

CITY OF CODY
PLANNING, ZONING, AND ADJUSTMENT BOARD
TUESDAY, MAY 14, 2019
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

1. Call meeting to order.
2. Roll Call, excused members
2. Pledge of Allegiance
3. Approval of Agenda
4. Approval of Minutes of the April 23, 2019 regular meeting.
5. BUSINESS:
 - A. Downtown architectural district sign review for Cody Steakhouse located at 1367 Sheridan Avenue.
 - B. Downtown architectural district sign review for The Meatery located at 1001 Sheridan Avenue.
 - C. Site plan review for the Northwest Rural Water District storage building located at 526 Stone Street.
 - D. Review the Nelson minor subdivision located at 1620 31st Street.
 - E. Review the Beacon Hill (PCSD #6) minor subdivision located at 3825 Sheridan Avenue.
 - F. Review the site plan for Tread N Trails ATV rentals located at 405 Yellowstone Avenue.
6. P & Z Board matters (announcements, comments, etc.)
7. Council Update
8. 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,
April 23, 2019**

A meeting of the City of Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, April 23, 2019 at 12:00 pm.

Present: Chairman Kayl Mitchell; Richard Jones; Sandi Fisher; Klay Nelson; Stan Wolz; Sandee Kitchen, City Deputy Attorney; Todd Stowell, City Planner; Glenn Nielson, Council Liaison; Bernie Butler, Administrative Coordinator

Absent: Erynne Selk, Buzzy Hassrick

Kayl Mitchell called the meeting to order at 12:00 pm, followed by the pledge of allegiance.

Sandi Fisher made a motion, seconded by Klay Nelson, to approve the agenda for April 23, 2019. Vote on the motion was unanimous, motion carried.

Stan Wolz made a motion, seconded by Richard Jones to approve the minutes from the April 9, 2019 meeting. Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

A. Todd Stowell presented an architectural district sign review for FootWorks, located at 1137 12th Street.

Applicant Jeremy Livingston answered question from Board Member Richard Jones about the illumination for the freestanding sign. Only the main panel will be illuminated, and only the red lettering.

Richard Jones made a motion, seconded by Sandi Fisher to approve the freestanding sign as proposed and the applicant's explanation of the lighting; and to approve the wall sign as proposed. Vote on the motion was unanimous, motion passed.

B. Todd Stowell reviewed the preliminary and final plat of Blackburn 2 Minor Subdivision.

Richard Jones made a motion, seconded by Klay Nelson to recommend that the City Council approve the variance for waiver of sidewalks and alleys, and approve the preliminary plat and final plat of Blackburn 2 Minor Subdivision as presented, subject to payment for the transformer upgrade occurring before the final plat is signed by the Mayor. Vote on the motion was unanimous, motion carried.

C. Todd reviewed the site plan for a shop and four outbuildings located at 2412 G Avenue. The shop and office would be a “duplex” in that each half is divided with the intent of having separate businesses. Three of the four out buildings will built for future use. One will be used for an ice cream production facility and warehouse. Loren Hazel, the applicant, answered questions from the Board about the color of the outbuildings and lighting.

Klay Nelson made a motion, seconded by Richard Jones to approve the project subject to conditions 1-9 in the staff report. Vote on the motion was unanimous, motion passed.

D. Todd Stowell reviewed the final plat of Cougar West Subdivision, a 12-lot subdivision on a 2.23-acre property located between Cougar Avenue and West Avenue.

The conditions (1-9) of the preliminary plat approval were reviewed with status updates. Ford Rose with T-O Engineers answered questions from the Board.

Richard Jones made a motion seconded by Klay Nelson to recommend to the City Council approval of the Cougar West Final plat with the additional variances 1-2, with the cross slope as determined by public works, and the proposed conditions 1-6 in the staff report. Vote on the motion was unanimous.

P&Z Matters - none

Council Updates – Glenn Nielsen said he received a call from a neighbor of the site plan for the shop and four outbuildings at 2412 G Avenue. He asked if it was the Cities’ job to say what colors, lights, etc. the project can use. Todd Stowell explained the language covers lights, colors, and architect compatibility.

Staff Items – none

Stan Wolz made a motion, seconded by Sandi Fisher to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the Board, Chairman Kayl Mitchell adjourned the meeting at 1:10 pm.

Bernie Butler, Administrative Coordinator

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

MEETING DATE:	MAY 14, 2019	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	DOWNTOWN ARCHITECTURAL DISTRICT SIGN REVIEW: CODY STEAKHOUSE. SGN 2019-05	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Chuck’s Sign Company has submitted a sign application for Frank Cocchia of the Cody Steakhouse, located at 1367 Sheridan Avenue. The primary wall sign would be constructed of individual reverse channel letters (3” deep, solid metal on all sides except the back, which is clear polycarbonate) with blue-colored internal LED lighting to create a halo effect. The front of the individual letters would have white neon lighting outlining each letter. A profile of what looks like Heart Mountain would extend across the top of the sign, and have a green halo effect from LEDs on the back.

The following rendering on the left has the correct colors, while the rendering on the right shows the correct size.



The two awnings, one below the Cody Steakhouse illuminated sign and one on the portion of the building to the west (left) are proposed to be recovered in gray fabric and each have a white “Cody Steakhouse” vinyl applied 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 9-2-2(B), *“The planning, zoning and adjustment board shall examine and evaluate applications and plans involved in building*

and sign permits insofar as they pertain to the exterior of commercial buildings within the downtown district as herein described and shall make recommendations and suggestions to the applicants, property owners or occupants.

The sign(s) must also comply with applicable provisions of the sign code.

STAFF COMMENTS:

The property has 50 feet of street frontage, entitling it to 75 square feet of wall signage. The proposed wall sign is approximately 37.8 square feet (48" by 113.5"), well within the amount permitted.

The downtown sign district allows individual awning signs of up to 25 square feet, and up to a maximum total of 50 square feet. The proposal is for two, 21-square foot awning signs (3'x7'), which is within the allowable limits.

The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features. The wall sign and awning signs will meet applicable code requirements for size and location. The wall sign is of high quality. The use of true neon has not been seen in recent Cody sign history, but if done properly can help maintain a historical retro component in the City's downtown signage.

ALTERNATIVES:

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

RECOMMENDATION:

Approve the signs as proposed—noting that the LED lighting on the mountain profile must be placed so that it is not visible to those passing by.

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

MEETING DATE:	AUGUST 28, 2018	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	DOWNTOWN ARCHITECTURAL DISTRICT REVIEW: THE MEATERY. SGN 2019-12	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Chuck's Sign Company has submitted an application for installation of a new freestanding sign for "The Meatery", located at 1001 Sheridan Avenue (formerly MoJoe's). The sign would measure six feet in width and five feet in height and be installed on an existing sign post.

New D/F Alumapanel, with vinyl decoration. Panel is 5' tall x 6' long. Mounted to existing brackets on existing pole.



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

STAFF COMMENTS:

The property is in the downtown architectural district and downtown sign district, which permits freestanding signs of up to 240 square feet and 25 feet in height. The proposed sign is 30 square feet in size and approximately 17 feet tall. It is not proposed to be illuminated.

It is noted that the existing sign extends approximately 2 ½ feet over the sidewalk and into the WYDOT right-of-way. The proposed sign will not extend any further into the

right-of-way or have less clearance than the previous sign. There is approximately 10 ½ feet of clearance below the lower sign support. In such situations, WYDOT has not required any updates to their encroachment permits.

The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features. The new sign is modest in size and of a quality design and does not cause staff any concerns.

RECOMMENDATION:

Approve the freestanding sign for "The Meatery" as proposed.

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

MEETING DATE:	MAY 14, 2019	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	SITE PLAN REVIEW: NORTHWEST RURAL WATER DISTRICT STORAGE BUILDING. SPR 2019-10	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

The Northwest Rural Water District has submitted an application to construct a new 40-foot by 40-foot storage building at their facility at 526 Stone Street. The storage building would be unheated, and located in the southeast portion of the property, within the fenced storage yard.



REVIEW CRITERIA:

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

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

Section 9-2-3 is as follows:

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

In addition, the site plan is reviewed for compliance with specific development standards of the zoning ordinance.

STAFF COMMENTS:

The property is zoned Open Business/Light Industrial (D-3), which allows office buildings, storage buildings, contractor yards, and heavy equipment storage. The surrounding area is as follows:

<i>DIRECTION</i>	<i>EXISTING USE</i>	<i>ZONING</i>
North	Vacant.	D-3
East	Mountain Equipment at NE corner, FedEx Facility along most of east side.	D-3
South	Vacant.	D-3
West	Vacant. Residential about 250' to SW.	D-3

Subject Property:



To South:



Architecture:

The architectural elevations of the building are found on Sheet A1.0. The storage building is designed to match the roof pitch (4:12), roof material (laminated asphalt shingles), and metal siding of the main building, which is a good design. Wall height of the storage building would be 12 feet, compared to the 15½-foot wall height on the shop portion of the main building. The storage building does not have the masonry wainscot or designer windows of the main building. Being an accessory storage building, it is not likely that the expectation is that it be equal in quality and appearance to the primary structure. That being said, as an observation, if approved as is, the building will clearly be the plainest on the street—refer to photos of surrounding area. The Board will need to determine if the architectural design of the building is compatible with the surrounding buildings in the neighborhood.



Landscaping:

No landscaping is proposed in conjunction with the storage building. The building will be located within the area previously authorized as a storage yard. Extensive landscaping has been installed around the main building, and at the perimeter of the property on the north half of the lot.

Access and Parking:

The storage building does not trigger additional parking. Access to the building from Stone Street is existing, through gated entries.

Exterior Lighting

The exterior lighting is limited to two LED wall packs (one on north and one on west side of building) and an emergency exit light. The wall packs are full cut off and of the same design as used on the main building, shown here (4,300 lumens each)



The lighting appears appropriate in terms of location and amount, in that it should not create any impacts to neighboring properties (0.5 foot candles at south property line).

Neighborhood Compatibility, Setbacks and Buffers, and Height Requirements

There are no specified zoning setbacks or building height limits in this zone. No residential buffers are required for this proposal as there is no adjacent residential zoning.

Storm Water Plan:

An analysis of the storm water has been provided. Runoff will be directed into the existing system, which has sufficient capacity for the increase. The plan is acceptable to public works.

Snow Storage

The snow storage area is shown in the southwest portion of the property.

Utility Services

No new utility services are planned. Only electricity will be run to the storage building, and it will come from the existing panel on the main building.

Signs

No signs are proposed.

Hydrant

The building relies on the fire hydrants across the street for fire protection.

Frontage Status

Stone Street is fully improved with curb, gutter, sidewalk and streetlights.

Garbage

The dumpster location is at the north end of the property.

ATTACHMENTS:

Application materials.

ALTERNATIVES:

Approve or deny the site plan with or without changes.

RECOMMENDATION:

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

1. Once constructed, the applicant's engineer is to certify that the grading/storm water plan was completed as designed.
2. The project must otherwise comply with the site plan and applicable building, fire, and electrical codes.
3. A building permit must be obtained within three years or this authorization will expire.
4. (Any architectural or landscaping upgrades?)

NEW COLD STORAGE BUILDING FOR NORTHWEST RURAL WATER DISTRICT



LOTS 6 & 8 ROCKY MOUNTAIN BUSINESS PARK
STONE STREET, CODY, WYOMING

BY PRECISION PLAN AND DESIGN INC.

OWNER INFORMATION

OWNERS: NORTHWEST RURAL WATER DISTRICT
MAILING ADDRESS: CODY,WY
PHONE: 307.527.4426
EMAIL: mike@nrwdcodywy.com
PROPERTY ADDRESS: 526 STONE STREET
 CODY, WYOMING 82414
BUILDER:
MAILING ADDRESS:
PHONE:
EMAIL:

SHEET INDEX

- T1.0 TITLE SHEET
- C1.0 CIVIL - SITE PLAN
- C1.1 CIVIL - GRADING PLAN
- A1.0 MAIN FLOOR PLAN
- A2.0 ELECTRICAL PLAN / DETAILS



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AND DESIGN INC.

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SERVICE

930 12TH STREET
CODY, WYOMING 82414

307.587.8227 | 307.273.5709

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MEMBER ILSA No. 1271

PROJECT LOCATION
CODY, WY

COLD STORAGE BUILDING
NORTHWEST RURAL WATER DISTRICT
OWNERS REP: MIKE MACKEY
CODY, WYOMING 82414
P: 307.527.4426
@: mike@nrwdcodywy.com



NOTE:
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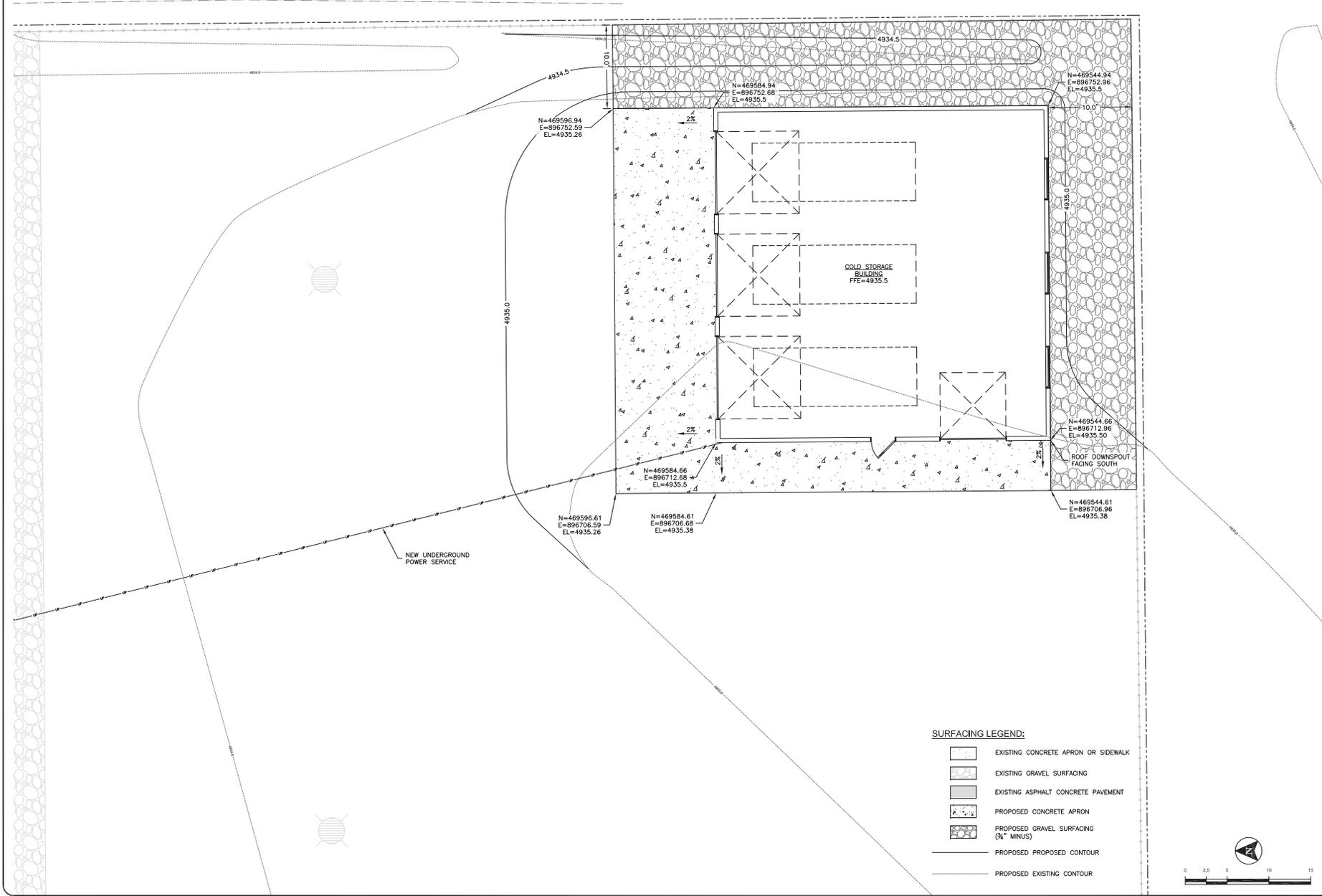
DATE: 05.02.19
REVISION: 3

PROJECT NO.
1649

SHEET #
T1.0

TITLE SHEET

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SURFACING LEGEND:

- EXISTING CONCRETE APRON OR SIDEWALK
- EXISTING GRAVEL SURFACING
- EXISTING ASPHALT CONCRETE PAVEMENT
- PROPOSED CONCRETE APRON
- PROPOSED GRAVEL SURFACING (3/4" MINUS)
- PROPOSED PROPOSED CONTOUR
- PROPOSED EXISTING CONTOUR

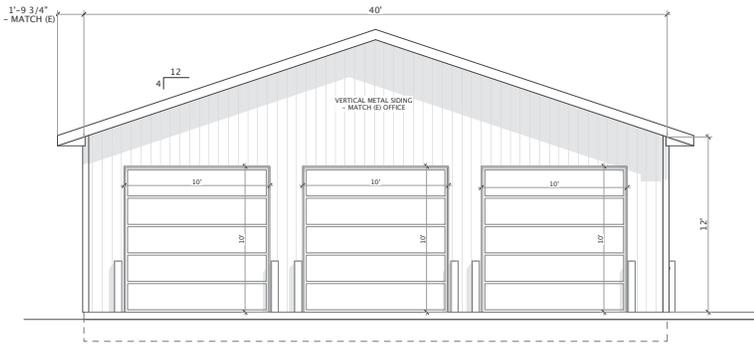


REVISIONS	DATE	BY	CHKD	APPD
NO.				
DESCRIPTION				

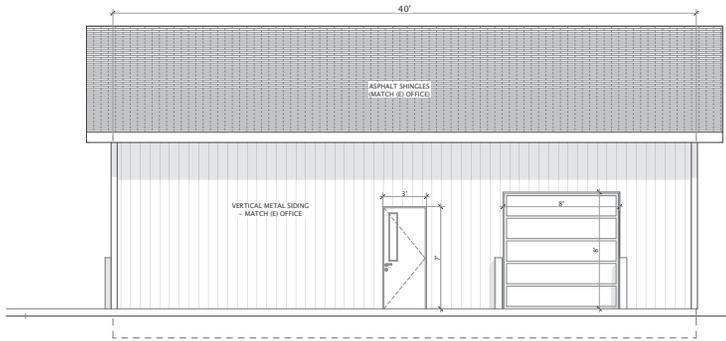
T-O ENGINEERS
 CONSULTING ENGINEERS, SURVEYORS & PLANNERS
 502 3RD STREET
 CODY, WY 82414
 PHONE (307) 560-1111 WWW.T-ENGINEERS.COM
 PO BOX # 40074 CODY WYOMING 82404

**NORTHWEST RURAL WATER DISTRICT
 COLD STORAGE BUILDING
 GRADING PLAN**

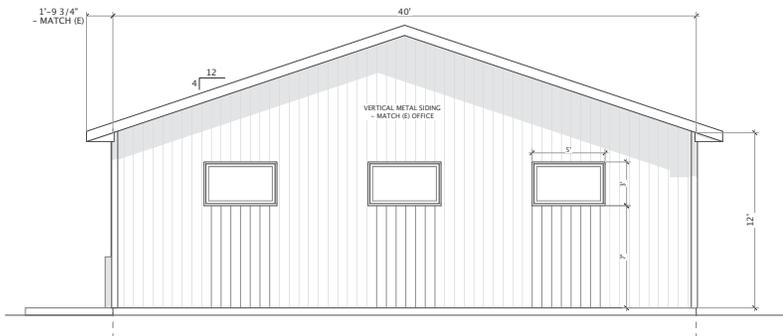
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 PROJECT: 190201
 SHEET: **C1.2**



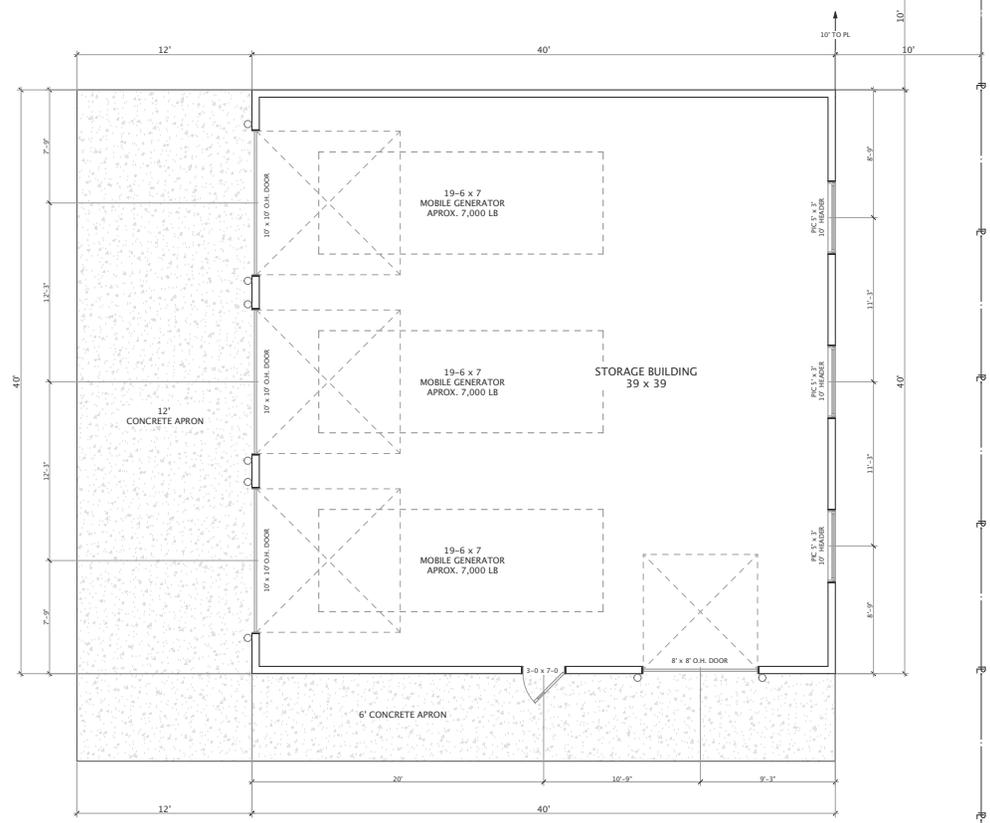
11 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



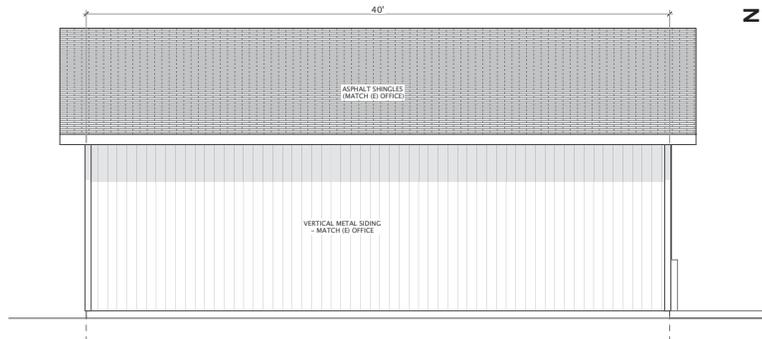
8 WEST ELEVATION
SCALE: 1/4" = 1'-0"



9 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



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



10 EAST ELEVATION
SCALE: 1/4" = 1'-0"



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MEMBER (LSA No. 1271)

PROJECT LOCATION
CODY, WY

COLD STORAGE BUILDING

NORTH WEST RURAL WATER DISTRICT
OWNERS REP: MIKE MACKAY
CODY, WYOMING 82414
P: 307.527.4426
@ miked@precisionwy.com

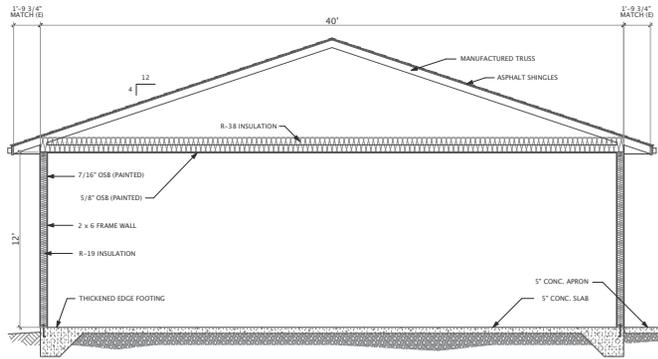
PRELIMINARY PLANS
NOT FOR CONSTRUCTION

NOTE:
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DATE: 05.02.19
REVISION: 3

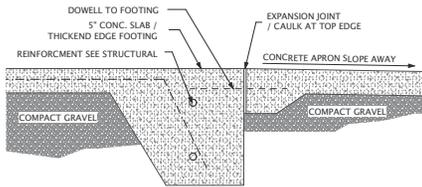
PROJECT NO.
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SHEET #
A1.0
MAIN FLOOR



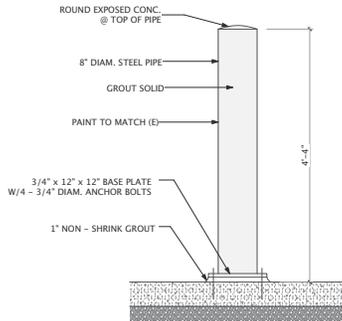
CROSS SECTION

SCALE 1/4" = 1'-0"



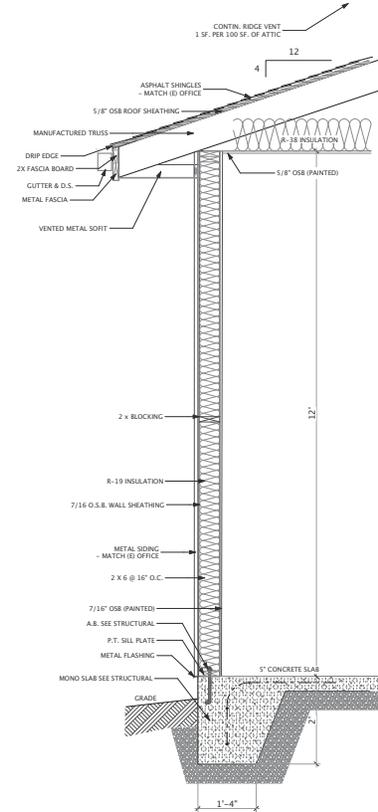
APRON DETAIL

SCALE 1" = 1'-0"



BOLLARD DETAIL

SCALE 1" = 1'-0"



2 TYP. WALL SECTION

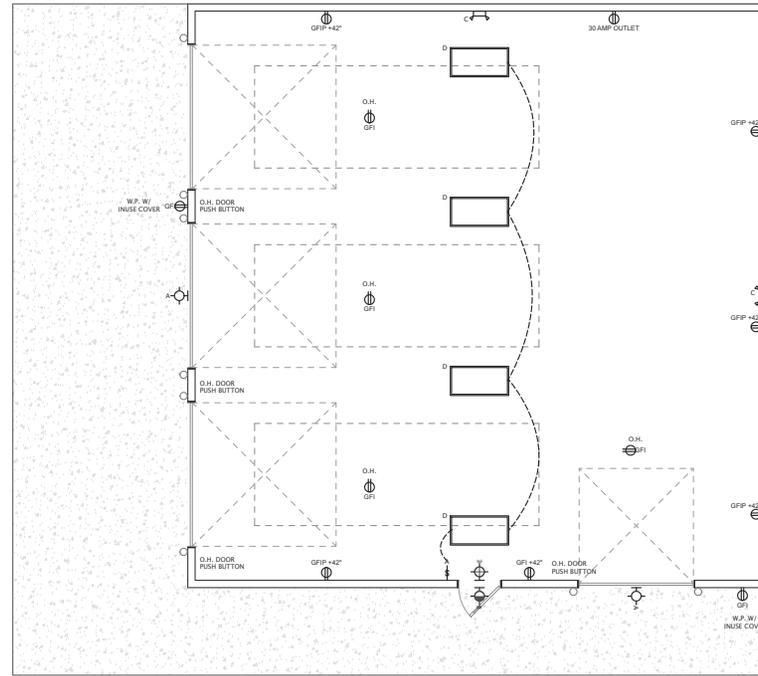
SCALE 3/4" = 1'-0"

LIGHT FIXTURE SCHEDULE

LETTER DESIG.	MANUFACTURER	FIXTURE CATALOG NO.	LOCATION	TYPE	LAMP		NOTES
					TYPE	INPUT/WATTS	
A	LITHONIA	OLW-31 LED	WALL	SURFACE	LED	140	A, B
B	LITHONIA	LQHM LED G HO ELA Q LO309 REMOTE HEAD	WALL	SURFACE	LED		
C	LITHONIA	ELM LED	WALL	SURFACE	LED		
D	LITHONIA	IBFT LED - 1500LM - 50080-MD-MV0LY -D002-30K-30C85-1-A020L-WL-IBBMP	CEILING	SURFACE	LED		C, D
E	LITHONIA	LHQM LED G HO	CEILING	SURFACE	LED		

NOTES:

- A - COORDINATE MOUNTING HEIGHT WITH OWNER
- B - DARK BRONZE, PHOTOCELL INCLUDED
- C - 360 DEGREE MOTION SENSOR, PREWIRED
- D - MONOPOINT HOOK MOUNTING



1 ELECTRICAL PLAN

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

SYMBOL LIST

SWITCH SINGLE POLE	WALL PACK - EXTERIOR, LED
GROUND FAULT CIRCUIT INTERRUPTER	EMERGENCY LIGHT - EXTERIOR, LED
GROUND FAULT CIRCUIT PROTECTED	EMERGENCY LIGHT - INTERIOR, LED
	CEILING - SURFACE, LED
	EXIT LIGHT, LED



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MEMBER (LBA No. 1271)

PROJECT LOCATION
CODY, WY

COLD STORAGE BUILDING
NORTH WEST RURAL WATER DISTRICT
OWNERS REP: MIKE MACKLEY
CODY, WYOMING 82414
P: 307.527.4426
E: miked@precisionplananddesign.com

**PRELIMINARY PLANS
NOT FOR CONSTRUCTION**

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PROJECT NO.
1649

SHEET #
A2.0
ELECTRICAL

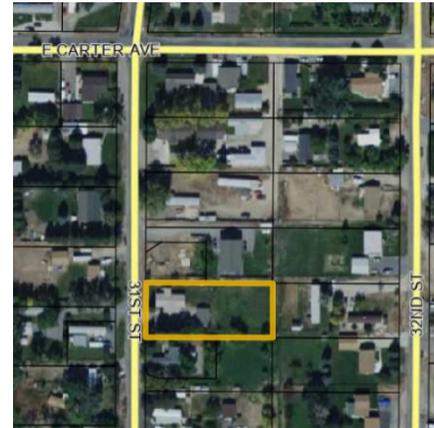
**CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
STAFF REPORT**

MEETING DATE:	MAY 14, 2019	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	NELSON MINOR SUBDIVISION PRELIMINARY PLAT. SUB 2019-04	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT OVERVIEW

Darby and Chase Nelson as owners of 1620 31st Street, have submitted a preliminary plat application for a 2-lot subdivision of the property. The preliminary plat application is submitted pursuant to the infill subdivision option of City of Cody Code 11-8.

The property is 0.64 acres in size and located in the R-2 Manufactured Home zoning district. Proposed Lot 1 contains an existing house. Lot 2 is vacant and could be developed with a single-family home or duplex. An existing garage on the proposed lot line will be demolished in order to accommodate the subdivision.



SUBDIVISION REGULATIONS

The infill subdivision option was adopted in January of 2018 as a template for situations such as this, where lots in existing developments have underutilized areas that can be developed with additional housing.



The infill standards are as follows, with staff comments provided.

11-8-2: APPLICABILITY:

- A. The property is 1.2 acres (52,272 square feet) or less in size (net lot area);
Comment: Met. Property is 0.64 acres.

B. The property is at least sixteen thousand (16,000) square feet in size (net lot area) if located in an R-1, R-2, or R-2MH Zoning District; ten thousand (10,000) square feet (net) if zoned R-3; and, seven thousand two hundred (7,200) square feet (net) if zoned R-4. *Comment: Met.*

C. The property is located in a residential zoning district and does not contain any non-conforming commercial or industrial uses. *Comment: Met.*

D. The property has frontage on and access directly to/from a paved public street; *Comment: Met. 31st Street is a paved city street.*

E. The property will contain no more than five (5) lots, and no more than five (5) dwelling units (primary and accessory);
Comment: Met. Based on lot sizes, the property would be limited to no more than four dwelling units—two units on each lot. To minimize the level of improvements, the applicant is voluntarily limiting the number of dwelling units to three at this time—one dwelling on Lot 1 and two on Lot 2.

F. The access route to any lot in the proposed subdivision is not more than three hundred fifty feet (350') in length, measured from the public street right-of-way to the middle of the turnaround;
Comment: Met. Access route will be 120 feet in length.

G. All lots will be served with public sewer, public water, and City electric power;
Comment: As proposed. Lot 2 can access power from the existing pole at the southeast corner of the property. The overhead line serving Lot 1 must have at least 15 feet of clearance from ground level as it crosses the access drive. If the required clearance does not exist, the line must be raised to provide the clearance, or a new service line run underground.

It is also noted that if Lot 2 is developed with a duplex, or even a single-family home with an unusually high electrical demand, that the transformer will need to be upsized. The existing transformer can accommodate a standard single-family home on Lot 2. If application for a building permit on Lot 2 indicates upsizing of the transformer is needed, it will be addressed at that time and the cost will be the responsibility of the party developing Lot 2.

H. No sewer or water lines will be shared between lots - individual sewer and water service lines must be run to each lot.
Comment: Individual lines are shown.

11-8-4: RESIDENTIAL INFILL SUBDIVISION DESIGN STANDARDS:

The following design standards shall apply to residential infill subdivisions. All applicable required improvements are the responsibility of the subdivider and shall be installed prior to issuance of a building permit for a dwelling within the subdivision, or within two (2) years of final plat approval, whichever occurs first. If the subdivision is to be phased, it must be disclosed with the subdivision application, and improvements may be phased accordingly. The layout of all subdivision improvements shall be shown on the preliminary plat application drawings.

A. Access and Frontage Requirements: The following access standards have been developed in coordination with the Fire Marshal, and pursuant to the Fire Marshal's authority, when the following standards are met, they supersede any conflicting and more restrictive standards of Appendix D of the International Fire Code.

1. Lot Frontage: All lots shall be provided with frontage on a public street or private access easement, in accordance with the table in section 10-6-2 of this Code. Provided, when a turnaround is not required, the lot at the end of the private access easement (the lot furthest from the public street) need only have frontage on the access easement of the width required by subsection A3 of this section... *Comment: Met.*

2. Entrance Requirement: The physical connection of the subdivision access drive to the public street shall consist of a paved entrance/exit extending from the curb cut (face of curb, or edge of roadway pavement if no curb exists), to a point at least twenty five feet (25') from the public street, measured along the direction of travel. Asphalt thickness shall be at least three inches (3"), compacted depth.
Comment: The paved entrance is not depicted on the application, but is planned. It can be listed as a condition of approval.

3. Minimum Dimensions: Minimum dimensions of the access easement and the composition of the access drive shall be in accordance with the following table. Base course is one and one-fourth inch (1 1/4") minus with fines. Top course is five-eighths inch (5/8") minus with fines.
Comment: The cross-section A-A drawing on the preliminary plat reflects the minimum applicable width of 12 feet for the access drive, and applicable gravel standards. No turnaround is required.

4. Access Drive: The cross-section design of the access drive shall be in accordance with the following diagram; provided the reviewing official may consider modifications to the layout...
Comment: Met. The proposed cross-section reflects the cross-section in the ordinance.

5. Approach to Public Street: In areas that have curb and gutter along the property frontage, the approach to the public street shall be constructed to the City's alley standard, with curb, gutter, and ADA-compliant sidewalk.
Comment: Not applicable—no curb and gutter on 31st Street.

6. Access Drive Connection: If the access drive connects to a major collector or arterial, the City Engineer may require any existing approach to be removed and all access to occur from the common access drive.

Comment: Not applicable. Access for both lots will be from the existing approach.

7. Property Frontage: If the property frontage has curb and gutter, but no sidewalk, the subdivider shall install sidewalk to City standards across the property frontage. If no curb and gutter exist along the property frontage, the property owner shall agree on behalf of the owners of the lots to participate proportionally in any future City project to improve the adjacent street to City standards, which agreement shall be noted on the plat and any document transferring ownership of the lots in the subdivision.

Comment: 31st Street has no curb and gutter. Improvement district language will need to be noted on the final plat.

8. Turnarounds: A turnaround and associated easement shall be provided at the end of the access drive if any of the following conditions will exist. The distances are measured from the edge of the public right-of-way.

Comment: Not applicable, provided no more than three dwelling units are located on the property.

9. Turnaround Construction Options:

10: Turnouts:

Comment: Neither are required in this situation.

B. Utility Requirements:

(Only applicable requirements that are not already clearly depicted on the preliminary plat are noted.)

3.h. Cleanouts are required in the sewer service lines at intervals not to exceed one hundred feet (100') (equal intervals recommended), and at any change in direction greater than forty-five degrees (45°). Any cleanout in a driving surface must be protected with a minimum five inch (5") thick concrete collar, measuring at least twelve inches (12") beyond the outside of the pipe.

Comment: Add to utility plan.

3.i. All utility services are to be provided with either APWA uniform color-coded detectable (metallic) warning tape, or a combination of non-detectable (non-metallic) warning tape and color-coded tracer wire. The warning tape is to be installed one foot (1') directly above the utility service pipe/conduit. If separate tracer wire is used, it is to be copper or copper clad steel, rated for direct bury, measure 12 AWG or larger (smaller number), and be taped to the side of the pipe/conduit.

Comment: Add to utility plan.

3.j. The ends of all utility stubs into the lots shall be marked with solid lumber (2 x 4 or larger) or PVC pipe, that is painted the corresponding APWA color for that utility (e.g., green for sewer, blue for domestic water).

Comment: Add to utility plan.

C. Stormwater/Drainage Requirements:

(Only applicable requirements that are not already clearly depicted on the preliminary plat are noted.)

1. The area of the access easement shall be graded to manage stormwater within the subdivision, so that no net increase of runoff or creation of a concentrated discharge point occurs. The use of swales and/or infiltration trenches are recommended methods. The stormwater infiltration area is also intended to serve as snow storage area.

Minimum dimensions of infiltration trenches and swales, which extend the full length of the access drive are listed in the table below; provided, if the native soil has a high clay content (e.g., bentonite) or other low-permeability structure (e.g., hardpan), the applicant will need to coordinate stormwater management design options with an engineer.

Rock used in the infiltration trenches or to line the swale must be clean and of a single size so as to provide proper void capacity for the stormwater. A single size in the range of one and one-half inches (1½") to three inches (3") (non-crushed) is recommended.

Coffer dams must be installed along the swales/trenches as needed to prevent lateral flow of stormwater down the swale/trench - the swales/trenches must function as infiltration features, not water conveyance features. If infiltration trenches are used, they must be constructed per the design in the City's Stormwater Policy Manual.

Comment: The cross section of the access drive reflects the storm water requirements, but lacks details as to rock size and depth and the need for a fabric liner under the rock.

D. Signage Requirements: The following signs are to be installed by the subdivider. The size and mounting methods shall comply with the MUTCD Manual and/or appendix D of the International Fire Code.

1. Address numbers for the dwelling units on the rear lot(s) shall be posted at the intersection of the private access drive with the public road, in accordance with the standards of the Building Code (e.g., minimum 4-inch letter height, on contrasting background).

Comment: Add to plans.

2. Install "No Parking/Fire Lane" sign(s) along the access drive, located and spaced as approved by the Fire Marshal.

Comment: No sign is needed, provided the full width of the access easement remains gravel, as it is currently.

E. Fencing Requirements: Where the access drive is located adjacent to a neighboring residentially-zoned property, a minimum six foot (6') tall, solid fence shall be installed between the access drive and the neighboring property, except within fifteen feet (15') from the public street right-of-way. This requirement may be waived or reduced (e.g., partial fence, shorter fence, non-solid fence) by the reviewing official when the neighboring property owner requests such modification or waiver in writing.

Comment: The applicant plans to install the 6-foot solid fence, which needs to be added to the drawing.

11-8-5: OTHER REQUIREMENTS:

A. The number and location of all dwelling units, whether primary dwellings or accessory dwelling units, must be identified in the subdivision process and noted on the plat.

Comment: The applicant has identified Lot 1 as being limited to one dwelling unit. Lot 2 would have no more than two dwelling units. A note will be needed on the final plat.

B. Either the lot, or the turnaround serving it, must be within six hundred feet (600') of a functional fire hydrant, measured as the fire hose would lay. If a new fire hydrant is required, engineering and installation is the responsibility of the subdivider and shall be coordinated with Public Works.

Comment: Met.

C. Maintenance agreements or covenants must be established to set forth the maintenance responsibilities for the private access drive tract/easement, including maintenance of the access drive, fence, and stormwater facility. The agreement must include establishment of a bank account and schedule of payment by the lot owners. The payment levels must be based on anticipated costs for regular recommended maintenance and repair activities, such as snow removal, regrading, weed control, signage, etc. The maintenance agreement/covenant must be recorded with the plat. The initial minimum payment and schedule shall be determined with the final plat process.

Comment: The maintenance agreement will need to be submitted for review with the final plat.

D. Enforcement of "No Parking" (e.g., towing) shall be by the homeowners, and authority for such included in the maintenance agreement or covenants for the subdivision.

Comment: Include in agreement submitted with final plat.

E. All lots shall utilize a cluster mailbox stand, as specified by the local Post Office, which mailbox and associated concrete pad shall be installed to USPS specifications by the subdivider.

Comment: The applicant will need to contact the Post Office for their preference. If a cluster mailbox is needed, it will need to be shown on the plans submitted with the final plat.

- F. Garbage collection will occur on or next to the public street near the intersection with the access drive. The applicant will need to coordinate whether a dumpster or roll-outs are to be utilized...

Comment: The lots can utilize existing dumpsters on 31st Street.

- G. Gates or other features that would obstruct vehicle or pedestrian use of the access drive are prohibited. *Comment: None proposed.*

- H. If the subdivision improvements are not installed prior to recording the final plat, the final plat shall include a note that states that no building permit shall be issued for a dwelling until all required subdivision improvements are completed.

Comment: Noted.

Irrigation: The property currently has surface water rights. The applicant proposes to utilize those rights through the McMillin Ditch for Lot 2, but transfer the rights off of Lot 1. The subdivision ordinance allows either option. Technically, the language in the ordinance requires any transfer to be to the City, but the City Council is currently allowing those water rights to be transferred to a third party. With the final plat, the applicant will need to submit documentation that approvals from the Cody Canal and the McMillin Ditch Company have been obtained, that an agreement is in place with the purchaser for the transfer, and that the purchaser has entered into a contract with a surveyor or engineer to complete the transfer process with the State Engineer's Office.

Setbacks and Lot Dimensions: The existing house will meet applicable setbacks from the new lot line (minimum 5-foot side setback from easement). The garage on the proposed lot line will be removed prior to final plat approval. The lots meet applicable standards for lot size, width, and length-to-width ratio.

Parking: With the removal of the garage and the establishment of the access easement, the applicant will need to identify two parking spaces for the house on Lot 1 that are not within the access easement. If the area of the parking spaces is not already gravel or paved, it must be surfaced with gravel or better prior to the final plat being recorded.

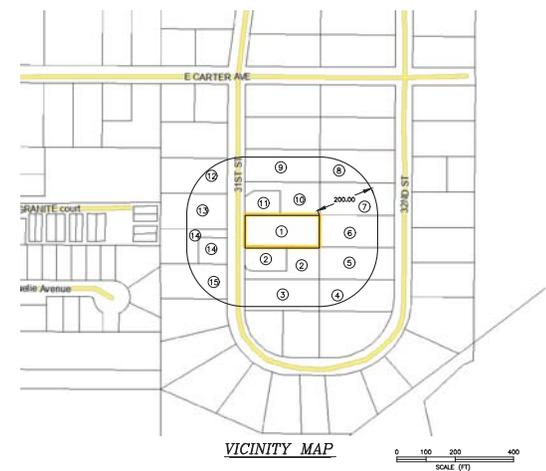
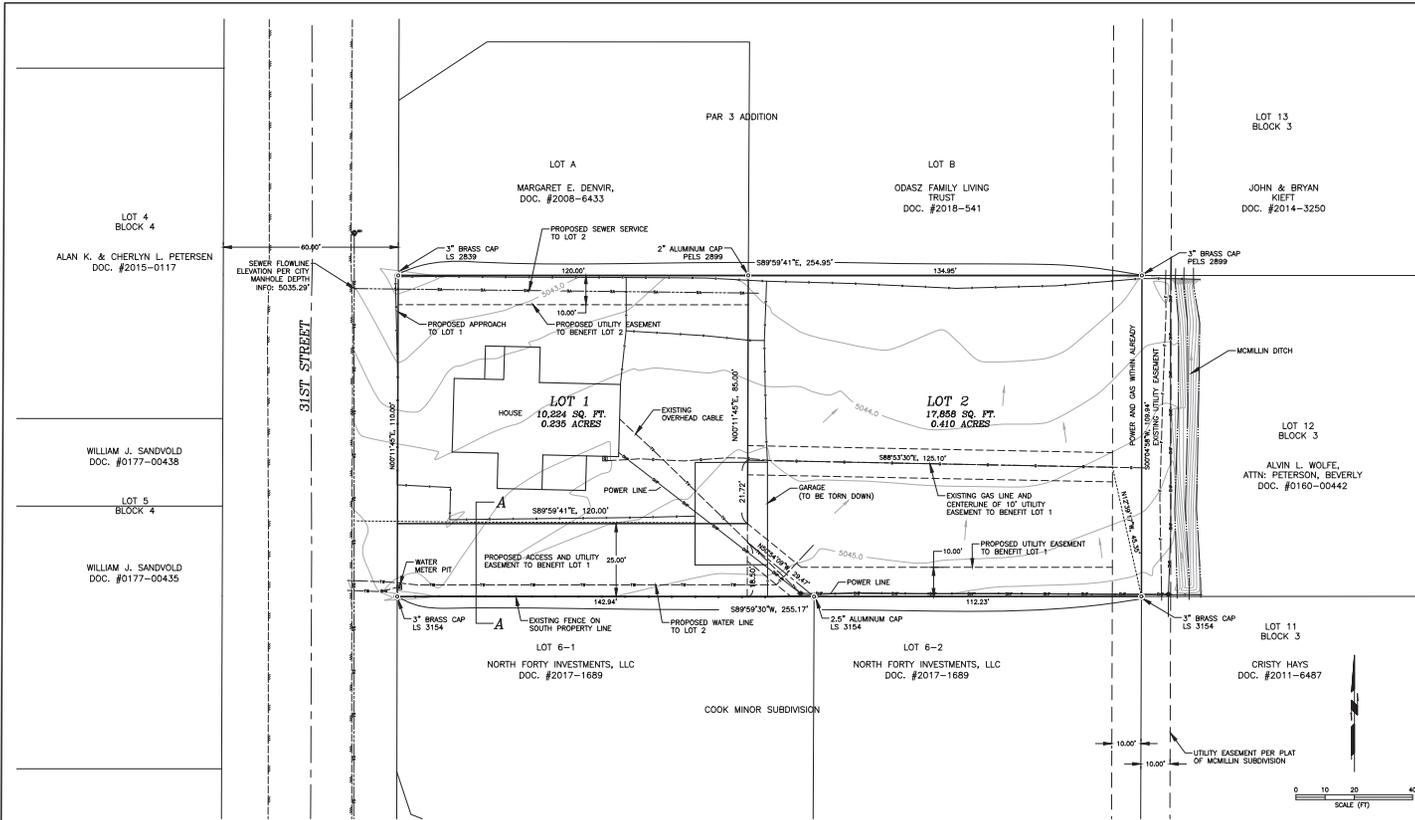
RECOMMENDATION:

Recommend that City Council approve the preliminary plat for the division of 1620 31st Street, subject to submittal of the final plat and construction drawings with the following additions/clarifications:

1. Include a note that the subdivision improvements were based on the property containing no more than three dwelling units—one on Lot 1 and two on Lot 2. Additional dwelling units would require additional subdivision improvements.
2. The overhead power line serving Lot 1 must have at least 15 feet of clearance from ground level as it crosses the access drive. If the required clearance does not exist, the line must be raised to provide the clearance, or a new service line run underground.
3. The physical connection of the subdivision access drive to the public street shall consist of a paved entrance/exit extending from the curb cut (face of curb, or edge of roadway pavement if no curb exists), to a point at least twenty five feet (25') from the public street, measured along the direction of travel. Asphalt thickness shall be at least three inches (3"), compacted depth.
4. Include the improvement district language for 31st Street in the Owner's dedication on the final plat.
5. Provide a maintenance agreement or covenants to set forth the maintenance responsibilities for the private access drive tract/easement, including maintenance of the access drive, fence, and stormwater facility. See 11-8-5(C).
6. Provide approval of the Cody Canal and McMillin Ditch Company for the irrigation plan for Lot 2 and the transfer of water rights from Lot 1. Provide the agreements for the transfer as noted above in the staff report.
7. The existing garage is to be removed and Lot 1 provided with at least two improved on-site parking spaces prior to the final plat being recorded.
8. Applicable utility fees will need to be paid before the final plat is recorded (water tap fee and sewer plant investment fee).
9. Include the following construction details on the plans either by drawing or note.
 - a. The paved entrance, as noted in #3 above;
 - b. Requirements of 11-8-4(B)3.h (sewer cleanouts);
 - c. Requirements of 11-8-4(B)3.i (tracer wire);
 - d. Requirements of 11-8-4(B)3.j (markers at end of service lines);
 - e. Add size and depth of rock to the swale detail, and the fabric liner;
 - f. Post address for Lot 2 (1624 31st Street) at entrance; and,
 - g. Show the required 6-foot solid fence along the south side of the access easement, except the first 15 feet off of 31st Street.
10. The final plat application must be submitted within one year and otherwise comply with provisions of the subdivision ordinance.

ATTACHMENTS:

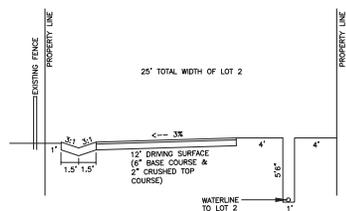
Nelson Minor Subdivision Preliminary Plat



- LANDOWNER KEY**
- ① DARBY & CHASE NELSON, 83 ROAD 220W, CODY, WY 82414
 - ② NORTH FORTY INVESTMENTS, LLC 1 NORTH FORTY TRAIL, POWELL, WY 82435
 - ③ KEITH & TAMARA HAWKINS, 486 DIAMOND BASIN ROAD, CODY, WY 82414
 - ④ JAMES & KATHY ALEXANDER, 1713 32ND STREET, CODY, WY 82414
 - ⑤ CRISTY HAYS, 1701 32ND STREET, CODY, WY 82414
 - ⑥ ALVIN WOLFE, ATTN: BEVERLY PETERSON, 7543 LOMA VISTA ROAD, VENTURA, CA 93003
 - ⑦ JOHN & BRYAN KIEFT, 1613 32ND STREET, CODY, WY 82414
 - ⑧ JUDSON & CAROLINE SEWER, 1601 32ND STREET, CODY, WY 82414
 - ⑨ JUNE SIZEMORE, ATTN: TERRY SIZEMORE, 1408 31ST STREET, CODY, WY 82414
 - ⑩ ODASZ FAMILY LIVING TRUST, 135 RIO VISTA AVENUE, CODY, WY 82414
 - ⑪ MARGARET DENVR, 530 36TH STREET, CODY, WY 82414
 - ⑫ PETERSON LAKE HILL RANCH, LP, POB 556, PRESTON, ID 83263
 - ⑬ ALAN & CHERLYN PETERSON, PO BOX 2907, CODY, WY 82414
 - ⑭ WILLIAM SANDVOLD, POB 11, CODY, WY 82414
 - ⑮ RANDY & KAY RAILE, 17 CLEAR VIEW ROAD, CODY, WY 82414

LEGEND

	FOUND MONUMENT
	OVERHEAD ELECTRICAL LINE
	BURIED NATURAL GAS OR LP GAS LINE
	BURIED TREATED WATER LINE
	BURIED SANITARY SEWER LINE
	MANHOLE LID, UTILITY AND STRUCTURE TYPES VARY
	WATER METER
	GAS METER
	EDGE OF ASPHALT SURFACES
	RECORD DATA SHOWN IN PARENTHESES
	UTILITY PIPE LINE VALVES
	UTILITY POLE
	PROPOSED SUBDIVISION BOUNDARIES
	PROPOSED EASEMENT



CROSS SECTION A-A

NOTES

1. 0.23 ACRES OF WATER RIGHTS UNDER THE CODY CANAL THROUGH THE MCMILLIN DITCH ARE PROPOSED TO BE DETACHED FROM LOT 1 SO THAT NO WATER RIGHTS UNDER THE MCMILLIN DITCH WILL REMAIN ON LOT 1.

CERTIFICATE OF SURVEYOR

I, LYLE J. CASCIATO, OF ENGINEERING ASSOCIATES, HEREBY CERTIFY THAT THIS MAP WAS PREPARED USING DOCUMENTS ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK, AND FROM NOTES TAKEN DURING ACTUAL SURVEYS PERFORMED UNDER MY DIRECTION BETWEEN MARCH 19 AND 28, 2019; AND, THAT TO MY KNOWLEDGE, THIS MAP SHOWS THE SITUATION ON THE GROUND AT THE TIME OF ITS PREPARATION.



**— PRELIMINARY PLAT —
NELSON MINOR SUBDIVISION**

BEING A FURTHER SUBDIVISION
OF
LOT 5, BLOCK 3, MCMILLIN SUBDIVISION,
CITY OF CODY, PARK COUNTY, WYOMING

LANDOWNERS: NELSON, DARBY LYN & CHASE P.2206
1620 31ST STREET
CODY, WY 82414

PREPARED BY: ENGINEERING ASSOCIATES & SURVEYORS



JOB NO. 19000.13 MARCH 28, 2019
P:\2019\19000.13\19000.13 BASE
SHEET 1 OF 1

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

MEETING DATE:	MAY 14, 2019	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	PRELIMINARY PLAT OF BEACON HILL MINOR SUBDIVISION— A 3-LOT SUBDIVISION. SUB 2018-04	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT OVERVIEW

The Park County School District No. 6 has submitted a 3-lot subdivision for their 36-acre property northwest of the East Sheridan Avenue and Beacon Hill Road intersection. Lot 1 contains the existing FFA barn and is anticipated to contain a new bus storage facility for the School District. Lots 2 and 3 are currently vacant and are planned to be sold.

The property is located in three different zoning districts—R-2 (yellow), D-2 (red) and D-3 (gray), as shown on the map below. It is noted that the commercial zones (D-2 and D-3) also allow all forms of residential development. As Lots 2 and 3 are planned to be sold off, it is simply unknown how they may eventually be developed. With Lot 2 being over 12 acres in size and Lot 3 over 13 acres, they both have the potential for substantial development. Improvements for this subdivision are being planned and required based on a relatively moderate level of development on Lots 2 and 3. Depending on the level of actual future development there may be additional infrastructure improvements needed, such as looping the water main, and more substantial street improvements. However, to avoid both “overdesigning” and “overbuilding” the infrastructure, it is proposed that the street improvements not be required to be designed at this time, but delayed until development is proposed on Lots 2 and/or 3. The looping of the water main would also be delayed and only required



if modeling of the water system shows a need or substantial benefit for the proposed developments.

SUBDIVISION REGULATIONS

The subdivision ordinance requirements are as follows. Staff comments follow each requirement. When a variance from the standard is involved, it is noted.

11-4-2: STREETS, ALLEYS AND EASEMENTS:

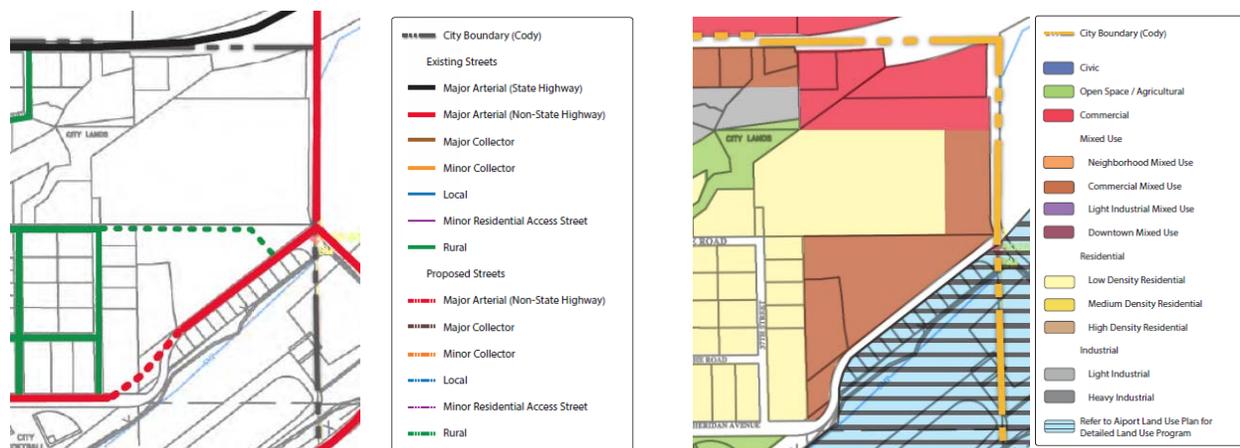
A. Alignment: All proposed streets, alleys and easements shall align horizontally and vertically with existing streets, alleys and easements adjacent to or lying near the subdivision.

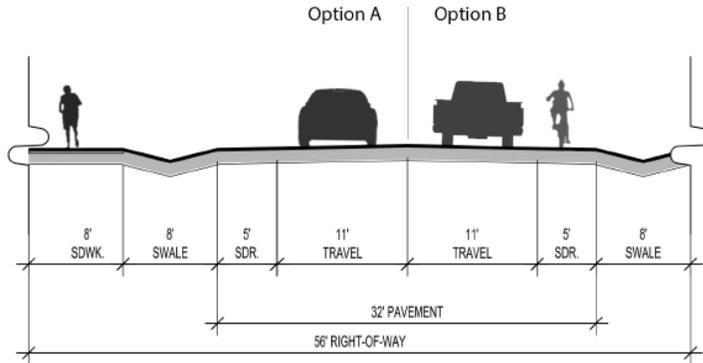
Comment: The subdivision has two street segments—the extension of 37th Street to Lot 3, and the 60-foot wide access easement across the south of Lot 2. The 37th Street extension would need to align with the rest of 37th Street.

B. Conform to Master Street Plan: All streets shall conform to the city master street plan for size and approximate alignment.

Comment: The master street plan does show a conceptual rural road connecting 37th Street and East Sheridan Avenue. The alignment need not exactly follow the plan, and the road profile may need to be more substantial, as the rural road section corresponds with the “low density residential” future land use contemplated by the master plan.

The proposed subdivision maintains the ability to provide the street connection identified in the master plan, with the access easement across Lot 2, which can be extended to 37th Street upon development of Lot 3. Due to uncertainty of how future development on the lots will occur, it is not requested that the proposed access easement on Lot 2 be dedicated as public right-of-way at this time. However, it should be required that an agreement be included on the final plat that the access easement (or agreed upon replacement) be dedicated as public right-of-way, at no cost to the City, upon future request of the City. The requirement to continue the road across Lot 3 should also be noted on the final plat.





Rural

It is also noted that East Sheridan Avenue and Beacon Hill Road have substandard width of right-of-way for their street classifications as major arterials, as identified in the master street plan. East Sheridan Avenue has 60 feet of existing right-of-way and Beacon Hill appears to have 50 to 90 feet. Rather than request additional right-of-way dedication, Public Works believes that only a 10-foot utility easement should be needed along East Sheridan Avenue, and along Beacon Hill Road a utility and drainage easement to match the west line of the PP&L easement. The easements are requested in lieu of the right-of-way dedication.

C. Jogs Prohibited: Street jogs shall be prohibited unless, because of very unusual conditions, the commission and council determine that the offset is justified.

Comment: There are no internal street jogs.

D. Topography: Streets shall have a logical relationship to the topography.

Comment: The street design adequately considers the topography of the site.

E. Intersections: Intersections shall be at or near right angles whenever possible.

Comment: Met.

F. Local Streets: Local streets will be designed to discourage through traffic.

Comment: The internal street layout has not been fully determined.

G. Cul-De-Sacs: Cul-de-sacs shall be permitted, providing they are no longer than five hundred feet (500'), including the area at the end of said cul-de-sac; and further providing, that the property line to property line diameter of the cul-de-sac be at least one hundred feet (100'). Design specifications for curb, gutter, sidewalk and distance from property line to sidewalk shall be in accordance with the typical section of a "residential street", as defined by the master street plan. Surface drainage shall be towards the intersecting streets whenever possible, but may be out of the cul-de-sac through a drainage easement as a last alternative.

Comment: If the access road runs from 37th to East Sheridan as contemplated by the master plan, there will not be any cul-de-sacs or permanent dead-end streets with this subdivision.

H. Dead End Streets, Alleys: Dead end streets and alleys (with the exception of cul-de-sacs) shall be prohibited, unless they are designed to connect with future streets or alleys on adjacent lands that have not been platted. If a dead end street or alley is allowed, for the above reasons, a temporary turnaround shall be constructed for public use until the street or alley is extended.

Comment: The note requiring extension of the road across Lot 3 would avoid a dead-end street situation. A temporary turnaround area can be noted on the final plat.

I. Half Streets: Half streets will be prohibited...

Comment: Not applicable.

J. Reverse Curves: Reverse curves on arterial and collector streets ...

Comment: Not applicable.

K. Widths and Grades: Street, alley and easement/right of way widths and grades shall be as follows:

	<i>Minimum Right Of Way Width</i>	<i>Minimum Grade</i>	<i>Maximum Grade</i>
<i>Residential street</i>	<i>60 feet</i>	<i>0.3 percent</i>	<i>7.0 percent</i>

Comment: The proposal would provide a 60-foot wide access easement or right-of-way. The existing topography would allow a road to be constructed within the easement to the grades noted.

L. Vertical Curve Length: The minimum length of vertical curves shall be as follows...

Comment: Not applicable at this time—a design level detail.

M. Visibility: Clear visibility, measured along the centerline of the street shall be as follows...

Comment: Met at the proposed connection to East Sheridan Avenue.

N. Curvature Radius: The minimum radius of curvature on the centerline of a street shall be as follows...Residential Street: 200 feet.

Comment: A radius will need to be added to the interior of the bend in the access easement to accommodate the radius noted.

O. Streets with Interior Angles less than 70 degrees: ...

Comment: Not applicable.

P. Alleys: Alleys shall be required in all subdivisions with the minimum width being twenty feet (20'), unless extreme conditions preclude the feasibility of alleys... Alleys shall be constructed with a minimum of six inches (6") of crushed aggregate base course for the finished surface. The specification for the gradation of the crushed aggregate base course may be obtained from the city engineer.

Comment: A variance to the alley requirement is requested for the 3-lot subdivision. Creation of smaller lots may necessitate an alley, but the large lots and utility layout do not necessitate an alley for any purpose at this time.

Q. Curb, Gutter, Sidewalk, Paved Streets: Curb, gutter, sidewalk and paved streets shall be required in all proposed subdivisions unless waived in accordance with criteria set out in subsection 11-5-2B of this title by the planning, zoning and adjustment board, and the city council. All waivers of curb, gutter and sidewalks shall require acknowledgment by the developer on the final plat that future improvement districts for the development of curb, gutter and sidewalks shall be supported by future owners of the lots and be so noted on the final plat. The developer shall be responsible for demonstrating to the city that the grades and location of the proposed improvements shall be compatible with all future development in the area.

Comment: The improvement district language would be applicable to Lots 1 and 2 for their frontage on East Sheridan Avenue and Beacon Hill Road.

R. Street Cross Section: The minimum typical street cross section for each type of street shall be as shown on the master street plan. Details of the city standards for typical paving, curb, gutter, sidewalk, alley aprons and valley gutter sections may be obtained from the city engineer.

Comment: See discussion on page 1 of this report. The design and construction of the interior roadway is proposed to be delayed until development of Lots 2 and/or 3, as needed.

S. Valley Gutters: The use of valley gutters in areas where storm sewer facilities exist or are proposed will be discouraged.

Comment: Not applicable.

T. Drainage: The area to be subdivided shall be designed to provide proper and sufficient drainage. Runoff and storm sewer systems shall be designed to adequately drain the subdivision and adjacent area that will drain into the subdivision. All stormwater systems shall be designed to achieve zero increase in runoff and shall be in compliance with the city stormwater management policy, as amended. They shall be designed and constructed to allow runoff and stormwater to flow by gravity from the subdivision to an adequate outlet. When an existing storm sewer trunk line is available, the proposed system shall be designed to connect to it. When an existing storm sewer

trunk line is not available, a drainage plan must be developed that is acceptable to the city.

Comment: The future road will need to incorporate storm water control in its design. The property currently has drainage facilities for its current condition. A 100' by 100' storm drainage easement for the benefit of Lots 2 and 3 is shown in the northeast corner of Lot 3. That area contains an infiltration swale and structures. Additional analysis will be required upon further subdivision or development of the properties. A note to that effect will be needed on the final plat.

The maintenance of the drainage basin in the easement should be identified through a maintenance agreement. An agreement will need to be submitted with the final plat.

U. Lot Requirements: All lots within a proposed subdivision will meet the following requirements:

1. Lots shall be sized to meet the requirements of the appropriate zoning.

Comment: All lots meet minimum size requirements.

2. Every lot shall abut upon or have access to an approved street or an approved cul-de-sac.

Comment: Lot 3 has frontage on 37th Street, but that segment is not improved, and therefore not "approved". The developer of Lot 3 is responsible to construct the street; however, as first noted, the size and design of the streets serving Lot 3 are dependent upon the level of development eventually planned for the property. Therefore, the design and construction are proposed to be delayed until the Lot is proposed for development.

3. Side lot lines shall be at approximate right angles to the street line on which the lot faces.

Comment: Met.

4. Strip lots established with the intent of restricting access to streets or alleys will be prohibited.

Comment: Met.

V. Blocks: Blocks shall be at least three hundred feet (300') long, normally, not to exceed six hundred sixty feet (660') long. All blocks shall normally be of sufficient width to allow for two (2) tiers of lots of approximately equal width and an alley.

Comment: This standard works for residential development, but not always for commercial/light-industrial areas. Each lot itself exceeds 660 feet in each direction, so it is proposed that block length not be addressed unless further division occurs.

Section 11-5-1, DEVELOPMENT AND IMPROVEMENT also includes standards for construction. Most of those items are simply verified in the construction plans and/or as part of the final plat review. Those that warrant discussion are noted below.

C. Curbs, Gutters and Sidewalks: Curbs, gutters and sidewalks shall be constructed along both sides of any proposed streets...

Comment: The determination of appropriate street design is proposed to be delayed until development of the lots, or further subdivision, whichever occurs first.

D. Street Design, Construction: Streets shall be designed and constructed according to accepted engineering practices and construction standards with the minimum cross section being the city standard.

Comment: As with "C", the determination of appropriate street design is proposed to be delayed until development of the lots, or further subdivision, whichever occurs first.

E. Street Name Signs: Street name signs shall be installed at all intersections.

Comment: The sign would be included with the road construction.

F. Sanitary Sewer: Sanitary sewer shall be constructed according to city approved specifications and city construction standards, and shall connect to the city system. It shall also be approved by all appropriate state and/or federal agencies. Each lot within the proposed subdivision shall be connected to a minimum eight inch (8") diameter sewer main by a minimum four inch (4") diameter sewer service line. The service lines shall be extended from the sewer main to the property line according to city standards. The use of individual septic systems will not be permitted when a sanitary sewer main is available. If, in the city's opinion, a larger sewer main is necessary to allow for future development of adjacent areas, an agreement may be entered into between the developer and the city whereby the city may help finance the oversized main. It will be the developer's responsibility to ensure that the piping system for the proposed subdivision is connected to the city system.

Comment: The subdivision includes a proposed sewer main to serve all three lots (runs along north side of Lot 3 and west side of Lot 2. The plans for such will need to be submitted with the final plat application.

G. Storm Sewer: Storm sewer shall be constructed according to city approved specifications, separate from the sanitary sewer. When reasonably possible the storm sewer shall be connected to the existing storm sewer system.

Comment: The City does not have a storm sewer system in the area. Storm water retention would be reviewed with any commercial site plan application or street construction.

H. Water Mains: All water mains will be designed and constructed according to city approved specifications and the city standards. The system will connect each lot within the proposed subdivision to a minimum six inch (6") diameter main by the use of a minimum three-fourths inch (3/4") copper service line. The service lines shall be extended from the main to the property line according to city standards. These mains will be connected to the city system. All water mains will be designed in accordance with the city plan, state and federal regulations, and designed to provide adequate flow and pressure under all conditions, including major fire conditions. If, in the city's opinion, larger mains are necessary to allow for the future development of adjacent

areas, an agreement may be entered into between the developer and the city whereby the city may help finance the oversized main. It will be the developer's responsibility to ensure that the water piping system for the proposed subdivision is connected to the city system. The development of private or community wells for potable water will not be allowed within the corporate limits of the city.

Comment: The FFA building on Lot 1 is currently served by a private 8-inch water main that extends from 37th Street. The main was engineered and was permitted by DEQ, but remains a private line. The proposal is to connect to the end of that line and extend the main to the common south corner of Lots 2 and 3. Public Works proposes a slightly different plan—that the water main extend straight east-west along the south end of Lot 3. Public Works would be willing to take over ownership and maintenance of that line, while the portion of the pipeline on Lot 1 would remain private. Plans for the water line improvements will need to be submitted with the final plat application.

I. Fire Hydrants: Fire hydrants shall be installed at intervals not to exceed five hundred feet (500') between hydrants and provided with standard hose connections as specified by the fire department.

Comment: The water plans will need to include hydrants per the standard.

J. Open Drains, Irrigation Ditches: All open drains and irrigation ditches shall be buried or, if possible, eliminated.

Comment: There appears to be an open irrigation ditch along Beacon Hill Road. The applicant will need to contact the irrigation district (Cody canal) to determine if they are agreeable to have it piped. The last staff heard, the district was actively working to pipe their system and to facilitate that, they will install the pipe if the property owner purchases it. Provide a plan with the final plat application.

K. Utilities: All utilities (electrical service, natural gas, telephone, cable TV, etc.) shall be installed underground, whenever possible, in the streets, alleys or utility easements shown on the final plat. All buried utilities will be placed before the finished surface is placed on the streets or alleys. Written agreements between the subdivider and each utility company, copies of which will be presented to the city with the construction specifications, shall be drawn up stating who will install the utilities and how the costs for their installation shall be covered... It will be the developer's responsibility to ensure that all utilities necessary or reasonably expected are placed within the proposed subdivision.

Comment: All utilities are proposed to be underground. It is noted that the plan for natural gas service may be changed to have Lots 1 and 2 use the new line installed along East Sheridan Avenue—we have a call into Black Hills Energy to see if this is an option. Letters from the utility providers are required with the final plat application.

L. Other Improvements: Any other improvements, such as bridges, culverts, etc., not specifically mentioned herein but found necessary by the city due to conditions found on the site shall be constructed.

Comment: No additional improvements have been identified.

M. Street Lighting: Street lighting shall be installed according to the standards and requirements established by the city electrical commissioner, the cost of which will be borne by the subdivider.

Comment: To be included in the street plans, at time of development or further subdivision.

N. Public Use Areas...

Comment: Not applicable to minor subdivisions.

OTHER:

1. Irrigation Water: The property appears to have surface water rights (irrigation) in the Cody Canal system. The subdivision ordinance requires the developer to either install an irrigation system to utilize those water rights, or transfer the water rights to the City. The plan at this time is to develop an irrigation system to utilize the water rights. The irrigation plan, authorized by the irrigation district, will need to be submitted with the final plat. Irrigation easement will need to be provided as specified by the irrigation district, for any existing or proposed canals/ditches that encumber the property.

2. Easement Vacation: The preliminary plat requests the vacation (elimination) of an existing 25-foot wide electrical easement (MF Book 38, Page 946), which was originally granted to Pacific Power & Light, but was transferred to the City of Cody when the City annexed and took over power supply responsibility for that area. There are not active electrical lines in the easement, so the electrical division is agreeable to the vacation.

3. Access location: The access to Lot 3 from East Sheridan Avenue is being provided primarily for Lot 3, but will be available to all three lots. Based on the potential for development, it will likely end up needing to be a full street. Engineering best practices for access management indicate that the intersection of this street with East Sheridan Avenue should be about 600 feet from any other intersection (i.e. Beacon Hill Road intersection). As such, the easement and property line should be shifted further away from Beacon Hill Road. It is not probable that the full 600 feet can be provided due to the planned location of the bus storage building, but it does need to be more than the 300 feet originally planned. The applicant indicates some flexibility does exist.

4. Minor Edits: The following minor edits to the preliminary plat are needed.

- Note 3 references a "Parcel 2", but Parcel 2 is not identified.
- The right-of-way linework in the legend is not discernable for other linework—mostly because the subdivision boundary has multiple lines. It is staff preference that the subdivision boundary be a single bold line and the line weight of everything outside the subdivision be light enough to clearly differentiate.

- c. Show survey markers being set at the corners of the proposed property lines.
- d. Identify the easement for the sewer line as a "City sewer easement", rather than a general utility easement.
- e. The easement dimensions and descriptions for the east-west water line and accompanying utilities will need some modification, but it depends on utility placement—coordinate with Public Works.
- f. Show the electrical line extending to the SMP Pump Station service, south of East Sheridan Avenue.
- g. Indicate the 100' by 100' drainage easement is for the benefit of Lots 2 and 3.

VARIANCES:

Variances are to be reviewed under the following standard of 11-5-2(B):

If during the approval process of a proposed subdivision it can be shown that strict compliance with the requirements of this title will result in extraordinary hardship to the subdivider due to unusual topography or other similar land conditions, or where the subdivider can show that variances will make a greater contribution to the intent and purpose of this title, the commission and council may, upon written request and proper justification, grant a variance to this title so that substantial justice may be done and the public interest secured; provided, that any such variance will not have the effect of nullifying the intent and purpose of this title.

The primary variance would be to delay submittal of street plans until the time of future subdivision, or development of any lot utilizing the accesses (37th Street or access easement). The variance would be noted on the final plat, along with an agreement to provide street improvements at the level determined by City council for the project proposed, prior to or in conjunction with issuance of a building permit. The street improvements shall be based on the local access street standard, unless determined otherwise by the City Council.

Variances would also be granted for the alley requirement.

Staff would recommend that the Board find that the variances noted be found to "*make a greater contribution to the intent and purpose of this title*" than if those improvements were required at this time.

POTENTIAL MOTION:

Recommend that the City Council approve the Beacon Hill Minor Subdivision preliminary plat and the following variances, subject to the conditions listed. The intent to vacate the unused electrical easement should also be noted at this time (formal action to occur with final plat).

Subdivision Variances:

1. Variance to delay submittal of street plans and street construction until the time of future subdivision, or development of any lot utilizing the accesses (37th Street or access easement). The variance would be noted on the final plat, along with an agreement to provide complete street improvements at the level determined by City council for the project proposed, prior to or in conjunction with issuance of a building permit. The street improvements shall be based on the local access street standard, unless determined otherwise by the City Council.
2. No alleys are required.

Conditions:

1. Provide an updated preliminary plat with the following changes:
 - a. Note 3 references a "Parcel 2", but Parcel 2 is not identified—address as needed.
 - b. The right-of-way linework in the legend is not discernable for other linework—address as needed.
 - c. Show survey markers being set at the corners of the proposed property lines.
 - d. Identify the easement for the sewer mainline as a "City sewer easement", rather than a general utility easement.
 - e. The easement dimensions and descriptions for the east-west water line and accompanying utilities will need some modification, but it depends on utility placement—coordinate with Public Works.
 - f. Show the electrical line extending to the SMP Pump Station service, south of East Sheridan Avenue.
 - g. Indicate the 100' by 100' drainage easement is for the benefit of Lots 2 and 3.
 - h. Add a radius to accommodate a minimum 200-foot radius in the access road (NE corner of Lot 1).
 - i. Shift the access easement and property line to provide more separation from the Beacon Hill intersection, as negotiated with Public Works, but no less than 450 feet.
 - j. Include language regarding the variance on timing of street design and construction.
 - k. Modify the water main route as noted in the staff report (east-west alignment).
 - l. Verify plan for gas line (Lots 1 and 2 use new line in East Sheridan?)
2. Provide an irrigation distribution plan and irrigation easements as required by Cody Canal Irrigation District. Piping of the existing ditch/canal along Beacon Hill Road is the developer's responsibility and shall be to Cody Canal Irrigation District standards—coordinate costs and installation responsibilities with Cody Canal.
3. A maintenance agreement shall be established for maintenance of the storm water facility. Submit the proposed agreement with the final plat.
4. Provide dust control during subdivision development as needed to prevent dust impacts to neighboring properties.
5. Provide an agreement/note on the final plat regarding the requirement to install a street from the 37th Street and Cherokee Road intersection to East Sheridan Avenue,

and for the lots to dedicate the street right-of-way to the City, at no cost to the City, upon request of the City.

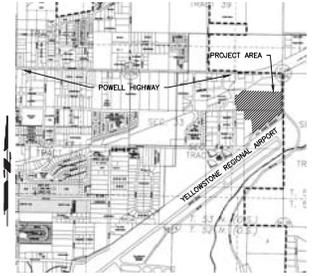
6. Include the improvement district language on the final plat for Lots 1 and 2.
7. The final plat application and construction documents shall otherwise comply with the City subdivision ordinance.

ATTACHMENTS:

Preliminary Plat

(Available but not attached: Deeds and easement documents.)

Township 53 North
Range 101 West



CITY PLANNER APPROVAL

THIS BEACON HILL MINOR SUBDIVISION WAS APPROVED BY THE CITY PLANNER OF CODY, WYOMING ON THE _____ DAY OF _____ 20____.

BY: _____ ATTEST: _____
CITY PLANNER

CLERK AND RECORDER ACCEPTANCE

THIS BEACON HILL MINOR SUBDIVISION WAS ACCEPTED IN THE OFFICE OF THE CLERK AND RECORDER, PARK COUNTY, WYOMING, AT _____ O'CLOCK _____ ON THIS _____ DAY OF _____ 20____.

FILED FOR RECORDING IN BOOK OR PLAT CABINET _____ AT PAGE _____ AND RECORDED AS COMPUTER RECORD DOCUMENT NUMBER _____.

PARK COUNTY CLERK _____ DEPUTY.

CERTIFICATE OF SURVEYOR

I, LYLE J. CASCIATO, OF ENGINEERING ASSOCIATES, HEREBY CERTIFY THAT THIS MAP WAS PREPARED USING DOCUMENTS ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK, AND FROM NOTES TAKEN DURING ACTUAL SURVEYS PERFORMED UNDER MY DIRECTION BETWEEN SEPTEMBER 13, 2013 AND _____, 2019, AND, THAT TO MY KNOWLEDGE, THIS MAP SHOWS THE SITUATION ON THE GROUND AT THE TIME OF ITS PREPARATION.

LYLE J. CASCIATO, PLS 12800
04/16/19

CERTIFICATE OF OWNER

STATE OF WYOMING }
COUNTY OF PARK } SS.
KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE OWNERS AND PROPRIETORS OF THE LANDS SHOWN HEREON, CONSISTING OF THREE PARCELS OF RECORD, THAT WE HAVE CAUSED SAID LANDS TO BE SURVEYED, THAT THIS SUBDIVISION OF SAID LANDS IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS; THAT LOT 15A IS SUBJECT TO ALL COVENANTS, TERMS AND CONDITIONS OF LOT 15 OF THE HOLM HANGER SUBDIVISION, THAT LOTS 1, 2, AND 3 ARE SUBJECT TO ALL COVENANTS, TERMS AND CONDITIONS OF LOT 15 OF THE HOLM HANGER SUBDIVISION; THAT WE HEREBY DEEDICATE EASEMENTS LABELED HEREON TO THE USES SO NOTED, THAT SAID LANDS ARE SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND MINERAL RIGHTS OR RESERVATIONS ON RECORD, ANY RIGHTS BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE OF WYOMING ARE HEREBY RELEASED AND WAIVED.

OWNER - PARK COUNTY SCHOOL DISTRICT NO.6 BY: _____ BOARD CHAIR

STATE OF WYOMING } SS.
COUNTY OF PARK }
THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY _____ THIS _____ DAY OF _____ 20____, WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC _____

LEGEND

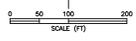
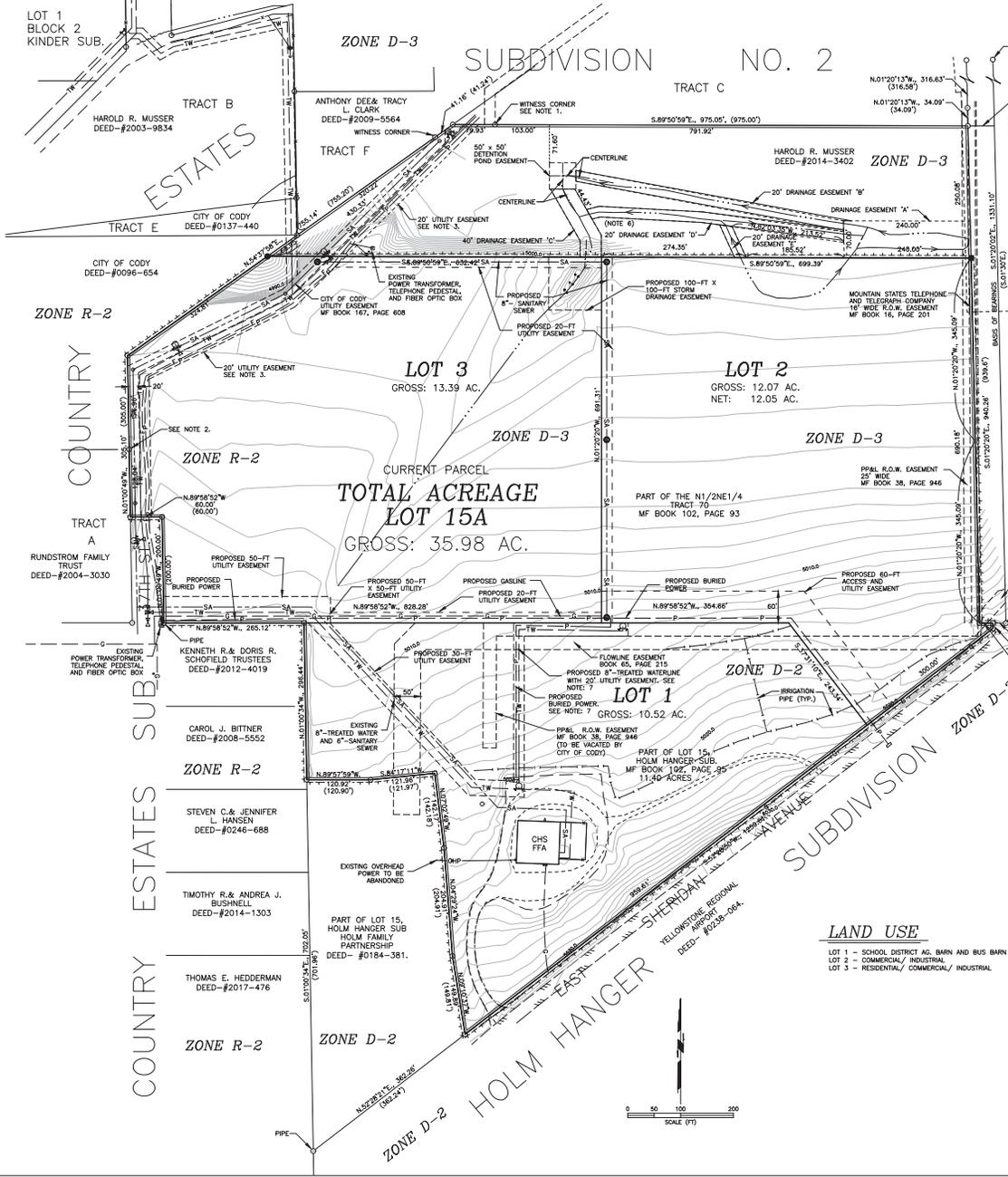
- FOUND 2" DIA. ALUMINUM CAP ON 5/8" DIA. STEEL BAR 0.17' NORTH OF LINE.
- SET 2" DIA. ALUMINUM CAP ON 5/8" DIA. STEEL BAR
- BEACON HILL MINOR SUBDIVISION BOUNDARY
- RIGHT-OF-WAY
- EASEMENT OWNED BY THIS PLAT
- EXISTING EASEMENT
- EXISTING SURVEY DIMENSIONS
- WEARDED DIMENSIONS, THIS SURVEY
- PROPOSED BURIED GAS
- TW --- PROPOSED TREATED WATER
- SA --- PROPOSED SANITARY SEWER
- D --- EXISTING BURIED GAS
- TW --- EXISTING BURIED WATER
- SA --- EXISTING SANITARY SEWER
- EXISTING IRRIGATION PIPE
- EXISTING FIRE HYDRANT
- D=H --- EXISTING TREATED WATER SERVICE
- EXISTING POWER TRANSFORMER
- EXISTING FIBER OPTIC BOX
- EXISTING TELEPHONE PEDESTAL
- PROPOSED SERVICE
- EXISTING WHEELWELL

NOTE

1. FOUND 2" DIAMETER ALUMINUM CAP ON 5/8" DIA. STEEL BAR 0.17' NORTH OF LINE.
2. FOUND 2" DIAMETER ALUMINUM CAP ON 5/8" DIA. STEEL BAR 0.11' EAST OF LINE.
3. 20.00 FOOT WIDE UTILITY EASEMENT FOR BENEFIT OF PARCELS 2, LYING EASTERLY OF AND ADJOINING THAT CITY OF CODY UTILITY EASEMENT RECORDED IN MF BOOK 167, AT PAGE 608 ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK.
4. BEARINGS ARE BASED ON THE CITY OF CODY COORDINATE SYSTEM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM UNDER WEST CENTRAL ZONE.
5. TOTAL GROSS SUBDIVISION ACREAGE = 38.39 ACRES, TOTAL NET SUBDIVISION ACREAGE EXCLUDING STATE, COUNTY AND PUBLIC RIGHTS-OF-WAY = 25.89 ACRES.
6. WATERSHED FRINGS ELEMENTS SHOWN TO DEMONSTRATE EROSION CONTROL PLAN ADJUSTMENT.
7. FINAL TREATED WATER EXTENSION LOCATION WILL BE DETERMINED IN CONJUNCTION WITH NEW BUS BARN AND PLUMB. BURIED POWER WILL BE PLACED WITH TREATED WATERLINE EXTENSION.
8. NO FLOOD AREAS OR WETLANDS OBSERVED ONSITE.

LAND USE

- LOT 1 - SCHOOL, DISTRICT AG. BARN AND BUS BARN
- LOT 2 - COMMERCIAL/INDUSTRIAL
- LOT 3 - RESIDENTIAL/COMMERCIAL/INDUSTRIAL



DRAFT - 05/11/19

BEACON HILL MINOR SUBDIVISION

LOCATED IN
LOT 15A, HOLM HANGER SUBDIVISION, CITY OF CODY,
RESURVEY T.53N., R.101W., 6TH P.M.,
PARK COUNTY, WYOMING

PREPARED FOR: PARK COUNTY SCHOOL DISTRICT NO. 6
CODY, WYOMING 82414

PREPARED BY: ENGINEERING ASSOCIATES
CONSULTING ENGINEERS & SURVEYORS
902 13TH STREET
CODY, WYOMING 82414



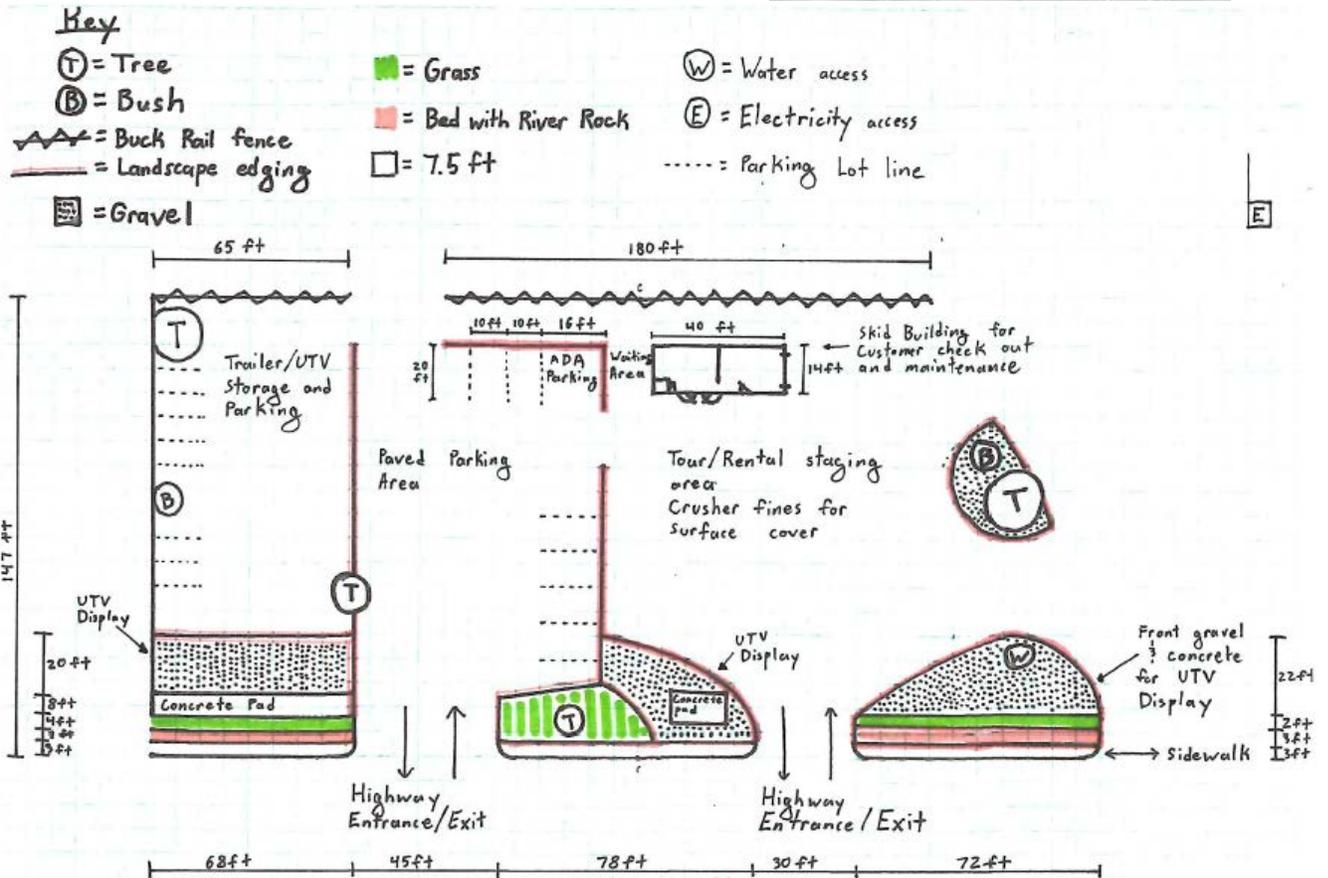
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F.B. NO. 561

CITY OF CODY PLANNING, ZONING AND ADJUSTMENT BOARD STAFF REPORT

MEETING DATE:	MAY 14, 2019	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	SITE PLAN REVIEW: TREAD N TRAILS UTV RENTALS. SPR 2019-11	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Tread n Trails, LLC has submitted a site plan application for a Utility Terrain Vehicle (UTV or side-by-side) rental facility at 405/415 Yellowstone Highway. The applicant ran a temporary UTV rental business on the property last year. The current application includes installation of a building (14' by 40' shed), organized parking, and landscaping, as indicated below.



REVIEW CRITERIA:

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

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

Section 9-2-3 is as follows:

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

In addition, the site plan is reviewed for compliance with specific development standards of the zoning ordinance.

STAFF COMMENTS:

The portion of the property to be developed is zoned Open Business/Light Industrial (D-3), which allows vehicle rental and similar uses. Only about one acre of the property is proposed to be utilized. Here is the applicant's description of the business.

Tread n Trails is a tour and rental company that utilizes both UTVs and exotic autos to provide a way for customers to experience Cody's surroundings. We recently partnered with Polaris Adventures to be able to bring customers a stream lined experience with access to the latest and greatest equipment. We open May 15th until October 31st. We are open seven days a week 8am to 5pm. Our services include UTV and Slingshot hour, half-day and full day rentals along with two tours of the surrounding area. We staff between 2 to 4 staff members per day depending on the needs of that day.

Architecture:

The building would measure 14' by 40' and appear similar to the building shown here, except it would be white where the photo shows red. The add-on package adds five windows and a door. The side of the building shown (long side) would face Yellowstone Avenue. The add-on package adds significantly to the architectural quality of the building.

The building location is approximately 120 feet from the highway.



The Board will need to determine if the architectural components of the structures are acceptable.

Landscaping: The property is within the entry corridor overlay district, which requires landscaping for new development and redevelopment in the amount of up to 5% of the developed area. The landscaping plan utilizes some of the existing railroad ties and river rock immediately next to the highway, and improves on it with some grass and gravel. The gravel will be utilized for UTV display, much like how the Bobcat dealership on Big Horn Avenue displays their equipment. The landscape islands will be lined with landscape edging (railroad ties).

A tree and bush are located in a landscape island on the east side of the developed area. There is approximately 60 feet between this project and the Six Gun Motel to the east, that will remain undeveloped. Staff calculates approximately 14 percent of the developed area is in the landscaped islands. If the gravel display areas are not counted towards the landscaping requirement, the landscaping would still equate to somewhere around 5%.

Access and Parking:

The proposal will utilize existing driveways. The west driveway is intended for customer access and the east driveway for UTV drop off/pick up. The plan includes nine customer parking spaces (one ADA space) on an existing asphalt pad. A trailer /UTV parking area is to the west, and could be used for customer parking as well. That area is not paved.

The parking plan looks acceptable, provided the ADA parking space is provided with some signage, and the stalls are either painted, or provided with wheel stops.

Exterior Lighting

No exterior lighting is indicated. If exterior lighting is proposed, it should be full cut-off in style.

Setbacks and Buffers, and Height Requirements

The site plan does not show existing property lines. Investigation has revealed that the proposed building would be over a property line if located as shown. As a result, the applicant is planning to shift the building to the west to provide the minimum 5-foot building code setback from the property line. This places the west edge of the building a couple of feet onto the paved parking pad.

The D-3 zone has no building height limit. Technically, a 15-foot buffer and fence would be required along an undeveloped portion of the subject property that is zoned residential, but a waiver would seem appropriate as it is undeveloped and part of the subject property.

Storm Water Plan:

A storm water plan was not required for this project as almost all of the developed area slopes to the north into the undeveloped portion of the property. Also, there is minimal change to the surfacing of the developed area—just some additional gravel in areas that were already mostly gravel. The grass along the street frontage should actually reduce runoff in that area.

Snow Storage

Mostly not applicable, as the facility is only open May 15-October 31st.

Utility Services

The building will only have electricity. In order to meet applicable code, the electrical service will need to be installed per the NEC (buried).

The property has a water service that feeds a yard hydrant. The yard hydrant will be used to wash off vehicles and irrigate the grass landscaping.

The proposed building does not have restrooms. The applicant has indicated that they have an agreement to sue the restrooms at the Six Gun Hotel to the east. This would only be an option if the entire route were ADA accessible, which it appears to not be. Therefore, it appears that a port-a-potty is the next option. Port-a-potty can be authorized, and can be required to be screening from view. Provided the port-a-potty is located a few feet behind the building and towards the middle of the building, it would not be readily visible from anywhere in close proximity. Port-a-potties are not permanent solutions, but it would be reasonable to allow for a few years. It would be removed in the off season.

It is also noted that the port-a-potty must be ADA sized and the pathway to the facility to ADA standards (hard surfaced, not > 2% slope).

Signs

The applicant intends to submit a sign package for future review (by staff).

Hydrants/Fire Protection

The building will rely on a fire hydrant at the southwest corner of the property for fire protection.

Frontage Status

Curb, gutter, sidewalk and streetlights exist along the full property frontage.

Garbage

Garbage collection is not indicated. Since they will be billed for garbage, they can either request a container, or take it to any City dumpster for disposal.

ATTACHMENTS:

None.

ALTERNATIVES:

Approve or deny the site plan with or without changes.

RECOMMENDATION:

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

1. The building must be located to meet the applicable building setback from the property line (5 feet).
2. Power to the building must be installed per the adopted electrical code.
3. Landscaping must be completed as soon as possible, and no later than 15 days after opening.
4. Use of a port-a-potty is authorized for three seasons, after which it shall be re-evaluated. The unit must be located a few feet behind the building and towards the middle of the building.
5. Applicable ADA features must be installed, such as the ADA standard port-a-potty, parking space, "ADA Van-accessible" parking sign, unloading aisle, ramp into building, pathway to port-a-potty, etc.
6. The project must otherwise comply with the project description and site plan as explained in the application and staff report.
7. A building permit is required. The project must comply with applicable building, fire and electrical codes. Necessary building permits must be obtained within two years or this authorization will expire.