

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
TUESDAY, OCTOBER 14, 2014
CITY HALL COUNCIL CHAMBERS

MEETING AGENDA

Executive Session, 11:45 A.M. To consider or receive any information classified as confidential by law and to consider proposed litigation to which the governing body may be a party.

Regular Meeting, 12:00 P.M. (Noon)

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 September 23, 2014 –Regular Meeting.
6. **NEW BUSINESS:**
 - A. Downtown Architectural Review: Irma Hotel Seasonal Enclosure for Smoking, 1192 Sheridan Avenue.
 - B. Site Plan Review: Vehicle Storage and Shop, Rodney Hayes, 314 Blackburn Street.
 - C. Site Plan Review: Revised Plans for Park County Search and Rescue Building, 721 15th Street.
 - D. Minor Site Plan Review: 2-vehicle carport in St. Anthony’s Church parking lot, 1333 Monument Street.
 - E. Site Plan Review: 10-unit RV/vehicle storage building, Jim Sommers, 416 DY Road.
 - F. Downtown Sign District Review: Libations illuminated sign and electronic message board, 1503 Sheridan Avenue.
 - G. Parking Agreement: Daycare/Preschool at 2132 Cougar Avenue with Cody Bible Church at 2137 Cougar Avenue.
 - H. Public Hearing: Special Exemption Request to operate an indoor gun range at 142 W. Yellowstone Avenue.
 - I. Review Special Exemption Request and Site Plan for Wyoming Firearms Experience, 142 W. Yellowstone Avenue.
 - J. Discussion. Discuss Architecture and Landscaping of Proposed FedEx Ground Facility with Applicant. 701 33rd Street
7. **APPROVED SIGN APPLICATIONS:**
 - A. Thrivent Financial, 205 Trail Ave.
 - B. Canyon Therapy, 544 Yellowstone Ave.
8. P&Z Board Matters (announcements, comments, etc.)
9. Council Update: Steve Miller
10. Staff Items:
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, September 23, 2014

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, September 23, 2014 at 12:00 PM

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

Absent: Justin Ness, Brad Payne

Chairperson Justin Lundvall called the meeting to order at 12:00 PM, followed by the pledge of allegiance.

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

Buzzy Hassrick made a motion, seconded by Mark Musser, to approve the minutes for the September 9, 2014 meeting with the corrections noted. Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

Todd Stowell presented the staff report for off-site parking agreement between High Country Associates, LLC and Rocky Mountain Liquor, located at 205 Trail Avenue.

Mark Musser made a motion, seconded by Robert Senitte, to approve the parking agreement between High County Associated, LLC and Rocky Mountain Liquors as presented with the following conditions:

1. Final approval of the parking agreement by the City Attorney
2. Verification of liability insurance for the shared spaces.
3. Execution of the parking agreement by both parties.
4. Verification of angles of parking.

Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for an industrial shop with office space for Edwin Higbie located at 171 Blackburn Avenue.

Buzzy Hassrick made a motion, seconded by Kim Borer, to approve the industrial shop with office space located at 171 Blackburn Avenue as presented with the following conditions:

1. Any uses of the facility that will involve outside storage of scrap or junk materials, the handling of hazardous materials, or potential ground contamination issues is not authorized without further site plan review by the Planning and Zoning Board.
2. Any exterior lighting must be of a down-lite style.
3. A hard surfaced ADA parking space and loading area be provided in accordance for the south unit, or execute a shared parking agreement for a common ADA parking space and loading area.

4. Modify the site plan to include eight parking spaces and associated parking requirements, including: delineating the gravel parking stalls (i.e. parking blocks); providing a parking block on the ADA space to preserve a 5-foot wide sidewalk; and adding exterior lighting for the parking areas (full-cut off fixtures).
 5. Modify the utility services on the site plan to reflect individual services to each unit, with service lines running outside lines running outside of the utility.
 6. The project must otherwise comply with the submitted site plan and applicable building, fire and electrical codes.
 7. Along with the recommendation for some architectural enhancements of the office facade.
- Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for a site plan review for an architectural review of external chiller and pump, for the Cody Laboratories, located at 601 Yellowstone Avenue.

Kim Borer made a motion seconded by Robert Senitte to approve the site plan review for the architecture for external chiller and pump at Cody Laboratories located at 601 Yellowstone Avenue with no additional requirements at this time. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for storage units for A+ Secure Storage located at 319 Roberts Street.

Duncan Bonine with DBW and Sara Kendrick with Long Range Investments were at the meeting to discuss the project. The other color option the applicant gave was to do a rustic brown/stone color siding with a weathered copper trim and roof.

Kim Borer made a motion second by Buzzy Hassrick to approve the site plan review for A+ Secure Storage located at 319 Robert Street with the following conditions:

1. Prior to occupancy, the installation of the storm water management system will need to be inspected and certified by the engineer, in writing, that it was built as designed.
 2. The grading and landscaping within the Robert Street right-of-way requires a street encroachment permit from the City. The trees/bushes and their exact locations need to be identified on that on application so that the city can verify compliance with the city ordinance on tree size in relation to utility location. (In addition the board can require those details to be brought back to them for review to installation.)
 3. Landscaping shall be provided prior to occupancy of the storage building(s). Alternatively, a financial security to ensure landscaping installation may be provided to delay installation of the landscaping for up to six months after occupancy.
 4. The project must otherwise comply with the submitted site plan and applicable building, fire, and electrical codes. A building permit is required. All requirements must be completed prior to use of the facility and issuance of a certificate of occupancy.
 5. The building color of the mason rock with copper trim. (Rock color, preferably not grey stone).
- Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for awning sign for The Cowboy Palace located at 1251 Sheridan Avenue.

Mark Musser made a motion second by Robert Senitte to approve the awning for The Cowboy Palace located at 1251 Sheridan Avenue as presented. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for an awning sign for Cody Jewelers, located at 1213 Sheridan Avenue.

Buzzy Hassrick made a motion second by Kim Borer to approve the awning sign for Cody Jewelers, located at 1213 Sheridan Avenue as presented with the understanding that the lettering is the same size as the existing sign. Vote on the motion was unanimous, motion carried.

Approved Signs by Staff: None

P&Z Board Matters: None

Council Update: None

Staff Items:

Mark Musser 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 1:02 PM.

Utana Dye
Certified Engineering Technician II

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

MEETING DATE:	OCTOBER 14, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	SITE PLAN REVIEW: ROD HAYES STORAGE BUILDING/SHOP SPR 2014-24	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Rod Hayes, owner of Customer Delivery Service, proposes to construct a 60' by 90' metal building at 314 Blackburn Street, a .57 acre lot on the east side of Blackburn Street and two lots north of Big Horn Cinemas. Initially the Custom Delivery Service business will occupy two of the five bays in the building and the other three bays will be available for rent as storage. The property is zoned Industrial E.

Existing:



Neighboring properties:



REVIEW CRITERIA:

Section 10-10E-3 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:

Architecture:

Elevations of the building are attached. The metal-sided building would have a 16-foot wall height and a 4:12 pitched gable roof. The west (front) side of the building has five overhead doors evenly spaced across its front. No other windows or doors are proposed other than an entry door on the north side. Wall color would be "sandstone" and the roof and trim "classic green".

Photos of adjacent buildings are included. Each has metal siding common to this particular light industrial area. The "sandstone" color of the proposed building will coordinate well with many of the buildings in the area. The area is not visible from the entry corridors.

The P&Z Board will need to determine if the proposed materials, colors, and architecture are suitable.

Landscaping:

No landscaping exists or is proposed on the lot. Many businesses in the area lack landscaping. The landscaping that does exist in the area is in the form of low-maintenance cobble and/or evergreen shrubs. In order to minimize weeds, the area between the sidewalk and existing fence should have some type of groundcover. The Board should discuss the matter with the applicant. A layer of small cobble or decorative stone would provide some weed control.

Parking:

The parking ordinance requires 1.1 spaces per 1,000 square feet of building area for general light industrial uses. Based on that ratio, the 5,400 square foot building

requires six spaces. The large gravel area in front of the building will provide the required parking. A van-accessible ADA parking and loading space is shown as required.

Lighting

Exterior lighting will be LED cut-off wall packs mounted between the overhead doors.

Neighborhood Compatibility, Setbacks and Buffers, and Height Requirements

There are no specified zoning setbacks or height limits for the D-3 zone. No buffers are required for this proposal.

Storm Water Plan:

A storm drainage report is included in the application. Storm water from the building will be collected through swales and gutters and piped to two infiltration trenches that have been sized and designed in accordance with the city storm water policy.

Utility Services

Existing sewer, water, and power services are available at the lot. Power service will come from a pole across the alley near the southeast corner of the property. The power available is 120/240 volt single phase. No upgrades to the transformer are expected. The domestic water line to the building must be a minimum of 1 inch. If the owner wants separate billing, the water service will need to be plumbed in a way that individual meters and shut offs can be installed for each unit. A residential dual check valve is needed in the main water line. If the sewer line is a 4" diameter line, sewer cleanouts are required every 75 feet and the cleanouts should be protected with concrete collars if they are in a vehicle maneuvering area.

Fire Sprinklers

The use and size of the building require that either fire sprinklers be installed, or the building be split into two separate fire areas by a 1-hour firewall from foundation through the attic to the roof sheathing. The applicant plans to use the firewall option, which will need to be added to the plans.

Garbage Service

Garbage service is provided by a dumpster in the alley to the east. No garbage collection will occur on Blackburn. Access through the existing fence will be needed (e.g. a gate) to easily get to the dumpster. The applicant may want to add one or more doorways on that side of the building as well.

Signage

No signs are proposed at this time.

Snow Storage

The snow storage area is shown in the northwest portion of the graveled area.

Sidewalks

Sidewalks already exist along Blackburn Street.

Oil/Sand Separator

Floor drains and an oil/sand separator are proposed.

ATTACHMENTS:

Application materials.

ALTERNATIVES:

Approve or deny the site plan with or without changes.

RECOMMENDATION:

Approve the application subject to following, which are to be reflected on the plans:

1. The domestic water line to the building must be a minimum of 1 inch and fitted with a residential dual check valve.
2. If the sewer line is a 4" diameter line, sewer cleanouts are required every 75 feet and the cleanouts should be protected with concrete collars if they are in a vehicle maneuvering area.
3. Provide a gate in the fence and a walkable pedestrian pathway for pedestrian access from the building to the alley for access to the dumpster.
4. Prior to occupancy, the applicant's engineer must provide a certification letter that the storm water system was installed in substantial compliance with the storm water plan.
5. Add a sign for the ADA Van Accessible space to the building in front of the parking space.
6. The project must otherwise comply with the submitted site plan and applicable building, fire, and electrical codes, including installation of the required fire separation wall.
7. (Any landscaping/groundcover?)

A STORAGE BUILDING

FOR:
Rod Hayes
 Lot # 5 Blackburn Avenue
 Cody, Wyoming 82414



COVER PAGE PERSPECTIVE IS FOR PRESENTATION ONLY PLEASE REFER TO ELEVATION PAGES FOR ALL EXTERIOR DETAIL.



CODE CONSIDERATIONS

Storage Building For:
 Rod Hayes
 Lot # 5 Blackburn Avenue
 Cody, Wyoming 82414

CODE USED : INTERNATIONAL BUILDING CODE 2012 (IBC)
 OCCUPANCY CLASSIFICATION:
 ACCESSORY USE: STORAGE
 BUILDING CONSTRUCTION TYPE :
 MAXIMUM ALLOWABLE SQUARE FOOTAGE :
 MAXIMUM ALLOWABLE STORIES: 1
 ACTUAL SQUARE FOOTAGE: 3,330 S.F.
 ACTUAL STORIES: 1
 FIRE SPRINKLERING? : NO (PER 903.2.8)

SETBACKS :

NORTH - 5'
 WEST - 202' +
 EAST - 10'
 SOUTH - 5'

2 EXITS:

OCCUPANCY LOAD - 3,330 / 5,000 =
 COMMON PATH - NO
 2 EXITS PROVIDED

ACCESSIBLE ENTRANCE: YES 1 PROVIDED

ACCESSIBLE TOILET: YES, 1 UNISEX PROVIDED

PARKING:

CITY OF CODY ZONING: D3
 1 / PER EMPLOYEE + 0 PER AVERAGE VISITOR = 1 TOTAL
 1 HC PARKING PROVIDED

EXTERIOR COLORS

WALLS: COLOR SANDSTONE, METAL COMMERCIAL GRADE VERTICAL SIDING
 DOORS: SANDSTONE FLUSH PANEL WITH CLASSIC GREEN TRIM
 TRIM / FACIA: CLASSIC GREEN
 GUTTERS: CLASSIC GREEN
 METAL ROOF: CLASSIC GREEN

INDEX TO DRAWINGS:

C1- COVER
 A1- SITE PLAN
 A2- FLOOR PLAN
 A4- ELEVATIONS
 A5- ELEVATIONS
 S1 - FOUNDATION
 E1- ELECTRICAL

IMPORTANT:

BUILDER VERIFY ALL DIMENSIONS,
 ALL DRAWINGS SUBJECT TO CHANGE PER
 ARCHITECT.
 ALL CONSTRUCTION METHODS
 TO MEET LOCAL CODES AND STANDARDS.

Storage Building

Project # 1046

Rod Hayes
 1905 17th Street
 Cody, Wyoming 82414
 cdsrod@ctwest.net

(307) 587-5276

NOTE :
 ALTHOUGH GREAT CARE AND EFFORT HAVE GONE INTO THIS PLAN TO CREATE A PRECISE INTERPRETATION OF THE FINISHED PROJECT, IT IS IMPOSSIBLE TO GUARANTEE THAT THIS PLAN IS WITHOUT IMPERFECTIONS. THEREFORE PRECISION PLAN DESIGN OR RICK LAMBERT ASSUMES NO LIABILITY FOR ANY PROJECT CONSTRUCTED FROM THIS PLAN. BUILDER / OWNER VERIFY ALL DIMENSIONS. PLANS SUBJECT TO CHANGE PER ENGINEER OR LOCAL CODES

PRELIMINARY PLANS
 NOT FOR CONSTRUCTION

PRECISION PLAN AND DESIGN INC.
 CUSTOM PLAN SERVICE
 (307) 587-6227 (307) 272-5709

930 12th Street
 Cody, Wyoming 82414

Rick Lambert
 Member
 ILBA no. 1271

SHEET #

C1

COVER

SCALE: AS NOTED

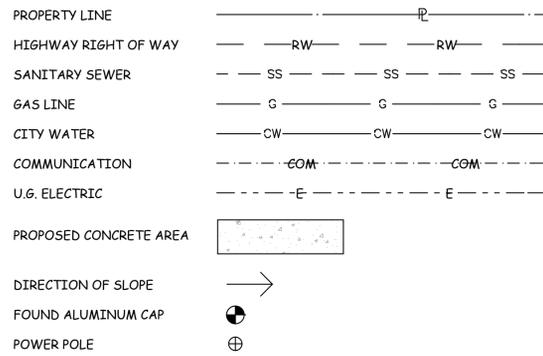
07-17-2014

REVISED ()

VICINITY MAP



LEGEND

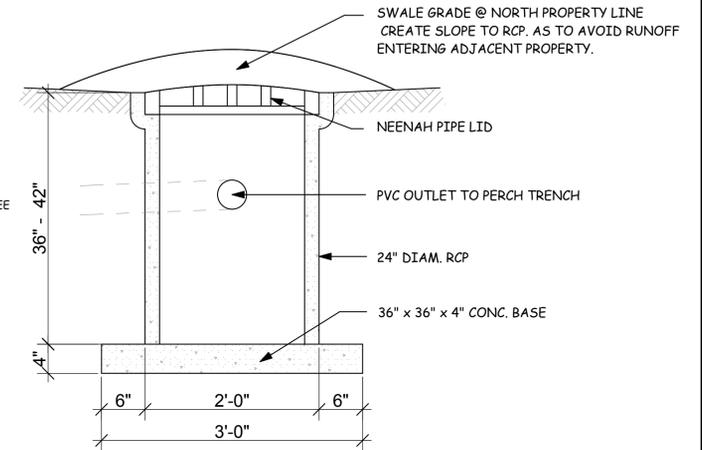


GENERAL NOTES:

1.) PARKING REQUIREMENTS:
 PER CITY OF CODY DEVELOPMENT MANUAL, SECTION 2 - DEVELOPMENT STANDARDS:
 FOR COMMERCIAL, MANUFACTURING, INDUSTRIAL USES: 1 SPACE PER REGULAR EMPLOYEE
 AND 1 SPACE PER AVERAGE NUMBER OF CUSTOMERS EXPECTED AT ONE TIME.
 NUMBER OF EXISTING AND FUTURE EMPLOYEES: 1 AT THIS FACILITY
 NUMBER OF CUSTOMERS AT ANY ONE TIME: 0 (USED FOR STORAGE ONLY)
 NUMBER OF SPACES REQUIRED: 1
 TOTAL NUMBER OF PARKING SPACES PROVIDED ON SITE: 1
 TOTAL NUMBER OF HANDICAPPED PARKING SPACES REQUIRED: 1
 TOTAL NUMBER OF HANDICAPPED SPACES PROVIDED: 1 VAN ACCESSIBLE

LEGAL DESCRIPTION:

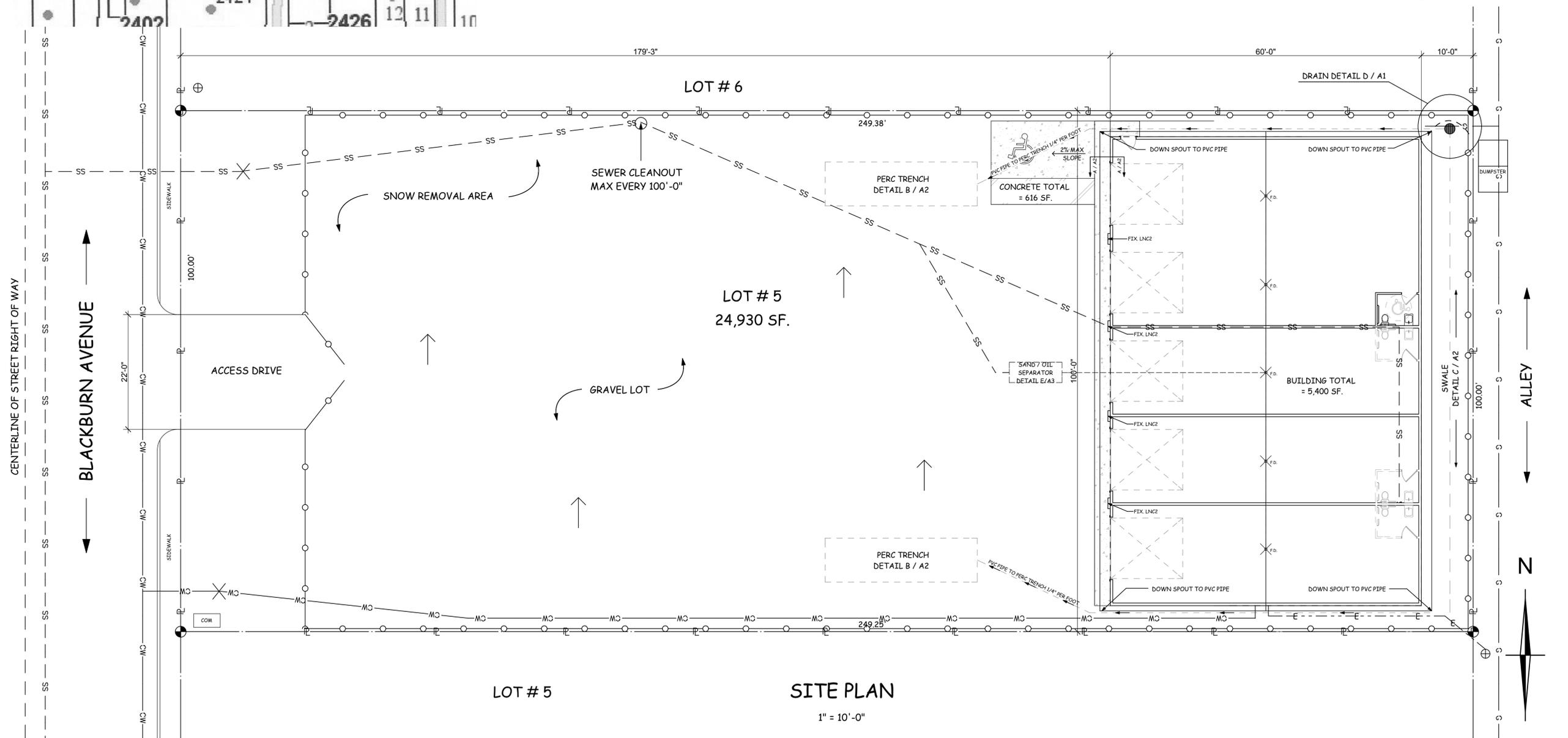
FAIR ACRES WEST SUBDIVISION LOT # 5 (24,930 SF.)
 CODY WYOMING 82414
 DEED BOOK AND PAGE: 2005 WD 06041
 TYPE: ZONED D 3 COMMERCIAL VACANT LAND.



DETAIL

N.T.S.

D
A1



SITE PLAN

1" = 10'-0"

SITE PLAN

Rod Hayes
 1905 17th Street
 Cody, Wyoming 82414

cbsrod@ctwest.net

(307) 587-5276

Preliminary Plans
 Not For Construction

SUSAN HOVDE -
 Architect

P.O. Box 1514
 Red Lodge MT, 59068
 (406) 446-3160



Precision Plan and Design Inc.
 Custom Plan Service
 930 12th Street
 Cody Wy, 82414
 (307) 587-6227
 Project # 1046

DATE: Revision (1)
 Sept. 15, 2014

#	CHANGE ORDER	DATE

A1.0
 SHEET #
 1 OF

Preliminary Plans
 Not For Construction

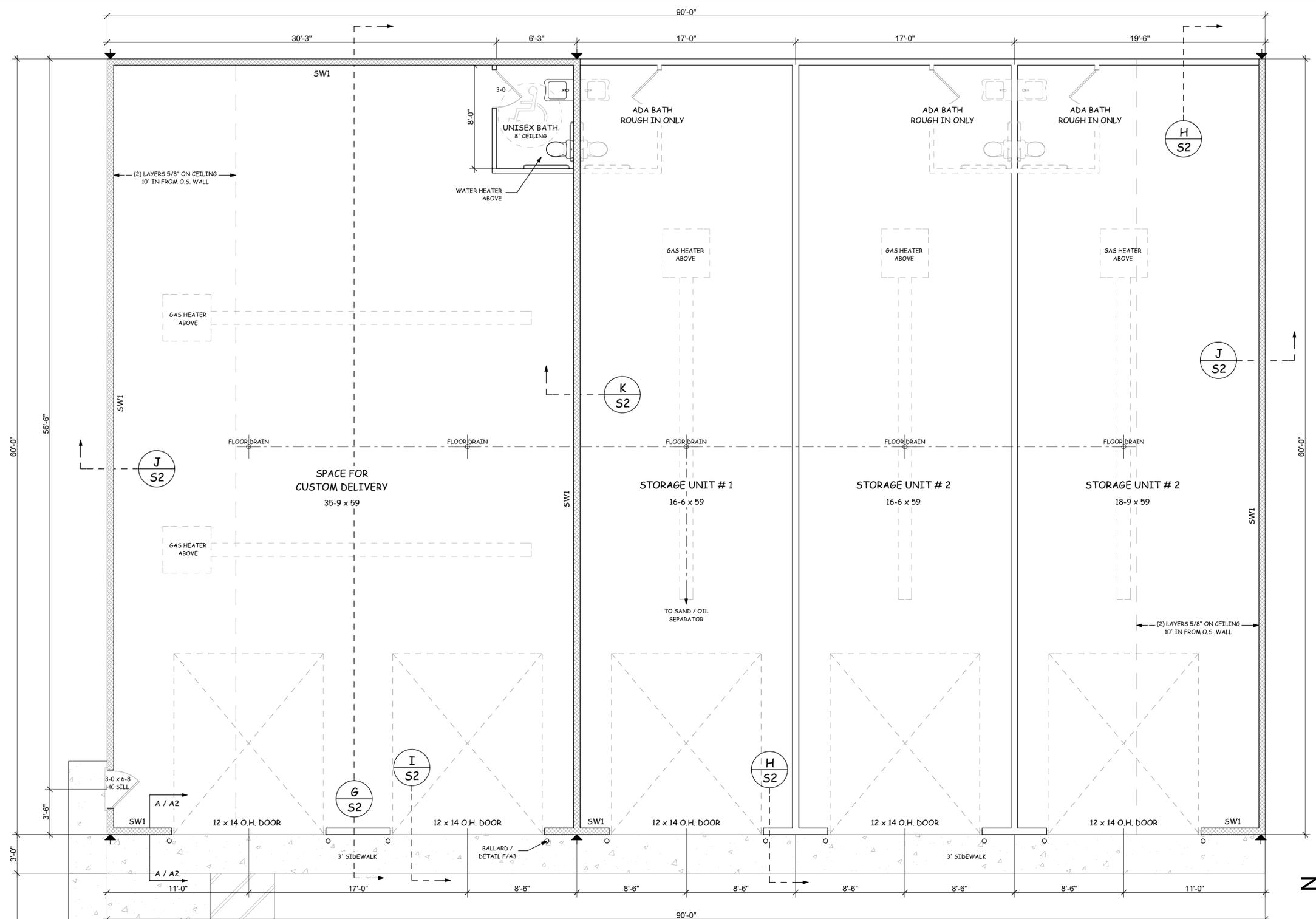
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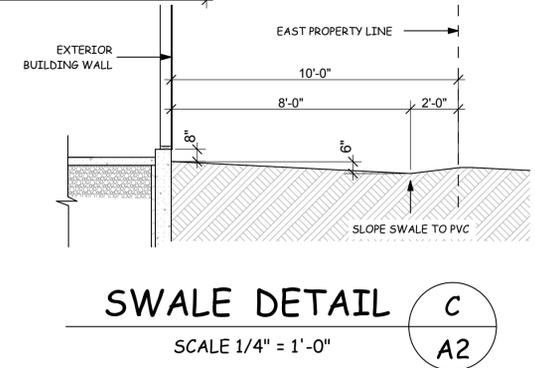
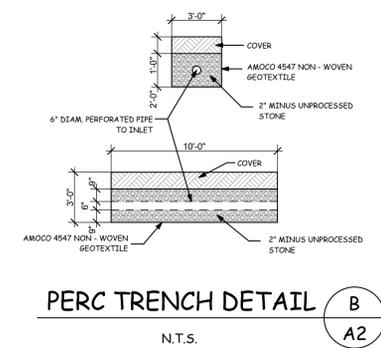
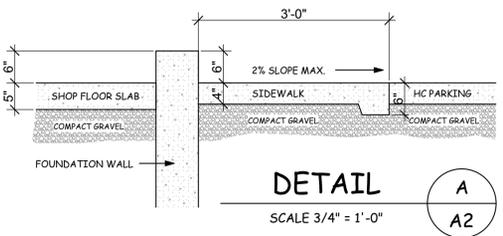
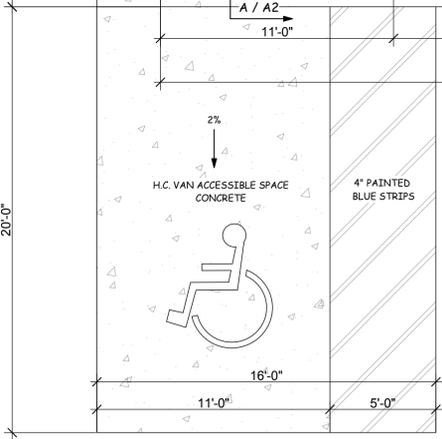
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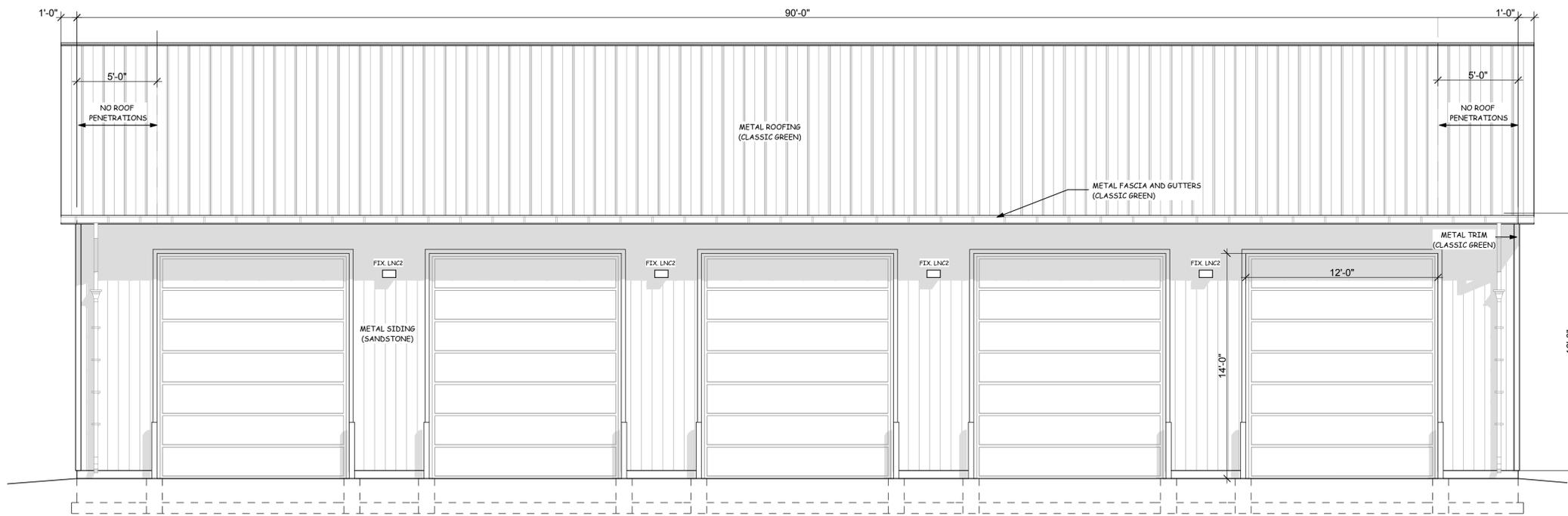
A2.0
 SHEET #
 1 OF



SHEAR WALL / NAILING SCHEDULE
 SW1 = 7/16" SHEATHING ALL JOINTS BLOCKED, 8d @ 6/12
 ALL OTHER EXTERIOR WALLS 7/16" SHEATHING 8d @ 6/12
 - DENOTES A SIMPSON STD10 HOLD DOWN ANCHOR - CAST INTO CONCRETE WALL

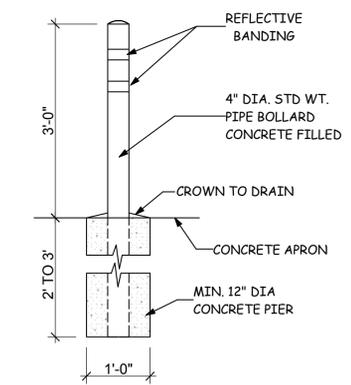
FLOOR PLAN = 5,400 SF.
 SCALE 1/4" = 1'-0"



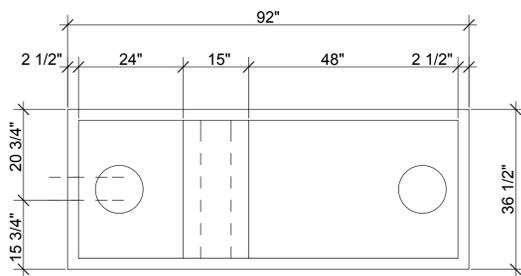


WEST ELEVATION

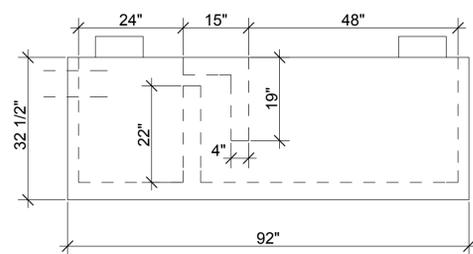
SCALE 1/4" = 1'-0"



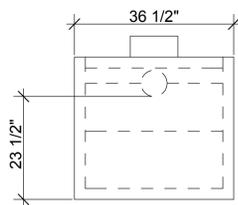
F BOLLARD DETAIL
A3 SCALE: 3/4" = 1'-0"



PLAN VIEW



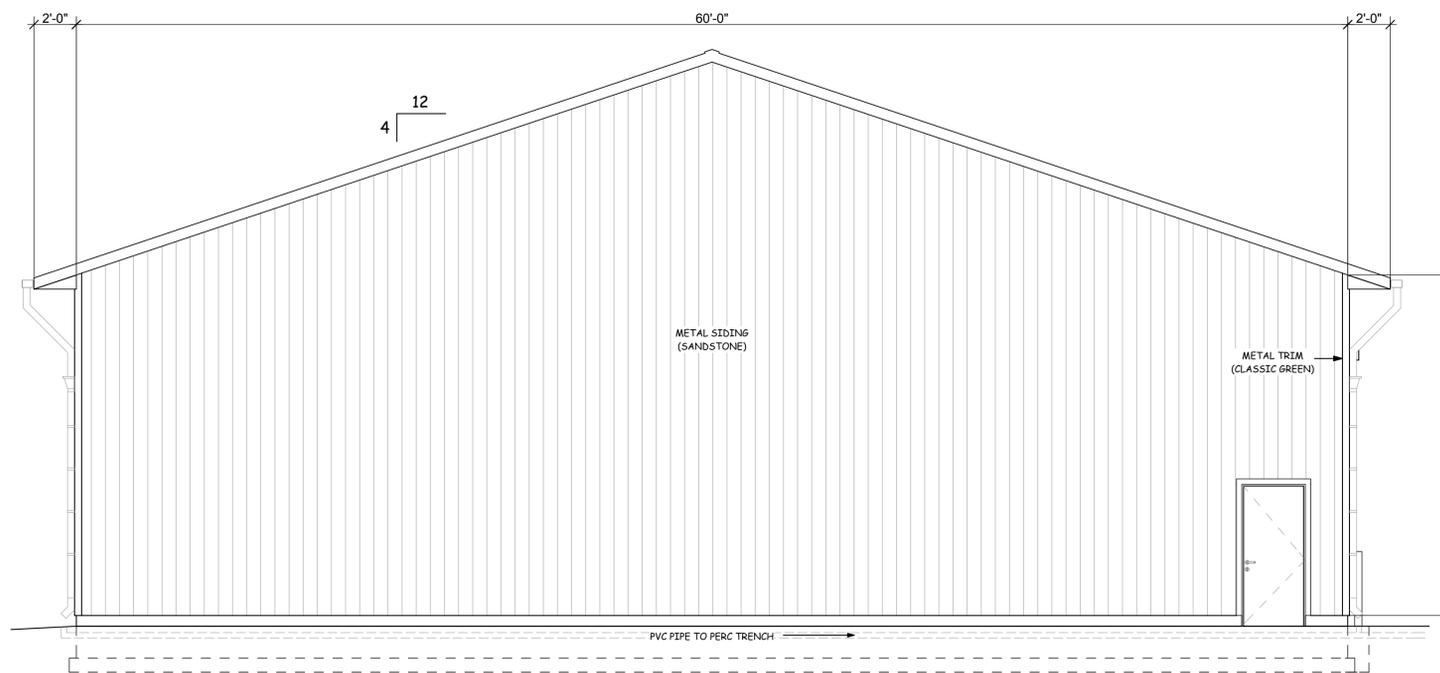
ELEVATION VIEW



SECTION VIEW

NOTES REGARDING OIL / WATER SEPARATOR:

- 1.) OIL / WATER SEPARATOR SHALL HAVE A MINIMUM CAPACITY OF 750 GALLONS
- 2.) OIL / WATER SEPARATOR SHALL BE RATED FOR H2O LOADS AND SHALL HAVE MAINTENANCE ACCESS.
- 3.) UNIT SHALL BE CONSTRUCTED OF PRECAST CONCRETE AND SHALL BE API STYLE AS MANUFACTURED BY OLD CASTLE PRECAST OR EQUIVALENT.
- 4.) INLET AND OUTLET SHALL CONSIST OF 6" PVC PIPING.



NORTH ELEVATION

SCALE 1/4" = 1'-0"

OIL SEPARATOR DETAIL

N.T.S.

E
A3

ELEVATIONS

Rod Hayes

1905 17th Street
Cody, Wyoming 82414

cdsrod@ctwest.net

(307) 587-5276

Preliminary Plans
Not For Construction

SUSAN HOVDE -
Architect

P.O. Box 1514
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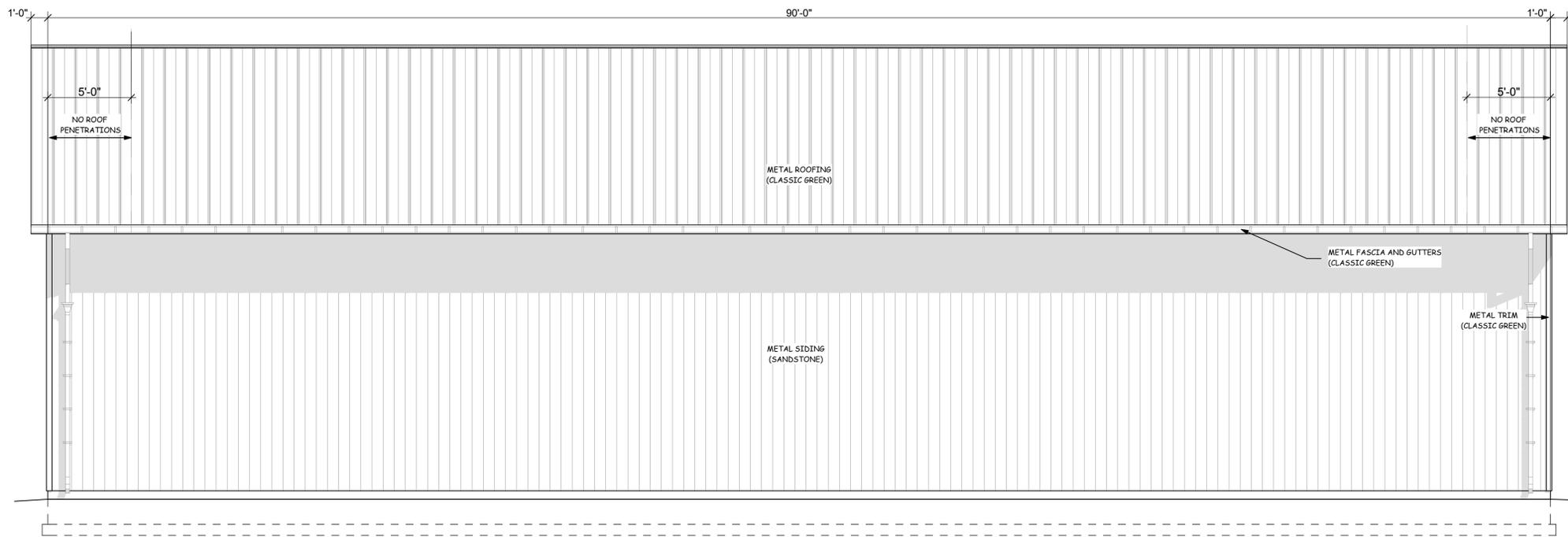


Precision Plan and Design Inc.
Custom Plan Service
930 12th Street
Cody Wy, 82414
(307) 587-6227
Project # 1046

DATE: Revision (1)
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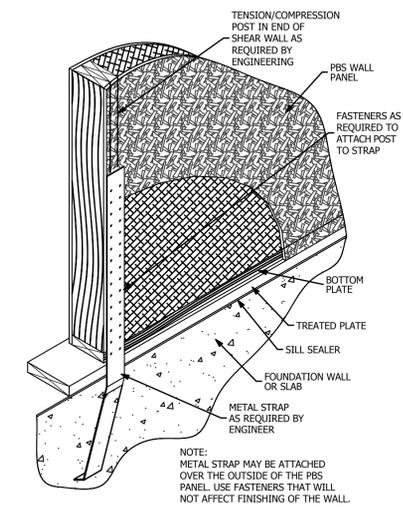
#	CHANGE ORDER	DATE

A3.0
SHEET #
1 OF



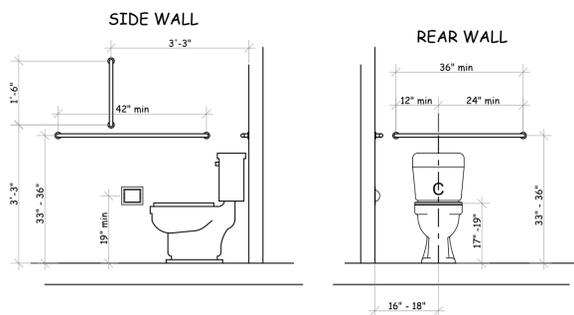
EAST ELEVATION

SCALE 1/4" = 1'-0"



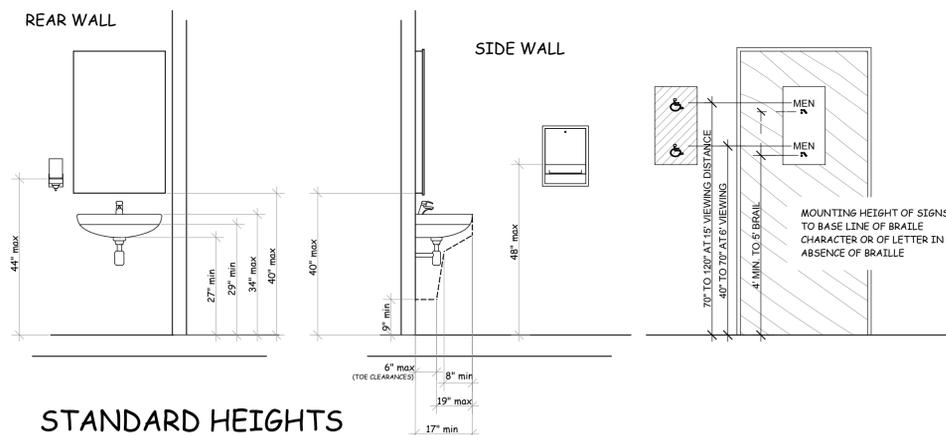
HOLD DOWN DETAIL

N.T.S.



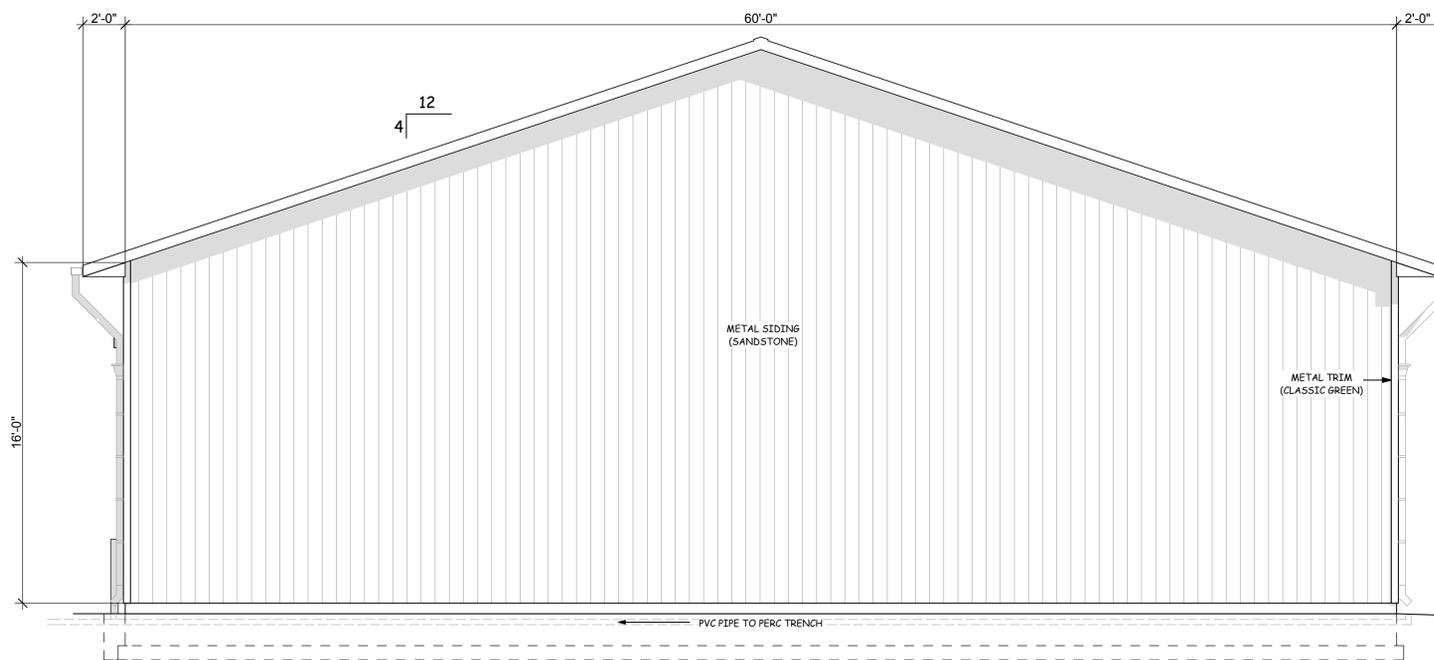
NOTE:
WATER SUPPLY AND DRAIN PIPES UNDER LAVATORIES AND SINKS SHALL BE INSULATED OR OTHERWISE CONFIGURED TO PROTECT AGAINST CONTACT. THERE SHALL BE NO SHARP OR ABRASIVE SURFACES UNDER LAVATORIES AND SINKS.

NOTE:
ALL CONSTRUCTION METHODS AND FIXTURES TO MEET ADA CODES AND STANDARDS.



STANDARD HEIGHTS

N.T.S.



SOUTH ELEVATION

SCALE 1/4" = 1'-0"

ELEVATIONS

Rod Hayes

1905 17th Street
Cody, Wyoming 82414

(307) 587-5276

cdsrod@ctrwest.net

Preliminary Plans
Not For Construction

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Custom Plan Service
930 12th Street
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Project # 1046

DATE: Revision (1)
Sept. 15, 2014

#	CHANGE ORDER	DATE:

A4.0
SHEET #
1 OF

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

MEETING DATE:	OCTOBER 14, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	SITE PLAN REVIEW: PARK COUNTY SEARCH AND RESCUE BUILDING SPR 2014-37	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

The Planning and Zoning Board reviewed and approved the original proposal for this project on May 13, 2014. Bid amounts came in significantly over estimates, so the project was reworked to bring the project more in line with available funds. The proposed building has been changed from 38' by 70' to 38' by 64', moved forward a couple of feet to the 15th Street property line, and had its roof modified from a gable and parapet style to a single-slope resulting in total height being slightly lower on the west end and slightly higher on the east end. Several interior changes were also made to the plans. In addition, the proposed exterior materials and architectural design has completely changed from a horizontal lap siding that would have matched the existing building to vertical metal panels. On the existing building they need to install taller overhead doors to accommodate their vehicles and they propose to re-side the existing building to match the proposed building.

The property will be utilized by Search and Rescue for the storage of emergency vehicles and as an incident command center during search and rescue events. The command center will be on a partial second floor within the new building. The building will not be occupied other than during search and rescue events and training. For the last couple of years they have averaged about 25 calls per year. A 25-foot tall and 2-inch diameter radio antenna would be mounted on the roof of the new building, towards the west end.

Existing:



Neighboring Properties

To East:



To Southeast:



To South:



To West:



REVIEW CRITERIA:

The property is located within the General Business (D-2) zoning district, which permits offices and storage buildings.

Section 10-10B-4 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:

Architecture:

A color rendition of the building and elevation drawings is included. The new building is primarily functional in design and appearance, with essentially no architectural enhancements other than use of multiple colors. The color scheme includes steel red, light gray, and dark gray as shown. The overhead doors are proposed to be a bronze color.

While the property to the north contains a galvanized Quonset hut, much of the rest of the immediate neighborhood contains well-kept traditional homes from the 1920's and 1930's. The dominant red color of the proposed building has a "public safety" component, similar to fire stations. Both the metal siding and roofing is proposed to be a Tuff Rib design with a ¾" rib every nine inches, and two small creases between. Effectively it is an "economy" style of metal siding/roofing. One recommended option for inexpensively "dressing up" the building would be to utilize contrasting textures, such as the corrugated (wavy) type of metal siding on a portion of the walls. The corrugated siding appears to be more architecturally accepted, as evidenced by some of the more recent commercial projects around the city (similar products used on Whole Foods, Millstone Pizza, and GDA office building). Rock work would also do a lot, but at a significantly increased cost.

The P&Z Board will need to determine if the proposed materials, colors, and architecture are suitable to the neighborhood and situation.

Landscaping:

Part of the compatibility factor of the architecture can be addressed by landscaping. No landscaping currently exists or is proposed on the property. However, there is a 13-foot wide park strip between the sidewalk and Salsbury Avenue in which trees could be planted. The trees would help screen the building and visually break up the view of the south wall. Staff recommends that a minimum of two medium trees (25' to 40' height at maturity) or two large trees (over 40' at maturity) be planted in the park strip as part of this project. Tree height at time of planting should be at least 6-8' above the ground. In addition the weeds that currently occupy the park strip should be replaced with groundcover—grass being preferred to match the residential properties along Salsbury Avenue.

A flag pole is proposed, which does have a hardscape decorative component.

Parking:

It is not clear if the parking in the building would count towards required parking, as it is only available for vehicle storage. It is recommended that it not be counted and that required parking be calculated on actual demand, rather than building area. The applicant notes that most events have 4-6 responders per call. Additional assistance may be at the scene, but they do not originate from this building. It is noted that not

all stored vehicles are needed for most response events. Therefore, they can typically park in front of many of the bays and not interfere with the response.

In front of the existing bays there is room for seven passenger type vehicles and a "sidewalk" passage behind the parked cars (approx. 32' total). Acknowledging the need to get vehicles out of the facility, likely only four or five of the parking spaces would be available, leaving a potential lack of one or two parking spaces. However, it is recognized that on-street parking is available along the south frontage of the property (about 3 spaces).

They also plan to hold small training sessions at the facility, with 9-10 attendees. For training meetings, all spaces in front of the existing building would be available. In the initial review, the Board determined that the parking situation was acceptable, but due to the limited amount of parking, large training sessions or other meetings were not authorized. Those larger events could be held at the law enforcement center.

Lighting

Exterior lighting includes LED full cut-off wall packs above all of the overhead doors. Architectural cylinder LED lights are proposed to the side of the overhead doors on the new building. Specifications for an emergency light are included in the application, but not identified on the site plan, so that should be clarified. The application does not indicate if all lights will be on at all times, or only during certain events or times. Leaving all exterior lights on at all times it is dark would seem unnecessary.

Neighborhood Compatibility, Setbacks and Buffers, and Height Requirements

There are no specified zoning setbacks or height limits for the D-2 zone. No buffers are required for this proposal—the residence immediately west is on two lots, the closest of which is zoned D-2. The new building will be about eleven feet from the west property line.

Storm Water Plan:

A storm water plan has been submitted which meets the city storm water policy requirements. The roof drainage will be collected by a gutter system and piped to a 36' long, 5' wide and 2' deep percolation trench to the west of the building.

Utility Services

The application indicates no new utility services. There will be a relocation and upgrade of the electrical service panel to provide necessary separation from the gas meter. Other modifications/extensions to the utilities are within the building.

Signage

A simple sign indicated "Park County Search & Rescue" will be mounted on the front of the of the new building. The size and location meet the city sign code and can be authorized. The former signs are to be removed.

Snow Storage

There is no snow storage area indicated on the site plan. Being a County facility, they have the resources to haul off the snow if needed, which would satisfy the intent of the requirement. However, this location may not be a priority and snow may be piled on site. The area in front of the existing entrance could be used. The city does not want the snow pushed into the street.

Other

The emergency shower/eye wash station will require the installation of a RPZ backflow prevention device on the water supply line. It will need to be added to the plans for the building permit review.

ATTACHMENTS:

Application materials.

ALTERNATIVES:

Approve or deny the project with or without changes.

RECOMMENDATION:

If the Planning and Zoning Board is agreeable to approving the application, and the applicant is agreeable to the following conditions, approve the project.

1. That unless adequate off-site parking is provided, use of the facility is limited to the storage, command center, and small search and rescue training sessions as described by the applicant. The facility cannot be used for large training events/meetings, or other uses that would exceed available parking on site and along the property frontage.
2. That prior to occupancy, the applicant must plant a minimum of two "medium" or "large" trees in the park strip to the south of the property. No tree is to be closer than 30 feet from the corner of the curb at the intersection and the tree species and location must be authorized by the city in accordance with City of Cody Code 7-4. In addition, the park strip is to be provided with a finished groundcover to prevent weeds, such as lawn or decorative rock.
3. (Architectural upgrades? such as utilizing a different texture of metal siding on part of the walls—suggest a corrugated style on the red areas. If the red color is not acceptable, might suggest dark grey on bottom, light grey in middle, and medium gray on top)
4. (Limitations on lighting?)
5. Due to the emergency shower/eye wash station, a RPZ backflow device is required.
6. The project must otherwise comply with the submitted plans and applicable building, fire, and electrical codes.

The New:
PARK COUNTY SEARCH AND RESCUE

721 15th Street
 Cody, Wyoming 82414



COVER PAGE PERSPECTIVE IS FOR PRESENTATION
 ONLY PLEASE REFER TO ELEVATION PAGES FOR ALL
 EXTERIOR DETAIL.

PROJECT INFORMATION

Proposed Addition For:

Park County
 Search and Rescue

Project Location:
 721 15th Street
 Cody, Wyoming 82414

ARCHITECT:

Susan Hoyde
 P.O. Box 1514
 Red Lodge MT, 59068
 (406) 446-3160

STRUCTURAL ENGINEER:

NPEngineering
 P.O. Box 1461
 Red Lodge MT, 59068
 lazyp@gmail.com

DRAFTING:

Precision Plan and Design Inc.
 930 12th Street
 Cody, Wyoming 82414
 (307) 387-6227

CODE CONSIDERATIONS

Building Code:	2012 International Building Code (IBC)
Building Occupancy:	S1
Zoning District:	D - 2
Building Usage:	Vehicle Storage
Occupant Load:	300ef / occupant
Square Footage:	2,432 total sq
Total Occupants:	7
Construction Classification:	V - B
Distance From Property Line:	N<1'-0" S 1'-3" E 1'-0" W 10'-10" & <1'-0"
Exterior Protection:	not required
Exterior Wall Opening Limits:	not required
Height Limit:	40'
Actual Height:	23'-6"
Number of Stories:	1 w/ Mezzanine
Allowable Stories:	2
Square Foot Allowable:	8000
Fire Sprinkler:	not required
2 Exits?	No
Exit Signs:	No
Exit Lighting:	No
Panel Hardware:	No

EXTERIOR COLORS

WALLS: VERTICAL METAL BRIDGER STEEL
 ALL - STEEL RED, LIGHT GRAY, DARK GRAY

ROOF: METAL ROOFING COLOR, GALVALUME

FASCIA / GUTTERS: DARK GRAY

OVERHEAD DOORS: BRONZE TONE

Page Index:

- C1 - Cover
- A1.0 - Site, Drainage, Utilities
- A2.0 - Floor plans
- A3.0 - Elevations
- S1.0 - Foundation, Details
- E1.0 - Electrical Plan

COVER PAGE

Park County Search & Rescue
 Board of Commissioners
 721 15th Street
 Cody Wyoming 82414

Preliminary Plans
 Not For Construction

SUSAN HOVDE -
 Architect

P.O. Box 1514
 Red Lodge MT, 59068
 (406) 446-3160



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 Custom Plan Service
 930 12th Street
 Cody Wyo, 82414
 (307) 387-6227
 Project # 1086

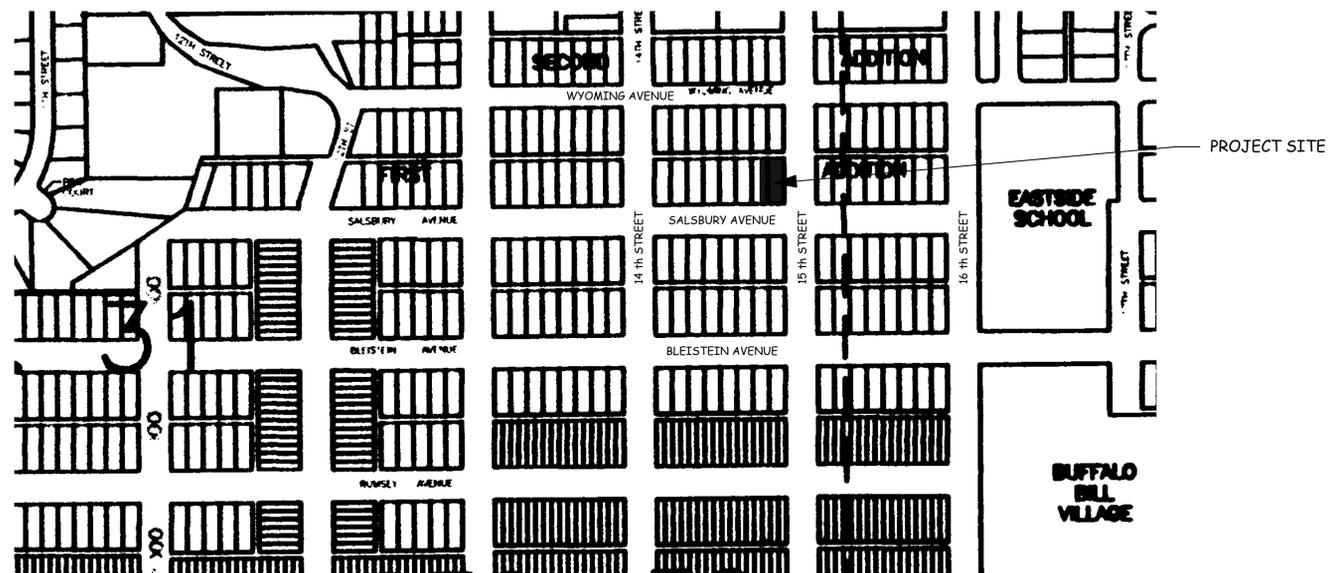
DATE: Revision (1)
 September 29, 2014

#	CHANGE ORDER	DATE:

C1.0
 SHEET #
 1 OF

VICINITY MAP

N.T.S.

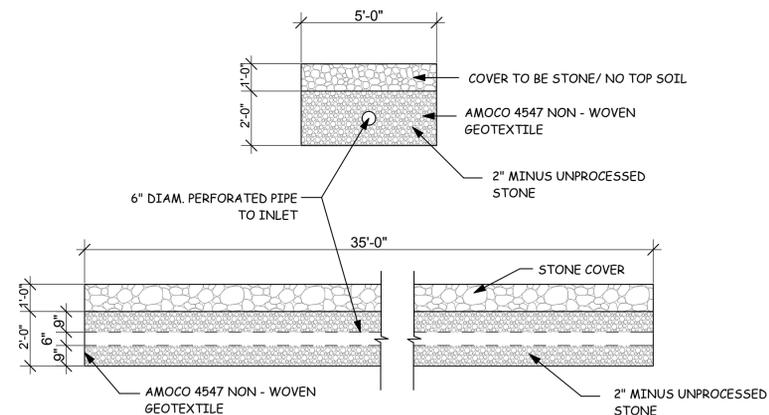


LEGAL DESCRIPTION:

FIRST ADDITION LOT 16 AND E 1/2 15 BLOCK 4
 CODY WYOMING 82414
 DEED BOOK AND PAGE: 2013 WD 2150
 TYPE: ZONED D 2
 0.24 ACRES, 10,500 SQUARE FEET

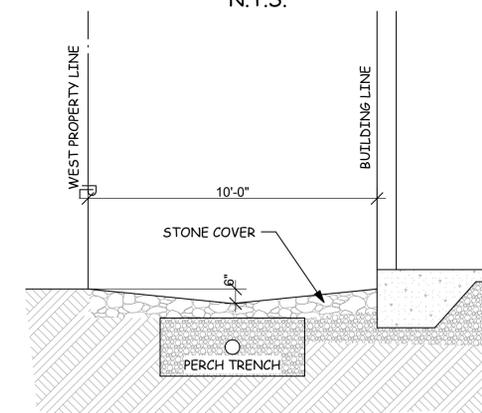
GENERAL NOTES:

1.) PARKING REQUIREMENTS: NO OFF STREET PARKING IS AVAILABLE
 NUMBER OF EXISTING AND FUTURE EMPLOYEES: AT THIS FACILITY (0)
 NUMBER OF CUSTOMERS AT ANY ONE TIME: 0 (USED FOR VEHICLE STORAGE ONLY)
 NUMBER OF SPACES REQUIRED:
 TOTAL NUMBER OF PARKING SPACES PROVIDED ON SITE: 1
 TOTAL NUMBER OF HANDICAPPED PARKING SPACES REQUIRED: 1
 TOTAL NUMBER OF HANDICAPPED SPACES PROVIDED: 1



PERC TRENCH DETAIL

N.T.S.

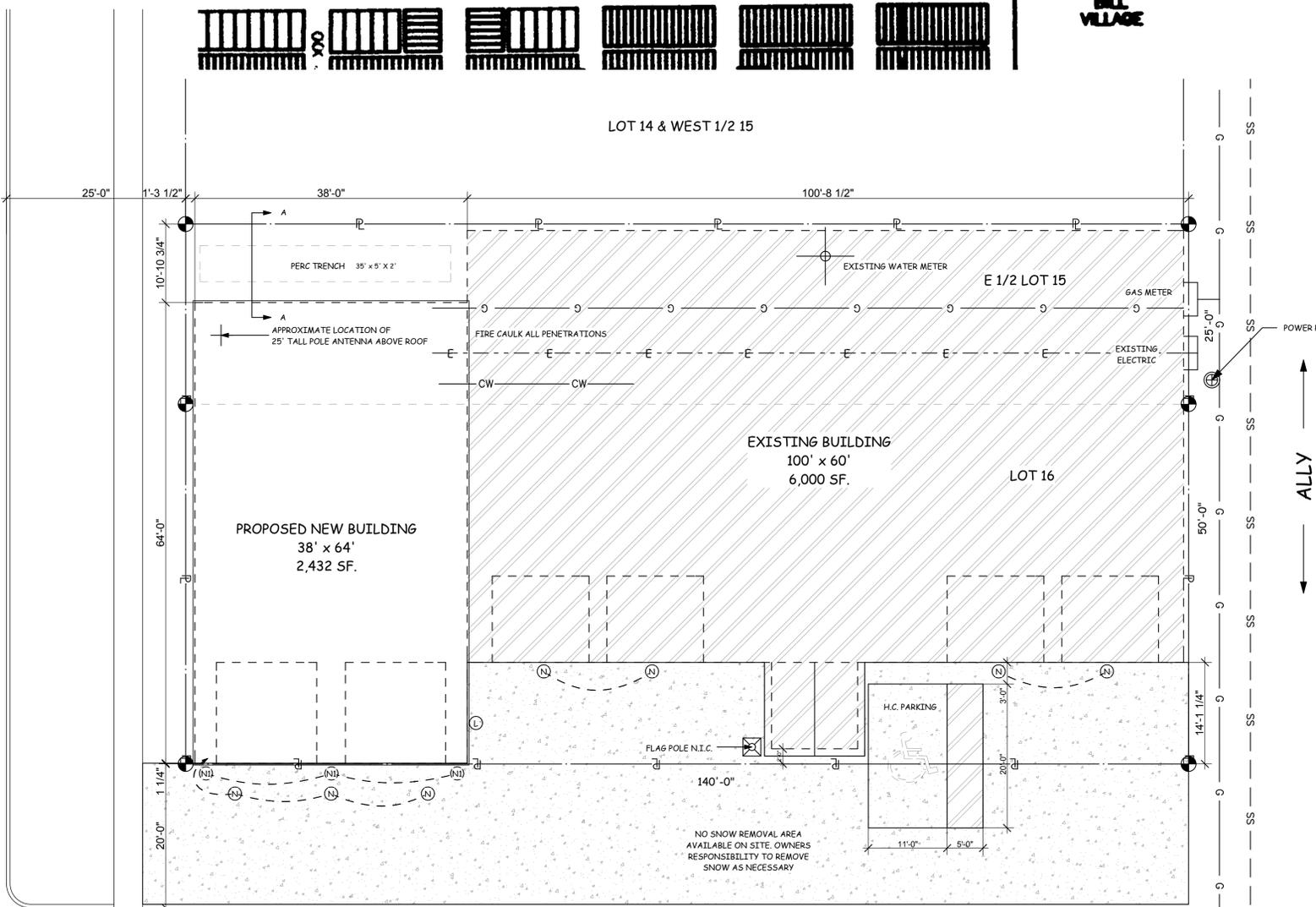


DETAIL A-A

N.T.S.

LEGEND

PROPERTY LINE	— P —
HIGHWAY RIGHT OF WAY	— RW — RW —
SANITARY SEWER	— SS — SS — SS —
GAS LINE	— G — G — G —
CITY WATER	— CW — CW — CW —
COMMUNICATION	— COM — COM — COM —
U.G. ELECTRIC	— E — E — E —
PROPOSED CONCRETE AREA	[Patterned Box]
DIRECTION OF SLOPE	→
FOUND ALUMINUM CAP	⊕
POWER POLE	⊕



SITE PLAN

1" = 10'-0"



SITE PLAN
 Park County Search & Rescue
 Board of Commissioners
 721 15th Street
 Cody Wyoming 82414

Preliminary Plans
 Not For Construction

SUSAN HOVDE - Architect

P.O. Box 1514
 Red Lodge MT, 59068
 (406) 446-3160

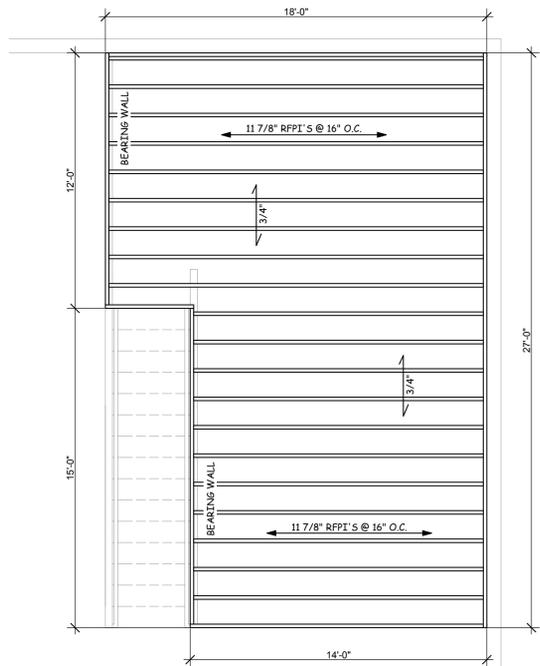


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 Custom Plan Service
 930 12th Street
 Cody Wy, 82414
 (307) 587-6227
 Project # 1058

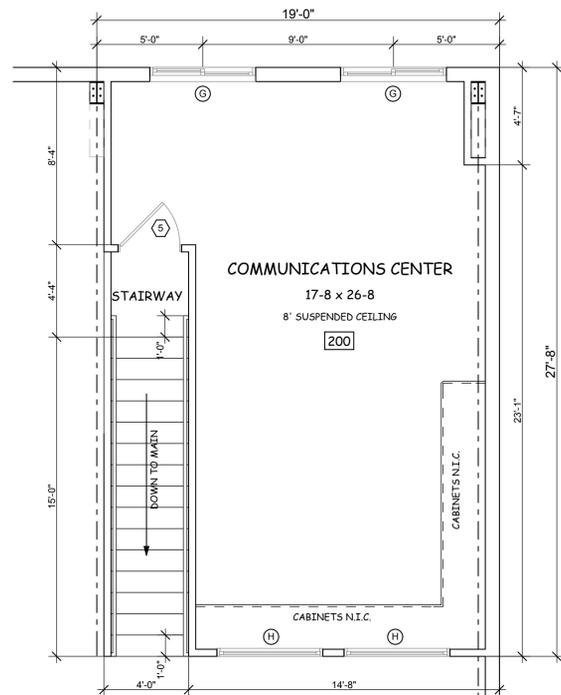
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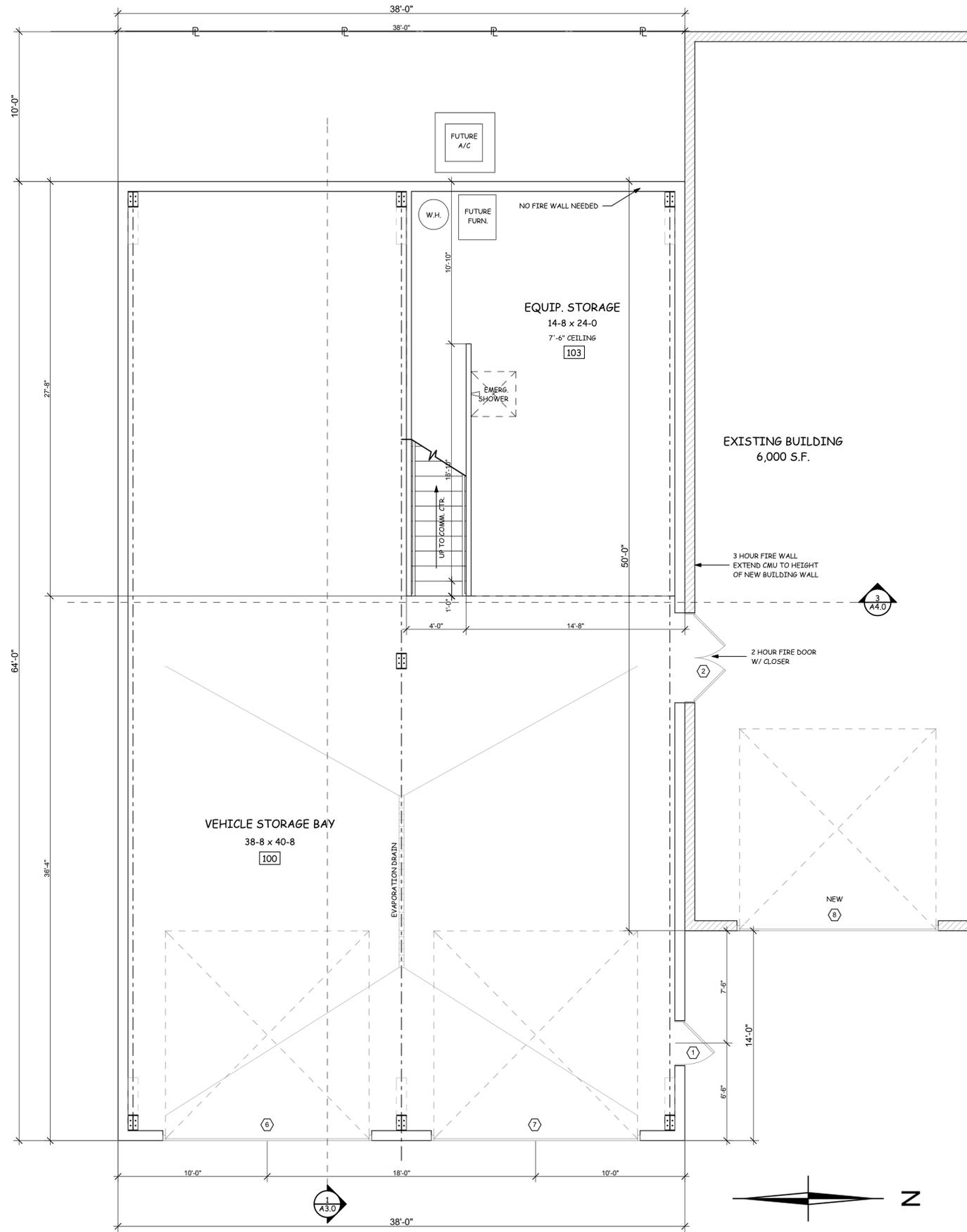
A1.0
 SHEET #
 1 OF



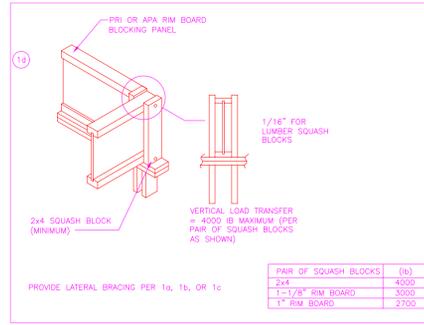
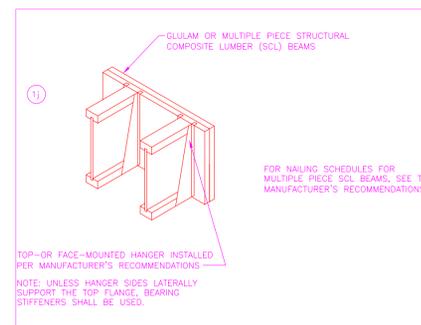
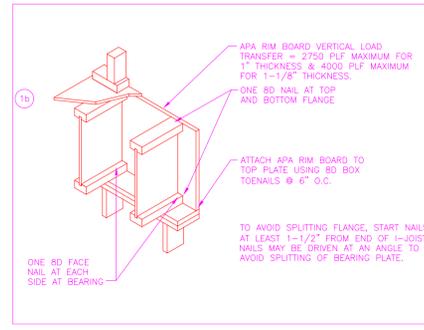
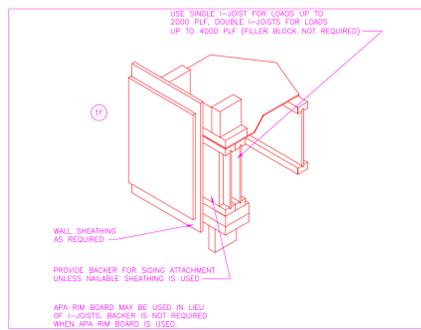
FLOOR FRAMING PLAN
SCALE 1/4" = 1'-0"



COMMUNICATIONS ROOM
440 S.F.
SCALE 1/4" = 1'-0"



FLOOR PLAN = 2,432 SF.
SCALE 1/4" = 1'-0"



PAIR OF SQUASH BLOCKS (lb)	(ft)
2x4	4000
1-1/2" RIM BOARD	3000
1" RIM BOARD	2750

FLOOR PLANS
Park County Search & Rescue
Board of Commissioners
721 15th Street
Cody, Wyoming 82414

Preliminary Plans
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(307) 587-6227
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A2.0
SHEET #
1 OF

SIGN SPECIFICATIONS:

ALL ATTACHED WALL SIGNS TO BE:
VINYL LETTERS COLOR TO BE RED
MOUNTED TO WALL WITH FASTENERS
PER SIGN CONTRACTORS SPECS.

ZONE D-2

ATTACHED WALL SIGN # 1 = 31.5 SF.

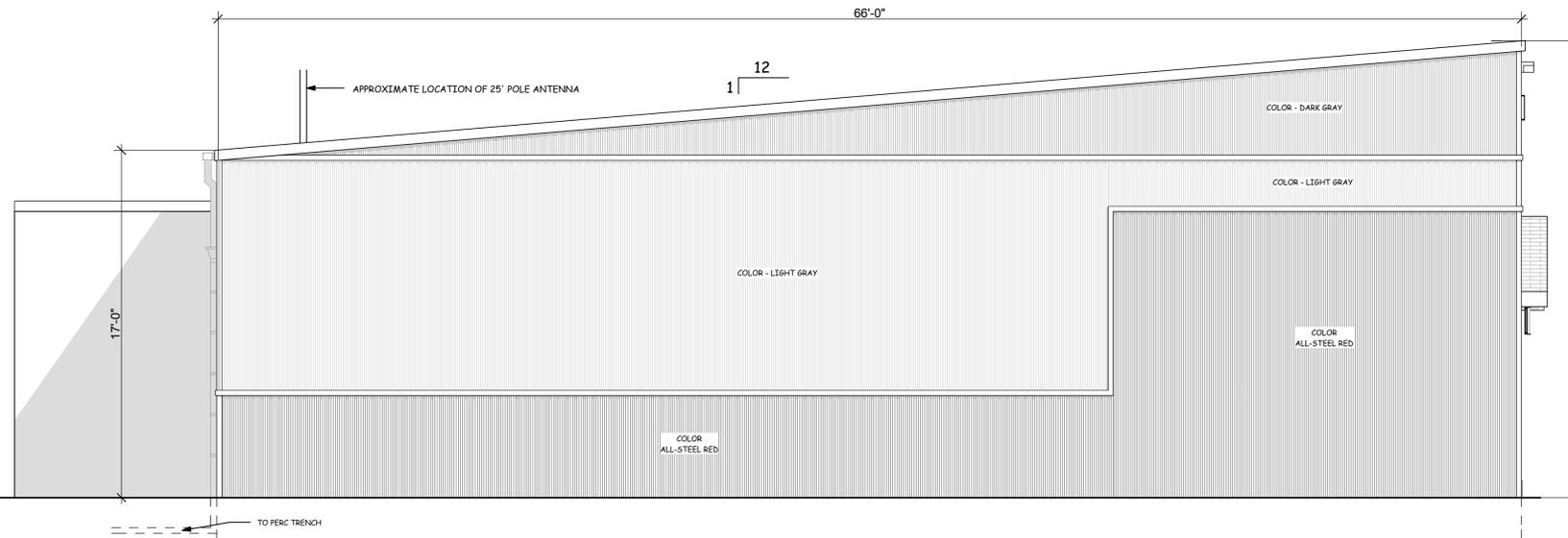
TOTAL ATTACHED WALL SIGNAGE = 31.5 SF.

TOTAL ALLOWED SIGNAGE PER 10-15-9 = 300 SF.



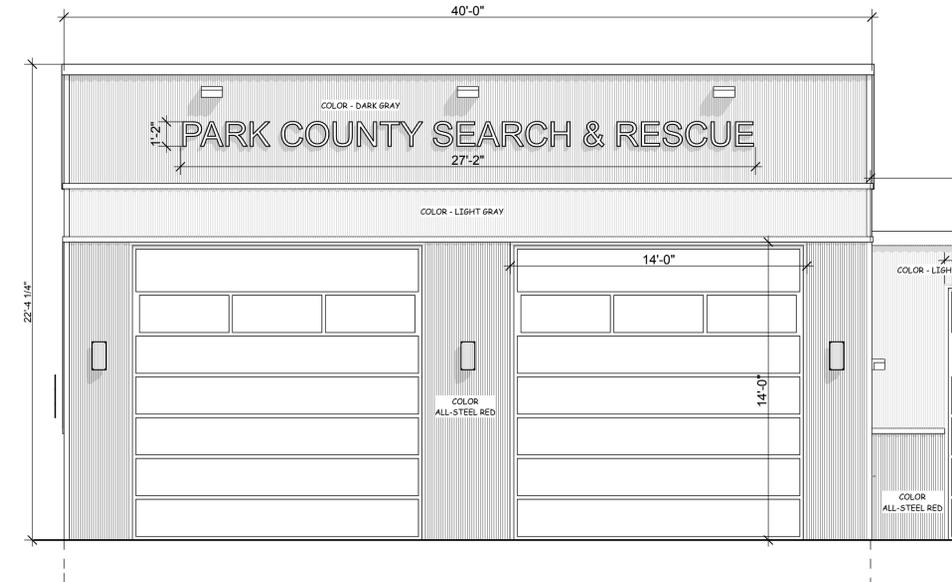
BUILDING SIGNAGE

N.T.S.



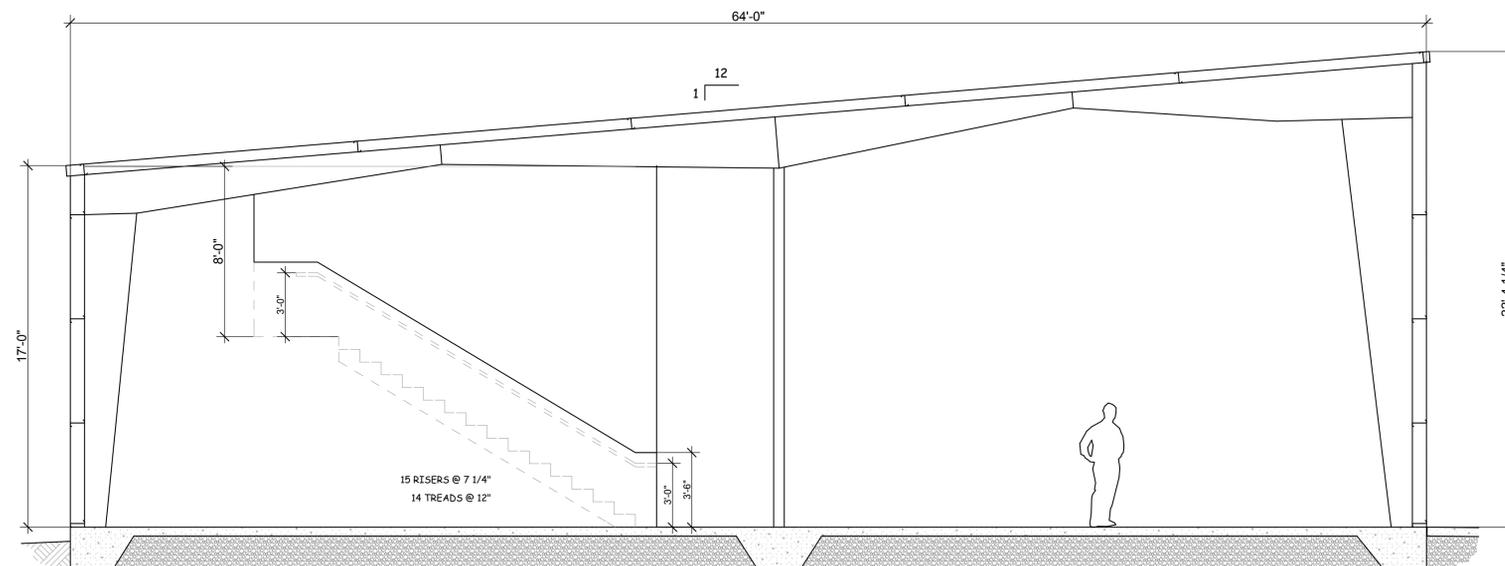
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



EAST ELEVATION

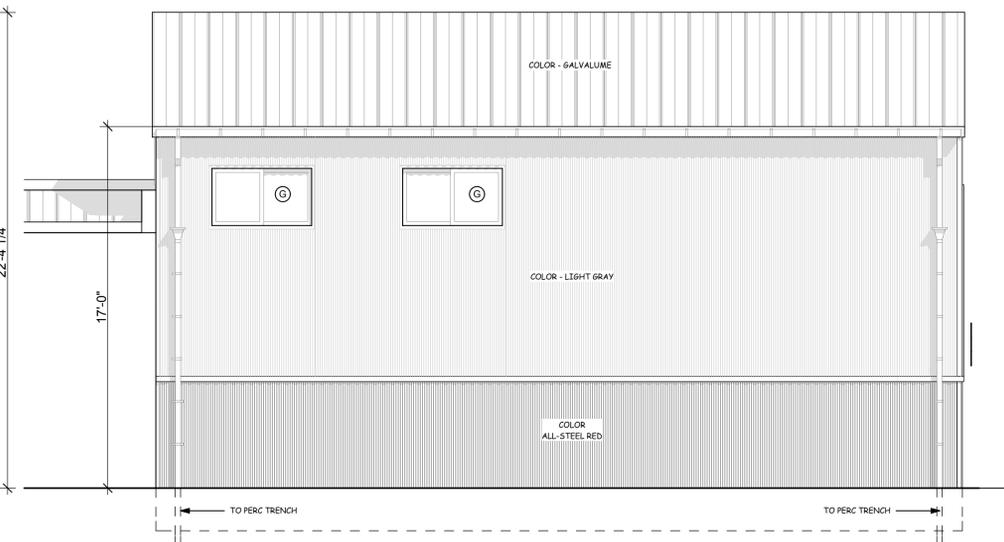
SCALE: 1/4" = 1'-0"



1 CROSS SECTION

A3.0

SCALE 1/4" = 1'-0"



WEST ELEVATION

SCALE: 1/4" = 1'-0"

ELEVATIONS

Park County Search & Rescue
Board of Commissioners
721 15th Street
Cody, Wyoming 82414

Preliminary Plans
Not For Construction

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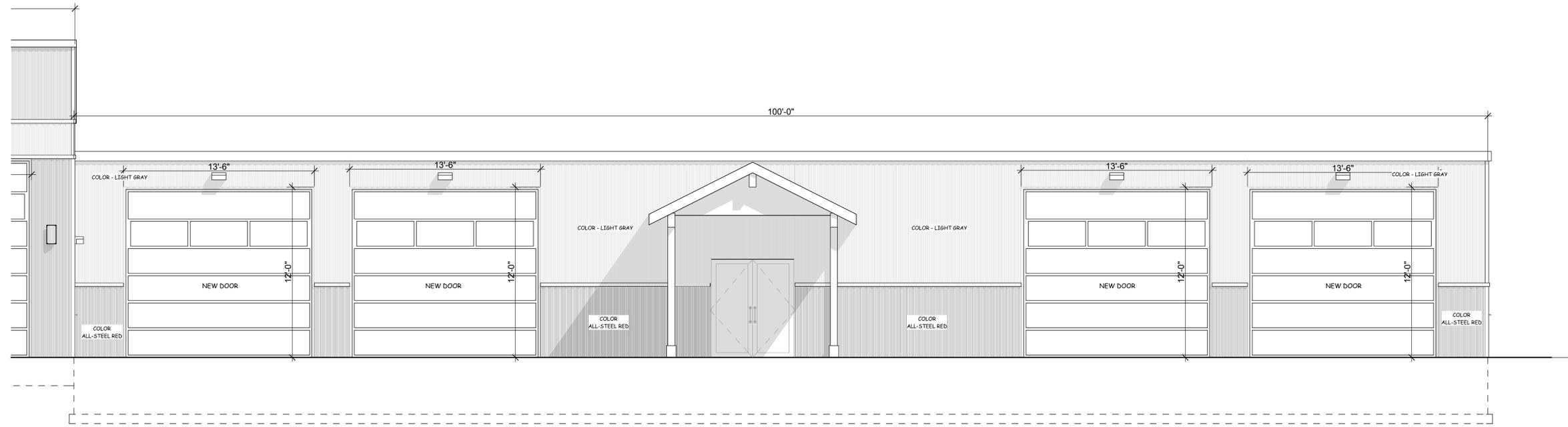


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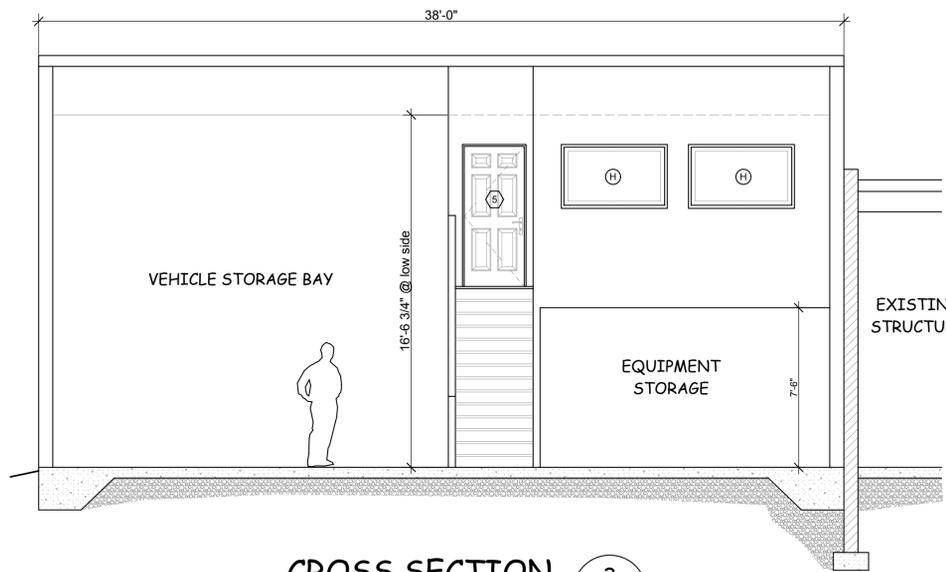
CHANGE ORDER #	DATE

A3.0
SHEET #
1 OF



EAST ELEVATION

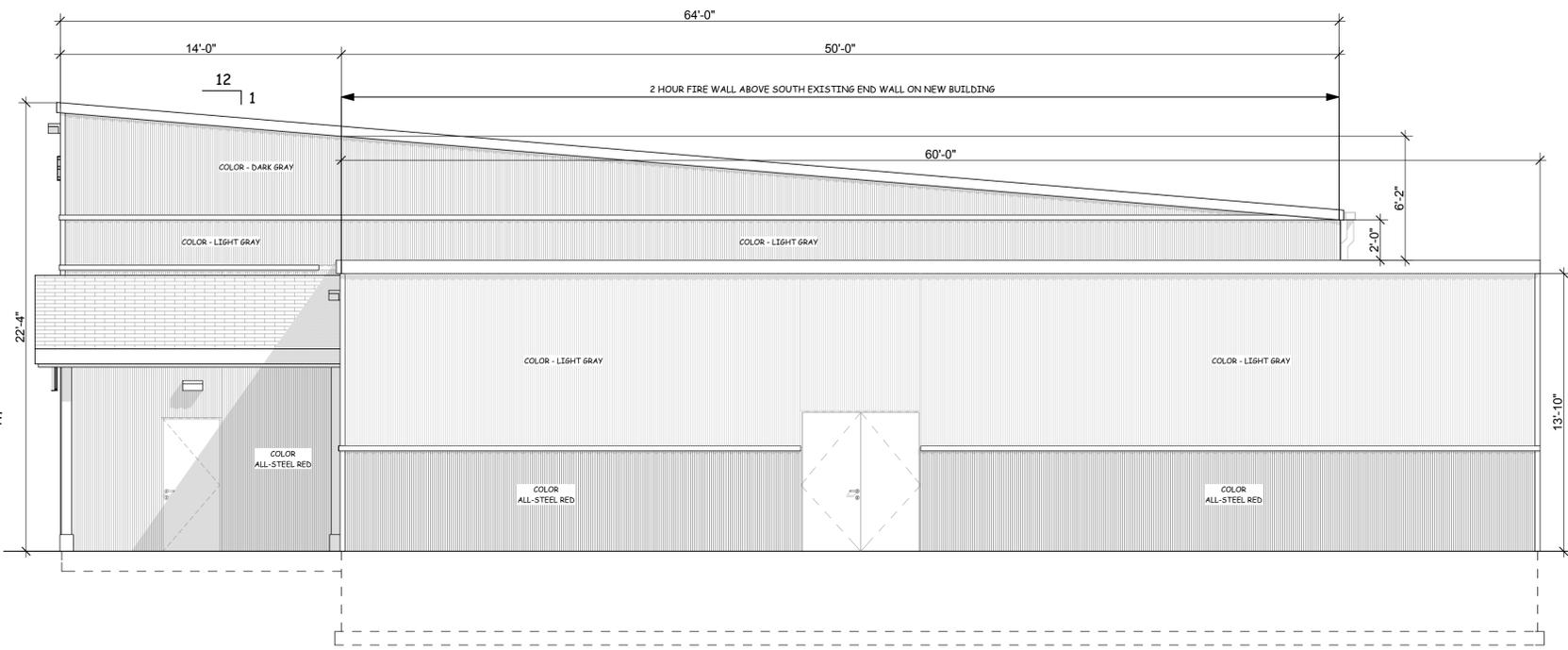
SCALE: 1/4" = 1'-0"



CROSS SECTION

SCALE 1/4" = 1'-0"

3
A4.0



NORTH ELEVATION

SCALE 1/4" = 1'-0"

ELEVATIONS

Park County Search & Rescue
Board of Commissioners
721 15th Street
Cody, Wyoming 82414

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Project # 1058

DATE: Revision (1)
September 29, 2014

#	CHANGE ORDER	DATE

A4.0
SHEET #
1 OF

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

MEETING DATE:	OCTOBER 14, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	CARPORT AT CHURCH OF ST. ANTHONY SPR 2014-32	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

The Church of St. Anthony at 1333 Monument Street has submitted a request to install a 20-foot by 24-foot carport in the church parking lot for use in conjunction with the existing rectory. The carport would have a low-pitch brown gable roof and the three sides would be a tan color to match the church.

Existing Conditions



REVIEW CRITERIA:

The property is within the Residential A zoning district, which specifically lists churches and their accessory structures as permitted uses.

Pursuant to City of Cody Code 9-2-3, the Planning and Zoning Board shall review the application and plans insofar as they pertain to the exterior of the commercial building and site plan conditions.

STAFF COMMENTS:

The carport is proposed to be placed within the existing parking lot. Although it will accommodate two cars, its overall width is more than two spaces. However, the area of the carport is not currently marked for parking, but used more for general storage.

There are 102 marked parking spaces in the parking lot, which according to the current parking ordinance is sufficient to provide for church seating for 340 persons. Seating of the capacity of the church was not measured, but is at least 320 persons—more when packed in for Christmas and Easter. In discussions with one of the applicant's representatives, with the exception of perhaps the Easter or Christmas services, the

parking lot is typically not full. (Typical parking ratios are not designed for those extreme peaks.)

Grading/Storm water:

The carport will be placed in an area that is already impervious; therefore, no storm water retention is required.

ALTERNATIVES:

Approve or deny the project.

RECOMMENDATION:

Approve the carport as proposed.

Suggest that the church mark spaces to the west of the carport to accommodate and organize parking in that area.

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

MEETING DATE:	OCTOBER 14, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	SITE PLAN REVIEW: 10-BAY INDOOR STORAGE BUILDING SPR 2014-35	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Jim Sommers of Redwing, Inc. has submitted an application for a 10-bay storage building for the purpose of commercial storage of RVs, trailers, boats, etc. This is the second phase of a two-phase project at 416 DY Road. The building is proposed to match the first building as far as exterior size and appearance, which means a 50' by 160' metal building in a light stone color.

Existing Conditions:



REVIEW CRITERIA:

The property is located within the General Commercial/Light Industrial "D-3" zoning district, which permits storage buildings.

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	Light industrial buildings (WY Armory, Overhead Doors), Stampede Rodeo Grounds across W. Yellowstone.	D-3
East	Vacant hillside.	Residential AA
South	Hillside, 25-acre vacant property above.	County. Residential ½ acre.
West	Safari Outfitters, Phase 1 storage bldg	D-3

Architecture:

The building elevations are attached. It would be a metal sided and roofed building with 16-foot walls. Both the roof and walls are proposed to be "lightstone" in color and the trim "burnished slate". The ten overhead garage doors are proposed to be white. No windows or architectural variations are proposed.

Due to topography, the rear side of the building will have a combination foundation stem wall/retaining wall that is four feet high and extends 25 feet beyond the ends of the building.

The P&Z Board will need to determine if the proposed materials, colors, and architecture are suitable. Almost all of the buildings in the immediate area are of a similar metal construction, although the Safari Outfitter's building is dark-stained wood.

Landscaping:

No landscaping is proposed. The building would be visible from West Yellowstone Avenue. If development were to occur on the vacant land to the northwest, the building would be much less visible. If landscaping is required, it would necessitate a water tap and extension of a private waterline.

Storm Water Plan:

An engineered storm water plan has been prepared to address runoff according to the City's storm water policy manual. The plan includes installation of a runoff swale to carry water to the exiting basin south of the Phase 1 building.

Parking:

No parking is required. The gravel area could accommodate vehicles on a temporary basis.

Lighting

Proposed lighting consists of four compact fluorescent wall-pack fixtures on the east side of the building. The fixtures are down-lit in design and will not result in excessive amounts of illumination.

Neighborhood Compatibility, Setbacks and Buffers, and Height Requirements

The D-3 zoning district specifies that "*Where any business or commercial district is adjacent to any residential district, there shall be provided on the business or commercial district a buffer zone with a visual screen.*" It could be argued that the buffer requirement applies along the east side of this project. The buffer was not required with the first building as the development was significantly removed from the property line—only a portion of the property was being developed. This building is 130 feet from the residential property line and the adjacent residential zoned area is hillside that is considered undevelopable. The intent of the buffer zone and visual screen is to buffer between potentially conflicting uses. Buffering vacant undevelopable hillside is not the intent and serves no identified purpose. It is recommended that the Board not impose the buffer requirement on the site plan.



There are no zoning setbacks for the D-3 zone, although building code setbacks apply based on type of construction materials. Applicable building code setbacks will be met by the proposal.

Utility Services

Electrical service would be brought in from the northwest by the developer's electrician. A fire hydrant exists in sufficient proximity to the building to meet code. However the hydrant is alongside the access road and should be protected with bollards. No other city utilities are planned.

Signage

No additional signage is proposed.

Other

A fire wall separation is required within the building in order to avoid the requirement for a fire sprinkler system. The building plans will need to reflect the fire wall separation.

ATTACHMENTS:

Application materials.

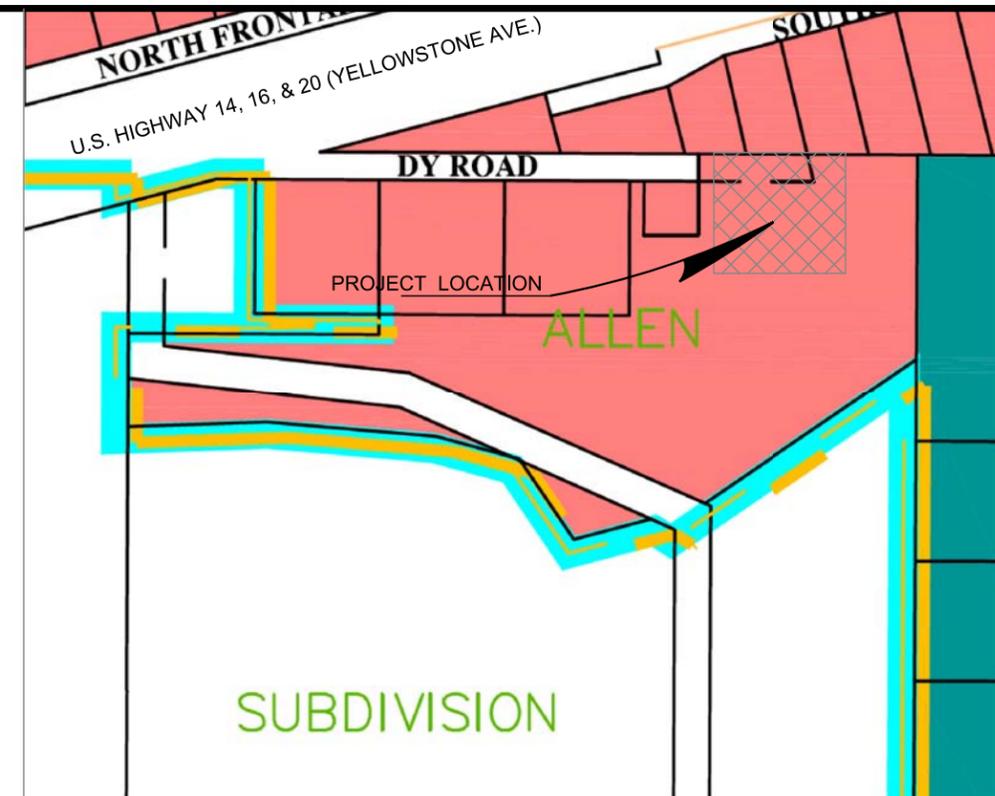
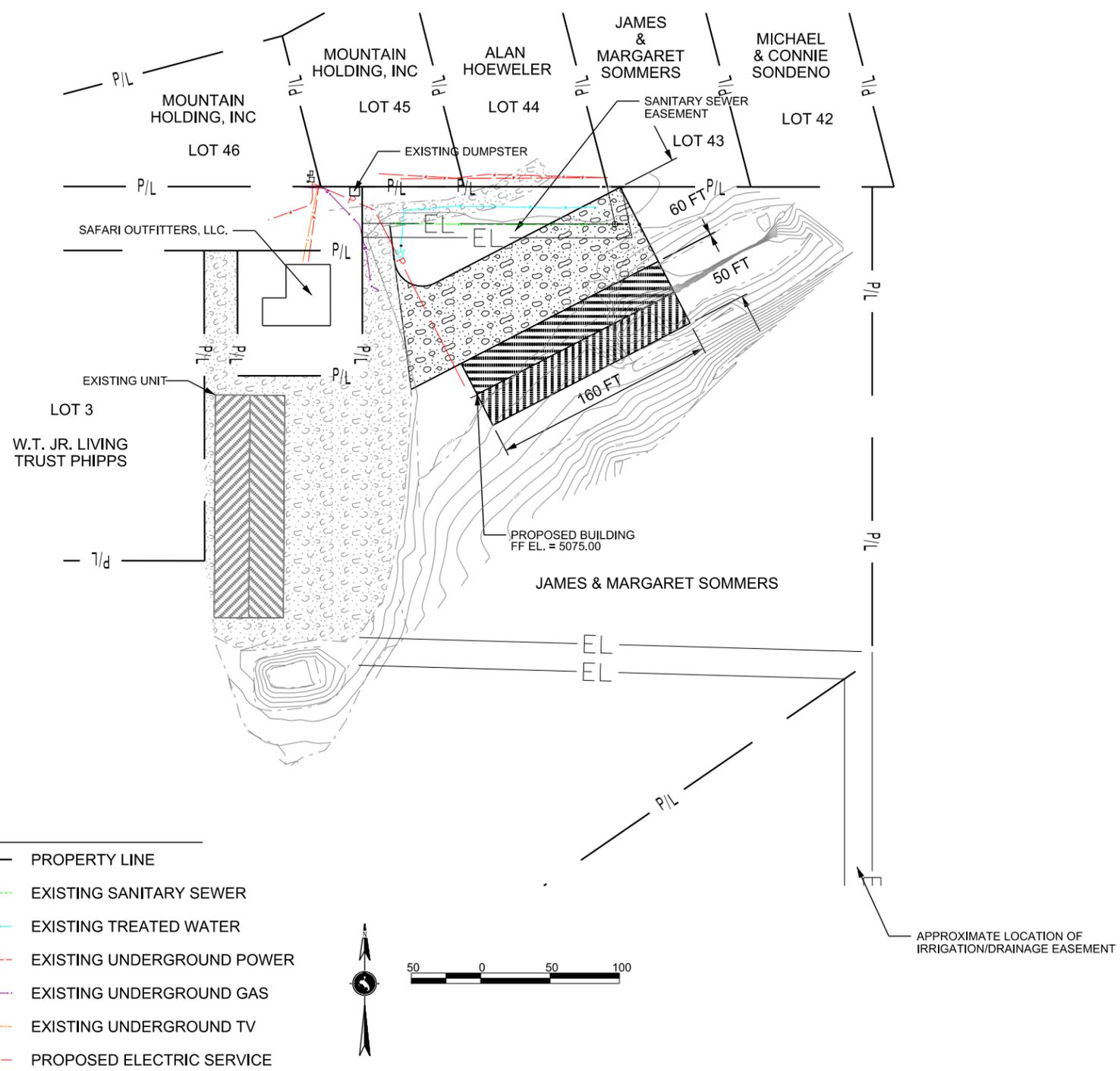
ALTERNATIVES:

Approve or deny the site plan, with or without changes.

RECOMMENDATION:

If is recommended that the Planning and Zoning Board approve the application subject to following.

1. Prior to occupancy of the building, the engineer is to certify that the storm water facilities have been constructed as designed.
2. Provide bollards around the fire hydrant—coordinate with Public Works.
3. As with the first building, a fire wall separation is needed within the building in order to avoid the requirement for a fire sprinkler system. Show the fire wall on the building plans.
4. The project must otherwise comply with the submitted site plan and applicable building, fire, and electrical codes.



VICINITY MAP (N.T.S)
 ZONING
 ORANGE = D-3
 GREEN = RESIDENTIAL AA (SPIRIT MOUNTAINS SUBD.)

- NOTES:
1. EXISTING FEATURES SHOWN GREYSCALE.
 2. NO ADDITIONAL GARBAGE DUMPSTERS ARE PROPOSED.
 3. SNOW STORAGE AREAS WILL BE NORTH AND EAST OF DRIVEWAY/PARKING AREA.
 4. NO SIGNING IS PROPOSED FOR BUILDING #2.
 5. NO LANDSCAPING IS PROPOSED. AREA PROPOSED TO BE DEVELOPED SIMILAR TO BUILDING #1 (SEE SHEET 2).

- ADJACENT LAND USES:
- LOT 3: VACANT
 - LOT 42: WYOMING SPRINKLER
 - LOT 43: CODY OVERHEAD DOOR
 - LOT 44: WYOMING ARMORY
 - LOT 45: VACANT
 - LOT 46: VACANT

- LEGEND**
- P/L — PROPERTY LINE
 - EXISTING SANITARY SEWER
 - EXISTING TREATED WATER
 - EXISTING UNDERGROUND POWER
 - EXISTING UNDERGROUND GAS
 - EXISTING UNDERGROUND TV
 - - - P - - - PROPOSED ELECTRIC SERVICE

APPROXIMATE LOCATION OF IRRIGATION/DRAINAGE EASEMENT

<table border="1"> <thead> <tr> <th>DATE</th> <th>REVISIONS</th> </tr> </thead> <tbody> <tr> <td>09/25/14</td> <td>DRAFT SITE PLAN SUBMITTAL</td> </tr> </tbody> </table>		DATE	REVISIONS	09/25/14	DRAFT SITE PLAN SUBMITTAL	JOB NO. 2014-42 DRAWN BY- DAT CHECKED BY- DRS APPROVED BY- DRS	SITE PLAN	REDWING STORAGE BUILDING #2 OWNER - JIM SOMMERS	2824 BIG HORN AVE CODY, WY 82414 PHONE: (307) 527-0915 FAX: (307) 587-6901	 SAGE CIVIL ENGINEERING	715 E. ROOSEVELT P.O. BOX 1153 RIVERTON, WY 82501 PHONE: (307) 851-9252	1 OF 2
DATE	REVISIONS											
09/25/14	DRAFT SITE PLAN SUBMITTAL											



EXISTING BUILDING #1 - EAST SIDE



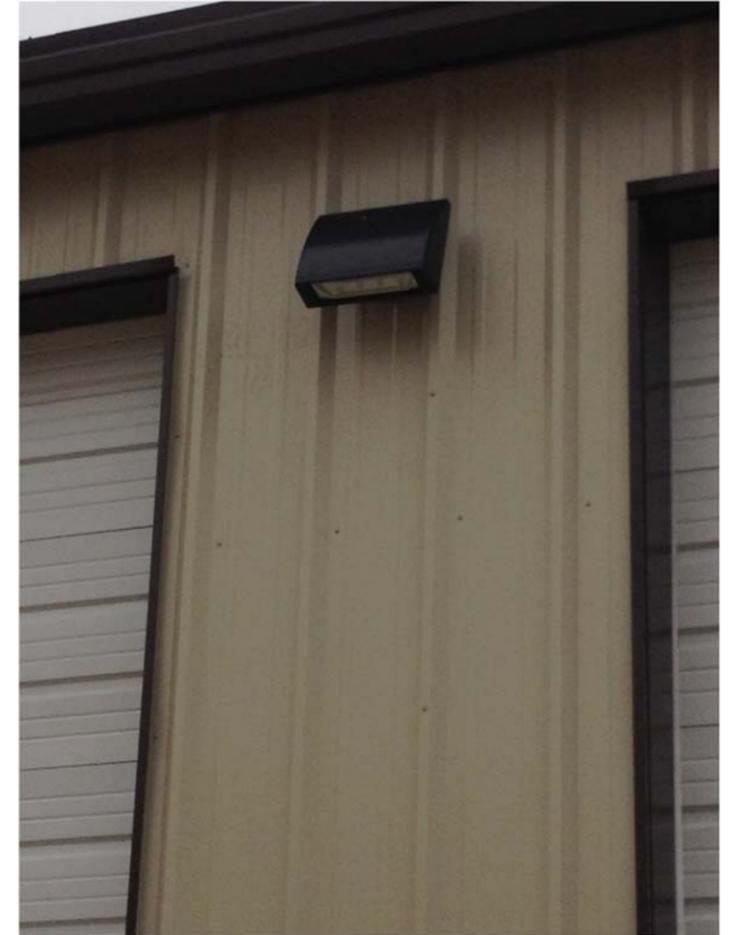
PROPOSED SITE AND EXISTING CONDITIONS
VIEW TO WEST



EXISTING BUILDING #1 WEST SIDE



BUILDING #2 PROPOSED SITE



OUTDOOR LIGHTING FIXTURE

REVISIONS		JOB NO.
DATE	DESCRIPTION	
09/25/14		2014-42
		DRAWN BY-
		CHECKED BY-
		APPROVED BY-

BUILDING CONSTRUCTION
SCHEME EXHIBIT

REDWING STORAGE BUILDING #2
OWNER=JIM SOMMERS

2824 BIG HORN AVE
CODY, WY 82414
PHONE: (307) 527-0915
FAX: (307) 587-6901


SAGE CIVIL ENGINEERING

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

PROPOSED STORAGE BUILDING # 2 FOR :

REDWING STORAGE



PROJECT INFORMATION

REDWING STORAGE

Project # 1067

Owner:

Jim Sommers
P.O. Box 3069
Cody Wyoming 82414

Contact Numbers:

Phone (307) 899-3862

General Contractor:

Contact Numbers:

Project Location:

Located At:
Lot 7 Allen Subdivision
Cody Wyoming 82414

Project Notes:

CONTRACTOR MUST VERIFY ALL SIZES AND DIMENSIONS. PLANS NOT ENGINEERED. FOR BEAM AND ALL STRUCTURAL MEMBER SIZES PLEASE CONSULT A STRUCTURAL ENGINEER. ALL SIZES SUBJECT TO CHANGE PER STRUCTURAL ENGINEER. ALL CONSTRUCTION METHODS TO MEET LOCAL CODES AND STANDARDS.

INDEX TO DRAWINGS:

- C1 - COVER PAGE
- A1 - FLOOR PLAN
- A2 - ELEVATIONS
- A3 - SIGN DETAILS

EXTERIOR COLORS:

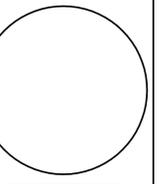
- METAL ROOF - LIGHT STONE
- METAL SIDING - LIGHT STONE
- METAL GUTTERS - BURNISHED SLATE
- METAL DOWN SPOUTS - BURNISHED SLATE
- METAL O.H. DOORS - WHITE
- FACIA & TRIM - BURNISHED SLATE

Jim Sommers

*P.O. Box 3069
Cody Wyoming 82414*

Jim Sommers (307) 899-3862

NOTE: ALTHOUGH GREAT CARE AND EFFORT HAVE GONE INTO THIS PLAN TO CREATE A PRECISE INTERPRETATION OF THE FINISHED PROJECT, IT IS IMPOSSIBLE TO GUARANTEE THAT THIS PLAN IS WITHOUT IMPERFECTIONS. THEREFORE, THE ASSUMES LIABILITY FOR ANY PROJECT CONSTRUCTED FROM THIS PLAN. BUILDER, OWNER VERIFY ALL DIMENSIONS. PLANS SUBJECT TO CHANGE PER ENGINEER OR LOCAL CODES.



PRECISION PLAN AND DESIGN INC.
CUSTOM PLAN SERVICE

(307) 272-5709

930 12th Street
Cody, Wyoming 82414

Rick Lambert
Member
ILBA no. 1271

SHEET #
C1

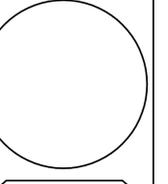
COVER PAGE

SCALE: AS NOTED

09-24-14

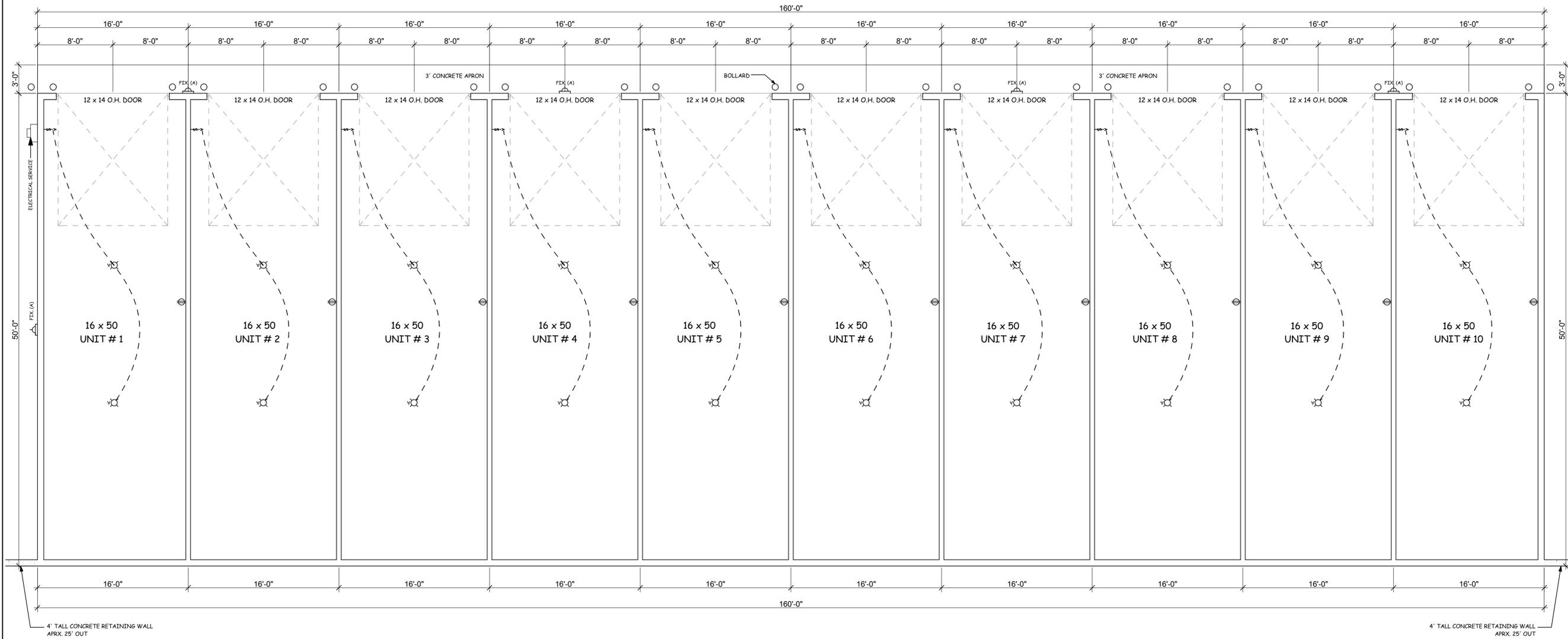
REVISED ()

NOTE:
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PRECISION PLANNING DESIGN INC.
CUSTOM PLAN SERVICE
(307) 587-6227 (307) 272-5709
Rick Lambert
Member
930 12th Street
Cody, Wyoming 82414
ILBA no. 1271

SHEET #
A1
FLOOR PLAN
SCALE: AS NOTED
09-24-14
REVISED ()

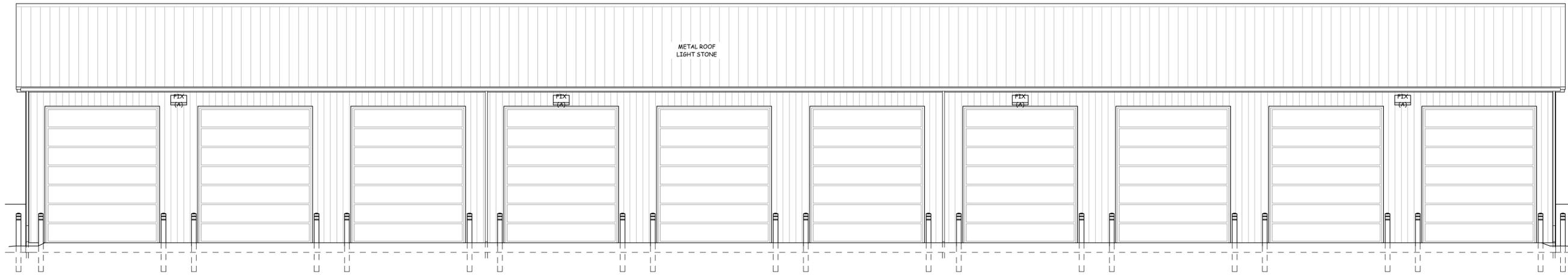


LIGHT FIXTURE SCHEDULE	
	EXTERIOR WALL LIGHT PHOTO CELL
	CEILING FIXTURE
	DUPLEX OUTLET
	SINGLE SWITCH



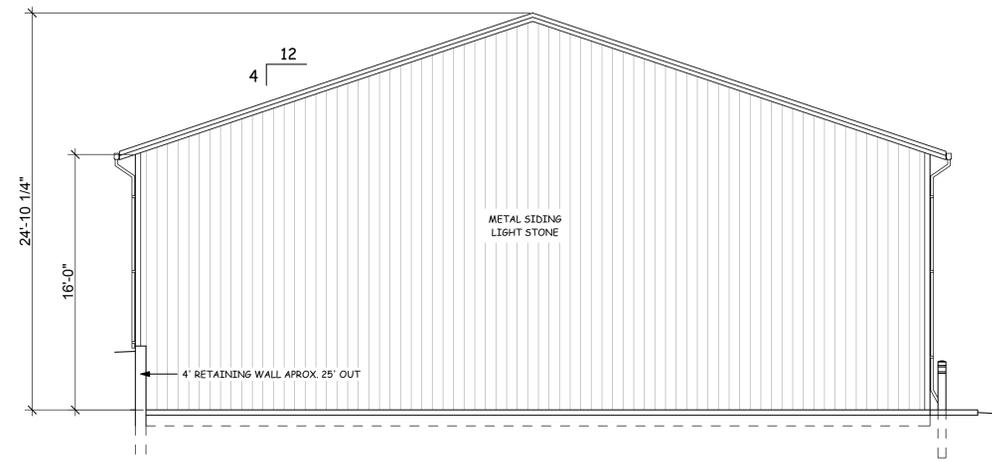
FLOOR PLAN BUILDING # 2

SCALE 3/16" = 1'-0"



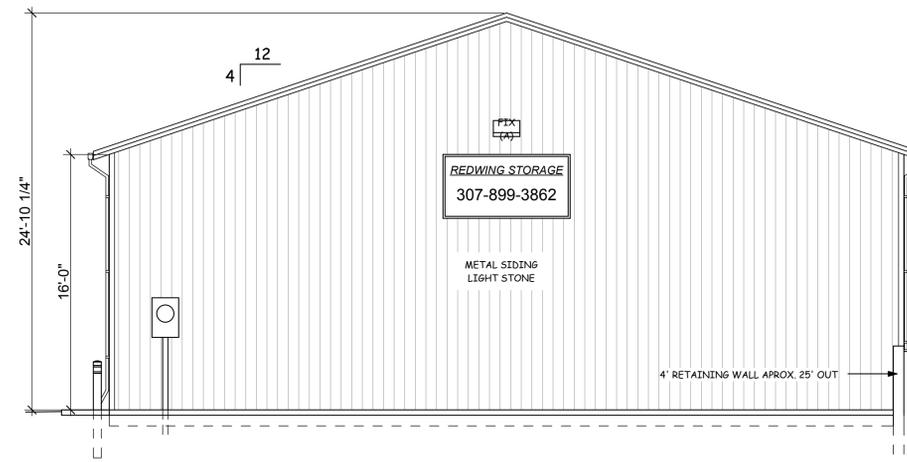
NORTH ELEVATION

SCALE 3/16" = 1'-0"



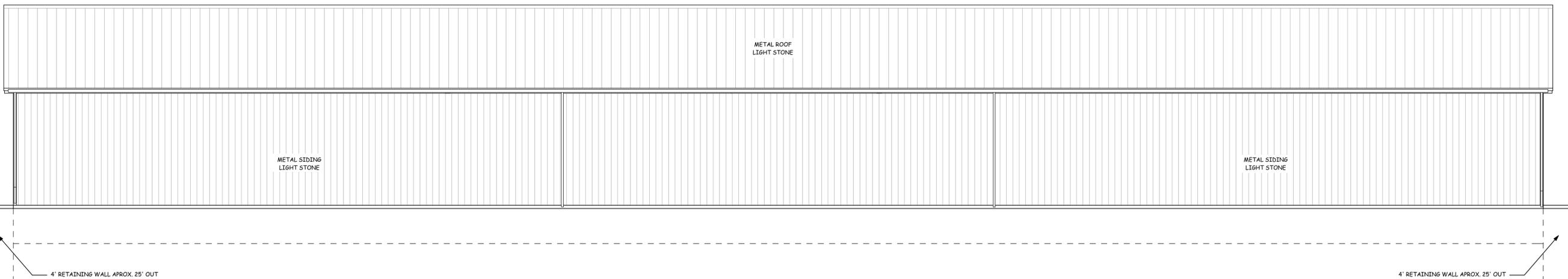
EAST ELEVATION

SCALE 3/16" = 1'-0"



WEST ELEVATION

SCALE 3/16" = 1'-0"



SOUTH ELEVATION

SCALE 3/16" = 1'-0"

REDWING STORAGE

Project # 1067

Jim Sommers

P.O. Box 3069

Cody Wyoming 82414

Jim Sommers

(307) 899-3862

NOTE:
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PRECISION PLANNING DESIGN INC.
CUSTOM PLAN SERVICE

(307) 587-6227 (307) 272-5709

Rick Lambert
Member
ILBA no. 1271
930 12th Street
Cody, Wyoming 82414

SHEET #

A2

ELEVATIONS

SCALE: AS NOTED

09-24-14

REVISED ()



SIGN SPECIFICATIONS:

ATTACHED WALL SIGN TO BE:
 1" PLYWOOD BOARD PAINTED LIGHT GREY WITH
 BLACK PAINTED LETTERS PER DETAILS.

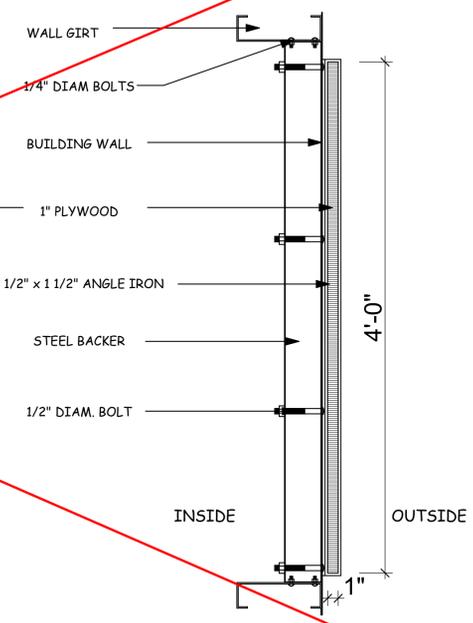
ZONE D-3

ATTACHED WALL SIGN = 32 SF.
 TOTAL ATTACHED WALL SIGNAGE = 32 SF.
 TOTAL SIGNAGE = 32 SF.
 TOTAL ALLOWED SIGNAGE PER 10-15 = 600 SF.

NOTE: SIGNING NOT PROPOSED FOR BUILDING #2.

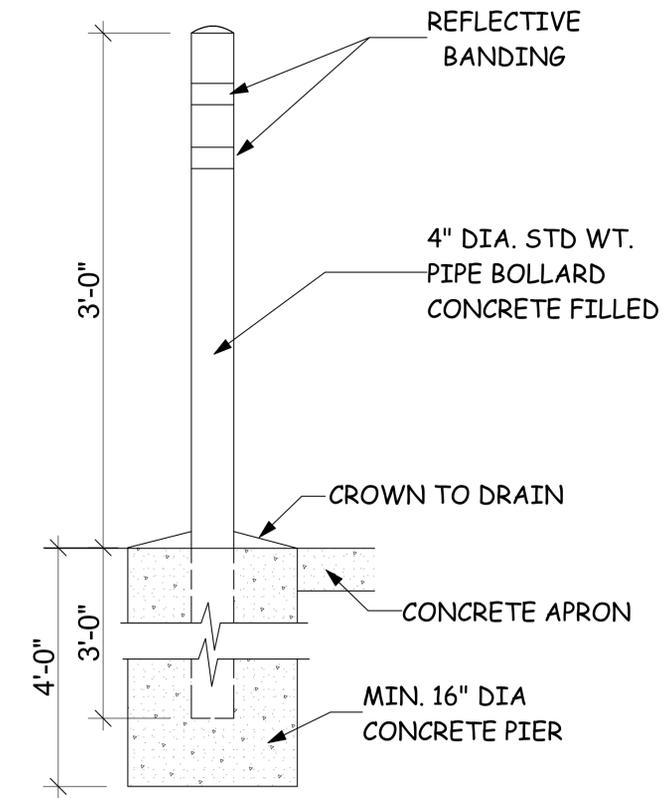


SIGN FRONT VIEW



SIGN DETAIL

SCALE 1 1/2" = 1'-0"



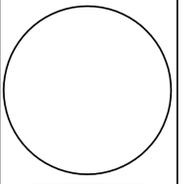
BOLLARD DETAIL

SCALE: 1 1/2" = 1'-0"

REDWING STORAGE
 Project # 1067

Jim Sommers
 P.O. Box 3069
 Cody Wyoming 82414
 (307) 899-3862

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PRECISION PLANNING DESIGN INC.
 CUSTOM PLAN SERVICE
 (307) 587-6227 (307) 272-5709
 Rick Lambert
 Member
 ILBA no. 1271
 930 12th Street
 Cody, Wyoming 82414

SHEET #
A3
SIGN DETAILS
 SCALE: AS NOTED
 09-24-14
 REVISED ()

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

MEETING DATE:	OCTOBER 14, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	"LIBATIONS" SIGNS, DOWNTOWN SIGN DISTRICT REVIEW. SGN 2014-45	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

An application has been submitted by Julie Hinze on behalf of the owners of Libations liquor store at 1503 Sheridan Avenue, to replace the existing 6' by 6' sign panels of the "Libations" freestanding sign with new panels and install a new 6' by 2' electronic message board about six feet beneath the illuminated panel sign in place of an existing reader board. Renderings of the existing and proposed signs are attached. It is noted that the electronic message board will be above a 6' by 2' empty panel, but the panel is not included in the sign calculations, as it contains no advertising. Existing sign height will not change, and appears to be below the 25-foot height limit. The property is within the downtown business sign district.

REVIEW CRITERIA:

The property is within the Downtown Architectural District established by Section 9-2-2 of the Cody City Code. Pursuant to Subsection B of 9-2-2, within the downtown Architectural District, *"The planning, zoning and adjustment board shall examine and evaluate applications and plans involved in building and sign permits insofar as they pertain to the exterior of commercial buildings within the downtown district as herein described and shall make recommendations and suggestions to the applicants, property owners or occupants.*

In addition, *"Electronic message boards and animated signs shall be permitted only in the following sign districts: D-2, D-3, and E industrial. In addition, electronic message boards and animated signs may be permitted in the downtown business district, but must have special approval by the planning and zoning board. Approval will be based on consideration of adjacent signage, the size of the proposed signage, and compliance with applicable sign requirements of the Wyoming department of transportation. (City of Cody Code 10-15-3(B)(10)(g))*

STAFF COMMENTS:

The proposed illuminated panel sign, being 36 square feet in size, and the electronic message board, being 12 square feet, is well within the 240 square foot limit per sign face that may be permitted.

The main panels of the illuminated sign are professionally designed.

All electronic message boards are subject to the following requirements. Staff comments follow each.

10. Electronic Message Boards and Animated Signs:

- a. Not more than one electronic message board sign may be permitted per zoning lot. *(Interpreted to be met. When determining allowable size and number of signs, the sign ordinance only counts one side of double-sided free-standing signs. Technically there are two electronic message boards mounted back to back, but past interpretation is that such configuration would count as only one.)*
- b. Electronic message boards and animated signs shall not display off-premise commercial advertising. *(Ongoing. The Board will need a commitment for such from the owner.)*
- c. Electronic message boards and animated signs are not permitted in residential sign districts. *(Met.)*
- d. The leading edge of the sign must be a minimum distance of one hundred feet (100') from an abutting residential zoning district boundary. *(Met—the nearest residential zone is over 400 feet away.)*
- e. Electronic message boards must utilize an automatic dimmer control so as to not exceed a maximum luminance of five thousand (5,000) nits (candelas per square meter) during daylight hours (from sunrise to sunset), and a maximum luminance of five hundred (500) nits (candelas per square meter) from sunset to sunrise. *(The applicant's letter notes the intent to comply with the 500 nighttime level, but forgot the 5,000 daytime level. The sign illumination is adjustable. Verification of correct settings will need to occur in conjunction with the building permit/electrical inspection when the sign is installed.)*
- f. The use of audio speakers is prohibited in association with a sign. *(Met.)*
- g. Electronic message boards and animated signs shall be permitted only in the following sign districts: D-2, D-3, and E industrial. In addition, electronic message boards and animated signs may be permitted in the downtown business sign district, but must have special approval by the planning and zoning board. Approval will be based on consideration of adjacent signage, the size of the proposed signage, and compliance with applicable sign requirements of the Wyoming Department of Transportation.

The property is within the downtown business sign district, so special approval by the Board is needed. The Board can discuss the considerations noted. As far as meeting WYDOT requirements, the sign will not overhang the right-of-way and needs no permit from WYDOT provided no off-premise commercial advertising occurs on the sign.

There is extremely limited history with electronic message boards in the downtown area. The purpose of the Downtown District is understood to be the promotion of architectural compatibility and preservation of historic features. In

essence the sign should be in character with the area. Points that support the proposal include compliance with the illumination limits, the fact that effectively only 1/3 of the overall sign is the electronic message board, and that the proposed sign is over 650 feet from any other electronic message board (not cluttered). Items that the Board may want to discuss is whether restrictions should be placed on hold time (how long the message is displayed) and transition time (how long a message takes to change). Many jurisdictions with electronic message board standards impose hold time to prevent flashing or quickly changing messages. To prevent the "flashing " effect, a hold time of 3-5 seconds is somewhat typical, although some jurisdictions use 7.5, 10, and longer. The transition time is typically recommended to be less than one second. Staff points these items out as potential ways to help maintain a more historic atmosphere for the downtown area, as staff has heard generally from community members that overly bright, flashing, and wildly animated signs are not appropriate for the downtown corridor. Staff is not opposed to commercial advertising, but believes that it can be done with respect and consideration for the historical character that is apparently desired.

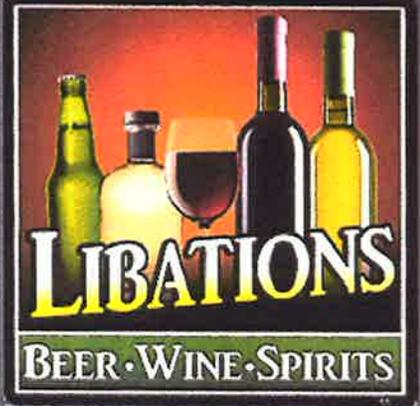
ATTACHMENTS:

Application materials.

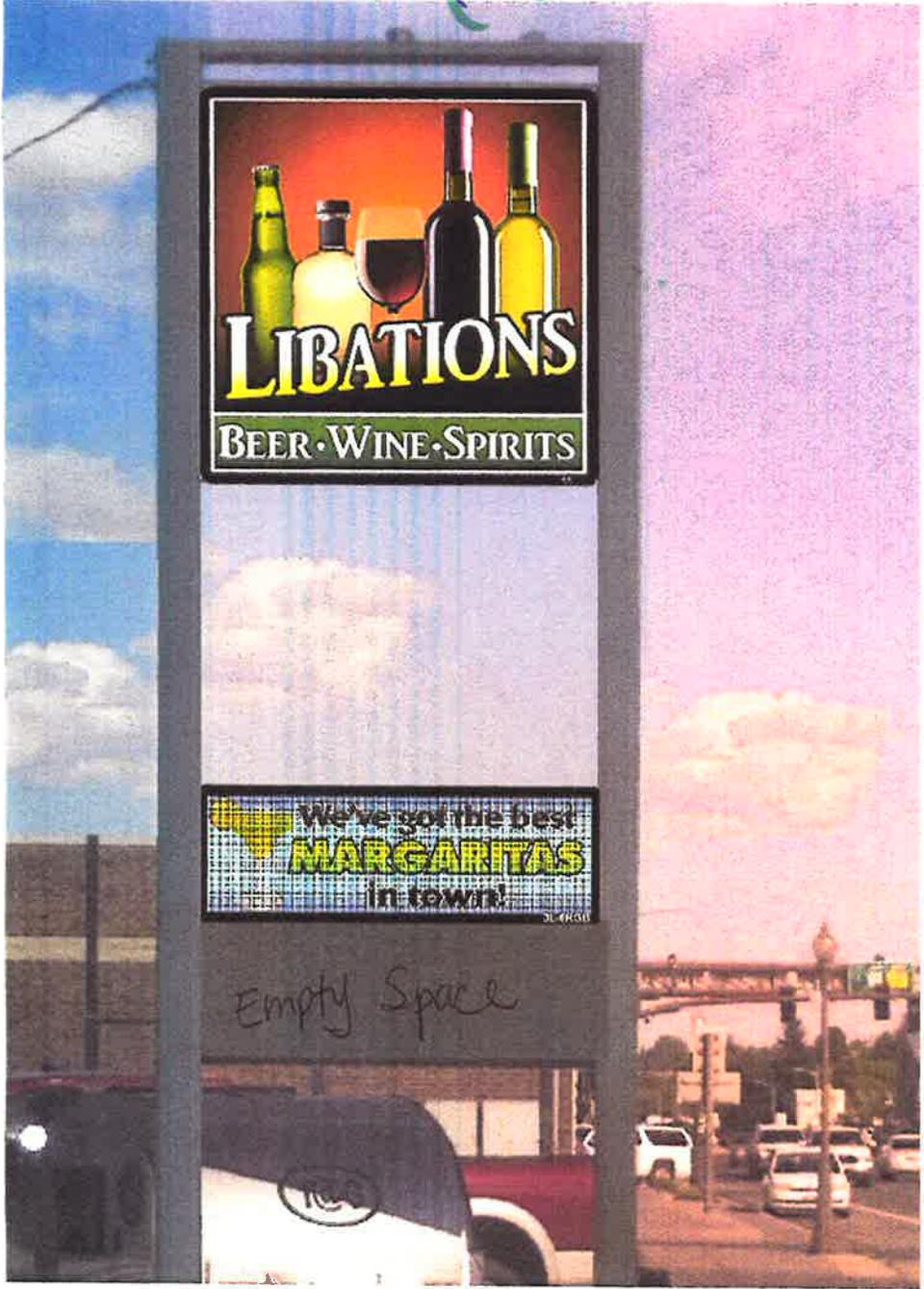
ALTERNATIVES:

Approve the main Libations sign panel, with or without making suggestions; and, Deny or approve the electronic message board subject to ongoing compliance with the electronic message board requirements and any other limitations the Board determines necessary (minimum dwell time, maximum transition time). Findings should be made for any limitations imposed that are not listed in the sign code. The sign setting requirements must be verified at the time the sign is made active.

(A)



Empty Space





LIBATIONS

BEER • WINE • SPIRITS

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

MEETING DATE:	OCTOBER 14, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	OFF-SITE PARKING AGREEMENT: PRESCHOOL/DAYCARE AT 2132 COUGAR AVENUE PARKING AT CODY BIBLE CHURCH FILE NO. SPR 2014-39	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

BACKGROUND:

Megan Garza is planning to operate a preschool/daycare at 2132 Cougar Avenue. She plans to be licensed for up to 50 children, which is permitted in the Residential B zoning district in which the property is located.

The parking ratio for daycare facilities is one space per five children. There are four on-site parking spaces available on the property, which is enough to authorize up to twenty children. For all 50 children, ten off-street parking spaces are required. Therefore, the business lacks six parking spaces. A draft parking agreement with the Cody Bible Church is attached, which would allow the business to utilize up to ten parking spaces in the church parking lot at any given time.

Existing Conditions, Church Parking and Building Proposed for Preschool:



The option for off-site parking agreements is listed in the City's parking ordinance. Approval of the agreement is subject to a number of criteria and approval by the Planning and Zoning Board. Specifically, the ordinance states:

10-16-7: OFF SITE PARKING:

The planning and zoning board may authorize parking facilities located on neighboring private property to qualify as required off street parking under the following conditions:

A. The parking spaces are not required for another building, structure or use, unless joint parking is allowed pursuant to section 10-16-6 of this chapter;

The language in the code about "joint parking" is as follows:

10-16-6: JOINT PARKING FACILITIES, MULTIPLE OR MIXED USES:

In the case of joint parking facilities that will serve multiple or mixed uses, the number of off street parking spaces required shall be the sum of the requirements for the individual uses computed separately, unless the planning and zoning board authorizes otherwise based on reliable data, such as a parking demand study prepared by a qualified parking consultant or engineer that justifies a reduced number. Site specific characteristics, such as offset peak parking times/days, are to be considered when determining whether a reduction in the number of spaces is justified for joint parking facilities.

Staff Comment: The hours of operation of the preschool/daycare do not overlap with the hours of operation of the large church activities, so joint parking can be authorized.

B. The nearest point of the parking lot is within the following distances, as measured along the pedestrian's path of travel, from the building served:

- 1. One hundred feet (100') for accessory apartments, single-family dwellings, and two-family dwellings;*
- 2. Two hundred feet (200') for multiple-family dwellings, hotels, motels, and lodging facilities;*
- 3. Three hundred feet (300') for hospitals, medical offices, homes for the aged, and clubs/fraternal orders; and*
- 4. Five hundred feet (500') for uses not otherwise specified above.*

Staff Comment: The parking area is across Cougar Avenue and approximately 200 feet along the pedestrian path of travel, using the crosswalk at intersection.

C. A legally binding long term agreement, typically a minimum of ten (10) years, for the off-site parking, in a form and with conditions acceptable to the city planner, city attorney and planning and zoning board, is entered into between the affected property owner(s) and recorded in the office of the county recorder. An agreement shall be required regardless of whether the neighboring property is owned by a different or same property owner as the use requiring the parking.

Staff Comment: The draft agreement is attached and is only for one year, with automatic renewal for an additional year. (Staff believes the intent was for automatic renewal annually without limit to the number of years.) This appears inadequate to meet the requirement. However, the Board should determine what the minimum length of the agreement should be. Based on the Board decision, the agreement will still need to be reviewed by the city attorney.

D. If the off-site parking is no longer available for any reason, including, but not limited to, expiration or termination of the parking agreement, then the certificate of occupancy may be revoked pursuant to section 10-16-12 of this chapter, and the property owner shall be subject to such other penalties as provided in this title.

Staff comment: Noted.

RECOMMENDATION:

If the Planning and Zoning Board is agreeable to approving the request, it is recommended that it be subject to following.

1. Specify the minimum term(s).
2. Final approval of the parking agreement by the city attorney.
3. Verification of liability insurance for the shared spaces.
4. Execution of the parking agreement by both parties.

Cody Bible Church, Inc., as Lessor, does hereby agree to let to Megan Garza, as Lessee, a parking spaces located at 2137 Cougar Avenue Cody, WY 82411, such parking spaces being further described as Cody Bible Church Parking Lot at the aforementioned location. The following terms and conditions shall apply to this Parking Space Lease Agreement (“Agreement”):

Terms and Conditions:

1. **Items Left in Vehicle.** Lessor shall not be responsible for damage or loss to possessions or items left in vehicles.

2. **Damage to Vehicle.** Lessor shall not be responsible for damage to vehicles, whether or not such damage is caused by other vehicle(s) or person(s) in the parking lot and surrounding area.

3. **Parking Lot Attendants.** Lessor shall not provide parking lot attendants.

4. **Payments by Lessee.** Lessee agrees to pay \$ 100 per year for the lease of the aforementioned parking spaces. Lessee is to make such leasehold payment –(to Lessor or Lessor’s Agent) in person (or by mail) at PO Box 1475 Cody, WY 82411. Payments shall be made upon signing of this agreement and upon the renewal of this agreement annually. .

5. **Receipts by Lessor.** Lessor agrees to provide a receipt to Lessee for each payment received. Such receipt shall show the amount paid and number of the leased parking space.

6. **Term of Agreement.** This agreement will have a term of one (1) years. Upon the expiration of this lease agreement it will be renewed automatically unless notice is given to either party 60 days prior to the renewal date. The renewal date will be one year from signing this agreement.

7. **Damages and Loss of Equipment.** Lessee is responsible for any and all damages beyond normal wear and tear to the parking facilities.

8. **Limitations on Lessee.** Parking spaces provided are not to exceed ten (10) vehicles in Cody Bible Church Parking Lot at any given time. These spaces will only be provided during business hours of the day care facility owned and operated by Megan Garza and will be only for the use of said day care facility. Parking will not be provided on Sundays.

9. **Insurance.** If required by the Lessor, the Lessee will purchase liability insurance for customers of the Lessee to park in the agreed areas.

EXECUTED AND AGREED by the parties hereto, this the 7th Day of October, 2014.

Cody Bible Church

Lessor

Megan Garza

Lessee

2137 Cougar Avenue Cody, WY 82411

Lessor's Address

2132 Cougar Avenue Cody WY, 82411

Lessee's Address

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

MEETING DATE:	OCTOBER 14, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	SPECIAL EXEMPTION PUBLIC HEARING AND SITE PLAN REVIEW FOR WYOMING FIREARMS EXPERIENCE INDOOR SHOOTING RANGE AT 142 W. YELLOWSTONE AVENUE SUP 2014-07	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Wyoming Firearms Experience, LLC, represented by Paul Brock, has submitted a Special Exemption application for permission to operate an indoor shooting range at 142 W. Yellowstone Avenue (currently Tecumseh's Trading Post).

The shooting range is planned to be marketed towards tourists desiring to shoot replica vintage guns or modern guns, as well as to local clubs and law enforcement. Supervision of the customers would be by qualified instructors. Ammunition sales and the rental of guns for use in the shooting gallery would be included activities.

A preliminary floor plan for the remodeled building along with a project narrative is attached. In brief, the facility would contain a concrete enclosed 8-lane shooting range, a wildlife display area, history of firearms exhibit, retail sales, instructional classroom, and storage. A vestibule area with observation windows would be located behind the shooter positions.

The ventilation systems for shooting ranges need to move a lot of air. The type of system would be a recirculating ventilation system (as opposed to a once-through type system), that recirculates and filters the majority of the air (primarily for reducing heating/cooling costs), but also discharges some of the air to the outside after it has been filtered. HEPA (High-efficiency particulate absorption) filters would be used, which by definition filter at least 99.97% of airborne particles measuring 0.3 micrometers. This is adequate to filter lead (Pb) particulates and is considered a "best practice" for controlling air emissions from indoor gun ranges. The location of the ventilation and HVAC equipment is not shown on the floor plan, so it is presumed to be roof-mounted.

The shooting range would be marketed towards tourists desiring to shoot replica vintage or modern guns, as well as local clubs and law enforcement. Supervision of the customers would be by qualified instructors. Ammunition sales and the rental of guns for use in the shooting gallery would be included activities.

The Wyoming Dept. of Environmental Quality, Air Quality Division indicated that they do not require any permits for indoor gun ranges, as the emissions are below regulatory limits-although they did recommend the use of filters.

A site plan of the property is enclosed. The existing neighboring land uses are as follows:

To North	Big Bear Motel, Fireworks store	D-3 zoning
To East	Vacant .97 acre lot	D-3 zoning
To South	South fork highway, Closest Residences approx. 400' away.	
To West	Rocky Mountain Power yard	D-3 zoning

PROCEDURE:

Authorization to operate an indoor shooting range requires zoning approval as well as City Council approval pursuant to section 5-4-1 of the City code relating to the discharge of firearms within the city limits. The City Council granted their permission for the indoor shooting range at their October 7, 2014 meeting, subject to conditions relating to noise limitations, air filtration, and safety practices (Recommended Conditions 1 through 5 of this report).

The City zoning ordinance regulates the location of land uses within the city limits. Unfortunately, the zoning ordinance is silent on the topic of shooting ranges. Nevertheless, a process is outlined in the zoning ordinance for the consideration of uses not listed, which process is called "Special Exemptions". Special Exemptions are outlined in Section 10-14-2 of the City code, which includes the following guidance language.

"Certain activities, structures and uses that are essential or desirable for the welfare of the city and not incompatible with other uses in the zoning district or neighborhood are eligible for special exemptions. Special exemptions may be entirely appropriate but not at every location or without conditions being imposed by reason of special problems the use presents. The planning and zoning board may grant those special exceptions that are reasonable and harmless deviations from the zoning ordinance as determined by the following standards and procedures:"

And,

2. Exemption for Use Similar to Permitted Uses: Special exemptions may be granted to allow uses not listed in the zoning ordinance when the planning and zoning board determines that such use is similar to a permitted use within the zoning district of the subject property. The determination on similarity shall be made in consideration of the

size, intensity, noise, traffic, burden on infrastructure, and purposes of the use in question.

In addition, the city code sets forth six specific approval standards for Special Exemptions, which are also addressed below. If the special exemption is approved, the board "*may impose any reasonable conditions or modifications pertaining to operation or physical features of the proposal to ensure conformance with the approval standards.*"

Notice of the special exemption request was provided as required, including publication in the newspaper at least 10 days before the public hearing (October 2, 2014) and by certified mail to all landowners within 140 feet (September 25, 2014).

REVIEW CRITERIA:

SIMILAR:

"Similar" is defined as, "*showing resemblance in qualities, characteristics, or appearance; alike but not identical.*" (Dictionary.com. *Collins English Dictionary - Complete & Unabridged 10th Edition*. HarperCollins Publishers. <http://dictionary.reference.com/browse/similar> (accessed: May 02, 2014).)

The subject property is zoned Open Business/Light Industrial (D-3). In order to authorize the indoor shooting range, it must be demonstrated that the indoor shooting range is similar to other uses that are listed as permitted uses in the D-3 zoning district. It is noted that the required comparison is to uses permitted in the D-3 zone, not to uses that exist in the D-3 zone or that are found in the immediate area.

As per the ordinance, "*The determination on similarity shall be made in consideration of the size, intensity, noise, traffic, burden on infrastructure, and purposes of the use in question.*"

Size: The use will be operated entirely within an existing building that is of similar size to other commercial buildings found in the D-3 zone, and only one story in height. The building has existed and was not initially built for this purpose.

Intensity: The D-3 zone has no height limit, so intensity is less than what could occur in a multi-story building. As far as number and frequency of customers or employees at the business, it is no more intensive than other uses in the D-3 zone, such as grocery stores, drive in theaters, furniture manufacturing plants, stadiums, schools, and museums. Intensity of use can also relate to lot coverage, yet 100% lot coverage is allowed in the D-3 zoning district—all of the lot may be covered with a building. If intensity is related to emissions, then it is noted that all emissions will be well within EPA standards. Emission concerns are addressed by the use of the HEPA filtration system. The City allows fireplaces, and one fireplace would produce much more particulate emissions and odors than the shooting range. Meat processing plants and seed cleaning plants are also permitted in the D-3 zone and would have significantly

more intensive emissions or odors. Other measures of intensity, such as noise, traffic, and utility demand are covered below. In many ways the use is relatively clean in appearance—no outside storage and minimal external noise.

Noise: The City Council set the policy on noise for the project in their decision on the shooting range. In brief, they are not allowing any gunfire noise to exceed 50 dBA (decibels measured by the A-weighted scale) beyond the north property line and 60 dBA at the other property lines during the day (7 a.m. to 10 p.m.) and 50 dBA beyond all property lines at night (10 p.m. to 7 a.m.). Rather than go into an in depth discussion on noise at this point, staff has enclosed the report to the city council which can be referenced.

Effectively the sound limits mean that noise from the loudest guns is expected to be down to a whisper level by the time it makes it across the highway to the Big Bear Motel property, and to whisper level by the time it is about 25 feet beyond the east and south property lines. Exceptions for temporary exceedance of the noise levels were granted by the City Council due to customers going in and out of the entry door or from simultaneous gunshots, which noise can carry further. The noise restrictions were primarily justified by the fact that gun noise can be very disturbing to some people, and the occupants of the adjacent motels would likely be very sensitive to noise impacts. Any other sound from the shooting range facility would be typical for a commercial area and was not limited by the City Council decision. The city has no noise ordinance for permitted businesses, other than the restrictions set for the D-4 and Heavy Industrial zones, which are not applicable here.

Thus far, no restriction on hours of operation has been imposed. At this point the applicant is not planning to be open during the night hours noted above (10 pm. to 7 a.m.). However, staff could see the potential for occasional special events, such as a graduation party or New Year's Eve shoot off. If the Board determines a need to set limits on hours of operation, they would need to add such a restriction.

As a matter of comparison, the D-3 zone allows some uses that are noise intensive, in both overall level and/or duration, including bars and lounges (outdoor bars with music), rodeo arenas (announcers), warehouses (trucks, forklifts, and refrigeration equipment), high schools (sports events), animal boarding kennels, and amusement parks. Due to the noise restrictions placed on the indoor shooting range, the range is similar to the high school gymnasium, in that noise levels are often quite loud inside the gym, but minimal outside.

Traffic: This use is not anticipated to generate any more vehicle traffic than other businesses that are allowed in the D-3 Zone, such as restaurants, stadiums, rodeo arenas, or post offices. The site is directly accessible from a state highway which has sufficient capacity to accommodate the anticipated traffic.

Burden on infrastructure: No upgrades to infrastructure (utilities, streets, sidewalk) are anticipated, with the possible exception of power. City sewer, domestic water, city power, full-width streets, sidewalk, and streetlights already exist on or along the property. It is still unknown if secondary electrical equipment upgrades are needed, but they would be at the applicant's expense. D-3 uses that would have a much higher utility demand than the gun range include multi-story office buildings, bottling plants, car washes, and laundromats.

Purposes of the use: The indoor gun range is primarily a tourist and recreation-based business with educational and historic components. In some respects, it is an attempt to keep the story of the old west alive. Such activity is similar to other activities and uses permitted in the D-3 zone, such as museums, retail stores, and entertainment venues (roller skating rinks, drive-in theaters, bowling alleys, amusement parks). Some may argue that there is a safety concern with this use that does not exist with other uses—referring to persons carrying weapons to and from the facility. The gun range operation is planning to strictly enforce firearm safety protocols and maintain sufficient supervision to prevent reckless behavior and injury. It is not clearly evident that this activity is any more dangerous to the general public than other firearm related activities permitted in the D-3 zone, including firearm and ammunition sales, which use exists immediately next door (Bork's Guns).

ADDITIONAL CRITERIA

10-14-2(C)(2) Approval Standards: No special exemption shall be approved unless the planning and zoning board finds:

- a. *The special exemption will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties;*

Comment: The property will be architecturally improved, in that excess and dilapidated signage will be removed. The character of the use is based on the "Old West" concept, which character already exists in the area as evidenced by the Stampede rodeo grounds, Old Trail Town, the former use of the building as Tecumseh's trading post, and architecturally in neighboring motels and other businesses.

While differing opinions likely exist, the limitations on noise levels imposed by the city council for the gun range are considered adequate to protect the character of the neighborhood on the topic of sound. The levels are much lower than other sounds that already exist in the area. The area suffers from vehicle related noises due to the Yellowstone Highway and the South Fork Highway. Staff observed sound levels of over 95 dBA from semi-trucks on the highway (measured at about 100 feet away), and many pickups were well into the 80's as well.

Relating to determining any "detriment to neighboring properties", it is necessary to identify potential adverse impacts and determine whether those impacts can be

sufficiently mitigated or minimized to the point of being insignificant, or avoided entirely. Unless additional impacts are identified in the public hearing, it appears that the discussion of the prior requirements has already identified the potential impacts—noise, emissions, traffic, and utility needs. The methods of mitigating those potential impacts to avoid detriment to nearby properties are outlined as part of the proposal and identified as recommended conditions. The mitigating measures appear sufficient to avoid measurable detriment to neighboring properties and undesirable changes to the character of the commercial neighborhood.

- b. The special exemption is designed to be compatible with adjacent land uses and the area or neighborhood;*

Comment: This requirement is almost identical to 'a' above, but speaks to the actual design of the project. In this case, the project is designed to minimize impacts through the use of noise control, exhaust air filtration, and high levels of safety protocol.

- c. The special exemption is the minimum deviation from the specifications of the zoning ordinance necessary and adequate for the proposed activity, structure or use;*

Comment: The operation of the shooting range facility can only occur if the special exemption is granted. (Note: This provision is usually most pertinent when reviewing setback reduction requests.)

- d. The benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue other than a special exemption;*

Comment: The special exemption is the only option to establish a shooting range anywhere in the city at this time. The use is not listed in any other zone, so a rezone is not an option. Technically a code amendment could be considered, but that could be said for every other special exemption situation. The special exemption process is intended to avoid the need for the applicant to request a code amendment.

- e. Adequate services and infrastructure are or will be available to serve the proposed activity, structure or use; and*

Comment: Adequate utilities, streets, and sidewalks exist in the area.

- f. The special exemption is consistent with the goals, policies and future land use map of the master plan.*

Comment: Applicable sections of the master plan are noted as follows. Each seems to support the proposal. The future land use map shows the area as "commercial mixed use", which is "intended for a wide range of community and regional commercial uses, mixed with a limited amount of residential or light industrial."

Page 21, Principle 2.1.a. Historic Attractions and Education. Support the Buffalo Bill Center of the West, Old Trail Town, and others in their efforts to celebrate and educate residents and visitors about Cody's history and culture...

Page 32, Objective 8.1: Support year-round entertainment and events for residents and visitors to maintain a high quality of life and encourage a sense of community.

Page 72, DESIRED FUTURE CHARACTER: As the first or last impression of Cody for Yellowstone National Park tourists, the Yellowstone District should be exciting and memorable. Signage, lighting, fencing, landscaping, building form and architecture, and other design elements should reflect Cody's historic character and western culture in a way that is genuine and attractive. A balanced mix of retail, restaurant, entertainment, office, and artisan-type light industrial uses should be encouraged. Pedestrian and bicycle infrastructure and streetscape features could be cohesive with the downtown area and provide connectivity to other parts of the city...

Other:

Staff has identified a scenario where an indoor shooting range would be considered a permitted use in the D-3 zone. The University of Wyoming is an "institution of higher learning", which would be a permitted use in Cody's D-3 zone (first listed in the Residential A zone). The University, like some other institutions of higher learning, has an indoor shooting range for their collegiate shooting program, which is located in the basement of Half Acre Gym. Therefore, it could be claimed that a shooting range operated by an institution of higher learning on their campus would be a permitted use in Cody's D-3 zone, subject to City council approval. This scenario could be applied to the overall "similar" determination.

Legal Limitations:

Noise concerns with an indoor shooting range are heightened by Section 16-11-102 of State law, in which civil suits pertaining to noise from gun ranges are precluded and jurisdictions are prohibited from imposing more restrictive noise requirements than established with the original approval. The specific language is as follows:

§ 16-11-102. Operation of shooting ranges; liability.

(a) Notwithstanding any other provision of law, any person who operates or uses a sport shooting range in this state shall not be subject to civil liability or criminal prosecution in any matter relating to noise or noise pollution resulting from the operation or use of the range if the range is in compliance with any noise control laws or ordinances that applied to the range and its operation at the time construction or operation of the range was approved by a local government.

(b) Any person who operates or uses a sport shooting range is not subject to an action for nuisance, and a court of this state shall not enjoin the use or operation of a range on the basis of noise or noise pollution, if the range is in compliance with any noise control laws or ordinances that applied to the range and its operation at the time

construction or operation of the range was approved by a local government.

(c) Rules or regulations adopted by any state department or agency for limiting levels of noise in terms of decibel level which may occur in the outdoor atmosphere shall not apply to a sport shooting range exempted from liability under this act.

SITE PLAN REVIEW:

The Planning and Zoning Board also needs to authorize a new parking plan for the property.

Parking Plan:

The parking plan/site plan is attached. It shows 45 parking spaces, although one or maybe two will need to be eliminated in order to meet dimensional requirements. Specifically, the ADA space will need to be upgraded to current standards (16-foot total width for space and unloading area). This can likely be accommodated by shifting the spaces to its east four feet. Also, the 2nd from the northernmost space on the west side of the property lacks adequate backup area. The westernmost spaced on the pavement is currently utilized as shown, but if Rocky Mountain Power were to fence or otherwise block access across their property line, it would need to be removed to provide required driveway width.

As a result, 43 or 44 parking spaces will be provided for the businesses. Additional parking for the residential uses is provided according to parking standards, but those are not included in these numbers as they are not available for business use.

Staff calculations for required parking of the restaurant and gun store include 19 for the restaurant (14.3 spaces per 1,000 sq. ft., 1,339 sq. ft. restaurant) and 3.2 spaces for Bork's Guns (1 per 300 sq. ft., 960 sq. ft. business). There is no specific ratio for gun ranges in the city parking ordinance, but the applicant estimates his maximum parking demand at 22 spaces, resulting in a total demand of 44 spaces for the business uses. It is recommended that whether 43 or 44 spaces are provided that it is considered sufficient, as at least one customer vehicle would be expected to visit more than one of the businesses on the property, which qualifies for a reduction of parking under the "shared parking" section of the ordinance.

The parking area meets most other standards, including gravel or paved surfacing with necessary parking blocks. For purposes of drainage control the surface is considered "grandfathered". If pavement were added, additional drainage control would be required. The one item not shown on the site plan is exterior lighting. The parking ordinance requires that parking areas used outside of daylight hours be provided with lighting. The lighting is to be contained within the property and be a full-cut off or shielded design. As some of the parking is existing (grandfathered) and likely not all parking will be utilized at night, lighting the entire parking area is not necessary.

ALTERNATIVES:

Approve or deny all or part of the special exemption application. The Board is authorized to attach conditions to the granting of a special exemption.

ATTACHMENTS:

Application materials and site/parking plan.
Comments received for Special Exemption.

RECOMMENDATION:

That the Planning and Zoning Board make the following findings:
(Draft, subject to information received at public hearing.)

Findings:

1. That the requested indoor gun range represents a use not listed in the zoning ordinance, and that the special exemption process is the most appropriate method to determine whether such use should be permitted.
2. That proper notice of the special exemption public hearing was provided by advertising in the Cody Enterprise and by certified mail to all property owners within 140 feet at least ten days before the hearing.
3. That the Planning and Zoning Board may grant special exemptions that are reasonable and harmless deviations from the zoning ordinance as determined by the standards outlined in Section 10-14-2, City of Cody Code.
4. That the Planning and Zoning Board has held a public hearing as required and has considered all comments pertaining to the specific application.
5. That the Planning and Zoning Board has reviewed the standards of 10-14-2 City of Cody Code and finds that the proposal can be sufficiently conditioned to meet the requirements thereof, including finding that an indoor shooting range complying with the City Council restrictions imposed at their October 7, 2014 meeting, is similar to other land uses listed in the Open Business/Light Industrial (D-3) zoning district, when considering the criteria of 10-14-2(B)(2). Such similar uses are listed in the staff report discussion.
6. That the points identified in the staff report and at the Board meeting are adequate to set forth the reasoning why the criteria of 10-14-2(B)(2), including similarity of size, intensity, noise, traffic, burden on infrastructure, and purpose of the use, are met.
7. That the requirements of 10-14-2(C)(2) have been sufficiently addressed in the staff report and at the Board meeting to confirm that they will be met, subject to the conditioning authority noted in 10-14-2(C)(3).

AND,

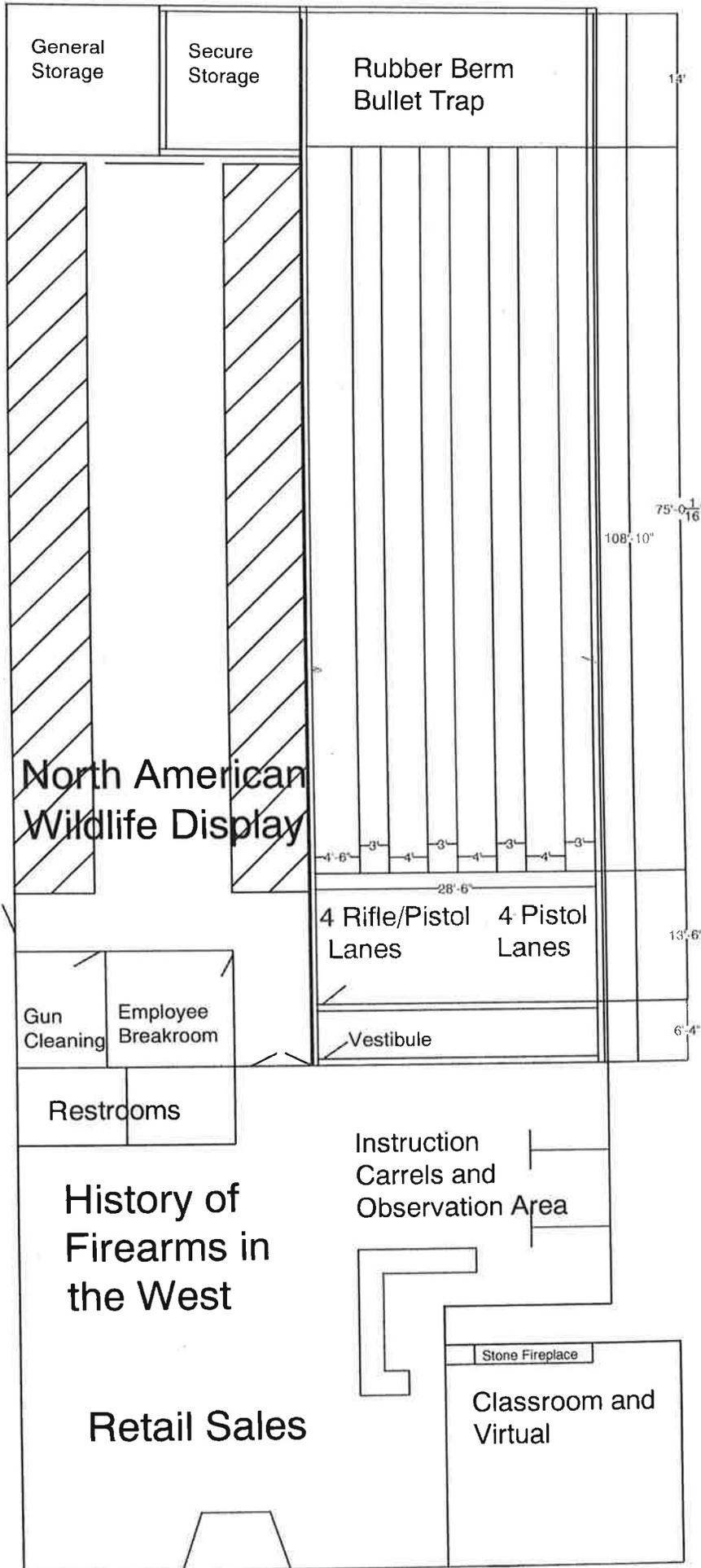
Approve the Special Exemption for the indoor shooting range subject to the following conditions, which include the five City Council conditions.

Conditions of Approval:

1. Noise Restrictions: From 7 a.m. to 10 p.m., sound levels from the discharge of firearms within the facility shall not result in firearm noise exceeding 50 dBA at the north property line and 60 dBA at all other property lines of the existing parcel, for any amount of time. Between the hours of 10 p.m. and 7 a.m. firearm noise shall not exceed 50 dBA at any property line of the subject property. Any brief exceedance of these sound level thresholds due to a person opening the building's exterior door to enter or exit shall not constitute a violation of these standards. Similarly, brief increased sound levels due to simultaneous gunshots shall not constitute a violation of these standards.
2. Prior to opening the facility to the public, the applicant must demonstrate compliance with the maximum sound level thresholds to the city. Verification must include the services of a qualified professional with calibrated certified equipment. Testing shall include the loudest firearm(s) to be shot at the facility. If ammunition sizes and/or loads need to be limited to comply with the required sound thresholds, signage indicated maximum ammunition sizes and/or loads shall be prominently posted within the facility.
3. The gun range shall be designed to contain all gunfire within the gun range. The gun range operator shall strictly control the use of ammunition within the facility so that the loads do not exceed design standards or result in sound level violations.
4. A HEPA filtration system must be used as contemplated, so that any air discharged from the shooting range is not discharged without HEPA filtration.
5. For safety purposes instructor to student ratios shall be consistent with national safety standards.
6. The applicant's professional engineer must certify that the heating, cooling and ventilation system has been designed to operate in compliance with the requirements of Condition 4 prior to commencing operation of the facility.
7. It shall be a violation of this permit for any person operating the range to knowingly permit any intoxicated or chemically impaired person to handle a firearm within the premises.
8. If future modifications to the building, gun range structure, or sound attenuating systems occur after initial verification of required sound levels, the City may require the applicant to re-verify compliance with required sound level thresholds.

9. The parking plan shall be modified to include exterior lighting in accordance with the parking ordinance requirements. At least 15(?) of the parking spaces that are not currently illuminated need to be provided with illumination. In addition, any spaces that restrict required driveway widths shall be eliminated (at least the one on the west side, and if needed in the future, the westernmost paved space.) The parking lot shall be improved according to the plans prior to occupancy of the gun range facility.

Outside wall height 10'7"



Planning and Zoning Application for Special Use Exemption

The idea for the Wyoming Firearms Experience (WFE) was born several years ago from the interest of our tourists and visitors. Our visitors come “out west” to be a cowboy; to ride a horse, camp, raft the river, hike and fish. And yes, they want to shoot guns too! They are especially interested in the historical guns of the old west. The WFE will introduce those visitors to the history of the west, especially as it ties to Cody. It will talk about Buffalo Bill, Lewis and Clark, Jeremiah Johnson, Butch Cassidy and the Sundance Kid, the Battle of the Little Big Horn, Old Trail Town and more. Then it will tie the evolution of the firearm to these unique points in history. The range will become the place they can experience that history by being able to touch and fire a replica firearm, under the close supervision of a trained instructor. Visitors will be able to shoot the “Guns that won the West” and live a part of history.

The WFE will work with the Dude Ranching industry as well as the hunting and outfitting industry. These both tie perfectly to the historical mission, but also to modern day hunting. Most dude ranchers will tell you they have visitors ask every year if there is a safe place to go shoot. Outfitters will love the opportunity to have their hunters check their rifles before the hunt. It will give everyone something to do in Cody when the weather is bad, or the hunt is over.

We will have “Hunter Safety” training, as well as help with 4H shooting. Our local kids will be able to practice here, in a well-ventilated and safe environment. Adults will be able to come in and enjoy the indoor comfort. Less people will be likely to go to Red Lake and shoot outdoors in an uncontrolled environment. We will offer a range of classes and instruction from Basic Pistol, to Concealed Carry, etc. The range will be designed to be comfortable for everyone.

A great deal of time and research has gone into the design and concept. The first step that was identified was to get Council approval for a range within the city limits as per the City of Cody Code. That process was started in September by requesting to be on the October 7th agenda, and by placing an article in the Cody Enterprise.

This will be a state of the art range with modern acoustics and ventilation. Gun noise will be engineered and reduced to an acceptable level outside the property line, as established by the City Council. All air discharged from the range will be required to have HEPA (high efficiency particulate air filter) filtration. This will eliminate lead and other airborne contaminants.

A survey conducted by a nationally recognized firm of over 900 visitors in and around the Cody area showed a 68% interest in a firearms experience like this. It will be an addition and attraction to the Cody area. While some of the family may choose to participate in the range, others family members may take the time to shop or dine at nearby establishments.

Safety;

The range will be operated as a state of the art indoor range, with qualified NRA range instructors. It will be a complete concrete building inside a building, not allowing any bullet to escape. It will not only allow our visitors a safe place to experience firearms, but also allow our own friends and neighbors a safe shooting environment. Classes will cover everything from Hunter Safety to Basic Pistol.

Emissions;

All air discharged from the range will be filtered by HEPA filtration. HEPA's filter 99.95% of particulates .3 microns or larger. This will contain the lead, and powder byproducts from the range. It will comply with all EPA, OSHA and NIOSH requirements. Lead emissions will be less than .0015 pounds per year (at 6M rounds fired with all fragments becoming airborne). This is actually less than burning 2 gallons of “unleaded” gasoline.

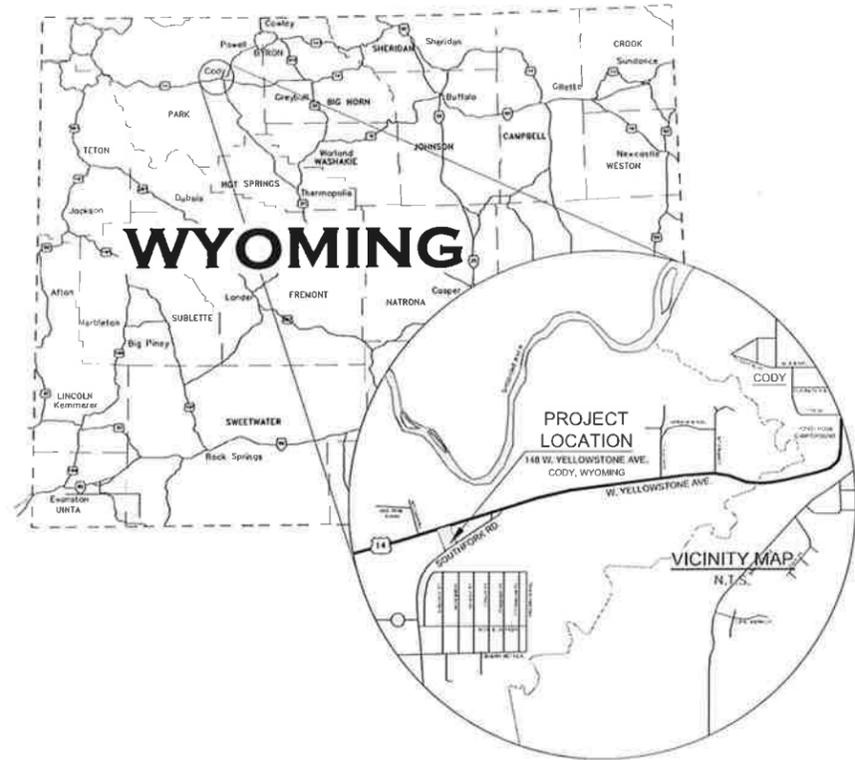
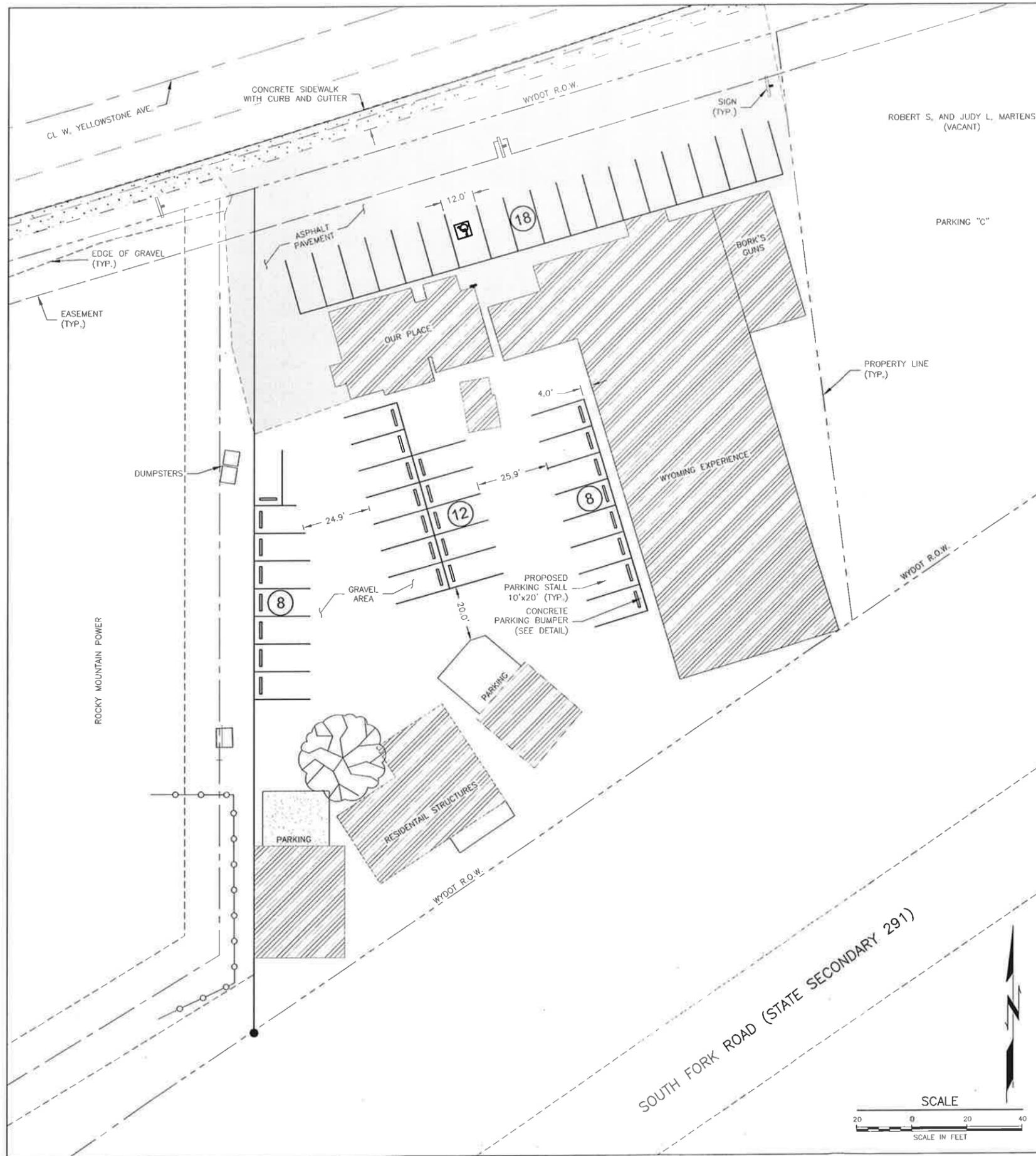
Noise;

I will contract an acoustical engineering firm to review the situation and come up with their recommendations. The City Council has placed sound limits on the range and established a testing criterion to insure the range meets those standards before operations can begin.

This commercial location, and the proposed business, will not produce any appreciable change in the surrounding area. There is a vacant lot directly to the east and Pacific Power to the west. All other properties are separated by state highways. The WFE will fit in with the history of Old Trail Town and compliment the rodeo. Indoor ranges are not specifically listed in the D-3 zoning, however it is similar to several approved uses and less intrusive than others might be. These other intrusive uses could include dog kennels and light manufacturing. The requested use follows the "Cody 2020" community values by "developing year round indoor recreation", "maintaining a neighborly, hospitable, and safe community", "valuing western heritage", "pursuing balanced economic growth in retail business", "developing small and mid-sized retail business", and "supporting educational initiatives and opportunities".

Paul Brock
General Manager
Wyoming Firearms Experience, LLC

W:\Municipal Projects\141133 - Wyoming Experience\CAD\Drawings\Exhibits\Site Layout Exhibit 24x36.dwg, 10/2/2014 11:23:39 AM

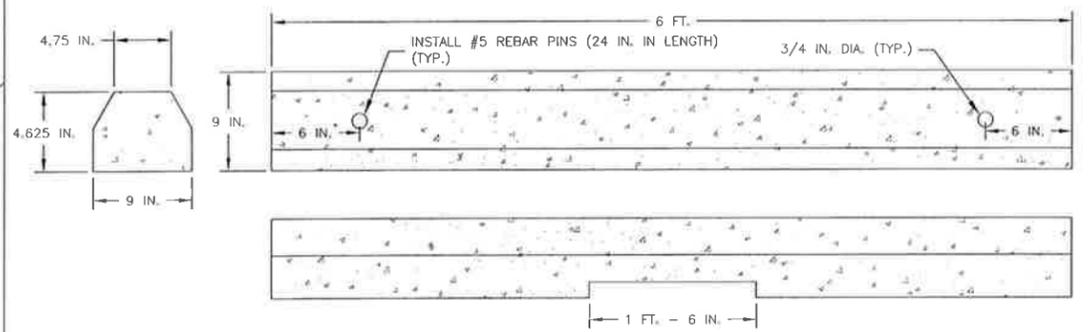


PIDN: 05520207201010
 OWNER: GLOBAL HEALTH & EDUCATION FOUNDATION
 DEED BOOK & PAGE: 2014 WD 2561
 LOCATION: 1.29 AC.DES. AS: BEG. AT COR. #2 OF LOT 74, THEN N. ALONG W. LINE OF LOT 72, 614.49' TO S. ROW LINE OF YELLOWSTONE HIGHWAY, THEN N.71°51'E. FOR 529' TO POB. CONT. NE SAME BEARING FOR 197.8 9', THEN S. 213.35, THEN S55°13'W 33.56', S. 19.6', S,55°13'W. 223.16' & N. 306.13' TO POB, T52 R102

TYPE: MULTI-USE
 AREA: 1.29 AC, 56,192 SF

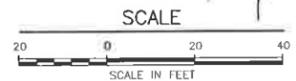
NOTES:
 BUILDINGS - WYOMING EXPERIENCE 10,312 SF
 BORK'S GUNS & OUR PLACE RESTAURANT 2,751 SF
 RESIDENTIAL STRUCTURES 2 UNITS

PARKING - WYOMING EXPERIENCE 23 SPACES
 BORK'S GUNS & OUR PLACE RESTAURANT 22 SPACES
 RESIDENTIAL DRIVEWAYS 4 SPACES



NOTE:
 1. CONCRETE PARKING BUMPERS ARE TO BE PAINTED YELLOW WITH WYDOT APPROVED PAINT.

CONCRETE PARKING BUMPER DETAIL
 N.T.S.





Todd Stowell <todds@cityofcody.com>

FW: Wyoming Firearms Experience (Wave #1220)

Forwarded message

Paul Brock <paulb@centerofthewest.org>
To: "todds@cityofcody.com" <todds@cityofcody.com>

Fri, Oct 10, 2014 at 11:44 AM

Todd,

I had Wave Engineering review your decibel calculations. Here is their response. He does confirm your calculations.

Paul

----- Forwarded message -----

From: **Jeff Kwolkoski** <jkwolkoski@waveengineering.co>
Date: Fri, Oct 10, 2014 at 11:22 AM
Subject: Wyoming Firearms Experience (Wave #1219)
To: Paul Brock <paulb@tritel.net>

Paul,

I'm just following up on our phone conversation yesterday.

I reviewed the Agenda Item Summary Report by Mr. Stowell of the City of Cody, particularly with respect to the sound levels at the property line and across the highway.

Mr. Stowell uses some rule-of-thumb calculations to estimate the sound level across the street. Generally I agree with his logic and conclusions. If the sound level is 60 dBA at your north property line at the highway, the sound level should be roughly 51 dBA at the closest motel unit. If it is 50 dBA at your north property line, then it is roughly 41 dBA at the closest motel unit.

We can of course do a much more detailed estimate once we get into the actual building design.

Let me know what more you need from us for your next hearing.

ROBERT + JUDY MARTENS

Notice to Owners of Neighboring Properties:

Please return this letter by 10/8/14 to:

Date: September 25, 2014

Cody City Planner
P.O. Box 2200
Cody, WY 82414

RE: SPECIAL EXEMPTION REQUEST

THE CITY OF CODY HAS RECEIVED THE FOLLOWING REQUEST FOR A SPECIAL EXEMPTION. YOUR COMMENTS WOULD BE APPRECIATED.

Applicant Name(s): Wyoming Firearms Experience, LLC. General Manager Paul Brock

Address or Location/Legal Description: 140 W. Yellowstone Ave, Cody, WY.

Description of Request: (Please state the requirement, the amount of exemption, and why requested--e.g. reduce the front yard setback requirement from 25' to 22' to permit an enclosed front porch.) We request an exemption for use similar to permitted uses for operation of an indoor firearms range, pursuant to the approval by the Cody City Council.

This request will be considered by City of Cody Planning & Zoning Board at their regularly scheduled meeting on Tuesday, October 14, 2014, at 12:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave.

Response Letter from Owners of Neighboring Properties within 140 Feet of Subject Property:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

My name is Robert + Judy Martens and I am familiar with the proposal by Paul Brock DBA Wyoming Firearms for the special exemption described above. I am the legal owner of 128 W Yellowstone Ave. Cody.

I have NO OBJECTION to the Special Exemption Request.

Name:

Address:

Comments:

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address:

I OBJECT to the Special Exemption Request:

Name: Robert S + Judy L Martens

Address: 125 16th Ave Newcastle WY

Reason for Objection: We have researched the effect the firearms range will have on our property values and found that it will lessen the value of our property (google - property values with a shooting range next door)

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: spencerock3@gmail.com

We have several concerns with what Wyoming Firearms Experience are requesting to do.

1. The ownership of this property 140 W Yellowstone ave is under another name Global Health and Education Foundation. Is this Non profit?
2. Would this be more suitable not in the City limits in a Lodging area more suitable then directly across from a motel.
3. We have the same concerns as when this was denied downtown. We ask to refer to the downtown research and reasons for denial.
4. Was there a study conducted that this business will succeed in this location or any location?
5. Noise. We have great concerns of, I was approached by Mr Brock stating the niose level wouldn't be above 50 dbs when sleep loss is at 45 dbs. Even sporatic gun fire noise with wind change or different loads of ammo could be devistating to our motel guests that do expect and pay for a quiet sleep night and day.
6. We are pet friendly fearing travelers guests pets may be bothered by gun fire as there hearing is different then ours and could be a factor of barking.
7. Safety We have concerns of unsafe situations that will arise from type of business as this will cater to inexperienced gun handlers.
8. There is always a saying Location, Location, Location is this the Location that is right for this type of business, is there a chance this

could affect this area greatly?

In closing Bottom line for us we are afraid of going out of business due to your application. Please put yourself in our shoes, Would you stay in a motel that even had a faint gunshot noise? and do you think the general public from across the world would want to stay in a motel w/thier families across from a gun range. Sorry folks, the tourist aren't all from Wyoming and your gun range may just put us out of business! It may also severly affect tourizm in Cody please concider out of the City limits, if you decide to open your range out of the City limits your initial outlay would be considerable less. And we would welcome rack cards to promote your new business. We would want you to succeed but not at expense of our 45 year business or other growth in our area. Would you chose a motel that is located across the street from a gun range if you where motel shopping? We ask to put yourself in our shoes as we have invested greatly into this town, therefore we do object to this request for special exemption, some will have different views of gun discharge in city limits.

Thank you for your time Bill Holly owner Big Bear

Motel LLC

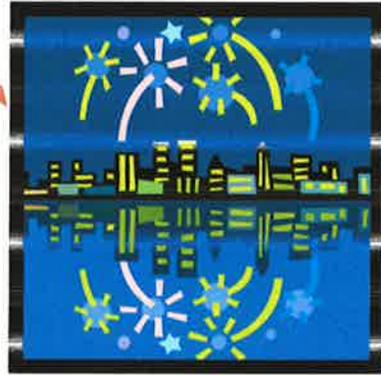


10/2/14

RECEIVED

OCT 02 2014

CITY OF CODY



FIREWORKS FACTORY OUTLET

**Bill and Sue Smith
P.O. Box 2015
Cody, Wyoming
82414
307-587-7675**

Cody City Planner
PO Box 2200
Cody, WY
82414

Dear Sirs:

As per the attached form which requests a comment from me regarding a special exemption for Wyoming Firearms Experience LLC I would like to make the following comment.

We do not believe their proposal would in any way negatively effect our business BUT considering we owned the Big Bear Motel for nearly 20 years we know that if we still owned it we would be very concerned about the possibility of noise having a negative effect on our business. Therefore, our request is that your decision be based not on what we feel regarding our business but on the concerns of the two motels that would be close neighbors of Wyoming Firearms Experience and must certainly have concerns regarding possible noise complaints from their registered guests and the negative effect of such on their businesses.

We will be out of town when the meeting takes place on October 14, 2014, so this will be our only comment.

Thanks for the opportunity for us to have input.

Sincerely,

Bill and Sue Smith

Bill Smith
Sue Smith

*P.S. - SORRY THE
PRINTER IS NOT WORKING
CORRECTLY, BUT THE BAD
LINES ABOVE ARE READABLE.*

MEETING DATE:	OCTOBER 7, 2014
DEPARTMENT:	CITY PLANNER
PREPARED BY:	TODD STOWELL
CITY ADM. APPROVAL:	_____
PRESENTED BY:	TODD STOWELL

AGENDA ITEM SUMMARY REPORT

Authorization of an Indoor Shooting Range at 142 W. Yellowstone Avenue

ACTION TO BE TAKEN:

Authorize Wyoming Firearms Experience, LLC to operate an indoor shooting range at 142 W. Yellowstone Avenue (presently Tecumseh's Trading Post).

PROJECT SUMMARY:

The City of Cody Code contains the following:

5-4-1: DISCHARGING GENERALLY:

No person shall discharge any firearm or air gun of any type or description within the city, except by permission of the chief of police or the city council, granted for special occasions, except in proper position for firing salutes or by command of a proper military or police officer in the performance of official duty, or in a shooting range or gallery authorized by the governing body. Special occasions for which permission may be granted shall include, but not be limited to, parades, festivals, demonstrations, exhibits, mock gunfighter performances, wild west shows and rodeos. (1960 Compilation § 8-501; amd. Ord. 00-6)

The Wyoming Firearms Experience, LLC, represented by Paul Brock, has submitted a request for an indoor shooting range at 142 W. Yellowstone Avenue to be authorized by the governing body. In addition, they have submitted a Special Exemption application for the project, which is scheduled to be reviewed by the Planning and Zoning Board at their October 14, 2014 meeting. The Special Exemption is necessary because the use is not listed in the zoning ordinance. The Special Exemption review will also include a site plan review and parking analysis.

A preliminary floor plan for the remodeled building along with a project narrative and other background material provided by the applicant is attached. In brief, the facility would contain a concrete enclosed 8-lane shooting range, a wildlife display area, history of firearms exhibit, retail sales, instructional classroom, and storage. A vestibule area with observation windows would be located behind the shooter positions.

The ventilation system in concept is a recirculating ventilation system (as opposed to a once-through type system), that recirculates and filters the majority of the air (primarily for reducing heating/cooling costs), but also discharges some of the air to the outside after it has been filtered. HEPA (High-efficiency particulate absorption) filters would be used, which by definition filter at least 99.97% of airborne particles measuring 0.3 micrometers. This is adequate to filter lead (Pb) particulates and is considered a "best practice" for controlling air emissions from indoor gun ranges. The location of the ventilation and HVAC equipment is not shown on the floor plan, so it is presumed to be roof-mounted.

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The shooting range would be marketed towards tourists desiring to shoot replica vintage or modern guns, as well as local clubs and law enforcement. Supervision of the customers would be by qualified instructors. Ammunition sales and the rental of guns for use in the shooting gallery would be included activities.

The existing businesses of Bork's Guns and Our Place café would apparently remain in the buildings to each side of the Wyoming Firearms Experience. All three businesses are on the same parcel of land.

ANALYSIS

The general authority for approving or denying a shooting gallery is with the City Council. In order to assist the Council in their consideration of the request, staff will attempt to explain each of the potential impacts that can result from an indoor shooting range and the applicant's plans and/or staff's recommendations for addressing any significant impacts. The matter can be continued if additional information is needed.

Noise:

The City code does not address indoor gun ranges beyond the language identified at the beginning of this report. There is no "noise ordinance" in the City, other than the general disturbing the peace language under "Disorderly Places" (Section 5-2-6) which exempts "noise arising out of the normal and ordinary conduct of business." Furthermore, state law greatly limits future liability of shooting ranges from civil or criminal prosecution relating to noise as follows:

§ 16-11-102. Operation of shooting ranges; liability.

(a) Notwithstanding any other provision of law, any person who operates or uses a sport shooting range in this state shall not be subject to civil liability or criminal prosecution in any matter relating to noise or noise pollution resulting from the operation or use of the range if the range is in compliance with any noise control laws or ordinances that applied to the range and its operation at the time construction or operation of the range was approved by a local government.

(b) Any person who operates or uses a sport shooting range is not subject to an action for nuisance, and a court of this state shall not enjoin the use or operation of a range on the basis of noise or noise pollution, if the range is in compliance with any noise control laws or ordinances that applied to the range and its operation at the time construction or operation of the range was approved by a local government.

(c) Rules or regulations adopted by any state department or agency for limiting levels of noise in terms of decibel level which may occur in the outdoor atmosphere shall not apply to a sport shooting range exempted from liability under this act.

The applicant proposes three conditions for operating the gun range (see attached), the first of which would set a maximum of 60 decibels at any receiving property line from 7 a.m. to 10 p.m., and 50 decibels from 10 p.m. to 7 a.m. It is noted that these are the typical maximum levels (largest guns/loads).

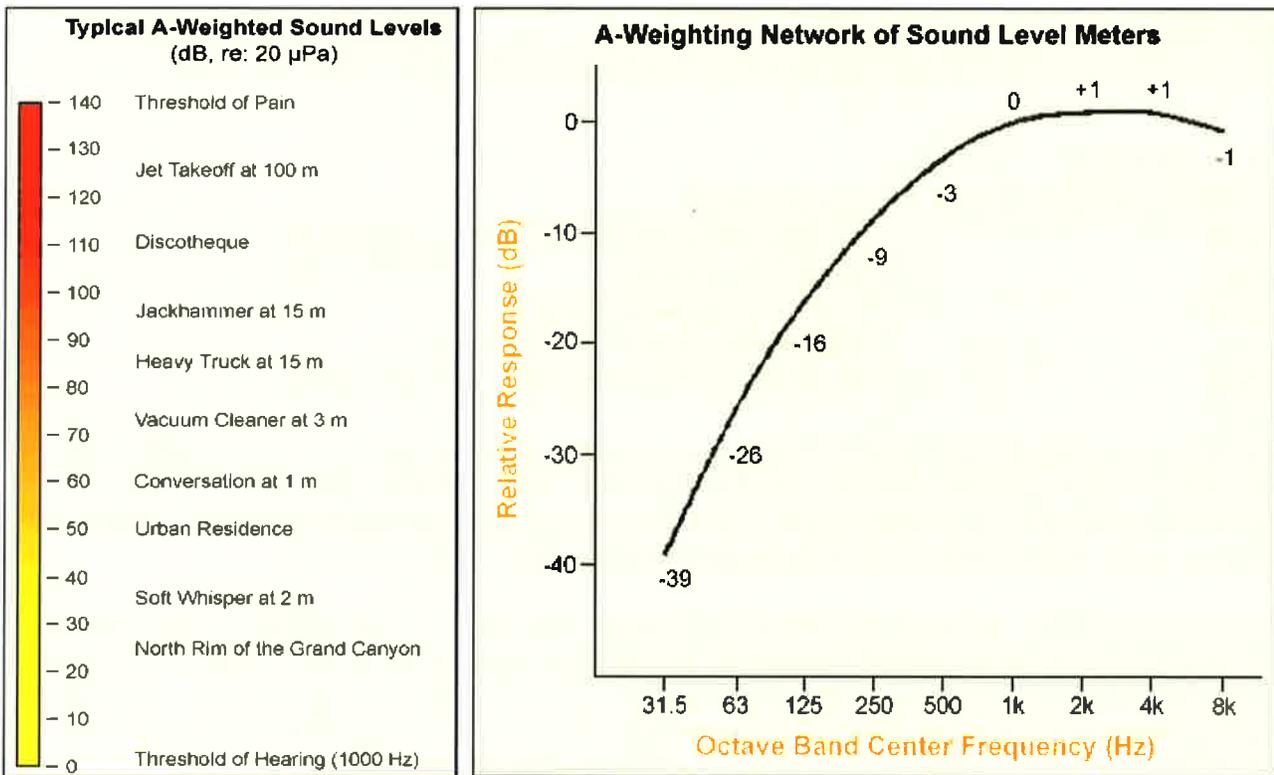
The property is in a commercial zoning district (D-3 General Business/Light Industrial). Staff's review of noise ordinances from well-known jurisdictions indicates that for general noise levels in a commercial area, a maximum average of 55 or 60 decibels during the day and 50 or 55 decibels at night were typical limitations. The levels proposed by the applicant are in line with those amounts. However, one of the

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primary arguments during the review of the downtown gun range proposal, was that sound from gunfire is unique and should have special consideration.

Due to the location of the current proposal, staff does not believe that a standard of not “plainly audible” is necessary, so we are left to deal in decibel levels. To ensure any discussion on decibels is interpreted correctly, a reviewer needs to understand the following principles:

1. Decibels are a measure of sound pressure on a logarithmic scale. A sound that increases 10 decibels higher is perceived as approximately twice as loud. Likewise, a 10 decibel reduction would be perceived as half as loud. The chart below shows typical noise levels.
2. Typically when measuring sound in the mid-range frequencies (not extremely low or high pitch), the results are “weighted” to more closely approximate actual human hearing—depicted by the symbol dBA. The chart on the right shows the conversion factors to the A-weighted scale.



(Source: OSHA, website Appendix I:A-4. A-Weighted Network)

3. Through open air, sound decreases at a rate of approximately six decibels for every doubling of distance. For example, a 60 decibel reading at one yard from the source would be reduced to 54 decibels at two yards from the source, 48 decibels at four yards, 42 decibels at eight yards, etc.
4. Sound transmission through solid materials varies greatly, based on the physical properties of the material and the frequency of the sound. The Sound Transmission Class (STC) rating for an 8” wide concrete filled block wall is about 55, which roughly equates to about a 55 decibel decrease. A residential 2x4 exterior fiberglass insulated wall decreases sound by 8-15 decibels.

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5. There is a potential that when two or more identical sounds are produced simultaneously, those sound waves can combine and carry more readily—initially adding about three decibels, but also not decreasing as readily as a single source.
6. As a rough “rule of thumb” a sound that is at least 10 decibels less (approximately half as loud) than ambient sound levels will not be clearly audible.
7. Gunshot decibel levels and frequencies from one FBI funded test are shown below.

Firearm Caliber & Type (Typical)	SPL @ 1 meter Re 20 uPA	Peak Frequency (FFT)
.22 Pistol	146 dB	750 Hz
.38 Revolver	151 dB	500 Hz
.357 Magnum	155 dB	400 Hz
.30-06 Rifle	160 dB	250 Hz
.50 Cal Sniper	170 dB	75 Hz

Source: "An Introduction to Forensic Gunshot Acoustics, Nov. 3, 2011 Presentation, Steven D. Beck , BAE Systems"

Neighbor Sensitivity:

The existing neighboring land uses are as follows:

To North	Big Bear Motel, Fireworks store	D-3 zoning
To East	Vacant .97 acre lot	D-3 zoning
To South	South fork highway, Closest Residences approx. 400' away.	
To West	Rocky Mountain Power yard	D-3 zoning

The primary consideration for neighborhood noise compatibility would be the neighboring Big Bear motel, which is 90 to 100 feet from property line to property line, and about 225 feet from the gun range to the motel units. In addition, there is some concern that drivers passing by could hear gunfire if the noise levels are too high, potentially causing driver panic in some instances.

If the decibel level were set at 60 decibels at the property line of the gun range parcel, sound levels would be expected to be roughly 54 decibels at the Big Bear Motel property line (based on 45 feet from the gun range to the gun range property line, and 90 feet to cross the highway r/w). This level would be clearly audible at a level of soft conversation. At the motel unit closest to the gun range, sound level would be expected to be roughly 51 decibels, also clearly audible.

In analyzing the situation, staff does not believe that sound levels will be that high at the property line. If the lobby area of the gun range is at 80 decibels (OSHA regulatory threshold), outside the closed front door sound levels would be expected to be about 70 decibels or less. Using the rule of thumb of a 6 dB reduction for each doubling of distance from the wall of the building, sound levels would be down to about 48 decibels at the north property line. That would mean about 42 decibels at the Big Bear Motors property line, and about 39 decibels at the closest motel unit. Within that motel unit, sound from gunfire at the range would be expected to be in the 26-31 decibel range. According to the website “Engineering Toolbox”, the maximum recommended noise level in a bedroom is 30 decibels to avoid sleep disruption or annoyance. (Note that all of the above figures are estimates based on calculations, and can vary due to actual environment such as wind, temperature, humidity, materials, and sound frequency level.)

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Based on the above, the recommended sound limit at the north property line of the gun range parcel should be about 48-50 decibels.

Staff has not measured ambient sound levels in the area, but expects them to be in the 50-60 decibel range.

The decibels thresholds discussed are intended to apply to gunshot noise only, and any brief exceedance due to customers coming in and out of the main doors, or simultaneous shots would be excluded.

Air Pollution:

Lead pollution. According to information from the applicant's ventilation consultant, shooting six million rounds per year in a facility using the HEPA filtration system contemplated would result in .0015 pounds (.024 ounces, or .68 grams) of lead being discharged into the outside air. Based on conversations with the state Clean Air Division, EPA and clean air emission standards would be met with the use of the HEPA filtration system. Admittedly, when inhaled the body absorbs as much as 70% of the lead, while lead is not nearly as readily absorbed through the skin, so airborne lead is more of a concern. However, the levels anticipated are extremely low. In comparison, one gallon of "unleaded" gasoline is limited to no more than .05 grams of lead per gallon by the EPA (EPA website, *Human Health and Lead*). Based on this amount, less than a tank of gas run through a vehicle could emit more lead to the outside air than the gun range operating a full year and firing 6 million rounds. The gun range is not anticipated to contribute significantly to background lead levels in the area.

FISCAL IMPACT

No direct impacts to the city budget are expected.

ATTACHMENTS

Preliminary floor plan and application materials.

ALTERNATIVES

Approve or deny the request. Applying conditions is an option.

RECOMMENDATION

If additional information or time is needed, the matter may be continued to obtain the information requested. Many of the general site plan items are intended to be reviewed with the Special Exemption application before the Planning and Zoning Board. Setting standards for noise and pollution control are recommended to be done by the governing body. Recommended conditions are as follows:

1. Noise Restrictions:

From 7 a.m. to 10 p.m., sound levels from the discharge of firearms within the facility shall not result in firearm noise exceeding 50 dBA at the north property line and 60 dBA at all other property lines of the existing parcel, for any amount of time. Between the hours of 10 p.m. and 7 a.m. firearm noise shall not exceed 50 dBA at any property line of the subject property. Any brief exceedance of these sound level thresholds due to a person opening the building's exterior door to enter or exit shall not constitute a violation of these standards. Similarly, brief increased sound levels due to simultaneous gunshots shall not constitute a violation of these standards.

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2. Prior to opening the facility to the public, the applicant must demonstrate compliance with the maximum sound level thresholds to the city. Verification must include the services of a qualified professional with calibrated certified equipment. Testing shall include the loudest firearm(s) to be shot at the facility. If ammunition sizes and/or loads need to be limited to comply with the required sound thresholds, signage indicated maximum ammunition sizes and/or loads shall be prominently posted within the facility.
3. The gun range shall be designed to contain all gunfire within the gun range. The gun range operator shall strictly control the use of ammunition within the facility so that the loads do not exceed design standards or result in sound level violations.
4. A HEPA filtration system must be used as contemplated, so that any air discharged from the shooting range is not discharged without HEPA filtration.
5. For safety purposes instructor to student ratios shall be consistent with national safety standards.

AGENDA & SUMMARY REPORT TO:

Paul Brock

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

MEETING DATE:	OCTOBER 14, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	LANDSCAPING AND ARCHITECTURAL REVIEW/DISCUSSION FOR FEDEX GROUND FACILITY SPR 2014-36	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Ruedebush Development & Construction, LLC has submitted an application for a FedEx Ground facility at 701 33rd Street. The facility includes 22,635 square feet of building and associated loading docks, parking facilities, and infrastructure.

REVIEW CRITERIA:

The property is located within the General Commercial/Light Industrial "D-3" zoning district, which permits the proposed use.

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 full site plan is still under staff review and is not presented at this time. Staff is aware of apparent community concern relating to the architectural features and landscaping of the facility—or perhaps more appropriately the lack thereof. In order to provide some early feedback to the applicant, staff thought it appropriate to bring the topics of architecture and landscaping to the Board for discussion.

Earlier in the process, when developers were bidding on the project, staff spoke with a few of those developers and it was subsequently reflected in the final bid package, that landscaping and architectural enhancements to the building may be determined necessary through the Planning and Zoning Board review process. The plans received have minimal landscaping along a portion of the east side of the property and architecturally appear to lack any architectural enhancements. Both plans are attached for review.

The surrounding area is as follows:

<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONING</i>
North	Vacant 4-acre lot.	D-3
East	Eleutian building across 33 rd , vacant lots in GC Cody Subdivision along north side of east property line.	D-3
South	City storm water facilities and hillside.	D-3
West	Vacant lots in Rocky Mtn. Business Park.	D-3

Staff is concerned that the metal box appearance of the building fails to meet the “architecturally compatible” standard. It is recognized that the use is permitted, and as such the building does not need to look like something that it is not. Nevertheless, we believe that some enhancements can and should be done. Preferably the applicant would come forward at the meeting with some proposals. Options that the Board may want to discuss with the applicant could include rock wainscot around the southeast corner of the building (office area), textured metal panels (typically done in a stucco appearance), roofline variation and/or eaves, and wall color or texture variation.

The architecture enhancements may not need to be as extensive if landscaping is enhanced. Staff believes that landscaping including evergreen trees could be extended along the full east and west sides of the facility and accomplish a lot towards promoting compatibility.

Please note that staff comments are intended to get the Board and applicant thinking about options that can be incorporated into the final site plan review.

ATTACHMENTS:

Photos of Neighboring Buildings.
Landscaping plan and building elevations.

Photos of Neighboring Buildings:



ELEVATION NOTES

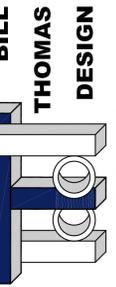
DOWNSPOUTS DRAINING NEXT TO DOORS SHALL BE DIVERTED AWAY FROM DOOR OPENING. DOWNSPOUTS DRAINING AROUND ENTIRE OFFICE PERIMETER ENTRY ELEVATION SHALL BE PIPED AWAY BELOW GRADE TO AVOID ICE BUILD-UP.

DOWNSPOUTS NOT DRAINING ONTO HARD SURFACE SHALL HAVE EITHER SPLASH BLOCKS OR RIP RAP INSTALLED TO AVOID EROSION. CORNER DOWNSPOUTS ON DOCK CANOPY SHALL BE INSTALLED PER NOTES ON ELEVATION.

COLOR NOTES

-  PEMB COLOR TO MATCH SHERWIN WILLIAMS SW 7019 "GAUNTLET GRAY"
-  SHERWIN WILLIAMS SW 7069 "IRON ORE"
-  UNPAINTED CONCRETE - COLOR PER PLANT MIX DESIGN
-  PEMB GALVALUME FINISH
-  OSHA YELLOW

WILLIAM R. THOMAS, JR.
C-2920



A NEW DISTRIBUTION FACILITY FOR:
FEDEX GROUND
33RD STREET & COUGAR AVENUE
ROCKY MOUNTAIN BUSINESS PARK
CODY, WYOMING 82414
BLDG 824



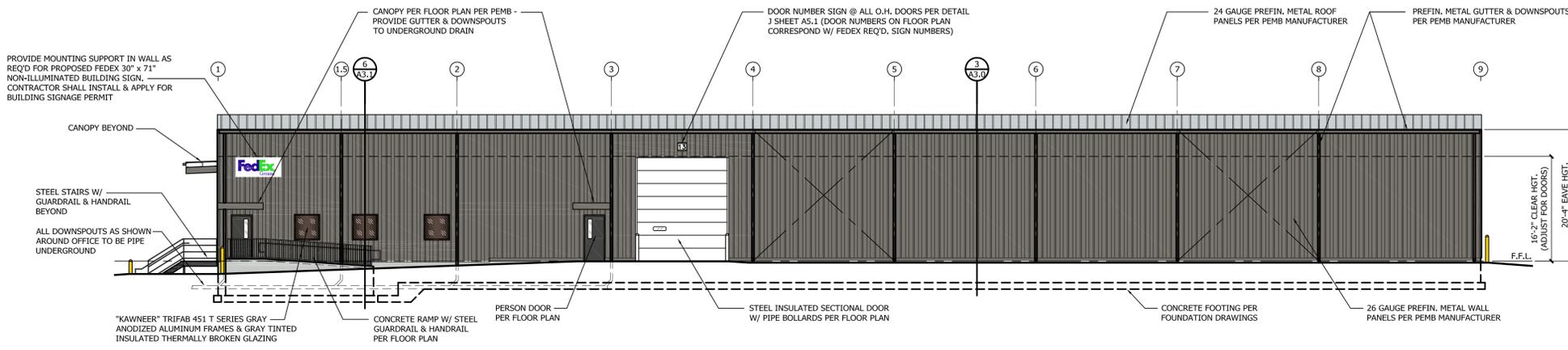
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DRAWN BY: WRT
JOB NO.: 20140818
DATE: 08-20-14

PROJECT REVISIONS

SHEET NUMBER

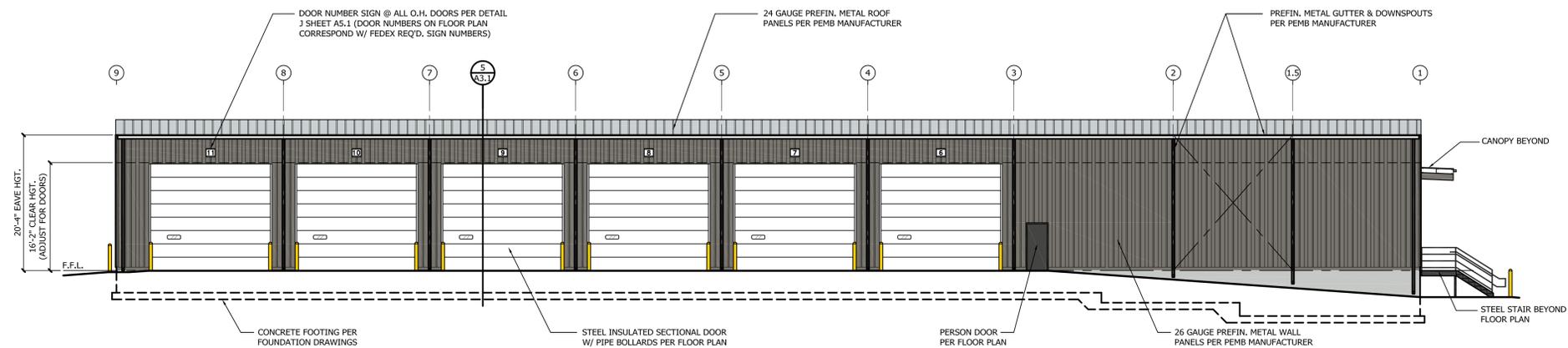
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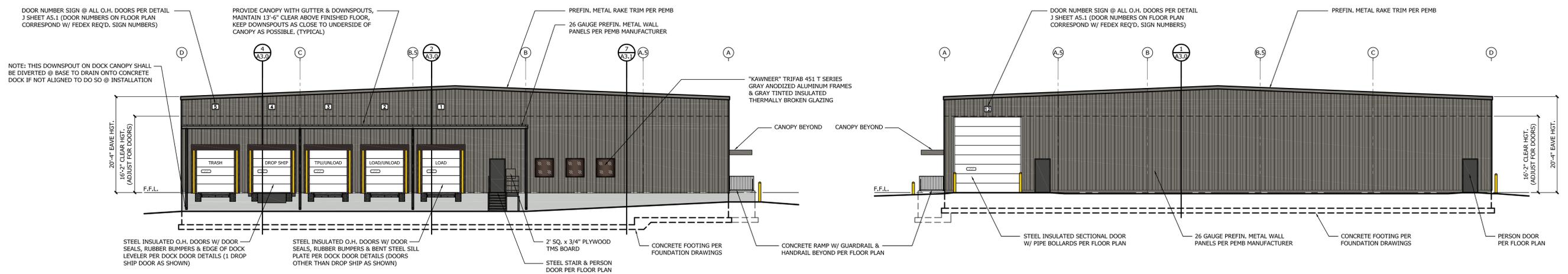
EAST ELEVATION

3/32" = 1'-0"



WEST ELEVATION

3/32" = 1'-0"

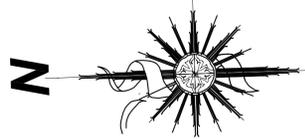


SOUTH ELEVATION

3/32" = 1'-0"

NORTH ELEVATION

3/32" = 1'-0"



LOT 6

LOT 5

COMMON TRENCH FOR GAS, ELECTRICAL AND TELECOM AS PER G-C CODY SUB'D PLANS

33RD STREET

EXISTING LIGHT POLE

B.M. TOP OF CAP
EL. 4933.36'

N00°27'30"W 1292.59'

RESEED DISTURBED AREAS WITH NATIVE GRASS SPECIES - NO IRRIGATION



2' X 10' Dry Scope Planter - Upland Desert Shrubs - 24" to 36" Mature Height



SOD - IRRIGATED AREA

AUSTRIAN PINE TREE OR EQUIVALENT (low maintenance) Minimum Mature Height of 20 feet

SOD - IRRIGATED AREA

RESEED DISTURBED AREAS WITH NATIVE GRASS SPECIES - NO IRRIGATION

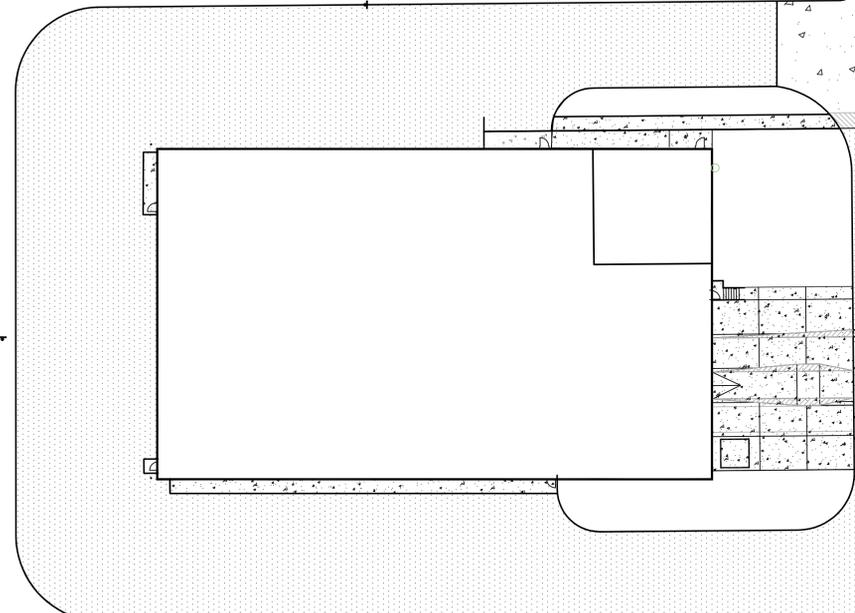


6' X 8' Dry Scope Planter - Upland Desert Shrubs - 24" to 36" Mature Height

FRANZEN MINOR SUBDIVISION
FRANZEN, LLC

S89°59'05"E 329.08'

RESEED DISTURBED AREAS WITH NATIVE GRASS SPECIES - NO IRRIGATION



RESEED DISTURBED AREAS WITH NATIVE GRASS SPECIES - NO IRRIGATION

RESEED DISTURBED AREAS WITH NATIVE GRASS SPECIES - NO IRRIGATION

RESEED DISTURBED AREAS WITH NATIVE GRASS SPECIES - NO IRRIGATION

RESEED DISTURBED AREAS WITH NATIVE GRASS SPECIES - NO IRRIGATION

16' WIDE EASEMENT

N89°59'05"W 328.96'

COUGAR AVENUE

Edge of Gravel Road (GRAVEL-NOT A THROUGH STREET; CONNECTS 33RD STREET WITH STONE STREET)

N00°28'01"W 1292.22'

LOT 8

LOT 10

LOT 12

ROCKY MOUNTAIN BUSINESS PARK

"D-3" ZONE, (OPEN BUSINESS/ LIGHT INDUSTRIAL).

STONE STREET

LEGEND

- 5/8" REBAR WITH 2" ALLUM. CAP SET
- REBAR WITH ALLUM. CAP FOUND
- BRASS CAP FOUND
- 3/4" IRON PIPE FOUND
- 1/2" IRON PIPE FOUND
- BRASS CAP SET (FOUND 1/2" IRON PIPE)
- POWER POLE
- ELECTRIC METER
- GAS VALVE
- ELECTRIC BOX
- FIRE HYDRANT
- SANITARY SEWER MANHOLE
- STORM SEWER MANHOLE
- GAS METER
- TELEPHONE BOX
- WATERLINE VALVE
- UTILITY BOX
- TREE
- DROP INLET

- WATER LINE PIPELINE
- NATURAL GAS PIPELINE
- SANITARY SEWER
- STORM SEWER
- BURIED TELEPHONE CABLE
- BURIED ELECTRIC CABLE
- FENCE-EXISTING
- FENCE-PROPOSED
- OVERHEAD UTILITY LINE

- BUILDING
- STONE PAVEMENT TYPE I
- STONE PAVEMENT TYPE II
- CONCRETE PAD
- FENCE

NOTES:

1. THIS DRAWING IS INTENDED FOR PRELIMINARY PLANNING PURPOSES AND HAS NOT BEEN RELEASED FOR CONSTRUCTION.
2. LANDSCAPED AREAS ALONG 33RD STREET WILL REQUIRE IRRIGATION. TREES ARE REQUIRED IN THIS AREA TO PROVIDE A VISUAL SCREEN IN REGARDS TO EXISTING BUSINESSES LOCATED ON THE EAST SIDE OF 33RD STREET.
3. ALL OTHER AREAS THAT ARE NOT PAVED OR UNDER ROOF THAT ARE DISTURBED BY CONSTRUCTION ARE TO BE RESEED WITH NATIVE GRASS SPECIES TO CONTROL DUST AND EROSION. IRRIGATION IS NOT REQUIRED FOR THESE AREAS. THESE AREAS SHALL RECEIVE TOP SOIL AND STRAW MULCH PRIOR TO SEEDING.

GRAPHIC SCALE 1"=30'



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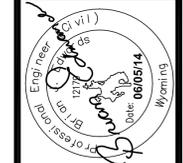
REV.	DATE	BY	DESCRIPTION

HOLM, BLOUGH AND COMPANY
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1402 Stampede Avenue
Cody, WY 82414

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Fax: (307) 587-6292
www.hbco.us

Ruedebusch Development & Construction, LLC
Attn: David Hull
4605 Dovehall Drive
Madison, WI 53704-4302
(608) 249-2012



DRAWN BY:	Brian Edwards
DESIGNED BY:	Brian Edwards
APP'D. BY:	Roy Holm, P.E.
SCALE:	1"=30'-0"
DATE:	06/05/14
JOB NO.	HBCO # 14-20

PRELIMINARY SITE LANDSCAPING PLAN
PROPOSED FEDEX GROUND FACILITY
Ruedebusch Development & Construction, LLC
33rd Street and Cougar Avenue
Wyoming
Cody

SHEET
C-04
04 OF 04