

## STAFF REPORT

Department of Metropolitan Development  
Division of Planning  
Current Planning Section

**Case Number:** 2023-ZON-063 (2<sup>nd</sup> Amended)  
**Address:** 3855 & 3955 North Emerson Avenue, 5035 East 39<sup>th</sup> Street and 5070 Roselawn Avenue (*Approximate Addresses*)  
**Location:** Lawrence and Washington Townships, Council Districts #9 and #13  
**Petitioner:** Harmony Park Apartments / Emerson Park Apartments, LLC, by David Kingen  
**Request:** Rezoning of 9.19 acres from the D-3 (TOD), D-4 (TOD), D-6 (TOD) and C-3 (TOD) districts to the D-8 (TOD) district to provide for a multi-family development.

The Hearing Examiner continued this petition from the July 27, 2023 hearing, to the August 10, 2023 hearing, at the request of staff to provide additional time for required notice related to the amended request.

Subsequently, staff determined that the August 10, 2023 hearing would not provide the required time for published notice. The petitioner's representative has stated that he would not be available for the August 24, 2023 hearing, so staff is requesting a **continuance from the August 10, 2023 hearing to the September 14, 2023 hearing**, with notice.

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