

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, September 11, 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, September 11, 2012 at 12:00 PM

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

Excused Absence: Jacob Ivanoff;

Chairperson Kim Borer called the meeting to order at 12:01 PM, followed by the pledge of allegiance.

Rick Brasher made a motion seconded by Bob Senitte 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 August 28, 2012 regular meeting. Vote on the motion was unanimous, motion carried.

PRESENTATION OF COMMUNICATIONS:

Todd Stowell presented the staff report for Billings Clinic Cody noting the parking and drainage changes. He also highlighted the proposed sign. The proposal appears to have a portion of the sign within the city utility easement. He mentioned that a portion of the parking will be over city sewer lines and the required cover must be met.

Pat Davies of Sanderson Stewart presented the proposal for primarily employee parking and sign modifications for Billings Clinic Cody at 201 Yellowstone Avenue.

Justin Lundvall made a motion seconded by Rick Brasher to approve the site plan application submitted by Billings Clinic Cody for property located at 201 Yellowstone Avenue, as presented subject to the engineer providing verification that a minimum of five feet of cover will remain over the existing sewer main, and that the sign location be shifted to be outside of the 15-foot utility easement. Vote on the motion was unanimous, motion carried.

Todd Stowell summarized the proposal by Jim Sommers to construct a 10-bay RV storage at 416 D-Y Avenue. There is no landscaping proposed. There are lots between this property and Yellowstone Avenue. Additionally the applicant will need to extend the water line to provide fire protection. If the board would require landscaping, a water tap and extension of a private waterline would be necessary. The City is in the process of the West Strip water main extension project which is expected to be completed this winter. Todd also reviewed technicalities of D-Y Road.

Jim Sommers of Redwing, Inc. spoke regarding his timeframe in view of the City water main extension project. He would prefer to obtain the building permit and begin construction before the water main extension is completed. He is agreeable to waiting for the project completion before occupancy of the building.

Rick Brasher made a motion seconded by Justin Lundvall to approve the site plan application submitted by Jim Sommers for property located at 416 D-Y Avenue subject to:

1. That the building permit not be issued until after the plans for the water main extension is approved by the City and DEQ, and necessary easements recorded with the County.
2. That the building not be occupied until after the City has completed the West Strip waterline project, the applicant has installed the water main to the approved location, and the extension is accepted by the City.
3. That the engineer certify that the storm water facilities have been constructed as designed prior to occupancy of the building.
4. That the property owner sign and record an agreement committing to participate in any future road project to improve D-Y Road to a City street standard. The agreement must be recorded prior to issuance of the building permit.
5. That the project must otherwise comply with the submitted site plan and applicable building, fire, and electrical codes.

Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report regarding the request for the vacation of a portion of 7th Street by Allan and Virginia Gee.

Dr. Allan Gee of Gee Properties, Inc. presented a PowerPoint slideshow outlining his request for the vacation of a portion of 7th Street.

Mark Musser was in approval of the proposed 20 feet width. Rick Brasher was in favor of the opportunity to allow more of a distance from the neighborhood. He also agreed the likelihood of the city extending 7th Street to the south is slim.

Rick Brasher made a motion seconded by Mark Musser to recommend to Council the approval of the street vacation as presented subject to the following:

1. Reserving the area being vacated as a public utility easement.
2. Payment of fair market value for the land.
3. The replacement of the existing lane with one of equal or better functionality prior to the vacation being effective.

Rick Brasher, Justin Lundvall and Mark Musser voted in favor of the motion. Kim Borer, Bud McDonald and Bob Senitte were opposed. Motion failed.

Todd Stowell asked the board for more input in regard to the two-way and one-way use of the street. Kim Borer would like to see results of the current traffic study before making a recommendation. Bud McDonald was not sure how effective one-way signage would be. Mark Musser agreed.

The master plan consultants were here last week meeting with the advisory committee. Todd Stowell requested the public submit any ideas for opportunities that could be addressed by the Master Plan Update.

Meeting adjourned at 12:47 PM

Jolene Y. Osborne
Engineering Administrative Assistant