

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD

Minutes of the Regular Meeting Held September 27, 2011 at 12:00 PM

CALL TO ORDER: Chairperson Greg Gaspers called the meeting to order at 12: 02PM.

ROLL CALL

PRESENT: Jacob Ivanoff; Kim Borer, Vice Chairperson; Rick Brasher; Greg Gaspers, Chairperson; Bud McDonald; Justin Lundvall; Bill Nielson; Steve Miller, Council Liaison; Sandee Kitchen, Deputy City Attorney; Steve Payne, Public Works Director; Jolene Osborne, Engineering Administrative Assistant;

EXCUSED ABSENCE: None

ABSENT: None

Bud McDonald made a motion seconded by Jacob Ivanoff to approve the minutes of the September 13, 2011 regular session meeting.

Vote on the motion was unanimous, motion carried.

PRESENTATION OF COMMUNICATIONS:

- A. Kim Borer made a motion seconded by Justin Lundvall to approve the site plan review application submitted by Curtis Ryan for property located at 708 19th Street with the following conditions:
1. The applicant will submit a complete set of construction plans to the building department for their review and approval.
 2. The applicant will pay all assigned building and utility permit fees.

Vote on the motion was unanimous, motion carried.

- B. Bud McDonald made a motion seconded by Bill Nielson to approve the site plan review application submitted by Riverside Cemetery District for property located at 125 West Cooper Lane with the following conditions:
1. The applicant will submit a complete set of construction plans to the building department for their review and approval.
 2. The applicant will pay all assigned building and utility permit fees.

Vote on the motion was unanimous, motion carried.

- C. Dr. Leonard Moore, presented his pre-application proposal for a special exemption from the parking ordinance for O’Nicks Irish Brewpub, for property located at 1601 South Park Drive. Kim Borer questioned the capacity of the restaurant and Dr. Moore stated they are looking at 100 seats. The hours of operation would be from 11 a.m. to 2 a.m. at night. They will be applying for a full liquor license. A discussion ensued regarding the seating square footage of the building. Jacob Ivanoff asked about the on-street parking availability and the applicant reviewed the substantial on-street parking that could be utilized along 16th Street, South Park Drive and Park Lane. The only residences in the area are the apartment buildings on the east side of 16th Street which are owned by Ken Stockwell. However Dr. Moore believes Mr. Stockwell would be opposed to the exemption. Neither Park County nor Wilder Enterprises (East Gate Center) are willing to enter into a formal

parking agreement. However Dr. Moore stated that neither one is opposed to the use of their parking for the brewpub. Jacob Ivanoff questioned the location of the dumpsters in relation to the residences. Dr. Moore stated they would be located in the existing drive-through area to be modified to be the brewery area.

Steve Payne clarified the pre-application process and reviewed the city off-street parking ordinance. He stated that staff has not received a detailed set of plans for the building. He reviewed the 1999 Institute of Traffic Engineers suggested parking requirements. Steve also gave a quick overview of the parking requirements in Cheyenne, Douglas and Riverton who all required less than as required by Cody. He also mentioned Jackson and Laramie requirements. Although the City of Cody seems to be more restrictive in off-street parking requirements, the City still receives numerous complaints regarding parking from citizens throughout town.

Kim Borer questioned the number of cars that could park on the west side along the Park County property. Steve Payne estimated 30 to 40 spaces and could provide an exact number if the application proceeds. Bud McDonald questioned how the employee parking was calculated and Steve explained that for bar and restaurant use, the required numbers for employees are incorporated into the calculation.

Greg Gaspers like the idea of the project. He stated that if only the top floor was utilized, an exemption for one space could be considered but not the 22 spaces required for the banquet area. Bud McDonald was against the use of East Gate Center and Park County properties as they were located too far from the brewpub site. On-street parking cannot be considered. He stated that off-site parking should be adjacent or on-site properties. Jacob Ivanoff believes that the off-street and on-street parking available is substantial. He would like to see if the basement is used, that the hours of operation be limited. He thinks it could work. Kim Borer agrees with Bud McDonald in that the Park County and Wilder parking lots are too far away to be applicable. The banquet area use will be difficult to approve for the parking. The top floor shouldn't be a big issue. Rick Brasher also has concerns that though the parking is adequate for the upstairs, the banquet facility parking will be an issue. He would support an exemption for the upstairs parking, but more discussion is needed for the banquet facility. Bill Nielson cautioned that the City sets precedence with every special exemption. He also agreed that the upstairs parking may be considered for the special exemption, but the downstairs would be difficult.

Steve Payne emphasized that though the board has stated their preliminary opinions, the board would be open to comment from the public during the special exemption process that would influence their final decision.

D. Bill Nielson made a motion seconded by Bud McDonald to approve the sign plan review application submitted by West Park Hospital for property located at 707 Sheridan Avenue with the following conditions:

1. The applicant will submit a complete set of construction plans to the building department for their review and approval.
2. The applicant will pay all assigned building permit fees.
3. The applicant will submit raw water relocation plans to the City for review and approval and will arrange for and pay for said relocation.
4. The applicant will request and receive approval from Council for use of Stock Drive right-of-way for the monument sign.

5. The applicant will provide an amendment to the license agreement that exists for the drainage facilities, curb, gutter, planters and a landscape island already located within the right-of-way and will add phrasing to include the monument sign.

Vote on the motion was unanimous, motion carried.

- E. P&Z Board Matters: Bill Nielson announced that this will be his last meeting. He expressed his appreciation for being allowed to serve. On behalf of the Board and the City, Greg Gaspers thanked Bill Nielson for his years of service, his leadership and guidance.
- F. Council Update: Steve Miller also expressed his appreciation for Bill Nielson's camaraderie, dedication and forward thinking. On behalf of the City Council, Bill Nielson will be sorely missed.
- G. Staff Update: Steve Payne outlined the city's use of codifiers who have identified some referencing issues with the sign code. There will be a sign ordinance forthcoming to alleviate those issues. Steve also reiterated that Bill Nielson has been a tremendous asset for the community and mentioned many of the projects that he has been involved within the City.

The meeting was adjourned at 1:02 PM.

Respectfully submitted,

Jolene Y. Osborne
Engineering Administrative Assistant