

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, July 22, 2014

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, July 22, 2014 at 12:00 PM

Present: Justin Lundvall, Chairperson; Vice-Chairperson Justin Ness; Robert Senitte; Buzzy Hassrick; Brad Payne; Kim Borer; Scott Kolpitzke, City Attorney; Steve Miller, Council Liaison; Todd Stowell, City Planner; Utana Dye, Certified Engineering Technician II, Lynn Stutzman, Administrative Assistant.

Absent: Mark Musser

Chairperson Justin Lundvall called the meeting to order at 12:05 PM, followed by the pledge of allegiance.

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

Justin Ness made a motion, seconded by Buzzy Hassrick, to approve the minutes for the July 8, 2014 meeting with the corrections noted. Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

Todd Stowell presented the staff report for the Downtown Sign Review for Sean DeNamur Designs at 1191 Sheridan Avenue. Kim Borer made a motion, seconded by Buzzy Hassrick to approve the two new signs subject to the existing sign being removed. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the Fence Height Request for a 7 ½ foot tall entryway at 920 19th Street. Justin Ness made a motion, seconded by Buzzy Hassrick to approve the fence. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for the Franzen Minor Subdivision consisting of two-lots between Big Horn Avenue and Cougar Avenue, west of 33rd Street. The following conditions were recommended:

Recommended Conditions of Approval for the Franzen Minor Subdivision Preliminary Plat:

1. Remove the "Proposed 6 inch Treated Water Line" shown across Lot 2, or provide construction plans for the installation of the 6" water line. (Lot 1 has a tap to a treated water line next to Big Horn Avenue, so the proposed water line is likely unnecessary.)
2. Modify note 4 under "Irrigation System" to read as follows: "The specific use of Lot 1 and Lot 2 is currently unknown. Thus the irrigation pumping system for said lots is not designed at this time. However water will be supplied to both lots."
3. The raw water service line to Lot 1 cannot be in the City's 15' wide utility easement (other than crossing it). Provide an easement and relocate the raw water line into the new easement.
4. Modify the description of the 15-foot utility easement to not list raw water or treated water, based on the above.

5. Provide a mylar copy and one paper copy of the updated preliminary plat.

Buzzy Hassrick made a motion, seconded by Kim Borer, to recommend that the City Council authorize the preliminary plat related to Franzen Minor Subdivision with the above conditions noted. Vote on the motion was unanimous, motion carried.

Recommended Conditions of approval for the Franzen Minor Subdivision Final Plat:

1. Prior to City Council review, provide verification of review of the subdivision by Cody Canal and state engineer's office, as necessary to demonstrate the amount of water rights to be allocated to each lot, and to verify no additional irrigation easements are claimed or necessary. Make any additions necessary to reflect their comments.
2. Prior to City Council review, provide review letters from CenturyLink and Charter Communications and make any additions necessary to reflect their comments.
3. Provide the raw water easement, as noted in the preliminary plat conditions. Also modify the certificate of dedication to reflect the dedication of the raw water easement for Lot 1.
4. Provide a 15-foot radius of right-of-way on the northwest corner of the Cougar Avenue and 33rd Street intersection, and add the right-of-way dedication language to the Certificate of Dedication.
5. Add a storm water note, to the following effect: "On-site storm water control shall be provided in conjunction with the development of each lot, such that runoff does not exceed pre-development conditions."
6. Modify the improvement district language in the Certificate of Dedication to read as follows: "...do hereby agree to promote and participate in an improvement district for the construction of Cougar Avenue to city street standards with curb, gutter, sidewalk and streetlights, when deemed necessary by the City of Cody; and further, that this language shall be contained in each and all conveyances of record for Lot 2."
7. Modify the signature line to accurately reflect the name of the person signing and their capacity in which they are acting for the corporation. It is recommended to use two lines, with the first line "Franzen, LLC" and under that line "by Karen L. Franzen, (Title)".
8. Note the variances granted (alley requirement, and construction of Cougar Avenue subject to participation in a future improvement district.)
9. Add the distance and bearing of record for the south property line.
10. Add the following note: "Improvements for this subdivision necessary to provide utility services to both lots are the responsibility of the developer and are to be completed prior to issuance of a building permit. At the time of this subdivision, required improvements include an underground electrical extension, with accompanying telecommunication lines, a raw water line to Lot 1, a sewer service for Lot 1, and a gas service to Lot 2." The developer is responsible to provide the services as noted.
11. After City Council approval, submit two mylar originals for city signatures.
12. Applicable utility fees are to be paid prior to the mayor signing the final plat. (Electrical estimate.)

Justin Ness made a motion, seconded by Robert Senitte, to approve the Franzen Final Plat with Conditions 1 through 12, which includes a variance to waive street improvements and require participation in future street improvements including street lights. Buzzy Hassrick and Kim Borer opposed the motion. Justin Ness, Justin Lundvall, Brad Payne and Bob Senitte voted in favor of the motion. Motion carried.

Todd Stowell presented the Architectural and Landscaping Review for the Buffalo Bill Center of the West two storage buildings at 720 Sheridan Avenue. The recommendation is for the sheds to be authorized on the condition that the exterior walls of the sheds are painted to match the existing building, which is a beige/tan color. If roof color is also a concern, staff would recommend a brown color to match the fascia trim on the existing building.

Buzzy Hassrick made a motion to table due to the applicant not being present. Motion failed for lack of second.

Kim Borer made a motion, seconded by Justin Ness, to approve the two 8' x 10' storage buildings at the Buffalo Bill Center of the West, 720 Sheridan Avenue as long as the exterior walls are a beige color to coincide with the existing storage unit and the museum wall, and the roof color to match the brown trim color.

Buzzy Hassrick opposed the motion. Justin Ness, Justin Lundvall, Brad Payne, Kim Borer and Bob Senitte voted in favor of the motion. Motion carried.

OLD BUSINESS:

Justin Ness made motion to remove the Monster Lake Sign from the table, seconded by Robert Senitte. Vote on the motion was unanimous, motion carried.

Dave Bennell manager of Monster Lake spoke to the board members.

Justin Ness made a motion, seconded by Brad Payne, to approve the Monster Lake ranch sign subject to reinforcement design with staff's approval and guidance to ensure that it is a wall sign mounted in a way that is not a banner with condition that if sign changes the applicant is to come back to Planning and Zoning board for approval. Buzzy Hassrick and Kim Borer opposed the motion. Justin Ness, Justin Lundvall, Brad Payne, and Bob Senitte voted in favor of the motion. Motion carried.

Approved Signs by Staff: None

P&Z Board Matters: Justin Ness made a motion, seconded by Buzzy Hassrick, to request that City Council immediately look at and discuss activating an improvement district along Cougar Avenue at a minimum between Stone Street and Date Street. Vote on the motion was unanimous, motion carried.

Council Update: None.

Staff Items: The residential setback revisions were relatively minor as Planning and Zoning passed them onto City Council. At City Council there was an addition to the ordinance pertaining to situations with a separated sidewalk and a park strip. They thought in that situation it would be appropriate to allow a 15' front yard setback. The change was made to the Residential AA zone.

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

There being no further business to come before the board, Chairperson Justin Lundvall adjourned the meeting at 1:05 PM.

Lynn Stutzman
Administrative Assistant