

**MINUTES OF THE ZONING COMMITTEE**  
**Thursday, September 28, 2017 - 3:30 p.m.**  
**City Council Chambers, 3rd Floor**  
**City Hall and Court House**  
**15 West Kellogg Boulevard**

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

The meeting was chaired by Commissioner Makarios.

**Metric Auto Parts - 17-077-911 - Rezone from RM2 multiple family to B2 community business at 550 Smith Ave. S., E side between George and Stevens.**

Jake Reilly presented the staff report with a recommendation of approval. He noted that District 3 recommended denial, there were no letters in support, and one letter in opposition.

In response to a question by Commissioner Reveal, Mr. Reilly said they are able to meet the minimum parking requirement of 19 spaces, but the spaces are currently not striped. The parking area has deteriorated over time and needs to be repaved. Site plan review is required for paving and striping parking lots.

Chuck Repke, 154 W. Winifred, representing the applicant, said the property owner has been in business since 1986. They have 19 parking spaces. The RM2 portion of the property had been an illegal duplex and sold in 2006 for \$153,000. Two years later it went up for sale for \$26,000 and the applicant purchased it for \$31,000. At that time the duplex had been vacant for a year and was a problem property that was adjacent to his client's business. He said that the applicant demolished the duplex and combined the two properties into one tax parcel in 2009. Mr. Repke said one neighbor spoke in opposition at the West Side Community Organization meeting. He said they are aware that they will have to go through a site plan review for improvements to the parking lot and are happy to meet with WSCO on this.

Commissioner Edgerton asked if they need the additional space for parking.

Mr. Repke said this is an old Phillips 66 station built in 1965. They would like to improve the look of the lot with a nice site design and delineated parking spaces.

No one spoke in favor.

Susan Hubbard, 555 Manomin Ave., spoke in opposition. She said she also spoke in opposition at the WSCO meeting. She said that the site is very unattractive now, with a 3-story metal building and a sea of asphalt with only three cars on it. Her concern is that the rezoning would make it easier for the property owner to extend this. They do not need more parking. She said WSCO voted unanimously against this rezoning because they don't know what is going to be built there. It would be helpful to see a plan before it is rezoned.

Mr. Repke said they cannot go through site plan review without rezoning the property first.

Commissioner DeJoy asked if the applicant would like to build a three-story building. Mr. Repke said no.

Commissioner Lindeke asked if there is a need for additional parking. Mr. Repke said no and that they would like the property to be rezoned, then have a site plan review so he can use the entire site.

Commissioner Reveal asked if there is immediate intent to pave the lot and if they would accept a condition for adding green space. Mr. Repke said there is no intent to pave the lot which would require a building permit and site plan review. Mr. Torstenson said conditions may not be attached to a rezoning.

Mr. Repke said they would be happy to meet with the neighbors for the layout of the new parking lot.

The public hearing was closed.

In response to a question by Commissioner DeJoy, Mr. Reilly said they would need to go through a site plan review for any changes and would be required to meet or exceed all of the standards for parking, landscaping, lighting, screening, etc.

Commissioner Lindeke asked why there is a requirement for 19 parking spaces. Mr. Reilly said the parking requirement for a retail use is 1 space per 400 square feet.

Commissioner Edgerton asked if the use is appropriate to the property. He is concerned about what a future owner could do in a B2 zoned property. He noted that there are requirements associated with the use and the property owner cannot do whatever they would like. Mr. Reilly noted that this is a split zoned parcel and at some point the entire parcel would ideally have the same zoning.

Commissioner Edgerton asked if there is a requirement to change this split zoned property to a single zoned property. Mr. Torstenson said the code is written to discourage the use of split-zoned parcels. He said this became a split-zoned parcel because the previous use of this lot was for a house. After the applicant purchased the residential lot, the owner applied for the lots to be combined, which is a County process. He said in reviewing subdivisions of property, one of the standards is administrator approval of a lot split to avoid adjustments of common boundaries, and there is nothing that requires the city to change the zoning.

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

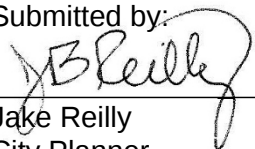
The motion passed by a vote of 7-0-0.

Adopted                      Yeas - 7                      Nays - 0                      Abstained - 0

Drafted by:

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Cherie Englund  
Recording Secretary

Submitted by:

  
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Jake Reilly  
City Planner

Approved by:

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Dan Edgerton  
Chair