

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
TUESDAY, FEBRUARY 11, 2014
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

AGENDA

1. Call to Order by Chair Justin Lundvall
2. Roll Call, excused members
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes of the January 28, 2014 –Regular Meeting
6. NEW BUSINESS:
 - A. CLDC Major Subdivision on Road 2AB—Final Plat and Modifications to Preliminary Plat. Proposed 9-lot Major Subdivision submitted by Cody Land Development Company.
 - B. Site Plan Review – Tractor Supply Company retail store (Currently 324 and 330 Yellowstone Avenue).
Construct a 21, 700+/- square foot retail store and associated improvements.
7. APPROVED SIGN APPLICATIONS:
 - A. Taco El Taconazo at 702 Yellowstone Avenue
(2) Internally Lit Attached Wall Signs and (1) non-lit wall sign on the front of the building.
8. P&Z Board Matters (announcements, comments, etc.)
9. Council Update: Steve Miller
10. Staff Items:
 - Master Plan—review schedule
 - Introduce Draft Accessory Dwelling Ordinance
 - Rain Barrel project by the Nature Conservancy
11. Adjourn

The public is invited to attend all Planning, Zoning and Adjustment Board meetings. If you need special accommodations to participate in the meeting, please call the City office at (307) 527-7511 at least 24 hours in advance of the meeting.

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, January 28, 2014

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, January 14, 2014 at 12:00 PM

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

Absent: Mark Musser, Justin Ness

Chairperson Justin Lundvall called the meeting to order at 12:01PM, followed by the pledge of allegiance.

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

Buzzy Hassrick made a motion seconded by Bob Senitte to approve the minutes of the January 14, 2014. Vote on the motion was unanimous, motion carried.

PRESENTATION OF COMMUNICATIONS:

Todd Stowell presented the staff report outlining the sign plan for Zapata's Restaurants located at 1362 Sheridan Avenue, in the downtown sign district. He discussed the sign types, locations, and sizes meet the requirements for the downtown sign district in which the property is located. The total size of all proposed Zapata's signage is about 38.7 square feet. The downtown sign district permits 50 square feet of awning signage, with no individual sign larger than 25 square feet. The awning and signs are of professional quality and represent an upgrade to the weathered existing awning.

Bob Senitte made a motion seconded by Kim Borer to approve the sign plan as submitted by Zapata's Restaurant located 1362 Sheridan Avenue. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report outlining the sign plan for The Hatch located at 1390 Sheridan Avenue, in the downtown sign district. He discussed the type, location and size of each sign meets the requirements for the downtown sign district in which the property is located. The total size of all attached wall signs would be about 50 square feet where 285 square feet is allowed. The total proposed size of the freestanding sign is less than 40 square feet per face where 240 square feet is allowed.

Bob Senitte made a motion seconded by Kim Borer to approve the sign plan as submitted by The Hatch located at 1390 Sheridan Avenue. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report outlining the sign plan by Buffalos Bill's Cody Motor Lodge located at 1455 Sheridan Avenue, in the downtown sign district. The proposed sign, being 56 square feet in size on each side, is well within the 240 square feet that may be permitted. It is also smaller than the existing sign. The main panel of the sign is professionally designed and contains the Buffalo Bill logo, which with the rustic brown background adds western character to the sign.

The electronic message board sign is subject to the specific requirements of the ordinance, which was reviewed. Because the sign will overhang the right-of-way, an encroachment permit is needed from WYDOT before the sign can be installed.

Kim Borer made a motion seconded by Bob Senitte to approve the sign plan located at 1455 Sheridan Avenue subject to WYDOT encroachment permit approval. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report outlining the proposal by Jerry Thiel & Sons Construction for the proposed Final Plat of the J and K Major Subdivision. The construction plans have been reviewed by public works, electrical, and planning staff and appear to meet City standards and conditions of the preliminary plat approval. The final plat drawing appears to contain all items required by the subdivision ordinance and to be filed with the county clerk. The water and sewer plans have been approved by WY Dept. of Environmental Quality (DEQ).

David Bergh of GDA Engineers answered questions from the board regarding the clarification of Lots 11 and 12 containing duplexes and the other lots single-family homes. Also, that along 29th Street only living trees that are not in the way of construction will remain.

Kim Borer made a motion seconded by Bob Senitte to approve the final plat as presented with the conditions as stated for J&K Final plat on the east side of 29th Street.

Kim Borer amended her motion to include approval of the maintenance agreement by the City Attorney. The motion was seconded by Bob Senitte. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report outlining the exception for a nonconforming building or use that has existed 5+ years Residence at 808 Aspen Drive (24.7' setback where 25' minimum required.) In effect, the property owner and the lender need assurance that the existing situation will not be subject to enforcement action by the City, and that it may continue as is.

Kim Borer made a motion seconded by Buzzy Hassrick to grant the "exception and variance" to permit the 808 Aspen existing house to remain where it is with a 24.7 setback. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report outlining the exception for a nonconforming building or use that has existed 5+ years—the Moose Creek Lodge Annex at 1014 10th Street (D-2 use in D-1 zone). In effect, the property owner and the lender need assurance that the use of the building as a hotel may continue. An encroachment issue on the Park county title property was noted and it was recognized that the Board approval would be limited to zoning authorization only—not building code, fire code, or issues pertaining to encroachment.

Ira Fellows Moose creek lodge and suites owner explained how the encroachment came about and stated that no one has had issues with the 7' encroachment.

Bob Senitte made a motion seconded by Kim Borer to approve the application for the use of the building for the Moose Creek Lodge Annex at 1014 10th Street to be used as a hotel unit. Buzzy Hassrick opposed the motion; Kim Borer, Justin Lundvall, Brad Payne, and Bob Senitte were for. Vote on the motion carried.

Tabled item:

Brad Payne made a motion seconded by Kim Borer to remove the Zoning Ordinance Amendment-Nonconforming Buildings, Uses, and Lots from the table. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report outlining the Zoning Ordinance Amendment –Nonconforming Buildings, Uses, and Lots and summarized the different nonconforming situations and procedures.

Questions from the Board were answered pertaining to the process for enlarging a non-conforming building that may or may not meet setbacks (question about 10-13-4a was answered in 4b), what process there was for increasing a nonconforming use (10-13-5), and the consistency in time to obtain a permit to re-establish a non-conforming situation. Kim asked to make sure the language is clear on these two sections.

Kim Borer made a motion second by Bob Senitte to recommend to City Council the Zoning Ordinance Amendment-Nonconforming Buildings, Uses, and Lots. Vote on the motion was unanimous, motion carried.

Tabled Items:

Brad Payne made a motion seconded by Kim Borer remove the Minutes from the December 10, 2013 meeting from the table. Vote on the motion was unanimous, motion carried.

Amend the minutes on Page 5 paragraph 6. Kim made a motion second by B. Take out the letter B and add second by recommendation.

Kim made a motion seconded by Bob Senitte to approve the December 10th meeting with the corrections as stated. Vote on the motion was unanimous, motion carried.

Council Update by Steve Miller-None.

Master Plan Update—is head to the board shortly. Subcommittee taking one last look within a week or so. Then full P&Z and council review. March public hearing.

Glen Borkenhagen 2603 Newton Avenue. Lot restriction on J & K Subdivision if it is the board's intention that the restriction is to persist through the years then a note needs to appear on the plat and it will be recorded at the courthouse. Right now the note is on the construction plans and is not on the final plat they won't a. Complicated situation where you have a number of condition to have the recorder prepare everything in a written format and project it onto the screen. So everyone knows what they are talking about so can see what the board is voting on. What is a single owner duplex? One owner that owns both side of the duplex or owner occupied duplexes where each occupancy own each side. Very vague. Duplex on one lot. Two units on one lot. One person would own the building and it would not be divided.

Bob Senitte made a motion second by Buzzy Hassrick that we recommend to staff to bring this to the attention of the City Council upon it being present for their approval. Specification that lot 10 be added as a note on the final plat as a single family resident and Lots 11 and 12 are the only two lots qualified as a single owner duplexes on them.

Brad Payne 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 1:14PM.

Utana L. Dye
Certified Engineering Technician II

DRAFT

**CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
STAFF REPORT**

MEETING DATE:	FEBRUARY 11, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	CLDC SUBDIVISION— MODIFICATIONS TO PRELIMINARY PLAT, AND FINAL PLAT REVIEW. SUB 2013-10	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT OVERVIEW

The Cody Land Development Corporation has submitted the final plat application for the CLDC Subdivision. The property is approximately 119 acres in size and located along both sides of Road 2AB. With the exception of the hillside area on what is now Lot 5, which is zoned Industrial "E", all of the subdivision is zoned Heavy Industrial.

The final plat is slightly different from the approved version of the preliminary plat in the following ways:

- A. One lot has been eliminated: What were Lots 3 and 4 is now Lot 4, and Lot 10 was relabeled as Lot 3.
- B. Lot boundaries north of the Harris Trucking lot have been rearranged (Lot 5 now contains the hillside in that area).
- C. A new 10' natural gas easement is provided behind the 10' utility easement on the north side of 2AB (the natural gas line route is now planned along 2AB).
- D. The 40-foot access and utility easement (Easement 2) has been removed from the area west of the access road to the City water tower; the remaining 40-foot access and utility easement is now entirely south of the 20-foot Rocky Mountain Power easement (it was north of the power line).

Additional differences simply relate to identification and labeling of easements and the conditions of preliminary plat approval.

The city subdivision ordinance does not have a clear process for modifications to an approved preliminary plat. In this case, the modifications did not appear to affect any conditions of approval or necessary improvements, so formal re-application was not required. However, I do recommend that the Board formally authorize the modified preliminary plat by approving a motion to recommend acceptance thereof.

APPLICATION REQUIREMENTS

Items required of final plat applications include the irrigation water right transfer documents, utility company statements commenting on the proposed plat and outlining how utilities will be installed, plans for improvements, covenants for any common

areas/improvements, and evidence of ownership. The applicability of each item to this project is described below.

Irrigation: In this case, there are no irrigation water rights.

Utility Company Statements: Energy West has provided a letter indicating the route of a natural gas main extension necessary to serve the subdivision, and an estimate of their costs for which the developer will be charged. TCT has submitted a letter indicating they have fiber optic cable at the boundary of the subdivision and are capable of delivering services in to the new lots.

Plans for Improvements: No formal plans for improvements (streets, water mains, sewer mains) are necessary for this project. We do not require plans for natural gas extensions, although an encroachment permit will be needed for the crossing of Road 2AB.

Covenants: No common areas are included in the subdivision.

Evidence of Ownership: A quit claim deed has been provided (technically not guarantee of ownership), and a title report for the area of Lots 1 and 2. The deed, title report, and county assessor data all show the land in the name of the Cody Land Development Corporation.

Easements: All identifiable easements of record appear to have been shown and/or noted on the final plat, with the exception of an unused water line easement for the City of Cody. The easement was intended to serve the water tank, but a separate easement was established and this one was not formally vacated. If the easement is not vacated prior to the final plat being recorded, it needs to be noted on the final plat. The intent is for it to be vacated.

The following variances were granted at the time of preliminary plat approval by the City Council, and are noted on the final plat:

1. Waiver of installation of curb, gutter, sidewalk, and streetlights along Road 2AB, subject to an agreement to support and participate in a future improvement district for such. (11-4-2(Q)) (*Note: the agreement is included in the Certificate of Dedication language on the final plat.*)
2. Variance from providing alleys (11-4-2(P)).
3. Variance to the block length requirement (11-4(-2(v))).
4. Variance for no sewer service line to Lot 10 (*Now Lot 3*).
5. Variance to delay installation of electric services until the time of building permit on the affected lot(s). Each lot owner is responsible for actual costs of installation.

Preliminary Plat Conditions:

The conditions required with the preliminary plat approval are listed below, with a note indicating the status of the condition.

1. Provide a full title report and any other available documentation to ensure accuracy of the preliminary and final plats, including but not limited to the Rocky Mountain

Power lines, gas transmission line, status of Road 2AB easement/right-of-way, and railroad turn around spurs.

Comment: Although a formal title report (certificate issued by a title company) was not provided, a title search was conducted and copies of easements and deeds of record for the subject area were provided and reviewed. The information staff was looking for pertaining to the status of the Rocky Mountain Power line, Road 2AB right-of-way, railroad right-of-way, etc. was provided and is reflected on the final plat. Additional easements were found and are shown and/or noted on the final plat.

2. Submit an updated copy of the preliminary plat with, or prior to, the final plat, which includes all easements of record and easements required by the city and utility providers as necessary. All lots must have at least a 10-foot utility easement along their frontage and the 40-foot access easement must be for utilities as well. The Board reserves the right to impose additional requirements based on additional information provided with the updated preliminary plat.

Comment: An updated copy of the preliminary plat is attached. The utility easement is shown on the preliminary and final plat, and the 40-foot easement is labeled for utilities as well.

3. Also include the following notes on the preliminary plat and final plat:
 - a. Change the note regarding drainage to the following: "All lot owners will be required to retain an engineer to analyze the drainage on each lot at the time of site plan submittal to the City for review and approval to assure that any proposed increase in runoff will be retained on site in an approved fashion."
 - b. Note the variances granted using the language above.
 - c. On the final plat include the standard language addressing the agreement to support and participate in a future improvement district for curb, gutter, sidewalk, and streetlights.

Comment: All notes are included.

4. Identify that Lot 10 does not need gas at this time.

Comment: Staff now recommends a more general note indicating the status of utilities. The note is included in the recommended conditions of approval at the end of this report.

5. How the subdivision will be serviced with gas must be addressed with the final plat.

Comment: Energy West has worked with the developer and has a revised plan, which includes running a main from the regulator station near the southeast corner of Lot 9, north along the east side of Lot 9, across Road 2AB, and west along the north side of Road 2AB all the way to the southeast corner of Lot 1-2 of the B&G Minor Subdivision (Block One, LLC lot). The estimate has been provided to the developer, who is responsible for installation.

6. The final plat application shall otherwise contain and comply with the City subdivision ordinance.
7. For Lot 5, the water tap fee must be paid at the time of final plat approval, and the developer is responsible for installation of a sewer tap to Lot 5.

Comment: Payment of the water tap fee will need to occur prior to the mayor signing the final plat. A note about installation of sewer to Lot 5 has been incorporated into the general utility status note staff recommends.

RECOMMENDED MOTIONS:

- I. Recommend approval of the modifications to the preliminary plat, as reflected by the final plat.

- II. Recommend approval of the final plat to the City Council and have the Planning and Zoning Board chairman sign the final plat mylar, subject to the following conditions:
 1. Add a note to the final plat reflecting the utility situations—something to the following effect:

At the time of recording of this subdivision, all lots except Lot 5 have water services and all lots except Lots 3 and 5 have sewer services. It is the responsibility of the developer to provide a water service and sewer service to Lot 5. Installation of the services must occur prior to, or in conjunction with, development of Lot 5. A variance was granted for no sewer service line for Lot 3. No natural gas services have been provided. It is the responsibility of the developer to complete the gas main and gas service installations as determined by Energy West. Installation of electrical power services is explained in Variance #5.
 2. Payment of a minimum ¾" water tap fee for Lot 5, in the amount of \$1,000.00, must be made prior to the mayor signing the final plat.
 3. Payment of the electrical estimate in the amount of \$15,006.84 must be made prior to the mayor signing the final plat.
 4. The vacation of the unused city water line easement must occur prior to the plat being recorded as is; or, the plat needs to reflect the easement as existing.

ATTACHMENTS:

Final Plat
Utility Company Letters



Stephanie Fry
2320 Mountain View Dr.
PO Box 970
Cody, Wy 82414
307-587-4281 (office)
307-272-9567 (cell)
307-527-3976 (direct line)

January 30, 2014

GDA Engineers;

Here is the updated quote for the CLDC Major Subdivision along Rd 2AB. As we discussed, Energy West will extend a new 4" gas main from our existing Reg Station at the East end of Rd 2AB. This new line will go North along the East property line of Lot 9, cross Rd 2AB then follow it along the North road ROW in the new/wider easement that will be granted be put in place.

This quote is for the materials & labor for the main & services installation only. All excavation, boring, bedding sand and backfilling will be the responsibility of the subdivision developer or CLDC. Energy West will require that this main extension be completely installed from the reg station tie in, all the way to our existing 4" main inside the South East corner of Lot 2 of the B&G Minor Subdivision. This will all need to be done in 1 phase.

The service lines to lots 1,2 & 3 will need to be addressed also, if there is ever a need for gas on the South side of Rd 2AB. It will be the responsibility of CLDC for the excavation or any means necessary to get the lines from our main along Rd 2AB under the railroad tracks to the lots.

This is only a quote for the total cost of the project. When the project is finished, if the cost is less or more then the quote above Energy West will adjust accordingly. We try to quote a figure as close as possible to the actual cost.

This quote will be honored for 30 days from the quote date. If you have any questions or concerns please call our office and I will be glad to answer them for you.

Thank You
Energy West Wyoming
Stephanie Fry
Crew Operations



Basin Office
PO Box 671- 405 S 4th St.
Basin, WY 82410
307.568.3357
Fax: 307.568.2506

Cody Office
1601 S. Park
Cody, WY 82414
307.586.3800
Fax: 307.586.5450

Lovell Office
451 Shoshone Ave
Lovell, WY 82431
307.548.2275
Fax: 307.548.7771

Powell Office
401 S. Bent St., #4
Powell, WY 82435
307.754.9160
Fax: 307.764.3748

Billings Office
5320 Holiday Ave.
Billings, MT 59101
406.248.4204
Fax: 406.245.4885

December 18, 2013

To whom it may concern,

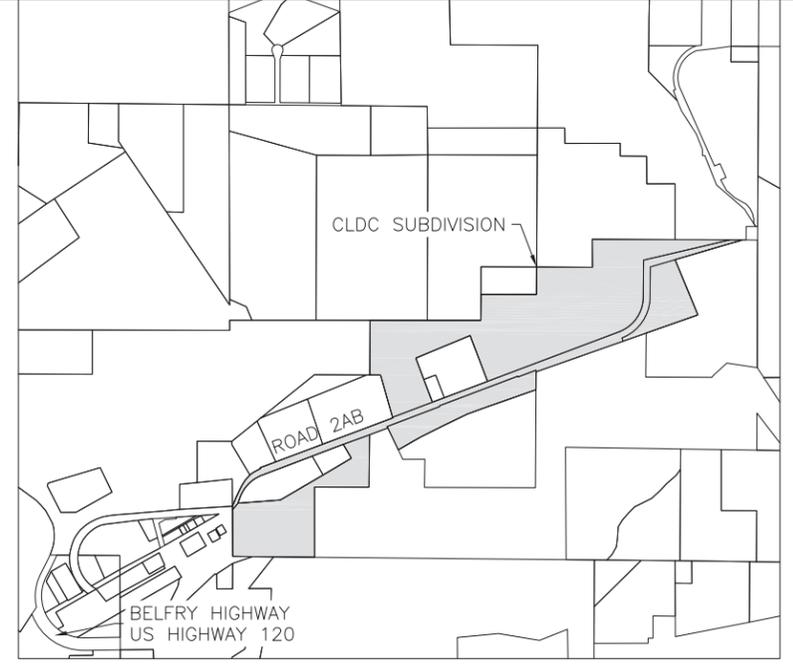
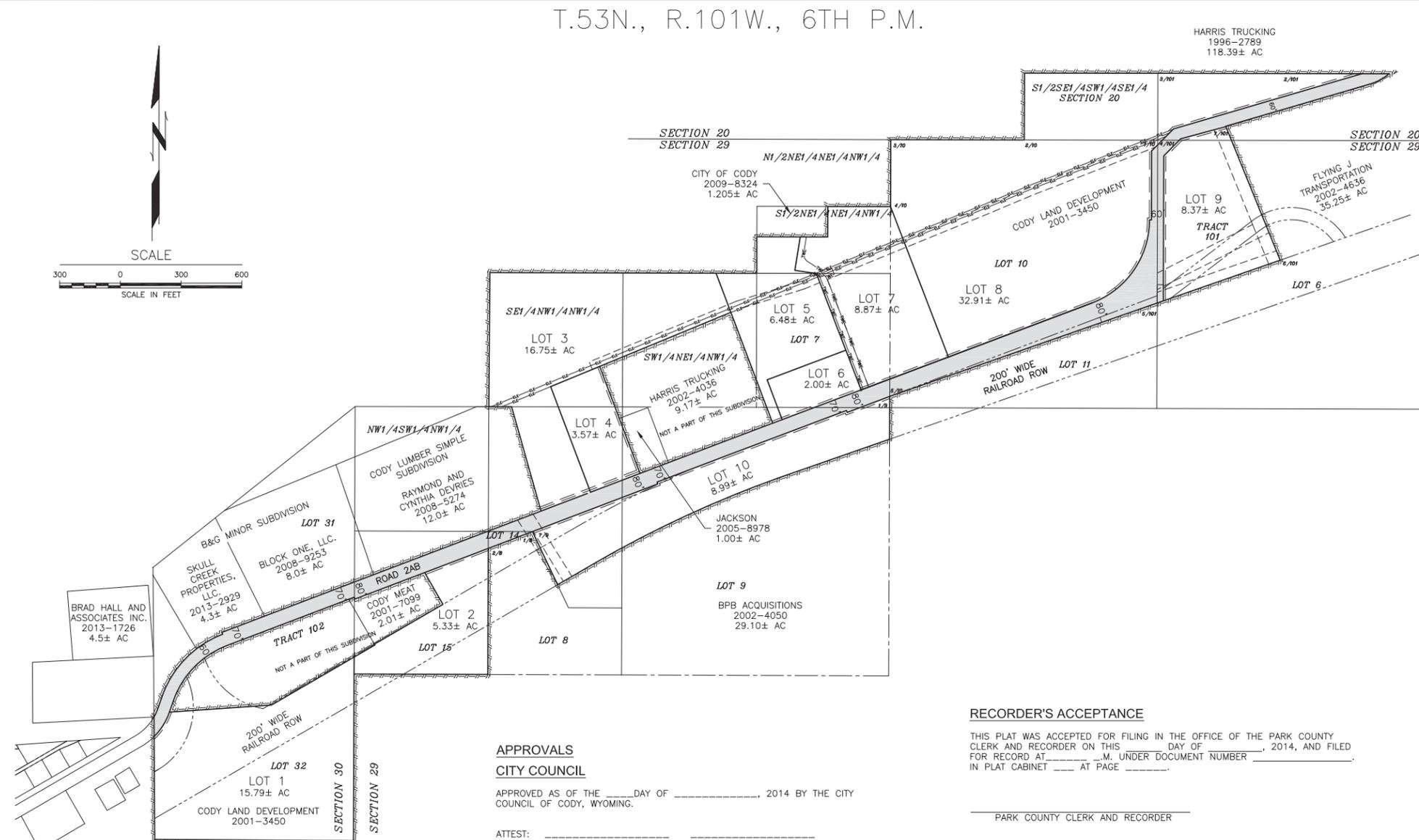
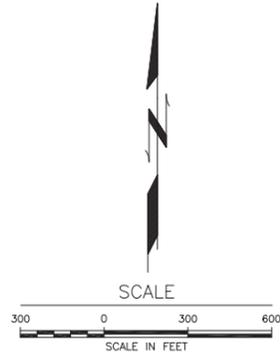
This letter is in reference to the proposed CLDC Major Subdivision – Cody Wyoming. TCT is stating that they have fiber optic cable in place to the boundary of the proposed subdivision and TCT is capable of delivering services in to the new lots.

Feel free to contact myself with any concerns or questions.

ben.walker@tctstaff.com
307-568-3357

Sincerely

Ben Walker
Engineer



DESCRIPTION OF LANDS

A PARCEL OF LAND BEING DESCRIBED IN QUITCLAIM DEED 2001-3450 IN THE COUNTY RECORDER'S OFFICE OF PARK COUNTY, WYOMING, LOCATED WITHIN RESURVEY, T.53N., R.101W., 6TH P.M., CODY, WYOMING, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- SECTION 20, S1/2SE1/4SW1/4SE1/4
- SECTION 29, LOT 7
- LOT 9
- LOT 10
- LOT 12
- LOT 13
- LOT 14
- LOT 15
- S1/2NE1/4NE1/4NW1/4
- SW1/4NE1/4NW1/4
- SE1/4NW1/4NW1/4
- NW1/4SW1/4NW1/4
- TRACT 101
- SECTION 30, LOT 31
- LOT 32

EXCEPTING THEREFROM THOSE PARCELS DESCRIBED IN THE FOLLOWING:
 DOCUMENT NO. 2001-7099
 DOCUMENT NO. 2002-4036
 DOCUMENT NO. 2005-8978
 DOCUMENT NO. 2008-5274
 DOCUMENT NO. 2008-9253
 DOCUMENT NO. 2013-2929
 DOCUMENT NO. 2013-1726

CONTAINING 119.29 ACRES, MORE OR LESS.

LEGEND

- CLDC SUBDIVISION BOUNDARY
- LOT LINES
- NEW EASEMENT LINE
- EXISTING ELECTRICAL EASEMENT
- EXISTING TREATED WATERLINE EASEMENT
- FOUND BRASS CAP
- FOUND ALUMINUM CAP
- FOUND IRON PIPE
- FOUND REBAR
- SET 5/8"x24" REBAR WITH 2 1/2" ALUMINUM CAP
- MEASURED DATA
- RECORD DATA
- PUBLIC LAND SURVEY SYSTEM LABELS
- CLDC SUBDIVISION LOT LABELS

VARIANCES:

1. WAIVER OF INSTALLATION OF CURB, GUTTER, SIDEWALK, AND STREETLIGHTS ALONG ROAD 2AB, SUBJECT TO AN AGREEMENT TO SUPPORT AND PARTICIPATE IN A FUTURE IMPROVEMENT DISTRICT FOR SUCH (11-4-2(Q)).
2. VARIANCE FROM PROVIDING ALLEYS (11-4-2(P)).
3. VARIANCE TO THE BLOCK LENGTH REQUIREMENT (11-4-2(v)).
4. VARIANCE FOR NO SEWER SERVICE LINE TO LOT 10.
5. VARIANCE TO DELAY INSTALLATION OF ELECTRIC SERVICES UNTIL THE TIME OF BUILDING PERMIT ON THE AFFECTED LOT(S). EACH LOT OWNER IS RESPONSIBLE FOR ACTUAL COSTS OF INSTALLATION.

APPROVALS

CITY COUNCIL
 APPROVED AS OF THE ____ DAY OF _____, 2014 BY THE CITY COUNCIL OF CODY, WYOMING.
 ATTEST: _____ CITY CLERK _____ MAYOR

CITY PLANNING AND ZONING BOARD

APPROVED AS OF THE ____ DAY OF _____, 2014 BY THE PLANNING AND ZONING BOARD, CITY OF CODY, WYOMING.
 _____ CHAIRMAN

WATER RIGHTS

NO WATER RIGHTS EXIST WITHIN THIS SUBDIVISION

BASIS OF BEARINGS

THE CITY OF CODY HORIZONTAL AND VERTICAL CONTROL SYSTEM WAS USED AS THE BASIS OF BEARINGS

NOTES

1. LANDS WITHIN THIS SUBDIVISION FALL UNDER ZONE E (INDUSTRIAL) AND HEAVY INDUSTRIAL.
2. ALL LOT OWNERS WILL BE REQUIRED TO RETAIN AN ENGINEER TO ANALYZE THE DRAINAGE ON EACH LOT AT THE TIME OF SITE PLAN SUBMITTAL TO THE CITY FOR REVIEW AND APPROVAL TO ASSURE THAT ANY PROPOSED INCREASE IN RUNOFF WILL BE RETAINED ON SITE IN AN APPROVED FASHION.
3. ALL LOTS HAVE EXISTING TREATED WATER AND SANITARY SEWER STUB OUTS, WITH THE EXCEPTION OF LOT 10, SEE VARIANCE REQUESTS, AND LOT 5. THE TREATED WATER TAP FEE MUST BE PAID FOR LOT 5 PRIOR TO FINAL PLAT. THE OWNER OF LOT 5 MUST INSTALL THE WATER AND SEWER SERVICE AT SUCH TIME THAT LOT 5 IS DEVELOPED WITH A SITE PLAN.
4. 12.989± ACRES OF ROAD 2AB RIGHT-OF-WAY WILL BE DEDICATED TO THE CITY OF CODY.
5. EXISTING UTILITY DEPTH OF BURY AND PIPE SIZE INFORMATION IS ON FILE WITH THE CITY OF CODY PUBLIC WORKS DEPARTMENT.
6. LOTS 1 AND 2 MAY REQUIRE COORDINATION AND ADDITIONAL PERMITTING FOR ACCESS OVER THE RAILROAD RIGHT-OF-WAY.

RECORDER'S ACCEPTANCE

THIS PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER ON THIS ____ DAY OF _____, 2014, AND FILED FOR RECORD AT ____ M. UNDER DOCUMENT NUMBER _____ IN PLAT CABINET ____ AT PAGE _____

 PARK COUNTY CLERK AND RECORDER

BY: _____
 DEPUTY

CERTIFICATE OF DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT WE, THE UNDERSIGNED, ALL HEIRS AND/OR ASSIGNS HEREBY CERTIFY THAT WE ARE THE OWNERS AND PROPRIETORS OF THE LANDS NOTED HEREON IN THE DESCRIPTION OF LANDS.

THAT WE HAVE CAUSED SAID LANDS TO BE SURVEYED; THAT THE SUBDIVISION OF SAID LANDS IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

THAT WE HEREBY DEDICATE THE EASEMENTS AND RIGHTS-OF-WAY LABELED HEREON TO THE USES SO NOTED.

THAT SAID LANDS ARE SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND MINERAL RIGHTS OR RESERVATIONS OF RECORD.

THAT THE SOLE PURPOSE OF THE SUBDIVISION IS TO SUBDIVIDE THE LANDS AS SHOWN HEREON.

AND, THAT ANY RIGHTS BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE OF WYOMING ARE HEREBY RELEASED AND WAIVED.

AND DO HEREBY AGREE TO PROMOTE AND PARTICIPATE IN AN IMPROVEMENT DISTRICT FOR CURB, GUTTER, AND SIDEWALK ON ROAD 2AB WHEN DEEMED NECESSARY BY THE CITY OF CODY. AND FURTHER, THAT THIS LANGUAGE SHALL BE CONTAINED IN EACH AND ALL CONVEYANCES OF RECORD.

IN WITNESS WHEREOF, THE SAID OWNER CODY LAND DEVELOPMENT COMPANY, WITH FREE CONSENT AND IN ACCORDANCE WITH THEIR DESIRES, HAVE CAUSED THEIR NAMES HEREON TO BE SUBSCRIBED THIS ____ DAY OF _____, 2014.

 RICK PATTON
 AUTHORIZED AGENT

ACKNOWLEDGMENT:

STATE OF WYOMING,)
)SS
 COUNTY OF PARK,)

THE FOREGOING OWNER(S) CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2014 BY RICK PATTON WITNESS MY HAND AND OFFICIAL SEAL: (WYOMING STATE LAW REQUIRES A NOTARY SEAL TO BE AFFIXED HEREON)

 NOTARY PUBLIC
 MY COMMISSION EXPIRES: _____

CERTIFICATE OF SURVEYOR

I, JUSTIN G. NESS, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY CERTIFY THAT THIS FINAL PLAT AND FIELD SURVEY WERE MADE BY ME OR UNDER MY SUPERVISION AND THAT BOTH ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND IN COMPLIANCE WITH ALL STATE AND CITY STATUTORY PROVISIONS AND REGULATIONS. THIS PLAT AND SURVEY WERE CREATED FROM AN ACTUAL FIELD SURVEY PERFORMED ON 11/18/2013.



JUSTIN G. NESS
 WYOMING PLS 14276

FINAL PLAT
 SHOWING
CLDC SUBDIVISION
 WITHIN
 SECTIONS 20, 29 AND 30
 RESURVEY, T.53N., R.101W., 6TH P.M.
 PARK COUNTY, WYOMING
 CODY LAND DEVELOPMENT CORPORATION, CODY, WY

PROJECT NO: 131275



ENGINEERING • SURVEYING • PLANNING
 1508 STAMPEDE AVE., CODY, WYOMING 82414

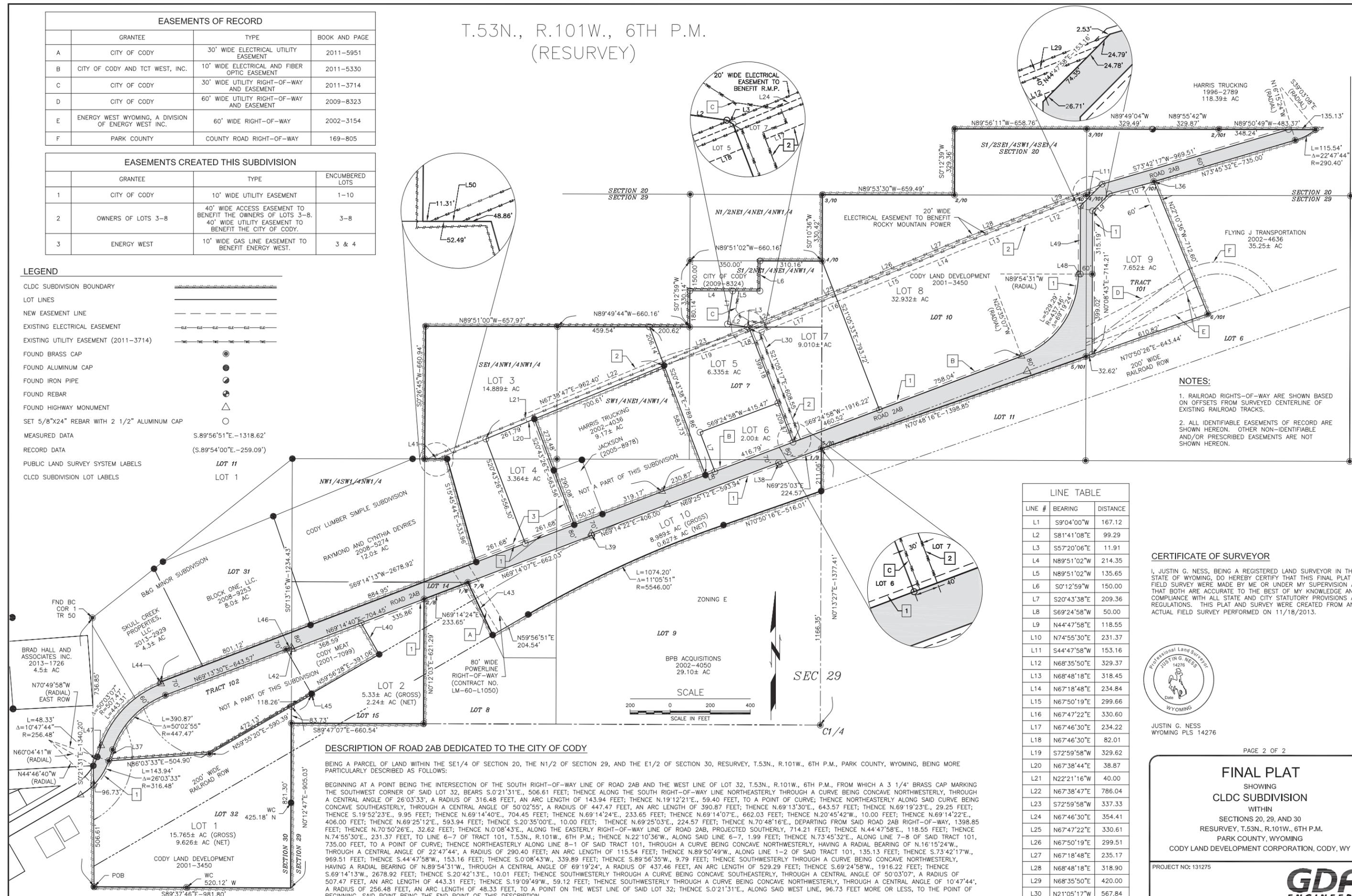
T.53N., R.101W., 6TH P.M.
(RESURVEY)

EASEMENTS OF RECORD			
	GRANTEE	TYPE	BOOK AND PAGE
A	CITY OF CODY	30' WIDE ELECTRICAL UTILITY EASEMENT	2011-5951
B	CITY OF CODY AND TCT WEST, INC.	10' WIDE ELECTRICAL AND FIBER OPTIC EASEMENT	2011-5330
C	CITY OF CODY	30' WIDE UTILITY RIGHT-OF-WAY AND EASEMENT	2011-3714
D	CITY OF CODY	60' WIDE UTILITY RIGHT-OF-WAY AND EASEMENT	2009-8323
E	ENERGY WEST WYOMING, A DIVISION OF ENERGY WEST INC.	60' WIDE RIGHT-OF-WAY	2002-3154
F	PARK COUNTY	COUNTY ROAD RIGHT-OF-WAY	169-805

EASEMENTS CREATED THIS SUBDIVISION			
	GRANTEE	TYPE	ENCUMBERED LOTS
1	CITY OF CODY	10' WIDE UTILITY EASEMENT	1-10
2	OWNERS OF LOTS 3-8	40' WIDE ACCESS EASEMENT TO BENEFIT THE OWNERS OF LOTS 3-8. 40' WIDE UTILITY EASEMENT TO BENEFIT THE CITY OF CODY.	3-8
3	ENERGY WEST	10' WIDE GAS LINE EASEMENT TO BENEFIT ENERGY WEST.	3 & 4

LEGEND

CLDC SUBDIVISION BOUNDARY	
LOT LINES	
NEW EASEMENT LINE	
EXISTING ELECTRICAL EASEMENT	
EXISTING UTILITY EASEMENT (2011-3714)	
FOUND BRASS CAP	
FOUND ALUMINUM CAP	
FOUND IRON PIPE	
FOUND REBAR	
FOUND HIGHWAY MONUMENT	
SET 5/8"x24" REBAR WITH 2 1/2" ALUMINUM CAP	
MEASURED DATA	S.89°56'51"E.-1318.62'
RECORD DATA	(S.89°54'00"E.-259.09')
PUBLIC LAND SURVEY SYSTEM LABELS	LOT 11
CLDC SUBDIVISION LOT LABELS	LOT 1



LINE #	BEARING	DISTANCE
L1	S9°04'00"W	167.12
L2	S81°41'08"E	99.29
L3	S57°20'06"E	11.91
L4	N89°51'02"W	214.35
L5	N89°51'02"W	135.65
L6	S0°12'59"W	150.00
L7	S20°43'38"E	209.36
L8	S69°24'58"W	50.00
L9	N44°47'58"E	118.55
L10	N74°55'30"E	231.37
L11	S44°47'58"W	153.16
L12	N68°35'50"E	329.37
L13	N68°48'18"E	318.45
L14	N67°18'48"E	234.84
L15	N67°50'19"E	299.66
L16	N67°47'22"E	330.60
L17	N67°46'30"E	234.22
L18	N67°46'30"E	82.01
L19	S72°59'58"W	329.62
L20	N67°38'44"E	38.87
L21	N22°21'16"W	40.00
L22	N67°38'47"E	786.04
L23	S72°59'58"W	337.33
L24	N67°46'30"E	354.41
L25	N67°47'22"E	330.61
L26	N67°50'19"E	299.51
L27	N67°18'48"E	235.17
L28	N68°48'18"E	318.90
L29	N68°35'50"E	420.00
L30	N21°05'17"W	567.84

DESCRIPTION OF ROAD 2AB DEDICATED TO THE CITY OF CODY
 BEING A PARCEL OF LAND WITHIN THE SE1/4 OF SECTION 20, THE N1/2 OF SECTION 29, AND THE E1/2 OF SECTION 30, RESURVEY, T.53N., R.101W., 6TH P.M., PARK COUNTY, WYOMING, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT BEING THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF ROAD 2AB AND THE WEST LINE OF LOT 32, T.53N., R.101W., 6TH P.M., FROM WHICH A 3 1/4" BRASS CAP MARKING THE SOUTHWEST CORNER OF SAID LOT 32, BEARS S.0°21'31"E., 506.61 FEET; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE NORTHEASTERLY THROUGH A CURVE BEING CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 26°03'33", A RADIUS OF 316.48 FEET, AN ARC LENGTH OF 143.94 FEET; THENCE N.19°12'21"E., 59.40 FEET, TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG SAID CURVE BEING CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 50°02'55", A RADIUS OF 447.47 FEET, AN ARC LENGTH OF 390.87 FEET; THENCE N.69°13'30"E., 643.57 FEET; THENCE N.69°19'23"E., 29.25 FEET; THENCE S.19°52'23"E., 9.95 FEET; THENCE N.69°14'40"E., 704.45 FEET; THENCE N.69°14'24"E., 233.65 FEET; THENCE N.69°14'07"E., 662.03 FEET; THENCE N.20°45'42"W., 10.00 FEET; THENCE N.69°14'22"E., 406.00 FEET; THENCE N.69°25'12"E., 593.94 FEET; THENCE S.20°35'00"E., 10.00 FEET; THENCE N.69°25'03"E., 224.57 FEET; THENCE N.70°48'16"E., DEPARTING FROM SAID ROAD 2AB RIGHT-OF-WAY, 1398.85 FEET; THENCE N.70°50'26"E., 32.62 FEET; THENCE N.0°08'43"E., ALONG THE EASTERLY RIGHT-OF-WAY LINE OF ROAD 2AB, PROJECTED SOUTHERLY, 714.21 FEET; THENCE N.44°47'58"E., 118.55 FEET; THENCE N.74°55'30"E., 231.37 FEET, TO LINE 6-7 OF TRACT 101, T.53N., R.101W., 6TH P.M.; THENCE N.22°10'36"W., ALONG SAID LINE 6-7, 1.99 FEET; THENCE N.73°45'32"E., ALONG LINE 7-8 OF SAID TRACT 101, 735.00 FEET, TO A POINT OF CURVE; THENCE NORTHEASTERLY ALONG LINE 8-1 OF SAID TRACT 101, THROUGH A CURVE BEING CONCAVE NORTHWESTERLY, HAVING A RADIAL BEARING OF N.16°15'24"W., THROUGH A CENTRAL ANGLE OF 22°47'44", A RADIUS OF 290.40 FEET; AN ARC LENGTH OF 115.54 FEET; THENCE N.89°50'49"W., ALONG LINE 1-2 OF SAID TRACT 101, 135.13 FEET; THENCE S.73°42'17"W., 969.51 FEET; THENCE S.44°47'58"W., 153.16 FEET; THENCE S.0°08'43"W., 339.89 FEET; THENCE S.89°56'35"W., 9.79 FEET; THENCE SOUTHWESTERLY THROUGH A CURVE BEING CONCAVE NORTHWESTERLY, HAVING A RADIAL BEARING OF N.89°54'31"W., THROUGH A CENTRAL ANGLE OF 69°19'24", A RADIUS OF 437.46 FEET, AN ARC LENGTH OF 529.29 FEET; THENCE S.69°24'58"W., 1916.22 FEET; THENCE S.69°14'13"W., 2678.92 FEET; THENCE S.20°42'13"E., 10.01 FEET; THENCE SOUTHWESTERLY THROUGH A CURVE BEING CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 50°03'07", A RADIUS OF 507.47 FEET, AN ARC LENGTH OF 443.31 FEET; THENCE S.19°09'49"W., 59.12 FEET; THENCE SOUTHWESTERLY THROUGH A CURVE BEING CONCAVE NORTHWESTERLY, THROUGH A CENTRAL ANGLE OF 10°47'44", A RADIUS OF 256.48 FEET, AN ARC LENGTH OF 48.33 FEET, TO A POINT ON THE WEST LINE OF SAID LOT 32; THENCE S.0°21'31"E., ALONG SAID WEST LINE, 96.73 FEET MORE OR LESS, TO THE POINT OF BEGINNING, SAID POINT BEING THE END POINT OF THIS DESCRIPTION.
 CONTAINING 12.989 ACRES, MORE OR LESS.

CERTIFICATE OF SURVEYOR
 I, JUSTIN G. NESS, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY CERTIFY THAT THIS FINAL PLAT AND FIELD SURVEY WERE MADE BY ME OR UNDER MY SUPERVISION AND THAT BOTH ARE ACCURATE TO THE BEST OF MY KNOWLEDGE AND IN COMPLIANCE WITH ALL STATE AND CITY STATUTORY PROVISIONS AND REGULATIONS. THIS PLAT AND SURVEY WERE CREATED FROM AN ACTUAL FIELD SURVEY PERFORMED ON 11/18/2013.



JUSTIN G. NESS
 WYOMING PLS 14276

FINAL PLAT
 SHOWING
CLDC SUBDIVISION
 WITHIN

SECTIONS 20, 29, AND 30
 RESURVEY, T.53N., R.101W., 6TH P.M.
 PARK COUNTY, WYOMING
 CODY LAND DEVELOPMENT CORPORATION, CODY, WY

PROJECT NO: 131275



ENGINEERING • SURVEYING • PLANNING
 1508 STAMPEDE AVE., CODY, WYOMING 82414

**CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
STAFF REPORT**

MEETING DATE:	FEBRUARY 11, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	SITE PLAN REVIEW: TRACTOR SUPPLY COMPANY. SPR 2014-02	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

MRH Cody Partners, LLC as owner, has submitted an application for a Tractor Supply Company (TSC) retail store to be located south of Yellowstone Avenue, across from Walmart. The retail building would be 21,702 square feet in size. An outdoor sales area of 15,365 square feet would be located to the rear (south) of the building, and product display areas would be included along the west and north sides of the building—approximately 3,799 sq. ft. and 4,455 sq. ft. respectively. All existing buildings on the property (324 and 330 Yellowstone Avenue) would be removed to accommodate the new facility. The property is 5.1 acres in size.

For those not familiar with Tractor Supply Company, their website shows the following departments: Agriculture, Clothing & Footwear, Horse, Fencing, Heating, Hunting, Lawn & Garden, Livestock, Parts Store, Pet, Plumbing, Paint & Hardware, Power Equipment, Tools, Toys & Décor, Trailers & Towing, Vehicle Maintenance, and Welding.

REVIEW CRITERIA:

Section 10-10C-5 of the zoning regulations states:

All structures within the district shall be architecturally compatible. Architectural and landscaping plans shall be submitted to the planning and zoning commission for approval. Architectural and landscaping details shall be maintained as shown by the approved plans.

Section 9-2-3 is as follows:

Before the issuance of any permit under the international building code for commercial buildings situated within the city, the applicant, property owner and occupant shall meet with the planning, zoning and adjustment board to review the application and plans insofar as they pertain to the exterior of a commercial building and site plan conditions. The issuance of a permit shall be conditioned upon the applicant receiving an affirmative vote of a majority of the planning, zoning and adjustment board members in attendance at said meeting.

STAFF COMMENTS:

The surrounding area is as follows:

<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONING</i>
North	Walmart, across highway.	D-3
East	Cathcart Medical Center, portion of parcel is vacant.	D-3
South	Hillside, Undeveloped above.	Transitional
West	Mini mall (O'Reilly Auto, etc.)	D-3

The subject property is zoned Open Business/Light Industrial (D-3), which permits the retail activities proposed.

Architecture:

The architectural drawings and elevations are attached. The building exterior is proposed to be of masonry block construction, with the lower four feet of split-faced block, painted "Sanderline (Sherwin Williams 7513, which is a neutral light brown), the upper wall of smooth-faced block, painted Urban Putty (Sherwin Williams 7532, which is a dark tan) and an 8" color band about mid-wall height painted safety red.

The building is laid out with the front facing west, to place the main entrance next to the primary parking lot. This places the side of the building along the street frontage (Yellowstone Avenue) and the rear of the building on the east side. To enhance the side of the building along Yellowstone Avenue, a faux entrance has been added to the middle of the wall, four stone veneer pilasters are proposed and the parapet has been raised, leveled and stepped to hide the roof-mounted equipment avoid the long sloping appearance found on the south side. As the faux entry was a recent addition to the proposal, it is not reflected on the site plans, but would apparently be the same depth and size and the main entry (about 10' deep and 24' wide).

No architectural enhancements have been proposed to the east side/back of the building, which is highly visible approaching the site from the east, although five trees (species not identified) would be placed along the property line to help screen the receiving area.

Landscaping:

The proposed landscaping plan has been provided. It includes lawn grass along the frontage and decorative grasses and bushes in cobble areas that also function as storm water retention areas. This will match well with the lawn found along the frontage of the mini-mall to the west and the medical center to the east.

No curbing is proposed within the parking areas, so that the grass and cobble will be at grade with the asphalt and allow storm water to flow directly into the cobble areas.

As mentioned above, five trees are proposed in the cobble area on the east end of the site. The board should discuss these trees—whether they should be deciduous or non-

deciduous, number needed, shape, etc. The landscape strip in which they are proposed is only ten feet wide.

Access and Parking:

Access to and from the site is proposed from two approaches off of Highway 14, 16, 20. The approaches have been reviewed and authorized by WYDOT. The existing approach will be removed and replaced with standard curb and gutter and sidewalk to WYDOT specifications. The permitted approaches will be constructed to WYDOT standards. The east approach is intended to be a joint access with the property to the east according to the WYDOT permit, although no formal easement or agreement is apparently required of them at this time.

The parking area will be paved. The driveways and parking spaces meet the dimensional requirements of the parking ordinance, with the following exceptions:

- a. Modify the striping in the ADA spaces to provide one Van Accessible space (11' wide).
- b. The 14 parking spaces along the frontage need to be extended in depth (towards the front) to provide eighteen feet from the back of the space to the wheel stop.

The Board may want to discuss the need for low screening, such as bushes, in front of the parking spaces along Yellowstone in order to minimize headlight glare and confusion to vehicles exiting the Walmart west entrance directly across the street.

Sixty-seven (67) parking spaces are proposed (63 standard and 4 ADA). The parking ordinance uses a default ratio of one space per 300 square feet for retail establishments, which would mean 72 spaces for this building. However, the Board is authorized to permit other ratios if justified by reliable data. Note 1 on the site plan indicates the tenant's national experience and the estimated customer count. It concludes that the number proposed will be adequate. As the difference (5 spaces) is relatively small, and the data justifying less is reliable, authorization of the number proposed is recommended.

Other parking requirements, including illumination, surfacing, proximity to building, configuration, wheel stops, pedestrian access to building, circulation patterns, etc. are met. Stop signs at the exits should be shown on the site plans. Their location needs to be carefully coordinated with Public Works to avoid the utilities in the 20-foot utility easement along the front of the property.

Exterior Lighting

Proposed exterior lighting includes full cutoff LED wall packs mounted on the north, south, and east sides of the building as shown on the elevations. They may also be proposed on the west side of the building—the photometric plan shows wall packs but the elevations show decorative gooseneck lights. The decorative gooseneck lighting used to illuminate the wall signs (and the west side of the building?) have exposed

fluorescent bulbs (32w, which is equivalent to about 130 watt incandescent). Due to distance from the street, distance from residential areas, and relatively low brightness, the non-shielded bulbs are not as much concern as they may be in other areas.

Parking lot lights are proposed to be 30-foot tall full cutoff LED streetlights (27' pole on 3" concrete base).

A photometric plan has been provided, which demonstrates that the level of exterior lighting is not excessive, and that it is contained within the property.

Neighborhood Compatibility, Setbacks and Buffers, and Height Requirements

Retail activities are permitted in the D-3 zone. There are no specified zoning setbacks or height limits in this zone. No residential buffers are required for this proposal. The setback from the hillside to the south is addressed by an engineered retaining wall, not to exceed ten feet in height along the base of the hill. The wall will be of segmented interlocking blocks, similar to the wall behind Arby's to the west. Plans of the wall are available for review by the Board if needed. To reduce weed problems and help stabilize the disturbed area, the disturbed areas above the retaining wall should be seeded with native grasses.

Storm Water Plan:

An engineered storm water plan has been submitted and reviewed by the City Engineer. The grading is properly designed to collect the storm water and retain it in accordance with the city storm water policy manual. The City Engineer does request that a second inlet be added to the infiltration trench in the northeast parking area, on the east end of the trench. Alternatively, but less desirable, the applicant's engineer may submit ponding data demonstrating that the one inlet is adequate to avoid ponding.

Snow Storage

Snow storage will occur in the storm water retention areas, where the snow can melt directly into the ground.

Utility Services

The building will utilize domestic water, power, gas, and sewer service, as shown on the site plan. Existing services will need to be removed and capped. A demolition plan notes the necessary work, although some details are still being work out, such as which irrigation line may be used (if irrigation water rights are verified), and whether and where one of the irrigation lines will be capped. The applicant requests the option of submitting the final demolition plan as part of the building permit process.

Electrical service has been coordinated and applicable fees estimated. Fees for city sewer and water will apply and estimates are being provided to the applicant. The applicant will be responsible for adjusting the elevations of water shut off valves and sewer manholes as needed to match final grades. The subject water valves are near the

fire hydrant and the sewer manhole is in the west driveway. A correction to the water valve locations is need on the demolition plan.

Natural gas service and any other private utilities will need to be coordinated with those providers.

Signage

No application for the wall signs has been submitted, so future application will be needed. An application for the freestanding sign has been submitted.

Maximum freestanding sign height is 25 feet. The drawing indicates 30 feet, but the letter from the applicant's engineer indicates that it will be installed at 25 feet. The size of the sign panel is 6' tall and 18' wide, for a total of 108 square feet, which is in compliance with the sign code. The location of the sign is just south and outside of the 20-foot utility easement, which is acceptable.

Hydrants/Fire Line

Fire flow calculations from the fire hydrants in the area have been provided to the applicant and used for calculating and designing the fire line to serve the sprinkler system. The 6" fire line to the building will need to be submitted to WY DEQ and the City Engineer for approval.

Frontage Status

Sidewalk, curb, gutter, and streetlights exist along the full property frontage. The necessary modifications to the approaches have been noted above.

Garbage

The dumpster locations are at the east end of the building. Coordination with the sanitation division is still needed as to exact placement.

Parcel Combination

It is the city's interpretation of the International Building code that buildings cannot be placed across parcel/lot lines. Furthermore, parking requirements, utility systems, storm water facilities, and other improvements on multiple parcels would trigger the need for formal easements and/or agreements. To avoid these issues, parcels developed as a single development have been required to be merged. The proposed building is located on a property line between two parcels, with no intent of providing a firewall in the building along that property line. In this instance, the parcels are not part of a platted subdivision and it is considered adequate that the parcels be combined in the County assessor's records.

ATTACHMENTS:

Application materials.

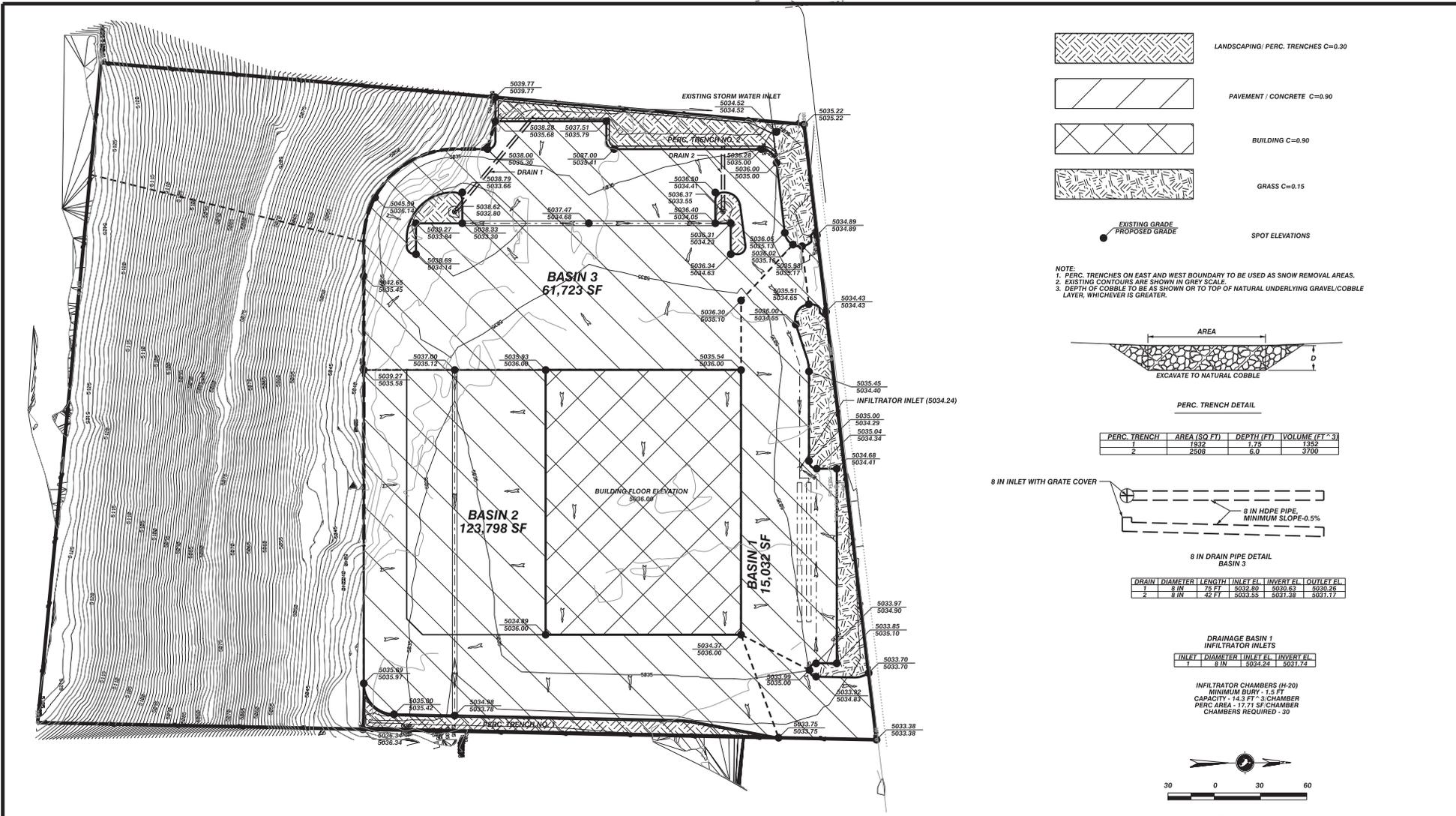
ALTERNATIVES:

Approve or deny the site plan with or without changes.

RECOMMENDATION:

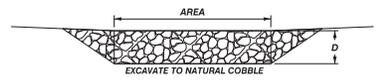
It is recommended that the Planning and Zoning Board approve the project subject to the following items:

1. (Any architectural enhancements or modifications discussed with the applicant and directed by the Board.)
2. (Any landscaping modifications discussed with the applicant and directed by the Board, such as the headlight glare screen.)
3. (Any lighting modifications.)
4. Provide an updated site plan that contains all clarifications and modifications noted in the staff report, including: parking space length, ADA stall width, adjusting the water valves and manhole to finished grade, stop signs, sleeves for taking irrigation water to the landscaped areas, seeding the disturbed hillside with native grasses, and showing the building entryways.
5. Provide an update to the storm water plan to include the requested second inlet for the infiltration chamber in Basin 1, or calculations that no ponding will occur with the one inlet.
6. Coordinate dumpster numbers and locations with the sanitation division.
7. The landscaped areas must be provided with an automatic watering system and maintained in a healthy manner.
8. Combine the parcels through the County Assessor's office prior to issuance of the building permit.
9. The project must otherwise comply with the site plan and applicable building, fire, and electrical codes.
10. The storm water facilities are to be inspected and certified by the applicant's engineer that they were completed according to approved plans, prior to issuance of a certificate of occupancy.



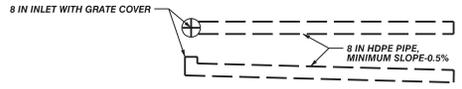
-  LANDSCAPING/ PERC. TRENCHES C=0.30
-  PAVEMENT / CONCRETE C=0.90
-  BUILDING C=0.90
-  GRASS C=0.15
-  SPOT ELEVATIONS

NOTE:
 1. PERC. TRENCHES ON EAST AND WEST BOUNDARY TO BE USED AS SNOW REMOVAL AREAS.
 2. EXISTING CONTOURS ARE SHOWN IN GREY SCALE.
 3. DEPTH OF COBBLE TO BE AS SHOWN OR TO TOP OF NATURAL UNDERLYING GRAVEL/COBBLE LAYER, WHICHEVER IS GREATER.



PERC. TRENCH DETAIL

PERC. TRENCH	AREA (SQ FT)	DEPTH (FT)	VOLUME (FT ³)
1	1322	1.75	1352
2	2508	6.0	3700



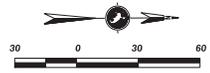
8 IN DRAIN PIPE DETAIL
 BASIN 3

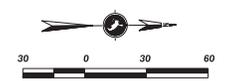
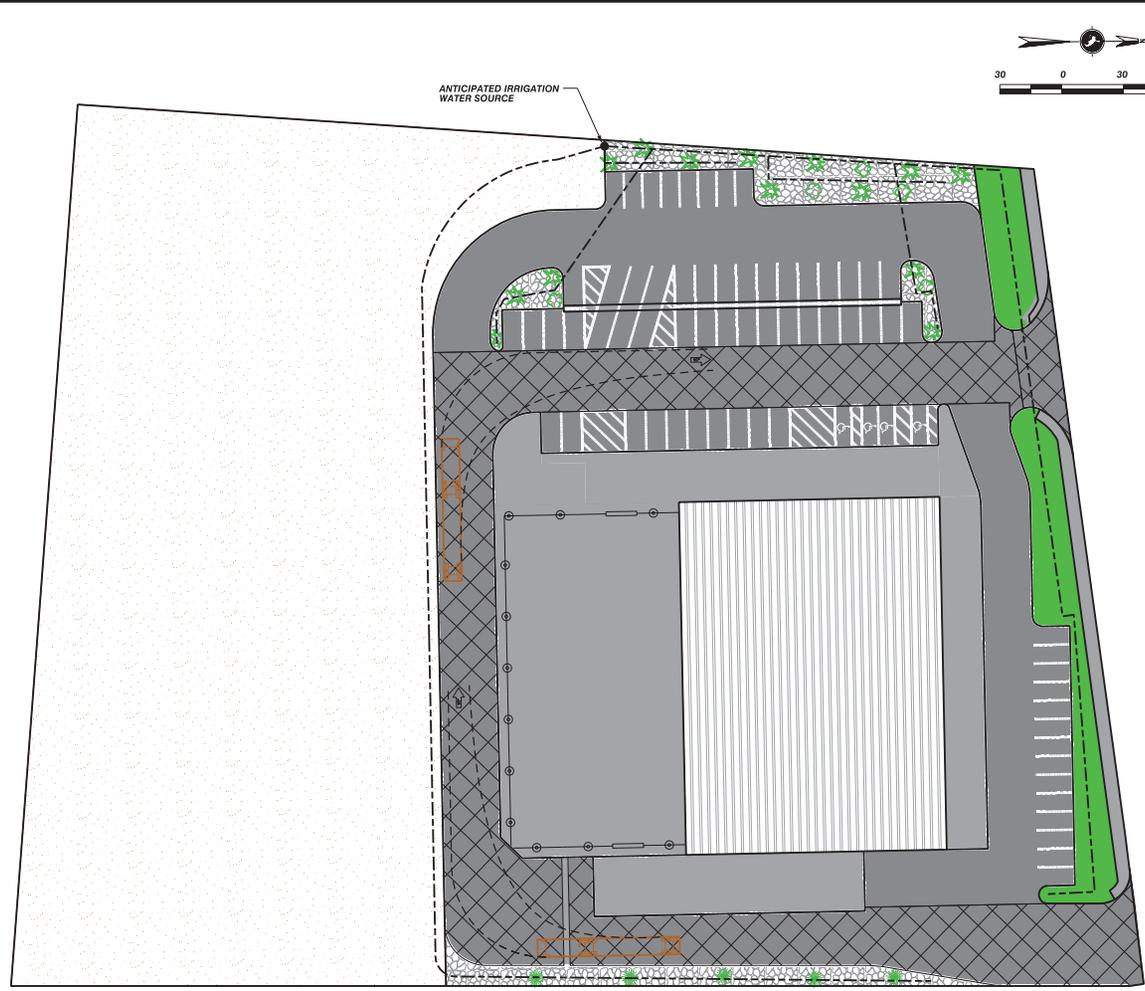
DRAIN DIAMETER	LENGTH	INLET EL	INVERT EL	OUTLET EL
8 IN	42 FT	5033.55	5031.38	5031.17

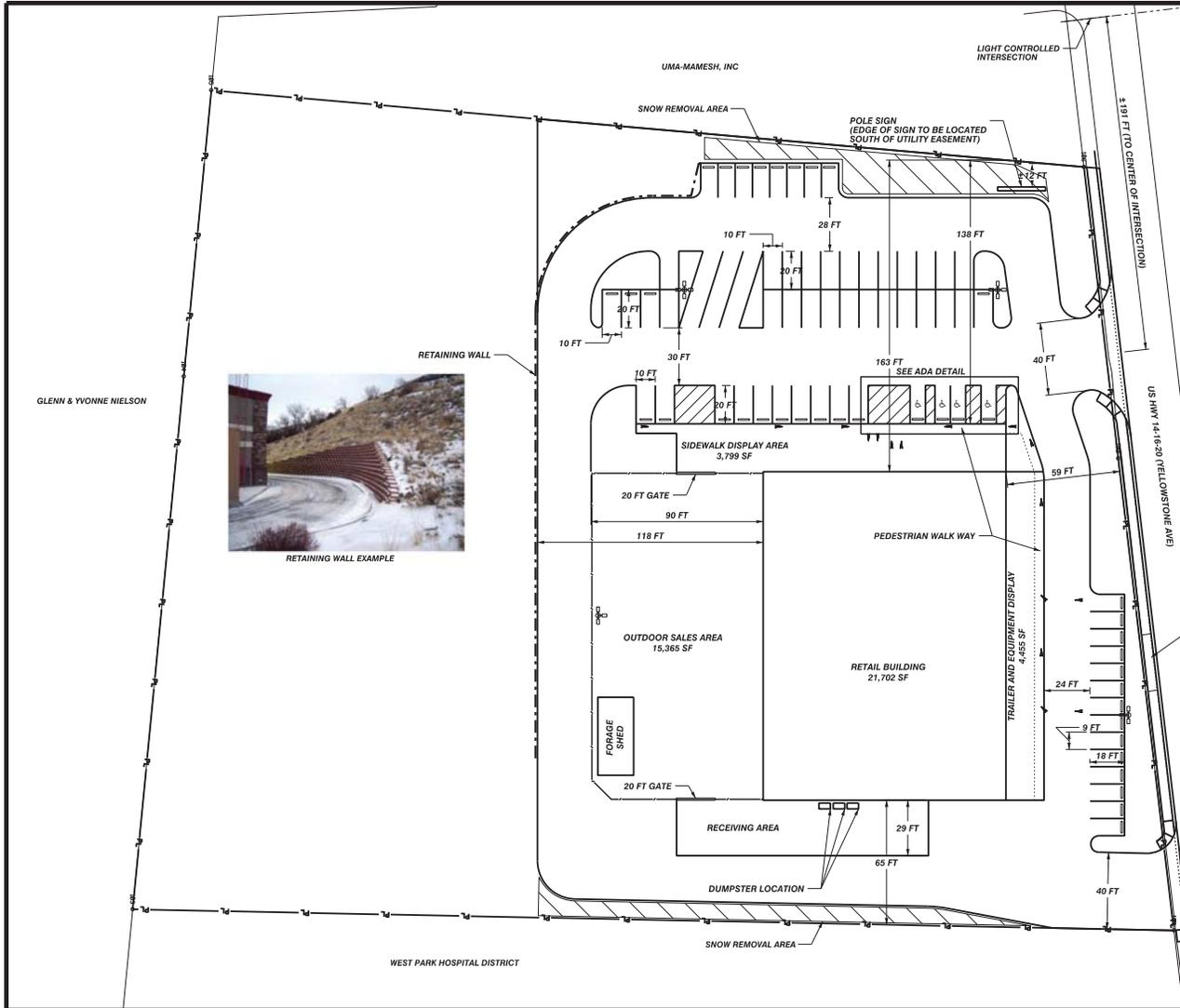
DRAINAGE BASIN 1
 INFILTRATOR INLETS

INLET	DIAMETER	INLET EL	INVERT EL
1	8 IN	5034.24	5031.74

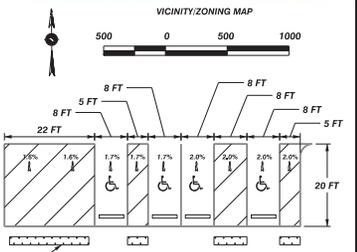
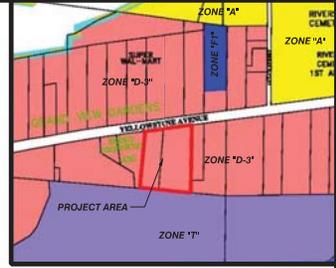
INFILTRATOR CHAMBERS (N=20)
 MINIMUM BURY - 1.5 FT
 CAPACITY - 143 FT³ - 3 CHAMBER
 PERC. AREA - 17.71 SF CHAMBER
 CHAMBERS REQUIRED - 30





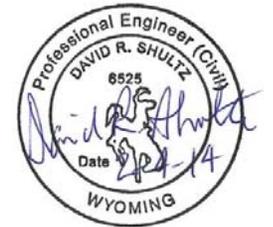


- NOTES:
1. TENANT (TRACTOR SUPPLY COMPANY) ESTIMATES THE PEAK HOURLY CUSTOMER COUNT IS 30-50 CUSTOMERS. THE AVERAGE EMPLOYEE COUNT IS 3-8. THE TOTAL NUMBER OF SPACES PROVIDED, NOT INCLUDING 4 ADA SPACES, IS 63. BASED ON NATIONWIDE EXPERIENCE, THE PROPOSED NUMBER OF SPACES IS DEEMED ADEQUATE BY THE TENANT.
 2. PROPOSED FENCE FOR "OUTDOOR SALES AREA" LOCATED ON SOUTH SIDE OF BUILDING TO BE 8 FT CHAIN LINK WITH 20 FT GATES.
 3. SNOW REMOVAL AREAS SHALL BE THE PERCOLATION TRENCHES LOCATED ON THE EAST AND WEST BOUNDARIES OF THE PROPERTY.
 4. BUILDING WALL PACK LIGHTING SHOWN ON BUILDING ELEVATIONS.
 5. POLE SIGN NOT TO EXCEED 25 FT. ACTUAL SIGN APPLICATION WILL BE SUBMITTED FOR APPROVAL BY TENANT.
 6. WHEEL STOPS SHALL BE 6 FT BARCO RUBBER WHEEL STOPS OR APPROVED EQUAL.
 7. PROPOSED LIGHT POLES TO BE 30 FT.



- PEDESTRIAN TRAVEL
- SNOW REMOVAL AREA
- PROPERTY LINE
- PROPOSED RETAINING WALL
- PROPOSED LED STREET LIGHT
- WHEEL STOPS

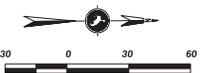
EXISTING DRIVEWAY TO BE REPLACED WITH SIDEWALK AND FULL-DEPTH CURB AND GUTTER



WAL-MART REAL ESTATE BUSINESS

CHARLES & DELORIS HILTON

HIGHWAY RIGHT-OF-WAY



DATE 2-4-14

DRAWN BY - BLH
CHECKED BY - DRS
FILE NO. 2013-51

SITE PLAN

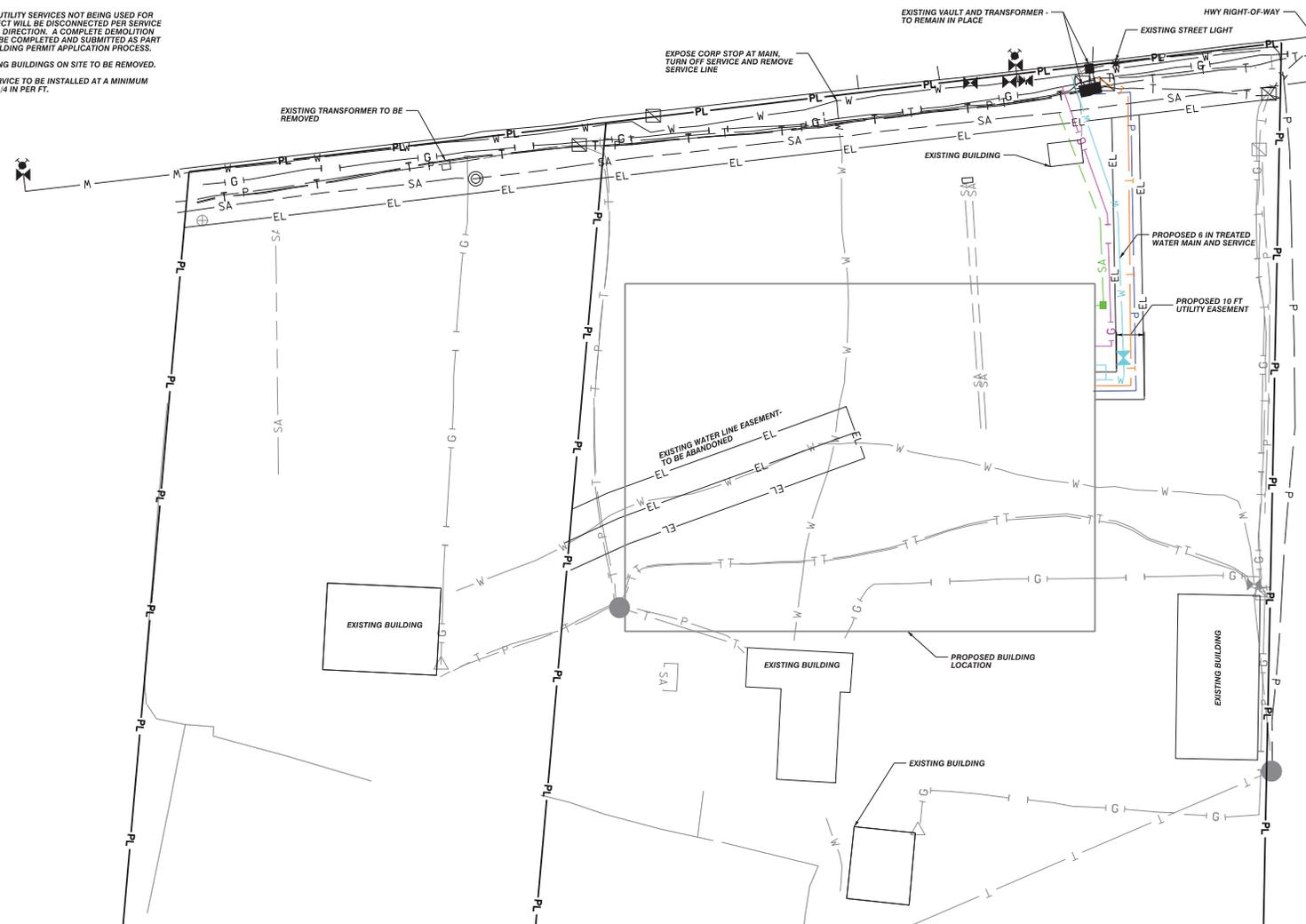
MRH CODY PARTNERS, LLC

2824 BIG HORN AVE
CODY, WY 82414
PHONE: (307) 527-0915
FAX: (307) 527-0916



715 E. ROOSEVELT
P.O. BOX 1153
RIVERTON, WY 82501
PHONE: (307) 851-9252

NOTES:
 1. EXISTING UTILITY SERVICES NOT BEING USED FOR THIS PROJECT WILL BE DISCONNECTED PER SERVICE PROVIDERS DIRECTION. A COMPLETE DEMOLITION PLAN WILL BE COMPLETED AND SUBMITTED AS PART OF THE BUILDING PERMIT APPLICATION PROCESS.
 2. ALL EXISTING BUILDINGS ON SITE TO BE REMOVED.
 3. SEWER SERVICE TO BE INSTALLED AT A MINIMUM SLOPE OF 1/4 IN PER FT.



- TO REMAIN IN PLACE**
- SA — EXISTING SANITARY SEWER
 - T — EXISTING TELEPHONE
 - P — EXISTING POWER
 - G — EXISTING GAS LINE
 - W — EXISTING TREATED WATER
 - I — EXISTING IRRIGATION LINE
 - ⊙ EXISTING SANITARY SEWER MAN HOLE
 - ⊠ EXISTING TREATED WATER VALVE
 - ⊡ EXISTING PHONE PEDESTAL
 - ▽ EXISTING GAS VALVE
 - EXISTING POWER POLE
 - ⊕ EXISTING FIRE HYDRANT

- TO BE REMOVED OR ABANDONED IN PLACE:**
- SA — EXISTING SANITARY SEWER
 - T — EXISTING TELEPHONE
 - P — EXISTING POWER
 - G — EXISTING GAS LINE
 - W — EXISTING TREATED WATER
 - I — EXISTING IRRIGATION LINE
 - ⊙ EXISTING SANITARY SEWER MAN HOLE
 - ⊠ EXISTING TREATED WATER VALVE
 - ⊡ EXISTING PHONE PEDESTAL
 - ▽ EXISTING GAS VALVE
 - EXISTING POWER POLE

- PROPOSED UTILITIES**
- SA — PROPOSED SANITARY SEWER SERVICE
 - G — PROPOSED GAS SERVICE
 - W — PROPOSED 6 IN TREATED WATER LINE AND SERVICE
 - T — PROPOSED TELEPHONE SERVICE
 - P — PROPOSED POWER LINE
 - PL — PROPERTY LINE
 - W PROPOSED TREATED WATER VALVE
 - PROPOSED SANITARY SEWER CLEANOUT



DATE 2-4-14

DRAWN BY - BLH
 CHECKED BY - DRS
 FILE NO. 2013-51

UTILITY/DEMOLITION PLAN

MRH CODY PARTNERS, LLC

2824 BIG HORN AVE
 CODY, WY 82414
 PHONE: (307) 527-0915
 FAX: (307) 527-0916



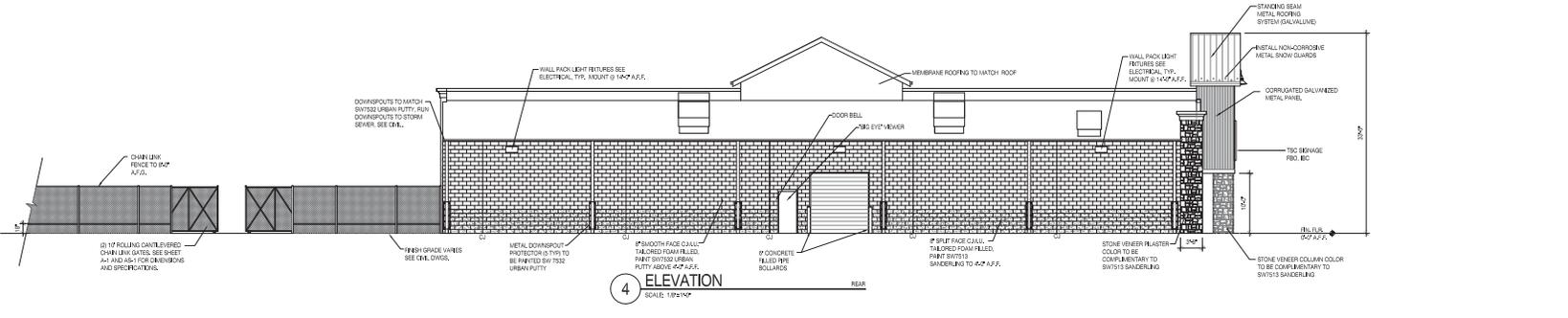
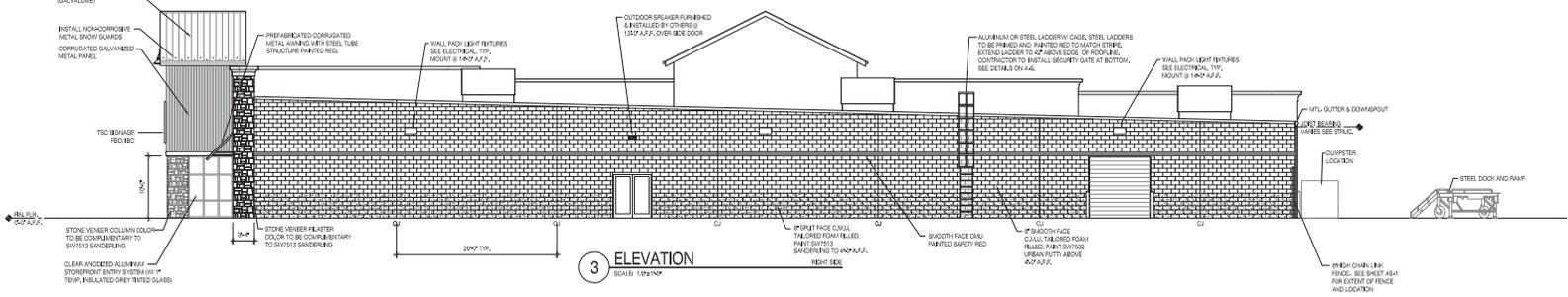
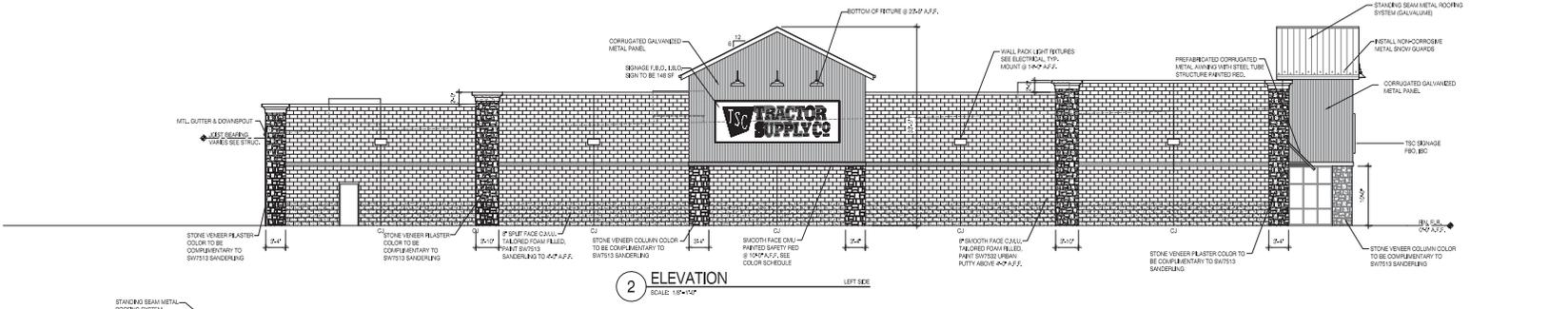
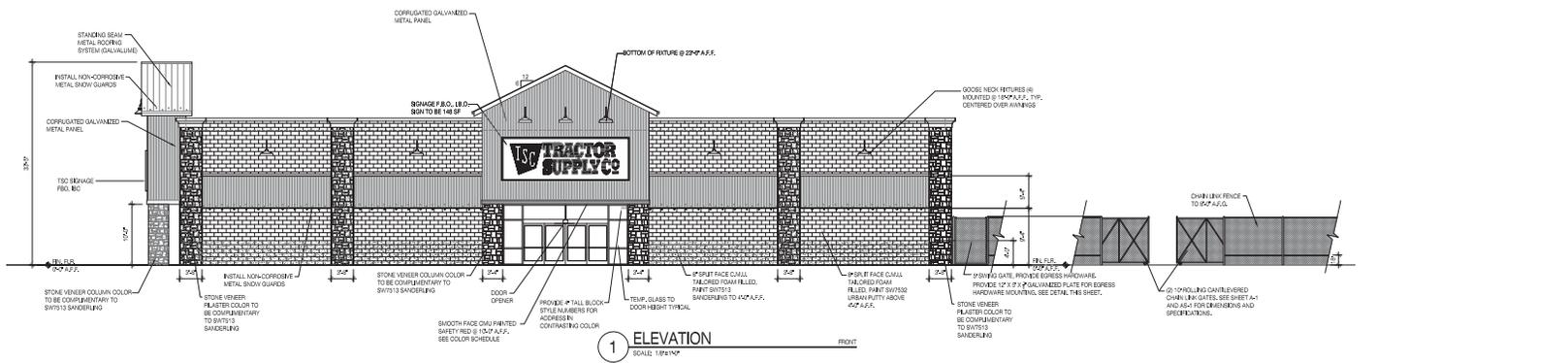
715 E. ROOSEVELT
 P.O. BOX 1153
 RIVERTON, WY 82501
 PHONE: (307) 851-9252



OXFORD ARCHITECTURE

1205 Paris Avenue Suite 202 Nashville, TN 37212

Architecture Planning Interior Architecture



TRACTOR SUPPLY COMPANY

CODY WYOMING

Tractor Supply Company shall not be responsible for the payment of any work performed or material supplied by the Contractor or any of its sub-contractors, sub-subcontractors and anyone claiming by through or under any of them which is not identified in writing and signed by one of the following Tractor Supply Company personnel: Vice President Real Estate, Director of Construction, or a Construction Project Manager. No action, conduct, omission, prior failure, or course of dealing by Tractor Supply Company shall act to waive, modify, change or alter the requirement that all work, whether by contract, change order or change directive, must be in writing and signed by the personnel identified in this provision. Any work performed or material provided by the Contractor, any of its sub-contractors, sub-subcontractors contrary to this provision shall be at its own risk and own expense and Tractor Supply Company shall not be obligated to reimburse or pay the Contractor or any of its sub-contractors, sub-subcontractors for same.

All measurements and items portrayed on this sheet are deemed to be accurate by architect, however all bidding General Contractors should field verify the actual conditions. Any changes to the scope of work, and thus potential change orders, should be identified and communicated in your bid submittal to TSC.

This drawing and the design shown is the property of the architect. The reproduction, copying or use of this drawing without their written consent is prohibited and any infringement will be subject to legal action.

Job Number: 1357

Date: 02-04-2014

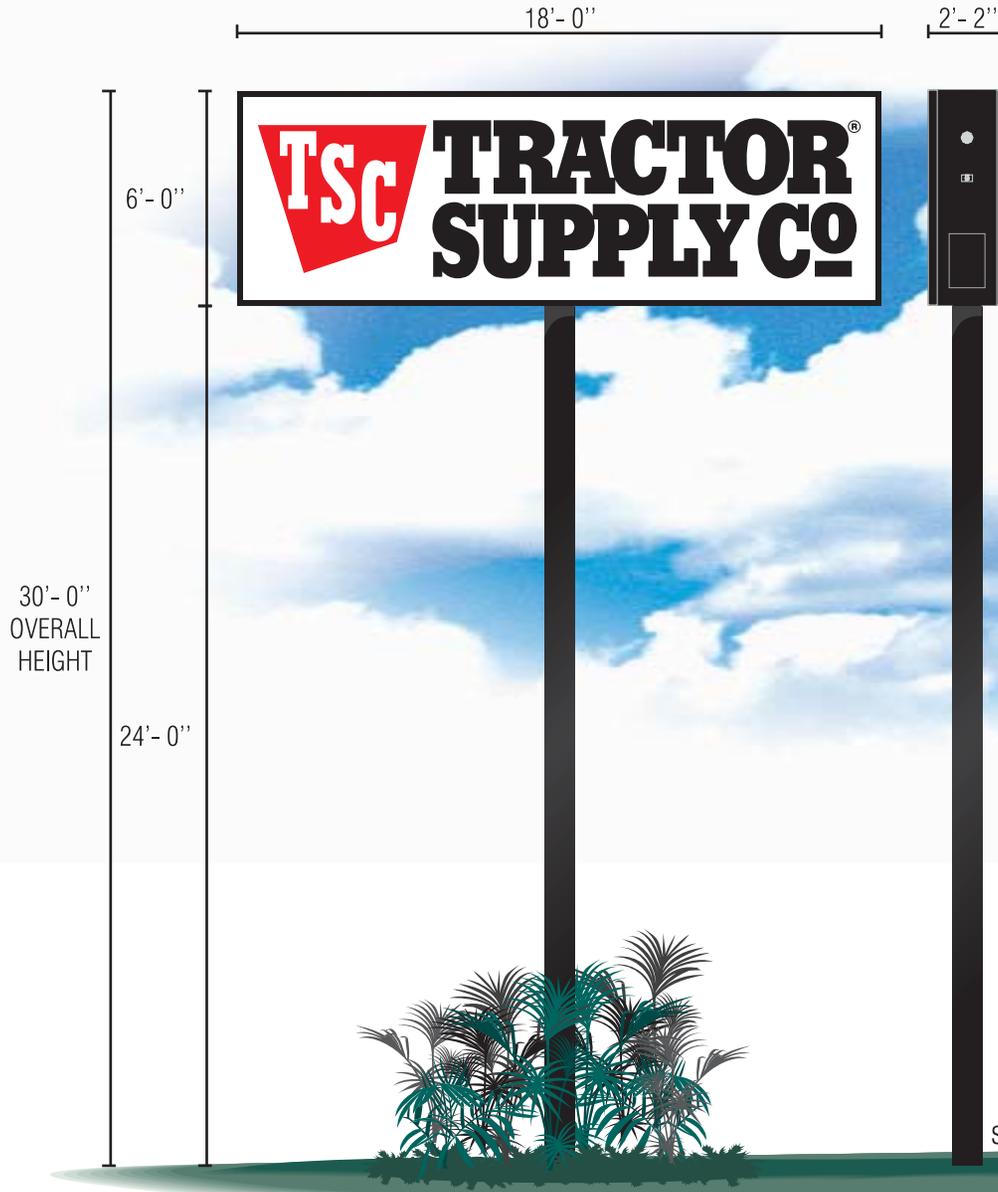
Revision:

Revision:

Revision:

Revision: ELEVATIONS & SECTIONS

Sheet Number: A-2



NOTES:

- 6'- 0" X 18'-0" X 26" DP. FABRICATED CABINET WITH
- 2" (.050) ALUM. RETAINERS
- .050 ALUM. FILLER.
- DOUBLE FACE PANAGRAPHICS III SUBSTRATE MATERIAL WITH VINYL OVERLAYS.
- JR. BLEED FACE EXTRUSION WITH FAB. RETAINERS.
- FRAMED W/ 2" X 2" X 16GA T.S. & 2" X 2" X 3/16" ANGLE IRON SADDLES.
- INTERNALLY ILLUMINATED WITH T8 FLUORESCENT LAMPS.
- 108 SQUARE FEET

COLORS:

- CABINET & STEEL PAINTED GLOSS BLACK
- BACKGROUND - WHITE
- LOGO - 8500-31 REDVINYL WITH WHITE COPY (WEDED OUT)
- "TRACTOR SUPPLY CO" - 651-070 BLACK VINYL

SCALE: 3/16" = 1'

THIS DRAWING IS FOR CONCEPTION PURPOSES ONLY. DUE TO CONSTRUCTION CONSTRAINTS SIZES OR LAYOUT MAY CHANGE.

I.D.

ACCOUNT REP: **DEANNA PAYNE**

CLIENT: **TRACTOR SUPPLY**

REVISED:

REVISED:

ASSOCIATES

LOCATION: **VARIOUS, USA**

REVISED:

REVISED:

SCALE:

DATE: **05/27/11**

REVISED:

REVISED:

DRAWN BY: **JAS**

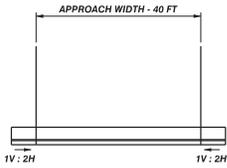
DWG. NO.: **TSC-6'X18'@30'**

REVISED:

REVISED:

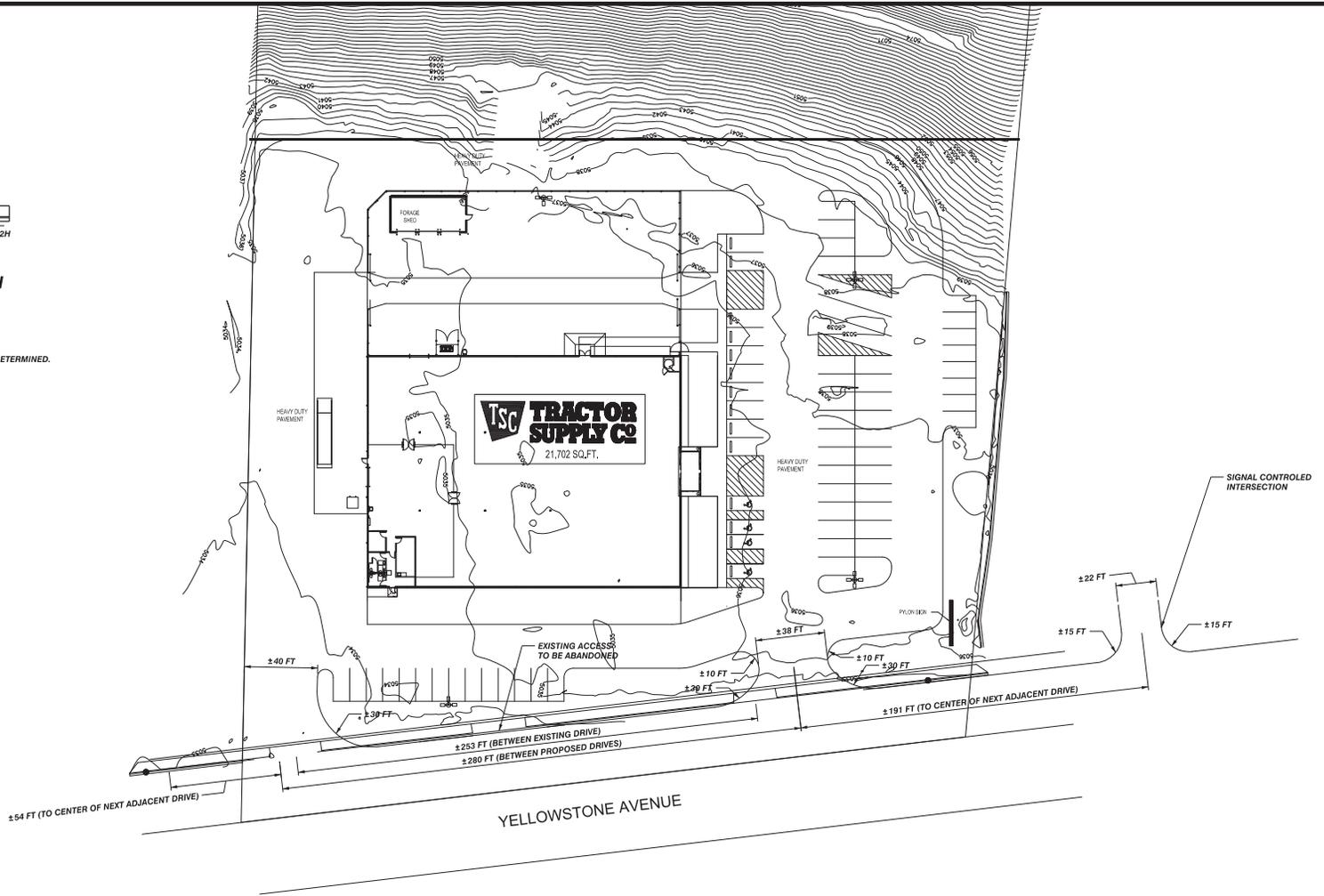
1771 INDUSTRIAL ROAD, DOTHAN AL. 36303
PHONE (334) 836-1400 FAX (334) 836-1401





EAST APPROACH - PLAN

NOTE:
EXACT DRIVE CONFIGURATION FOR WEST APPROACH TO BE DETERMINED.



DATE 12-31-13

DRAWN BY - BLH
CHECKED BY - DRS
FILE NO. 2013-51

WYDOT M-3 ACCESS PERMIT EXHIBIT

MRH CODY PARTNERS, LLC

2824 BIG HORN AVE
CODY, WY 82414
PHONE: (307) 527-0915 FAX: (307) 527-0916



715 E. ROOSEVELT
P.O. BOX 1193
RIVERVIEW, WY 82501
PHONE: (307) 851-9252

1 OF 1



2824 Big Horn Avenue
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307.527.0915•307.527.0916
www.sagecivilengineering.com

P.O. Box 1153
715 E. Roosevelt
Riverton, WY 82501
307.851.9252

February 4, 2014

Todd Stowell, AICP
City of Cody Planner
1338 Runsey Avenue, P.O. Box 2200
Cody, WY 82414

RE: Tractor Supply Company Site Plan

Dear Mr. Stowell,

Thank you for your review of the referenced site plan, as well as your time spent during our conference call to discuss the listed items. On behalf of the developer, MRH Cody Partners, LLC, we have responded to your concerns, and the documents are being re-submitted to reflect these changes.

1. The property has been in two separate, unplatted parcels, under separate ownership. It appears the parcels need to be merged into one, if they are still separate. Please contact me to discuss the ownership/deed situation-- Did you receive the property in separate deeds, or a common deed?

The developer owns the property as two parcels, and will combine them if necessary. If this becomes necessary, your help in determining the most simple and cost-effective manner of accomplishing this will be greatly appreciated.

2. As this is a previously developed site, it appears that a demolition plan is needed to address where and how several utilities will be abandoned/capped (water and sewer lines to be capped at the main).

A full demolition plan is being developed and will be submitted during the process of obtaining the building permit. As noted on the utility plan, we indeed plan to address each existing utility service and cap, plug, or otherwise disconnect the services as appropriate and based on consultation with the service providers.

3. The building elevations provided are shown as "Example Elevations". Are these the actual elevations proposed? The alignment of the building places the main façade on the west side, leaving the architecturally void side of the building along the highway frontage and the rear of the building also highly visible from the highway and neighboring Cathcart medical center. The lack of architectural features on these two sides of the building is of concern to staff and may also be of concern to the Planning and Zoning Board. In early discussions we mentioned that with the size and location of the

facility on the city's west entry corridor, architectural compatibility is important. With neighboring structures such as the Cathcart medical center to the west, the architectural compatibility requirement would likely necessitate architectural enhancements above the basic standard. At that time, timber work and/or wainscot treatments were mentioned as likely options. If alternative building elevations are proposed, we need them for the Planning and Zoning Board review.

(FYI—Related to building orientation is that fact that the area can experience very high winds from the west. Placing the entrance on the west side may mean configuring the entrance in a manner to mitigate wind effects (e.g. double entrance doors/pressurized vestibule). I cannot think of another business in that area with a west facing entrance—whether that relates to wind or is just coincidence I do not know.)

Please see revised elevations. In addition, trees are proposed to be planted along the percolation trench on the east property line providing screening of the delivery/loading area for the business.

4. The amount and quality of landscaping depicted on the landscape plan is significantly less than staff expected. Due to issues with the storm water swale locations over the utilities described later in this letter, the islands along the highway frontage will be available for additional landscaping. Refer to the more recent developments in the area, such as the Cathcart medical center and Walmart for examples of acceptable landscaping methods.

The landscaping plan has been modified to illustrate several proposed species of decorative plants and general locations. Grass is proposed along the north edge of the property, which appears to be consistent with the neighboring properties, and the cobble and bushes are similar to typical landscaping in the area.

5. The pole sign meets the sign size requirements, but exceeds the 25-foot maximum height limit. Please modify the sign design to reflect such. Also, if you can provide sign details and measurements for the sign(s) on the building we could have the Planning and Zoning Board approve those as well. The maximum size for the wall sign is 150 sq. ft. per sign, and up to 300 sq. ft. of total wall signage.

The pole sign will not exceed the maximum height limit. All signage, including signs on the building, will meet City requirements. The sign application will be submitted by others.

6. The building elevation shows a fence around the receiving area, yet there is no fence on the site plan in that location. Will the receiving area be fenced? Also, with the city's side collection garbage trucks, a fence, or even location of equipment could affect the ability to pick up dumpsters. Be sure garbage/cardboard collection is coordinated with the sanitation division.

Fence is not proposed around the receiving area. Garbage collection will indeed be coordinated with the City's sanitation department.

7. The parking calculation shown as Note #1 is based on the former parking ordinance. Please refer to the new parking ordinance for applicable standards (1 space per 300 sq. ft. of gross floor area, but

other ratios can be considered per ordinance language.) The one space per 300 sq. ft. ratio would mean 72 spaces, where only 67 are shown.

The tenant, Tractor Supply Company, estimates through substantial nationwide experience the peak hourly customer count will be 30 – 50 customers for this type of market. Customers average time spent in the store is 15 – 20 minutes. The normal employee count per TSC is 2 - 8. At peak demand, 50 customers (assuming they are each in individual vehicles, which is not likely) and the maximum number of employees will require fewer than 60 spaces. Sixty-three spaces are provided, not including four ADA spaces. The tenant is fully confident the number of spaces provided is adequate, and since it is certainly in their best interest to provide sufficient parking or risk the possibility of losing customers, we believe their experience should be considered and therefore request the proposed number of spaces be approved.

8. Add details of curbing and or wheel stops as needed to demonstrate compliance with the parking ordinance.

No curbing is proposed on the site. However, wheel stops are now proposed along the parking row on the north end of the lot, facing the highway, and along the westernmost parking row; to provide a barrier to prevent vehicles from moving onto landscaped or drainage areas.

9. Additional details on the ADA parking spaces and travel ways to the building are needed. Add dimensions to the proposed ADA spaces and unloading areas; ADA signs in the front of each space (minimum of three 3 ADA spaces required, of which one must be “Van Accessible”); show detectable warnings (truncated domes) at the front of each ADA unloading zone space; and show the slope of the travel paths to the building.

An ADA detail has been added to the site plan.

10. There does not appear to be a clear method for customer pedestrian access from the parking spaces along the north side of the site to the building entrance.

Arrows have been added to the drawings to indicate anticipated pedestrian paths. Pedestrians will cross the parking lot to concrete on the north side of the building. The north 4-5 feet of the “Trailer and Equipment Display Area” will be kept clear for pedestrian use.

11. While fixture details of the irrigation system are not needed, we ask that you show needed infrastructure such as sleeves/conduit to the landscaped areas and the source and size of the irrigation water service.

The general layout of the irrigation system is shown. At this time, the anticipated source is one of the irrigation conduits currently supplying the subject parcels. Our plans show in general that an irrigation system is planned, but the exact details won't be known until more investigation is completed regarding the existing system and water rights. All landscaping will be maintained.

12. Is the irrigation line to be abandoned a private line, or a system line (who owns it?) Has necessary coordination occurred on its abandonment, and should it be abandoned closer to the source? If it is a waste ditch and return flow facility, how will this be handled?

This will require further investigation, but will be handled appropriately after the developer is able to make a decision on water rights, etc.

13. Please provide some detail of the retaining wall—materials, height. Engineering data should be submitted demonstrating that slope stability will be provided.

One copy of the design report for the retaining wall prepared by a professional engineer and professional geologist is included. Please let us know if you'd like additional copies. An illustration of a similar wall on an adjacent property has been added to the site plan for reference.

14. For safety purposes, you may want to consider illumination of the vehicle entrances if existing streetlight illumination is insufficient.

A photometric plan was developed to analyze illumination for the property and is included. The existing street light located adjacent to the east driveway was not taken into account, which will of course improve conditions at that entrance.

15. Please note the height of the proposed parking lot lights (pole height and base height), and the illumination levels.

The height of the proposed parking area lights will be 30-ft. As mentioned above, a photometric plan is being developed.

16. Designate snow storage areas.

A note was on the site plan indicating the areas planned for snow storage, but it is better shown on the re-submittal.

17. Are there any cart storage areas in the parking lots?

No cart storage areas are planned. The tenant, Tractor Supply Company, has a policy that an employee monitors the lot at all times and retrieves carts immediately and as necessary.

18. The building elevation shows outdoor speakers. Please provide a description of their purpose/intended use, and sound level.

The purpose of the speakers is to communicate periodically with outdoor employees. The sound level will be only to that required for employees to hear while on the premises.

19. Storm Drainage Comments:

- a. The Storm Drainage Plan will not work for the existing utilities within the existing utility easement. For Perc Trench No. 3 the plans call for a 2.5 cut. This will intercept existing utilities. Also, we cannot have detained water over the top of a water main with only 3' of cover—no frost protection and the possibility of contamination of water in the event of a fire and a leak. This will also be a problem with Perc Trench No. 1.

Although we're not sure about the statements regarding the depths of cut, and the resulting cover over the top of the waterline and utilities, the percolation trench along the sidewalk on the north side will not be constructed as originally proposed. This area will be landscaped with lawn grass, eliminating the concern of storm water over the water main and reduction of cover over other utilities. In place of the percolation trench, underground infiltration chambers are proposed as shown on the revised drainage plan. Regarding Perc Trench No. 3, it is still proposed to be constructed essentially as originally proposed, south of the utility easement. There are no utilities in this area to our knowledge, and the existing inlet to the storm sewer needs to remain clear. If there are issues with this that we are not recognizing, please let us know.

- b. How does runoff get into trenches 1, 2 and 3? (There are no openings shown in the curb.) The southeast corner by the building is lower than the opening into the perc trench No. 2. How does drainage work here? We suggest the applicant consider below ground storage internal to the site.

As previously mentioned, no curbing is proposed around the drainage areas. The transition between the parking area and the perc trenches are proposed similar to those at the Cathcart Center.

- c. Please provide the tops of frames and inverts for the proposed drain pipes.

Elevations added to the drainage plan.

20. Please show truck turning radii at the southeast and southwest corners to verify turning movements by sanitation trucks.

Turning movements for the store's delivery trucks were analyzed by the project architect during initial site planning. Illustrations of these movements were added to the Landscape/Paving plan. The delivery trucks are WB-65 tractor-trailer combinations, which are larger than the City's sanitation trucks, therefore no issues with the City's trucks are anticipated.

21. Please show the locations of existing fire hydrants.

Shown on Utility Plan.

22. Please show the traffic signal location relative to the proposed entrances.

Shown on site plan. Incidentally, this separation was provided to WYDOT with the access permit application.

23. Does the property have water rights? If so, the water rights should be transferred to the City or someone else so the Watering Policy can be offered.

This is being investigated, and a determination as to the potential transfer of rights will be made when the information is known.

24. Please identify on the site plan how the existing curb cuts along Highway 14-16-20 will be treated (ie; closed, sidewalk revision, etc.)

Done. The middle existing driveway will be replaced with sidewalk and full-depth curb & gutter. The east and west access will be placed as shown, and have been permitted by WYDOT.

25. Please indicate sizes of proposed utility lines, so that we may provide a fee estimate, etc.

The treated water main is 6-inch. The sewer service will be 4-inch.

26. Please provide a pavement cross-section detail for the parking lot.

The parking area will consist of both heavy-duty and standard-duty pavement sections. These typical sections have been added to the Landscaping/Paving Plan.

27. The site plan should be signed or sealed.

Site plan has been signed and sealed.

28. We have an estimate for the electrical work, based on the plan coordinated with the electrical superintendent. I will provide that in a separate email.

We look forward to receiving the estimate.

Thank you again for your cooperation. We hope we have satisfactorily addressed your concerns, but will further discuss during the Planning & Zoning meeting, if necessary.

Sincerely,



David R. Shultz, P.E.



Matthew H. Mead
Governor

Wyoming Department of Transportation

"Providing a safe, high quality, and efficient transportation system"

P.O Box 461
Basin, Wyoming 82410

Phone (307)568-3400

FAX (307)568-9318



John F. Cox
Director

Sage Civil Engineering
Attn: Mr. Dave Shultz, P.E.
2824 Big Horn Ave.
Cody, WY 82414

December 31, 2013

RE: Access Permit

Dear Mr. Shultz;

Your permit has been approved to remove one access and rebuild another to the, MRH Cody Partners, LLC property in Cody. The access is located in Lot 70, Township 52N, Range 102W at mile marker 50.247 Right on U.S. 14/16/20.

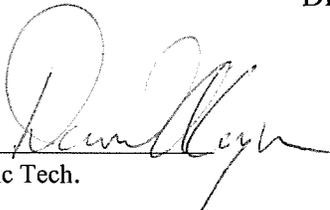
Before you begin construction, please get a copy of your permit and any attachments from our crew foreman, Mr. Jim Berry at the WYDOT office in Cody, phone (307) 587-2220.

Please read your permit carefully and follow all guidelines, safety, and building specifications stated on your permit and any attached sheets. You or your representative, are requested to have a work schedule with the name and telephone number of the person in charge of the work to be done. Please complete all work as soon as possible to avoid any unnecessary hazards in the highway right of way.

Please be advised that it is your responsibility to make sure that the work is done according to the Wyoming Department of Transportation's specifications that are stated on your permit and attachments. Upon completion of work, please contact the above person for inspection of the approach so it can be accepted as a legal access to the Highway system.

Sincerely,

Shelby Carlson P.E.
District Engineer

for the District Engineer 
Dave Cooper, Dist. Traffic Tech.

cc: Mr. Jim Berry, WYDOT Crew Foreman – Cody
Mr. Robin Nichols, Area Crew Supervisor – Basin
File

WYOMING DEPARTMENT OF TRANSPORTATION
ACCESS PERMIT

Date of Application: 11/15/2013

The Undersigned hereby makes application for permission to construct an access driveway(s) described below and as shown on the attached sketch or plan "hereby made part of this application" to:

TO BE FILLED OUT BY PROPERTY OWNER

LOCATION OF PROPERTY:

Located on Highway 14-16-20 in Park County, approximately 1.7 miles
east of the junction of U.S. 14-16-20 and Wyoming Highway 291, for INGRESS or EGRESS to a
N,S,E,W City, town or Highway Junction
retail farm & ranch supply business, on the south side of the Highway.
RESIDENCE OR TYPE OF BUSINESS N,S,E,W

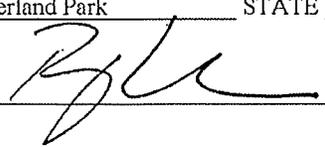
AGREEMENT:

I, the undersigned property owner, request permission to construct an access driveway on department right-of-way for the above property, subject to the restrictions and regulations contained in the "RULES AND REGULATIONS FOR ACCESS DRIVEWAY(S) TO WYOMING STATE HIGHWAYS" current edition. In consideration of these regulations, the applicant agrees:

- 1) To construct the driveway in a safe manner so as not to interfere with existing authorized facilities previously permitted nor endanger public travel and to perform all related work in a neat and workmanlike manner, to use materials acceptable to the Department of Transportation and leave the right-of-way clean and in a condition equal to or better than the original condition.
- 2) To fully protect any traffic on the highway during construction covered hereunder by proper barricades, flaggers, and/or signs as shown in the TRAFFIC CONTROL FOR ROADWAY WORK OPERATIONS manual, and to hold harmless the Wyoming Department of Transportation, its officers and employees from all dangers, expenses, claims or liabilities arising out of any alleged damages of any nature to person or property, due to the construction performance or nonperformance of work, or existence of said driveway.
- 3) That no driveway shall be constructed such that there will be parking or servicing of vehicles within the highway right-of-way.
- 4) That the profile grade of the driveway shall be constructed as indicated on attached sketch or plan sheet(s) and shall in no case be graded or maintained in such a way that water/mud will run out onto the highway surface.
- 5) That this permit shall become VOID if construction is not completed within 365 days after initiation of construction or one (1) year from approval date if construction has not been started.
- 6) ~~That any change in land use which could generate greater traffic volumes or vehicle types will nullify this agreement and a new application must be submitted for approval.~~
- 7) That the Wyoming Department of Transportation reserves the right to inspect this installation at any time during construction until accepted by the Department, and to require changes at any time necessary to provide protection of life and property on or adjacent to the highway. Once the approach/access has been accepted by the Department it then becomes the property of the Wyoming Department of Transportation and theirs to maintain and repair except for snow or debris removal.
- 8) To any additional requirements as described in the DISTRICT ENGINEERING , REQUIREMENTS/COMMENTS section on the back page of this permit, and/or any on attached sketch or plan sheets.

APPLICANT MRH Cody Partners, LLC ADDRESS 13356 Metcalf Avenue
(Print)

FIRM NAME _____ CITY Overland Park STATE KS ZIP 66213

PHONE NUMBER (719) 210-7448 SIGNATURE 

THIS SIDE FOR WYOMING DEPARTMENT OF TRANSPORTATION USE ONLY

(Motorist)

Access Location and Design Information:

Maintenance Section: PA-01Z Project Number: ON 31-01(073), RIGHT or LEFT Station: 8+476. Milepost: 50.247 RIGHT or LEFT, Roadway Classification: Urban Principal Arterial. Section: Lot 70, Township: 52N, Range: 102W. Approach width 40 FT, with _____ FT radius. Surface Type: Concrete. Drainage Structure Required YES/NO, Length: 40 Diameter or Width: _____ Type: double gutter. Slope _____ and/or valley gutter to be located _____ feet from edge of pavement. 40 feet from centerline to R.O.W.

Right of Way Division:

PERMIT NUMBER: _____

ACCESS CONTROL; FULL _____, LIMITED _____, NONE _____, NONE ASSUMED _____

SIGNATURE _____, TITLE _____, DATE _____

District Engineering:

PRELIMINARY FIELD INSPECTION BY: [Signature] TT, DATE 12-23-13 (include title)

REQUIREMENTS/COMMENTS: Access at station 8+441 to be removed and replaced with Type A Curb and Gutter. This access to be rebuilt at Sta. 8+476 to 40' width may be used as a joint access with property to the east. DTE: [Signature] 12-23-13

APPROVAL FOR CONSTRUCTION:

THIS ACCESS IS HEREBY GRANTED, WITHIN THE CONDITIONS STATED HEREIN. DATE 12-26-13

WYOMING DEPARTMENT OF TRANSPORTATION, BY [Signature] TITLE D.E. (District Engineer / District Traffic Engineer)

CONSTRUCTION INSPECTED:

I HAVE INSPECTED THIS ACCESS AND HAVE FOUND IT TO HAVE BEEN CONSTRUCTED AS PER THE REQUIREMENTS DESCRIBED BY THIS APPLICATION.

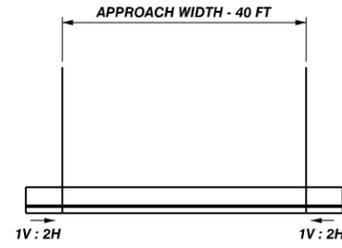
SIGNATURE _____, TITLE _____, DATE _____

ACCESS ACCEPTANCE:

DISTRICT PERSONNEL HAVE INSPECTED THIS ACCESS DESCRIBED ON THIS APPLICATION AND ATTACHED DRAWING(S) AND HAVE FOUND THE ACCESS TO BE CONSTRUCTED IN THE MANNER AS PRESCRIBED ON THIS APPLICATION AND ATTACHED DRAWING(S).

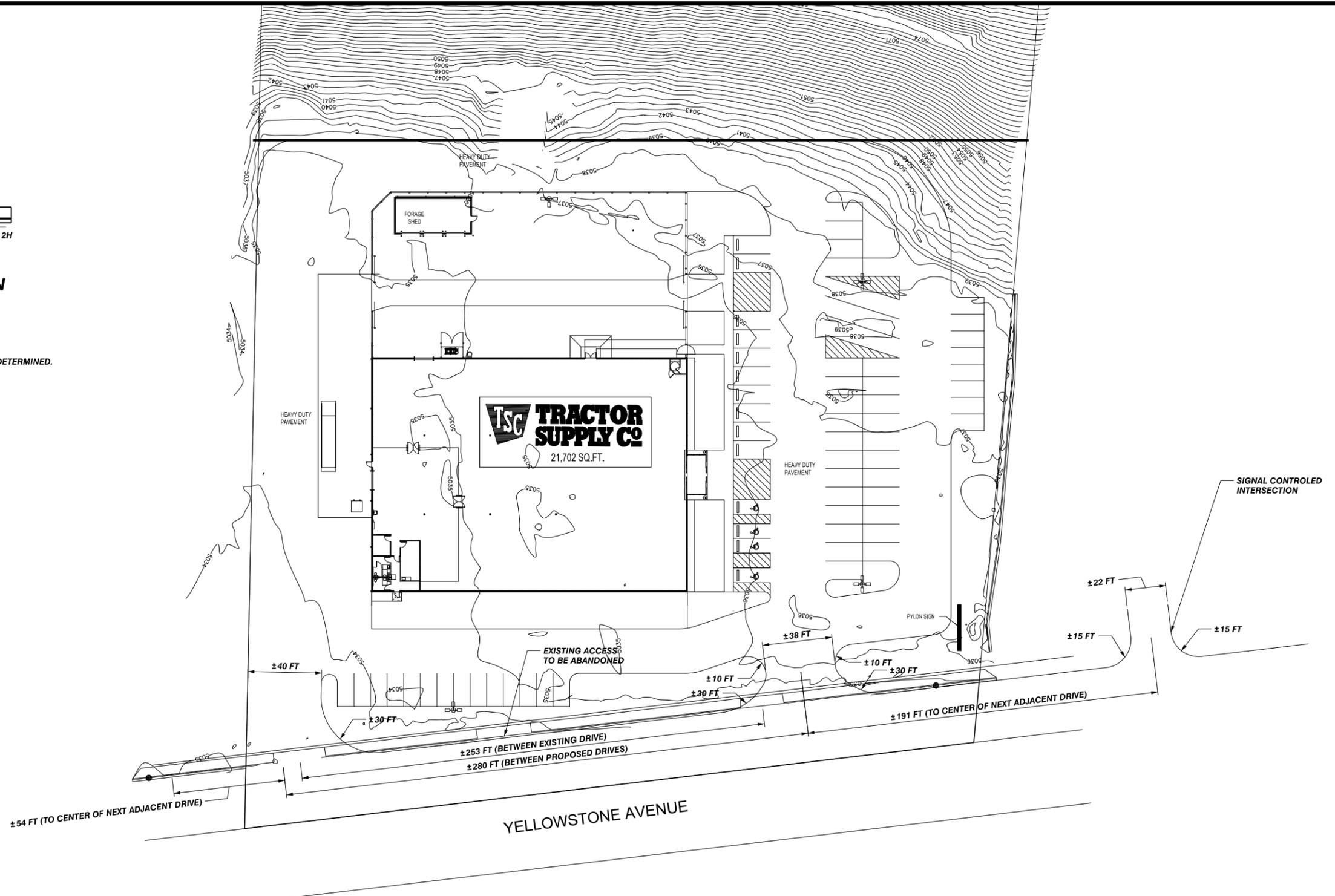
_____, TITLE _____, DATE _____ (District Engineer / District Traffic Engineer)

references: OPERATING POLICY 21-1 and RULES & REGULATIONS FOR ACCESS DRIVEWAYS TO WYOMING STATE HIGHWAYS.



EAST APPROACH - PLAN

NOTE:
EXACT DRIVE CONFIGURATION FOR WEST APPROACH TO BE DETERMINED.



DATE 12-31-13

DRAWN BY - BLH
CHECKED BY - DRS
FILE NO. 2013-51

WYDOT M-3 ACCESS PERMIT EXHIBIT

MRH CODY PARTNERS, LLC

2824 BIG HORN AVE
CODY, WY 82414
PHONE: (307) 527-0915 FAX: (307) 527-0916



715 E. ROOSEVELT
P.O. BOX 1153
RIVERTON, WY 82501
PHONE: (307) 851-9252

1 OF 1