

CITY OF GILLETTE PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING  
City Council Chambers ~ City Hall  
January 8, 2019

PRESENT

Commission Members Present: Chairman Jim Nielsen, Vice-Chair Cindy Reardon, Brenda Green, Trevor Matson, and Ted Jerred.

Commission Members Absent: Sheryl Martin, and Jennifer Tuomela

Staff Present: Annie Mayfield, Planning and GIS Manager; Clark Sanders, Planner; Meredith Duvall, Planner; and Jill McCarty, Senior Administrative Assistant.

CALL TO ORDER

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

APPROVAL OF THE MINUTES

A motion was made by Brenda Green to approve the pre-meeting workshop minutes, and the regular meeting minutes of the City Planning Commission Meeting of November 13, 2018. Ted Jerred seconded the motion. Motion carried 5/0.

18.032V-VACATION-  
Tract 1-A & 1-B Powder  
Basin Center  
Subdivision

The owner, TKG Powder Basin LLC is seeking approval to vacate a 10 foot wide easement and a portion of a 20 foot wide easement located in the Powder Basin Subdivision.

During review of the Marshall's Commercial Site Plan, one 10 foot wide easement was identified as having no utilities located within, and another 20 foot wide easement into the Marshall's building. Staff recommended that the easements be vacated so the property is not encumbered with unnecessary easements.

Meredith Duvall said the city had received two inquiries from the public regarding the case, seeking general information on what the case was about only.

Chairman Nielsen asked if there were any questions or comments on the case from the Commission or the public. There being no further comments or questions, Vice-Chair Reardon made a motion to approve the case, Brenda Green seconded the motion. Motion carried 5/0.

18.034Z-ZONING MAP  
AMENDMENT-Chevrolet  
Sub and Westover Hill  
Sub

The owners, Newton Family Farms Limited Partnership and Steven M. Bruce, are seeking approval of a zoning change request of 4.33 Acres of land from C-1, General Commercial District to A, Agricultural District.

This property is located on the south side of Westover Road and west of the intersection of Skyline Drive and Westover Road.

Each of these lots have remained undeveloped. Unimproved 60' city right of way exists between Lot 1, Block 3, Westover Hills Phase 1 and Lot 1, Davis Chevrolet Subdivision. Similarly, a 60' right of way exists for Lee Esther Lane on the west.

The minimum size requirement for an A, Agricultural Zone District is 20 Acres. As per Section 12.f.(2) of the Zoning Regulation any land "adjacent and contiguous land in the surrounding county that is zoned in a similar category or is used substantially for uses similar to those being sought by the applicant" can be used to obtain the minimum district size. This property, with the western 8.18 acres and the southern 198 acres in the county, zoned as A, Agricultural District meet the minimum district size requirements.

There is no minimum lot size for the A, Agricultural District except in cases where a residence is occupied only by the owners or persons employed by the owner. In such a case at least three (3) acres of land is required for each permanently occupied dwelling. No uses will be allowed upon the subdivided lots except those enumerated within the A, Agricultural District.

Sanitary sewer is available to each existing lot. Water service is not available to the individual lots. Any use requiring water services will require the developer to provide a service from the City water main located on the north side of Westover Road. City electric is available to the existing lots.

The Future Land Use Plan as adopted in November 2013 indicates this property to be General Commercial (GC). The City-County Joint Future Land Use Plan adopted at the same time indicates the property to the south to be RR, Rural Residential.

The proposal to rezone 4.33 acres of Land from C-1, General Commercial to A, Agricultural District recognizes the changing conditions in the City which are primarily financial in nature.

Clark Sanders said the city received one phone call from the public regarding the case, seeking general information on what the case was about only.

Chairman Nielsen asked if there were any questions or comments on the case from the Commission or the public. Ted Jerred said the rezoning would be going backwards and reducing the potential of what could be developed on the lots.

Dick Doyle, Doyle Land Surveying and agent for the case, was present and said the owners were requesting the change in zoning for the purpose of reducing the taxes on the property and they did not see any new development happening on the lots. Vice-Chair Reardon asked what the change in taxes would be once rezoned, and Mr. Doyle said he did not know the dollar amount it would be. Chairman Nielsen inquired if there needed to be 3 acres for a home to built on Agricultural zoning, how large each of the lots were. Clark Sanders said each one was approximately ½ acre. Vice-Chair Reardon said she did not like to see the community lose commercial property that is already subdivided such as these lots. Chairman Nielsen said he agreed he did not like to see the loss of the commercial property, but it is the owner's property to

do with it what they wanted and he didn't see any stumbling blocks on the way of the rezoning.

There being no further comments or questions, Trevor Matson made a motion to approve the case, Vice-Chair Reardon seconded the motion. Motion carried 3/0/2.

18.036SFPM-FINAL  
PLAT MINOR-  
Remington Estates Ph.  
V

The owner, Saunders Land & Livestock LLC, is proposing to subdivide 12.169 acres of land located in the South Park Subdivision for facilitating future development; currently the land is unplatted. Access is on the east side of the property off of an unnamed gravel road that begins where Enzi Drive meets Southern Drive. Currently Glock Avenue and Kimber Drive to the north dead end at the property. An access easement will have to be secured for future development of the property. There are no utilities serving the property now. Any future site development will be required to undergo a commercial site plan review.

Meredith Duvall said the city had received two inquiries from the public regarding the case, both had no issues with the case and were general inquiries only.

Chairman Nielsen asked if there were any questions or comments on the case from the Commission or the public.

Tressa Meserve, adjacent landowner, was present and inquired about the access road, and did not believe what was being shown was the correct access to the property. Meredith Duvall said access needs to be secured if there is future development, and right now there is no access except where Glock Avenue currently dead ends. Ted Jerred asked if the land needed two accesses, and Meredith said currently no. Chairman Nielsen said the accesses would be determined by how the land gets developed. Ted Jerred asked if the property was in a flood plain, Meredith said it was in a flood plain.

Cortney Morris, resident in Remington Estates, was present and asked what the zoning of the property would be. Meredith said the property was zoned residential and there were no plans to rezone it at this time.

Dick Doyle, agent for the owner, was present and said the owner will be providing an easement along Glock Avenue, extending that road, and that will be the access road. Vice-Chair Reardon said it looked like the corner of the property and where Glock Avenue dead ends does not matchup entirely, and asked where the access for that would be. Mr. Doyle said the owner would be providing a 60-foot strip of land for that.

Helen Hottell, resident of Remington Estates, was present and said her concern was the only access would be Glock Avenue which was already very busy. She said when there was a field fire two years ago, there was so much traffic on Glock Avenue she could not get home. She said she is concerned any future emergencies will also be a

problem if Glock is the only access road.

Chairman Nielsen said if a development plan were to come in, then more detail would be put into it at that time. It is possible, he said, an agreement could be made to put another access road on the other side of the property, though it is not guaranteed. Meredith said whatever is determined, a commercial site plan review would be required along with a traffic study of the area.

There being no further comments or questions, Ted Jerred made a motion to approve the case, Brenda Green seconded the motion. Motion carried 5/0.

Chairman Nielsen said this was a very preliminary step to getting the land developed. As the other steps happen, just as the surrounding property owners were notified of this case, they will also be notified of any upcoming cases for the property as well.

18.037SFPM-FINAL  
PLAT MINOR-Resub Lot  
5 Prestige Park

The owner, Diverse Energy LLC, is proposing to subdivide 10.709 Acres of land located at 2600 E Second Street for the purposes of ownership and to facilitate future development. The subdivision includes the existing Lot 5 of the Prestige Park Subdivision. This subdivision will create two (2) lots. Lot 5A (7.142 acres) and Lot 5B (3.567 acres).

The property is zoned I-2, Heavy Industrial and is surrounded by similar zoned property with Interstate 90 to the northwest and the railroad and Highway 14/16 on the south. Access to Lot 5A will be from E Second Street. Access to the newly created Lot 5B will require a separate easement on Lot 6, Prestige Park Subdivision.

Water and electricity is located at or near the site. Sanitary sewer will be required to be extended at the time of development.

Any future site development will be required to undergo a commercial site plan review.

Clark Sanders said the city received one phone call from the public regarding the case, seeking general information on what the case was about only.

Chairman Nielsen asked if there were any questions or comments on the case from the Commission or the public.

Ted Jerred asked about the access to the lot. Clark Sanders said in I2 zoning it is allowed for lots to be accesses by private access easement, however the easement they are proposing is not part of the subdivision, and it would need to be provided in a separate document.

Vice-Chair Reardon asked where the utilities were located for the lot. Clark said the water and electric was located on the east side, and sewer was located in the cul-de-sac on E 2<sup>nd</sup> Street and will need to be

extended from that location.

There being no further comments or questions, Vice-Chair Reardon made a motion to approve the case, Trevor Matson seconded the motion. Motion carried 5/0.

OLD BUSINESS

None

NEW BUSINESS

Clark Sanders said there was one upcoming case for the January 22, 2019 meeting. The February 12, 2019, meeting will be canceled.

ADJOURNMENT

The meeting adjourned at 7:27 p.m.

Minutes taken and prepared by Jill McCarty, Senior Administrative Assistant.

DRAFT