

## Mills Planning & Zoning Board Meeting Minutes

July 11, 2024

**Board Members Present:** John Bryson, Chris Volzke, Nick Sterling, and John Gudger were present for the P&Z Meeting. Board Member Mandi Mosher was absent.

**City Staff in Attendance:** Megan Nelms, City Planner; Building Inspector Kevin O’Hearn; Sabrina Kemper, Community Development Director, and Sarah Osborn, City Clerk

Vice Chairman John Gudger called meeting to order at 5:35pm on July 11, 2024, as a quorum was present.

Vice Chairman John Gudger stated the first item on the agenda was the election of officers for the year, that they need to select a Chair and Vice-Chair. He opened the floor for motions for the election of officers for the 2024-2025 Term. Board Member Chris Volzke nominated John Gudger for Chair, stating that John has done a fantastic job filling in as Vice-Chair over the past year. Board Member John Bryson seconded the motion. The board took a vote. All ayes, motion passed.

Chairman Gudger then asked for nominations for Vice-Chair. Board Member Bryson nominated Chris Volzke for Vice-Chair. Chairman Gudger seconded the motion. Chairman Gudger called for a vote to name Chris Volzke as Vice-Chair for the term. All ayes, motion passed.

Chairman Gudger asked if everyone had read the minutes from the previous meeting from June 6, 2024. Vice-Chair Volzke made a motion to approve the minutes. Board Member John Bryson seconded the motion. Chairman Gudger called for a vote to pass the minutes of the June 6, 2024, Planning & Zoning Commission meeting. All ayes, motion passed.

Chairman Gudger asked Megan to present the 4<sup>th</sup> item on the agenda. Megan presented Case Number 24.05 FSP, the Lindberg Addition Final Plat. William “Tuna” Lindberg is proposing to subdivide approximately 8.06 acres into 2 lots, one 3.68 acres and the other 4.38 acres. The legal description is Lots 7, 8, and portions of Lots 9, 10, and 11, Block 29, Addition No. 1 to Mountain View Suburb. The location is on the north side of Yellowstone Highway, at the intersection with N. 3<sup>rd</sup> Avenue. It is zoned EI (Established Industrial) and no change of zoning is requested. There is an existing structure on Lot 8. Planning considerations included the following:

1. Provide a 5’ general utility easement on the exterior boundary of the subdivision.
  - a. There is a Black Hills Energy gas line running along the northern and eastern property boundary. Verify there is not an existing instrument number that should be referenced and shown.
2. Remove the existing features shown on the plat face (existing building, existing fence) and submit a separate site plan showing existing structures and infrastructure.
3. Remove the “lot lines to be vacated” and the to be vacated lot & block descriptions from the plat face.
4. The record owner is Tuna Lindberg Center, LLC.
  - a. Revise the signature and notary statement in the dedication to reflect the record owner name and title of William Lindberg in his capacity as signer.

- b. Provide LLC documents showing William Lindberg is authorized to sign on behalf of the LLC.
5. Revised the Certificate of Dedication to state:
  1. “The owner and proprietor hereby grant to the public and private utility companies, an easement and license to locate, construct, use and maintain conduits, lines, wires and pipes, any or all of them under, over along and across the areas delineated as utility easement as shown on this plat. All streets as shown hereon have been previously dedicated to the use of the public.”
6. Survey Reviews:
  - a. Add elevation, convergence angle and combined factor to at least the POB coordinates.
  - b. Add APC to an additional corner. It is preferred to have two SPC’s on two of the parcel corners.
  - c. Add the record distances where applicable; there appear to be five (R) distances missing.
  - d. Correct the street names on the vicinity map
    - i. Should be N. 3rd Ave. on the west and N. 2nd Ave. on the east side and N. 4th Ave instead of 5th.
    - ii. Remove the W. directional on the Lafayette and Cleveland St. labels.
7. Cosmetic changes to the plat:
  - a. Remove the zoning designation from the NOTES on the plat face.
  - b. Label the adjacent subdivision similar to the others (Lot 15, Block 29, Mountain View Suburb).
4. Mountain View Suburb).

With these considerations, staff recommends approval.

Board Member Bryson made the staff aware of a typo in the report. The applicant is proposing to combine 4 lots into 1 lot equaling .48 acres in size. Megan confirmed. Chairman Gudger asked about the easement that needed to be corrected. Megan replied that when it was sent out for reviews to outside development reviewers, which included all utilities, Black Hills identified that there was a 2” gas line that runs along the northern boundary and the eastern boundary of the property. That will be included in the approval of the plat. Megan has received a revised plat that shows it. Staff doesn’t see any issues with approving this application. Board Member Bryson requested that all up-to-date information is provided prior to meetings. Chairman Gudger asked if anyone would like to speak in favor of the application. He also asked if anyone objected to the application. No one spoke. Gudger asked for a motion to approve the application. Board Member Bryson made a motion to approve the application, Board Member Nick Sterling seconded the motion. Chairman Gudger called for a vote. All ayes, motion passed.

Chairman Gudger asked Megan to present the 5<sup>th</sup> item on the agenda. Megan presented Case Number 25.05 FSP, the Vision Beyond Borders Addition Final Plat. Jacob Henry is proposing to resubdivide approximately 1.34 acres, currently platted as 9 existing lots, into 3 larger lots. His agent is Steven Granger with ECS Engineers. The legal description is Portions of Lots 1-4 and all

of Lots 11-15, Block 47, Mountain View Suburb. The property is located on the east side of Yellowstone Highway, at the intersection with Radio Road. It is currently zoned EB (Established Business) and no zoning changes have been requested. There are existing structures on proposed lots 1 & 2. Planning considerations include:

1. Add a shared access easement at the property line for Lots 1 & 2 for the shared approach off Hwy 20/26.
  - i. No additional approaches will be permitted by WYDOT onto HWY 20/26
  - ii. Any modifications to the existing approach shall be permitted through WYDOT
2. Remove the existing features shown on the plat face (existing building, existing infrastructure lines) and submit a separate site plan showing existing structures and infrastructure.
3. Provide documentation showing Jacob Henry is authorized to sign on behalf of Vision Beyond Borders.
4. Survey Reviews:
  - a. The legal description for this plat has been incorrect going back to at least 2001.
5. It should technically be "Portions of Lots 1-4 and all of Lots 11-15, Block 47, Mountain View Suburb". Revise legal descriptions accordingly.
  - c. Add 'VARIES' in front of the 90' width label on the Hwy 20/26 ROW
  - d. The call of S85°53'40"E, 8.16' is a curve per the original plat and Walters Addition.
  - e. Add the statement "All streets as shown hereon have been previously dedicated to the use of the public" to the end of the Certificate of Dedication.
  - f. Add GRID distances to the notes
  - g. Remove Note 6 – it is inaccurate.
5. Cosmetic changes to the plat:
  - a. The plat can be titled as a Final Plat not Preliminary Plat
  - b. In the Certificate of Dedication, last paragraph, line 2, the legal description says Mountain WEST Suburb instead of Mountain View.

With these considerations, staff recommends approval.

Vice-Chair Volzke asked Megan about the shared access. She confirmed that the parcels do share an access off Yellowstone Highway and detailed the access points for each structure. She stated that there was no indication that an additional access point is needed at this time, though it may be reviewed in the future. It was noted that there is an access point from Radio Road to Lot 3. Chairman Gudger asked if there was access off of Natrona. Megan replied that while Natrona is a platted street, access from it is not feasible as it is very steep at that point.

Chairman Gudger asked if anyone would like to speak in favor of the application.

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Jacob Henry (applicant) approached the lectern. He said he could answer any questions. He informed the board that they do not have any intent to access the property off Natrona. In the future, they would potentially want to access from Radio. He continued by telling the board that their intentions are to build a warehouse on Lot 3 in for a nonprofit ministry. They do Bible distribution and humanitarian aid so they will need a warehouse with accessibility with a loading dock for truck. They do not have any intention of selling the property in the near future. They are currently leasing out Lot 2 and want to make sure they have adequate access, and they don't feel crowded out.

Chairman Gudger then asked if anyone objected to the application. There were no comments. He then asked for a motion.

Vice-Chair Volzke made a motion to approve the application, Board Member Sterling seconded the motion. Chairman Gudger called for a vote. All ayes, motion passed.

Chairman Gudger opened the floor for open discussion.

Megan discussed the training workshop that was going to be held in the conference room. The Board then moved to the conference room for board member training provided by Megan and WYOPASS.

The meeting and training were adjourned at 6:54 pm.

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John Gudger, Chairman

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Attest: Sarah Osborn, City Clerk