

PUBLIC SERVICES COMMITTEE MINUTES

A meeting of the Public Services Committee was held on Tuesday, June 22, 2021, in Committee Room 104 and via an electronic meeting, starting at 12:00 p.m. Those in attendance were as follows:

COMMITTEE MEMBERS: Dr. Mark Rinne, Chairman; Bryan Cook, Pete Laybourn and Tom Segrave.

CITY STAFF: Michael O'Donnell, City Attorney; Charles Bloom, Planning & Development Department Director; Tom Cobb, City Engineer; Seth Lloyd and Mark Christensen, Planning & Development Department; Division Chief Byron Matthews, Fire & Rescue Department; Kris Jones, City Clerk; Tom Mason, Metropolitan Planning Organization (MPO) Director; Sam Berta, Construction Engineer; Andrew Worshek, Mayor's Chief of Staff; and Eric Fountain, Compliance Director.

OTHERS PRESENT: Patti Riesland, Mayor's Council for People with Disabilities; Bruce Perryman, AVI Engineering; and Hayley Chenchar, Development Authority (DDA) Assistant Director.

AGENDA ITEMS

18. **ORDINANCE – 3rd READING –** Annexing to the City of Cheyenne, Wyoming, land located southwest of the intersection of Braehill Road, Parkhill Road, and Panorama Drive. (POSTPONED FROM JUNE 14, 2021)

Dr. Rinne joined the meeting at 12:01 p.m. during discussion of this item. Mr. Cook, during discussion of the item and prior to a motion and vote, relinquished the chair to Dr. Rinne.

Mr. Segrave moved to approve on 3rd and final reading, seconded by Mr. Cook. Mr. Segrave moved to postpone until the July 12, 2021 meeting of the governing body, seconded by Mr. Cook. Motion to postpone carried by unanimous voice vote.

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised no additional information on the application has been provided since the June 14, 2021 meeting of the governing body and no legal description clarification has been provided by the County therefore, staff recommends a postponement of the item. Bruce Perryman, AVI Engineering, provided information related to the County plat process.

19. **ORDINANCE – 3rd READING –** Amending the Official Zoning Map of the City of Cheyenne changing the zoning classification from County AR Agricultural Residential to MR Medium-Density Residential for land located southwest of the intersection of Braehill Road, Parkhill Road, and Panorama Drive. (POSTPONED FROM JUNE 14, 2021)

Mr. Segrave moved to approve on 3rd and final reading, seconded by Mr. Laybourn. Mr. Segrave moved to postpone until the July 12, 2021 meeting of the governing body, seconded by Mr. Laybourn. Motion to postpone carried by unanimous voice vote.

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised no additional information on the application has been provided since the June 14, 2021 meeting of the governing body and staff recommends a postponement of the item.

22. ORDINANCE –3rd READING – Creating a new Chapter 2.80, Urban Renewal Authority, of Title 2, Administration and Personnel, of the Code of the City of Cheyenne, Wyoming.

Mr. Laybourn moved to approve on 3rd and final reading, seconded by Mr. Segrave. Motion carried by unanimous voice vote.

DISCUSSION: Mark Christensen, Planning & Development Department, provided a staff report and advised no additional information has been provided since the June 14, 2021 meeting of the governing body. Upon inquiry, Mr. Christensen advised on the future steps in the Urban Renewal Process including the creation of an Urban Renewal Board. Michael O'Donnell, City Attorney, confirmed a press release requesting applications for appointees to the Urban Renewal Board has been posted noting the board will consist of 5 members. Mr. Laybourn spoke in favor of moving forward in the process.

23. ORDINANCE –3rd READING – Amending the Unified Development Code (UDC) to create the Urban Use Overlay District.

Mr. Segrave moved to approve on 3rd and final reading, seconded by Mr. Cook. Motion carried by unanimous voice vote.

DISCUSSION: Mark Christensen, Planning & Development Department, provided a staff report and advised no additional information has been provided since the June 14, 2021 meeting of the governing body. Mr. Christensen added following the approval of the ordinance, staff will begin to map the Urban Renewal Area. Mr. Segrave spoke in favor of the ordinance.

25. ORDINANCE –2nd READING – Annexing to the City of Cheyenne, Wyoming, land located northeast of and adjacent to the intersection of Dell Range Boulevard and Whitney Road. (SPONSOR – DR. RINNE)

Mr. Segrave moved to approve on 2nd reading, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised the annexation of 17.8 acres is for future residential and commercial development and that item #26 and #42(a) are associated with this annexation. Upon inquiry, Mr. Lloyd provided information related to traffic control at the intersection of Dell Range Boulevard and Whitney Road and the annexing of Dell Range Boulevard. Sam Berta, Construction Engineer, advised the

City Engineer's department would provide information on future traffic control and funding at the intersection. Charles Bloom, Planning & Development Director, advised details related to impact on the intersection will be addressed during the final plat of the development. Bruce Perryman, AVI Engineering, cautioned the City from acting on annexing Dell Range Boulevard prior to information from the City Engineer relating to the traffic control of the intersection and provided information related to redevelopment of the infrastructure at and around the intersection of Dell Range Boulevard and Whitney Road.

26. ORDINANCE –2nd READING – Amending the Official Zoning Map of the City of Cheyenne changing the zoning classification from County MU Mixed Use and County LR Low Density Residential to CB Community Business, LR Low-Density Residential, and MR Medium-Density Residential for land located northeast of and adjacent to the intersection of Dell Range Boulevard, west of Whitney Road. (SPONSOR – DR. RINNE)

Mr. Segrave moved to approve on 2nd reading, seconded by Mr. Cook. Mr. Segrave moved to amend by substitute dated June 16, 2021, seconded by Mr. Laybourn. Motion to amend carried by unanimous voice vote. Main motion, as amended, carried by unanimous voice vote.

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised on the proposed zoning which meets the criteria for approval. Mr. Lloyd noted a small error on the entitlement of the ordinance and proposed a substitute to correct the error. Bruce Perryman, AVI Engineering, provided information on the development.

41. RESOLUTION – Pursuant to Wyoming Statute §15-9-106 Finding and Declaring Parts of the City of Cheyenne as Blight and authorizing the redevelopment thereof. (SPONSOR – MR. SEGRAVE)

Mr. Cook moved to adopt, seconded by Mr. Segrave. Motion carried by unanimous voice vote.

DISCUSSION: Mark Christensen, Planning & Development Department, provided a staff report and advised this is a step in the Urban Renewal Process according to State Statute and recommended approval. Upon inquiry, Mr. Christensen, advised the study did find blight exists in the documented areas but the areas cannot be specified as an Urban Renewal Area until an Urban Renewal Board is established and declares the area as blight. Mr. Christensen provided information, conditions, and definitions for blighted areas in the study and noted property owners have not been notified at this time. Mr. Laybourn complemented the study and recommended it be made available to the public. Charles Bloom, Planning & Development Director, advised the study could be made available to the public on the City's website.

42. PRELIMINARY PLATS/PRELIMINARY ZONE CHANGES:

- a) Preliminary Plat for Meadowlark Estates, 2nd Filing, a replat of Tract 1 and a portion of Tracts 2-9 of Meadowlark Estates, Laramie County, Wyoming (located northeast of the intersection of Dell Range Boulevard and Whitney Road.

Mr. Segrave moved to acknowledge the Planning Commission's recommendation to approve the preliminary plat subject to City staff's recommended conditions 1-3, seconded by Mr. Laybourn. Motion carried by unanimous voice vote.

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised this preliminary plat proposes commercial and residential development. Mr. Lloyd advised staff recommends approval with the following conditions:

1. Concurrent with submittal of the final plat, the applicant shall:
 - a. Provide a drainage study
 - b. Provide an updated traffic study
 - c. Revise the plat as follows:
 - i. Make Porter Dr. 60; wide right -of-way,
 - ii. Provide a street section for Finch Dr. satisfactory for Engineering,
 - iii. Provide necessary utility easements.
 - iv. Make revisions (as necessary) to accommodate drainage and open space
2. Prior to approval of the final plat the applicant shall:
 - a. Enter into a development agreement for public safety fees. Public safety fees shall be based on a January 2021 fee of \$756 per unit and shall be adjusted for inflation utilizing the construction cost index for twenty (20) cities, as issued by the current Engineering News Record to the date of final plat filing, and this condition shall be subject to modification by the Governing Body at the time of their consideration.
 - b. Obtain a Subdivision Standard Waiver for alternative street design for construction of Finch Drive (or widen to a standard street right-of-way width).
 - c. Obtain a Subdivision Standard Waiver for relief from the sidewalk construction requirements on the east side of Whitney Road north of proposed Porter Drive.
 - d. Enter into a development agreement regarding improvements to Dell Range Boulevard and Whitney Road for the developer's proportionate share of required improvements.
 - e. Provide required open space through either
 - i. dedication on this plat; OR
 - ii. documented agreement(s) with the neighboring Whitney Ranch, 4th Filing plat
 - iii. acceptable cash-in lieu pursuant to UDC 4.2.2.b.4.
3. In the event the applicant desires to provide cash in lieu instead of dedicated open space, the applicant shall provide acceptable documentation indicating the value of land(s) that would have been dedicated.

Mr. Lloyd noted the Planning Commission voted to recommend approval with all conditions except of item 2(a). Upon inquiry, Mr. Lloyd provided clarification that the public safety fee is per dwelling. Tom Cobb, City Engineer, provided information from a study completed by the MPO regarding sidewalk and greenway paths in this area noting additional information will be provided at the site plan stage. Bruce Perryman, AVI Engineering, provided information on development, reported coordination with the Whitney Ranch Development and noted the public safety fee is not approved by ordinance and recommended further discussion of the fee. Mr. Laybourn spoke in

support of the public safety fees and Mr. Segrave clarified the use of the public safety fees is for future public safety needs verses the proposed 6th Penny funds be used to replace current infrastructure. Charles Bloom, Planning & Development Department Director, advised an ordinance regarding public safety fees will be introduced during the June 28, 2021 meeting of the governing body. Additional discussion included the use of double entry lots.

- b) Preliminary Plat for The View, a replat of Tract 1, Park Estates, 4th Filing and Lot 20, Block 4, Park Estates, Laramie County, Wyoming (located southwest of the intersection of Braehill Road, Parkhill Road, and Panorama Drive).

Mr. Segrave moved to acknowledge the Planning Commission's recommendation to approve the preliminary plat subject to City staff's recommended conditions 1-2, seconded by Mr. Cook. Motion carried by unanimous voice vote.

DISCUSSION: Seth Lloyd, Planning & Development Department, provided a staff report and advised this preliminary plat is not recommend for postponement as earlier, related agenda items were, reviewed the plat map, and recommended approval with the following conditions:

1. Concurrent with submittal of the final plat, the applicant shall:
 - a. Provide an updated drainage study, including hillside erosion mitigation (as necessary).
 - b. Revise the plat as follows:
 - i. Provide necessary easements.
 - ii. Make revisions (as necessary) to accommodate Lot 1 maintenance.
2. Prior to approval of the final plat the applicant shall:
 - a. Enter into a development agreement for public safety fees. Public safety fees shall be based on a January 2021 fee of \$756 per unit and shall be adjusted for inflation utilizing the construction cost index for twenty (20) cities, as issued by the current Engineering News Record to the date of final plat filing, and this condition shall be subject to modification by the Governing Body at the time of their consideration.
 - b. Enter into an agreement, satisfactory to the City, regarding improvements to Parkhill Road for the developer's proportionate share of required improvements.

Bruce Perryman, AVI Engineering, advised this development concept by moving the development back to create walk out basements and creates an executive type townhome and reported meeting with the neighboring neighbors to discuss the project.

There being no further items for the agenda to come before the Public Services Committee, the meeting was adjourned at 1:10 p.m.

Submitted by,



Jennifer McClelland

Executive Assistant to the Cheyenne City Council