

City of Montgomery  
City Council Public Hearing Minutes  
May 23, 2018

Present

Brian Riblet, City Manager  
Terry Donnellon, Law Director  
Gary Heitkamp, Public Works Director  
Tracy Roblero, Community Development Director  
Matthew Vanderhorst, Community and Information Services Director  
Paul Wright, Fire Chief  
Faith Lynch, Community Engagement Coordinator  
Connie Gaylor, Clerk of Council  
Kathi Ranford, Customer Service Representative

City Council Members Present

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

City Council Members Absent

Lynda Roesch, Vice Mayor

City Council convened in Council Chambers at 6:48 p.m. with Mayor Dobrozsi presiding, to consider recommendations from the Planning Commission on two requests for the expansion of conditional use permits. The first request is from Montgomery Presbyterian Church at 9994 Zig Zag Road for an expansion of their conditional use permit to allow for the installation of two bocce ball courts. The second request is from the Montgomery Public Works Department at 7315 Cornell Road for an expansion of the conditional use permit to allow for the installation of a greenhouse.

Montgomery Presbyterian Church

Ms. Roblero stated that Skyward Academy currently operates out of Montgomery Presbyterian Church, which was approved by the Planning Commission in 2015 and expanded in 2016. The applicant is proposing that the bocce ball courts be placed in the rear yard behind the existing parking lot that could be used by students of Skyward Academy, members of the church and members of the community. The proposed setback from the north property line is 20' and the proposed setback from the east property line is 76', which meets the minimum setbacks as required in the Zoning Code. The applicant is proposing hours of use be limited to 9 a.m. to 9 p.m. or a half hour after sunset, whichever is earlier, and no lighting is being proposed as part of the project. Access to and from the courts would be from the existing parking lot which is accessed from Zig Zag Road.

Ms. Roblero explained that The Planning Commission met on April 16th to consider this application (see minutes). Notices were sent to neighbors within a 300' radius of the church. No guests or residents attended the meeting. The Planning Commission asked questions regarding the operation of the proposed bocce ball courts and discussed the application.

At the conclusion of the discussion, the Planning Commission voted unanimously to recommend approval of the expansion of the conditional use permit to allow for the installation of a bocce ball court at the Montgomery Presbyterian Church with the following conditions:

1. No lighting shall be permitted for the bocce ball courts, as proposed by the applicant.
2. Hours of operation be limited to 9 a.m. to 9 p.m. or a half hour after sunset, whichever is earlier.

Ms. Roblero closed by stating that Staff supports the recommendation of the Planning Commission to allow for the expansion of the conditional use permit to allow for the installation of a bocce ball court at the Montgomery Presbyterian Church at 9994 Zig Zag Road with the conditions as established by the Planning Commission.

Pastor Michelle Bacon of the Montgomery Presbyterian Church thanked City Council for considering this request and stated that the congregation sees the addition of the bocce ball courts as an opportunity to share with the community. She stated that multiple levels of ability can use the courts and that the court will be an asset to the Skyward Academy as they teach the sport to their autistic students.

Mr. Suer stated that he was supportive of the courts and felt it was a fine project.

Mr. Margolis stated that he felt it was a wonderful opportunity for bonding for the Church and Skyward Academy families.

Mr. Margolis made a motion to accept the recommendation of the Planning Commission and to approve the application. Mr. Cappel seconded. City Council unanimously agreed.

The roll was called and showed the following vote:

AYE: Cappel, Bissmeyer, Harbison, Dobrozsi, Suer, Margolis	(6)
NAY:	(0)
ABSENT: Roesch	(1)

### **City of Montgomery, Public Works Department**

Ms. Roblero explained that The Public Works building was constructed more than twenty years ago and recently a large addition was constructed to provide for additional offices and meeting space as well as an expanded break room, locker rooms and bay. The building addition and expansion of a conditional use was approved by the Planning Commission in December of 2016 and confirmed by City Council in February of 2017. The applicant is proposing a 60' x 30' pre-manufactured greenhouse to replace the smaller greenhouse, which was removed to allow for construction of the building addition. The proposed greenhouse would be located to the east of the existing parking lot. The proposed greenhouse is a relatively minor project that will allow for replacement of the pre-existing greenhouse with a larger structure which will allow for better City operations and will not have a negative visual impact on the surrounding properties.

The proposed greenhouse meets the setback requirements established in the Zoning Code. No new signage, lighting, parking or landscaping is being proposed as part of this project as these items were addressed during the completion of the building addition. The proposed greenhouse will not have a large impact on stormwater and the existing retention basin has enough capacity to handle any additional load due to the greenhouse. The interior of the greenhouse will have a compacted gravel base with an underdrain that will be daylighted to the existing retention basin.

Ms. Roblero stated that The Planning Commission met on April 16 to consider this application. Notices were sent to neighbors within a 300' radius of the Public Works property. No adjacent property owners attended the Planning Commission hearing. The Planning Commission asked questions regarding the proposed greenhouse and discussed the application. At the conclusion of the public hearing, the Planning Commission voted unanimously to recommend approval of the expansion of the conditional use permit to City Council to allow for the construction of a greenhouse with the following conditions:

1. The applicant must comply with the specific conditions for a conditional use permit listed in Section 151.2007(A) and (S) for public service facilities;
2. City Council vote to approve the expansion of the conditional use permit; and,
3. The stormwater management plan shall be approved by the City Engineer.

Mr. Margolis made a motion to accept the recommendation of the Planning Commission and to approve the application. Mr. Cappel seconded. City Council unanimously agreed.

The roll was called and showed the following vote:

AYE: Bissmeyer, Harbison, Dobrozsi, Suer, Margolis, Cappel	(6)
NAY:	(0)

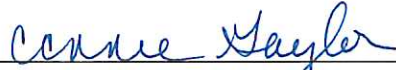
ABSENT: Roesch

(1)

Mayor Dobrozsi asked if there was any further business to be heard in the Public Hearing. There being none he asked for a motion to adjourn from the Public Hearing.

Mr. Margolis moved to adjourn the Public Hearing. Mr. Cappel seconded. City Council unanimously agreed.

The meeting was adjourned at 7:00 p.m.



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Connie Gaylor, Clerk of Council