

CITY OF CODY  
PLANNING, ZONING AND ADJUSTMENT BOARD  
TUESDAY, APRIL 12, 2016  
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

**AGENDA**

1. Call to Order by Chairman Justin Ness
2. Roll Call, excused members
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes of the March 22, 2016 regular meeting.
6. **NEW BUSINESS**
  - A. Minor Site Plan Review: Storage building at Best Western, 1601 8<sup>th</sup> Street.
  - B. Downtown Sign Review: Monies wall sign, 1149 Sheridan Avenue.
  - C. Landscaping/Parking Plan Modification: Remove interior landscape islands at Pinnacle Bank, 1702 Sheridan Avenue.
  - D. Architectural/Site Plan Review: Crossfit Cody Gym, located southeast of the Blackburn Street and Cougar Avenue intersection, 804 Blackburn St.
  - E. Public Hearing: Special Exemption Request for a 2-foot side yard setback to permit a two-story addition at 943 Simpson Avenue.
  - F. Special Exemption Review: Side Yard setback at 943 Simpson Avenue.
  - G. Public Hearing: Special Exemption Request for reduced parking for a restaurant and storage/light industrial building at 2425 Big Horn Avenue (currently Santos Furniture and El Vaquero Restaurant).
  - H. Special Exemption Review: Reduced parking at 2425 Big Horn Avenue.
7. Feedback on Draft Residential Zoning Ordinance Amendments (Dimensional Standards, etc.)
8. Signs:
9. P&Z Board Matters (announcements, comments, etc.).
10. Council Update: Steve Miller
11. Staff Items:
12. 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, March 22, 2016**

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, March 22, 2016 at 12:00 PM

Present: Justin Ness-Chairman; Brad Payne-Vice Chairman; Reese Graham; Buzzy Hassrick; Curt Dansie; Heidi Rasmussen; Richard Jones; Sandee Kitchen, Assistant City Attorney; Steve Miller, Council Liaison; Todd Stowell, City Planner; Lynn Stutzman, Engineering Administrative Assistant.

Absent: None

Chairman Ness called the meeting to order at 12:02 PM, followed by the pledge of allegiance.

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

Reese Graham made a motion, seconded by Richard Jones, to approve the minutes for the March 8, 2016 meeting. Vote on the motion was unanimous, motion carried.

Approved Signs by Staff: None.

P&Z Board Matters: None.

Council Update: None.

Staff Items: None.

The meeting was moved to the Colt Bus. Todd Stowell provided a tour of various subdivisions to provide field verification of the draft residential development standards for the meeting attendees.

Curt Dansie made a motion, seconded by Buzzy Hassrick, to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairman Ness adjourned the meeting at 1:07 PM.

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Lynn Stutzman  
Engineering Administrative Assistant

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

<b>MEETING DATE:</b>	APRIL 12, 2016	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	BEST WESTERN SUNSET MOTOR INN STORAGE BUILDING SPR 2016-10	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT DESCRIPTION:**

Bill Garlow of Sunset Properties has submitted an application to install a 29 foot by 30 foot storage building at the Best Western Sunset Motor Inn, at 1601 8<sup>th</sup> Street. The building would be located between one of the motel units and a maintenance building, as shown on the attached site plan.



**REVIEW CRITERIA:**

The property is within the General Business (D-2) zoning district, which requires: *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.*

**STAFF COMMENTS:**

The storage building has been professionally designed to match the existing motel buildings, including lap siding, asphalt shingles, and a brick wainscot.

The application did not include a detailed site plan. It appears that the building will be about one foot from the north property line, which may trigger some fire code standards that would result in elimination of the windows shown on the plans. Other than that change, the building will appear architecturally as shown on the plans. There is no zoning setback required.

There is what appears to be a sewer cleanout about one foot from the north property line, near the middle of the proposed building. It is not known if the line runs east-west

or north-south. In any case, it is not a city main, but will still need to be accommodated in the building design and construction.

As the site of the proposed building is already impervious asphalt, no storm water requirements are triggered.

**ATTACHMENTS:**

Application materials.

**RECOMMENDATION:**

Approve the storage building as submitted. The utility and construction issues will be addressed with the building permit.





PROJECT SITE  
820 SF STORAGE BUILDING  
WOOD STUD CONSTRUCTION

Best Western Sunset Inn

Lindsay Ln

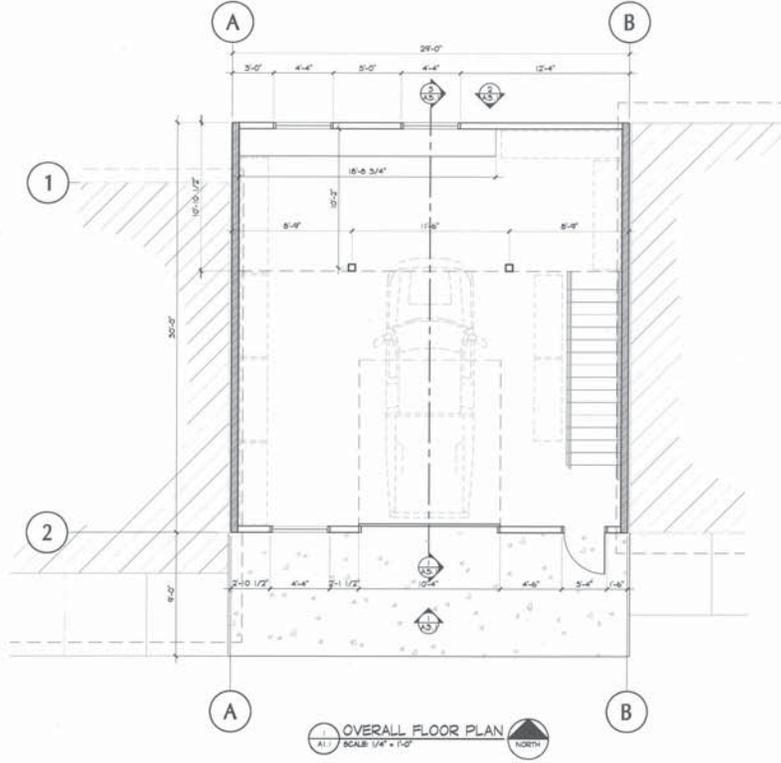
1 OVERALL SITE PLAN  
AS1.1 SCALE: N.T.S. NORTH

SUNSET MOTOR INN - CODY, WY  
NEW STORAGE BUILDING  
plan one / architects  
- cody, wyoming, 1001 12th St., 82414 (307) 587-8648 - rock springs, wyoming, 4020 dewar dr., suite a, 82901 (307) 332-2954 - diggs, Idaho, 889 north main, suite 112, 83422 (208) 354-8036 -



project:	1610
date:	4/4/2016
revisions:	

AS1.1



OVERALL FLOOR PLAN  
SCALE: 1/4" = 1'-0"  
NORTH

GENERAL NOTES

1.

KEYED NOTES

NOTED THIS

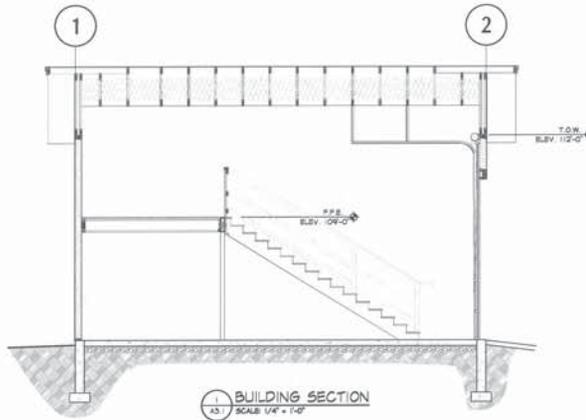
1.

SUNSET MOTOR INN - CODY, WY  
NEW STORAGE BUILDING  
plan one / architects  
- cody, wyoming, 1001 12th st., #2414 (307) 587-8646 - rock springs, wyoming, 4020 deer dr., suite 4, 82901 (307) 352-2954 - driggs, idaho, 189 north main, suite 112, 83422 (208) 334-8038 -



project: 1610  
date: 4/4/2016  
revisions:

A1.1



1 BUILDING SECTION  
SCALE 1/4" = 1'-0"



2 WEST ELEVATION  
SCALE 1/4" = 1'-0"



3 EAST ELEVATION  
SCALE 1/4" = 1'-0"

GENERAL NOTES

KEYED NOTES

NOTED THIS

SUNSET MOTOR INN - CODY, WY  
**NEW STORAGE BUILDING**  
 plan one / architects  
 - cody, wyoming, (307) 537-3954 - rock springs, wyoming, 4020 deer dr., suite a, 82301 (307) 532-3954 - driggs, idaho, 189 north main, suite 112, 83422 (208) 334-8036 -



project: 1610  
 date: 4/4/2016  
 revisions:

A3.1

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

<b>MEETING DATE:</b>	APRIL 12, 2016	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	DOWNTOWN SIGN DISTRICT REVIEW: MONIES WALL SIGN SGN 2016-12	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL	DISCUSSION ONLY:	

**PROJECT DESCRIPTION:**

Brandon Harrison of Monies, located at 1149 Sheridan Avenue, has submitted a sign application to install a 4' by 8' wall sign. The proposed sign would contain the store name "Monies Boutique" in their turquoise logo, with the letters outlined with white LED light rope. The words would be mounted on bare sheet metal in a 2" metal tube frame that would be allowed to rust.

Existing Condition:



Proposed Sign:



**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 business is on the same property as Western Real Estate. The property has a total of 50 feet of frontage, entitling it to 75 square feet of wall signage. The existing wall signs total 48 square feet. With the new 32 square foot wall sign, total wall signage would be 80 square feet, which exceeds the allowable amount by 5 square feet.

Options would be to reduce the size of the proposed sign by at least 5 square feet, or remove a portion of the existing Western Real Estate sign.

Staff also has some concerns that the plan for a rusted metal backing will result in stains on the building wall and canopy—causing an unattractive situation. A painted or coated sign backing should be used in this situation.

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

**RECOMMENDATION:**

Allow the applicant the opportunity to amend the application to comply with the applicable sign size limitation; and, choose a different backing method. Otherwise, deny the application.

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

<b>MEETING DATE:</b>	APRIL 12, 2016	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	PINNACLE BANK PARKING LOT AND LANDSCAPING MODIFICATIONS SPR 2016-09	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT DESCRIPTION:**

Pinnacle Bank has submitted a request to modify portions of their parking lot and landscaping. The modifications are desired to improve the functionality of the parking lot, which currently is believed to be too "tight" dimensionally. The bank does experience a high vehicle turnover rate at least in the customer (western) parking areas, and many large vehicles have a hard time maneuvering in and out of the parking spaces. The proposal includes removal of the two interior landscape islands in the middle of the parking lot, and three other islands at the end of three parking rows. The area will be asphalted and incorporated into additional and/or enlarged parking spaces. Three angled parking spaces are proposed to be added at the far east end of the parking lot. Lastly, a landscape island near the drive-thru exit would be filled with concrete.

Existing conditions:





**REVIEW CRITERIA:**

The property is within the General Business (D-2) zoning district, which requires: *...Architectural and landscaping details shall be maintained as shown by the approved plans.* Modification of the plan requires Board review. The facility is also required to maintain compliance with the landscaping standards of the Entry Corridor Overlay district and applicable development standards (e.g. storm water, buffers, etc.).

**STAFF COMMENTS:**

While the amount of landscaping will be significantly reduced, the facility would still have about 10.9% of the property in landscaping. The entry corridor regulations require a minimum of only 5%.

The application does not include detailed plans for the work. There are specific minimum dimensional requirements for the parking spaces and aisles, which are planned to be met, but which are not drawn out. Also, the storm water inlets and cleanouts will need to be modified to have traffic rated lids that match the grade of the asphalt. To maintain clean edges and gradual slopes across the parking lot, the asphalt will be cut back beyond the limits of the landscape islands.

Where the new asphalt will meet landscaped areas, concrete barrier curbing will be provided.

It is noted that although the adjacent property to the east has a residence, it is zoned D-2 also, so the 15-foot buffer requirement does not apply.

As the work will greatly disrupt the availability of parking, there needs to be a plan for how to accommodate the parking demand. It may be necessary to split the work into phases, so that a significant portion of the parking lot is still available during business hours.

**ATTACHMENTS:**

Site Plan.

**RECOMMENDATION:**

Approve the modifications as requested, subject to:

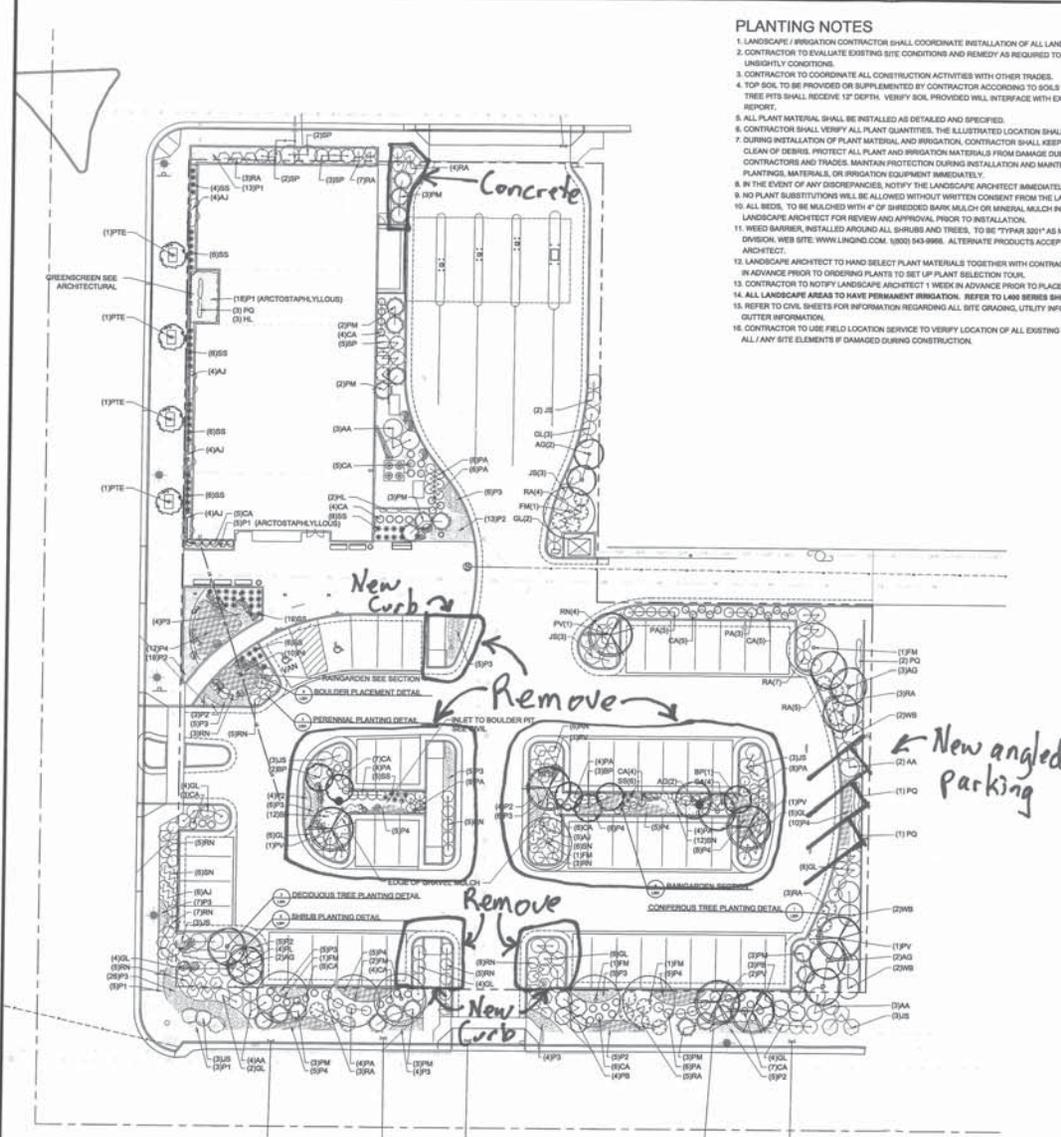
1. The owner and their contractor must work closely with City staff to make sure the improvements meet City standards and standard engineering practices. Drawings and specification sheets may be required.
2. A plan for accommodating parking demand during construction must be presented and approved.

**PLANTING NOTES**

1. LANDSCAPE / IRRIGATION CONTRACTOR SHALL COORDINATE INSTALLATION OF ALL LANDSCAPE / IRRIGATION MATERIALS WITH GENERAL CONTRACTOR.
2. CONTRACTOR TO EVALUATE EXISTING SITE CONDITIONS AND REMEDY AS REQUIRED TO PROVIDE FOR HEALTHY PLANT GROWTH AND MITIGATE UNSUITABLE CONDITIONS.
3. CONTRACTOR TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH OTHER TRADES.
4. TOP SOIL TO BE PROVIDED OR SUPPLEMENTED BY CONTRACTOR ACCORDING TO SOILS TESTING TO BE PROVIDED BY CONTRACTOR. PLANT BEDS AND TREE PITS SHALL RECEIVE 12" DEPTH. VERIFY SOIL PROVIDED WILL INTERFERE WITH EXISTING SOILS ON SITE AND COORDINATE WITH GEOTECHNICAL REPORT.
5. ALL PLANT MATERIAL SHALL BE INSTALLED AS DETAILED AND SPECIFIED.
6. CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES. THE ILLUSTRATED LOCATION SHALL DICTATE COUNT.
7. DURING INSTALLATION OF PLANT MATERIAL AND IRRIGATION, CONTRACTOR SHALL KEEP ALL WORK AREAS AND WALKING AND DRIVEWAY SURFACES CLEAN OF DEBRIS. PROTECT ALL PLANT AND IRRIGATION MATERIALS FROM DAMAGE DUE TO LANDSCAPE OPERATIONS OR ACTIVITIES BY OTHER CONTRACTORS AND TRADES. MAINTAIN PROTECTION DURING INSTALLATION AND MAINTENANCE PERIODS. TREAT, REPAIR, OR REPLACE ANY DAMAGED PLANTING MATERIALS, OR IRRIGATION EQUIPMENT IMMEDIATELY.
8. IN THE EVENT OF ANY GEOPROBLEMS, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY.
9. NO PLANT SUBSTITUTIONS WILL BE ALLOWED WITHOUT WRITTEN CONSENT FROM THE LANDSCAPE ARCHITECT.
10. ALL BEDS TO BE MULCHED WITH 4" OF SHREDED BARK MULCH OR MINERAL MULCH IN COBBLE LINED SWALE. SUBMIT SAMPLE OF MULCH MATERIALS TO LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.
11. WEED BARRIER, INSTALLED AROUND ALL SHRUBS AND TREES, TO BE "TYPAR 3201" AS MANUFACTURED BY LINE INDUSTRIAL FABRICS INC. GEOTEKSTILE DIVISION. WEB SITE: WWW.LININD.COM. (800) 543-9998. ALTERNATE PRODUCTS ACCEPTED WITH SUBMITTAL, REVIEW AND APPROVAL OF LANDSCAPE ARCHITECT.
12. LANDSCAPE ARCHITECT TO HAND SELECT PLANT MATERIALS TOGETHER WITH CONTRACTOR. CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT 1 WEEK IN ADVANCE PRIOR TO ORDERING PLANTS TO SET UP PLANT SELECTION TOUR.
13. CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT 1 WEEK IN ADVANCE PRIOR TO PLACEMENT OF PLANT MATERIALS.
14. ALL LANDSCAPE AREAS TO HAVE PERMANENT IRRIGATION. REFER TO LAW SERIES SHEETS FOR SYSTEM REQUIREMENTS AND SPECIFICATIONS.
15. REFER TO CIVIL SHEETS FOR INFORMATION REGARDING ALL SITE GRADING, UTILITY INFORMATION, SIDEWALK AND DRIVE INFORMATION, AND CURB & GUTTER INFORMATION.
16. CONTRACTOR TO USE FIELD LOCATION SERVICE TO VERIFY LOCATION OF ALL EXISTING UTILITIES PRIOR TO ANY EXCAVATION AND TO REPAIR DAMAGE ALL / ANY SITE ELEMENTS IF DAMAGED DURING CONSTRUCTION.

**PLANTING LEGEND**

SYM	BOTANICAL NAME COMMON NAME	SIZE	TYPE	QNTY.
<b>TREES</b>				
(T) TR	POPULUS TREMULA 'ERECTA' SWEDISH COLUMNAR ASPEN	2" CAL	888	4
(T) FM	FRAXINUS MANSHURICA 'MANCHAN' MANCHAN ASH	2" CAL	888	8
(T) AG	ACER GRANDIDENTATUM BIGTOOTH MAPLE	6"	888	11
(T) AB	BETULA PAPPYRIFERA PAPER BIRCH	2" CAL	888	6
(T) RV	PRUNUS VIRGINICA 'CANADA RED' CANADA RED CHOCHE-BERRY	6"	888	7
(T) WB	JUNIPERUS SCOPULORUM 'WICHTA BLUE' WICHTA BLUE JUNIPER	15 GAL	Pkt	6
<b>SHRUBS</b>				
(S) JB	JUNIPERUS SABINA 'BUFFALO' BUFFALO JUNIPER	5 GAL	CNTR	23
(S) PM	FINUS MUGO 'MOPF' MOPF MUGO PINE	5 GAL	CNTR	22
(S) RN	ROSA 'NEARLY WILD' NEARLY WILD ROSE	1 GAL	CNTR	59
(S) PL	PHLODELPHIS X 'BUCKLEY'S QUILL' BUCKLEY'S QUILL MCCORRANCE	5 GAL	CNTR	11
(S) RA	RIBES ALPENUM GOLDEN CURRANT	5 GAL	CNTR	20
(S) AA	AMELANCHIER ALNIFOLIA 'REGENT' REGENT SERVICEBERRY	5 GAL	CNTR	14
(S) PA	PEROVSKIA ATRIPLEXIFOLIA RUSSIAN SAGE	1 GAL	CNTR	46
(S) DL	FOUR AROMATICA SPRUELOW BUNAG	1 GAL	CNTR	53
(S) SP	SYRINGA PATULA 'MISS KIM LILAC' MISS KIM LILAC	5 GAL	CNTR	10
<b>ORN. GRASS/PERENNIALS</b>				
(O) CA	CALAMAGROSTIS ACUTIFLORA 'KARL FORSTER' KARL FORSTER FEATHER REED GRASS	1 GAL	CNTR	79
(S) SB	SCHIZACHYRIUM SCOPULARUM 'BLAZE' BLAZE LITTLE BLUESTEM GRASS	1 GAL	CNTR	73
(S) AU	SEDUM 'AUTUMN JOY' AUTUMN JOY SEDUM	1 GAL	CNTR	27
(S) SA	SALVIA MEMOROSA MEADOW SAGE	1 GAL	CNTR	36
(P) P1	PERENNIAL 1, GROUNDCOVER HEPETA RACEMOSA 'WALKERS LOW' ARCTOSTAPHYLOS 'VALERIE'	1 GAL	CNTR	34
(P) P2	PERENNIAL 2 GERANIUM 'BROOKSIDE' RUBROSCIA FLUGSA 'GOLDSTROM' SCHENAZIA PURPUREA 'MAGNUS'	1 GAL	CNTR	48
(P) P3	PERENNIAL 3 ACHILLEA MILLEFOLIUM 'PAPRISKA'	1 GAL	CNTR	82
(P) P4	PERENNIAL 4 'RHS SHICATA 'CESARS BROTHER' HEMISPOCALIS 'STELLA DE ORY'	1 GAL	CNTR	78
(P) PQ	PARTHENOCISSUS QUINQUEFOLIA 'ENGELMANN' ENGELMANN IVY	1 GAL	CNTR	7
(P) HL	HUMULUS LUPULUS HOPS VINE	1 GAL	CNTR	5
(S) B	24" BOLDURE, GEORGIANIC TYPE SIMILAR TO BUILDING FACADE			47
(S) S	14" DIA. MINERAL MULCH AT BASE OF BIO-SWALE (SEE BIOSWALE DETAIL)			



**PLANTING PLAN**  
SCALE: 1" = 20'  
NORTH REF

NOT FOR CONSTRUCTION - PRELIMINARY DESIGN

PINNACLE BANK  
CODY, WYOMING

PLANNING AND  
ZONING PLAN  
REVIEW SET

RECEIVED  
MAR 23 2009

CITY OF CODY  
BEFORE ANY DIGGING -  
CONTRACTOR TO LOCATE  
ALL EXISTING UTILITIES.

DATE: 03.20.2009  
DRAWN BY: JSC  
CHECKED BY: JSC  
CTA # 0000000000  
CAD FILE: PINS300  
DIR: 0000000000

**CTA**

PLANTING PLAN  
SHEET  
**L300**

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

<b>MEETING DATE:</b>	APRIL 12, 2016	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	SITE PLAN REVIEW: CROSSFIT CODY GYM (SILVER GATE ENTERPRISES) FILE: SPR 2016-08	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT DESCRIPTION:**

Dan Hunter of Silver Gate Enterprises has submitted a site plan application to construct a 4,988 sq. ft. building to be utilized as a crossfit fitness gym. The project is located southeast of the Blackburn Street and Cougar Avenue intersection, directly north of the Sierra Trading Post call center. The architectural depiction of the building is shown below and a site plan is attached. (Note the depicted setting of the building is not representative.)



**REVIEW CRITERIA:**

The property is located in the Open Business/Light Industrial (D-3) zoning district, which permits the type of use proposed.

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.*

In addition, specific standards apply for parking, drainage, etc.

**STAFF COMMENTS:**

Existing Conditions:

The characteristics of the surrounding area are as follows:

<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONING</i>
North	Woodward Tractor across Cougar Ave.	D-3
East	Portion of undeveloped lot. Houses across North Street.	D-3, and Residential B
South	Sierra Trading Post building.	D-3
West	Mentock Park.	D-3



Architecture:

The building is proposed to measure 50 feet by 98.5 feet, with a wall height of 14 feet and a total height at roof peak of about 27 feet. The building would have vertical metal panel siding and an architectural asphalt shingle roof. Wooden posts on rock veneer bases are proposed along the front (west) side of the building as a decorative feature between the three overhead garage doors. An entry canopy and rock veneer entryway would be located at the southwest end of the building.

While the asphalt shingle roof with the 6:12 pitch and the architectural enhancements on the west side of the building are appreciated, the other exterior walls of the building lack architectural features. Overall, the building is not the same architectural quality as the brick buildings to the south (Sierra Trading, State offices), or northwest (Emeritus Assisted Living). However, it is better than the Woodward Tractor site, which was established prior to annexation.

In the past the Board has been lenient on architecture when the landscaping plan was elaborate, and vice versa. However, in this case the landscaping is minimal, and the parking lot will be gravel, which combination lacks the finished look of the surrounding quality properties.

Staff believes the Board should discuss with the applicant the potential for adding architectural enhancements to the north and south ends of the building (e.g. enhance the variety of materials, textures, and/or colors), and/or enhancing the landscaping beyond what is currently proposed.

Landscaping:

The proposed landscaping plan is shown on Sheet 2 of the attached site plan. It includes a boulder/rock barrier strip along the street property lines, and decorative colored rock in the open area near the intersection. The rock color, depth and pattern, if any, are not specified. Two small planters are located near the entry canopy—plant materials are not specified.

The landscape plan does not address the area between the physical street and the property lines. Along Blackburn Avenue it is effectively a gravel shoulder along the road. Along Cougar Avenue there is about 15 feet between the proposed sidewalk and the property line, which should be required to be landscaped as well. The area immediately east of the building is not identified for landscaping either.

Access and Frontage:

Access to the site is directly from Blackburn Street. Blackburn Street is not currently constructed to the specified standard and lacks curb, gutter, and sidewalk. Typically commercial development is responsible to improve their frontage to applicable standards, but in this case the City has not designed the future street cross section and elevations that will be used for Blackburn Street. As was done with the mini-storage on Blackburn Street near Sheridan Avenue, it is recommended that Board specify that the owner enter into an agreement to install the sidewalk along Blackburn Street at such time that the City of Cody installs curb and gutter along the east side of Blackburn Street.

The site plan correctly shows sidewalk being installed along the Cougar Avenue curb and gutter that exists.

The approach location is acceptable to the City Engineer.

Parking:

The parking plan is in compliance with the City off-street parking regulations for parking stall and aisle dimensions, grading, location, ADA spaces, and configuration. However, it is lacking a paved approach onto Blackburn Street. In accordance with the City

parking requirements, the approach area is required to be paved with asphalt or concrete for a distance at least 25 feet from the edge of Blackburn Street.

The City parking code does not have a standard for the number of spaces needed. The ITE Parking Generation manual indicates an average weekday parking demand of 5.27 vehicles per 1,000 square feet of a Health/Fitness club. The proposed building would require 26 spaces under that standard. The applicant however indicates that the operator has been conducting classes for several years here in Cody and based on historical and planned activity levels, the proposed 15 parking spaces should be sufficient. They specifically note that each class can accommodate only 10-15 patrons because of the amount of space required for equipment and the activity. Apparently there is no overlap between classes either.

The parking ordinance specifically allows the Board to determine the number of required parking spaces based on the best information available. It is noted that the building may not be a crossfit gym forever, and that future use should be considered as well. A retail building of this size would require 17 spaces, while professional office use could require as many as 25 spaces. Fifteen spaces would accommodate some alternative commercial uses, but not all uses otherwise permitted by the zoning. Based on all of the above, staff is okay with only 15 spaces, provided the applicant understands the potential that it may limit future uses.

#### Exterior Lighting

The exterior lighting plan is described on Sheet 1. The front (west) side of the building will have recessed can lighting installed in the soffits. The north and south ends of the building will have low-profile, full cutoff LED wall packs—one on the north end to illuminate the signage and two on the south end. The illumination levels and distribution patterns are not identified in the application. That information is needed to verify whether the light levels are modest in intensity and are directed primarily within the property. The applicant will likely need to use a forward throw (Type IV) distribution pattern for the parking lot and a Type II distribution (shallow but wide pattern) for the north side. Note that the south lights may need to be mounted higher on the wall to be more effective.

#### Storm Water Plan:

The grading and storm water plan is on Sheet 4. The plan has been reviewed by the City engineer and meets the minimum standards, provided the parking lot remains gravel. If the parking lot is ever paved, current DEQ regulations would require a different type of storm water infiltration system.

#### Snow Storage

The required snow storage areas are shown in the northwest and south ends of the project.

### Utility Services

The locations and sizes of the existing and proposed utility services are shown on Sheet 1. The plans lack some details. Specifically, the water service line must be a minimum of 200 psi CTS, and the sewer service lines must be PVC type SDR35 or better. The plans also do not show how the primary power will tie into the existing system. For now the Board can simply specify that the utility materials and installations must meet City specifications. However, the as-constructed set of plans will need to be complete with the utility service information.

It is also noted that when staff last spoke with the applicant, the sewer services were going to be 6", so that maximum depth of sewer for the undeveloped portion of the property is available. The current plans show 4" services, which require a steeper slope and therefore may not be able to serve all of the future development on the east side of the property. Please verify size and slope.

### Signage

Sign details are included. The signs on the north end of the building total approximately 40.5 square feet. The signs on the west side of the building total about 16.8 square feet. The signs meet the dimensional and location requirements of the sign code and can be approved at this time.

### Hydrants

Adequate fire hydrants exist in the vicinity to meet code. The building, being less than 5,000 square feet, does not require fire sprinkler systems for this use.

### Garbage

The facility will use a roll-out can, which will be stored behind the building.

### Setbacks/Buffer

No zoning setbacks or buffers are required for this property.

### **ATTACHMENTS:**

Application materials.

### **ALTERNATIVES:**

Approve or deny the site plan with or without changes.

### **RECOMMENDATION:**

It is first recommended that the Planning and Zoning Board discuss options for enhancing the landscaping and/or architecture of the project. If they come to an agreeable conclusion, staff recommends approval of the project subject to the following.

1. Provide an updated site plan with the building permit which identifies the exact utility service connection methods, pipe materials, pipe/conduit sizes, and depth of

- bury. Provide an as-constructed plan set after construction is inspected and complete.
2. Provide an asphalt or concrete approach to Blackburn Street that extends the width of the approach and runs at least 25 feet. The asphalt must be installed on a suitable base. Provide details with the plans submitted with the building permit.
  3. The exterior light fixtures must have lighting patterns and illumination levels that result in modest lighting levels and largely confine illumination to within the property. Lighting details will be reviewed by staff prior to issuance of a building permit.
  4. Submit a Class V permit application to the Wyoming DEQ Underground Injection Control Program for the infiltration trenches.
  5. The parking lot cannot be paved unless further review and approval relating to the storm water system is completed.
  6. Pay applicable utility fees in conjunction with the building permit fee.
  7. Identify size and depth of landscape rock and use of weed mat in the landscape areas.
  8. Prior to issuance of a certificate of occupancy, the drainage facilities must be inspected and certified by the applicant's engineer that they were completed according to approved plans.
  9. Prior to occupancy, the property owner must complete and record with the County Clerk's office an agreement for future construction of sidewalk along Blackburn Street.
  10. The applicant shall be responsible for landscaping the area between the property line and the Cougar Avenue sidewalk.
  11. The facility shall be operated such that noise from inside the facility shall not be clearly discernable at any neighboring building that currently exists. (There is some concern with the potential for open garage doors and loud music.)
  12. The project must otherwise comply with the site plan and applicable building, fire, and electrical codes.
  13. Any other landscaping or architectural requirements. (e.g. additional architectural enhancements; landscape the 10' strip east of the building—to future property line.)



PLANNING, ZONING AND ADJUSTMENT BOARD  
COMMERCIAL SITE DEVELOPMENT APPLICATION

STAFF USE
File #: SPR2016-_____
P&Z Invoice: _____
Date Submitted: _____

Applicant's Name: Dan Hunter Business Name: Silver Gate Enterprises, LLC  
 Applicant's Mailing Address: 1432 Sheridan Avenue City: Cody State: WY Zip: 82414  
 Phone: 587-6234 Cell: \_\_\_\_\_ Email: dan@wavecom.net  
 Project Address: S.E. Corner of Blackburn & Cougar Cody, WY Zoning: D-3  
 Property Owner's Name: Silver Gate Enterprises, LLC Phone/Cell: Same  
 Property Owner's Mailing Address: Same City: Same State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Description of Proposal (attach additional sheets as necessary): Site and drainage plan for a +/- 50 ft x ~~100~~<sup>98.5</sup> ft commercial building.

Legal Description of Property (or attach copy of deed): Hillberry Subdivision: the South 160 ft of the North 240 ft of Lot 4

Estimated Construction Start Date: April, 2016

Representative Attending Planning and Zoning Meeting: Dan Hunter

Signature of Property Owner: *Dan Hunter* 3-21-16  
 Signature Date

**APPLICATION MATERIALS:**

Applicants are encouraged to arrange a pre-application meeting with staff to ensure a complete submittal. An incomplete application may result in delays in processing. The following items are to be submitted with the application.

- 1) **FEE:** Each application shall be accompanied by one of the following review fees. Payment may be made by cash, check, or credit card (Visa, MasterCard, Discover).
- Site Plan Review (also includes Landscape, Architecture, and Sign Plan).  
 Size of Building/Addition: ~~5070~~ 4988 S.F. @\$0.05 per square foot = \$ 253.50 \$250.00 minimum
  - Landscape, Architecture and Sign Plan only. (Typically modifications to existing development.) \$100.00
  - Minor Commercial Review. (Windows, doors, awnings, building access or exterior finish only.) \$50.00

- 2) **COPIES:**
- Twelve (12) paper copies\* of the application materials (plans, project description, sign plan, and other required information).
  - A digital copy (PDF) of each of the application documents.

\*For complex projects, or if the applicant wishes, submit only two full-size paper copies and the electronic copy for staff review and wait until staff review is complete before providing the 12 copies for the Planning and Zoning meeting. This allows for corrections and changes to the plans before the 12 copies are printed. The 12 copies and an updated PDF will need to be submitted well before the Planning and Zoning meeting, as coordinated with staff.

- 3) **PLANS AND ADDITIONAL FORMS:** Commercial Site Plan Review requires all of the following, whereas minor commercial reviews and landscape/architectural plans need only include items applicable to the current proposal. All plans must be dimensioned, clearly legible, and printed at a standard scale.

**Please include the following Architectural and Site Plan components:**

- Provide dimensioned elevation views of each building face to illustrate scale, materials, colors, and roof lines.
- Provide a site plan showing all existing and proposed buildings and structures, outdoor use areas, lot lines, setbacks, access points, driveways, sidewalks, easements, landscape areas, signs, fences, fire hydrants, wells, and drain fields, as applicable. Include a vicinity map with vicinity information describing surrounding land uses and zoning.
- Show the parking lot layout and pedestrian access details (parking lot surfacing/pavement limits, curbing, sidewalk, ADA ramps, tactile warning strips, etc.). Include details to verify compliance with the City off-street parking ordinance (Title 10, Chapter 16), and ADA accessibility requirements.
- N/A  Identify proposed fencing and retaining walls (location, height, materials).
- Provide exterior lighting details (location, size, type of fixtures, and cut sheets/photometric data). Note: Photometric plans may be required for projects with intensive exterior lighting or locations with potential lighting conflicts. Full cut-off lighting fixtures are typically required.
- Show the general grading and drainage scheme.
- Identify snow storage areas.
- Identify the trash and recycling dumpster locations and any proposed screening. (City trucks are side-loading)
- Many projects require a basic floor plan of the building(s) in order to determine parking requirements, utility needs, etc. Consult with the City Planner to determine if a floor plan is needed.

**Please include the following Utility components:**

- Identify all existing and proposed domestic water, sanitary sewer, storm water, electrical, raw water, natural gas, and telecommunication utility lines. Be sure to include locations of necessary inlets, cleanouts, valves, hydrants, etc.
- If project is a new, expanded, or redeveloped commercial site, submit complete grading and storm water plans and a drainage report from a WY licensed engineer, which comply with the city storm water management policy manual (no increase in runoff). Identify the location and size of all drainage facilities. A drainage report from a WY licensed engineer may not be necessary if the total amount of impervious surface is less than 4,000 sq. ft.
- Identify the size of any new water line and water meter. Provide estimated wastewater quantities if the use will generate more wastewater than a typical household (up to 5,000 gallons/month).
- If a change to electrical service is needed, complete the attached Electrical Division Review Comments Form.
- Identify the locations of existing and proposed electrical power lines, electrical equipment, and utility easements on or adjacent to the project site.

**Please include the following Landscape components:**

- Provide a landscape plan to illustrate the location of the landscaping, the types of plants, other landscaping materials, and groundcover. Also identify the irrigation water source and route to the landscape areas.
- Provide a Landscape Bond Agreement if applicable (If want occupancy prior to the installation of landscaping).

**You may include the attached Sign Plan Application:**

- Complete and submit the Sign Plan Application and associated documentation. The sign application may be submitted at a later date, although an additional fee will apply.

**PLANNING AND ZONING BOARD REVIEW:**

Review of this application is conducted by the Planning and Zoning Board. The Board meets the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month at noon in the City Council Chambers (1338 Rumsey Avenue). Applications should be submitted at least one month prior to the meeting to allow review and comment by affected city departments, and any needed revisions. Incomplete and complex projects occasionally require longer. Exceptions to the one-month submittal deadline may be made when staff workload and schedules allow. NOTE: It is possible to submit for building permit review at the same time, if your construction drawings are complete.

**Desired Planning and Zoning Meeting Date:** April 12, 2016

**2016 Meeting Dates:**

Jan. 12 & 26	Feb. 9 & 23	Mar. 8 & 22	April 12 & 26	May 10 & 24	June 14 & 28
July 12 & 26	Aug. 9 & 23	Sept. 13 & 27	Oct. 11 & 25	Nov. 8 & 22	Dec. 13 & 27



COMMUNITY DEVELOPMENT DEPARTMENT  
SIGN PLAN REVIEW APPLICATION

STAFF USE  
File #: SGN2016-\_\_\_\_\_  
P&Z Invoice: \_\_\_\_\_  
Date Submitted: \_\_\_\_\_

Applicant's Name: Same as above Business Name: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

Project Address: \_\_\_\_\_ Cody, WY Zoning: \_\_\_\_\_

Property Owner's Name: \_\_\_\_\_ Phone/Cell: \_\_\_\_\_

Property Owner's Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Sign Installer (Commercial signs require a licensed installer): \_\_\_\_\_

- Types of Signs:  Attached Wall  Projecting  Awning  Banner (Temporary)  Inflatable (Temporary)  
 Freestanding  Monument  Electronic Message Board  Temporary A-Frame  
 Other (Marquee, Suspended, Bulletin, Billboard, Subdivision, etc.)—Please describe \_\_\_\_\_

Is the sign in the Downtown Sign District? (1/2 block each side of Sheridan Avenue, from 9<sup>th</sup> St. to 16<sup>th</sup> St.)  No  Yes

Will an existing sign be replaced by the proposed sign(s)?  No  Yes (If yes, note which sign in description below.)

Brief Description of Proposal: Sign is proposed as a part of the new construction for the site and building included with the  
accompanying Commercial Site Plan application.

Property Owner: \_\_\_\_\_ OR  Letter of authorization from property owner  
*Signature Date*

**FEE SCHEDULE:**

Each application for a sign review shall be accompanied by a review fee as set forth by Title 10 Chapter 15 of the city code.

- |   |                    |
|---|--------------------|
| <input type="checkbox"/> Off-Premise Temporary A-Frame Signs  | No Fee             |
| <input checked="" type="checkbox"/> Sign Application Submitted with Commercial Site Development Application | No Additional Fee* |
| <input type="checkbox"/> Attached wall, projecting, awning, inflatable, freestanding on existing supports   | \$25.00*           |
| <input type="checkbox"/> Freestanding requiring new base structure, or electronic message board             | \$50.00*           |

\* A building permit fee, based on the valuation of the sign, is required in addition to the fee noted above. The building permit fee is calculated and collected when the permit is ready to be issued.

**MATERIAL REQUIRED FOR SUBMITTAL & REVIEW**

Two\* copies of a drawing or graphic rendering of the proposed sign(s) that indicate the sign content, design, colors, dimensions, area per sign face, materials, lighting and anchoring/mounting details. (\* 12 copies if Planning and Zoning Board Review needed.)

N/A  Identify any existing signs that will be removed or replaced by the proposed signs.

N/A  If the proposed sign is under the general category of "freestanding" (not attached to a building), submit:

- A site plan that identifies the location of the freestanding sign and its distance to all property lines and utility easements in proximity.
- The dimensions and square footage of any freestanding sign that will remain on the premises.

If the proposed sign is attached to a building or something on a building, submit:

- Drawings or photo renderings depicting the sign(s) on the building elevation(s).
- If the sign is permanent (>120 days), note the dimensions and square footage of any existing signs that will remain on the building(s).

A Building Permit Application for installation of the sign(s). To be included with permit application for building.

**If applicable, please provide any additional information pertaining to the specific sign type as necessary to demonstrate compliance with the city sign code (Chapter 10-15). Some of the requirements for specific sign types include:**

- Banners must be displayed as a wall sign or attached to railings, and must be securely fastened so that it may not be blown down, in whole or in part. Any other location for display of a banner or advertising flag must be approved through the planning, zoning and adjustment board.
- Advertising flags must be securely fastened.
- Banners and advertising flags must be of professional quality construction and appearance pursuant to the definition in section [10-15-2](#).
- If the banner/advertising flag becomes damaged or detached, it must be removed or repaired within 48 hours.
- Banners are subject to the 120-day time limit for temporary/seasonal signs.

**Electronic Message Boards and Animated Signs:**

- Not more than one electronic message board sign may be permitted per zoning lot.
- The sign shall not display off-premise commercial advertising.
- They are not permitted in residential sign districts.
- The leading edge of the sign must be a minimum distance of 100 feet from an abutting residential zoning district.
- Electronic message boards must utilize an automatic dimmer control so as to not exceed a maximum luminance of 5,000 nits from sunrise to sunset, and a maximum luminance of 500 nits from sunset to sunrise.
- The use of audio speakers is prohibited in association with the sign.
- 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 WYDOT.

**Temporary A-frame Signs:**

- Each organization and/or business may receive one permit per year, which will be valid for up to 7 consecutive days.
- Dates requested: \_\_\_\_\_
- No more than 5 permits will be issued for the same 7-day period. Permits are issued on a first come first served basis.
- No signs shall be placed within the public right of way except as otherwise allowed by the City Code with Council ok.
- No applicant is allowed to place more than 6 temporary A-frame signs. Please provide a site plan of the locations.
- Provide a signature or letter of authorization from each property owner.

Address	Signature

Address	Signature

**Billboards:** Applications must also include:

- Legal lease between the property owner and the billboard company which addresses the removal of the billboard (both the sign itself and the support structure for the billboard) at the termination of the lease.
- Bond suitable in value to cover the removal of all portions of the sign and support structure at the end of the lease.

**Inflatable Signs:** Applications must also include:

- Design and construction details to demonstrate compliance with City wind load requirements.
- How the electricity will be supplied to the inflatable.
- Demonstrate that the anchoring mechanisms will not present a danger to the public.
- Site plan showing existing structures, power poles, trees, street and pedestrian paths and all other features which may be impacted.
- Sign Height: \_\_\_\_\_

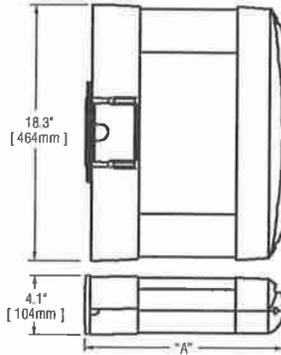


- a. All streetlight conduits shall be 1-1/2" schedule 40 electrical grade PVC. A pull string shall be installed in the streetlight conduit run by the contractor.
  - b. All streetlight conduit sweeps shall be a minimum of 12" radius schedule 40 electrical grade PVC.
- 6) The City shall supply transformer box pads, sectionalizing vault ground sleeves, secondary service pedestals, ground rods with pigtails and streetlight bases to the developer's contractor to be installed by the contractor to City specifications. For further information on the placement and clearance requirements for such equipment, refer to the Electric Distribution Standards Policy available in the City of Cody Engineering Office.
- a. All transformer box pads and sectionalizing vault ground sleeves shall be installed so that the top of the pad or sleeve is at least 3" above finished grade. In addition, the City supplied ground rod and pigtail shall be installed with the pad or ground sleeve with the free end of the pigtail wrapped around the conduit sweep for access by the utility for equipment installation.
  - b. Streetlight bases shall be installed so that the top of the pre-poured base is at least 2" above finished grade. The four bolt pattern shall be aligned with the street roadway, sidewalk or curb.
- 7) The developer's labor and equipment costs to install the electrical distribution conduit, box pads, ground sleeves, ground rods, secondary pedestals and streetlight bases shall be traded for the City's labor and equipment costs to install and connect the cable, transformers, sectionalizing vaults and streetlights for the project.

**Easement Requirements:**

- 1) The developer shall survey, describe and provide any easements necessary for the purposes of providing distribution service to the project. Easement dimensions shall be determined after the information above is obtained by the City Electrical Engineer.
- 2) Signed easement documents shall be provided to the City of Cody Engineering Office prior to start of construction.
- 3) No permanent structures, trees or large shrubs shall be placed on the utility easement by the developer or subsequent landowners. This information shall be conveyed to the buyers by the developer.

BetaLED Catalog #: SEC - EDG - - WM - - D - - - - -



# of LEDs	Dim. "A"
20	11.91" [303mm]
40	11.91" [303mm]
60	13.91" [353mm]
80	15.91" [404mm]
100	17.91" [455mm]
120	19.91" [505mm]

Notes:

Product	Family	Optic	Mounting	# of LEDs (x 10)	LED Series	Voltage	Color Options	Drive Current Not Field Adjustable	Factory-Installed Options
SEC	EDG	<input type="checkbox"/> 4M <sup>1</sup> <input type="checkbox"/> 4MB <sup>2</sup>	WM <sup>3</sup>	<input type="checkbox"/> 02 <input type="checkbox"/> 04 <input type="checkbox"/> 06 <input type="checkbox"/> 08 <input type="checkbox"/> 10 <input type="checkbox"/> 12	D	<input type="checkbox"/> UL Universal 120-277V <input type="checkbox"/> UH Universal 347-480V <input type="checkbox"/> 12 120V <input type="checkbox"/> 24 240V <input type="checkbox"/> 27 277V <input type="checkbox"/> 34 347V	<input type="checkbox"/> SV Silver (Standard) <input type="checkbox"/> BK Black <input type="checkbox"/> BZ Bronze <input type="checkbox"/> PB Platinum Bronze <input type="checkbox"/> WH White	<input type="checkbox"/> 350 350mA <input type="checkbox"/> 525 <sup>4</sup> 525mA <input type="checkbox"/> 700 <sup>5</sup> 700mA	<input type="checkbox"/> 40K 4000K Color Temperature <sup>6</sup> <input type="checkbox"/> DIM 0-10V Dimming <sup>7,8,9</sup> <input type="checkbox"/> F Fuse <sup>10,11,12</sup> <input type="checkbox"/> P PhotoCell <sup>11,12</sup> <input type="checkbox"/> ML Multi-Level (75/525) <sup>13</sup>

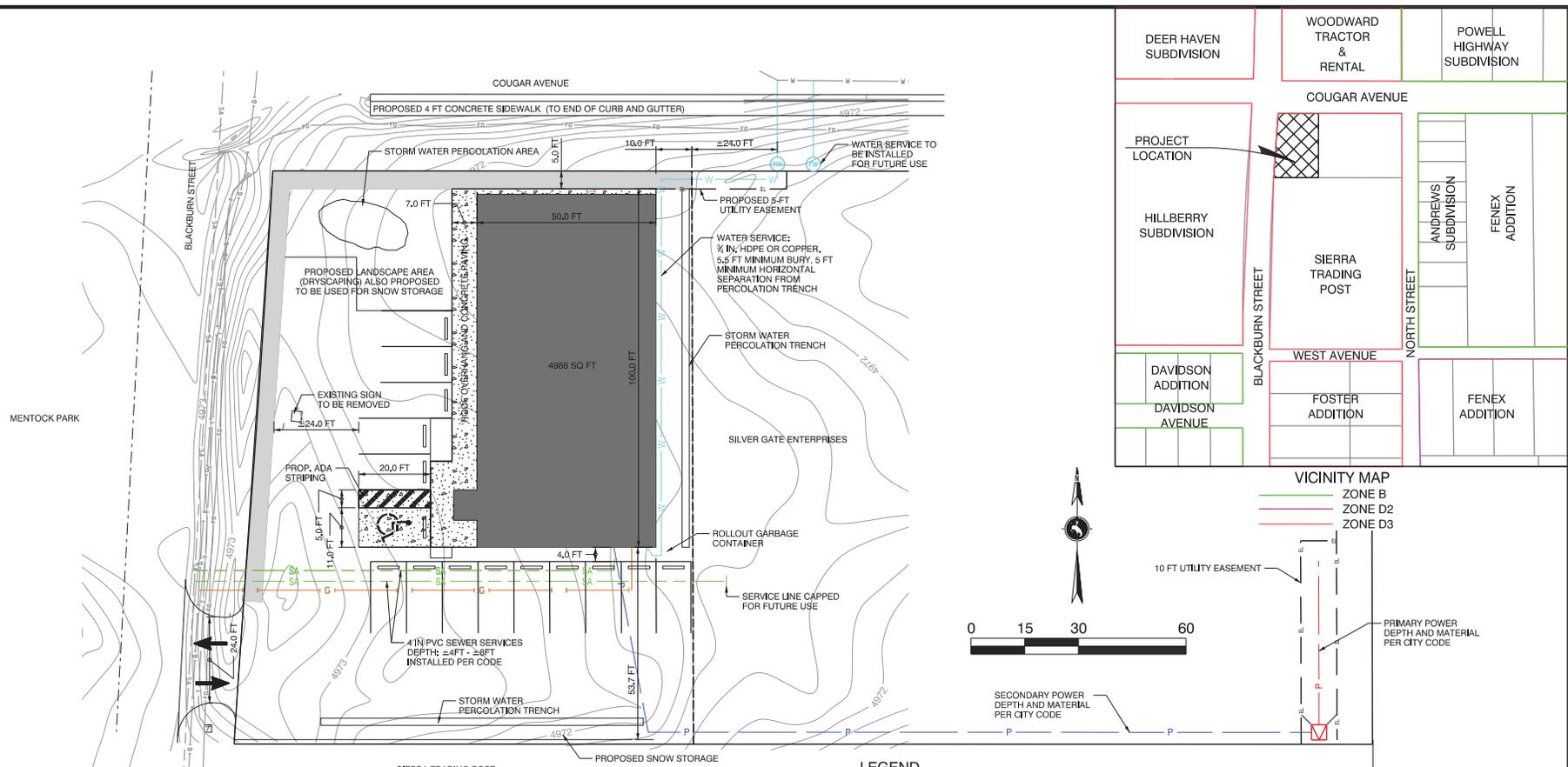
Footnotes

- IESNA Type IV Medium distribution
- IESNA Type IV Medium distribution w/ backlight control
- Wall mount
- Available on fixtures with 20-80 LEDs
- Available on fixtures with 20-60 LEDs
- Color temperature per fixture; 5700K standard; minimum 70 CRI
- Control by others
- Refer to dimming spec sheet for availability and additional information
- Not available when UH voltage is selected
- When code dictates fusing use time delay fuse
- Not available with all multi-level options. Refer to multi-level spec sheet for availability and additional information
- Must specify voltage other than UL or UH
- Refer to multi-level spec sheet for availability and additional information

LED PERFORMANCE SPECS																								
# of LEDs	Initial Delivered Lumens - Type IV Medium @ 5700K	B U G Rating**		Initial Delivered Lumens - Type IV Medium w/ Backlight Control @ 5700K	B U G Rating**		Initial Delivered Lumens - Type IV Medium @ 4000K	B U G Rating**		Initial Delivered Lumens - Type IV Medium w/ Backlight Control @ 4000K	B U G Rating**		System Watts 120-480V	Total Current @ 120V	Total Current @ 240V	Total Current @ 277V	Total Current @ 347V	Total Current @ 480V	L <sub>70</sub> Hours* @ 25° C (77° F)	50K Hours Lumen Maintenance Factor* @ 15° C (59° F)				
		B	U		G	B		U	G		B	U									G	B	U	G
<b>350mA Fixture Operating at 25° C (77° F)</b>																								
20	1,913 (02)	1	0	1	1,441 (02)	0	1	1	1,763 (02)	1	0	1	1,328 (02)	0	0	1	26	0.20	0.11	0.10	0.09	0.07	>150,000	93%
40	3,826 (04)	1	0	1	2,882 (04)	1	0	1	3,526 (04)	1	0	1	2,656 (04)	1	0	1	47	0.40	0.21	0.19	0.15	0.12	>150,000	
60	5,665 (06)	2	0	2	4,267 (06)	2	0	2	5,221 (06)	2	0	2	3,933 (06)	2	0	2	68	0.58	0.30	0.26	0.20	0.16	>150,000	
80	7,554 (08)	2	0	2	5,690 (08)	2	0	2	6,962 (08)	2	0	2	5,244 (08)	2	0	2	90	0.77	0.38	0.34	0.26	0.20	>150,000	
100	9,419 (10)	2	0	2	7,095 (10)	2	0	2	8,681 (10)	2	0	2	6,539 (10)	2	0	2	111	0.95	0.47	0.42	0.32	0.24	>150,000	
120	11,302 (12)	3	0	3	8,513 (12)	3	0	3	10,417 (12)	3	0	3	7,846 (12)	3	0	3	132	1.15	0.56	0.50	0.38	0.28	>150,000	
<b>525mA Fixture Operating at 25° C (77° F)</b>																								
20	2,678 (02)	1	0	1	2,017 (02)	0	0	1	2,469 (02)	1	0	1	1,859 (02)	0	0	1	37	0.31	0.17	0.16	0.12	0.10	136,000	92%
40	5,357 (04)	2	0	2	4,035 (04)	2	0	2	4,937 (04)	2	0	2	3,719 (04)	2	0	2	70	0.57	0.29	0.26	0.21	0.16	136,000	
60	7,932 (06)	2	0	2	5,974 (06)	2	0	2	7,310 (06)	2	0	2	5,506 (06)	2	0	2	102	0.87	0.44	0.39	0.30	0.22	129,000	
80	10,575 (08)	2	0	2	7,966 (08)	2	0	2	9,747 (08)	2	0	2	7,342 (08)	2	0	2	133	1.14	0.56	0.49	0.39	0.29	129,000	
<b>700mA Fixture Operating at 25° C (77° F)</b>																								
20	3,271 (02)	1	0	1	2,450 (02)	0	0	1	3,015 (02)	1	0	1	2,258 (02)	0	0	1	50	0.42	0.22	0.20	0.15	0.12	111,000	90%
40	6,543 (04)	2	0	2	4,900 (04)	2	0	2	6,030 (04)	2	0	2	4,516 (04)	2	0	2	93	0.79	0.40	0.35	0.27	0.20	111,000	
60	9,688 (06)	2	0	2	7,255 (06)	2	0	2	8,929 (06)	2	0	2	6,686 (06)	2	0	2	137	1.18	0.59	0.51	0.39	0.29	111,000	

\* For recommended lumen maintenance factor data see TD-13. \*\* For more information on the IES BUG (Backlight-Uplight-Glare) Rating visit [www.iesna.org/PDF/Erratas/TM-15-11BugRatingAddendum.pdf](http://www.iesna.org/PDF/Erratas/TM-15-11BugRatingAddendum.pdf).





**NOTES**

- EXISTING FEATURES SHOWN GREYSCALE.
- NO TELECOMMUNICATIONS SERVICE PROPOSED OTHER UTILITIES PROPOSED AS SHOWN
- VAN ACCESSIBLE PARKING MARKED BY ADA SIGN
- ALL PARKING SPACES ARE 10' X 20' UNLESS OTHERWISE NOTED. STRIPING SHOWN IS FOR ILLUSTRATION ONLY - UNLESS LOT IS PAVED.
- RECYCLED RUBBER PARKING BLOCKS TO BE INSTALLED AS SHOWN.
- PROPOSED EXTERIOR LIGHTING:  
WEST SIDE - RECESSED CAN LIGHTING INSTALLED IN SOFFITS  
NORTH & SOUTH ENDS - SEE LIGHTING CUT SHEET
- WYDOT GRADE W OR EQUIVALENT

**LEGEND**

- SUBDIVISION BOUNDARY
- - - FUTURE SUBDIVISION LOT LINES
- - - ADJACENT PROPERTY LINES
- - - STREET CENTERLINE
- EL - EASEMENT LINE
- PROPOSED BUILDING
- ▨ CONCRETE
- BOULDER/ROCK BARRIER STRIP
- SA — EXISTING SANITARY SEWER
- SA — PROPOSED SANITARY SEWER
- W — EXISTING TREATED WATER
- W — PROPOSED TREATED WATER
- P — PROPOSED PRIMARY POWER
- P — PROPOSED SECONDARY POWER
- PROPOSED TRANSFORMER
- G — PROPOSED UNDERGROUND GAS

REVISIONS		JOB NO. 2016-016	
DATE	DESCRIPTION	DRAWN BY-	DAT
03/22/16	DRAFT SITE PLAN SUBMITTAL	CHECKED BY-	DRS
04/04/16	P&Z SUBMITTAL	APPROVED BY-	DRS

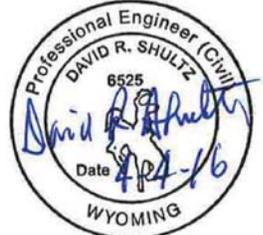
**SITE PLAN**

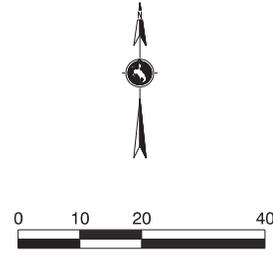
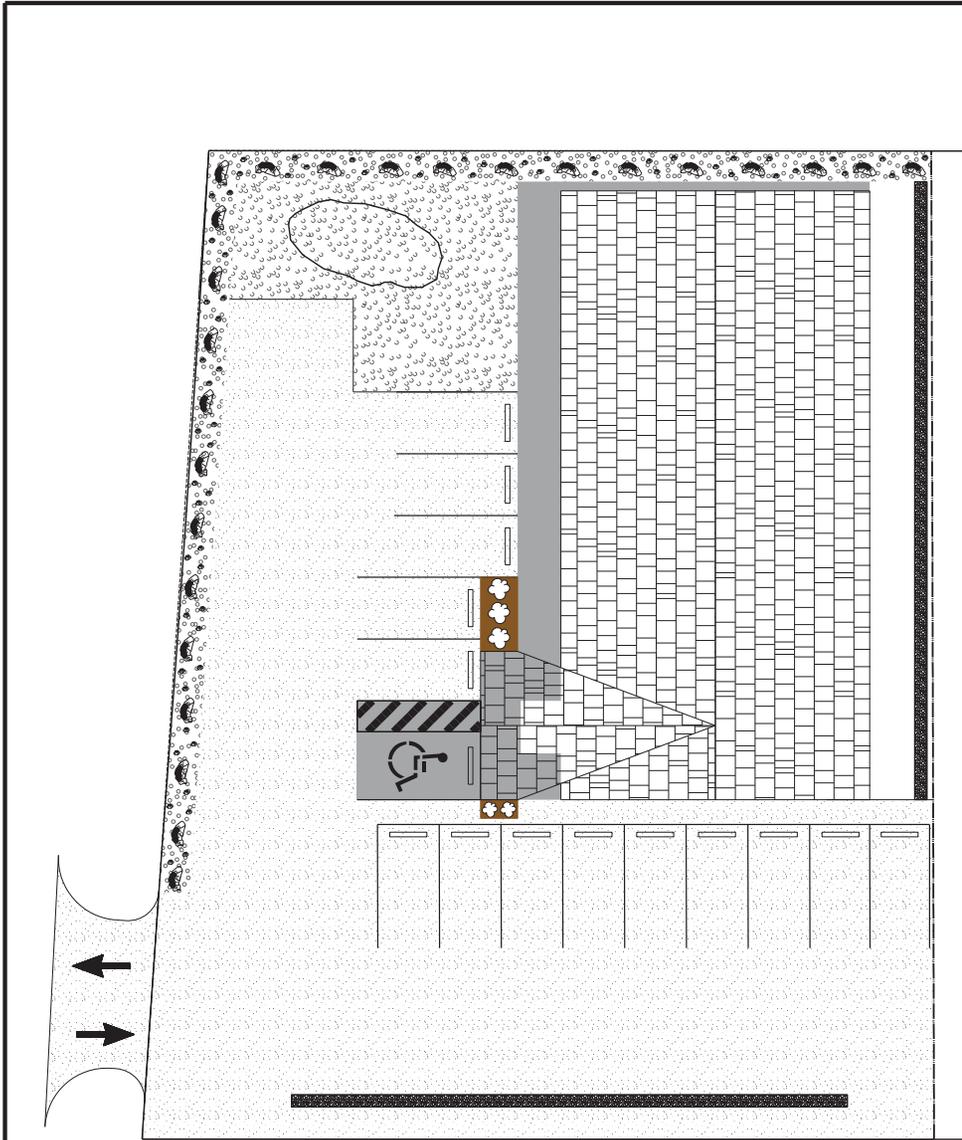
**CODY CROSSFIT**  
OWNER - SILVER GATE ENTERPRISES, LLC.

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

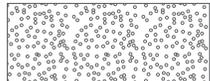
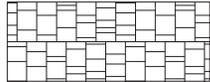


2725 W MAIN ST  
P.O. BOX 1153  
RIVERTON, WY 82501  
PHONE: (307) 240-5915





NOTES:  
 PLANTERS TO BE DRIP IRRIGATED FROM  
 BUILDING TREATED WATER SYSTEM.

- DECORATIVE COLORED ROCK 
- BUILDING 
- COMPACTED GRAVEL (WYDOT GR. W OR EQUIVALENT) 
- CONCRETE 
- PERCOLATION TRENCH (CLEAN COBBLE) 
- BOULDER/ROCK BARRIER W/ DECORATIVE ROCK 
- PLANTERS 



REVISIONS		JOB NO.	2016-016
DATE	DESCRIPTION	DRAWN BY-	DAT
03/22/16	DRAFT SITE PLAN SUBMITTAL	CHECKED BY-	DRS
04/04/16	P&Z SUBMITTAL	APPROVED BY-	DRS

LANDSCAPE PLAN

CODY CROSSFIT  
 OWNER - SILVER GATE ENTERPRISES, LLC.

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

  
 SAGE CIVIL ENGINEERING

2725 W MAIN ST  
 P.O. BOX 1153  
 RIVERTON, WY 82501  
 PHONE: (307) 240-5915

WEST SIDE

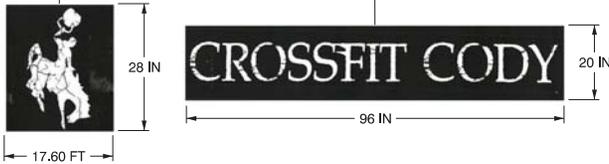


TEXTURED ASPHALT SHINGLES

TIMBER POSTS

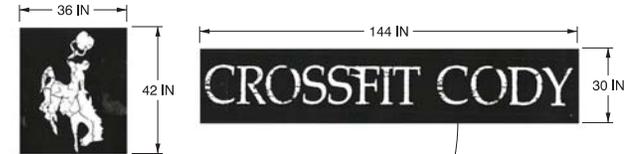
LAYERED ROCK VENEER

STEEL INSULATED OVERHEAD DOORS  
12½ FT HT x 12 FT W



SIGNAGE  
FRONT (WEST) SIDE

SOUTH SIDE



SIGNAGE  
NORTH SIDE

PROPOSED SIGNAGE TO BE  
BLACK AND WHITE

STEEL VERTICAL SIDING



EAST SIDE



NORTH SIDE

REVISIONS		JOB NO.
DATE	DESCRIPTION	2016-016
03/22/16	DRAFT SITE PLAN SUBMITTAL	DRAWN BY- DAT
04/04/16	P&Z SUBMITTAL	CHECKED BY-
		APPROVED BY-

ELEVATION VIEWS

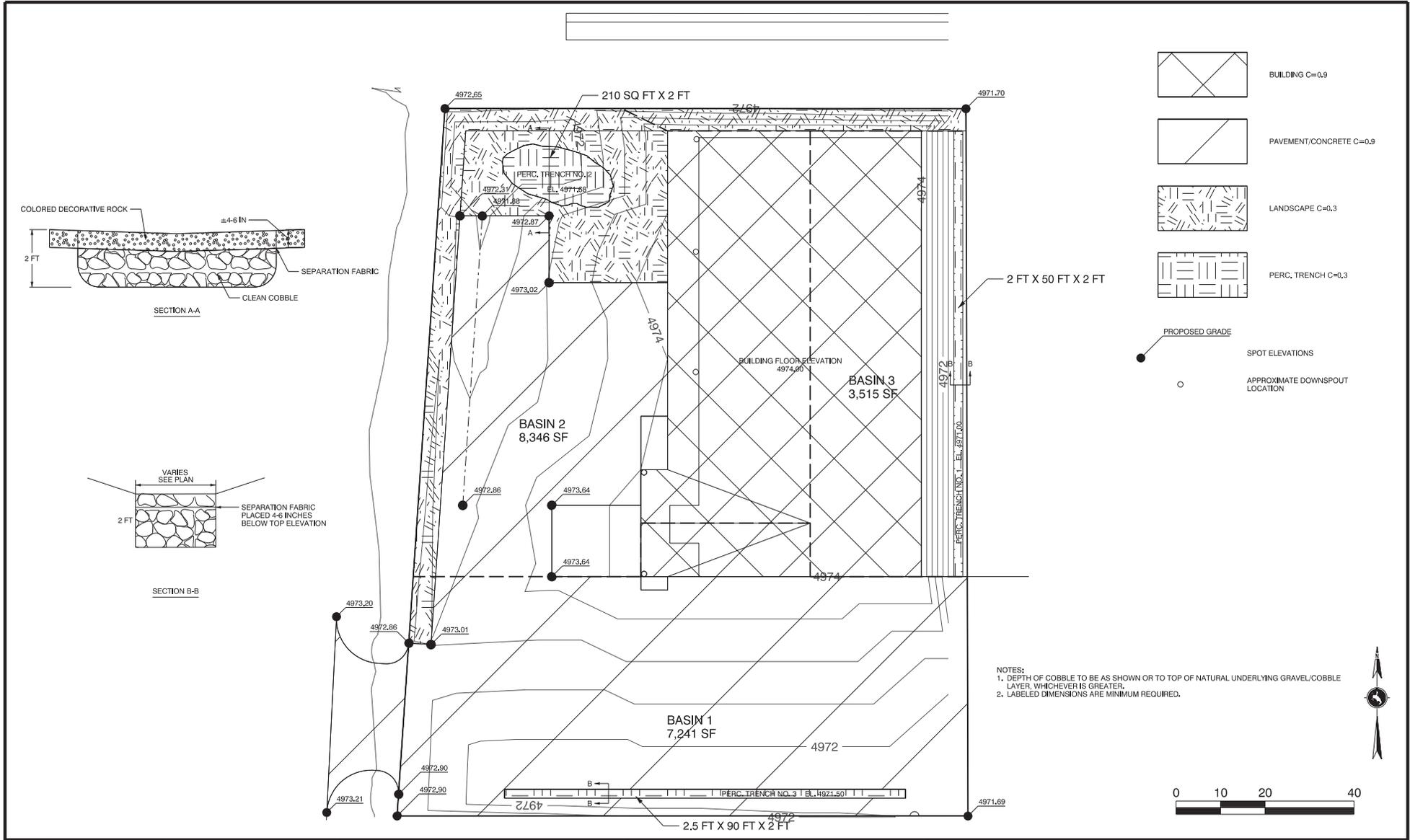
CODY CROSSFIT  
OWNER - SILVER GATE ENTERPRISES, LLC.

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



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REVISIONS		JOB NO. 2016-016	
DATE	DESCRIPTION	DRAWN BY-	DAT
03/14/16	DRAFT SITE PLAN SUBMITTAL	CHECKED BY-	DRS
04/04/16	P&Z SUBMITTAL	APPROVED BY-	DRS

**DRAINAGE PLAN**

**CODY CROSSFIT**  
 OWNER - SILVER GATE ENTERPRISES, LLC.

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



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 RIVERTON, WY 82501  
 PHONE: (307) 240-5915

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

<b>MEETING DATE:</b>	APRIL 12, 2016	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	SPECIAL EXEMPTION PUBLIC HEARING: REDUCE THE SIDE SETBACK REQUIREMENT AT 943 SIMPSON AVENUE FOR AN ADDITION. SUP 2016-03	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT DESCRIPTION & BACKGROUND:**

DBW Construction, representing Luke and Rachel Bracke, has submitted a Special Exemption application requesting a reduction in the side yard setback requirement in order to construct a two-story addition to the existing residence at 943 Simpson Avenue. The proposed addition would be located about two feet from the west property line, where a minimum of five feet is normally required. An existing attached garage that is immediately next to the west property line will be removed to accommodate the new addition.

The public hearing for the exemption request was advertised as required by certified mail to neighboring properties within 140 feet, and by publication in the newspaper.



**Existing Conditions:**



**REVIEW CRITERIA:**

Pursuant to Section 10-14-2(B) of the City of Cody Code, the Planning and Zoning Board may consider special exemptions to setback and yard requirements. The standards for approval of a special exemption are as follows, with staff comments provided.

*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;*

Staff Comment: Fourteen neighboring property owners were notified of the proposal. As of the time of this staff report, only two responses have been received, both indicating support for the request. The immediately adjoining neighbor has not responded. Neighbor comment is a primary factor in determining whether an undesirable change would result.

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

Staff Comment: The project would result in the building being two feet from the property line, while the existing garage is immediately next to the property line. However, the length of the encroachment into the setback would be extended from the current 24 feet to 38 feet—the depth of the addition.

The change from single story to two story is visually significant, yet it is noted that due to building/fire code restrictions, there will be no windows or openings in the wall nearest the property line, so privacy for the neighbor is actually better than if the addition met the 5-foot setback and had windows in that wall. Also, the existing garage does not meet fire code, but the new construction will.

The addition constitutes an expansion of a permitted use, so compatibility of use is not a concern.

- 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;*

Staff Comment: The main level of the addition will be a two-car garage. The width of the addition is 24 feet. The stairs to the second story are interior to the garage and take up about 3 ½ feet of the 24-foot width. Therefore, the garage width is pretty much at the minimum it can be and still accommodate two cars.

*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;*

Staff Comment: No other feasible options have been identified that would achieve the requested result.

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

Staff Comment: No additional services are proposed or needed that do not already exist at the house.

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

Staff Comment: The future land use map designation for this area is "low-density residential", which is consistent with the continued single-family residential use of the property. There are no identified master plan goals specific to the setback situation, other than general statements such as "protect the existing character in stable residential areas" which fits into items 'a' and 'b' above.

**OTHER:**

It is noted that the site plan shows other construction on the property—a front porch and rear deck. The review in this staff report is limited to the setback from the west property line only. Additional research and analysis of a sewer main running north through the property will be needed before a building permit can be issued for any of the improvements.

**ALTERNATIVES:**

Approve, deny or approve with conditions.

**ATTACHMENTS:**

Site Plan and Draft Permit.

**RECOMMENDATION:**

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

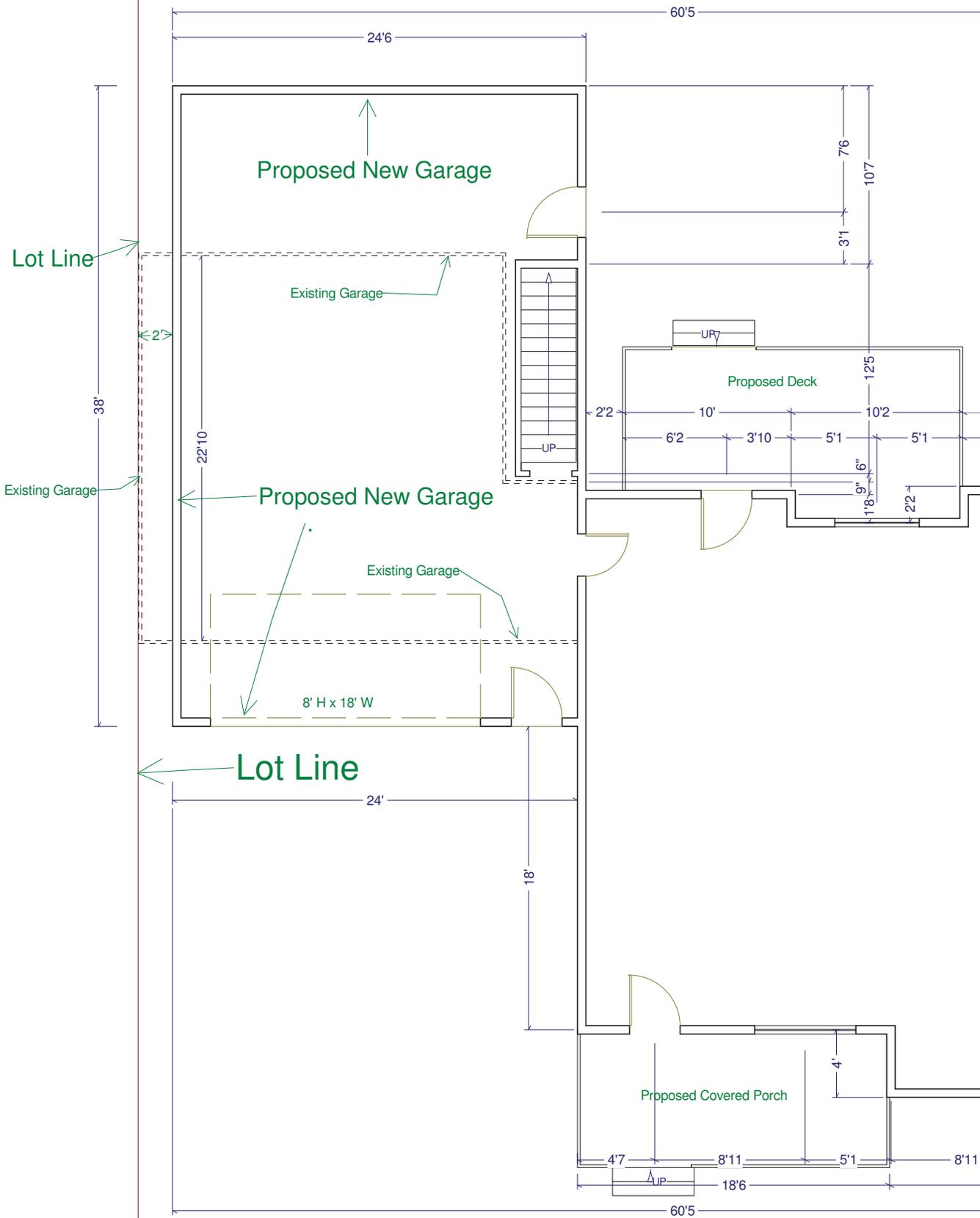
1. That proper notice of the special exemption public hearing was provided by advertising in the Cody Enterprise and by certified mail to all property owners within 140 feet at least ten days before the hearing.
2. That the Planning and Zoning Board may grant special exemptions that are reasonable and harmless deviations from the zoning ordinance as determined by the standards outlined in Section 10-14-2, City of Cody Code.
3. That the Planning and Zoning Board has held a public hearing as required and has considered all comments pertaining to the request; and,

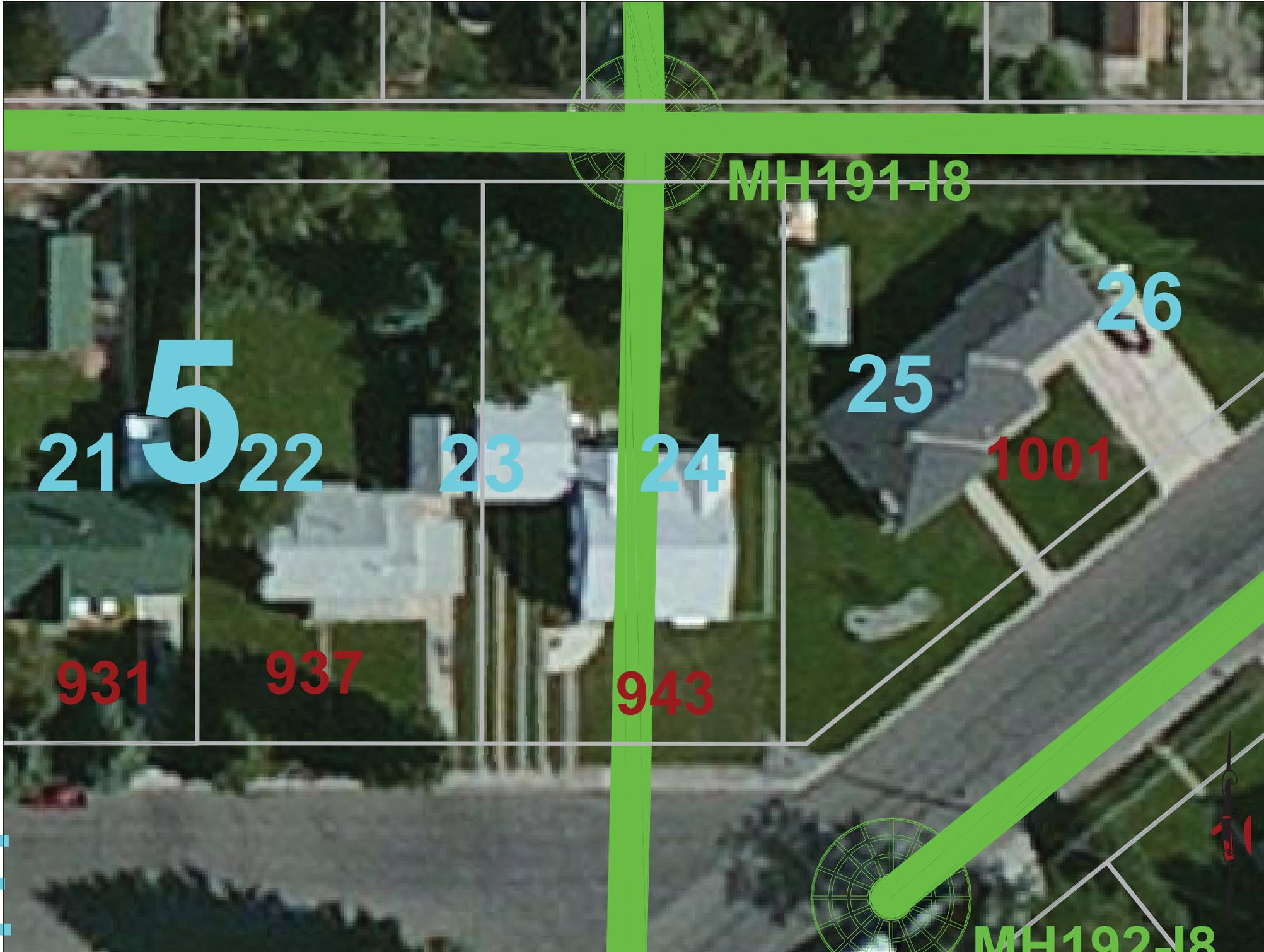
4. That the points identified in the staff report and at the Board meeting are adequate to set forth the reasoning why the criteria of 10-14-2(B)(2) are met.

AND,

Approve the Special Exemption request for the reduced side setback of approximately 2.0 feet to allow construction of a two-story addition at 943 Simpson Avenue, as proposed.

NOTE: If approved, the applicant will need to complete and record the special exemption permit at the County Clerk's office within 10 days. The draft permit is attached.





MH191-I8

26

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1001

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931

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943

MH192-I8





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

<b>MEETING DATE:</b>	APRIL 12, 2016	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	SPECIAL EXEMPTION PUBLIC HEARING: PARKING REQUIREMENTS FOR 2425 BIG HORN AVENUE. SUP 2016-02	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT DESCRIPTION & BACKGROUND:**

Gary Johnston, as the potential purchaser of 2425 Big Horn Avenue, has submitted a Special Exemption application relating to the parking requirements for the property. The applicant requests an exemption to the number of on-site parking spaces normally required, so as to be able to operate a restaurant in the portion of the building where the El Vaquero restaurant is located, and use the Santos Furniture portion of the building for storage and light industrial use (brewery equipment).

The contemplated uses are considered "permitted", subject to compliance with applicable development standards, such as parking. While modifications to the building exterior and interior are planned, this review is limited to the question of parking.



Although there currently is a restaurant occupying the area of the proposed restaurant, the interior would be remodeled and the seating area expanded. Applying the building code occupancy ratios to the proposed seating area would result in an occupancy rating of 82 persons, while the current seating area has a rating of 44 persons. Actual seats provided total 37. The storage/light industrial area would typically only have one or two persons, although the official occupancy rating for it would be higher.

The parking ratios in the current city ordinance would require approximately 47 spaces for the restaurant (based on 3,270 sq. ft. size on County Assessor website) and 3 spaces for the storage/light industrial area, for a total of 50 on-site spaces.

The public hearing for the exemption request was advertised as required by certified mail to neighboring properties within 140 feet, and by publication in the newspaper.

## Existing Conditions:



### **HISTORY:**

The current use of the property for the furniture business and restaurant was last subject to a special exemption request in 2010. At that time it was determined that 31 parking spaces were required, and the request was to allow 18 spaces to be provided on site, with the balance on Blackburn Street. At the May 25, 2010 meeting, the request failed (3-2 vote, failed for lack of majority). A report to the Board at the June 8, 2010 meeting indicated that they were working with the neighbor (Big Horn Cinema) for a shared parking agreement, and that “if agreement is reached, the restaurant would not need to apply to the Board for a parking exemption.” That agreement did not materialize in writing, and effectively any follow-up enforcement fell through the cracks. The existing situation, in effect being illegal, precludes any “non-conforming” or “pre-existing” arguments for granting the current request.

It is also noted that the 2010 request claimed the ability to provide 18 on-site parking spaces, which is impossible. Parking space and aisle dimensions from the current code would allow nine spaces to be provided in the parking area.

### **REVIEW CRITERIA:**

Pursuant to Section 10-14-2(B) of the City of Cody Code, the Planning and Zoning Board may consider special exemptions to parking requirements. The standards for approval of a special exemption are as follows, with staff comments provided.

*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;*

Staff Comment: Five neighboring property owners were notified of the proposal. As of the time of this staff report, two responses have been received. One is from 2424 Big Horn Avenue (Bobcat dealership), and indicates no objection, provided “no

parking occurs at 2424 Big Horn Avenue, because they have been.” The other response is from the current landowner, Lester Santos, which supports the request and says that it is necessary because when the highway was widened it took away restaurant parking. That statement may have reflected the physical appearance of the highway project; however, the right-of-way was there before the restaurant, meaning that the lost parking would have been in the public right-of-way.

Even if staff found justification to reduce the number of parking spaces required (e.g. building code occupancy of 82, with one space per 2.5 occupants=33 spaces), it is clearly more than can be accommodated on the property. Also, the current angled parking situation is unacceptable to staff as it means vehicles need to back out of the lot onto Big Horn Avenue, which is specifically prohibited by the current parking code. As a result, 90-degree parking is needed, which means 9 spaces (eight along west property line, and one ADA space next to the restaurant portion of the building) can be provided on site.

On-street parking is not available on Big Horn Avenue. On-street parking on Blackburn Street adjacent to the property would provide four parking spaces, for a total of 13 spaces on or immediately adjacent to the property.

The applicant would like the City to allow the rest of the needed parking to be allowed down Blackburn Street (both sides). The frontage along the Baker Hughes property would allow about 14 spaces, and the frontage along Big Horn Cinemas would allow about 8 spaces (Total of 22 on-street spaces).

As Blackburn is a public street the City will not reserve on-street parking along it for any particular business, yet it is not precluded from being used either. Staff is concerned that relying on the frontage of neighboring properties to meet parking requirements could lead to long-term challenges, as adjacent uses may change, or adjacent owners may want to start utilizing on-street parking as well. (e.g. If the cinema sometime proceeds with long-term plans, counting their on-street parking for their needs would preclude discussions of being short of the recommended amount of parking.) The precedent that could be set by relying on neighbor’s frontage to meet parking needs is also troublesome. Unlike downtown, there are no public parking lots available in the vicinity, and on-street parking adjacent to the business is limited. As a result, unauthorized parking on neighboring properties is likely to occur—as noted by the Bobcat property.

Blackburn Avenue also lacks sidewalk on the west side, so persons parking on-street in that area would be forced to use the street as a pedestrian walkway, which is a safety concern.

As of the time of this staff report, no responses have been received from Baker Hughes or Big Horn Cinema.

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

Staff Comment: Apparently this is asking whether impacts to neighboring properties have been considered and addressed. The application has not identified any method to address parking impacts to neighboring properties. One idea is to post a map or notice of acceptable parking areas in the restaurant and have the restaurant operators assist with enforcement to avoid customers parking in unauthorized locations (e.g. Bobcat or Big Horn Cinema lots).

The type of use is permitted, so compatibility of use is not a concern, other than compliance with adopted standards.

- 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;*

Staff Comment: One option to avoid the amount of impact is to reduce the size or seating capacity of the proposal. For comparison purposes, the 13 spaces provided by the on-site and immediately adjacent parking would allow a restaurant of 909 square feet if recommended parking ratios were strictly followed. If the Board is generous authorizing the size of the existing restaurant to continue in the existing situation, it still only represents 54% of the requested occupancy.

- 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;*

Staff Comment: The parking ordinance does allow off-site parking agreements as a method to obtain needed parking spaces. It is our understanding that the applicant has not investigated this option. Big Horn Cinemas or Baker Hughes may be potential locations. Successful examples of parking agreements in the last few years include the Harvest Church agreements with Wilder Enterprises (Albertsons), Provident Financial with Rocky Mtn. Liquor, and Dr. Gee's office with Sunset Motor Inn.

There is also the boundary line adjustment process if the applicant can convince an adjacent property owner to sell them a portion of their property, which could then be used for parking.

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

Staff Comment: The lack of adequate parking is the purpose of the request. Adequate utility services do exist for the identified uses.

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

Staff Comment: General statements about promoting growth and economic development are applicable, but no specific numbered policies appear applicable, other than neighbor involvement in the special exemption process. It is noted that all of the street cross-sections in the master plan include sidewalks, where Blackburn lacks sidewalk along this property.

**ALTERNATIVES:**

Approve, deny, table, or approve with conditions.

**RECOMMENDATION:**

Table the decision until the applicant makes a good faith effort to obtain an off-site parking agreement with Big Horn Cinemas and Baker Hughes; and attempt to purchase land from Baker Hughes for additional parking.