

CITY OF CODY  
PLANNING, ZONING AND ADJUSTMENT BOARD  
TUESDAY MARCH 29, 2022  
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 for the March 29, 2022 meeting.
5. Approval of Minutes from the March 8, 2022 regular meeting.
6. New Business:
  - A. Request for a 6-Foot fence in the front yard of 3502 Apache Road.
  - B. Preliminary Plat for the Dansie Minor Subdivision, a 3-lot minor subdivision located at 140 Robertson Street.
  - C. Preliminary Plat for The West Avenue Duplexes Subdivision, an 8-lot subdivision located on the north side of West Avenue.
  - D. Special Exemption Public Hearing to request to reduce the amount of required parking by 50% at 1732 Sheridan Avenue.
  - E. Review the Special Exemption request to reduce the amount of required parking by 50% at 1732 Sheridan Avenue.
7. P & Z Board Matters (announcements, comments, etc.)
8. Council Update
9. Staff Items
10. 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 8, 2022**

A meeting of the City of Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, March 8, 2022 at 12:00 pm.

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

Present: Carson Rowley; Cayde O'Brien; Karinthia Herweyer; Mathew Moss; City Attorney Scott Kolpitcke; Andrew Murray, Ian Morrison, Council Liaison Andy Quick City Planner Todd Stowell; Administrative Coordinator Bernie Butler

Absent: Scott Richard

Cayde O'Brien moved to approve the agenda for March 8, 2022, seconded by Andrew Murray. Vote on the motion was unanimous, motion passed.

Ian Morrison moved to approve the minutes from the February 22, 2022 meeting, seconded by Andrew Murray. Vote on the motion was unanimous, motion passed.

A Public Hearing opened at 12:04 for a Special Exemption to waive the City's requirement to install a 6-foot-tall privacy screen and/or landscape buffer along the west property line of 2301 Pioneer Avenue (Pioneer Apartments). There were no comments from the public. The Public Hearing was closed at 12:05.

City Planner Todd Stowell reviewed the Special Exemption request from Housing Solutions, to waive the 6-foot-tall privacy screen and/or landscape buffer along the west property line of 2301 Pioneer Avenue. The property has a new 24-unit apartment building on it. The property is currently zoned commercial but will most likely be rezoned to R-4 in the future. Immediately to the west is an 8-unit apartment building which is zoned R-4. R-4 zoning does not require the privacy screen and/or landscape buffer.

Cayde O'Brien made a motion, seconded by Ian Morrison to approve the Special Exemption to waive the required of the buffer along the west side of the property, with findings 1-4 in the staff report, and approve the request for as long as the use of the property remains as apartments. Vote on the motion was unanimous, motion passed.

City Planner Todd Stowell discussed the initial draft amendments to the Zoning Ordinance. The Board members will review the proposed edits, and analyze the accompanying sections of the code to identify any additional modifications that should be made. Discussion of the draft changes will continue at the Planning, Zoning, and Adjustment Board meetings as the agenda allows.

The next Board meeting will be held on March 29, 2022.

Ian Morrison made a motion, seconded by Cayde O'Brien to adjourn the meeting. Vote on the motion was unanimous. Carson Rowley adjourned the meeting at 1:00 pm.

*Bernie Butler*

---

Bernie Butler, Administrative Coordinator

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

<b>MEETING DATE:</b>	MARCH 29, 2022	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	REQUEST FOR A 6-FOOT FENCE IN THE FRONT YARD OF 3502 APACHE ROAD.	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

## **PROJECT DESCRIPTION:**

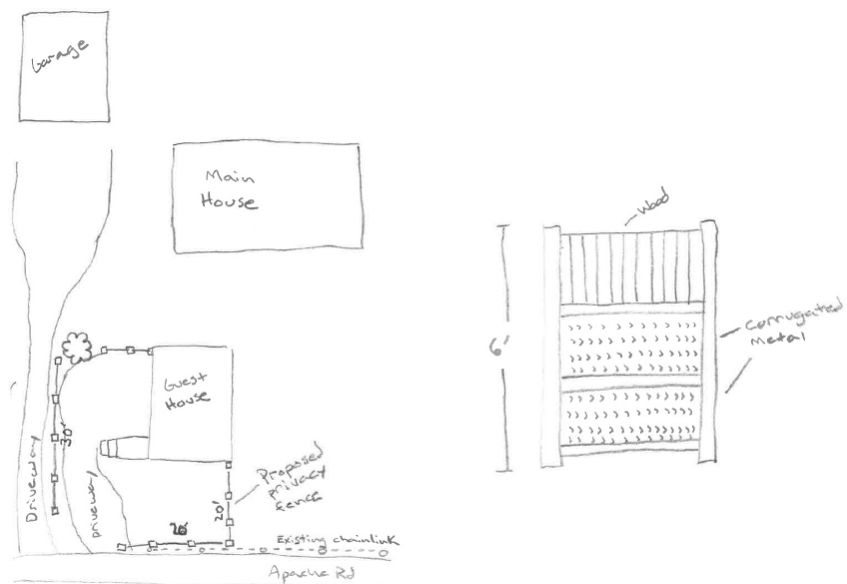
Sam and Syringa Hochhalter of 3502 Apache Road have submitted a fence-height-waiver request in order to install a 6-foot-tall privacy fence in a portion of their front yard.

The City fence requirements limit the height of fences to three feet within the front yard setback area when the fence is less than 40% open. The front yard setback area for this property is 20 feet in depth. The fencing is designed to provide some privacy for the yard area of an accessory dwelling unit (guest house) they recently constructed on their property. The accessory dwelling unit is registered as a short-term rental, and the owners would like to create an outdoor use area for the guests.



## **REVIEW PROCEDURE:**

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

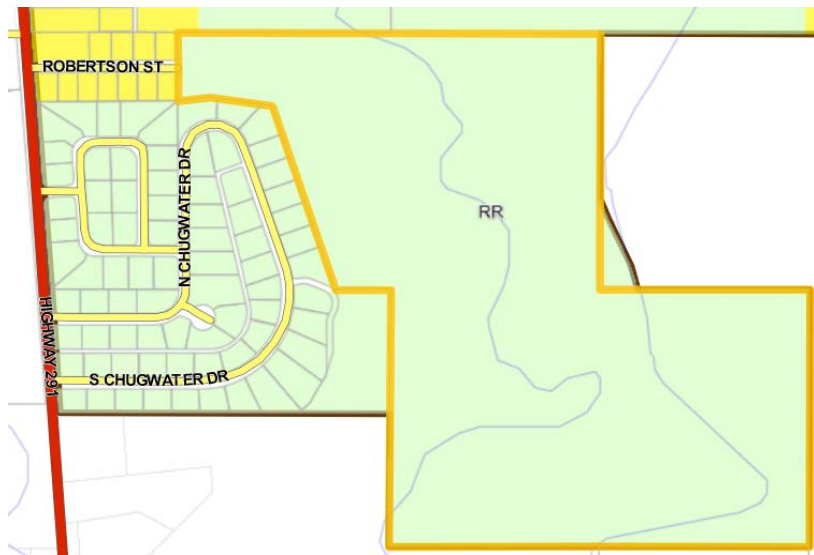


**CITY OF CODY  
PLANNING, ZONING AND ADJUSTMENT BOARD  
STAFF REPORT**

<b>MEETING DATE:</b>	MARCH 29, 2022	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	
<b>SUBJECT:</b>	PRELIMINARY PLAT FOR THE DANSIE MINOR SUBDIVISION, A 3-LOT MINOR SUBDIVISION. SUB 2022-01	RECOMMENDATION TO COUNCIL:	X
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT OVERVIEW**

The proposal is to divide a 116.6-acre parcel located at 140 Robertson Street into three lots, consisting of two 0.46-acre lots and the balance. The two 0.46-acre lots are vacant, and all subdivision improvements pertain to them. Lot 3 contains the owner's residence and farmland, and does not trigger additional improvements. The property is zoned Rural Residential (RR). The preliminary plat drawing is attached.



**SUBDIVISION REGULATIONS**

Applicable 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- No new public streets or alleys are required. The existing cul-de-sac at the end of Robertson Street will need to be improved to City standards and is aligned with the existing street.

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

Comments- Robertson Street is identified as a "rural" street by the Master Street Plan. This standard refers to a 32-foot-wide asphalt road with no curb, gutter, or sidewalk. The physical width of Robertson Street is 24 feet with an asphalt surface. A swale is to be maintained along the edge of the rural street section, for stormwater purposes.

*Items "C" through "F" are standards that relate to construction of new public streets and are not applicable to this subdivision.*

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

Comments: Robertson Street is already a dead-end road with a cul-de-sac, and is about 830 feet long. This subdivision does not extend that length by more than a few feet, so the situation can reasonably be considered non-conforming.

The diameter of the current cul-de-sac is not consistent and needs to be enlarged to meet City standards. The dimensions indicated in the subdivision ordinance are for a cul-de-sac with curb, gutter and sidewalk. As noted in "B", Robertson Street is a rural street section, so curb, gutter, and sidewalk are not applicable. The fire marshal has determined that in this instance an 80-foot diameter paved cul-de-sac is sufficient, provided the cul-de-sac is signed for no parking. The two lots are large enough that they can accommodate sufficient parking.

*Items "H" through "O" relate to construction of new public streets and are not applicable to this subdivision.*

*P. Alleys: Alleys shall be required in all subdivisions with the minimum width being twenty feet (20') ....*

Comment: A variance to the alley requirement is requested and is justified as there are no adjacent alleys to tie into. All utilities and garbage collection will be at the front of the lots.

*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 and zoning 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: As noted previously, the applicable street standard is a rural standard, with no curb, gutter or sidewalk. A separated pathway is identified in the rural street standard, but a variance is requested. The cul-de-sac is at the end of a fully developed subdivision with no sidewalk and no potential for further subdivision. Also, there are no building sites off the end of the cul-de-sac. So, the likelihood of pedestrian traffic around the cul-de-sac is practically non-existent. Therefore, a variance to the pathway requirement seems reasonable due to these characteristics.

*Items "R" through "T" are standards that relate to new streets and drainage that are not applicable to this project.*

*U. Lot Requirements:*

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

Comment: Met. The RR zoning requires a minimum lot size of 0.40 acres.

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

Comment: Met.

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

Comment: Met.

4. *Strip lots...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: The development pattern of the surrounding area and topography prohibit compliance. A variance would be appropriate.

**Section 11-5-1, DEVELOPMENT AND IMPROVEMENT** also includes standards for construction. Applicable sections are listed below.

*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: Enlargement of the cul-de-sac will need to be designed and constructed per City standards. Simple grading and pavement section plans will need to be submitted with the final plat.

*F. Sanitary Sewer: ...Each lot within the proposed subdivision shall be connected to a minimum eight-inch (8") diameter sewer main by a minimum four-inch (4") diameter sewer service line. The service lines shall be extended from the sewer main to the property line according to city standards. The use of individual septic systems will not be permitted when a sanitary sewer main is available...*

Comment: Lots 1 and 2 will connect to City sewer, as shown. The house on Lot 3 is served by an existing septic system, which is allowed to remain. If the septic system on Lot 3 ever fails, analysis would be conducted to determine if connection to City sewer would occur. (At over 1,100 feet away, it is unlikely.)

*G. Storm Sewer...*

Comment: Minor subdivisions are exempt from the storm water policy. It is noted that the plat identifies an existing storm drain easement for the Chugwater Rims Subdivision to the south, which is not affected by this subdivision.

*H. Water: All water mains will be designed and constructed according to city approved specifications and the city standards. The system will connect each lot within the proposed subdivision to a minimum six inch (6") diameter main by the use of a minimum three-fourths inch (3/4") copper service line. The service lines shall be extended from the main to the property line according to city standards. ...*

Comment: Will be met as proposed. Lots 2 and 3 already have curb stops installed for City water. Lot 1 will connect to the water main near its southwest corner, as shown.

*I. Fire Hydrants...*

Comment: Met. A hydrant is at the southwest corner of Lot 1.

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

Comment: No irrigation ditches or drains exist on Lots 1 or 2. The irrigation system on Lot 3 need not be piped, as the Lot remains a large parcel of farmland. A variance for Lot 3 would be appropriate.

*K. Utilities: All utilities (electrical service, natural gas, telephone, cable TV, etc.) shall be installed underground, whenever possible, in the streets, alleys or utility easements shown on the final plat. All buried utilities will be placed before the finished surface is placed on the streets or alleys ... It will be the developer's responsibility to ensure that all utilities necessary or reasonably expected are placed within the proposed subdivision.*

Comment: Only the electrical power to Lots 1 and 2 need to be installed at this time. All other typical utility services are either in place, or can be installed at the time of development of each vacant lot.

It is noted that a gas service to Lot 1 can either be installed when the power is dug over to Lot 1, or it can be installed to Lot 1 in the easement along the east end of the cul-de-sac when the lot is developed.

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

Comment: Street lighting (lights on wood poles) exists along Robertson Street. The nearest street light is one lot to the west of this subdivision, on the south side of the street. An additional street light was not determined necessary in the cul-de-sac. However, if the applicant wants a street light, it can be added.

*N. Public Use Areas: ...*

Comment: Minor subdivisions are exempt from this requirement.

**RECOMMENDATION:**

Recommend that the City Council approve the preliminary plat of the Dansie minor subdivision, with the following variances, and subject to the following conditions:

**Subdivision Variances:**

1. To reduce the cul-de-sac diameter requirement to 80 feet.
2. To waive the alley requirement.
3. To waive the pathway requirement.
4. To waive the block length requirement.
5. To waive the requirement to pipe irrigation ditches on Lot 3.

**Conditions of Approval:**

1. Provide the final plat documents in accordance with the subdivision ordinance.
2. The final plat must include the property line and property corner information for Lot 3, as all of it is within the subdivision. (Clean up the middle map.)
3. With the final plat application, provide grading and pavement detail plans of the cul-de-sac expansion for review and approval. Grading of a swale around appropriate portions of the perimeter (north side) is to be included. Construction of the expansion will need to occur prior to issuance of building permits on Lots 1 and 2; provided, a building permit may be issued if a financial security (e.g. letter of credit, performance bond, or cash deposit) is provided to the City to ensure completion prior to issuance of a certificate of occupancy.
4. The water tap fee for Lot 1 and the electrical estimate are to be paid before the final plat is recorded.
5. Installation of the electrical extension to Lots 1 and 2 is required prior to issuance of a building permit on the lots.
6. All work within the Robertson Street right-of-way requires a street encroachment permit from Public Works, prior to excavation or construction.



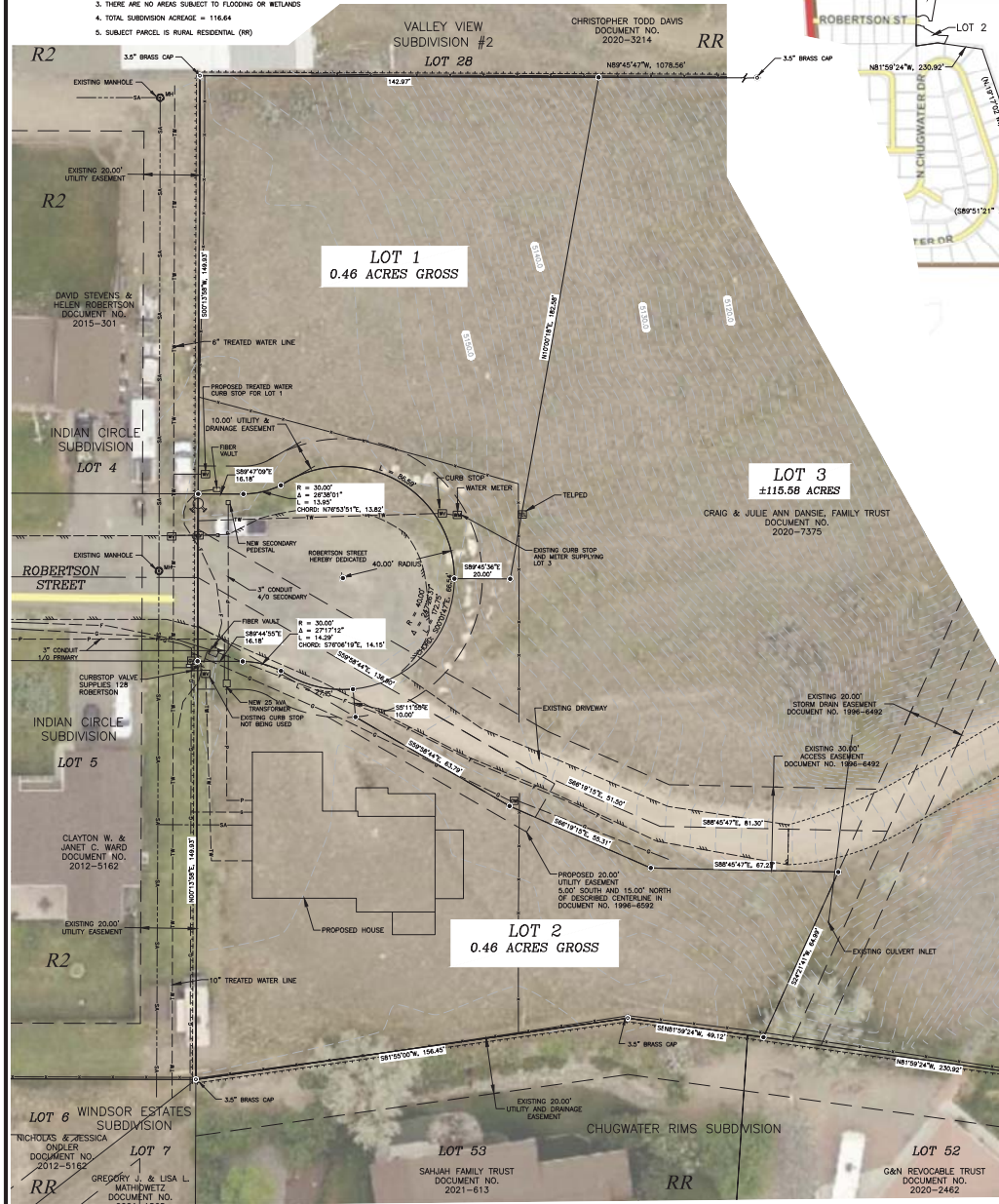
7. Provide an easement for the water line that runs from the water meter on Lot 1 to Lot 3, which easement is for the benefit of Lot 3.

**ATTACHMENTS**

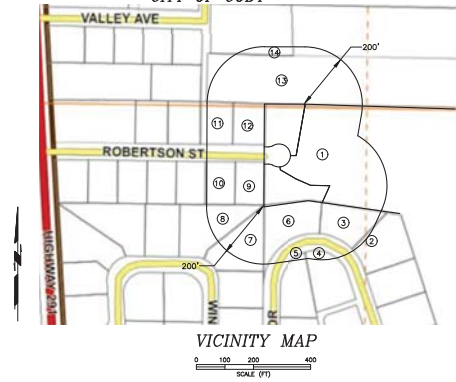
Preliminary plat

## NOTES

1. BEARINGS ARE BASED ON THE CITY OF CODY COORDINATE SYSTEM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD83 WEST CENTRAL ZONE.
2. THE CONTOURS OF THE PROPOSED MINOR SUBDIVISION ARE SHOWN ON THE PLAT WITH MAJOR CONTOURS EVERY 10.00'.
3. THERE ARE NO AREAS SUBJECT TO FLOODING OR WETLANDS.
4. TOTAL SUBDIVISION ACREAGE = 116.64
5. SUBJECT PARCEL IS RURAL RESIDENTIAL (RR)



RESURVEY T.53N., R.101W.  
CITY OF CODY



## LANDOWNER KEY

- 1 CRAIG & JULIE ANN DANCIE FAMILY TRUST, 140 ROBERTSON ST., CODY, WY. 82414
- 2 CHRISTOPHER D. BLIXTON & MEGHAN E. NUNN, 214 SOUTH CHUGWATER DRIVE, CODY, WY. 82414
- 3 GAN REVOCABLE TRUST, 220 S CHUGWATER DR., CODY, WY. 82414
- 4 RANDOLPH B. & ANGELA J. FEUSNER, 187 S CHUGWATER DR., CODY, WY. 82414
- 5 GAIL LOUISE FOSTER & DANA LYNN COOPER, 174 N CHUGWATER DR., CODY, WY. 82414
- 6 SARAH FAMILY TRUST, 179 N CHUGWATER DR., CODY, WY. 82414
- 7 GREGORY J. & LISA L. MATHOWITZ, 137 WINDSOR DR. N., CODY, WY. 82414
- 8 NICHOLAS & JESSICA ONDLER, 131 WINDSOR DR. N., CODY, WY. 82414
- 9 CLAYTON W. & JANET C. WARD, 128 ROBERTSON ST., CODY, WY. 82414
- 10 BURNS FAMILY TRUST, 122 ROBERTSON ST., CODY, WY. 82414
- 11 WOLF FAMILY TRUST, 123 ROBERTSON STREET, CODY, WY. 82414
- 12 DAVID STEVENS & HELEN ROBERTSON, 127 ROBERTSON ST., CODY, WY. 82414
- 13 CHRISTOPHER TODD DAVIS, 2620 CAREY ST., CODY, WY. 82414
- 14 ED & SHERRIE MORRISON REVOCABLE TRUST, 2530 CAREY ST., CODY, WY. 82414

## CITY COUNCIL APPROVAL

APPROVED AS OF \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE CITY  
COUNCIL OF CODY, WYOMING.

MAYOR - MATT HALL

ATTEST: CINDY BAKER  
ADMINISTRATIVE SERVICES OFFICER

## CERTIFICATE OF OWNER

STATE OF WYOMING } SS.  
COUNTY OF PARK }  
I, \_\_\_\_\_, OWNER OF SAID PARCEL, DESCRIBED IN WARRANTY DEED DOCUMENT #2020-7375, DO HEREBY CERTIFY THAT I/WE ARE THE OWNER(S) OF SAID PARCEL, DESCRIBED IN WARRANTY DEED DOCUMENT #2020-7375, AND THAT I/WE HAVE CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED AS SHOWN HEREON AS THE DANCIE MINOR SUBDIVISION LOCATED WITHIN THE CITY OF CODY, WYOMING. I/WE HEREBY DEDICATE THE ROBERTSON STREET RIGHT-OF-WAY TO THE CITY OF CODY AND THE EASEMENTS LABELED HEREON TO THE USES SO NOTED; THAT SAID LANDS ARE SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND MINERAL RIGHTS OR RESERVATIONS ON RECORD.

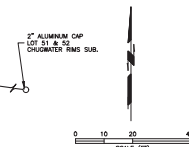
CRAIG DANCIE  
STATE OF WYOMING } SS.  
COUNTY OF PARK }  
JULIE DANCIE

THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY CRAIG & JULIE DANCIE, ON BEHALF OF THE CRAIG & JULIE ANN DANCIE FAMILY TRUST.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC



## LEGEND

- FOUND 3.5" DIA. BRASS CAP
- FOUND 2" DIA. ALUMINUM CAP, OTHERWISE NOTED
- SET 2" DIA. ALUMINUM CAP ON 5/8" DIA. STEEL BAR, SUBDIVISION BOUNDARY
- PROPOSED SUBDIVISION LOT LINES
- EXISTING OVERHEAD POWER LINE
- EXISTING BURIED TELEPHONE / FIBER LINE
- EXISTING BURIED NATURAL GAS LINE
- EXISTING BURIED TREATED WATER LINE
- EXISTING BURIED SANITARY SEWER LINE
- MANHOLE LID, UTILITY AND STRUCTURE TYPES VARY.
- TREATED WATER, WM = WATER METER
- GAS METER, WY = WATER VALVE
- ELECTRIC METER, GM = GAS VALVE
- UTILITY POLE
- FIRE HYDRANT

## CLERK AND RECORDER ACCEPTANCE

THIS PLAT WAS ACCEPTED IN THE OFFICE OF THE CLERK AND RECORDER, PARK COUNTY, WYOMING, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, FILED FOR RECORDING IN BOOK OR PLAT CABINET \_\_\_\_\_ AT PAGE \_\_\_\_\_ AND RECORDED AS COMPUTER RECORD DOCUMENT NUMBER \_\_\_\_\_

PARK COUNTY CLERK  
BY: \_\_\_\_\_, DEPUTY.

## CITY PLANNING AND ZONING BOARD

APPROVED AS OF \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE CITY  
PLANNING AND ZONING BOARD OF CODY, WYOMING.

CHAIRMAN

## CERTIFICATE OF SURVEYOR

I, LYLE J. CARSON, OF ENGINEERING ASSOCIATES, HEREBY CERTIFY THAT THIS MAP WAS PREPARED USING DOCUMENTS ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK, AND FROM NOTES TAKEN DURING ACTUAL SURVEYS PERFORMED UNDER MY DIRECTION BETWEEN NOVEMBER AND DECEMBER OF 2021 AND THAT TO MY KNOWLEDGE, THIS MAP SHOWS THE SITUATION ON THE GROUND AT THE TIME OF ITS PREPARATION.

## PRELIMINARY PLAT OF DANCIE MINOR SUBDIVISION

LOCATED WITHIN

NE1/4NW1/4 LOT 65  
RESURVEY T.52N., R.102W., 6TH P.M.,  
CITY OF CODY, PARK COUNTY, WYOMING

PREPARED FOR: CURT DANCIE  
2629 BIG HORN AVE.  
CODY, WY. 82414

PREPARED BY: ENGINEERING ASSOCIATES  
CONSULTING ENGINEERS & SURVEYORS  
P.O. BOX 1900  
CODY, WYOMING 82414

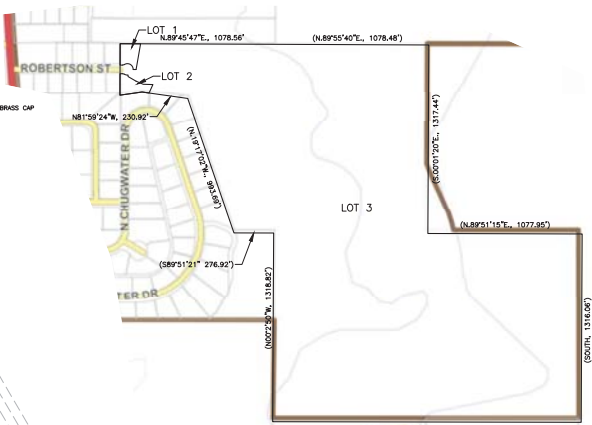


JOB NO. 21100.56 BOOK NO. 593  
03/16/22 P-21100.56/VACAD/BASE

1. BEARINGS ARE BASED ON THE CITY OF CODY COORDINATE SYSTEM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD83 WEST CENTRAL ZONE.
2. THE CONTOURS OF THE PROPOSED MINOR SUBDIVISION ARE SHOWN ON THE PLAT WITH MAJOR CONTOURS EVERY 10.00'.
3. THERE ARE NO AREAS SUBJECT TO FLOODING OR WETLANDS
4. TOTAL SUBDIVISION ACREAGE = 116.64
5. SUBJECT PARCEL IS RURAL RESIDENTIAL (RR)

VALLEY VIEW

CHRISTOPHER DOUGLAS



A horizontal scale bar with a double-line border. It has tick marks at 0, 200, and 400. The text 'SCALE (FT)' is centered below the bar.

APPROVED AS OF \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE CITY  
COUNCIL OF COOY, WYOMING.

APPROVED AS OF \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE CITY  
COUNCIL OF COOY, WYOMING.

ATTEST: CINDY BAKER  
ADMINISTRATIVE SERVICES OFFICER

STATE OF WYOMING )  
COUNTY OF PARK ) ss.

I, the undersigned, being a resident qualified person in the State of Wyoming, do hereby certify that I/we are OWNERS, CRAIG & JULIE ANN TRUST, and PROPRIETORS OF PARCEL DESCRIBED IN WARRANTY DEED DOCUMENT 2006-13737  
ACCORDING TO THE RECORDS OF THE COUNTY CLERK AND RECORDER OF PARK COUNTY, STATE OF WYOMING, AS EVIDENCED BY THAT WARRANTY DEED RECORDED AS DOCUMENT 2006-13737 IN SAID CLERK AND RECORDER'S OFFICE.

That we have CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED AS SHOWN HEREIN AS THE DANISH MARCO SUBDIVISION OF THE CITY OF CODY, WYOMING, AND WE HAVE CAUSED SAID PROPERTY TO BE RECORDED IN THE COUNTY CLERK AND RECORDER'S OFFICE IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS; THAT WE HEREBY DEEDATE THE RIGHT-GO-WAY TO THE CITY OF CODY AND THE EASEMENTS LARGELY HEREIN TO US; AND SO NOTED THAT SAID LANDS ARE SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND MINERAL RIGHTS OR RESERVATIONS ON RECORD.

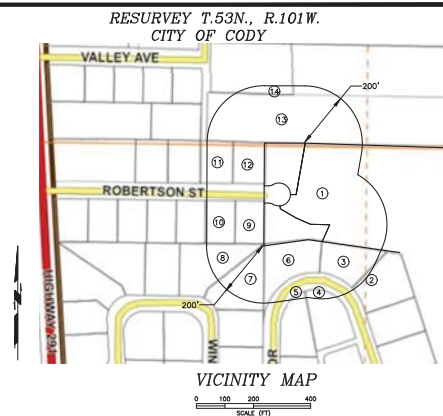
CRAIG DANSIE \_\_\_\_\_ JULIE DANSIE \_\_\_\_\_  
 STATE OF WYOMING } SS.  
 COUNTY OF PARK }  
 THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY CRAIG & JULIE DANSIE  
 ON BEHALF OF THE CRAIG AND JULIE ANN DANSIE FAMILY TRUST.  
 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, WITNESS MY HAND AND OFFICIAL SEAL.  
 MY COMMISSION EXPIRES: \_\_\_\_\_

- FOUND 3.5" DIA. BRASS CAP
- FOUND 2" DIA. ALUMINUM CAP, OTHERWISE NOTED
- ★ SET 2" DIA. ALUMINUM CAP ON 5/8" DIA. STEEL, IN SUBDIVISION BOUNDARY
- PROPOSED SUBDIVISION LOT LINES.
- EXISTING OVERHEAD POWER LINE.
- EXISTING BURIED TELEPHONE / FIBER LINE.
- EXISTING BURIED NATURAL GAS LINE.
- EXISTING BURIED TREATED WATER LINE.
- EXISTING BURIED SANITARY SEWER LINE.
- MANHOLE I.D. UTILITY AND STRUCTURE TYPES VARY.
- TREATED WATER.
  - WM = WATER METER
  - GW = WATER VALVE
  - GM = METER METER
  - ELECTRIC METER, GV = GAS VALVE
- UTILITY POLE.
- FIRE HYDRANT

PREPARED FOR: CURT DANSIE  
2629 BIG HORN AVE.  
CODY, WY 82414

PREPARED BY: ENGINEERING ASSOCIATES  
CONSULTING ENGINEERS & SURVEYORS  
P.O. BOX 1900  
CODY, WYOMING 82414

JOB NO. 21100.56 BOOK NO. 593  
03/16/22 P:\21100.56\ACAD\BASE



① CRAG & JULIE ANN DANFIE FAMILY TRUST, 140 ROBERTSON ST., CODY, WY 82414  
② OSWALD DOROTHY D. BUXTON & MEGHAN E. NUNN, 214 SOUTH CHUMBER DRIVE, CODY, WY 82414  
③ KAM REVOLOCAT TRUST, 220 S CHUMBER DR., CODY, WY 82414  
④ RANDOLPH B. & ANGELA A. FEUSNER, 127 S CHUMBER DR., CODY, WY 82414  
⑤ KAL LOUISE FOSTER & DANA LYNN COGHAN, 174 N CHUMBER DR., CODY, WY 82414  
⑥ BEAHM FAMILY TRUST, 127 S CHUMBER DRIVE, CODY, WY 82414  
⑦ GREGORY J. & LISA L. MATHWICK, 137 WINDSOR DR. N., CODY, WY 82414  
⑧ NICHOLAS & JESSICA O'NEAL, 131 WINDSOR DR. N., CODY, WY 82414  
⑨ CLAYTON W. & ANNE C. WARD, 128 ROBERTSON ST., CODY, WY 82414  
⑩ BURNS FAMILY TRUST, 122 ROBERTSON ST., CODY, WY 82414  
⑪ WOLF FAMILY TRUST, 123 ROBERTSON STREET, CODY, WY 82414  
⑫ DAVID STEVENS & ELLEN ROBERTSON, 127 S ROBERTSON ST., CODY, WY 82414  
⑬ CHRISTOPHER TOOD DOWD, 2630 CARY ST., CODY, WY 82414  
⑭ ED & SHERRIE MORRISON, REVOLOCAT TRUST, 2530 CARY ST., CODY, WY 82414

THIS PLAT WAS ACCEPTED IN THE OFFICE OF THE CLERK AND RECORDER, PARK COUNTY, WYOMING, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, FILED FOR RECORDING IN BOOK OR PLAT CABINET \_\_\_\_\_ AT PAGE \_\_\_\_\_ AND RECORDED AS COMPUTER RECORD DOCUMENT NUMBER \_\_\_\_\_.

PARK COUNTY CLERK \_\_\_\_\_

(BY) \_\_\_\_\_, DEPUTY.

APPROVED AS OF \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022 BY THE CITY  
PLANNING AND ZONING BOARD OF CODY, WYOMING.

\_\_\_\_\_  
CHAIRMAN

I, LYLE J. CASCIATO, OF ENGINEERING ASSOCIATES, HEREBY CERTIFY THAT THIS MAP WAS PREPARED USING DOCUMENTS ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK, AND FROM NOTES TAKEN DURING ACTUAL SURVEYS PERFORMED UNDER MY DIRECTION BETWEEN NOVEMBER AND DECEMBER OF 2021; AND, THAT TO MY KNOWLEDGE, THIS MAP SHOWS THE SITUATION ON THE GROUND AT THE TIME OF ITS PREPARATION.

## LOCATED WITHIN

NE1/4NW1/4 LOT 65  
RESURVEY T.52N., R.102W., 6TH P.M.,  
CITY OF CODY, PARK COUNTY, WYOMING

PREPARED FOR: CURT DANSIE  
2629 BIG HORN AVE.  
CODY, WY 82414

PREPARED BY: ENGINEERING ASSOCIATES  
CONSULTING ENGINEERS & SURVEYORS  
P.O. BOX 1900  
CODY, WYOMING 82414

JOB NO. 21100.56 BOOK NO. 593  
03/16/22 P:\21100.56\ACAD\BASE





The review process requires the applicant to notify owners of the adjacent lot(s) of the request and allow them up to ten (10) days to provide comments. The applicant has obtained signatures of support from the three property owners to the north and east.

**STAFF ANALYSIS:**

The fence proposed along the street frontage is only 20 feet in length. One of the proposed side fences extends to the proposed front fence and the other would stop about 8 feet (based on site plan) from the front property line. The fenced area is in the immediate vicinity of the guest house only. As such, it occupies only a small portion of the front yard, as opposed to a request to fence the entire front yard. The fence is over 150 feet from the neighbor's house to the west and over 60 feet from the neighbor's house to the east.



In addition, the property line is approximately 20 feet from the edge of asphalt of Apache Road. That means the fence will also be 20 feet off of Apache Road. As such, it will not create concerns of limiting sight distance of vehicle drivers entering Apache Road.

The review language in the ordinance is that there should be no adverse impacts to neighboring properties or the public health and safety. No impacts have been identified due to the distance from the street and from neighboring properties.

**ALTERNATIVES:**

Approve or deny the request.

**RECOMMENDATION:**

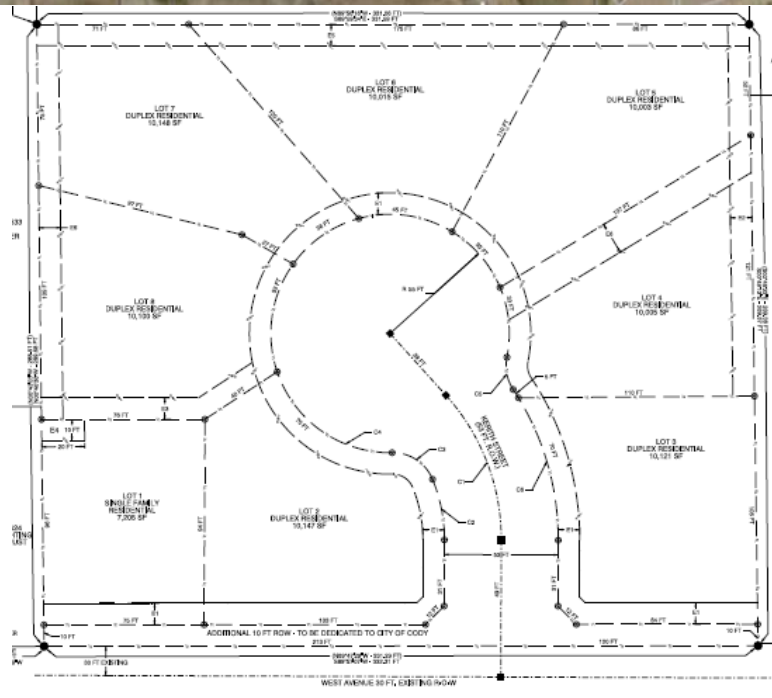
Approve the proposed fence in the front yard of 3502 Apache Road, as depicted on the site plan.

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

<b>MEETING DATE:</b>	MARCH 29, 2022	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	
<b>SUBJECT:</b>	PRELIMINARY PLAT OF THE WEST AVENUE DUPLEXES SUBDIVISION— AN 8-LOT SUBDIVISION. SUB 021-08	RECOMMENDATION TO COUNCIL:	X
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT OVERVIEW**

Ken McKinney has submitted a preliminary plat application for an 8-lot subdivision identified as the West Avenue Duplexes Subdivision. The property is zoned R-2 residential. Lot 1 is identified as a single-family lot, and the other seven lots are identified as duplex (two-family dwelling) lots. A conceptual plan of the subdivision was reviewed by the Board on December 14, 2021. The current application closely follows the conceptual plan proposal and feedback.



**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 will tie into West Avenue at a 90-degree angle. 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: No interior streets through this property are identified in the master street plan. West Avenue only has 30 feet of right-of-way. The plat includes dedication of an additional 10 feet of right-of-way plus another 10 feet of utility and drainage easement, as requested. This meets the requirement.

*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. The interior street is a dead end.

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

Comment: Will be met, as proposed. Due to topography, drainage will need to be out of the cul-de-sac. An infiltration trench system is proposed between and along the back of Lots 4 and 5.

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

Comment: The property is "boxed in" by existing development so that there are no alternatives but to have a dead-end street. A variance is justified.

*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>Residential street</i>	<i>60 feet</i>	<i>0.3 percent</i>	<i>7.0 percent</i>

Comment: 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 53-foot-wide right-of-way as shown in the street master plan, plus 10-foot utility easements to each side, which is adequate to accommodate the street design. The proposal also includes additional right-of-way for West Avenue based on the master plan street profile. Grade requirements will be met.

*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: Anticipated to be met. It will be verified in the construction plans with the final plat.

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

Comment: Met.

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

Comment: A 100-foot diameter radius is proposed, which is sufficient due to the low speeds of vehicles so near an intersection on such a short street. A variance is recommended.

*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: As proposed.

*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 there are no alleys to tie into and all utilities will be in and along the streets. 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... 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: Curb, gutter and sidewalk and paved streets are proposed for both the interior street and the West Avenue frontage. It is noted that the West Avenue frontage will not contain standard curb and gutter, but a "ribbon" curb. The ribbon curb is flat to allow stormwater to flow directly over it. This is necessary as the grade of this portion of West Avenue is too flat to flow water down a gutter. Also, the sidewalk is proposed to be asphalt. Public works is open to the use of asphalt here, as their long-term plan is to extend the sidewalk to the east in the form of an asphalt pathway.

*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: Will be met as proposed.

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

Comment: No storm sewer facilities exist in the area.

*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 drainage plan has been developed and is attached. It involves grading the road to have storm water run to the east side of the cul-de-sac, allowing the storm water to pass through a curb cut and into an infiltration trench that runs along the common boundary of Lots 4 and 5, and to the back of the lots. The plan meets the capacity requirements for the subdivision. It is also noted that the stormwater from West Avenue will be allowed to flow into the drainage easement along the edge of the street which will further reduce runoff potential to neighboring properties.

There is some concern that the proximity of the infiltration trench to basements or crawl spaces on Lots 4 and 5 could cause dampness in those areas. The engineer widened the drainage easement from 10 feet to 15 feet to force more separation in response to the concern. With the wider easement, any foundation on Lot 4 would be at least 6 feet from the bottom of the infiltration trench, and on Lot 5 it would be at least 11 feet, based on a 5-foot setback on Lot 5 and a 0' setback from the edge of the easement on Lot 4, if the trench is centered in the easement. Off-setting the trench to the north side of the drainage easement to even out the separation is recommended and would provide about 8 feet of separation to each side.

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. A reference to the requirement is included on the preliminary plat as Subdivision Note 1.

*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 (5,500 square feet for single-family lot, and 10,000 square feet for a two-family dwelling), as well as minimum frontage (30 feet on cul-de-sac), and minimum average lot width (45 feet).

*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: Impossible to meet due to surrounding development pattern. A variance is justified.

**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: The cross section shown on Sheet 2 of the preliminary plat shows an 8-foot +/- extension of asphalt for West Avenue in the cross section, and a 1-foot ribbon curb instead of the typical 2 ½ foot side curb and gutter section. A 4-foot sidewalk, rather than the 5-foot-wide standard is shown. To clarify, the dimension of asphalt from the centerline of West Avenue to the concrete ribbon curb needs to be 18 feet to provide for both the travel lane and parking strip. In addition, the edge of the street will need to be cut to provide a clean edge to match the new asphalt to the old asphalt. The plans should clearly note this. A 4-foot-wide sidewalk will be accepted by staff, as the 1-foot ribbon curb should also contribute to the walking surface.

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

Comment: A street and stop sign will need to be shown on the construction plans. The proposed street name is "Kerith Street". The name has yet to be approved by the street naming committee. At a minimum, the designation will need to be changed from "Street" to "Court". The phonetic issue of "Kerith" versus "Careth" may be an issue for the committee. An approved street name will need to be determined for the final plat.

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

*developer and the city whereby the city may help finance the oversized main. It will be the developer's responsibility to ensure that the piping system for the proposed subdivision is connected to the city system.*

Comment: All lots are proposed to be provided with a new sewer service. Lot 3 may already have a sewer service. It may be used if it is verified by camera that it is PVC in good condition. If it is not used, it must be abandoned and capped to Public Works requirements.

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

Comment: There is no storm sewer system in the City street system in the area. A noted previously, an internal drainage system is proposed.

*H. Water Mains: All water mains will be designed and constructed according to city approved specifications and the city standards. The system will connect each lot within the proposed subdivision to a minimum six-inch (6") diameter main by the use of a minimum three-fourths inch ( $\frac{3}{4}$ ") copper service line. The service lines shall be extended from the main to the property line according to city standards. These mains will be connected to the city system. All water mains will be designed in accordance with the city plan, state and federal regulations, and designed to provide adequate flow and pressure under all conditions, including major fire conditions...*

Comment: All lots are proposed to be provided with new 1" water services. The 1" service will allow the line to be split at each lot into two  $\frac{3}{4}$ " services for each half of each duplex. The existing water service to Lot 3 is likely 49 years old and should not be used. It will need to be exposed at the main (pot holed) and the "corp" stop closed. As Lot 1 is a single-family lot, the utility plan can be modified to show a  $\frac{3}{4}$ " water service for Lot 1.

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

Comment: A fire hydrant is proposed at the end of the cul-de-sac.

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

Comment: The existing irrigation ditch that crosses the property is proposed to be relocated to run along the west and north property lines, until such time that it can hopefully be abandoned (anticipated 2-3 years). The City is extending City raw water (irrigation) down West Avenue in the next year or so, after which extensions are planned to allow the neighborhood to switch over to the City system and abandon the subject ditch. A variance to allow the irrigation ditch to remain open would be appropriate based on the plans to soon abandon the ditch.

*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. Based on 15 dwelling units, 0.3 acres of public use area would be required. However, the recommendation is to accept cash in lieu of the land. Using the 2021 County Assessor land value of \$0.8859 per square foot of the subject property, the 0.3 acres of land would equate to \$11,577.00.

**OTHER:**

**Irrigation:** The applicant proposes to transfer surface water rights from this property to the City and connect to the City raw water line that is planned to be installed. The property owner is responsible for the application, costs and processing of the transfer.

**Electrical:** The overhead lines running across the property will be able to be removed with installation of the new underground electrical system that is proposed. Coordinate with the electrical division as the City will do further work that will allow the overhead line to the west to be removed as well. Any other utility providers using the pole line will also need to relocate, so coordinate with those providers as well. Include notes in the construction plans.

The widening of West Avenue will necessitate the relocation or removal of a telephone pedestal. Coordinate relocation with CenturyLink.

**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). Final location must be authorized by both the Post Office and City.
2. Primary vehicle access for Lots 2 and 3 will be limited to the interior street, unless otherwise approved by Public Works. Include a note on the final plat to notify lot owners of the restriction.

3. The building on Lot 4 and 5 will need to be removed before the final plat is recorded, so that no building or zoning violations are created.
4. Include complete survey information and monumentation on the final plat.
5. Clarify the following on the construction plans, to be submitted for approval with the final plat:
  - a. Curb stops are to be placed near the back of sidewalk, and a pigtail run below the dry utility trench to the back of the utility easement.
  - b. Raw water valves are to be placed near the back of sidewalk. No pigtail is needed.
  - c. Extend the sewer services to the back of the utility easement, as shown.
  - d. Shift the secondary pedestal in front of Lot 7 to the south line of the lot.
  - e. Include a street sign, stop or yield sign, and "No Outlet" sign.
  - f. Clarify the West Avenue construction detail—18' from centerline to ribbon curb, and saw cut existing asphalt to provide clean edge.
  - g. Shift the infiltration trench to the north side of the drainage easement between Lots 4 and 5.
  - h. Note the abandonment of all unused utilities, per the requirements of the utility providers.

**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 noted in the staff report for the reasons explained.

**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 allow a permanent dead-end street.

2. To allow use of the updated master plan street section and corresponding reduction in right-of-way width.
3. To allow a 100-foot curvature radius on the internal street (reduced from 200').
4. To waive the alley requirement.
5. To waive the block length requirement.
6. To waive burying (piping) of the relocated irrigation ditch.
7. To allow 4-foot sidewalks instead of 5-foot sidewalks.

Conditions:

1. A maintenance agreement and/or homeowner's association shall be established for maintenance of the storm water infiltration facilities (trench). Submit the proposed document(s) with the final plat.
2. The applicant will need to contact the post office for mail box location(s). The final location must be authorized by both the Post Office and City.
3. Primary vehicle access for Lots 2 and 3 will be limited to the interior street, unless otherwise approved by Public Works. Include a note on the final plat to notify the lot owners of the restriction.
4. The building on Lots 4 and 5 will need to be removed before the final plat is recorded, so that no building or zoning violations are created.
5. Relocate the irrigation ditch in a manner that flow is not interrupted for any significant amount of time, unless coordinated with the applicable water users.
6. Include complete survey information and monumentation on the final plat.
7. Obtain an approved street name from the street name committee—use "Court".
8. In the construction plans that are to be submitted for approval with the final plat, clarify/include the following:
  - a. Curb stops are to be placed near the back of sidewalk, and a pigtail run below the dry utility trench to the back of the utility easement.
  - b. Raw water valves are to be placed near the back of sidewalk. No pigtail is needed.
  - c. Extend the sewer services to the back of the utility easement, as shown.
  - d. Shift the secondary pedestal in front of Lot 7 to the south line of the lot.
  - e. Include a street sign, stop or yield sign, and "No Outlet" sign.
  - f. Clarify the West Avenue detail—18' from centerline to ribbon curb, and saw cut existing asphalt to provide clean edge.
  - g. Shift the infiltration trench to the north side of the drainage easement between Lots 4 and 5.
  - h. Note the abandonment/removal of all unused utilities, per the requirements of the utility providers. (Includes overhead utilities and potentially gas, sewer, power, cable/phone, and water services to Lot 3.)

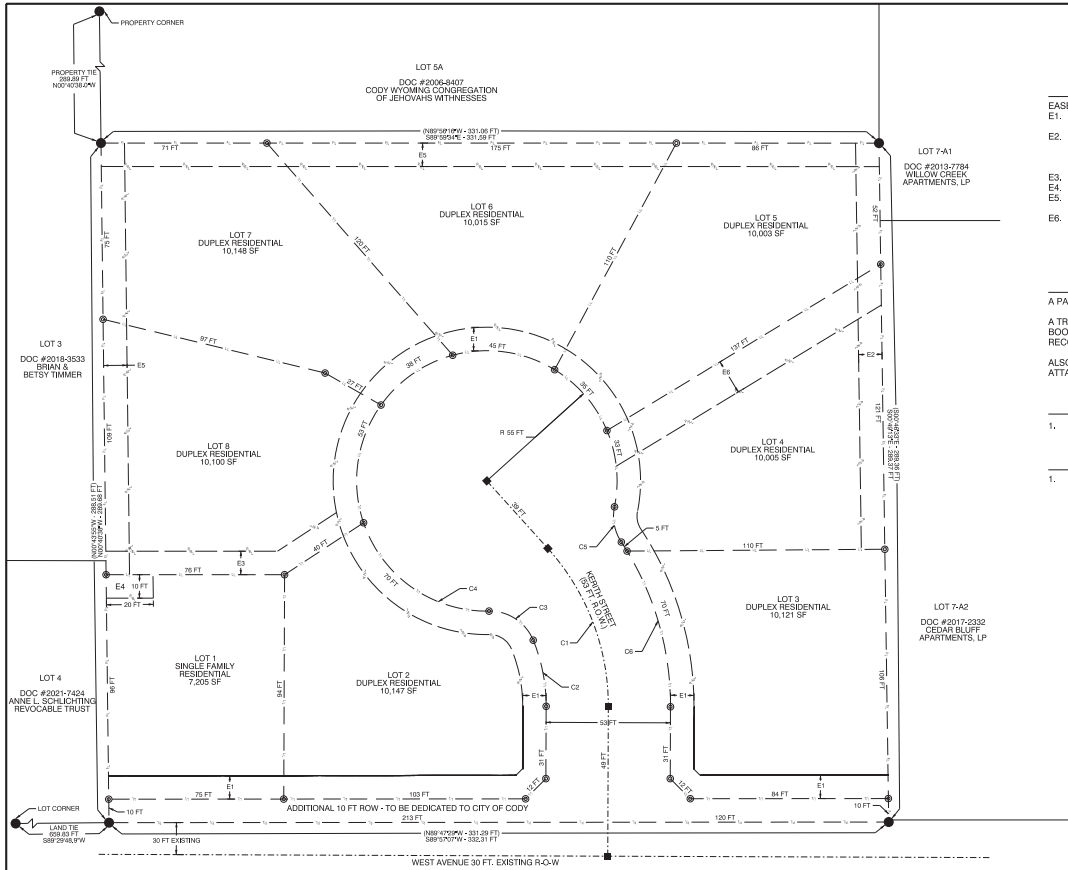
9. The final plat application and construction documents shall otherwise comply with the City subdivision ordinance.
10. Payment of the cash-in-lieu of public use area fee will need to occur prior to the mayor signing the final plat.

**ATTACHMENTS:**

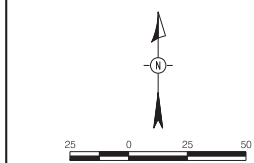
Preliminary Plat (Sheet 1)

Preliminary utility plan (Sheet 2)

Drainage plan



LOT 9-11-7 DOC #2018-6593 SCOTT SCHOFIELD	LOT 9-11-6 DOC #2002-04990 DANIEL G. VULETCH	LOT 9-11-5 DOC #2021-7332 DANIEL G. & APRIL KATHERINE VULETCH	LOT 9-11-4 DOC #2006-6089 CLINTON J. & ELIZABETH A. CAMPBELL	LOT 9-11-3 DOC #2021-4215 ACORN PROPERTIES, LLC
---	--	--	---	---



CURVE TABLE			
NO.	LENGTH	RADIUS	DELTA
C1	73.79 FT	100.0 FT	42°10'43"
C2	28.89 FT	73.5 FT	22°31'20"
C3	23.96 FT	20.0 FT	68°38'20"
C4	273.59 FT	93.5 FT	332°20'27"
C5	15.69 FT	20.0 FT	44°56'47"
C6	74.33 FT	126.5 FT	33°39'53"

LEGEND	
	SUBDIVISION BOUNDARY
	SUBDIVISION LOT LINES
	STREET CENTERLINE
	PROPOSED EASEMENT
	ADJACENT LOTS
	BROKEN SCALE
	INDICATES RECORD DIMENSIONS
	3-IN. BRASS CAP ON 2-IN X 30-IN PIPE
	2-IN. ALUMINUM CAP ON 5/8 IN X 24 IN REBAR
	SET STREET CENTERLINE MONUMENT

EASEMENT NOTES

- EASEMENTS
- A 10-FT WIDE UTILITY AND DRAINAGE EASEMENT ALONG WEST AVENUE AND THE KERITH STREET RIGHT-OF-WAY.
  - A 10-FT WIDE DRAINAGE EASEMENT FOR THE BENEFIT OF THE WEST AVENUE DUPLEXES HOME OWNERS ASSOCIATION ALONG THE EAST BOUNDARY OF LOTS 4 AND 5. MODIFICATION TO SURFACE CONTOURS NOT PERMITTED BY LOT OWNERS WITHOUT APPROVAL BY THE HOMEOWNERS ASSOCIATION AND THE CITY OF CODY.
  - A 10-FT WIDE UTILITY EASEMENT ALONG THE SOUTH BOUNDARY OF LOT 8.
  - A 10-FT BY 20-FT UTILITY EASEMENT IN THE NORTHWEST CORNER OF LOT 3.
  - A 10-FT WIDE IRRIGATION EASEMENT ALONG THE WEST BOUNDARY OF LOTS 7 AND 8, AND THE NORTH BOUNDARY OF LOTS 5, 6 AND 7.
  - A 15-FT WIDE DRAINAGE EASEMENT FOR THE BENEFIT OF THE WEST AVENUE DUPLEXES HOME OWNERS ASSOCIATION ALONG THE NORTH BOUNDARY OF LOT 4. MODIFICATION TO SURFACE GRADING NOT PERMITTED BY LOT OWNERS WITHOUT APPROVAL BY THE HOMEOWNERS ASSOCIATION AND THE CITY OF CODY.

DESCRIPTION OF LANDS

A PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OF LAND LOCATED WITHIN LOT 5 AND LOT 6, FENEX SUBDIVISION, AS LOCATED IN BOOK "E" OF PLATS, PAGE 24, ACCORDING TO THE RECORDS OF THE COUNTY CLERK AND RECORDER OF PARK COUNTY, STATE OF WYOMING.

ALSO KNOWN AS LOT 6-A OF RECORD OF SURVEY SHOWING BOUNDARY LINE ADJUSTMENTS ATTACHED TO WARRANTY DEED RECORDED OCTOBER 24, 2006 AS DOC #2006-8406.

VARIANCES

- CITY ORDINANCE 11-4-2 (P); A VARIANCE TO THE REQUIREMENT FOR ALLEYS.

SUBDIVISION NOTES

- STORM WATER INFILTRATION FACILITIES SHALL BE MAINTAINED PER THE STORM WATER MAINTENANCE AGREEMENT.

CERTIFICATE OF OWNER

KNOW ALL PERSONS BY THESE PRESENTS THAT WE, THE UNDERSIGNED, ALL HEIRS AND/OR ASSIGNS, HEREBY CERTIFY THAT WE ARE THE OWNERS AND PROPRIETORS OF THE LOT 6A OF THE FENEX SUBDIVISION AS FILED IN PLAT CABINET E, PAGE 24, EVIDENCED BY DOC# 2021-8085 ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK; THAT WE HAVE CAUSED SAID LANDS TO BE SURVEYED; THAT THE SUBDIVISION OF SAID LANDS IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS; THAT WE, THE UNDERSIGNED, HEREBY DEDICATE THE EASEMENTS AND RIGHTS-OF-WAY SHOWN HEREON FOR THE PURPOSES NOTED; THAT SAID LANDS ARE SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY AND MINERAL RIGHTS OR RESERVATION OF RECORD; AND, THAT ANY RIGHTS BY VIRTUE OF THE HOMESTEAD EXEMPTION LAWS OF THE STATE OF WYOMING ARE HEREBY RELEASED AND WAIVED.

KEN MCKINNEY, MEMBER - OLD BLACK WAGON PROPERTIES, LLC  
STATE OF WYOMING } SS  
COUNTY OF PARK }  
THE FOREGOING CERTIFICATE OF OWNER WAS ACKNOWLEDGED BEFORE ME BY KEN MCKINNEY, MEMBER: OLD BLACK WAGON PROPERTIES, LLC ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_, WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

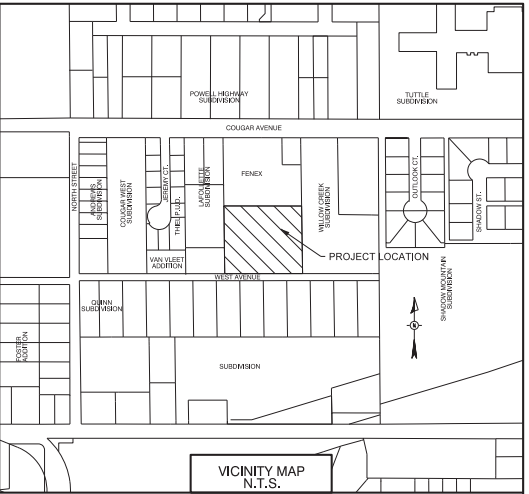
SURVEY NOTES

- BEARING BASE: BEARINGS SHOWN ON THIS PLAT ARE GEODETIC BASED ON THE WYOMING STATE PLANE COORDINATE SYSTEM, NAD83(2011), WYOMING WEST CENTRAL ZONE. GRID DISTANCES HAVE BEEN SCALED ACCORDING TO THE CITY OF CODY DATUM: 1(CSF = 1.0002978).
- SURVEY WORK WAS PERFORMED TO AN ACCURACY OF 1:15,000.
- LINEAR UNITS ARE U.S. SURVEY FEET, ANGULAR UNITS ARE DEGREES, MINUTES SECONDS.
- TOTAL SUBDIVISION AREA = 2.20 ACRES, MORE OR LESS.

CERTIFICATE OF SURVEYOR

I, BRETT J. FARMER, A DULY REGISTERED LAND SURVEYOR IN THE STATE OF WYOMING, DO HEREBY STATE AS FOLLOWS: THE INFORMATION SHOWN HEREON IS BASED ON RECORDS ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK AND ON FIELD SURVEY WORK PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THIS FINAL PLAT SHOWS THE DIVISION OF LANDS DESCRIBED IN DOC# 2021-8085 ON FILE IN THE OFFICE OF THE PARK COUNTY CLERK; THAT THE LANDS SURVEYED ARE CORRECTLY DESCRIBED IN THE DESCRIPTION OF LANDS AND THE SUBDIVISION THEREOF IS CORRECTLY SHOWN ON THIS PLAT, WHICH IS DRAWN TO THE SCALE INDICATED; AND THAT THE INFORMATION SHOWN HEREON IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BRETT J. FARMER  
WYOMING REGISTRATION NO. 15644, L.S.



APPROVALS

CITY PLANNING AND ZONING BOARD  
RECOMMENDED FOR APPROVAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
BY THE CITY PLANNING AND ZONING BOARD OF CODY, WYOMING.

BY CHAIRMAN: \_\_\_\_\_

CITY COUNCIL  
APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
BY THE CITY COUNCIL OF CODY, WYOMING.

BY MAYOR: MATT HALL

ATTESTED BY: \_\_\_\_\_  
ADMINISTRATIVE SERVICES DIRECTOR

COUNTY CLERK'S CERTIFICATE

THIS PLAT OF THE WEST AVENUE SUBDIVISION WAS FILED FOR THE PUBLIC RECORD IN THE OFFICE OF THE CLERK, PARK COUNTY, WYOMING, AT \_\_\_\_\_ O'CLOCK, \_\_\_\_\_ P.M. ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_, AND IS DULY RECORDED IN PLAT CABINET \_\_\_\_\_ ON PAGE \_\_\_\_\_, DOC# \_\_\_\_\_

BY: \_\_\_\_\_  
PARK COUNTY CLERK DEPUTY

PRELIMINARY PLAT  
SHEET 1

WEST AVENUE DUPLEXES SUBDIVISION

BEING A SUBDIVISION OF LOT 6A WITHIN  
LOTS 5 AND 6 OF THE FENEX SUBDIVISION

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

DEVELOPER / OWNER:  
OLD BLACK WAGON PROPERTIES, LLC  
505 SW LEVENS STREET  
DALLS, OR 97338  
DOC# 2021-8085

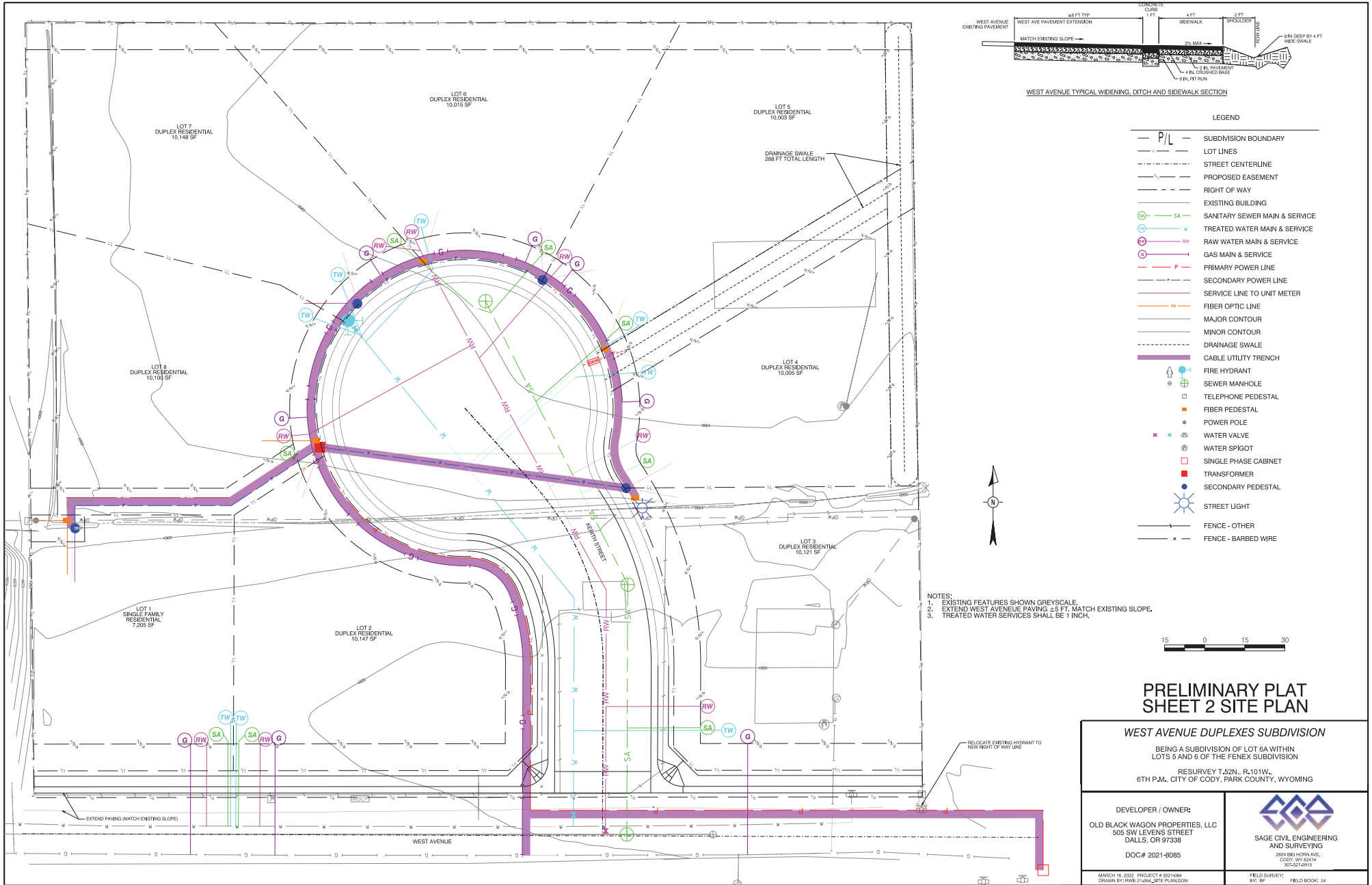


SAGE CIVIL ENGINEERING  
AND SURVEYING  
2624 BEE HORN AVE.  
CODY, WY 82404  
307-527-8915

MARCH 15, 2022 PROJECT # 2021-1484  
DRAWN BY: RWB 2-ADN\_PLAT.DGN

FIELD SURVEY: \_\_\_\_\_  
BY: SP FIELD BOOK: 24





PRELIMINARY PLAT  
SHEET 2 SITE PLAN

WEST AVENUE DUPLEXES SUBDIVISION

BEING A SUBDIVISION OF LOT 6A WITHIN  
LOTS 5 AND 6 OF THE FENEX SUBDIVISION

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

DEVELOPER / OWNER:  
OLD BLACK WAGON PROPERTIES, LLC  
505 SW LEVENS STREET  
DALLS, OR 97338  
DOC# 2021-8085

SAGE CIVIL ENGINEERING  
AND SURVEYING  
2824 BEE HORN AVE.  
CODY, WY 82401  
307-527-8915

MARCH 16, 2022 PROJECT # 2021-044  
DRAWN BY: RWB 2-400 SITE PLAN.DWG

FIELD SURVEY:  
870 SF FIELD BOOK: 24

# DRAINAGE REPORT

For

**OLD BLACK WAGON PROPERTIES,  
LLC.**

**West Ave. Duplexes Major Subdivision**

**Owner**

**Old Black Wagon  
Properties, LLC.  
Ken McKinney**

505 SW Levens Street  
Dalls, OR 97338



SAGE CIVIL ENGINEERING  
ENGINEERS | SURVEYORS

2824 Big Horn Ave.  
Cody, WY 82414

February 21, 2022

## **Introduction - Property Description**

This project is located at 2719 West Ave. In total, the development encompasses approximately 2.2 Acres. Eight lots will be created and accessed by West Ave. and a proposed cul-de-sac. Of the eight lots, seven are proposed for duplexes and the remaining lot will be single family residential.

## **Purpose of Drainage Plan**

This drainage plan outlines the proposed measures to handle storm water runoff for this development. Drainage calculations have been performed and storm water facilities will be constructed as shown on the drainage and construction plans.

## **Description of Facilities and Assumptions**

The proposed drainage improvements will consist of the street paving, curb and gutter, curb cut and drainage swales located within drainage easements along the north boundary of Lot 4 and the east boundary of Lots 4 and 5. See Drainage Plan for basin information.

### ***Existing Conditions***

Under existing conditions, the stormwater runoff patterns have been dictated by the presence of an irrigation supply ditch running east west across the property. This ditch is located on a ridge at the highest point on the property. Flow was directed from this ditch to flood irrigate the pasture north and south of it. Stormwater south of this ditch flowed to West Ave. and stormwater generated from lands north of this ditch made its way to the northeast corner of the property where it leaves and flows onto the neighboring property. There are two existing buildings, which were modeled as impervious. The remainder of the lot was modeled as grassy. The roads were not measured separately. The unimproved C factor was increased slightly to represent the hardpacked, road areas.

### ***Proposed Conditions***

The cul-de-sac is proposed with a vertical curve located north of the intersection with West Ave. The street south of this curve will drain back to West Ave. and the area north of this curve will drain north into the proposed development. This allows us to capture the stormwater runoff for disposal into the percolation trench locations. As designed, the cul-de-sac surfacing will be graded with a 2% transverse slope to the east. West Ave. at the tie in point slopes to the east. Beginning at that point, rather than transition to normal crown, the transition will be to a 2%.

For calculation purposes, it was assumed each lot would have a total impervious area of 5,000 sf. This should be a conservative number and should account for buildings, driveways, patios, etc. It is especially conservative for the 7,000 square foot lot, Lot 1. The remaining portions of the lot would be grass, shrubbery, and other landscaping.

## **Calculations**

The storm drainage runoff calculations used the following data:

Applicable C values are:

$$C_{\text{Impervious}} = 0.90$$

$$\begin{aligned} C_{\text{unimproved}} &= 0.30 \\ C_{\text{landscaped}} &= 0.20 \end{aligned}$$

Per the SWMP, section 3.6.4, the percolation trench design is to be based on a 25-year, 2-hour event for the percolation trenches, therefore  $I = 0.66$  in/hr. The storm volume calculations are shown below.

Existing Basin DB1	Total Area Sq. Ft.	C	C*A Acres	Flow 25-Yr. 2 Hr. cfs	Volume 25-Yr. 2 Hr. Cu. Ft.	Flow 100-Yr. 2-Hr. cfs	Volume 100-Yr. 2 Hr. Cu. Ft.
Building/Impermeable EDB1	1,511	0.9	0.031	0.02	148	0.03	191
Building/Impermeable EDB2	1241	0.9	0.026	0.02	122	0.02	157
Building/Impermeable EDB3	166	0.9	0.003	0.00	16	0.00	21
Total Undeveloped DB1 C=0.30	92,883	0.3	0.26	0.17	1,212	0.22	1,561
<b>Total</b>	<b>95,801</b>			<b>0.208</b>	<b>1,498</b>	<b>0.268</b>	<b>1,930</b>

Developed Condition - Perc Trench Basin	Description	Area Sq. Ft.	C	Impervious Area C=0.90 SQFT	C*A (Impervious) Acres	Flow 25-Yr. 2 Hr. cfs	Volume 25-Yr. 2 Hr. Cu. Ft.
DDB1	Street	15,659	0.9	15,659	0.324	0.214	1,537
DDB2 Houses 6 Lots @5,000 Per	House-Imperious	30,000	0.9	30,000	0.620	0.409	2,945
DDB2 Landscaping	Grass, pervious	31,372	0.3	979.2	0.216	0.143	1,027
<b>Total</b>		<b>77,031</b>		<b>46,638</b>	<b>1.159</b>	<b>0.765</b>	<b>5,510</b>

Developed Condition - West Ave. Basin	Description	Area Sq. Ft.	C	Impervious Area C=0.90 SQFT	C*A (Impervious) Acres	Flow 25-Yr. 2 Hr. cfs	Volume 25-Yr. 2 Hr. Cu. Ft.
DDB4	Street	3,083	0.9	3,083	0.064	0.042	303
DDB2 Houses 2 Lots @5,000 Per	House-Imperious	10,000	0.9	10,000	0.207	0.136	982
DDB2 Landscaping	Grass, pervious	628	0.3	979.2	0.004	0.003	21
<b>Total</b>		<b>13,711</b>		<b>14,062</b>	<b>0.275</b>	<b>0.181</b>	<b>1,305</b>

The total storm water volume for the site post-development = 6,815 ft<sup>3</sup>. Subtracting the historic runoff volume of 1,498 ft<sup>3</sup> requires the percolation trenches to hold a minimum of 5,316 ft<sup>3</sup> to be retained on site. Since the north developed basin produces a total volume of 5,510

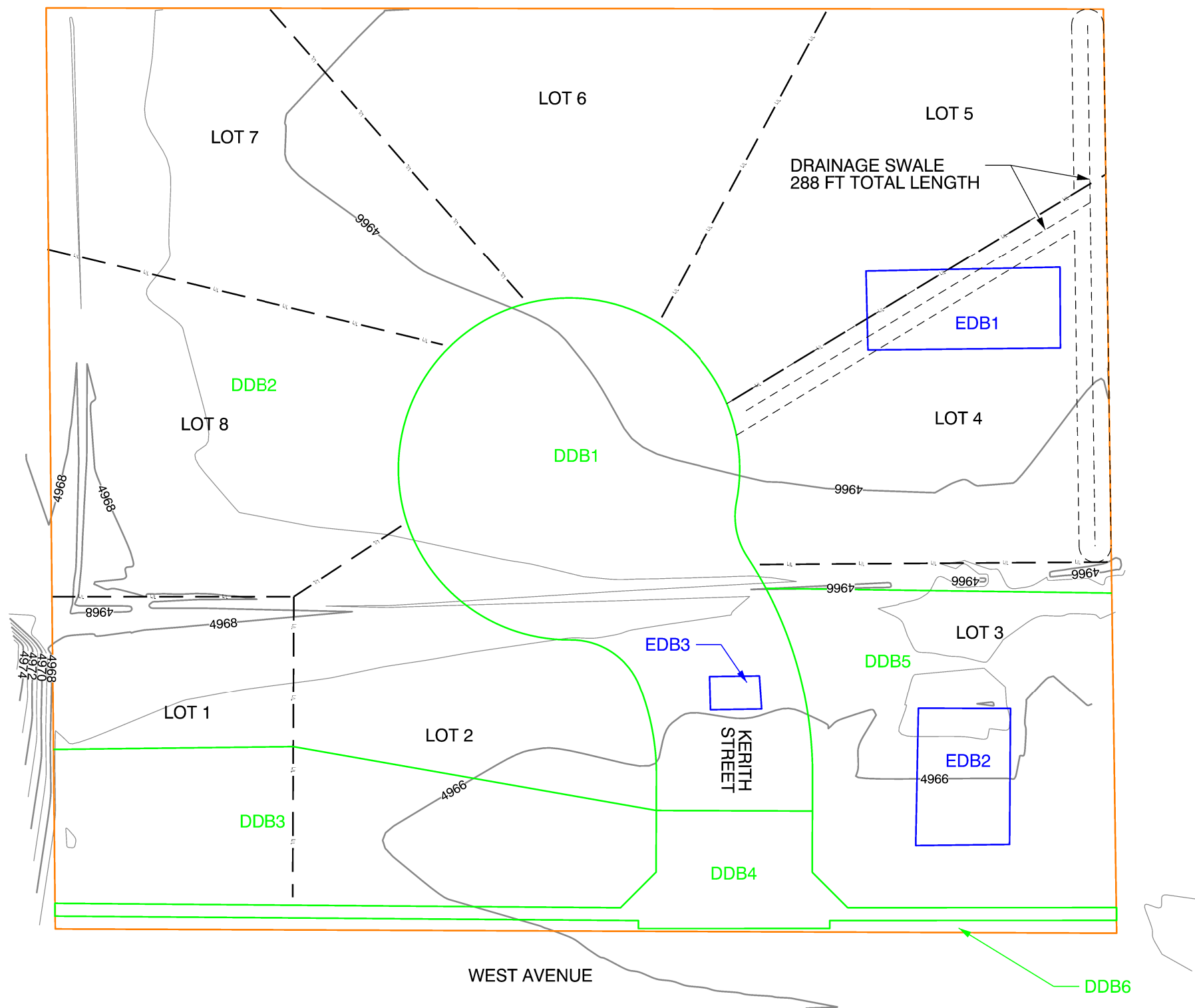
### Percolation Trench Summary

The proposed percolation trench is 288 ft long (See Drainage Plan). The expected native material is the terrace gravels located throughout this area of town. Percolation tests conducted in these areas have typically yielded perc rates greater than 0.25 inches per minute. To be conservative, this percolation rate was cut in half. The table below summarizes the volume of outflow through the bottom of the trench during the design storm and the amount of storage both on the surface and in the rock proposed for the over-excavation of the trench.

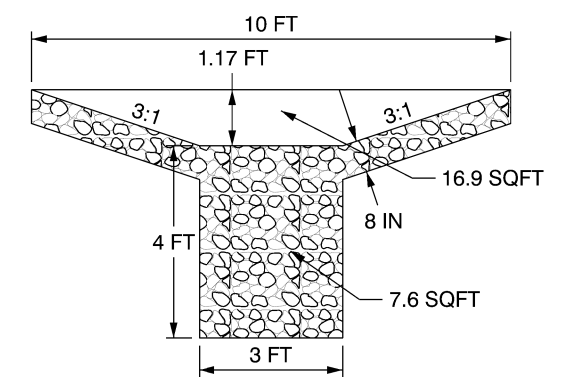
Volume Percolated During 2 Hour Storm			
	Area SQFT	Outflow	2hr Outflow Volume
Percolation Area	2,961	0.51 CFS	3,701 CF
<b>Total</b>		<b>0.51 CFS</b>	<b>3,701 CF</b>

	Area SQFT	Length	Storage
Storage Area			
Swale	16.9	288 FT	1,949 CF
Rock lining/trench (assuming 40% void space)	7.6	288 FT	2,184 CF
<b>Total</b>			<b>4,133 CF</b>

In total, the percolation trench will store 4,100 cf of water, which is a majority of the required 5,300 cf. With a theoretical outflow of 3,700 cf, the trench has more than enough capacity to percolate the design storm and should regardless of any reductions in performance over time.



- LEGEND**
- DRAINAGE AREA BOUNDARY
  - EXISTING DRAINAGE BASIN BOUNDARY
  - DEVELOPED DRAINAGE BASIN BOUNDARY
  - DRAINAGE SWALE
  - MINOR CONTOUR
  - MAJOR CONTOUR
  - LOT LINE



DRAINAGE SWALE CROSS SECTION



REVISION		JOB NO. 2021-064
DATE	DESCRIPTION	DRAWN BY: RWB
2/18/2022	PRELIMINARY PLANS	CHECKED BY: JGE
		APPROVED BY: JGE

## DRAINAGE REPORT EXHIBIT

WEST AVENUE DUPLEXES SUBDIVISION  
OWNER: OLD BLACK WAGON PROPERTIES, LLC

2824 BIG HORN AVE.  
CODY, WY 82414  
PHONE: (307) 527-0915  
FAX: (307) 527-0916



CITY OF CODY PLANNING, ZONING AND ADJUSTMENT BOARD STAFF REPORT			
<b>MEETING DATE:</b>	MARCH 29, 2022	<b>TYPE OF ACTION NEEDED</b>	
<b>AGENDA ITEM:</b>		P&Z BOARD APPROVAL:	X
<b>SUBJECT:</b>	SPECIAL EXEMPTION PUBLIC HEARING: REQUEST TO REDUCE AMOUNT OF REQUIRED PARKING BY 50% AT 1732 SHERIDAN AVE. SUP 2022-03	RECOMMENDATION TO COUNCIL:	
<b>PREPARED BY:</b>	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

**PROJECT DESCRIPTION:**

Brian Walker of Cody Craft Brewing, located at 1732 Sheridan Avenue, has submitted a special exemption application requesting an exemption to reduce the amount of required parking spaces by 50%. Based on the Board's prior decision to require one parking space per three seats for the establishment, the result of the current exemption request would be to require Cody Craft Brewing to provide only one parking space per six seats.

The request in the application differs slightly from the proposal presented by staff in the context of Brian Walker's application to the City Council on February 15<sup>th</sup> to extend the downtown parking district to the half block on which the business is located. In that report, staff proposed that there would be a cap on the parking reduction. Specifically, the proposal from staff is:

*Cody Craft Brewing shall be required to provide only 50% of the amount of parking otherwise required parking ordinance. The parking that is provided shall be in the form of on-site parking on the subject property or parking facilities located on neighboring private property that has been authorized pursuant to [10-17-7](#). This reduction in the amount of required parking is limited to a maximum waiver of thirty-three (33) spaces.*

The application of this equation to the Cody Craft Brewing situation would allow them to have seating for 186 based on their existing parking situation. If they were to obtain a parking agreement with the new owner of the Farmers Insurance property, their seating capacity would be 210. The result is sufficient to satisfy the applicant. They are currently limited to seating for 117.

The current special exemption request is the result of City Council sharing the same hesitancy as staff that the extension of the downtown parking district, and its 100-space exemption to the area requested, was likely too much of a potential impact, and would preclude a case-by-case analysis of each development proposal. The special exemption process allows the parking situation to be analyzed and appropriate

allowances customized on a project-by-project basis. However, the current request is expected to be pointed to as a model for future requests in the area.

The report to the City Council is attached for background reference and contains additional analysis. It is noted that the average half block in the downtown parking district has 29 on-street parking spaces and 7 spaces in public parking lots, for a total of 35 spaces per half block, and the half block that contains Cody Craft Brewery has 23 on-street parking spaces and no public parking lots.

The public hearing for the special exemption request was advertised as required by U.S. mail to neighboring properties within 140 feet on March 8, 2022, and by publication in the newspaper on March 15, 2022. (Note: The exemption was originally mailed to neighbors on February 22, 2022, but notice did not get into the newspaper, so the hearing was rescheduled and new notices provided. Comments from the initial notice and 2<sup>nd</sup> notice are both included in this packet.)

**REVIEW CRITERIA:**

Pursuant to Section 10-14-2(B) of the City of Cody Code, the Planning and Zoning Board may consider special exemptions to the City's sign standards. The standards for approval of a special exemption are as follows, with staff comments provided.

*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: Twelve neighboring property owners were notified of the proposal and at the time of this staff report four letters of support and no letters of objection have been received. The fact that so few responded and that none had objection may be interpreted as an indication that there is no significant undesirable change or detriment to neighboring properties from this proposal.

Planning staff accounts this to the fact that the primary hours of operation of the business do not conflict with any neighboring businesses. In addition, the facility has only been open a few months, during the slowest time of the year, so the anticipated peak conditions have not been experienced yet.

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

Staff Comment: The justification in the reduction of required parking is outlined in the applicant's narrative—see attached. In brief, 1) There is a reasonable amount of on-street parking in the area; 2) The peak hours of operation of the business are in the evening, while the hours of other businesses in the immediate area are not, so



the on-street parking is largely available for the brewery customers; and, 3) The location is within walking distance of several hotels, which further reduces parking demand.

The special exemption, if granted, should reflect those factors. For this reason, it is proposed that the exemption be limited to uses that have characteristics similar to those of the Cody Craft Brewing business, such as primarily evening hours. This limitation would preclude use of the current special exemption by full-service restaurants that serve throughout the day, and other daytime, high-parking-demand uses.

- 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 extent of the special exemption would be adequate to largely satisfy the applicant, while taking a somewhat cautious approach loosely tied to the amount of on-street parking that is anticipated to be available, and a reduction for pedestrian traffic from the hotels.

- 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: The special exemption process has been determined to be the most suitable method for considering the request.

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

Staff Comment: No additional utility services or public infrastructure improvements are necessary for this parking exemption, as it relies on existing public and private parking.

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

Staff Comment: The future land use map designation for this area is "downtown mixed use", which is consistent with the continued commercial use of the property.

The master plan contains the following guidance related to parking requirements:

*GOAL 15: Provide for adequate vehicle parking for residents and visitors.*

*Objective 15.1: Offer parking to support downtown businesses, community destinations, and special events.*

*Principle 15.1.a. Parking Requirements. Analyze and consider areas where on-street parking could be permitted to count toward required parking. Periodically re-evaluate whether downtown businesses should be exempt from required parking ratios.*

The same concept identified in the first sentence of Principle 15.1.a is similar to what the Board is doing for this property.

**ALTERNATIVES:**

Approve, deny or approve with conditions.

**ATTACHMENTS:**

Application materials and neighbor responses.

**RECOMMENDATION:**

That the Planning and Zoning Board make the following findings:  
(Draft, subject to information received at the public hearing.)

1. That proper notice of the special exemption public hearing was provided by advertising in the Cody Enterprise and by U.S. 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; and,
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(B)(2) are met.

AND,

Approve the following Special Exemption with the parameters identified as follows:

*Cody Craft Brewing shall be required to provide only 50% of the amount of parking otherwise required parking ordinance, which means one (1) parking space per six (6) seats on the property. The parking that is provided shall be in the form of on-site parking on the subject property and parking facilities located on neighboring private property that has been authorized pursuant to [10-17-7](#). This reduction in the amount of required parking is limited to a maximum waiver of thirty-three (33) spaces, after which parking shall be provided at a ratio of one (1) space per three (3) seats. This exemption shall run with the property (with change of ownership), provided the use of the building retains the characteristics of the current business, including not being open to the public on weekday mornings and early afternoons, and typically less than 50% customer capacity before 5:00 p.m.*

To the Planning and Zoning Board,

I am petitioning the Planning and Zoning Board to grant an exemption allowing for Cody Craft Brewing to provide 50% of the required amount of parking.

As some may be aware, we had issues with out parking requirements when we started the build of our business in March of 2021. To this day, our occupancy rate is considerably lower than it could be. A few weeks back, we attempted to see if we could extend the downtown parking exemption granted to businesses just a few hundred feet from us, down to 19<sup>th</sup>. In my discussions with the City Planner, we found the 50% parking exemption to be a viable alternative to extending the downtown zone to 19<sup>th</sup> without impacting neighbors as much as that downtown exemption would. Our business is busiest after standard working hours. As it stands today, the block itself is primarily business & hotel. During our remodel, we watched and saw how empty our street was after 5pm each day. This is when we start to become busy. There would be little to no conflict with our neighbors over parking availability. Some may say “they’re going to take my spots”, but nothing could be further from the truth.

We’re also within walking distance to SEVERAL hotels (at least 5, more if you go beyond two blocks). These patrons will NOT take up parking spaces. As it stands today, if all our parking spots are full, we would have to turn away a patron who walked up because our occupancy rate is significantly lower than it could be. As a frame of reference, Fire Marshal Sam Wilde has our occupancy rate at 294. With this exemption, we’re asking for approximately 215 with this parking adjustment. Currently, today, we’re at 117. If you’ve been in the business, you can see how empty is looks with this limitation.

Our current hours are 12pm to 9pm, and we will be transitioning to an 11pm closing after Easter.

Again, we’re not asking for the “100 parking spot grant” that our competitors receive by virtue of their location, but for the City, along with Planning and Zoning, to work with us to meet in the middle. Cody prides itself on being business friendly, and I hope the P&Z board will work with us to make this business friendly decision.

Sincerely,

Brian & Jen Walker

Owners, Cody Craft Brewing

**NOTICE OF PUBLIC HEARING**

**Please return this letter by March 3, 2022 to:**

Date: February 22, 2022

RE: **SPECIAL EXEMPTION REQUEST**

Cody City Planner

P.O. Box 2200

Cody, WY 82414

Or by email to: [todds@codywy.gov](mailto:todds@codywy.gov)

**THE CITY OF CODY HAS RECEIVED THE FOLLOWING REQUEST FOR A SPECIAL EXEMPTION. YOUR COMMENTS WOULD BE APPRECIATED.**

Applicant Name: Brian and Jennifer Walker of Cody Craft Brewing

Address or Location: 1732 Sheridan Avenue, Cody

Description of Request: To allow Cody Craft Brewing to provide only 50% of the amount of parking otherwise required (1 parking space per 6 seats instead of 1 space per 3 seats). The parking would include on-site parking at 1732 Sheridan Avenue or parking facilities located on neighboring private property that has been authorized pursuant to City Code 10-17-7 (parking agreements). The reduction in the amount of required parking is proposed to be limited to a maximum of thirty-three (33) spaces. Information is available at the Community Development Dept. in City Hall or by calling (307) 527-3472. This special exemption would be in lieu of approving the request to extend the downtown parking district to the area.



**The request will be considered by the City of Cody Planning & Zoning Board at a public hearing at their regularly scheduled meeting on Tuesday, March 8, 2022 at 12:00 p.m. (noon) in the City Hall Council Chambers, at 1338 Rumsey Avenue.**

**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: 2213 14<sup>th</sup> ST (1806 SHERIDAN)

Comments: \_\_\_\_\_

\*\*\*\*\*

☐ I OBJECT to the Special Exemption Request:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Reason for Objection: \_\_\_\_\_

**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: \_\_\_\_\_**

**NOTICE OF PUBLIC HEARING**

**Please return this letter by March 3, 2022 to:**

Date: February 22, 2022

RE: **SPECIAL EXEMPTION REQUEST**

Cody City Planner

P.O. Box 2200

Cody, WY 82414

Or by email to: [todds@codywy.gov](mailto:todds@codywy.gov)

**THE CITY OF CODY HAS RECEIVED THE FOLLOWING REQUEST FOR A SPECIAL EXEMPTION. YOUR COMMENTS WOULD BE APPRECIATED.**

Applicant Name: Brian and Jennifer Walker of Cody Craft Brewing

Address or Location: 1732 Sheridan Avenue, Cody

Description of Request: To allow Cody Craft Brewing to provide only 50% of the amount of parking otherwise required (1 parking space per 6 seats instead of 1 space per 3 seats). The parking would include on-site parking at 1732 Sheridan Avenue or parking facilities located on neighboring private property that has been authorized pursuant to City Code 10-17-7 (parking agreements). The reduction in the amount of required parking is proposed to be limited to a maximum of thirty-three (33) spaces. Information is available at the Community Development Dept. in City Hall or by calling (307) 527-3472. This special exemption would be in lieu of approving the request to extend the downtown parking district to the area.



**The request will be considered by the City of Cody Planning & Zoning Board at a public hearing at their regularly scheduled meeting on Tuesday, March 8, 2022 at 12:00 p.m. (noon) in the City Hall Council Chambers, at 1338 Rumsey Avenue.**

**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: Leonard & Dawn Moore

Address: 1743 Beck Ave.

Comments: \_\_\_\_\_

\*\*\*\*\*

☐ I OBJECT to the Special Exemption Request:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Reason for Objection: \_\_\_\_\_

**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: \_\_\_\_\_**



**(New notice is being sent due to a change in the public hearing date, only. If you submitted comments for this request previously, they will be considered.)**

**NOTICE OF PUBLIC HEARING**

**Please return this letter by March 23, 2022 to:**

Date: March 8, 2022

RE: **SPECIAL EXEMPTION REQUEST**

Cody City Planner

P.O. Box 2200

Cody, WY 82414

Or by email to: [todds@codywy.gov](mailto:todds@codywy.gov)

**THE CITY OF CODY HAS RECEIVED THE FOLLOWING REQUEST FOR A SPECIAL EXEMPTION. YOUR COMMENTS WOULD BE APPRECIATED.**

Applicant Name: Brian and Jennifer Walker of Cody Craft Brewing

Address or Location: 1732 Sheridan Avenue, Cody

Description of Request: To allow Cody Craft Brewing to provide only 50% of the amount of parking otherwise required (1 parking space per 6 seats instead of 1 space per 3 seats). The parking would include on-site parking at 1732 Sheridan Avenue or parking facilities located on neighboring private property that has been authorized pursuant to City Code 10-17-7 (parking agreements). The reduction in the amount of required parking is proposed to be limited to a maximum of thirty-three (33) spaces. Information is available at the Community Development Dept. in City Hall or by calling (307) 527-3472. This special exemption would be in lieu of approving the request to extend the downtown parking district to the area.



**The request will be considered by the City of Cody Planning & Zoning Board at a public hearing at their regularly scheduled meeting on Tuesday, March 29, 2022 at 12:00 p.m. (noon) in the City Hall Council Chambers, at 1338 Rumsey Avenue.**

**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: Emer WALK Real Estate LLC

Address: 1314 Alpine Ave Cody WY 82414

Comments: NO OBJECTIONS!

\*\*\*\*\*

☐ I **OBJECT** to the Special Exemption Request:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Reason for Objection: \_\_\_\_\_

**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: \_\_\_\_\_**



Todd Stowell <todds@codywy.gov>

---

## 1732 Sheridan Ave

---

**BRENDA O'SHEA** <awesternrosecody@gmail.com>

Fri, Mar 4, 2022 at 5:03 AM

To: Todd Stowell <todds@codywy.gov>

Dear Todd,

Sorry for the late response, we're in FL and the letter, which asked for a response by 3/3 arrived on 3/3.

No objection.

It's a beautiful day here, I hope it is where you are too!

Sincerely,

Brenda O'Shea

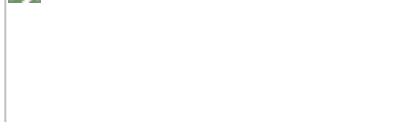
Manager

A Western Rose Motel, [1807 Sheridan Ave, Cody, WY 82414](#)

307-587-4258

[www.awesternrose.com](http://www.awesternrose.com)

[www.vrbo.com/834065](http://www.vrbo.com/834065)



Virus-free. [www.avast.com](http://www.avast.com)

**AGENDA ITEM SUMMARY REPORT**  
**Ordinance 2022-02**  
**An Ordinance to Amend Cody City Code 10-16-2.**

**ACTION TO BE TAKEN**

Consider Ordinance 2022-01 to expand the downtown parking district and the parking standards applicable to that expansion area.

**BACKGROUND**

Within the parking regulations of the Cody zoning ordinance is found the following provision:

**10-16-2: APPLICABILITY:**

The requirements of this chapter apply to all off street parking within the city, whether required or voluntarily provided, except as follows:

Within the downtown parking district, the use of buildings and land shall be exempt from providing up to one hundred (100) off street parking spaces otherwise required by this chapter. Uses in the downtown parking district that exceed this one-hundred (100) space threshold shall provide off street parking in the amount required in excess of one hundred (100) spaces.

All construction requirements of this chapter, including dimensional standards and drainage control, remain applicable to off street parking constructed in the downtown parking district after adoption of this chapter. The downtown parking district includes all land within the downtown architectural district described in section [9-2-2](#) of this code.

The downtown architectural district on which the downtown parking district is based, is bounded by 9<sup>th</sup> Street on the west and 16<sup>th</sup> Street on the east, and extends a block and a half off of Sheridan Avenue, except at the west end. (See map on Page 2.)

The City received an application to extend the downtown parking district to the east from the owner of Cody Craft Brewing located at 1732 Sheridan Avenue. It was determined that the request would only include properties along the south side of Sheridan Avenue, from 16<sup>th</sup> Street to 19<sup>th</sup> Street.

The process for amending the zoning ordinance not only includes the standard three readings at City Council meetings, but also advertising and holding a public hearing. Advertising was conducted as required by publication in the Cody Enterprise on January 27, 2022, and by mailed notice to property owners within and not more than 140 feet from the proposed extension. The notice that was mailed and the responses received are attached. The information is to be considered by the Council, but the Council is not bound by the responses received.

The request was initiated by the owner of Cody Craft Brewing primarily for the intent of allowing that business to expand its seating capacity, and secondarily to allow other businesses in that area to receive a similar benefit. The Planning and Zoning Board had granted a special exemption related to

**AGENDA ITEM NO. \_\_\_\_\_**



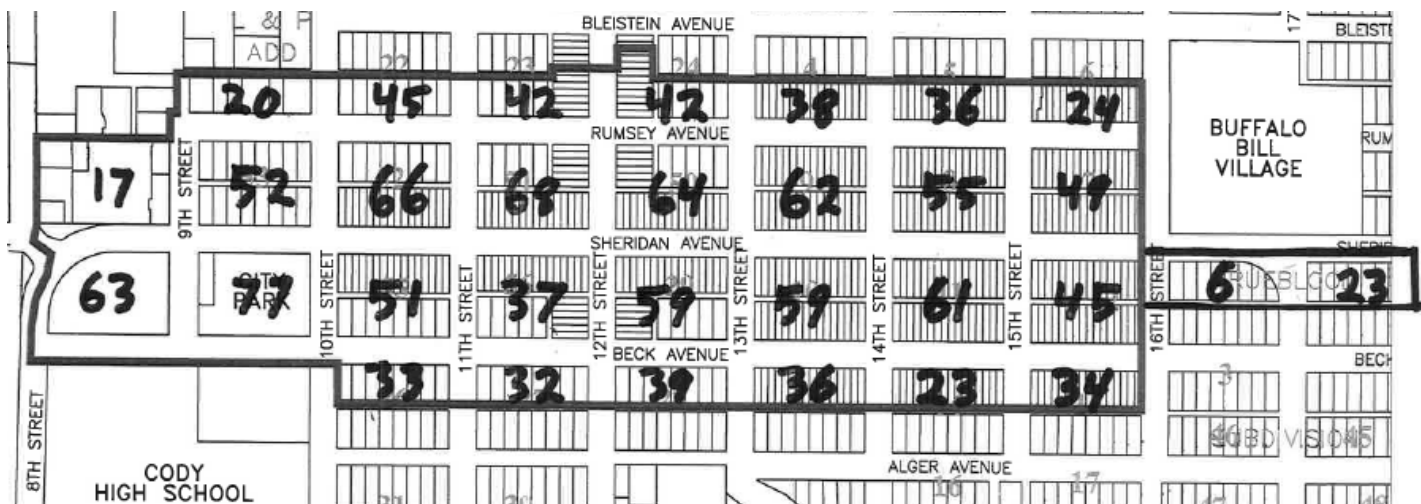
parking for the brewery on March 23, 2021, but the result is more limiting than the owner desires. The Planning and Zoning Board allowed a ratio of three seats in the business for every parking space that was available on the property, along the frontage of the property, and in a neighboring parking lot for which the brewery obtained a formal agreement to use. That ratio and the stipulations of the exemption currently limit the business to about 117 seats. The business has complied with that limit since opening to the public in December 2021.

### ANALYSIS

The following is provided with the intent of providing information to help the Council form their opinion of what should occur in this situation. Additional analysis could have been done, but the following is sufficient to demonstrate that the proposed extension area does not have the same characteristics as the existing downtown parking district. If the area is added to the downtown parking district, the idea of applying customized standards should be considered.

### Availability of On-Street Parking:

The following map shows the number of on-street parking spaces for each block and half block within the existing and proposed downtown parking district.

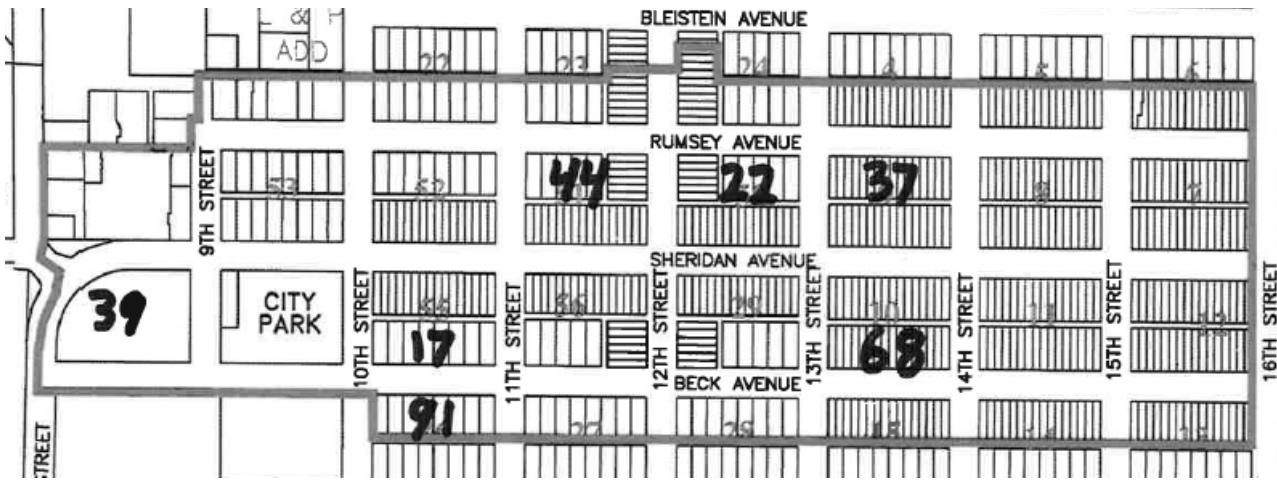


On average, there are 29.5 on-street parking spaces per half block within the existing downtown parking district (calculation includes entire downtown parking district—represented as half block to match configuration of the proposed extension area).

For the proposed expansion area, the half block between 16<sup>th</sup> and 17<sup>th</sup> street (Denny Menholdt) only contains 6 on-street parking spaces and the half block between 17<sup>th</sup> and 19<sup>th</sup> Street contains 23 on-street parking spaces, for an average of 14.5 spaces.

### Availability of Public Parking:

The existing downtown parking district contains 318 parking spaces in public parking lots (City owned lots, and the County parking lots at the courthouse). Counting both the City and County parking lots, there is an average of 7 parking spaces in public parking lots per half block in the existing downtown parking district. Combined with on-street parking, that is 36.5 public parking spaces per half block in the existing district. The following map shows location and number in each public parking lot.



Within the proposed expansion area there are no public parking lots, and there are no public parking lots in the existing downtown parking district within two blocks of the proposed expansion. The combined on-street and public parking in the proposed expansion area is 14.5 spaces per half block, or 40% of that available on average in the existing downtown parking district.

#### Timing of Request:

The basis of the downtown parking exemption, while not clearly stated in the ordinance, is that there is a combination of sufficient on-street parking, off-street private parking, and public parking to serve the current needs of the commercial area without excessive conflicts.

Cody Craft Brewing is the new component in the parking equation for the requested expansion area and it has been in operation for about two months, which two months are in the middle of winter when tourist activity is at its lowest and when many residents are out of town seasonally or on vacation. To try and project parking demand for a peak time (middle of summer) using information from this time of year is next to impossible. To address that uncertainty, the options appear to be delaying a decision until adequate information can be collected based on the situation this summer, or attempt to create a temporary authorization, which authorization would be subject to confirmation or modification after this summer. Alternatively, we can give it a best shot and hope it is close enough.

#### Potential for Changes:

The strongest argument for Cody Craft Brewing relating to parking is that their hours of operation do not conflict with the hours of operation of any other use of properties in the proposed expansion area, except perhaps the residences on the east end. At least in winter, almost all on-street parking spaces in the immediate area are available for the use of Cody Craft Brewing customers.

The proposed ordinance amendment does not take into account that this situation could change. What would happen if the business were changed or sold and began to serve meals or have other activities throughout the day? The potential for parking conflicts would likely greatly increase.

#### Which method/vehicle should be used to get there?

Staff prepared ordinance language to accomplish the intent of the expansion request, customized to the specific area. The content will be discussed later in this report.

For now, it is noted that the above issues were discussed with the applicant and the idea presented that a rezone may not be the correct vehicle to accomplish the primary intent of allowing increased seating for Cody Craft Brewing. Instead, revisiting the Special Exemption issued by the Planning and

**AGENDA ITEM NO. \_\_\_\_\_**

Zoning Board may be the more appropriate method because it could be tied to the characteristics of the specific business. For example, the adjustment to the parking requirements could be tied to a condition related to hours of operation, so that the conversion to a full-service restaurant would not be authorized without further review. This is agreeable to the applicant. It would also preclude other unknowns from being introduced into the parking analysis, in that any other properties desiring adjustments to their parking requirements would need to be reviewed individually as the cases arise. Any exemption for Cody Craft Brewery would likely serve as a model for those other requests that may occur, and each would be reviewed on their own merits, and likely at a time when we would know much more about the Cody Craft Brewing impacts during the summer.

#### Content of Ordinance:

What staff would like to get out of this process is whether City Council believes a modification to the Cody Craft Brewing parking restrictions should be made at this time, and if so, whether the following proposal is what they would like to see implemented. If it is, planning staff and the applicant are both agreeable to putting that language into the form of a special exemption request to be taken to the Planning and Zoning Board for review and authorization. Technically it would be their decision, but if the City Council gave direction to go that way, it is expected that that would be the result. We would need to advertise a public hearing for the Planning and Zoning Board and charge the applicant another review fee (\$250).

Procedurally, the attached ordinance would be tabled until after the special exemption was considered by the Planning and Zoning Board, at which time the ordinance could “die on the table” provided it was not needed.

Here is the language that has been prepared, limited to the Cody Craft Brewing business. Additional stipulations could be added through the special exemption process, but the concept is hopefully clear.

*Cody Craft Brewing shall be required to provide only 50% of the amount of parking otherwise required by this chapter (parking ordinance). The parking that is provided shall be in the form of on-site parking on the subject property or parking facilities located on neighboring private property that has been authorized pursuant to [10-17-7](#). This reduction in the amount of required parking is limited to a maximum waiver of thirty-three (33) spaces.*

The application of this equation to the Cody Craft Brewing situation would allow them to have seating for 186 based on their existing situation. If they were to obtain a parking agreement with the new owner of Farmers Insurance, their seating capacity would be 210. The result is sufficient to satisfy the applicant.

#### **FINANCIAL IMPACT**

No direct impact to the City budget is expected.

#### **ATTACHMENTS**

Application email  
Responses to notices

#### **ALTERNATIVES**

1. Deny the ordinance amendment.
2. Approve the ordinance amendment as written or amended.
3. Table the ordinance.

**AGENDA ITEM NO. \_\_\_\_\_**

**RECOMMENDATION**

After holding the public hearing and discussing what should be done, take appropriate action.

If the City Council is agreeable to the concept of the language presented, direct the matter to be taken to the Planning and Zoning Board as a Special Exemption request. Then table the ordinance until after the Planning and Zoning Board issues their decision on the Special Exemption. If the special exemption is approved, the ordinance would no longer be necessary.

H:\PLANNING DEPARTMENT\FILE REVIEWS\ZONE CHANGES\2022\2022-01 DOWNTOWN PARKING DISTRICT EXPANSION\AGENDA SUMMARY DOWNTOWN PARKING DISTRICT EXPANSION.DOCX



**CITY OF CODY**  
WYOMING

Todd Stowell <todds@codywy.gov>

---

## Cody Craft Brewing - Request

1 message

---

**Brian Walker** <brian@codycraftbrewing.com>  
Reply-To: Brian Walker <brian@codycraftbrewing.com>  
To: Todd Stowell <todds@codywy.gov>

Fri, Jan 21, 2022 at 11:10 AM

Hello Todd,

As requested, here is the write up on our request:

*Cody Craft Brewing is requesting the downtown parking exemption to be extended down Sheridan Ave to 19th Street. As there is a desire for growth down east Sheridan, and with Cody Craft Brewing opening, the downtown parking exemption is needed to accommodate visitors and patrons. While we are limited to seating based on parking, this number does not account for walk-up traffic, which will be very common in the summer months. Patrons will walk from nearby hotels and shops, and if we're limited to a seat count based on parking, this does not take in to account foot traffic and we'd be forced to turn them away. Other businesses on Main Street are not held to this same standard. While it would be ideal to extend this exemption for both sides of the streets, we are amenable to the south side of Sheridan Ave having this exemption. As it is all commercial traffic on this side of the street, that would be a minimum request that we feel would work for all.*

Please let me know if you need any additional detail!

Brian Walker | Founder  
Cody Craft Brewing  
[1732 Sheridan Ave, Cody WY 82414](#)  
PO Box 432, Cody WY 82414  
p: [307.250.3748](tel:307.250.3748)  
e: [brian@codycraftbrewing.com](mailto:brian@codycraftbrewing.com)

**NOTICE OF PUBLIC HEARING TO CONSIDER CHANGES  
TO REGULATIONS PERTAINING TO PARKING:**

January 26, 2022

The City of Cody has received a request from Cody Craft Brewery of 1732 Sheridan Avenue to extend the downtown parking district to include properties along the south side of Sheridan Avenue, from 16<sup>th</sup> Street to 19<sup>th</sup> Street. The downtown parking district is defined in City Code 10-16-2, and provides an exemption from providing required on-site parking, for up to 100 spaces per property. The properties requested to be added are identified on the map below, and include Lots 1-14 of Block 1 and Lots 1-8 of Block 2 of the Trueblood subdivision, as recorded in Book C of Plats, Page 6, records of Park County, WY, except the portions thereof within the public street right of way.



The amendment to the parking district boundary and any modification of the downtown parking district standards as applicable to the requested expansion area will be considered at a public hearing held by the Cody City Council at their regularly scheduled meeting on **Tuesday, February 15, 2022 at 7:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave.** Anyone is welcome to attend and comment at the public hearing. This notice is being sent to all property owners within the subject area, and within 140' of the subject area. If the request is approved in full or in part, the language of Cody City Code 10-16-2 would be amended accordingly. A staff proposal will be included in the City Council agenda materials for the meeting. Several options exist for how the language may be modified, including the extent, conditions, and maximum amount of the parking exemption. Your comments on the request would be appreciated and may be submitted in writing, or in person at the meeting. Additional information is available by contacting Community Development at (307) 527-3472.

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

Dear City Council:

☐ I have **NO OBJECTION** to expand the downtown parking district to the area requested.

Property Owner Name: \_\_\_\_\_

Address: \_\_\_\_\_

Comments: \_\_\_\_\_

\*\*\*\*\*

☒ I **OBJECT** to the request:

Property Owner Name: Burns C Brimhall

Address: 1120 19th Street, Cody Wyoming 82414

Reason for Objection: I don't want public parking, especially coming from a brewery extending into areas close to private residences.

**If you would like to receive a copy of the City Council agenda materials for this request, please provide your email address:** E-mail address: \_\_\_\_\_

Please respond by either attending the meeting, emailing your comments to [todds@codywy.gov](mailto:todds@codywy.gov), or returning this letter to: Community Development P.O. Box 2200, Cody, WY 82414, or into the utility bill drop box at city hall. All written comments must be submitted by February 10, 2022 in order to be included in the City Council agenda packet.

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

Dear City Council:

☒ I have NO OBJECTION to expand the downtown parking district to the area requested.

Property Owner Name: Dick Wogoman by POA Bettye Dominick

Address: 1901 Beck Ave - Cody WY 82414

Comments: \_\_\_\_\_

\*\*\*\*\*

☐ I OBJECT to the request:

Property Owner Name: \_\_\_\_\_

Address: \_\_\_\_\_

Reason for Objection: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**If you would like to receive a copy of the City Council agenda materials for this request, please**

**provide your email address:** E-mail address: \_\_\_\_\_

Please respond by either attending the meeting, emailing your comments to [todds@codywy.gov](mailto:todds@codywy.gov), or returning this letter to: Community Development P.O. Box 2200, Cody, WY 82414, or into the utility bill drop box at city hall. All written comments must be submitted by February 10, 2022 in order to be included in the City Council agenda packet.

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

Dear City Council:

☒ I have NO OBJECTION to expand the downtown parking district to the area requested.

Property Owner Name: DAVID C. BROWN

Address: 1819 & 1825 Sheridan

Comments: \_\_\_\_\_

\*\*\*\*\*

☐ I OBJECT to the request:

Property Owner Name: \_\_\_\_\_

Address: \_\_\_\_\_

Reason for Objection: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**If you would like to receive a copy of the City Council agenda materials for this request, please**

**provide your email address:** E-mail address: dcbrown82435@gmail.com

Please respond by either attending the meeting, emailing your comments to [todds@codywy.gov](mailto:todds@codywy.gov), or returning this letter to: Community Development P.O. Box 2200, Cody, WY 82414, or into the utility bill drop box at city hall. All written comments must be submitted by February 10, 2022 in order to be included in the City Council agenda packet.



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

Dear City Council:

☒ I have **NO OBJECTION** to expand the downtown parking district to the area requested.

Property Owner Name: Gloria Hedderman

Address: 425 N. Douglas, Powell but I own

Comments: the vacant lot on the NW corner of  
19th + Sheridan. Lot 20. BIK4 OT  
\*\*\*\*\*

☐ I **OBJECT** to the request:

Property Owner Name: \_\_\_\_\_

Address: I support downtown parking rules  
for properties on Sheridan Ave

Reason for Objection: between 16th + 19th. Businesses  
in this part of Sheridan Ave need this  
on Both sides of Sheridan

**If you would like to receive a copy of the City Council agenda materials for this request, please provide your email address:** E-mail address: gloria@wrensoldit.com

Please respond by either attending the meeting, emailing your comments to [todds@codywy.gov](mailto:todds@codywy.gov), or returning this letter to: Community Development P.O. Box 2200, Cody, WY 82414, or into the utility bill drop box at city hall. All written comments must be submitted by February 10, 2022 in order to be included in the City Council agenda packet.

I will be out of town for the meeting. Sorry to miss!

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

Dear City Council:

☒ I have **NO OBJECTION** to expand the downtown parking district to the area requested.

Property Owner Name: Pinnacle Bank - Wyoming

Address: 1702 Sheridan Ave.

Comments: \_\_\_\_\_

\*\*\*\*\*

☐ I **OBJECT** to the request:

Property Owner Name: \_\_\_\_\_

Address: \_\_\_\_\_

Reason for Objection: \_\_\_\_\_

**If you would like to receive a copy of the City Council agenda materials for this request, please provide your email address:** E-mail address: \_\_\_\_\_

Please respond by either attending the meeting, emailing your comments to [todds@codywy.gov](mailto:todds@codywy.gov), or returning this letter to: Community Development P.O. Box 2200, Cody, WY 82414, or into the utility bill drop box at city hall. All written comments must be submitted by February 10, 2022 in order to be included in the City Council agenda packet.



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

Dear City Council:

☒ I have NO OBJECTION to expand the downtown parking district to the area requested.

Property Owner Name: JOHN DAVID BALLING

Address: 1808 SHERIDAN AVE

Comments: \_\_\_\_\_

\*\*\*\*\*

☐ I OBJECT to the request:

Property Owner Name: \_\_\_\_\_

Address: \_\_\_\_\_

Reason for Objection: \_\_\_\_\_

**If you would like to receive a copy of the City Council agenda materials for this request, please provide your email address:** E-mail address: \_\_\_\_\_

Please respond by either attending the meeting, emailing your comments to [todds@codywy.gov](mailto:todds@codywy.gov), or returning this letter to: Community Development P.O. Box 2200, Cody, WY 82414, or into the utility bill drop box at city hall. All written comments must be submitted by February 10, 2022 in order to be included in the City Council agenda packet.

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

Dear City Council:

☒ I have NO OBJECTION to expand the downtown parking district to the area requested.

Property Owner Name: Wiley Newsome

Address: 1115 to 1127 1/2 19th St

Comments: \_\_\_\_\_

\*\*\*\*\*

☐ I OBJECT to the request:

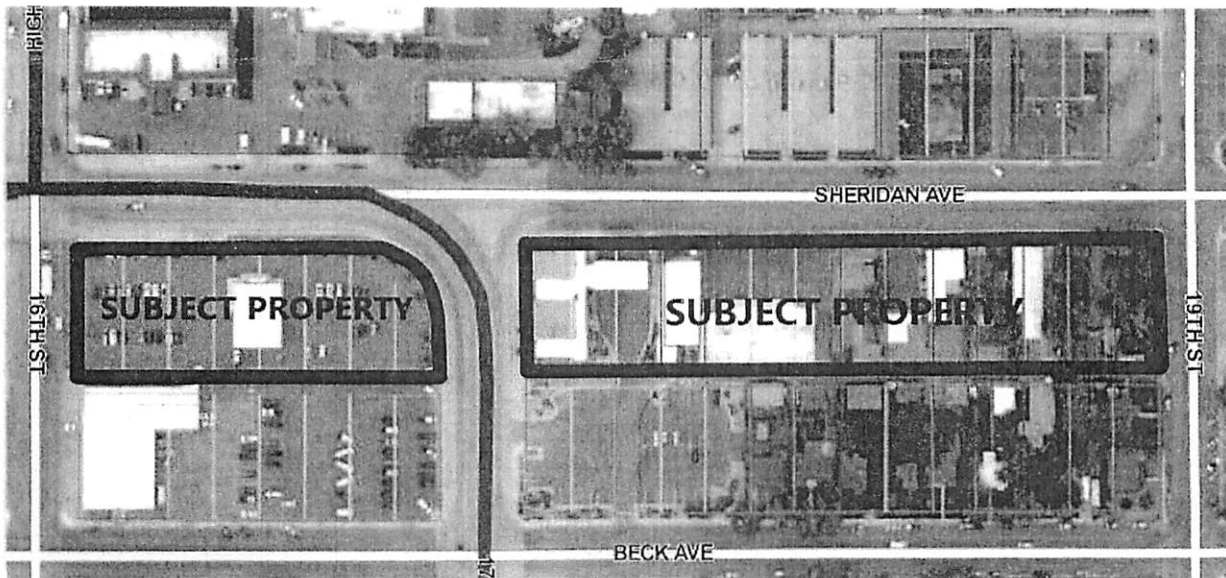
Property Owner Name: \_\_\_\_\_

Address: \_\_\_\_\_

Reason for Objection: \_\_\_\_\_

**If you would like to receive a copy of the City Council agenda materials for this request, please provide your email address:** E-mail address: \_\_\_\_\_

Please respond by either attending the meeting, emailing your comments to [todds@codywy.gov](mailto:todds@codywy.gov), or returning this letter to: Community Development P.O. Box 2200, Cody, WY 82414, or into the utility bill drop box at city hall. All written comments must be submitted by February 10, 2022 in order to be included in the City Council agenda packet.



The amendment to the parking district boundary and any modification of the downtown parking district standards as applicable to the requested expansion area will be considered at a public hearing held by the Cody City Council at their regularly scheduled meeting on Tuesday, February 15, 2022 at 7:00 p.m. in the City Hall Council Chambers, at 1338 Rumsey Ave. Anyone is welcome to attend and comment at the public hearing. This notice is being sent to all property owners within the subject area, and within 140' of the subject area. If the request is approved in full or in part, the language of Cody City Code 10-16-2 would be amended accordingly. A staff proposal will be included in the City Council agenda materials for the meeting. Several options exist for how the language may be modified, including the extent, conditions, and maximum amount of the parking exemption. Your comments on the request would be appreciated and may be submitted in writing, or in person at the meeting. Additional information is available by contacting Community Development at (307) 527-3472.

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

Dear City Council:

☒ I have **NO OBJECTION** to expand the downtown parking district to the area requested.  
 Property Owner Name: Buyers Guide - John Wetzel  
 Address: 1826 Sheridan Ave  
 Comments: The current requirements are too large a restriction on the use of our properties.  
 \*\*\*\*\*

☐ I **OBJECT** to the request:  
 Property Owner Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Reason for Objection: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If you would like to receive a copy of the City Council agenda materials for this request, please provide your email address: E-mail address: \_\_\_\_\_

Please respond by either attending the meeting, emailing your comments to [todds@codywy.gov](mailto:todds@codywy.gov), or returning this letter to: Community Development P.O. Box 2200, Cody, WY 82414, or into the utility bill drop box at city hall. All written comments must be submitted by February 10, 2022 in order to be included in the City Council agenda packet.

**CITY OF CODY****WYOMING**

Todd Stowell &lt;todds@codywy.gov&gt;

---

**Regarding Hearing Cody Craft Brewery**

1 message

**Joan Stratman** <joanstratman56@gmail.com>

Thu, Feb 10, 2022 at 10:06 AM

To: todds@codywy.gov

I reside@ 1832 Sheridan Ave

My name is Joan Stratman

My objection to this request:

How come you let this happen without the parking?

☒ I **OBJECT** to the request:Property Owner Name: Joan StratmanAddress: 1832 Sheridan Ave.Reason for Objection: Traffic**If you would like to receive a copy of the City Council agenda materials for this request, please****provide your email address:** E-mail address: joanstratman56@gmail.com

Please respond by either attending the meeting, emailing your comments to [todds@codywy.gov](mailto:todds@codywy.gov), or returning this letter to: Community Development P.O. Box 2200, Cody, WY 82414, or into the utility bill drop box at city hall. All written comments must be submitted by February 10, 2022 in order to be included in the City Council agenda packet.