

**CITY OF MONTGOMERY
PLANNING COMMISSION REGULAR MEETING**

City Hall, 10101 Montgomery Road, Montgomery, OH 45242

November 15, 2021

PRESENT

GUESTS & RESIDENTS

Kevin Bleichner
Elevar Design Group
555 Carr Street
Cincinnati, OH 45203

Craig Margolis
Vice Mayor
Montgomery City Council
8270 Mellon Drive, 45242

STAFF

Tracy Henao
Assistant City Manager

Kevin Chesar
Community Development
Director

Karen Bouldin, Secretary

ALL COMMISSION MEMBERS PRESENT

Chairman Mike Harbison
Vince Dong
Dennis Hirotsu
Darrell Leibson
Barbara Steinebrey
Pat Stull

MEMBERS NOT PRESENT

Jim Matre, Vice Chairman

Call to Order

Chairman Harbison called the meeting to order at 7:32 p.m. He reminded all guests and residents to sign in, and to please turn off all cell phones.

Roll Call

The roll was called and showed the following attendance:

AYE: Mr. Stull, Mr. Hirotsu, Ms. Steinebrey, Mr. Leibson, Mr. Dong,	
Chairman Harbison	(6)
NAY:	(0)
ABSENT: Mr. Matre	(1)
ABSTAINED:	(0)

All members were present.

Guests and Residents

Chairman Harbison asked if there were any guests or residents who wished to speak about items that were not on the agenda. There were none.

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Old Business

There was no old business to report.

Ms. Henao welcomed and introduced Kevin Chesar, our new Community Development Director, noting that he will present the application this evening.

New Business

Application for a minor modification to the Columbia Hyundai dealership at 10981 Montgomery Road to allow for a facade upgrade.

Chairman Harbison explained the process for this evening's meeting to all guests and residents: "Mr. Chesar reviews his Staff Report and the Commission asks any questions they might have. The applicant presents their application and the Commission then asks any questions. The floor is opened to all residents for comments. If a resident agrees with a comment that was previously stated, they could simply concur, instead of restating the entire comment to save time. The Commission discusses the application and residents are not permitted to comment or question during this discussion. The Commission will then decide to table, approve or deny the application."

Staff Report

Mr. Chesar reviewed the Staff Report dated November 12, 2021, "Application for Final Development Plan for Exterior Facade Modifications for Columbia Hyundai at 10981 Montgomery Road." The adjacent property notices were sent out, but there were no phone calls or correspondence received regarding this application. Mr. Chesar asked for any questions, noting that the applicant's representative was also in attendance tonight.

Mr. Dong questioned where the Montgomery Road Commercial Corridor Design Guidelines applied.

Ms. Henao stated that the Montgomery Road Commercial Corridor District applied to those properties along Montgomery Road from the Heritage District to Schoolhouse Lane. The properties along Montgomery Road from Pfeiffer Road to the jurisdictional boundary at Weller Road are subject to the Hospital Corridor Design Guidelines. No design guidelines apply to the subject property.

Mr. Leibson understood that the application met all of the regulations, and questioned why the applicant was before the Commission.

Mr. Chesar stated that Staff wanted to make the Commission aware of this project; he understood that much of this could have been approved by Staff. Ms. Henao agreed, but pointed out that there is a stipulation in the Code that the Planning Director may bring any application to Planning Commission (PC). As background, she stated that typically any applications regarding automobile dealerships are brought before PC because these applications tend to be highly visible and usually of interest to the community.

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Mr. Leibson wanted to clarify that the application met the code and there was nothing that went against the code, or the spirit of the code.

Chairman Harbison pointed out that it was not totally correct because the previous landscaping that was installed has been removed; so, it is not up to code. He explained that they were asking to make more changes, when they haven't complied with the previous plan.

Mr. Leibson felt this was because the City was not enforcing a lot of the requirements, especially with landscaping, on approvals that we have made in the past. Ms. Henao stated that this landscaping actually was installed, and was inspected. The bushes are still there, however the property owner recently removed the trees. She pointed out that often car dealerships regard trees as not compatible to their use due to the leaves falling on the cars. She stated that letters had been sent to the property owner, but had not proceeded yet to a Mayor's Court hearing, when this application came forward. Accordingly, that is why staff is recommending that all landscaping needs to be installed and maintained, as a condition.

Mr. Stull agreed with Mr. Leibson, in as far as approval, except for the landscaping.
Mr. Hirotsu and Ms. Steinebrey agreed with the other members.

Chairman Harbison felt there might be an issue with planting trees in November, and suggested that there be stronger language in the conditions, to make sure it happens before moving forward on any new sign or work on the building.

Chairman Harbison asked if the applicant wished to speak.

Kevin Bleichner, Elevar Design Group, 555 Carr Street, Cincinnati, OH 45203 stated that he represented the applicant and owner of Columbia Hyundai, Greg Joseph. He explained that the issue with the landscaping occurred prior to his involvement. He did speak with the owner, and they stated that they will replace, in kind, what was originally supposed to be placed there. He concurred that the shrubs were still there, but the trees were not. Mr. Bleichner stated that the proposed plan indicated the originally requested species of tree. The shrubbery around the landscape pad will be similar in nature to specifications, as well.

For the facade, Mr. Bleichner stated that they were asking for a new sign, facing Montgomery Road. Currently, there is one small sign that says Columbia. He noted that Hyundai would like their brand name on that. To conform with the signage requirements, Mr. Bleichner stated that they will remove the "Columbia" from the building facade and place it on the monument sign. Then the sign on the building will be the Hyundai name and logo.

Mr. Bleichner pointed out the color scheme that would be represented on the building because they were changing the color scheme.

Mr. Dong asked if the sign would be lit. Mr. Bleichner stated that the sign would not be lit.

Chairman Harbison asked if there were any more questions from the Commission. There were none. He asked if any guests or residents wished to speak. There were none.

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Chairman Harbison closed the meeting to public comment, for deliberation.

Mr. Dong agreed that this was a minor modification. He was concerned with the landscaping, as it has come up a few times in the past, with other properties. He felt that there were little consequence when property owners didn't follow our requirements.

Ms. Henao pointed out that the requirement was originally met – the trees and shrubs were installed, but then taken out. Violation letters were sent to the property owner. She explained the process: Depending on the violation, the time span is different. For planting trees, the timeframe is about 1 ½ months. The City sends 3 notices, and if there is no response, then they move on to Mayor's Court. For this application, the owner had already received the first two violation letters, by the time they came to request these modifications.

Mr. Hirotsu asked the applicant why they took the trees down. Mr. Bleichner could not answer, as this happened prior to his involvement with this project. Chairman Harbison explained that it is usually because the leaves and sap drop on the cars and the birds in the trees bring additional issues, with their droppings.

Ms. Henao stated that this is a continual issue that we have - constantly monitoring the trees being taken down. Sometimes it is also a matter of visibility. Mr. Hirotsu suggested they come up with a different plan to avoid these problems. Ms. Henao stated that they have worked with the dealerships and the City Arborist to try to find trees that limb up higher and have more of a vase shape, so that there is more visibility, but still provide as a shade tree. She explained that the arborist was highly engaged in this process, so the trees should be fine, in terms of visibility. She also did not know why the applicant took the trees down.

Mr. Dong made a motion to approve the Final Development Plan for the exterior facade modification for Columbia Hyundai at 10981 Montgomery Road, as per the Staff Report dated November 12, 2021, with the following conditions:

- 1) All indicated landscaping shall be installed and maintained.***
- 2) No more than two vehicles shall be permitted on the display pad.***

Mr. Leibson seconded the motion.

The roll was called and showed the following vote:

<i>AYE: Mr. Stull, Mr. Hirotsu, Ms. Steinebrey, Mr. Leibson, Mr. Dong, Chairman Harbison</i>	<i>(6)</i>
<i>NAY:</i>	<i>(0)</i>
<i>ABSENT: Mr. Matre</i>	<i>(1)</i>
<i>ABSTAINED:</i>	<i>(0)</i>

This motion is approved.

The applicant left at 7:55pm.

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Staff Report

Ms. Henao provided follow-up to the October 18, 2021 PC meeting, regarding the concept plan discussion for redevelopment of the property at 7960 Remington Road for multi-family residential.

Ms. Henao stated that, since that meeting, the applicant has withdrawn their request to rezone, and they have decided to simply redevelop under the existing zoning. She noted that the applicant has secured an engineer, with hopes to come before the PC prior to the end of the year.

Mr. Hirotsu asked why they withdrew. Ms. Henao stated that after hearing and reflecting on all of the different comments, they felt they could accomplish their goals easier under the straight zone of D3. They relayed their decision to Staff the very next day, noting that they understood PC's comments and concerns. Mr. Dong liked the D3 zoning plan that was shown to the Commission.

Another suggestion from the October 18 meeting was for Ms. Henao to speak to City Council about conducting a small area study in the Remington Road area, as related to their proposal. The recommendation was presented to the Planning, Zoning and Landmarks (PZ&L) Committee of Council on November 1. After discussion and in the context of learning that the applicant had withdrawn their request, it was decided that the area would be better suited to be reviewed as a part of the forthcoming Comprehensive Community Plan. The Planning, Zoning and Landmarks Committee of Council decided not to commission the small area study.

The PZ&L Committee recommended (to City Council) approval of waiving the building and zoning permit fees for solar installations for the next two years, as the program is expiring at the end of this year. City Council will decide next Wednesday on this recommendation.

The Historic Preservation matching grant program is also expiring at the end of 2021, and the PZ&L recommended the continuation; which will move on for approval to the Community Improvement Corporation on December 15.

The PZ&L Committee also supported a new matching grant program (similar to the Historic Preservation program), that would be directed at commercial exterior modifications. This would incentivize business owners who would like to refresh their buildings. The grant is proposed to have a maximum of 25% match. This will also move on for review by the Community Improvement Corporation on December 15.

Ms. Henao welcomed all to attend a reception this Wednesday at 6:15pm (open to the public) for City Council member, Linda Roesch, who has announced her retirement.

Ms. Henao did not foresee a December 6 PC meeting, but she thought that Twin Lakes may be on the agenda for December 20, as well as possibly text amendments related to streamlining and clarifying the sign code. There was more discussion regarding the sign code amendments.

Mr. Stull asked if the City would consider offering our PC meetings as hybrids, going forward -- so they could be in-person, and also available to others via videoconferencing. He felt this

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would allow PC members to have better attendance, especially when they traveled. Ms. Henao stated that the State of Ohio required that our meetings be held in person only. The only reason we were able to hold them as hybrids previously, was due to the emergency order placed by the governor, due to COVID. Ms. Henao stated that there has been discussion about a change (the Open Meeting Law), at the state level, but so far, no decision.

Council Report

Mr. Margolis commended the Commissioners on their questions and decisions tonight.

Other

There was no other business to report.

Minutes


Mr. Leibson moved to approve the minutes of October 18, 2021, as amended.

Ms. Steinebrey seconded the motion. The Commission unanimously approved the minutes.

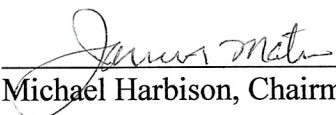
Adjournment

Mr. Dong moved to adjourn. Mr. Hirotsu seconded the motion.

The Commission unanimously approved. The meeting adjourned at 8:10 p.m.



Karen Bouldin, Clerk

 1/15/22

Michael Harbison, Chairman Date

/ksb