

CITY OF GILLETTE PLANNING COMMISSION

MINUTES OF THE REGULAR MEETING

City Council Chambers ~ City Hall
October 28, 2014 ~ 7:00 p.m.

PRESENT

Commission Members Present: Chairman Clark Sanders, Billy Montgomery, Jim Howard, Adrienne Hahn, and Lee Wittler.

Commission Members Absent: Jennifer Thomas and Holly Helm

Staff Present: Larry Manning, Planning Manager, Michael Surface, Senior Planner, Staci Bungard, Planner, and Maggie Stufflebeam, Administrative Assistant.

CALL TO ORDER

Chairman Sanders called the meeting to order at 7:00 p.m.

APPROVAL OF THE MINUTES

A motion was made by Ms. Hahn, seconded by Mr. Wittler to approve the Minutes of the City Planning Commission Meeting of October 14, 2014 and the Minutes of the Joint City/County Planning Commission Meeting of October 16, 2014. Motion carried 5/0.

14.068Z – ZONING MAP AMENDMENT – Tract A, Moonshiner Estates II, Phase I

Mr. Wittler made a motion to approve said case. Ms. Hahn seconded the motion. Ms. Bungard presented the case.

Ms. Bungard stated the City received a written request from the applicant to amend the area that is being considered for rezoning shortly after the Planning Commission packet was finalized and sent to the members. The request was modified to replace the C-1, General Commercial Zoning with R-S, Suburban Residential Zoning that was shown on the modified exhibit maps that were presented.

Chairman Sanders asked the applicant to explain the proposed amendment.

Curt Betcher, 1333 Moonshiner Lane, stated he is the owner of the property and he has modified the zoning change after speaking with an appraiser to R-S, Suburban Residential District. The original thought was to change the zoning to a C-1, General Commercial. After speaking with an appraiser he learned there is not a difference in value between a C-1 or R-S zoning for gifting or selling this property. This property could not remain R-R, Rural Residential District because of size requirements.

Chairman Sanders asked the Commission for a Motion and a Second to accept the applicants proposed Amendment change. Ms. Hahn made a motion to accept the amendment as presented by the applicant to change the proposed C-1, General Commercial District to a proposed R-S, Suburban Residential District as shown on the amended Exhibit "A" Map, and as described in the amended legal descriptions. Mr. Howard seconded the motion.

Mr. Howard asked Mr. Betcher how he justified the rezoning request. There was discussion on the change of conditions regarding the Conservation Easement that was not completed as planned. Mr. Betcher explained he was not able to find a suitable 501(c)(3) to take over this property. He stated that he would like to gift this land to the City so this property would not be

available for resale.

There was discussion about Tract A and the surrounding land owners that would be interested in purchasing the extra land so they have larger lots. Mr. Betcher will restrict any accessory structures to be built closer than sixty-five feet from the rear property line. The land owners will need to follow the Covenants that will be in place.

Mr. Howard asked Mr. Betcher to clarify the changing conditions for this rezoning request. Mr. Betcher explained it was to find a suitable land owner and also for tax purposes.

Chairman Sanders asked Mr. Betcher about his statement of possibly gifting this tract of land to the City that is zoned R-S, and if the City would accept the gift, would he be willing to re-zone it A, Agricultural District. Mr. Betcher stated the City has not committed to accepting this gift but he would be willing to consider the options after he speaks with an appraiser.

Chairman Sanders asked if anyone had any questions.

Chairman Sanders asked for a vote to accept the applicant's amendment to change a portion of the requested zoning from C-1, General Commercial to R-S, Suburban Residential District. Motion carried 5/0.

There were no further questions or comments, therefore a vote was taken on the original motion as amended. Motion carried 5/0.

OLD BUSINESS

NEW BUSINESS

Mr. Surface stated there will be three (3) new case(s) at the next regular Planning Commission Meeting on Wednesday, November 12, 2014.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:20 p.m.

Minutes taken and prepared by Maggie Stufflebeam, Administrative Assistant, Planning Division.

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