

Planning Commission Agenda Item for May 21, 2013

Case Number 13.010Z: Zoning Map Amendment- Tracts 1-3 of the Proposed Cedar Rim Estates Subdivision and Beaver Drive

Applicant/Owner: Lang Homes, Inc.
City of Gillette

Agent: Doyle Land Surveying
Josh Richardson, P.E., City Engineering Division

Summary:

The owners are seeking approval of a Zoning Map Amendment in order to re-zone a portion of property which was divided by the City's right-of-way acquisition for Beaver Drive.

Background:

The property is located near the intersection of Beaver Drive and Burma Avenue. The land was annexed in 2011 and zoned at the same time based on the proposed alignment of Beaver Drive. The actual placement of Beaver Drive was different than expected, which will end up creating split zoning on the proposed tracts of land. This re-zoning request aims to create zoning district designations that will correspond with the tracts of land proposed for the Cedar Rim Estates Subdivision plat. The attached Exhibit 'B' Map shows the split zoning districts on the proposed tracts of land. Tract 1 is proposed as C-1, General Commercial District, Tract 2 as R-3, Single and Multiple Family Residential District, and Tract 3 as A, Agricultural District. The Beaver Drive right-of-way will be zoned to the centerline and correspond with the adjacent zoning districts.

The Cedar Rim Estates plat will be forwarded to the City Council after the zoning is completed. The City has not received any information on future plans for development of the property at this time. Tract 3 is proposed as an Agricultural District as the owner would like to have the flexibility to re-zone the property in the future as no development is planned in the near future.

The area is largely a mix of vacant land combined with existing residential development to the south and east and some industrial uses to the north. The adopted City of Gillette Comprehensive Plan shows the future land use as Mixed Use 1 which includes mixed density residential, office, and commercial and also low density residential. The re-zoning request meets the general 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 Beaver Drive extension split the property and will create split zoning on the proposed tracts of land.

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, three (3) acres for R-3, Single and Multiple Family Residential District, and 20 acres for a A, Agricultural 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.
2. The Zoning Map Amendment shall be approved by the City Council prior to the Council acting on the proposed Cedar Rim Estates Final Plat.

Staff Recommendation:

Staff recommends approval of the re-zoning request for Tracts 1-3 of the proposed Cedar Rim Estates Subdivision which is legally described as shown on the attached Exhibit 'A' and Exhibit 'B' Maps. Tract 1 is to be zoned C-1, General Commercial, Tract 2 is to be zoned R-3, Single and Multiple Family Residential District, and Tract 3 is to be zoned A, Agricultural Zoning District, subject to all Planning requirements. The Beaver Drive right-of-way will be zoned to the centerline and correspond with the adjacent zoning districts as shown on the Exhibit 'A' and Exhibit 'B' Maps.

This case is tentatively scheduled for a Public Hearing and First Reading by City Council on June 3, 2013 in the City Council Chambers at 7:00 p.m.

Save: 13.010Z Case Sheet

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

Case Manager: Staci Beecher

ePlans: N/A