

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, October 22, 2013

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, October 22, 2013 at 12:00 PM

Present: Rick Brasher, Chairperson; Justin Lundvall, Vice Chairperson; Justin Ness; Bud McDonald; Mark Musser; Bob Senitte; Steve Miller, Council Liaison; Sandra Kitchen, Deputy City Attorney; Todd Stowell, City Planner; Jolene Osborne, Engineering Administrative Assistant;

Excused Absence: Kim Borer;

Chairperson Rick Brasher called the meeting to order at 12: 01PM, followed by the pledge of allegiance.

Bud McDonald made a motion seconded by Justin Lundvall to approve the agenda. Vote on the motion was unanimous, motion carried.

Justin Lundvall made a motion seconded by Mark Musser to approve the minutes of the October 8, 2013 regular meeting. Vote on the motion was unanimous, motion carried.

PRESENTATION OF COMMUNICATIONS:

Todd Stowell presented the staff report outlining the proposal by Paul Leroux for the construction of the Yankee Car Wash building to be located at 620 Yellowstone Avenue.

Bryan Edwards, Holm, Blough, and Co., and Paul Leroux answered questions from the board regarding the sidewalk extension, the automatic sprinkler system, and the WYDOT storm drainage application. Discussion ensued regarding the sidewalk extension.

Justin Ness made a motion seconded by Bob Senitte to approve the site plan application submitted by Paul Leroux of Leroux, Inc. for the construction of the Yankee Car Wash building to be located at 620 Yellowstone Avenue with the following conditions:

1. Provide an updated site plan that contains all information missing as noted in the staff report pertaining to utilities, irrigation, sidewalk extension, the PRV vault and valves, and dumpster location, and any modifications necessary to reflect the WYDOT encroachment permit. The updated site plan may be reviewed and approved by the City engineer and City planner, provided no additional modifications other than those required are made. A final site plan must be approved prior to issuance of any permits.
2. Only Option 1 for the storm water disposal is authorized by the city. If WYDOT does not grant a permit for Option 1 the applicant shall present a new plan for review and approval by the Board.
3. That a 5-foot sidewalk be constructed along the developed frontage prior to issuance of a certificate of occupancy and the developer agree to enter into an improvement district for the completion of the sidewalk to the east if neighboring properties construct adjoining sidewalks in the future.
4. That the vegetation in the landscaped area be provided with an automatic watering system.

5. That the project otherwise comply with the site plan and applicable building, fire, and electrical codes.
6. That all necessary encroachment permits be obtained from WYODT prior to work within the state right-of-way.
7. That the stormwater facilities be inspected and certified by the applicant's engineer that they were completed according to approved plans, prior to issuance of a certificate of occupancy.

Justin Lundvall, Bud McDonald, and Mark Musser opposed the motion. Rick Brasher, Justin Ness, and Bob Senitte were in favor of the motion. Motion failed.

Justin Lundvall made a motion to approve the site plan application submitted by Paul Leroux of Leroux, Inc. for the construction of the Yankee Car Wash building to be located at 620 Yellowstone Avenue with the following conditions:

1. Provide an updated site plan that contains all information missing as noted in the staff report pertaining to utilities, irrigation, sidewalk extension, the PRV vault and valves, and dumpster location, and any modifications necessary to reflect the WYDOT encroachment permit. The updated site plan may be reviewed and approved by the City engineer and City planner, provided no additional modifications other than those required are made. A final site plan must be approved prior to issuance of any permits.
2. Only Option 1 for the storm water disposal is authorized by the city. If WYDOT does not grant a permit for Option 1 the applicant shall present a new plan for review and approval by the Board.
3. That a 5-foot sidewalk be constructed along the developed frontage prior to issuance of a certificate of occupancy and the developer agree to enter into an improvement district if one is established in the future.
4. That the vegetation in the landscaped area is suggested to be provided with an automatic watering system.
5. That the project otherwise comply with the site plan and applicable building, fire, and electrical codes.
6. That all necessary encroachment permits be obtained from WYODT prior to work within the state right-of-way.
7. That the stormwater facilities be inspected and certified by the applicant's engineer that they were completed according to approved plans, prior to issuance of a certificate of occupancy.

Motion died for lack of a second.

Justin Lundvall made a motion seconded by Bud McDonald to approve the site plan application submitted by Paul Leroux of Leroux, Inc. for the construction of the Yankee Car Wash building to be located at 620 Yellowstone Avenue with the following conditions:

1. Provide an updated site plan that contains all information missing as noted in the staff report pertaining to utilities, irrigation, sidewalk extension, the PRV vault and valves, and dumpster location, and any modifications necessary to reflect the WYDOT encroachment permit. The updated site plan may be reviewed and approved by the City engineer and City planner, provided no additional modifications other than those required are made. A final site plan must be approved prior to issuance of any permits.
2. Only Option 1 for the storm water disposal is authorized by the city. If WYDOT does not grant a permit for Option 1 the applicant shall present a new plan for review and approval by the Board.

3. That a 5-foot sidewalk be constructed along the developed frontage prior to issuance of a certificate of occupancy.
4. That the vegetation in the landscaped area is suggested to be provided with an automatic watering system.
5. That the project otherwise comply with the site plan and applicable building, fire, and electrical codes.
6. That all necessary encroachment permits be obtained from WYODT prior to work within the state right-of-way.
7. That the stormwater facilities be inspected and certified by the applicant's engineer that they were completed according to approved plans, prior to issuance of a certificate of occupancy.

Vote on the motion was unanimous, motion carried.

Jolene Osborne presented the approved sign for Charter Communications at 2432 Sheridan Avenue.

Mark Musser made a motion seconded by Bud McDonald to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairperson Rick Brasher adjourned the meeting at 12:40 PM.

Jolene Y. Osborne
Engineering Administrative Assistant