

APPROVED
DATE 11/21/11

ENTITLED: "AN ORDINANCE AMENDING SECTION 30 OF THE CHEYENNE - LARAMIE COUNTY ZONING ORDINANCE BY CHANGING THE ZONING CLASSIFICATION OF FRONTIER MALL, LOTS 1-8, FROM B-1 (P.U.D.) AND C-1, TO PUD ~~AND C-1 ZONE~~ "

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

Section 1. That in accordance with Article V of the Cheyenne - Laramie County Zoning ordinance, the Zoning Map as described in Section 30 for the area and property described as Frontier Mall, Block 1, Lots 1-8, Laramie County, Wyoming, be changed from B-1 (P.U.D.) and C-1 to PUD ~~and C-1 zoning classification~~.

Section 2. That in accordance with Section 46.00 of the Cheyenne - Laramie County Zoning Ordinance 1988, the following rules shall govern this PUD ~~and C-1 (Conservancy floodway)~~ zoning classification:

- (1) USES BY RIGHT AND LOCATION: Any use permitted in a Community Business (CB) Zone is permitted as a principal use of land.
- (2) MINIMUM LOT SIZE: The lot sizes are as indicated on the Final PUD Plan for Frontier Mall.
- (3) SITE COVERAGE: Total building and parking areas shall not exceed 85% of the property area. The area used for buildings or above-grade structures on any lot shall not exceed one-third (1/3) of the total area of the lot. The construction on Lots 1, 2, 5, 7 and 8, shall not extend upon or over more than fifty percent of the length of the lot along a roadway (whether abutting streets, ring road, or access roads) upon which such parcel fronts.
- (4) MAXIMUM BUILDING HEIGHT: The height restrictions required by the AMR (Airport) overlay district are the only height limitations in this PUD.
- (5) MINIMUM SETBACKS: All buildings shall be set back 25 feet from all streets abutting the site, except on Lot 5, which shall have a minimum setback of 15 feet. The minimum setback from interior roads shall be the distance required to provide adequate sight distance for traffic on the interior road system.
- (6) DEVELOPMENT PERFORMANCE STANDARDS: Undeveloped lots shall be developed in accordance with the Road, Street & Site, Planning and Design Standards Manual, except where those Standards are in conflict with this Ordinance. A Site Plan Application must be submitted to the City/County Development Office as a part of the development of any undeveloped lot. Improvement plans, involving water and sanitary sewer lines, shall be submitted for approval to the Cheyenne Board of Public Utilities.
- (7) BUFFERING AND SCREENING REQUIREMENTS: An earthen berm/architectural fence along Powder House Road exists providing an aesthetic buffer between the development and the residential area to the west. The Owner may remove the fence if petitioned to do so by a majority of the residential property owners directly facing the fence.

The Owner will plant trees along the south side of Prairie Avenue in coordination with the planting of trees along the north side of Prairie Avenue.

(8) COMMON OPEN SPACE OR FACILITIES: No fences, barricades, structures, buildings, or other obstructions of any kind are permitted in the exterior common areas of the site except (1) in connection with the use of any recorded easements on the site; (2) as may be required by this Ordinance; (3) in connection with the expansion, repair or replacement of any improvements located on the site; or (4) in connection with outdoor selling activities authorized by the Owner.

(9) SIGNAGE REQUIREMENTS AND REGULATIONS: Each lot is permitted one free-standing identification sign, except Lot 3, where no signs are permitted. The signs on Lot 4 and Lot 6 will be restricted to a location approximately centered between the major access points to the abutting street. The sign must be located on the Owner's property, but can be in the setback area.

In addition to free-standing identification signs, a department store may place a pylon sign at its automobile tire, battery, accessory (TBA) service station.

Signage is permitted on the mall structure to identify and indicate the location of major stores. The signage on the mall structure is to be of a uniform type, attractive, and appropriate to the development. Such signs shall be (a) not more than five feet in height; (b) approximately flush with the wall of the building; and (c) of a length which does not exceed 80% of the linear frontage of the store upon which it fronts, or 60 linear feet, whichever is less.

Necessary traffic control signs are to be installed and maintained by the Owner, in accordance with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways.

All other exterior signing will be discouraged by the Owner and all signs will conform to the following policy: (a) there shall be no flashing, rotating or moving signs or markers of any type; (b) there shall be no signs painted on the exterior masonry surface of any building; and (c) there shall be no roof top signs.

(10) PARKING REQUIREMENTS: Four and one-half on-site parking spaces shall be provided per 1000 square feet of gross leasable area for the mall (Lots 3, 4, and 6). For Lots 1, 2, 5, 7, and 8, the required parking shall be the same as for the mall, or that required by the Zoning Ordinance under Section 57.000, for the land use proposed for the lot, whichever is less.

(11) RESTRICTIONS: No development shall be permitted in the C-1 zone, which consists of the drainage detention ponds located along the south side of the site.

No building construction shall be permitted on the easements shown on the plat of Frontier Mall, 2nd Filing, A Replat of Frontier Mall.

Lighting from the site is not to violate generally accepted standards or reasonable expectations of neighboring residents.

(12) BUILDING CONSTRUCTION STANDARDS: Construction shall conform to all applicable building codes.

(13) OWNERSHIP OF COMMON FACILITIES: The Owner of the mall structure will maintain ownership of all common facilities.

(14) MAINTENANCE: Maintenance of buildings, paved areas, and landscaping shall be the responsibility of the Owner.

(15) ACCESS: Access points to arterial streets shall be located no more frequently than 330 feet.

Section 3. That the City Engineer' Office for the City of Cheyenne amend the adopted Zoning Map as described in Section 30 of the Cheyenne - Laramie County Zoning Ordinance, 1988, to comply with the change of zone as described in Section 1 of this Ordinance.

Section 4. That this ordinance shall be in full force and effect upon its publication.

FIRST READING: January 28, 1991
SECOND READING: February 11, 1991
THIRD READING AND FINAL PASSAGE: February 25, 1991

MAYOR

(SEAL)


GARY N. SCHAEFFER,

ATTEST:


C. Galen Nighswonger, CITY CLERK

Publish: Wyoming Eagle March 7, 1991