



A COMMUNITY OF CHOICE

Development Department

2101 O'Neil Avenue, Suite 202, Cheyenne WY 82001
(Phone) 307-637-6282 (Fax) 307-637-6366

November 4, 2023

Board of County Commissioners
Laramie County, WY

RE: PlanCheyenne Amendment Procedure

According to the Plan Amendment Process and Procedures subsection outlined in the Introduction section of PlanCheyenne, any proposed PlanCheyenne amendment "... *will go before the governing body that will not have jurisdiction for comment only (e.g., a proposal to amend land uses within City limits goes to the County first for comment only).*" The currently proposed PlanCheyenne amendment will edit the Future Land Use Map for land generally located northeast of the intersection of Morrie Avenue and E. Lincolnway from Open Space and Parks to Mixed-use Commercial. The land considered with this amendment is currently within City limits. Therefore, the proposed amendment is being brought before the County Commissioners for comment only.

A motion to **recommend or deny** amending PlanCheyenne is appropriate, but City Staff is not seeking a formal resolution from the Board of County Commissioners, official comments from the Board would also suffice. After this project is considered by the County Commissioners, City Staff will submit the proposed amendment to the City of Cheyenne Governing Body, with the County Commissioners' recommendation listed in a manner similar to City Staff's recommendation in the attached staff report. The City of Cheyenne Planning Commission staff report for this item has been attached for reference.

Regards,

Connor White
Planning and Development Department
City of Cheyenne, WY
(307) 638-4342
cwhite@cheyennecity.org

Encl: Future Land Use Amendment Map

Cc: County Planning Office
County Clerk's Office



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Planning and Development Department

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CITY OF CHEYENNE PLANNING COMMISSION

NOVEMBER 4, 2024

STAFF REPORT

FILE: PUDC-24-199: Future Land Use Plan Amendment from Open Space and Parks to Mixed-use Commercial

REQUEST: A request to amend the Future Land Use Plan from Open Space and Parks to Mixed-use Commercial.

LOCATION: Northeast of the intersection of Morrie Avenue and E Lincolnway.

APPLICANT: Brandon Swain

OWNER: Brandon Swain and the City of Cheyenne

ZONING: MUR Mixed-use Residential and P Public, proposed rezoning to MUB Mixed-use Business.

PURPOSE: To match a requested zone change of a portion of the area to MUB for development of the property.

PREPARED BY: Connor White, Planner II



RECOMMENDED MOTION:

Move to **approve** the Resolution amending the Future Land Use Plan for a portion of land northeast of the intersection of Morrie Avenue and E Lincolnway as shown in the Future Land Use Map provided from Open Space and Parks to Mixed-use Commercial.

APPLICABLE CITY CODE SECTION(S) AND PLANS:

- PlanCheyenne (2016 Community Plan)

BACKGROUND:

The applicant is requesting amending the Future Land Use Map for roughly 0.75 acres of land from Open Space and Parks to Mixed-use Commercial to accommodate a zone change to permit a mixed-use development. The property is partially under private ownership and partially under a surplus sale agreement. As part of the surplus sale agreement, the new owner was required to amend the future land use map. The property was not developed for park purposes.

A concurrent application for a zoning map amendment has been submitted. The zoning map amendment will accompany the future land use amendment at City Council. If the application for the zoning map amendment is approved, the applicant will be required to submit a site plan application for the new development.

SURROUNDING LAND USE AND ZONING:

	Future Land Use Designation	Zoning	Land Use
Subject Site	Open Space and Parks	MUR Mixed-use Residential and P Public	Single-family Residence and a parking lot
North	Open Space and Parks	P Public	Park
South	Mixed-use Commercial	CB Community Business	Commercial
East	Open Space and Parks	P Public	Park
West	Community Business and Urban Residential	CB Community Business and MR Medium-density Residential	Automobile Repair / Multi-family

The property is shown as Open Space and Parks in the Future Land Use Plan. The Parks and Open Space category includes existing and planned future parks and open space areas.

ANALYSIS OF APPLICATION CONFORMANCE WITH REVIEW CRITERIA:

Should the Planning Commission wish to approve an amendment to the Future Land Use Map of the Comprehensive Plan, the Commission must make the following considerations outlined in the 2014 Community Plan (Build Chapter page 3-3). A detailed analysis is below:

1) BENEFICIAL OR ADDRESSES ISSUES - The proposed amendment is beneficial to the community or addresses issues not foreseen during the planning process.

The proposed amendment to Mixed-use Commercial would be beneficial at the proposed location as it is a major intersection. The proposed area is also going to be under private ownership and should no longer be considered Open Space and Parks. The proposed development is mixed use with commercial on the first floor and residential above which fits the designation of Mixed-use Commercial.

The proposed Future Land Use amendment **complies** with review criteria 1.

2) COMPATIBLY - The proposed amendment is compatible with the surrounding area, and the goals and policies of the Plan.

The subject property is adjacent to Community Business and Urban Residential to the west and Mixed-use Commercial to the south. The proposed Mixed-use Commercial designation would be compatible with the surrounding area as it would allow for a mix of both commercial and residential which both are present in this area.

The proposed Future Land Use amendment **complies** with review criteria 2.

3) IMPACT MITIGATION - The proposed amendment will address and mitigate impacts on transportation, services, and facilities.

Transportation:

The transportation network in this area of the City is currently developed. All impacts to the transportation network will be addressed through the platting and site plan processes.

Services:

The proposed change will not have any adverse effects on the provision of services to the subject property. Service providers, such as the fire department, will be included in platting and site planning processes to assess service needs.

Facilities:

The proposed change will likely not require new facilities outside of the development area.

The proposed Future Land Use amendment **complies** with review criteria 3.

- 4) **SERVICE PROVISION** - The proposed amendment will have minimal effect on service provision, including adequacy or availability of urban facilities and services, and is compatible with existing and planned service provision

This land is within City limits and urban facilities and services are available to the subject properties.

The proposed Future Land Use amendment **complies** with review criteria 4.

- 5) **ANNEXATION** - The proposed amendment does not jeopardize the City's ability to annex the property.

The subject property is already within City limits.

The proposed Future Land Use amendment **complies** with review criteria 5.

- 6) **URBAN SERVICES AREA** - The proposed amendment is consistent with the logical expansion of the Urban Services Area.

This land is currently within the Urban Services Area and does not expand the current area.

The proposed Future Land Use amendment **complies** with review criteria 6.

- 7) **STRICT ADHERENCE** - Strict adherence to the Plan would result in a situation neither intended nor in keeping with other key elements and policies of the Plan.

Strict adherence to the Plan may result in unintended consequences. There is already a single-family home at this location and the rest of the proposed area is currently a parking lot. The current designation would not allow for the redevelopment of this corner with a mixed-use building, which will include residential units.

The proposed Future Land Use amendment **complies** with review criteria 7.

- 8) **PUBLIC WELFARE AND CONSISTENCY** – The proposed plan amendment will promote the public welfare and will be consistent with the goals and policies of PlanCheyenne and the elements thereof.

Staff is satisfied that the proposed application will not have any adverse effects on public welfare. Furthermore, the application accomplishes the following policies contained within PlanCheyenne:

- **Policy 1.1.A: Balanced Mix of Land Uses**

The Future Land Use Plan establishes a balanced mix of residential and non-residential land uses throughout the Cheyenne Area. The City and County should use the Future Land Use Plan and this Plan's policies as the main tools for guiding decisions about growth and development.

- **Policy 1.1.B. Flexibility to Market Demands:** This goal notes that the Future Land Use Plan does not predetermine all uses on individual parcels and is meant to provide flexibility. The future land use map amendment to MU-C will allow for a mix of both commercial and residential in this area of the community.
- **Policy 1.4.A. Infill Opportunities:** The future land use map amendment may facilitate infill opportunities for residential expansion. The community is currently facing a housing shortage and allowing residential in more places and providing more opportunities for residential expansion will aid in addressing the shortage.

The proposed Future Land Use amendment **complies** with review criteria 8.

CONFORMANCE WITH APPLICABLE PLANS:

No other plans are applicable for this area.

CONCLUSION:

Staff recommends a Mixed-use Commercial Land Use Category for this property because it is located at the intersection of two major streets and allows for redevelopment with a mixed-use building. A future land use amendment to Mixed-use Commercial will support future rezoning initiatives in the area that permit the development of the land with new developments that will support the adjacent neighborhoods and commercial areas. The area is not appropriate to be designated Open Space and Parks as it was not developed for park purposes and is being removed from the ownership of the owner of the rest of the nearby park.

ALTERNATIVES:

1. Approve the Resolution amending the Land Use Plan as submitted by the applicant and expanded upon by staff (**Staff Recommendation**).
2. Approve the Resolution amending the Land Use Plan subject to modifications.
3. Deny the Resolution to not amend the Land Use Plan. The Planning Commission must conclude that the project does not meet all the review criteria. As part of the motion, findings for denial must be stated.
4. Postpone the Resolution until issues identified during the meeting can be resolved.

General Information Regarding Alternatives:

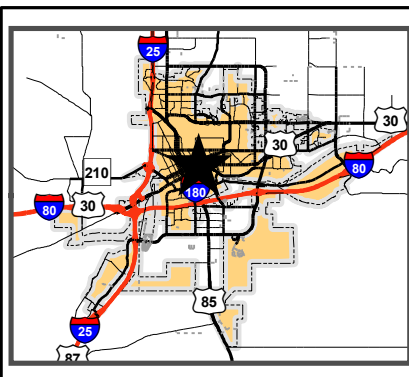
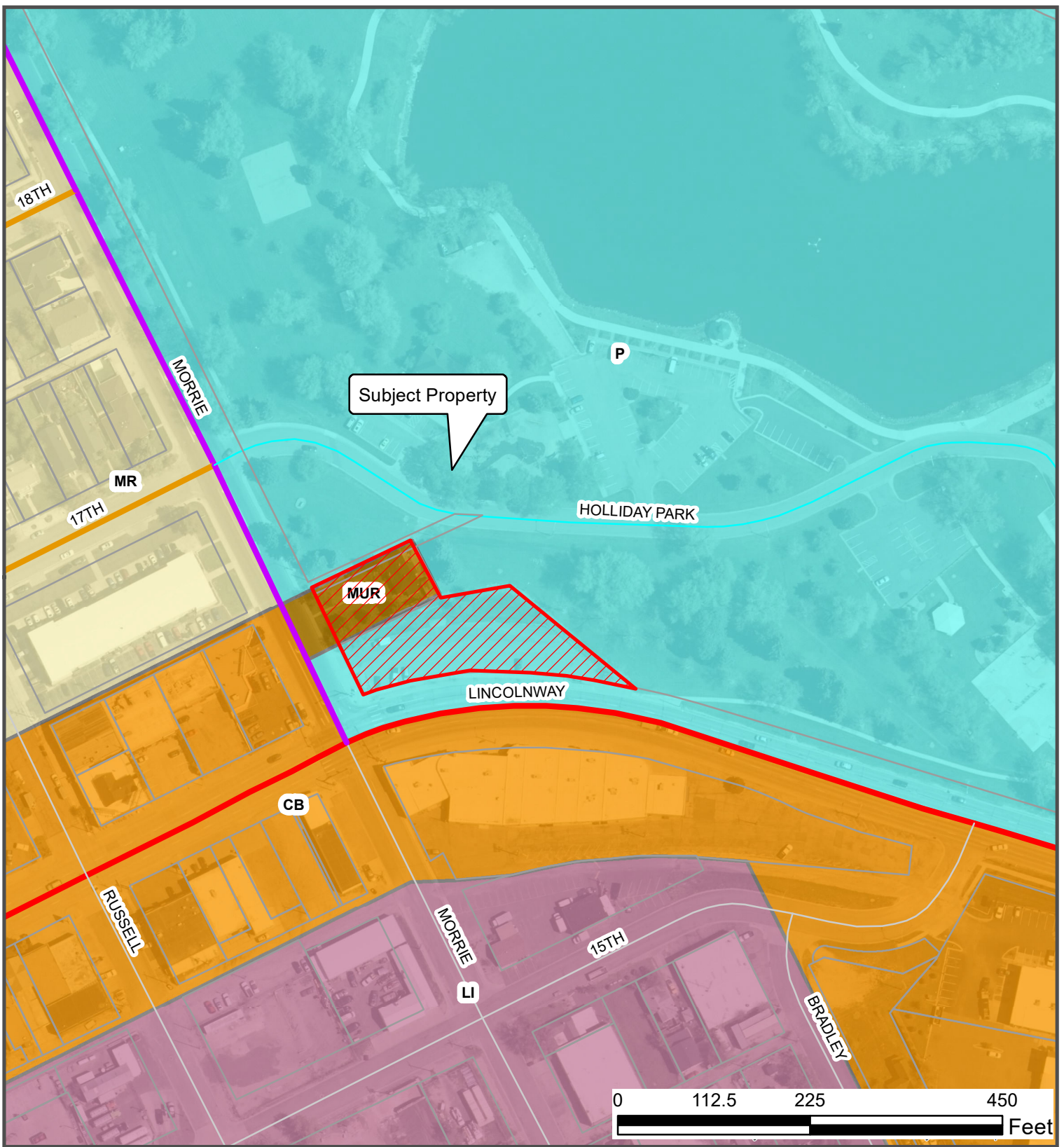
In the event that the Commission acts contrary to staff's recommendation, the Commission shall cite specific reasons (based on the review criteria) for approval or denial.

STAFF RECOMMENDATION:

Staff recommends approval of the Resolution amending the Land Use Plan for a portion of land northeast of the intersection of Morrie Avenue and E Lincolnway as shown in the applicants submitted Future Land Use map from Open Space and Parks to Mixed-use Commercial.

ATTACHMENTS:

1. Zoning Map
2. Land Use Plan Map
3. Application
4. Applicants Future Land Use Map – Area to be amended.

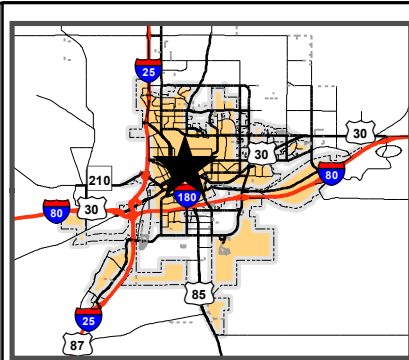
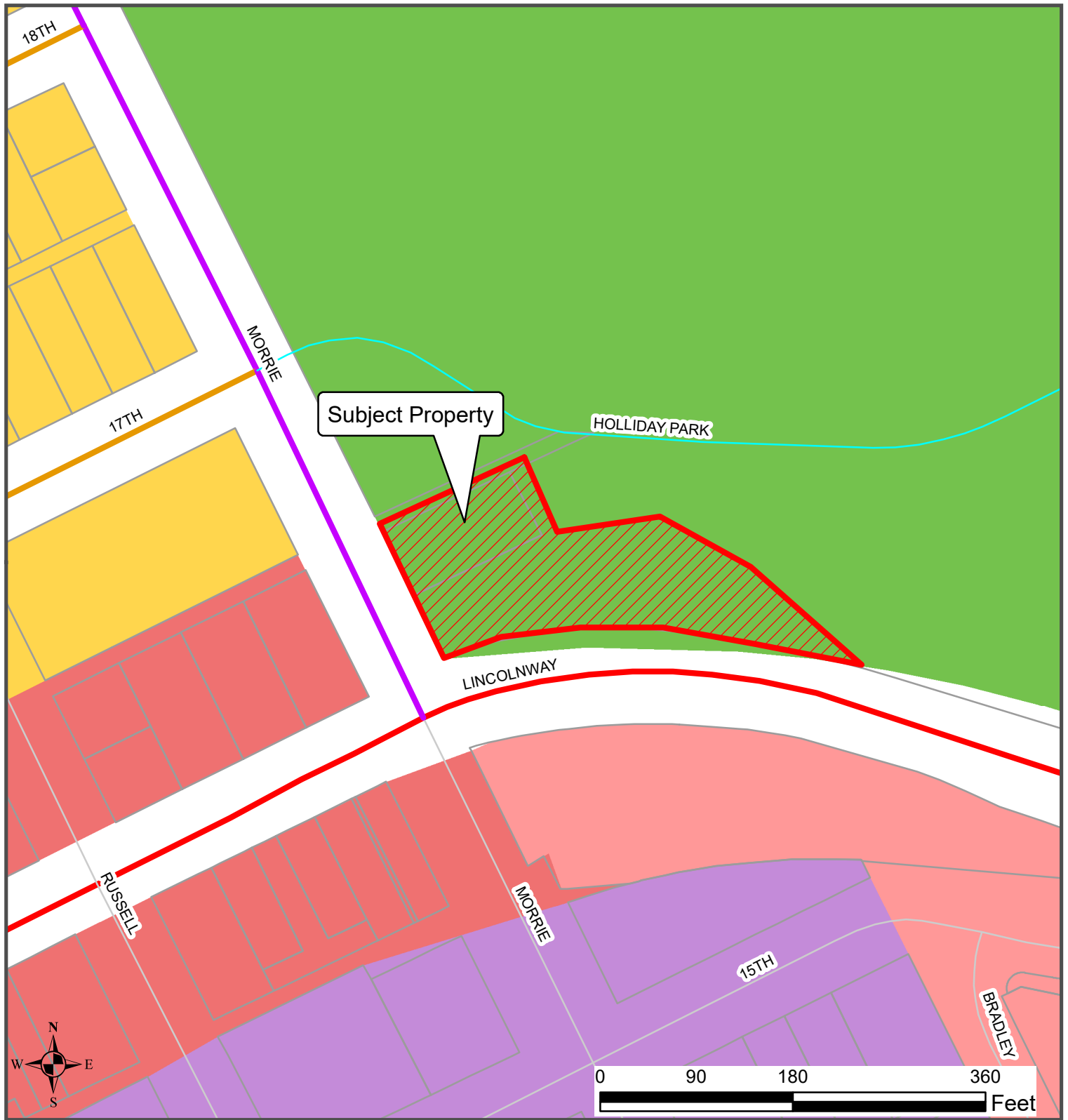


Attachment 1: Zoning Map PUDC-24-199

This map/data is made possible through the Cheyenne and Laramie County Cooperative GIS (CLCCGIS) Program and is for display purposes only. The CLCCGIS invokes its sovereign and governmental immunity in allowing access to or use of this data, makes no warranties as to the validity, and assumes no liability associated with the use or misuse of this information.

Legend

Nov19_CityLimits	A-1 / Agricultural and Rural Residential
Interstate	A-2 / Agricultural
Principal Arterial	AG / City Agricultural
Minor Arterial	MUR / Mixed Use Residential Emphasis
Major Collector	CBD / Central Business District
Minor Collector	CB / Community Business
Local	NB / Neighborhood Business
Private	MU / Mixed Use - County
Platted not built	MUB / Mixed Use Business Emphasis
HR / High Density Residential	MUE / Mixed Use Employment Emphasis
MR / Medium Density Residential	HI / Heavy Industrial
LR / Low Density Residential	LI / Light Industrial
NR-2 / Neighborhood Residential - Med. Density	P / Public
NR-3 / Neighborhood Residential - High Density	AD / Airport District
AR / Agricultural Residential	PUD / Planned Unit Development
	X / Exempt



Attachment 2: Land Use Map PUDC-24-199

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Legend

City Limits	Agricultural/Rural	Industrial
Interstate	Rural Residential	Central Business District
Principal Arterial	Urban Transition Residential	Community Business
Minor Arterial	Urban Residential	Public and Quasi-Public
Major Collector	Mixed-Use Residential	Military/Federal
Minor Collector	Mixed-Use Commercial	Open Space and Parks
Local	Mixed-Use Employment	
Private		
Platted not built		
Ownership		



PUDC-24-199

Comprehensive Plan Amendment

Status: Active

Submitted On: 10/16/2024

Primary Location

1611 MORRIE AVE
Cheyenne, WY 82001

Owner

SWAIN, BRANDON D
1611 MORRIE AVE CHEYENNE,
WY 82001

Applicant

 Brandon Swain
 307-214-9634
 bswainy23@gmail.com
 2856 Deming Blvd
Cheyenne, WY 82001

Application

This application has a deadline. The deadline is the second Wednesday of the month.
Application Schedule.

Project Name* 

Holliday Park Plaza

Is this application proposing amending the Future
Land Use Map?*

Yes

Is this application proposing amending the text of
the Plan?*

No

Review Criteria

The following review criteria are found in PlanCheyenne regarding a Comprehensive Plan amendment. Please acknowledge the proposed amendment meets each review criterion by checking the box.

1. The proposed amendment is beneficial to the community or addresses issues not foreseen during the planning process.*



2. The proposed amendment is compatible with the surrounding area, and the goals and policies of the Plan.*



3. The proposed amendment will address and mitigate impacts on transportation, services, and facilities.*



4. The proposed amendment will have minimal effect on service provision, including adequacy or availability of urban facilities and services, and is compatible with existing and planned service provision.*



5. The proposed amendment does not jeopardize the City's ability to annex the property.*



6. The proposed amendment is consistent with the logical expansion of the Urban Services Area.*



7. Strict adherence to the Plan would result in a situation neither intended nor in keeping with other key elements and policies of the Plan.*



8. The proposed plan amendment will promote the public welfare and will be consistent with the goals and policies of PlanCheyenne and the elements thereof.*



Certification

A resident of Cheyenne or the plan area of Laramie is required to submit an application for a comprehensive plan amendment.*

I, the applicant, am a resident of Cheyenne (or the plan area of Laramie County).

I hereby certify that I am the owner, applicant, or agent named herein and that I have familiarized myself with the rules and regulations with respect to the filing of this application and that the foregoing statements and answers contained on this application and accompanying documents are true and accurate to the best of my knowledge.*



Brandon D Swain

Oct 16, 2024

October 16th, 2024

Attention Cheyenne Planning and Development

As a resident of Cheyenne and owner of 1611 Morrie ave, I wish to petition the City of Cheyenne to amend the comprehensive plan land use map. More specifically, approximately 1 acre at the South West corner of Holliday Park (North East corner of Lincolnway/Morrie Ave)

Thank you

Brandon Swain

