

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
TUESDAY, SEPTEMBER 25, 2018
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

1. Call to Order by Chairman Heidi Rasmussen
2. Roll Call, excused members
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes of the August 28, 2018 regular meeting.
6. NEW BUSINESS:
 - A. Review a Downtown Architectural District sign for the WyOld West taproom located at 1022 13th Avenue.
 - B. Review a fence height request (5' cedar fence in front side yard) for 3114 Twin Creek Trail Avenue.
 - C. Review the "Coffee Station" site plan proposed by Rocky Mountain Development for 919 16th Street.
7. P & Z Board matters (announcements, comments, etc.)
8. Council Update
9. Staff Items
11. Adjourn

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

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, August 28, 2018

A meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, August 28, 2018 at 12:00 pm.

Present: Heidi Rasmussen, Chairperson; Buzzy Hassrick; Richard Jones; Sandi Fisher; Erynne Selk; Todd Stowell, City Planner; Glenn Nielson, Council Liaison; Sandra Kitchen, Deputy City Attorney; Bernie Butler, Administrative Coordinator

Absent: Kayl Mitchell, Curt Dansie

Chairperson Heidi Rasmussen, called the meeting to order at 12:00 pm, followed by the pledge of allegiance.

Buzzy Hassrick made a motion, seconded by Sandi Fisher to approve the agenda for August 28, 2018. Vote on the motion was unanimous, motion carried.

Buzzy Hassrick made a motion, seconded by Erynne Selk, to approve the minutes from the August 9, 2018 meeting with corrections. Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

A. Todd Stowell presented the Downtown Architectural District Sign Review for Bank of the West located at 1130 Sheridan Avenue.

Erynne Selk made a motion seconded by Richard Jones, to approve the Bank of the West signs located at 1130 Sheridan Avenue. Vote on the motion was unanimous, motion approved.

B. The Public Hearing for a Special Exemption for the building size and parking requirements at 620 19th Street, began at 12:06.

There were no comments from the Public.

The Public Hearing for a Special Exemption for the building size and parking requirements at 620 19th Street, was closed at 12:07.

C. Todd Stowell presented a Special Exemption request for the building size and parking requirements at 620 19th Street. Todd reviewed the standards (a-f) for approval of a special exemption, and stated that all of the standards had been met.

Erynne Selk made a motion seconded by Buzzy Hassrick, stating the Special Exemption has met the standards (a-f), to approve the expansion of the building size to 5,860 (corrected) square feet, and to require only 18 off-street parking spaces at 620 19th Street, for this business only, with staff recommendations 1-4. Vote on the motion as correct square footage, was unanimous, motion carried.

C. Todd Stowell presented a modification of the Walgreens landscaping plan located at 1585 Sheridan Avenue.

Buzzy Hassrick made a motion seconded by Richard Jones, to approve the landscape modification for Walgreens at 1585 Sheridan Avenue, with staff recommendations 1-2. Vote on the motion was unanimous, motion approved.

P & Z Board Matters – None

Council Updates – None

Staff Items – None

Richard Jones made a motion seconded by Erynne Selk to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the Board, Chairperson Heidi Rasmussen adjourned the meeting at 12:25 p.m.

Bernie Butler, Administrative Coordinator

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

MEETING DATE:	SEPTEMBER 25, 2018	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	DOWNTOWN ARCHITECTURAL DISTRICT SIGN REVIEW: WYOLD WEST TAP ROOM PROJECTING SIGN. SGN 2018-26	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Chuck's Sign Company has submitted an application for the WyOld West taproom located at 1022 13th Street, to install an internally illuminated projecting sign. The sign would be centered above the entry. To accommodate the new sign, the south eight feet of the existing awning (on the right side of the "Existing Condition" photo) will be removed.

The proposed sign would measure 36" wide and approximately 63" in height, including the frame. The sign panels will be the typical sign plastic with vinyl applied.

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 property, although in the downtown architectural district, is in the D-2 sign district. The D-2 sign district allows projecting signs that have at least eight feet of clearance below the sign, do not project more than three feet from the wall of the building, and do not extend above the roofline. Maximum size of a projecting sign is 25 square feet in the D-2 district.

The proposed sign will meet each of these requirements, in that it will not project more than three feet, will not have less than eight feet of clearance below, will not extend above the roofline, and will not exceed 25 square feet.

Total building height is about 15 ½ feet, so eight feet of clearance, plus the 63" inches for the sign leaves just over two feet to allocate below or above the sign. As the existing awning is about 9 feet above the sidewalk, it is recommended that the bottom of the sign be at least that high.

Other wall signage seen in the existing photo was previously installed by changing out the panels in two existing sign cabinets. Those signs meet applicable sign requirements as well.

The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features. The projecting sign will be professionally constructed and installed. The use of a font in the old west theme, as proposed, seems appropriate.

RECOMMENDATION:

Approve the projecting sign, subject to compliance with applicable size and height/clearance standards. Provide any suggestions.

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

MEETING DATE:	SEPTEMBER 25, 2018	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	REQUEST FOR 5-FOOT CEDAR PRIVACY FENCE 3114 TWIN CREEK TRAIL AVENUE	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Ryan and Brittney Vincent have applied for permission to replace a 4-foot tall cedar fence in their front yard with a 5-foot tall cedar fence. The City's fencing regulations typically require a 5-foot fence to be located behind the front yard setback, which in this case would be 15 feet from the front property line. To have a five-foot fence within the front yard area requires an exception to the fence height requirements.



The applicants have provided the attached letter as an explanation for the request.

REVIEW PROCEDURE:

Section 9-4-1(E)(2) of the City of Cody Code states that the Planning and Zoning Board may approve a fence taller than that specified (3-foot maximum height for solid fence in front yard) when the additional height will not have any adverse impacts to neighboring properties or the public health and safety.



The process includes mailed notice to immediate neighbors, and giving them 10 days to respond. The applicants provided that notice as required, but no responses have been received and it has been over three weeks.

STAFF COMMENTS:

The front yard fence height requirement is primarily based on a driver being able to see when they are backing a vehicle onto a street. The lower height is intended to allow

drivers to see oncoming pedestrians, bicyclists and vehicles and have sufficient time to react to the situation. A fence taller than 3 ½ or 4 feet begins to limit that ability.

The existing fence, which did have a building permit, is set back 5-6 feet from the sidewalk, which puts it in the City 10-foot utility easement. Fences are not permitted to run parallel down a city utility easement. With the proposed reconstruction of the fence to five feet tall, the fence needs to be moved outside of the utility easement. Doing so also effectively provides a 15-foot sight distance triangle for both the subject property and the neighbor with the vacant lot, which addresses the concern of being able to see oncoming pedestrians and vehicles before backing into the street.



The applicant's desire to provide a more substantial barrier between their large dogs and pedestrians on the sidewalk would still be able to occur.

It is noted that the covenants for the subdivision contain the following restriction:
"No fence shall extend into front yard beyond the front of any residence."

The existing and proposed fence appears to violate this restriction. The City is not a party to the covenants, and therefore is not responsible for their enforcement.

However, it could be argued that because the covenants were presented as an exhibit to the Planned Unit Development plan that was presented to the City, that the City could claim some authority to recognize those restrictions. However, it is not entirely clear either way, particularly since we are dealing with an existing fence.

ALTERNATIVES:

Approve, modify, or deny request.

RECOMMENDATION:

That the height of 5 feet be authorized for the replacement fence, but the fence must be installed to the south of the 10-foot city utility easement. A fence permit from the building official is required.

To Whom It May Concern,

My name is Ryan Vincent and my wife Brittney and son Zachary live at 3114 Twin Creek Trail Ave. We have plans to increase the height of the fence to the West of our home from 4 feet to 5 feet. We feel this will both give us some more privacy in the back yard as well as help prevent our dogs from jumping up on the fence so much when others walk/ride by on the sidewalk. The fence is about 4-5 feet from the sidewalk and the only change would be increasing the height to 5 feet on the portions that run North-South (about 20 feet) and the portion that runs along the sidewalk (about 50') and then the portion that runs back to the South where it tapers up to a 6 foot fence in the back. I have attached photos of the fence for reference.

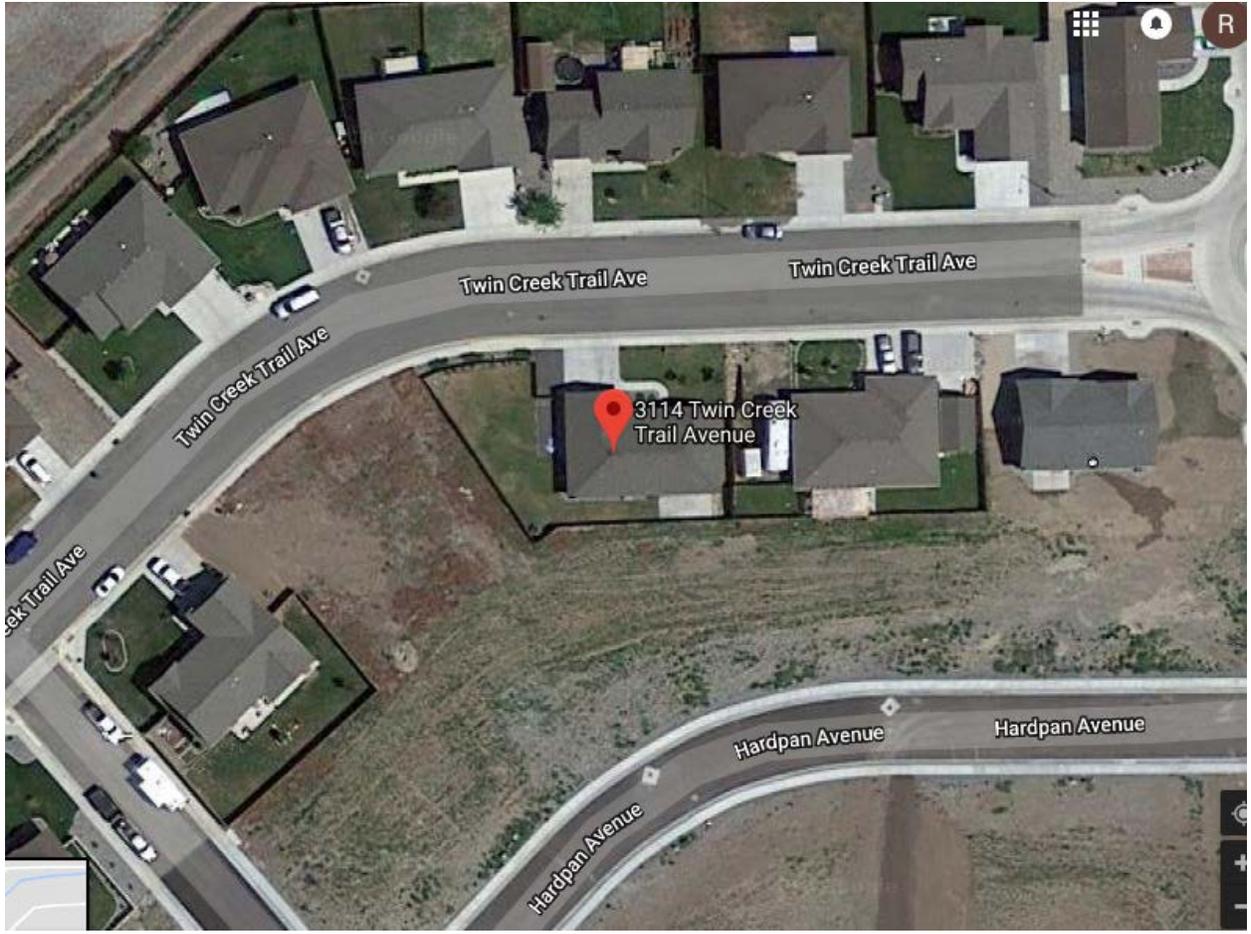
This is simply to serve as a notice to our immediate neighbors that we are planning on doing this and to give you a chance to voice your concerns, or that you are ok with it, etc. prior to us meeting with the city zoning and planning.

Please do not hesitate to email, call, write or text with any comments or concerns. I believe upon sending this out that you have 10 days to voice concerns with this idea.

Thank you!

Ryan Vincent
(307) 679-2409
ryan.t.vincent@gmail.com
3114 Twin Creek Trail Ave.





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

MEETING DATE:	SEPTEMBER 25, 2018	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	SITE PLAN REVIEW: COFFEE STATION SPR 2018-20	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Rocky Mountain Development, represented by Harold Musser, has submitted a site plan application to remodel the former gas station/auto shop at 919 16th Street into the "Coffee Station". The project includes redevelopment of the site to provide an outdoor dining area, organized parking, a drive-thru, and landscaping. Several renderings of the proposed project are attached.

Former Condition (Google street view):



REVIEW CRITERIA:

Section 10-10B-4 of the zoning regulations states:

All structures within the district shall be architecturally compatible. Architectural and landscaping plans shall be submitted to the planning and zoning commission for

approval. Architectural and landscaping details shall be maintained as shown by the approved plans.

Section 9-2-3 is as follows:

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

The property is also within the downtown architectural district and subject to 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.

Applicable standards of the zoning district, parking regulations, and sign code are also reviewed.

STAFF COMMENTS:

The property is located within the General Business (D-2) zoning district, which permits food establishments. The business would be operated and resemble services provided by "Cody Coffee" (coffee and a light food menu—crepes, salads, sandwiches, etc.) They have an existing location out at the old airport terminal.

The surrounding area is as follows:

<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONING</i>
North	Auto repair shop, church (parking lot nearest this site).	D-2
East	Buffalo Bill Village across highway.	D-2
South	Parking lot across Rumsey Avenue.	D-2
West	Former hair salon, with basement apartment and guest cottage.	D-2



Architecture:

The building will be completely remodeled inside and out. The building exterior and site improvements are depicted on the attached renderings. The proposed architecture, while composed of all new materials, retains the historical look of a 1950-60's era

Conoco gas station/auto shop, with a clear roll-up door and windows, green wainscot, white walls and red upper accent bands—all colors that Conoco used in that era. To the right is an example found in Colorado. Below is the proposed project. Staff believes the proposed architecture is entirely appropriate for the specific location, and for the downtown architectural district in which the property is located.



Landscaping:

Currently no landscaping exists on the site. The project is located in the Entry Corridor Overlay Zone, which has a 5% landscaping requirement for new uses and changes of use, which is triggered by the proposed project. 5% of the property would be 700 square feet, which will be provided, but is not fully detailed on the site plan. The area labeled "landscaping area" is approximately 400 square feet. The four planters add about another 126 square feet, and there will be a strip of landscaping 2-3 feet wide along the west side of the property, which totals over 800 square feet. In addition, the

applicant has indicated a willingness to landscape the “park strip” along Rumsey Avenue with plants in a crushed rock bed (similar to Pinnacle Bank) if the City removes the concrete from that area (in City right-of-way)—staff supports the proposal, and is presenting it to City Council for consideration at their next meeting. If the park strip is landscaped, that is about another 800 square feet of landscaping.

The landscaping plan does not mention the method of irrigation. The City raw water main is in the alley, so there should be a tap available. If there is a tap, it is likely only a matter of distributing the water to the landscape areas and adding raw water to the utility bill. If for some reason there is no raw water tap, a new one can be installed for the standard \$500 fee (\$300 for tap, \$200 for system investment fee).

Access and Parking:

Providing the landscaped park strip just noted will result in the removal of an unused approach that is near the 16th Street intersection. Two existing accesses from 16th Street will remain, but will serve as “entrance only”. This should be safer than entrance/exit flow, as it allows vehicles to exit onto the side street (Rumsey) or through the alley to the north, which has less traffic.

Staff has attempted to consult with WYDOT on the access situation along the Highway, as required by the parking ordinance, but the access people have been in meetings this entire last week and have not responded. We will attempt to have the consultation before the Board meeting.

Because the property is located in the downtown parking district, no on-site parking is required to be provided. However, any that is provided must meet the dimensional and construction requirements of the parking ordinance.

Fourteen parking spaces are shown on the site plan, two of which are ADA. For reference, if the project were not in the downtown parking district, the parking ratios would recommend 18 spaces (based on category of “restaurant with drive thru”). It is noted that only one ADA space is required, so if the applicant desires he may change the one closer to 16th Street to a standard space.

All parking surfaces and driving aisles are asphalt and otherwise will meet the surfacing and dimensional requirements of the code, with the following exception. Assuming there will be one vehicle at the menu board and at least one behind it, the portion of the drive-thru lane with the menu board is allocated a width of 9 feet, which leaves the two or three westernmost parking spaces next to the alley with only an 11-foot backup aisle, when 18 feet is required based on the 60-degree alignment of the spaces. A relatively easy fix would be to change the spaces next to the alley to 45 degrees, which reduces the required backup area to 13 feet, combined with shrinking the width of the landscaping area by two feet.

Another option would be to remove the two westernmost spaces next to the alley.

The four easternmost spaces next to the alley would not have a front wheel stop, so that the vehicles could exit directly onto the alley. However, staff would recommend striping the front of the stalls with paint, to help customers park at the appropriate depth to help preserve the aisle width behind the spaces.

The parking ordinance requires a 6-foot tall fence/screen to separate any parking lot that is within twenty feet of a neighboring residential building. The drive-thru lane runs by the property to the west, which has two “apartments”. The applicant has verbally noted that he is agreeable to installing a fence along a portion of that common property line to meet the intent of the requirement—prevent headlight glare and provide some privacy. Staff estimates the length of fence needed to be about 65 feet (from just north of the window of the guest house to the south exit sign).

Exterior Lighting

All exterior lighting fixtures will be fully shielded or full cutoff style LEDs. The locations are as follows:

- Perimeter lighting on the underside of the canopy (LED rope/strip lighting), which is shielded (canopy wraps around);
- Two wall packs on the front of the building;
- Four “wall packs” in the drive-thru lane (think cylinders with light shining up and down); and, replacement of the six under-canopy lights with flat or recessed cans.

The specification sheets for the lights have not been provided, yet so long as the lights are in the standard ranges, there should not be excessive lighting. To verify this, we request specification sheets be provided for staff review prior to installation of the fixtures.

Neighborhood Compatibility, Setbacks and Buffers

Other than the 6-foot fence next to the drive-thru lane, there are no setback or buffer requirements. The city does not have any standards for speaker setbacks or volume in drive-thrus. Provided a quality system is used and volume is not excessive, there is not much more that could be done to mitigate the sound impacts.

Storm Water Plan:

The site is effectively 100% impervious. The project will actually reduce that with the landscaping areas being provided. No storm water/drainage plan is required since the runoff would not be increased by this project.

Snow Storage

Snow storage areas are shown at the northeast and southeast corners. Due to sight-distance concerns for the Rumsey and 16th intersection, the snow storage area should be

shifted a few feet to be west of the sign.

Utility Services

No changes to the city utilities are proposed other than upgrading the electrical service. The city has the ability to provide the amount of power requested, and all work is on the customer's side of the transformer.

If a new irrigation tap is needed, that will be coordinated with Public Works and they will do the installation.

Natural gas and telecommunication services are to be coordinated directly with those providers.

Signage

The proposed signage is depicted on the renderings. While dimensions have not been provided, staff has done some estimates and all signage shown is within the amount, height, and locations allowed by the sign code.

The electronic message board will need to meet the following requirements of the sign code:

- Electronic message boards shall not display off-premise commercial advertising.
- Electronic message boards must utilize an automatic dimmer control so as to not exceed a maximum luminance of five thousand (5,000) nits (candelas per square meter) during daylight hours (from sunrise to sunset), and a maximum luminance of five hundred (500) nits (candelas per square meter) from sunset to sunrise.

Compliance with the automatic dimming function and lamination levels must be demonstrated with the Building Permit inspection process.

As the driveway connection to the alley is one-way, an "Exit Only" or "Do Not Enter" sign should be added at the northwest corner of the property, facing the alley.

Fire Hydrant

An existing fire hydrant located across Rumsey Avenue provides the required fire protection.

Garbage

Dumpsters exist along the alley.

ATTACHMENTS:

Application materials.

ALTERNATIVES:

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

RECOMMENDATION:

It is recommended that the Planning and Zoning Board approve the site plan and architectural plans subject to the following items:

1. Provide specifications for all exterior lighting fixtures for staff review and approval, to ensure fully shielded or full cutoff style fixtures and appropriate lighting patterns that do not cause excessive light pollution to neighbors.
2. Provide an updated site plan with the additions/modifications discussed in the staff report—add irrigation water line, any modifications to angle or number of north parking spaces, paint the front of the “through” parking spaces, add an additional “exit only” sign at the alley, and add the fence along the drive thru.
3. Provide a detailed plan for the ADA ramp and access with the building permit application, for review and approval. The ADA parking space, loading aisle, ramp, and building access must meet ADA standards (not exceed 2% slope for the parking and loading aisle, ramp contain detectible warning pad and not exceed 8% in direction of travel, entrance to building at grade level, provide “van accessible” sign at front of ADA parking space, etc.)
4. Provide the required amount of landscaping (minimum 700 sq. ft.). If weather precludes installation, it may be delayed until spring if a financial security is provided.
5. The electronic message board must have the automatic dimming feature, which must be tested and shown to be in compliance with the lumination limits at the time of inspection.
6. Any applicable city utility fees are to be paid prior to building permit issuance.
7. The project must otherwise comply with the updated site plan and applicable building, fire, and electrical codes.
8. (Any WYDOT requirements?)



COFFEE STATION

DRIVE THRU

EXIT

CLEARANCE

DRIVE THRU

**COFFEE
STATION**

SALADS
CREPES
SMURCHES

MENTAL SIGN

COFFEE STATION

COFFEE STATION

DRIVE THRU



COFFEE STATION

SALADS
CREPES
SANDWICHES

DIGITAL SIGN

DRIVE THRU

COFFEE

FOOD





COFFEE STATION

COFFEE STATION

SALADS
CREPES
SANDWICHES

DIGITAL SIGN

COFFEE STATION

DRIVE THRU

DRIVE THRU

CLEARANCE 9'-0"

COFFEE

DRIVE THRU



COFFEE STATION

COFFEE STATION







COFFEE STATION

COFFEE STATION

**COFFEE
STATION**

SALADS
CREPES
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