

ORDINANCE NO. 3670

Approved as to form only:

*Charles [Signature]*  
Date: 12-3-05

**ENTITLED:** "AN ORDINANCE AMENDING TITLE 17 ZONING, CHAPTER 17.08 ZONING DISTRICTS ESTABLISHED AND SECTION 17.08.040 CHEYENNE CITY MAP OF THE CHEYENNE CITY CODE 2002, BY CHANGING THE ZONING CLASSIFICATION FROM MUB MIXED USE BUSINESS DISTRICT TO PUD PLANNED UNIT DEVELOPMENT DISTRICT FOR COLLEGE BUSINESS PARK, A PORTION OF THE SOUTH HALF OF TRACT 217, EXCEPT THE WEST 27' THEREOF, AND ALL OF THE SOUTH HALF OF TRACTS 218-220, SUNNYSIDE ADDITION, 6<sup>TH</sup> FILING, CHEYENNE, WYOMING (LOCATED NORTH OF AND ADJACENT TO LARAMIE STREET, BETWEEN N. COLLEGE DRIVE AND MONROE AVE.).

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

**Section 1.** That in accordance with Title 17 Zoning, Chapter 17.08 Zoning Districts Established and Section 17.08.040 Cheyenne city map of the Cheyenne City Code 2002, for the area and property described as a portion of the south half of Tract 217, except the west 27' thereof, and all of the south half of Tracts 218-220, Sunnyside Addition, 6<sup>th</sup> Filing, Cheyenne, Wyoming, be changed to PUD Planned Unit Development District.

**Section 2.** That the zone change was recommended for approval to PUD Planned Unit Development by the Cheyenne and Laramie County Planning Commission on September 6, 2005, pursuant to Sections 17.92.010A and 17.148.060B3 Decision-makers—Planning Commission.

**Section 3.** That in accordance with Title 17 Zoning, Chapter 17.92 PUD Planned Unit Development District and Section 17.92.050 Final plan and ordinance or resolution of the Cheyenne City Code 2002, the following standards shall govern this PUD zoning classification.

2-7-08  
General office has been interpreted to mean all office types as there is more than adequate parking  
KB

**Section 4. Uses by Right and Location.**

The uses by right include general office space and the retailing or wholesaling of goods or the provision of services when the sale and storage of supplies and equipment are conducted within the building. There will be no residential or industrial uses allowed within the College Business Park.

**Section 5. Uses permitted by Board Approval and Location.**

~~The uses permitted by the Board include the use of a Lot for restaurant purposes. These uses are permitted on any of Lots 1-21 of the College Business Park P.U.D.~~

**THE USES PERMITTED BY THE BOARD INCLUDE THE USE OF ANY LOTS 1 THROUGH 21 FOR FOOD OR BEVERAGE ESTABLISHMENTS SUCH AS A COFFEE SHOP, BAGEL OR SANDWICH SHOP, AN AND/OR TAKE OUT PIZZA SERVICE. ANY ESTABLISHMENT SHALL HAVE NO MORE THAN FOUR (4) TABLES FOR PATRONS TO USE WITHIN THE FACILITY. A FULL SERVICE, STAND-ALONE RESTAURANT FACILITY IS PROHIBITED.**

**Section 6. Minimum Property Sizes, if More Than One Owner or Lot.**

The minimum property size is 1250 sq. ft.

**Section 7. Maximum Property Area for Each Use.**

The maximum property area for any use described herein is 2580 sq. ft.

**Section 8. Building, Property or Site Coverage.**

Each of the structures located on Lots 1-21 will cover 100% of the lot size. Lot 22 will contain open space with landscaping, drainage and parking areas. There are currently four trash collection and containment areas

located on Lot 22. Additional trash collection and containment structures shall be added as needed.

Trash containment structures will be constructed with a masonry type construction and color, similar to adjacent buildings. The trash containment area will also have a curb or parking stops installed in structures to accommodate City Trash Requirements for the dumpsters.

**Section 9.**

**Maximum Building Height.**

The maximum building height shall not exceed a single story structure or 30 feet from the front door elevation to the ridge line of the roof.

**Section 10.**

**Minimum Setbacks on the Front, Rear and Side Yards.**

Front Yard – The lots do not have a front yards setback since the structure covers 100% of the lot. However, on Lots 1-8 and 17-21 there will be a minimum 5 ft. landscaped area from the face of the buildings (minus the vestibule portion) to the front of the 5 ft. sidewalk.

Rear Yard – The lots do not have a rear yard area since the structure covers 100% of the lot. Each of the structures will face the interior of the P.U.D. (with the exception of Lots 13-16 which are not located on the perimeter) and the setbacks around the perimeter of the P.U.D. are as follows:

College Drive – 11.9 ft.  
Laramie Street – 20.8 ft.  
Monroe Avenue – 16.5 ft.  
North property line – 15.9 ft.

Side yard – The lots do not have a side yard. However there will be 20 ft. of landscaped area between each of the structures located on Lots 1-8 and 35 feet between the structures located on Lots 9-12. Lots 13-16 are surrounded by a 5 ft. sidewalk between the building and the parking area. Lots 17 and 18 are separated from the parking area by a 5 ft. sidewalk on the east and an open space lot on the west. Lots 19-21 are bordered by open space on the north and south.

**Section 11.**

**Development Performance Standards.**

Access to the College Business Park shall be from Laramie Street (2 entry drives) or Monroe Avenue (1 entry drive). All drive lanes, trash containment areas and parking areas within the College Business Park shall be of common use and maintained by the Office Park Owners Association. The trash containment areas shall not be for public use.

All structures within the College Business Park shall be similar in exterior appearance and shall be constructed in accordance with the current building code of the City of Cheyenne in effect during construction. The front and rear facing exterior of each building will be constructed using a minimum of two different materials to enhance the aesthetic value of the structures. None of the structures in the development will contain more than 70% lap siding.

The exterior of the back of each building constructed on the Lots 17 through 21 (those adjacent to College Drive) shall be sided with drivit instead of lap siding. In addition, "eyebrows" protruding not less than eighteen (18) inches shall be constructed over the doors on the backs of buildings constructed on Lots 17 through 21. The windows of the sides and backs of the buildings constructed on Lots 17 through 21 shall be consistent with those located on the front of the buildings.

The Developer shall construct a meandering sidewalk in the common area located at the northwest corner of Lot 22 in the development connecting the sidewalk along College Drive to the northwest corner of the parking lot. This sidewalk shall be at least 5 feet wide. The developer shall construct bubble outs sufficient in size to accommodate 2 picnic tables. The bubble outs will be landscaped.

Five (5) bike racks shall be installed in various locations through out the College Business Park common areas to accommodate bicycle traffic in the open space and around the businesses located with the College Business Park.

**Section 12.**      **Buffering and Screening Requirements.**

Buffering and screening along College Avenue will consist of a four foot high three rail fence in addition to landscaping trees and shrubs. Landscaping will also provide screening and buffering along the property line adjacent to Laramie Street and Monroe Avenue. The landscaping along adjacent streets shall meet the street tree requirements of the Cheyenne City Code.

**Section 13.**      **Common Open Space or Facilities.**

All of Lot 22 of the College Business Park P.U.D. shall be common open space for the use and benefit of the lot owners. The common open space will be owned and maintained by the to-be-formed College Business Park Owners Association and any future subdivision of the common open space will be prohibited. The trash containment structures and irrigation control building will be located within the open space.

All landscaping within the open space will consist of trees and shrubs and will be irrigated by an automatic irrigation system. There will be one tree for every 500 sq. ft. of open space; provided, however, that the developer shall be allowed to substitute up to a maximum of 50% of the trees required with 10 shrubs for each tree.

All landscaping shall meet the City of Cheyenne Code Section 17.116.180 for the Clear Site Triangle.

**THE RETAINING WALL SYSTEM CONSISTS OF MODULAR UNITS INTERLOCKED VERTICALLY AND HORIZONTALLY FORMING A STRUCTURAL WALL. THE UNITS ARE CONCRETE AND OR MASONRY PRODUCTS THAT DISPLAY AN ATTRACTIVE DECORATIVE TEXTURED FACE.**

**Section 14.**      **Signage Requirements and Regulations.**

Each building within the development will be constructed in a manner that reserves space on the entrance side of the unit and/or on the rear of a building that faces either College Avenue, Monroe Avenue or Laramie Street that will accommodate an exterior wall sign for the owner of each building. **ALL WALL SIGNS SHALL NOT EXCEED THIRTY-SIX (36) SQUARE FEET AND SHALL FIRST BE APPROVED BY THE DEVELOPER UNTIL THE DEVELOPMENT IS COMPLETED AND THEREAFTER BY THE BOARD OF DIRECTORS OF THE OWNERS ASSOCIATION. NO INDIVIDUAL BUSINESS SIGNS SHALL BE IN THE COMMON AREAS OR ON THE BUILDING FASCIA OR ROOFS.**

**THE DEVELOPER MAY INSTALL THREE (3) PERMANENT ENTRANCE SIGNS LOCATED AT THE ENTRANCE ON MONROE AVENUE AND/OR LARAMIE STREET. THESE SIGNS SHALL NOT EXCEED 8 FEET BY 8 FEET. THE DEVELOPER MAY ALSO INSTALL UP TO TWO (2) PERMANENT MONUMENT STYLE SIGNS, ONE LOCATED IN THE COMMON AREA AT THE SOUTHWEST CORNER OF THE DEVELOPMENT AND THE OTHER IN A LOCATION TO BE DETERMINED BY THE DEVELOPER IN THE FUTURE. THESE MONUMENT SIGNS SHALL CONTAIN SPACE FOR A LOT OWNER, AT ITS SOLE EXPENSE, TO AFFIX A SIGN OF EQUAL SIZE WITH OTHER OWNERS, CONTAINING ITS NAME, LOGO AND DESCRIPTION OF SERVICES OFFERED BY THE LOT OWNER. THE MONUMENT SIGNS SHALL MEET THE SIGHT TRIANGLE AND**

**SIZE REQUIREMENTS OF THE CHEYENNE CITY CODE. ALL LOGO SIGNS PLACED WITHIN THE MONUMENT SIGNS SHALL CONFORM IN STYLE AND GENERAL APPEARANCE WITH OTHER SIGNS AND THE FRAME. ALL ENTRANCE AND DEVELOPMENT SIGNS WILL BE OF SIMILAR ARCHITECTURE AND DESIGN INTEGRITY OF THE DEVELOPMENT AND MUST BE APPROVED BY THE DEVELOPER UNTIL THE DEVELOPMENT IS COMPLETED AND THEREAFTER BY THE BOARD OF DIRECTORS OF THE OWNERS ASSOCIATION.**

~~In addition, the developer will provide space and frame(s) to accommodate an exterior monument style sign located in the common area at each entrance along Laramie Street into the College Business Park, and/or at the entrance on Monroe Avenue, and/or in the common area located in the southwest corner of the development upon which a lot owner may, at its sole expense, affix a sign of equal size with other owners, containing its name, logo and description of services offered by the lot owner. All entrance signs shall conform in style and general appearance with other signs and the frame. The monument signs located at the entrances shall not exceed 8 ft. by 8 ft. in size. All signs must be approved by the developer until the development is completed and thereafter by the Board of Directors of the owners association. No individual signs shall be in the common areas or on the building fascia or roofs. All monument signs locations will meet City sight triangle requirements. All wall signs will not exceed 12 square feet.~~

The Developer may also affix a logo sign in the common area located at the northwest corner of the business park fronting College Avenue containing the name of the business park only.

Two (2) temporary development or sales signs shall be allowed on the site. These signs shall be removed within sixty (60) days following the **SALE** issuance of the Certificate of Compliance of the last developable lot within College Business Park. Temporary sales or rent signs after final development shall be permitted on each lot. Each temporary sales or rent sign shall not exceed 21" x 36" in size.

**Section 15. Parking Requirements, if Different Than Those Required in Chapter 17.124.**

There will be 176 parking spaces provided within the College Business Park. All parking spaces are considered common elements and none of the lots have assigned or reserved parking spaces. Each non-handicapped parking space will be 9 ft. wide by 19 ft. deep. ~~There will be 11 handicapped spaces located within the parking area which will be 12 ft. by 19 ft.~~ **ALL HANDICAPPED PARKING SPACES SHALL COMPLY WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT.** All drive lanes within the parking areas will be 26 ft. wide.

**Section 16. Any Other Requirements and Restrictions.**

Each owner of a lot in the P.U.D. shall be required to maintain the exterior grounds surrounding his unit and a neat and well-kept manner, free from debris, trash and rubbish. Outside storage of equipment and supplies is prohibited.

The Developer shall comply with Section 17.116.180(B) of the Cheyenne City Code 2002 regarding traffic visibility across corner lots to ensure adequate sight visibility.

**Section 17. Proposed Ownership of Common Facilities.**

The to-be-formed College Business Park Owners Association will be responsible for maintenance of the designated open space and common facilities. The common facilities shall include all of Lot 22 in the College Business Park and are established for the purposes of providing vehicle and pedestrian access as well as for drainage management, trash removal by City

of Cheyenne Sanitation Services, and utility installation. Ownership of Lot 22 will reside with the to-be-formed College Business Park Owners Association.

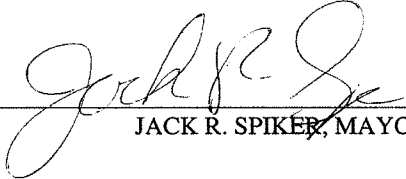
**Section 18.** That the City Engineer of the City of Cheyenne or his designated representative shall alter and amend the adopted Zoning Map as described in Section 17.08.040 Cheyenne City Code 2002, to comply with the change of zone as described in Section 1 of this ordinance upon notification by the City's Clerk's office of publication of said ordinance.

**Section 19:** That this ordinance shall be in full force and effect upon its publication.

**FIRST READING:** \_\_\_\_\_ September 12, 2005

**SECOND READING:** \_\_\_\_\_ September 26, 2005

**THIRD AND FINAL READING:** \_\_\_\_\_ October 10, 2005

  
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JACK R. SPIKER, MAYOR

(SEAL)  
ATTEST:

  
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CAROL A. INTLEKOFER, CITY CLERK

publish date: Wyoming Tribune-Eagle  
October 15, 2005