

CITY OF GILLETTE PLANNING COMMISSION
MINUTES OF THE REGULAR MEETING
City Council Chambers ~ City Hall
April 25, 2017 ~ 7:00 p.m.

PRESENT

Commission Members Present: Chairman Clark Sanders, Vice-Chair Jennifer Thomas, Todd Mattson, Cindy Reardon, and Jim Nielsen.

Commission Members Absent: Brenda Green

Staff Present: Mike Cole, Planning Manager, Natalie Buchwald, Planner, and Jill McCarty, Administrative Assistant.

CALL TO ORDER

Chairman Sanders called the meeting to order at 7:02 p.m.

APPROVAL OF THE MINUTES

A motion was made by Jim Nielsen and seconded by Jennifer Thomas to approve the Pre-Meeting Workshop and Regular Meeting Minutes of the City Planning Commission Meeting of April 11, 2017. Motion carried 5/0.

17.014Z-ZONING MAP AMENDMENT-Lot 12, Block 4, Northside Addition

Natalie Buchwald presented Case No. 17.014Z

The owner is seeking approval to rezone Lot 12, Block 4, of the Northside Addition from R-2, Single & Two Family Residential District to A, Agricultural District.

David Bundy, the owner, wishes to rezone the lot so the zoning is contiguous with the other property he owns to the east, which are also zoned A, Agricultural. The lot was originally established in 1920, and has never been developed. The Land Use Plan envisions this area as a mixture of Multifamily Residential and Industrial. This proposed rezone conflicts with the future Land Use Plan for this area.

Staff recommends denial of this Zoning Map Amendment to rezone Lot 12, Block 4, of the Northside Addition from R-2, Single & Two Family Residential District to A, Agricultural District because the proposed rezone conflicts with the future Land Use Plan for this area, and because the proposed rezone does not meet the minimum zoning district size for the Agricultural zoning district. However, there is another option staff recommends the owner consider. The applicant can prepare and submit a Minor Subdivision Final Plat to consolidate the property being proposed for a rezone along with other, adjacent property in common ownership into a single lot. To coincide with the subdivision plat, request a Zoning Map Amendment to adjust the zoning for the entire consolidated lot to either R-2, Single & Two Family Residential District, or R-4, Multi Family Residential District. Both districts allow for residences as permitted uses as well as accessory uses that support the permitted use like a shop, pole barn or detached garage. Natalie said no phone calls or emails were received by City staff regarding the case.

Chairman Sanders asked if there were any questions from the commission or the public on this case. Richard Doyle, agent for the case, was present and said he was not informed beforehand by staff of the recommendation for denial of the rezoning. He said the owner had started to build a separate building, when he was told by the City he needed a different zoning for the building. He felt this was the direction they were given by staff.

Mike Cole said the issues with the rezoning are both the size of the lots, as well as the comprehensive land use plan does not call for continued agricultural use in the area. Richard Doyle said the size of the lots would be close to what was necessary, and the homestead existed a long time before the comprehensive plan. Chairman Sanders asked if the goal could be reached with a minor subdivision. Richard Doyle said more time would be needed to complete a different application for review by the Planning Commission and City Council.

David Bundy, owner of the property, was present and stated he was surprised by the recommendation for denial, and was told the rezoning would be the easiest way to complete the building being built on his property. David Bundy said he was concerned if the property with the residence was changed from being zoned Agricultural, then he would no longer be able to keep horses on the property, which he does for 5 to 6 months throughout the year.

Mike Cole said if the zoning were approved as Agricultural District, it was not known if a building permit could be issued without consolidating the lots. Mike said considering horses were being kept on the property it might work to zone the proposed lot as agricultural, and also have a minor subdivision plat applied for to consolidate Lot 12 and Tract A3. However, Mike did indicate that a building permit for an accessory structure that did not support the permitted use for either the existing R-2 zoning district or proposed Ag zoning district will be difficult to approve. For an accessory structure in the R-2 zoning district, a residential use on the existing lot first needs to be established. Likewise, for an accessory structure in the Ag zoning district, an agriculture use needs to be first established as well. Consolidation of the vacant lot with the existing lot with the house through a minor final subdivision plat would support a permit for an accessory structure with the residential use already established.

Jim Nielsen made a motion to approve said case. Cindy Reardon seconded the motion. Motion carried 5/0.

NEW BUSINESS

Planning Manager Mike Cole said there would be one new case at the next Planning Commission on May 9, 2017.

ADJOURNMENT

The meeting adjourned at 8:24 p.m.

Minutes taken and prepared by Jill McCarty, Administrative Assistant.