

CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
TUESDAY, JANUARY 10, 2017
CITY HALL COUNCIL CHAMBERS @ 12:00 NOON

AGENDA

1. Call to Order by Steve Miller, appointed to fill unexpired term of Board President Justin Ness
2. Welcome New P&Z Board Members Steve Miller and Kayl Mitchell, and Reappointed Member Buzzy Hassrick
3. Roll Call, excused members
4. Pledge of Allegiance
5. Approval of Agenda
6. Election of Chairperson and Vice-Chairperson of the Planning, Zoning and Adjustment Board for 2017.
7. Approval of Minutes of the December 13, 2016 regular meeting.
8. NEW BUSINESS:
 - A. Cook Minor Subdivision—a 2-lot division of 1702 31st Street. Preliminary and Final Plat Review.
 - B. Conceptual Plat Discussion—2-lot division of 1923 Big Horn Avenue by HGI Properties.
9. P&Z Board Matters (announcements, comments, etc.).
10. Council Update:
11. Staff Items:
12. Adjourn

The public is invited to attend all Planning, Zoning and Adjustment Board meetings. If you need special accommodations to participate in the meeting, please call the City office at (307) 527-7511 at least 24 hours in advance of the meeting.

City of Cody
Planning, Zoning and Adjustment Board
Tuesday, December 13, 2016

A regular meeting of the Cody Planning, Zoning and Adjustment Board was held in the Council Chambers of City Hall in Cody, Wyoming on Tuesday, December 13, 2016 at 12:00 PM.

Present: Acting Chairman Brad Payne; Heidi Rasmussen; Buzzy Hassrick; Richard Jones; Curt Dansie; Reese Graham; Sandra Kitchen, Deputy City Attorney; Todd Stowell, City Planner; Bernie Butler, Administrative Assistant.

Absent: Justin Ness; Steve Miller

Acting Chairman Payne called the meeting to order at 12:05 p.m., followed by the pledge of allegiance.

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

Buzzy Hassrick made a motion, seconded by Richard Jones, to approve the minutes for the November 22, 2016 meeting, and the December 6, 2016 meeting. Vote on the motion was unanimous, motion carried.

NEW BUSINESS:

A. Todd Stowell presented a Downtown Architectural District Sign Review for the Cody United Methodist Church, located at 1405 Beck Ave.

Reese Graham made a motion, seconded by Heidi Rasmussen, to approve the sign, at 1405 Beck Avenue, subject to compliance with the electronic message board requirements. Vote on the motion was unanimous, motion carried.

B. Todd Stowell reviewed public comments and draft amendments to Zoning Ordinance and Map, and Section 9-6-27 of the City Code (mobile home standards); and made recommendations to the City Council.

Richard Jones made a motion to accept all modifications to the draft zoning ordinance and map presented in the staff report. Also, recommended that the City Council approve ordinances as necessary to adopt all of the changes to the City of Cody Zoning Ordinance and Map, and to Section 9-6-27 of the City of Cody Code, as presently proposed by the Board. It was seconded by Reese Graham. Vote on the motion was unanimous, motion carried.

P & Z Board Matters – none

Council Updates – none

Staff Items – none

Reese Graham made a motion, seconded by Heidi Rasmussen to adjourn the meeting. Vote on the motion was unanimous, motion carried.

There being no further business to come before the board, Acting Chairman Payne adjourned the meeting at 12:36 p.m.

Bernie Butler, Administrative Assistant

DRAFT

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

MEETING DATE:	JANUARY 10, 2017	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	COOK MINOR SUBDIVISION— A TWO-LOT SUBDIVISION. SUB 2016-11	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

PROJECT OVERVIEW

North Forty Investments, LLC has submitted an application for a two-lot minor subdivision of Lot 6 of the McMillan Subdivision. The .64 acre property is located at 1702 31st Street. The preliminary plat drawing and final plat are attached.

The property is located in the Mobile Home F-2 zoning district, which requires a minimum 6,000 square feet for a single-family home or mobile home. Lot 6-1 contains an existing home. Proposed Lot 6-2 is vacant.



Existing Conditions:



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.

It is noted that the odd configuration of Lot 6-2 is so that each lot contains 50 feet of frontage, so that a flag lot is not created. Flag lots are prohibited by the subdivision ordinance. (Yes, it still looks like a flag lot, but not as the subdivision ordinance currently defines it.)

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 proposed.

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

Comments- The Master Street Plan does not indicate any future streets through this property. 31st Street is shown as a rural street on the Master Street plan, which specifies a 32-foot pavement width, but no curb or gutter. 60 feet of right-of-way currently exists, which is sufficient. 31st Street is currently about 24 feet wide, so technically it should be widened by four feet on each side. The applicant has requested a variance to this frontage improvement requirement.

Items "C" through "O" are standards that relate to construction of new public streets and are not applicable to this project.

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...

Comment: The McMillan subdivision contains a 20-foot wide utility easement, but no alley where the alley would normally be. A variance to the alley requirement is requested and warranted, since it would not be able to connect to any City street.

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...

Comment: The master street plan does not require curb, gutter, or sidewalk in this area. A paved street exists, but is not of the width specified. A note will need to be added to Owner's dedication on the final plat, indicating that the owners of the lots

agree to support and participate in any improvement district designed to improve 31st Street to city standards.

Items "R" and "T" are standards that relate to streets and drainage that are not applicable to this project, provided no improvements to 31st Street is required at this time.

U. Lot Requirements:

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

Comment: Met.

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:... Comment: Met.

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

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: Neither lot is connected to City sewer. Lot 6-1 has a sewer stub available. Lot 6-2 will need to have one provided by the developer. Connection of Lot 6-1 to City sewer and installation of a sewer stub for Lot 6-2 will need to occur prior to issuance of a building permit for either lot. The service for Lot 6-1 crosses the frontage of Lot 6-2, so an easement for that line will be needed.

In addition, the existing septic tank must be decommissioned (pumped and either crushed/removed, or filled with sand slurry). Both the septic tank and the drain field need to be identified on the preliminary plat. Any construction over the septic tank location or drain field will necessitate soil investigation and compaction testing.

G. Storm Sewer...

Comment: Minor subdivisions are exempt from the storm water policy.

H. Water...

Comment: Lot 6-1 is currently connected to city water. A proposed 3/4" water service for Lot 6-2 is shown on the preliminary plat. The applicant will need to coordinate the water tap and water line fee with public works.

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

Staff Comment: The building code requires a hydrant to be within 600 feet of all new residences. The home site on Lot 6-2 is over 850 feet. The subdivision standard of 500-foot spacing along the street is not met either. Therefore, a new hydrant in the area is needed. The developer will need to coordinate location and construction with Public Works.

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

Comment: The unused irrigation ditches on the property are being abandoned. The main McMillan Ditch is just off the property.

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.

Comments:

Power. Electrical service exists to Lot 6-1. Lot 6-2 can get power from the pole near the northeast corner, by using the existing transformer. An easement for the City to get to the power lines is needed. If specifically defined, the easement needs to be at least 10 feet wide.

Cable/TV/Internet. Telecommunication services are available to each lot. An easement is provided for the existing line crossing Lot 6-2.

Natural Gas: Natural gas is available. An easement is provided for the existing line crossing Lot 6-2.

M. Street Lighting...

Comment: Street lighting exists along 31st Street.

N. Public Use Areas: ...

Comment: Minor subdivisions are exempt from this requirement.

OTHER:

Irrigation: The applicant plans to retain the existing water rights on the property, which is an option. As of the time of the staff report, we have not received a letter from the McMillan Ditch Company to confirm that their requirements will be met.

Easements on Lot 6-2: The building area on Lot 6-2 is restricted by the gas line easement and the telecommunications easement. There may be drain field conflicts as well. The property owner may want to consider relocating one or both of the service lines, and their easements, to provide more flexibility on the building site location. If the gas line was installed at the time of the house it is likely a 46-year-old metal line that is near the end of its life. It is not required that any line be relocated, yet once an easement is established on a plat it can only be removed through the plat amendment process.

RECOMMENDATION:

Recommend that the City Council grant the variances requested (to the frontage improvement and alley requirements) and approve the preliminary and final plats of the Cook Minor Subdivision, subject to the following conditions:

1. Provide an updated final plat for the City Council review, that includes:
 - a. A 10-foot wide utility easement to, and along, the electrical lines serving the subdivision. The easement location must be acceptable to the electrical division.
 - b. Correct a couple of "typos" on the easement identification labels.
 - c. Update the signature lines and dates to reflect the current situation.
 - d. The second paragraph of the Certificate of Dedication needs to be updated to reflect the new electrical easement—staff is okay with a general statement about dedication of the easements for the uses and parties noted, rather than a complete description of each.
 - e. Add a note to the following effect: The developer is responsible for connecting Lot 6-1 to city sewer, properly abandoning the current septic tank and drain field, providing a sewer tap to Lot 6-2, and installing a fire hydrant, prior to issuance of any building permit for development on these lots.
2. Prior to City council review, provide comments from the McMillan Irrigation Company. Any requirements must be addressed with the final plat.
3. Add the following note to the Certificate of Dedication on the final plat:
"And do hereby agree that the owners of Lots 6-1 and 6-2 shall promote and participate in an improvement district for 31st Street when deemed necessary by the City of Cody, and further that this language shall be contained in each and all conveyances of record."
4. Pay applicable utility fees prior to the mayor signing the final plat (sewer connection fee for Lot 6-1, water tap fee for Lot 6-2, and water line fee).
5. That the developer otherwise completes the improvements noted on the preliminary plat, installs the fire hydrant, properly abandons the septic tank and

drain field, and connects the home on Lot 6-1 to City sewer, in the near future and prior to or in conjunction with issuance of any building permit.

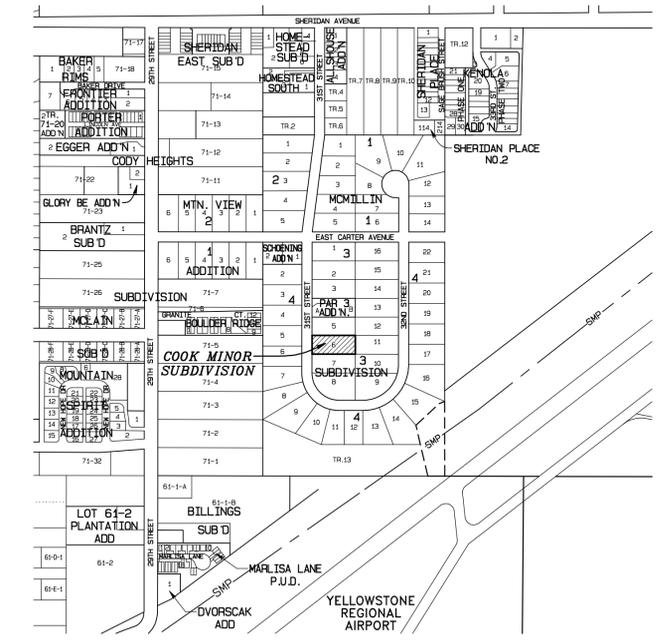
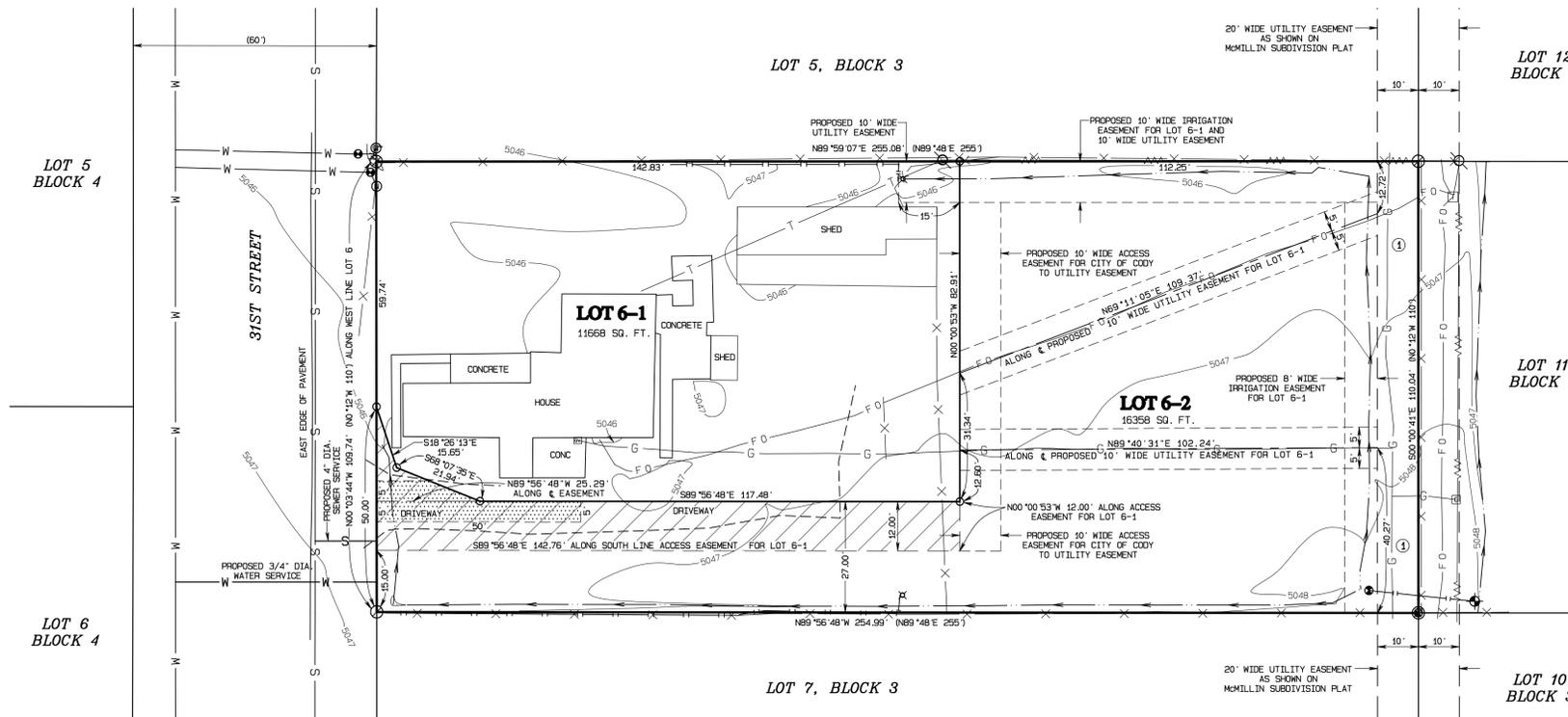
ATTACHMENTS:

Preliminary Plat

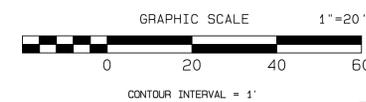
Final Plat

T. 53 N., R. 101 W.
(RESURVEY)

T. 53 N., R. 101 W.
(RESURVEY)



VICINITY MAP
SCALE: 1" = 500'



PRELIMINARY COPY



OWNERSHIPS OF RECORD IN PAR 3 ADDITION

LOT A	MARGARET E. DENVIR
LOT B	MARGARET E. DENVIR

OWNERSHIPS OF RECORD IN McMILLIN SUBDIVISION

LOT 5, BLOCK 3	MARGARET E. DENVIR
LOT 6, BLOCK 3	NORTH FORTY INVESTMENTS, LLC
LOT 7, BLOCK 3	KEITH WAYNE HAWKINS AND TAMARA SUZANNE HAWKINS
LOT 8, BLOCK 3	FRANK AND BARBARA HAYNER
LOT 9, BLOCK 3	WALTER DAVID HERBERT AND SHERRY LYNN HERBERT
LOT 10, BLOCK 3	ROY EDWARD SKINNER, JR. AND MARY J. SKINNER
LOT 11, BLOCK 3	JAMES ALEXANDER, JR. AND KATHY L. ALEXANDER
LOT 12, BLOCK 3	CRISTY HAYS
LOT 13, BLOCK 3	ALVIN L. WOLFE
LOT 3, BLOCK 4	JOHN KIEFT AND BRYAN KIEFT
LOT 4, BLOCK 4	PETERSEN LAKE HILL RANCH, LP
LOT 5, BLOCK 4	ALAN K. PETERSEN AND CHERLYN L. PETERSEN
LOT 6, BLOCK 4	WILLIAM J. SANDVOLO
LOT 7, BLOCK 4	RANDY L. RAILE AND KAY RAILE
LOT 8, BLOCK 4	SAMUEL P. C. KRONE
LOT 9, BLOCK 4	JEFFREY M. GERHARDT
LOT 10, BLOCK 4	MARY LOUISE HILGER, TRUSTOR AND TRUSTEE

EASEMENT OF RECORD

① UTILITY EASEMENT AS SHOWN ON THE PLAT OF THE McMILLIN SUBDIVISION RECORDED IN PLAT CABINET "C" AT PAGE 30 OF THE PLAT RECORDS OF THE PARK COUNTY CLERK AND RECORDER, 10 FEET WIDE.

NOTES

- PRIMARY CONTACT FOR CORRESPONDING WITH OWNER IS STEVEN D. FOLLWEILER, MORRISON-MAIERLE, (307) 587-6281, CODY, WYOMING.
- NAME OF PROPOSED SUBDIVISION IS THE COOK MINOR SUBDIVISION.
- PROPERTY OWNER IS NORTH FORTY INVESTMENTS, LLC, #1 NORTH FORTY TRAIL, POWELL, WYOMING 82435. ENGINEERS AND SURVEYORS ARE MORRISON-MAIERLE, 1402 STAMPEDE AVENUE, CODY, WYOMING.
- BEARINGS ARE BASED ON THE CITY OF CODY DATUM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD 83/93 WEST CENTRAL ZONE.
- TOTAL ACREAGE OF THE COOK MINOR SUBDIVISION IS 0.64 ACRES± (28,065 SQUARE FEET±).
- THERE ARE NO KNOWN FLOOD AREAS WITHIN THE PROPOSED COOK MINOR SUBDIVISION.
- PROPERTY IS ZONED MOBILE HOME F-2. LAND USE IS RESIDENTIAL.
- BUILDING SETBACK LINES IN THE MOBILE HOME F-2 ZONE ARE: FRONT YARD OF NOT LESS THAN 20 FEET, REAR YARD OF NOT LESS THAN 15 FEET, SIDE YARD OF NOT LESS THAN 10 FEET FOR A MOBILE HOME AND NOT LESS THAN 5 FEET FOR ALL OTHER BUILDINGS, PROVIDING THAT A DETACHED ACCESSORY BUILDING MAY BE PLACED WITHIN 5 FEET OF AN ALLEY LINE, PROVIDING FURTHER, THAT THE SIDE YARD ON THE STREET SIDE OF A BUILDING (CORNER LOT) SHALL BE 15 FEET.
- A SPRINKLER IRRIGATION SYSTEM IS CURRENTLY IN PLACE FOR THE COOK MINOR SUBDIVISION, AND WILL CONTINUE TO BE USED.
- ADJACENT LANDS AND OWNERS WITHIN 200 FEET OF THE PROPOSED SUBDIVISION ARE SHOWN HEREON. THE CURRENT ZONING FOR ALL LANDS IS MOBILE HOME F-2.

LEGEND

- 5/8" REBAR WITH 2" ALUM. CAP SET
- 1/2" IRON PIPE FOUND - REPLACED WITH BRASS CAP SET
- McMILLIN PLAT RECORD DIMENSIONS SHOWN THUS ()
- GAS VALVE
- WATER METER BOX
- WATER LINE CURB STOP
- IRRIGATION HEADGATE
- IRRIGATION PUMP
- IRRIGATION VALVE WITH SPRINKLER SPIGOTS
- POWER POLE
- ELECTRIC METER
- FIBER-OPTIC VAULT
- OVERHEAD UTILITY LINE
- OVERHEAD TELEPHONE LINE
- EXISTING WATER LINE PIPELINE
- PROPOSED WATER TAP
- NATURAL GAS PIPELINE
- EXISTING SANITARY SEWER
- PROPOSED SEWER TAP
- BURIED FIBER-OPTIC CABLE
- FENCE
- SMALL ABANDONED IRRIGATION DITCH
- BURIED IRRIGATION PIPELINE
- SURFACE PVC SPRINKLER PIPELINE
- PROPOSED ACCESS EASEMENT FOR LOT 6-1
- PROPOSED 10' WIDE EASEMENT FOR EXISTING SEWER FROM LOT 6-1

NORTH FORTY INVESTMENTS, LLC
POWELL, WYOMING

PRELIMINARY PLAT SHOWING
COOK MINOR SUBDIVISION

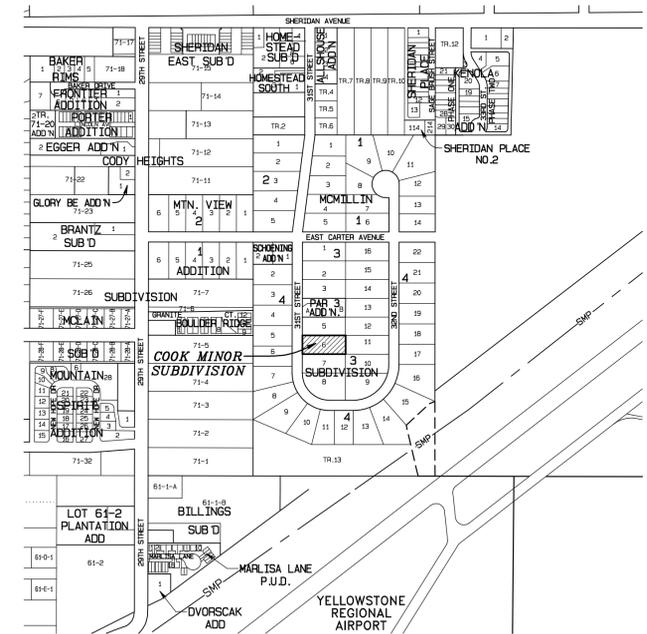
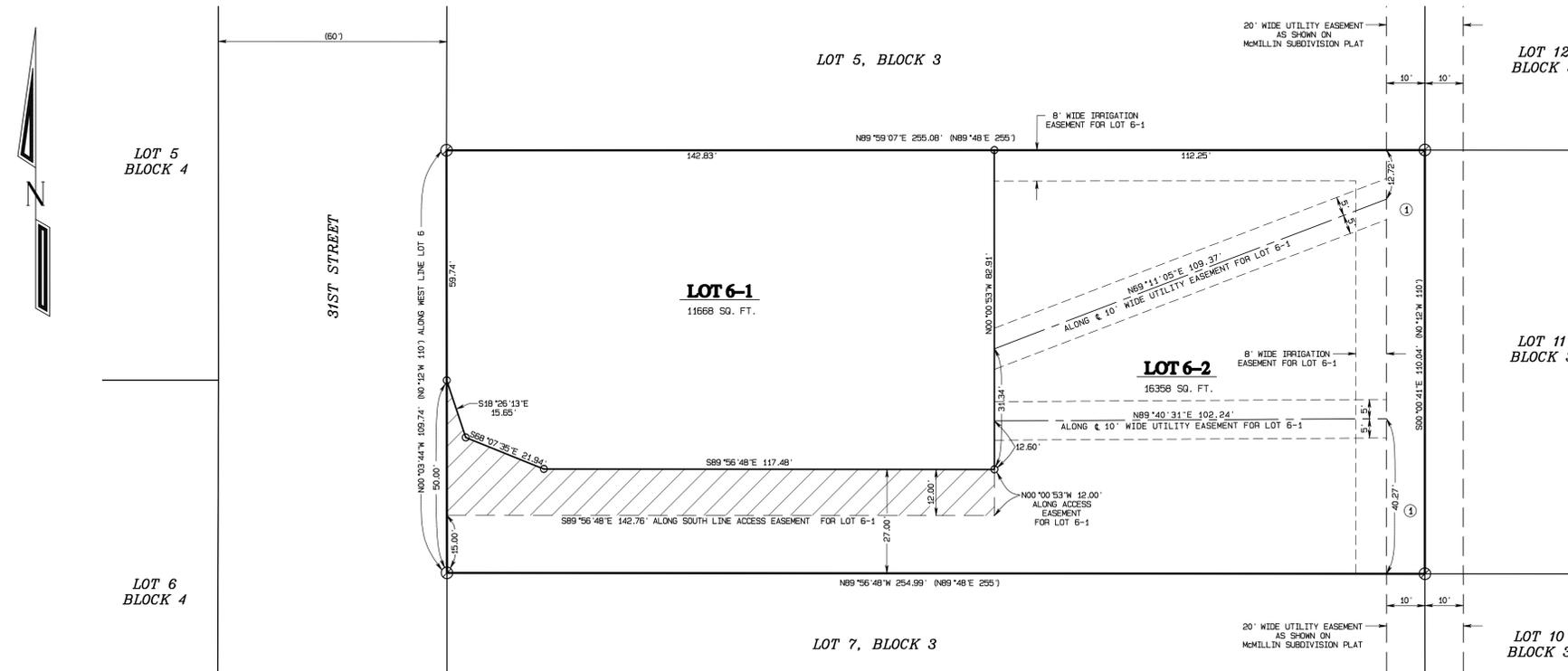
A RESUBDIVISION OF LOT 6, BLOCK 3
OF THE McMILLIN SUBDIVISION

WITHIN THE CITY OF CODY
AND LOCATED
IN TRACT 70, T. 53 N., R. 101 W., 6TH P.M.
PARK COUNTY, WYOMING (RESURVEY)

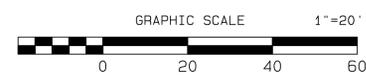
<p>Morrison Maierle engineers-surveyors-planners-scientists</p>	<p>1402 Stampede Avenue Cody, WY 82414 Phone: 307.587.6281 Fax: 307.587.6282</p>	1/4 SEC.	TRACT	TOWNSHIP	RANGE
			70	53 NORTH	101 WEST
<p>DATE: 01/05/2017 SCALE: 1"=20' PROJ. #: 5776.002</p>		<p>6th PRINCIPAL MERIDIAN (RESURVEY) PARK COUNTY, WYOMING</p>			
<p>FIELD WORK: JMM DRAWN BY: SDF CHECKED BY: PAB</p>		<p>CLIENT: NORTH FORTY INVESTMENTS, LLC Plotted: Jan 5, 2017</p>			
<p>J:\5776 Rob Cook\002 Minor Subdivision\Terramodel\5776.002.pro</p>					

T. 53 N., R. 101 W.
(RESURVEY)

T. 53 N., R. 101 W.
(RESURVEY)



VICINITY MAP
SCALE: 1" = 500'



PRELIMINARY COPY

EASEMENT OF RECORD

① UTILITY EASEMENT AS SHOWN ON THE PLAT OF THE McMILLIN SUBDIVISION RECORDED IN PLAT CABINET "C" AT PAGE 30 OF THE PLAT RECORDS OF THE PARK COUNTY CLERK AND RECORDER, 10 FEET WIDE.

NOTES

1. BEARINGS ARE BASED ON THE CITY OF CODY DATUM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD 83/93 WEST CENTRAL ZONE.
2. TOTAL ACREAGE OF THE COOK MINOR SUBDIVISION IS 0.64 ACRES± (28,065 SQUARE FEET±).

CERTIFICATE OF SURVEYOR

STATE OF WYOMING }
COUNTY OF PARK }
I, STEVEN D. FOLLWEILER, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF WYOMING BY REGISTRATION NUMBER 3154 HEREBY CERTIFY:
THAT ON OCTOBER 25, 2016 AND NOVEMBER 15, 2016, THE "COOK MINOR SUBDIVISION" SHOWN HEREON WAS SURVEYED UNDER MY DIRECTION.
THAT THE LAND SURVEYED IS CORRECTLY DESCRIBED IN THE OWNER'S CERTIFICATE OF DEDICATION, AND THIS PLAT ACCURATELY SHOWS THE CORRECT LOCATION AND DIMENSIONS OF SAID SUBDIVISION.
THAT THE REQUIREMENTS OF W.S. 36-11-101 THROUGH 36-11-110 WERE COMPLIED WITH AND MONUMENTS AND LOT CORNERS SHOWN AND DESCRIBED HEREON WERE ACTUALLY SET;
THAT ALL ELEMENTS OF THE SURVEY CLOSE TO AN ACCURACY OF ONE PART IN FIVE THOUSAND OR BETTER AND DIMENSIONS ARE GIVEN IN FEET AND DECIMALS OF A FOOT, ANY SURPLUS OR DEFICIENCY IS DISTRIBUTED UNIFORMLY IN PROPORTION TO THE MEASUREMENTS SHOWN ON THIS PLAT.
THAT THE CITY OF CODY DATUM, WHICH IS BASED ON THE WYOMING COORDINATE SYSTEM NAD 83/93 WEST CENTRAL ZONE WAS USED AS THE BASIS OF BEARING FOR ALL BEARINGS SURVEYED AND SHOWN ON THIS PLAT.

IN WITNESS WHEREOF I HAVE SET MY HAND AND SEAL THIS _____ DAY OF _____, 2016 A.D.

MORRISON - MAIERLE
BY: STEVEN D. FOLLWEILER (AGENT)
WYOMING REGISTRATION NO. L.S. 3154



APPROVALS

CITY PLANNING AND ZONING BOARD
APPROVED AS OF THE _____ DAY OF _____, 2016 BY THE CITY PLANNING AND ZONING BOARD OF CODY, WYOMING.

CHAIRMAN - JUSTIN NESS

CITY COUNCIL APPROVAL
APPROVED AS OF THE _____ DAY OF _____, 2016 BY THE CITY COUNCIL OF CODY, WYOMING.

MAYOR - NANCY TIA BROWN

ATTEST: _____
CINDY BAKER
ADMINISTRATIVE SERVICES OFFICER

RECORDER'S ACCEPTANCE

THIS PLAT WAS FILED FOR THE PUBLIC RECORD IN THE OFFICE OF THE CLERK, PARK COUNTY, WYOMING, AT _____ O'CLOCK _____ M. ON THE _____ DAY OF _____, 2016 A.D., AND IS DULY RECORDED UNDER DOCUMENT NUMBER _____ IN PLAT CABINET _____ AT PAGE _____.

COLLEEN RENNER
PARK COUNTY CLERK
BY: _____
DEPUTY

LEGEND

- 5/8" REBAR WITH 2" ALUM. CAP SET ○
- 1/2" IRON PIPE FOUND - REPLACED WITH BRASS CAP SET ○
- McMILLIN PLAT RECORD DIMENSIONS SHOWN THUS ()
- ACCESS EASEMENT FOR LOT 6-1

CERTIFICATE OF DEDICATION

STATE OF WYOMING }
COUNTY OF PARK }
WE, THE UNDERSIGNED, HEREBY CERTIFY THAT NORTH FORTY INVESTMENTS, LLC IS THE OWNER AND PROPRIETOR OF LOT 6, BLOCK 3 OF THE McMILLIN SUBDIVISION WITHIN THE CITY OF CODY AND LOCATED IN TRACT 70, TOWNSHIP 53 NORTH, RANGE 101 WEST OF THE SIXTH PRINCIPAL MERIDIAN, PARK COUNTY, WYOMING (RESURVEY) AS SHOWN ON THE PLAT THEREOF RECORDED IN PLAT CABINET "C" AT PAGE 30 OF THE PLAT RECORDS OF THE PARK COUNTY CLERK AND RECORDER.

THAT WE HAVE CAUSED SAID PROPERTY TO BE SURVEYED AND PLATTED AS SHOWN HEREON AS THE COOK MINOR SUBDIVISION LOCATED WITHIN THE CITY OF CODY; THAT THE SUBDIVISION AS APPEARS ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS; AND THAT WE HEREBY DEDICATE AND SET APART TO THE USE OF THE GENERAL PUBLIC FOREVER AND THAT WE HEREBY DEDICATE AND SET APART THE EAST TEN FEET OF SAID LOT 6 OF BLOCK 3 FOR ALL PUBLIC UTILITIES AS SHOWN ON SAID PLAT OF THE McMILLIN SUBDIVISION AND THAT WE HEREBY DEDICATE AND SET APART THE ACCESS EASEMENT, THE TWO TEN FOOT WIDE UTILITY EASEMENTS, AND THE EIGHT FOOT WIDE IRRIGATION EASEMENT AS SHOWN HEREON LYING ACROSS LOT 6-2 OF THE COOK MINOR SUBDIVISION FOR THE USE AND BENEFIT OF THE OWNERS, HEIRS, SUCCESSORS AND ASSIGNS OF LOT 6-1 OF THE COOK MINOR SUBDIVISION. WE HEREBY RELEASE AND RELINQUISH ALL RIGHTS OF HOMESTEAD. IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 2016.

BY: ROBERT M. COOK, MANAGER ANDREA L. COOK, MANAGER
NORTH FORTY INVESTMENTS, LLC NORTH FORTY INVESTMENTS, LLC

STATE OF WYOMING }
COUNTY OF PARK }
THE FOREGOING CERTIFICATE OF DEDICATION WAS ACKNOWLEDGED BEFORE ME BY ROBERT M. COOK, MANAGER AND ANDREA L. COOK, MANAGER, THIS _____ DAY OF _____, 2016.

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

NORTH FORTY INVESTMENTS, LLC
POWELL, WYOMING

PLAT SHOWING
COOK MINOR SUBDIVISION
A RESUBDIVISION OF LOT 6, BLOCK 3
OF THE McMILLIN SUBDIVISION

WITHIN THE CITY OF CODY
AND LOCATED
IN TRACT 70, T. 53 N., R. 101 W., 6TH P.M.
PARK COUNTY, WYOMING (RESURVEY)

	1402 Stampede Avenue Cody, WY 82414 Phone: 307.587.6281 Fax: 307.587.6282	1/4 SEC.	TRACT	TOWNSHIP	RANGE
			70	53 NORTH	101 WEST
FIELD WORK: JMM & ECR DATE: 11/18/2016 DRAWN BY: SDF SCALE: 1"=20' CHECKED BY: PAB PROJ. #: 5776.002		6th PRINCIPAL MERIDIAN (RESURVEY) PARK COUNTY, WYOMING		CLIENT: NORTH FORTY INVESTMENTS, LLC Plotted: Dec 6, 2016 SHEET 1 OF 1	

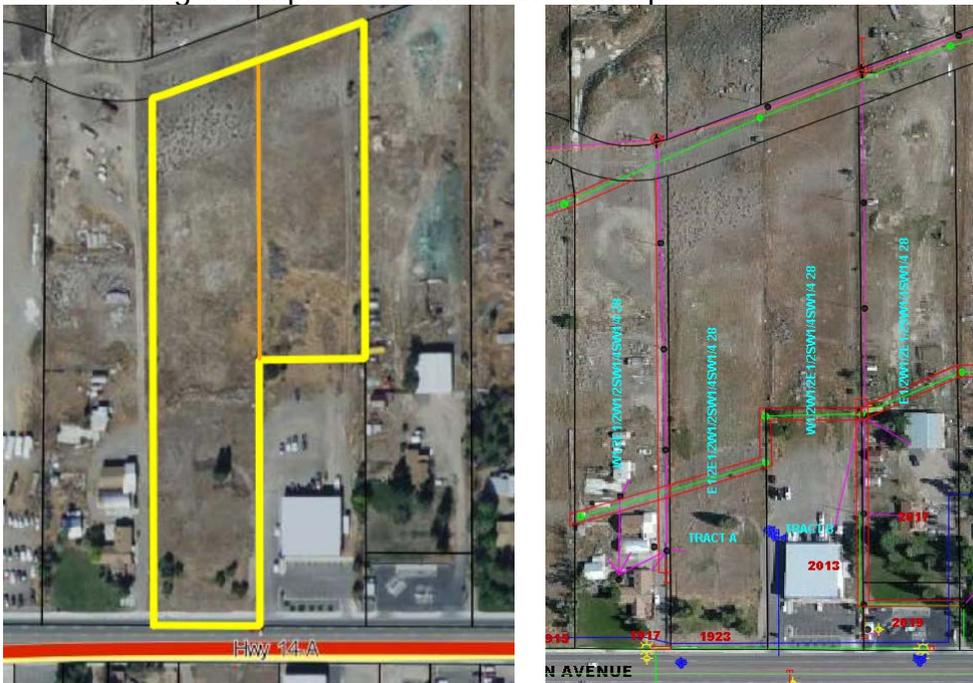
**CITY OF CODY
PLANNING, ZONING AND ADJUSTMENT BOARD
STAFF REPORT**

MEETING DATE:	JANUARY 10, 2017	TYPE OF ACTION NEEDED	
AGENDA ITEM:		P&Z BOARD APPROVAL:	
SUBJECT:	CONCEPTUAL PLAT DISCUSSION- A TWO-LOT DIVISION OF 1923 BIG HORN AVENUE. SUB 2016-12	RECOMMENDATION TO COUNCIL:	X
PREPARED BY:	TODD STOWELL, CITY PLANNER	DISCUSSION ONLY:	

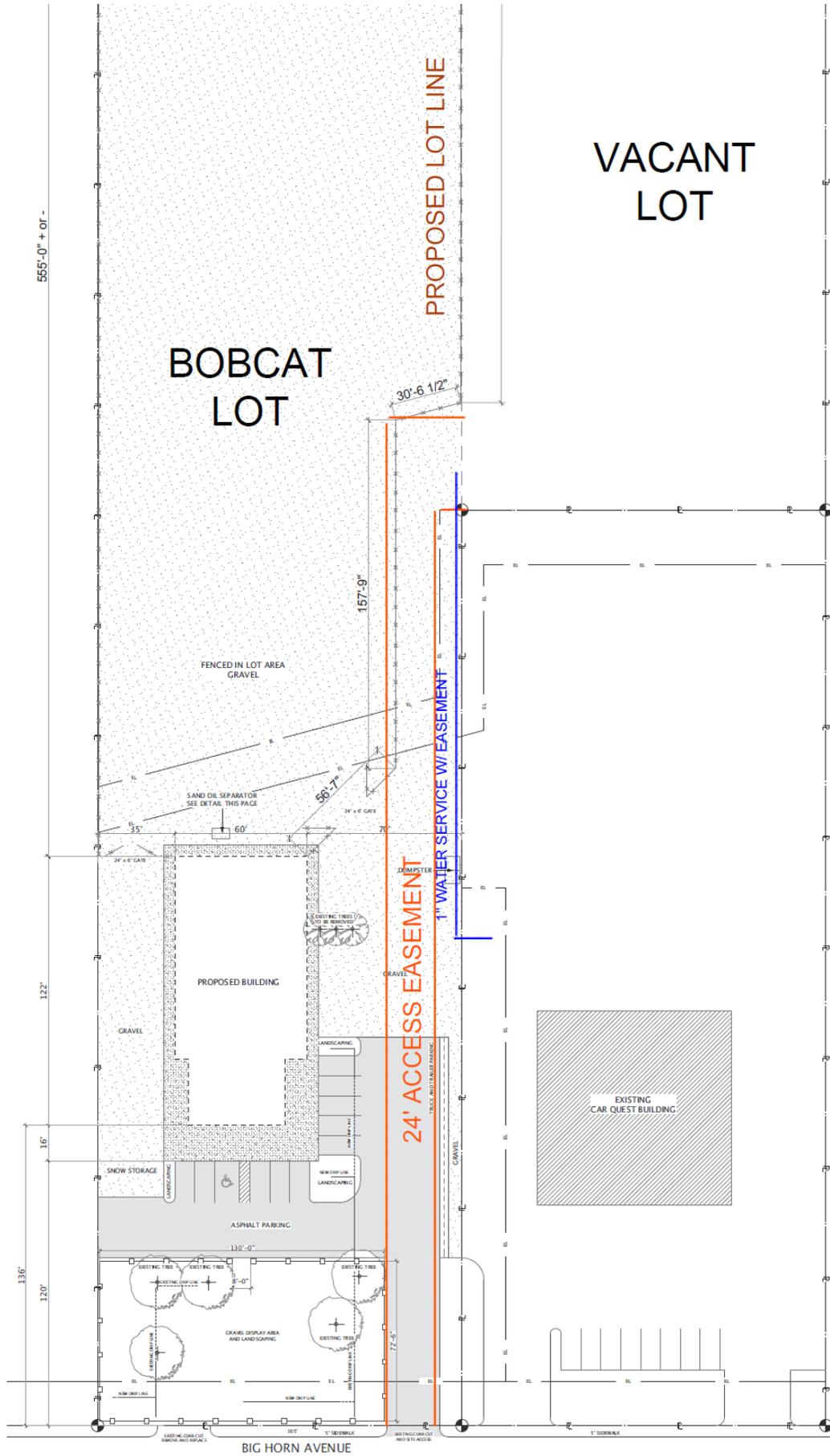
PROJECT OVERVIEW

HGI Properties, represented by Gordy Allison, has inquired about dividing the property at 1923 Big Horn Avenue into two lots. The conceptual plat process is intended to allow a property owner to discuss the subdivision with the Planning and Zoning Board prior to preparation of the formal plat applications. The property is currently five acres in size and the subdivision would locate the portion recently developed with the Bobcat dealership on one lot of about 3.1 acres, and the vacant portion behind CARQUEST Auto Parts as the second lot of about 1.9 acres.

The following aerial photos indicate the concept.



The sketch on the following page utilizes the Bobcat site plan to show the proposed access and water service.



There are multiple issues with the proposed subdivision, when reviewed under the City's subdivision ordinance. Specifically:

- A. The subdivision ordinance specifies that the developer would be responsible for constructing "E" Avenue to the standards of the Master Street Plan. The "E" Avenue right-of-way contains no street in this area, and if only the frontage is constructed, it would not connect to any street.
- B. The subdivision ordinance requires each lot to have at least 50 feet of frontage on a public right-of-way. The assumption is that the right-of-way would also contain a street, although admittedly it doesn't say that.
- C. Access to the vacant lot is proposed via a private access easement. The subdivision ordinance and zoning ordinance does not contemplate the use of a private easement for access, and therefore there are no standards developed for such an access.
- D. How domestic water will be provided to the vacant lot is questionable. The applicant would like to simply extend a minimal water service line. If only a small service line is installed it would limit the potential development of the property, as most sizeable commercial or industrial buildings would require fire sprinklers and potentially additional fire hydrants. A water main extension would provide for about any form of potential development of the property. Without the extension, the north end of the property (approx. 150 feet) could not contain any buildings, or storage requiring fire protection.

Effectively, the Board needs to determine what would be appropriate for access to the vacant lot, the extent of responsibility to improve "E" Avenue, and whether a water main extension should occur.

Staff is still thinking through options. At this time, we are leaning towards the private access from Big Horn Avenue to the vacant lot, generally as shown on the drawing, and consisting of a 24 to 26-foot-wide paved street plus curb and gutter (at least on the east side) extending off the end of the existing pavement to a point at least 30 feet past the south line of the vacant lot. A sidewalk may not be necessary, and streetlighting is likely not needed due to the lighting at the Bobcat building and future on-site lighting on the vacant lot. Drainage of the access will need to be accommodated. Design of the improvements would need to be engineered. An agreement for the street, its drainage, and maintenance would be needed and should be reviewed with the plat. The street would need to be posted "No Parking/Fire Lane" and the curbing painted accordingly. The street radius at the north end of the street into the lot would need to be appropriate for truck access (not the 90-degree sharp bend shown)

Regarding the water line, if there is a near 100% likelihood of a specific use that does not require a fire sprinkler line and additional hydrant, and that use is a very long-term situation, then the small service line may be an option. Otherwise, extension of the water main should be required.