

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
TUESDAY, JUNE 9, 2015
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

AGENDA

1. Call to Order by Chairman Justin Lundvall
2. Roll Call, excused members
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes of the May 26, 2015 Regular Meeting
6. NEW BUSINESS:
 - A. Downtown Sign Review: Canyon Real Estate freestanding sign at 1327 Rumsey Avenue.
 - B. Downtown Sign Review: Legend's Bookstore wall sign and suspended sign at 1350 Sheridan Avenue.
 - C. Site Plan Review: A 15-unit storage facility at 1913 Big Horn Avenue, by Rick Cook.
 - D. Public Hearing: Request by the Wild Sheep Foundation to rezone property at 720 Allen Avenue to Limited Business (D-1).
 - E. Review request by the Wild Sheep Foundation to rezone property at 720 Allen Avenue to Limited Business (D-1).
7. P&Z Board Matters (announcements, comments, etc.)
8. Council Update: Steve Miller
9. Staff Items
10. 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, May 26, 2015

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, May 26, 2015 at 12:00 PM

Present: Justin Lundvall-Chairperson; Justin Ness; Buzzy Hassrick; Mark Musser; Sandra Kitchen, Deputy City Attorney; Steve Miller, Council Liaison; Todd Stowell, City Planner; Lynn Stutzman, Engineering Administrative Assistant.

Absent: Brad Payne; Curt Dansie; Reese Graham

Chairperson Justin Lundvall called the meeting to order at 12:03 PM, followed by the pledge of allegiance.

Justin Ness 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 May 12, 2015 meeting. Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

Todd Stowell presented the staff report for the WYDOT Salt Storage Building and Brine Storage Tanks at 2530 Beacon Hill Road. Jim Berry from WYDOT answered questions presented by the Board.

Justin Ness made a motion, seconded by Mark Musser, to approve the WYDOT Salt Storage Building and Brine Storage Tanks at 2530 Beacon Hill Road as presented. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for HGI Properties' architectural and landscape review for the exterior remodel and parking lot improvements at 2702 Big Horn Avenue. Rick Lambert of Precision Plan answered questions presented by the board.

Buzzy Hassrick made a motion to approve HGI Properties' architectural, sign, and parking lot review for 2702 Big Horn Avenue with the following conditions:

1. The hedge, or a similar screen or fence, is to be retained between the parking lot and adjacent residence so long as the residence remains.
2. If light trespass occurs onto the neighboring residential property from the far west light fixture in a manner that disrupts the neighbor's enjoyment of his property, a shield or full-cutoff housing shall be installed to eliminate the issue.

3. The project must otherwise comply with the submitted plans and applicable building, fire, and electrical codes.
4. Landscaping rock shall be provided within a wider space along the property frontage, with boulders to give a 3-D effect, and planters by the building.

Motion failed for lack of a second.

Mark Musser made a motion, seconded by Justin Ness, to approve HGI Properties' architectural, sign, and parking lot review for 2702 Big Horn Avenue with the following conditions:

1. The hedge, or a similar screen or fence, is to be retained between the parking lot and adjacent residence so long as the residence remains.
2. If light trespass occurs onto the neighboring residential property from the far west light fixture in a manner that disrupts the neighbor's enjoyment of his property, a shield or full-cutoff housing shall be installed to eliminate the issue.
3. The project must otherwise comply with the submitted plans and applicable building, fire, and electrical codes.
4. Add five feet more width to the frontage area for landscape rock and gravel.

Vote was 3 for, 1 against. Motion failed for lack of a full majority of the Board.

Justin Ness made a motion, seconded by Mark Musser, to approve HGI Properties' architectural and landscape review for the exterior remodel and parking lot improvements at 2702 Big Horn Avenue with the following conditions:

1. The hedge, or a similar screen or fence, is to be retained between the parking lot and adjacent residence so long as the residence remains.
2. If light trespass occurs onto the neighboring residential property from the far west light fixture in a manner that disrupts the neighbor's enjoyment of his property, a shield or full-cutoff housing shall be installed to eliminate the issue.
3. The project must otherwise comply with the submitted plans and applicable building, fire, and electrical codes.
4. Increase the width of the landscape area five feet, and provide landscaping rock and at least one boulder to add some 3-D element.

Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for the requested modifications to the Site Plan approval for Cody Laboratories Hazardous Materials Warehouse at 119 Road 2AB.

Justin Ness made a motion, seconded by Mark Musser, to approve the requested modifications to the Site Plan approval for Cody Laboratories Hazardous Materials Warehouse at 119 Road 2AB as presented. Vote on the motion was unanimous, motion carried.

P&Z Board Matters: None

Council Update: None

Staff Items: None

Justin Ness made a motion, seconded by Mark Musser, to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairperson Lundvall adjourned the meeting at 12:46 PM.

Lynn Stutzman
Engineering Administrative Assistant

DRAFT

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

MEETING DATE:	JUNE 9, 2015	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	CANYON REAL ESTATE SIGN DOWNTOWN SIGN REVIEW. SGN 2015-10	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Rita Lovell of Canyon Real Estate has submitted an application to install a freestanding sign at the real estate business located at 1327 Rumsey Avenue. The sign would be approximately four feet wide and six feet tall, mounted on a pole so that the top of the sign would be about thirteen feet above ground level.

Proposed Sign (Option C):

Existing Situation:



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, *"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."*

The signs must also meet the size and location requirements of the sign code.

STAFF COMMENTS:

The sign type, location, size and height meet the requirements for the D-2 sign district in which the property is located. (Note: While the property is in the downtown architectural district it is not in the downtown sign district, but the D-2 sign district.)

The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features.

RECOMMENDATION:

Approve the freestanding sign for "Canyon Real Estate" as proposed.

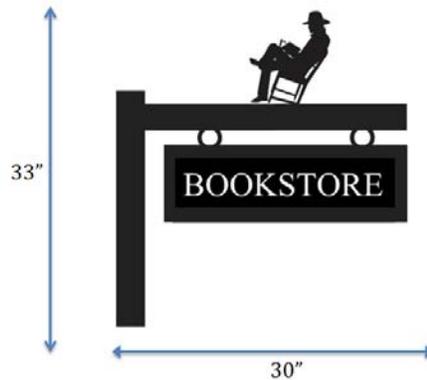
**CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
STAFF REPORT**

MEETING DATE:	JUNE 9, 2015	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	LEGENDS BOOKSTORE SIGNS: DOWNTOWN ARCHITECTURAL DISTRICT REVIEW. SGN 2015-11	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Legends Bookstore is opening a store at 1350 Sheridan Avenue (formerly Plush Pony) and proposes to install a wall sign and a projecting sign at the location. The signs are depicted below. The window sign shown is exempt.

Proposed Signs:



REVIEW CRITERIA:

The property is within the Downtown Architectural District established by Section 9-2-2 of the Cody City Code. Pursuant to Subsection 9-2-2(B), *"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."*

STAFF COMMENTS:

In the downtown sign district, the sign code allows 1.5 square feet of wall sign per foot of street frontage. The business has 25 square feet of frontage, entitling it to 37.5 square feet of wall sign. The proposed sign is approximately 28 inches tall and 12.5 feet long, or 29.2 square feet, which complies with the size limit. The wall sign will be made using powder-coated metal letters in a copper color. The letters will be attached individually to the building.

Maximum size for a projecting sign is 45 square feet. The proposed projecting sign is about 9 inches tall and 26 inches long, which is less than two square feet in size—well within the size permitted. The sign will be attached on the right side of the doorway in the wood framing, or into the stone, as needed. The sign and frame will be powder coated metal and mounted to provide the required eight feet of clearance below the sign.

Because the projecting sign would extend over WYDOT right-of-way, it needs an encroachment permit from WYDOT, which is pending.

The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features. The design and colors match well with the existing building and have the western character desired.

ALTERNATIVES:

Approve the signs, with or without making recommendations and suggestions.

RECOMMENDATION:

Approve the signs for Legends Bookstore as presented. The projecting sign will also need WYDOT approval prior to its installation.

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

MEETING DATE:	JUNE 9, 2015	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	SITE PLAN REVIEW: 15-BAY STORAGE BUILDING SPR 2015-10	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Rick Cook has submitted an application for a 15-bay, 11,250 square foot storage building to be constructed on a vacant 3.1 acre property located north of Big Horn Avenue, about 200 feet east of 19th Street. The proposed site plan and building elevation drawings are attached.

Existing Conditions:

Street View:



View from building location towards south:



View towards Cody Feed:



View towards southeast:



REVIEW CRITERIA:

The property is located within the Open Business/Light Industrial (D-3) zoning district, which permits storage warehouse 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.

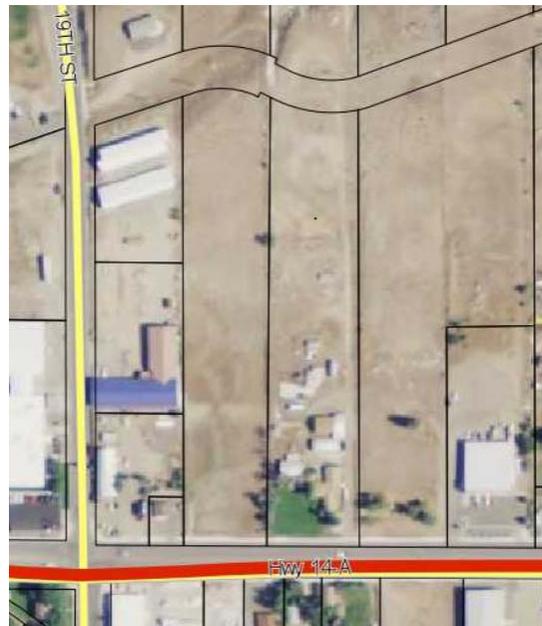
Section 9-2-3 is as follows:

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 subject property is vacant. The surrounding area is as follows:

<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONE</i>
North	Vacant 1.5 acre property.	D-3
East	Residential next to Big Horn Ave., vacant on north end of property.	D-3
South	Bloedorn Lumber and Kimi's Flowers across highway.	D-3
West	Liquor store, landscaping company, Cody Feed, and storage warehouses.	D-3



Architecture:

The building elevations are attached. The building would be a typical metal sided and roofed storage building with 16-foot side walls. Each of the fifteen units would have an overhead door, measuring 12' wide and 14' tall. The colors will match Mr. Cook's

buildings at 2106 Big Horn Avenue (see photo below.) No windows or architectural variations are proposed. The building would be 225 feet long and 50 feet wide.

The P&Z Board will need to determine if the proposed materials, colors, and architecture are suitable. Due to the relatively isolated location, lack of immediately neighboring residential development, and limited height, staff is not concerned with the lack of architectural features on this particular building.



Landscaping:

No landscaping is proposed, due to the location of the building being 400+ feet from Big Horn Avenue. The application was submitted prior to the new entry corridor overlay ordinance, so those standards are not applicable to this project. The current activity at the front of the property is a de-facto car sales lot for Midway Motors. The property owner indicates that this is a temporary use, and will not remain as is. If the use were to remain, site plan and landscaping review for the car sales lot would be applicable. The Board may wish to discuss with the property owner a specific date by which the car sales lot on this property must apply for review or be removed.

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 a swale along the west side of the building and a swale on the east side of the access road. The city engineer has determined the plan to be acceptable.

Parking:

Adequate parking and maneuvering area will be provided in front of the storage unit access doors. Designated parking stalls are not required for mini-storage complexes.

Access:

The lot is accessed through an existing curb cut on Big Horn Avenue. A twenty foot wide gravel road is proposed from the approach to the building. The access road width will meet the applicable fire code requirement (20 feet minimum width), and a turnaround will be provided. Although not noted on the site plan, the turnaround must also have a gravel surface. Also, to provide vehicle access to the fire hydrant, a gravel lane should be installed from the access road to the fire hydrant.

Due to the lack of actual parking spaces, the requirement for a paved entry (25' deep) is not applicable.

Lighting

Proposed lighting consists of five metal halide wall-pack fixtures. Due to the relatively low mounting height (14 feet) and distance to property line (100+ feet), no significant impacts to neighboring properties are expected.

Neighborhood Compatibility, Setbacks and Buffers, and Height Requirements

The proposal is a permitted use in the D-3 zone in which the property is located. A 10-foot setback is provided from the west property line and all other property lines are much further. No buffers or height requirements are applicable to this project.

Utility Services

A water line and hydrant for fire protection is required and included in the project. The waterline plans have been approved by the City engineer and submitted to WY DEQ for review. The plans are enclosed. The utility easement for the water line needs to be prepared, signed, and recorded. The applicant is responsible for providing the legal description for the easement. The water line installation and easement need to be completed prior to occupancy of the storage building.

Gas service is proposed and is being coordinated with Energy West.

Electrical Service is proposed to be extended to the building. The line along the "E" Avenue right-of-way to the north will need to be tapped and extended to the building. Options for transformer location have been provided to the applicant. Electrical fees and charges will be applicable.

Signage

No signage is proposed at this time.

Garbage Collection

The proposed dumpster location is acceptable to the sanitation division.

Snow Storage

Snow storage area is available along the access road and to the east side of the building.

ATTACHMENTS:

Site plan, elevations, drainage plan, and water main extension plan.

ALTERNATIVES:

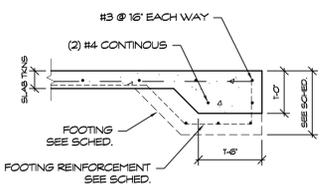
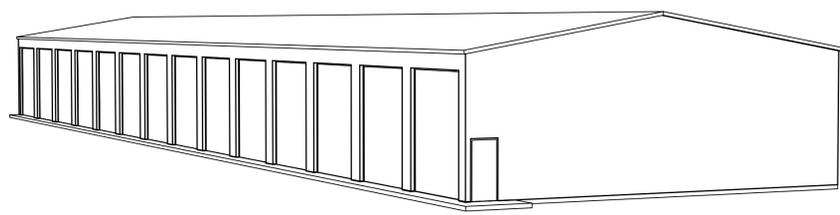
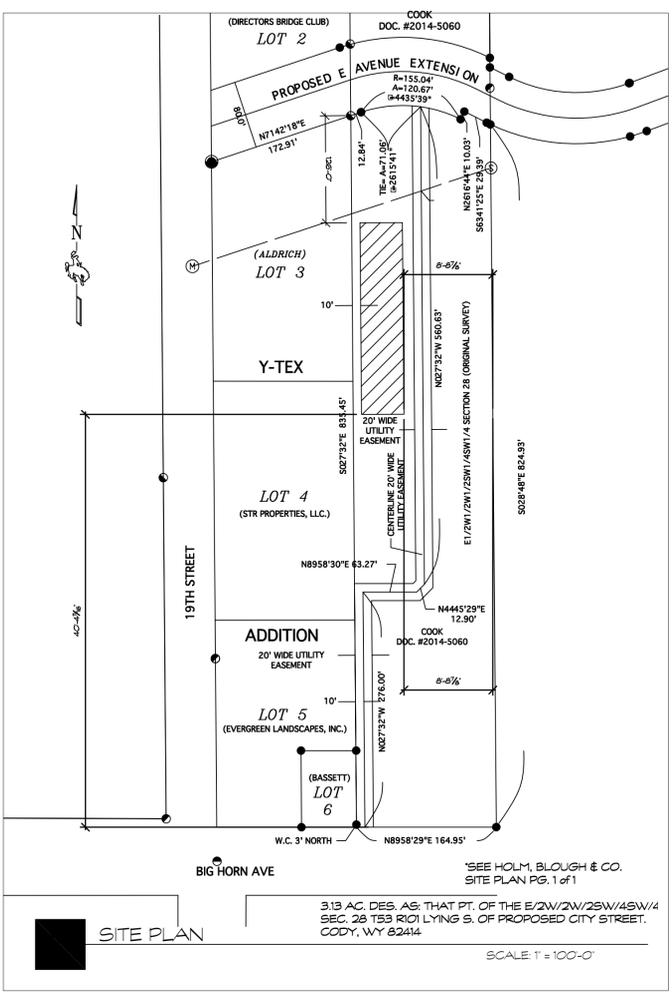
Approve or deny the site plan, with or without changes.

RECOMMENDATION:

Approve the application subject to following.

1. That the water line and hydrant is installed, the work is accepted by the city, and the utility easement is recorded prior to occupancy of the building. The applicant is responsible for providing a legal description for the utility easement.
2. That the cul-de-sac bulb and a gravel lane to the fire hydrant are surfaced with gravel in the same manner as the access road. The gravel surfaces must have sufficient base to support the trucks and other vehicles that will use them, during all weather conditions.
3. That once constructed, the applicant's engineer provide a certification that the storm water facilities have been constructed as designed prior to occupancy of the building.
4. That the project otherwise comply with the submitted site plan and applicable building, fire, and electrical codes.

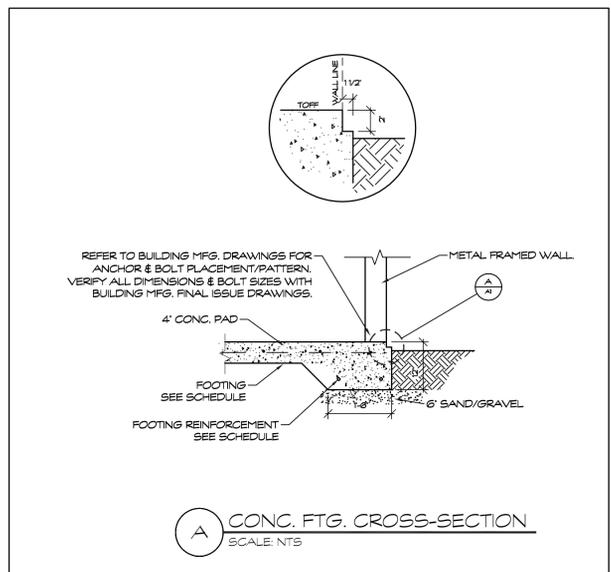
The Board should also discuss the removal or permitting of the car sales activity at the front of the property with the property owner.



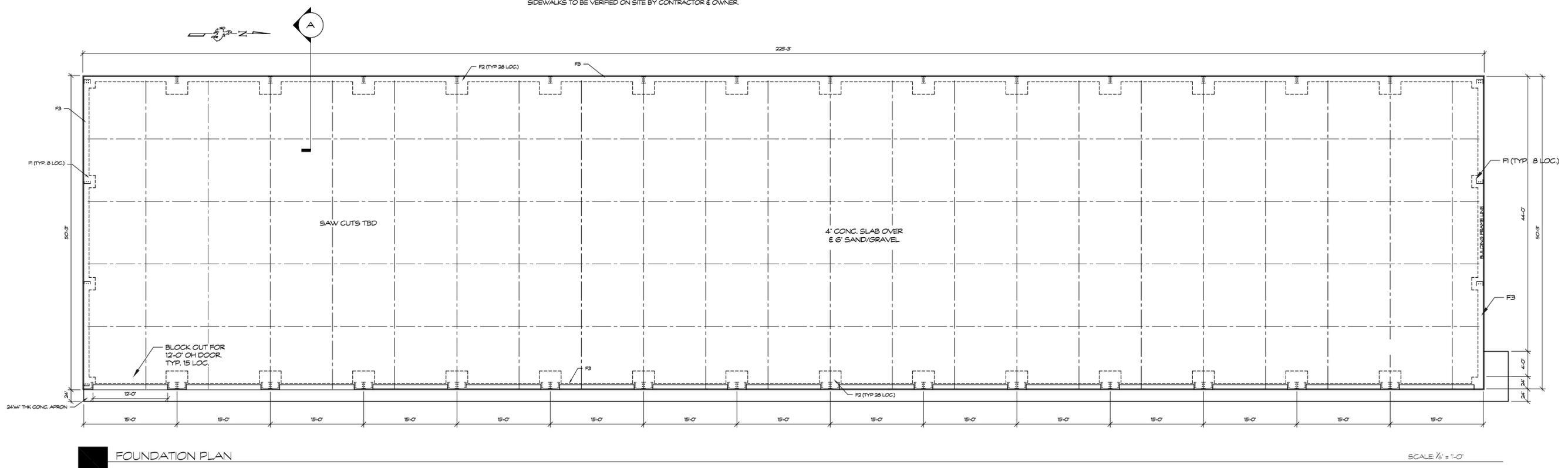
- F1. CORNER & ENDWALL COLUMNS
- F2. SIDEWALL COLUMNS
- F3. PERIMETER STRIP FOOTING

MARK	SIZE	TKNS.	BOTTOM REIF.	ANCHOR BOLTS
F1	2'-0"x2'-0"	18"	(3) #4 EACHWAY	(2) 3/8"x16" L BOLT DIA. PER METAL BUILDING MFG.
F2	3'-0"x3'-6"	18"	#4 @ 10" OC EA WAY	(4) 3/8"x16" L BOLT DIA. PER METAL BUILDING MFG.
F3	12" WIDE STRIP	12"	(2) #4 CONTINUOUS	

- NOTES:**
1. CONC. COMPRESSIVE STRENGTH @ 28 DAYS TO BE 3000 PSI.
 2. RECOMMENDED SLURRY OF 4".
 3. ALL FTGS. REST ON NATURAL UNDISTURBED SOIL.
 4. ASSUMED SOIL BEARING PRESSURE IS 3,000.
 5. SLOPE GRADE AWAY FROM FOUNDATION WALLS MIN. OF 6" IN 10'.
 6. REINFORCE CONC. PAD TBD BY OTHERS.
 7. ALL TARGET STRENGTHS SHALL BE IN ACCORDANCE WITH CHAPTER 4 OF ACI 318 BLDG. CODE REQUIREMENTS FOR REINFORCED CONCRETE.
 8. CONTRACTOR TO VERIFY WITH OWNER ALL DIMENSIONS AND LOCATIONS FOR OTHER BLOCK CUTS BEFORE CONSTRUCTION.
 9. LOCATIONS OF CONC. PAD DRIVEWAY, STAIRS, PATIOS, DECKS, & SIDEWALKS TO BE VERIFIED ON SITE BY CONTRACTOR & OWNER.



PROJECT DATA	
BUILDING LOCATION:	BIG HORN AVENUE CODY, WY 82414
OWNER:	RICK COOK CODY, WYOMING 82414 CONTACT: RICK COOK PHONE: 307-587-3500
DESIGN BY:	MOUNTAIN STATES CONSULTING 2831 HWY 120 CODY, WY 82414 PHONE: 307-899-6400
OCCUPANCY GROUP:	S-1
PROPERTY ZONED:	D3
TYPE OF CONSTRUCTION:	TYPE VB
ALLOWABLE AREA:	9,000 SQ. FT.
FRONTAGE INCREASE AREA (506.2):	5,876 SQ. FT.
TOTAL ALLOWABLE AREA:	14,876 SQ. FT.
ACTUAL BLDG. AREA:	MAIN FLOOR: 11,250 SQ. FT.
OCCUPANT LOAD:	23
CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING CODES AND STANDARDS AS WELL AS WITH ALL APPLICABLE LOCAL CODES AND REGULATIONS.	
-2012 IBC -2012 IPC -2012 IMC -2014 NEC -OSHA -2010 ADA	
CLIMATIC & GEOGRAPHIC DESIGN CRITERIA:	
Ground Snow Load: 20 psf Wind Speed: 90 mph Seismic Design Category: C Winter Design Temp: -11 F Ice Barrier Underlayment Requirement: No Flood Hazards: No Air Freezing Index: 2250 Mean Annual Temp: 42.5 F	
GENERAL NOTES	
1. CONTRACTOR TO REVIEW ALL DRAWINGS AND VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION AND NOTIFY MOUNTAIN STATES CONSULTING-DESIGN FIRM OF ANY DISCREPANCIES FOR CLARIFICATION. 2. CONTRACTOR VERIFY ALL EASMENTS AND PROPERTY LINES PRIOR TO CONSTRUCTION AND NOTIFY ARCHITECT OF ANY REQUIRED MODIFICATIONS. 3. CONTRACTORS AND SUBCONTRACTORS SHALL BE RESPONSIBLE FOR THEIR OWN SAFETY MEANS, METHODS AND PLANS.	



Issue Date: 3-9-15

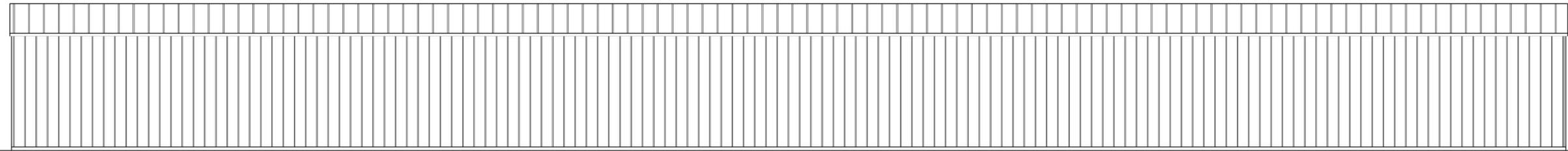
No.	Date	Description
01	5/22	FTG. REV PER ENGINEER

Drawings by
Mountain States Consulting

Proj. # 1503 Drwn. By: GPG
 Dsgn. By: Chkd By:

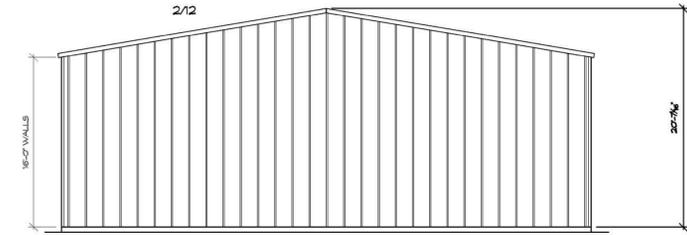
Sheet Title:
SITE/FND

Sheet Number:



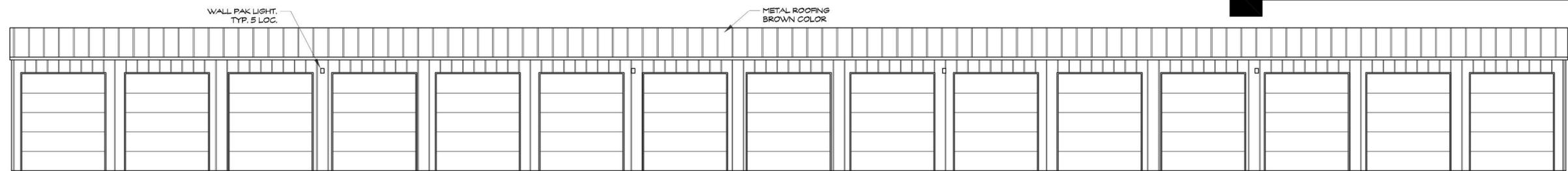
WEST ELEVATION

SCALE 1/8" = 1'-0"



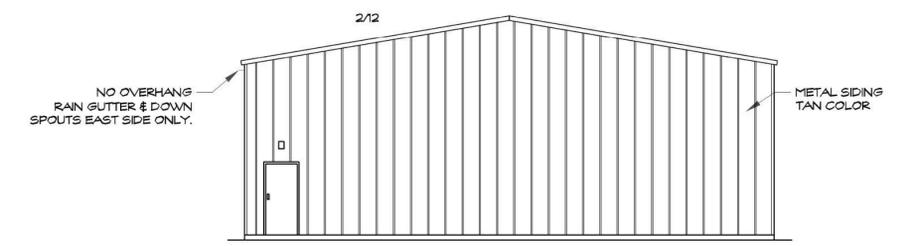
SOUTH ELEVATION

SCALE 1/8" = 1'-0"



EAST ELEVATION

SCALE 1/8" = 1'-0"



NORTH ELEVATION

SCALE 1/8" = 1'-0"

- GENERAL NOTES:
1. ENGINEERED & ARCHITECTURE STAMPED METAL BUILDING 26 GA.
 2. METAL BLDG. WALL & ROOF INSULATION TO R-11.
 3. STEEL REINFORCEMENT FOR CONC. FLOOR & FTGS. TBD PER ENGINEER.
 4. NO WATER SERVICE.
 5. ELECTRIC TBD. (WALL PAK LIGHTING & DOOR OPENER UNIT 15 ONLY)

- SINGLE POLE SWITCH
- SPECIAL PURPOSE OUTLET
- GROUND FAULT INTER.
- ELEC. PANEL
- ELEC. METER

- EXTERIOR LIGHT FIXTURE W/3CH200PSQ LED RAB 200 W WALLPACK ON PHOTO CELL.
- ⊗ T-8 4 LAMP FIX. RAB RB4T8, 4 PHILLIPS 32 WATT TB LAMPS. W/ REFLECTORS.
- *SUBSTITUTIONS ALLOWED PER OWNER.



MAIN FLOOR PLAN

SCALE 1/8" = 1'-0"

Issue Date: 3-9-15

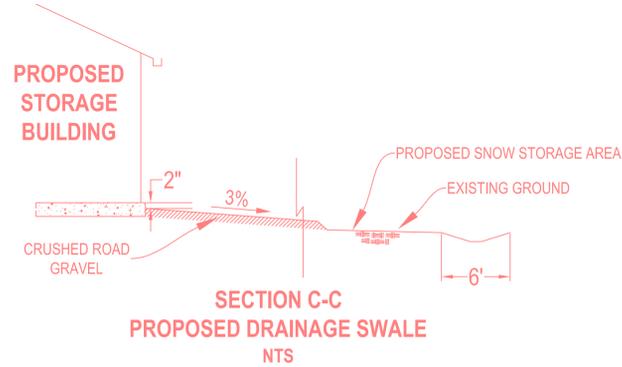
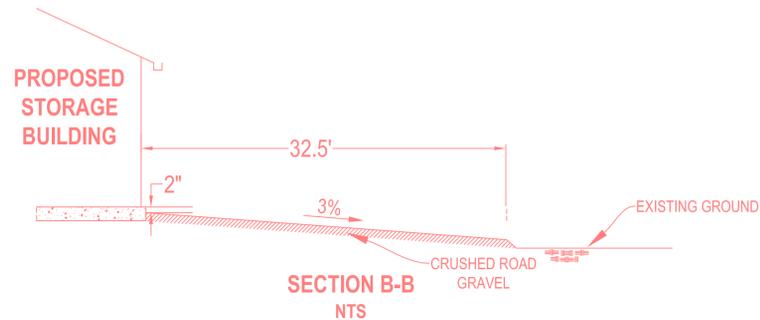
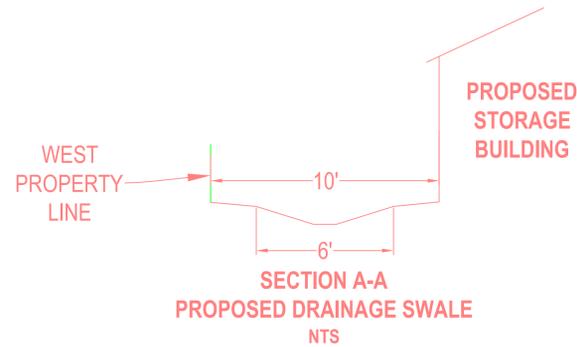
No.	Date	Description

Proj. # 1503 Drwn. By: GPG
 Dsgn. By: Chkd By:

Sheet Title:
FLR/ELE

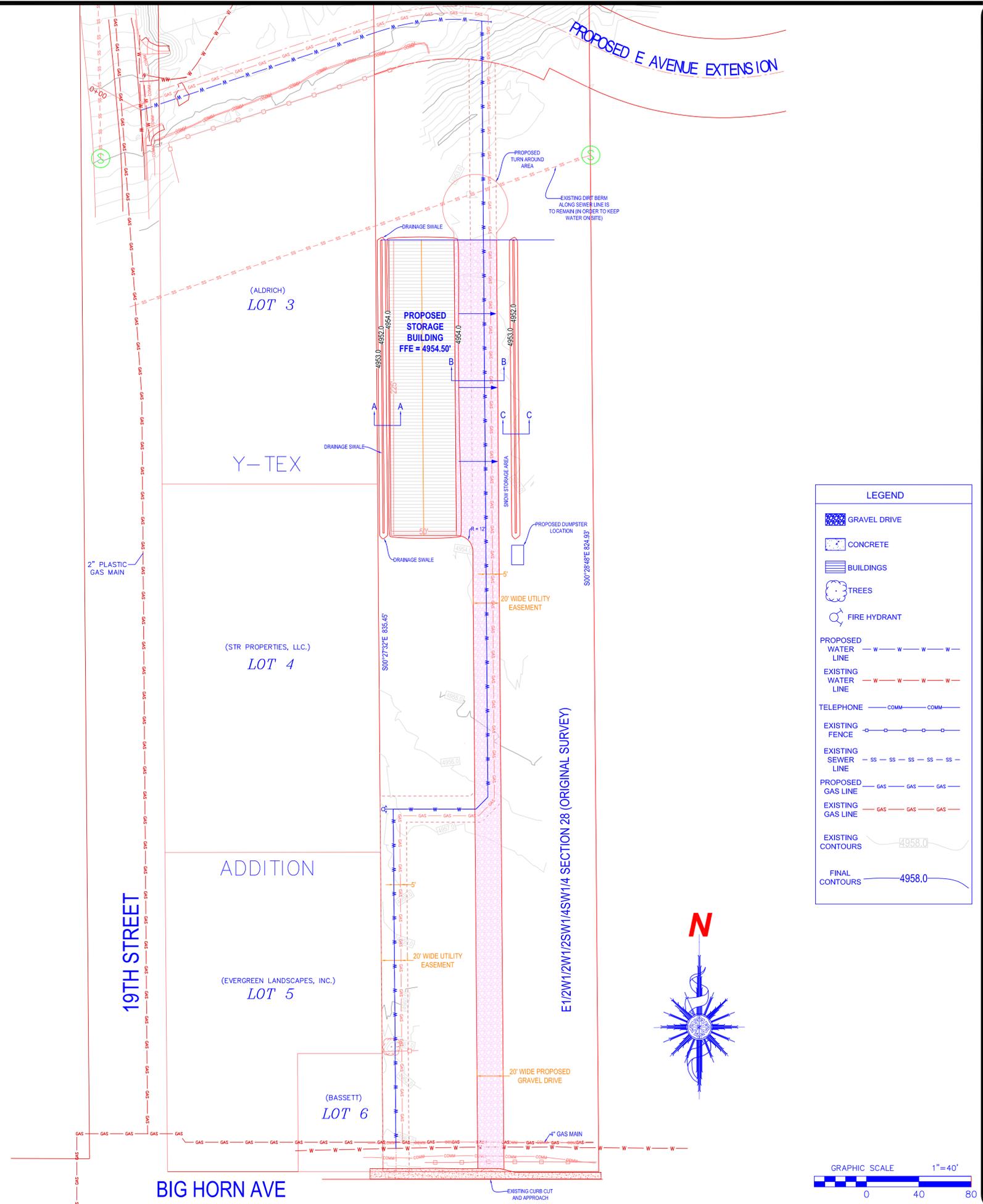
Sheet Number:
A2

DETAILS



NOTES:

1. THE ONLY GRADING REQUIRED IS AT THE BUILDING SITE AND FOR THE DRIVEWAY. THE NATURAL VEGETATION IS TO BE PRESERVED ON ALL UNDISTURBED AREAS TO HOLD THE SOIL.
2. RAIN GUTTERS AND DOWNSPOUTS ARE TO BE USED ON THE EAST BUILDING FACE ONLY. DOWNSPOUTS ARE TO DIRECT WATER ONTO SPLASH BLOCKS TO REDUCE EROSION, AND DIRECT WATER AWAY FROM THE BUILDING.



LEGEND	
	GRAVEL DRIVE
	CONCRETE
	BUILDINGS
	TREES
	FIRE HYDRANT
	PROPOSED WATER LINE
	EXISTING WATER LINE
	TELEPHONE
	EXISTING FENCE
	EXISTING SEWER LINE
	PROPOSED GAS LINE
	EXISTING GAS LINE
	EXISTING CONTOURS
	FINAL CONTOURS

REV.	DATE	BY	DESCRIPTION
1	5/08/2015	NCP	REVISION PER STEVE PAVNES COMMENTS
1	4/23/2015	NCP	REVISION PER RICK COOKS COMMENTS

HOLM, BLOUGH AND COMPANY
 CONSULTING ENGINEERS AND LAND SURVEYORS
 (307) 587-6281
 Fax: (307) 587-6282
 1402 Stampede Avenue
 Cody, WY 82414

RICK COOK
 CODY, WY

MARCH 19, 2015

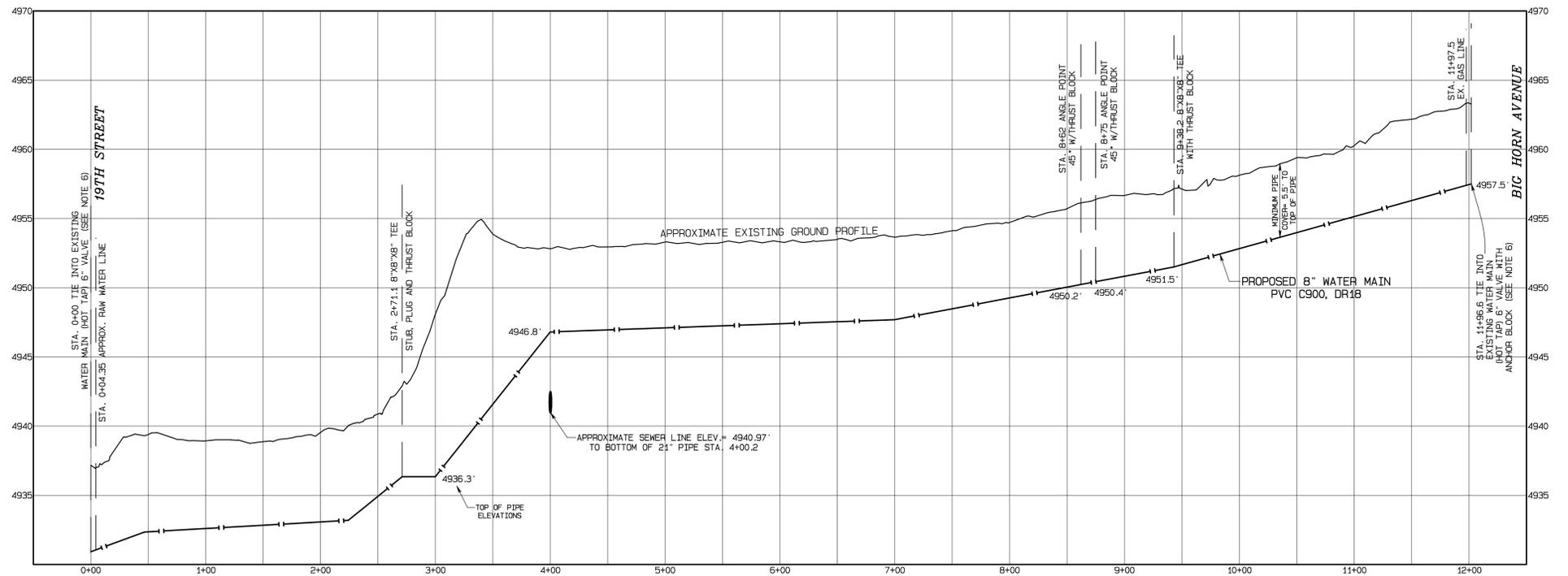
DRAWN BY:	Nick Pfister
DESIGNED BY:	Nick Pfister
APPROVED BY:	Roy Holm
SCALE:	1" = 40'
DATE:	March 19, 2015
JOB NO.:	HECO 14-270

SITE PLAN - DRAINAGE PLAN
 E1/2W1/2SW1/4SW1/4SECTION 28 (ORIGINAL SURVEY)
 T-53N - R.101W - 6TH PM
 WITHIN THE CITY OF CODY, PARK COUNTY, WYOMING

SHEET

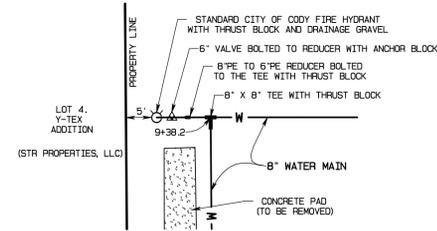
PROPOSED SITE (DEVELOPED)

T. 53 N., R. 101 W. (RESURVEY)



PROFILE PROPOSED 8" TREATED WATER MAIN EXTENSION

HORIZONTAL SCALE: 1" = 60'
VERTICAL SCALE: 1" = 5'



FIRE HYDRANT DETAIL

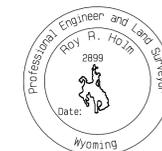
SCALE: 1" = 10'

LEGEND

REBAR WITH ALUM. CAP FOUND	—●—
3/4" IRON PIPE FOUND	—○—
1/2" IRON PIPE FOUND	—○—
2" IRON PIPE FOUND WITH SCREW	—○—
SANITARY SEWER MANHOLE	—S—
WATER METER BOX	—M—
FIRE HYDRANT	—H—
WATER LINE CURB STOP	—C—
HYDRANT	—H—
MANHOLE (UNIDENTIFIED)	—M—
POWER POLE	—P—
STORM SEWER MANHOLE	—S—
WATERLINE VALVE	—V—
OVERHEAD UTILITY LINE	—W—
STORM SEWER	—S—
WATER LINE PIPELINE	—W—
NATURAL GAS PIPELINE	—G—
SANITARY SEWER	—S—
BURIED TELEPHONE CABLE	—T—
BURIED ELECTRIC CABLE	—E—
FENCE	—X—
CABLE T.V.	—R—
RAW WATER LINE	—R—

NOTES

1. MINIMUM PIPE BURY IS 5.5 FEET TO THE TOP OF PIPE.
2. SPECIFICATIONS ARE THE WYOMING PUBLIC WORKS STANDARD SPECIFICATIONS AND THE CITY OF CODY CONSTRUCTION DETAILS.
3. COORDINATE WITH THE CITY OF CODY PUBLIC WORKS DEPARTMENT TO TAP THE EXISTING WATER MAINS.
4. EXISTING UTILITIES SHOWN ARE APPROXIMATE LOCATIONS. CONTRACTOR TO VERIFY. THERE IS A GAS SERVICE TO LOT 2, Y-TEX ADDITION, TO THE DIRECTORS BRIDGE CLUB THAT WAS NOT LOCATED.
5. E AVENUE IS PROPOSED AND HAS NOT BEEN CONSTRUCTED
6. THE EXISTING WATER MAINS ARE 6" DIAMETER. AT BOTH TIE-IN LOCATIONS A HOT TAP IS TO BE PROVIDED, FOLLOWED BY A 6" VALVE, FOLLOWED BY A 6"PE TO 8"PE ENLARGER.
7. FIRE HYDRANT IS TO BE WATEROUS, MUELLER, OR KENNEDY BRAND, HYDRANT TO BE PAINTED WHITE.



RICHARD T. COOK AND LAURA J. FAMBRO COOK
CODY, WYOMING

DRAWING SHOWING

PROPOSED TREATED WATER MAIN EXTENSION

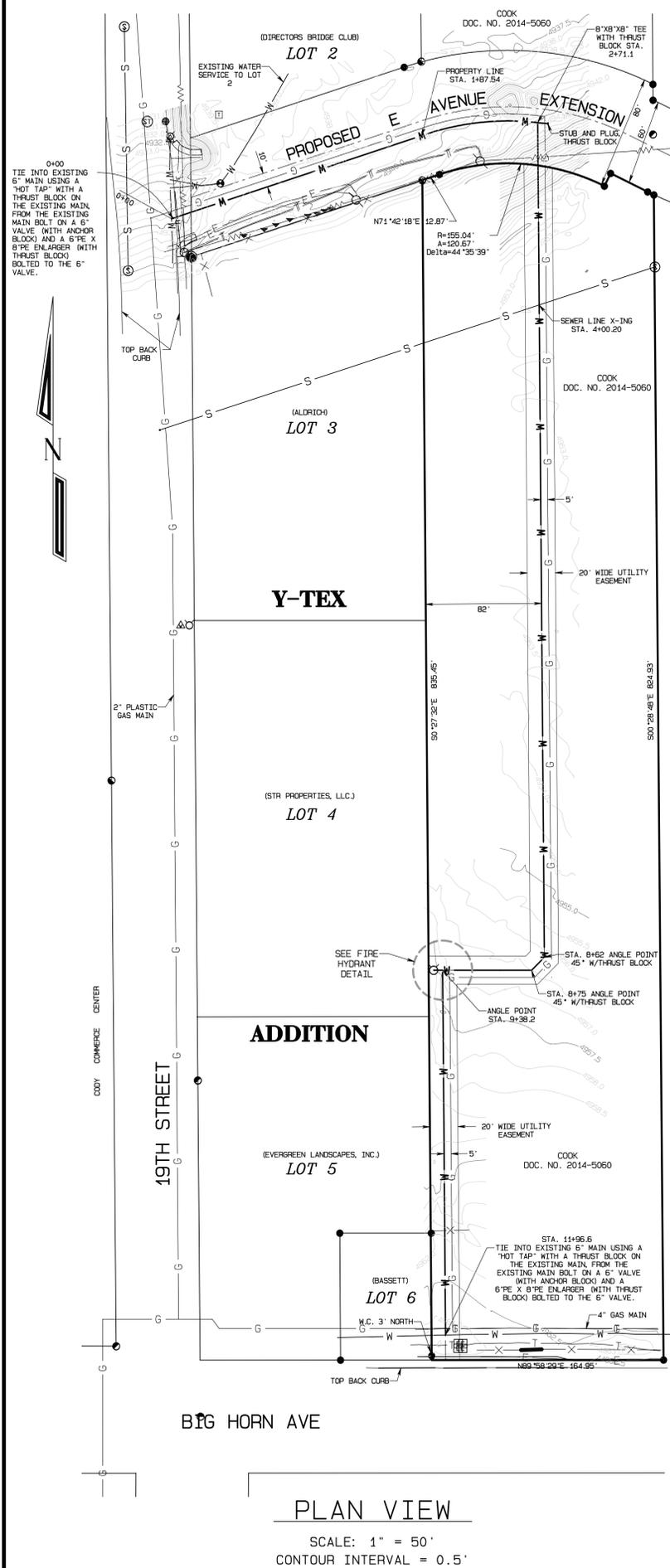
THE PROPOSED WATER MAIN EXTENSION IS ACROSS A PORTION OF THE PROPOSED E AVENUE EXTENSION AND ACROSS THE E1/2W1/2W1/2 SW1/4SW1/4 SECTION 28, T. 53 N., R. 101 W., 6TH P.M. (ORIGINAL GOVERNMENT SURVEY), ALL WITHIN THE CITY OF CODY, WYOMING.

CALL 1-800-849-2476
48 HOURS BEFORE YOU DIG

HB HOLM, BLOUGH AND COMPANY
Consulting Engineers & Land Surveyors
1402 Stampede Ave.
Cody, Wyoming 82414

MARCH, 2015

BOOK 509
S:\J085\2014\14-270\14-270.dwg



PLAN VIEW

SCALE: 1" = 50'
CONTOUR INTERVAL = 0.5'

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

MEETING DATE:	JUNE 9, 2015	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	REQUEST TO REZONE 720 ALLEN AVENUE FROM RESIDENTIAL "A" TO LIMITED BUSINESS (D-1). FILE: ZON 2015-01	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

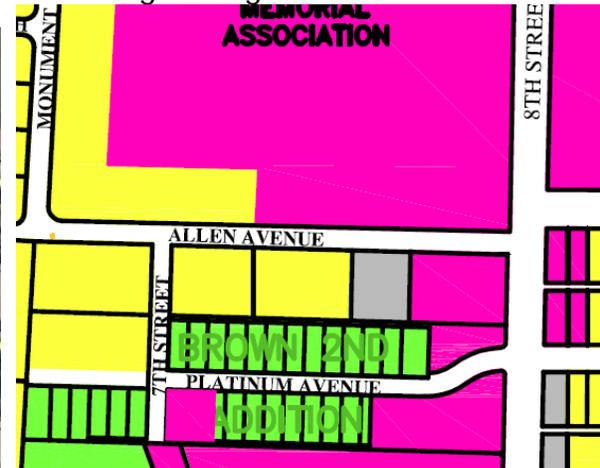
PROJECT DESCRIPTION:

The Wild Sheep Foundation, as owner, has submitted an application to rezone the property at 720 Allen Avenue from Residential "A" to Limited Business (D-1). The property is located on the south side of Allen Avenue, across the street from the Buffalo Bill Center of the West. The subject property contains the Wild Sheep Foundation office building and is 1.0 acre in size.

Existing Conditions:



Existing Zoning:



Neighboring Properties:

<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONING</i>
North	Buffalo Bill Center of the West (35 ac.)	General Business (D-2) –Pink
East	Cody Dental Excellence. (.63 ac.)	Local Business (D-1) –Gray
South	Single-family residences. (.30 ac. lots)	Residential B –Green
West	Single-family residence. (.91 ac.)	Residential A –Yellow

Existing Uses and Zoning:

The existing zoning of the property is Residential "A", which allows single-family residences, duplexes, home businesses, daycare facilities, short term rentals when

“owner occupied”, and a few civic related uses. It is noted that the existing professional office use of the property is not listed as a permitted use in the Residential “A” zone, although the Wild Sheep Foundation has been operating their office on the property for about 30 years. (Recent newspaper article indicates 33 years. Property was purchased in 1989, which would be at least 26 years). The building appears to have been originally constructed in 1938 as a residence, with additions in 1950, 1983, and 1988 (per Assessor records). Complete building permit records are not available for 1950 and 1983. However, a building permit for an office remodel of the building was issued by the City in 1987, and a building permit for an office addition was issued in 1988. The professional office use of the subject property is well established.

As noted in a recent newspaper article, the Wild Sheep Foundation headquarters will be moving to Bozeman, MT in 2016. The property owner may have additional information, but at this point it appears that at a minimum there will eventually be a new tenant. Beyond that, what will happen with the property is little more than speculation, and is somewhat dependent on whether the rezone request is granted. It is noted that due to historical use of the property for professional offices; the office use is effectively grandfathered, which establishes rights under the nonconforming use provisions of the zoning ordinance. However, the request is not presented under those provisions, but as a request to rezone the property to the zone that most closely matches the current use of the property—Local Business (D-1).

PROCEDURE:

The following section is found in the City of Cody code.

10-5-1: CITY COUNCIL AUTHORITY: The city council may by ordinance at any time, on its own motion or petition, or upon the recommendations by the planning and zoning commission, amend, supplement or change the regulations or districts herein or subsequently established; provided, however, that a public hearing shall first be held in relation thereto, after one publication of notice of the time, place and purpose of such hearing, in an official newspaper, at least fifteen (15) days prior to such hearing.

The public hearing has been advertised to occur with the Planning and Zoning Board, based on the thought that the Board needs public input in order to make a fully informed recommendation. Notice of the public hearing was published in the *Cody Enterprise* on May 21, 2015 and sent by certified mail to neighbors within 140 feet (plus R/W) on May *, 2015.

REVIEW CRITERIA:

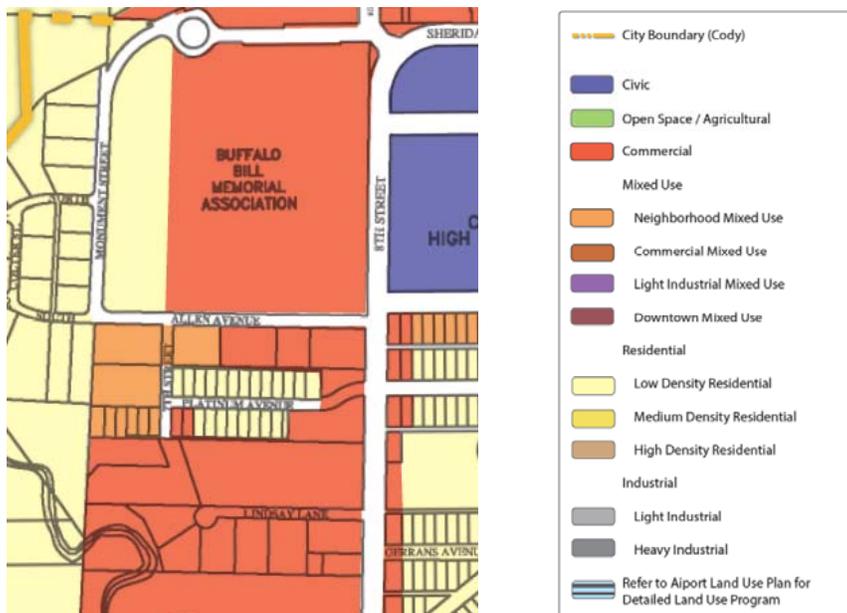
Rezoning is a legislative action, subject to the full discretion of the governing body. The Cody zoning ordinance does not have specific criteria outlined for granting or denying rezoning requests. For the purpose of providing guidance, staff will refer to the following general standards for zoning that are found in Wyoming state law, Section 15-1-601(d). Please note that the standards are in the context of initially adopting an

overall zoning plan for a community, yet they can provide guidance for reviewing site specific proposals as well.

(d) All regulations shall be made:

(i) In accordance with a comprehensive plan and designed to:

Staff Comment: The City adopted a new comprehensive plan (a.k.a. master plan) in March of last year. Per the master plan "*The Future Land Use Map...will be the guide for future zoning and development within the City.*" The portion of the Future Land Use Map for this area is below. However, remember that the boundaries of the land use designations are intended to be flexible. In this instance staff interprets the map as an indication that either a commercial zone (red color) or neighborhood mixed use zone (orange color) has the potential of being applied to the property.



The Commercial designation on the future land use map effectively corresponds with the General Commercial (D-2) zoning district. The neighborhood mixed use designation does not correspond directly with any existing zoning district. The closest zoning district to the neighborhood mixed use category would be Local Business (D-1), which is the zone the applicant is requesting.

Comparing the Limited Business (D-1) zoning district with the Neighboring Mixed Use description in the master plan, it is evident that the D-1 zone could potentially permit a number of retail uses that are more intense than contemplated by the Neighborhood mixed use description. However, there is no less-intensive commercial zone available at this time.

On the other hand, the D-1 zone is less intensive than the Commercial/D-2 equivalent designation. For example, D-1 does not permit the more intense retail uses like drive-

thrus, restaurants, hotels, auto repair, banks, public entertainment venues, and vehicle sales lots.

(A) Lessen congestion in the streets;

Staff Comment: There is no significant problem with traffic congestion on Allen Avenue and a rezone of the one-acre lot to Local Business (D-1) is not expected to create significant congestion. It is noted that any "commercial" traffic to or from the site would be through other commercial areas, and not through any residential areas.

(B) Secure safety from fire, panic and other dangers;

Staff Comment: As any new construction or use would need to comply with applicable development codes, adequate protections should occur so as to secure safety from fire, panic, or other physical dangers.

(C) Promote health and general welfare;

Staff Comment: During the "opportunity" phase of the master plan update, this area was identified as a potential office or medical area, in response to anticipated demand. The zone change would open the opportunity for more jobs, services, and commerce to help meet community needs; thereby contributing to personal and community health and welfare. It is believed that this can be done without significant impacts to the health or general welfare of persons in the area. However, assuring this at the rezone stage is problematic. This is a rezone request only—there is no redevelopment plan at this time, so any specific future changes are unknown. However, the types of uses permitted in the D-1 zone are generally of a type that can be compatible with residential and other commercial uses, when located at the perimeter of residential neighborhoods and operated in a manner that respects those neighbors.

(D) Provide adequate light and air;

Staff Comment: This standard is typically related to providing sufficient open space and setbacks. See (E) below for comments.

(E) Prevent the overcrowding of land;

Staff Comment: What constitutes "overcrowding" is subject to personal interpretation. What is somewhat concerning is that the D-1 zone lacks nearly all of the traditional zoning protections against overcrowding, such as height limits, floor area ratio standards, landscaping standards, minimum lot size requirements, building setbacks, and lot coverage limits. Effectively, the only influence for ensuring adequate light and air, or prevention of overcrowding, is economics and site plan review by the Planning and Zoning Board.

Economics will likely dictate that surface parking will continue to be provided, thereby meaning some of the property will be used for access and parking—and not buildings. Likewise, avoiding requirements for fire-resistive construction will likely mean five foot setbacks from any property lines.

At least historically, the Planning and Zoning Board has attempted to protect the interests of neighboring property owners when conducting site plan review, and typically they are able to ensure appropriate considerations, but the lack of standards leaves a significant amount of uncertainty. Fortunately, the developers have generally been considerate when it comes to such matters, but not always. Therefore, it is anticipated that there will be some neighbor concern regarding the lack of protections outlined by ordinance for the D-1 zone.

(F) Avoid undue concentration of population;

Staff Comment: The property could be utilized for multi-family housing if rezoned to D-1, although that is not understood to be the applicant's intent. While such re-development could increase population, it would not necessarily be considered an "undue concentration" as adequate infrastructure and services would be available. It is noted that the adjacent residential neighborhood to the south is zoned for multi-family housing.

(G) Facilitate adequate provisions for transportation, water, sewerage, schools, parks and other public requirements.

Staff Comment: Transportation access to the property is through a commercially zoned area, directly from a state highway, so the transportation situation is very suitable for accommodating high traffic volumes. Water and sewer main lines are to the property in Allen Avenue. Single-phase electrical service is immediately available; although if 3-phase power was ever needed it would need to be extended from the line along 8th Street. The existing building is connected to all typical utilities.

(ii) With reasonable consideration, among other things, of the character of the district and its peculiar suitability for particular uses;

Staff Comment: It is interpreted that this language primarily refers to the creation of zoning districts and the particular uses that should be permitted within each zone. In addition, it could refer to how well the proposed zone reflects what is already in the area. The existing professional office use of the property would be considered a "permitted use" under the D-1 zone. Also, directly east of the proposal is a D-1 zone with the Cody Dental Excellence offices. D-2 zoning exists directly across Allen Avenue. Driving down this portion of Allen Avenue, the appearance is already such that one would expect the property to be in an office or commercial zone.

(iii) With a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city or town; and

Staff Comment: Continued use of the existing building for professional office use would likely not impact building or property values. If the property is ever redeveloped in the future or if a change of use occurs, the value of any neighboring buildings is not expected to change significantly, so long as no nuisance type activities are created. Planning and Zoning Board review is the "safety net" to ensure that that does not happen.

To answer the question of what is the “most appropriate” use for this property, staff would point to the future land use map in the master plan. Utilizing the property for single-family or duplex use, as the Residential “A” zoning would suggest seems to be an underutilization of the property due to the availability of infrastructure, centralized location, and adjacent commercial zoning.

(iv) With consideration given to the historic integrity of certain neighborhoods or districts and a view to preserving, rehabilitating and maintaining historic properties and encouraging compatible uses within the neighborhoods or districts, but no regulation made to carry out the purposes of this paragraph is valid to the extent it constitutes an unconstitutional taking without compensation.

Staff Comment: The property and immediately surrounding areas are not classified as historic properties.

OTHER:

Significant Changes:

When reviewing rezones it is beneficial to consider whether there has been a change in circumstances since the property was designated with its current zone.

The property appears to have been located in a residential zone since the neighborhood was developed in the mid 1900's. Since then the city population, as well as the demand for services and commercial activity, has more than doubled. Also, the neighboring properties to the north and east have been developed with commercial uses. The fact that the property has been used for professional offices, and that the building was expanded and remodeled with city-issued building permits, are also changes and may be factored into the decision.

Proximity to Like Zoning:

The subject property is directly next to other D-1 zoning. Therefore, the request constitutes an extension of the D-1 zone, as opposed to an isolated “spot zone”.

Public Hearing:

Please note that this staff report was prepared without the benefit of the information that will be provided at the public hearing. All public comments need to be considered. Thus far, of the 16 lots in the notice area, the city has received (1) responses of “no objection” and (4) indicating “objection”. Copies are attached.

If the owners of more than 20% of the area of the lots within 140 feet of the rezone area object, it cannot be made effective without the vote of $\frac{3}{4}$ of the City Council (6 of the 7 council members). Calculations will be provided to the City Council when they consider the Board recommendation. However, only if the Buffalo Bill Memorial Association objects can the 20% threshold be reached.

Prior Application:

In 2009, the Wild Sheep Foundation, the Buffalo Bill Historical Center, and Cody Institute for Western American Studies (now the Cody Dental Excellence property) applied to rezone their properties to D-2. That application was withdrawn. The other two properties reapplied with modified requests and were rezoned in 2011. As the 2009 application was for a different type of zone, and a much larger area, planning staff did not determine it particularly relevant to the current proposal.

ATTACHMENTS:

Application materials, public comments.

ALTERNATIVES:

Recommend approval or denial of the requested rezone to the City Council.

If the Planning and Zoning Board is concerned that the neighboring residences do not have adequate protection in the event the subject property is rezoned and redeveloped, there may be an option to address that concern. That option would be to have the City enter into a development agreement with the property owner to voluntarily place development restrictions on the property to address those compatibility concerns. Restrictions could be related to use (e.g. prohibit or restrict use that would otherwise be allowed in D-1 zone) or development standards (setbacks, buffers, lot coverage limits, height limits, hours of operation, etc.).

As an example of what could be done, in the rezone of the property on Platinum Avenue for Dr. Gee, he voluntarily agreed to limit the use of the property to professional offices, and lot coverage and height requirements were specified. If the Board determines such a need, and the applicant is agreeable, that may be a good option—at least temporarily until the City creates a zone that better fits the intended situation.

RECOMMENDATION:

The Planning and Zoning Board will need to provide a recommendation to the City Council. The public hearing is scheduled for June 9, 2015. The Board recommendation can occur at the June 9th meeting, or at a later meeting.



May 11, 2015

City of Cody
Planning, Zoning and Adjustment Board
Attention: Community Development Department
P.O. Box 2200
Cody, WY 82414

Dear City of Cody (via Todd Stowell, Planner):

On behalf of the Wild Sheep Foundation (formerly the Foundation for North American Wild Sheep), please accept this letter requesting a zoning change for our headquarters property located at 720 Allen Avenue, here in Cody. Specifically, WSF requests a change from the current Residential "A" zoning, to Limited Business "D-1" zoning.

If approved, this zoning change would recognize and match up with the anticipated zoning status reflected in the Cody Master Plan, 2014 (page 38). Per the Cody Master Plan, Limited Business "D-1" zoning includes "C" uses, retail shops, and general offices with a maximum gross area of 10,000 ft², with limited business hours between 6:00 AM – 10:00 PM. The Wild Sheep Foundation believes that "D-1" zoning status would most closely match up with our operations, hours, history, mission, and purpose.

Per the MapServer Program on the Park County website, we have identified neighbors with property that lies within 140' of the perimeter of our WSF headquarters property. Once we have received direction from the Community Development Department, we will send (via certified mail) a notification letter (draft attached) to neighboring property owners.

We respectfully request consideration of this request at the June 9, 2015 P&Z Board Meeting, and we will provide a legal notice to the Cody Enterprise prior to May 18, 2015, with an anticipated publication date of May 21, 2015.

Please advise at your earliest convenience that we have submitted the proper paperwork. Thank you for your assistance and consideration. If you have further questions, please contact Kevin Hurley, WSF Conservation Director at our office # (provided below), or his cell # 307-899-9375.

Sincerely,

Gray N. Thornton, WSF President & CEO

720 Allen Avenue, 140' mailing list. Generated 5/5/2015, 12:00pm.				
BUFFALO BILL MEMORIAL ASSN	720 SHERIDAN AVENUE	CODY	WY	82414
DECKER, RONALD L.	899 SOUTHFORK ROAD	CODY	WY	82414
WOODRUFF, ELIZABETH B.	BOX 790	CODY	WY	82414
BROD, RICKY	719 PLATINUM DRIVE	CODY	WY	82414
SCHMOLDT, DALE R. & LUCILLE L. FAMILY TRUST	702 ALLEN AVENUE	CODY	WY	82414
HUMPHREYS, DANIEL J. & DEANNA L. M.	25511 S.E. GREEN VALLEY RD	BLACK DIAMOND	WA	98010
SHELTON, JAMES D. & REBECCA M.	767 PLATINUM DR	CODY	WY	82414
ROSS, GORDON L.	713 PLATINUM DRIVE	CODY	WY	82414
DEHN, MARK A. & CHENOWETH, JOANNE	731 PLATINUM AVENUE	CODY	WY	82414
STOCKWELL, KEN & LESA TRUST	1620 N. PARK DRIVE	CODY	WY	82414
WILDMAN, CYNTHIA A.	714 PLATINUM DRIVE	CODY	WY	82414
STROW FAMILY REVOCABLE LIVING TRUST	720 PLATINUM DR	CODY	WY	82414
HOLDER, WILLIAM TRENT	732 PLATINUM DR	CODY	WY	82414
BLAYLOCK, DONALD R., M. KATHLEEN, JEREMY & NICHELLE	P.O. Box 428	CODY	WY	82414
SELL, RUSSELL C. & GAYLE M. TRUST	756 PLATINUM DR	CODY	WY	82414
GLACIER BANK	202 MAIN ST	KALISPELL	MT	59901



May 11, 2015

[NAME]
[ADDRESS]

Dear Neighbors (within 140' of WSF Headquarters):

On behalf of the Wild Sheep Foundation (formerly the Foundation for North American Wild Sheep), please accept this notification letter advising you of a requested zoning change for our headquarters property located at 720 Allen Avenue, here in Cody. Specifically, WSF has requested the City of Cody Planning, Zoning, and Adjustment Board to grant a change from the current Residential "A" zoning, to Limited Business "D-1" zoning.

If approved, this zoning change would recognize and match up with the anticipated zoning status reflected in the Cody Master Plan, 2014 (page 38). Per the Cody Master Plan, Limited Business "D-1" zoning includes "C" uses, retail shops, and general offices with a maximum gross area of 10,000 ft², with limited business hours between 6:00 AM – 10:00 PM. The Wild Sheep Foundation believes that "D-1" zoning status most closely matches up with our operations, hours, mission, and purpose.

Per the MapServer Program on the Park County website, we have identified neighbors with property that lies within 140' of the perimeter of our WSF headquarters property.

We respectfully notify our neighbors of this requested change, and advise that we have requested consideration at the June 9, 2015 P&Z Board Meeting. Thank you for your consideration of our request.

If you have further questions, please contact Kevin Hurley, WSF Conservation Director at our office # (provided below), or his cell # of 307-899-9375.

Sincerely,

Gray N. Thornton, WSF President & CEO

Letter to Neighboring Properties within 140 Feet

Please return this letter by: June 3, 2015

(Date must be 1 week prior to the City Council Public Hearing)

Date: May 20, 2015

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Wild Sheep Foundation (Gray N. Thornton) Phone #: 307-527-6261

Address/Location & Legal Description: 720 Allen Avenue (Deed Book & Page: 0137 CONV 00485) See attached map.

A PARCEL IN THE SE/4SE/4 OF SEC. 31 AKA LOT 82 R.S. T53 R101 BEG 450' W. OF THE NE COR, THENCE S. 181.5', W. 241.5' N. 181.5', E. 245' TO POB (MF53-100) DESC. FOR ASSESSMENT PURPOSES ONLY B A

Description of Request: *(Please describe why you are requesting a Zone Change.)* Rezone the property from Residential "A" to Limited Business "D-1", to better reflect operations, mission, and purpose of the WSF headquarters office building.

Cody Master Plan Limited Business "D-1" includes "C" uses, retail shops and general offices with maximum gross area of 10,000 square feet, compatible to residential, limited business hours 6:00 a.m. to 10:00 p.m.

Rezoning of this parcel is/was anticipated in the Cody Master Plan, 2014 (see Page 38).

A Public Hearing will be held before the Planning & Zoning Board at their regularly scheduled meeting on Tuesday, June 16, 2015, at 12:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue. *(Date of Hearing)*

Letter from Neighboring Properties within 140 Feet

Dear Board Members:

I am familiar with the proposal by the Wild Sheep Foundation
(Applicant Name)

who is requesting a Zone Change to Limited Business "D-1" for the above referenced property. It is my understanding that the zone change will allow _____

I am the legal owner of _____ Owner's Name: _____
(Lot & block # or Address of Neighboring Property) (Neighboring Property)

I have **NO OBJECTION** to the Zone Change Request.

Name: _____

Address: _____

Comments: _____

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: _____

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

I **OBJECT** to the Zone Change Request:

Name: _____

Address: _____

Comments: _____

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: _____

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

Please return to: City of Cody
 Planning, Zoning and Adjustment Board
 Attention: Community Development Department
 PO Box 2200
 Cody, WY 82414

CODY ZONING DISTRICTS

DISTRICT	GENERALIZED ALLOWABLE USES
"AA" Residential	Single Family Residential, Municipal Recreation, home business, Day Care
"A" Residential	Includes "AA" used, duplexes, townhouses, condominiums, PUD's, home businesses, hospitals, churches, libraries, museums
"B" Residential	Includes "A" uses, apartment, townhouse and Condominiums, and mortuaries
"C" Residential	Includes "B" uses, smaller lot size with multi-dwellings
"D-1" Limited Business	Includes "C" uses, retail shops and general offices with maximum gross area of 10,000 square feet, compatible to residential, limited business hours 6:00 a.m. to 10:00 p.m.
"D-2" General Business	Includes "D-1" uses, car washes, car lots, motels, hotel, restaurants, bars, Laundromats, nurseries, stadiums, rodeo grounds
"D-3" Open Business/Light Industrial	Includes "D-2" uses, smaller manufacturing, meat processing, animal boarding/Kennels, Heavy equipment sales
"D-4" High Tech/Data Processing/Light Manufacturing	Manufacturing, assembling, or processing electronic or computer components, doctors, engineers, and other professional offices, manufacturing used compatible with residential
"E" Industrial	Includes "D-3" uses, airport, feed manufacturing, pressure treating wood products, heavy industrial uses, no residential use
"F-1" Mobile Home	Only licensed mobile home parks
"F-2" Mobile Home	Includes "AA" and "A" zoning, mobile homes on permanent foundations, manufactured housing on individual lots
"T" Transitional	Includes "A" zoning, ranches, and farms
"RR" Rural Residential	Includes "AA" zoning, low density residential
Airport Overlay Zone	Within the airport overlay zone a conditional use permit may be granted by the City Council for specific land uses as designated in affected zoning districts
For complete description of permitted uses within each zoning district, refer to the City of Cody Code Zoning Regulations available online.	

NOTICE OF PUBLIC HEARING

The Cody Planning and Zoning Board will hold a public hearing to consider if it is in the public interest to rezone approximately 1 acre located on the south side of Allen Avenue and west of 8th Street, from Residential "A" to Limited Business "D-1". The property contains one lot, with an address of 720 Allen Avenue. The public hearing will be Tuesday, June 9, 2015, at 12:00 p.m. (noon), or as soon thereafter as practical, in the Cody City Council Chambers located in City Hall at 1338 Rumsey Avenue, Cody. Written comments shall be directed to the Community Development Department, PO Box 2200, Cody, WY 82414, and shall be received prior to the date and time of the public hearing. For questions, please contact the Cody city planner at (307) 527-7511 or todds@cityofcody.com. The Planning and Zoning Board will forward their recommendation to the City Council for consideration.

Publish May 21, 2015

BOOK 137 PAGE 485

WARRANTY DEED

M.M. COUNTY CLERK'S OFFICE

THIS INDENTURE, made the 31st day of December, 1986, by and between the FIRST WYOMING BANK-CODY, a banking corporation organized and existing under and by virtue of the laws of the State of Wyoming, and having its principal place of business in the County of Park, the GRANTOR, and FOUNDATION FOR NORTH AMERICAN WILD SHEEP, an Iowa non-profit corporation, whose address is 720 Allen Street, Cody, Wyoming 82414, the GRANTEE, WITNESSETH:

That the grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations (\$10.00) in hand paid, the receipt whereof is hereby acknowledged, does, by these presents, grant, bargain, sell, CONVEY AND WARRANT unto the said grantee, all that certain tract, lot, piece, and parcel of land situated in the County of Park, State of Wyoming, and described as follows, to-wit:

A tract of land within the City of Cody, Park County, Wyoming in the SE1/4 of Section 31, T. 53 N., R. 101 W. of the 6th P.M., according to the Original Government Survey, now included within Tract 82 of T. 53 N., R. 101 W., according to the Government Resurvey, which tract is more particularly described as follows:

Beginning at a point on the north line of said SE1/4 located 564.8 feet east of the northwest corner thereof; thence N. 88°31' E. along the north line of said SE1/4 for 255.32 feet more or less to a point located 450.00 feet westerly of the northeast corner of said SE1/4; thence S. 01°04' W. on a line parallel to the east line of said SE1/4 for 181.5 feet; thence S. 88°31' W. parallel to the north boundary of said SE1/4 for 251.56 feet to a point located 574.8 feet easterly of the west line of said SE1/4; thence N. 0°07' W. for 181.32 feet more or less to the point of beginning.

SUBJECT to all easements, rights of way and reservations, zoning restrictions and covenants of record or otherwise established; all assessments and subsequently assessed taxes.

IN WITNESS WHEREOF, the Grantor has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officer, the day and year first above written.

(SEAL)

Attest:

Shirley Anderson Cashier

FIRST WYOMING BANK-CODY

By M.D. Ellis

M. D. Ellis, President

THE STATE OF WYOMING,

County of Park

On this 31st day of December, 1986, before me personally appeared

M. D. Ellis

to me personally known, who, being by me duly sworn, did say that he is the President of FIRST WYOMING BANK-CODY

and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and said Shirley Anderson acknowledged said instrument to be the free act and deed of said corporation.

My Commission expires on the 24 day of June, A. D. 1988. Given under my hand and notarial seal this 31 day of December, A. D. 1986.

Richard H. Keller Notary Public, County of Park, State of Wyoming, My Commission Expires June 24, 1988

Richard H. Keller Notary Public

Letter to Neighboring Properties within 140 Feet

Please return this letter by: June 3, 2015
(Date must be 1 week prior to the City Council Public Hearing)

Date: May 20, 2015
RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Wild Sheep Foundation (Gray N. Thornton) Phone #: 307-527-6261

Address/Location & Legal Description: 720 Allen Avenue (Deed Book & Page: 0137 CONV 00485) See attached map.
A PARCEL IN THE SE/4SE/4 OF SEC. 31 AKA LOT 82 R.S. T53 R101 BEG 450' W. OF THE NE COR, THENCE S. 181.5', W. 241.5' N. 181.5', E. 245' TO POB (MF53-100) DESC. FOR ASSESSMENT PURPOSES ONLY B A

Description of Request: (Please describe why you are requesting a Zone Change.) Rezone the property from Residential "A" to Limited Business "D-1", to better reflect operations, mission, and purpose of the WSF headquarters office building.

Cody Master Plan Limited Business "D-1" includes "C" uses, retail shops and general offices with maximum gross area of 10,000 square feet, compatible to residential, limited business hours 6:00 a.m. to 10:00 p.m.

Rezoning of this parcel is/was anticipated in the Cody Master Plan, 2014 (see Page 38).

A Public Hearing will be held before the Planning & Zoning Board at their regularly scheduled meeting on Tuesday, June 9, 2015, at 12:00 p.m. at the City Hall Council Chambers, 1338 Rumsey Avenue. (Date of Hearing)

Letter from Neighboring Properties within 140 Feet

Dear Board Members:

I am familiar with the proposal by the Wild Sheep Foundation
(Applicant Name)

who is requesting a Zone Change to Limited Business "D-1" for the above referenced property. It is my understanding that the zone change will allow _____

I am the legal owner of 1507 8th Street, Cody Owner's Name: Glacier Bank
(Lot & block # or Address of Neighboring Property) (Neighboring Property)

I have NO OBJECTION to the Zone Change Request.

Name: First Bank of Wyoming Division of Glacier Bank

Address: 1507 8th Street, Cody, WY 82414

Comments: _____

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: _____

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

I OBJECT to the Zone Change Request:

Name: _____

Address: _____

Comments: _____

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: _____

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

Dear Board Members:

I am familiar with the proposal by the Wild Sheep Foundation
(Applicant Name)

who is requesting a Zone Change to Limited Business "D-1" for the above referenced property. It is my understanding that the zone change will allow WSF TO SELL THE PROPERTY FOR BETTER PRICE AT THE EXPENSE OF A QUIET NEIGHBORHOOD

I am the legal owner of 720 PLATINUM DR Owner's Name: FRED N. STROW
(Lot & block # or Address of Neighboring Property) (Neighboring Property)

I have **NO OBJECTION** to the Zone Change Request.

Name: _____

Address: _____

Comments: _____

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: _____

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

I **OBJECT** to the Zone Change Request:

Name: FRED N. STROW

Address: 720 PLATINUM DR.

Comments: ANOTHER ATTEMPT AT DESTROYING OUR NEIGHBORHOOD

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: _____

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

I am the legal owner of 756 PLATINUM AVE Owner's Name: Russell Sell, Gayle Sell
(Lot & block # or Address of Neighboring Property) (Neighboring Property)

I have **NO OBJECTION** to the Zone Change Request.

Name: _____

Address: _____

Comments: _____

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: _____

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

I **OBJECT** to the Zone Change Request:

Name: Russell & Gayle Sell

Address: 756 PLATINUM AVE

Comments: _____

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: _____

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

Letter from Neighboring Properties within 140 Feet

Dear Board Members:

I am familiar with the proposal by the Wild Sheep Foundation
(Applicant Name)

who is requesting a Zone Change to Limited Business "D-1" for the above referenced property. It is my understanding that the zone change will allow _____

I am the legal owner of _____ Owner's Name: _____
(Lot & block # or Address of Neighboring Property) (Neighboring Property)

I have **NO OBJECTION** to the Zone Change Request.

Name: _____
Address: _____
Comments: _____

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: _____

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

I **OBJECT** to the Zone Change Request:

Name: CINDY Wildma
Address: 714 Platinum Pl Cody
Comments: _____

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: _____

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

(LOT & BLOCK # OR ADDRESS OF NEIGHBORING PROPERTY)

I have **NO OBJECTION** to the Zone Change Request.

Name: KEN
Address: _____
Comments: _____

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: _____

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

I **OBJECT** to the Zone Change Request:

Name: KEN Stockwell
Address: 1622 N. Park Drive
Comments: -our neighborhood has already been overcommercialized!

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: 587-6784

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

Letter to Neighboring Properties within 140 Feet

Please return this letter by: June 3, 2015

(Date must be 1 week prior to the City Council Public Hearing)

Date: May 20, 2015

RE: **ZONE CHANGE REQUEST**

Applicant Name(s): Wild Sheep Foundation (Gray N. Thornton) Phone #: 307-527-6261

Address/Location & Legal Description: 720 Allen Avenue (Deed Book & Page: 0137 CONV 00485) See attached map.

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Letter from Neighboring Properties within 140 Feet

Dear Board Members:

I am familiar with the proposal by the Wild Sheep Foundation

(Applicant Name)

who is requesting a Zone Change to Limited Business "D-1" for the above referenced property. It is my understanding that the zone change will allow RETAIL SHOPS AND GENERAL OFFICES

I am the legal owner of 719 PLATINUM Owner's Name: RICK BRÖD
(Lot & block # or Address of Neighboring Property) (Neighboring Property)

I have **NO OBJECTION** to the Zone Change Request.

Name: _____

Address: _____

Comments: _____

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: _____

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.

I **OBJECT** to the Zone Change Request:

Name: RICK BRÖD

Address: 719 PLATINUM

Comments: _____

Yes, I would like to be contacted when this topic comes before City Council or the P&Z Board.

E-mail address: _____ or Phone: 587-9744

No, I would not like to be contacted when this topic comes before City Council or the P&Z Board.