

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, June 12, 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, June 12, 2012 at 12:00 PM

Present: Rick Brasher, Vice Chairperson; Jacob Ivanoff; Kim Borer, Chairperson; Justin Lundvall; Bob Senitte; Bud McDonald; Steve Miller, Council Liaison; Sandra Kitchen, Deputy City Attorney; Todd Stowell, City Planner; Jolene Osborne, Engineering Administrative Assistant; Donny Anderson, City Councilman;

Excused Absence: Mark Musser;

Chairperson Kim Borer called the meeting to order at 11:58 PM, followed by the pledge of allegiance.

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

Bob Senitte made a motion seconded by Bud McDonald to approve the minutes of the May 22, 2012 regular meeting. Vote on the motion was unanimous, motion carried.

Bud McDonald made a motion seconded by Justin Lundvall to approve the minutes of the May 22, 2012 special meeting. Vote on the motion was unanimous, motion carried.

PRESENTATION OF COMMUNICATIONS:

Ken Markert presented the proposed outdoor cat pen and storage shed submitted by the Park County Animal Shelter at 5537 Greybull Highway.

Todd Stowell presented the staff report describing the surrounding area.

Bud McDonald made a motion seconded by Jacob Ivanoff to approve the site plan application submitted by Park County Animal Shelter for property located at 5537 Greybull Highway. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the sign application for American West Realty and Cody Lodging Co. at 1527 Rumsey Avenue, noting that the building is within the Downtown Architectural District. The application does meet all required signing regulations.

Rick Brasher made a motion seconded by Jacob Ivanoff to approve the sign application submitted by American West Realty and Cody Lodging Co. for 1527 Rumsey Avenue. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the sign application for Rockstar Cowgirl Boutique, noting that the existing attached wall signs will be removed. The building is within the Downtown Architectural District. The application meets all required signing regulations.

Justin Lundvall made a motion seconded by Jacob Ivanoff to approve the sign plan submitted by Rockstar Cowgirl Boutique at 1220 Sheridan Avenue. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the proposal for a storage shed submitted by Mountain View Community Church of God at 2926 Big Horn Avenue and described the surrounding area.

Pastor Elroy Weixel from the Mountain View Community Church of God stated that the shed will be on skids and located on the concrete pad with no utilities.

Bud McDonald made a motion seconded by Rick Brasher to approve the site plan submitted by Mountain View Community Church of God for property located at 2926 Big Horn Avenue. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the proposal for the construction of a salt and sand storage building for Wyoming Department of Transportation at 2530 Beacon Hill Road. He stated that the city has not yet received the storm water and/or grading plan.

Dave Wellington of Plan One Architects explained the proposal for Wyoming Department of Transportation to construct a 40' by 60' salt and sand storage building at 2530 Beacon Hill Road. He discussed colors and height of the structure.

Bob Senitte made a motion seconded by Jacob Ivanoff to approve the site plan for Wyoming Department of Transportation at 2530 Beacon Hill Road with the conditions that the applicant submit an acceptable grading plan or storm water system that meets the city storm water policy and submit for a building permit. Vote on the motion was unanimous, motion carried.

Dr. Allen Gee of Gee Properties, Inc. presented his proposal to re-zone his property at 702 and 708 Platinum Avenue from Residential B to "self-limited" D2.

Todd Stowell spoke to the issue, describing several portions of the staff report.

Curtis Cheney of Messenger & Overfield, P.C. spoke as attorney for Fred Strow, neighbor at 720 Platinum Avenue, in opposition of the zone change. He requested the board consider the results of the previous re-zoning application, reviewed the neighbors' objections and the 1997 Master Plan.

Ricky Brod, neighbor at 719 Platinum Avenue, spoke regarding his opposition of the zone change. Tami Capron, neighbor at 775 Platinum Avenue, spoke regarding her opposition of the zone change as a third generation resident on Platinum Avenue. Karen Ballinger, former City Council member, discussed previous re-zoning applications on Canyon Avenue and the effect this current application may have on future applications.

James Michel, also with Messenger & Overfield, P.C., presented copies of a neighborhood petition to the board. Upon request, Fred Strow verified that two of the signatures on the petition are renters and not property owners.

Former Mayor Ken Stockwell, property owner and landlord of 755 Platinum Avenue, spoke in opposition of the zone change and recalled previous similar applications that were

brought before the city in past years. Lowell Ray Anderson, former planning and zoning board member, spoke regarding traffic.

Brad Bonner, attorney with Bonner Stinson, P.C. representing Gee Properties, Inc. spoke regarding the "self-limiting" agreement that would be filed with the County Clerk to run with the property. He proposed staff and Dr. Gee draft a proposal that could be presented to the City Council.

Justin Lundvall made a motion seconded by Bud McDonald to table the application submitted by Gee Properties, Inc. to re-zone property located at 702 and 708 Platinum Avenue from Residential B to "self-limited" D2 until the "self-limited" language can be drafted. Justin Lundvall, Bud McDonald and Bob Senitte voted in favor of the motion. Rick Brasher, Jacob Ivanoff and Kim Borer were opposed. Motion failed.

Rick Brasher made a motion seconded by Jacob Ivanoff to recommend to council approval of the application submitted by Gee Properties, Inc. to re-zone property located at 702 and 708 Platinum Avenue from Residential B to "self-limited" D2 with the condition that the language defining "self-limited" be proposed at council. Rick Brasher, Jacob Ivanoff, Kim Borer and Bob Senitte voted in favor of the motion. Justin Lundvall and Bud McDonald opposed the motion. Motion carried.

Jolene Osborne presented the approved sign applications for Spirit Mountain Tours at 202 Yellowstone Avenue, Fast Eddy's Smokehouse at 2619 Sheridan Avenue, Wyogurt at 2201 17th Street and the off-premise temporary a-frame sign for the Shockley Family Reunion at 1901 Big Horn Avenue.

Todd reminded the community that a city-wide survey will be posted to the website regarding the Master Plan Update and invited the community to participate.

Meeting adjourned at 1:33 PM.

Jolene Y. Osborne
Engineering Administrative Assistant