

City of Cody
Planning, Zoning, and Adjustment
Board Meeting November 30, 2021

A meeting of the City of Cody Planning, Zoning and Adjustment Board was held in the City Hall Council Chambers on Tuesday, November 30, 2021 at 12:00 pm.

Present: Carson Rowley; Cayde O'Brien; Sandi Fisher; Karinthia Herweyer; Scott Richard; Richard Jones; Deputy City Attorney Sandee Kitchen; City Planner Todd Stowell; Council Liaison Andy Quick; GIS Analysts Utana Dye.

Absent: Sandi Fisher, Rodney Laib

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

Karinthia Herweyer entered the meeting at 12:03 p.m.

Carson Rowley made corrections to the minutes, and asked for clarification about the permanent LED exterior lighting discussion.

Carson Rowley made a motion, seconded by Scott Richard, to approve the minutes with corrections from the November 9, 2021 meeting. Vote on the motion was unanimous, motion passed.

Carson Rowley made a motion, seconded by Scott Richard, to approve the agenda the November 30, 2021 meeting. Vote on the motion was unanimous, motion passed.

Carson Rowley made a motion, seconded by Cayde O'Brien to remove from the table the Final Plat of the Best Choice Subdivision, a 5- lot property located at 3004 Kent Avenue and 308 Robert Street. Vote on the motion was unanimous, motion passed.

Tabled Item: Final plat for the Best Choice Subdivision, a 5-lot property located at 3004 Kent Avenue and 308 Robert Street. Cayde O'Brien made a motion, seconded by Scott Richard to recommend to City Council the approval of the Best Choice Subdivision final plat, with a waiver of sidewalk/pathway installation requirement and a variance to allow the surface water rights to be transferred to a third party in the Cody Canal Irrigation District, subject to the conditions 1-3 in the staff report. Vote on the motion was unanimous, motion passed.

Todd Stowell reviewed a Downtown Architectural District to replace the existing wood shingle roof with a metal standing seam roof for Wells Fargo Bank located at 1401 Sheridan Avenue.

Carson Rowley made a motion, second by Scott Richard to approve the project as proposed for Wells Fargo Bank. Vote on the motion was unanimous, motion passed.

A Public Hearing for a rezone opened at 12:11 p.m. The rezone is for lots 1-7 and lots 10-16 of Bakken Subdivision from R-3 Residential to R-2 Residential. Ron Strong and Steve Yekel spoke for the zone change. Andy Cowan was spokesperson for Bill Brantz against the zone change.

Carson Rowley made a motion, second by Cayde O'Brien to close the public hearing. Vote on the motion was unanimous, motion passed. The hearing was closed at 12:26 p.m.

Todd Stowell reviewed the staff report and background on the rezone request. The request is to change the zoning for Lots 1-7 and Lots 10-16 of the Bakken Subdivision from R-3 Medium-High Density Residential to R-2 Medium-Low Density Residential. The Board asked several questions of staff and shared their thoughts.

Cayde O'Brien made a motion, second by Carson Rowley, to recommend to City Council a rezone, following the staff recommendation to zone the excluded area as R-3 (keep that area as R-3) and to rezone the remaining portion of the subdivision as R-2. Voting in favor of the motion were Cayde O'Brien and Carson Rowley.

Karinthia Herweyer, Scott Richard, and Richard Jones was opposed to the motion. With the majority voting against the motion, motion failed.

Scott Richards made a motion, second by Richard Jones to recommendation to City Council to leave the zoning as is (no change—R-3 Medium High Density Residential). Voting in favor of the motion were Scott Richard and Richard Jones. Carson Rowley, Karinthia Herweyer and Cadye O'Brien was opposed to the motion. With majority voting against motion failed.

A Public Hearing for a rezone opened at 1:16 p.m. The rezone is for 235 West Cooper Lane from R-3 Medium High Density Residential to D-1 Limited Business. Cindy Greer, followed by Greg Greer, spoke in opposition to the rezone, indicating that residential is preferred to a storage facility or commercial use.

The hearing was closed at 1:21 p.m. Carson Rowley made a motion, second by Scott Richard to close the public hearing. Vote on the motion was unanimous, motion passed.

Todd Stowell gave an explanation of why the applicant was requesting a zone change. The rezone is necessary to accomplish the owner's desired project to build a mini-storage facility on the property.

Carson Rowley made a motion, second by Cayde O'Brien to recommend to City Council to deny the proposal the rezone at 235 West Cooper Lane from R-3 Medium High Density to D-1 Limited Business. Vote on the motion was unanimous, motion passed.

Todd Stowell reviewed the preliminary and final plat of the Blessing 2nd Addition. This is a replat of the original 3-lot Blessing Addition subdivision which incorporates two other metes and bound parcels into the new plat. The resulting 5-lot subdivision does not create any additional lots.

Carson Rowley made a motion, second by Scott Richard to recommend to City Council the approval of the preliminary and final plat for the Blessing 2nd Addition, with conditions 1-2 as described in the staff report. Vote on the motion was unanimous, motion passed.

P&Z Matters: None

Council Update: City Council will be hosting interviews for the planning and zoning board tonight at 5:30 p.m. Anyone is welcome to attend.

Staff items: Todd Stowell discussed standards for a potential subdivision on 29th Street. The owner has come back with another question on if they reduce the number of lots, how flexible would the city be in allowing the infill standards to be applied to that property? The board and staff had a discussion on the infill standards. The direction from the board was to create a communal parking lot or addition parking within each lot, and use the standards discussed at the last meeting (20' of asphalt, with curb and gutter, and sidewalk on one side).

Cayde O'Brien left the meeting at 1:54 p.m.

Carson Rowley made a motion, seconded by Scott Richard, to adjourn the meeting. Vote on the motion was unanimous, motion passed. Meeting was adjourned at 2:20 p.m.

Utana Dye

Utana Dye, GIS Analysts