AGENDA -Amended

1. Call to Order by Chairperson Rick Brasher
2. Roll Call, excused members
3. Pledge of Allegiance

4. Approval of Agenda
5. Approval of Minutes of the April 9, 2013 –Regular Meeting

6. NEW BUSINESS:
   A. Downtown Architectural District Review — Yellowstone Gift Shop at 1237 Sheridan Avenue
      Proposed modification to approved awning submitted by Kim Wagler, Cedar Mountain Builders
   B. Minor Commercial Review –Strandz Salon at 1924 Sheridan Avenue
      Proposed brick façade submitted by Michelle Imburgia
   C. Commercial Review –Soaring Peak Liquor & Salon at 544 Yellowstone Avenue
      Proposed outdoor patio submitted by Vaughn & Brenna Place
   D. Amended Final Plat — Heart Mountain Condominiums Phase II on Kent Avenue
      Amended Final Plat submitted by Jerry Thiel and Sons Construction
   E. Downtown Architectural District Review — SportsHQ at 1355 Sheridan Avenue
      Proposed recovering of awning submitted by Wes Allen

7. P&Z Board Matters (announcements, comments, etc.)

8. Council Update:  Steve Miller

9. Staff Items
   Master Plan meeting—April 30, 2013
   Summary of Master Plan adoption process.

10. Adjourn
A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in Council Chambers of City Hall in Cody, Wyoming on Tuesday, April 9, 2013 at 12:00 PM

Present: Justin Lundvall, Vice Chairperson; Bud McDonald; Rick Brasher, Chairperson; Mark Musser; Justin Ness; Bob Senitte; Steve Miller, Council Liaison; Sandra Kitchen, Deputy City Attorney; Todd Stowell, City Planner; Kylie Hanson, Public Works Administrative Secretary;

Excused Absence: Kim Borer

Chairperson Rick Brasher called the meeting to order at 12:04 PM, followed by the pledge of allegiance.

Bud McDonald made a motion seconded by Bob Senitte to approve the agenda. Vote on the motion was unanimous, motion carried.

Bob Senitte made a motion seconded by Bud McDonald to approve the minutes of the March 12, 2013 regular meeting. Vote on the motion was unanimous, motion carried.

PRESENTATION OF COMMUNICATIONS:
Todd Stowell presented the staff report regarding the proposed attached wall and freestanding sign located at 1390 Sheridan Avenue for Gradient Mountain Sports.

Justin Ness made a motion seconded by Mark Musser to approve the proposed attached wall and freestanding sign located at 1390 Sheridan Avenue for Gradient Mountain Sports. Vote on the motion was unanimous, motion carried.

Rick Brasher excused himself at 12:10 PM due to a conflict of interest with the Joe Boydston Preliminary and Final Plat.

Todd Stowell presented the application submitted by Joe Boydston for the Preliminary and Final Plat of the Boydston Minor Subdivision on Date Street. The requested variances were discussed as were the recommended conditions of approval. Todd noted that the draft master plan has Date Street as a minor collector street. He also noted that a letter had been received from Cody Canal verifying that they are okay abandoning the ditch along the south and east portions of the property, but that the ditch on the west side must be retained and should be piped.

Joe Boydston discussed his development and the requested variances.

Dave Shultz, with Sage Civil Engineering, addressed the board regarding the estimated costs of improvements.

Brett Farmer, with Sage Civil Engineering, addressed the board regarding the existing property line and utility locations.
Mark Musser made a motion seconded by Justin Ness to recommend to Council approval of the preliminary plat with the following variances and subject to the following conditions of approval. Vote on the motion was unanimous, motion carried.

Variances:

A. From dedication of additional right-of-way for Date Street.
B. From construction/widening Date Street to arterial street standards.
C. From the alley requirement.

Conditions of Approval:

1. Prior to consideration of the final plat by the Planning and Zoning Board and City Council, submit the utility letters as required by the City of Cody Code 11-3-3(B)(2). Be sure to include written correspondence from the irrigation/ditch company explaining the situation with the existing ditches and any necessary easements, and verifying that all of their requirements for the subdivision have been satisfied.
2. The piping/covering of the irrigation ditch.
3. Provide utility easements as required by the utility providers. At a minimum, provide a 10-foot utility easement along Date Street.
4. The language on the final plat for the irrigation easement must be expanded to indicate the property or entity to which the easement is granted.
5. Note the variances granted on the final plat.
6. If a variance to the construction or timing of Date Street is not granted, the applicant must submit, with the final plat application, engineering plans for the construction of Date Street to City standards.
7. Sewer, water and power are available and are to be provided to each lot as specified by the City as part of the subdivision. Payment of ¾” or larger water connections for Lots 1, 3 and 5, and applicable electrical service fees must occur prior to final plat approval by Council. Installation of sewer services to Lots 1, 3 and 5, and payment of applicable sewer fees must be completed prior to any building permit or development on the lot.
8. If some form of variance is granted for the construction of Date Street, one or more of the following will be applicable:
   a. No improvement now: Include the following certificate of dedication on the final plat: “And do hereby agree to promote and participate in an improvement district for curb, gutter and sidewalk on Date Street when deemed necessary by the City of Cody. And further, that this language shall be contained in each and all conveyances of record.”
   b. Improvement with lot development: If construction of Date Street is required in conjunction with individual lot development, add the following note to the final plat. “The owner of each lot of this subdivision is responsible for the improvement of their Date Street frontage to City street standards, including widening of the asphalt and installation of curb, gutter and sidewalk, pursuant to 11.2.2(B) of the City code, which states, “B. Improvements: No building shall be erected on any lot in any subdivision, nor shall a building permit be issued by the City for a building until all improvements reasonably expected and required by the City, such as streets, curb and gutter, sidewalk, sewer service, water service, etc., have been installed, approved and accepted by the City for the lot upon which the building is to be constructed.” A performance bond for the construction to occur within one year of the building permit may be an option. Any utility
service lines (e.g. water, sewer) must be extended to the lot before the street improvements are made.”

9. If improvement of Date Street is to occur with lot development, the applicant shall either provide the engineer’s estimated cost for the street improvements along the frontage of Lots 2 and 4 to the City prior to the Mayor signing the final plat (so the City can have the improvements made); or, provide a performance bond for construction of these segments of street by the developer’s contractor, prior to the Mayor signing the final plat.

The board directed Joe Boydston to speak with City staff regarding the requirements for the widening of Date Street.

Rick Brasher re-joined the meeting 1:08 PM.

Steve Miller announced that there will be an open house on the City Master Plan tomorrow night at 6:30 at the Cody Club Room. The public is invited to attend and provide their feedback. The deadline for comments has been extended until May 1st.

Todd Stowell reminded the board that they are invited to attend only in the capacity of receiving comments from the public.

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

There being no further business to come before the board, Chairperson Rick Brasher adjourned the meeting at 1:10 PM.

Kylie Hanson
Public Works Administrative Secretary
PROJECT DESCRIPTION:
On February 12, 2013, the Planning and Zoning Board approved the re-facing of the Yellowstone Gift Shop with brick and a 3-foot awning across the full width of the building. The applicant would like to install a larger awning than previously approved and change the signage. Originally, the existing sign was simply going to be remounted. An application for the modifications to the original proposal has been submitted and is the subject of this review. The brickwork has already been permitted by WYDOT and the Building Official, and work is underway on that component of the project.

As originally proposed, the awning will be similar in design to the picture below, with leaded glass and decorative trim, only it is now proposed to extend six feet out from the building, instead of three. In addition, the half circle feature on the awning is proposed as a sign, based on the Yellowstone Gift Shop logo. The awning will have recessed lights to illuminate the sidewalk and storefront below, but the awning and sign will not have any other lighting.

Sample Awning:    Existing Building:
The existing “Yellowstone Gift Shop” sign has been removed and will not be re-mounted.

**REVIEW CRITERIA:**
The building 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, within the Downtown Architectural District, “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 architecture of the proposal remains essentially the same as previously approved, just that the awning is larger than previously requested, and a sign will be included. For an analysis of the compatibility of the architecture, refer to the February 12, 2013 staff report as needed.

**Street View:**

![Street View Image](image)

**Awning Requirements:**
City of Cody Municipal Code Section 7-2-8 states that, “All awnings, including the aprons thereof, and all suspensions from any buildings and all suspensions whatever over any sidewalk, shall not come nearer the sidewalk than seven and one-half feet (7½’).” The requirement refers to vertical clearance, and the proposed awning meets this requirement of the City.

The awning projects across the property line into WYDOT right-of-way. Pursuant to a Memorandum of Understanding between WYDOT and the City of Cody regarding Right-of-Way Encroachments, dated 06/3/2010, the awning must be approved by WYDOT in addition to the City. WYDOT is processing a permit to authorize the awning/sign encroachment.
Sign Requirements:
The sign code allows the business to have an awning sign of up to 25 square feet. The proposed sign will be mounted in the arch area on the awning and contain the Yellowstone Gift Shop name and logo. The arch is a 5-foot diameter half circle (10’ wide at base and 5’ high). The arch has an area of 78.5 square feet, and the sign can only occupy 25 square feet of that area. The sign code only counts the area of the lettering and accompanying logo in calculating the size. The applicant’s contractor has indicated that they will comply with the 25-square-foot size limit, although exact measurements are not available at this time.

The colors used on the sign are proposed to be as follows: green background, brown letters, white geyser, brown bears, and green trees. A rough rendering of the sign is attached.

Building Permit:
The applicant has a building permit for the awning and brickwork, based on the smaller awning. Any modification to the building permit required by the Building Official for the larger awning will need to be coordinated.

ALTERNATIVES:
Approve the awning and sign with or without making recommendations and suggestions. If the proposal is approved, it should be with the understanding that work on the proposed awning cannot commence until after a permit is obtained from WYDOT. Also, the sign must be of professional appearance and quality.
04-18-2013

Addendum (1) Yellowstone Gift Shop:

Remove projection sign and extend new awning additional 3 feet. Total to be 6 out from building.

STORE FRONT SIDE VIEW

SCALE 1/4" =- 1'-0"
New Sign
10' x 5'

YELLOWSTONE
GIFT SHOP
PROJECT DESCRIPTION:
Michelle Imburgia has submitted an application for an exterior remodel of the Strandz Salon at 1924 Sheridan Avenue. The applicant proposes to install brick veneer up the front face of the building to the bottom of the existing awning.

Existing Building: 

Proposed Brick:

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

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

In addition, Section 9-2-3 states:
Before the issuance of any permit under the international building code for commercial buildings situated within the city, the applicant, property owner and occupant shall meet with the planning, zoning and adjustment board to review the application and plans insofar as they pertain to the exterior of a commercial building and site plan conditions. The issuance of a permit shall be conditioned upon the
applicant receiving an affirmative vote of a majority of the planning, zoning and adjustment board members in attendance at said meeting.

**STAFF COMMENTS:**
The surrounding area is as follows:

<table>
<thead>
<tr>
<th>EXISTING USE</th>
<th>BUILDING TYPE</th>
<th>ZONING</th>
</tr>
</thead>
<tbody>
<tr>
<td>North AAA Storage Units &amp; Smoke Shop</td>
<td>Metal</td>
<td>General Commercial D-3</td>
</tr>
<tr>
<td>East Big Horn Carpet One</td>
<td>Metal</td>
<td>General Commercial D-2</td>
</tr>
<tr>
<td>South Residence (back side)</td>
<td>Residential</td>
<td>Residential B</td>
</tr>
<tr>
<td>West Big Horn Glass</td>
<td>Metal</td>
<td>General Commercial D-2</td>
</tr>
</tbody>
</table>

The proposed changes to the building include removal of the metal lap siding from the lower portion of the front face of the building and the addition of brickwork. The brickwork will provide an enhancement to the building that reflects architectural elements of the downtown corridor, and therefore, helps tie this area architecturally into the downtown corridor. Hopefully, the improvement will serve as a catalyst for future architectural enhancements to the surrounding commercial area.

**ATTACHMENTS:**
Application materials in P&Z packets.

**ALTERNATIVES:**
Approve or deny the minor commercial exterior improvements.

**RECOMMENDATION:**
Approve the project as proposed.
Brick to bottom of awning, across whole front of front face.
**PROJECT DESCRIPTION:**
Vaughn and Brenna Place are proposing to add a 40-foot wide by 14-foot deep outdoor seating area to the south side of the Soaring Peak Liquor & Saloon building, located at 544 Yellowstone Avenue. Within the outdoor seating area they would install four tables that would seat six customers each, for a total seating capacity of 24 persons.

Proposed Patio Area:

Existing Conditions:
REVIEW CRITERIA:
Section 10-10B-4 of the zoning regulations states:

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

The Board also needs to verify compliance with other applicable development regulations.

Architecture:
The floor plan and elevations for the outdoor seating area are attached. The structure is a wooden pergola with a wind wall on the west end and a portion of the south end. The roof is a shade structure composed of natural cedar slats, and is otherwise open. The wind walls will be covered in natural cedar siding.

The architecture and materials of the addition are western in nature and are compatible with both the existing building and the western theme that many want to preserve in Cody.

Development Standards:
Storm Water
There is no increase in impervious area, as the seating area will extend over an existing paved surface. According to the site plan on file, the facility has an existing storm water infiltration trench installed in the gravel parking area. The applicant indicates that they have not had any issues with storm water on the property.

Parking
The existing facility was apparently required to provide 23 parking spaces. Parking for the pergola addition is based on seating capacity. Based on the fixed-seating ratio for bars and lounges, 0.3 parking spaces per fixed seat is required, which equates to seven spaces for the 24 seats provided. Since the required number of parking spaces increases the total from 23 to 30, a second ADA parking space is triggered.

The applicant, using the recently adopted parking ordinance, has provided a site plan that provides the 30 required parking spaces. Although not clearly labeled, the pathway from the ADA space to the south of the building to the sidewalk at the southeast corner of the building is proposed to be painted in a cross-hatch design to ensure it remains open and accessible, as recommended by the building official.

Sixteen of the parking spaces are on an existing paved surface and fourteen in the gravel area. Some, if not all of the striping on the paved area will need to be redone in order to be accurate. (The width of some of the spaces varies significantly.) The parking in the gravel area should be further delineated to identify the individual parking
spaces. The parking ordinance refers to parking/wheel stops or timbers. The details of delineating the parking in the gravel area will need to be discussed with the applicant.

It is noted that the aisle width behind the parking spaces along the building meets the required width for one-way traffic, but not two-way traffic. This is an existing non-conforming situation. Also, an exit to the strip mall to the west is currently available, although no formal agreement or easement apparently exists. The parking lot can still function without the exit to the strip mall, due to the looped pattern of the parking lot layout.

**Setbacks**
There are no zoning setbacks or buffers required for this proposal.

**Lighting**
No exterior lighting is indicted on the plans.

**Utility Conflicts**
Based on the utility plans on file, there are no utility conflicts with the location of the proposed addition. However, utility locates must be called for prior to excavation to verify.

**Landscaping**
No landscaping exists on the property other than along the street frontage, which is not being affected by this proposal.

**Signage**
No additional signage is proposed at this time.

**Liquor License**
The City Council approved the proposed addition for a serving area last week, subject to Planning and Zoning Board approval of the site plan.

**ATTACHMENTS:**
Application.

**ALTERNATIVES:**
Approve or deny the project.

**RECOMMENDATION:**
Approve the installation of the pergola subject to the following:

1. That the paved parking lot be restriped according to the ordinance and that the gravel parking lot spaces be delineated in the manner authorized by the Planning and Zoning Board.
2. That the project otherwise comply with the submitted site plan and applicable building, fire, and electrical codes. A building permit application is required.
Todd Stowell
City Planner Cody, WY
120 19th St
Cody, WY 82414

On behalf of Soaring Peak Liquor & Saloon I would like to petition the City of Cody Planning, Zoning & Adjustments Board for approval for the addition of a covered outside seating area on the south side of the existing building. An outside serving area for the Saloon at this location was previously approved by the state of Wyoming and the City Council of Cody. The approved area is forty feet wide (width of current building) and fourteen feet deep. The cover will be constructed of natural wood with a slatted top. The fourteen foot west side and twelve feet of the south side will have solid walls providing a wind break. It is our intent to use this as an outdoor seating area for our customers where they can eat and drink in the approved serving area. The outside seating will consist of four tables that will seat six customers for a total of twenty four additional seats. The proposed plan has increased the number of parking spaces from twenty three to thirty one which is one new space for every three new seats as required by city code.

Sincerely,

Vaughn & Brenna Place
Soaring Peak Liquor & Saloon

RECEIVED
APR 10 2013
CITY OF CODY

Soaring Peak Liquor & Saloon - 544 Yellowstone Ave Cody, WY 82414 – (307) 527-6461
Soaring Peak Liquor & Saloon
544 Yellowstone Ave Cody, WY 82414
April 8, 2013
Gravel Parking Area

9X18FT Spaces From Paved Lot For Reference

10x20FT at 90° Angle Parking Spaces

Exit To Family Dollar Parking Lot

10x20FT at 60° Angle Parking Spaces

Soaring Peak Liquor & Saloon
544 Yellowstone Ave Cody, WY 82414
April 8. 2013

1in = 20ft
FLOOR PLAN
560 SQ. FT.

2x4 WALL w/ CEDAR SDG.

2x8 LEDGER w/ JOIST HANGERS.

EXISTING BUILDING

2x8 CEILING JOIST & 24" O.C. TYP.

1x3 CEDAR SLATS @ 6" O.C. TBD.

EXISTING CONC. SIDEWALK

PERSOLA COVERED AREA

4x4 POSTs TYP. & LOC.

2x8 LEDGE @ 42".

2x10 HEADERS.

RELOCATE EXISTING RAIL.

RECEIVED
APR 19 2013

CITY OF CODY

KEITH D. PRYOR
C-1531

LICENSED ARCHITECT
STATE OF WYOMING
EXISTING RAILING RELOCATED

1x3 CEDAR SLATS @ 6" O.C. TBD.

4x4 POSTS & BRACING.

EAST ELEVATION

2x8 CEILING JOIST @ 24" O.C. TYP.

2x8 LEDGE @ 42".

EXISTING BUILDING

SOUTH ELEVATION

EXISTING RAILING RELOCATED

2x8 CEILING JOIST @ 24" O.C. TYP.

4x4 POSTS & BRACING.

1x3 CEDAR SLATS @ 6" O.C. TBD.

2x8 LEDGE @ 42".

EXISTING BUILDING

KEITH PRYOR ARCHITECT
1439 WYOMING AVE., CODY, WY 82414
307-587-5009
4x4 POSTS
METAL POST ANCHOR w/ 2- 4" BOLTS.

CONCRETE

2x10 REDWOOD OR TREATED BEAMS.

POST ANCHOR DETAIL
SCALE: NTS

2x10 REDWOOD OR TREATED BEAMS.

4x4 POSTS

7 MACHINE BOLTS

POST/HEADER DETAIL
SCALE: NTS

2x10 REDWOOD OR TREATED BEAMS.

4x4 BRACE CUT ENDS 45°

6" MACHINE BOLT.

COUNTER SINK BRACES FOR NUT & WASHER.

2x10 REDWOOD OR TREATED BEAMS.

4x4 POSTS

7 MACHINE BOLTS

2x10 REDWOOD OR TREATED BEAMS.

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6" MACHINE BOLT.

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COUNTER SINK BRACES FOR NUT & WASHER.

2x10 REDWOOD OR TREATED BEAMS.

4x4 POSTS

7 MACHINE BOLTS
## PROJECT OVERVIEW
Jerry Thiel has submitted an application to amend the Heart Mountain Condominium Final Plat to reflect the “as-built” dimensions of Phase 2 of the project. The property is located at 2850 Kent Avenue, and involves the second 12-unit condominium building, which is east of the Phase 1 building. Construction of the building has been completed and the surveyor has provided the amended final plat reflecting the as-built dimensions of the units and common elements. This is the same process that was used for Phase 1 of the project. The final plat closely reflects the preliminary plat with the exception of the necessary modifications to reflect installation of an elevator.

## STAFF COMMENTS:
It appears that the final plat drawing contains all required items necessary to meet the requirements of the subdivision ordinance, with the exception of a few missing dimensions. The surveyor is working on adding those, as well as verifying the accuracy of some measurements. The declaration of covenants (Recording #2009-3025) that were recorded with Phase 1 addresses both phases of the condominium project.

## RECOMMENDATION:
Provided the missing dimensions are provided and the accuracy verified before the Board meeting, recommend approval of the final plat to the City Council and have the Planning and Zoning Board chairman sign the final plat mylar.

## ATTACHMENTS:
Final Plat drawing.
# Project Description:
Wes Allen has submitted a sign application to install a new awning cover for a new business at 1355 Sheridan Avenue called “SportsHQ”. The new awning cover will be placed on the existing awning structure.

Existing: ![Existing Awning](image)

Proposed: ![Proposed Awning](image)

# Review Criteria:
The building 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, within the downtown Architectural District, “The planning, zoning and adjustment board shall examine and evaluate applications and plans involved in building and sign permits insofar as they pertain to the exterior of commercial buildings within the downtown district as herein described and shall make recommendations and suggestions to the applicants, property owners or occupants.

# Staff Comments:
The original application stated that the sign would be 3 feet tall by 13 feet wide, or 39 square feet in size, which is what is depicted in the photo rendering. The City sign code limits awning signs in the downtown sign district to 25 square feet. In response, the applicant has indicated that the size will be reduced to comply with the 25 square-foot
limitation. A size of 1.88 feet tall by 13 feet wide has been proposed by the applicant, although minor adjustments to the proportions may occur.

The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features. The sign is rather modern in design, yet also professional and high impact. The modern design is somewhat tempered by the brick-lined façade of the building, which is being retained and contributes to the desired architectural character of the downtown area.

**ALTERNATIVES:**

Approve the awning with a sign no larger than 25 square feet, with or without making recommendations and suggestions.