

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, March 24, 2015

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, March 24, 2015 at 12:00 PM

Present: Justin Lundvall-Chairperson; Justin Ness; Reese Graham; Curt Dansie; Buzzy Hassrick; Brad Payne; Steve Miller-Council Liaison; Sandra Kitchen, Deputy City Attorney; Todd Stowell, City Planner; Lynn Stutzman, Engineering Administrative Assistant.

Absent: Mark Musser

Chairperson Justin Lundvall called the meeting to order at 12:00 PM, followed by the pledge of allegiance.

Justin Ness made a motion, seconded by Buzzy Hassrick, to approve the agenda. Vote on the motion was unanimous, motion carried.

Buzzy Hassrick made a motion, seconded by Curt Dansie, to approve the minutes for the March 10, 2015. Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

Todd Stowell presented the staff report for the Fence Height Request of the eight-foot tall fence in the rear yard located at 1037 Red Butte Avenue.

Justin Ness made a motion, seconded by Brad Payne, to approve the Fence Height Request of the eight-foot tall fence in the rear yard located at 1037 Red Butte Avenue and to obtain approval from the adjacent neighbor to allow the fence overhang onto their property. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for the revised entry gate and landscaping plan for FedEx Ground located at 701 33rd Street. David Hull from Ruedebusch Development provided a current drawing showing the landscaping changes and discussed the proposed gate.

Brad Payne made a motion, seconded by Buzzy Hassrick, to approve the revised entry gate and landscaping plan for FedEx Ground located at 701 33rd Street. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for the Site Plan Review of the Ed Higbie storage units located at 2413 G Avenue.

Justin Ness made a motion, seconded by Curt Dansie, to approve the Site Plan Review for the storage units located at 2413 G Avenue subject to following conditions:

1. Prior to occupancy, the installation of the storm water management system will need to be inspected and certified in writing by the applicant's engineer that it was built as designed, and with the storm water from Buildings 3, 6, and 7 captured and/or piped such that it does not drain onto adjacent properties. The City engineer is authorized to permit changes to the drainage plans.
2. The grate, curb, etc. at the west approach must be reconstructed to provide a driveway cut or rolled curb.
3. All gates must be provided with a way to open them from the inside and outside of the facility. Furthermore, the gates must be provided with a Knox box, override key, or other method, as approved by the fire marshal, to provide emergency vehicle access on demand.
4. The driveways must be graveled and of sufficient base to provide an all-weather driving surface.
5. Lighting may not be overly excessive or cause any glare issue for neighboring properties. The lighting is to be reviewed by staff in conjunction with the building permit(s).
6. The buildings must be located such that any eaves and gutters do not overhang the easements.
7. If electrical service is to be provided, the applicant shall pay for half the cost of the transformer at the southeast corner of the property.
8. Phasing of the project may occur, with improvements associated with each phase completed prior to issuance of a certificate of occupancy for the building(s) in that phase. The project must otherwise comply with the submitted site plan, project description, and applicable building, fire, and electrical codes.

Vote on the motion was unanimous, motion carried.

Todd presented a brief overview for the Special Exemption to waive the buffer requirement for DJ Properties for a Professional Office/Medical Building at 2910 Big Horn Ave. The Public Hearing was opened and closed at 12:21 p.m. No comments were heard.

Todd Stowell presented the staff report for the Special Exemption and Site Plan Review for DJ Properties for a Professional Office/Medical Building at 2910 Big Horn Avenue.

Justin Ness made a motion, seconded by Buzzy Hassrick, to approve the Special Exemption and Site Plan for DJ Properties at 2910 Big Horn Avenue with the following conditions:

Special Exemption:

- a. The special exemption will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. There is no undesirable change.
- b. The special exemption is designed to be compatible with adjacent land uses and the area or neighborhood. The granting of the Special Exemption and the school building being located 600 feet away, this use is compatible with adjacent land uses.
- c. The special exemption is the minimum deviation from the specifications of the zoning ordinance necessary and adequate for the proposed activity, structure or use. A buffer could physically be provided and not affect the building size. However, it would reduce the parking area to the minimum dimensions, and/or reduce landscaping along Big Horn Avenue.
- d. The benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue other than a special exemption. No other options have been identified.
- e. Adequate services and infrastructure are or will be available to serve the proposed activity, structure or use. The waiver of the buffer requirement does not affect the ability to provide adequate services and infrastructure, as depicted on the site plan.
- f. The special exemption is consistent with the goals, policies and future land use map of the master plan. The future land use map designation for the school property is "Civic", not residential. Therefore, it is speculated that if the school property is placed in the yet-to-be created Civic zone, then any buffer requirement would be minimal, if even applicable.

Site Plan:

1. Provide verification that the well and septic tank have been abandoned in accordance with applicable requirements.
2. Pay applicable city utility fees prior to building permit issuance.
3. Provide the reduced pressure principle backflow preventer (RPZ) valve for the water service line.
4. Provide a method of irrigation for the landscaping.
5. The drainage facilities must 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.
6. The project must otherwise comply with the site plan and applicable building, fire, and electrical codes.
7. 6' tall trees as a minimum.

Vote on the motion was unanimous, motion carried.

Todd presented the Amended Subdivision Ordinance by amending provisions for Boundary Line Adjustments and adopting provisions for Lot Consolidations, Chapter 11-6. The Public Hearing was opened and closed at 12:39 p.m. No comments were heard.

Buzzy Hassrick made a motion, seconded by Reese Graham, to approve the Amended Subdivision Ordinance by amending provisions for Boundary Line Adjustments and adopting provisions for Lot Consolidations, Chapter 11-6 . Vote on the motion was unanimous, motion carried.

Todd Stowell presented a draft Entry Corridor Overlay District (Landscaping Ordinance) for discussion. Buzzy Hassrick made a motion to remove this item from the table for discussion. Motion died for lack of a second.

Approved Signs by Staff: None

P&Z Board Matters: The P&Z Board directed Todd Stowell to schedule a workshop between Council and Planning and Zoning for the discussion and editing of the Entry Corridor Overlay District (Landscaping Ordinance).

Council Update: None

Staff Items: None

Reese Graham made a motion, seconded by Justin Ness, to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairperson Lundvall adjourned the meeting at 12:59 PM.

Lynn Stutzman
Engineering Administrative Assistant