

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
TUESDAY, MARCH 23, 2021
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

1. Call meeting to order
2. Roll Call, excused members
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes of the March 9, 2021 regular meeting
6. New Business:
 - A. Preliminary Plat of the Mountain View 29, 15-lot Subdivision, located at 2001 29th Street.
 - B. Final Plat of the Shadow Mountain No. 2, 32-lot Subdivision.
7. Tabled items:
 - A. Sign Plan reviews for the Cody Cattle Company and the Cody Firearms Experience, located at 1202 Sheridan Avenue.
 - B. Review the Special Exemption request to reduce the required on-site parking spaces to 22, for Cody Craft Brewing, located at 1732 Sheridan Avenue.
8. P & Z Board Matters (announcements, comments, etc.)
9. Council Update
10. 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 March 9, 2021

A meeting of the City of Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of Cody in Cody, Wyoming on Tuesday, March 9, 2021 at 12:00 pm.

Present: Vice Chairman Richard Jones; Scott Richard; Carson Rowley; Wade McMillin; City Deputy Attorney Sandee Kitchen; City Planner Todd Stowell; Council Liaison Andy Quick; Administrative Coordinator Bernie Butler.

Absent: Kayl Mitchell; Sandi Fisher; Rodney Laib

Richard Jones called the meeting to order at 12:12 pm, followed by the pledge of allegiance.

Wade McMillin made a motion, seconded by Scott Richard, to approve the agenda for the March 9, 2021 meeting. Vote on the motion was unanimous, motion carried.

Wade McMillin made a motion, seconded by Scott Richard, to approve the minutes from the meeting on February 23, 2021 with corrections. Vote on the motion was unanimous, motion carried.

Carson Rowley made a motion, seconded by Wade McMillin, to remove from the table the sign plan reviews for Cody Cattle and Company and Cody Firearms Experience from the table. Vote on the motion was unanimous, motion passed.

Richard Jones made a motion, seconded by Carson Rowley, to table the sign plan reviews for Cody Cattle Company and Cody Firearms Experience until the March 23, 2020 meeting. Vote on the motion was unanimous, motion passed.

Reviewed the site plan for the KOA Planned Unit Development expansion for 23 new RV spaces, located at 5561 Greybull Highway. The expansion will be to the northeast of the existing KOA campground. Each site will be served with City sewer, water, and power. The internal roads will have a gravel surface and each space will have a concrete pad and lawn area.

The existing KOA campground will be disconnecting from Northwest Rural Water (NWRWD) and connecting to City domestic water. The cost of disconnecting from NWRWD will be the responsibility of the KOA campground.

Wade McMillin made a motion, seconded by Carson Rowley, to recommend approval of the project to City Council with recommendations 1-13 in the staff report. The recommendation is contingent on everything working out related to disconnecting from NWRWD, and connecting to City water, to the satisfaction of both the City and Property owner. Vote on the motion was unanimous, motion passed.

The preliminary plat of the Musser-Beacon Hill 6-lot Commercial Subdivision was removed from the agenda.

Todd Stowell reviewed a Downtown Architectural District sign for Clearwater Properties awning and sign, located at 1349 Sheridan Avenue. The awning extends over the WYDOT right-of-way and has a clearance of 8 feet. An encroachment permit from WYDOT will be required. The standard clearance above a State Highway sidewalk is 10 feet. City staff supports a 9' clearance for this project. This would require a WYDOT variance.

Scott Richard made a motion, seconded by Carson Rowley, to approve the project with a 9' clearance variance approved by WYDOT. Vote on the motion was unanimous, motion passed.

Staff reviewed a minor architectural sign for Midway Auto & RV located at 2226 Big Horn Avenue. The improvements for the exterior of the building include wrapping the existing rock with metal siding, installing decorative columns at each front corner of the building, replacing the metal siding of the building parapet, and

an extension of the parapet at the front of the building to accommodate a sign.

There was a discussion on the roof sign and if it is allowed by the current sign code. The applicant has modified the original sign to a trapezoid shape and slightly widened it to avoid being shaped like the lighted logo.

Scott Richard made a motion, seconded by Wade McMillin, to approve the architectural changes and signs, with recommendations 1 and 2 in the staff report. Vote on the motion was unanimous, motion approved.

A Public Hearing opened at 12:43 pm for a special exemption request to reduce the required on-site parking spaces to 22, for Cody Craft brewing, located at 1732 Sheridan Avenue.

Leonard Moore, property owner at 1743 Beck Avenue, was not opposed to the special exemption, but commented that the street parking across from the Brewery is full all day. Food trucks will also reduce the parking. If the 17th Street and Sheridan Avenue intersection is modified in the future, it will have an impact on parking.

Applicant / Co-owner Patrick Walker, said that the Brewery will never become a restaurant. Since the Holiday Inn has 185 rooms, he is anticipating there will be several customers that will walk to the Brewery.

Architect Kane Morris, with Point Architect, said that any food trucks will park in the alley on the east side of the building. Pinnacle Bank is not willing to enter into a shared parking lot agreement. There are 55 parking spaces at the bank. There will be 2 ADA parking spaces in front of the Brewery. There are 17 spaces in the current parking lot. He said the street parking should be open to anyone.

The Public Hearing was closed at 12:57 pm.

Todd Stowell explained the City of Cody Parking Ordinance. The 100 seats shown on the drawing are much less than the capacity of the building. Staff identified that seating capacity of the facility was around 171 persons (99 at tables, 33 at bars, and 39 in the party room). Additional points from the staff report were made. The applicant has proposed 22 parking spaces.

There were questions from the Board.

Carson Rowley made a motion, seconded by Scott Richard, to table this item until the March 23rd meeting. Vote on the motion was unanimous, motion passed.

Wade McMillin made a motion, seconded by Scott Richard, to adjourn the meeting. Vote on the motion was unanimous, motion passed.

There being no further business to come before the Board, Vice Chairman Richard Jones adjourned the meeting at 1:40 pm.

Bernie Butler

Bernie Butler, Administrative Coordinator

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

MEETING DATE:	MARCH 23, 2021	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	PRELIMINARY PLAT OF THE MOUNTAIN VIEW MAJOR SUBDIVISION— A 15-LOT SUBDIVISION. SUB 2021-03	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT OVERVIEW

Gary Lee of Mountain View 29, LLC has submitted a preliminary plat application for a 15-lot subdivision identified as the Mountain View Major Subdivision. The property is zoned R-3 and is currently developed with a single 4-plex in the northeast corner. The rest of the property is vacant. Lots 1-14 are intended for single-family residences and Lot 15 is planned for 18 townhouses, arranged as four 4-plexes and a duplex.

The Multi-family development on Lot 15 will require a site plan review that is conducted at staff level. However, the utility plan and drainage plan for Lot 15 relate to the subdivision requirements and will be at least partially addressed with the subdivision.



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:

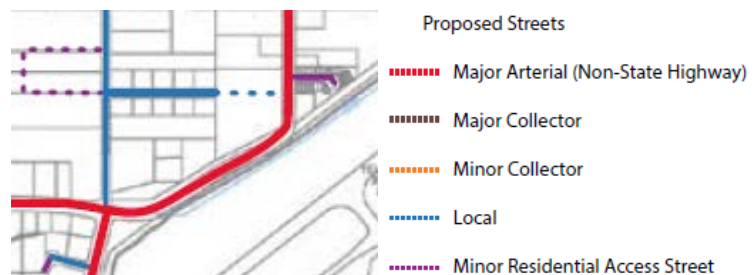
A. Alignment: All proposed streets, alleys and easements shall align horizontally and vertically with existing streets, alleys and easements adjacent to or lying near the subdivision.

Comment: The proposed street (Skyview) will tie into Mountain View Drive and 29th Street. The grades will be verified in the construction plans to be submitted with the final plat.

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

Comment: The proposed street section, as shown on the utility plan, reflects the “local access” street profile of the street master plan. Due to using rolled curb instead of barrier curb, the right-of-way width is widened from 50 feet to 51 feet.

The master street plan shows a proposed local access street connecting Holler Avenue to 29th Street through this property. However, Holler Avenue is in relatively rough shape and we speculate that the residents of Holler Avenue would not be excited about adding 18-units and the potential for cut-through traffic to “their” street. Therefore, staff is open to a variance so that construction of the local access street shown in the street master plan is not required through the subdivision.



If this variance is granted, the “street” within Lot 15 would simply be a private driveway, and would only need to meet the requirements of the Fire Code and the City’s parking ordinance. As a private driveway it would need to be physically blocked at the west end (e.g. fenced) to preclude traffic from using the driveway as a public street.

It is noted that staff does not believe it appropriate to have a situation with an open street between 26th and 29th that is part public street and part private driveway.

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: Met. This also relates to the variance noted in "B" above.

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') ...

Comment: Not applicable.

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: Met.

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

Comment: Not applicable.

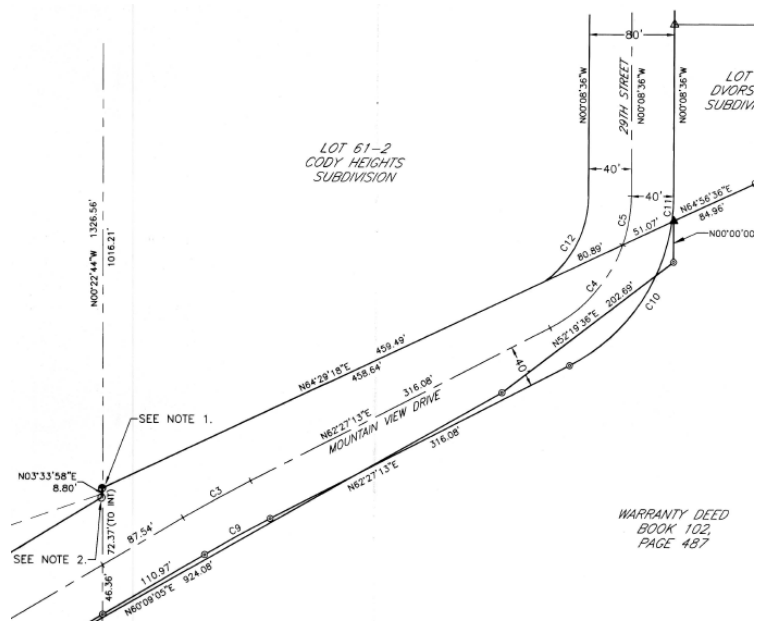
J. Reverse Curves: Reverse curves on...residential and marginal streets and alleys shall have at least one hundred feet (100') of tangent length between reverse curves

Comment: None proposed.

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>Arterial street</i>	<i>100 feet</i>	<i>0.3 percent</i>	<i>7.0 percent</i>
<i>Collector street</i>	<i>80 feet</i>	<i>0.3 percent</i>	<i>7.0 percent</i>
<i>Residential street</i>	<i>60 feet</i>	<i>0.3 percent</i>	<i>7.0 percent</i>

Comment: Both Mountain View Avenue and 29th Street are classified as arterial streets on the street master plan. However, as 29th Street only has 80 feet of right-of-way, Public Works has indicated that they would likely work within that width for any future widening project. The right-of-way shown on the survey here is from Record Survey K-173. You will note that it has a curve at the south end of 29th Street. The proposed preliminary plat does not show that curve. If the curve has not been previously dedicated as public right-of-way it is needed now to meet the 80-foot right-of-way requirement.



The subdivision ordinance has not been updated to reflect the residential street profile of the street master plan, so a variance is requested to the 60-foot right-of-way width shown in the table. The proposed interior street would have a 51-foot-wide right-of-way as shown in the street master plan, plus utility easements to each side of the right-of-way, which is adequate to accommodate the street design. Grades will be verified in the construction plans.

L. Vertical Curve Length: The minimum length of vertical curves shall be as follows... Arterial, collector and residential streets: 15 times the algebraic difference in the rate of grade.

Comment: The “curve” in the proposed street is treated as an intersection, which is consistent with past City practice for short residential streets, where traffic calming measures to minimize speed are desirable anyway.

M. Visibility: Clear visibility, measured along the centerline of the street shall be as follows...Residential street 200 feet

Comment: Met, with the exception of the 90-degree corner. The corner is set up to meet intersection standards.

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

Comment: Met, with the exception of the 90-degree turn.

O. Streets with Interior Angles: ...For street intersections with an interior angle greater than seventy degrees (70°), the curb shall be rounded by a radius of nine and one-half feet (9½').

Comment: Met for the 90-degree corner. For the connections of the new street with 29th Street and Mountain View Avenue, the intent of the standards should be met by providing rounded approach returns. In addition, a radius should be added to the south end, so that it meets Mountain View Drive closer to perpendicular.

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. As all utilities will be in and along the streets and garbage collection will be with roll-out containers, there is no need for alleys. Staff supports the variance request.

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 new interior street will be constructed with curb, gutter, sidewalk and streetlights, per the City standards. The driveway on Lot 15 is technically not a street and is not required to meet this standard. A waiver for curb, gutter, and sidewalks along the subdivision frontage of Mountain View Avenue and 29th Street is requested.

In practice, the City has not been able to form a road improvement district for decades. As a result, street improvements by the City rarely occur and are limited to relatively small projects, unless the City is able to obtain street funding through federal or state sources (which continues to dwindle to almost nothing). Without a new funding source, such as a one-penny tax, Mountain View Avenue and 29th Street will likely remain as is for decades. Staff would propose that rather than do nothing, the developer be held responsible for a separated pathway along the subdivision frontage of the same width as the pathway along 29th Street between Central Avenue and Sheridan Avenue. The separated pathway fulfills the intent of the sidewalk requirement, and can occur without curb and gutter being in place. This same proposal, to require a separated pathway in lieu of curb, gutter and sidewalk frontage improvements was what Council required for

the recent Bromley 5-lot subdivision on 29th street. The pathway would be located in the City right-of-way, and plans would need to be provided with the Final Plat application.

The pathway is shown on the master plan trails map. This photo is of the pathway section in front of Lincoln Estates.



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 "K" above. Public Works has recently modified the curb detail to allow a shorter curb in some instances. Coordinate with Public Works.

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

Comment: To meet this requirement, a storm water pipe will be needed to carry storm water from the southeast curb line to the proposed infiltration trench, as opposed to a valley gutter. The drainage concept plan is not clear which method is proposed.

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: A conceptual drainage plan is shown on the Utility Plan sheet. It involves carrying the street drainage to an infiltration trench on the north side of Lot 5, and capturing the drainage from Lot 15 in a swale in the northwest corner of the subdivision. More detailed drainage plans, including elevations/contours and

calculations will need to be prepared with the final plat application. It is anticipated that the topsoil depth may be so deep that the proposed infiltration trench would not extend to the very permeable Cody cobble layer below. The design should either be changed to extend the trench depth to the Cody cobble layer, or percolation data obtained for the specific site to allow for accurate storm water calculations.

As shown, any infiltration trench should be at least 10 feet from any building foundation. The drainage easement will need to be at least 12 feet wide at all segments (widen easement E5), be granted to the lot owners in the subdivision, and clearly establish a right to drain the City street into the easement.

As the drainage facilities would overflow onto developable private property, as opposed to a City right-of-way that could help accommodate additional storm water in a safe manner, they should be designed to retain the 100-year, 2-hour storm event.

In recent history, the city typically requires drainage facilities that serve only the subdivision to be maintained by the lot owners—at least for now. While the WY State legislature recently passed a bill that will allow municipalities to create a storm water utility (charge customers for storm water facility construction and maintenance), the City has not taken action to do so. If a stormwater utility is created in the City of Cody, it is anticipated that the City would take over maintenance of some existing storm water facilities, but until that happens, it is simply staff speculation.

A maintenance agreement or homeowner's association containing adequate provisions for the perpetual care and maintenance of the detention facilities will be needed. The agreement will need to include language that the City can enforce the agreement.

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 (3,200 square feet for R-3 zoning).

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

Comment: Met.

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: Met.

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 at this point are noted below.

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

Comment: Will be met as proposed.

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: Due to the silty-clay composition and depth of the topsoil, accepted engineering practices likely recommend a deeper road base than the minimum. The applicant has increased the depth of the crushed base layer by two inches. Due to soil concerns, a geotechnical report for verification of the street profile and building purposes is recommended.

Items 'E' through 'I' can be met and will be reflected in the construction plans. (Includes street name signs, sewer services for each lot, storm water plan, new water main and services, and fire hydrants.) There are a few edits needed to the utility plan (e.g. missing water and sewer stubs to duplex on Lot 15, which can be addressed in the construction plans.

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

Comment: The proposal includes piping of the McMillin Irrigation Company ditches through the property. The plans, specifications, and easements for the piping of the ditches will need to be reviewed and approved by the McMillin Irrigation Company, as well as the City.

N. Public Use Areas: There shall be conveyed to the city an area or areas of land or the cash equivalent thereof, on the basis of one acre per fifty (50) prospective dwelling units, to provide for parks, fire stations, recreational areas and other public uses. This requirement shall be in addition to lands dedicated for streets and alleys. ... The dedication of land or cash in lieu of land shall be at the sole discretion of the city council, with recommendation from the planning and zoning board and the parks and recreation department. If subsequent rezoning or resubdivision would result in a higher number of prospective dwelling units, additional land or cash equivalent shall be conveyed to the city. If the city council elects to require cash in lieu of land, the amount thereof shall be the fair market value of the land. If the city and the subdivider cannot agree on that value, each shall designate an appraiser and the two (2) appraisers so

selected shall arrive at a recommended market value, which shall be binding upon the parties...

Comment: The Public Use Area requirement is applicable. Using the numbers of 14 single-family lots and the 18 dwelling units, 0.64 acres of public use area would be required. However, the recommendation from Planning and Parks and Recreation is to accept cash in lieu of the land, with one adjustment.

Planning Staff believes it appropriate to reduce the 0.64 acres by the area described below. The area between the difference in the right-of-way dedication at the southeast corner of the subdivision from 30-feet to the centerline to 40 feet from the centerline. The dedication to 30 feet from the centerline is clearly the developer's responsibility to provide sufficient right-of-way for a local access street. However, the additional right-of-way beyond 30 feet is because the streets are arterials. As arterials, I see the right-of-way dedication beyond the 30 feet as more of a community need in this instance than a need for the individual residential property. The surveyor can calculate the size of the area noted.

Using the 2020 County Assessor land value of \$0.5668 per square foot of the subject property, the adjusted area (0.64 acres minus R/W dedication beyond 30') would be multiplied by the value per square foot to determine the cash-in-lieu amount to be paid. (0.64 acres would be \$15,801.) It is noted that the cash-in-lieu payment will likely be used for additional pathway construction in the area, if supported by the City Council.

OTHER:

Irrigation: The applicant proposes to "detach" surface water from this property. Technically, detaching is not sufficient to meet the subdivision ordinance requirements. It is also required that the water rights be transferred to the City. The subdivision ordinance allows one year for that application to be submitted to the State Engineer's Office.

It is noted that due to the apparent non-use of the irrigation water on this property there may be issues transferring it to the City. The applicant should work with Cody Canal for their permission to transfer the water rights to the City, and contact the State Engineer's Office for guidance as to whether there would be an issue with transferring the water rights to the City, as opposed to a 3rd party. If it is evident that the State will not allow full transfer of the water rights to the City, the applicant can return to the City Council and request permission to transfer them to a 3rd party.

Miscellaneous:

For purposes of providing direction for preparation of the construction plans and final plat, the following comments are provided.

1. The applicant will need to contact the post office for mail box location(s).
Preference is that the boxes for the Skyview lots be placed somewhere along

Skyview. Any mailbox located along 29th or Mountain View Drive, will need a gravel pullout as well. Final location must be authorized by both the Post Office and City. Provide a mailbox easement if needed.

2. There is already a Mountain View Subdivision in the County. To help minimize recording and title search confusion, the name of the subdivision should be changed. Adding a qualifier to Mountain View other than "Major" is sufficient.
3. The street name of "Skyview Drive" was not approved by the street name committee (too similar to Skyline Drive). Please provide three alternative names for committee consideration. Personally, "Skyview Loop" would seem to work. (While discussing street names, the Fire Marshal Recommends naming the driveway on Lot 15. Please provide three alternatives. (Marlisa Lane or Marlisa Loop may be acceptable.)
4. Primary vehicle access for the Skyview lots will be limited to the interior street. Include a note on the final plat to notify lot owners of the restriction.
5. Include lot and street survey monumentation on the final plat.
6. Verify easement widths are acceptable to all applicable utility providers. It is expected that easement E7 will likely need to be 5 feet and E3 20 feet.
7. It is recommended that the stormwater infiltration trench be located in a common area tract, rather than be on a private lot.
8. The perc trench and swale could cause water issues for nearby basements or crawl spaces. Be sure they, and the buildings, are located and designed appropriately.
9. Clarify the street section detail (51' right-of-way).
10. Since the plans for Lot 15 are not set up to allow for future subdivision (inadequate access street, power layout, etc.), individual sewer services are not required to be provided to each individual unit. Units within the same building could share sewer.
11. In order to avoid having to dig under the dry utilities to connect to the sewer and water service stubs, extend the sewer service to the back side of the dry utility easement and extend a "pigtail" from the curb stop at the back of the sidewalk under the dry utility trench.
12. Provide rounded approach returns on the connections to 29th Street and Mountain View Drive.
13. Include a private street sign, stop sign, and "No Outlet" for the driveway on Lot 15.
14. Due to proximity of the airport, there may be some height restrictions for buildings on the southeast end of this development. (Marlisa Lane to the East

has a limit of 28 feet total height.) Please contact the airport and if restrictions apply, note them on the final plat.

15. Include all utilities on the construction plans, and approval signature lines for each utility provider.

16. Label the line segment at the east end of the interior street.

VARIANCES:

The variances noted 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.

Planning staff would recommend approval of the variances for the street connection to Holler Avenue indicated in the master plan, the alley requirement, the modification to the street and right-of-way details so as to allow the updated master plan street section, and to not require the standard note about participation in a future road improvement district for 29th Street or Mountain View Avenue due to the requirement to construct the asphalt pathway. Those variances "*make a greater contribution to the intent and purpose of this title*" than if those requirements were imposed.

POTENTIAL MOTION:

Recommend that the City Council approve the preliminary plat for the proposed subdivision, and grant the variances listed, subject to the listed conditions:

Subdivision Variances:

1. To not require the public street connection to Holler Avenue indicated in the master plan.
2. To waive the alley requirement.
3. To allow use of the updated master plan street section and corresponding reduction in right-of-way width.
4. Do not require note about participation in a future road improvement district for 29th Street or Mountain View Avenue.

Conditions:

1. The private driveway on Lot 15 must be physically blocked at the west end (e.g. fenced) to preclude traffic from using the driveway as a public street to/from Holler

Avenue. However, a vehicle gate must be provided to allow utility access. Supply the City and Fire Marshal with a key/PIN to a Knox box for the gate key.

2. The private driveway must include a street sign, stop sign, and "No Outlet" sign. (Additional "No Parking Fire Lane" signage will also be required through the site plan review for Lot 15.)
3. Dedicate additional right-of-way as necessary to provide 40 feet from the street centerline of the perimeter streets (lacking width at corner). Any area beyond 30 feet from the centerline can be deducted from the Public Use Area requirement.
4. Payment of the cash-in-lieu of public use area fee will need to occur prior to the mayor signing the final plat. The payment is based on 14 single-family homes (with or without Accessory Dwelling Units), and 18 dwelling units on Lot 15. If additional units, other than ADUs, are added then additional cash-in-lieu payment shall be made. Include a note to this effect on the plat.
5. Design and install an 8-foot-wide asphalt pathway along the property frontage of 29th Street and Mountain View Avenue. Coordinate design and construction with Public Works.
6. On the interior street, coordinate the curb design with Public Works (3" tall mountable design is authorized), and add a radius to the south end of the interior street so that it meets Mountain View Drive closer to perpendicular.
7. For purposes of verifying the adequacy of the street base, use in building construction, and stormwater design, provide a geotechnical report.
8. Provide an engineer's stormwater report and drainage plan for the subdivision. Address the recommendations in section "T" of this report in the storm water plan and design.
9. A maintenance agreement and/or homeowner's association shall be established for maintenance of the storm water infiltration facilities (trench and swale). Submit the proposed documents with the final plat. Also include an explanatory note referencing such on the final plat.
10. The plans, specifications, and easements for the piping of the ditches will need to be reviewed and approved by the McMillin Irrigation Company, as well as the City.
11. Surface water rights shall be transferred to the City within one year of the final plat approval. Provide an agreement with an engineer to complete the work required to accomplish the transfer with the final plat application.
12. Address the miscellaneous items noted in the staff report with the final plat application, which items are as follows:
 - a) Contact the post office for mail box location(s). Preference is that the boxes for the Skyview lots be placed somewhere along Skyview. Any mailbox located

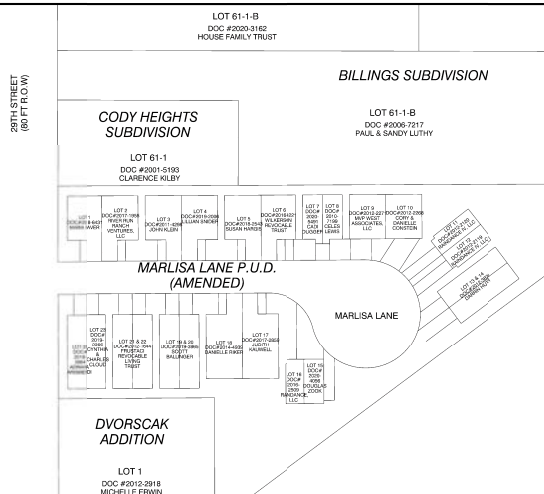
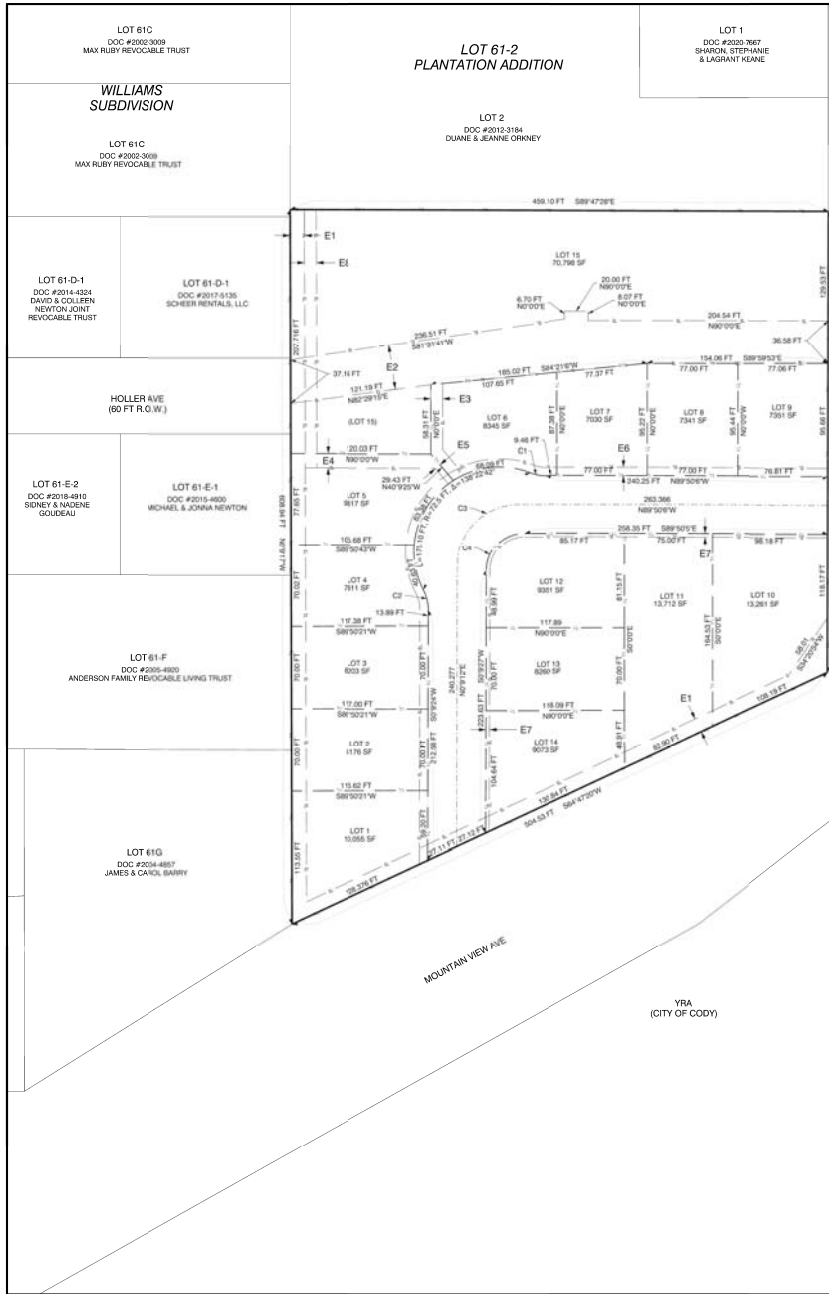
along 29th or Mountain View Drive, will need a gravel pullout as well. Final location must be authorized by both the Post Office and City. Provide a mailbox easement if needed.

- b) There is already a Mountain View Subdivision in the County. To help minimize recording and title search confusion, the name of the subdivision should be changed. Adding a qualifier to Mountain View other than "Major" is sufficient.
- c) The street name of "Skyview Drive" was not approved by the street name committee (too similar to Skyline Drive). Please provide three alternative names for committee consideration. Personally, "Skyview Loop" would seem to work.
- d) Primary vehicle access for the Skyview lots will be limited to the interior street. Include a note on the final plat to notify lot owners of the restriction.
- e) Include lot and street survey monumentation on the final plat.
- f) Verify easement widths are acceptable to all applicable utility providers. It is expected that easement E7 will likely need to be 5 feet and E3 20 feet.
- g) It is recommended that the stormwater infiltration trench be located in a common area tract, rather than be on a private lot.
- h) The percolation trench and swale could cause water issues for nearby basements or crawl spaces. Be sure they, and the buildings, are located and designed appropriately.
- i) Clarify the street section detail (51' right-of-way).
- j) Since the plans for Lot 15 are not set up to allow for future subdivision (inadequate access street, power layout, etc.), individual sewer services are not required to be provided to each individual unit. Units within the same building could share sewer.
- k) In order to avoid having to dig under the dry utilities to connect to the sewer and water service stubs, extend the sewer service to the back side of the dry utility easement and extend a "pigtail" from the curb stop at the back of the sidewalk under the dry utility trench.
- l) Provide rounded approach returns on the connections to 29th Street and Mountain View Drive.
- m) Include a private street sign, stop sign, and "No Outlet" for the driveway on Lot 15.
- n) Due to proximity of the airport, there may be some height restrictions for buildings on the southeast end of this development. (Marlisa Lane to the East has a limit of 28 feet total height.) Please contact the airport and if restrictions apply, note them on the final plat.
- o) Include all utilities on the construction plans, and approval signature lines for each utility provider.

- p) Discuss sizing of the infiltration systems with Public Works. (What is the appropriate design storm? 25-year, 100 year?)
 - q) Label the line segment at the east end of the interior street.
13. The final plat application and construction documents shall otherwise comply with the City subdivision ordinance.

ATTACHMENTS:

Preliminary Plat
Preliminary utility plan
Preliminary landscape/drainage plan



CURVE TABLE			
NO.	LENGTH	RADIUS	DELTA
C1	13.74 FT	37.5 FT	205927.8'
C2	17.92 FT	37.5 FT	272244.8'
C3	81.68 FT	52.0 FT	907070.0'
C4	51.05 FT	32.5 FT	907070.0'

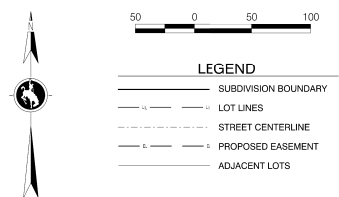
- SURVEY NOTES**
- BEARING BASE: BEARINGS SHOWN ON THIS PLAT ARE GEODETIC BASED ON THE WYOMING STATE PLANE COORDINATE SYSTEM, NAD83(2011), WYOMING WEST CENTRAL ZONE.
 - GRD DISTANCES HAVE BEEN SCALED ACCORDING TO THE CITY OF CODY DATUM, TICSF = 1.0002578.
 - ALL SURVEY WORK WAS COMPLETED TO AN ACCURACY OF 1:15,000.

- REQUESTED VARIANCES**
- CITY ORDINANCE 11-4-2 (P): A VARIANCE TO THE REQUIREMENT FOR ALLEYS IS HEREBY REQUESTED.
 - CITY ORDINANCE 11-4-2 (Q): A VARIANCE TO THE REQUIREMENT FOR CURB, GUTTER, SIDEWALKS ALONG THE SUBDIVISION FRONTAGE OF MOUNTAIN VIEW AVENUE AND 29TH STREET IS HEREBY REQUESTED.

DESCRIPTION OF LANDS

A PARCEl OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 61-2 EXCEPT THE NORTH 408.2 FEET, CODY HEIGHTS SUBDIVISION, AS LOCATED IN BOOK 'E' OF PLATS, PAGE 59, RESURVEY T.52 N., R.11 W., 6TH P.M., CITY OF CODY, PARK COUNTY, WYOMING.



- SUBDIVISION NOTES**
- TOTAL SUBDIVISION AREA: 5.26 ACRES
 - PROPOSED SITE USAGE IS: LOT 1-14 IS SINGLE FAMILY RESIDENTIAL AND LOT 15 IS MULTI-FAMILY
 - ZONING FOR THIS SUBDIVISION IS R3.
 - ZONING WEST IS R2 & D1.
 - ZONING NORTH IS R2.
 - ZONING EAST IS R3 & R4.
 - ZONING SOUTH IS E.
 - EXISTING UTILITIES:
 - CITY OF CODY - TREATED WATER: 6 FT DEPTH (APPROX.)
 - CITY OF CODY - SANITARY SEWER: 10 IN PVC, 7 FT DEPTH (APPROX.)
 - CITY OF CODY - ELECTRICAL: 36-48 IN DEPTH (APPROX.)
 - BLACK HILLS ENERGY - GAS LINE: 3 FT DEPTH (APPROX.)
 - TCT: EXISTENTS WITHIN 29TH STREET
 - CODY CANAL: EXISTING ALONG THE SOUTH AND WEST SIDE OF SUBDIVISION
 - WATER RIGHTS FOR THIS PROPERTY WILL BE DETACHED
 - NO WETLAND AREAS AND NO AREAS SUBJECT TO FLOODING EXIST WITHIN THE PROJECT AREA.

- EASEMENT NOTES**
- PROPOSED EASEMENTS**
- A12-FT WIDE IRRIGATION AND UTILITY EASEMENT ALONG THE WEST AND SOUTH BOUNDARY OF THE SUBDIVISION.
 - A UTILITY EASEMENT, VARYING IN WIDTH, LOCATED WITHIN LOT 15, AS SHOWN HEREON.
 - A 10-FT WIDE UTILITY EASEMENT ALONG THE WEST BOUNDARY OF LOT 6.
 - A 12-FT WIDE DRAINAGE EASEMENT ALONG THE NORTH BOUNDARY OF LOT 5.
 - A 5-FT WIDE DRAINAGE EASEMENT ALONG THE EAST BOUNDARY OF LOT 5.
 - A 7-FT WIDE UTILITY EASEMENT ALONG THE NORTH ROAD RIGHT-OF-WAY.
 - A 3-FT WIDE UTILITY EASEMENT ALONG THE SOUTH ROAD RIGHT-OF-WAY.
 - A 10-FT DRAINAGE EASEMENT ALONG THE WEST BOUNDARY OF LOT 15.

PRELIMINARY PLAT

MOUNTAIN VIEW MAJOR SUBDIVISION

BEING A SUBDIVISION OF TRACT 61-2 OF THE CODY HEIGHTS SUBDIVISION

RESURVEY T.52N., R.101W, 6TH P.M., CITY OF CODY, PARK COUNTY, WYOMING

DEVELOPER / OWNER:

MOUNTAIN VIEW 29, LLC

700 E. REDLANDS BLVD #U 260

REDLANDS, CA 92373

DOC# 2008-8577

SAGE CIVIL ENGINEERING AND SURVEYING

3824 BIG HORN AVE

CODY, WY 82401

307.557.0915

FEBRUARY 19, 2021
DRAWN BY: TSB

PROJECT # 2008-8577
20-045_PPLAT_300

FIELD SURVEY BY: FIELD BOOK:

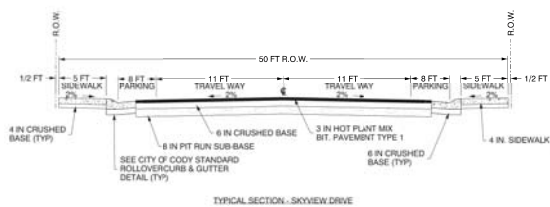
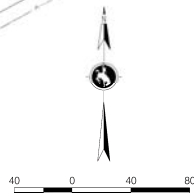
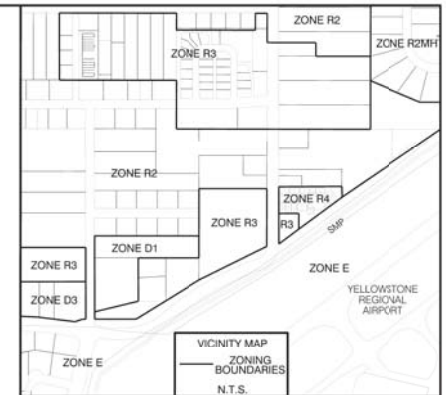


- LEGEND**
- SUBDIVISION BOUNDARY
 - LOT LINES
 - STREET CENTERLINE
 - PROPOSED EASEMENT
 - MAJOR CONTOUR (5-FT)
 - MINOR CONTOUR (1-FT)
 - EDGE OF PAVEMENT

- EXISTING UTILITIES**
- SA — SANITARY SEWER LINE & SERVICE
 - TW — TREATED WATER MAIN & SERVICE
 - G — GAS LINE & SERVICE
 - UNDERGROUND POWER
 - OVERHEAD POWER LINE
 - TV — TELEVISION LINE
 - T — TELEPHONE LINE
 - EXISTING FENCE
 - ELECTRIC PEDESTAL
 - TELEVISION PEDESTAL
 - POWER PEDESTAL
 - POWER POLE
 - TELEPHONE PEDESTAL
 - GAS VALVE
 - WATER VALVE
 - FIRE HYDRANT
 - SEWER MANHOLE

- PROPOSED UTILITIES**
- SA — SANITARY SEWER MAIN & SERVICE
 - TW — TREATED WATER MAIN & SERVICE
 - G — GAS MAIN & SERVICE
 - FIBER OPTICS
 - TELEPHONE
 - RAW WATER LINE
 - PRIMARY POWER LINE
 - SECONDARY POWER LINE
 - SERVICE LINE TO UNIT METER
 - SINGLE PHASE JUNCTION CABINET
 - POWER POLE
 - SECONDARY PEDESTAL
 - POWER TRANSFORMER
 - MANHOLE
 - FIRE HYDRANT
 - WATER VALVE

EXISTING UTILITIES:
 CITY OF CODY - TREATED WATER: 10 IN. PVC, 4 FT DEPTH (APPROX.)
 CITY OF CODY - SANITARY SEWER: 10 IN. PVC, 4 FT DEPTH (APPROX.)
 CITY OF CODY - ELECTRICAL: 36-48 IN DEPTH (APPROX.)
 BLACK HILLS ENERGY - GAS LINE: 3 FT DEPTH (APPROX.)
 TCT - EXISTING WITHIN 20TH STREET
 CHARTER - EXISTING WITHIN 20TH STREET
 CODY CANAL - EXISTING ALONG THE WEST AND SOUTH BOUNDARIES OF SUBDIVISION



UTILITY PLAN

MOUNTAIN VIEW MAJOR SUBDIVISION

BEING A SUBDIVISION OF TRACT 61-2 OF THE
CODY HEIGHTS SUBDIVISION

RESURVEY T 52N, R 101W,
6TH P.M., CITY OF CODY, PARK COUNTY, WYOMING

DEVELOPER / OWNER:

MOUNTAIN VIEW 29, LLC
700 E. REDLANDS BLVD #U 260
REDLANDS, CA 92373

DOC# 2008-8577



SAGE CIVIL ENGINEERING
AND SURVEYING
3824 BIG HORN AVE.
CODY, WY 82404
307.527.0215

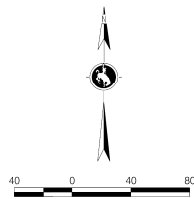
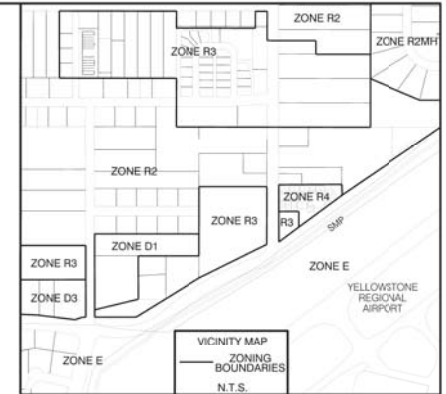
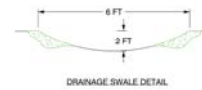
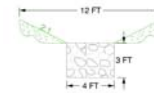
FEBRUARY 15, 2021
DRAWN BY: TSB

PROJECT # 2008-8577
2018-PLAT 001A

FIELD SURVEY
BY: FIELD BOOK:



- LEGEND**
- SUBDIVISION BOUNDARY
 - LOT LINES
 - STORM DRAIN PIPE
 - LANDSCAPED AREA
 - CONCRETE
 - COMPACTED BASE GRAVEL
 - STORM DRAIN INLET
 - DRAINAGE ARROW



LANDSCAPE/DRAINAGE PLAN

MOUNTAIN VIEW MAJOR SUBDIVISION

BEING A SUBDIVISION OF TRACT 61-2 OF THE
CODY HEIGHTS SUBDIVISION

RESURVEY T.52N., R.101W.,
6TH P.M., CITY OF CODY, PARK COUNTY, WYOMING

DEVELOPER / OWNER:

MOUNTAIN VIEW 29, LLC
700 E. REDLANDS BLVD #U 260
REDLANDS, CA 92373

DOC# 2008-8577



SAGE CIVIL ENGINEERING
AND SURVEYING

3824 BIG HORN AVE.
CODY, WY 82414
307.527.0215

FEBRUARY 15, 2021
DRAWN BY: TSB

PROJECT # 2018-086
2018_PLAT.DWG

FIELD SURVEY
BY: FIELD BOOK:

20081031

STATEMENT OF CONSIDERATION
ATTACHED
WP
County Clerk's Office

WARRANTY DEED

**KEITH EUGENE VILES and DEBORAH LEE VILES,
husband and wife,**

Grantors, of the County of Park, State of Wyoming, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, receipt whereof is hereby acknowledged, convey and warrant to:

**MOUNTAIN VIEW 29, LLC,
a Wyoming limited liability company,**

Grantee, whose address is 700 East Redlands Boulevard, Suite U-260, Redlands, CA 92373, the following-described real estate, situate in Park County, State of Wyoming, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State:

Lot 61-2, except the north 408.2 feet, CODY HEIGHTS SUBDIVISION, as located in Book "E" of plats, Page 59, according to the records of the County Clerk and Recorder of Park County, State of Wyoming.

SUBJECT to all patents, easements, rights-of-way, reservations, zoning restrictions, covenants and any other matter of public record or otherwise established; all assessments and subsequently assessed taxes.

WITNESS our hands this 6th day of November, 2008.

Keith Eugene Viles
KEITH EUGENE VILES
Deborah Lee Viles
DEBORAH LEE VILES

STATE OF WYOMING)
) ss.
COUNTY OF PARK)

6 The above and foregoing *Warranty Deed* was acknowledged before me this day of November, 2008, by Keith Eugene Viles and Deborah Lee Viles.

WITNESS my hand and official seal.



Winnie Eppelsheimer
Notary Public
My commission expires: 05-08-10

 Pg: 1 of 1
2008-8577 Park County WY 11/7/2008 2:56 PM Fees: \$8.00

Stewart Title Guaranty Company
SCHEDULE A

Name and Address of Title Insurance Company:

Park County Title
1014 Rumsey Avenue
Cody, WY 82414

File No.: **20081031**

Policy No.: **9301-1274578**

Amount of Insurance: **\$300,000.00**

Premium: **\$745.50**

Date of Policy: **11/7/2008 02:56:00 PM**

1. Name of Insured:

MOUNTAIN VIEW 29, LLC, A WYOMING LIMITED LIABILITY COMPANY

2. The estate or interest in the land described or referred to in this Commitment and covered herein is **Fee Simple**, excepting from such estate or interest, any right, title or interest in and to any oil, gas, minerals and mineral rights, together with any rights associated therewith for which no search and examination has been made of the public records, and title thereto is, at the effective date hereof, is vested in:

MOUNTAIN VIEW 29, LLC, A WYOMING LIMITED LIABILITY COMPANY

3. The land referred to in this policy is situated in the County of Park, State of Wyoming, and is described as follows:

Lot 61-2, except the north 408.2 feet, CODY HEIGHTS SUBDIVISION, as located in Book "E" of plats, Page 59, according to the records of the County Clerk and Recorder of Park County, State of Wyoming.

Stewart Title Guaranty Company
SCHEDULE B

File No.: 20081031

Policy Number: 9301-1274578

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

Any facts, rights, interests, or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

Easements, liens, or encumbrances, or claims thereof, which are not shown by the Public Records.

Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.

(a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims, or title to water; (d) any right, title or interest in any sand and gravel and/or minerals including access to and from to extract minerals, mineral rights, or related matters, including, but not limited to oil, gas, coal and other hydrocarbons, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records.

Any lien or right to a lien for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

Any service installation or connection charges for sewer, water, or electricity.

Any adverse claim based upon the assertion that: (a) some portion of the land forms the bed or bank of a navigable river or lake, or lies below the mean high water mark thereof; (b) the boundary of the land has been affected by a change in the course or water level of a navigable river or lake; (c) the land is subject to water rights, claims, or title to water, and to any law or governmental regulation pertaining to wetlands.

1. TAXES FOR THE YEAR 2009 and subsequent years.

2. SUBJECT PROPERTY IS LOCATED within the boundaries of the following Irrigation District and is subject to liability for future assessments by the Irrigation District.

Irrigation District: Cody Canal

TAXES FOR THE YEAR 2009 and subsequent years.

3. CANAL, NAVIGABLE RIVER, OR STREAM CROSSES OR ABUTS THE LAND:

a) All right, title or claim or any character by the United States, state, local government, or by the public generally in and to any portion of the land lying within the current or former bed, or below the ordinary high water mark, or between the cut banks of a stream navigable in fact or in law.

b) Rights of riparian water right owners to the use and flow of the water.

c) The consequence of any past or future change in the location of the bed.

ANY LANDS LYING WITHIN THE BOUNDARY OF ANY CODY CANAL LATERAL.

THE TITLE POLICY DOES NOT INSURE AGAINST ANY LOSS OR DAMAGE as a result of land gained or lost due to the changing of the course of any canal, river or stream.

Stewart Title Guaranty Company
SCHEDULE B

File No.: 20081031

Policy Number: 9301-1274578

EXCEPTIONS FROM COVERAGE

4. **EASEMENTS AND/OR ITEMS SET FORTH IN PLAT** as located in Book "E", Page 59.
5. **RESERVATIONS**, and the terms and conditions thereof:
Contained in patent from: The United States of America
Recorded: October 10, 1903
Big Horn Book 5 Page 334
Transcribed as Book 1, Page 622 (*minerals*)

such as found to exist in the tracts aforesaid.
To Have and To Hold the said tracts with the appurtenances thereof, unto the said State of Wyoming, for the purposes as aforesaid upon the conditions, restrictions and limitations as hereinbefore specified with the said exclusion and exception and with power to convey the same in fee simple in accordance with the provisions of the said acts.
In Testimony Whereof, I, William McKinley, President of the United States of America, have caused these letters to be made patent and the seal of the General Land Office to be hereunto affixed. Given under my hand at the City of Washington the fifteenth day of January in the year of our Lord one thousand nine hundred and one and of the Independence of the United States the one hundred and twenty fifth. By the President, William McKinley. (SEAL).

F.M. McKean, Secretary.

C.H. Brush Recorder of the General Land Office

Recorded Vol 1, Pages 4 to 6 inclusive.
State of Wyoming, County of Big Horn, ss. Filed for record October 10th, 1903, at 9 o'clock A.M. P.I. Rue, Register. By R.R. Meron, Deputy. Recorded in Book 5 of Deeds at Page 331.

No. 11098 PATENT.

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, By Section four of the Act of Congress approved August 18, 1894, as found on Page 432 of Volume 28 of the Statutes at Large, and by the Act of Congress approved June 11, 1896, as found on Page 434 of Volume 29 of the Statutes at Large, provisions is made for a grant of desert lands not exceeding one million acres to each of certain states therein designated, and

WHEREAS, The State of Wyoming, one of the beneficiaries under the grant aforesaid has duly complied with all the conditions and requirements of said acts of Congress and with the regulations made and prescribed thereunder as to certain tracts, the same being portions of the one million acres of land granted as aforesaid; and

WHEREAS, the said tracts have been found to be desert lands by an examination of the field and of the records of the General Land Office the same being more particularly described as follows, to-wit:

North of base line and west of sixth principal meridian, State of Wyoming. Township fifty three range one hundred one, the southeast quarter of the southwest quarter and the southeast quarter of Section twenty two containing two hundred acres, all of section twenty seven containing six hundred and forty acres. The South east quarter of the northeast quarter and the south half of Section twenty eight containing three hundred and sixty acres. The Southeast quarter of Section twenty nine containing one hundred and sixty acres. The Lot numbered four, the South East quarter of the South West quarter, and the South East Quarter of Section Thirty one containing two hundred and forty acres and nine hundredths of an acre. All of Section thirty two, containing six hundred and forty acres, all of section thirty three containing six hundred and forty acres, all of section thirty four containing six hundred and forty acres. The said tracts of land as described in the foregoing make an aggregate area of three thousand five hundred and twenty acres, and nine hundredths of an acre (\$5,520.09)

Now, Know Ye, that the United States of America, in consideration of the premises and pursuant to the said Acts of Congress, have given and granted, and by these presents do give and grant unto the said State of Wyoming and to its assigns the tracts of land, as aforesaid and described in the foregoing for the purposes specified in said acts and subject to all the conditions, restrictions and limitations therein prescribed; yet excluding and excepting from the transfer of these presents all mineral lands, should any such be found to exist in the tracts aforesaid.

To Have and To Hold the said tracts with the appurtenances thereof, unto the said State of Wyoming, for the purposes aforesaid, upon the conditions, restrictions and limitations as hereinbefore specified, with the said exclusion and exception, and with power to convey the same in fee simple in accordance with the provisions of the said acts.

In Testimony Whereof, I, William McKinley, President of the United States of America, have caused these letters to be made patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand at the City of Washington, this the thirteenth day of April in the year of our Lord, one thousand nine hundred and one and of the Independence of the United States the one hundred and twenty fifth.

By the President, William McKinley

F.M. McKean, Secretary

C.H. Brush, Recorder of the General Land Office

Recorded in Vol 1 Page 7 to 8 inclusive.
State of Wyoming, County of Big Horn, ss. Filed for Record October 10th, 1903, at 9 o'clock A.M. P.I. Rue, Register, by R.R. Meron, Deputy. Recorded in Book 5 of Deeds at Page 334.

Dr. CHAS. W. HARTMAN, M.D. File No. 17072 and 17170-Deed No. 15476.
In consideration of the payment of two hundred twenty five (\$255) dollars, The Lander and Farmer's Bank and Trust Co. of W.J. Thompson, the following described real estate

in roads

GRANT OF EASEMENT
FOR CONSTRUCTION AND MAINTENANCE
OF WATER PIPE LINE

THIS INDENTURE, Made and entered into as of this 16th day of June, 1928, by and between the Board of County Commissioners, Park County, Wyoming, the Party of the First Part, and the City of Cody, Park County, Wyoming, a municipal corporation, the Party of the Second Part; WITNESSETH THAT:

WHEREAS, the Party of the Second Part is about to construct a water line from the presently constructed water system to the Cody Municipal Airport, said water pipe line to be constructed on ~~and along~~ certain roads as hereinafter described; and

WHEREAS, the Party of the First Part has consented and agreed to permit the Party of the Second Part to construct, operate and maintain a water line within the right-of-way occupied by the county road as hereinafter described;

NOW, THEREFORE, THIS INDENTURE WITNESSETH, That for and in consideration of one dollar (\$1.00) in hand paid to the Party of the First Part, by the Party of the Second Part, the receipt whereof is hereby acknowledged, the said Party of the First Part does hereby grant unto the Party of the Second Part, its successors and assigns forever, a right-of-way and easement to construct, operate and maintain a water line within the right-of-way occupied by Park County roads as more particularly described as follows:

1. Roads within the S4SE4, Section 33, T. 53 N., R. 101 W., 6th P.M., Wyoming, according to the Original Government Survey, which are described as follows:
 - (a) On the road between Block 9 of the Highland Manor addition and Tract 71-34 of the Cody Heights Subdivision, from the North line of said Block 9, extended East, to the South line of Tract 71-34 extended West.
 - (b) On the road between Tract 71-34 and 71-87 and between Tract 71-33 and 71-88 of the Cody Heights Subdivision, from the West line of Tract 71-34 to the East line of Tract 71-33.
 - (c) On the road between Tract 71-27 and 71-28 of the McLain Subdivision, from the West line of Tract 71-27 to the East line of Tract 71-27.

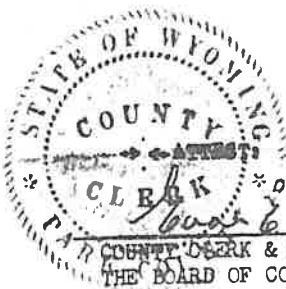
(d) On the road between Tracts 71-1 through 71-5, inclusive, and between Tracts 71-27 through 71-32 inclusive, of the Cody Heights Subdivision, from a point 30 feet North of the South line of Tract 71-6 to the South line of Tract 71-1.

2. Roads within the Lot 2, Section 5, Twp. 52 N., R. 101 W. of 6th P. M., according to the Original Government Survey, which are described as follows:

(a) On the road between Lot 61-1 and 61-2 of the Cody Heights Subdivision, from the North line of Lot 61-1 to the South line thereof.

IT IS UNDERSTOOD AND AGREED that the Party of the Second Party shall cause said pipe line to be dug down and buried below the surface of the ground so as not to interfere with the use of said right-of-way for county road purposes and any soil or gravel shall be replaced on the top of the trench upon refilling and the surface shall be left in as good condition as it now exists for county road purposes. Any culverts or other structures on said road shall be replaced in as good condition as they now exist. In the event that the present county road is altered or improved by the raising or lowering of the grade, or the construction of any form of underpass or construction under the roadbed, the Party of the Second Part shall alter any section of the water line so as not to interfere with such construction under the present roadbed, and shall at all times maintain said water line so as not to interfere with the use of such roads for highway purposes.

IN WITNESS WHEREOF, The Board of County Commissioners of Park County, Wyoming, has caused these presents to be signed in triplicate by its Chairman and attested by the County Clerk and Ex-Officio Clerk of The Board of County Commissioners, this 16th day of June, 1958.



COUNTY CLERK & EX-OFFICIO CLERK OF
THE BOARD OF COUNTY COMMISSIONERS,
PARK COUNTY, WYOMING.

Russell Franklin
CHAIRMAN, THE BOARD OF COUNTY COMMISSIONERS
PARK COUNTY, WYOMING

STATE OF WYOMING)
) SS.
 COUNTY OF PARK)

On this 16th day of June, 1958, before me personally appeared RUSSELL FRANKLIN, to me personally known, who, having been by me first duly sworn, did say: that he is the Chairman of the Board of County Commissioners of Park County, Wyoming; that the seal affixed to said instrument is the seal of said The Board of County Commissioners of Park County, Wyoming; and said Russell Franklin acknowledged said instrument to be the free act and deed of said The Board of County Commissioners of Park County, Wyoming.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above



Owilla Hollister
 Clerk of the District Court of
 Park County, Wyoming.

Term
 My ~~Commission~~ expires: 1/5/59.

Recorded Oct. 9, 1958 at 11:35 A.M.
 In Book 230 Page 566 Park County, Wyo.
 No. 93917. Eva E. Larson, County Clerk

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

MEETING DATE:	MARCH 23, 2021	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	FINAL PLAT AND CONSTRUCTION PLANS FOR THE SHADOW MOUNTAIN SUBDIVISION No. 2— A 32-LOT SUBDIVISION. SUB 2020-03	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT OVERVIEW

Cottonwood Ventures, LLC represented by Ed Higbie has submitted the final plat application for a 32-lot subdivision identified as Shadow Mountain Subdivision No. 2. The property is zoned R-2 and is currently undeveloped. All proposed lots are intended for single-family residences. The east end of the property is not proposed for development at this time. In addition, a strip of land along the south end of the property (Lot 232) is not proposed for development, due to groundwater concerns. It would be transferred to the City.



SUBDIVISION REGULATIONS

The subdivision ordinance requirements were reviewed with the preliminary plat approval.

Status of Preliminary Plat Conditions:

1. *(Paraphrased) Voluntarily work with City staff to determine if a raw water system will be installed in the subdivision.*

Status: A raw water system has been designed and shown on the plans. The applicant and Public Works are proposing to cost share to make it happen. Public Works will present details to the City Council for approval of the cost sharing agreement.

2. *Resolve the property ownership situation—the property must all be under one ownership.*

Status: Met (Deed transferred).

3. *Include the “Future Shadow Mountain Subdivision #3” in the plat boundary.*

Status: Met.

4. *Provide the missing documentation from USACE or WY DEQ regarding the wetland. The wetland issue must be resolved to the satisfaction of the City attorney and City Council, showing that no liability pertaining to the elimination of the wetland remains, before any construction occurs in that area and before any land is given or granted to the City.*

Status: Met. Both agencies confirm there is no regulatory wetland.

5. *At least two monitoring wells (pipes in the ground) must be installed as soon as possible and groundwater levels monitored and documented as soon as possible through construction of the subdivision, so that seasonal fluctuations are identified before the houses are built.*

Status: Not met. The applicant has indicated he will now install two monitoring wells. Staff will take groundwater measurements. It would have been much better to have groundwater data from the last several months, as it would have provided more information regarding fluctuation of groundwater levels through the year.

Without that information there is less certainty regarding items such as percolation rates for the stormwater swale/pond, ability to fully drain the raw water line, whether there will be standing water in the stormwater swale, etc. If Council believes it appropriate to get groundwater data from the new monitoring wells before granting final plat approval, it would be justified.

6. (Paraphrased) The condition was originally proposed to Council as, “The abandoned oil/gas pipeline must be properly removed and the land deemed “clean” by appropriate agencies before the land is transferred to the City (when the final plat is recorded).”

City Council did not issue specific wording for this condition, but it was generally presented that staff did not expect the pipeline to be removed if it was determined to be “clean”. As that determination has not occurred, additional discussion is needed. Staff would propose that the developer remove any portion of the pipeline that is within four feet of the existing surface (apparently only the south end). That way, the installation of any future shallow utilities in that area (e.g. undergrounding the overhead utilities in that corridor) would not conflict with the oil/gas pipeline.

Status: The applicant’s engineer responded to this request with the following:

I have enclosed copies of the email correspondence, as well as a copy of the trail of easements and what we believe is the existing easement with Marathon Ashland Pipeline, who would be the owner of the pipeline. Also attached is the original email after we met with Charles Plymale at Wyoming DEQ when we met on site, to which we received no reply. I reached out again on January 25, 2021 and did not receive a reply. I do not believe this is an item that should be anything that should hold up the development of this property.

This pipeline is controlled and owned by Marathon, so to ask for Mr. Higbie to perform remediation on it or remove a portion of it would likely be against the law.

As noted in the correspondence, ownership of the pipeline is less than clear. Marathon abandoned the easement in 1982. However, it also claimed to have transferred that easement to the Red Butte Pipeline Company in 2000. This issue is not necessarily a plat issue, but an issue as to whether or not the City wants to accept ownership of the land with the pipeline. The applicant does not want to add the land to his adjacent lots. While the Planning and Zoning Board is free to provide their recommendation, I see this as ultimately a discussion with the City attorney and City Council. Planning and Public Works staff recommend that if the land is to be transferred to the City that the applicant be required to formally request permission from Marathon and the Red Butte Pipeline Company for permission to remove any portion of the pipeline on the land within four feet of the surface.

7. *The location of the infiltration basin is to be installed as far south as reasonably possible.*

Status: The intent of this condition was to allow room for possible expansion of the park. The infiltration basin location may need to change. The nearest geotechnical bore from the August 2019 investigation would put the groundwater level about three feet above the bottom of the pond. If that is the case, infiltration rates and the capacity of the basin/pond is affected. The applicant's engineer is looking at additional groundwater investigation and shifting the location of the infiltration basin. If shifting the basin closer to the park resolves some or all of these issues, it is recommended that it be allowed. Below are the engineer's comments.

Due to time restrictions, we are requesting to leave the pond as is for now, and request that we are able to move the pond closer to the park. Then, we can conduct a perc test in actual location of the pond, because the perc test location from the report is very far away from this site. Unfortunately, to meet the City's raw water line needs, the pond needs to be about this deep, so we cannot just make the pond shallower and wider. We can do some further investigation with the City's blessing to move the pond away from the Canal and closer to the Park.

The plans for the infiltration basin will be needed before final approval of the plat by City Council.

8. *A maintenance agreement and/or homeowner's association shall be established for maintenance of the storm water infiltration basin. Submit the proposed agreement with the final plat. Also include an explanatory note referencing such on the final plat.*

Status: A draft agreement has been submitted to the City attorney for review, and is pending the results.

9. *None.*

10. *The material (dirt) that has been removed from the canal that is laying in the portion of the alley within this subdivision, and along the west side of Lot 232, must be removed.*

Status: The first part of this is noted on the plans. However, regarding the area west of proposed Lot 204, the applicant's engineer noted:

The dirt will be removed along Lot 232 as construction progresses, as will the dirt stockpile by the retention pond. The excess material along the alley west of Lot 204 was placed there by the irrigation users, and will be basically impossible to remove, so we request that requirement be waived.

Again, this relates more to the City accepting ownership of this land than a platting issue. It can be discussed with the City Council and city attorney.

It would also be appropriate to ask Council if they are open to builders depositing excess excavation material from subdivision on what will be the City land.

11. *The trail connections at the south ends of the three cul-de-sacs must be provided with a surface that meets the intent of a usable trail—crusher fines over a base course, or other materials approved by the City.*

Status: Shown on construction plans.

12. *Provide dust control during subdivision development as needed to prevent dust impacts to neighboring properties.*

Status: Noted in construction plans.

13. *As noted in the staff report under "Other":*

- a) The applicant will need to contact the post office for mail box location. (Met.)*
- b) Identify the 15-foot electric easement along the west property line on the plat. (Met.)*
- c) Clarify who/what properties are the beneficiaries of the 40' irrigation and access easement along the west side of the subdivision (if existing reference document number).*

Status: It turns out that the 40' irrigation and access easement is not existing, but proposed. In staff's opinion, it is unnecessary because adequate rights to access and maintain the irrigation ditch already exist under State law. We requested that the easement be removed and just reference the

existence of the ditch, but the engineer has left it on the plat. Staff continues to recommend that the easement dedication not occur, but that a note to the following effect be added. "Existing irrigation ditch for adjudicated water right users downstream of Head Gate ADAM-HG 0.529 of the Watkins Lateral of Cody Canal Irrigation District."

- d) Some street signs will be needed, at least in the area of the West Avenue transition. Coordinate with Public Works.*

Status: Met with the exception of moving one sign, as noted in the next section.

- e) Discuss sizing of the infiltration basin with Public Works. What is the design storm? (25-year, 100 year?)*

Status: Met.

- f) Include a clear notation on the final plat that construction on the lots must follow the recommendations of the geotechnical report, and consider groundwater levels documented in the monitoring wells.*

Status: Met.

- g) Do not use the word "addition" in the name of the subdivision. (An addition is a method of annexation by subdivision in state statute, and this property is already in the City of Cody.)*

Status: Met.

- h) To avoid provide protection from increased groundwater impacts from utility trenching, design the utility trenches to include strategically placed impermeable plugs (at a minimum, one near the north end of each cul-de-sac, and one at south end of alley.)*

Status: Included in the plans, with a proper notation that final locations will be determined by engineer and City based on field conditions.

- i) When designing the West Avenue connection, the curb, gutter, and sidewalk need not extend completely to the west boundary of the subdivision, so as to leave room for tapering the street width down to 30 feet. Coordinate with Public Works.*

Status: Shown on plans.

- j) Modify the note about not showing all rights of way, easement, etc., as those statements are in direct opposition of what the subdivision ordinance requires.*

Status: Met.

- 14. The final plat application and construction documents shall otherwise comply with the City subdivision ordinance.*

Status: The following edits are needed.

- a) While the engineer's letter indicates the following changes were made, they do not appear on the plans. Please correct.
 - i) Move the stop sign to the NE corner of Bass and Shadow.
 - ii) On Sheets SS-4 and SS-5, shift the trench plugs to the lower slope elevation. (We realize location or need may change based on what is found in the field.)
 - iii) On Sheet RW-5, move the services for Lots 223 and 230 to the south, to provide more cover.
 - iv) On the side view of the "Typical Drivecut Detail" change "Slope 1:12 Maximum" to 1:48.
- b) Add the length and bearing of the western section of West Avenue to the plat.
- c) The curb details on Sheets G-3 and D-1 do not match. Coordinate curb detail with Public Works.
- d) Either remove the cable TV from the easement between Shadow Street and Racoon Court, or widen the easement to 20 feet and shift the sewer line, or lot lines and easement, so that the sewer line is in the centerline of the easement.
- e) Public Works requests an 8" valve on the raw water line at the east end of West Avenue and a 4" valve on the Beaver Court water line. The 8" valve at the West Avenue will either be provided by the City, or it can be capped.

POTENTIAL MOTION:

Forward the final plat and construction plans to City Council, with the following recommendations:

Prior to Council review:

1. Provide the updated infiltration basin plans to staff, with enough time to allow review of the updated plans.
2. Install the two monitoring wells and take and analyze the readings in relation to the infiltration basin, etc.
3. Finalize the raw water cost-sharing proposal and present it to the Council at the time of the final plat.

And recommend the outstanding conditions of preliminary plat approval be resolved with the applicant, which includes Conditions 6, 8, 10, portions of 13, and the requested edits listed under Condition 14. Any specific recommendation on any of those items can be provided by the Board.

ATTACHMENTS:

Final Plat

Construction Plans

Proposed Covenants (incl. stormwater maintenance)

Utility letters

Additional Documentation

EXHIBIT A, DOCUMENT 2020-3006 AS RECORDED IN THE RECORDS OF THE PARK COUNTY CLERK AND RECORDER TRANSCRIBED AS FOLLOWS

A PARCEL OF LAND IN TRACT A, LOTS 11-11, 30-39, 52-78, 97-103 IN NOW VACATED PORTION OF SHADOW MOUNTAIN SUBDIVISION, AS LOCATED IN BOOK "G" OF PLATS, PAGE 151, ACCORDING TO THE RECORDS OF THE COUNTY CLERK AND RECORDER OF PARK COUNTY, BEING 97.97 ACRES, NOW DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

A PARCEL OF LAND IN TRACT 70 & 71, R.S. (SECTIONS, 33 & 34 O. S.) T53N., R101W., 6TH P.M., PARK COUNTY, WYOMING, BEGINNING AT A POINT 300' E. AND 80'S. OF THE NW CORNER OF THE SW1/4NW1/4 OF SECTION 34, O.S. DESCRIBED AS:

BE BEGINNING AT THE NORTHEAST CORNER OF SAID SHADOW LINTAIN SUBDIVISION, THENCE SOUTH 02°22'10" EAST ALONG THE EAST LINE OF SAID SUBDIVISION, A DISTANCE OF 548.85 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 00°33'17" WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 342.33 FEET TO AN ANGLE POINT ON THE SOUTH BOUNDARY THEREOF; THENCE SOUTH 00°57'24" EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 100.00 FEET TO AN ANGLE POINT ON THE SOUTH BOUNDARY THEREOF; THENCE SOUTH 00°00'00" WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 100.00 FEET TO AN ANGLE POINT ON THE SOUTH LINE THEREOF; THENCE SOUTH 71°25'57" WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 300.12 FEET TO THE NORTHEAST CORNER OF TRACT A OF SAID SUBDIVISION, THENCE SOUTH 25°06'50" WEST ALONG THE EAST LINE OF SAID TRACT A, A DISTANCE OF 202.35 FEET TO A POINT ON THE EAST LINE THEREOF; THENCE NORTH 08°51'57" WEST ALONG THE NORTH BOUNDARY OF A PARCEL OF LAND, BEING A PORTION OF TRACT A OF SAID SUBDIVISION, A DISTANCE OF 100.00 FEET TO AN ANGLE POINT ON THE NORTH BOUNDARY THEREOF; THENCE NORTH 00°00'00" WEST ALONG THE NORTH BOUNDARY OF SAID PARCEL OF LAND, A DISTANCE OF 100.00 FEET TO AN ANGLE POINT ON THE NORTH BOUNDARY THEREOF; THENCE NORTH 00°00'00" WESTERLY ALONG SAID CURVE AND NORTH BOUNDARY HAVING A RADIUS OF 2016.30 FEET AND A CENTRAL ANGLE OF 98°19'1", A DISTANCE OF 239.78 FEET; THENCE ALONG SAID NORTH BOUNDARY SOUTH 85°45'52" WEST TANGENT TO SAID CURVE, A DISTANCE OF 66.31 FEET TO A POINT ON THE WEST LINE OF SAID TRACT A, THENCE NORTH 00°23'05" WEST ALONG THE WEST LINE OF SAID TRACT A AND SAID SUBDIVISION, A DISTANCE OF 568.79 FEET TO AN ANGLE POINT ON THE WEST LINE THEREOF; THENCE NORTH 00°00'00" WEST ALONG THE WEST LINE THEREOF, A DISTANCE OF 141.53 FEET TO THE NORTHWEST CORNER OF SAID LOT 52; THENCE NORTH 89°54'00" EAST ALONG THE NORTH LINE OF SAID LOTS 52 AND 39 AND THE EXTENSION THEREOF, A DISTANCE OF 270.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 30; THENCE NORTH 00°23'05" WEST ALONG THE WEST LINE THEREOF, A DISTANCE OF 31.70 FEET TO THE NORTHEAST CORNER OF SAID LOT 30; THENCE NORTH 89°54'00" EAST ALONG THE NORTH LINE OF SAID LOT 30, A DISTANCE OF 100.00 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 00°23'05" EAST ALONG THE EAST LINE OF SAID LOT 30, A DISTANCE OF 100.00 FEET TO AN ANGLE POINT ON THE EAST LINE THEREOF; THENCE SOUTH 00°00'00" WEST ALONG THE EAST LINE OF SAID LOT 30, A DISTANCE OF 100.00 FEET TO AN ANGLE POINT ON THE EAST LINE THEREOF; THENCE SOUTH 00°00'00" WESTERLY ALONG SAID CURVE AND NORTH BOUNDARY HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 100°32'00", A DISTANCE OF 37.19 FEET; THENCE NORTH 73°04'42" EAST TANGENT TO SAID CURVE AND ALONG THE SOUTH LINE OF SAID LOT 11, A DISTANCE OF 100.00 FEET TO AN ANGLE POINT ON THE SOUTH LINE THEREOF; THENCE NORTH 00°00'00" WESTERLY ALONG THE SOUTH LINE OF SAID LOT 11, A DISTANCE OF 100.00 FEET TO AN ANGLE POINT ON THE SOUTH LINE THEREOF; THENCE NORTH 89°54'00" EAST ALONG THE SOUTH LINE OF BASS AVENUE PRODUCED EASTERLY FOR A DISTANCE OF 60.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 11; THENCE NORTH 00°23'07" WEST ALONG THE WEST LINE THEREOF, A DISTANCE OF 10.15 FEET TO THE NORTHWEST CORNER THEREOF; THENCE NORTH 89°54'00" EAST ALONG THE NORTH LINE OF SAID LOT 11, AND SAID LINE PRODUCED EASTERLY, A DISTANCE OF 120.00 FEET TO AN ANGLE POINT ON THE NORTH LINE THEREOF; THENCE NORTH 00°00'00" WESTERLY ALONG THE NORTH LINE THEREOF, A DISTANCE OF 100.00 FEET TO AN ANGLE POINT ON THE NORTH LINE THEREOF; THENCE NORTH 89°52'23" EAST ALONG THE SOUTH LINE OF COUGAR AVENUE, FOR A DISTANCE OF 272.43 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, AND BEING SUBJECT TO ANY AND ALL RIGHTS OF WAY AND OTHER EASEMENTS THAT LEGALLY EXIST

A PARCEL OF LAND BEING A PORTION OF THE TED EBERT PARK OF THE SHADOW MOUNTAIN SUBDIVISION WITHIN THE CITY OF CODY, AS RECORDED IN PLAT BOOK F AT PAGE 84 OF THE PLAT RECORDS ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF PARK COUNTY, WYOMING; SAID PARCEL BEING GRAPHICALLY ILLUSTRATED AS PARCEL A ON THE BOUNDARY ADJUSTMENT SURVEY RECORDED FEBRUARY 3, 2004 IN PLAT BOOK H AT PAGE 93 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BE BEGINNING AT THE NORTHWEST CORNER OF SAID TEBERT PARK; THENCE NORTH 89°54'00" EAST ALONG THE NORTH LINE OF SAID TEBERT PARK, A DISTANCE OF 125.00 FEET; THENCE SOUTH 02°23'05" EAST PARALLEL TO THE EAST LINE OF 26TH STREET, SAID SHADOW MOUNTAIN SUBDIVISION, A DISTANCE OF 178.30 FEET; THENCE NORTH 89°54'00" EAST, PARALLEL WITH THE NORTH LINE OF SAID TEBERT PARK, A DISTANCE OF 98.90 FEET TO THE POINT OF BEGINNING OF A CURVE TANGENT TO SAID TEBERT PARK, A DISTANCE OF 217.18 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. THENCE WESTERLY, NORTHWESTERLY AND NORTHERLY A DISTANCE OF 37.19 FEET ALONG THE CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 20.00 FEET AND A CENTRAL ANGLE OF 106°32'18"; THENCE SOUTH 02°23'05" WEST TANGENT TO SAID CURVE ALONG WEST LINE OF SAID TEBERT PARK, A DISTANCE OF 217.18 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM

A PARCEL OF LAND BEING A PORTION OF THE VACATED PORTION OF SHADOW MOUNTAIN SUBDIVISION AS RECORDED IN DOCUMENT 2003-12227 OF THE PLAT RECORDS ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF PARK COUNTY, WYOMING; SAID PARCEL BEING GRAPHICALLY ILLUSTRATED AS PARCEL B ON THE BOUNDARY ADJUSTMENT SURVEY RECORDED FEBRUARY 3, 2004 IN BOOK H AT PAGE 93 AND BEING MORE PARTICULARLY

BEGINNING AT A POINT ON THE EAST LINE OF TEBD EBERT PARK WITHIN THE SHADOW MOUNTAIN SUBDIVISION, SAID SUBDIVISION IS RECORDED IN BOOK F AT PAGE 84 IN THE PARK COUNTY CLERK'S OFFICE, WHICH BEARS SOUTH 09°23'56" EAST A DISTANCE OF 13.95 FEET FROM THE NORTHWEST CORNER OF SAID TEBD EBERT PARK, THENCE NORTH 89°54'00" EAST PARALLEL TO THE SOUTH LINE OF BASS VALEEN, SAID SHADOW MOUNTAIN SUBDIVISION, A DISTANCE OF 10.00 FEET, THENCE SOUTH 89°54'00" WEST PARALLEL TO THE SOUTH LINE OF BASS VALEEN, SAID SHADOW MOUNTAIN SUBDIVISION, A DISTANCE OF 12.45 FEET, THENCE SOUTH 89°54'00" WEST PARALLEL WITH THE SOUTH LINE OF BASS VALEEN, A DISTANCE OF 360.70 FEET TO THE SOUTH LINE OF SAID TEBD EBERT PARK, THENCE NORTH 89°54'00" WEST PARALLEL WITH THE SOUTH LINE OF SAID TEBD EBERT PARK, A DISTANCE OF 209.45 FEET TO THE SOUTHWEST CORNER OF SAID TEBD EBERT PARK, THENCE NORTH 09°23'56" WEST ALONG THE EAST LINE OF SAID TEBD EBERT PARK, A DISTANCE OF 101.83 FEET MORE OR LESS, TO THE POINT OF BEGINNING.



	$\frac{3}{4}$ " REBAR WITH 2 $\frac{3}{4}$ " CAP SET
	REBAR & ALUM. CAP FOUND
	$\frac{3}{4}$ " IRON PIPE
	$\frac{3}{4}$ " IRON PIPE
	REBAR FOUND
	1 $\frac{3}{4}$ " IRON PIPE
	BRASS CAP FOUND
	BRASS CAP SET
	HIGHWAY MONUMENT FND.
	BROKEN LINE
	RECORD DIMENSION

Curve Table					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	6.26	4.00'	089°41'20"	N45° 06' 57"W	5.64'
C2	6.33'	4.00'	090°37'10"	S45° 02' 18"W	5.69'
C3	37.00'	274.00'	007°44'11"	S84° 27' 42"E	36.97'
C4	53.29'	326.00'	009°22'00"	S85° 16' 37"E	53.24'
C5	53.29'	326.00'	009°22'00"	S85° 16' 37"E	53.24'
C6	34.62'	274.00'	007°14'56"	S84° 13' 04"E	34.64'
C7	6.30'	4.00'	090°16'43"	N44° 54' 02"E	5.67'
C8	5.84'	4.00'	083°36'03"	S48° 09' 35"E	5.33'
C9	6.33'	4.00'	090°16'43"	S44° 54' 02"E	5.67'
C10	6.26'	4.00'	089°43'17"	N45° 05' 58"W	5.64'
C11	6.30'	4.00'	090°16'43"	N44° 54' 02"E	5.67'
C12	52.55'	51.00'	059°02'17"	S29° 33' 32"W	50.26'
C13	43.79'	51.00'	049°11'47"	S24° 35' 53"E	42.46'
C14	31.55'	51.00'	035°26'56"	S66° 55' 15"E	31.05'
C15	10.02'	51.00'	011°15'09"	S89° 43' 43"W	10.00'
C16	33.62'	51.00'	037°46'02"	N65° 13' 07"E	33.01'
C17	41.21'	51.00'	046°17'43"	N23° 11' 15"E	40.10'

Curve Table					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C18	53.07'	51.00'	059°37'14"	N29° 48' 37"W	50.71'
C19	20.54'	51.00'	023°04'16"	S53° 54' 36"W	20.40'
C20	71.67'	51.00'	080°30'47"	S02° 07' 05"W	65.91'
C21	37.28'	51.00'	041°52'37"	S59° 04' 37"E	36.45'
C22	10.02'	51.00'	011°15'09"	N85° 38' 30"W	10.00'
C23	37.24'	51.00'	041°49'59"	N67° 48' 56"E	36.41'
C24	41.71'	51.00'	046°51'33"	N23° 28' 10"E	40.56'
C25	47.04'	51.00'	052°50'41"	N26° 22' 58"W	45.39'
C26	57.51'	51.00'	064°36'16"	S26° 48' 30"W	54.51'
C27	38.91'	51.00'	043°42'33"	S27° 20' 55"E	37.97'
C28	31.52'	51.00'	035°24'34"	S66° 54' 28"E	31.02'
C29	10.02'	51.00'	011°15'09"	S89° 45' 40"W	10.00'
C30	35.81'	51.00'	040°13'48"	N64° 01' 12"E	35.08'
C31	34.78'	51.00'	039°04'41"	N24° 21' 57"E	34.11'
C32	57.34'	51.00'	064°24'54"	N27° 22' 50"W	54.36'
C33	49.04'	300.00'	009°22'00"	S85° 16' 37"E	48.99'
C34	49.04'	300.00'	009°22'00"	S85° 16' 37"E	48.99'





DEVELOPER: COTTONWOOD VENTURES, LLC
213 NORTH 44TH STREET
CODY, WYOMING 82414

STATE OF WYOMING }
COUNTY OF PARK } SS

EDWARD REED, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF WYOMING BY REGISTRATION NUMBER 14635 HEREBY CERTIFY:

THAT ON FEBRUARY 16, 2018, THE SHADOW MOUNTAIN SUBDIVISION NO. 2 SHOWN HEREON WAS SURVEYED UNDER MY DIRECTION; THAT THE LAND SURVEYED IS CORRECTLY DESCRIBED BY THE ADJACENT DEEDS; THAT THE SURVEY WAS MADE BY AN ACCURATE METHOD, SHOWS THE CORRECT LOCATION AND DIMENSIONS OF SAID SUBDIVISION; THAT THE REQUIREMENTS OF W.S. 36-11-101 THROUGH 36-11-110 WERE COMPLIED WITH AND MONUMENTS AND MARKS WERE PLACED TO IDENTIFY THE CORNER POINTS AND ELEMENTS OF THE SURVEY CLOSE TO AN ACCURACY OF ONE PART IN FIVE THOUSAND OR BETTER AND DIMENSIONS ARE GIVEN IN FEET AND DECIMALS OF A FOOT; ANY SURPLUS OR DEFICIENCY IS DISTRIBUTED PRO RATA FORMULA; THAT THE ADJACENT DEEDS WERE CORRECTED ON THIS PLAT; THAT THE CITY OF CODY DATUM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD 83/93 WEST 83/93 TIME ZONE, WAS USED FOR THE CALCULATIONS AND BEARINGS SURVEYED AND SHOWN ON THIS PLAT.

WYOMING L.S. REGISTRATION NO. 14635
MORRISON MAIERLE
BY: EDWARD REED (AGENT)

 Morrison Maierle <small>engineers • surveyors • planners • scientists</small>	 1402 Stampede Avenue Cody, WY 82414	FINAL PLAT SHADOW MOUNTAIN SUBDIVISION NO. 2 WITHIN SHADOW MOUNTAIN SUBDIVISION CITY OF CODY PARK COUNTY, WYOMING
	 Phone: 307.587.6281  www.m-m-n.com <small>COPYRIGHT © MORRISON-MAIERLE, INC. 2021</small>	
FIELD WORK: <u>JJM</u> DRAWN BY: <u>ECR</u> CHECKED BY: <u>TAG</u>	DATE: <u>02/20/21</u> SCALE: <u>1"=60'</u> PROJ. #: <u>6343.001</u>	CLIENT: <u>COTTONWOOD VENTURES, LLC</u> SHEET <u>1</u> OF <u>2</u>

CERTIFICATE OF DEDICATION

STATE OF WYOMING }
COUNTY OF PARK } ss

KNOW ALL PERSONS BY THESE PRESENTS: THAT COTTONWOOD VENTURES, LLC IS THE OWNER OF SPECIFIED LAND, ACCORDING TO DEED PARK COUNTY DOCUMENT #2020-3006 AS RECORDED WITHIN THE RECORDS OF THE COUNTY CLERK AND RECORDER OF PARK COUNTY, STATE OF WYOMING.

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS AND PROPRIETORS OF THE LANDS AS DESCRIBED IN THE QUIT CLAIM DEED RECORDED AS DOCUMENT NO. 2020-3006; THAT WE HAVE CAUSED SAID LANDS TO BE SURVEYED AND PLATTED; AND THAT THE SUBDIVISION OF SAID LANDS IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

AND WE HEREBY DEDICATE THE UTILITY EASEMENTS SHOWN HEREON FOR THE USES SO NOTED; TO BENEFIT LOTS 200 THROUGH 232, THE CITY OF CODY, AND OTHER UTILITY PROVIDERS SERVING THE DEVELOPMENT;

THAT THE COMMON AREAS ARE DEDICATED UTILITY EASEMENTS FOR THE CONSTRUCTION, MAINTENANCE, INSPECTION, REPLACEMENT, AND REPAIR OF RAW WATER MAINS, TREATED WATER MAINS, SANITARY SEWER MAINS, ELECTRICAL LINES, AND OTHER PUBLIC UTILITIES;

OWNERSHIP OF LOT 232, AS NOTED ON THE SUBDIVISION PLAT IS HEREBY TRANSFERRED TO THE CITY OF CODY;

AND, THAT ANY RIGHTS BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE OF WYOMING ARE HEREBY RELEASED AND WAIVED.

IN WITNESS WHEREOF, THE SAID OWNER, COTTONWOOD VENTURES, LLC, HAVE CAUSED THEIR NAMES TO BE HEREON.

SUBSCRIBED THIS DAY OF ,20

BY: EDWIN E. HIGBIE, OPERATING MANAGER
COTTONWOOD VENTURES, L.L.C.

BY: CAROL L. HIGBIE, OPERATING MANAGER
COTTONWOOD VENTURES, L.L.C.

ACKNOWLEDGMENT:

STATE OF WYOMING }
COUNTY OF PARK }ss

THE FOREGOING CERTIFICATE OF EDWIN E. HIGBIE WAS ACKNOWLEDGED BEFORE ME THIS DAY OF , 2021 BY .

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY REPUBLIC

MY COMMISSION EXPIRES:

ACKNOWLEDGMENT:

STATE OF WYOMING }
COUNTY OF PARK }ss

THE FOREGOING CERTIFICATE OF CAROL L. HIGBIE WAS ACKNOWLEDGED BEFORE ME THIS DAY OF , 2021 BY .

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY REPUBLIC

MY COMMISSION EXPIRES:

APPROVALS

CITY PLANNING AND ZONING BOARD

APPROVED AS OF THE DAY OF , 2021 BY THE CITY PLANNING AND ZONING BOARD OF CODY, WYOMING.

CHAIRMAN

CITY COUNCIL APPROVAL

APPROVED AS OF THE DAY OF , 2021 BY THE CITY COUNCIL OF CODY, WYOMING.

MAYOR - MATT HALL

ATTEST: CINDY BAKER
ADMINISTRATIVE SERVICES OFFICER

RECORDER'S ACCEPTANCE

THIS FINAL PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE PARK COUNTY CLERK AND RECORDER, PARK COUNTY, WYOMING, AT O'CLOCK _M. ON THE DAY OF , 2021 A.D., AND IS DULY RECORDED UNDER DOCUMENT NUMBER IN PLAT CABINET AT PAGE .

PARK COUNTY CLERK

BY: DEPUTY

EASEMENTS OF RECORD

- RECORD EASEMENTS AND RIGHTS-OF-WAY SHOWN HEREON ARE BASED ON AMERICAN TITLE POLICY NO. 19122609. THE LANDS LOCATED WITHIN SHADOW MOUNTAIN SUBDIVISION NO. 2 ARE SUBJECT TO ANY VALID EASEMENT OR RIGHT-OF-WAY THAT MAY EXIST.
- ANY ASSESSMENTS DUE AS SET FORTH IN DECLARATION OF RESTRICTIONS, CONDITIONS AND COVENANTS RECORDED AUGUST 19, 1983 IN BOOK MF 231, PAGE 736.
- RESTRICTIONS, CONDITIONS AND COVENANTS, EASEMENTS AND/OR ITEMS SET FORTH, BUT DELETING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION, OR NATIONAL ORIGIN, AND THE TERMS AND CONDITIONS THEREOF: IMPOSED BY INSTRUMENT: PLAT BOOK "F", PAGE 84; BOOK "G", PAGE 151
- RESTRICTIONS, CONDITIONS AND COVENANTS, BUT DELETING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN, AND THE TERMS AND CONDITIONS THEREOF: IMPOSED BY INSTRUMENT: RECORD OF SURVEY, BOOK "H", PAGE 93.
- RESTRICTIONS, CONDITIONS AND COVENANTS, BUT DELETING RESTRICTIONS, IF ANY, BASED ON RACE, COLOR, RELIGION OR NATIONAL ORIGIN, AND THE TERMS AND CONDITIONS THEREOF: IMPOSED BY INSTRUMENT: RECORDED: AUGUST 19, 1993, BOOK MF 231, PAGE 736.
- CANAL, NAVIGABLE RIVER, OR STREAM CROSSES OR ABUT THE LAND:
 - ALL RIGHT, TITLE OR CLAIM OR ANY CHARACTER BY THE UNITED STATES, STATE, LOCAL GOVERNMENT, OR BY THE PUBLIC GENERALLY IN AND TO ANY PORTION: OF THE LAND LYING WITHIN THE CURRENT OR FORMER BED, OR BELOW THE ORDINARY HIGH WATER MARK, OR BETWEEN THE CUT BANK OF A STREAM NAVIGABLE IN FACT OR IN LAW.
 - RIGHTS OF RIPARIAN WATER RIGHT OWNERS TO THE USE AND FLOW OF THE WATER.
 - THE CONSEQUENCE OF ANY PAST OR FUTURE CHANGE IN THE LOCATION OF THE BED.
 - AMENDED BYLAWS OF THE CODY CANAL IRRIGATION DISTRICT RECORDED DECEMBER 15, 2015 AS DOC #2015-6750ANY LANDS LYING WITHIN THE BOUNDARY OF THE CODY CANAL.
- SUBJECT TO TERMS AND CONDITIONS AS CONTAINED IN PATENT RECORDED OCTOBER 10, 1903 IN BIG HORN BOOK 1, PAGE 622.
- SUBJECT TO TERMS AND CONDITIONS AS CONTAINED IN QUITCLAIM DEED RECORDED FEBRUARY 3, 2004 AS DOC#2004-740.
- EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS AS MAY CONTAINED THEREIN, AS GRANTED/RESERVED BY INSTRUMENT: GRANTED TO: ILLINOIS PIPE LINE COMPANY, RECORDED: AUGUST 6, 1927, BOOK 67, PAGE 561.
- QUITCLAIM AND RELEASE OF RIGHT-OF-WAY AGREEMENT RECORDED JULY 6, 1982 IN BOOK MF73, PAGE 665.
- EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS AS MAY BE CONTAINED THEREIN, AS GRANTED/RESERVED BY INSTRUMENT: GRANTED TO: PACIFIC POWER & LIGHT COMPANY; RECORDED: JUNE 22, 1984; BOOK MF 101, PAGE 101.
- CITY OF CODY GRANTS A 12 FEET WIDE STORM DRAIN EASEMENT ALONG THE WEST SIDE OF TED EBERT PARK FOR THE USE BY SHADOW MOUNTAIN SUBDIVISION NO. 2. AS SHOWN ON SHEET 1 OF FINAL PLAT.

SUBDIVISION VARIANCES

- ALLOW 50-FOOT RIGHT-OF-WAY WIDTH WITH 10' UTILITY EASEMENTS TO EACH SIDE, RATHER THAN 60-FOOT RIGHT-OF-WAY.
- NO ALLEYS ARE REQUIRED.
- IMPROVEMENTS FOR THE "FUTURE SHADOW MOUNTAIN SUBDIVISION NO. 3" ARE POSTPONED UNTIL FURTHER DEVELOPMENT OF THAT LAND.


DEVELOPMENT STANDARDS

DEVELOPMENT STANDARDS AND LAND USE REGULATIONS FOR THIS SUBDIVISION SHALL BE PER THE CITY OF CODY ZONING OF THE PROPERTY (R-2 AT THE TIME OF THIS PLAT).

NOTES

- BEARINGS ARE BASED ON WYOMING STATE PLANE, WEST CENTRAL ZONE WITH A COMBINED SCALE FACTOR OF 1.0002385483 BEING BASED ON THE CITY OF CODY DATUM.
- AREA TO BE DEVELOPED IS ZONED MEDIUM-LOW DENSITY RESIDENTIAL (R-2) WITHIN THE CITY OF CODY.
- THE TOTAL ACREAGE OF THE SHADOW MOUNTAIN SUBDIVISION NO. 2 IS ±14.47 ACRES (±630,544 SQUARE FEET).
- THE TOTAL AREA OF LOT 232 IS ±288540 SQUARE FEET AND IS TRANSFERRED TO THE CITY OF CODY.
- OWNER RESERVES A RIGHT TO DRAIN STORM WATER RUNOFF FROM TRACT B ON LOT 232 AND CONSTRUCT A STORM WATER INFILTRATION FACILITY ON LOT 232 IN ORDER TO COMPLY WITH CITY STORM WATER POLICY. METHODS, LOCATION, AND DESIGN IS SUBJECT TO CITY APPROVAL.
- NO BASEMENTS WILL BE ALLOWED.
- A GEOTECHNICAL REPORT HAS BEEN PREPARED BY RIMROCK ENGINEERING DATED AUGUST 27, 2019 THAT INCLUDES INFORMATION OF GROUNDWATER IN THE AREA AND RECOMMENDATIONS FOR CONSTRUCTION OF FOUNDATIONS AND CRAWL SPACES. CONSTRUCTION ON THE LOTS MUST FOLLOW THE RECOMMENDATIONS OF THE REPORT, OR SIMILAR ENGINEERED METHODS APPROVED BY THE BUILDING OFFICIAL. PROPERTY OWNERS, ARCHITECTS, AND CONTRACTORS SHOULD REVIEW THIS DOCUMENT PRIOR TO DEVELOPING BUILDING PLANS. A COPY IS AVAILABLE AT THE CITY COMMUNITY DEVELOPMENT OFFICE.
- PROPERTY CORNERS WILL BE SET AFTER SITE GRADING IS COMPLETE AND PRIOR TO SALE OF ANY LOTS.
- BEFORE ANY CONSTRUCTION, CALL FOR UTILITY LOCATIONS - ONE CALL OF WYOMING (811).
- THERE IS AN EXISTING ABANDONED OIL OR GAS PIPELINE THAT APPARENTLY BELONGS TO MARATHON ASHLAND PIPELINE. THIS PIPELINE SHALL REMAIN IN THE GROUND UNDISTURBED, UNLESS MARATHON OIL COMPANY DECIDES TO REMOVE IT AND REMEDIATE THE SOIL WITHIN ITS EASEMENTS.
- THE MAINTENANCE OF THE STORM WATER RETENTION POND IN LOT 232 WILL BE ADDRESSED IN THE DECLARATION OF RESTRICTION, CONDITION AND PROTECTIVE COVENANTS FOR SHADOW MOUNTAIN SUBDIVISION NO. 2
- SUMMARY OF LAND AREAS APPLIES AND IS RECORDED WITH THIS PLAT:

LOTS 200-231:	±6.13 ACRES
LOT 232:	±6.62 ACRES
STREETS - SUBDIVISION NO. 2:	±1.72 ACRES
	±14.47 ACRES
SUBDIVISION NO. 3 (FUTURE):	±3.11 ACRES



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Cody, WY 82414
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www.m-m-net
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FIELD WORK: JJM	DATE: 01/26/2021
DRAWN BY: ECR	SCALE: 1"=NA
CHECKED BY: TAG	PROJ. #: 6343.001

FINAL PLAT
SHADOW MOUNTAIN SUBDIVISION NO.2
WITHIN
SHADOW MOUNTAIN SUBDIVISION
CITY OF CODY
PARK COUNTY, WYOMING

CLIENT: COTTONWOOD VENTURES, LLC SHEET 2 OF 2

DRAWING NAME: J:\6343 Hgible Family Trust\001 Shadow Mtn Subd No 2\ACAD\Survey\Final Drawings\6343001 SRVY NOTE SHT.dwg

CONSTRUCTION DRAWINGS FOR
SHADOW MOUNTAIN SUBDIVISION NO. 2
COTTONWOOD VENTURES, LLC

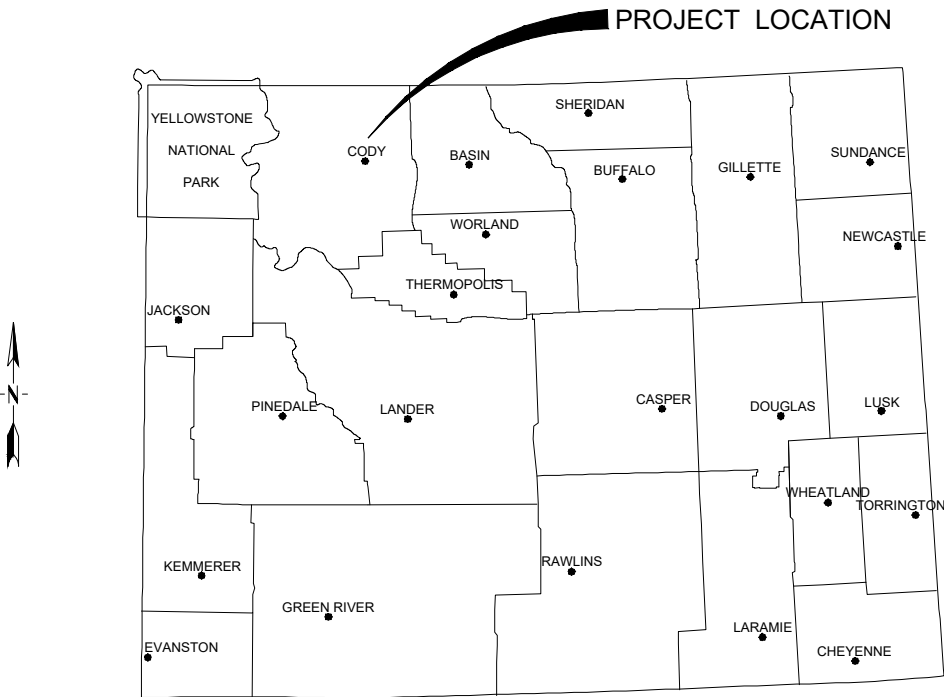
CODY, WYOMING
MARCH 2021

PREPARED BY:

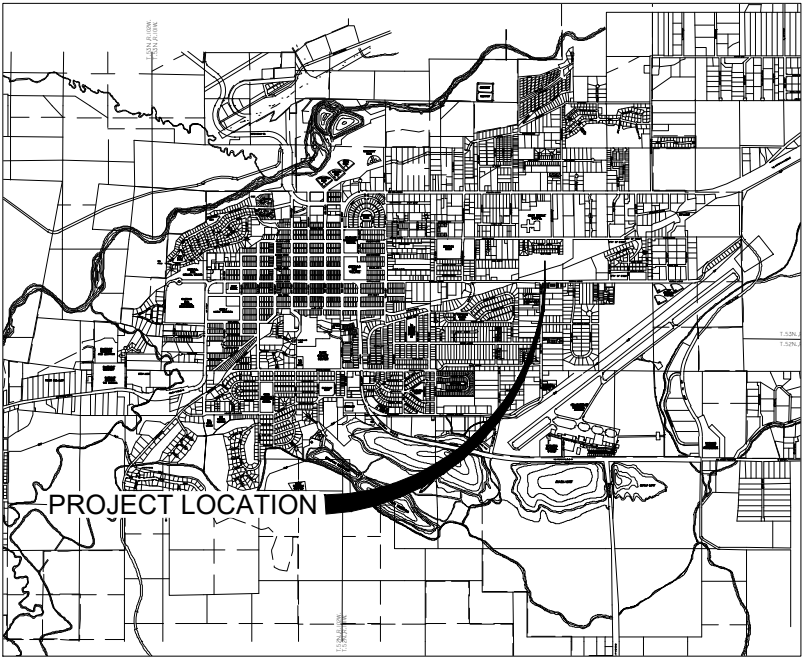


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Maierle**
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LOCATION MAP
NOT TO SCALE



VICINITY MAP
NOT TO SCALE

100% CONSTRUCTION DRAWINGS
MARCH 2021



APPROVED BY: _____
Theresa Gunn, P.E.
Project Manager




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VERIFY COLOR!
THIS SHEET IS INTENDED TO
BE IN COLOR. RED, GREEN
AND BLUE WILL BE VISIBLE IF
REPRODUCED CORRECTLY.





























ACCEPTANCE OF UTILITY PLANS			
UTILITY	SIGNATURE	PRINT	DATE
BLACK HILLS ENERGY			
TCT WEST			
CHARTER SPECTRUM			
CITY OF CODY ELECTRICAL DEPT.			
NOTE: UTILITY COMPANY ACCEPTANCE INDICATES UTILITY COMPANY HAS REVIEWED THE PLANS. MORRISON-MAIERLE INC. TAKES NO RESPONSIBILITY FOR DESIGN OF UTILITY COMPANY DESIGNS, PLANS, AND CONSTRUCTION.			

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QUALITY ASSURANCE	
Theresa Gunn, P.E. PROJECT MANAGER	12/7/2020 Q.A. APPROVAL DATE
Theresa Gunn, P.E. OFFICE QUALITY ASSURANCE COORDINATOR	20-18 Q.A. PROJECT NUMBER
Zane Green, P.E. PEER REVIEWER	













SET NO. _____

MORRISON-MAIERLE PROJECT NO. 6343.001-040

EXISTING LEGEND

	BURIED FIBER VAULT		EXISTING CULVERT
	EXISTING CURB STOP		EXISTING ELECTRICAL FENCE
	EXISTING CABLE TV PEDESTAL		EXISTING WOODEN FENCE
	EXISTING ELECTRICAL JUNCTION BOX		EXISTING IRRIGATION LINE
	EXISTING FIRE HYDRANT		EXISTING SANITARY SEWER
	EXISTING NATURAL GAS METER		EXISTING SANITARY SEWER SERVICE
	EXISTING GUY WIRE		EXISTING BURIED FIBER OPTIC
	EXISTING IRRIGATION CONTROL VALVE		EXISTING NATURAL GAS LINE
	EXISTING LIGHT POLE		EXISTING OVERHEAD POWER
	EXISTING SANITARY SEWER MANHOLE		EXISTING WATER MAIN
	EXISTING POWER POLE		
	EXISTING CONIFEROUS TREE		
	EXISTING DECIDUOUS TREE		
	EXISTING TELEPHONE PEDESTAL		
	EXISTING WATER METER		
	EXISTING WATER VALVE		

PROPOSED LEGEND

	SANITARY SEWER
	WATER LINE
	RAW WATER LINE
	BURIED POWER
	BURIED FIBER OPTIC
	BURIED TELEVISION
	BURIED NATURAL GAS
	SANITARY SEWER MANHOLE
	CLEANOUT
	FIRE HYDRANT
	WATER VALVE
	TRENCH PLUG

INDEX OF SHEETS

SHEET NUMBER	DRAWING NUMBER	SHEET DESCRIPTION
1	G-1	COVER-SHEET
2	G-2	GENERAL LEGEND AND INDEX OF SHEETS
3	G-3	GENERAL NOTES AND TYPICAL SECTIONS
4	C-1	OVERALL GRADING PLAN
5	C-2	OVERALL UTILITY PLAN
6	C-3	WEST AVENUE PLAN AND PROFILE
7	C-4	BEAVER COURT PLAN AND PROFILE
8	C-5	SHADOW STREET PLAN AND PROFILE
9	C-6	RACCOON COURT PLAN AND PROFILE
10	C-7	BASS AVENUE - DETENTION POND GRADING PLAN
11	SS-1	ALLEY SANITARY SEWER PLAN AND PROFILE
12	SS-2	WEST AVENUE SANITARY SEWER PLAN AND PROFILE
13	SS-3	BEAVER COURT SANITARY SEWER PLAN AND PROFILE
14	SS-4	SHADOW STREET SANITARY SEWER PLAN AND PROFILE
15	SS-5	RACCOON COURT SANITARY SEWER PLAN AND PROFILE
16	W-1	WEST AVENUE WATER PLAN AND PROFILE
17	W-2	BEAVER COURT WATER PLAN AND PROFILE
18	W-3	SHADOW STREET WATER PLAN AND PROFILE
19	W-4	RACCOON COURT WATER PLAN AND PROFILE
20	RW-1	WEST AVENUE RAW WATER PLAN AND PROFILE
21	RW-2	BEAVER COURT RAW WATER PLAN AND PROFILE
22	RW-3	SHADOW STREET RAW WATER PLAN AND PROFILE STA 31+00 TO STA 37+00
23	RW-4	SHADOW STREET RAW WATER PLAN AND PROFILE STA 37+00 TO STA 42+00
24	RW-5	RACCOON COURT RAW WATER PLAN AND PROFILE
25	D-1	STREET DETAILS 1
26	D-2	STREET DETAILS 2
27	D-3	MISCELLANEOUS DETAILS
28	D-4	CITY OF CODY WATER AND SEWER DETAILS


100% CONSTRUCTION DRAWINGS
MARCH 2021

VERIFY SCALE!

THESE PRINTS MAY BE REDUCED.
LINE BELOW MEASURES ONE INCH
ON ORIGINAL DRAWING.

MODIFY SCALE ACCORDINGLY!

REVISIONS			
NO.	DESCRIPTION	BY	DATE



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Billings, MT 59101

406.656.6000

www.m-m.net

Professional Engineer (Civil)
THERESA GUNWY
6971
Date

DRAWN BY: KDK

DSGN. BY: TAG

APPR. BY: TAG

DATE: 02/2021

Q.C. REVIEW
BY:

DATE:

CODY

SHADOW MOUNTAIN SUBDIVISION NO. 2

COTTONWOOD VENTURES, LLC

WYOMING

GENERAL LEGEND AND INDEX OF SHEETS

PROJECT NUMBER
6343.001-040

SHEET NUMBER
2

DRAWING NUMBER
G-2

J:\6343 HIGBIE FAMILY TRUST\001 SHADOW MTN SUBD NO 2\ACAD\SHEETS\GENERAL LEGEND-INDEX OF SHEETS.DWG PLOTTED BY:CODY FARLEY ON Mar/19/2021

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GENERAL NOTES

A. GENERAL

- ALL WORK SHALL COMPLY WITH WYOMING PUBLIC WORKS STANDARD SPECIFICATIONS.
- ALL QUANTITIES ARE CONSIDERED APPROXIMATE.
- THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE SITE PRIOR TO BIDDING AND CONSTRUCTION.
- THE CONTRACTOR SHALL NOTIFY THE CITY, EMERGENCY MEDICAL SERVICES, THE FIRE DEPARTMENT, LAW ENFORCEMENT, LOCAL MEDIA AND SCHOOLS TO ALL ROAD CLOSURES AND ALTERNATE ROUTES. IN ADDITION, THE CONTRACTOR SHALL ADVERTISE ROAD CLOSURES AT LEAST 48 HOURS IN THE LOCAL NEWSPAPER PRIOR TO ANY STREET CLOSURE.
- LEGAL LOAD LIMIT REQUIREMENTS SHALL BE ENFORCED ON ALL STATE HIGHWAYS, CITY STREETS, AND COUNTY ROADS.
- CONTRACTOR SHALL PROVIDE WATER FOR DUST CONTROL AND COMPACTION.
- THE CONTRACTOR SHALL NOT USE WATER FROM FIRE HYDRANTS FOR ANY PURPOSE UNLESS PRIOR APPROVAL IS OBTAINED FROM THE CITY AND AN APPROVED BACKFLOW PREVENTION DEVICE WITH WATER METER IS USED.
- CONTRACTOR AND ALL SUB-CONTRACTORS SHALL BE LICENSED IN ACCORDANCE WITH CITY OF CODY REGULATIONS.

B. RIGHT-OF-WAY AND SURVEY

- ANY BENCH MARKS, SECTION CORNERS OR PROPERTY CORNERS DISTURBED BY THE CONTRACTOR SHALL BE RESET BY A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF WYOMING, AT THE CONTRACTOR'S EXPENSE.
- PROPERTY LINES ARE SHOWN BASED ON INFORMATION PROVIDED BY SURVEY AND/OR THE COUNTY ASSESSOR. THEIR TRUE LOCATIONS MAY NOT BE EXACTLY AS SHOWN ON THE DRAWINGS. MINOR ALIGNMENT ADJUSTMENTS MAY BE NEEDED IN THE FIELD.

C. TRAFFIC CONTROL

- CONSTRUCTION SHALL NOT COMMENCE ON THE PROJECT UNTIL NECESSARY CONSTRUCTION WARNING SIGNS AND TRAFFIC CONTROL ARE IN PLACE AND APPROVED BY THE OWNER.
- THE CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN FOR EACH ROAD CLOSURE TO BE APPROVED BY THE CITY OF CODY. ALL TRAFFIC CONTROL SHALL COMPLY WITH THE CURRENT EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
- TWO-WAY TRAFFIC IS TO BE MAINTAINED AT ALL TIMES, UNLESS SPECIAL PERMISSION IS OBTAINED.

D. EXISTING UTILITIES

- CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES WITH A 48-HOUR ADVANCE NOTICE AND DETERMINE THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES BEFORE COMMENCING WORK. CONTRACTOR IS RESPONSIBLE FOR PROTECTING AND PROPERLY REPAIRING ANY DAMAGED UTILITIES.
- UTILITY LOCATIONS SHOWN ON THE DRAWINGS ARE APPROXIMATE BASED ON RECORDS OF UTILITY COMPANIES AND FIELD VERIFICATION BY THE UTILITY COMPANIES. FIELD VERIFICATION OF BURIED GAS, ELECTRIC, TELEPHONE, WATER, SEWER AND CABLE TV LINES ARE BY ELECTRONIC OR MAGNETIC DETECTION METHODS. ALL UTILITY LOCATIONS ARE SUBJECT TO THE ACCURACY OF THE LOCATION METHOD, AND SUBJECT TO RELOCATION FROM THE TIME THAT THE DRAWINGS WERE PREPARED. NO EXCAVATION OR POTHOLING WAS PERFORMED.
- NOT ALL UTILITIES ARE SHOWN IN THE STREET OR UTILITY PROFILE DRAWINGS.
- THE CONTRACTOR SHALL NOTIFY THE OWNER OF ALL UTILITIES ENCOUNTERED DURING CONSTRUCTION, AND SHALL NOT BACKFILL UNTIL THE CONTRACTOR HAS MADE A RECORD OF ITS TYPE, SIZE AND LOCATION.

E. PROPOSED UTILITIES

- ONLY CITY PERSONNEL SHALL OPERATE EXISTING WATERLINE VALVES UNLESS THE CITY GIVES PRIOR WRITTEN APPROVAL TO THE CONTRACTOR.
- CONTRACTOR SHALL RESPECT ALL RIGHT-OF-WAY AND EASEMENT BOUNDARIES SHOWN. ALL WORK SHALL BE DONE WITHIN THESE BOUNDARIES. ANY WORK OUTSIDE OF THE RIGHT-OF-WAY OR EASEMENT SHALL ONLY BE DONE AFTER RECEIVING WRITTEN PERMISSION OF THE LANDOWNER. THIS PERMISSION SHALL BE OBTAINED BY THE CONTRACTOR.
- PIPE JOINT DEFLECTIONS ARE NOT TO EXCEED MANUFACTURER'S REQUIREMENTS.
- ADDITIONAL EXCAVATION IS TO BE USED TO KEEP WATER LINES ON GRADE PREVENTING HIGH POINTS IN THE LINE THAT ARE NOT SHOWN ON THE PLANS, AND TO AVOID JOINT DEFLECTIONS DUE TO LOCALIZED CHANGES OF LESS THAN 4 FEET IN THE GROUND SURFACE. JOINT DEFLECTIONS USED TO ACCOMMODATE SIGNIFICANT CHANGES IN TERRAIN OR TO AVOID BURIED OBSTACLES ARE TO BE MADE GRADUALLY OVER SEVERAL JOINTS, OR THROUGH MECHANICAL MEANS AS SHOWN ON THE PLANS OR AS APPROVED BY THE ENGINEER.

- A MINIMUM COVER OF 5.5 FEET IS TO BE MAINTAINED OVER ALL WATER LINES UNLESS SHOWN OTHERWISE ON THE PLANS. WHERE THE ENGINEER AUTHORIZES A REDUCTION IN THE COVER, INSULATION OF THE PIPE IS TO BE INSTALLED.
- WATER AND SEWER LINE CROSSINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SPECIFICATIONS AND WYOMING DEQ REGULATIONS AND POLICIES 13.9.11 AND 14.14.14.
- LOCATIONS OF VALVES, HYDRANTS, SERVICE TAPS AND ACCESSORIES, TEST STATIONS, MANHOLES, VAULTS, AIR/VACUUM VALVES, FITTINGS, AND OTHER APPURTENANCES SHOWN ON THE DRAWINGS SHALL BE CONSIDERED APPROXIMATE FOR BIDDING PURPOSES. FINAL LOCATIONS MAY BE ADJUSTED IN THE FIELD BY THE ENGINEER.
- ADDITIONAL HORIZONTAL DEFLECTIONS AT PIPE JOINTS AND FITTINGS BEYOND THOSE SHOWN ON THE DRAWING MAY BE NEEDED DURING CONSTRUCTION. THESE DEFLECTIONS SHALL NOT EXCEED MANUFACTURERS REQUIREMENTS. THE PIPE CANNOT BE ALLOWED TO SHIFT IN LOCATION SIGNIFICANTLY SO ITS LOCATION IN THE EASEMENT WILL BE AFFECTED. SUCH DEFLECTIONS ARE TO BE APPROVED BY THE ENGINEER PRIOR TO BACKFILLING.
- WHENEVER BURIED OBSTACLES ARE EXPECTED TO BE ENCOUNTERED NEAR A NEW WATER LINE INSTALLATION, THE CONTRACTOR SHALL EXCAVATE AHEAD, TO DETERMINE THE DEPTH AND LOCATION OF THE OBSTACLE. APPROPRIATE JOINT DEFLECTIONS ARE THEN TO BE MADE TO AVOID THE OBSTACLE.
- CONTRACTOR SHALL ORIENT THE FIRE HYDRANT PUMPER NOZZLE TOWARD THE ROAD, OR AS DIRECTED BY THE ENGINEER.
- ALL EXISTING WATER SYSTEMS SHALL REMAIN IN SERVICE DURING CONSTRUCTION OF THE NEW WATER SYSTEM UNLESS APPROVED. TEMPORARY WATER SERVICE IS PROVIDED. CONTRACTOR SHALL REPAIR DAMAGED WATER SERVICES PROMPTLY. WATER MAY BE SHUT OFF TO ANY PROPERTY FOR A MAXIMUM OF 4 HOURS IN ANY 24-HOUR PERIOD. IF WATER IS SHUT OFF LONGER THAN 4 HOURS, THE CONTRACTOR SHALL PROVIDE TEMPORARY WATER TO THE AFFECTED PROPERTIES. UNLESS OTHERWISE INDICATED, ALL NEW WATER SERVICE CURB STOPS SHALL BE LOCATED AT THE PROPERTY LINE, AND SHALL BE HOOKED UP TO EXISTING SERVICES.

F. SAFETY

- GENERAL: THE CONTRACTOR IS SOLELY RESPONSIBLE FOR DESIGNING AND CONSTRUCTING STABLE, TEMPORARY EXCAVATIONS AND SHOULD SHORE, SLOPE, OR BENCH THE SIDES OF THE EXCAVATIONS AS REQUIRED TO MAINTAIN STABILITY OF BOTH THE EXCAVATION SIDES AND BOTTOM. ALL EXCAVATIONS SHOULD COMPLY WITH APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS INCLUDING THE CURRENT OSHA EXCAVATION AND TRENCH SAFETY STANDARDS. CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR, WHO SHALL ALSO BE SOLELY RESPONSIBLE FOR THE MEANS, METHODS, AND SEQUENCING OF CONSTRUCTION OPERATIONS.

UNDER NO CIRCUMSTANCES SHOULD THE INFORMATION PROVIDED BE INTERPRETED TO MEAN THAT THE ENGINEER IS ASSUMING RESPONSIBILITY FOR CONSTRUCTION SITE SAFETY OR THE CONTRACTOR'S ACTIVITIES. SUCH RESPONSIBILITY IS NOT BEING IMPLIED AND SHALL NOT BE INFERRED.

- EXCAVATION AND SLOPES: IN NO CASE SHOULD SLOPE HEIGHT, SLOPE INCLINATION, OR EXCAVATION DEPTH, INCLUDING UTILITY TRENCH EXCAVATION DEPTH, EXCEED THOSE SPECIFIED IN LOCAL, STATE, AND FEDERAL SAFETY REGULATIONS. SPECIFICALLY, THE CURRENT OSHA HEALTH AND SAFETY STANDARDS FOR EXCAVATIONS, 29 CFR PART 1926 SHOULD BE FOLLOWED. IT IS THE ENGINEER'S UNDERSTANDING THAT THESE REGULATIONS ARE BEING STRICTLY ENFORCED AND IF THEY ARE NOT CLOSELY FOLLOWED, THE CONTRACTOR COULD BE LIABLE FOR SUBSTANTIAL PENALTIES.

- CONTRACTOR SHALL CLEARLY MARK AND/OR FENCE ALL OBSTRUCTION, EXCAVATIONS, CONSTRUCTION MATERIALS AND EQUIPMENT. THE PROJECT SUPERINTENDENT (OR A DESIGNATED REPRESENTATIVE) SHALL MONITOR THE PROJECT FOR SAFETY CONCERNS AND POTENTIAL HAZARDS AT ALL TIMES.

G. STREETS

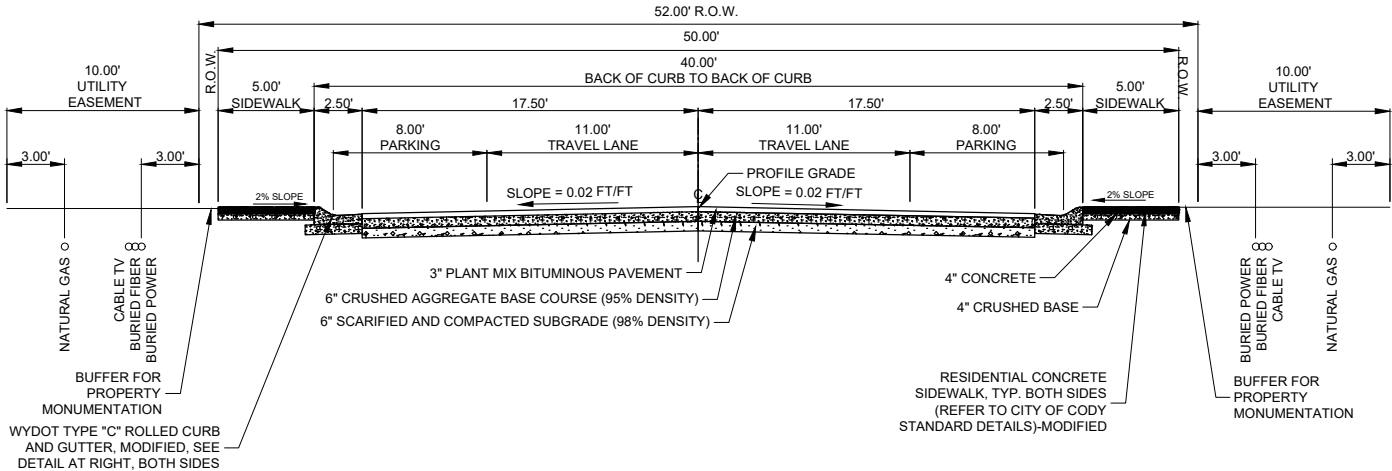
- ALL CONCRETE CURB AND GUTTER SHALL BE THOROUGHLY CLEANED OF EXISTING ASPHALT AND SEDIMENT PRIOR TO PAVING.
- LOCATIONS AND LIMITS OF CONCRETE VALLEY GUTTERS, CURB TURNS, COMMERCIAL, RESIDENTIAL AND ALLEY APPROACHES; SIDEWALK, CURB AND GUTTER ARE SHOWN ON THE DRAWINGS AND SHALL BE CONSIDERED APPROXIMATE FOR BIDDING PURPOSES. FINAL LOCATIONS AND LIMITS MAY BE ADJUSTED IN THE FIELD BY THE ENGINEER.

H. RESTORATION

- ALL AREAS OF DISTURBANCE SHALL BE RECLAIMED TO A CONDITION THAT IS EQUAL TO OR BETTER THAN THE ORIGINAL. TOPSOIL IS TO BE SALVAGED AND REPLACED.

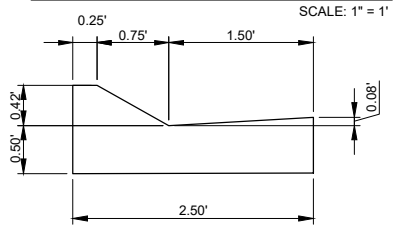
I. GEOTECHNICAL

- CONTRACTOR SHALL FOLLOW APPLICABLE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEERING REPORT FOR THE SHADOW MOUNTAIN SUBDIVISION PREPARED BY RIMROCK ENGINEERING, DATED AUGUST 27, 2019; INCLUDING BUT NOT LIMITED TO SECTION 4.2.1 THROUGH 4.2.4.
- MODIFY THE LOCATIONS OF THE TRENCH PLUGS IN THE FIELD AS DIRECTED BY THE CITY AND ENGINEER.

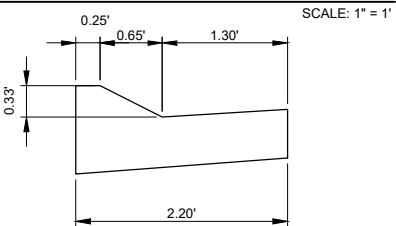


MODIFIED LOCAL STREET SECTION

WYDOT TYPE "C" MODIFIED



EXISTING - SHADOW AND BASS



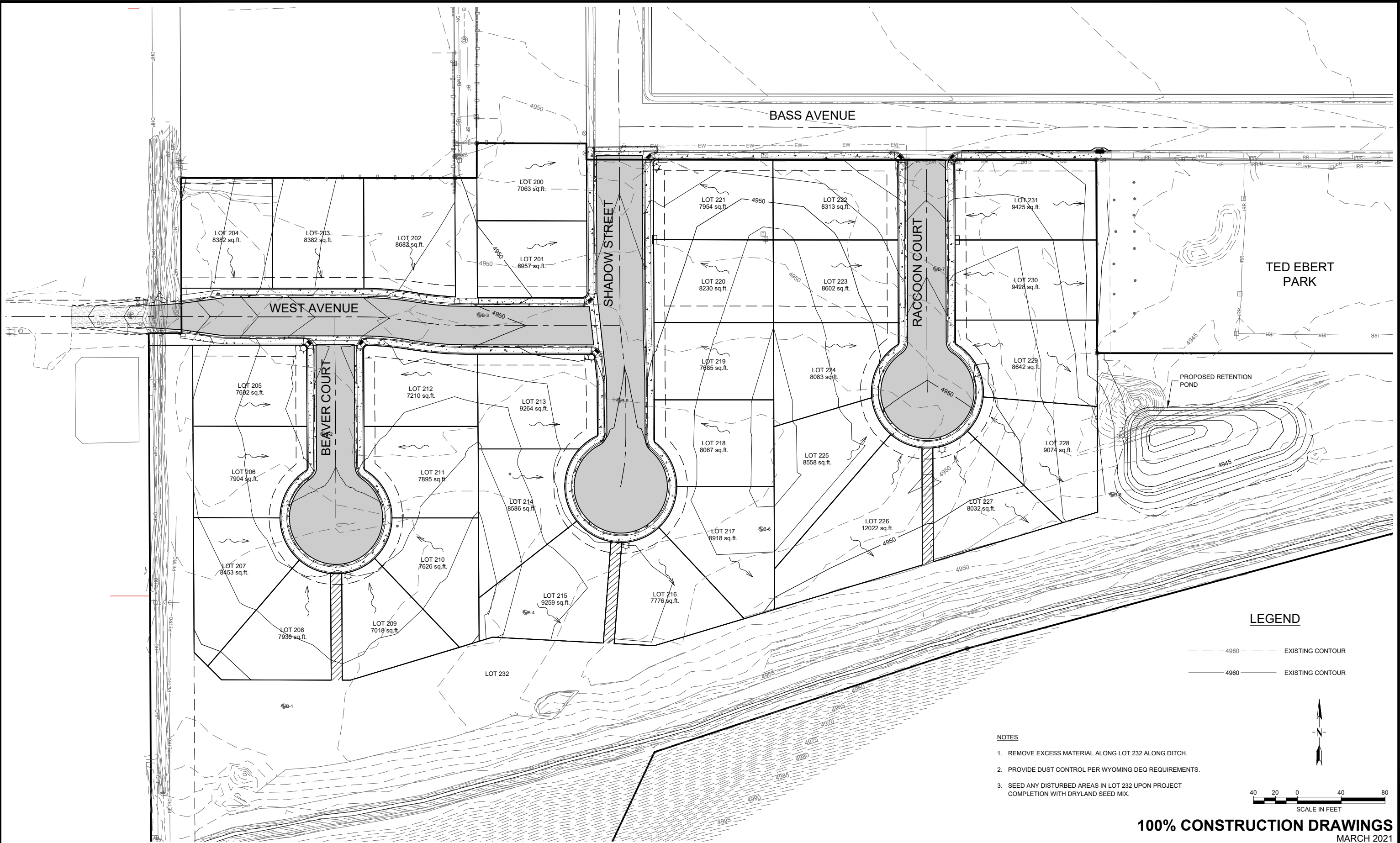
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	DSGN. BY: <u>TAG</u>		CODY	WYOMING		SHEET NUMBER 3				
	APPR. BY: <u>TAG</u>						GENERAL NOTES AND TYPICAL SECTIONS	DRAWING NUMBER G-3		
	DATE: <u>02/2021</u>									
	Q.C. REVIEW									
BY: _____										
DATE: _____										

J:\6343 HIGBIE FAMILY TRUST\001 SHADOW MTN SUBD NO 2\ACAD\SHEETS\GENERAL NOTES.DWG PLOTTED BY:CODY FARLEY ON Mar/19/2021

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DSGN. BY: TAG
APPR. BY: TAG
DATE: 02/2021
Q.C. REVIEW
BY: _____
DATE: _____

CODY

SHADOW MOUNTAIN SUBDIVISION NO. 2
COTTONWOOD VENTURES, LLC

WYOMING

OVERALL GRADING PLAN

PROJECT NUMBER
6343.001-040

SHEET NUMBER
4

DRAWING NUMBER
C-1

OVERALL UTILITY NOTES:

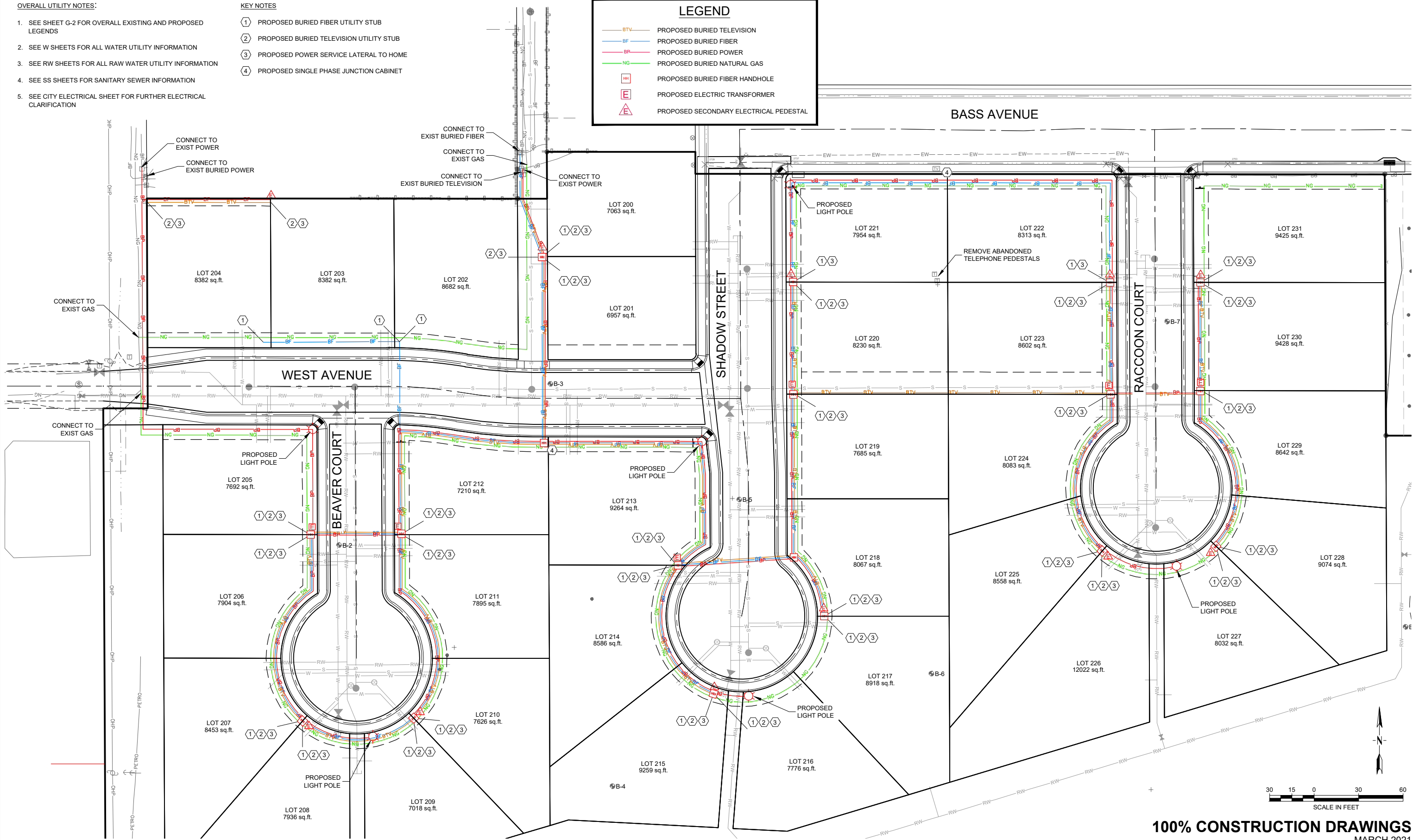
- SEE SHEET G-2 FOR OVERALL EXISTING AND PROPOSED LEGENDS
- SEE W SHEETS FOR ALL WATER UTILITY INFORMATION
- SEE RW SHEETS FOR ALL RAW WATER UTILITY INFORMATION
- SEE SS SHEETS FOR SANITARY SEWER INFORMATION
- SEE CITY ELECTRICAL SHEET FOR FURTHER ELECTRICAL CLARIFICATION

KEY NOTES

- PROPOSED BURIED FIBER UTILITY STUB
- PROPOSED BURIED TELEVISION UTILITY STUB
- PROPOSED POWER SERVICE LATERAL TO HOME
- PROPOSED SINGLE PHASE JUNCTION CABINET

LEGEND

- BTU PROPOSED BURIED TELEVISION
- BF PROPOSED BURIED FIBER
- BP PROPOSED BURIED POWER
- NG PROPOSED BURIED NATURAL GAS
- HH PROPOSED BURIED FIBER HANDHOLE
- E PROPOSED ELECTRIC TRANSFORMER
- EP PROPOSED SECONDARY ELECTRICAL PEDESTAL



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CODY

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COTTONWOOD VENTURES, LLC

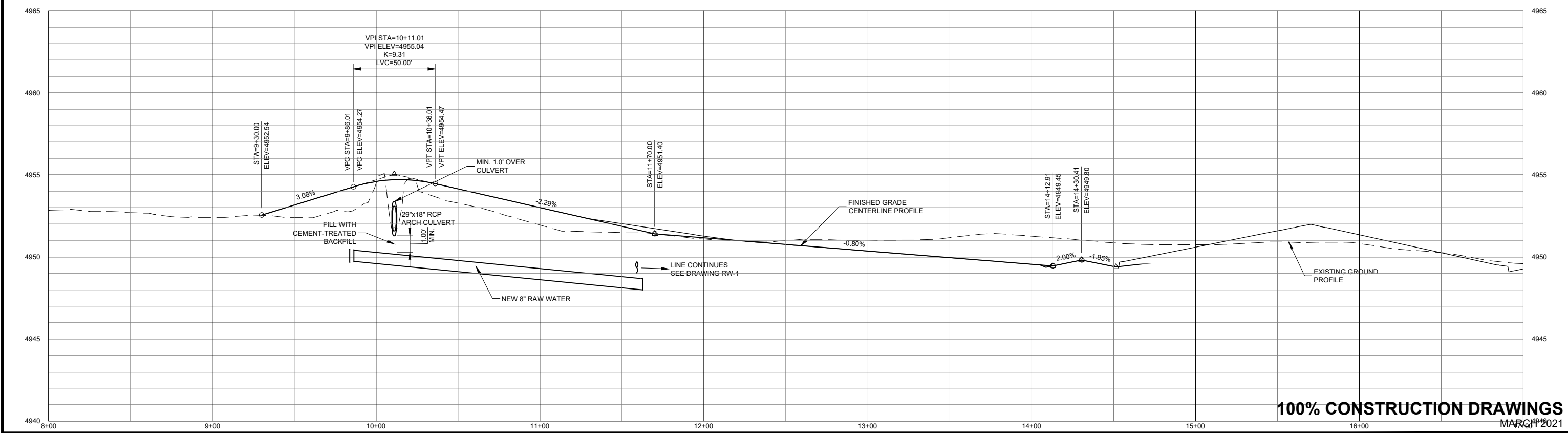
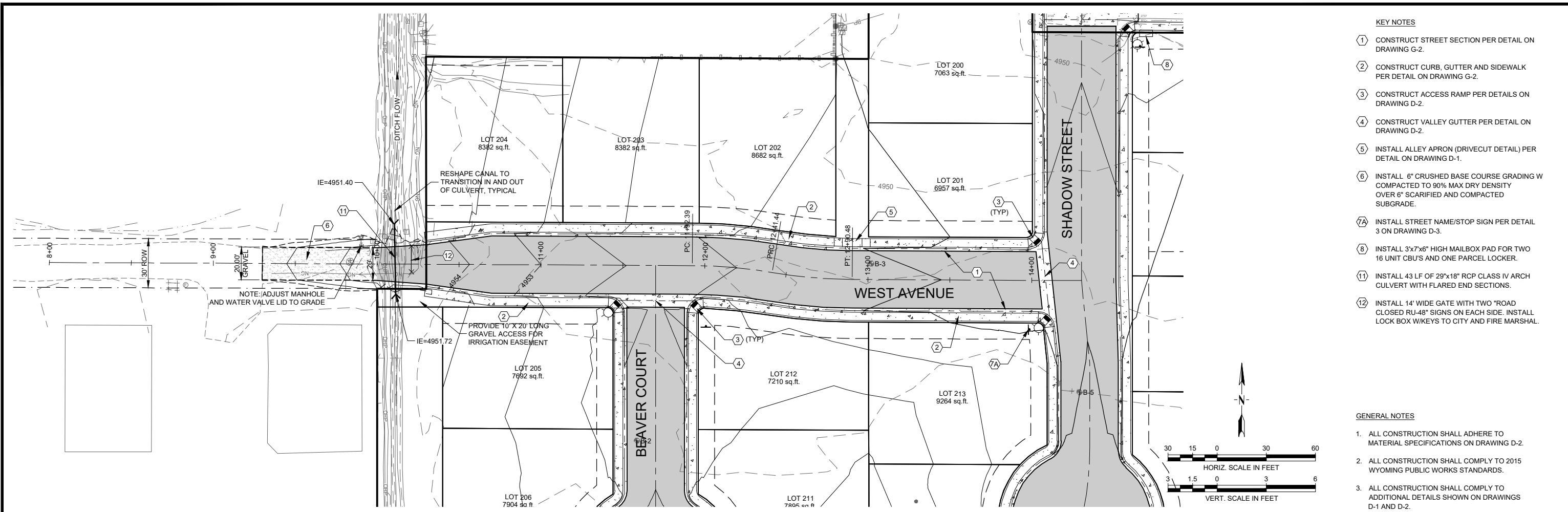
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OVERALL UTILITY PLAN

PROJECT NUMBER
6343.001-040

SHEET NUMBER
5

DRAWING NUMBER
C-2



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Professional Engineer
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6971
WYOMING

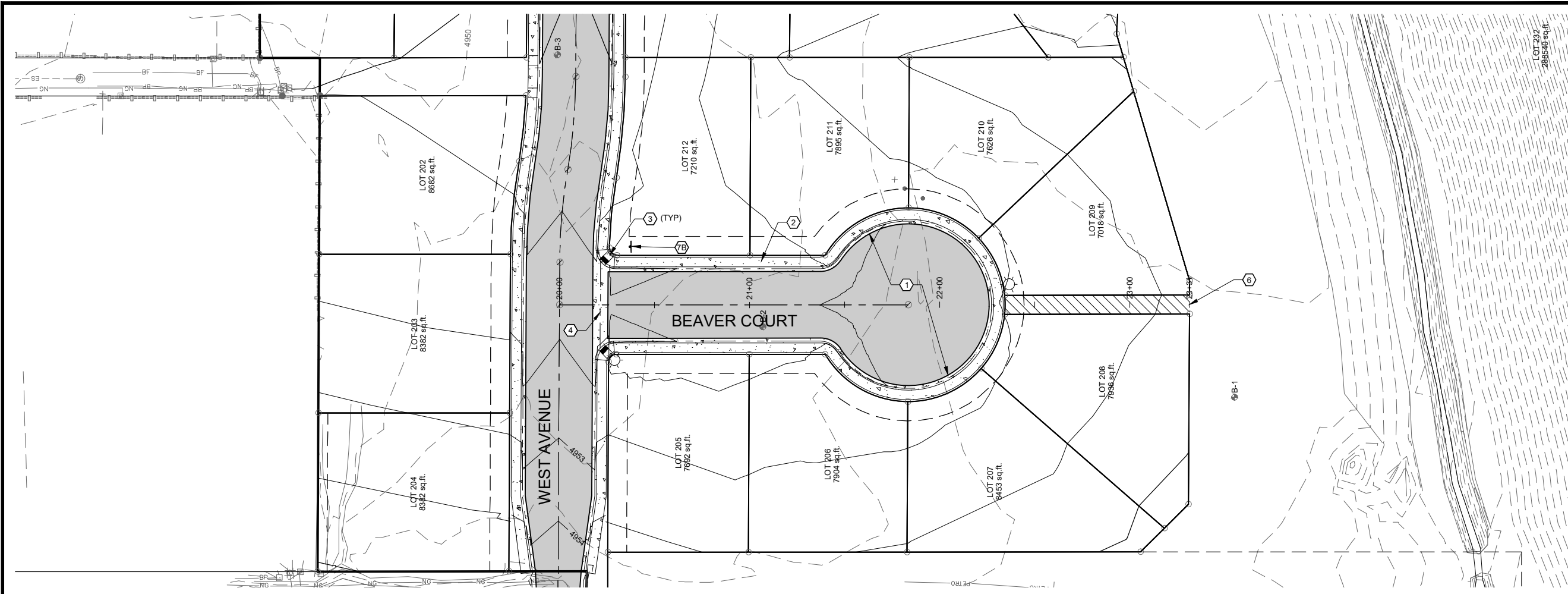
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CODY

SHADOW MOUNTAIN SUBDIVISION NO. 2
COTTONWOOD VENTURES, LLC

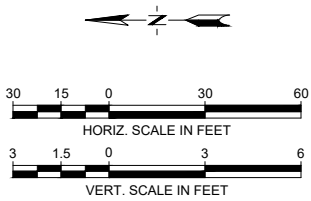
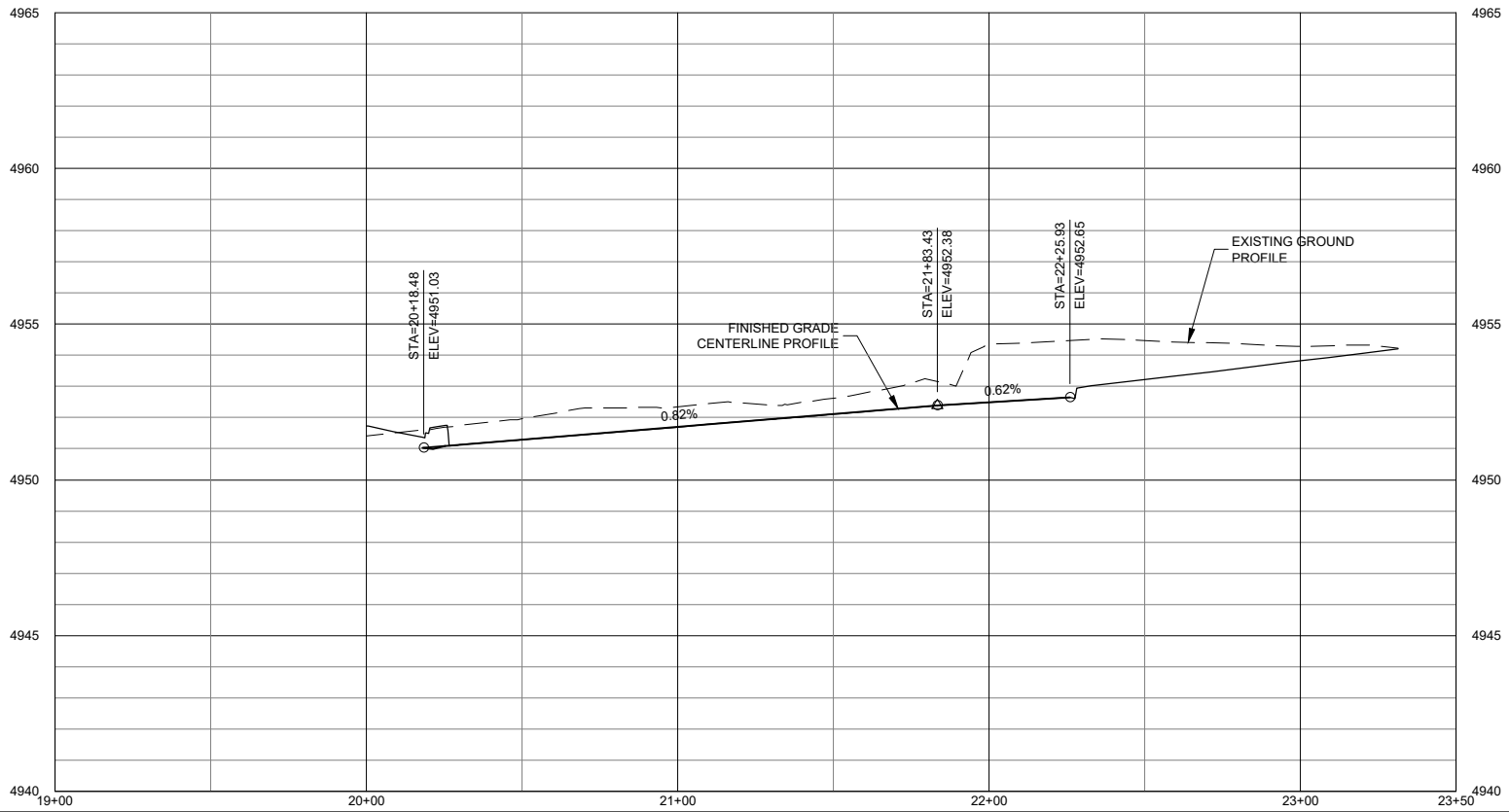
WEST AVENUE PLAN AND PROFILE

PROJECT NUMBER
6343.001-040
SHEET NUMBER
6
DRAWING NUMBER
C-3



- KEY NOTES
1. CONSTRUCT STREET SECTION PER DETAIL ON DRAWING G-2.
 2. CONSTRUCT CURB, GUTTER AND SIDEWALK PER DETAIL ON DRAWING G-2.
 3. CONSTRUCT ACCESS RAMP PER DETAILS ON DRAWING D-2.
 4. CONSTRUCT VALLEY GUTTER PER DETAIL ON DRAWING D-2.
 5. INSTALL ALLEY APRON (DRIVECUT DETAIL) PER DETAIL ON DRAWING D-1.
 6. INSTALL 3" OF CRUSHED FINES OVER 6" CRUSHED BASE COURSE GRADING W/ COMPACTED TO 90% MAX DRY DENSITY IN ACCESS TRAIL.
 - 7B. INSTALL STREET NAME/YIELD SIGN PER DETAIL 3 ON DRAWING D-3.

- GENERAL NOTES
1. ALL CONSTRUCTION SHALL ADHERE TO MATERIAL SPECIFICATIONS ON DRAWING D-2.
 2. ALL CONSTRUCTION SHALL COMPLY TO 2015 WYOMING PUBLIC WORKS STANDARDS.
 3. ALL CONSTRUCTION SHALL COMPLY TO ADDITIONAL DETAILS SHOWN ON DRAWINGS D-1 AND D-2.



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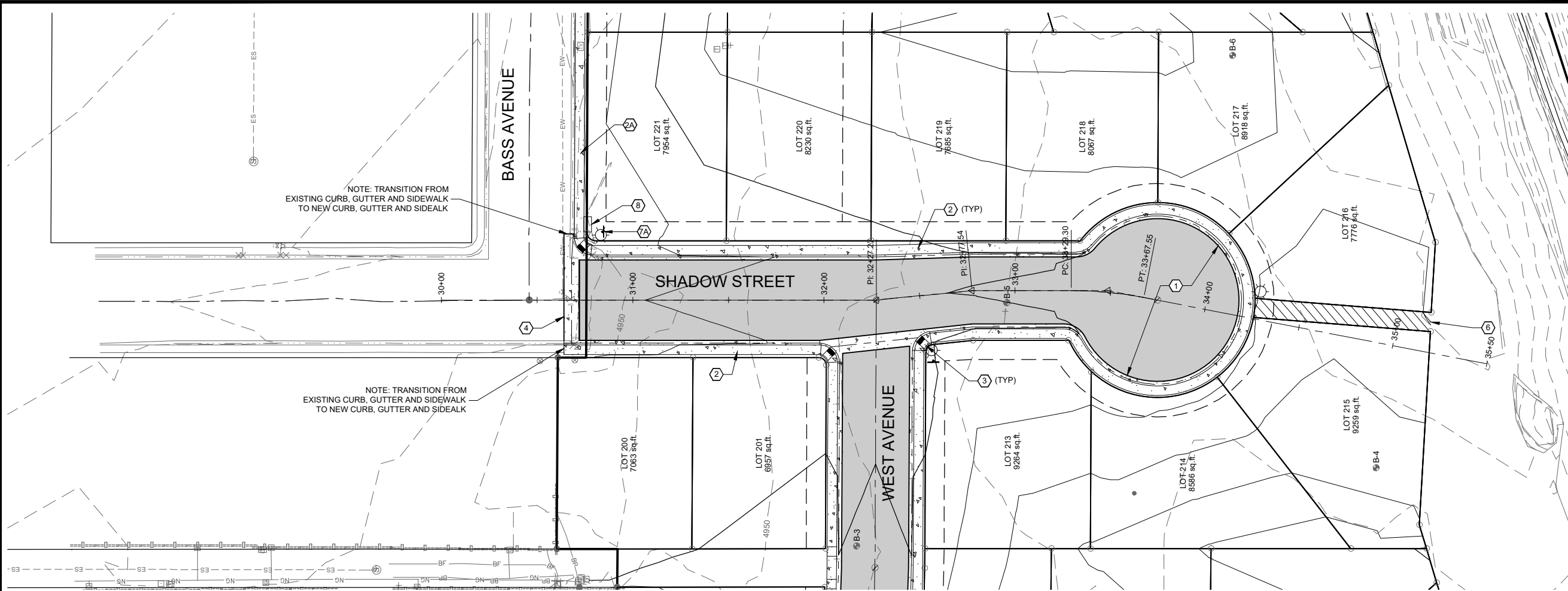
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Professional Engineer (Civil)
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WYOMING

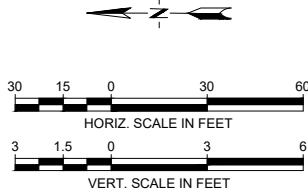
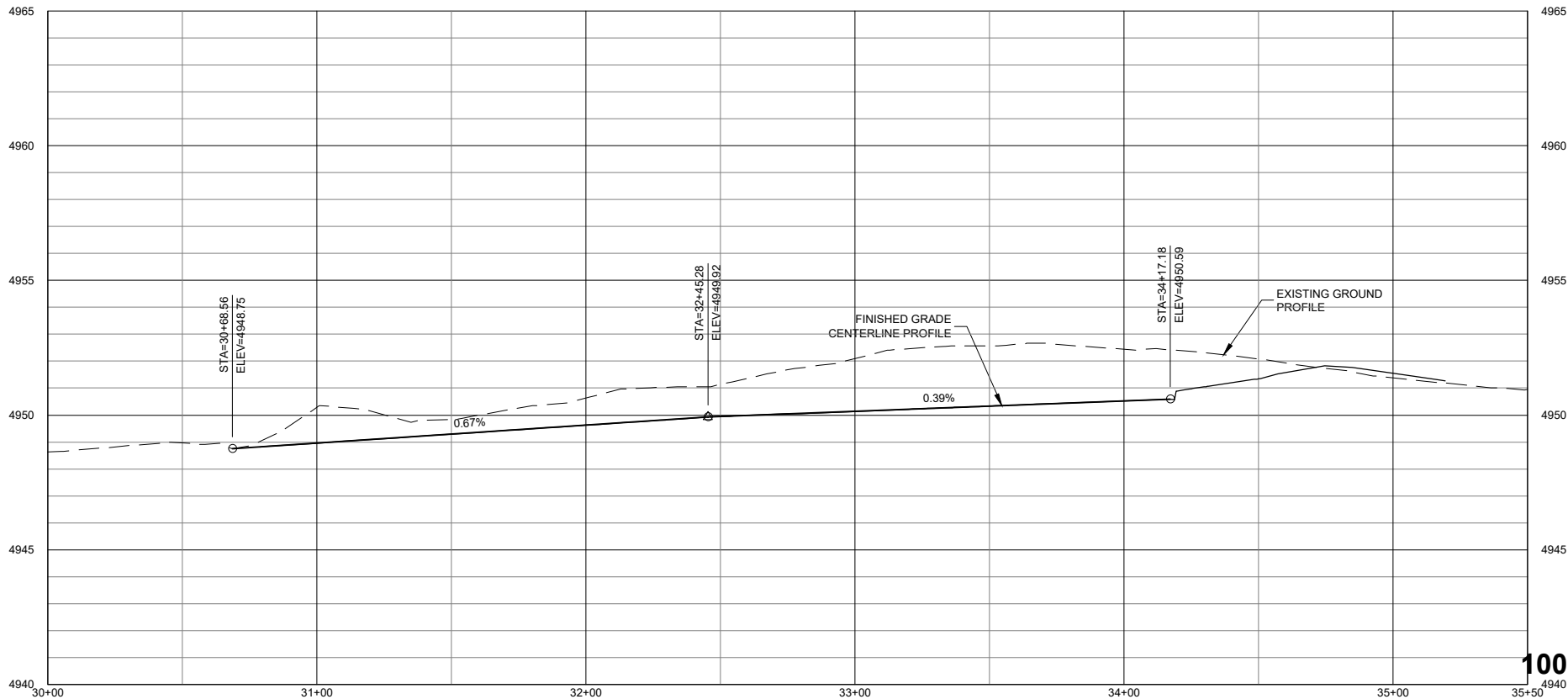
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			SHEET NUMBER 7
BEAVER COURT PLAN AND PROFILE			DRAWING NUMBER C-4



- KEY NOTES**
- 1. CONSTRUCT STREET SECTION PER DETAIL ON DRAWING G-2.
 - 2. CONSTRUCT CURB, GUTTER AND SIDEWALK PER DETAIL ON DRAWING G-2.
 - 2A. CONSTRUCT SIDEWALK PER DETAIL ON DRAWING G-2.
 - 3. CONSTRUCT ACCESS RAMP PER DETAILS ON DRAWING D-2.
 - 4. CONSTRUCT VALLEY GUTTER PER DETAIL ON DRAWING D-2.
 - 5. INSTALL ALLEY APRON (DRIVECUT DETAIL) PER DETAIL ON DRAWING D-1.
 - 6. INSTALL 3" OF CRUSHED FINES OVER 6" CRUSHED BASE COURSE GRADING W/ COMPACTED TO 90% MAX DRY DENSITY IN ACCESS TRAIL.
 - 7A. INSTALL STREET NAME/STOP SIGN PER DETAIL 3 ON DRAWING D-3.
 - 8. INSTALL 3'x7'x6" HIGH MAILBOX PAD FOR TWO 16 UNIT CBU'S AND ONE PARCEL LOCKER.

- GENERAL NOTES**
- 1. ALL CONSTRUCTION SHALL ADHERE TO MATERIAL SPECIFICATIONS ON DRAWING D-2.
 - 2. ALL CONSTRUCTION SHALL COMPLY TO 2015 WYOMING PUBLIC WORKS STANDARDS.
 - 3. ALL CONSTRUCTION SHALL COMPLY TO ADDITIONAL DETAILS SHOWN ON DRAWINGS D-1 AND D-2.



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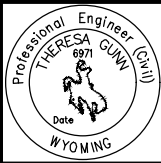
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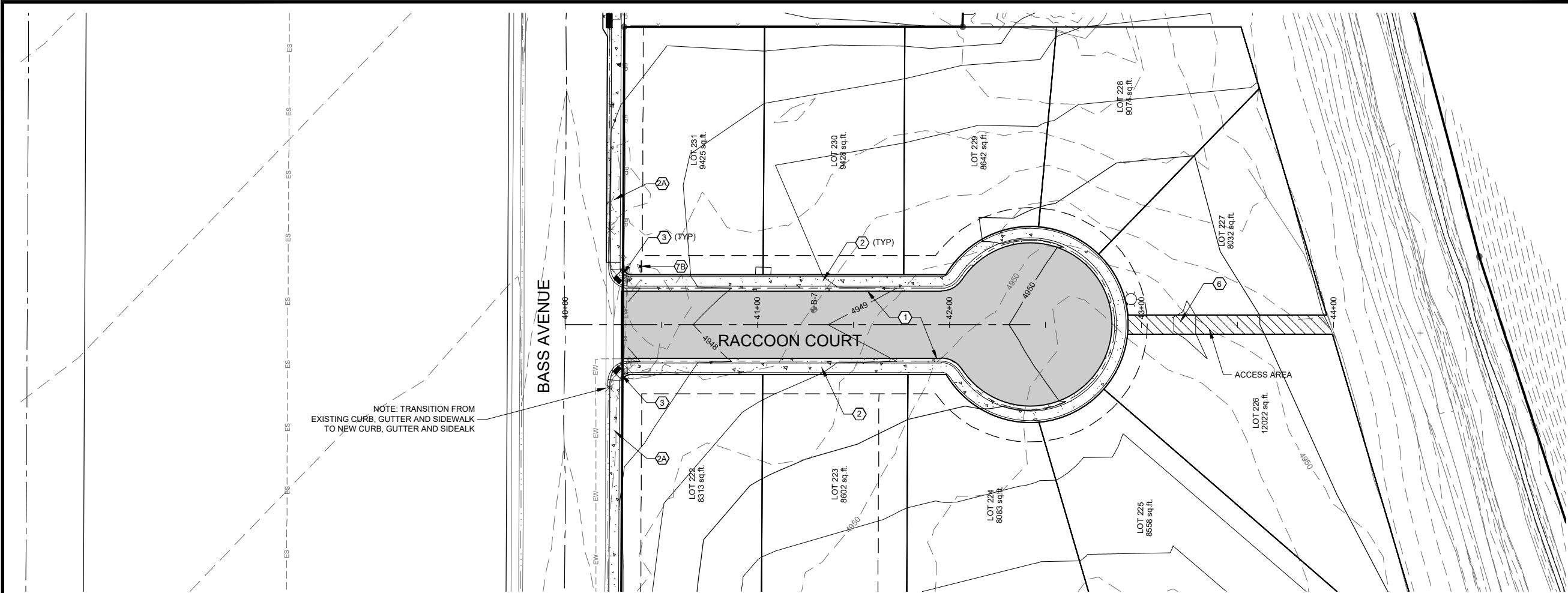
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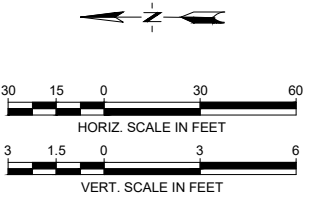
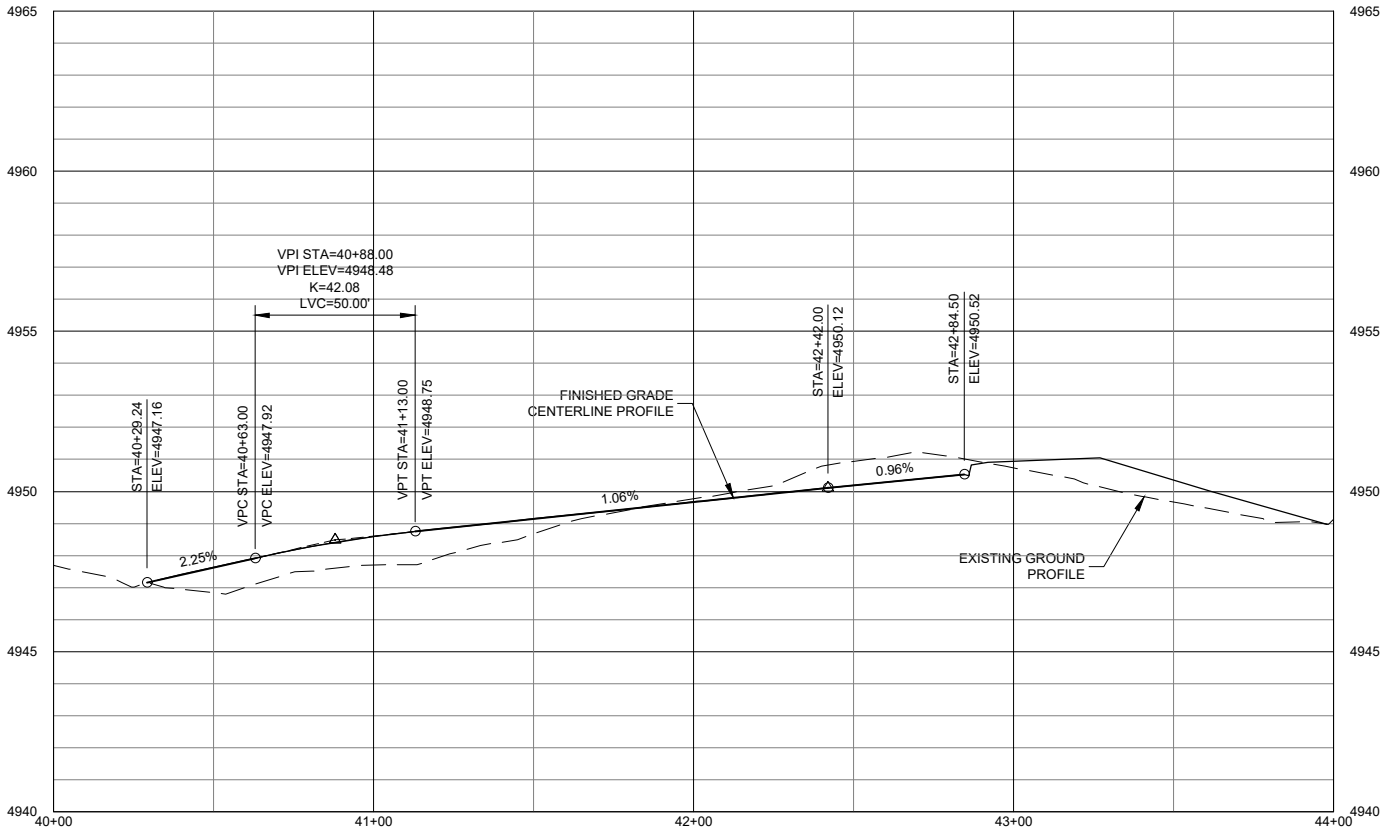
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CODY	SHADOW MOUNTAIN SUBDIVISION NO. 2 COTTONWOOD VENTURES, LLC		PROJECT NUMBER 6343.001-040
	WYOMING		SHEET NUMBER 8
	SHADOW STREET PLAN AND PROFILE		DRAWING NUMBER C-5



- KEY NOTES**
- 1 CONSTRUCT STREET SECTION PER DETAIL ON DRAWING G-2.
 - 2 CONSTRUCT CURB, GUTTER AND SIDEWALK PER DETAIL ON DRAWING G-2.
 - 2A CONSTRUCT SIDEWALK PER DETAIL ON DRAWING G-2.
 - 3 CONSTRUCT ACCESS RAMP PER DETAILS ON DRAWING D-2.
 - 6 INSTALL 3" OF CRUSHED FINES OVER 6" CRUSHED BASE COURSE GRADING W/ COMPACTED TO 90% MAX DRY DENSITY IN ACCESS TRAIL.
 - 7B INSTALL STREET NAME/YIELD SIGN PER DETAIL 3 ON DRAWING D-3.

- GENERAL NOTES**
1. ALL CONSTRUCTION SHALL ADHERE TO MATERIAL SPECIFICATIONS ON DRAWING D-2.
 2. ALL CONSTRUCTION SHALL COMPLY TO 2015 WYOMING PUBLIC WORKS STANDARDS.
 3. ALL CONSTRUCTION SHALL COMPLY TO ADDITIONAL DETAILS SHOWN ON DRAWINGS D-1 AND D-2.



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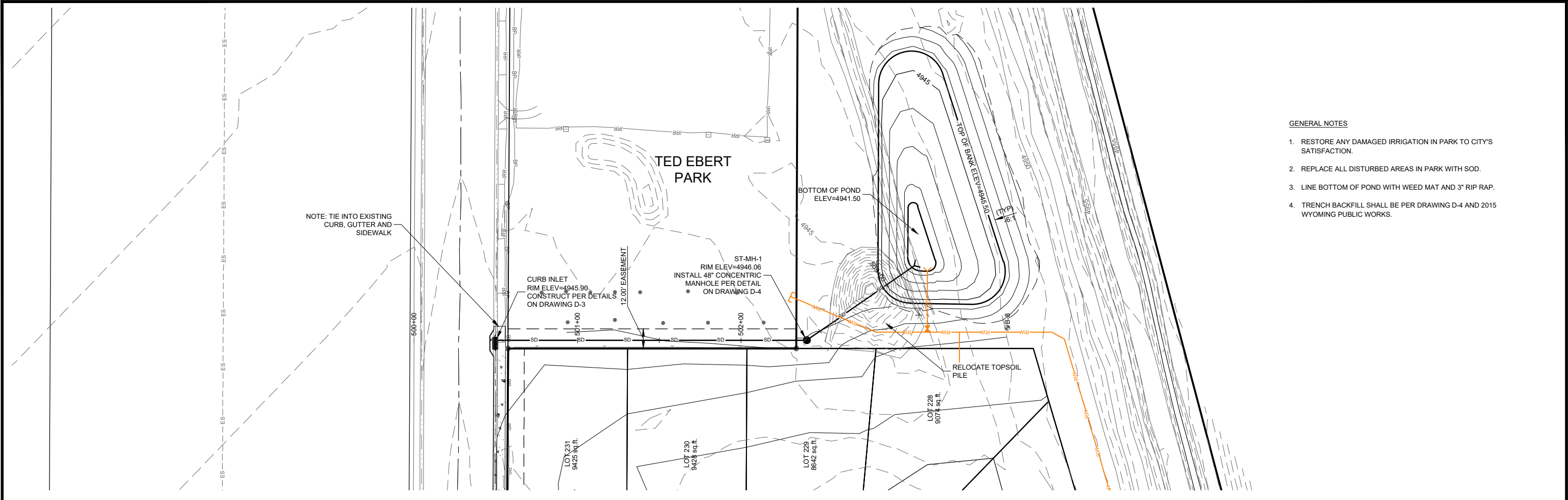
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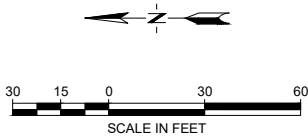
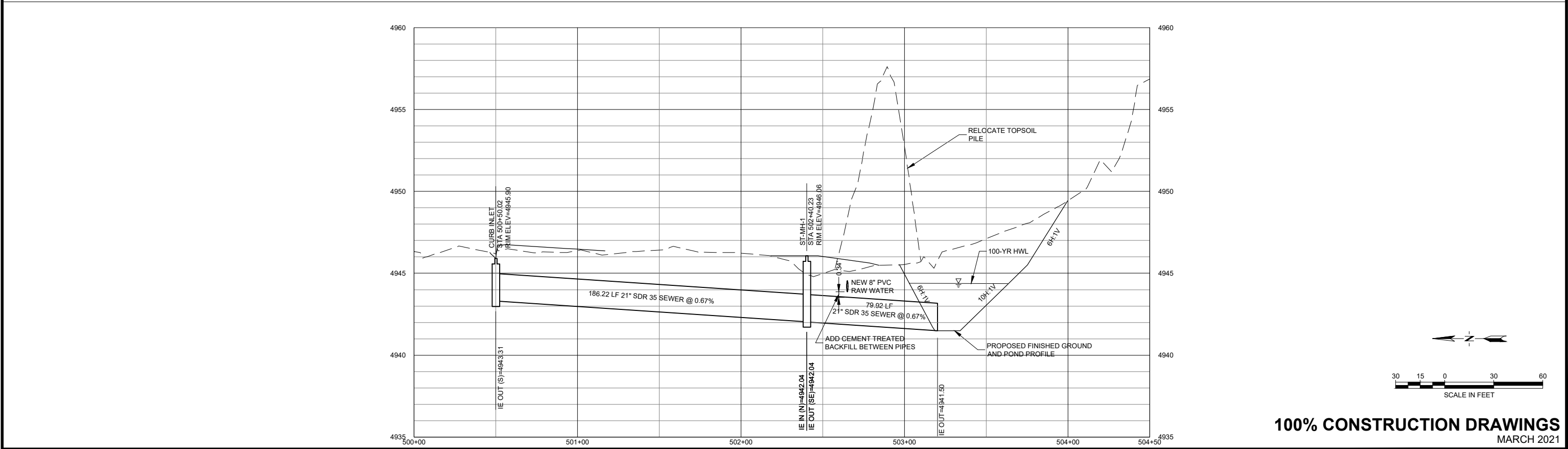
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Q.C. REVIEW
BY: _____
DATE: _____

SHADOW MOUNTAIN SUBDIVISION NO. 2 COTTONWOOD VENTURES, LLC		CODY	WYOMING
RACCOON COURT PLAN AND PROFILE			



PROJECT NUMBER 6343.001-040
SHEET NUMBER 9
DRAWING NUMBER C-6



- GENERAL NOTES**
1. RESTORE ANY DAMAGED IRRIGATION IN PARK TO CITY'S SATISFACTION.
 2. REPLACE ALL DISTURBED AREAS IN PARK WITH SOD.
 3. LINE BOTTOM OF POND WITH WEED MAT AND 3" RIP RAP.
 4. TRENCH BACKFILL SHALL BE PER DRAWING D-4 AND 2015 WYOMING PUBLIC WORKS.



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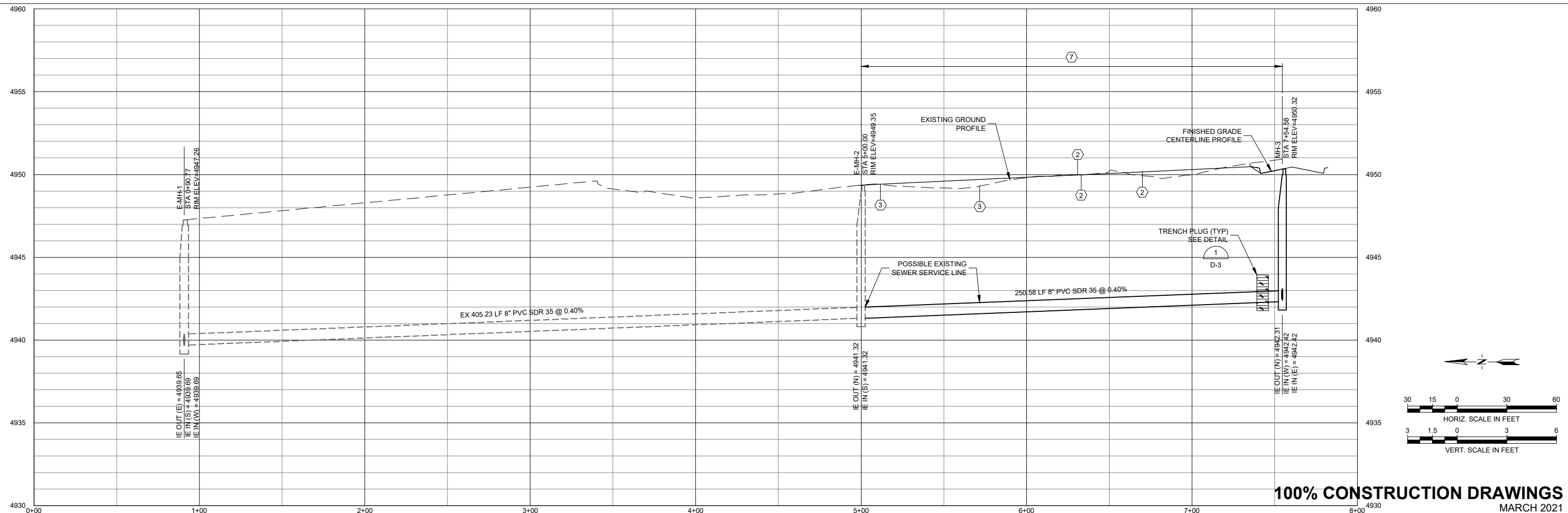
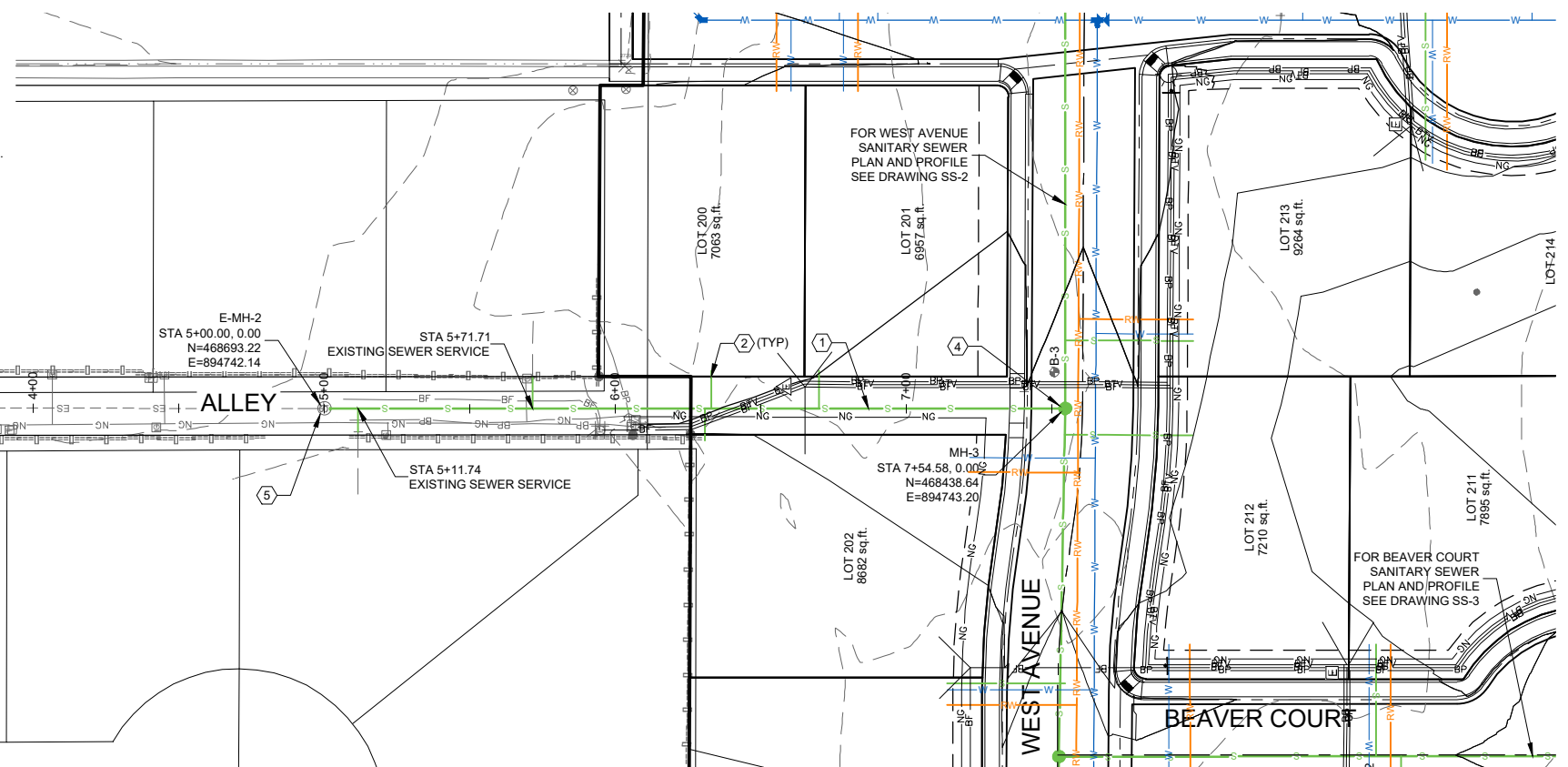
<p>VERIFY SCALE!</p> <p>THESE PRINTS MAY BE REDUCED. LINE BELOW MEASURES ONE INCH ON ORIGINAL DRAWING.</p> <p>MODIFY SCALE ACCORDINGLY!</p>	REVISIONS				 <p>engineers • surveyors • planners • scientists</p>	<p>1402 Stampede Avenue Cody, WY 82414</p> <p>307.587.6281</p> <p>www.m-m.net</p>	 <p>Professional Engineer (Civil) THERESA GUNN 6971 WYOMING</p>	<p>DRAWN BY: KDK DSGN. BY: TAG APPR. BY: TAG DATE: 02/2021 Q.C. REVIEW BY: DATE:</p>	<p>SHADOW MOUNTAIN SUBDIVISION NO. 2</p> <p>CODY COTTONWOOD VENTURES, LLC WYOMING</p> <p>BASS AVENUE - DETENTION POND GRADING PLAN</p>	PROJECT NUMBER 6343.001-040
	NO.	DESCRIPTION	BY	DATE						SHEET NUMBER 10
										DRAWING NUMBER C-7

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- ① INSTALL 8" SDR 35 PVC SEWER MAIN PER DETAILS ON DRAWING D-4.
- ② INSTALL 4" SEWER SERVICE TO 2 FEET PAST LAST DRY UTILITY PER DETAIL ON DRAWING D-4.
- ③ LOCATE AND RECONNECT EXISTING SERVICE TO NEW SEWER LINE. REMOVE ANY EXISTING SEWER LINE THAT EXISTS.
- ④ INSTALL 48" CONCRETE MANHOLE PER DETAILS ON DRAWING D-4.
- ⑤ CONNECT TO EXISTING SEWER MANHOLE. EXPLORATORY EXCAVATION WILL BE REQUIRED TO DETERMINE WHETHER AN EXISTING LINE IS IN PLACE FROM STATION 5+00 TO STATION 5+72 WHERE TWO EXISTING SERVICES ARE IN PLACE. IF SO, THIS LINE SHALL BE REMOVED AND REPLACED WITH NEW 8" PVC. NOTIFY ENGINEER IMMEDIATELY IF THIS CONDITION EXISTS. REMOVE AND DISPOSE OF THIS LINE IN ACCORDANCE WITH LOCAL AND STATE REGULATIONS. NO ADDITIONAL PAYMENT WILL BE MADE FOR THIS CONDITION.
- ⑥ INSTALL CEMENT TREATED BACKFILL BETWEEN WATER AND SEWER LINES PER DEQ REGULATIONS.
- ⑦ REPLACE ALLEY TRENCH WITH 6" CRUSHED BASE GRADING H COMPACTED TO 90% MAXIMUM DRY DENSITY.

1. ALL CONSTRUCTION SHALL ADHERE TO MATERIAL SPECIFICATIONS ON DRAWING D-4.
2. ALL CONSTRUCTION SHALL COMPLY TO 2015 WYOMING PUBLIC WORKS STANDARDS.
3. ALL CONSTRUCTION SHALL COMPLY TO WYOMING DEQ STANDARDS.



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ORIGINAL DESIGN SCALE AND R
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REPRODUCED CORRECTLY.



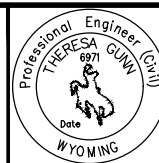
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- | CODY

SHADOW MOUNTAIN SUBDIVISION NO. 2
COTTONWOOD VENTURES, LLC

ALLEY SANITARY SEWER PLAN AND PROFILE

PROJECT NUMBER
6343.001-040

SHEET NUMBER
11

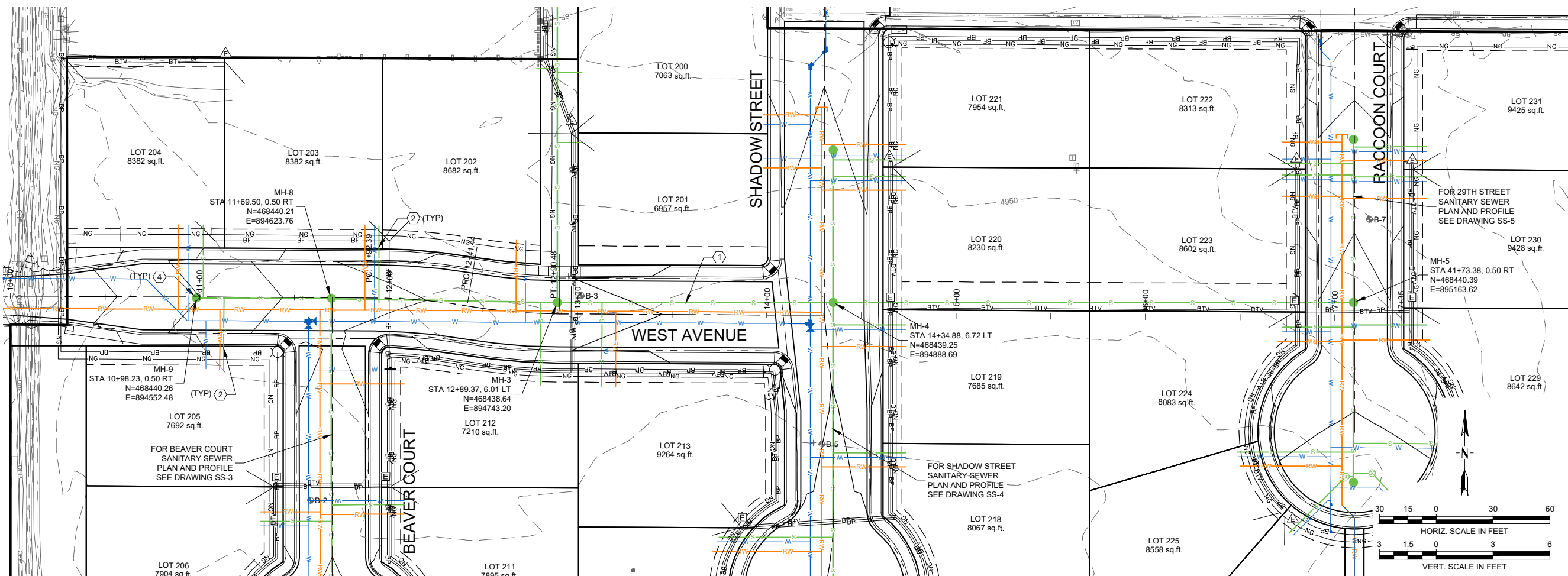
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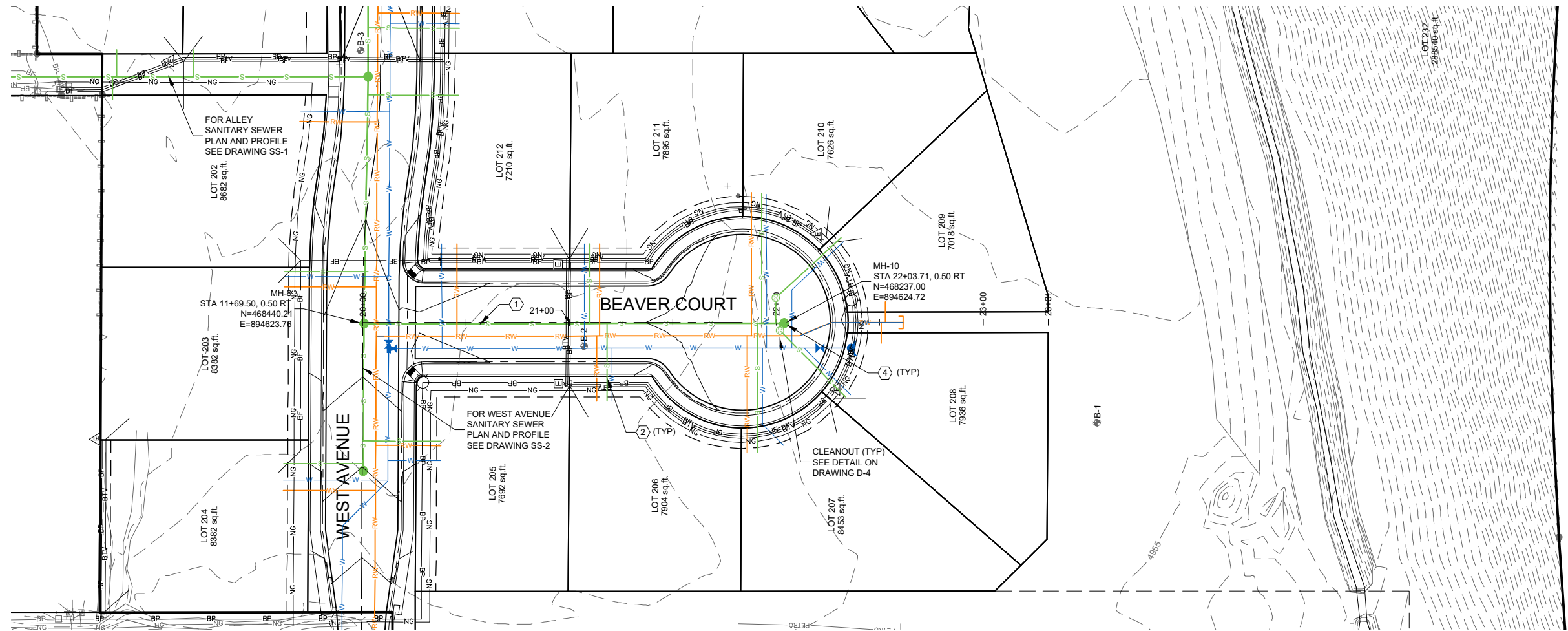
KEY NOTES

1. INSTALL 8" SDR 35 PVC SEWER MAIN PER DETAILS ON DRAWING D-4.
2. INSTALL 4" SEWER SERVICE TO 2 FEET PAST THE LAST DRY UTILITY PER DETAIL ON DRAWING D-4.
4. INSTALL 48" CONCRETE MANHOLE PER DETAILS ON DRAWING D-4.
6. INSTALL CEMENT TREATED BACKFILL BETWEEN WATER AND SEWER LINES PER DEQ REGULATIONS.

GENERAL NOTES

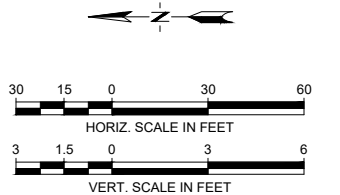
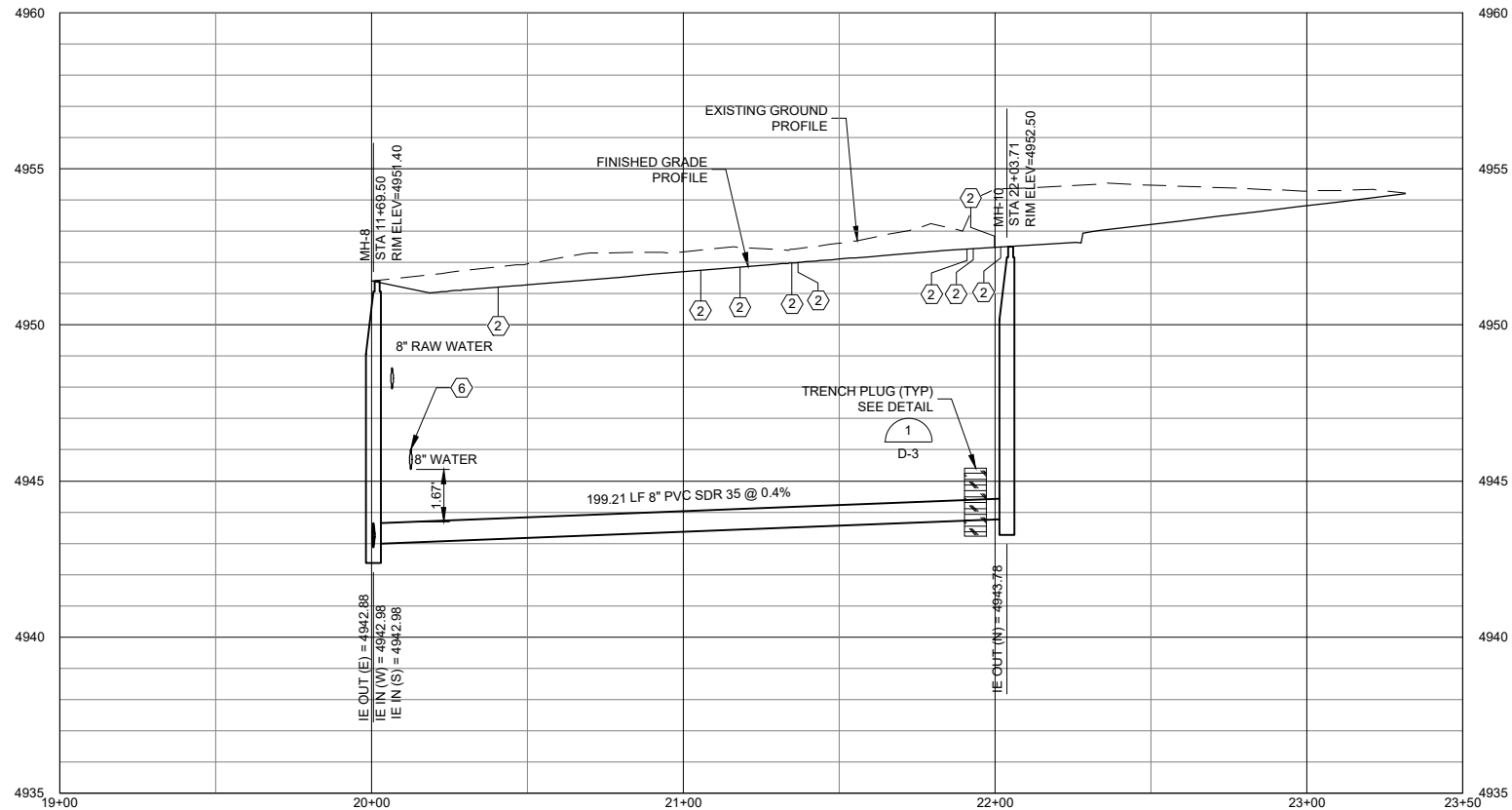
1. ALL CONSTRUCTION SHALL ADHERE TO MATERIAL SPECIFICATIONS ON DRAWING D-4.
2. ALL CONSTRUCTION SHALL COMPLY TO 2015 WYOMING PUBLIC WORKS STANDARDS.
3. ALL CONSTRUCTION SHALL COMPLY TO WYOMING DEQ STANDARDS.





- KEY NOTES
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- GENERAL NOTES
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 2. ALL CONSTRUCTION SHALL COMPLY TO 2015 WYOMING PUBLIC WORKS STANDARDS.
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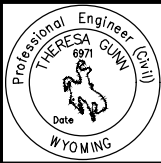


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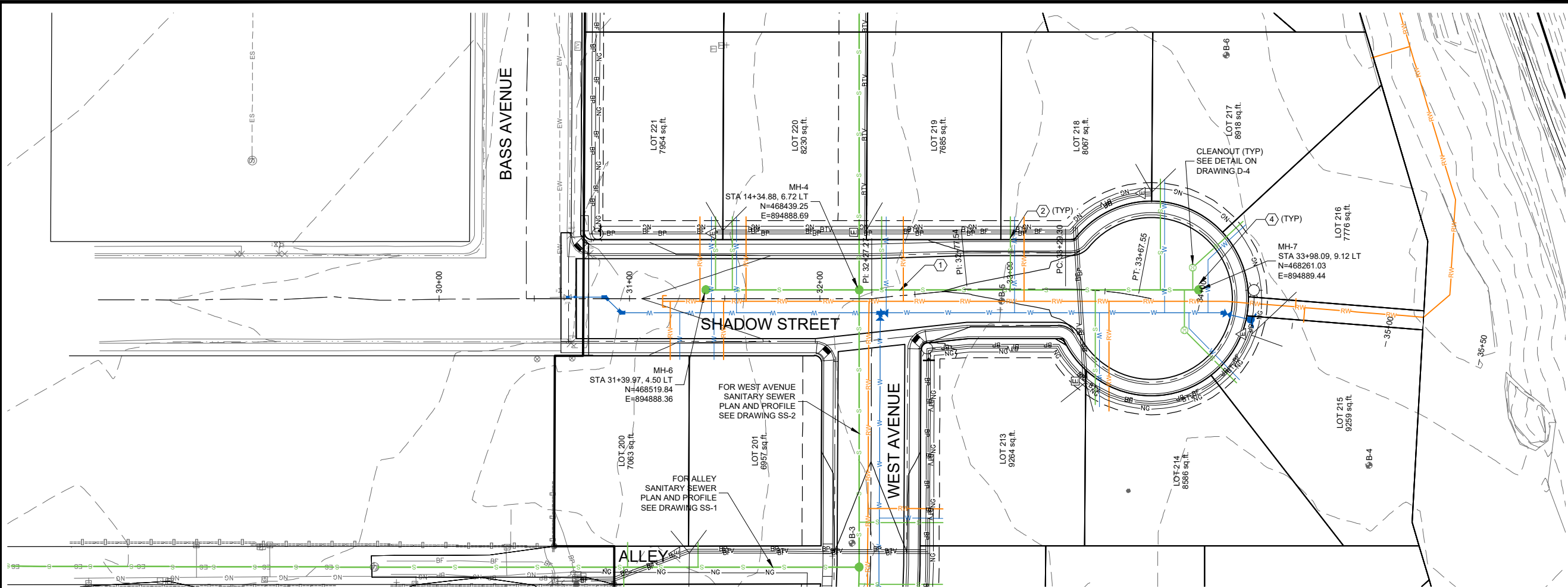


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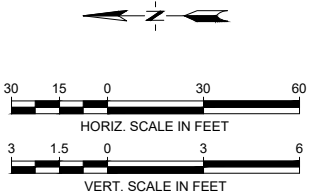
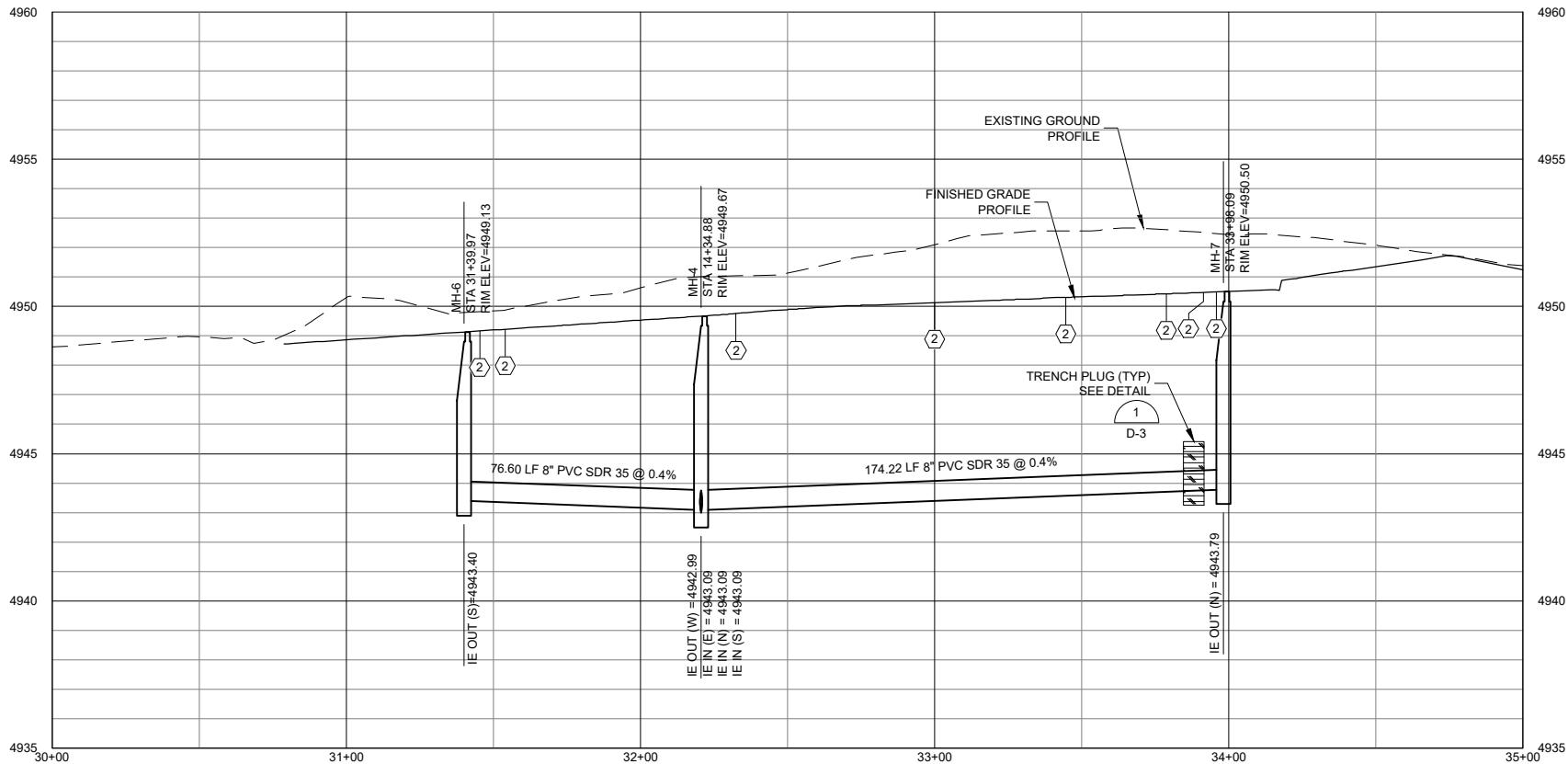
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			SHEET NUMBER 13
			DRAWING NUMBER SS-3



- KEY NOTES
1. INSTALL 8" SDR 35 PVC SEWER MAIN PER DETAILS ON DRAWING D-4.
 2. INSTALL 4" SEWER SERVICE TO 2 FEET PAST THE LAST DRY UTILITY PER DETAIL ON DRAWING D-4.
 4. INSTALL 48" CONCRETE MANHOLE PER DETAILS ON DRAWING D-4.
 6. INSTALL CEMENT TREATED BACKFILL BETWEEN WATER AND SEWER LINES PER DEQ REGULATIONS.

- GENERAL NOTES
1. ALL CONSTRUCTION SHALL ADHERE TO MATERIAL SPECIFICATIONS ON DRAWING D-4.
 2. ALL CONSTRUCTION SHALL COMPLY TO 2015 WYOMING PUBLIC WORKS STANDARDS.
 3. ALL CONSTRUCTION SHALL COMPLY TO WYOMING DEQ STANDARDS.



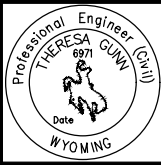
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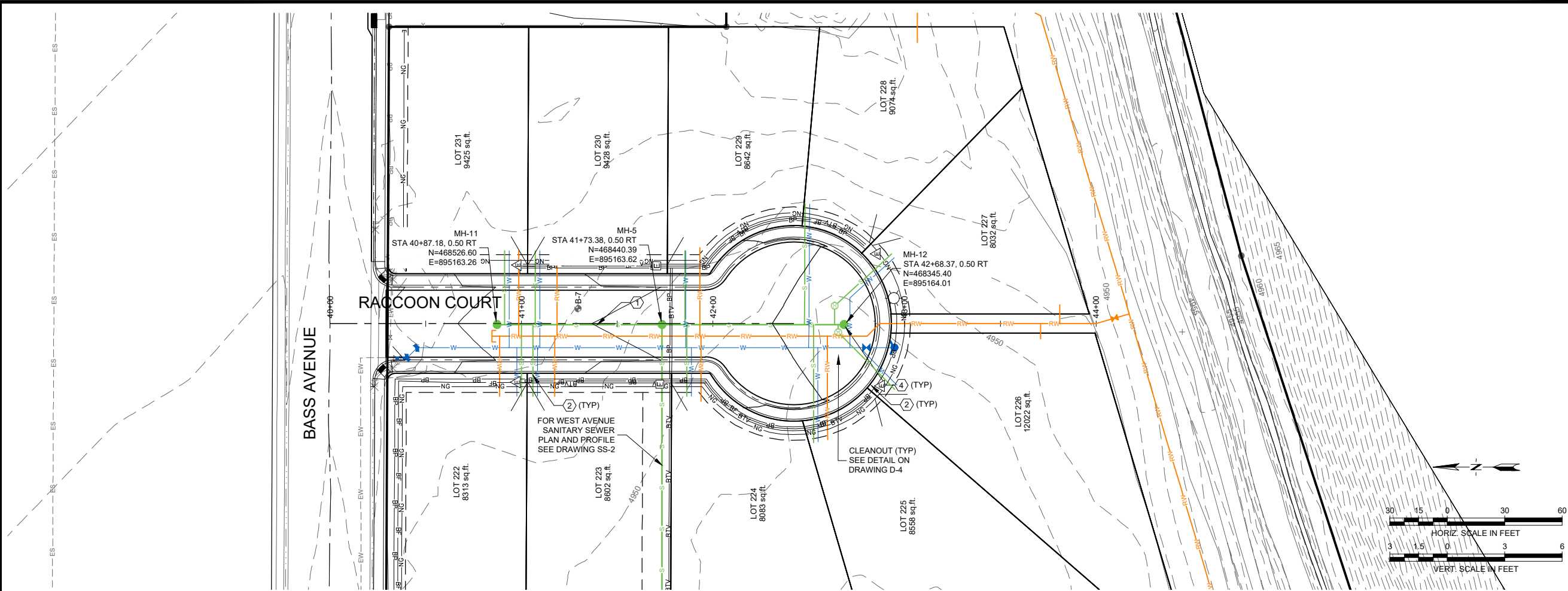
CODY

SHADOW MOUNTAIN SUBDIVISION NO. 2
COTTONWOOD VENTURES, LLC

WYOMING

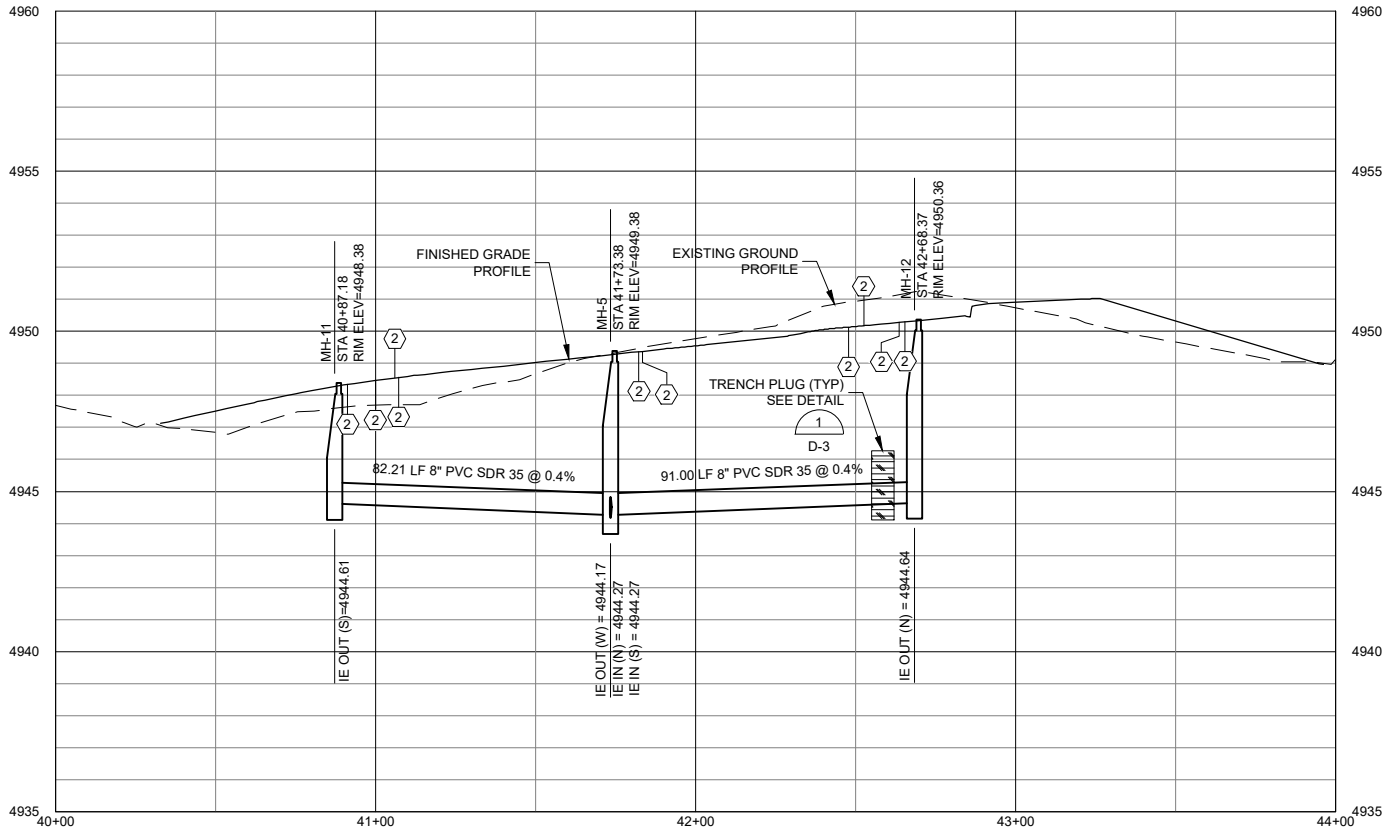
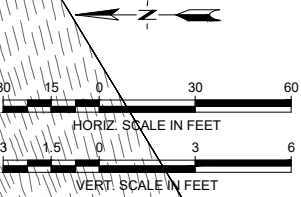
SHADOW STREET SANITARY SEWER PLAN AND PROFILE

PROJECT NUMBER
6343.001-040
SHEET NUMBER
14
DRAWING NUMBER
SS-4



- KEY NOTES
- 1. INSTALL 8" SDR 35 PVC SEWER MAIN PER DETAILS ON DRAWING D-4.
 - 2. INSTALL 4" SEWER SERVICE TO 2 FEET PAST THE LAST DRY UTILITY PER DETAIL ON DRAWING D-4.
 - 4. INSTALL 48" CONCRETE MANHOLE PER DETAILS ON DRAWING D-4.
 - 6. INSTALL CEMENT TREATED BACKFILL BETWEEN WATER AND SEWER LINES PER DEQ REGULATIONS.

- GENERAL NOTES
- 1. ALL CONSTRUCTION SHALL ADHERE TO MATERIAL SPECIFICATIONS ON DRAWING D-4.
 - 2. ALL CONSTRUCTION SHALL COMPLY TO 2015 WYOMING PUBLIC WORKS STANDARDS.
 - 3. ALL CONSTRUCTION SHALL COMPLY TO WYOMING DEQ STANDARDS.



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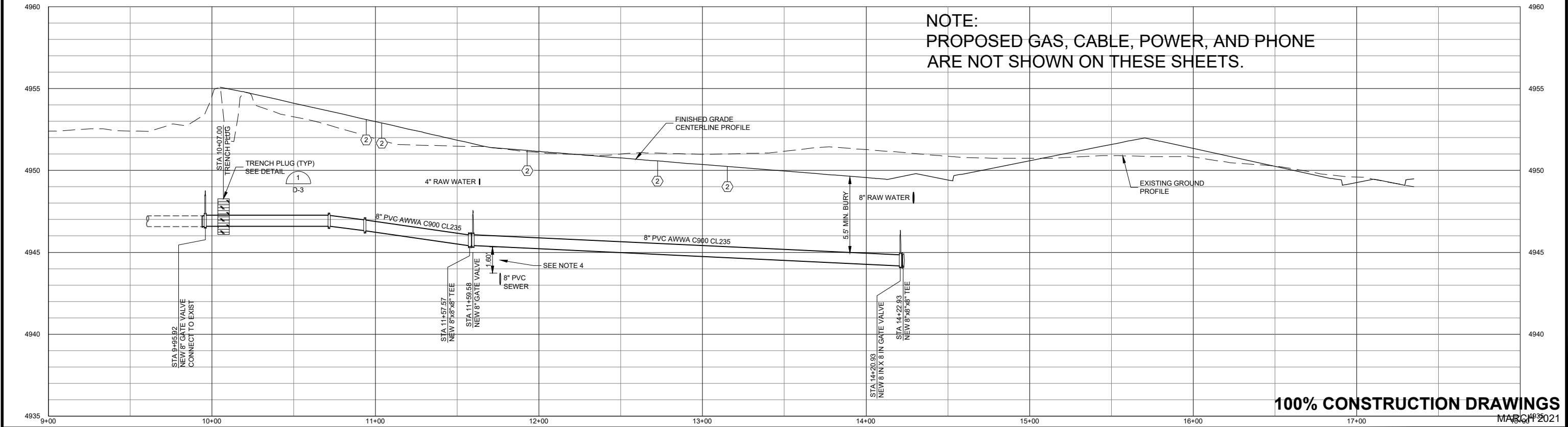
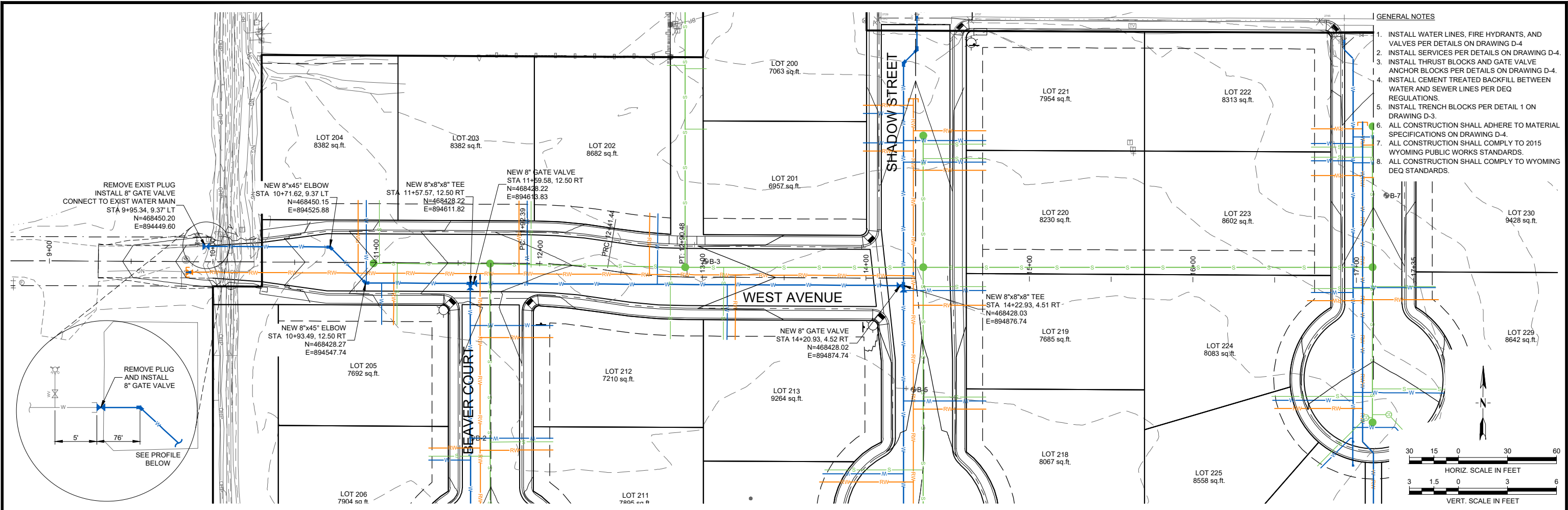


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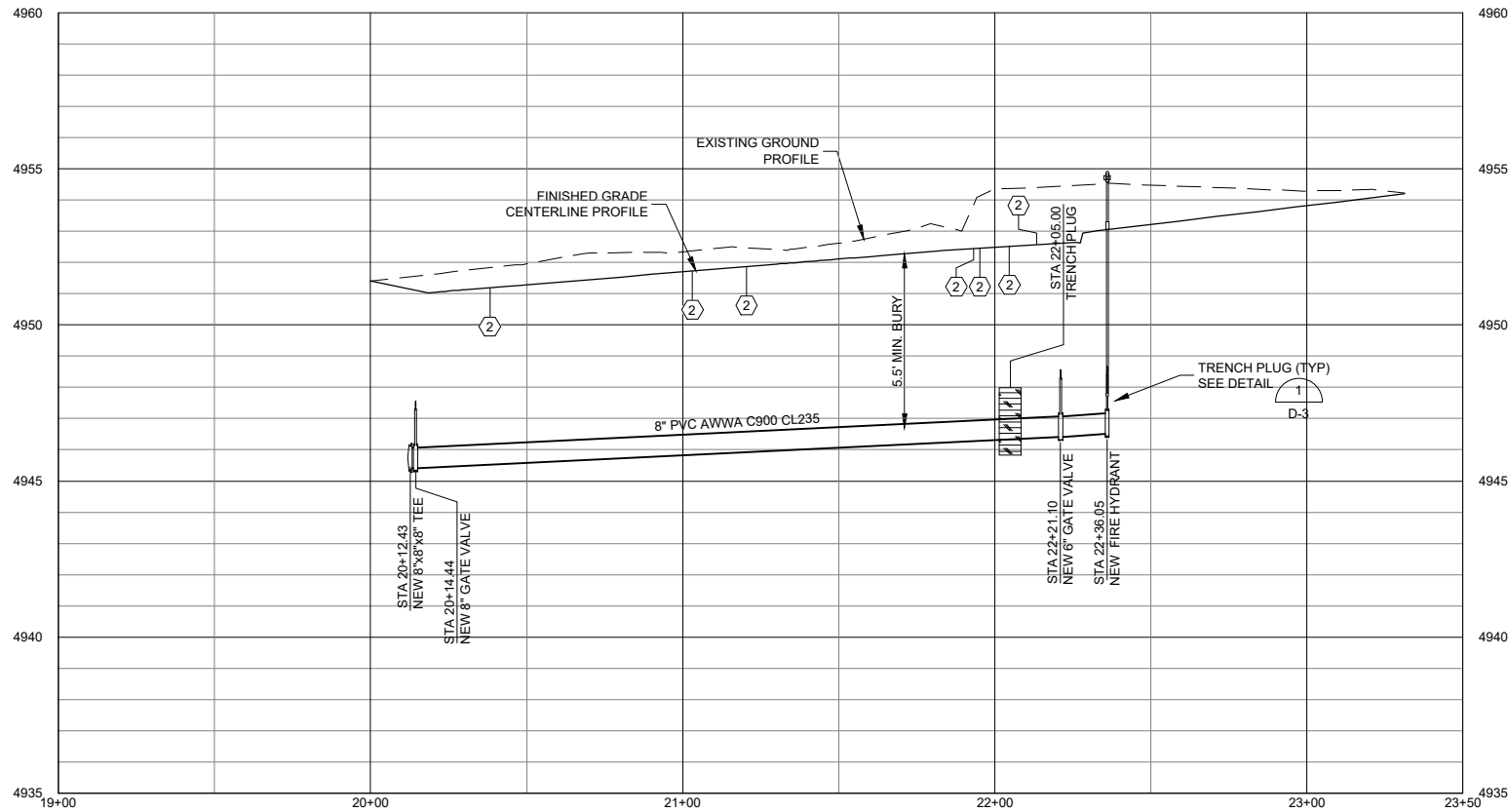
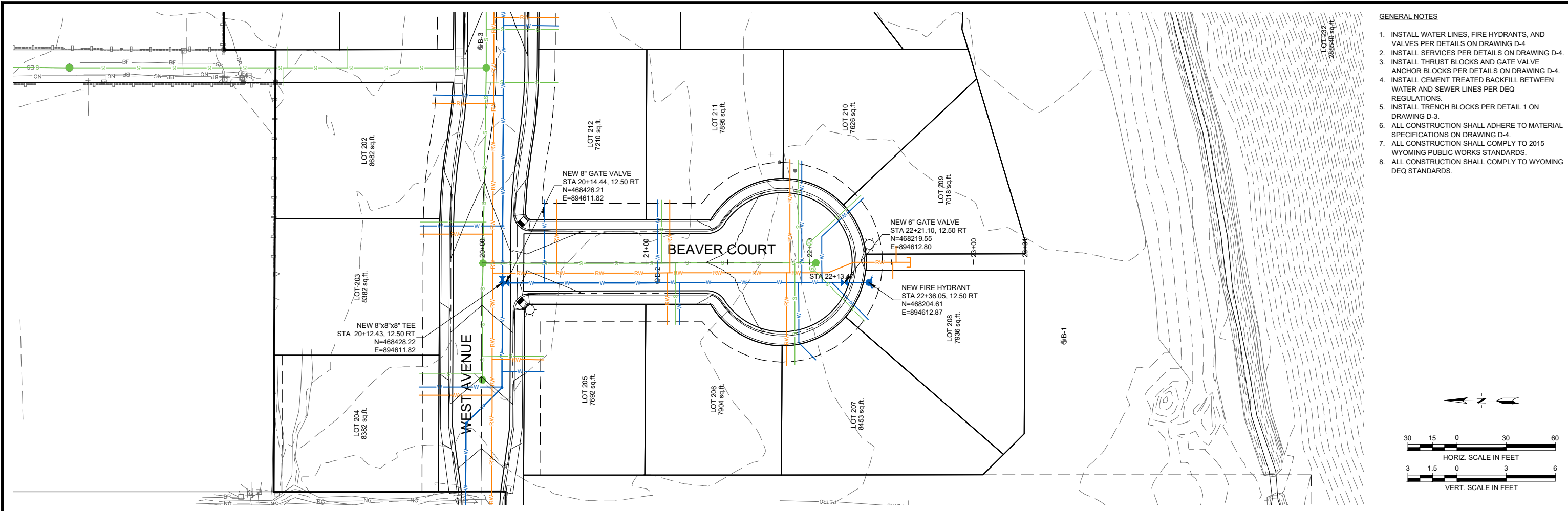
SHADOW MOUNTAIN SUBDIVISION NO. 2 COTTONWOOD VENTURES, LLC		
CODY		WYOMING
RACCOON COURT SANITARY SEWER PLAN AND PROFILE		



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	DATE: 02/2021						DRAWING NUMBER W-1						
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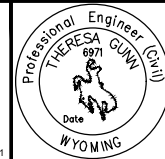
J:\6343 HIGBIE FAMILY TRUST\001 SHADOW MTN SUBD NO 2\ACAD\SHEETS\WATER-WEST-AVE.DWG PLOTTED BY: CODY FARLEY ON Mar/19/2021

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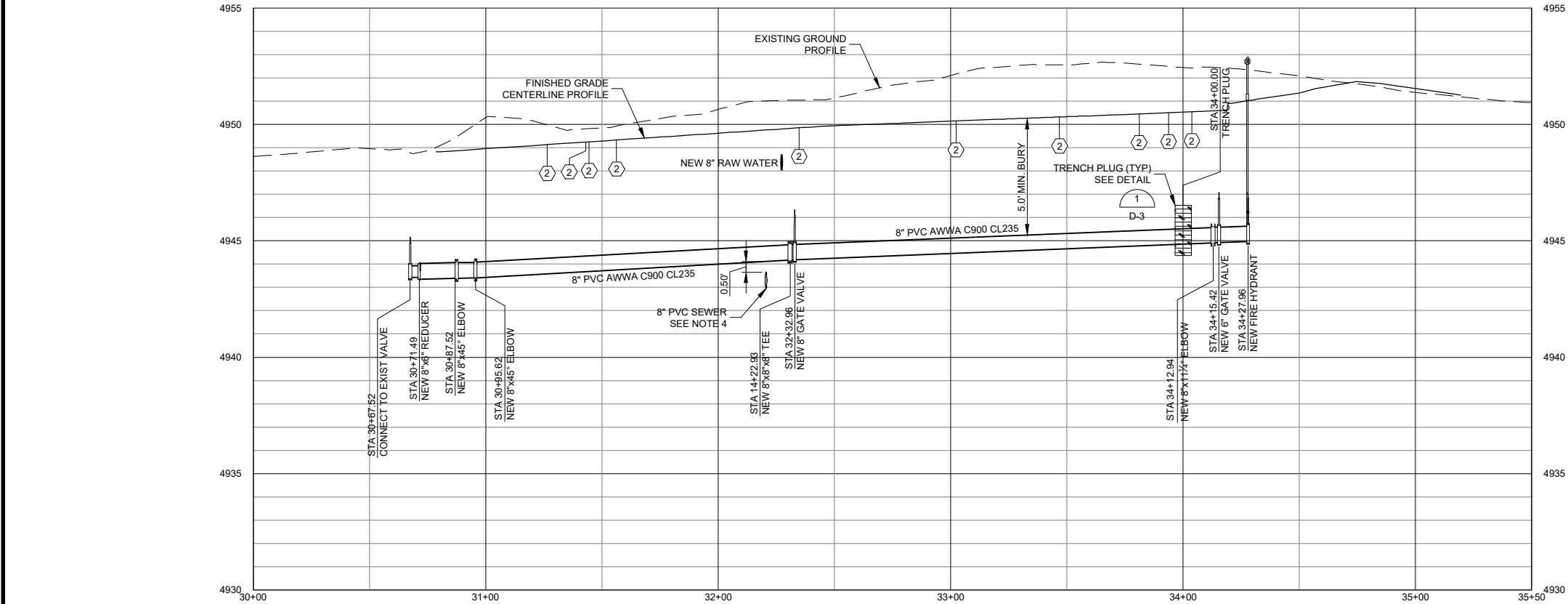
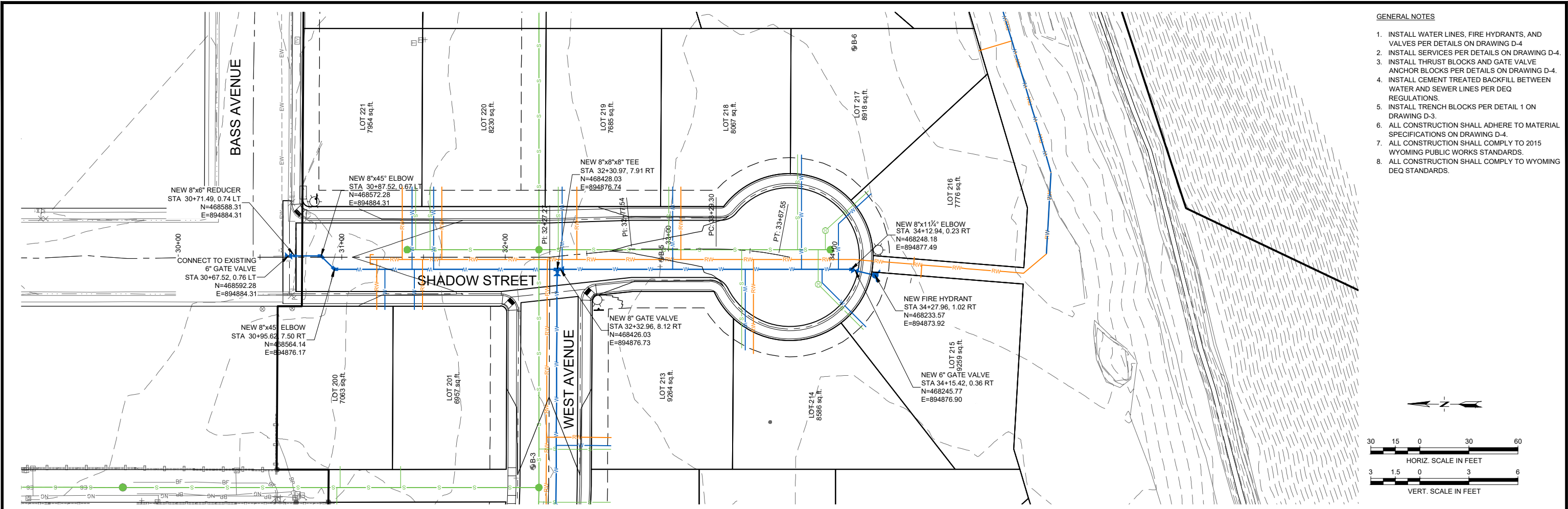
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	NO.	DESCRIPTION											

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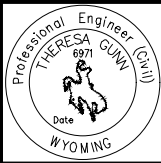
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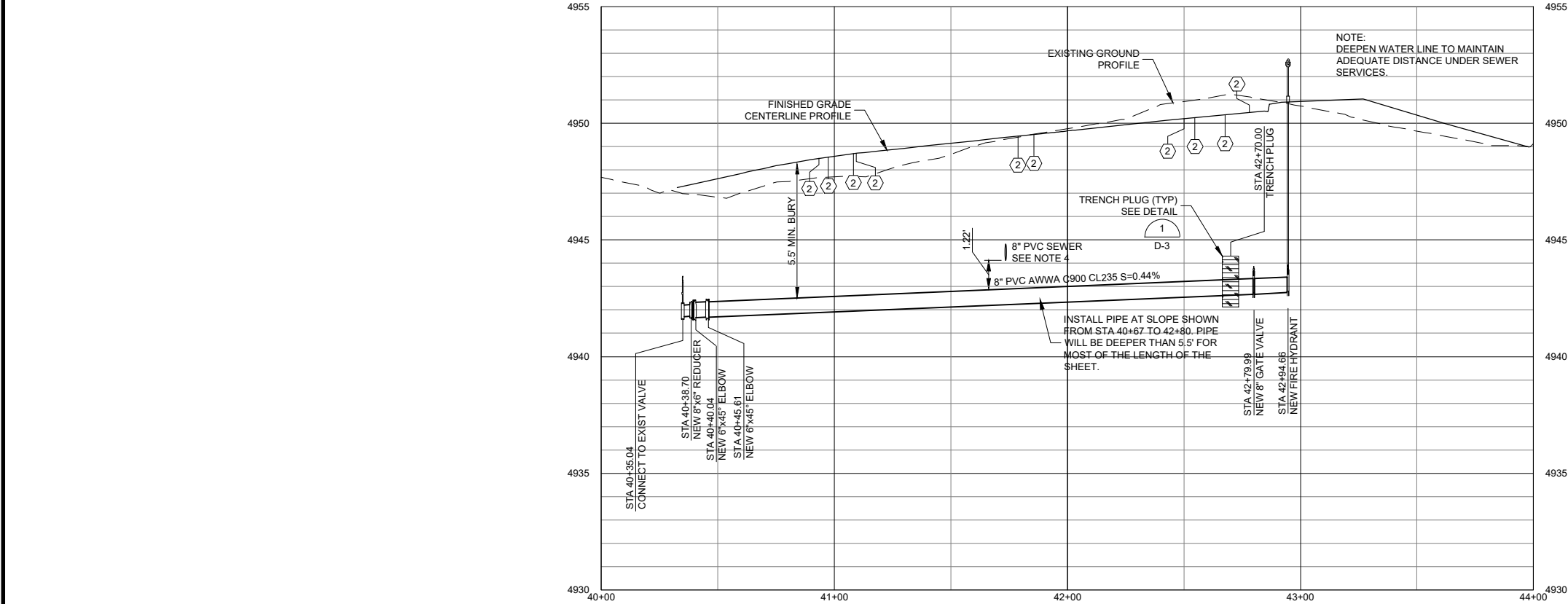
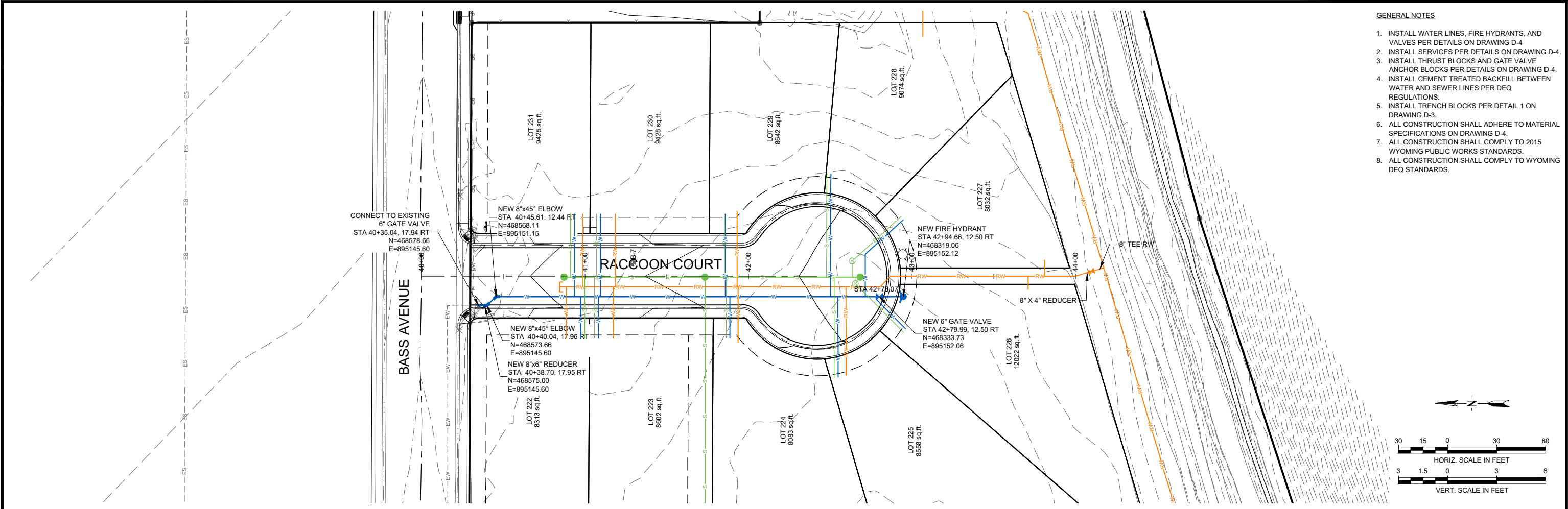
SHADOW STREET WATER PLAN AND PROFILE

PROJECT NUMBER
6343.001-040

SHEET NUMBER
18

DRAWING NUMBER

W-3



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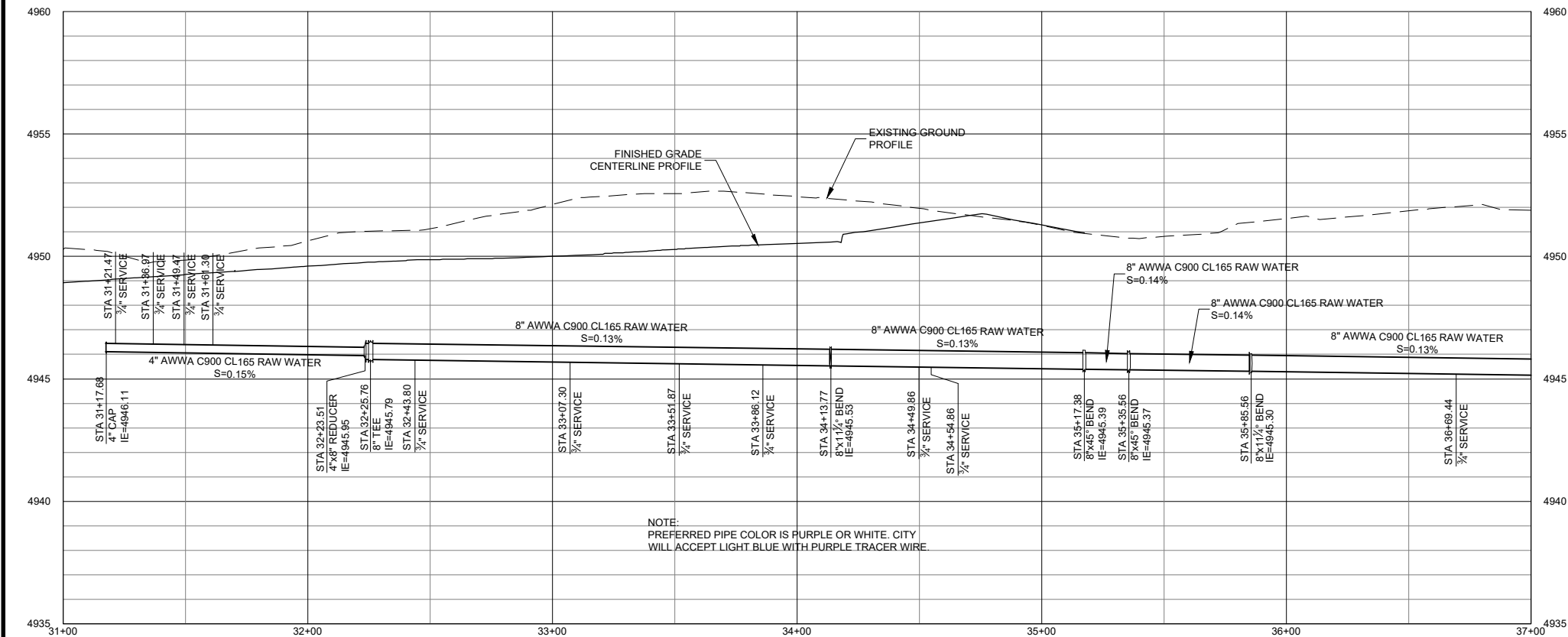
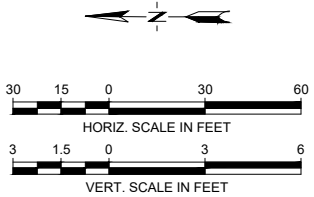
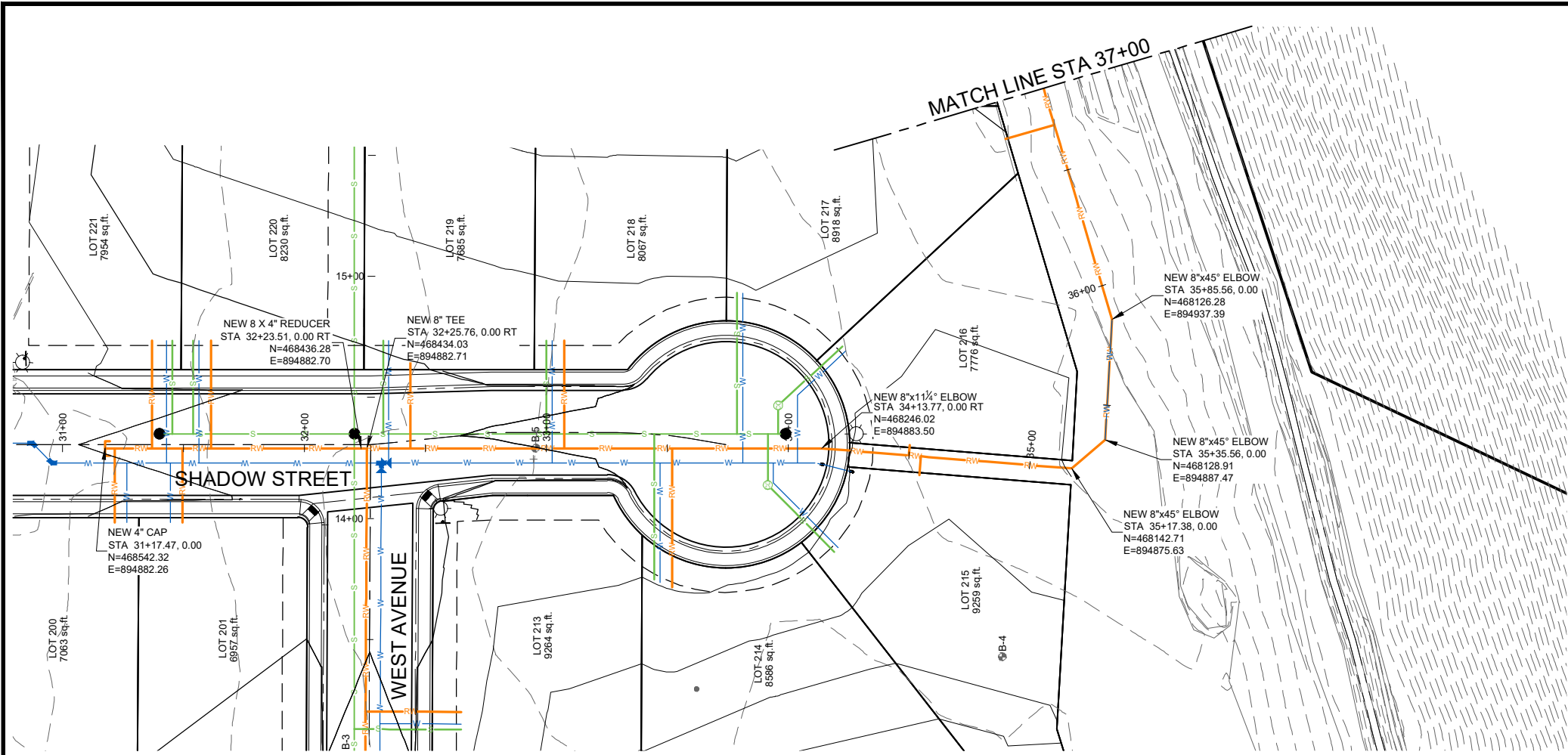
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DATE: _____			


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6971
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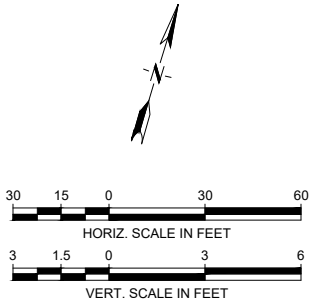
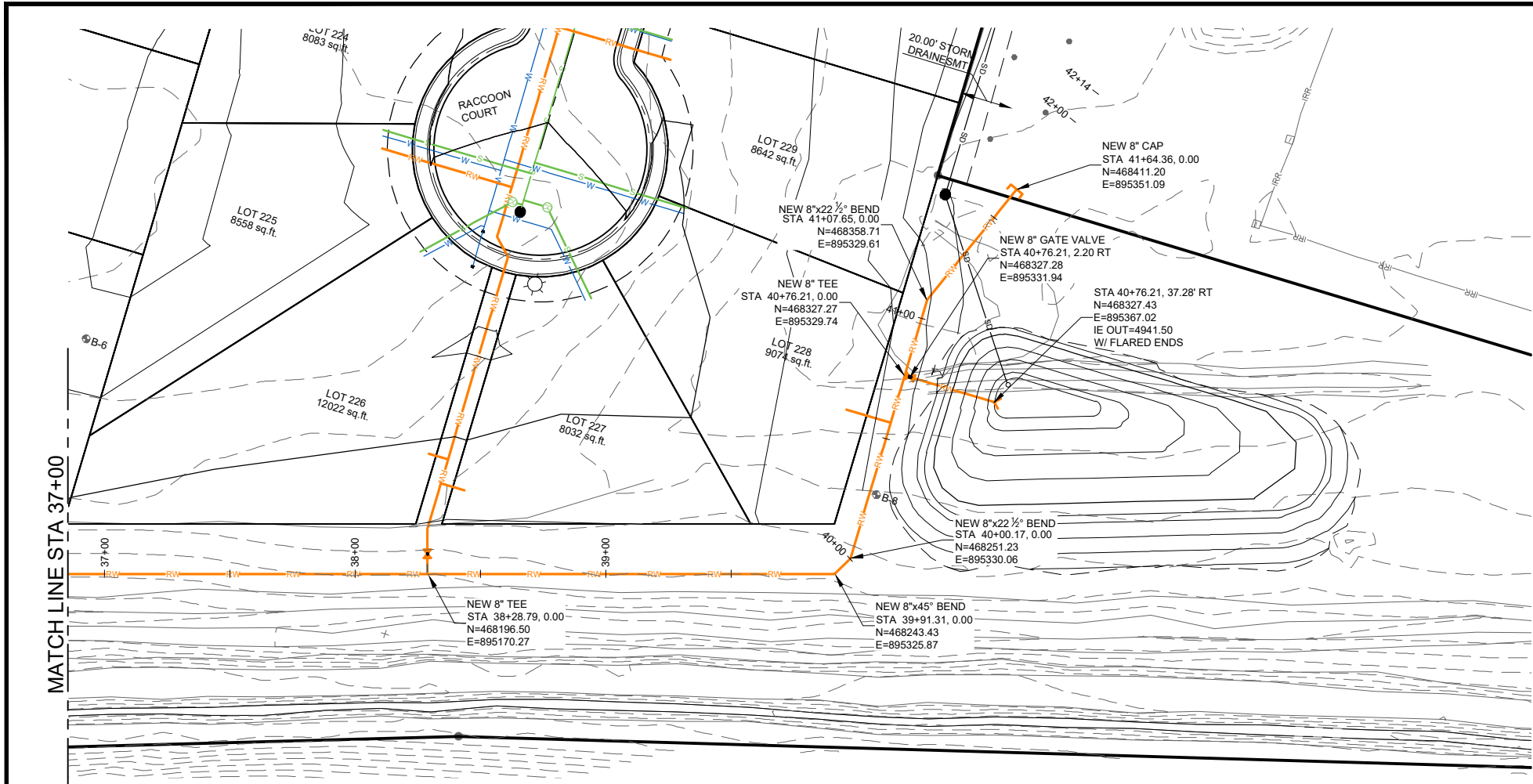
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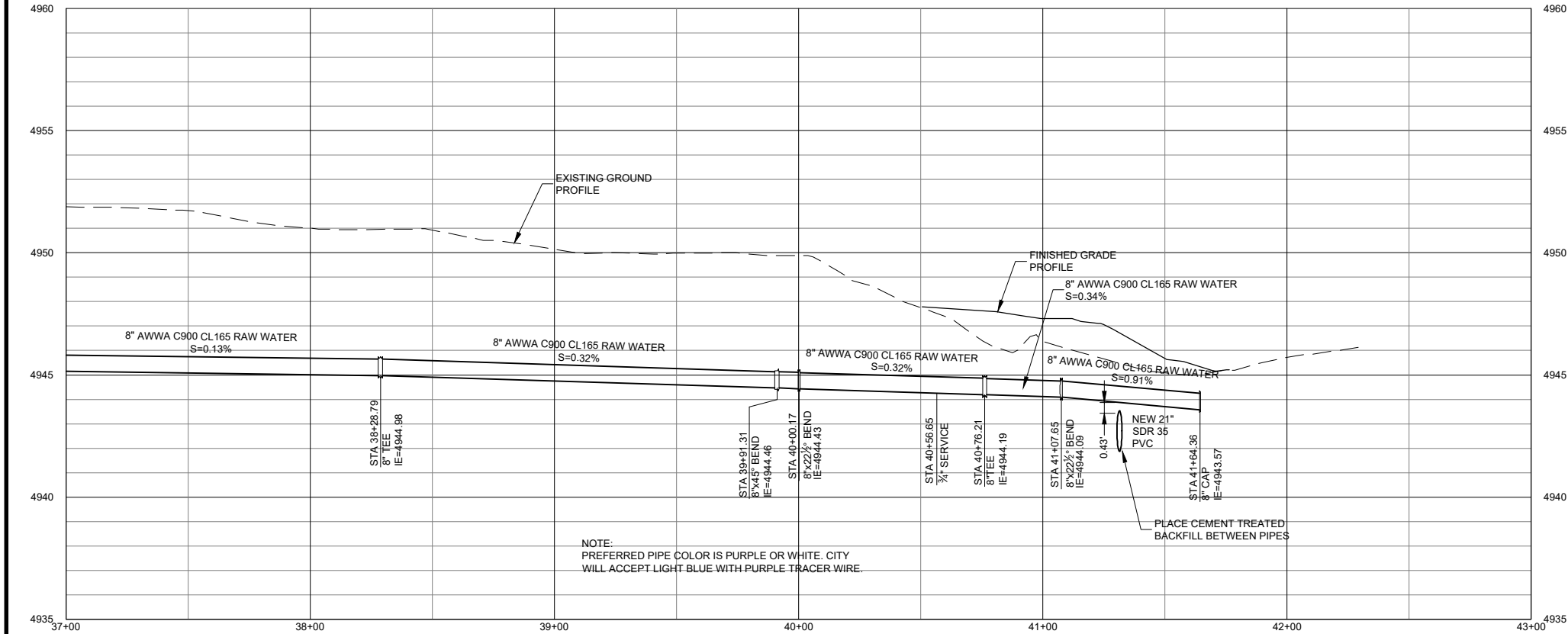
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SHADOW STREET RAW WATER PLAN AND PROFILE
STA 31+00 TO STA 37+00

PROJECT NUMBER
6343.001-040
SHEET NUMBER
22
DRAWING NUMBER
RW-3



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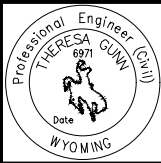
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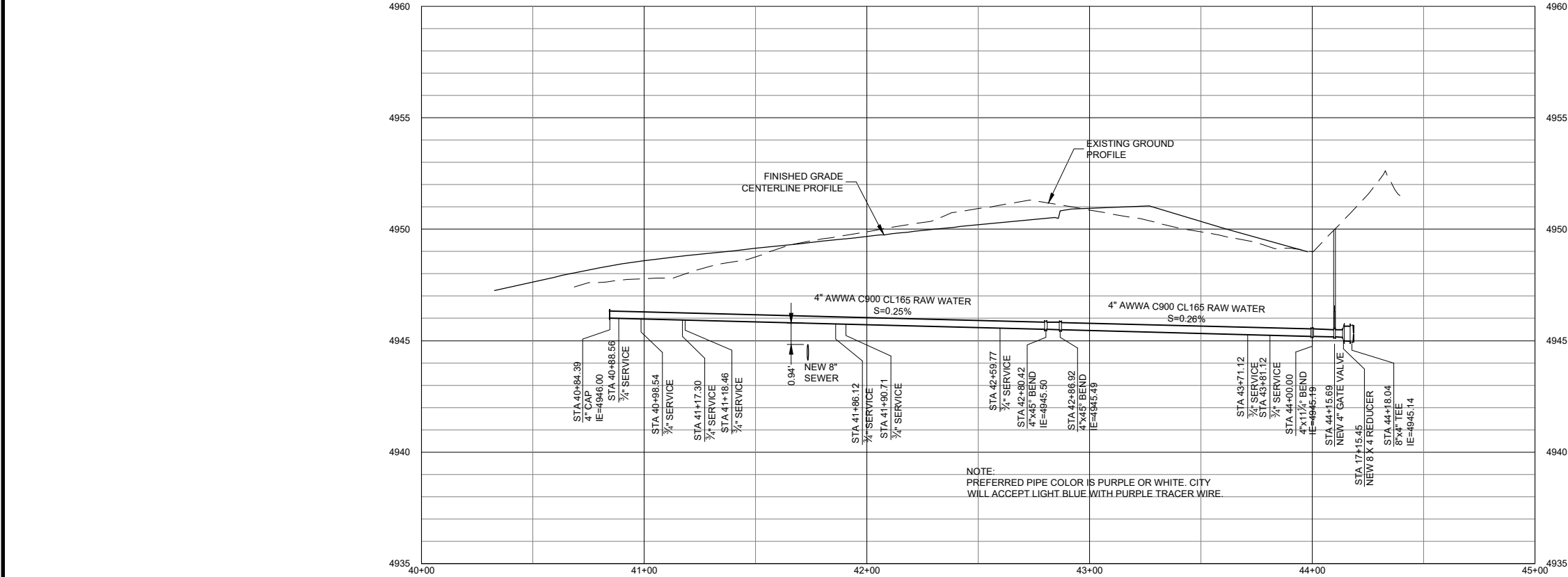
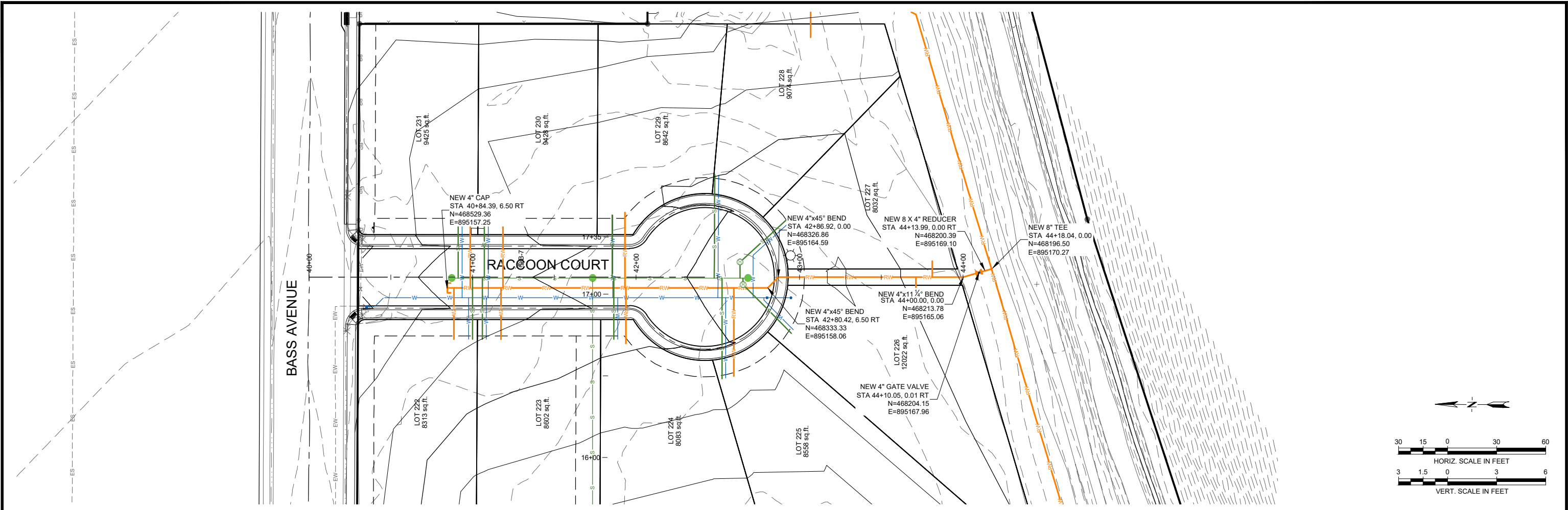
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COTTONWOOD VENTURES, LLC
SHADOW STREET RAW WATER PLAN AND PROFILE
STA 37+00 TO STA 42+00

WYOMING

PROJECT NUMBER 6343.001-040
SHEET NUMBER 23
DRAWING NUMBER RW-4



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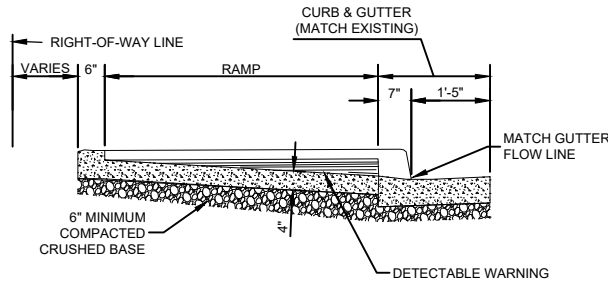
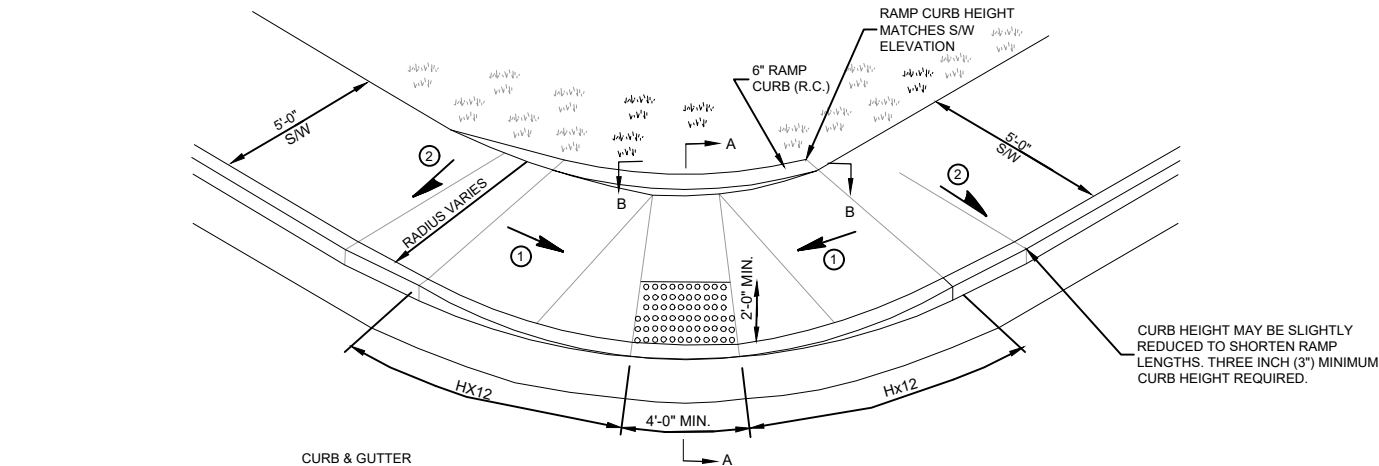
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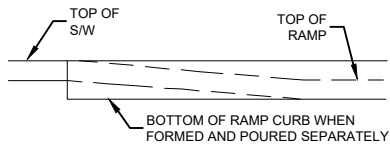


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CODY	SHADOW MOUNTAIN SUBDIVISION NO. 2 COTTONWOOD VENTURES, LLC	WYOMING	PROJECT NUMBER 6343.001-040
			SHEET NUMBER 24
RACCOON COURT RAW WATER PLAN AND PROFILE			DRAWING NUMBER RW-5

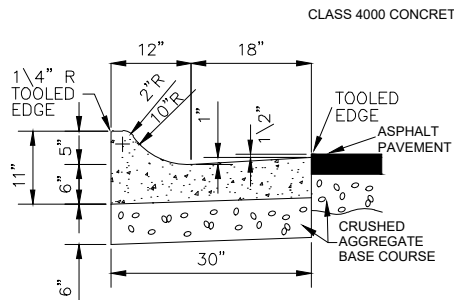


SECTION A-A



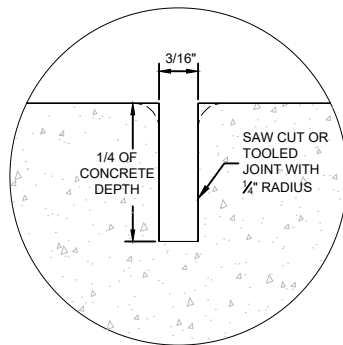
SECTION B-B

RAMP A



- NOTE: 1. SUBGRADE COMPACTION SHALL CONFORM TO 2015 WYOMING PUBLIC WORKS STANDARD SPECIFICATIONS SECTION 02231
2. 1/2" EXPANSION JOINT MATERIAL SHALL BE PLACED AT P.C., P.T., AND CURB TURNS. CONTRACTION JOINTS SHALL COMPLY WITH 2015 WYOMING PUBLIC WORKS STANDARD
3. CONTRACTION JOINTS SHALL BE CONSTRUCTED BY SAWING OR SCORING. WHEN SCORING, A TOOL SHALL BE USED WHICH WILL LEAVE CORNERS ROUNDED AND DESTROY AGGREGATE INTERLOCK FOR SPECIFIED MINIMUM DEPTH. SEE SPECIFICATIONS SECTION 02776.
4. NO CURB AND GUTTER SHALL BE PLACED WITHOUT A FINAL FORM INSPECTION BY THE ENGINEER.
5. WHERE EXISTING CURB DOES NOT MATCH THIS TYPICAL SECTION, A FOUR FOOT (4') TRANSITION FROM EXISTING CURB TO TYPICAL CURB SHALL BE USED.

TYPICAL ROLLED CURB, GUTTER, & SIDEWALK SECTION

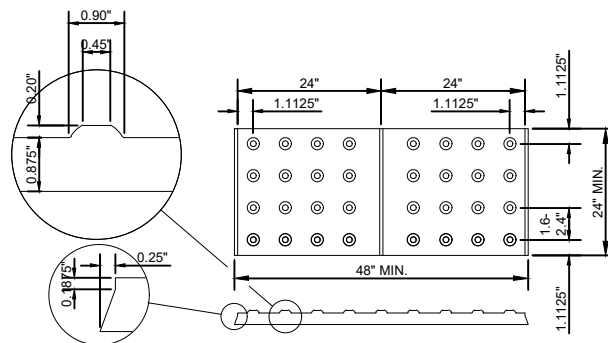


CONTROL JOINT DETAIL

RAMP GENERAL NOTES

- ① **RAMP SLOPE:**
DO NOT SLOPE RAMPS GREATER THAN 1V:12H.
- ② **CROSS SLOPE:**
SLOPE SIDEWALK AND/OR RAMP TOWARDS THE STREET AT 1V:48H.
- ③ **LANDING SLOPE:**
DO NOT EXCEED A SLOPE OF 1V:48H IN ANY DIRECTION. PROVIDE POSITIVE DRAINAGE TOWARD THE STREET. SLOPE LANDING IN EITHER DIRECTION, PARALLEL TO THE STREET.
- H = CURB HEIGHT

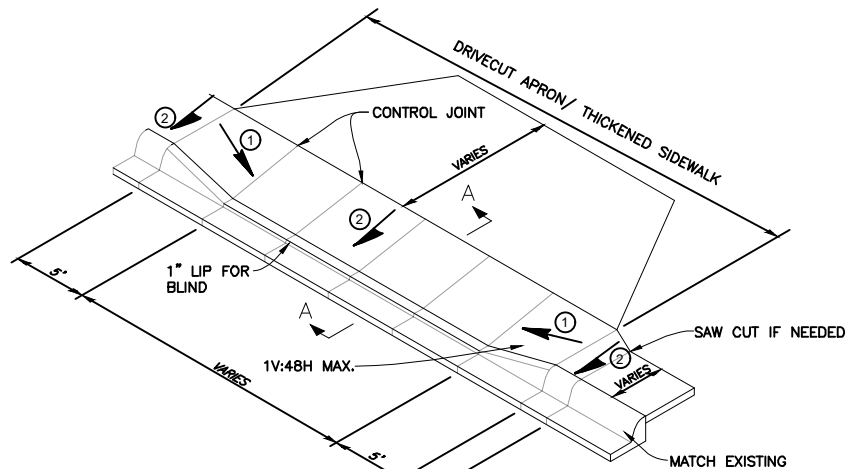
1. MODIFY WIDTHS AS NEEDED IN FIELD TO PROVIDE PROPER SLOPES.
2. CLASS "A" CONCRETE (4000 PSI) CONSTRUCTION REQUIRED
3. DETECTABLE WARNING IS TO COMPLY WITH JURISDICTIONAL AGENCY'S REQUIREMENTS (OWNER PROVIDED).
4. MINIMUM 6" CRUSHED AGGREGATE BASE COURSE COMPACTED TO 95% MAXIMUM AT OPTIMUM MOISTURE UNDER ALL ALL CONCRETE OR CEMENT TREATED SAND SLURRY WHERE APPROVED.
5. WHEN TRANSITIONS ARE FROM COMPLIANT (ROLLED CURB) TO NON-COMPLIANT (VERTICAL CURB) EXISTING CONCRETE, TRANSITIONS SHALL BE MADE IN 4 FOOT SECTIONS.
6. CONTRACTOR TO VERIFY FLOW DIRECTION OF GUTTER AND ENSURE DRAINAGE ACROSS NEW CONSTRUCTION. IF DRAINAGE OR PONDING ISSUE ARE FOUND, CONTRACTOR TO NOTIFY ENGINEER IMMEDIATELY.
7. TOOLED JOINTS REQUIRED AT ALL RAMP SLOPE BREAKS IN SIDEWALK AND CURB AND GUTTER.
8. ROUGH BROOM FINISH ALL CONCRETE



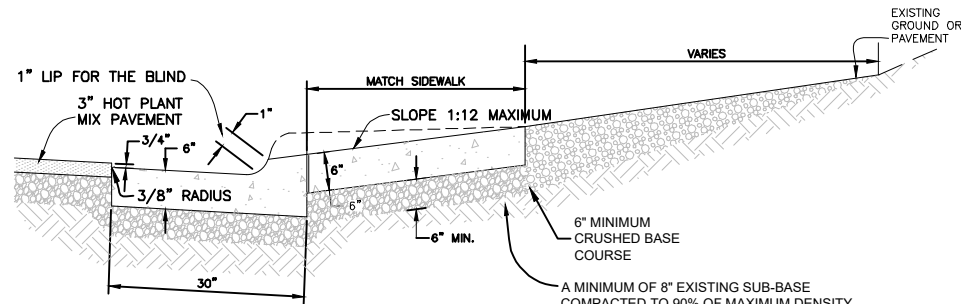
GENERAL NOTES

1. PLACE TRUNCATED DOME DETECTABLE WARNING PANELS AT THE BASE OF CURB RAMP. INSTALL ACROSS FULL WIDTH OF RAMP A MINIMUM 24" IN DEPTH AND SET BACK 8" FROM BOTTOM OF CURB.
2. SIDEWALK CURB RAMP SLOPES SHOWN ARE RELATIVE TO THE TRUE LEVEL HORIZON (ZERO BUBBLE).
3. IN ALTERATIONS CURB RAMP SLOPE(S) MAY BE 10% FOR A MAXIMUM RISE OF 6" OR 12.5% FOR MAXIMUM RISE OF 3". CURB RAMPS, IN ALTERATIONS, NEED NOT EXCEED 6'-0" IN LENGTH.
4. FOR THE PURPOSES OF THIS DRAWING, A CURB RAMP IS CONSIDERED "PERPENDICULAR" IF THE ANGLE BETWEEN THE LONGITUDINAL AXIS OF THE RAMP AND A TANGENT TO THE CURB AT THE RAMP CENTER IS 75 DEGREES OR GREATER.
5. TOOLED JOINTS ARE REQUIRED AT ALL SIDEWALK RAMP SLOPE BREAKS.
6. SIDEWALK FLARE IN NOT NECESSARY WHERE THE RAMP IS PROTECTED FROM PEDESTRIAN CROSS-TRAVEL.
7. THICKEN CONCRETE UNDER DETECTABLE WARNING PANEL.
8. OWNER PROVIDED TRUNCATED DOMES ARE 24"X 24" PANELS. TWO PANELS ARE REQUIRED AT EACH RAMP

TRUNCATED DOME / DETECTABLE WARNING DETAIL



TYPICAL DRIVECUT DETAIL



SECTION A-A

100% CONSTRUCTION DRAWINGS MARCH 2021

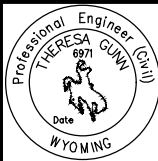
VERIFY SCALE!	REVISIONS			
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CODY	SHADOW MOUNTAIN SUBDIVISION NO. 2 COTTONWOOD VENTURES, LLC	WYOMING	PROJECT NUMBER 6343.001-040
			SHEET NUMBER 25
	STREET DETAILS 1		

CODY MATERIAL SPECIFICATIONS

1. ALL SUBBASES AND BASE COURSES SHALL BE COMPACTED TO 95% OF MAXIMUM DENSITY AT OPTIMUM MOISTURE AS DETERMINED IN ACCORDANCE WITH AASHTO 180.
2. CRUSHED BASE COURSE
- A. THE MATERIAL PRODUCED SHALL BE UNIFORMLY GRADED COARSE TO FINE AND SHALL NOT VARY FROM THE HIGH LIMIT ON ONE SIEVE TO THE LOW LIMIT ON AN ADJACENT SIEVE OR VICE VERSA.
- B. THE PERCENTAGE PASSING THE NO. 200 SIEVE SHALL NOT EXCEED ONE HALF OF THE PERCENTAGE PASSING THE NO. 40 SIEVE.
- C. THE MATERIAL PASSING THE NO. 40 SIEVE SHALL HAVE A LIQUID LIMIT NOT GREATER THAN 25 AND A PLASTICITY INDEX NOT GREATER THAN 6, EXCEPT WHEN THE PLASTICITY INDEX IS 0 (ZERO), THE LIQUID LIMIT SHALL NOT EXCEED 30.
- D. ALL CRUSHED BASE COURSE MATERIAL SHALL MEET THE FOLLOWING GRADATION WHEN TESTED IN ACCORDANCE WITH AASHTO T-27 & T-11:
- | SIEVE | % PASSING |
|---------|-----------|
| 1" | 100 |
| 3/4" | 90-100 |
| 1/2" | 60-85 |
| No. 4 | 45-65 |
| No. 8 | 33-53 |
| No. 200 | 3-12 |
3. AGGREGATE FOR HOT PLANT PAVEMENT MIX : IN ACCORDANCE WITH WYOMING TRANSPORTATION DEPARTMENT STANDARD SPECIFICATIONS-LATEST EDITION.
- A. FOR COMPACTED THICKNESSES 3" OR LESS, USE WYDOT 1/2-INCH MAXIMUM AGGREGATE.
- B. FOR COMPACTED THICKNESSES GREATER THAN 3", USE WYDOT 3/4-INCH MAXIMUM AGGREGATE FOR FIRST LIFT. SECOND LIFT SHALL BE A MINIMUM COMPACTED THICKNESS OF 1-1/2 INCHES, 1/2-INCH MAXIMUM AGGREGATE.
- C. MINERAL FILLER: FINELY GROUND PARTICLES OF LIMESTONE, HYDRATED LIME OR OTHER MINERAL DUST, FREE OF FOREIGN MATTER.
4. PRIMER: A CUT-BACK LIQUID ASPHALT OF THE MEDIUM CURING TYPE, GRADE ,C-70, AND SHALL COMPLY WITH THE REQUIREMENTS OF ASTM D2027. BITUMINOUS HOT MIX PAVEMENT SHALL BE APPROVED BY THE CITY ENGINEER BEFORE ANY WORK MAY BEGIN.
5. TACK COAT: A CATIONIC SLOW SET EMULSIFIED ASPHALT MIXED WITH A N EQUAL AMOUNT OF WATER, GRADE CSS-1H, AND SHALL COMPLY WITH THE REQUIREMENTS OF ASTM D244. OTHER GRADES OF EMULSIFIED ASPHALT WILL BE CONSIDERED TESTING OR EXPERIENCE THAT ANOTHER GRADE IS MORE SUITABLE.
6. MIX DESIGN: A COMPLETE MIX DESIGN MEETING THE REQUIREMENTS OF AI MS-2 COMPLETED WITHIN THE LAST 24 MONTHS FOR THE SPECIFIC MATERIALS TO BE USED SHALL BE SUBMITTED FOR APPROVAL PRIOR TO BEGINNING WORK.
- AI MS-2 ESTABLISHES THE FOLLOWING REQUIREMENTS FOR THE ASPHALT CEMENT CONCRETE FOR A MEDIUM TRAFFIC VOLUME:
- | | |
|--|---------|
| STABILITY (LB, MINIMUM) | 1200 |
| FLOW, (0.01 IN.) | 8 TO 16 |
| PERCENT AIR VOIDS (%) | 3 TO 5 |
| VOIDS IN MINERAL AGGREGATE (% , MINIMUM) | 15 |
7. CONCRETE SPECIFICATIONS
- A. CEMENT SHALL BE PORTLAND CEMENT, TYPE II CONFORMING TO THE REQUIREMENTS OF ASTM C-150 (IF SPECIAL CONDITIONS WARRANT IT, THE USE OF A DIFFERENT TYPE OF CEMENT MAY BE APPROVED BY THE CITY ENGINEER).
- B. AGGREGATE GENERAL - GRAVEL, CRUSHED SLAG, CRUSHED STONE, OR OTHER INERT MATERIALS, COMPOSED OF HARD, STRONG, DURABLE PARTICLES FREE OF INJURIOUS COATINGS.
- C. FINE AGGREGATE
- 1) THE MAXIMUM PERCENTAGE OF DELETERIOUS SUBSTANCES SHALL NOT EXCEED THE FOLLOWING PERCENTAGES
- | | |
|------------------------------|------|
| BY WEIGHT: | |
| COAL AND LIGNITE | 0.3% |
| CLAY LUMPS | 0.5% |
| OTHER DELETERIOUS SUBSTANCES | 2.0% |
- 2) WHEN TESTED IN ACCORDANCE WITH THE LOS ANGELES RATTLER METHOD, THE COARSE AGGREGATE SHALL NOT SHOW A WEAR IN EXCESS OF 40%.
- 3) THE FINE AGGREGATE SHALL BE FREE FROM INJURIOUS AMOUNTS OF ORGANIC IMPURITIES.
- D. COARSE AGGREGATE
- 1) THE MAXIMUM PERCENTAGES OF DELETERIOUS SUBSTANCES SHALL NOT EXCEED THE FOLLOWING PERCENTAGES
- | | |
|------------------------------|------|
| BY WEIGHT: | |
| SOFT FRAGMENTS: | 1% |
| COAL AND LIGNITE | 0.3% |
| CLAY LUMPS | 0.3% |
| OTHER DELETERIOUS SUBSTANCES | 2.0% |
- 2) THE COARSE AGGREGATE SHALL BE GRADED COARSE TO FINE MEETING THE FOLLOWING GRADATION:
- | SIEVE | % PASSING |
|---------|-----------|
| 1 1/2" | 100 |
| 1" | 95-100 |
| 1/2" | 25-60 |
| No. 4 | 0-10 |
| No. 8 | 0-5 |
| No. 200 | 0-2 |
- 3) THE AGGREGATE SHALL BE GRADED COARSE TO FINE MEETING THE FOLLOWING GRADATION:
- | SIEVE | % PASSING |
|---------|-----------|
| 3/8" | 100 |
| No. 4 | 95-100 |
| No. 16 | 45-80 |
| No. 50 | 10-30 |
| No. 100 | 2-10 |
| No. 200 | 0-4 |
- E. ADMIXTURES AND AIR-ENTRAINING AGENTS SHALL BE APPROVED BY THE ENGINEER AS RECOMMENDED WITHIN THE REQUIRED MIX DESIGN AS PREPARED BY A QUALIFIED TESTING LABORATORY.
- F. ALL CONCRETE PLACED SHALL HAVE A SLUMP OF BETWEEN 1" AND 4" WHEN TESTED IN ACCORDANCE WITH AASHTO T-119.
- G. ALL CONCRETE PLACED SHALL MEET THE FOLLOWING MINIMUM STRENGTH REQUIREMENTS WHEN TESTED IN ACCORDANCE WITH ALL APPLICABLE ASTM STANDARDS:
- | | | |
|-------------------------|---------|-------------|
| LABORATORY MIXED SAMPLE | 7 DAYS | 2680 P.S.I. |
| | 28 DAYS | 4000 P.S.I. |
8. GENERAL - ALL WORK ASSOCIATED WITH THE DETAILS SHOWN ON THIS PAGE SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THE WYOMING PUBLIC WORKS STANDARD SPECIFICATIONS, UNLESS OTHER SPECIFICATIONS ARE PROVIDED IN THE PROJECT MANUAL.

NOTE: ALL DETAILS NOT TO SCALE

100% CONSTRUCTION DRAWINGS
MARCH 2021

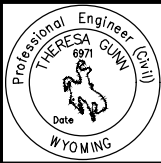
VERIFY SCALE!	REVISIONS			
	NO.	DESCRIPTION	BY	DATE
THESE PRINTS MAY BE REDUCED. LINE BELOW MEASURES ONE INCH ON ORIGINAL DRAWING.				
MODIFY SCALE ACCORDINGLY!				

J:\6343 HIGBIE FAMILY TRUST\001 SHADOW MTN SUBD NO 2\ACAD\SHEETS\STREET-DETAILS.DWG PLOTTED BY:CODY FARLEY ON Mar/19/2021



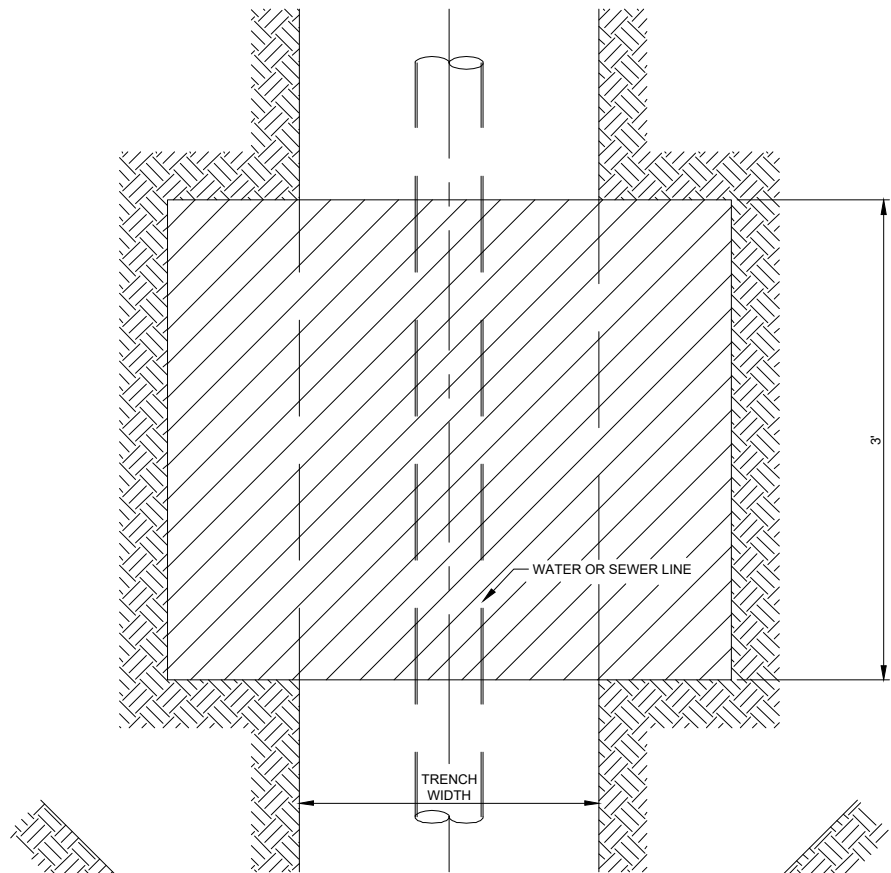
1402 Stampede Avenue
Cody, WY 82414
307.587.6281
www.m-m.net

COPYRIGHT © MORRISON-MAIERLE, INC., 2021

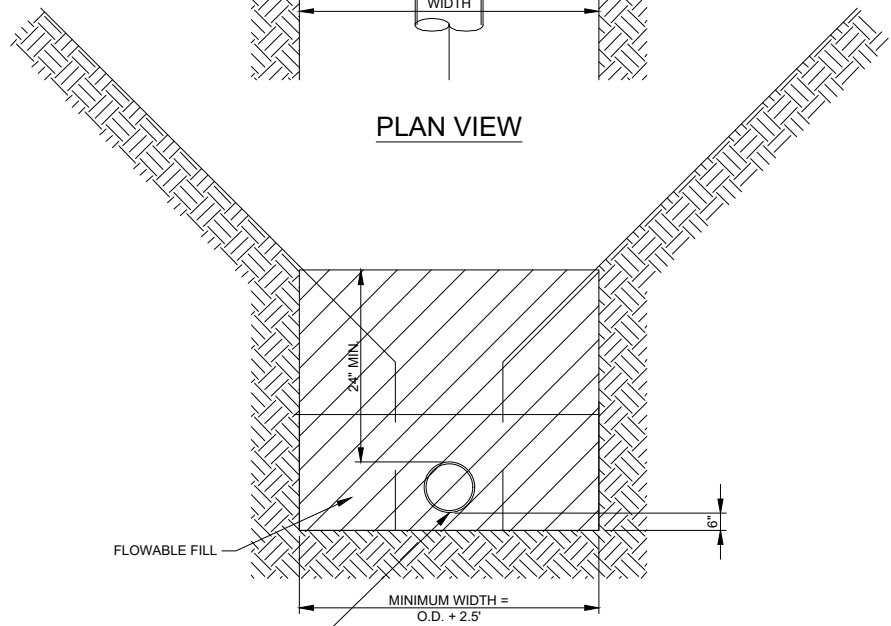


DRAWN BY: KDK
DSGN. BY: TAG
APPR. BY: TAG
DATE: 02/2021
Q.C. REVIEW
BY:
DATE:

CODY	SHADOW MOUNTAIN SUBDIVISION NO. 2 COTTONWOOD VENTURES, LLC	PROJECT NUMBER 6343.001-040
	WYOMING	SHEET NUMBER 26
STREET DETAILS 2		DRAWING NUMBER D-2



PLAN VIEW

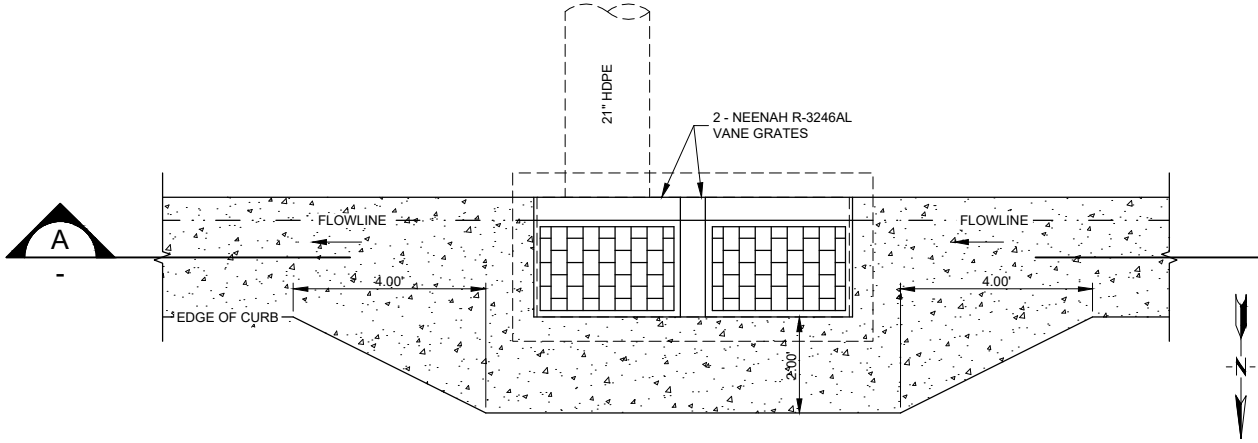


SECTION VIEW

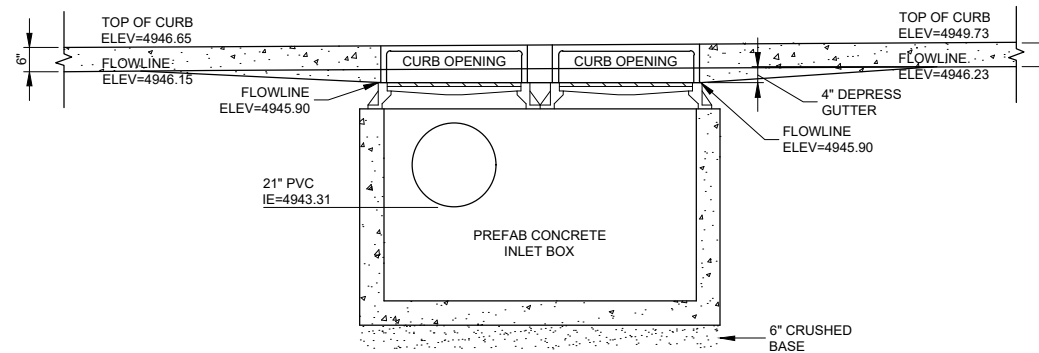
- NOTES:
- CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINATION OF SOIL CONDITION AND CORRESPONDING REQUIRED SIDE SLOPES PER OSHA REGULATIONS.
 - TRENCHES TO BE PER OSHA SPECIFICATIONS.
 - MODIFY THE LOCATIONS OF TRENCH PLUGS IN THE FIELD AS DIRECTED BY THE CITY AND ENGINEER.

- LEGEND
- * MINIMUM DISTANCE INTO UNDISTURBED SOIL.
 - [Hatched pattern] = COMPACTED BENTONITE
 - [Line pattern] = TRENCH EXCAVATION OUTSIDE COLLAR
 - [Cross-hatched pattern] = UNDISTURBED SOIL

1 TRENCH PLUG DETAIL
D-3 NOT TO SCALE



PLAN VIEW



- NOTES:
- PRECAST 2.5'x6.5'x4" INLET BOX HIGH AVAILABLE FROM CRETEX (FORTERRA) IN CASPER, WYOMING.

SECTION A-A

2 DOUBLE CURB INLET DETAIL
D-3 SCALE: 1" = 2'



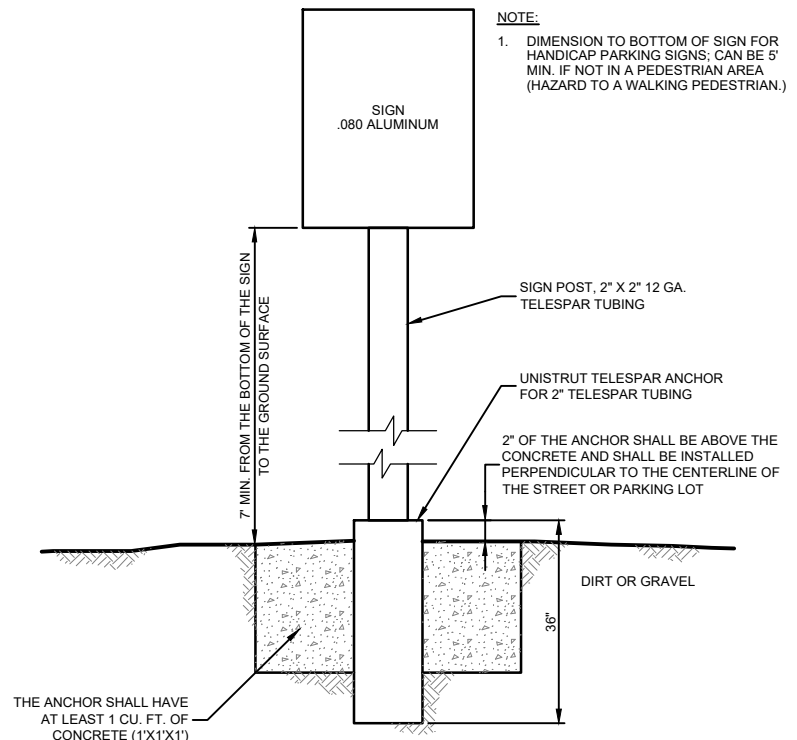
STREET NAME SIGN
D3-1
3" TALL x AS NEEDED
SHADOW STREET
WEST AVENUE
BEAVER COURT
29TH STREET
BASS AVENUE



STOP SIGN
R1-1
30"x30"



YIELD SIGN
R1-2
30"x30"x30"



- NOTE:
- DIMENSION TO BOTTOM OF SIGN FOR HANDICAP PARKING SIGNS; CAN BE 5' MIN. IF NOT IN A PEDESTRIAN AREA (HAZARD TO A WALKING PEDESTRIAN.)

3 SIGN INSTALLATION
D-3 NOT TO SCALE

100% CONSTRUCTION DRAWINGS
MARCH 2021

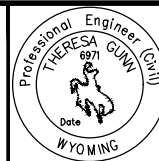
REVISIONS			
NO.	DESCRIPTION	BY	DATE

VERIFY SCALE!
THESE PRINTS MAY BE REDUCED.
LINE BELOW MEASURES ONE INCH
ON ORIGINAL DRAWING.
MODIFY SCALE ACCORDINGLY!

**Morrison
Maierle**
engineers • surveyors • planners • scientists

1402 Stampede Avenue
Cody, WY 82414
307.587.6281
www.m-m.net

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DRAWN BY: KDK
DSGN. BY: TAG
APPR. BY: TAG
DATE: 02/2021
Q.C. REVIEW
BY:
DATE:

CODY	SHADOW MOUNTAIN SUBDIVISION NO. 2 COTTONWOOD VENTURES, LLC	WYOMING
	MISCELLANEOUS DETAILS	

PROJECT NUMBER
6343.001-040
SHEET NUMBER
27
DRAWING NUMBER
D-3

CITY OF CODY WATER AND SEWER DETAILS	SHADOW MOUNTAIN SUBDIVISION NO. 2 COTTONWOOD VENTURES, LLC	PROJECT NUMBER 6343.001-040
	WYOMING	SHEET NUMBER 28
		DRAWING NUMBER D-4



Stephanie Fry
Supervisor Gas Operations
Steph.fry@blackhillscorp.com

2320 Mountain View Dr
Cody, WY 82414
P: 307-272-9567

March 8, 2021

Dear Teresa Gunn

This letter is in response to your inquiry about gas service, to the proposed Shadow Mountain Subdivision No. 2, located in Cody, WY. Black Hills Energy can supply gas to the new proposed, 32 lot subdivision. We have 3, 2" mains, to the North of the proposed lots, that service the existing lots. We would like to design, the gas main to tie into all three of these lines, to "loop" our system. Black Hills Energy's planners will work with you to design, the final location of the gas main.

When you are ready to have a gas service installed, to the new subdivision, you will need to call our Call Center at 1-888-890-5554. to request a new service. This will initiate the process and Black Hills Energy, will reach out to you, to set up an appointment for a site visit.

If you have any questions, please feel free to give me a call.

Sincerely,

Steph Fry
Black Hills Energy



SHADOW MOUNTAIN SUBDIVISION NO. 2

After surveying the area for Spectrum services. Spectrum is in the area to service this proposed development, there for Spectrum will be able to provide any type of CATV to any of the customers in this new area once this is built.

Thank You

Jeremy Lind
Construction Coordinator

**Basin Office**

PO Box 310 - 405 S 4th St
Basin, WY 82410
307.568.3357

Billings Office

454 Moore Ln., Ste 4
Billings, MT 59101
406.248.4204

Cody Office (Corporate)

1601 S. Park Dr.
Cody, WY 82414
307.586.3800

Lovell Office

451 Shoshone Ave
Lovell, WY 82431
307.548.2275

Powell Office

401 S Bent St, #4
Powell, WY 82435
307.754.9160

Your Superior Hometown Service Provider • 1.800.354.2911 • www.tct.net

March 3, 2021

To whom it may concern,

This is in response to Shadow Mountain Subdivision #2 in Cody WY. TCT can serve this subdivision with fiber optics. We can offer TV, internet and phone services.

Rick Ramsey

TCT West

Engineer Associate

307-586-8357

rick.ramsey@tctstaff.com



Department of Environmental Quality

To protect, conserve, and enhance the Quality of Wyoming's Environment for the benefit of current and future generations.



Mark Gordon, Governor

Todd Parfitt, Director

NOTIFICATION OF COVERAGE

January 26, 2021

Edwin Higbie
Cottonwood Ventures, LLC
213 North 44th Street
Cody, WY 82414

RE: Cody – Shadow Mountain Subdivision No. 2 Water and Sewer Project, **Permit No. 21-014, Park County**

Dear Mr. Higbie:

The Department of Environmental Quality (DEQ) has reviewed and approved the above application for coverage under the Public Water Supply Distribution General Permit and the Sewage Collection Systems General Permit in accordance with Chapter 3, Section 7 of the Wyoming Water Quality Rules and Regulations (WQRR) and hereby issues this Notice of Coverage (NOC). The facility is located at Sections 33 & 34, T53N, R101W (**44.527 Lat / -109.039 Long**)

This NOC covers installing both 8-inch water lines and 8-inch sewer lines along West Avenue, Shadow Street and Beaver Court to serve a proposed 32-lot residential subdivision.

DEQ authorizes you to construct, install, or modify the facility in accordance with **Chapter WQRR Chapter 11 and Chapter 12**, the general permit, and the materials submitted in your application package. Please note Part V, Standard Permit Conditions, of the general permit, particularly the Right to Access and Reporting Requirements sections. A copy of the general permit is available on the DEQ webpage: <http://deq.wyoming.gov/wqd/permitting-2/resources/general-permits-2/>.

DEQ requires that all construction, installation, or modifications allowed by this NOC shall be completed by January 31, 2026. If you have any questions, please contact James Brough at 307-335-6961 or james.brough@wyo.gov.

Sincerely,

James Brough, P.E.
Northwest District Engineer
WDEQ/WQD

cc: IPS, Cheyenne (pdf)
Theresa Gunn, Morrison Maierle, 1402 Stampede Ave., Cody, WY 82414
Phillip Bowman, City of Cody, P.O. Box 2200, Cody, WY 82414





CITY OF CODY
WYOMING

Matt Hall
MAYOR

Justin Bailly
Diane Ballard
Jerry Fritz
Landon Greer
Glenn A. Nielson
Heidi Rasmussen
COUNCIL MEMBERS

C. Edward Webster II
MUNICIPAL JUDGE

Barry A. Cook
CITY ADMINISTRATOR

1338 Rumsey Avenue
P.O. Box 2200
Cody, Wyoming 82414

(307) 527-7511
FAX (307) 527-6532

December 18, 2020

James S. Brough, P.E.
Northwest District Engineer
Water Quality Division - WDEQ
510 Meadowview Drive
Lander, WY 82520

Subject: Shadow Mountain Subdivision Utility Extensions

Dear Mr. Brough:

The City of Cody has reviewed the preliminary plans and design reports prepared for the Shadow Mountain Subdivision treated water line and sanitary sewer line extensions. The project will be developing up to 32 single-family lots within the incorporated limits of the City of Cody, Wyoming.

The City of Cody has reviewed the proposed treated water main and sanitary sewer main preliminary design plans for the project and has generally found these plans to be acceptable. It has been agreed by the City, the developer, and the design engineer that street Right-of-Way or exclusive City utility easements will be dedicated to the City of Cody for the long-term access and maintenance of these facilities. The construction of utility improvements may be completed phases, and will be subject to an approved Phasing Plan to be included with the final construction plans.

Based on the review of the design information provided by Morrison-Maierle, Inc., the City's treated water distribution system, wastewater collection system, and wastewater treatment system all have sufficient capacity to serve the proposed development and subdivision. With your review and approval of the "Permit to Construct" for the proposed utility extensions, I will continue to work with the developer and their engineer to finalize and approve all utility construction plans submitted with the Final Plat application package. Prior to the start of construction, the developer and their engineer must (1) provide plat documents(s) showing the Right-of-Way and exclusive treated water and sanitary sewer easements (dedicated for the sole use of the City of Cody) for the proposed utility extensions, (2) acquire a City of Cody Encroachment Permit for construction activities within existing City Right-of-way and/or easements, and (3) hold a pre-construction meeting with the contractor, engineer, and appropriate City Staff before any work is started.

Please let me know if you have any questions or concerns about this project, or the City's review of the utility extension plans. I appreciate your ongoing assistance with projects in the City of Cody, thanks in advance.

Sincerely,

Phillip M. Bowman, P.E., CFM
Public Works Director


CC: Theresa Gunn, P.E., Morrison-Maierle, Inc. (developer's engineer)
James Keenan, Water & Wastewater Superintendent
Subdivision Application File – Community Development

Theresa Gunn

From: Theresa Gunn
Sent: Monday, January 25, 2021 10:13 AM
To: charles.plymale@wyo.gov
Cc: Ed Higbie (edhigbie@tctwest.net)
Subject: Shadow Mountain Subdivision No. 2 - Cody, WY
Attachments: 0151_001.pdf

Hi Charles – just checking to see if you have heard anything from Marathon since we met last May.

Thank you.....

 **Theresa Gunn, PE**
Senior Civil Engineer, Morrison-Maierle
☎ 307.527.1110 direct | 307.899.3826 mobile

From: codyscans@m-m.net <codyscans@m-m.net>
Sent: Monday, January 25, 2021 10:08 AM
To: Theresa Gunn <tgunn@m-m.net>
Subject: Scan from Cody Canon

Theresa Gunn

From: Theresa Gunn
Sent: Monday, August 3, 2020 12:47 PM
To: charles.plymale@wyo.gov
Cc: Ed Higbie (edhigbie@tctwest.net); Todd Stowell (todds@cityofcody.com); Phillip Bowman
Subject: Plat Map to Send to Marathon
Attachments: 6343001 BOUNDARY PLAT SHT 8_3_20.pdf; Marathon Pipeline Assignment.pdf; Illinois Pipeline Assisgnments down to Husky.pdf

Hello Charles –

Sorry for the delay in sending this to you. Last Monday, when I arrived at work, our new drafter resigned and went back to Canada since his wife could not move here for over 18 months due to COVID delays, etc. So I am sorry I have been looking for someone to make some final edits to the map. Anyway, it is attached now finally for your records.

Also attached are our retracements of the previous oil companies owning the line from Illinois Pipeline to Husky, and the Marathon pipeline assignment.

Please keep us in the loop with what you find out from Marathon, if anything.

Thank you..



1927 The Illinois Pipe Line Company Ek. 67, Pg. 561



1942 The Ohio Oil Company Ek. 111, Pg. 616



1959 Marathon Pipe Line Company Ek. 244, Pg. 56



1960 Nielson Enterprises Ek. 254, Pg. 109



1967 Husky Oil Company Ek. 321, Pg. ³⁵⁹360



1982 Husky Pipeline Company Ek. 73, Pg. 665

Abandons / Releases Encumbrance

- conflict with deed of Marathon Petroleum Company to
Rock Butte Pipe Line Company
Doc. # 2600-4972. April 5, 2000

ASSIGNMENT OF RIGHTS-OF-WAY AND EASEMENTS

Marathon Ashland Pipe Line LLC (successor in interest to Marathon Pipe Line Company), a Delaware limited liability company, whose address is 539 South Main Street, Findlay, Ohio 45840 ("Assignor"), for good and valuable consideration to it paid by Red Butte Pipe Line Company, a Delaware corporation, whose address is 5555 San Felipe, Houston, Texas 77056 ("Assignee"), the receipt of which is hereby acknowledged, does hereby grant, assign, transfer, and convey to Assignee all of its right, title, and interest in, to and under those certain easements, rights-of-way, permits and licenses, situate in PARK COUNTY, State of Wyoming, set forth on Exhibit A attached.

This Assignment will be governed by the terms and conditions of the Purchase and Sale Agreement between Assignor and Assignee dated April 5, 2000.

This Assignment shall be construed under and in accordance with the laws of the State of Wyoming.

IN WITNESS WHEREOF, the parties hereto have set their hands as of the 27 day of July, 2000.

ASSIGNOR:
Marathon Ashland Pipe Line LLC,
A Delaware limited liability company

By: [Signature]

Name: Daragh Porter

Its: President

ASSIGNEE:
Red Butte Pipe Line Company,
A Delaware corporation

By: [Signature]

Name: Randy B. Bath

Its: President



(121196.DOC)

FILE DATE: 08/28/2000 FILE TIME: 08:10
PARK COUNTY, WY. KAREN CARTER - COUNTY CLERK

PAGE #: 0001 OF 0025
DOC #: 2000 4972 **

Exhibit A

PARK County, State of WYOMING

File No.	Grantor	Land Description	Date	Instrument Recorded	
				Book	Page
11-459-067-000026-	EVERT, DAVID J AND OTHERS	SECTION 33, T53N-R101W LOT 11, SW4NE4	8/29/53	184	527
11-459-067-000028-	CALFEE, HATTIE	SECTION 33, T53N-R101W SE4NE4 (NOW TRACT 71)	6/23/27	67	561 *
11-459-067-000028-A	REYNOLDS, LEWIS S AND OTHERS	SECTION 33, T53N-R101W A 40' WIDE STRIP IN SE4SW4NE4 (TRACT 71)	5/22/58	228	2
11-459-067-000029-	MYERS, ARELLA I	SECTION 33, T53N-R101W NE4NE4 (NOW TRACT 71)	6/18/27	67	562
11-459-067-000031-	NOBLE, CHARLES F AND OTHERS	SECTION 28, T53N-R101W W2SE4 (NOW PART OF TRACT 40)	6/18/27	67	551
11-459-067-000032-	NOBLE, A J	SECTION 28, T53N-R101W SW4NE4 & SE4NW4 (NOW TRACT 65)	6/8/27	67	559
11-459-067-000032-A	NOBLE ESTATE, ARTHUR J	SECTION 28, T53N-R101W SW4NE4 & SE4NW4 (NOW PART OF TRACT 40)	6/6/33	87	610
11-459-067-000032-B	HOWE, OSCAR V AND OTHERS	SECTION 28, T53N-R101W E2NW4NE4SW4 & NE4NE4SW4 (NOW PART OF TRACT 40)	5/24/33	87	609
11-459-067-000032-C	CODY, CITY OF	SECTION 28, T53N-R101W W2W2NE4SW4 (NOW PART OF TRACT 40)	6/30/33	87	610
11-459-067-000032-D	CODY REALTY & FINANCE CO	SECTION 28, T53N-R101W NW4SW4 (NOW PART OF TRACT 40)	5/26/33	87	606

FILE DATE: 08/28/2000 FILE TIME: 08:10
PARK COUNTY, WY. KAREN CARTER - COUNTY CLERK

PAGE #: 0011 OF 0025
DOC #: 2000 4972

A PORTION OF TRACT A, 2015, 111 35.31 22.87 AC IN NOW VACATED PORTION OF "SHADOW MOUNTAIN SUBDIVISION" AS LOCATED IN "BOOK 0" OF PLAT, PAGE 151, ACCORDING TO THE RECORDS OF THE COUNTY CLERK AND RECORDS OF "DATA COUNTY" STATE OF MONTANA, MORE SPECIFICALLY BY VETTER AND BOWEN AS OF 1995.

A PORTION OF LAND IN TRACT 6, 11.8 AC, SECTIONS 218 AND 219, R. 01 N. 41° 04' 00" PARK COUNTY, MONTANA BEGINNING AT A POINT 30 FT. AND 85 FT. N. OF THE CORNER OF THE SW 1/4 OF SECTION 34, T. 15 S.

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[illegible][illegible]

LOT 30 LOT 46
SHADOW MOUNTAIN SUBDIVISION
16.245170
17.117267 ACRES
2.77

[illegible][illegible]

APPROXIMATE LOCATION

[illegible]

PROJECT LOCATION

VICINITY MAP

1" = 500'

FUTURE SHADOW MOUNTAIN
SUBDIVISION #3
(EXEMPT)

[illegible]

DRAFT

- 1) BEARINGS ARE BASED ON THE CITY OF CODY DATUM
- 2) AREA TO BE DEVELOPED IS ZONED R-9 WITHIN THE CITY OF CODY
- 3) THE TOTAL ACREAGE OF THE SHADOW MOUNTAIN SUBDIVISION #2 IS 14.48 ACRES (±195,148.8 SQUARE FEET)
- 4) THE TOTAL COMMON AREAS ARE 150,522 SQUARE FEET
- 5) NO BASEMENTS WILL BE ALLOWED
- 6) LOT 43 IS DEDICATED TO THE CITY OF CODY

[illegible]
$$1'' = 60'$$

SCALE IN FEET

 Morrison Maierle		10000 N. 10th Ave. Suite 100 Cary, NC 27513 Phone: 919.567.8800 Fax: 919.567.8801	
FIELD WORK	JJM	DATE	07/20/20
DRAWN BY	ECR	SCALE	1"=60'
CHECKED BY	TAG	PROJ #	6343.001

FINAL PLAT
SHADOW MOUNTAIN SUBDIVISION NO. 2
WITHIN
SHADOW MOUNTAIN SUBDIVISION
CITY OF CODY
PARK COUNTY, WYOMING

Theresa Gunn

From: Jackson, Kathleen M - Cody, WY <Kathleen.M.Jackson2@usps.gov>
Sent: Tuesday, August 25, 2020 10:09 PM
To: Theresa Gunn
Cc: Polacek, Michael W - Cody, WY; Ed Higbie (edhigbie@tctwest.net)
Subject: RE: mailbox equipment for new subdivision - Shadow Mountain

This message originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Hi Theresa

Thanks for touching base on this and forgive me for not responding sooner and thanks for confirming the location for the mail equipment. Have we responded to your question regarding the 10' utility easement...? I just want to make sure you aren't waiting on information from us.

Thanks

Kathy Jackson
Postmaster, Cody WY
O: 307.527.7161
C: 307.250.6100

From: Theresa Gunn [mailto:tgunn@m-m.net]
Sent: Thursday, August 13, 2020 2:18 PM
To: Jackson, Kathleen M - Cody, WY <Kathleen.M.Jackson2@usps.gov>
Cc: Polacek, Michael W - Cody, WY <Michael.W.Polacek@usps.gov>; Ed Higbie (edhigbie@tctwest.net) <edhigbie@tctwest.net>
Subject: [EXTERNAL] RE: mailbox equipment for new subdivision - Shadow Mountain

CAUTION: This email originated from outside USPS. **STOP and CONSIDER** before responding, clicking on links, or opening attachments.

Hi Kathy & Mike –

This will confirm my discussion with Mike that a 3' x 7' long pad will work for the 3 boxes....I am thinking that if we place the boxes just east of Bass & Shadow that will work for all the owners....I also included just an overall map for your reference.

I understand Kathy is on vacation until next week.

My other question is whether or not the whole pad needs to be within the right of way. We will need to widen it out then a little bit in that location (may 2') to accommodate that. We do have a 10' wide utility easement in that location behind there so they can fit around the box in the back.

Thank you for your help!



Theresa Gunn, PE
Senior Civil Engineer, Morrison-Maierle
307.527.1110 direct | 307.899.3826 mobile

From: Jackson, Kathleen M - Cody, WY <Kathleen.M.Jackson2@usps.gov>
Sent: Tuesday, August 4, 2020 12:44 PM
To: Theresa Gunn <tgunn@m-m.net>
Cc: Polacek, Michael W - Cody, WY <Michael.W.Polacek@usps.gov>
Subject: mailbox equipment for new subdivision

This message originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Hi Theresa

It was nice to meet you yesterday; as discussed I recommend two 16-unit CBU's for the new 30-lot development going in south of Bass Ave. I also recommend one additional Parcel Locker (one unit has 2 lockers) to accommodate delivery of larger items. Below are a few vendors you can use to shop from:

www.florencemailboxes.com

www.globalindustries.com

www.mailboxes.com

I'm not endorsing any of these companies, just sharing options for you. Mike Polacek is a great resource to assist with pad dimensions and installation, should your team need help in that space.

Let me know if you have any other questions. Take care.

Kathy Jackson
Postmaster, Cody WY
O: 307.527.7161
C: 307.250.6100

Theresa Gunn

From: Ed Higbie <edhigbie@tctwest.net>
Sent: Thursday, August 13, 2020 3:16 PM
To: Theresa Gunn
Subject: Re: mailbox equipment for new subdivision - Shadow Mountain

This message originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

I think that would work

Sent from my iPhone

On Aug 13, 2020, at 2:18 PM, Theresa Gunn <tgunn@m-m.net> wrote:

Hi Kathy & Mike –

This will confirm my discussion with Mike that a 3' x 7' long pad will work for the 3 boxes....I am thinking that if we place the boxes just east of Bass & Shadow that will work for all the owners....I also included just an overall map for your reference.

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Thank you for your help!

Theresa Gunn, PE
Senior Civil Engineer, Morrison-Maierle

<image001.png> <image002.png>
307.527.1110 direct | 307.899.3826 mobile

From: Jackson, Kathleen M - Cody, WY <Kathleen.M.Jackson2@usps.gov>
Sent: Tuesday, August 4, 2020 12:44 PM
To: Theresa Gunn <tgunn@m-m.net>
Cc: Polacek, Michael W - Cody, WY <Michael.W.Polacek@usps.gov>
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I'm not endorsing any of these companies, just sharing options for you. Mike Polacek is a great resource to assist with pad dimensions and installation, should your team need help in that space.

Let me know if you have any other questions. Take care.

Kathy Jackson
Postmaster, Cody WY
O: 307.527.7161
C: 307.250.6100

<MAILBOX LOCATION.pdf>
<6343001 Prelim Plat.pdf>

CITY OF CODY PLANNING, ZONING AND ADJUSTMENT BOARD STAFF REPORT			
MEETING DATE:	FEBRUARY 23, 2021	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	CONTINUATION FROM AUGUST 11, 2020: CODY CATTLE COMPANY AND CODY FIREARMS EXPERIENCE OFF-PREMISE SIGNS, DOWNTOWN SIGN DISTRICT AND ARCHITECTURAL DISTRICT REVIEW. SGN 2020-15 & 16	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL	DISCUSSION ONLY:	

PROCESS BACKGROUND:

The Planning and Zoning Board originally considered the two applications for the Cody Cattle Company and the Cody Firearms Experience signs at their August 11, 2020 meeting. In the end, they were tabled to the January 26th meeting, and subsequently to the February 23rd meeting (without discussion).

SYNOPSIS OF ISSUE AND CURRENT STAFF RECOMMENDATION:

The main issue is that one portion of the City sign code allows the proposed signs, while another portion prohibits them. The portion that could be interpreted to allow the signs is in section 10-15-3(B)(3)(a) of the Cody sign code: *"Any wall, projecting or freestanding sign allowed under this chapter may be used to advertise off-premise businesses or products as a substitute for a sign on the same site where the business is located...Off premise signs must conform to the regulations that apply to the premises where the sign is located."* The portion of the sign code that could be interpreted to prohibit the signs is the definition and standards for billboards. Billboards are not permitted in the D-2 zone in which the property is located, and the signs meet the City definition of billboards, which is: *"A board or panel used for the display of posters, printed or painted advertising matter, either illuminated or nonilluminated, which directs attention to goods, merchandise, entertainment or services offered elsewhere than the premises where the sign is located."*

Planning staff has reviewed the language with the City attorney from the perspective of which interpretation would be less difficult to defend in court, and we have concluded that like in baseball, a tie goes to the runner. In other words, it would be easier to defend giving deference or lenience to the property owner and allowing the signs.

Staff proposes that the two signs be permitted as wall signs, and not as billboards. This will allow the two signs that are installed, but require that any future replacement of the current vinyl wraps to occur in accordance with whatever sign regulations exist at that future time.

Below is the original staff report from August 11, 2020

PROJECT DESCRIPTION:

We have received sign applications to permit an off-premise wall sign for the Cody Cattle Company and an off-premise wall sign for Cody Firearms Experience on the west wall of the building at 1202 Sheridan Avenue. Each sign is constructed of a vinyl wrap and measures 8 feet wide and 9 feet tall (72 sq. ft. each). The two signs replace the single "Monster Lake" sign that formerly occupied the space. The signs are presently in violation of the sign ordinance, as they were installed without first obtaining permits [see 10-15-5(A)(1)]. A single staff report is provided for both signs, as the information is applicable to both. However, Board action on each sign will need to be taken individually.



The property is within the downtown architectural district and downtown sign district.

The current review needs to be independent of what specific businesses are advertised, other than acknowledging that the signs are off-premise advertising. Independent of the "off-premise" definition in the sign code, which refers to the content of the sign, the signs are off-premise in that they are owned by parties that do not own or occupy the property on which the signs are located.

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, 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."*

In addition, the signs must otherwise meet applicable requirements of the sign ordinance. Some interpretation is needed as to applicable standards. Attached to this report is the report and minutes from when the former "Monster Lake" sign was

authorized. That review took two meetings and ended with a 4-2 split vote to authorize the sign, subject to any future changes to the sign to be brought back to the Board for review.

STAFF COMMENTS:

The applications were submitted as "wall signs". In the downtown sign district, wall signs are allowed at a ratio of 1.5 square feet of wall sign per foot of street frontage. The property has 125 linear feet of street frontage which would allow 187.5 square feet of wall sign. The proposed signs total 144 square feet in size.

In addition, the maximum number of wall signs is *"1 per face of store front, 1 per street frontage, not to exceed 2 signs per establishment max."* (see "attached wall" line of Downtown Business Sign District table in 10-15-9). The property has two street frontages—Sheridan Avenue and 12th Street, which entitles the property to two wall signs. The ordinance does not specify on which wall the signs must be mounted—it appears that both signs can be on the same wall. There are no other wall signs on the building (the mural is exempt, the signs on the awning are counted as awning signs, and the projecting sign on the front is classified separately as a projecting sign).

The definition of a wall sign in the Cody sign code is *"An on-premise sign affixed to or painted on the wall of any building and completely in contact with the building throughout its greatest dimension..."* Note the words "on-premise sign". The proposed signs do not meet this definition because they are off-premise signs. "Off-remise signs" are defined in the Cody sign code as, *"A sign or billboard which is used or intended for use to advertise, identify, direct or attract the attention of the public to a business, institution, product, organization, event or location offered or existing other than upon the same premise where the sign or billboard is displayed."*

In section 10-15-3(B)(3)(a) of the Cody sign code, the sign code seems to reverse itself by stating, *"Any wall, projecting or freestanding sign allowed under this chapter may be used to advertise off-premise businesses or products as a substitute for a sign on the same site where the business is located...Off premise signs must conform to the regulations that apply to the premises where the sign is located."* At first glance, this substitution language could be interpreted to allow the signs as proposed.

Yet, the *"must conform to regulations that apply to the premises where the sign is located"*, is not limited to dimensional regulations, but includes all regulations. This brings into question how to address the apparent inconsistency of this "substitution" language with the definition and regulations pertaining to billboards.

Billboard Definition: *A board or panel used for the display of posters, printed or painted advertising matter, either illuminated or nonilluminated, which directs attention to goods, merchandise, entertainment or services offered elsewhere than the premises where the sign is located.*

It appears that the proposed signs meet the “billboard” definition. Section 10-15-3(B)(9) states, “Billboards as defined in Section 10-15-2(B) shall be allowed only in Zoning Districts D-3 and E.” The section in which that language is found is introduced with “The following standards apply to all signs unless specifically exempted in other parts of this ordinance.” The “unless specifically exempted” language led staff to search the sign code for “exempted” situations. One such “exempted” situation is found in 10-15-9(c)(2)(b) as, “Billboards shall not be allowed, except in D-3 and E sign districts, *unless erected by the City for the purpose of directing the public to and/or identifying the Cody downtown business area.*” The proposed signs do not meet that exemption. In Section 10-15-6 of the sign code there are signs that are specifically “exempted” entirely from the sign code (see 10-15-6)—the proposed signs do not qualify as any of those either. Whether “unless specifically exempted” refers to any other provision in the sign code is not evident, as the word exempt (or exempted) is not otherwise used in any applicable sections.

This could be interpreted that the sign code does not provide an exemption from the billboard regulations, and therefore the proposed signs are subject to those regulations, and are therefore prohibited pursuant to those regulations.

Other information:

It is noted that the lease agreement between the property owners and the businesses that own the signs is titled, “Billboard Lease Contract”.

For the prior “Monster Lake” sign review, WYDOT was consulted as to necessary permits under their “outdoor advertising” (billboard) rules. They verbally replied at that time that while the sign was within their jurisdictional limits for signs, they will not require an off-premise (outdoor) advertising permit as it is not readily visible from the highway. Staff has confirmed that this is still their position, which is an administrative interpretation.

If the Board determines that the signs are not billboards, or that the “substitution” language otherwise overrides the billboard regulations, staff would request direction on how to differentiate between a billboard and a sign requested under the “substitution” provision.

The Board has been provided with a letter from Dan Miller, a neighboring business owner. This staff report was written prior to staff reading the letter.

The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features. The signs are professionally made and have a conservative color scheme. Staff has no concerns with the architectural compatibility of the signs.

ALTERNATIVES:

Approve, approve with conditions, deny, or table the application.

Some potential interpretations of the sign code in this situation include:

- A) The signs must comply with all applicable provisions of the sign code—we cannot pick and choose which applicable sections must be met. Whether the signs comply with the “substitution” provision of 10-15-3(B)(3)(a) is irrelevant, as the signs violate the billboard restrictions—they are off-premise signs constituting billboards and located in a sign district and zoning district that does not permit billboards. The prior Board erred in 2014, in that they did not consider all applicable provisions of the sign code.
- B) The “substitution” language of 10-15-3(B)(3)(a) is more specific language and therefore overrides the general prohibition of billboards. The sign code has not changed since the Monster Lake sign was authorized in 2014, and the same justification stands.
- C) The signs do not constitute billboards because...(?) and are therefore authorized.

Other interpretations likely exist. Admittedly, I have figuratively “scratched my head” on how to apply the sign code to this situation. Maybe a Board member or someone else involved can find something in the sign code that I missed, or is able to look at the sign code in a new light to find a clear resolution. I am open for ideas.

ATTACHMENTS:

Sign applications, Dan Miller letter, Monster Lake Sign staff report and minutes

RECOMMENDATION:

None. If after discussion the Board is not able to clearly see a resolution pursuant to the sign code, it may be appropriate to table the item to give the matter some more time for thought.



COMMUNITY DEVELOPMENT DEPARTMENT
SIGN PLAN REVIEW APPLICATION

STAFF USE

File #: SGN2020- 15
P&Z Invoice: SGN-0720-0002
Date Submitted: 7-28-20

Applicant's Name: GREG PENDLEY Business Name: The Cody Cattle Company
Applicant's Address: PO BOX 2352 City: Cody State: WY Zip: 82414
Phone: 272-5770 Cell: 899-4929 Email: GREG@theCodyCATTLECompany.Com
Project Address: _____ City: Cody, WY Zoning: _____
Property Owner's Name: KEITH & LISA SEIDL Phone/Cell: _____
Property Owner's Mailing Address: _____ City: _____ State: _____ Zip: _____
Sign Installer (Commercial signs require a licensed installer): _____

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

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

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

Brief Description of Proposal: REPLACEMENT OF MONSTER LAKE LODGE SIGN WITH CODY CATTLE
COMPANY (50%) & CODY FIREARMS EXPERIENCE (50%)

Property Owner: Lisa Seidl 7-29-20 OR ☐ Letter of authorization from property owner
Signature Date

FEE SCHEDULE:

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

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

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

MATERIAL REQUIRED FOR SUBMITTAL & REVIEW

- ☐ Two* copies of a drawing or graphic rendering of the proposed sign(s) that indicate the sign content, design, colors, dimensions, area per sign face, materials, lighting and anchoring/mounting details. (* 12 copies if Planning and Zoning Board Review needed.)
- ☐ Identify any existing signs that will be removed or replaced by the proposed signs.
- ☐ If the proposed sign is under the general category of "freestanding" (not attached to a building), submit:
 - A site plan that identifies the location of the freestanding sign and its distance from all property lines and utility easements in proximity.
 - The dimensions and square footage of any freestanding sign that will remain on the premises.
- ☐ If the proposed sign is attached to a building or something on a building, submit:
 - Drawings or photo renderings depicting the sign(s) on the building elevation(s).
 - If the sign is permanent (>120 days), note the dimensions and square footage of any existing signs that will remain on the building(s).
- ☐ A Building Permit Application for installation of the sign(s).

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CODY FIREARMS EXPERIENCE

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RESTRICTED PARKING
2-HOUR PARKING
WAY 1 TO SEPT 30



CITY OF CODY
WYOMING

Bernie Butler <bernieb@cityofcody.com>

sign

2 messages

Greg Pendley <greg@thecodycattlecompany.com>
To: bernieb@cityofcody.com

Fri, Jul 24, 2020 at 3:01 PM

Hi Bernie -
dimensions for our sign are 95.5" wide by 108" high. Pauls' should be the same or close.

Thanks, Greg Pendley

Bernie Butler <bernieb@cityofcody.com>
Draft To: Greg Pendley <greg@thecodycattlecompany.com>

Fri, Jul 24, 2020 at 3:14 PM

Bernie Butler
Administrative Coordinator
City of Cody
307-527-3469
[Quoted text hidden]



COMMUNITY DEVELOPMENT DEPARTMENT
SIGN PLAN REVIEW APPLICATION

STAFF USE
File #: SGN2020-16
P&Z Invoice: 56N-0720-0003
Date Submitted: 7-28-20

Applicant's Name: PAUL BROCK Business Name: CODY FIREARMS EXPERIENCE
Applicant's Address: 142 W. YELLOWSTONE City: CODY State: WY Zip: 82414
Phone: 307-586-4287 Cell: 307-899-7719 Email: CODYFIREARMS@GMAIL.COM
Project Address: 1200 SHERIDAN AVE Cody, WY Zoning: _____
Property Owner's Name: KEITH + LISA SEIDEL Phone/Cell: 587-1201
Property Owner's Mailing Address: SAME City: _____ State: _____ Zip: _____
Sign Installer (Commercial signs require a licensed installer): _____

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

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

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

Brief Description of Proposal: INSTALL 1/2 SIGN ON BUILDING-WHERE MONSTER LAKE WAS PREVIOUSLY.

Property Owner: Lisa Seidel 7-27-20 OR ☐ Letter of authorization from property owner
Signature Date

FEE SCHEDULE:

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

- | | |
|--|--------------------|
| <input type="checkbox"/> Off-Premise Temporary A-Frame Signs | No Fee |
| <input type="checkbox"/> Sign Application Submitted with Commercial Site Development Application | No Additional Fee* |
| <input checked="" type="checkbox"/> Attached wall, projecting, awning, inflatable, or freestanding sign on existing supports | \$25.00* |
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- ☐ A Building Permit Application for installation of the sign(s).

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RESTRICTED PARKING
2-HOUR PARKING
MAY 1 TO SEPT 30

Billboard Lease Contract

Keith & Lisa Seidel (hereafter "Lessor") and Paul Brock of The Cody Firearms Experience (hereafter "Lessee") hereby enter into a lease agreement under the following terms:

Lessor shall convey to Lessee use of the existing billboard space at:

1200 Sheridan Ave. on Seidel's Saddlery building on the Southwest corner of the building

The Lessor agrees to lease the aforementioned premises to the Lessee for the sole purpose of erecting, displaying and maintaining a billboard. The Lessor retains the right to access, lease or build upon other portions of the property.

The term of this lease shall be from {07/01/2020} until {07/01/2021} at midnight on each date. The Lessee will retain a renewal option until {30} days before the termination date. At that time, the renewal option will be withdrawn.

The Lessee is obligated to pay Lessor a total of {\$2400} for the rights conveyed under this lease. The amount will be paid in {monthly installments in the amount of \$200 per month}. The checks shall be mailed to Seidel's Saddlery, 1200 Sheridan Ave., Cody, Wy 82414.

Lessee shall be responsible for maintaining the property in clean working order at Lessee's expense during the term of this lease.

The Lessee shall construct only {1/2} billboard, to be shared with Greg Pendley of The Cody Cattle Company (under separate lease). All construction, lighting and display materials shall be provided at the sole expense of the Lessee and shall remain the Lessee's sole property. Lessors require that artwork for the billboard be submitted for approval by email to lisa@seidelsaddlery.com prior to being installed on the building, for any objectional content.

The Lessee shall indemnify and hold harmless the Lessor in the event of any claims, damages, loss or expense that occurs during the rental term.

The Lessee shall not have the right to sublease the premises during the rental term. During that time, the Lessee shall maintain responsibility for all aforementioned obligations.

The Lessor shall have the right to terminate the lease with a {30} day notice under the following conditions:

- The Lessee violates any of the aforementioned conditions
- Any present or future laws prevent the display or maintenance of the billboard.

Upon expiration or termination of this lease, Lessee shall return the property to Lessor in substantially the same condition in which the property was received by Lessee.

In witness to their agreement to the terms of this contract, the parties affix their signatures below:

Lessor, signature & date

Address: 1200 Sheridan Ave.

City, state, ZIP_Cody, WY 82414

[Signature] 6-22-20 FOR CODY FIREARMS EXPERIENCE
Lessee, signature & date

Address 142 W. YELLOWSTONE

City, state, ZIP CODY WY 82414

City of Cody
Planning and Zoning

I am writing this correspondence concerning one of the items on the August 11, 2020 P&Z meeting.

This pertains to the signs (billboards) on the west side of Keith Seidels building in downtown Cody. When the issue came up with the signage in the exact location for Monster Lake a few years ago the issues were the same. No application was filed. City codes and ordinances were not followed and still the sign remained in place because according to the minutes "no one really complained". The fact that the rules and regulations weren't followed didn't seem to matter.

This time I am filing this formal complaint. I first contacted City Planner Todd Stowell and I am following up with the Board Members. No application was filed for this sign!! The size and location do not fall under the guidelines set forth in the City codes and ordinances. They are acting under the "don't ask for permission, ask for forgiveness after the fact" guidelines. I have been in business for 16 years in Cody. I am a believer in playing by the rules and a level playing field. When we moved our location in 2019 we did what the codes and ordinances called for. Filed an application, met with the City Planner and waited for your approval.

I'm asking that all businesses follow the same rules. Others have been made to follow the codes "after the fact" including Yellowstone Gifts and Rocky Mountain Sports. Please make EVERYONE follow the same rules.

Thank you for your time



Dan Miller

CITY OF CODY PLANNING, ZONING AND ADJUSTMENT BOARD STAFF REPORT

MEETING DATE:	JULY 8, 2014	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	MONSTER LAKE OFF-PREMISE SIGN, DOWNTOWN ARCHITECTURAL DISTRICT REVIEW. SGN 2014-31	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL	DISCUSSION ONLY:	

PROJECT DESCRIPTION:

Monster Lake Ranch has installed an 8-foot wide by 18'2" tall sign on the side of the Seidel's building at 1200 Sheridan Avenue. The sign is constructed of a vinyl banner/wrap and is mounted on the building using a 2x4 wood frame on the lower brick portion and direct fasteners on the upper portion. The applicant would like this to be a permanent sign, as opposed to a temporary sign which has a 120 day time limit.

The property is within the downtown architectural district and downtown sign district.

The proposal is depicted below:



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, 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.

In addition, the sign must otherwise meet applicable requirements of the sign ordinance. Some interpretation is needed as to applicable standards.

STAFF COMMENTS:

As currently mounted, the sign is likely defined as a banner. Staff asks for the Board's determination as to whether the sign can be classified as a permanent sign and if so, under what conditions. If the sign is a temporary banner it is limited to 120 day display limit and a 32 square foot maximum size, unless a special exemption is obtained. Also, it must be clarified that the sign is not a billboard as billboards are not permitted in the downtown sign district. Applicable portions of the sign code are noted below.

Banner Definition: A strip of cloth, plastic or similar material with copy and/or graphics produced in a professional manner and intended to be hung or suspended without a rigid enclosing framework, and affixed to a building or railing which is located outdoors. Banners shall be displayed pursuant to section 10-15-9 of this chapter.

Banner Regulations:

5. Banners:

a. Periodic Display of Banners and Advertising Flags: Banners and advertising flags are permitted subject to these regulations:

(1) Banners must be displayed as a wall sign or attached to railings, and must be securely fastened so that it may not be blown down, in whole or in part. Any other location for display of a banner or advertising flag must be approved through the planning, zoning and adjustment board.

(2) Advertising flags must be securely fastened.

(3) Banners and advertising flags must be of professional quality construction and appearance pursuant to the definition in section 10-15-2 of this chapter.

(4) If the banner/advertising flag becomes damaged or detached, the banner or flag must be removed or repaired within forty eight (48) hours.

(5) Banners shall be subject to the time limits for temporary/seasonal signs described above. (Note: This reference refers to not being displayed for more than 120 consecutive days.)

Banner Size Limit:

32 square feet per banner in the downtown sign district.

Wall Sign Definition: An on premises sign affixed to or painted on the wall of any building and completely in contact with the building throughout its greatest dimension, which does not extend beyond the main wall of the building more than fifteen inches

(15") except in accordance with these regulations. A painted work of art or mural is not considered a wall sign. A window sign is considered a wall sign.

Wall Sign Size limit:

1.5 square feet per foot of street frontage. The property has 125 linear feet of street frontage which would allow 187.5 square feet of wall sign. The proposed sign is 145.33 square feet and there are no other wall signs on the building to count towards the total amount permitted. There are no time limits for wall signs in the downtown sign district.

Billboard Definition: *A board or panel used for the display of posters, printed or painted advertising matter, either illuminated or nonilluminated, which directs attention to goods, merchandise, entertainment or services offered elsewhere than the premises where the sign is located.*

General Standards pertaining to Off Premise Signs not constituting a Billboard.

3. Off Premises Signs:

a. Conformance: Any wall, projecting or freestanding sign allowed under this chapter may be used to advertise off premises businesses or products as a substitute for a sign on the same site where the business is located. Off premises sign plan review applications shall require written consent from the property owner(s) of the off premises site. Off premises signs must conform to the regulations that apply to the premises where the sign is located.

Other: Off-premise advertising along a state highway is also regulated by WYDOT. The WYDOT representative has indicated that while the sign is within their jurisdictional limits for signs, they will not require an off-premise (outdoor) advertising permit for this sign as it is not readily visible from the highway.

In practice, staff has permitted on-premise signs that are constructed of vinyl wrap (banner material) to be permitted under the provisions for normal wall signs when they are mounted on a plywood (or similar) backing. However, an off-premise sign mounted in that manner would have the appearance of a billboard under the sign code definition. Nevertheless, it could be differentiated from typical billboards if the permit is limited to the proposed sign, as opposed to the backing on which any future sign could be mounted.

If the board mounted vinyl wrap is sufficient to classify the sign not as a banner, but as a normal wall sign, the Board may approve it at this time, subject to adding the plywood backing. If that is not an acceptable alternative, I would suggest requiring a special exemption application to consider the size of the banner and extend the timeline beyond 120 days (likely seasonal limitations).

The purpose of the Downtown Architectural District is understood to be the promotion of architectural compatibility and preservation of historic features. The sign is professionally made and has a conservative color scheme.

ALTERNATIVES:

Approve the sign subject to conditions, require a special exemption application to modify the requirements for the banner, or deny the sign.

RECOMMENDATION:

See Staff Comments above.

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, July 8, 2014

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, July 8, 2014 at 12:00 PM

Present: Justin Lundvall, Chairperson; Vice-Chairperson Justin Ness; Robert Senitte; Buzzy Hassrick; Sandra Kitchen, Deputy City Attorney; Steve Miller, Council Liaison; Todd Stowell, City Planner; Utana Dye, Certified Engineering Technician II, Lynn Stutzman, Administrative Assistant.

Absent: Brad Payne; Kim Borer; Mark Musser.

Chairperson Justin Lundvall called the meeting to order at 12:02 PM, followed by the pledge of allegiance.

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

Buzzy Hassrick made a motion, seconded by Justin Ness, to approve the minutes for the June 24, 2014 meeting with changes. Vote on the motion was unanimous, motion carried.

Presentation of Communications:

Todd Stowell presented the amendment to the Preliminary Plat for Holm View No. 5.

Buzzy Hassrick made a motion, seconded by Justin Ness to recommend that the City Council authorize the preliminary plat amendment related to the modified utility plan for Holm View No. 5. Vote on the motion was unanimous, motion carried

Todd Stowell presented the Final Plat for Holm View No. 5, a 16-lot subdivision.

Roy Holm with Holm Blough and Company spoke on the water rights proposal for the Holm View No. 5 Subdivision, indicating his preference to retain the water rights and transfer them to other property they own down the hillside.

Justin Ness made a motion, seconded by Robert Senitte to recommend that the City Council approve the Final Plat for Holm View Addition No. 5, with the additional variance for the storm water inlet spacing, subject to the following conditions:

1. Compliance with City of Cody Code 11-3-3(B)(1)(a) and (b), including a legal agreement/contract between the property owner and surveyor to complete the water right transfer process with the State Engineer's office to transfer all surface water rights within the subdivision property (No. 5) to the City of Cody.
2. Provide the outside utility company approval signatures on the construction plan set, or supplemental approval letters with their signatures.
3. Modify Note 2 to restrict all lots except 8, 9, 15 and 16 to single family development, as specified in preliminary plat condition #8.
4. Payment of applicable utility fees is to occur prior to the mayor signing the final plat.

5. It is further recommended that prior to City Council action the Council should obtain legal direction from the City Attorney relating to whether the recapture agreement requires collection of payment from Holm View Addition, LC due to this subdivision.

No variance was granted for the irrigation water right requirement.

Vote on the motion was unanimous, motion carried.

Todd Stowell presented the Downtown Sign Review for the Monster Lake sign at 1202 Sheridan Avenue.

Dave, a representative for Monster Lake answered questions from the board about the sign.

Buzzy Hassrick made a motion to deny the Monster Lake Sign on Sheridan Avenue. Motion failed due to a lack of a second.

Justin Ness made a motion, seconded by Robert Senitte to table the Monster Lake sign application and to have the applicant come back in front of the board within 30 days with staff or to remove the sign at the end of 30 days. Vote on the motion was unanimous, motion carried.

Approved Signs by Staff: Todd Stowell presented to the board the approved signs for the Good 2 Go Store signs and electronic message board located at 221 Yellowstone Avenue, and the Cody Ace Hardware sign and electronic message board located at 2201 17th Street.

P&Z Board Matters: None

Council Update: None

Staff Items: None

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

There being no further business to come before the board, Chairperson Justin Lundvall adjourned the meeting at 1:04 PM.

Utana Dye
Certified Level II Engineering Tech. II

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, July 22, 2014

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, July 22, 2014 at 12:00 PM

Present: Justin Lundvall, Chairperson; Vice-Chairperson Justin Ness; Robert Senitte; Buzzy Hassrick; Brad Payne; Kim Borer; Scott Kolpitzke, City Attorney; Steve Miller, Council Liaison; Todd Stowell, City Planner; Utana Dye, Certified Engineering Technician II, Lynn Stutzman, Administrative Assistant.

Absent: Mark Musser

Chairperson Justin Lundvall called the meeting to order at 12:05 PM, followed by the pledge of allegiance.

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

Justin Ness made a motion, seconded by Buzzy Hassrick, to approve the minutes for the July 8, 2014 meeting with the corrections noted. Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

Todd Stowell presented the staff report for the Downtown Sign Review for Sean DeNamur Designs at 1191 Sheridan Avenue. Kim Borer made a motion, seconded by Buzzy Hassrick to approve the two new signs subject to the existing sign being removed. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the Fence Height Request for a 7 ½ foot tall entryway at 920 19th Street. Justin Ness made a motion, seconded by Buzzy Hassrick to approve the fence. Vote on the motion was unanimous, motion carried.

Todd Stowell presented the staff report for the Franzen Minor Subdivision consisting of two-lots between Big Horn Avenue and Cougar Avenue, west of 33rd Street. The following conditions were recommended:

Recommended Conditions of Approval for the Franzen Minor Subdivision Preliminary Plat:

1. Remove the "Proposed 6 inch Treated Water Line" shown across Lot 2, or provide construction plans for the installation of the 6" water line. (Lot 1 has a tap to a treated water line next to Big Horn Avenue, so the proposed water line is likely unnecessary.)
2. Modify note 4 under "Irrigation System" to read as follows: "The specific use of Lot 1 and Lot 2 is currently unknown. Thus the irrigation pumping system for said lots is not designed at this time. However water will be supplied to both lots."
3. The raw water service line to Lot 1 cannot be in the City's 15' wide utility easement (other than crossing it). Provide an easement and relocate the raw water line into the new easement.
4. Modify the description of the 15-foot utility easement to not list raw water or treated water, based on the above.

Todd Stowell presented the Architectural and Landscaping Review for the Buffalo Bill Center of the West two storage buildings at 720 Sheridan Avenue. The recommendation is for the sheds to be authorized on the condition that the exterior walls of the sheds are painted to match the existing building, which is a beige/tan color. If roof color is also a concern, staff would recommend a brown color to match the fascia trim on the existing building.

Buzzy Hassrick made a motion to table due to the applicant not being present. Motion failed for lack of second.

Kim Borer made a motion, seconded by Justin Ness, to approve the two 8' x 10' storage buildings at the Buffalo Bill Center of the West, 720 Sheridan Avenue as long as the exterior walls are a beige color to coincide with the existing storage unit and the museum wall, and the roof color to match the brown trim color.

Buzzy Hassrick opposed the motion. Justin Ness, Justin Lundvall, Brad Payne, Kim Borer and Bob Senitte voted in favor of the motion. Motion carried.

OLD BUSINESS:

Justin Ness made motion to remove the Monster Lake Sign from the table, seconded by Robert Senitte. Vote on the motion was unanimous, motion carried.

Dave Bennell manager of Monster Lake spoke to the board members.

Justin Ness made a motion, seconded by Brad Payne, to approve the Monster Lake ranch sign subject to reinforcement design with staff's approval and guidance to ensure that it is a wall sign mounted in a way that is not a banner with condition that if sign changes the applicant is to come back to Planning and Zoning board for approval. Buzzy Hassrick and Kim Borer opposed the motion. Justin Ness, Justin Lundvall, Brad Payne, and Bob Senitte voted in favor of the motion. Motion carried.

Approved Signs by Staff: None

P&Z Board Matters: Justin Ness made a motion, seconded by Buzzy Hassrick, to request that City Council immediately look at and discuss activating an improvement district along Cougar Avenue at a minimum between Stone Street and Date Street. Vote on the motion was unanimous, motion carried.

Council Update: None.

Staff Items: The residential setback revisions were relatively minor as Planning and Zoning passed them onto City Council. At City Council there was an addition to the ordinance pertaining to situations with a separated sidewalk and a park strip. They thought in that situation it would be appropriate to allow a 15' front yard setback. The change was made to the Residential AA zone.

Robert Senitte made a motion, seconded by Brad Payne, to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Chairperson Justin Lundvall adjourned the meeting at 1:05 PM.

Lynn Stutzman
Administrative Assistant

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

MEETING DATE:	MARCH 9, 2021	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	X
SUBJECT:	PUBLIC HEARING AND SPECIAL EXEMPTION REQUEST TO REDUCE THE REQUIRED NUMBER OF ON-SITE PARKING SPACES, 1732 SHERIDAN AVENUE. SUP 2021-02	RECOMMENDATION TO COUNCIL:	
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

UPDATE FOR MARCH 23, 2021 MEETING

This update reflects the status as of midday, Friday, March 19, 2021. As of this time, I have heard a verbal statement (yesterday) from the applicant's architect that they have not yet been successful in obtaining a parking agreement with Pinnacle Bank. However, they indicate that at least a few of the neighboring businesses have noted that they will allow parking for Cody Craft Brewery on their properties. If that is the case, they are getting closer to meeting their parking needs, but they will still be short of what the code requires. So, the special exemption will still be needed in some form.

Staff is still of the opinion that the applicant needs to do all they can to attempt to acquire parking agreements with neighboring properties. In order for the Board to accept those parking spaces on neighboring properties as applying towards the required amount of off-street parking, the requirements of 10-16-5 through 7 need to be met. Those requirements are as follows:

10-16-5: LOCATION AND ZONING REQUIREMENTS:

Except as specified in section [10-16-7](#) of this chapter, required off street parking facilities shall be on the same property as the building or use they serve, and the zoning of the parking facilities shall either be in the same zoning district, a zoning district that also permits the use served, or a zone that permits public parking facilities (e.g., parking for a commercial use is not permitted in areas zoned residential, parking for multi-family development is not permitted in areas zoned single-family residential, parking for an industrial use is not permitted in an area zoned residential or neighborhood commercial, etc.). (Ord. 2013-04, 3-5-2013)

10-16-6: JOINT PARKING FACILITIES, MULTIPLE OR MIXED USES:

In the case of joint parking facilities that will serve multiple or mixed uses, the number of off-street parking spaces required shall be the sum of the requirements for the individual uses computed separately, unless the planning and zoning board authorizes otherwise based on reliable data, such as a parking demand study prepared by a qualified parking consultant or engineer that justifies a reduced number. Site specific characteristics, such as offset peak parking

times/days, are to be considered when determining whether a reduction in the number of spaces is justified for joint parking facilities. (Ord. 2013-04, 3-5-2013)

10-16-7: OFF SITE PARKING:

The planning and zoning board may authorize parking facilities located on neighboring private property to qualify as required off street parking under the following conditions:

A. The parking spaces are not required for another building, structure or use, unless joint parking is allowed pursuant to section [10-16-6](#) of this chapter;

B. The nearest point of the parking lot is within the following distances, as measured along the pedestrian's path of travel, from the building served:

1. One hundred feet (100') for accessory apartments, single- family dwellings, and two-family dwellings;

2. Two hundred feet (200') for multiple-family dwellings, hotels, motels, and lodging facilities;

3. Three hundred feet (300') for hospitals, medical offices, homes for the aged, and clubs/fraternal orders; and

4. Five hundred feet (500') for uses not otherwise specified above.

C. A legally binding long-term agreement, typically a minimum of ten (10) years, for the off-site parking, in a form and with conditions acceptable to the city planner, city attorney and planning and zoning board, is entered into between the affected property owner(s) and recorded in the office of the county recorder. An agreement shall be required regardless of whether the neighboring property is owned by a different or same property owner as the use requiring the parking.

D. If the off-site parking is no longer available for any reason, including, but not limited to, expiration or termination of the parking agreement, then the certificate of occupancy may be revoked pursuant to section [10-16-12](#) of this chapter, and the property owner shall be subject to such other penalties as provided in this title.

As the neighboring business close before the peak brewery/tap room would primarily operate after, it is reasonable to entertain shared parking agreements for use of their parking.



If parking agreements are obtained with the three properties on the south side of Sheridan Avenue that have improved parking lots it would appear to add 14 spaces. Additional spaces may be able to be developed on those properties off the alley. However, until written parking agreements meeting the requirements of 10-16-7 are executed, counting any of those spaces is speculative.

The existing facility has 22 spaces (provided they are not occupied by food truck services), and can add one space by narrowing the street approach. There are six on-street parking spaces along the frontage of the property. There are no on-street parking spaces in front of the three neighboring businesses. $22 + 1 + 6 = 29$ spaces within the property or street frontage. $29 + 14$ off-site spaces = 43 spaces. If additional spaces are provided off the alley on neighboring lots (approx 10 spaces), and parking agreements are provided for those spaces, then a total of up to 53 parking spaces would be available.

Based on the ratios of the parking ordinance 53 parking spaces would meet the parking demand for 3,064 square feet of the building. The building is 8,328 square feet, per the Assessor's records.

While it is the applicant's responsibility to demonstrate that the requested exemption is suitable and can reasonably be enforced, staff has thought through options and presents the following. The primary concern is if capacity of the building needs to be limited due to lack of parking, how will that be enforced. Particularly when there is significant standing area available in addition to seating area. (Note: Occupancy of the building is actually 232 persons based on a lenient calculation (1 person per 15 square feet being used for all of the customer area, instead of the 1 person per 5 square feet ratio for standing areas) under the building code.)

One option would be to reduce the public portion of the building and put it into unheated storage area, and apply the exemption to not count that area for parking purposes.

Another option would be to not permit the new outdoor seating areas and seating in the former foyer area.

A more reasonable option, but more difficult to enforce is to require the facility to operate on the "Please wait here to be seated" model, with only the number of seats in the facility that correspond to the available parking, and extremely limited indoor waiting area (like room for eight people). Customers would only be admitted past the limited indoor waiting area seating when there is a seat available. This model would preclude customers from coming into the facility and simply utilizing the spacious standing area. Admittedly there may be lines of people to enter, (or ordering food at the food trucks), but that would likely be limited during most of the year due to weather, and it would discourage some from attending when the lines are long.

If the applicant proposes and commits to this model, or otherwise has a feasible method to limit occupancy of the building based on the required parking, staff would be agreeable to recommending a modified parking-space-to-seating ratio rather than the parking-space-to-building-area ratio specified by the parking code. For purposes of discussion a ratio of one parking space per three seats would be in the range of what is likely needed, considering seated customers, waiting customers, and employees. (Notes: For comparison of seating ratios, fixed seating in bars has a recommended ratio of one space per two fixed seats in the parking ordinance. Fixed seating in places of public assembly such as churches and theaters is one space per 3.33 seats.)

In an effort to provide clear direction to the applicant, the Board should determine what option is most appropriate for the parking/occupancy situation. The closer the applicant gets to providing the amount of parking for the facility based on the building code occupancy, the more comfortable staff is with the proposed "please-wait-to-be-seated-model". If no, or only limited, off-site parking agreements are obtained, the less comfortable staff is with the situation. The police chief has also expressed concern that the officers will end up having to use significant resources in responding to trespassing calls related to vehicles that park in lots where no parking agreements exist.

Any special exemption should consider the following conditions:

1. Utilize the "please-wait-to-be-seated model" with the limitations noted in the staff report (indoor waiting area limited to ___ persons, seating only permitted at the ratio of ___ (3?) seats per parking space), or other model acceptable to the Board to ensure compliance with the specified parking ratios are met.
2. Reconfigure the parking lot by providing a 5-foot wide pedestrian pathway or sidewalk along the frontage.
3. Add a parking space by narrowing the approach to Sheridan Avenue (extend curb and gutter across portion of curb cut).
4. In order to utilize any off-site parking lot, the parking lot along Sheridan Avenue, the property must have pedestrian access (sidewalk). (Add pedestrian access/sidewalk to Farmer's Insurance property, if applicable. Would lose one parking space.)
5. Require signage in the waiting area of Cody Craft Brewery and in the parking lots that have shared parking agreements that identifies the availability of those private parking lots. On the sign in the Cody Craft Brewery, include language that notifies customers that vehicles parking in any private lot other than those listed will result in police citations and/or towing.

6. Violation of the occupancy limit related to parking, or failure to reasonably keep customers from parking in lots without parking agreements, would trigger the special exemption revocation process.
7. Any parking agreement requires Planning and Zoning Board review pursuant to 10-16-7(C). Staff would recommend not releasing building permits until it is demonstrated that at least some of the contemplated parking agreements are obtained.

Note: There is likely a concern that condition #7 would hold up the project. As of the last day or two, the applicant has yet to contact the Department of Agriculture to start their food service permitting process, contact the City Clerk for alcohol licensing requirements, coordinate sewer waste management plans with Public Works (for the brewing activities), coordinate an electrical service/transformer upgrade with the Electric Division, or finish the building plans. The applicant and architect have a lot to do to keep them busy before a building permit can be issued anyway. It is noted that demolition has been authorized and is in process, but no construction can occur until the building permit is issued.

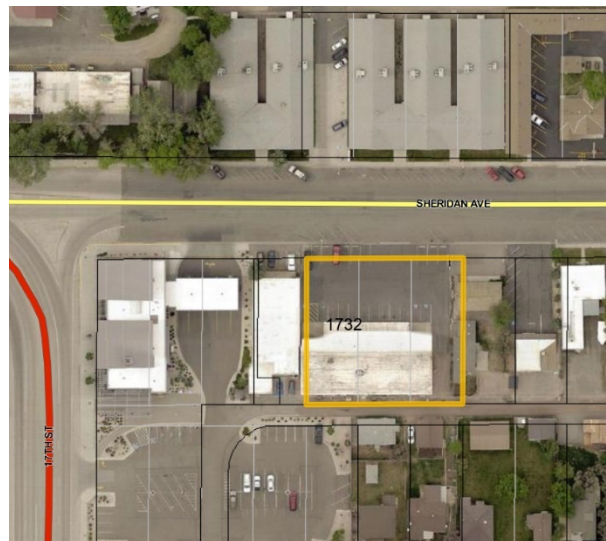
The following is the original staff report.

PROJECT DESCRIPTION:

Point Architects, representing Brian & Jennifer Walker of Cody Craft Brewing, has submitted a special exemption application pertaining to parking at 1732 Sheridan Avenue. The building was most recently used for a mix of retail and service stores. The proposal is to utilize the entire building for a craft brewery and tap room.

As the land use of the property is changing, it triggers compliance with the current parking standards of the City (City code 10-16-3). Regardless of the method used to calculate how much parking is required, which will be discussed below, the property does not have that many on-site parking spaces available. The special exemption request is to allow 22 on-site parking spaces to be considered adequate for the proposal.

The subject property is 21,000 square feet in size (0.48 acres) and zoned General Business (D-2). The existing building is 8,328 square feet in size, per the County assessor records.



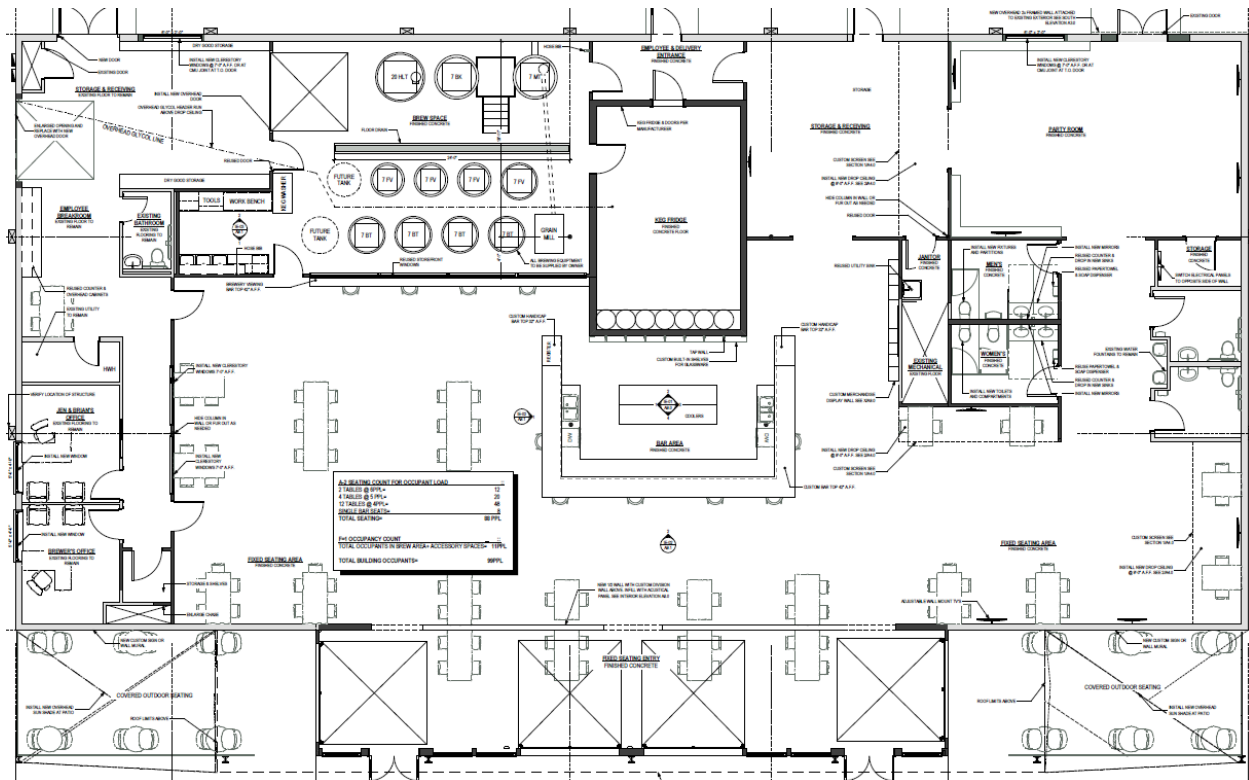
The public hearing for the exemption request was advertised as required by mail to neighboring properties within 140 feet on February 19, 2021; and by publication in the newspaper on February 23, 2021.

REVIEW CRITERIA:

Pursuant to Section 10-14-2(B)(1)(d) of the City of Cody Code, the Planning and Zoning Board may consider special exemptions to parking requirements. The standards for approval of a special exemption are listed later in this report, with staff comments provided. Before reviewing the standards, staff will provide an analysis of the parking situation and ordinance requirements.

The parking ordinance states, "The minimum number of parking spaces required for a use shall be according to Table 1 of this section, unless the planning and zoning board authorizes otherwise based on reliable data, such as parking data from a highly comparable facility or a parking demand study prepared by a qualified parking consultant or engineer, which justifies use of a different parking ratio." The ratios in Table 1 were generally obtained from a publication from the Institute of Transportation Engineers, Parking Generation, 4th edition. Table 1 specifies that for bars or lounges, 17.3 spaces per 1,000 square feet, or 0.3 spaces per fixed seat where seating is fixed is the recommended ratio. Indoor and outdoor seating areas are counted. At 8,323 square feet, that would mean 144 parking spaces required for the existing building, and another 13 spaces for the proposed covered outdoor seating, for a total of 157 parking spaces. Staff believes that number to be excessive. The ratio seems to work well for small fast-food restaurants, but not larger eating/bar facilities.

The applicant claims in their narrative an occupancy of 100 seats at the facility, and that by using the ratio of 0.3 spaces per fixed seat, only 30 parking spaces would be required by the ordinance. However, this ratio is only applicable to fixed seating, where tables and chairs do not move. It is also based on the assumption (although not noted in the code) that the maximum number of seats that the area can accommodate is being provided. The proposed seating of the facility is shown below. (Larger attached).



It needs to be pointed out that the 100 seats shown are much, much less than the capacity of the building. For example, the central bar area and the bar area in front of the brewery area only show 10 seats. However, using a realistic spacing of 30" (center to center) for the bar areas, they would have a capacity of 33 seats. The tables also show extra spacious seating. Seating charts used in the restaurant industry are generally broken into "family dining" which provides a comfortable 30" spacing on center, and quick turnover (think fast food) which provide a 24" spacing on center. Using the "family dining" spacing for the tables reveals that the 9-foot-long tables to the left of the main bar actually can each seat 10, not the six shown. The smaller indoor tables can generally accommodate two seats more at each table than shown. The claimed seating capacity also does not include the party room, which would have a capacity of 39 persons based on one person per 15 square feet. Employees are also not considered in that ratio. For these reasons, staff is not comfortable accepting the claim that only 30 parking spaces would be required for this facility.

For purposes of advertising the public hearing, it was identified that the seating capacity of the facility was around 171 persons (99 at tables, 33 at bars, and 39 in the party room). Those numbers represent using the seats shown at the tables on the plan, the 30" spacing at the bars, and the 39 persons in the party room. The number of parking spaces required as purposely not identified in the notice, due to the large discrepancy in calculations.

If the 0.3 parking spaces per seat were applied to 171 seats, it would mean 51 spaces would be needed. 22 spaces are proposed to be provided.

Also note that the proposal expands the capacity beyond the historical use areas by utilizing what was once the entry vestibule for active use, and adding outdoor seating to each side of the vestibule.

No special exemption shall be approved unless the planning and zoning board finds:

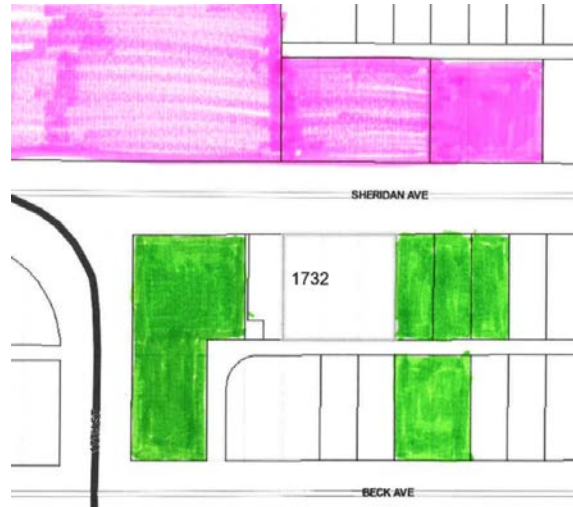
- a. The special exemption will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties;*

Staff Comment: The Board has historically considered neighbor comment as one of the primary methods for determining the extent of any undesirable change to the character of the neighborhood. Twelve neighboring property owners were notified of the proposal. As of the time of this staff report, we have received four responses of "no objection", four responses indicating "objection", and one expressing neither but noting a concern about availability of parking during their busy time (tax season). Please review the comments, all of which are attached.



The map of the responses is included here, with pink indicating "objection", green "no objection", and white no response. Due to mail delays, additional responses are likely to still be received.

The objections include statements that there is already a shortage of on-street parking in this area, that the proposal would create additional parking problems, that utilizing on-street parking for the facility would further create pedestrian and vehicle conflicts due to lack of established crossings (everybody would jaywalk).



One of the comments notes a rumor that food trucks will be placed on the property. Historically, the City has only allowed mobile vendors (food trucks) on properties that have excess parking capacity. That is not the case here. If food trucks are proposed on the property, they would likely be open to customers independent of the tap room, which would further increase parking demand. That issue should be clarified with the applicant by the Board.

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

Staff Comment: See "a" above.

- c. The special exemption is the minimum deviation from the specifications of the zoning ordinance necessary and adequate for the proposed activity, structure or use;*

Staff Comment: The application does not fully address this point. The Board can ask the applicant for their reasoning.

It is noted that the parking lot could be modified to add another space, by reducing the width of the 45-foot-wide entrance down to around 30 feet. That would allow another space to be provided and allow some of the existing spaces to be widened out to provide easier maneuvering. The curb cut would need to be replaced with standard curb.

Staff is also not convinced that all other alternatives have been exhausted. It is staff understanding that originally the facility was planning to use the Pinnacle Bank parking lot, but apparently their Board said no. While we do not know the details of

the discussion, if the applicant didn't bring their checkbook, why would the bank have an incentive to say "yes"?

Due to the overall situation, it is recommended that the Board ask the applicant the details of any negotiation with Pinnacle Bank for a shared parking agreement. At this point, it appears to be perhaps the only viable solution, without entirely changing the proposal. No other large parking facilities are in the area.

- d. The benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue other than a special exemption;*

Staff Comment: If the special exemption is not granted, then the building layout and use cannot occur as proposed. There would need to be physical reductions in the capacity, which could have the effect of making the business plan infeasible.

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

Staff Comment: All utility services are in place and the city has sufficient capacity to serve the additional utility demands.

The existing parking facility encroaches into the Sheridan Avenue right-of-way, and in doing so, precludes pedestrians from having a clear walkway/sidewalk along this property frontage. Properties to each side, all down the block have sidewalk or walking areas behind the sidewalk. To correct this, regardless if the special exemption is granted, the parking blocks along Sheridan Avenue should be required to be move back. Six feet between the back of curb and the parking block would be adequate. As the parking lot is 74 feet deep, and only 64 feet is required to meet minimum parking stall and backup dimensions, there is room for the parking blocks to be moved and the walking path provided.



There will be significant pedestrian activity to and from the facility, and appropriate pedestrian facilities need to be provided.

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

Staff Comment: The only policy that is applicable is Principle 15.1.A, Parking Requirements, which states:

"Analyze and consider areas where on-street parking could be permitted to count toward required parking."

ALTERNATIVES:

Approve, deny or approve with conditions.

ATTACHMENTS:

Submittal letter, application materials, and neighbor responses.

RECOMMENDATION:

The applicant needs to demonstrate that they have exhausted the alternative of obtaining an agreement to utilize all or a portion of the Pinnacle Bank parking lot (approximately 55 spaces). If it is demonstrated that obtaining an agreement is not feasible, the applicant and Board can negotiate an appropriate seating capacity for the facility based on what parking spaces will be available. Staff is not opposed to allowing the six on-street parking spaces along the property frontage to be counted towards the amount provided. Reconfiguring the parking lot to provide the maximum possible would also be an appropriate condition.

If the Board determines that the capacity of the facility needs to be limited, please provide direction and continue the matter to a future meeting to allow the applicant to provide an updated seating/floor plan. Staff believes that the facility must be self-limiting in capacity, as enforcement would be very difficult otherwise.

If the Planning and Zoning Board desires to approve the request they need to make the following or similar findings, and specify any conditions of approval.

(Draft, subject to information received at public hearing.)

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

BY RC A2.2



Response Letter from Owners of Neighboring Properties:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposal by Cody Craft Brewing for the special exemption described above.

☒ I have NO OBJECTION to the Special Exemption Request.

Name:

Rich Wogoman P/A Bettye Dominick

Address:

1019 7th Avenue NW Cody 82414

Comments:

Response Letter from Owners of Neighboring Properties:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposal by Cody Craft Brewing for the special exemption described above.

☒ I have NO OBJECTION to the Special Exemption Request.

Name: JOHN DAVID BALLING

Address: 1808 SHERIDAN AVE

Comments:

☐ I have NO OBJECTION to the Special Exemption Request.

Name:

C & R Office Properties / Stockholm &

Address: 1814 Sheridan Avenue

Richard Tax Service

Comments: We would be concerned of our parking during tax

☐ I OBJECT to the Special Exemption Request:

☒ I have NO OBJECTION to the Special Exemption Request.

Name:

Pinnacle bank - Dusty Schutman

Address: 1702 Sheridan Ave

Comments:

☐ I OBJECT to the Special Exemption Request:

Name:

☒ I have NO OBJECTION to the Special Exemption Request.

Name:

KLI Properties Mike Schnell

Address:

Comments:

☐ I OBJECT to the Special Exemption Request:

Name:

Address:

Reason for Objection:

Response Letter from Owners of Neighboring Properties:

(Responses may be submitted in any written format. The following form is provided for your convenience.)

Dear Planning and Zoning Board Members:

I am familiar with the proposal by Cody Craft Brewing for the special exemption described above.

☐ I have NO OBJECTION to the Special Exemption Request.

Name: _____

Address: _____

Comments: _____

☒ I OBJECT to the Special Exemption Request:

Name: Ted Blair - Blair Buildings Inc. 888 Buffalo Bill Village Inc.

Address: 1725 Sheridan Ave Cody WY 82414

Reason for Objection: There is already a shortage of On Street parking in this area. The occupancy of this new business (177) could result in 50 to 75 more cars being parked on the street. This is just a loss of too much on street parking.

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: blair_t@blairhotel.com

☐ I have NO OBJECTION to the Special Exemption Request.

Name: _____

Address: _____

Comments: _____

☒ I OBJECT to the Special Exemption Request:

Name: Ted Blair - Quin Blair Enterprises Inc

Address: 1701 Sheridan Ave Cody WY 82414

Reason for Objection: There is already a shortage of parking on Sheridan Ave in this block. Please do not add to the problem. 22 on site parking spots on property is not enough when you consider employee & patrons parking. With a capacity of 177 patrons plus employees it will affect other business's ability to use on street parking

If you would like to receive a copy of the Planning and Zoning Board agenda materials for this request, please provide your email address: E-mail address: blair_t@blairhotel.com



Fwd: Parking OBJECTION : 1732 Sheridan Ave

2 messages

Bernie Butler <bernieb@cityofcody.com>
To: Todd Stowell <ToddS@cityofcody.com>

Wed, Mar 3, 2021 at 8:08 AM

BRENDA O'SHEA <awesternrosecody@gmail.com>
Date: Tue, Mar 2, 2021 at 5:41 PM
Subject: Parking OBJECTION : 1732 Sheridan Ave
To: <bernieb@cityofcody.com>

Dear Bernie,

Thank you for taking my call earlier today. Although the letter received today is dated 2/19, it is just being received by us in FL today. (Brenda)

Mark Kearney, is the owner of the motel. His concerns are as follows:

To Whom It May Concern:

A Western Rose Motel has designated parking for the number of rooms we have. I would love to expand, but would be unable to due to lack of parking spaces. This is similar to what THE IVY experienced when they were opening. Thankfully, they have parking at the old Best Western.

This section of Sheridan Ave is already very busy, I refer to it as the speedway. There will be more stress put on the intersection of Sheridan & 19th. The tenants of the Blair building already max out all of the on street parking.

I am 100% PRO BUSINESS, but this business is going to create massive parking problems. Customers are going to park where they please, signs or no signs, whether they're allowed to, or not (notably Pinnacle Bank, Farmers Insurance, Advantage Rehab and our parking lot). Should there be an incident in a parking lot that isn't the Cody Craft Brewing, it will not be their responsibility, but ours.

Where is the food for this establishment? Rumor has it, there will be food trucks. Where is the designated parking for the Food Truck? What if the Food Truck doesn't show up? What about employee parking? A Brewery of this magnitude will require significant employee parking.

I DO NOT agree with the parking. 22 spaces for a capacity of 170 people (not including staff and Food Trucks), if the average car holds 2 people (?) Most, if not all of their customers will arrive by car because of crossing issues at that intersection of Sheridan & 17th.

In closing, it is my great concern about this issue and hope that these people are successful, with their business plan, at a different location unless their capacity is streamed down to what the code requires.

If it is possible to Zoom in on the meeting, please let me know.

Sincerely,

Mark Kearney
Owner
A Western Rose Motel, 1807 Sheridan Ave, Cody, WY 8241
978-531-7977
www.awesternrose.com