

**APPROVED**

*By Alessandra at 8:43 am, Feb 17, 2021*

ORDINANCE NO. 4348

**ENTITLED: “AN ORDINANCE PURSUANT TO SECTION 2.2.2 PLANNED DEVELOPMENT REGULATING PLAN AND SECTION 5.6.2. PUD – PLANNED UNIT DEVELOPMENT DISTRICT, OF THE CHEYENNE UNIFIED DEVELOPMENT CODE (UDC) AMENDING ORDINANCE NUMBER 3741, WHICH ESTABLISHED THE VILLAGE PLANNED UNIT DEVELOPMENT (PUD), TO ALLOW MIXED USE BUSINESS (MUB) DISTRICT USE ON LOT 28 OF BLOCK 2 OF THE VILLAGE PUD LOCATED SOUTHWEST OF THE INTERSECTION OF POWDERHOUSE ROAD AND OLD TOWN LANE).”**

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

**Section 1.** That this is City-initiated application pursuant to Cheyenne Unified Development Code (“UDC”) Section 2.2.2.b.2 to amend Ordinance No. 3741, The Village PUD (“PUD”), pursuant to Sections 2.2.1, 2.2.2 and 5.6.2.h of the UDC.

**Section 2.** That on February 16, 2021 the City of Cheyenne Planning Commission conducted a public hearing, reviewed the proposed amendments to the Village PUD map and text that are the subject of this ordinance, found that they positively address the eight review criteria of 2.2.1.d for the PUD Map Amendment and the fifteen review criteria of Section 2.2.2.d for the text amendment, and recommended conditional-approval of said PUD amendments described herein.

**Section 3.** That the condition recommended by the Planning Commission for approval of the PUD map and text amendment is a new Section 5.11 to this PUD which is a standard provision for PUD ordinances requiring the PUD text to defer to the UDC where the PUD does not specify planning, development and/or engineering development standards.

**Section 4.** That the Governing Body of the City of Cheyenne finds that The Village PUD amendments that are the subject of this ordinance meet the criteria specified in Sections 2.2.1.d and 2.2.2.d of the UDC.

**Section 5.** That, in accordance with Section 2.2.2, Planned Development Plan, Section 5.1.3, Official Zoning Map, and Section 5.6.2 PUD – Planned Unit Development District, of the UDC, the application is hereby approved.

**Section 6.** That, in accordance with UDC Section 5.6.2, the land use, design and development standards and guidelines established in Ordinance No. 3741 shall be amended as follows:

**Section 4. Uses by Right.**

1. Block 1, Lot 32, Block 2, Lot 30 and 31; Open Space
2. Block 1, Lots 1-8, Block 2, Lots 1-16; Townhouses
3. Block 1, Lots 26-30, Block 2, Lot 27;

- A. Loft Residential
- B. Entertainment and recreation facilities and uses
- C. Fast-Food Restaurant without Drive-Through Window (ITE Manual Land Use 933) with two thousand (2,000) square feet or less of gross floor area. (or current equivalent).
- D. General Offices
- E. Retail and wholesale establishments
- F. Service Businesses
- G. Medical Offices
- 4. Block 1, Lot 25;
  - A. Loft Residential
  - B. Entertainment and recreation facilities and uses
  - C. Coffee Shop with Drive-Through Window
  - D. General Offices
  - E. Retail and wholesale establishments with Drive-Through Window
  - F. Service Businesses with Drive-Through Window
- 5. ~~Block 2, Lot 28; Restaurant~~ Mixed Use Business (MUB) district uses as allowed in the Unified Development Code
- 6. Block 1, Lot 31, Block 2, Lot 29; Parking areas
- 7. Block 1, Lots 9-24, Block 2, Lots 17-26 Garages

**Section 5. Minimum Property Area and Maximum Building Coverage.**

- A. Minimum Property Area
  - 1. Townhouse lots as platted
  - 2. Mixed Use Buildings as platted
  - 3. ~~Restaurant~~Block 2, Lot 28 as platted
  - 4. Garages lots as platted

**B. Maximum Building Coverage.**

Total building and parking area shall not exceed eighty-five (85) percent of the entire Village property area.

Each building not within the common space and parking areas may cover up to 100% of platted lot.

**Section 12.**

Each townhouse will have two off street parking spots located within its lot.

Commercial/Residential Units will have at a minimum 160 spaces within the parking areas and garages and shall meet the 2006 Road, Street & Site Planning Design requirements for parking design and ADA requirements when the development site plan is submitted.

In the event that tenancy changes within Block 2, Lot 28, the property owner of said lot shall contact the Village Owner's Association, or other appropriate entity, for written approval regarding parking requirements associated with proposed uses.

Section 6. That the City Engineer is hereby authorized and directed to alter and amend the Official Zoning Map as described in 5.1.3 of the UDC to comply with the zone change as described in Section 5 above when this ordinance takes effect in accordance with Section 8 below.

Section 7. Sections, paragraphs, sentences, clauses and phrases of this ordinance are severable. If any section, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases.

Section 8. That this ordinance shall be in full force and effect upon its approval and publication.

**FIRST READING:** \_\_\_\_\_ February 22, 2021 \_\_\_\_\_


**SECOND READING:** \_\_\_\_\_ March 8, 2021 \_\_\_\_\_

**THIRD AND FINAL READING:** \_\_\_\_\_ March 22, 2021 \_\_\_\_\_



\_\_\_\_\_  
PATRICK COLLINS, MAYOR

(SEAL)  
ATTEST:

  
\_\_\_\_\_  
KRISTINA F. JONES, CITY CLERK

Publish date: Wyoming Tribune-Eagle  
March 31, 2021

