

MINUTES OF ZONING AND PLANNING COMMISSION / ZONING BOARD OF APPEALS MEETING

May 14, 2009

7:30 P.M.

1. Roll Call/Call to Order
2. Approval of minutes of Zoning and Planning Commission / Zoning Board of Appeals for meeting held on 4/23/2009.
3. Case Number 09P-03 / Real Estate Elmhurst LLC request for Map Amendment
Request for Map Amendment (Rezoning) from CR Conservation/Recreation to any of the four following Zoning District Classifications: R4 Limited General Residence, C1 Local Shopping District, C2 Community Shopping and Service District or C3 General Commercial District for the purpose of creating an economically viable use for the property. The common address is 621 W. North Avenue (formerly 313 N. Route 83). (PIN's 03-34-411-006, 007 & 008).
Deliberation – Public Hearings held 3/26/2009 & 4/9/2009. (NOTE: Deliberation of this case may be conducted in Executive Session.)
4. Case Number 09P-04 / Visitation Church Amended Conditional Use
Request for approval of an Amended Conditional Use for the purpose of site redevelopment and to construct new structures and additions on property commonly known as 779 S. York Street (PIN 06-13-106-005 & 006), said property being wholly located in the R2 Single Family Residence District.
Deliberation - Public Hearings held 4/9/2009 and 4/23/2009
5. Other Business

Commission Members Present: Brinkmeier, DeWitt, Ernst, McCoyd, Mushow, Slone,

Commissioner Members Absent: Corrado, Frolik, Whistler

City Staff Present: Werner

The meeting began with a request from Staff for a motion to install Commissioner Paul DeWitt as Acting Chairman for tonight's meeting. Commissioner Brinkmeier moved to install Commissioner DeWitt as Acting Chairman for tonight's meeting. Commissioner Mushow seconded and, with a voice vote being all ayes, the motion passed.

Acting Chairman DeWitt opened the meeting at 7:30 P.M. and requested a roll call. After the roll call determined that there was a quorum, Acting Chairman DeWitt requested a motion to approve the April 23, 2009 minutes of the Zoning and Planning Commission meetings.

Commissioner Brinkmeier moved to approve the minutes of the April 23, 2009 Zoning & Planning Commission/Zoning Board of Appeals meeting as written. Commissioner Slone seconded and, with a voice vote being all ayes, the motion passed.

Commissioner Brinkmeier stated that based on the testimony of the Applicant's attorney, Mr. Scott Day, there is sufficient basis to adjourn into executive session to discuss the Map Amendment request, Case 09P-03/Real Estate Elmhurst LLC. Commissioner Brinkmeier then moved to adjourn into executive session. Commissioner Ernst seconded and, after a roll call vote, the Commission unanimously approved the motion and adjourned into executive session.

After adjourning from executive session, the Commission deliberated Case # 09P-03/Real Estate Elmhurst, LLC request for Map Amendment. The Commission discussed the suitability of the property under the current zoning classification of CR. The Commission also discussed the four zoning classification options requested by the Applicant: C1, C2, C3 or R4. The Commission found that the requested R4 classification provided the Applicant an opportunity for economic viability noting that R4 was one of the zoning districts requested by the Applicant. The Commission found that the R4 classification would result in the least amount of impact on neighboring properties. The Commission voted unanimously to recommend that the City Council approve the applicants request for a Map Amendment of the subject parcel from CR to R4.

The Commission then deliberated Case 09P-04/Visitation Church request for Amended Conditional Use. This is a request for site redevelopment that includes a modified parking lot, an internal drop off and staging area, a new addition to the Church, and the demolition of Madonna Hall. The Commission discussed the improvements relating to on-site staging for weddings and funerals noting that this will improve traffic on the surrounding streets. The Commission also noted the proposed new sidewalk along Kearsage that will be installed by the Church. After discussion, the Commission voted unanimously to recommend approval of the Applicant's request as presented.

Under Other Business the Commission discussed upcoming cases and scheduling. The Commission was advised by Mr. Werner that they will be receiving their copies of the final Elmhurst Comprehensive Plan at the next meeting of the Commission.

Mr. Werner then distributed a memorandum from Mr. John Said, Director of Planning, Zoning and Economic Development regarding the Comprehensive Plan and the two proposed parking decks to be located on First Street (at Larch Ave) and Addison Avenue. Mr. Said's memo indicated that the First Street deck will be constructed to code with no requests for zoning relief. Relative to the Addison Avenue deck, Mr. Said's memo indicated that it is still too early to know whether or not zoning relief would be requested for this deck.

The meeting was adjourned at 9:50 PM.

Submitted by: Nathaniel J. Werner AICP, Planning and Zoning Administrator