

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, January 23, 2018

A meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, January 23, 2018 at 12:00 pm.

Present: Steve Miller, Chairman; Heidi Rasmussen, Buzzy Hassrick, Richard Jones, Erynne Selk, Sandra Kitchen, City Deputy Attorney; Glenn A. Nielson, Council Liaison; Todd Stowell, City Planner; Bernie Butler, Administrative Secretary.

Absent: Kayl Mitchell, Curt Dansie

Chairman Steve Miller, called the meeting to order at 12:00 pm, followed by the pledge of allegiance.

Chairman Steve Miller welcomed Erynne Selk to the board, as appointed by the City Council.

Buzzy Hassrick made a motion, seconded by Heidi Rasmussen, to approve the agenda for January 23, 2018. Vote on the motion was unanimous, motion carried.

Richard Jones made a motion, seconded by Heidi Rasmussen, to approve the minutes for the January 9, 2018 meeting. Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

A. Todd Stowell presented a request for a 14-foot fence/netting at the City of Cody Recycling Center, located at 531 15th Street.

Heidi Rasmussen made a motion, seconded by Richard Jones to approve the fence/netting for the City of Cody Recycling Center. Vote on the motion was unanimous, motion carried.

B. Todd Stowell presented a Downtown Architectural Review, for the Josh Allison townhouses, located at 1138 12th Street, in an existing building.

Buzzy Hassrick made a motion, seconded by Heidi Rasmussen, to approve the townhouses, with the staff recommendation. Vote on the motion was unanimous, motion carried.

C. Todd Stowell presented Site Plan Review for Rattlesnake Mountain Investments Medical Office Building, located at 3030 Big Horn Avenue.

Buzzy Hassrick made a motion, seconded by Heidi Rasmussen, to approve the site plan with the following recommendations:

1. Any applicable city utility fees (water, sewer, electrical) are to be paid prior to building permit issuance—coordinate with Public Works.
2. If the applicant verifies the intent to extend the water main to the Cougar Avenue line (loop the line), then the City will maintain the water line. In such case, provide a utility easement to the City for the water line.
3. The sewer main will remain private, at least for now. If the applicant wants to enter into an agreement for the City to perform maintenance on the private line, work with the Public Works Department.
4. If the overhead power line is used for this project, provide a 10-foot utility easement to the City along the west property line.
5. Provide an updated plan for the electrical service, prior to issuance of the building permit. The plan must be acceptable to Public Works, and show the sign outside of the utility easement.
6. Obtain necessary permits from WYDOT for the new/modified entrance from Big Horn Avenue and removal of the existing residential approach.
7. Provide copies of the WY DEQ applications (UIC and main line extensions) to the City.
8. Enhance the landscaping around the building and in the landscape islands. Bushes and/or perennials are recommended.
9. Indicate on the plans the method of irrigating the landscape areas.
10. Reduce the intensity of the exterior lighting as discussed with the Board. Provide updated plans for the exterior lighting.
11. If applicable: (Provide lighting for the south parking lot, as discussed with the Board.)
12. Once constructed, the applicant's engineer is to certify that the storm water system was constructed as designed, or equivalent.
13. Once constructed, provide "as-builts" of the sewer and water main extensions.
14. The project must otherwise comply with the site plan and applicable building, fire, and electrical codes.
15. A building permit must be obtained within three years or this authorization will expire.

Vote on the motion was unanimous, motion carried.

D. The Public Hearing for the Special Exemption to reduce the setback requirements at 239 C Street, began at 12:34 p.m.

There were no comments from the public.

The Public Hearing for a Special Exemption to reduce the setback requirements at 239 C Street, was closed at 12:35 p.m. with no additional public comments submitted.

E. Todd Stowell presented a request for a Special Exemption from Ed Higbie, to reduce the setback requirements at 239 C Street. Chairman Steve Miller reviewed the standards (a-f) for approval of a special exemption. The Board agreed this special exemption met the requirements.

Richard Jones made a motion, seconded by Buzzy Hassrick, to approve the Special Exemption, located at 239 C Street, with both set back reductions as requested, along with the following recommendations;

1. That proper notice of the special exemption public hearing was provided by advertising in the Cody Enterprise and by 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(C)(2) are met.

Vote on the motion was unanimous, motion carried.

F. Todd Stowell presented a Site Plan Review for WY Thai Food vendor, to develop a food vendor trailer, and associated structures, located at 1928 Big Horn Avenue.

Heidi Rasmussen made a motion, seconded by Richard Jones, to approve the site plan with the following recommendations:

1. Retain the swale along the east property line, or submit a drainage plan for review.
2. The gravel parking area shall meet all City standards (WYDOT Grading H crushed base course, parking blocks, and lighting if open after dark.)
3. Obtain any permit required from WYDOT for the approach, and comply with any construction requirements they may have.
4. Provide a method of irrigating the landscaping.
5. Paint the frame of the reader board sign per discussion with the Board.
6. Coordinate the location of the reader board sign with staff, per the staff report.
7. The storage area below the gooseneck is to be enclosed with materials that match the rest of the food trailer.
8. All exterior lighting is to be full cut-off (can lights okay), or low intensity so as to avoid glare impacts.
9. Obtain building permits, as specified by the Building Official (canopy construction, electrical, plumbing, etc.)
10. The project must otherwise comply with the site plan and applicable building, fire, and electrical codes. The utility work is required to be done by licensed contractors and requires city permits.
11. All improvements must be completed prior to operation of the business, provided the asphalt approach may be delayed if weather or availability of asphalt precludes installation, until asphalt is available, if the applicant provides a financial security to the City in an amount equal to the remaining value of construction.
12. Necessary building permits must be obtained within two years or this authorization will expire.

Vote on the motion was unanimous, motion carried.

P & Z Board Matters – None.

Council Updates – None.

Staff Items – Todd asked the Board Members to let him know if they were interested in attending the Wyoming Planning Association conference.

Heidi Rasmussen made a motion, seconded by Buzzy Hassrick, to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the Board, Chairman Steve Miller adjourned the meeting at 1:07 p.m.

Bernie Butler 2/13/2018

Bernie Butler, Administrative Assistant