

D. White
Date: 12/2/2011

ORDINANCE NO. 3938

ENTITLED: "AN ORDINANCE AMENDING AN EXISTING PUD ORDINANCE, "APPENDIX #1" OF THE CHEYENNE AND LARAMIE COUNTY ZONING ORDINANCE 1988, FOR BLOCK 5, MOUNTVIEW PARK, AND THAT PORTION OF THE VACATED RIGHT-OF-WAY OF EAST 19TH STREET AS VACATED UNDER ORDINANCE NO. 2001, CHEYENNE, WYOMING (LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF EAST PERSHING BOULEVARD AND CONVERSE AVENUE) ("COLE SHOPPING CENTER")."

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

Section 1 That this Ordinance repeals and replaces the adopted Planned Unit Development (PUD) "Appendix #1" for Block 5, Mountview Park, and that portion of the vacated right-of-way of East 19th Street as vacated under Ordinance No. 2001, together hereinafter referred to as "Cole Shopping Center", Cheyenne, Wyoming, in its entirety.

Section 2 That the PUD Amendment was recommended for approval by the Cheyenne Planning Commission on November 7, 2011, pursuant to Sections 17.92.060 and 17.148.060.B(3) of the Cheyenne City Code.

Section 3 That, except as regulated within this PUD Amendment, development and redevelopment of the Cole Shopping Center property shall conform to CB Commercial Business Zoning District and applicable land use regulations, including but not limited to:

- A. City Code Chapter 17.136 Site Plan
- B. City Code Chapter 17.118 Large Commercial Development Standards
- C. City Code Chapter 12 Streets, Sidewalks and Public Places
- D. Road, Street & Site Planning Design Standards

Section 4 That in accordance with Title 17 Zoning, Chapter 17.92 PUD Planned Unit Development District and Section 17.92.050 Final Plan and Ordinance of the Cheyenne City Code, the following standards shall govern the Cole Shopping Center PUD zoning classification.

Sections:

- 100 – Generally.
- 200 – Uses.
- 300 – Maximum property coverage.
- 400 – Setbacks.
- 500 – Height.
- 600 – Screening and buffering.
- 700 – Parking.
- 800 – Signs.

100 – Generally:

The Cole Shopping Center PUD Amendment is intended to define the uses and design guidelines for a renovated retail center serving the existing neighborhood.

200 – Uses:

A. Uses by Right:

1. Child care facilities (Section 17.116.020)
2. Drive-up facilities; including banks, restaurants
3. Entertainment and recreation facilities and uses
4. Food service facilities
5. Offices, clinics, service providers
6. Retail and wholesale establishments
7. Service businesses
8. Fuel stations
9. Other uses defined in CB Zone

B. Temporary Uses:

1. Outdoor seasonal displays and sales including plant nursery, Christmas tree sales

300 – Maximum property coverage

Total building, parking, and outdoor storage area shall not exceed eight-five (85) percent of the property.

400 – Setbacks

A. All buildings shall be set back from property lines adjacent to public streets as follows:

1. Pershing Boulevard: 25 feet
2. Converse Avenue: 25 feet
3. Chestnut Drive: 10 feet

B. Improvements in the setbacks along public streets may include:

1. Landscaping
2. Screen walls
3. Signage

C. Building setbacks along alleys will be a minimum of 5 feet; driveways are allowed in this setback.

500 – Height

Buildings shall be limited to three stories unless approved by the Board of Adjustment in accordance with the process for uses by board approval (17.148.030).

600 – Screening and Buffering

The screening or buffering required by this section is in addition to requirements contained in Chapter 17.136. Screening or buffering is required for outdoor storage areas of items and equipment which are not for immediate use, sale or lease. These outdoor storage areas shall be located behind the setback lines.

700 – Parking

Parking requirements and standards are in accordance with Chapter 17.124.

800 – Signs

Signs shall be allowed as in Section 17.64.080.

Section 5. That this Ordinance shall be in full force and effect only upon the occurrence of all of the following events: (1) the execution of this Ordinance by the Mayor and City Clerk in the manner provided by law; (2) the publication of this ordinance in the manner provided by law; and (3) the conveyance of all, or any portion of the real property subject to this ordinance, by Cole Corporation, a Wyoming corporation, to any grantee or purchaser. It is the intent of the governing body that this ordinance shall have no force or effect for so long as the Cole Corporation retains title to all of the real property subject to this ordinance.

FIRST READING:

SECOND READING:

THIRD AND FINAL READING:



RICHARD L. KAYSEN, MAYOR

(SEAL)

ATTEST:


CAROL INTLEKOFER, CITY CLERK

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