

CITY OF CODY
PLANNING, ZONING, AND ADJUSTMENT BOARD
TUESDAY OCTOBER 22, 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 October 8, 2019 regular meeting.
5. BUSINESS:
 - A. Site Plan Review for a temporary storage structure at located 3202 Big Horn 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 Meeting October 8 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, October 8, 2019 at 12:00 pm.

Present: Vice Chairman Kayl Mitchell, Erynne Selk; Richard Jones; Stan Wolz; Klay Nelson, Deputy City Attorney Sandee Kitchen; City Planner Todd Stowell; Administrative Coordinator Bernie Butler

Absent: Buzzy Hassrick, Sandi Fisher, Council Liaison Glenn Nielson

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

Erynne Selk made a motion, seconded by Klay Nelson to approve the agenda for the October 8, 2019 meeting. Vote on the motion was unanimous, motion carried.

Klay Nelson made a motion, seconded by Erynne Selk to approve the minutes from the September 24, 2019 meeting. Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

A. Todd Stowell reviewed the preliminary plat for the minor subdivision for “What’s Left, LLC” located at 2312 and 2308 Central Avenue.

Todd reviewed the subdivision regulations A-H in the staff report. It was noted in the staff report that the applicant has provided a 2009 permit from DEQ permit for the private sewer main, in which the private main was authorized. Since the line has a valid DEQ permit, staff is open to the variance request. He also reviewed the residential infill subdivision design standards 1-10 in the staff report.

Richard Jones made a motion, seconded by Erynne Selk to recommend the City Council approve the preliminary plat of the minor subdivision for What’s Left, LLC, with variances 1-3, conditions 1-8 in the staff report. and approve the applicants request to vacate the easement on the north end of Lot 2. Vote on the motion was unanimous, motion carried

Stan Wolz made a motion, seconded by Richard Jones 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 12:23 pm.

Bernie Butler, Administrative Coordinator

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

MEETING DATE:	OCTOBER 22, 2019	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	SITE PLAN REVIEW: 4,800 SQ. FT. TEMPORARY STORAGE STRUCTURE. SPR 2019-17	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Psalm Cody Commercial, LLC is under contract to purchase 3202 Bighorn Avenue—the former Mountain Equipment dealership. They have submitted a site plan application to construct a 40' by 120', temporary storage structure. The structure is intended to be constructed as soon as possible and be in place for up to 180 days—until a new facility is located or constructed. The structure will apparently serve as temporary storage of materials and merchandise related to the apparel and music businesses that will be conducted out of the existing building on the property.



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 to be developed is zoned Open Business/Light Industrial (D-3), which allows storage buildings.

What is unique about this building, is that it is proposed as a temporary structure that will be removed within approximately 180 days. Based on this commitment, staff is not overly concerned with the architectural compatibility criteria of the zoning ordinance. If it were to be in place on a permanent basis, staff would be discussing relocation to a less visible portion of the property and the need for heavy screening with tall vegetation.

Architecture:

The building would measure 140 feet wide by 120 feet long, with 10-foot side walls and overall height of 21'6". It would appear similar to the building in the photo shown here.

The proposed location is in the anticipated parking area for future development, so it will not be in the way of the construction of any permanent structures.



Staff is not convinced that the tent-like structure is architecturally compatible with that of surrounding developments, yet being lenient to the extent of effectively waiving the "architecturally compatible" requirement for this temporary structure seems entirely reasonable. The language of the zoning ordinance does not anticipate such temporary structures, and the requirement for full architectural compatibility would undermine the intent of the quick, temporary storage solution that will only be in place until a permanent building is available.

The Board will need to determine if the architectural components of the structure are acceptable on the temporary basis requested.

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. Although they did some dirt work in preparation, the Mountain Equipment business never installed the landscaping indicated on their approved site plan. We have been having ongoing conversations with them about getting that done, but now that ownership is transferring and landscaping is tied to obtaining a permanent Certificate of Occupancy, they are providing a financial security and agreement to the City to help ensure it is installed this next spring. The landscaping plan is roughly indicated on the attached site plan, showing the rows of Colorado Blue Spruce trees along the sides of the property and landscaping rock along the front. The plan also includes islands of vegetation in the front landscape rock area, which are not shown on this plan. The existing approved landscaping plan prepared by Mountain Equipment will remain in place until and unless a new landscaping plan is presented for review.

Access and Parking:

The proposal will utilize the existing driveway and parking area. Additional parking is proposed along the west side of the temporary structure. Unfortunately, it appears that the fire code does not allow vehicle parking within 20 feet of a temporary structure—where the parking is proposed. (Fire Marshal commented that Section 3103.8 does not allow parked vehicles or internal combustion engines within 20 ft. of the temporary structure.) As such, the proposed parking will need to be relocated. Either the east side of the temporary structure or the west side of the existing parking area may be available. Please provide an updated parking layout for review. The parking ordinance allows the City Planner and City Engineer to authorize modifications in the parking lot layout.

Note that each space will need to be at least 10 feet wide and provided with a wheel stop to delineate the parking spaces. No parking space should block the 24-foot backup area of the existing spaces or be within 20 feet of the temporary structure.

The existing ADA parking space meets the accessibility parking requirement, provided a pathway is provided to connect the paved parking area to the temporary structure. Coordinate the pathway construction with the building official.

Exterior Lighting

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

Setbacks and Buffers

All setback requirements are met. There are no buffer requirements, as there is no adjacent residential zoning.

Storm Water Plan:

As the structure is temporary and future development is planned, staff did not request a detailed storm water plan. The site has an approved infiltration area on the east side of the property and the increased amount of impervious area is relatively small compared to the site. In addition, the site is graded such that excess stormwater beyond the swale's calculated capacity will still pond within the property.

The site plan shows the flow of drainage on the property as it now exists. What is not clear is how grading around the temporary structure will be done to allow stormwater to continue to flow to the east. It appears visually that there is enough elevation difference that the ground can be sloped on the west side of the building to direct drainage to the north and east around the building. Alternatively, piping could be used. Plans for the grading, to confirm flow paths, must be provided prior to construction.

Utility Services

As the building will function as part of the business in the existing building, the restrooms in the existing building are adequate. No plumbing is proposed in the temporary building.

The temporary building will have electricity for lighting, supplied from the existing building. No change to the electrical service feed is proposed.

Signs

No signs are included in the application packet.

Hydrants/Fire Protection

The building will rely on a fire hydrant on the property next to Big Horn Avenue for fire protection.

Frontage Status

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

ATTACHMENTS:

Site plan and building elevations.

ALTERNATIVES:

Approve or deny the site plan with or without changes.

RECOMMENDATION:

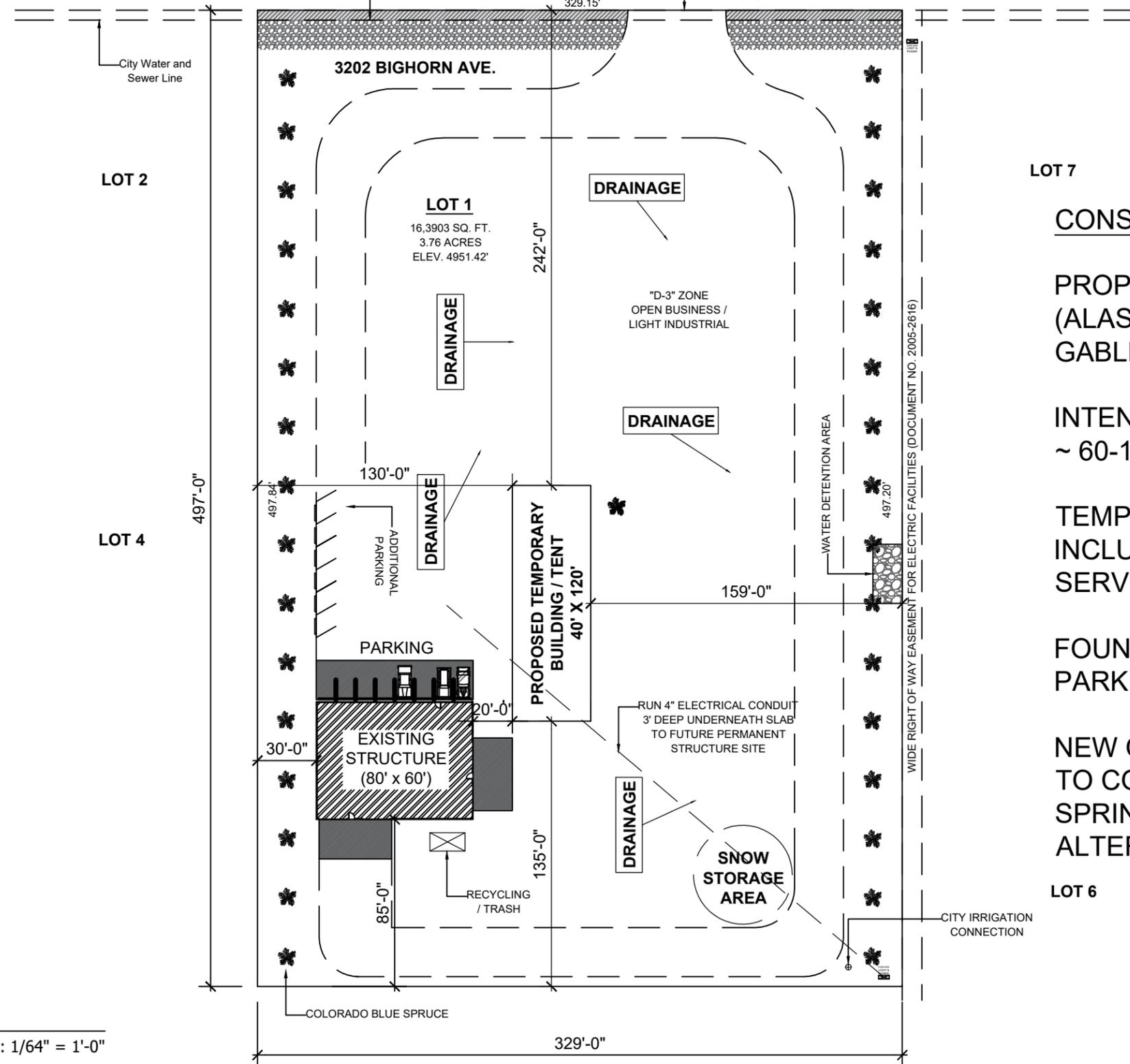
It is recommended that the Planning and Zoning Board approve the project as proposed for up to 180 days, subject to the following items:

1. Submit a revised parking plan for review and approval by staff.

2. Verify grading will allow storm water to flow around the building by providing proposed ground elevation and finished floor elevation data. If piping is proposed, submit plans for staff review.
3. Applicable ADA access to the building must be provided. Coordinate with the building official.
4. Complete landscaping in accordance with the approved landscaping plan by May 29, 2020, unless authorized otherwise by the Board in conjunction with a site plan for a future permanent structure.
5. If exterior lighting is proposed, it should be full cut-off in style and modest in intensity. Any exterior lighting must be detailed on the building plans.
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 permits must be obtained within one year or this authorization will expire.
8. Authorization is limited to 180 days, commencing on the day of occupancy. Removal of the structure must commence and be diligently carried on until completely removed, starting no later than 181 days from occupancy of the structure.



BIG HORN AVENUE



LOT 7

CONSTRUCTION NOTES:

PROPOSED IS A PREFABRICATED "AKS" (ALASKA STRUCTURES) -40'X120' GTX GABLE TRUSS TENT.

INTENDED FOR TEMPORARY USE ONLY ~ 60-180 DAYS.

TEMPORARY STRUCTURE WILL NOT INCLUDE BATHROOM OR PLUMBING SERVICES.

FOUNDATION SLAB TO DOUBLE AS PARKING LOT AFTER USE.

NEW OWNER ACCEPTS RESPONSIBILITY TO COMPLETE LANDSCAPING BY SPRING OR UPON COMPLETION OF AN ALTERNATIVE PERMANENT STRUCTURE.

LOT 6

S1.0 SITE PLAN

SCALE: 1/64" = 1'-0"

Client:

Project title:
Storage Tent
3202 Bighorn Ave
Cody, WYOMING 82414

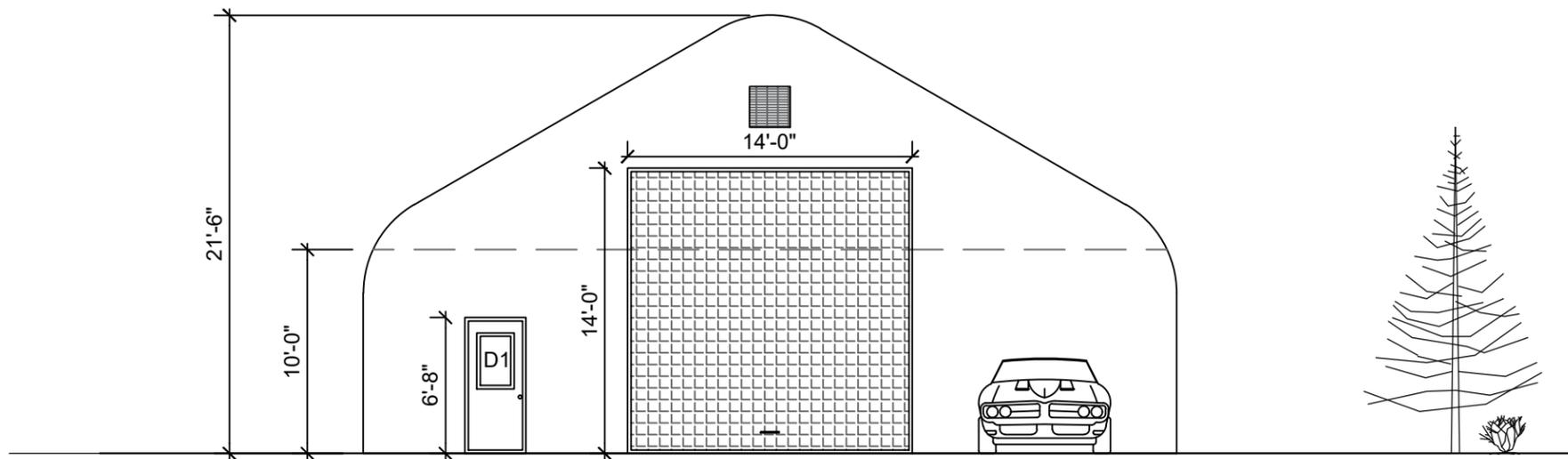
DATE: 10/09/19
CLIENT PROJECT No.: 000001
INSPEC PROJECT No.: 100919
PROJECT MGR: Jim P.
DRAWN BY: Dennis M.
CHECKED BY: John S.

Sheet No.:

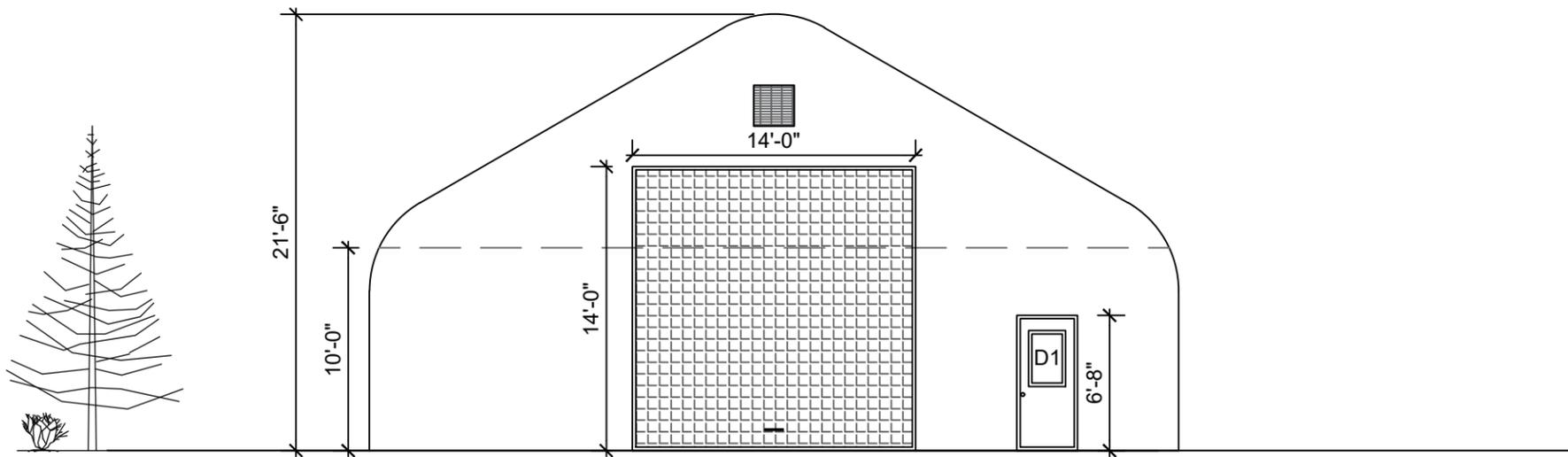
S1.0 ALPINE

PO Box 6544
Sheridan, WY 82801
Ph. 307-752-9529

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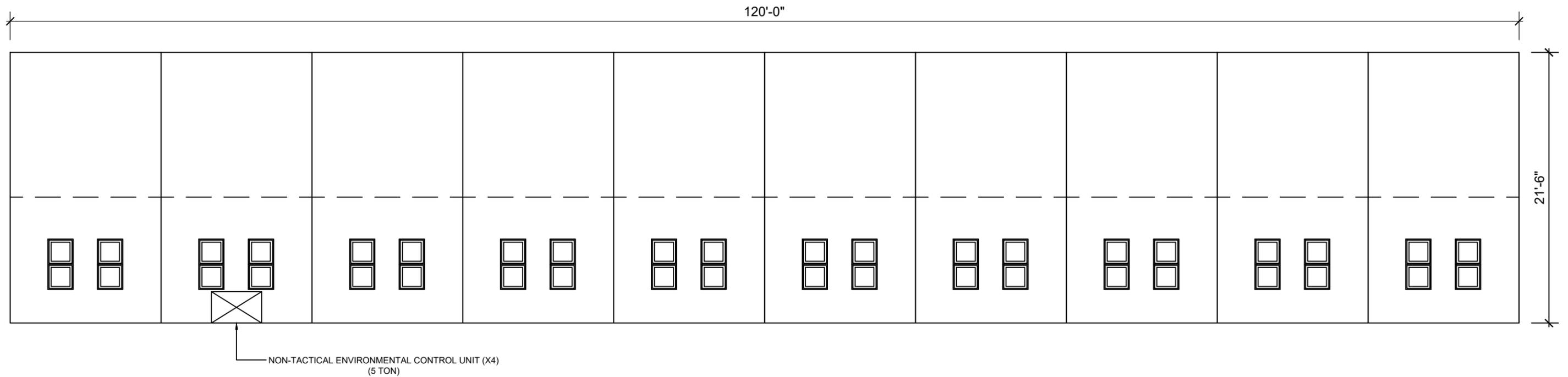


A3.1 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

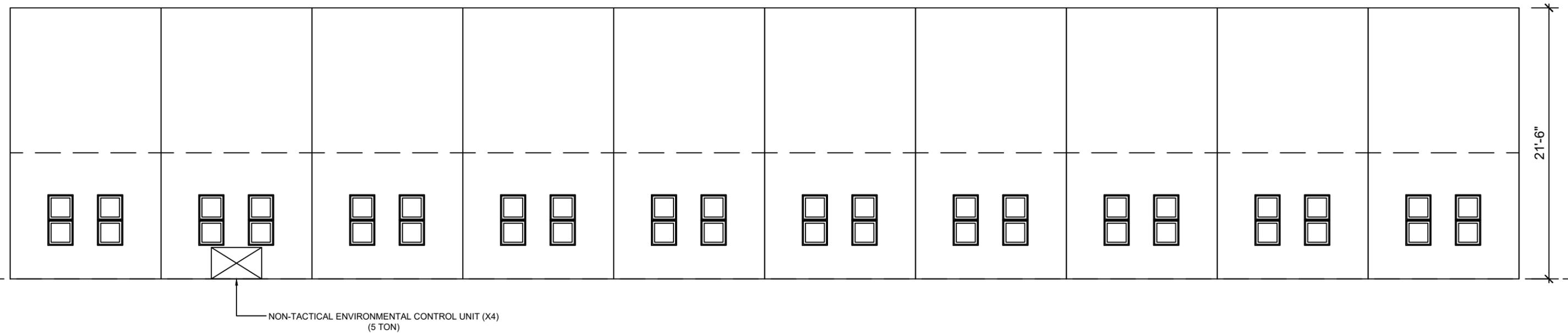


A3.2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

<p>Client:</p> <p>Project title: Storage Bunkers 3202 Bighorn Ave Cody, WYOMING 82414</p>	<p>DATE: 10/09/19 CLIENT PROJECT No.: 000001 INSPEC PROJECT No.: 100919 PROJECT MGR: Jim P. DRAWN BY: Dennis M. CHECKED BY:</p>	<p>Sheet No.:</p> <p>A3.0</p>	<p>ALPINE</p> <p>PO Box 6544 Sheridan, WY 82801 Ph. 307-752-9529</p> <p>© 2019</p>
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A2.1 EAST ELEVATION
SCALE: 1/8" = 1'-0"



A2.2 WEST ELEVATION
SCALE: 1/8" = 1'-0"

<p>Client:</p> <p>Project title: Storage Tents 3202 Bighorn Ave Cody, WYOMING 82414</p>	<p>DATE: 10/09/19</p> <p>CLIENT PROJECT No.: 000001</p> <p>INSPEC PROJECT No.: 100919</p> <p>PROJECT MGR: Jim P.</p> <p>DRAWN BY: Dennis M.</p> <p>CHECKED BY: John S.</p>	<p>Sheet No.:</p> <p style="font-size: 2em; font-weight: bold;">A2.0</p>	<p style="font-size: 2em; font-weight: bold;">ALPINE</p> <p>PO Box 6544 Sheridan, WY 82801 Ph. 307-752-9529</p> <p>© 2019</p>
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10/15/2019 3:51 PM DMS