



Agenda Memorandum

Agenda Item - VI.A

City Council Meeting
May 15, 2023

Subject: Public Hearing - Ordinance No. 924: Rezone Lot 15 Block 1 of Peoples Addition to the City of Dell Rapids From R-1: Single Family Residential District to R-3: Medium Density Residential District - Applicant: Hunter Nelson - First Reading

Prepared By: Justin Weiland, City Administration

Background of Issue:

Attached is Ordinance No. 924 to Rezone Lot 15 Block 1 of Peoples Addition from R-1: Single Family Residential to R-3: Medium Density Residential District. Also attached are the Public Hearing Notices and complete Re-Zone application. This is to be considered the Public Hearing and consideration of the First Reading of the request to Re-Zone Lot 15 of Block 1 of Peoples Addition from R-1: Single Family Residential to R-3: Medium Density Residential. The applicant Hunter Nelson has purchased this property with the intent of restoring the current structure into a four separate one bedroom apartments. This intent is in-line with the R-3: Medium Density Residential District zoning district that allows for up to 8 dwelling units per structure. The applicant is showing their intent to provide for 8 parking spaces in accordance with the requirement of 6 parking spaces per the Zoning Ordinance. However, the Lot Size and Setback requirements for 3 to 7 units in an R-3 zone are not met by the current property. The lot requirement for size is 10,000 square feet and the property is only 8,712 square feet. In order to comply with R-3 Zoning requirements it will be necessary for the property owner to receive a variance. The property owner has expressed their intent to submit a variance application with the plan for a public hearing to be scheduled for the June 5th City Council meeting (the same as the

The Planning Commission held a public hearing to consider this zoning request on May 9th. The Planning Commission unanimously recommended approval to the City Council for the rezoning of Lot 15 of Block 1 of Peoples Addition to an R-3: Medium Density Residential Zoning. The Planning Commission heard property owners' concerns regarding on-street and off-street parking, safety, noise. The Planning Commission discussed concerns with property owners but ultimately decided that the property owners' plan to restore and improve the home was a benefit to the neighborhood. The Planning Commission recommended approval to the City Council under the condition that proper variances are issued by the Board of Adjustment to gain compliance with the Zoning Ordinance.

Recommendation

Recommend the City Council hold a public hearing for the purpose of allowing proponents or opponents to address the Council. Following the Public Hearing procedure, recommend the Council make a motion to approve the First Reading of Ordinance No. 924 to Rezone Lot 15 Block 1 of Peoples Addition from R-1: Single Family Residential District to R-3: Medium Density Residential District contingent upon the property owner applying for and receiving variances from the Board of Adjustment to make the property compliant with the R-3 Lot Requirements for 3-7 Units.

ATTACHMENTS:

[ORDINANCE 924 - Rezone Lot 15 Block 1 of Peoples Addition from R-1 to R-3.doc](#)

[Lot 15 of Block 1 Peoples Addition Public Hearing Notice and Application](#)