

City of Cody
Planning, Zoning, and Adjustment
Board Meeting May 11, 2021

A meeting of the City of Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of Cody in Cody, Wyoming on Tuesday, May 11, 2021 at 12:00 pm.

Present: Chairman Kayl Mitchell; Richard Jones; Wade McMillin; Scott Richard; Sandi Fisher; Carson Rowley; City Deputy Attorney Sandee Kitchen; City Planner Todd Stowell; Council Liaison Andy Quick; Administrative Coordinator Bernie Butler.

Absent: Rodney Laib

Kayl Mitchell called the meeting to order at 12:00 pm, followed by the pledge of allegiance.

Richard Jones moved to approve the agenda, seconded by Sandi Fisher. Vote on the motion was unanimous, motion passed.

Richard Jones moved to approve the minutes from the April 27, 2021 meeting, seconded by Wade McMillin. Vote on the motion was unanimous, Motion passed.

Richard Jones made a motion, seconded by Carson Rowley, to remove from the table the special exemption request to operate a distillery in the General Business (D-2) zoning District. Vote on the motion was unanimous, motion approved.

Tod Stowell reviewed the special exemption request to operate a distillery (manufacturer spirits) in the General Business (D-2) zoning district at 1221 Alger Avenue. Since the last Planning and Zoning meeting staff has received two new letters from the neighbors. One letter was in support of the distillery, and the other with concerns.

Todd did a site plan visit to Single Track Spirits, the current distillery located on Sage Creek Road in Park County. He found that there was no outside smell, as it was contained in the building. The processing is enclosed. There was no smell for the by-products. They will store the by-products in plastic containers.

Staff has recommended five conditions they would like to distillery to follow:

1. All processing and mash storage shall occur indoors.
2. Follow the 2021 International Building and Fire Codes, including installing a fire sprinkler system in the barrel storage building.
3. Isolate the boiler from the still and alcohol storage.
4. Utilize a low-pressure still.
5. Dispose of spent mash off site, before significant odors occur (typically with two days).

Richard Jones made a motion, seconded by Carson Rowley to approve the special exemption request for Single Track Spirits, to operate a distillery at 1221 Alger Avenue, with the five conditions recommended by staff. Richard Jones, Kayl Mitchell, Sandi Fisher, Wade McMillin, and Carson Rowley voted to approve the motion. Scott Richard voted against the motion. With the majority of the Board in favor, motion passed.

Staff reviewed the preliminary plat for Best Choice, Inc., a 5-lot Minor Subdivision located immediately east of Robert Street and south of Kent Avenue. The project will divide the two current lots into five lots.

The property is 0.91-acre. Lot 1 contains an existing dwelling which will be removed, and replaced with a tri-plex. Lot 2 contains an existing dwelling that will remain. Lot 3 is vacant, but applicant has request to move a house onto it. Lot 4 has an existing dwelling and is large enough to qualify for an accessory dwelling unit. Lot 5 is vacant, with no plan at this time.

Subdivision regulations, development and improvements, and variances were explained by staff.

Carson Rowley made a motion, seconded by Richard Jones to recommend to City Council the approval of the preliminary plat for Best Choice, Inc., with variances 1-4, and conditions 1-15 in the staff report. Vote on the motion was unanimous, motion passed.

A public hearing opened at 12:58 p.m. for a conditional use permit to move a house to Robert Street, south of Kent Avenue. There were no comments from the public. The hearing closed at 12:59 p.m.

Applicant Rick Hordichok of Best Choice Inc., has submitted a conditional use permit to move a house onto lot three of the Best Choice Inc. minor subdivision.

Richard Jones made a motion, seconded by Sandi Fisher to approve the conditional use permit to allow the proposed house to be located on lot 3 of the Best Choice Inc. subdivision, with recommended findings 1 and 2, and conditions 1-3 in the staff report. Vote on the motion was unanimous, motions passed.

Todd Stowell reviewed the site plan for an antique store to be located on the property at 1532 Beck Avenue. The property currently contains a residence and a detached garage/shop. It is located in the General Business (D-2) zoning district and downtown architectural district. The building would be 16' x 28'.

Scott Richard made a motion, seconded by Wade McMillin to approve the site plan for an antique store at 1532 Beck Avenue, with staff recommendations 1-5 in the staff report. Vote on the motion as follows: Richard Jones, Scott Richard, Kayl Mitchell, Sandi Fisher, Wade McMillin voted in favor on the motion, with Carson Rowley voting against the approval. With the majority in favor, motion passed.

Staff reviewed the site plan to authorize a heavy equipment sales and rental facility on the property southwest of Beacon Hill Road and Highway 14A intersection. The property would be leased to Frost Machines for a temporary office building. The site plan would be temporary, until the business is successful and then full site improvements would be constructed.

Richard Jones made a motion, seconded by Scott Richard, to approve the site plan for the proposed heavy equipment sales and rental facility, with recommendations 1, 2, 3 and 5 in the staff report. Vote on the motion was unanimous, motion passed.

With there being no further business to come before the Board, meeting was adjourned at 1:17 p.m.

Bernie Butler

Bernie Butler, Administrative Coordinator