

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, March 11, 2014

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, March 4, 2014 at 12:00 PM

Present: Justin Lundvall, Chairperson; Buzzy Hassrick; Brad Payne; Bob Senitte; Kim Borer; Mark Musser, Sandra Kitchen, Deputy City Attorney; Steve Miller, Council Liaison; Todd Stowell, City Planner; Utana Dye, Certified Engineering Technician II.

Absent: Justin Ness

Chairperson Justin Lundvall called the meeting to order at 12:02 PM, followed by the pledge of allegiance.

Bob Senitte made a motion seconded Kim Borer to approve the agenda. Vote on the motion was unanimous, motion carried.

Kim Borer made a motion seconded by Mark Musser to approve the minutes for the February 25, 2014 meeting with the corrections to add a comma after “draft” and change the uppercase “W” to lower case “w” on “with”. Vote on the motion was unanimous, motion carried.

Kim Borer recommended a change to the March 4, 2014 minutes for the master plan adoption motion that Justin Ness made and she seconded to change item 1B (Moving the Expansion Area map boundary back to Sage Creek). The change would be to omit the sentence “Perhaps bring it back all the way to the crest of the hill between East Cooper Lane and Beacon Hill Road”.

Buzzy Hassrick wanted to correct page 2, fourth paragraph, which should be changed to say “the change of use of the property”.

Kim Borer made a motion seconded by Buzzy Hassrick to approve the Tuesday, March 4, 2014 minutes with the corrections to the two items as recommended. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the minor commercial review of the seasonal winter shelter at 1192 Sheridan Avenue for the Irma Hotel.

Kim Borer made a motion for the Planning and Zoning Board to approve the Irma’s request for a minor commercial review for the seasonal winter shelter at 1192 Sheridan Avenue with the caveat that it would go up November 1st and be taken down before March 31st of each year, and that the necessary building and electrical permits are obtained and any required corrections are made as determined by the building official, and that use of the enclosure comply with any applicable liquor license requirements.

Motion failed due to a lack of a second.

Brad Payne made a motion seconded by Mark Musser to table the item until the next meeting and have the applicant come before the board for discussion. Buzzy Hassrick and Kim Borer opposed the motion. Mark Musser, Justin Lundvall, Brad Payne and Bob Senitte voted in favor of the motion. Motion carried for the item to be table until the next meeting.

Todd Stowell presented the staff report on the relocation of the existing Rocky Mountain Mudd Coffee Kiosk from 330 Yellowstone Avenue to 601 Yellowstone Avenue.

Rick and Ricki Westbrook are the business owner of Rocky Mountain Mudd. Mr. Westbrook spoke on the history of the different locations of the coffee stand and why they are moving back to the 601 Yellowstone location. He has no concerns about the recommended landscaping condition.

Kim Borer made a motion seconded by Buzzy Hassrick to approve the site plan for the Rocky Mountain Mudd Coffee Kiosk to be located at 601 Yellowstone Avenue with the following conditions, as staff recommended:

1. The Rocky Mountain Mudd freestanding sign must be located at least ten feet behind the sidewalk.
2. If the coffee stand is to remain on the property after March 15, 2016, the business owner and/or property owner must submit a landscape plan for review and approval by the Planning and Zoning Board.

Vote on the motion was unanimous. Motion carried.

Todd presented the sign plan review of Treasured Memories wall sign to be located at 1280 Sheridan Avenue.

Kim Borer made a motion seconded by Brad Payne to approve the sign plan review for the Treasured Memories wall sign to be located at 1280 Sheridan Avenue, with the option for future illumination of the sign as long as it meets the existing lighting code at the time. Vote on the motion was unanimous. Motion carried.

In regards to the master plan, Buzzy Hassrick made a motion to have the church on 29th Street removed from neighborhood mix use and changed back to residential use. Motion failed due to a lack of a second.

Mayor Nancy Brown explained what happened at the last Council Meeting, including comments from Glenn Borkenhagen. She discussed the church property and gave some history on what has taken place over the years for the property.

The Board had discussion on some of the comments and changes to the Master Plan from the council meeting hearing.

Todd noted some of the public comments that were made at the council meeting hearing. Todd also talked about the changes the Board directed that were made to the master plan in preparation for this meeting, as well as a concern by the owners of the south end of the Rocky Mtn. Business Park. He noted that he feels some are looking at the boundaries of the land use map too closely and not making note of the accompanying language about how the boundaries are not set in stone but intended to be only representative and flexible. It is not a zoning map and we would need to have neighborhood meetings and future processes in order to change the zoning map.

Harold Musser noted his concern for the properties along the Powell Highway and the depth of the commercial zones. He feels the lots east of Freedom Street are way too shallow and that you can't build something of quality on the properties. He asks that they try to make them of a decent size for commercial. He feels that you should get the lines on the future land use map as close as you can to future zoning boundaries. He feels that if a developer comes in with something different then it is harder

to deviate from the master plan once it is approved. He thinks it is important to try and get these lines as close as we can today. (Referring to the commercial use lines along Big Horn Avenue on the south side of the highway.)

Todd talked a little bit about the reasoning of where the boundaries are shown for the area.

The board had some discussion on changing the land use boundary line so that it matches the property lines immediately west of the west properties.

Harold Musser made another point that the people that are there now own the property and he questions whether they are aware that this plan is going to infringe on their existing uses that they have now.

Bob Senitte made a motion seconded by Brad Payne to approve and adopt the Master Plan Resolution with the provision that the property just east of the Middle School along Big Horn Avenue be changed at the west boundary line along the southern boundary line where the commercial property is be extended straight across to the east to include that as commercial use (see attached map). Buzzy Hassrick and Kim Borer opposed the motion. Mark Musser, Justin Lundvall, Brad Payne and Bob Senitte were in favor of the motion. Motion carried.

Todd Stowell noted the approved sign application for the Majestic Lube freestanding electronic reader board sign.

P&Z Board Matters:

Councilman Miller noted that the master plan is finally done. He thanked everyone for their extra effort. He also wanted to thank the staff and the current and past P&Z members.

Buzzy Hassrick made a motion seconded by Kim Borer to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairperson Justin Lundvall adjourned the meeting at 1:18 PM.

Utana L. Dye
Certified Engineering Technician II