

## MINUTES OF COMMITTEE MEETING

June 22, 2009

7:00 p.m.

### DEVELOPMENT, PLANNING AND ZONING COMMITTEE (DP&Z)

- RE: 1) 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).  
Continued from 6/08/09 meeting
- 2) Case Number 09P-02 / Delphi Academy Conditional Use  
Request for approval of a Conditional Use for the purpose of establishing an educational institution on property commonly known as 905 S. Kent Avenue (PIN 06-13-114-001), said property being wholly located in the R2 Single-Family Residence District.  
Continued from 5/26/09
- 3) Other Business

Committee Members Present: Morley, Rose, Leader

City Staff Present: Said, Werner, Attorney Peppers

City Council Present: Alderman Hipkind (part-time)

Chairman Morley called the meeting to order at 7:06 p.m. and he reviewed the agenda.

The first item on the agenda was Case Number 09P-03 / Real Estate Elmhurst LLC request for Map Amendment. At this time, the Committee agreed to move to call an Executive Session due to litigation.

The Committee entered into Executive Session at 7:10 p.m. The Committee adjourned Executive Session at 7:25 p.m.

The Committee then reconvened in open session and to discussion of Case Number 09 P-03. A resident, Todd Benson, was allowed to speak on the request. Mr. Benson stated that he would not support either of the two zoning districts being considered, C-2 or R-4, but that he would

support parking on the site. When questioned further, he said he would support R-4 with a later conditional use request for parking for this site for abutting property. Applicant Mike Karpman and his attorney Ms. Robert were also allowed to speak, and made brief comments stating their support for C-2 zoning.

The Committee then discussed this item, including the pros and cons of the two possible zoning classifications, spot zoning, required fencing or buffering and protecting the abutting residential area. After much discussion, the majority of the Committee agreed to recommend C-2 zoning for the site and will issue a report to be placed under Reports for the July 6, 2009 City Council meeting.

The Committee began their continued discussion of agenda item #2, Case Number 09P-02 / Delphi Academy Conditional Use. Chairman Morley introduced and reviewed the case. The Committee then discussed the case with traffic consultant Pete Lemmon of Metro Transportation. After discussion, including a review of the traffic study and certain aspects of the use that the study might not have taken into consideration, and the conditions for conditional uses, the Committee will issue a report recommending denial of the applicant's request to be placed under Reports for the July 6, 2009 City Council meeting.

There was no Other Business.

The meeting was adjourned at 9:10 p.m.

Submitted by: John D. Said, Director of Planning, Zoning and Economic Development