

**City of Cody**  
**Planning, Zoning and Adjustment Board**  
**Tuesday, May 14, 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, May 14, 2013 at 12:00 PM

Present: Kim Borer, Justin Lundvall, Vice Chairperson; Bud McDonald; Justin Ness; Rick Brasher, Chairperson; Bob Senitte; 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 Lundvall to approve the agenda as presented. Vote on the motion was unanimous, motion carried.

Kim Borer made a motion seconded by Justin Lundvall to approve the minutes of the April 23, 2013 regular meeting. Vote on the motion was unanimous, motion carried.

**PRESENTATION OF COMMUNICATIONS:**

Todd Stowell presented the staff report regarding the proposed modification to landscaping plan for TCT West at 1601 South Park Drive.

Marla Isbell answered questions from the board regarding the project and removal of the sign and landscaping. The lawn along the west side of the building was removed due to the installation of the basement windows and to avoid spray from irrigation.

Justin Ness made a motion seconded by Bud McDonald to approve the modification to the landscaping plan for TCT West at 1601 South Park Drive including shrubs and decorative grasses instead of lawn along the west side of the building, concrete for one additional parking space and access aisle, and installation of the drop box and flagpole, subject to the following:

1. Wheel stops and striping for the additional parking space will need to be provided per code, and to match the existing spaces. The wheel stop needs to be two feet in back of the sidewalk ramp area.
2. The "Exit Only" sign must be replaced with one of similar design, size and height.

Kim Borer opposed the motion. Justin Lundvall, Rick Brasher, Bud McDonald, Justin Ness, and Bob Sennite voted in favor of the motion. Motion carried.

Justin Lundvall recused himself from the following application by the Nature Conservancy.

Todd Stowell presented the application submitted by the Nature Conservancy in conjunction with the City of Cody Parks and Recreation Department for the construction of several improvements to Belfry Park.

Katherine Thompson from the Nature Conservancy spoke regarding the plans.

Kim Borer made a motion seconded by Justin Ness to approve the application submitted by the Nature Conservancy for improvements to the Belfry Park including the picnic shelters, changing rooms, and parking lot improvements as requested, subject to the following:

1. Building permits shall be obtained for the structures.
2. The project must comply with Title 12, regarding flood hazard protection. Authorization of the construction must be obtained from the Public Works Director prior to issuance of applicable building permits. A "Flood proofing Certificate for Non-Residential Structures" will need to be completed by a registered professional engineer or architect for the structures.
3. The colors used for the roofs and structures must be muted, or otherwise blend with the surroundings.

Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report regarding the application submitted by Rocky Mountain MoJoe to place a storage building at 1001 Sheridan Avenue.

Donna Lynn Murray, of Rocky Mountain MoJoe, explained the need for the storage building. They propose to use the shed for one year. Power will be installed to the shed above ground. No exterior lighting is proposed as existing lighting is sufficient. They are proposing the shed be twelve feet by twenty feet.

Kim Borer made a motion seconded by Bud McDonald to approve the application to place a temporary 12'x20' storage shed at 1001 Sheridan Avenue for Rocky Mountain MoJoe for 18 months. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report regarding the application submitted by Kimmert Enterprises, LLC for the development of a Cellular Plus retail store at 1826 17<sup>th</sup> Street. Jeff Winkler with HGFA Architects spoke regarding the proposal and answered questions from the board regarding each of staff suggested conditions.

Bob Senitte made a motion seconded by Justin Ness to approve the site plan submitted by Kimmert Enterprises, LLC for the development of a Cellular Plus retail store at 1826 17<sup>th</sup> Street, subject to the following conditions and modifications:

1. The ramp at the corner of 17<sup>th</sup> Street and Trail Avenue must be oriented north-south.
2. Provide concrete collars for the water curb stop and the sewer cleanouts that are located in parking/driving areas.
3. The plans for the City utilities and frontage improvements must be reviewed and approved by the Public Works director prior to permitting or construction.
4. Work within the 17<sup>th</sup> Street right-of-way requires an encroachment permit from WYDOT. Work within the Trail Avenue right-of-way requires an encroachment permit from the City.
5. Verification that the electronic message board will meet all applicable requirements of the sign code must be provided with the building permit. Illumination settings must be physically verified at the time of installation. No off-premise advertising is authorized for the sign.
6. The footings for the freestanding sign must be designed by a licensed engineer.
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 application building, fire, and electrical codes. A building permit application is required.

Kim Borer opposed the motion. Justin Lundvall, Rick Brasher, Bud McDonald, Justin Ness, and Bob Senitte voted in favor of the motion, motion carried.

Kim Borer informed the board that she will not be able to attend the May 28<sup>th</sup> meeting.

Todd Stowell updated the board regarding SportsHQ renovations. Additionally, he provided the board a summary of the Master Plan update.

Justin Lundvall made a motion seconded by Bud McDonald 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 1:15 PM.

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Jolene Y. Osborne  
Engineering Administrative Assistant