

Planning Commission Agenda Item for April 2, 2013

Case Number 13.003Z: Zoning Map Amendment- Unplatted Land West of Burma Avenue

Applicant/Owner: Kanti & Sulabha Patel

Agent: Kanti Patel

Summary:

The owner is seeking approval of a Zoning Map Amendment in order to re-zone a portion of unplatted property along Burma Avenue from R-2, Single and Two Family Residential District to C-1, General Commercial District. The parcel is approximately 6.5 acres in size.

Background:

The property is located along Burma Avenue just north of the intersection of Lakeway Road and Burma Avenue on the northwest side. The land is currently vacant and was split by the City's acquisition of right-of-way for the Burma Avenue extension in 2009. The current parcel which is zoned R-2, Single and Two Family Residential will be difficult to develop as residential due to the limited size and shape of the parcel. The land immediately to the west is zoned C-1, General Commercial District and under common ownership. The owner would like to connect this parcel of land to the C-1, General Commercial property to the west for more development options in the future.

The area is largely a mix of vacant land combined with existing residential development and some limited commercial uses. The adopted City of Gillette Comprehensive Plan shows the future land use as Planned Mixed Use which includes both commercial and residential uses. The re-zoning request meets the intent of the City's Comprehensive Plan.

An amendment to the Zoning Map shall not take place unless at least one (1) of two (2) criteria exists as set forth in Section 12 of the City of Gillette Zoning Ordinance.

- a. The zoning map may be amended when there is a need to correct an obvious error. In this case there is no obvious error in the zoning designation.
- b. The zoning map may be amended to recognize changing conditions within the City. This request does recognize changing conditions as the new Burma Avenue extension split the property and created a small tract of land zoned R-2, Single and Two Family Residential which is difficult for residential development. The property is better suited for commercial development in this location.

Section 12 of the City of Gillette Zoning Ordinance also provides for a minimum size land area of four (4) acres for a General Commercial Zoning District and three (3) acres for R-2, Single and Two Family Residential District. The Zoning Ordinance allows the property

to connect to other similar zones in both the City and the County to meet the size requirements. This request meets the minimum size requirements for both Districts.

Planning Requirements:

1. The re-zoning request shall be approved by City Council with an Ordinance prior to taking effect.

Staff Recommendation:

Staff recommends approval of the re-zoning request for an unplatted parcel of land west of Burma Avenue which is legally described as shown on the attached Exhibit A and Exhibit B documents from R-2 Single and Two Family Residential District to C-1, General Commercial District, subject to all Planning requirements.

This case is tentatively scheduled for a Public Hearing and First Reading by City Council on April 15, 2013 in the City Council Chambers at 7:00 p.m.

Save: 13.003Z Case Sheet

Attachments: Vicinity and Aerial Map, Exhibit A, Exhibit B, Additional Zoning Map

Case Manager: Staci Beecher