

Planning Commission Agenda Item for October 22, 2013

Case Number 13.025Z: Zoning Map Amendment- Lot 3, Block 1, Bivens Addition,
810 East 4th Street

Applicant/Owner: KC Barnes Properties, LLC

Agent: Patrick Avery

Summary:

The owner is seeking approval of a Zoning Map Amendment in order to re-zone an existing platted lot from R-2, Single and Two Family Residential District to C-1, General Commercial District.

Background:

The property is located just east of Douglas Highway along 4th Street on the south side. The land is currently vacant. To the east is an office building in the C-1 Zone. To the north across 4th Street is an office complex in the C-1 Zone. To the west is a commercial use building in the C-1 Zone. To the south is a residence in the R-2 Zone. The site is surrounded by C-1 Zoning except to the south across an alley. The applicant has indicated that they intend to use the property for commercial purposes.

The area is indicated in the Future Land Use Plan as expanding Commercial. The area is mostly developed and there are only a few vacant parcels such as this one. 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 adjacent properties on 3 sides are zoned C-1 and the need for additional commercial property close to Douglas Highway is increasing. 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 Lot 3, Block 1, Bivens Addition, 810 East 4th Street, as shown on the attached Exhibit A 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 November 5, 2013 in the City Council Chambers at 7:00 p.m.

Save: 13.025Z Case Sheet

Attachments: Vicinity and Aerial Map, Exhibit A

Case Manager: Larry Manning