

**Sheridan City Planning Commission
Meeting Agenda
September 12, 2022
7:00 PM, City Council Chamber, City Hall**

1. Call to Order and Roll Call of Members

2. Approval of Agenda as Presented

Motion by:

Second:

Vote:

3. Review, correction, and approval of minutes of the August 22, 2022 meeting.

Motion by:

Second:

Vote:

Old Business

New Business

4. Consideration of PL-22-30, Ordinance 2254, Cottonwood Rezone. The applicant, SSR Construction, Inc, is requesting to rezone 2.34 acres from R-3 Residence District to R-4 Residence District. Located from 372 to 598 Frank St. PIN 56842640003800, 56842640003700, 56842640006000, 56842640003600, 56842640003500, 56842640003400, 56842640003300, 56842640003200, 56842640003100, 56842640003000, 56842640002900, 56842640002800, 56842640002700, 56842640002600, and 56842640002500.

Motion by:

Second:

Vote:

5. Comments from commissioners and staff.

6. Adjourn



MEMO

TO: Planning Commission
FROM: Wade Sanner, Community Development Director
RE: Review, correction, and approval of minutes of the August 22, 2022 meeting.

Motion by:

Second:

Vote:

Attachments

minutes

DRAFT

**CITY OF SHERIDAN PLANNING COMMISSION
MINUTES OF MEETING**

COUNCIL CHAMBERS

7:02 P.M.

August 22, 2022

Item #1. Call to Order and Roll Call of Members

Present: Evelyn Gernaat, Mike Giorgis, Daniel Kerbs, Jon Oman, James Schrodt and Tod Windsor.

Absent: Ryan Franklin.

Item #2: Approval of Agenda as Presented

Evelyn Gernaat moved the Agenda be approved as presented. James Schrodt seconded the motion. Unanimous voice vote in favor of the motion.

Item #3: Review, correction, and approval of Minutes of the July 25, 2022 meeting.

Jon Oman moved the minutes of July 25, 2022 be approved as presented. James Schrodt seconded the motion. Unanimous voice vote in favor of the motion.

Old Business

None.

New Business

Item #4: Consideration of PL-22-18; Green Wing Minor Subdivision. The applicant, Teal Ponds, LLC is requesting to subdivide 35.40 acres from 1 tract into 5 lots, zoned B-1 Business District. Located at 2340 Wetlands Drive. PIN 56840221600425.

The property is located southwest of the intersection of Brundage Lane and Wetlands Drive. The property is zoned B-1 and is listed as Tract 11A of the Blue Wing Minor Subdivision. The property includes a 5,289 sq. ft. office building built in 2003 and a 1,040 sq. ft. storage garage built in 2003. The properties to the west, south and southeast are large lot single-family homes zoned R-1. Properties to the north and east are commercial businesses zoned B-1. Access to the property is from the northeast via Wetlands Drive. No access is permitted to the north onto Brundage Lane.

The applicant is proposing a 5 lot subdivision with a private drive and a number of easements. The proposed subdivision will be “holder” lots for future development and subdivision of the land. The applicant is proposing the following lot sizes:

Lot #	Lot Acres	Lot Sq. Ft.
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1	0.29	12,753
2	0.86	37,494
3	0.76	33,106
4	10.98	478,289
5	22.06	960,934

The applicant is proposing dedication of the Blue Wing Lane right-of-way, a 30 foot private lane. The applicant is proposing to stub Wetlands Drive, a public right-of-way, in the northeast portion of Lot 5. The applicant is proposing a utility easement agreement, recorded in 2018, to extend the future right-of-way at the time of subdivision of Lot 5.

The applicant is proposing to codify the public pathway along the eastern property line of Lot 5, with a 15 ft. public pedestrian pathway easement.

The applicant is proposing the following easements:

- Lot 1: A 30 ft. drainage easement along the northern portion of the property.
A 10 ft. irrigation pipeline easement along the western and southwestern portions of the property.
- Lot 2: A 10 ft. irrigation pipeline easement along the eastern portion of the property.
A 5 ft. utility easement along the western property line.
A 10 ft. utility easement along the northern portion of the property.
A 14 ft. detention pond easement along the southern portion of the property.
- Lot 3: A 5 ft. pond maintenance easement along the northeast property line.
A 10 ft. utility easement along the southern property line, adjacent to Blue Wing Lane.
- Lot 4: A 15 ft. electric line easement along the northern property line along East Brundage Lane.
A 50 ft. utility easement along the western property line.
A utility easement of varying size along the southern portion of Blue Wing Lane.
A 10 ft. detention pond easement at the hammerhead turnaround of Blue Wing Lane.
- Lot 5: A 30 ft. utility easement that extends from the end of Wetland Drive.
A 15 ft. public pedestrian pathway easement that runs along the eastern property line.

Existing water and sewer lines exist in the Wetlands Drive and Blue Wing Lane rights-of way. Future utility connections will connect to these existing lines.

A large portion of Lot 4 is located in the Little Goose Creek Floodway. A portion of Lot 4 and Lot 5 are located in the 100-year flood plain. There are two existing ponds in Lot 4.

Mr. Sanner said the property is zoned B-1 and it is not changing.

Staff sent notices to the 20 property owners within 300 feet, placed a legal notice in the newspaper and posted a sign on the property. No inquiries or objections were received.

Tom Tucker of Prestfeldt Surveying said Lot 1 has a detention pond and an easement. Lot 3 was adjusted to pull back from the pond.

Dan Kerbs asked if drainage is a reason for the large size of the lots.

Mr. Tucker said it is. He said Lot 5 is open for future development.

Tod Windsor asked if there is any problem with flooding of the existing building.

Mr. Tucker said there have been no problems.

David Johnston, 2458 Coffeen, said the property goes back to the walking path. During flooding water comes up to the path and a little into his property. He said years ago water flooded 100 feet.

Mr. Windsor asked if the current owners are keeping Lot 4.

Mr. Tucker said they are.

Mr. Windsor said if any flooding occurred would it probably be Lots 4 and 5.

Mr. Tucker said it would.

Mr. Johnston said his 1.6 acres was just put into the flood zone. He asked why would the City want this land developed.

Mr. Windsor said it is currently zoned B-1 and probably continues with businesses. He said the Planning Commission has to see if the application complies with current zoning, set-backs and easements. He said the Planning Commission is a review committee to make sure it is in compliance. If it is, the Commission gives a positive recommendation to City Council.

No further Public Comments.

Public Comments Closed.

James Schrodt thought there are other properties in the City that could be developed, rather than swamp land.

Jon Oman agreed with Mr. Schrodt but did mention the Commission has limited powers.

Dan Kerbs moved the Planning Commission send a positive recommendation to City Council regarding PL-22-18, Resolution 42-22, Green Wing Minor Subdivision. Mike Giorgis seconded the motion. Voice vote: Yes – 5, No -1. Motion passed.

Mr. Kerbs said maybe it is not the best for development but is the prerogative of the owner. He said he appreciates Mr. Johnston for coming in.

Mr. Windsor said this will go to City Council next Monday night at 7:00 P.M. if they would like to ask questions.

Mr. Johnston said the main problem is people using the walking path and it is used a lot.

Mr. Sanner said the Army Corps of Engineers delineate the flood plain.

Item #5: Comments from commissioners and staff.

None.

Item #6: Adjourn

Mike Giorgis moved to adjourn. Jon Oman seconded the motion.

Meeting adjourned at 7:33 P.M.

Date approved by Planning Commission: _____

Recorded by: _____



MEMO

TO: Planning Commission

FROM: Wade Sanner, Community Development Director

RE: Consideration of PL-22-30, Ordinance 2254, Cottonwood Rezone. The applicant, SSR Construction, Inc, is requesting to rezone 2.34 acres from R-3 Residence District to R-4 Residence District. Located from 372 to 598 Frank Street (PIN 56842640003800, 56842640003700, 56842640006000, 56842640003600, 56842640003500, 56842640003400, 56842640003300, 56842640003200, 56842640003100, 56842640003000, 56842640002900, 56842640002800, 56842640002700, 56842640002600, and 56842640002500).

Staff Recommendation

Staff recommends the Planning Commission send a positive recommendation to the City Council regarding PL-22-30, Ordinance 2254, the Cottonwood Rezone. The applicant, SSR Construction, Inc, is requesting to rezone 2.34 acres from R-3 Residence District to R-4 Residence District. Located from 372 to 598 Frank Street (PIN 56842640003800, 56842640003700, 56842640006000, 56842640003600, 56842640003500, 56842640003400, 56842640003300, 56842640003200, 56842640003100, 56842640003000, 56842640002900, 56842640002800, 56842640002700, 56842640002600, and 56842640002500).

Findings of Fact

Neither the State Statute nor the City Code contains required findings that must be made in changing a property's zoning designation. The State statute does provide some requirements for zoning regulations in general, which the Planning Commission and City Council should be aware of:

WS §15-1-601(d)

d) All regulations shall be made:

In accordance with a comprehensive plan and designed to:

- A. Lessen congestion in the streets;*
- B. Secure safety from fire, panic and other dangers;*
- C. Promote health and general welfare;*
- D. Provide adequate light and air;*
- E. Prevent the overcrowding of land;*
- F. Avoid undue concentration of population; and*
- G. Facilitate adequate provisions for transportation, water, sewage, schools, parks and other public requirements.*

ii. With reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses;

- iii. *With a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city or town; and*
- iv. *With consideration given to the historic integrity of certain neighborhoods or districts and a view to preserving, rehabilitating and maintaining historic properties and encouraging compatible uses within the neighborhoods or districts, but no regulation made to carry out the purposes of this paragraph is valid to the extent it constitutes an unconstitutional taking without compensation.*

The Preamble of the City's Zoning Ordinance (Appendix A) states that the purpose of the zoning ordinance is to, *"promoting the health, safety, morals and general welfare of the inhabitants of the City of Sheridan by lessening congestion in the streets; securing safety from fire, panic and other dangers providing adequate light and air; preventing the overcrowding of land; avoiding the undue concentration of population, facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements."*

The future land use map designates this area for commercial use, so the proposed rezone is in accordance with the future land use map.

Background

The applicant, SSR Construction, Inc., is requesting to rezone 2.34 acres from R-3 Residence District to R-4 Residence District, located from 372 to 598 Frank Street (PIN 56842640003800, 56842640003700, 56842640006000, 56842640003600, 56842640003500, 56842640003400, 56842640003300, 56842640003200, 56842640003100, 56842640003000, 56842640002900, 56842640002800, 56842640002700, 56842640002600, and 56842640002500).

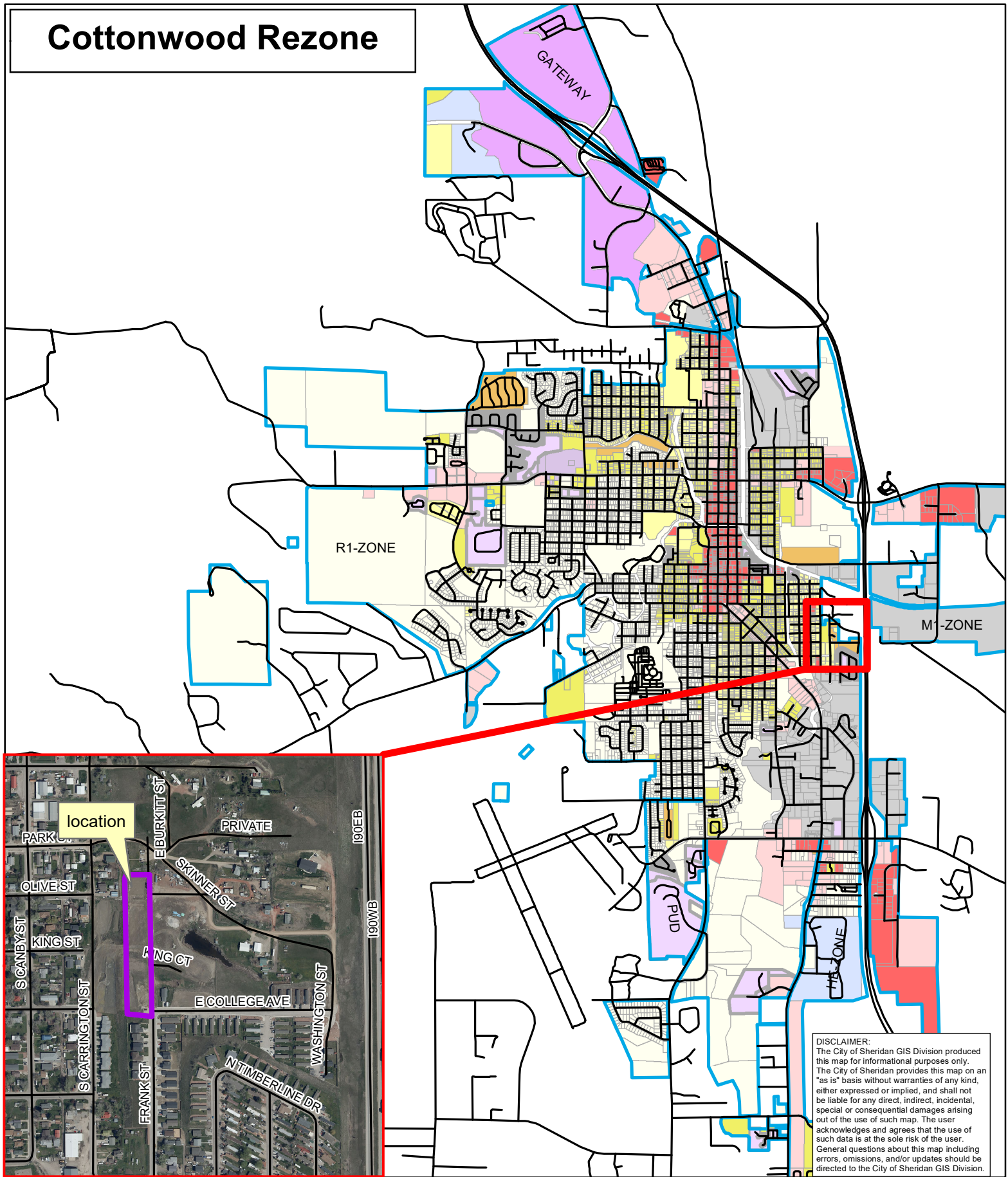
The properties to the east are mobile homes zoned R-4. The properties to the north are single-family homes under County jurisdiction, and zoned Urban Residential. Properties to the west are multi-family homes zoned R-3. Properties to the south are multi-family homes zoned M-1. The applicant is proposing the rezone in order to continue the zoning to the east. The subject properties are currently vacant.

As part of the request to rezone this property, staff sent notices to the 40 property owners within 300 feet, placed a legal notice in the newspaper, and posted a sign on the property. At the time of writing this staff report, no objections or inquiries were received by staff.

Attachments

aerial
Petition
exhibit

Cottonwood Rezone



DISCLAIMER:
The City of Sheridan GIS Division produced this map for informational purposes only. The City of Sheridan provides this map on an "as is" basis without warranties of any kind, either expressed or implied, and shall not be liable for any direct, indirect, incidental, special or consequential damages arising out of the use of such map. The user acknowledges and agrees that the use of such data is at the sole risk of the user. General questions about this map including errors, omissions, and/or updates should be directed to the City of Sheridan GIS Division.

Legend	
— Roads	B2 - Business District
City of Sheridan Boundary	M1 - Industrial District
R1 - Residence District	MA - Medical Arts District
R2 - Residence District	HE - Higher Education District
R3 - Residence District	RUCA - Restricted Use Control Area
R4 - Residence District	PUD - Planned Unit Development
B1 - Business District	GATEWAY - Gateway District



0 0.25 0.5 1 Miles

PETITION FOR REZONING

TO THE CITY COUNCIL OF THE CITY OF SHERIDAN, WYOMING:

Pursuant to the provisions of W.S. 15-1-601, 15-1-602, 15-1-603 et. seq., and other applicable statutes, and Appendix A, Sec. 16 of the Sheridan City Code, the undersigned landowner(s) respectfully petition and show the City Council as follows:

1. This is a petition for the rezoning of parcels of land within the city limits of Sheridan, Wyoming, having a legal description as follows:
Lots 25 through 38 and Tract B of Cottonwood Subdivision in the City of Sheridan
Sheridan County, Wyoming
2. SSR Construction, Inc are the owners or authorized agents of said described land proposed to be rezoned.
3. A map of the area sought to be rezoned is attached hereto and made a part hereof.
4. Petitioners hereby request that said lands be zoned
R-4.

Therefore, Petitioners pray said parcel(s) be rezoned R-4, pursuant to and in accordance with the applicable Wyoming Statutes and City Ordinances after proper notice and public hearing.

Dated this _____ day of _____, 20__.

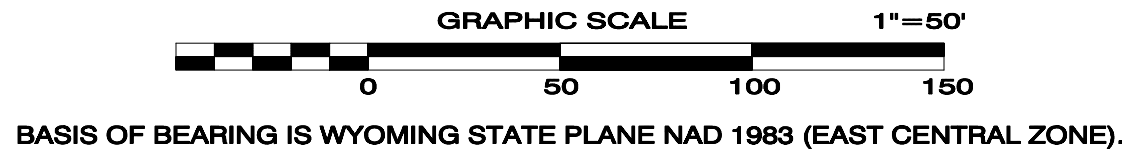
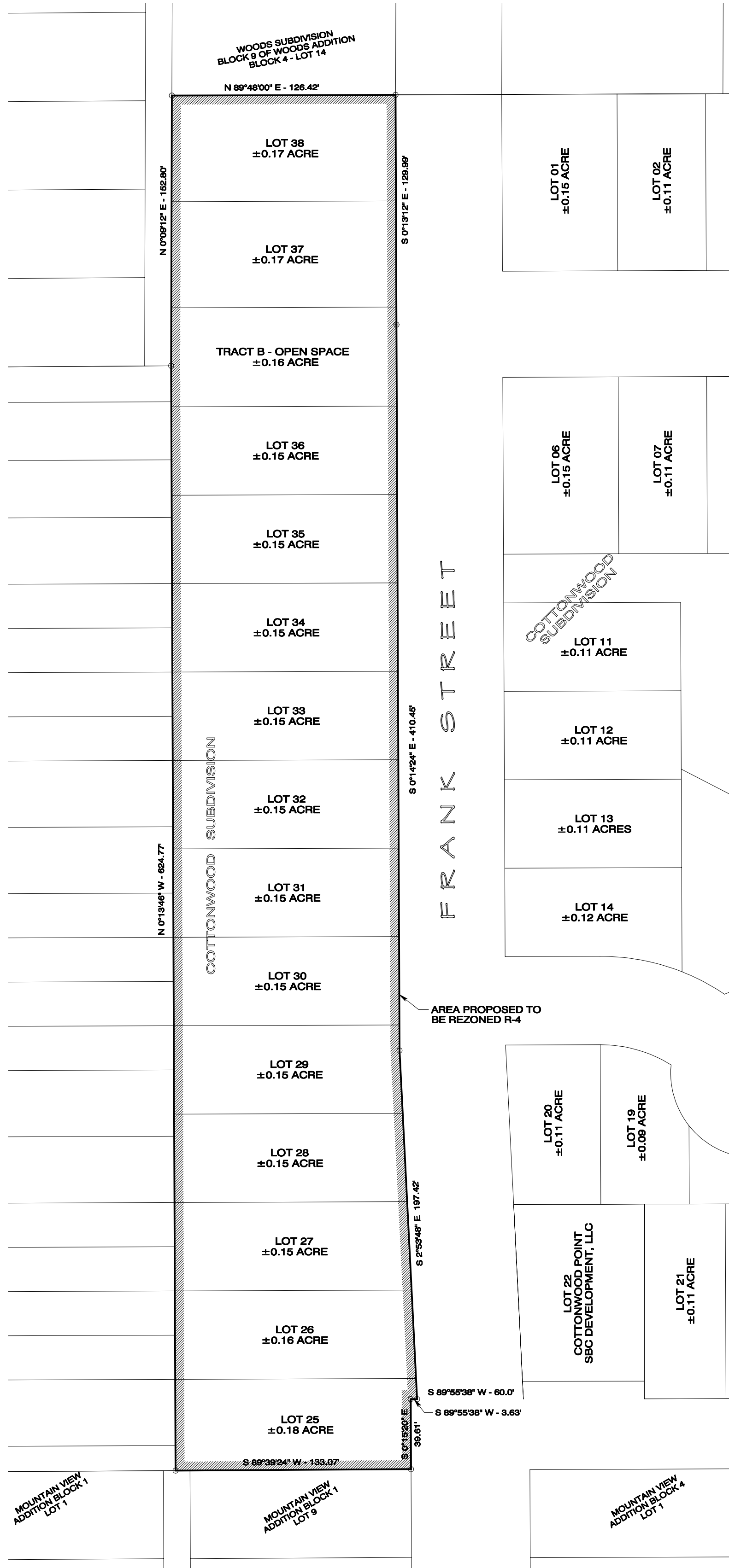
Signed by the Petitioners:

Subscribed and Sworn before me this _____ day of _____, 20__

Notary Public

My commission expires: _____

DETAIL



CERTIFICATE of SURVEYOR

State of Wyoming } ss
County of Sheridan }

I, David L. Randall, of Sheridan, Wyoming do hereby certify that I am a duly registered Professional Engineer and Land Surveyor, licensed under the laws of the State of Wyoming, that this map was made from records in the Sheridan County Clerk's Office, Sheridan County, Wyoming and from information and records in the City Engineering Office, Sheridan, Wyoming.
This map correctly represents all of the information shown hereon.

Registration No. 3159 PE & LS

CIVIL ENGINEER and LAND SURVEYOR

CERTIFICATE of RECORDER

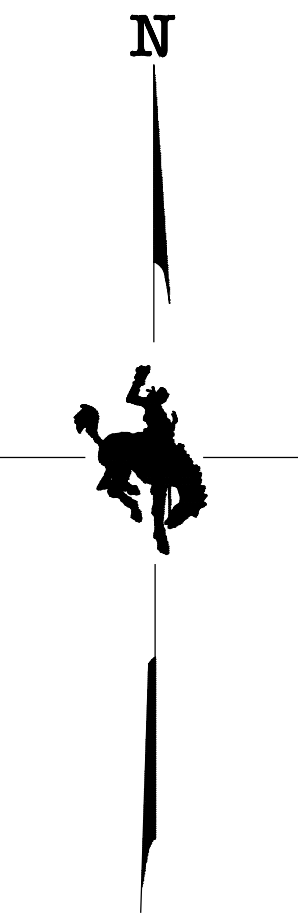
State of Wyoming } ss
County of Sheridan }

This plat was filed for record in the Office of the Clerk and Recorder at _____ O'Clock _____ M., this _____ day of _____, 2022, and is duly recorded in Book _____, Page No. _____, Receiving Number _____.

COUNTY CLERK

LOCATION
SHOWING ADJACENT ZONING WITHIN 1000'

SCALE : 1" = 300'



MAP

to accompany

PETITION to REZONE PROPERTIES

being
LOTS 25 through 38
and
TRACT B

of
COTTONWOOD SUBDIVISION

in the
CITY of SHERIDAN
SHERIDAN COUNTY, WYOMING

for

SSR CONSTRUCTION, INC
12 BIG HORN MEADOWS
SHERIDAN, WYOMING 82801