

MINUTES OF THE ZONING COMMITTEE
Thursday, July 6, 2017 - 3:30 p.m.
City Council Chambers, 3rd Floor
City Hall and Court House
15 West Kellogg Boulevard

PRESENT: Baker, DeJoy, Edgerton, Fredson, Lindeke, Ochs, and Reveal
EXCUSED: Makarios
STAFF: Jake Reilly, and Cherie Englund

The meeting was chaired by Commissioner Edgerton.

R2C LLC / Joseph R. Yeary - 17-052-150 - Rezone from B2 community business to T2 traditional neighborhood at 1051 Arkwright St., SW corner at Cook.

Jake Reilly presented the staff report with a recommendation of approval for the rezoning. He stated District 5 made no recommendation, and there were no letters in support or opposition.

In response to questions by Commissioner Reveal, Mr. Reilly said the applicant is requesting to rezone to T2 instead of a residential only district to avoid limiting the potential use of the building in the future and that it was constructed as a mixed-use building. Mr. Reilly noted that the building is currently vacant, but had been used as a law office in the past, and that there are no other T2 districts proximate to the property.

Commissioner Edgerton asked if rezoning to T2 allows for more flexibility for future use. Mr. Reilly said that is correct.

Commissioner Baker asked about the process in which the District Council would give a recommendation or not. Commissioner Edgerton said that because of the timing of the district council meetings, it is not uncommon for District Councils to have not made a recommendation to the Zoning Committee, but will often have a recommendation at the time of the Planning Commission meeting.

The applicant, Joseph R. Yeary, 13527 Partridge Circle NW, Andover said that he purchased this property in December 2016. Commissioner Edgerton noted that the petition states his address as 13572 Partridge Circle NW, Andover. He said he takes pride in remodeling buildings that are eyesores and his first order of business is to replace windows that have been broken.

In response to questions by Commissioner DeJoy, Mr. Yeary said that he will do both the rehabilitation of the building and manage the property.

Commissioner Lindeke asked how old the building is. Mr. Yeary said it was built in 1911.

In response to a question by Commissioner Reveal, Mr. Yeary said his plan is to have four residential units in this building, with two apartments on the main floor, two on the second floor, with storage and laundry in the basement.

In response to another question by Commissioner Reveal, Mr. Reilly said that the intent to rezone to T2 is to enable the property owner to continue to use it in the way it has been used in the past, as commercial or residential, as well as strictly residential, were ownership to change in the future.

Commissioner Reveal asked if the exterior will be remodeled. Mr. Yeary said that the building is in good shape and has a new roof, but he may need to clean the brick.

Commissioner Baker asked if his intent was to rehabilitate the property to sell it. Mr. Yeary said that this will be a long-term ownership.

In response to questions by Commissioner Ochs, Mr. Yeary said that he will have 3 bedrooms in each apartment. He said that parking will include a two stall garage and two parking spaces to the right of the garage. He said he also has room inside the fenced area to create two more parking spaces and that there is on street parking.

In response to questions about parking requirements by Commissioner Edgerton, Mr. Reilly said that because the application is for a rezoning, which does not change the parking requirement. He said the former use as a three-bedroom apartment and a 2,000 sq. ft. law office had parking requirements of six parking spaces, the same as the proposed new use as a four-unit apartment building with three bedrooms in each unit, so there would be no additional parking requirement for the proposed change in use. He added that the existing two stall garage must be maintained.

Commissioner Edgerton asked if six parking spaces are provided. Mr. Reilly said two are provided but that it is not relevant because the rezoning would not require additional parking.

No one spoke in favor or opposition and the public hearing was closed.

Commissioner Fredson moved approval of the rezoning. Commissioner DeJoy seconded the motion.

Commissioner Reveal asked if this project will require a site plan review. Mr. Reilly said it depends on whether he changes anything with the parking area and if nothing changes it would not be necessary.

The motion passed by a vote of 7-0-0.

Adopted Yeas - 7 Nays - 0 Abstained - 0

Drafted by:



Cherie Englund
Recording Secretary

Submitted by:



Jake Reilly
City Planner

Approved by:



Kyle Makarios
Chair

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EXCUSED: Makarios
STAFF: Jake Reilly, Tony Johnson, and Cherie Englund

The meeting was chaired by Commissioner Edgerton.

United Business Group LLC - 17-051-362 - Reestablishment of nonconforming use as a duplex at 548 Van Buren Ave., between Kent and Mackubin.

Tony Johnson presented the staff report with a recommendation of approval for the reestablishment of nonconforming use permit with conditions. He stated District 7 made no recommendation, and there were no letters in support, and 1 letter in opposition.

Mr. Johnson noted he will correct the history section of the staff report to state that the certificate of occupancy was revoked in 2015, not 2008.

In response to questions by Commissioner Reveal, Mr. Johnson said that United Business Group LLC is the new owner and that the property was identified as potentially historically significant. He added that if there is a Historic District study for the Frogtown Neighborhood in the future, it could be designated as historically significant.

The applicant, Tibesso DaYassa, 9257 Unity Street NW, Coon Rapids said United Group LLC purchased this property in May 2017 with the intention to rehabilitate the property. He said that two of the 12 owners will occupy 2 units in the building.

In response to questions by Commissioner DeJoy, Mr. DaYassa said United Business Group LLC will do the rehabilitation, manage the property, and both units will be owner occupied.

No one spoke in favor or opposition and the public hearing was closed.

Commissioner Reveal moved approval of the reestablishment of nonconforming use permit with conditions. Commissioner DeJoy seconded the motion.

Commissioner Fredson asked why history is a factor in finding 2 of the staff report. Mr. Johnson said he factors history into most of his staff reports. He added that in this case it shows it was legally established as a duplex since the 70s.


The motion passed by a vote of 7-0-0.

Adopted Yeas - 7 Nays - 0 Abstained - 0

Drafted by:


Cherie Englund
Recording Secretary

Submitted by:


Tony Johnson
City Planner

Approved by:


Kyle Makarios
Chair