

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, November 13, 2012

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, November 13, 2012 at 12:00 PM

Present: Rick Brasher, Vice Chairperson; Jacob Ivanoff; Justin Lundvall; Bud McDonald; Mark Musser; Bob Senitte; Scott Kolpitzke, City Attorney; Todd Stowell, City Planner; Nancy Tia Brown, Mayor; Jolene Osborne, Engineering Administrative Assistant;

Excused Absence: Kim Borer, Chairperson; Steve Miller, Council Liaison; Sandra Kitchen, Deputy City Attorney;

Vice Chairperson Rick Brasher called the meeting to order at 12:02 PM, followed by the pledge of allegiance.

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

Bud McDonald made a motion seconded by Mark Musser to approve the minutes of the October 23, 2012 regular meeting with the date correction. Vote on the motion was unanimous, motion carried.

PRESENTATION OF COMMUNICATIONS:

Todd Stowell presented the staff report regarding the proposed signage within the Downtown Architectural District for 1452 Sheridan Avenue, TaraTorrey's Grab-n-Go Grill.

Bob Senitte made a motion seconded by Justin Lundvall to approve the sign plan application submitted by TaraTorrey's Grab-n-Go Grill at 1452 Sheridan Avenue as presented. Vote on the motion was unanimous, motion carried.

Todd Stowell spoke regarding the proposal by Cody Cupboard in conjunction with the Wyoming Department of Transportation to place signage at 836 ½ Sheridan Avenue. He informed the board of WYDOT's intent to intermittently change the WYDOT sign.

Jacob Ivanoff made a motion seconded by Bud McDonald to approve the sign application submitted by Cody Cupboard and WYDOT for property located at 836 ½ Sheridan Avenue with the provision that the exchangeable WYDOT signs do not get any larger than specified in the application. Vote on the motion was unanimous, motion carried.

Todd Stowell spoke regarding the proposal by David Smiley to place window-box signage for off-premise signing for the Cody Mural at 1220 Sheridan Avenue.

David Smiley explained his proposal to the board, noting the Cody Mural is a non-profit organization and a tourist destination.

Jacob Ivanoff made a motion seconded by Bud McDonald to approve the sign application submitted by David Smiley for property located at 1220 Sheridan Avenue as presented

with the condition that the applicant receives WYDOT approval. Jacob Ivanoff, Justin Lundavall, Rick Brasher, Bud McDonald and Bob Senitte approved the motion. Mark Musser opposed the motion. Motion carried.

Discussion ensued regarding the possible amendment of the sign code to further define the criteria for off-premise signage. The board requested staff and legal research the issue.

Todd Stowell spoke regarding the application submitted by John and Robin McClure to add an office to their building at 177 Blackburn Street. The shop is currently under construction.

John McClure of McClure Custom Builders answered the questions from the board regarding the staff requirements.

Bud McDonald made a motion seconded by Mark Musser to approve the office addition application submitted by McClure Custom Builders for property located at 177 Blackburn Street as presented with the following conditions:

1. Prior to the issuance of a building permit, submit details to verify that the storm water collected in the gutter system will flow to the streets without first crossing neighboring properties.
2. The lighting fixtures on the outside of the building must be of a down-lit style. A light in the area of the ADA parking area should be considered.
3. The landscaping must either be installed prior to occupancy of the office, or the applicant must provide a landscape bond, letter of credit, cash, or other surety acceptable to the City to guarantee installation of the required landscaping.
4. That the project otherwise comply with the submitted site plan and applicable building, fire, and electrical codes. A building permit application is required.

Vote on the motion was unanimous, motion carried.

Todd Stowell spoke regarding the application submitted by Two Tough Guys Services to erect a maintenance shop at 71 Road 2AB. He reviewed the details of the Western Area Power line easement that runs through the property.

Otto Goldbach of Two Tough Guys responded to the boards' questions regarding the staff requirements. He requested clarification of the lighting requirements.

Mark Musser made a motion seconded by Jacob Ivanoff to approve the shop erection application submitted by Two Tough Guys Services for property located at 71 Road 2AB as presented with the following conditions:

1. That prior to issuance of a building permit, details of the WAPA power easement be verified in writing, and that the building location and drainage trench location comply with such.
2. That the storm water facilities be inspected and certified by the applicant's engineer prior to building occupancy.
3. That an irrigation system be installed for the landscaping.
4. That either the landscaping be installed prior to occupancy of the building, or a landscape bond, letter of credit, cash, or other surety acceptable to the City must be provided to guarantee installation of the required landscaping and irrigation system.
5. That any exterior lighting be of a down-lit style.

6. That the project must otherwise comply with the submitted site plan and applicable building, fire, and electrical codes. A building permit application is required. Vote on the motion was unanimous, motion carried.

Justin Lundvall recused himself from the following application.

Todd Stowell presented the staff report regarding the application by John Gallis to construct a residence at 3532 Cottonwood Avenue.

John Gallis described his proposal, elaborating on the exterior finish and the reason for the request of an eight-foot high fence.

Bud McDonald made a motion seconded by Jacob Ivanoff to approve the application submitted by John Gallis for property located at 3532 Cottonwood Avenue as presented with the condition that a building permit, including an engineered foundation design, is required and a fence permit is required for the eight-foot fence. Vote on the motion was unanimous with Justin Lundvall recused, motion carried.

Mayor Nancy Tia Brown expressed her interest in the completion of Mr. Gallis' home as he is an accomplished artisan.

Jolene Osborne presented the approved sign application for Thad's Cycle Shop at 1507 Bleisten Avenue to the board.

Justin Lundvall announced he may not be available for the next meeting.

Bud McDonald requested an update regarding the Wyoming Authentic Products bid opening. Todd Stowell informed the board that the bids were higher than the applicant had anticipated and the applicant will most likely be back before the board in the future.

Todd Stowell reminded the board that three of the Planning and Zoning Board positions are expiring will require an updated application for continued service. He also invited applicants from the public.

Todd Stowell updated the board regarding the Master Plan Update. There will be some community workshops held as an opportunity for the public to express what type of development would be appropriate for their neighborhood. It will be the basis for forming our future land use map and therefore our future zoning. The meetings will be advertised shortly.

Todd Stowell requested an update from the parking ordinance revision committee.

Rick Brasher adjourned the meeting at 1:12 PM.

Jolene Y. Osborne
Engineering Administrative Assistant