

**CITY OF CHEYENNE
PLANNING COMMISSION MINUTES
November 6, 2023
6:00 P.M.**

MEMBERS PRESENT: Brian Tyrrell, Chair; Bob Mathia, Vice-Chair; Boyd Wiggam, Meghan Connor

MEMBERS ABSENT: Robert Chamberlin, Secretary; Amy Hernandez, Brian Thomas

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

OTHERS PRESENT: Shane Hansen, Jona Fletcher, Brad Emmons, Dr. Mark Rinne, Hugh Harrington, Bill Weaver

ITEM 1: CALL MEETING TO ORDER / ROLL CALL

Brian Tyrrell, Chair, called the meeting to order at 6:02 PM

Roll Call was done by Seth Lloyd, Senior Planner. There was a quorum with 4 members present.

ITEM 2: APPROVAL OF AGENDA AND MINUTES

Boyd Wiggam made a motion to approve the October 2nd meeting minutes. Bob Mathia seconded the motion. The minutes were approved unanimously.

ITEM 3: DISCLOSURES

None

ITEM 4: PLANNING PROJECTS

ITEM A: [PUDC-23-145 / Sunnyside Addition, 13th Filing, Expedited Plat](#)
Agent: Shane Hansen, Steil Surveying
Case Planner: Connor White, Planner II

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

Shane Hansen, agent, presented the project.

Boyd Wiggam asked for the agent to describe the communication with the townhome owners.

Mr. Hansen stated they sent out a letter to the surrounding property owners and they had one neighbor contact them and she did not have any concerns after he spoke to her.

Mr. Wiggam asked what the concerns were for the neighbor that called.

Mr. Hansen stated the neighbor had questions about the zone change and once he explained the zone change to her she no longer had concerns.

Brian Tyrrell, Chair, asked for the staff report.

Connor White, Planner II, gave the staff report.

Bob Mathia asked what the City's plan is for acquiring the property within this project.

** Minutes are meant to provide a brief summary of the meeting's action items, discussions, and decisions made. For more detailed information, please request a recording from the Planning & Development Staff.*

Mr. White stated he didn't know the timeline for acquiring the lot. He stated the City wanted to own the existing detention and enlarge it to help with the drainage in the area. He stated the lot is labeled as a detention area and not a buildable lot.

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

Mr. Mathia made a motion to approve the Sunnyside Addition, 13th Filing Expedited Preliminary Plat, advancing the Final Plat to the Governing Body. Meghan Connor seconded the motion.

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

ITEM B: [PUDC-23-149 / Block 8 Whitney Ranch, 4th Filing, Zoning Map Amendment](#)
Agent: Brad Emmons, AVI PC
Case Planner: Seth Lloyd, Senior Planner

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

Brian Tyrrell, Chair, asked the applicant to present the item.

Brad Emmons, agent, presented the item.

Boyd Wiggam stated he was surprised the market demand was for apartments and not for commercial for the lot. He stated this area needs some commercial developments to serve the area.

Mr. Emmons stated there are still some other commercial areas along the US30 corridor.

Mr. Tyrrell asked for the staff report.

Mr. Lloyd gave the staff report.

Mr. Wiggam asked staff to describe drainage plans for the area.

Mr. Tyrrell stated he believed the State already had a plan in place for drainage in the area in 2025.

Mr. Emmons stated there is a detention pond on the far west side of the property that is a regional detention area and the City plans to install a storm sewer down Van Buren. He stated all of Van Buren and Dell Range would be redone within the next spring and summer. He stated there would be drainage improvements down Whitney and Dell Range.

Charles Bloom, AICP, Planning & Development Director stated the previous subdivision's regional detention area will be expanded in partnership with WYDOT.

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

Meghan Connor made a motion to approve the rezoning of Lots 1 and 2, Block 8, Whitney Ranch 4th Filing to MUB Mixed-Use 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 passed unanimously by a vote of 3-0.

ITEM C: [PUDC-23-165 / RV Dump station, 201 Exception](#)
Agent: Scott Larson, BenchMark Engineers, PC
Case Planner: Connor White, Planner II

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

** Minutes are meant to provide a brief summary of the meeting's action items, discussions, and decisions made. For more detailed information, please request a recording from the Planning & Development Staff.*

Brian Tyrrell, Chair, asked the applicant to present the item.

Scott Larson, agent, presented the item.

Mr. Tyrrell asked how the property is accessed.

Mr. Larson stated there is an access easement and a small portion of right-of-way for Broken Arrow Road to access the property but they would be building up the road to have a better access.

Mr. Tyrrell stated the RV Dump station for Bish's is all concrete enclosures for the tanks.

Mr. Larson stated yes.

Meghan Connor asked if there are any environmental concerns.

Mr. Larson stated there aren't any because the sewage will go into a large underground holding tank and it would then need to be pumped out and transported to another location to legally dispose of it. He stated they would not be discharging any sewage on site.

Connor White, Planner II, gave the staff report.

Bob Mathia asked what is the size of the holding tank.

Mr. Larson stated it is currently proposed to be about 35,000 gallons. He stated it may be larger.

Mr. Mathia asked what is the size of the office building.

Mr. Larson stated it would be a small office building with 1 or 2 employees. He stated the site would be developed in phases.

Mr. Tyrrell asked which option they preferred.

Mr. Larson stated they liked option 2 better and if water and sewer ever became available they would want to connect to it but it is too expensive right now. He stated it would also depend on demand and how quickly the phases would be implemented.

Boyd Wiggam asked the applicants vision for what more readily available means.

Mr. Larson stated more readily available would mean eliminating the need for a lift station and sewer would need to be within around 1,000-feet.

Mr. Wiggam asked what the staff viewed as more readily available.

Mr. Lloyd stated more readily available would mean adjacent to the property.

Mr. Wiggam asked if they could include in option number 2 that readily available would mean without a need for a lift station.

Mr. Lloyd stated the Planning Commission can recommend that to the Governing Body and would like the applicant to determine if that was acceptable.

Mr. Larson stated something south of College would be adequate but also liked the interpretation of adjacent to the property. He stated sewer would need to be south of College Drive. He stated he didn't know if there was a definition of a distance of when it is required to connect to the sewer.

Charles Bloom, AICP, Planning & Development Director stated there was a similar project previously done on Tate Road and the Planning Commission put a condition on as follows: At such time that a BOPU sanitary sewer line is extended to the property, the property owner shall annex the property into the City and shall connect to available City utilities and pay the developer of said sanitary sewer line their proportionate share of costs associated with sanitary sewer line main adjacent to their property frontage and shall pay applicable system development fees. He stated they could explore a similar stipulation.

Mr. Larson stated that condition referred to adjacent to the property.

Mr. Bloom stated it would be adjacent to the property. He stated this site is a challenging site. He stated if the sewer is extended to the property it would need to go back to City Count Health and would retrigger the same scenario in the future.

Meghan Connor asked if the property is sold would the requirement go with the property.

Mr. Blooms stated it would.

Mr. Wiggam asked if they included the language that they bring water and sewer to the property would they still be required to install a lift station. He stated he didn't want to impose a lift station on a single property owner.

Ms. Connor stated she liked option 1 and they could make a decision in the future.

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

Mr. Mathia made a motion to approve the exception to the 201 Facilities Plan requirement for City sewer service for a recreational vehicle dump station and permit installation of septic holding tank(s), subject to Staff's recommended conditions. Ms. Connor seconded the motion.

Roll Call: The motion to approve the item was passed by a vote of 2-1.

ITEM D: [PUDC-23-163 / County Pocket Annexation #2, Assigned Zoning](#)
Case Planner: Charles Bloom, AICP, Planning and Development Director

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

Charles Bloom, AICP, Planning & Development Director presented the item.

Brian Tyrrell, Chair, asked if all the City zoning mirrors what the County has for the property.

Mr. Bloom stated yes and the only significant difference is the County MU to the City MUR but they are still the most similar.

Boyd Wiggam asked if any uses on these properties will become non-conforming uses.

Mr. Bloom stated yes and they have received one form from a property owner on the western end of Carlson for a vehicle storage business. He stated there were also comments from a property owner on Powerhouse that they had uses related to residential, auctioneering, livestock, warehousing and small equipment repair. He stated they asked all property owners to submit a form to document their uses that may become non-conforming.

Mr. Wiggam asked if they would still be non-conforming in City AG.

Mr. Bloom stated that was correct.

Mr. Wiggam stated pockets 1 and 2 are not fully County pockets.

** Minutes are meant to provide a brief summary of the meeting's action items, discussions, and decisions made. For more detailed information, please request a recording from the Planning & Development Staff.*

Mr. Tyrrell asked for public comment.

Bill Weaver stated he was concerned about water and sewer services to pockets 1 and 2. He stated State Law 151402.c.6 requires giving the cost of infrastructure for proposed annexation. He stated he wanted to know the cost of connection to water and sewer. He stated the City needs to provide him with information on where the water and sewer is located.

Mr. Tyrrell stated this discussion is based on the zoning portion of the project.

Mr. Weaver stated that he and his sister are within AG and have multiple uses on the property. He stated they are worried their current uses would be taken away from them. He stated his sister runs an auction business, firearms (FFL), office products business and has semi-trucks in and out of the property daily. He stated he as a construction business, farming business, agriculture business and livestock on his property. He stated City AG is significantly different from County A1. He stated he felt he was not being placed in the correct zone. He stated he provided a list of non-conforming uses that he knows of but he was not sure he came up with all the uses.

Mr. Wiggam asked if there was a different zoning designation he thought fit his property better.

Mr. Weaver stated he didn't know but it is an agricultural use.

Mr. Tyrrell stated the City is intending to keep everything the same and his rights will be kept.

Mr. Weaver agreed.

Mr. Tyrrell stated he understood the property owners concerns.

Mr. Weaver stated if neighbors don't like you then people are going to complain and his neighbors may not know what uses he has on the property.

Mr. Wiggam asked if he is the two northern most parcels along Powderhouse.

Mr. Weaver stated he is the one on the north and the south one is his sister's property. He stated they are the only parcels going from County A1 to City AG.

Mr. Wiggam stated the properties have never been within a subdivision.

Mr. Weaver stated the properties have never been platted.

Mr. Bloom stated they are County Pocket #1 and the eastern portion of County pocket #2 on the map.

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

Mr. Wiggam made a motion to approve the establishment of City zones associated with the County Pockets #2 annexation as follows: All County A1 Agricultural and Rural Residential zoned areas be zoned AG Agriculture, all County LR Low Density Residential zoned areas be zoned LR Low Density Residential, all County MR Medium Density Residential zoned areas be zoned MR Medium Density Residential, all County CB Community Business zoned areas be zoned CB Community Business, and all County MU Mixed Use zoned areas be zoned MUR Mixed-use Residential as shown in the attached zone change map, noting that the project meets the review criteria for approval. Mr. Mathia seconded the motion.

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

ITEM 5: OTHER BUSINESS/STAFF ANNOUNCEMENTS:

** Minutes are meant to provide a brief summary of the meeting's action items, discussions, and decisions made. For more detailed information, please request a recording from the Planning & Development Staff.*

- Terms are ending and can be reappointed for Brian Tyrrell, Brian Thomas and Robert Chamberlin
- Planning Commission meeting for mid-month November
- New Planning & Development Staff - Sophia Maes
- May not have mid-month Planning Commission meeting in December
- Legislative changes for planning – ADU's, exactions and building permits
- First responders and military Thanksgiving dinner by Brian Tyrrell

ITEM 6: MEETING ADJOURNED: 7:24 PM



Staff Signature



Board Officer

** Minutes are meant to provide a brief summary of the meeting's action items, discussions, and decisions made. For more detailed information, please request a recording from the Planning & Development Staff.*