

City of Montgomery
City Council Public Hearing Minutes
September 5, 2018

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Tracy Roblero, Community Development Director
Katie Smiddy, Finance Director
Matthew Vanderhorst, Community and Information Services Director
Paul Wright, Fire Chief
Connie Gaylor, Clerk of Council
Kathi Ranford, Customer Service Representative

City Council Members Present

Chris Dobrozsi, Mayor
Lynda Roesch, Vice Mayor
Lee Ann Bissmeyer
Mike Cappel
Gerri Harbison
Craig Margolis
Ken Suer

City Council convened in Council Chambers at 6:15 p.m. with Mayor Dobrozsi presiding, to conduct a Public Hearing to consider the request from the Planning Commission to consider their recommendation to Rezone 17 properties and approximately 15.5 acres of land along Montgomery Road to "A" Single Family to "C" Single family and Two Family Residential.

Ms. Roblero stated that it is requested that City Council consider a recommendation from the Planning Commission to rezone 17 properties and approximately 15.5 acres of land along Montgomery Road from "A" Single Family Residential to "C" Single Family Residential. On the east side of Montgomery Road, the properties are located between Hopewell Road and the Grove of Montgomery. On the west side of Montgomery Road, the properties are located between Deerfield Road and Pfeiffer Road. The properties are located between the City's hospital district to the north and the higher intensity commercial uses of the Montgomery Road Corridor to the south.

Ms. Roblero stated that the City has continually supported maintaining this section of Montgomery Road as single family residential, as evidenced by the Comprehensive Community Plan and the City's investment in a landscape median to preserve the residential character of the area. Despite that commitment, there have been concerns about ensuring that the properties maintain their property value and provide quality, diverse housing options in the City which has been incorporated into the 2016 – 2021 Strategic Plan. The development of the Grove of Montgomery by Zicka Homes and more recently, the development of the Villa Homes by Twin Lakes has solidified the residential character of this section of Montgomery Road; however, one of these developments is true single family, while the other is a single-family attached product like the development proposed by Robert Lucke Group, Inc.

Ms. Roblero stated that for reference, the Comprehensive Community Plan which was last updated in 2007, sets forth three policies regarding single family residential development in the City as outlined below:

1. The City will continue to support and protect the high quality, low density, single family residential character of the City's established neighborhoods.
2. The City will allow market forces to determine the rate and extent to which existing neighborhoods are being redeveloped through teardown/rebuild process.
3. The City will evaluate areas in the City where the "A" residential zoning may be restricting investment and proper maintenance of the properties.

Ms. Roblero explained that the Planning Commission met on July 16, 2018 to discuss the rezoning and make a recommendation to City Council. After hearing the testimony, there was much discussion among the Planning Commission members regarding process and the comments from residents. At the conclusion of the meeting, the Planning Commission voted to recommend approval of the proposed re-zoning from "A" Single Family residential to "C" Single Family Residential in a 4-2 vote.

58 Ms. Roblero stated that staff supports the recommendation of the Planning Commission to rezone the properties to
59 "C" Single Family and Two Family Residential. The 17 properties recommended for rezoning are located along
60 Montgomery Road between the Hospital Corridor and the more intense commercial uses of the Montgomery Road
61 Commercial Corridor.

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63 Ms. Roblero stated that the staff is in support of the rezoning as recommended by the Planning Commission.
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65 Mayor Dobrozsi asked if there were any questions from City Council. There were no questions.
66

67 **GUESTS AND RESIDENTS**

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69 Steve Silverman, 7504 Golf Green Drive, stated that he would like Mr. Lucke to be open to further enhancements
70 on the design of his project.

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72 Mr. Donnellon informed Mr. Silverman that this could be discussed further at the September 12, 2018, City
73 Council Work Session since this is regarding the rezoning and not Mr. Lucke's project.
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75 Dave Seagram, St. Barnabas Church, 10345 Montgomery Road, expressed his support and the support of St.
76 Barnabas for this rezoning. Mr. Seagram feels that it will benefit the current homeowners and it could increase the
77 property tax revenues for the City with two-family homes rather than a single-family home.
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79 Mayor Dobrozsi stated that the Code does not allow new evidence to be submitted for review during the Public
80 Hearing.
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82 Mayor Dobrozsi stated that City Council has the following options in consideration of the Planning Commission's
83 recommendation:
84

- 85 • Approve the Recommendation;
- 86
- 87 • Deny the Recommendation;
- 88
- 89 • Remand the matter to the Planning Commission for more specific information; or
- 90
- 91 • Take the matter under advisement and vote at another public meeting within thirty days. If City Council
- 92 chooses this final option, it is suggested that City Council announce the date and time of the subsequent
- 93 hearing when the matter can be discussed and considered for vote.
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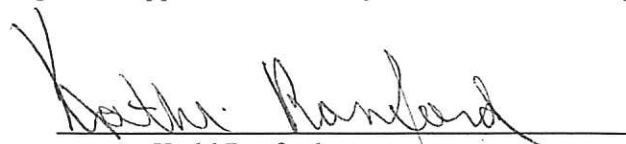
95 Mayor Dobrozsi requested a motion to accept the recommendation and to add this rezoning legislation to the
96 September 12, 2018 Work Session agenda.
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98 Mr. Margolis moved to add this rezoning legislation to the September 12, 2018 Work Session agenda. Mr. Cappel
99 seconded. City Council unanimously agreed.
100

101 Mayor Dobrozsi asked if there was anything further to discuss. There being none, he asked for a motion to
102 adjourn.

103 Mr. Margolis moved to adjourn from the Public Hearing. Mr. Cappel seconded. City Council unanimously agreed.
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105 The meeting was adjourned at 6:30 p.m.
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Kathi Ranford
Acting Clerk of Council