



# Mills Planning & Zoning Board Meeting Minutes

June 6, 2024

**Board Members Present:** Mandi Mosher, Chris Volzke, Dale Smith, and John Gudger were present for the P&Z Meeting.

**City Staff in Attendance:** Megan Nelms, City Planner, Building Inspector Kevin O’Hearn and Sarah Osborn, City Clerk

Vice Chairman John Gudger called meeting to order at 5:30pm on June 6, 2024, as a quorum was present.

Vice Chairman Gudger asked if everyone had read the minutes from the previous meeting on May 2nd. Board Member Chris Volzke made a motion to approve the minutes. Board Member Mandi Mosher seconded the motion. Vice Chairman Gudger called for a vote to pass the minutes of the May 2nd, 2024, P&Z meeting. All ayes, motion passed.

Vice Chairman Gudger asked Megan to present the first agenda item. Megan discussed Case Number 24.04 FSP Sullivan No 2 Edition. The applicant is Joseph Sullivan and his agent is Paul Svenson with WLC Engineering. Mr. Sullivan is proposing to subdivide approximately 1.91 acres into two lots 0.95 acres in size and 0.96 acres. This is the subdivision of Lots 1 & 2, Block 19 Mountain View Suburb. There is an existing shop building on proposed Lot 2. Planning considerations include:

- 1) each proposed lot will need to have its own water/sewer service. Old/additional service shall be abandoned.
- 2) Cosmetic changed to the plat include: Remove the existing building shown on lot 2, gray out the labels of adjacent parcels and subdivision labels.
- 3) Survey reviews, Verify the sectional designation in the first paragraph of the Dedication with the designation listed in the plate title.

Staff recommends approval and that the Planning Commission make a “do pass” recommendation on the final plat application.

Board Member Volzke stated everything looks straight forward and that he doesn’t have any questions. Board Member Mosher concurred and didn’t have any questions.

Joey Sullivan, the applicant, approached the lectern and had questions regarding the note about the water and sewer caps. Megan asked if he knew of any out there. Joey responded he knows of 2 water taps but doesn’t believe they have ever been turned on. He stated he has dealt with Casey in Public Works and both taps were found. Megan stated if Joey has already consulted with Public Works and they are good with everything, then that planning consideration is taken care of.

Vice Chairman Gudger asked if there were any other questions or discussion. There was none. He then called for a motion. Board Member Mosher made a motion to approve the project. Chris seconded the motion. Vice Chairman Gudger called for a vote to approve Sullivan No 2 Addition final plat. All ayes, motion passed.

Megan stated she would put it on the June 25 agenda for City Council.

Vice Chairman Gudger asked Megan to present the second agenda item. Megan discussed Case Number 24.01 SKC Big D Fuel Station Commercial Site Plan. The applicant is 2 R Investments, LLC, the Agent is Justin Stearns with WLC Engineering & Surveying. The applicant is proposing to locate a commercial gas station/convenience store on the property. It will include a fueling island and a parking lot. It is proposed to be located on Lot 1, of the 257 Business Park. This is located on the southeast corner of Highways 20/26 and 257 West Belt loop. Current zoning is EI, Established Industrial and a service station is permitted in that district. The following planning considerations were noted:

- 1) Provide final, City Engineer approved design plan for:
  - a) Sewer Service,
  - b) Road design plans and installation timeline,
  - c) Site Drainage plan.
- 2) Discuss timeline of infrastructure installation.
- 3) Submit an approved Access Application from WYDOT for the approach onto HWY 20/26,
  - a) The application should clearly indicate the removal of existing accesses as previously agreed on with the subdivision approval.
  - b) Provide an exhibit of proposed typical section with the access application.
  - C) No WYDOT review is required for the approach to HWY 257 as long as no modifications are made to the actual approach.
- 4) A waiver is required to allow for more than 60% of landscaping being inorganic material (xeriscaping).
- 5) A new address will be assigned after approval of the site plan.
- 6) Obtain all required building permits for
  - a) All site lighting,
  - b) All on premise signage.

Staff recommends approval and that the Planning Commission make a “do pass” recommendation on the final plat application.

Board Member Mosher inquired about the landscaping waiver and asked if there were any specificity in regard to the inorganic materials. Megan responded that based on the site plan it is no plant material. Justin Stearns from WLC clarified that it will be a rock mulch along 257 and along HWY 20/26. Mandi asked if that would be all the landscaping. Justin replied that yes, it would be all the landscaping. He said the main reason is along 20/26, it is really full of dry utilities. He doesn’t feel that plantings there would be beneficial. There are a lot of utilities they would have to work around. Vice Chairman Gudger agreed with Justin and said there are 2 major highways with easement and he knows it’s been a previous issue when subdividing that parcel. He asked if the drainage pond or detention pond would still be on the corner. Justin confirmed that yes that was the plan for now. He noted the detention pond would just be for drainage on this parcel.

Board Member Volzke asked if there was a reason they were looking at only mulch and rock. Justin responded that they were concerned with the irrigation, pipelines, and all the existing utilities. Chris also asked for clarification on the perimeter road and access to the parcel. Megan responded that the engineers are working with the developers right now on the WYDOT approach permits, infrastructure

plans and the sewer easements. There was general discussion about access and whether the Big D site would be concrete or asphalt. Chris mentioned the possibility of people turning into this lot and cutting the corner to avoid the traffic signal. He was concerned if the road is not completed it will be considered unsafe. Megan stated that the WYDOT approach will also need to be completed for 20/26. The developer and WYDOT are currently working through their site plan. Justin clarified that there will only be one access off of 20/26, they will remove the other 2-3 accesses.

Board Member Volzke questioned the drainage plan and what will happen to all the site water. At this time Justin did not have an answer for the adjacent lots. He said there is a valley pan along the east access, it is directed to pipes down by 20/26. The pond is not going to be large enough to handle the whole development. Chairman Gudger informed Megan that there will need to be a drainage plan submitted. Megan confirmed that they are working on it.

Mandi personally approved the waiver for the landscaping. Chairman Gudger sees it as something that is reasonable. Chris disagrees and said they should give more thought to the smaller area closer to the building. Chairman Gudger agrees with the waiver due to the size of the lot.

Vice Chairman Gudger asked if there was any further discussion or questions. There were none. He then asked for a motion. Mandi motioned to approve the commercial site plan, including a waiver to the landscaping regulations to allow for more than 60% inorganic landscaping materials. Chris seconded the approval. All ayes, motion passed.

The final agenda item was the proposed amendments to Title 17. Vice Chairman Gudger updated the commission about his discussion with City Council. He gave Mandi and Chris the information he shared with City Council. One of the issues Chairman Gudger has is in the zoning regulations where it talks about lighting standards within a certain amount of distance from residential zones. He wanted to provide a real-life example of where lighting affected a neighboring property. He explained that the Council felt additional regulations within 500' was too much. He then provided information on the handout he provided to council. He noted that he doesn't want to create onerous restrictions but reasonable expectations. In the end, he said the Council agreed on 150'.

He had also proposed to the Council that projects that meet the 150' criteria also have to submit a photometric lighting plan. Council disagreed with requiring a photometric lighting plan. Vice Chairman Gudger said that the issue with lighting in his neighborhood was resolved and lights are now shielded and that was most important to him. Megan added that anything adjacent to residential now has extra standards, which she feels will warrant extra review by staff.

Vice Chairman Gudger the asked if there were any changes in Title 17 regarding notifications for residents adjacent to anything not zoned residential. Megan informed Vice Chairman Gudger that notifications on subdivisions for special reviews or conditional use permits were added. Gudger's main concern is for the residents next to industrial. He gave an example of the 3 warehouse adjacent from his home. He said it negatively affected the property value. He wants to make sure that we give residential property owners the opportunity to review any kind of significant commercial or industrial project

within 300' of the project.

Kevin informed Gudger that we give notice to residents within 300'. They would have to get 50% of the land owner's signatures for the site plan review. Megan clarified that the regulations have been updated and for a rezone, the notification distance is now 1000' and the neighboring property owner signatures requirements has been removed. Megan stated that it is a tough balance, but if someone purchases a property, they should be aware of the surrounding land uses and zoning. Vice Chairman Gudger proposed that notice needs to be provided to all residential properties adjacent to industrial zoning when a project is proposed. He doesn't want to restrict property owners, just wants the developers to be respectful to the residents. He wanted to clarify that there will be buffers between residential and industrial property owners. Megan told the board that industrial and residential can no longer go next to each other. Gudger asked what the setback for an industrial building adjacent to a residential is. Megan read the new setback, increased from 5' to 15' when adjacent to residential. Vice Chairman Gudger recommended it to be increased to 20'.

Megan explained that the new regulations to be adopted work to mitigate those impacts of having incompatible uses next to each other. We have changed setbacks, added buffering, and added landscaping requirements. Vice Chairman Gudger stated that he still has concerns about the notifications for developments next to residential. Chris reflected on what Chairman Gudger was saying and added that going forward we should have notice for any development plan in industrial going in adjacent to residential. Megan said we could have notification for properties adjacent to residential. Gudger confirmed with Megan that all landscaping will have a buffer. Vice Chairman Gudger requested to add a notification requirement to all residential property adjacent to a property zoned industrial with a proposed Development Plan. Board Member Volzke concurred. Megan stated she would put it under site plans and development plan reviews, will provide residential properties adjacent to the parcel for development. Mandi asked about the timeline for the notifications. Megan stated it would be subject to the other required notification periods in the regulations, which is 14 days.

Vice Chairman Gudger then asked if there was any further discussion or comments on the proposed amended Title 17. John Bryson approached the Commission. Kevin introduced him, stating he would be joining the commission in July. John Bryson who is replacing Dale or Leon.

Mr. Bryson had questions on buffering and landscaping. He stated that he agrees that many plantings and irrigation lines would be tough to put along the highway on the Big D site plan. However, he feels this area is an entrance to our community and he feels it needs to be beautified and look better. \He disagrees with the board voting to approve the landscaping waiver.

Kevin said that he agreed with John Bryson and thinks that something should be there. There is a detention pond there, so water is in that location. There was general discussion about landscaping requirements. The Commission thanked John for his comments.

Chris made a motion to untable the Title 17 Code, Mandi seconded the motion. All ayes, motion passed.



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Vice Chairman Gudger then asked for a motion on the amended Title 17. Chris made a motion recommend approval of the amended Title 17, including adding a notification requirement for all Development Plans directly adjacent to residential lots. Chairman Gudger seconded the motion. All ayes, motion passed.

The meeting was adjourned at 6:36pm.

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John Gudger, Vice Chairman

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Attest: Sarah Osborn, City Clerk