

1 City of Montgomery
2 Extension of Montgomery Road Corridor/Schoolhouse Interim Development Control District
3 Public Hearing Minutes
4 March 19, 2008
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7 Present

8 Cheryl Hilvert, City Manager
9 Terry Donnellon, Law Director
10 Susan Hamm, Clerk of Council
11 Frank Davis, Community Development Director
12 Wayne Davis, Assistant City Manager
13 Jim Hanson, Finance Director
14 Bob Nikula, Public Works Director

City Council Members Present

Gerri Harbison, Mayor
Mark Combs
Vicki Hirsch
Barry Joffe
Lynda Roesch
Todd Steinbrink
Ken Suer

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17 A Public Hearing to consider establishing the extension of the Montgomery Road Corridor/Schoolhouse Interim
18 Development Control District was convened in Council Chambers at 6:30 P.M. Mayor Harbison presiding.
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20 Mr. Frank Davis, Community Development Director, explained that City Council is being asked to consider an
21 extension to the Montgomery Road/Schoolhouse Interim Development Control District for the property between
22 Marketplace Lane and the Montgomery Safety Center.
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24 Mr. Frank Davis provided the following information:
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26 *Background:*
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28 In October, 2006, the City adopted an Interim Development Control District for the east side of Montgomery
29 between Marketplace Lane and Hopewell Road. The purpose of the Interim Development Control District was
30 to place reasonable temporary control on the development of land within the district while a study was being
31 conducted on whether the current zoning regulations were appropriate for the long-term development of the area
32 and the City as a whole.
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34 The study was begun in February, 2007; however, at that time, the undeveloped land south of the Safety Center
35 became the focus of community debate due to a proposal to develop 2.9 acres by Twin Lakes. This debate
36 continued into the fall of 2007 and culminated in an initiative petition being put to the voters in November,
37 which would have required all of the undeveloped land to be purchased by the City and preserved as open space.
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39 Due to this controversy, the planning study was suspended pending the outcome of the initiative petition. In
40 November, City Council extended the Interim Development Control District an additional six months to see
41 what the results of the election would bring. When the initiative failed, work continued on the study, and in
42 January, McBride Dale Clarion, the City's Planning Consultant, submitted a preliminary draft for review. In
43 February, a first draft of the traffic analysis by CDS Associates was received.
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45 Mr. Frank Davis explained that at this time, it is anticipated that a final report with recommendations will be
46 forwarded to the Planning Commission by the beginning of April. The preliminary indication is that the report
47 will recommend a change in zoning for the existing commercial property on the southern end of the study area,
48 and updates to the Montgomery Road Corridor Design guidelines. He further explained that should the
49 Planning Commission and City Council accept the proposals in the Interim Development Control District
50 planning study, the process for making zoning code and map amendments for this area will require a minimum
51 of four months to complete. This would mean the new regulations would not take effect until at least the
52 beginning of August. He also explained that the current six-month extension will lapse at the beginning of May.
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54 Mr. Frank Davis noted that Chapter 105.1319 allows for two extensions for an Interim Development Control
55 District. He noted that the current circumstances meet the criteria for extensions to an Interim Development
56 Control District.

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- 58 1. The Interim Development Control District has become a complex study, due to the uncertainty of the
59 impact of the Twin Lakes proposal and subsequent initiative petition. Also, while the land area is not
60 large, it involves both undeveloped land zoned for residential use and heavily developed commercial
61 land.
 - 62 2. The Interim Development Control District study is not complete, although a final draft is being
63 reviewed currently. It is not certain when City Council would adopt a final report.
 - 64 3. There is a strong prospect that a portion of the undeveloped land will be under construction in the near
65 future due to the existence of approved plans for Twin Lakes and Twin Lakes' interest in the adjoining
66 parcel. There is also the possibility of a change of use in the commercial section within the next year.
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68 Mr. Frank Davis stated that the Planning Commission met on March 4, 2008 to consider a six-month extension
69 to the Interim Development Control District. He further stated that after discussion, the Planning Commission
70 voted unanimously to recommend approval of the six-month extension to City Council.

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72 Mr. Suer asked if staff had obtained any new information on the status of the Marketplace property.

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74 Mr. Frank Davis indicated that he was unaware of new information. He further indicated that staff is concerned
75 with the number of businesses moving out and the lack of property maintenance.

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77 Mrs. Hirsch asked what the acreage of the Marketplace property consisted of.

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79 Mr. Frank Davis noted that the Marketplace property consist of approximately four to five acres.

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81 Mr. Steinbrink indicated that the Planning, Zoning and Landmarks Committee of City Council discussed the
82 request to extend the Montgomery Road/Schoolhouse Interim Development Control District and agreed that the
83 extension should be granted.

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85 Mayor Harbison explained that the process for this public hearing is to take comments under advisement and
86 then take formal action on the request via City Council consideration of an ordinance to extend the Montgomery
87 Corridor/Schoolhouse Interim Development Control Overlay District. This legislation is presented under the
88 new legislation section of the work session agenda.

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90 Mr. Suer moved to take this matter under advisement. Mr. Combs seconded.

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92 City Council unanimously agreed.

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94 The Public Hearing was adjourned at 6:50 P.M.

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