



## MEMORANDUM

**Date:** April 17, 2025

**To:** Luke Winchester, Chairman  
and Planning Commission

**From:** Jon Baughman, City Planner  
Jill Johnson, Planner I

**Re:** 615 Rutland Dr.  
Rezone (non-PUD)  
Map - 078  
Parcel(s) – 010.07

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**Request:** Justin Rogers, the property owner, requests a rezone for property located at 615 Rutland Drive in District 3.

**Analysis:** The property is located at the northeast quadrant of the intersection of Rutland Drive and Golden Bear Gateway. The entire site consists of 5.02 acres and is presently zoned RS-40. There is currently an occupied single-family home on the lot connected to a septic system. Bluebird Roofing intends to use one of the CMU parcels to park commercial vehicles and the single-family home will remain occupied as. A summary of the request is below:

REQUEST SUMMARY	Land Use Map Classification	Requested Classification	Current Zoning District	Requested Zoning District
Bluebird/Justin Rogers	Mixed Use	N/A	RS-40	CMU

**Future Land Use Plan:** City's future land use plan identifies the area commercial mixed use. A change is not requested or required, the plan supports the request.

**Zoning:** The property is currently zoned RS-40. The requested zoning is CMU.

**Findings:** In reviewing the requested zoning actions, staff finds that the request agrees with all of the following findings, as contained in the zoning ordinance. The proposed rezone:

- 1. Is in agreement with the general plan for the area, and*
- 2. does not contravene the legal purposes for which zoning exists, and*
- 3. will have no adverse effect upon joining property owners, unless such effect can be justified by the overwhelming public good or welfare, and*
- 4. is not materially beneficial to a property owner or small group of property owners and will not be detrimental to the general public, and*
- 5. is possible because conditions affecting the area have changed to a sufficient extent to warrant an amendment to the zoning map, and*

6. *allows uses by right, for which the base infrastructure is in place or will be required, to support their operation.*

Summary: This rezone (CMU) request is supported by the City's future land use plan (mixed use). Proposed uses for the site, at this time, include commercial vehicle parking and a single-family residence.

**Recommendation:** Staff recommends forwarding the rezone request for 615 Rutland Drive to the Board of Commissioners with a positive recommendation, subject to the conditions below:

Planning and Zoning:

1. Should this rezone request receive approval, any additions to the buildings, new construction or changes in use will require the buildings to come into code compliance entirely per the requirements of 13-102, non-complying structures, and 13-103, noncomplying uses, in the zoning ordinance.