

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, August 13, 2013

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, August 13, 2013 at 12:00 PM

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

Excused Absence: Mark Musser;

Chairperson Rick Brasher called the meeting to order at 12:03 PM, followed by the pledge of allegiance.

Bud McDonald made a motion seconded by Justin Ness to approve the agenda as presented. Vote on the motion was unanimous, motion carried.

Justin Lundvall made a motion seconded by Bud McDonald to approve the minutes of the July 23, 2013 regular meeting. Vote on the motion was unanimous, motion carried.

PRESENTATION OF COMMUNICATIONS:

Justin Ness recused himself from the following application for 702 Platinum Avenue.

Todd Stowell presented the staff report regarding the updated civil site plan submitted by Dr. Allen Gee for the proposed professional office building to be located at 702 Platinum Avenue.

Todd Kelly, GDA Engineers, answered questions from the board regarding the submittal. He provided an alternate site plan to address the lighting and parking questions and submitted lighting cut sheets.

Bud McDonald made a motion seconded by Kim Borer to approve the civil site plan submitted by Dr. Allen Gee for the proposed professional office building to be located at 702 Platinum Avenue subject to the following:

1. All conditions of the June 11, 2013 Planning and Zoning Board Approval remain in effect.
2. That if the garbage receptacle does not fit in the area south of the 12-foot wide paved alley, that it be relocated to a location approved by the city engineer.
3. That a note be added to the plans indicating that storm water from the west side of the roof will be piped to the swale located north of the building.
4. With the modification that the sidewalk and parking blocks in front of the west parking spaces be shifted 2 feet to the east, placing the sidewalk immediately next to the building.
5. That the parking lot lighting posts be limited to 15 feet high.

Justin Ness abstained from voting. Rick Brasher, Kim Borer, Justin Lundvall, Bud McDonald, and Bob Senitte approved the motion. Motion carried.

Justin Ness rejoined the meeting.

Todd Stowell presented the staff report regarding the site plan review submitted by Horrocks Engineers for the proposed construction of a Good 2 Go gas station and convenience store to be located at 1200 17th Street.

Clint Boyle, Horrocks Engineers, answered questions from the board regarding the submittal. The approach off of 17th Street will be approved by WYDOT at 50-feet.

Justin Ness made a motion seconded by Kim Borer to approve the site plan submitted by Horrocks Engineers for the proposed construction of a Good 2 Go gas station and convenience store to be located at 1200 17th Street subject to the following:

1. Submit a detailed lighting plan, including fixture type, location, and site illumination levels for staff review and approval prior to issuance of a building permit for the canopy and installation of any exterior lighting.
2. Provide striping for parking to occur at the south end of the site. The parking spaces and aisles must comply with the city parking ordinance.
3. Modify the Beck Avenue approach so that the west end is approximately 62 feet east of 17th Street.
4. Provide concrete collars for the water curb stop, irrigation valve, and any cleanouts or other surface utility features that are located in parking/driving areas.
5. Work within the 17th Street right-of-way requires an encroachment permit from WYDOT. Work within the Beck Avenue right-of-way requires an encroachment permit from the City.
6. Submit a lot line adjustment survey to merge all parcels, and complete the process prior to occupancy.
7. All contractors working on the project must be licensed by the City of Cody.
8. The project must otherwise comply with the submitted site plans, application materials, and applicable building, fire, and electrical codes. A building permit application is required.
9. That the approach on to 17th Street be modified from 55 to 50 feet per WYDOT review.

Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report regarding the preliminary plat application for a sixteen-lot subdivision of Lot 2 of the Holm View Addition No. 4 to be known as Holm View Addition No. 5 submitted by Glen Holm.

Roy Holm, Holm, Blough and Company, answered questions from the board. He submitted a new preliminary plat that addressed many of the staff concerns.

Kim Borer made a motion seconded by Justin Ness to recommend to council the Holm View Addition No. 5 Preliminary Plat with the following variances:

1. A variance for a deviation from the City of Cody's Master Street Plan alignment (to allow subdivision approval without extending Sandbak Avenue west along the south side of the subdivision).
2. A variance for subdivision approval without alleys.
3. A variance to allow a cul-de-sac street longer than 500 feet (560 feet).
4. A variance to allow the street cross section shown, but with a 34-foot wide asphalt surface.

Included in the motion was approval of the position that the variances will make a greater contribution to the intent and purpose of the subdivision title. More specifically, finding that the alleys and extension of Sandbak Avenue as proposed by the Master Street Plan would now inappropriately intersect the new school property; the proposed street typical section conforms to the proposed master street plan currently being considered by the City; the cul-de-sac length as proposed is sufficient for single family dwellings.

And subject to the following conditions:

1. Prior to consideration of the preliminary plat by the City Council, make the following modifications to the drawing:
 - a. Modify Note 3 and the building envelopes on Lots 1-4 to reflect a 26-foot setback instead of 22.
 - b. Add a note to reflect the additional variance from compliance with street alignment of the street master plan.
 - c. We recommend that the drawing indicate that the proposed 10'-wide utility easement across Lot 16 is for the benefit of Lot 15 (not for public utility use). The portion of that easement that contains the sewer and water mains can be a general utility easement. Also, label those sewer and water lines as service lines, to differentiate them from the public mains.
 - d. Label the new waterline as "Proposed 8-inch waterline".
 - e. The name "Owens Court" is not in conformance with street naming protocol. The street name options are still under review, but likely the name "Owens Avenue" will continue the full length of the street even with the bend. Modify the street name as needed.
2. The street cross section shall be modified to provide a 34-foot wide asphalt surface.
3. The current alley cut on 33rd Street is to be replaced with standard curb, gutter and sidewalk to match adjoining improvements.
4. Plans for all subdivision improvements shall be submitted for review with the final plat application, in compliance with all provisions of City of Cody Code, except as modified by the preliminary plat approval.
5. The final plat application shall otherwise contain and comply with the City subdivision ordinance.
6. *If the variance for cul-de-sac length is based on a limited number of dwelling units, add a note that reflects the limitation (per P&Z discussion). All lots served by the cul-de-sac to be single-family only.*
7. Include a signage plan with the street plan.
8. Justin Ness made a friendly amendment to include the restriction of single family development on all lots except Lots 8, 9, 15, & 16.

Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report regarding the proposal for exterior improvements to the new Millstone Pizza Company site at 1057 Sheridan Avenue submitted by Tundra General Contractors.

Greg Gaspers, Mountain States Consulting, presented the board with updated site plan and construction information. No live bands are proposed for use on the patio.

Rich Peterson spoke regarding the color of the grain bin. It is proposed to be part of the sign plan and will be submitted to the board with the sign plan.

Lowell Ray Anderson stated that the grain bin will be a great landmark, but as it is not being used functionally it would be considered a sign. He also asked if it is architecturally compatible with the surrounding area.

Andy Cowan, Tundra General Contractors, described the exterior improvements.

Justin Ness made a motion seconded by Justin Lundvall to approve the following exterior improvements proposed by Tundra General Contractors for Millstone Pizza Company to be located at 1057 Sheridan Avenue subject to the review of the city engineer of the stormwater plan:

1. New arched roofs at the south windows and east entrance.
2. Wood coverings for the white masonry areas.
3. Two new commercial style windows and exit door on the east side of the building, next to the outdoor seating area.
4. Approval of the outdoor seating area subject to council approval.

And to table the grain bin proposal to be submitted with the sign plan application, And to recommend to council approval of the encroachment lease proposal. Vote on the motion was unanimous, motion carried.

Jolene Osborne presented the recent approved sign application to the board.

Todd Stowell requested the board form a subcommittee to review industrial zoning. Bud McDonald, Rick Brasher, and Mark Musser were nominated.

Bud McDonald made a motion to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairperson Rick Brasher adjourned the meeting at 2:10 PM.

Jolene Y. Osborne
Engineering Administrative Assistant