

**CITY OF CHEYENNE
PLANNING COMMISSION MINUTES
November 7, 2022
6:00 P.M.**

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

MEMBERS ABSENT:

CITY STAFF PRESENT: Charles W. Bloom, AICP, Planning & Development Director; Seth Lloyd, Planner II; Erin Fagan, Planner I; Stephanie Boster, City Attorney; Cassie Pickett, Staff Engineer; Valerie Pickard, Planning & Development and MPO Office Manager

OTHERS PRESENT: Kristina Richardson, Shane Hansen, James Boyd, Barbara Boyd, Dr. Mark Rinne, Richard Johnson, Brandon Swain, Manny Fardella, Loretta Balcean, Manuel Martinez

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 7 members present.

ITEM 2: APPROVAL OF MINUTES

Brian Tyrrell made a motion to approve the meeting minutes from October 3, 2022. Robert Chamberlin seconded the motion. The minutes from the October 3rd Planning Commission meeting were approved unanimously.

ITEM 3: PLANNING PROJECTS

ITEM A: [UDC-22-00306/ Equipoise Addition, 2nd Filing, Expedited Plat](#)
Agent: Casey Palma, Palma Land Planning
Case Planner: Connor White, Planner II

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

Philip Griggs, Chair, asked if the applicant has asked for a postponement.

Mr. Lloyd stated they have requested the item be postponed.

Bryan Tyrrell made a motion to postpone the item to the December 5, 2022 Planning Commission meeting. Megan Connor seconded the motion.

Roll Call: The motion to postpone the item was passed by a unanimous vote of 6-0.

ITEM B: [UDC-22-00354 / Lot 1, Block 1, Pat Griffin Park, 2nd Filing, Zone Change](#)
Agent: Shane Hansen, Steil Surveying
Case Planner: Seth Lloyd, Planner II

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

Bryan Terrell recused himself from the item.

Shane Hansen, agent, presented the item.

Mr. Lloyd gave the staff report.

Philip Griggs, Chair, asked for questions.

Boyd Wiggam asked what the City was given in the exchange. He asked if there are drainage issues with the site.

Mr. Lloyd stated the exchange was done awhile ago. He stated he believed the creek bed was given to the City. He stated the property is within a floodplain but it is outside of the floodway. He stated it is in the 100-year floodplain. He stated the proposed development would need to address any issues with the 100-year floodplain and the buildings would need to be out of the floodplain.

Mr. Wiggam asked if there were issues about the impervious area.

Mr. Lloyd stated that would be addressed at the site plan process.

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

Robert Chamberlin made a motion to approve the rezoning of Lot 1, Block 1, Pat Griffin Park Second 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: The motion to approve the item was passed by a unanimous vote of 6-0.

ITEM C: [UDC-22-00365 / Hill Heights Addition, 2nd Filing, Zone Change](#)
Agent: Brandon Swain
Case Planner: Seth Lloyd, Planner II

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

Brandon Swain, agent, presented the item.

Philip Griggs, Chair, asked for questions. Mr. Griggs asked if Mr. Swain owned the whole section.

Mr. Swain stated he owns the orange square on the map.

Mr. Griggs asked for the staff report.

Mr. Lloyd gave the staff report.

Boyd Wiggam asked if this project triggered analysis about traffic at the corner of Dell Range and Van Buren.

Mr. Lloyd stated the applicant had submitted traffic information with the plat but the Traffic Engineer did not have any comments about the intersection of Dell Range and Van Buren.

Mr. Griggs asked if anything could be done to the property to the south.

Mr. Lloyd stated the property is a County pocket and it is being looked at to be annexed but the property is allowed to continue its use even when its annexed.

Charles Bloom, AICP, Planning and Development Director, stated any nuisance issue could be addressed once it is annexed. He stated the property owner could continue to have animals and livestock.

Mr. Griggs asked for public comment.

** 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.*

Barbara Boyd stated they own the property to the south and west. She stated they are trying to improve the property. She asked if a fence would be built between the properties. She stated someone else had wanted to buy the property to the west to establish an emergency access for three townhouses that were proposed to be built.

James Boyd stated the previous owner tried to buy property from them to have a second access for emergency services and the previous proposals were denied because they wouldn't sell the property. He stated they are in a process of improving their property.

Mr. Griggs stated the access would be looked at during the platting process.

Mrs. Boyd stated she owns the property to the west of the proposal.

Mr. Boyd stated they own the property that goes north and south.

Manny Fardella stated he has not heard of this project prior to the meeting. He stated he was against the development as the density was too high. He stated he was concerned about traffic and pedestrian safety. He stated a lot of neighbors are concerned about the development.

Mr. Swain stated the units will have a shared driveway with one curb cut off Van Buren. He stated each unit will have a two-car garage. He stated he notified the neighbors of the proposed project and posted notice at the location. He stated the design will be of higher quality and it will be a good-looking project.

Mr. Fardella asked if the access would go to the alley to the west.

Mr. Swain stated no. He stated he tried to buy the property to the west to provide another access but the property owner wasn't interested in selling. He said the access will be off Van Buren. He stated he planned to keep the homes at 2 levels but 3 levels are allowed.

Mr. Fardella stated this item should be postponed due to notification of neighbors and concerns for density and traffic.

Mr. Boyd stated he has only received one notice of the project. He stated there are a lot of children that walk on Van Buren and stated there is a crosswalk at the intersection of Van Buren and Dell Range. He stated he has witnessed accidents at the intersection. He stated he was aware of the improvements proposed for the Dell Range corridor but was concerned about pedestrians in the area until the improvements are built.

Mr. Bloom stated there have been pre-application meetings on the project and it was encouraged to create one access to Van Buren. He stated the Dell Range and Van Buren intersection is proposed to be signalized and the construction is proposed to be started next year. He stated a zone change goes before the Governing Body two times and 2 times at the Public Service Committee. He stated neighbors can comment at those meetings.

Mr. Wiggam asked if the signs have been posted at the property.

Mr. Griggs stated the signs are posted.

Mr. Wiggam made a motion to approve the rezoning of the north 132' of the east 120' of the east 190' of the SE1/4 of Tract 36, Hill Heights Addition to NR-3 Neighborhood Residential – High Density as shown in the attached zone change map, noting the project meets the review criteria for approval. Bryan Tyrrell seconded the motion.

Mr. Wiggam stated they heard a lot of discussion about the design of the project and stated higher density residential is a good use for this area. He stated the zone change is appropriate for the area off of Dell Range.

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Roll Call: Motion to approve the item passed by a unanimous vote of 6-0.

ITEM D: [UDC-22-00366 / Harmony Valley, 3rd Filing, Final Plat](#)

Agent: Justin Beckner, Civilworx

Case Planner: Seth Lloyd, Planner II

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

Philip Griggs, Chair, asked if the applicant has asked for postponement.

Mr. Lloyd stated the applicant has asked for postponement.

Bryan Tyrrell made a motion to postpone the item to the December 5, 2022 Planning Commission meeting. Robert Chamberlin seconded the motion.

Roll Call: Motion to postpone the item passed by a unanimous vote of 6-0.

ITEM E: [UDC-22-00368 / Industry Town, Zone Change](#)

Agent: Brandon Swain

Case Planner: Seth Lloyd, Planner II

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

Brandon Swain, agent, presented the item.

Philip Griggs, Chair, asked if the alley would have access to House and Van Buren.

Mr. Swain stated access would be on House and Warren and the access would be paved all the way through.

Mr. Griggs asked if 3rd Street would be improved.

Mr. Swain stated he asked the City if he could purchase the 3rd Street property but they were not interested in selling the property.

Mr. Griggs asked for the staff report.

Mr. Lloyd gave the staff report.

Boyd Wiggam asked if there are concerns about proximity to the creek and if it is within the floodway.

Mr. Lloyd stated the City installed improvements to the south to reduce the chance of flooding on the property. He stated the property is outside the 100-year floodplain. He stated the property is within the 500-year flood plain so flooding concerns are lower.

Charles Bloom, AICP, Planning and Development Director stated the floodplain was updated in 2012 and a levy was installed on the eastern side of I-80.

Mr. Wiggam asked if the property was removed from the floodplain with the map amendment.

Mr. Bloom stated he wasn't sure but it probably was.

Mr. Griggs asked for public comment.

Loretta Balcean stated she lives across the street from the proposed development. She stated she received notice from the City that there may be flood concerns and she should look into purchasing more flood insurance. She said she was concerned about traffic and getting onto 5th Street. She said it is impossible to turn west on 5th Street. She stated she had concerns about density. She stated 3 of the proposed homes could fit on her property and it was too dense.

Manuel Martinez stated he had concerns about traffic, drainage and density. He stated he would like to see single family housing or a commercial business at this location.

Mr. Swain stated a commercial development would have a higher traffic count. He stated the drainage is being routed to the south towards the improvements that have been done by the City. He stated the units are small and they may be able to use the 5/8ths waterline the BOPU just approved.

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

Mr. Wiggam stated you can't buy flood insurance unless you are in a floodplain. He stated he is concerned about rezoning from the LI zone to a residential use when the stormwater situation is unknown.

Bryan Tyrrell stated the property looks like it was platted to 3rd Street and it seems a waste to not include the 3rd Street property.

Mr. Tyrrell made a motion to approve the rezoning of Lots 12-22, Block 720, South Cheyenne to NR-3 Neighborhood Residential – High Density as shown in the attached zone change map, noting the project meets the review criteria for approval. Robert Chamberlin seconded the motion.

Roll Call: Motion to approve the item passed by a vote of 4-2.

ITEM 4: OTHER BUSINESS/STAFF ANNOUCEMENTS:

- Planning Commission members term expire at the end of the year. Amy Hernandez and Robert Mathia terms are expiring. Mr. Lloyd asked them to either apply to reup their term or notify staff that they will not be continuing on the Planning Commission.
- No mid-month Planning Commission meeting.
- Urban Renewal Authority has collected its 1st increment for the TIF
 - Hitching Post
 - 15th Street Rail Experience
 - Hole and the Hynds

ITEM 5: MEETING ADJOURNED: 6:56 PM



Staff Signature



Board Officer

