

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, February 23, 2016

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, February 23, 2016 at 12:00 PM

Present: Justin Ness-Chairman; Brad Payne; Buzzy Hassrick; Curt Dansie; Heidi Rasmussen; Richard Jones; Sandee Kitchen, Assistant City Attorney; Steve Miller, Council Liaison; Todd Stowell, City Planner; Lynn Stutzman, Engineering Administrative Assistant.

Absent: Reese Graham

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

Brad Payne made a motion, seconded by Richard Jones, to approve the agenda. Vote on the motion was unanimous, motion carried.

Curt Dansie arrived at 12:03 p.m.

Buzzy Hassrick made a motion, seconded by Heidi Rasmussen, to approve the minutes for the February 9, 2016 meeting. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the Sign Review for the White Lotus Salon located at 1414 Sheridan Avenue.

Richard Jones made a motion, seconded by Buzzy Hassrick, to approve the Sign Review for the White Lotus Salon located at 1414 Sheridan Avenue. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the Site Plan Review for the Solid Waste Transfer Building for Two Tough Guys at 71 Road 2AB. Otto Goldbach answered questions from the Planning and Zoning Board.

Brad Payne made a motion, seconded by Heidi Rasmussen, to approve the Site Plan Review for the Solid Waste Transfer Building for Two Tough Guys at 71 Road 2AB with the following conditions:

1. Provide a plan for retaining storm water from the project. The plan may be a default option of the storm water policy manual, a berm in the southeast corner of the property, or a custom engineered design. The plan must be reviewed by the Public Works Director. The storm water retention facilities must be installed prior to occupancy of the building.
2. That at least 1 tree, with groundcover, be installed along the property frontage in conjunction with this project.
3. Any exterior lighting must be of a down-lit style.
4. Any new outdoor scrap or junk piles associated with the new building must be screened from Road 2AB by a view obscuring fence or equivalent (e.g. containers), or alternatively the materials can be placed in containers.

5. That the project must otherwise comply with the submitted site plan and applicable building, fire, and electrical codes. A building permit application is required for the building and a fence permit is needed for the new fence.

Vote on the motion was unanimous, motion carried.

Todd Stowell presented the Sign Review for the Yellowstone Gift Shop at 1237 Sheridan Avenue.

Brad Payne made a motion, seconded by Heidi Rasmussen, to approve the Sign Review for the Yellowstone Gift Shop located at 1237 Sheridan Avenue. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the Site Plan Review for the Mini Storage Building for Bill Wenke at 2206 Sheridan Avenue. Bill Wenke answered questions from the Planning and Zoning Board.

Brad Payne made a motion, seconded by Buzzy Hassrick, to approve the Site Plan Review for the Mini Storage Building for Bill Wenke at 2206 Sheridan Avenue with the following conditions:

1. That the drainage plan is modified so that all infiltration trenches are at least twelve feet from the west property line.
2. Clean up the landscape area next to Sheridan Avenue, west of the entrance.
3. Prior to a certificate of occupancy, the applicant's engineer must provide a certification that the storm water facilities have been constructed as designed.
4. That the project otherwise comply with the submitted site plan and applicable building, fire, and electrical codes.

Vote on the motion was unanimous, motion carried.

Chairman Ness opened the public hearing at 12:33 p.m. for the Special Exemption for the Cedar Mountain Subdivision lot sizes:

1. Heather Beardall stated the subdivision is too dense; what will be the parking situation for the subdivision; prefers single family homes as she feels duplexes will decrease the property values for existing single family homes.
2. Joe Porter provided comments for the south property owned by Wayne Miller who is in support of 16-lots; requests the existing fence remain on the southern border; the developer should be able to use the alley for rear entry garages.

Chairman Ness closed the public hearing at 12:41 p.m.

Todd Stowell presented the Preliminary Plat and Special Exemption for the Cedar Mountain Subdivision, a 16-lot subdivision west of 12th Street and 150 feet south of Elm Avenue. Joe DesJardin, PE, the developer's engineer, answered questions from the Planning and Zoning Board.

Heidi Rasmussen made a motion, seconded by Buzzy Hassrick, to approve the Special Exemption for Cedar Mountain Subdivision, a 16-lot subdivision west of 12th Street and 150 feet south of Elm Avenue with the following conditions:

1. That proper notice of the special exemption public hearing was provided by advertising in the Cody Enterprise and by certified mail to all property owners within 140 feet at least ten days before the hearing.
2. That the Planning and Zoning Board may grant special exemptions that are reasonable and harmless deviations from the zoning ordinance as determined by the standards outlined in Section 10-14-2, City of Cody Code.
3. That the Planning and Zoning Board has held a public hearing as required and has considered all comments pertaining to the request; and,
4. That the points identified in the staff report and at the Board meeting are adequate to set forth the reasoning why the criteria of 10-14-2(B)(2) are met.
5. That the reduced lot sizes, as shown on the preliminary plat (subject to minimal modification to accommodate engineering design issues) are approved.

Vote on the motion was unanimous, motion carried.

Brad Payne made a motion, seconded by Curt Dansie, to recommend that the City Council approve the Preliminary Plat for the Cedar Mountain Subdivision, a 16-lot subdivision west of 12th Street and 150 feet south of Elm Avenue, with the following variances and conditions:

1. Variance to permit a 100-foot street centerline radius as proposed.
2. Variance to permit less than 50 feet of frontage on Lots 7, 8, 9, 10 and 11.
3. Cash in lieu of public use areas shall be provided. Final calculations will be made at time of final plat submittal and payment due prior to the mayor signing the final plat (2015 value= \$15,121.87).
4. A maintenance agreement and/or homeowner's association shall be established for maintenance of the storm water basin and pipe. The legal documents shall be submitted for review and approval with the final plat application. Also include an explanatory note referencing such on the final plat.
5. The storm water basin shall be lined with decorative rock/cobble or grass.
6. If not all of Tract A is accepted by City, the remaining portion of Tract A shall be deeded to either a homeowner's association or as common ownership of the lot owners and a maintenance agreement established—it could be the same agreement as the one for the storm water basin. The document(s) shall be recorded at the time of the final plat.
7. Add a note to the preliminary and final plats that limits lot use to single-family residential (attached or detached).
8. Negotiate an encroachment license with the City to cover the situation of the fence within the dedicated alley.
9. Lot size and alley configuration may be slightly modified based on engineering design, without the need to formally amend the preliminary plat. If modifications are made, an updated preliminary plat drawing shall be presented for acceptance with the final plat.

10. Provide dust control during subdivision development as needed to prevent dust impacts to neighboring properties.
11. Provide a complete drainage report with the construction documents.
12. Note the special exemption approval on the final plat.
13. The final plat application and construction documents shall otherwise comply with the City subdivision ordinance.

Vote on the motion was unanimous, motion carried.

Approved Signs by Staff: Sunset Inn, 1601 8th Street

P&Z Board Matters: None.

Council Update: None.

Staff Items: Todd Stowell handed out copies of a presentation on residential density and an initial draft of dimensional standards for the residential zoning districts to the Board. He asked the Board to review the materials so that discussion on the matter can begin next meeting.

Brad Payne made a motion, seconded by Curt Dansie, to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairman Ness adjourned the meeting at 1:14 PM.

Lynn Stutzman
Engineering Administrative Assistant