

**MINUTES OF THE ZONING COMMITTEE**  
**Thursday, August 11, 2016 - 3:30 p.m.**  
**City Council Chambers, 3rd Floor**  
**City Hall and Court House**  
**15 West Kellogg Boulevard**

PRESENT: Edgerton, Nelson, Wencel, and McMahon  
ABSENT: Wickiser  
EXCUSED: Makarios, Merrigan, and Reveal  
STAFF: Courtney Overby, Cherie Englund, and Allan Torstenson

The meeting was chaired by Commissioner Nelson.

**Phalenview Real Estate LLC - 16-060-576 - rezone from RT1 two-family residential to RM2 multiple family residential, 419 Whitall St., between Clark and Arkwright**

Courtney Overby presented the staff report with a recommendation of approval for the rezoning. She noted that District 5 recommended approval, and there was 1 letter in support, and no letters in opposition.

Chair Nelson asked what the setback requirements are for an RM2 zone. Mr. Torstenson noted that the setback requirement in the front is 25 feet, side is 9 feet and rear is 25 feet.

Commissioner Edgerton noted that the property was rezoned from RM2 to RT1 in 1975, and asked why we would rezone from RT1 back to RM2. Mr. Torstenson noted by looking at the land use map there are other multifamily parcels along Whitall and Old Cayuga on the south edge and to the east. He added that this whole area was RM2 and in this neighborhood and Frogtown there was a push to reduce density to encourage more ownership and less rental by rezoning it to RT1. He said that the RM2 zone would be an appropriate use to allow for high density along the edges.

The applicant, Gerald Frisch, Principal of Phalenview, 2350 West 7<sup>th</sup> St., said he acquired this property several years ago and waited for the development around the site to be finished in order to determine the appropriate zone for this site. He added that the area has changed with the intersection of Cayuga and 35E and the development of the medical facility. He said the rezone to RM2 would be appropriate to build the type of housing that may satisfy the employees of the medical facility, as well as other businesses in the area while being compatible with the neighborhood. He added that the problem for single family residential is that there is no water or sewer in front of the site along Whitall and the utilities would have to be brought in from Clark St. on the north end of the site. He said that he is in discussion with adjoining neighbors regarding purchasing their homes to expand the site.

Commissioner Wencel asked Mr. Frisch if he acquires the additional property from the neighbors would he consider construction of a larger building. Mr. Frisch said that if he acquires the additional property his plan is to build a 3 story building with 17 units, but said he is flexible depending upon the acquisition of the other homes.

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

Commissioner Wencil moved approval of the rezoning. Commissioner McMahon seconded the motion.

The motion passed by a vote of 4-0-0.

Adopted                      Yeas - 4              Nays - 0              Abstained - 0

Drafted by:

Submitted by:

Approved by:

\_\_\_\_\_  
Cherie Englund  
Recording Secretary

\_\_\_\_\_  
Courtney Overby  
Zoning Section

\_\_\_\_\_  
Gaius Nelson  
Chair