

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, August 28, 2012

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 28, 2012 at 12:00 PM

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

Excused Absence: Kim Borer, Chairperson;

Vice Chairperson Rick Brasher called the meeting to order at 12:00 PM, followed by the pledge of allegiance.

Bud McDonald made a motion seconded by Bob Senitte to approve the agenda. Vote on the motion was unanimous, motion carried.

Mark Musser made a motion seconded by Bud McDonald to approve the minutes of the August 14, 2012 regular meeting. Vote on the motion was unanimous, motion carried.

PRESENTATION OF COMMUNICATIONS:

Tim Waldner, Director of Facilities for West Park Hospital, presented the proposal for exterior improvements to the Seedlings Daycare Center at 1008 8th Street including the addition of a 20 foot by 10 foot pergola, fencing and some related landscaping.

Todd Stowell presented the staff report stating the proposal meets all parking, setback and utility requirements.

Justin Lundvall made a motion seconded by Jacob Ivanoff to approve the site plan application submitted by West Park Hospital for property located at 1008 8th Street, as presented with the condition that a building permit and fence permit is required. Vote on the motion was unanimous, motion carried.

Jeremy Easum, Sage Civil Engineering, spoke on behalf of Ed Higbie regarding the application for an amended final plat of the Blackburn PUD. He explained the errors on the original final plat to the board including a reduction of the acreage of Lot 1.

Todd Stowell reviewed the additional changes to the plat that were proposed by staff, including sewer system notes, utility line identification and spelling errors.

Bud McDonald made a motion seconded by Justin Lundvall to approve the Blackburn PUD Amended Final Plat subject to:

1. Addition of the note about the private sewer system.
2. The surveyor adding line work and labels appropriately describing the remaining power line.
3. A note describing the removal and relinquishment of the north-south oriented power line and easement.

4. Correction of the "typos" in notes 12 and 13.

Vote on the motion was unanimous, motion carried.

Bud McDonald made a motion seconded by Justin Lundvall to amend the previous motion to recommend to Council the approval of the Blackburn PUD Amended Final Plat subject to:

1. Addition of the note about the private sewer system.
2. The surveyor adding line work and labels appropriately describing the remaining power line.
3. A note describing the removal and relinquishment of the north-south oriented power line and easement.
4. Correction of the "typos" in notes 12 and 13.

Vote on the motion was unanimous, motion carried.

Glenn Ross spoke regarding his preliminary plat application submitted for the 16-lot Cooper Lane Estates major subdivision. He would also like to receive P&Z approval of the final plat if it is that is possible. The road profile and drainage plan was submitted last week. The irrigation plan is not complete, but perhaps an approval recommended by this board could be subject to Cody Canal, Irrigation District and State Engineers Office approval. The applicant requests a waiver from the requirements of the streets to conform to the master street plan. This request is consistent with their conceptual plat application. The applicant also requests a variance for the length of the cul-de-sac, the widths of the utility easements, the alleys, curb, gutter and sidewalk requirements. These requests are also consistent with the conceptual plat application. The County has agreed to the request for the street cross-section variance. The drainage report was submitted to the city engineer last week. The applicant will comply with the fire hydrant request by staff. The open irrigation ditches will be addressed depending on neighbor cooperation. The applicant requests a variance for the street lighting requirement. The applicant requests a waiver from the requirement to pay cash in lieu of open space to the city as the subdivision is located outside the city limits. He also requested verification regarding the staff requirement of adding a plat note regarding annexation of the area.

Todd Stowell presented the staff report concerning the preliminary plat application, first addressing procedural considerations. He clarified that the street right-of-way dedication requirements apply to both interior and bordering roads. According to the master street plan, an 80' right-of-way width would be required for Cooper Lane. This application provides a 20' utility easement next to the existing 60' right of way. The city is currently not requiring an additional 10' of right-of-way along Cooper Lane. Initial review of the submitted street profile and drainage report appears that the proposal is acceptable. Todd noted that additional technical review and corrections to the final plat are needed.

The board agreed with the waiver of the conformance to the Master Street Plan referenced in Item B in the staff report. The board agreed with the variance of the cul-de-sac length requested in Item G as the proposal is a low-density subdivision. The board agreed that the proposed 20-foot utility easement was sufficient on Item K. The road profile, visibility, curvature radius, streets with interior angles will need to meet city standards with approval of the city engineer. The board was in favor of the variance request for alleys, curb, gutter, and sidewalks as addressed in Item P and Q. The board was also not opposed to the street cross section variance request or the block length variance. Conformance to the 6" water main size requirement was agreed to by the applicant. Fire hydrants along the interior of the street could be waved, with the draft hydrant provided

as proposed. The board agreed to allow Cody Canal final approval regarding the irrigation ditches and open drains. The board agreed to the variance request for no street lighting. The board was agreeable to the variance request from the requirement to pay cash in lieu of open space.

Todd Stowell explained the Final Plat note mentioned by the applicant in regards to future annexation. He referenced Municipal Code 11-2-3B(3) *Proposed development within one mile*. The board would be agreeable to a waiver of that final plat note requirement. However, Todd Stowell suggested a review by the city attorney before proceeding with that waiver.

Bud McDonald made a motion seconded by Mark Musser to recommend to Council the Preliminary Plat for the Cooper Lane Estates subdivision with all of the variances noted and without the requirement outlined by Section 11-2-3B(3), subject to the following:

1. The road profile, visibility, curvature radius, streets with interior angles will meet city standards and be approved by the City engineer
2. Approval by Cody Canal, Irrigation District and the State Engineers Office regarding the irrigation ditches and open drains.

Vote on the motion was unanimous, motion carried.

Bud McDonald made a motion seconded by Mark Musser to recommend to Council the Final Plat for the Cooper Lane Estates subdivision subject to review and approval of the city engineer and staff before Council review. Vote on the motion was unanimous, motion carried.

The board requested staff and legal review of 11-2-3B(3).

Todd Stowell spoke to the board regarding the electronic sign recently installed by the V.F.W. The sign faces residential areas and has received neighborhood complaints. Staff has requested from the V.F.W. an application for review.

The city has also received an application from Gee Properties for the vacation of a portion of 7th Street. A public hearing is scheduled for the next council meeting.

A committee is being formed to review the non-conforming use draft that was discussed at the August 14th meeting. Mark Musser and Jacob Ivanoff agreed to serve on the committee.

The master plan consultants will be here on Wednesday to meet with the advisory committee.

Meeting adjourned at 1:14 PM.

Jolene Y. Osborne
Engineering Administrative Assistant