

**Sheridan City Planning Commission
Meeting Agenda
July 24, 2023
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 July 10, 2023 meeting.

Motion by:

Second:

Vote:

Old Business

New Business

4. Consideration of PL-23-26; Gardner Minor Subdivision. The applicants, David Johnston and Emily Gardner, are requesting to subdivide 3.78 acres from 1 tract into 2 lots. Zoned B-1 Business District. Located at 2458 Coffeen Ave. PIN 55840222000825.

Motion by:

Second:

Vote:

5. Comments from commissioners and staff.

6. Adjourn



MEMO

TO: Planning Commission

FROM:

RE: Review, correction, and approval of minutes of the July 10, 2023 meeting.

Motion by:

Second:

Vote:

Attachments

minutes

CITY OF SHERIDAN
MINUTES OF PLANNING COMMISSION MEETING
7:00 PM – CITY HALL COUNCIL CHAMBERS
JULY 10, 2023

1. Commissioner Chair Tod Windsor called the meeting to order at 7:00 PM with a quorum as follows: Evelyn Gernaat, James Schrodt, Daniel Kerbs, Ryan Franklin, and Bev Leichtnam. Margaret Morneau was absent.
2. The agenda was approved by unanimous consent.
3. Commissioner Leichtnam moved, seconded by Commissioner Franklin, to approve the minutes of the June 12th and June 26th meetings. Voice vote: unanimous.
4. Consideration of PL-23-27; Resolution 38-23, Rising Ground Minor Subdivision. The applicants, Gateway Partners LLC, are requesting to subdivide 33.51 acres from 1 tract into 2 tracts. Zoned MP - Master Plan/Gateway. Located at 3200 N Main St. PIN 56841520000102.

Public Works Director Hanns Mercer presented information regarding the project.

Doug Carlton, the developer, provided background information regarding the development.

A member of the audience asked the developer what covenants the subdivision will have. Mr. Carlton stated that the preliminary plat will go before Council in September and will meet all requirements for parking. There will be no impact on Real Bird Way.

The Chair called for a motion for consideration of PL-23-27; Resolution 38-23, Rising Ground Minor Subdivision. Commissioner Kerbs moved, seconded by Commissioner Gernaat, to approve PL-23-27; Resolution 38-23, Rising Ground Minor Subdivision.

Voice Vote: unanimous. Commissioner Franklin recused himself from voting. The Commission approved a positive recommendation for the subdivision.

5. Comments from commissioners and staff.
 - A. There were no comments.
6. The meeting was adjourned at 7:17 PM.

Tod Windsor, Planning Commission Chairperson

Attest: _____
City Clerk Cecilia Good



MEMO

TO: Planning Commission
FROM: Thomas Morneau, City Engineer
RE: Consideration of PL-23-26; Gardner Minor Subdivision. The applicants, David Johnston and Emily Gardner, are requesting to subdivide 3.78 acres from 1 tract into 2 lots. Zoned B-1 Business District. Located at 2458 Coffeen Ave. PIN 55840222000825.

Staff Recommendation

Staff recommends the Planning Commission provide a recommendation of approval to the City Council for PL-23-26; Gardner Minor Subdivision. The applicants, David Johnston and Emily Gardner, are requesting to subdivide 3.78 acres from 1 tract into 2 lots. Zoned B-1 Business District. Located at 2458 Coffeen Ave. PIN 55840222000825.

Background

The applicants, David Johnston and Emily Gardner, are requesting to subdivide 3.78 acres from 1 tract into 2 lots. Zoned B-1 Business District. Located at 2458 Coffeen Ave. (PIN 55840222000825).

The property is listed as a portion of Tract A, Brundage Place Addition with an existing depth to front ratio of 6.85 to 1.

Variances are requested for the following:

- Depth to front ratio shall not exceed 2.5 to 1 per City Code - Appendix B - Article 5 - 505(C)(1)
 - Lot 1 - 3.2 to 1
 - Lot 2 - 35.44 to 1

Lot 1 will have access from Coffeen Ave. Lot 2 will be a flag lot and have access to Coffeen Ave via a 30 foot wide strip of land to the north of Lot 1.

The surrounding properties are properties zoned B1 Business District. The applicant is proposing to subdivide Tract A of the Brundage Places subdivision into 2 lots. The applicant is proposing the following commercial lot sizes:

- Lot 1 – 1.14 acres
- Lot 2 – 2.64 acres

Discussion:

Prior to approving the final plat, the City Council will need to make the following findings per Sheridan City Code Appendix B §202, staff offers the following comments on the required findings:

The City shall not approve any proposed subdivision of land which, by itself, or as a part of a larger tract, is contiguous to or completely surrounded by the boundaries of the City, unless the application is accompanied by a properly-acknowledged petition for annexation to the City.

This property falls completely within the city limits, so this condition does not apply.

The City shall not approve any proposed subdivision of land which is within one mile of the corporate limits of Sheridan but not, at the time of submittal, eligible for annexation, unless the application is accompanied by a properly-acknowledged agreement not to contest future annexation proceedings.

Again, not applicable in this case, the property is within the city limits.

Every plat shall conform to the Zoning Ordinance currently adopted at the time of final plat approval.

The proposed subdivision conforms to the Zoning Ordinance.

All new subdivision developments within the Airport Influence Area within the city limits of the City of Sheridan shall grant an Avigation Easement to the Sheridan County Airport.

This proposed subdivision is outside the Airport influence area.

No subdivision shall be approved within the corporate limits of the City of Sheridan, or one mile thereof, unless City Public Works staff concludes that an adequate long-term water supply exists to support the proposed use and density of the subdivision in accordance with City adopted policy. City elected officials acting as Council representatives on other boards or committees that review development shall likewise consider long-range water supply in making any determination.

Future water and sewer will be connected to existing utilities in Coffeen Ave and will be available to both lots.

Staff Comments

Staff sent out 19 nearest neighbor notifications to property owners within 300 feet as part of this application. In addition, notifications were advertised in the press.

Staff has no further comments at this time.

Attachments

aerial
preliminary submittal
final plat
resolution
Variance request

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.



Miles 0 $\frac{3}{4}$ $1\frac{1}{2}$

Date: 7/5/2023 1:28 PM User: sgoodman



DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED DAVID JOHNSTON AND EMILY GARDNER, BEING THE OWNER(S), PROPRIETOR(S) OR PARTIES OF INTEREST IN THE LAND SHOWN ON THIS PLAT, DO HEREBY CERTIFY:

GARDNER MINOR SUBDIVISION BEING A RE-SUBDIVISION OF A PORTION OF TRACT A, BRUNDAGE PLACE ADDITION TO THE CITY OF SHERIDAN, SHERIDAN COUNTY, WYOMING AS RECORDED IN THE RECORDS OF SHERIDAN COUNTY CLERK BOOK 522, PAGE 234; SUBJECT PARCEL LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE1/4NW1/4), SECTION 2, T55N, R84W, 6TH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE CENTERWEST SIXTEENTH (CW1/2) CORNER OF SAID SECTION 2; THENCE N 00°50'54" W, 449.95 FEET TO THE NORTHWEST CORNER OF RESTORATION RANCH SUBDIVISION AND THE POINT OF BEGINNING OF SUBJECT TRACT; THENCE N 00°53'25" W, 154.47 FEET ALONG THE WEST LINE OF SAID TRACT OF LAND DESCRIBED IN BOOK 522, PAGE 234; THENCE S 89°34'23" E, 1077.45 FEET ALONG THE NORTH LINE OF SAID TRACT OF LAND DESCRIBED IN BOOK 522, PAGE 234 TO THE WEST LINE OF COFFEEN AVENUE RIGHT-OF-WAY; THENCE S 09°42'45" W, 157.12 FEET ALONG SAID WEST RIGHT-OF-WAY LINE OF COFFEEN AVENUE; THENCE N 89°32'19" W, 1048.55 FEET ALONG THE SOUTH LINE OF SAID TRACT OF LAND DESCRIBED IN BOOK 522, PAGE 234, TO THE POINT OF BEGINNING, CONTAINING AN AREA OF ±3.78 ACRES.

SUBJECT TO ALL LEASES, EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS AND ENCUMBRANCES OF RECORD, AND

THAT THIS SUBDIVISION, AS IT IS DESCRIBED AND AS IT APPEARS ON THIS PLAT, IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND PROPRIETOR(S); AND THAT THIS IS A CORRECT PLAT OF THE AREA AS IT IS DIVIDED INTO LOTS, EASEMENTS, AND

THAT THE UNDERSIGNED OWNER(S) OF THE LAND SHOWN AND DESCRIBED ON THIS PLAT DOES (DO) HEREBY DEDICATE TO THE GARDNER MINOR AND ITS LICENCEES FOR PUBLIC USE AND FOR THE INDICATED PURPOSES, ALL STREETS, ALLEYS, EASEMENTS AND OTHER PUBLIC LANDS WITHIN THE BOUNDARY LINES OF THE PLAT, AS INDICATED, AND NOT ALREADY OTHERWISE DEDICATED FOR PUBLIC USE.

EXECUTED THIS _____ DAY OF _____, 2023.

DAVID JOHNSTON, AS HIS INTERESTS APPEAR OF RECORD

STATE OF WYOMING }
COUNTY OF SHERIDAN } ss
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY DAVID JOHNSTON, AS A OWNER OF GARDNER MINOR SUBDIVISION AND PERSONALLY, ON THIS _____ DAY OF _____, 2023.
WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

EMILY GARDNER, AS HER INTERESTS APPEAR OF RECORD

STATE OF WYOMING }
COUNTY OF SHERIDAN }
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY EMILY GARDNER, OWNER OF GARDNER MINOR SUBDIVISION AND PERSONALLY, ON THIS _____ DAY OF _____, 2023.
WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

THE UNDERSIGNED PRIME RATE MOTORS INC., HEREINAFTER MORTGAGEE, HOLDS A MORTGAGE IN AND TO THE PROPERTY EMBRACED BY THIS SUBDIVISION PLAT, WHICH MORTGAGE WAS FILED WITH THE CLERK OF SHERIDAN COUNTY AND EX-OFFICIO RECORDER OF DEEDS FILED IN BOOK 789 PAGE 304. MORTGAGEE, BY SIGNATURE ON THIS PLAT, CONSENTS TO THE DEDICATIONS MADE HEREIN AND SPECIFICALLY RELEASES ALL STREETS, ALLEYS, PARKS, EASEMENTS, OPEN SPACES AND OTHER AREAS DEDICATED TO THE CITY OF SHERIDAN FOR PUBLIC USE, AS LISTED AND DESCRIBED ON THIS PLAT, FROM THE AFOREMENTIONED MORTGAGE.

(PRIME RATE MOTORS INC.)

CERTIFICATE OF RECORDER

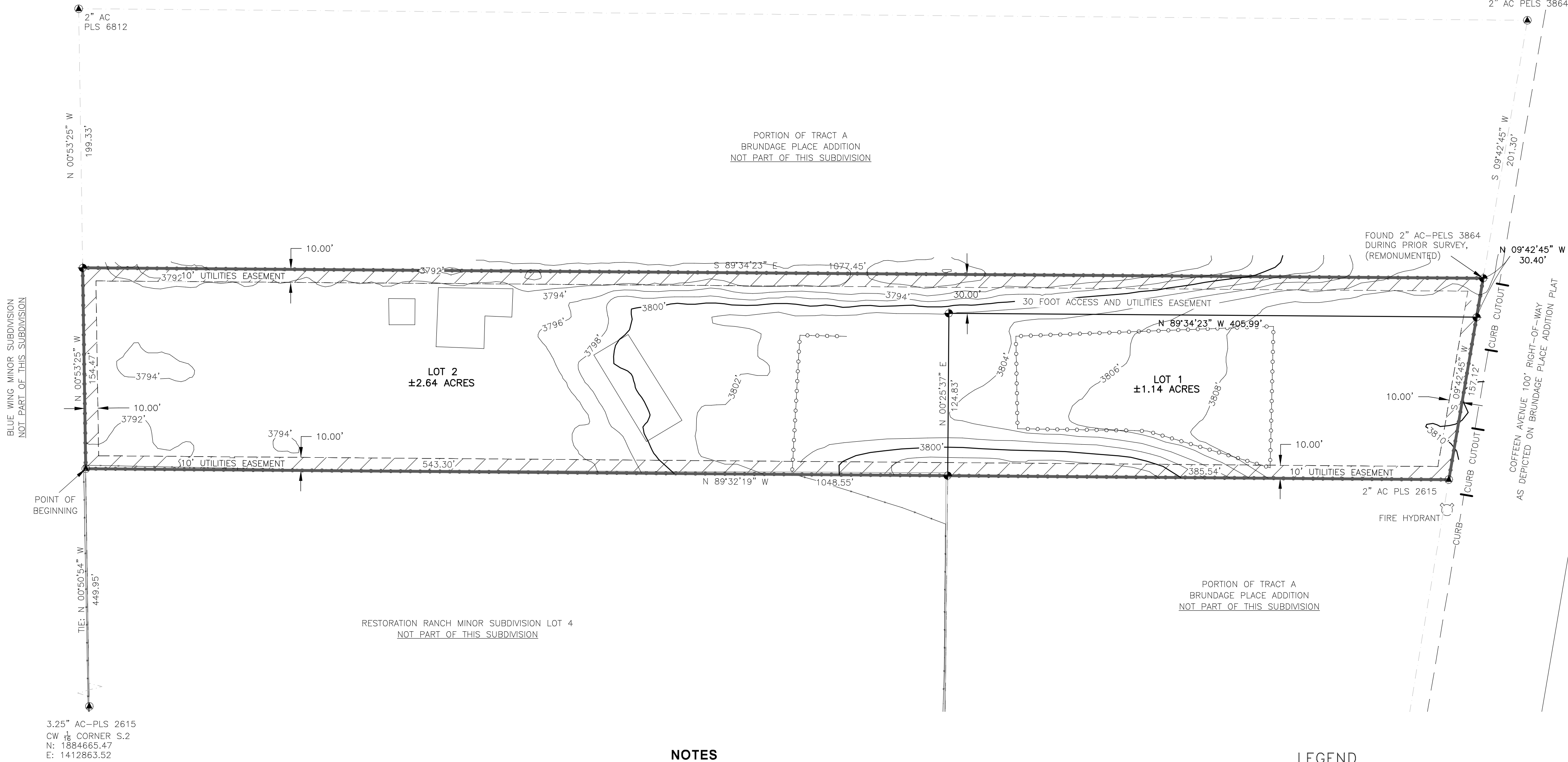
STATE OF WYOMING }
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I HERBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER AT _____ O'CLOCK THIS _____ DAY OF _____, 2023

AND IS DULY RECORDED IN PLAT BOOK _____ ON PAGE _____.

COUNTY CLERK

STAMP RECEIVING
NUMBER



NOTES

1. ANY PURCHASER DOES NOT HAVE THE RIGHT TO THE NATURAL FLOW OF ANY STREAM WITHIN, OR ADJACENT TO THE SUBDIVISION, SINCE WYOMING WATER ADMINISTRATION LAWS DO NOT RECOGNIZE ANY RIPARIAN RIGHTS WITH REGARD TO NATURAL FLOW FOR PERSONS LIVING ON THE BANK OF ANY STREAM OR RIVER.
2. ALL NEW CONSTRUCTION, REMODELING, ADDITIONS OR REPAIRS TO ANY PUBLIC OR PRIVATE BUILDINGS WITHIN THE SUBDIVISION SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY SHERIDAN STANDARDS REGULATIONS AND BUILDING PERMITS AND INSPECTIONS ARE REQUIRED.
3. THE SURFACE ESTATE OF THE LAND TO BE SUBDIVIDED IS SUBJECT TO FULL AND EFFECTIVE DEVELOPMENT OF THE MINERAL ESTATE.
4. ALL LOTS ARE IN B-1 ZONE
5. A WATER RIGHTS DISTRIBUTION PLAN HAS BEEN APPROVED BY THE WYOMING STATE ENGINEER AND IS ON FILE AT THE WYOMING STATE ENGINEER'S OFFICE IN CHEYENNE, WYOMING.

LEGEND

- FOUND 2" ALUMINUM CAP PER PLS 3864 OR AS NOTED
- ALUMINUM CAP PER LS 14250
- CALCULATED CORNER
- ALUMINUM CAP
- BOUNDARY LINE
- INTERIOR LOT LINE
- ADJOINING LOT LINE
- EASEMENT

DECLARATION VACATING PREVIOUS PLATTING

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CERTIFICATE OF CITY COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERIDAN, WYOMING THIS _____ DAY OF _____, 2023.

MAYOR

ATTEST: CITY CLERK

CERTIFICATE OF APPROVAL

THIS PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS AND PROCEDURES OUTLINED IN THE SUBDIVISION REGULATIONS OF THE CITY OF SHERIDAN, AND CERTIFIED THIS _____ DAY OF _____, 2023, BY THE DIRECTOR OF PUBLIC WORKS OF SHERIDAN, WYOMING.

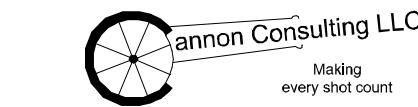
DIRECTOR OF PUBLIC WORKS

CERTIFICATE OF APPROVAL CITY PLANNING COMMISSION

REVIEWED BY THE CITY OF SHERIDAN, WYOMING PLANNING COMMISSION THIS _____ DAY OF _____, 2023.

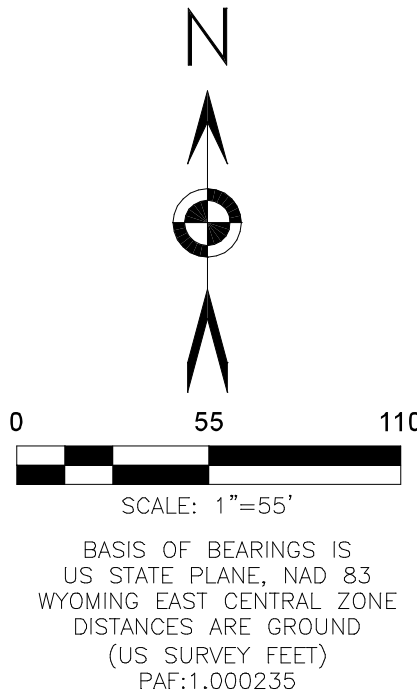
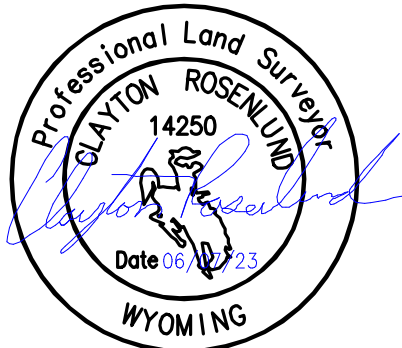
ATTEST: VICE CHAIRMAN

CHAIRMAN



201 E 5TH ST
SHERIDAN, WYOMING 82801

Prepared by Cannon Consulting LLC / (307) 752-0109



PREPARED FOR: DAVID JOHNSTON AND EMILY GARDNER, SHERIDAN, WYOMING

DATE PREPARED: 06/07/23



DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED DAVID JOHNSTON AND EMILY GARDNER, BEING THE OWNER(S), PROPRIETOR(S) OR PARTIES OF INTEREST IN THE LAND SHOWN ON THIS PLAT, DO HEREBY CERTIFY:

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COUNTY OF SHERIDAN } ss
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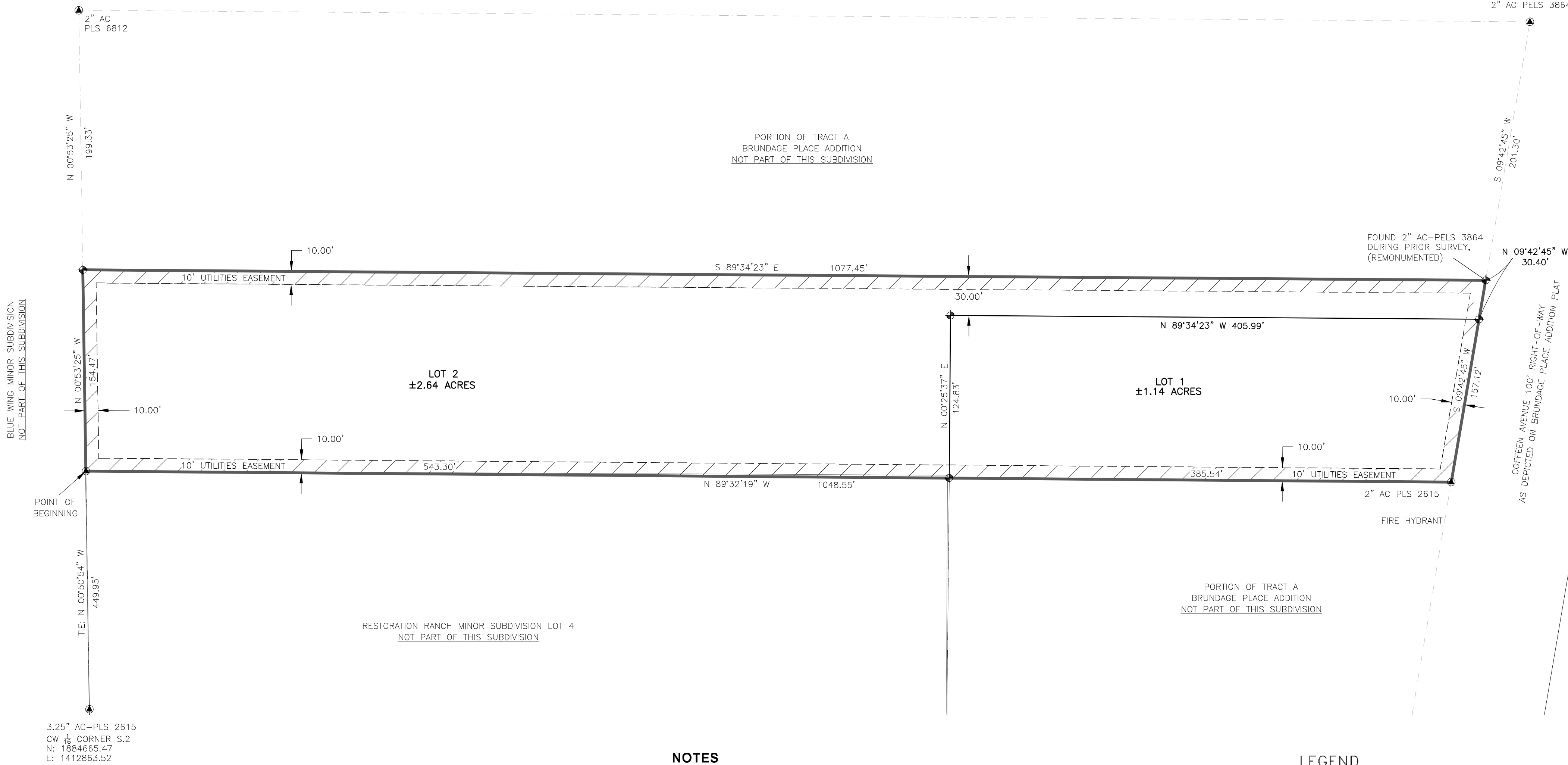
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MAYOR ATTEST: CITY CLERK

CERTIFICATE OF APPROVAL

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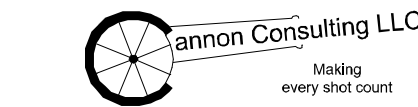
DIRECTOR OF PUBLIC WORKS

CERTIFICATE OF APPROVAL CITY PLANNING COMMISSION

REVIEWED BY THE CITY OF SHERIDAN, WYOMING PLANNING COMMISSION THIS _____ DAY OF _____, 2023.

ATTEST: VICE CHAIRMAN

CHAIRMAN



201 E 5TH ST
SHERIDAN, WYOMING 82801

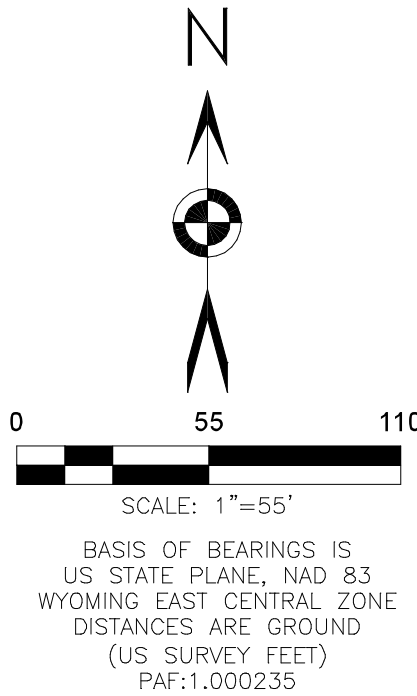
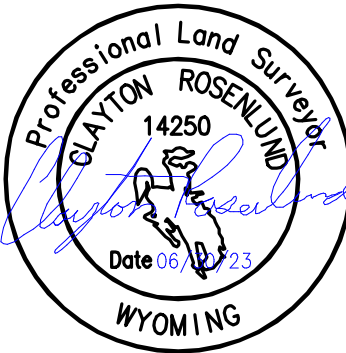
Prepared by Cannon Consulting LLC / (307) 752-0109

PREPARED FOR: DAVID JOHNSTON AND EMILY GARDNER,
SHERIDAN, WYOMING

DATE PREPARED: 06/30/23

CERTIFICATE OF SURVEYOR

I, CLAYTON ROSENLUND, do hereby certify that I am a Registered Land Surveyor, licensed under the laws of the State of Wyoming, that this plat is a true, correct and complete plat of GARDNER MINOR SUBDIVISION, as laid out, plotted, dedicated and shown hereon, that this plat was made from an accurate survey of said property conducted by me or under my supervision and correctly shows the location and dimensions of all lots, easements and streets of said subdivision in compliance with City of Sheridan regulations governing the subdivision of land.



**CITY OF SHERIDAN
RESOLUTION 39-23**

A RESOLUTION approving PL-23-26, the minor plat of the Gardner Minor Subdivision, dividing 3.78 acres from 1 tract to 2 lots. Zoned B-1 Business District. Located at 2458 Coffeen Ave.

WHEREAS, the minor plat of the Gardner Minor Subdivision, has been reviewed for consistency with Appendix B (Subdivision Regulations) and other applicable City code; and

WHEREAS, all applicable requirements for a final plat, have been met and all documents meet the applicable requirements in Appendix B (Subdivision Regulations).

Be it resolved by the City Council of the City of Sheridan:

That the final plat of the Gardner Minor Subdivision, 3.78 acres from 1 tract to 2 tracts on the property located at 2458 Coffeen Ave..

In approving the Gardner Minor Subdivision, the City Council finds the following as required by Sheridan City Code Appendix B §202:

- A. The property is already within the corporate limits of the City and requires no further action as pertains to annexation.
- B. The lots as platted conform to the requirements of the City Zoning Ordinance with the exception of the variances granted.
- C. The subdivision falls outside of the Airport Influence Area.
- D. As concluded by City Public Works staff, there is adequate long-term water supply to serve this subdivision as of the time of this resolution.

In addition to approving the Gardner Minor Subdivision, the City Council is also approving a depth-to-front ratio variance. The depth-to-front ratio for Lot 1 is 3.2 to 1 and Lot 2 is 35.44 to 1

PASSED, APPROVED, AND ADOPTED this 7th of August 2023.

Richard Bridger, Mayor

ATTEST:

Cecilia Good, City Clerk

Attachment "A" David Johnston Variance Letter.

7/20/23

To whom it may concern.

We are asking for this variance as a part of the Gardner Minor Subdivision application. A variance is necessary to allow appropriate development of the current lot as it does have exceptional geographical or topographic conditions. The Gardner Minor Subdivision will allow us to retain our personal residence (Portion of Tract A, Brundage Place Addition) while creating a location appropriate B1 zoned parcel on Coffeen Avenue. We feel that any granting of this variance would not be contrary to public interest in any way. We do feel that a hardship exists as the current single lot (original lot) also exceeds the depth to front ratio of 2.5:1 Per 505-C-1, and this does limit options available to us.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Johnston", with a long horizontal flourish extending to the right.

David Johnston, Owner

2458 Coffeen Avenue
Sheridan WY 82801