating a pedestrian corridor within the alley.

Charles Bloom, Planning & Development Director, stated this went through the Quiet Title process. He stated at that time they decided the City did not need the right-of-way at this location.

** 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. Wiggam made a motion to amend the motion to add a pedestrian right-of-way or easement along the southern boundary of the plat. Mr. Tyrrell seconded the motion.

Mr. Tyrrell asked if having an existing 12' alley is sufficient.

Mr. Griggs stated it is sufficient but this would secure it in place.

Robert Chamberlin stated he did not feel it was appropriate because the sidewalk wouldn't go anywhere.

Mr. Lloyd stated they would be recommending an easement be added to the plat for pedestrian access and they would not be requiring the developer to construct the sidewalk. He stated it would go to the Governing Body for their consideration.

Mr. Wiggam stated he would like to preserve the pedestrian access for future development.

Roll Call: Motion to amend the motion failed by a vote of 1-3.

Roll Call: The motion to approve the item was approved unanimously by a vote of 4-0.

ITEM B: [UDC-22-00092 / Harmony Valley, 2nd Filing, Expedited Plat](#)

Agent: Kelly Hafner, CivilWorx LLC

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. 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 for public comment. Hearing none, he closed the public comment.

Boyd Wiggam made a motion to approve the Harmony Valley, Second Filing Expedited Preliminary Plat, advancing the Final Plat to the Governing Body. Brian Tyrrell seconded the motion.

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

ITEM C: [UDC-22-00098-01-01 / Saddle Ridge, 18th Filing, Zone Change](#)

Agent: John Sayers, WJE, LLC

Case Planner: Seth Lloyd, Planner II

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

John Edwards, agent, presented the item.

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

Mr. Griggs asked if the property has been annexed.

Mr. Edwards stated the application is in process for the annexation.

Boyd Wiggam asked if there was any desire to include any commercial zoning.

Mr. Edwards stated they had thought about adding some commercial zoning but the US30 Business Center is currently being built west of this development. He stated they elected to ask for full residential zoning as there is a high demand for residential at this time.

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 for public comment. Hearing none, he closed the public comment.

Brian Tyrrell made a motion to approve the rezoning of a portion of the east half of Section 25, Township 14 North, Range 66 West, of the 6th Principal Meridian to MR as shown in the attached zone change map, noting that the project meets the review criteria for approval. Robert Chamberlin seconded the motion.

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

ITEM D: [UDC-22-00098 / Saddle Ridge, 18th Filing, Expedited Plat](#)
Agent: John Sayers, WJE, LLC
Case Planner: Seth Lloyd, Planner II

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

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

Boyd Wiggam stated he understood the developer and the City were not in agreement on the ownership of the Open Space. He asked the applicant if there was something he wanted changed in the recommendation to the City Council.

Mr. Edwards stated traditionally the open space is developed by them and then it is donated to the City and they take on the maintenance. He stated they thought that would continue with this filing. He stated they haven't done an HOA in the past but they were open to it.

Mr. Griggs asked for question 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.

Mr. Wiggam stated drainage easements appear to apply to areas that were intended to be donated to the City. He asked if there was a need for an easement if the City owns the property.

Mr. Lloyd stated the ownership has not been determined yet. He stated the easements would be needed if the HOA owns the lots.

Mr. Wiggam stated the street stub to the open has been asked to be removed. He asked if there was a plan for future parking for the open space.

Mr. Lloyd stated there is not a plan to formally develop the open space and parking would be on street.

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

Brian Tyrrell made a motion to approve the Saddle Ridge 18th Expedited Preliminary Plat, recommend granting exceptions to Section 4.3.3 of the Unified Development Code, and advancing the Final Plat to

the Governing Body, with the staff conditions listed in the Staff report. Robert Chamberlin seconded the motion.

Mr. Wiggam stated the ownership and maintenance of the open space is a City Council level decision. He made a motion to amend the motion to strike the condition of eliminating the donation notes on the plat. Mr. Tyrrell seconded the motion.

Mr. Lloyd stated there are a few conditions that referenced the open spaces. He asked which conditions were included.

Mr. Wiggam stated to remove condition e.ii. He stated he felt the City Council should make that decision.

Mr. Tyrrell asked if the condition is removed and the City Council passes it and they don't create a HOA then there is no easement lot.

Mr. Lloyd asked if the Planning Commission removes the condition, the Governing Body could allow the notes to exist on the plat and there would still be easements on those lots.

Mr. Tyrrell stated he thought there wouldn't be easements on the lots.

Mr. Lloyd stated the easements would not be needed if the City is the owner. He stated there is no harm in having the easements if the City is the owner.

Charles Bloom, Planning and Development Director, stated the Planning Commission forwards on a recommendation to the City Council. He stated he believed Mr. Wiggam wants to forward on a recommendation that the Planning Commission believes the City Council should make a decision at the Governing Body level due to financial implications.

Mr. Wiggam stated he recommended approval of the plat with the conditions listed but removing the phrase donated lots from those lots. He stated he would like to see those lots donated to the City.

Mr. Lloyd stated conditions are placed on the plat prior to City Council reviewing the plat. He stated conditions are placed at the Planning Commission level so the plat can be corrected and its final revision can go before City Council. He stated Mr. Wiggam would like this note to be on the final plat as it goes before the City Council so they can make the final decision about the ownership of the lots.

Mr. Wiggam stated the question is what the plat map should look like for the City Council to make their decision.

Mr. Lloyd stated the Planning Commission should make a recommendation with conditions and then the applicant would revise the final plat prior to it going before the Governing Body. He stated the plat should go before the City Council without any conditions. He stated Mr. Wiggam would like the plat to go forward to the City Council with one donated lot condition. He asked if the Planning Commission feels all the other conditions can be addressed prior to the plat going before the Governing Body and a motion should be made for that statement. He asked if the Planning Commission believes the donated lot condition should be on the plat or not as it goes before the Governing Body. He stated the Planning Commission should decide what the Governing Body should see and what is recommended to the Governing Body.

Mr. Bloom stated when land is conveyed it is done by deed. He stated that having a note on the plat does not determine ownership.

Mr. Wiggam stated he thought he was making a simple solution but realized it was complicating things. He stated he wanted to remove his amendment to the motion.

Roll Call: Motion to approve the item with all conditions in the staff report was passed unanimously by a vote of 4-0.

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ITEM E: [UDC-22-00101 / 84 Lumber Site, Zone Change](#)

Agent: Shane Hansen, Steil Surveying Services

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.

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

Brian Tyrrell made a motion to approve the rezoning of a portion of Lot 1, Block 1, 84 Lumber Company Site to LI as shown in the attached zone change map, noting that the project meets the review criteria for approval. Boyd Wiggam seconded the motion.

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

ITEM F: [UDC-22-00117 / Swan Ranch, Zone Change](#)

Agent: Shane Hansen, Steil Surveying Services

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.

Mr. Griggs asked what type of recreation was planned for the development.

Mr. Hansen said he didn't know and it was a question for the owner.

Mr. Griggs asked about the 80' Yellowstone Highway Easement.

Mr. Hansen said they found an easement that exists there and the landowner would remove it.

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 for public comment. Hearing none, he closed the public comment.

Brian Tyrrell made a motion to approve the rezoning of a portion of the South Half of Section 27, Township 13 North, Range 67 West of the 6th Principal Meridian to City Swan Ranch PUD (extending the regulating plan of Ordinance 3989) as shown in the attached zone change map, noting the project meets the review criteria for approval. Bob Mathia seconded the motion.

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

ITEM G: [UDC-22-00121 / Dell Range McDonalds, Zone Change](#)

Agent: Don Miller
Case Planner: Connor White, Planner II

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

Don Miller, agent, presented the item.

Philip Griggs, Chair, asked where the sign would be located.

Mr. Miller stated it would be in the same location it was before it blew down.

Mr. Griggs stated he did not know where it had been located.

Mr. Miller stated it was located about 70' from Dell Range.

Mr. Griggs asked if the sign would have a place for announcements or advertisements.

Mr. Miller stated no and it would be about 40' from the property line.

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

Connor White gave the staff report.

Mr. Griggs asked for questions from the Board.

Brian Tyrrell asked why this wouldn't fall under the grandfather clause because it was an act of nature.

Mr. Lloyd stated the UDC requires signs that are nonconforming and have been damaged can not be rebuilt with the nonconformities unless the repair cost is 50% or less than the replacement cost.

Mr. Tyrrell stated the UDC should be changed to protect existing structures.

Mr. White stated staff is working on updating the UDC for signs. He stated the zone change fits the current site better than the MUB zone.

Mr. Lloyd stated they have had other sites demo their buildings and rebuild. He stated if the property was rebuilt it would change significantly due to the current MUB zoning.

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

Boyd Wiggam made a motion to approve the rezoning of Lot 1, Dell Range Marketplace 3rd Filing to CB Community Business, noting that the project meets the review criteria for approval. Robert Chamberlin seconded the motion.

Bob Mathia asked if anything else needed to be done to bring the property into compliance.

Mr. White stated the site does not meet the current zone. He stated rezoning the property to CB would bring the site closer into compliance.

Mr. Mathia stated the motion is different in the staff report than it is on the presentation.

Mr. White stated the staff recommendation is to recommend approval from MUB to CB.

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

ITEM H: [UDC-22-00131 / 3173 Omaha, Zone Change](#)

Agent: Scott Catellier, Meadowbrook Church

Case Planner: Seth Lloyd, Planner II

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

Boyd Wiggam declared a conflict and recused himself from the item.

Scott Catellier, agent, presented the item.

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

Bob Mathia asked if it is a residence.

Mr. Catellier stated they wanted to make the existing building into a residence.

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 for public comment. Hearing none, he closed the public comment.

Brian Tyrrell made a motion to approve the rezoning of Lot 1, Block 1, Potter Addition to MR Medium-density Residential as shown in the attached zone change map, noting that the project meets the review criteria for approval. Robert Chamberlin seconded the motion.

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

ITEM I: [UDC-22-00124 / Goodnight Tr. Roundabout, Vacation](#)

Agent: Casey Palma, Palma Land Planning

Case Planner: Seth Lloyd, Planner II

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

Casey Palma, agent, presented the item.

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

Boyd Wiggam asked if the connection between the two roundabouts is going away.

Mr. Palma stated the original design was to connect the two roundabouts. He stated it was redesigned to make a more pedestrian friendly area. He stated they got rid of the loop road and created pedestrian circulation and commercial uses for that area. He stated there would not be any vehicle circulation within the plaza area.

Mr. Wiggam stated the roundabouts will exist for no reason.

Mr. Palma stated the roundabouts would still serve the properties to the east and west.

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 for public comment. Hearing none, he closed the public comment.

Brian Tyrrell made a motion to approve the vacation of the east 47.84 feet (4,784 square feet) of Goodnight Trail roundabout, noting that the project meets the review criteria for approval. Bob Mathia seconded the motion.

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

ITEM J: [UDC-22-00133 / Sweetgrass Dr. Roundabout, Vacation](#)
Agent: Casey Palma, Palma Land Planning
Case Planner: Seth Lloyd, Planner II

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

Casey Palma, 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.

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

Brian Tyrrell made a motion to approve the vacation of the west 39 feet (3,410 square feet) of the Sweetgrass Drive roundabout, noting that the project meets the review criteria for approval. Boyd Wiggam seconded the motion.

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

ITEM 4: FOLLOW-UP INFORMATION ON PREVIOUS ACTIONS:

None

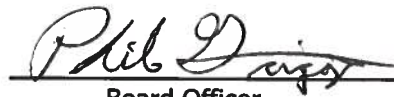
ITEM 5: OTHER BUSINESS/STAFF ANNOUCEMENTS:

- We will continue to meet with the hybrid style of meeting
- A mid-month meeting is planned for May
- The next meeting will look at the rezoning of the West Edge
- There will be an Open House for the rezoning of the West Edge
- Panel discussion tomorrow night (May 3rd) at the Kiwanis Community House based on Open Meeting Laws

ITEM 6: MEETING ADJOURNED: 8:03 PM



Staff Signature



Board Officer

