

April 22, 2024
7:00 P.M.

1. Call to Order
2. Roll Call
3. Guests and Residents
4. Old Business
 - A. Application for a Modification of a Conditional Use and Final Development Plan Approval regarding a Façade Change for Camargo Cadillac (Tabled).
5. New Business
6. Staff Report
7. Approval of Minutes:
 - A. March 4th, 2024
 - B. December 18th, 2023
8. Adjournment

Planning Commission

Application for a Modification of a Conditional Use and Final Development Plan Approval regarding a Façade Change for Camargo Cadillac (**Tabled**)

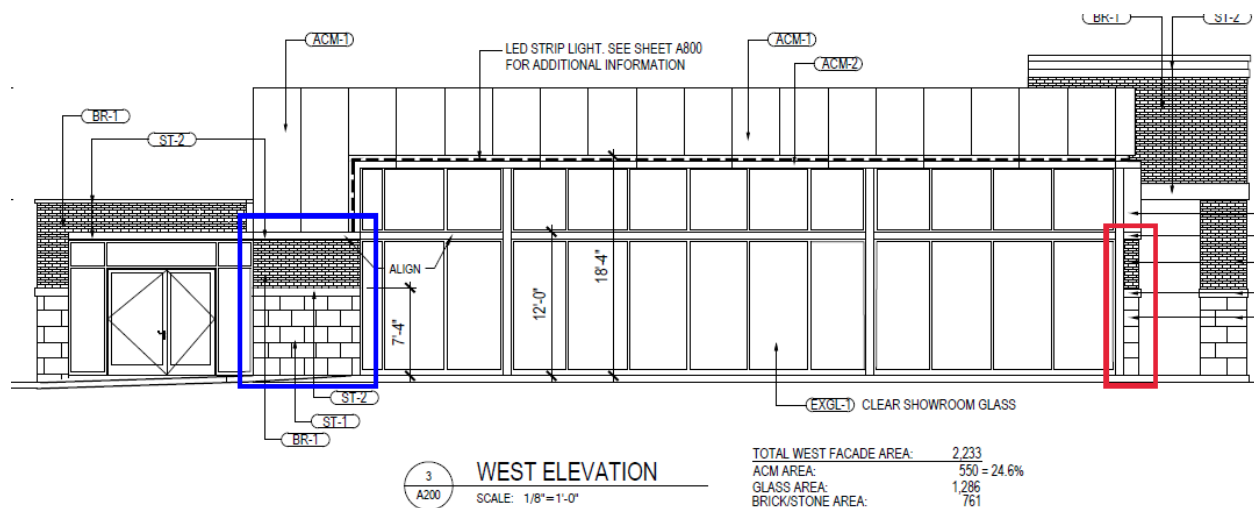
9880 Montgomery Rd

April 22, 2024

APRIL UPDATE:

Architectural Changes

Since the March Meeting, the applicant coordinated with Cadillac adjusting the ACM material percentage to be under twenty five percent. The stone on the left side (north) of the window has been extended to 7' 4" with the brick extending approximately 4' to align with the natural break in the window as suggested at the last Planning Commission Meeting (highlighted in blue). It also appears that stone and brick are being added on the southwest side and window corner as highlighted in red below. A new change not previously discussed is also being proposed regarding the ACM fascia to be a flat front with no fold or angled projection. The new plans are attached.



Staff Comments

The applicant has continued to work with Staff and Planning Commission incorporating many of the suggestions to meet the Design Guidelines while also considering the national brand desired architecture for Cadillac. The use of ACM paneling is now proposed under 25% at 24.6%, which meets the intent of the 25% or less of accent materials.

Furthermore, the updated plans eliminate the fold or bend in the parapet area, which from a Staff perspective originally illustrated a more contemporary look. Staff believes the straight vertical ACM paneling attempts to consider the relationship to surrounding buildings and aligns with previous approvals from Planning Commission. It is Staff's opinion that the flat and straight use of ACM panels portrays a more traditional style.

Finally, after further Staff research, it should be noted that since the proposal is a façade change, City Council approval of a modification to the Conditional Use is not necessary and as such the approval discretion is with Planning Commission.

To date, no public comments have been received regarding the application.

Should the Planning Commission approve the Modification of a Conditional Use and Final Development Plan, Staff would recommend the following conditions:

- The proposal meets the past precedent of ACM Panel usage as an accent materials as previously approved by Planning Commission.

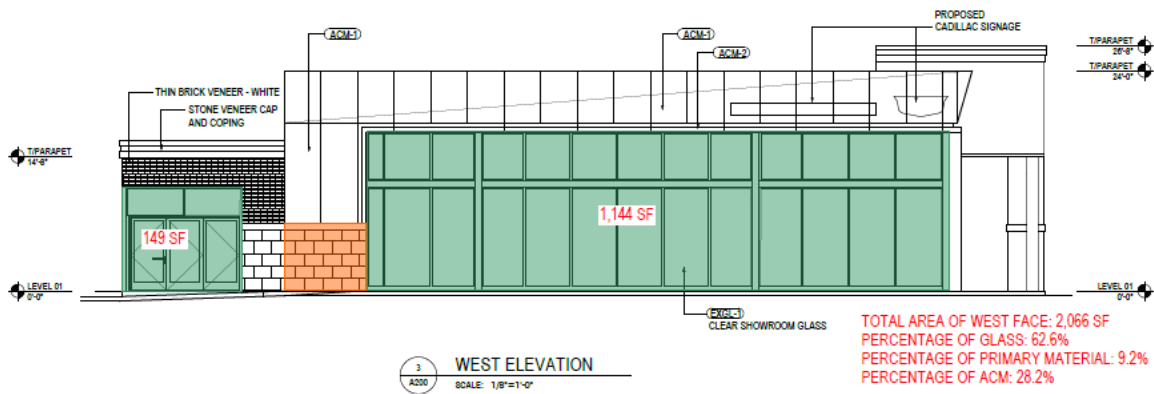
The previous Staff reports and updates are provided on the following pages for reference.

MARCH UPDATE:

The applicant has provided an updated elevation drawing proposal for Planning Commission review and discussion. The new elevations show an additional stone base material added to the front façade as well as material percentage areas and calculations. The last Planning Commission discussion centered on the possibility of matching the stone/brick height of the front façade with the approximate height of the porte-cochère mix of brick and stone materials (generally in green below) as well as on the south side near the entrance. The application does not reflect that as an option but does show a stone based added at a lower scale without the additional brick.



As required by the building materials standards, the applicant has also listed the percentage of primary materials, glass and ACM. Specifically on the front façade, ACM is 28.2% of the area. It should be noted as was previously discussed that ACM is not listed as an accent material but, the Commission has permitted metal paneling on previous buildings (i.e. Fifth Third & First Financial) on a limited basis.



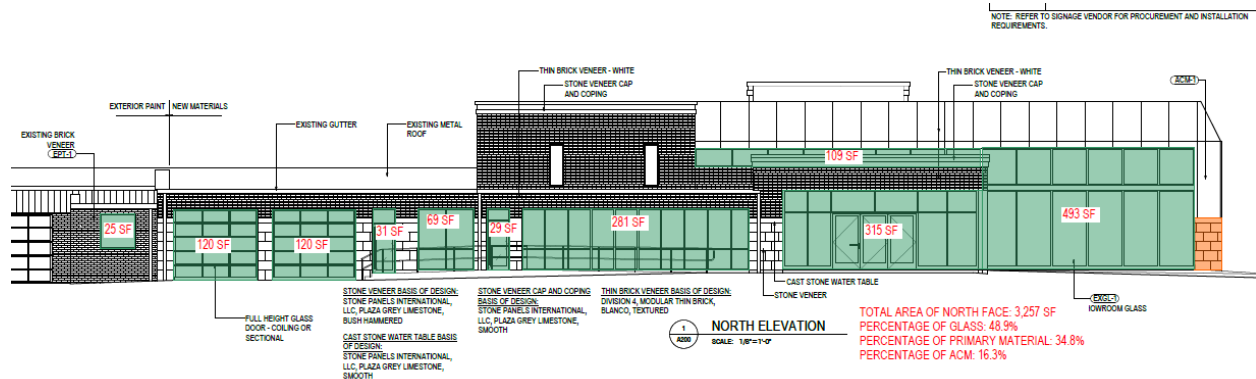
Building Materials

The character of the Corridor is enhanced by the use of quality building materials that reflect the purpose of these guidelines. The following guidelines apply to the exterior of all buildings in the Corridor.

1. Permitted Materials

- a. Primary Materials- Buildings in the Corridor should have a primary exterior covering of brick, stone, natural wood clapboard, wood board and batten, wood shingles or modern manufactured materials that create the appearance of the materials listed above.
- b. Accent Materials- Buildings in the corridor may incorporate any of the above permitted primary materials as an accent. The following additional materials may be used on a building in the corridor as an accent that comprises no more than 25% of the buildings exterior wall surface; efface, decorative concert masonry units, and cementitious fiber board.
- c. Other materials that are not listed as prohibited may be approved by the review board on a case by case basis as a primary or accent building material.

Midday Friday, the applicant has also provided information regarding the percentages of materials for the remainder of the building but, staff would request clarification if the area is inclusive of the entire side or only to essentially the auto repair bays. Further conversation regarding the use on ACM on the northern roof area versus other materials such as brick may be warranted in light of the design guidelines.



The applicant has indicated that they will update the Planning Commission on their discussion with Cadillac officials as well as the rationale for the changes proposed.

For reference purposes regarding materials and design standards, I have included the original report on the following pages.

Planning Commission

**Application for a Modification of a Conditional Use and Final Development Plan
Approval regarding a Façade Change for Camargo Cadillac**

9880 Montgomery Rd

February 19, 2024

Applicant: Elevar Design Group, LLC
555 Carr Street
Cincinnati, Ohio 45203

Property Owner: Camargo Cadillac Company
250 E Fifth Street Suite 285
Cincinnati, Ohio 45202

Vicinity Map:



Nature of request:

The owner, Camargo Cadillac Company, is requesting a Modification of a Conditional Use and Final Development Plan approval for a new façade on the structure located at 9880 Montgomery Road. The new façade is intended to modernize the building to meet the current Cadillac branding standards. No additional building expansion will occur; however, the interior of the building will be expanded by 594 square feet due to the proposed enclosure of a porte-cochère.

Zoning:

The property is zoned 'GB' – General Business and is used for Camargo Cadillac. Auto dealerships are a conditional use in the 'GB' District. The exterior façade change to the principal building requires a modification of the existing conditional use permit for the property. The property to the north is zoned 'LB' Limited Business and used for Fifth Third Bank and The Marketplace of Montgomery. The property to the east is located in the Village of Indian Hill and zoned for large lot residential. The property to the south is zoned 'D-2' – Multi-Family and 'GB' – General Business District. The portion of the property that is zoned 'D-2' is used for the main campus of Twin Lakes. The

property to the west across Montgomery Road is zoned 'GB' and used for Montgomery Square Shopping Center.

Findings:

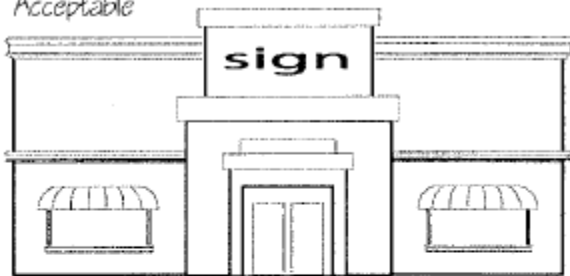
Setbacks: The proposed façade changes will not impact the setback requirements.

Building Materials: While the building materials are not fully in compliance with the Montgomery Road Corridor Design Guidelines, the architect has worked with Staff to improve the material types regarding the usage of brick and stone which brings the facade closer into conformance with the Corridor Design Guidelines:

Montgomery Road Corridor Design Guidelines

- The Corridor Design Guidelines state that the building design is one of the strongest features in creating an image for the Corridor and the City. A façade that is a flat plane with no visual breaks, no architectural details uses, and a flat roof is not acceptable and horizontally long buildings should be visually broken up by recesses, setback variations, architectural detailing various roof heights and application of building materials.
- Additionally, building facades are to have a clearly defined base, roof edge with a distinct base, middle, and top at a scale that relates to the individual human. The façades should incorporate a variety of architectural design features, techniques, patterns, materials, and colors in a coordinated manner that relates to the overall design.
- While the sides of the proposed structure appear to meet the intent of the guidelines, the front façade with flat ACM panels does not provide variation or material changes.

Acceptable



Facade is broken up horizontally by the placement of windows and doors and the projection of the central entrance. The use of different rooflines, cornice mouldings, scoring of the exterior material and awnings break up the vertical bulk of the building relating it to the pedestrian with smaller human scale elements.

The acceptable examples use architectural details, setbacks, windows and various roof heights to break up the mass of the structure.

Figure 6: Building Bulk

Not Acceptable



Facade is a flat plain with no visual breaks, no architectural details used, and a flat roof. Building appears to be horizontally long and does not incorporate human scale elements.

Building Materials

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- c. Other materials that are not listed as prohibited may be approved by the review board on a case by case basis as a primary or accent building material.

Building: The interior of the building will be expanded by 594 square feet due to the proposed enclosure of porte-cochère. However, no exterior building expansion will occur.

Parking: The interior expansion would require two additional parking spaces to be added. The applicant has indicated that the can comply with code requirements to add the two additional parking spaces.

Circulation: The proposed façade changes will not affect the circulation of the site.

Lighting: The application does not indicate any additional lighting.

Landscaping: The applicant is proposing that no changes be made to the landscaping as part of this application.

Stormwater: This project will not increase the amount of impervious surface area and the City Engineer has indicated no additional requirements or concerns.

Utilities: No changes in utility service are proposed

Signage: New wall signage will be submitted for separate approval. The current location of the proposed wall signage is not permissible as it is located above the window height and must be located equal or below the top of the window. There is an existing non-conforming freestanding pole sign that will remain with a future permissible face change.

CONDITIONAL USE SPECIFIC CONDITIONS:

Chapter 151.2007(r) lists the specific conditions for places of public safety facilities. Those conditions are listed below with a description of how the applicant is or proposes to address the condition.

1. *Vehicle parking areas, equipment storage areas, maneuvering lanes, and access ways to public streets shall be designed to cause no interference with the safe and convenient movement of automobile traffic on and adjacent to the site.*

No changes are being proposed to the parking and/or maneuvering or access ways.

2. *Display of vehicles for sale shall be located on a paved surface and shall comply with the parking setbacks according to the regulations in Section 151.1207.*

No changes are being proposed to the vehicle display areas.

3. *No junk or inoperative vehicle shall be permitted to remain outdoors on the property for a period exceeding 72 hours.*

No junk or inoperative vehicles will remain outdoors for a period exceeding 72 hours.

4. *Lighting for all areas used for the outdoor display of automobiles shall be in accordance with a plan consistent with the lighting regulations set forth in § 151.3213(c) and approved by the Planning Commission.*

No changes are being made to the lighting of the outdoor display areas.

Chapter 151.2002 lists 12 general standards that are applicable to all conditional uses. Staff has reviewed these 12 conditions and found that the site and the proposed expansion of the body shop meets all the conditions.

Staff Comments

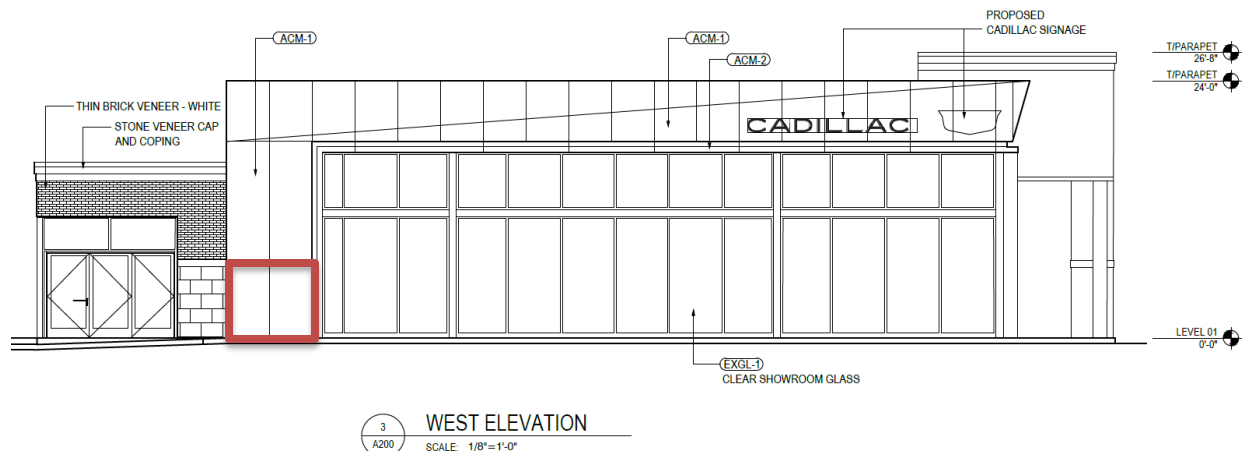
The applicant worked with Staff proposing multiple iterations of a façade to meet the Design Guidelines more closely while also working to adhere to the new national brand desired architecture for Cadillac. They have incorporated stone and brick on much of the façade, however the full-length metal ACM panels along the Montgomery Road frontage are not meeting the base, body and variation of materials regulations. The use of the full ACM proposed panels on the frontage will need further review by the Planning Commission.

The City Engineer, Public Works, Police and Fire Departments had no comment regarding the proposed façade change as it does not impact stormwater, access, or safety issues.

To date, no public comments have been received regarding the application.

Should the Planning Commission recommend approval to City Council for the Modification of a Conditional Use and Final Development Plan, Staff would recommend the following conditions:

1. Discussion regarding adding a stone base on the western side (and wrapped around to the north) of the structure fronting Montgomery Road indicated below in the **red area**.



2. An updated site plan indicating compliance with the required two additional parking spaces.
3. The Final Development Plan be approved contingent on City Council's approval of the Expansion of Conditional Use.



April 19, 2024

City of Montgomery, OH
Attn: Kevin Chesar, Community Development Director
10101 Montgomery Rd
Montgomery, OH 45242

RE: Elevation revision to Camargo Cadillac building

Kevin,

Due to the timing from Cadillac prompting the change in the elevation, we were unable to provide a revised rendering to meet the submission deadline for revisions.

The elevations were updated at the request of Cadillac. Per their request the ACM fascia no longer has a bend but is flat and squared off for its extent. The height of the parapet fascia has not changed from that originally submitted. Because of the late change we did not have time to update the renderings and meet the submittal deadline. Attached is a plan detail and elevation from the ACM provider that should aide in understanding the detail at the elevation better.

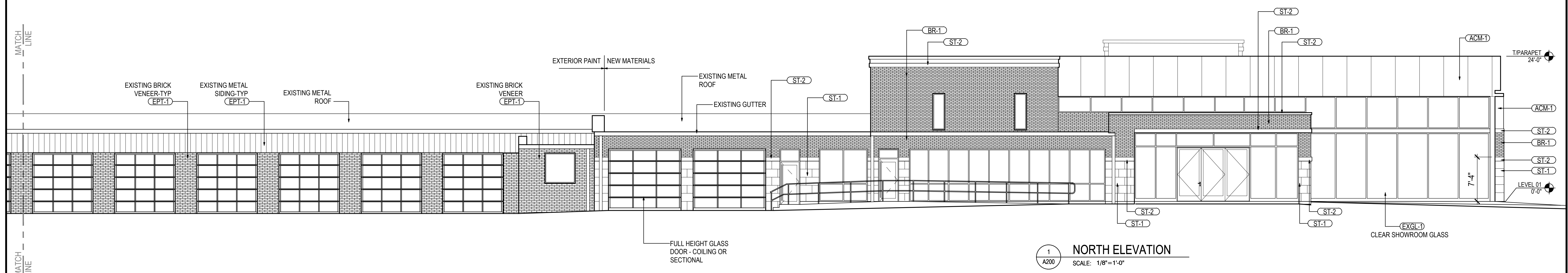
The brick and stone have been raised to align with the horizontal steel on the west elevation. There is a stone water table element that aligns with steel from the north, around the west ant terminating at the south entrance.

Sincerely,

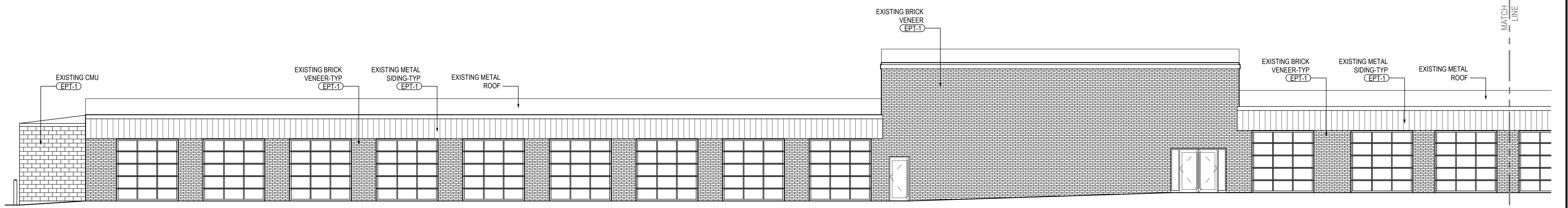
A handwritten signature in blue ink that reads "Kevin P. Bleichner".

Kevin Bleichner, RA

NOTE: SEE FINISH LEGEND FOR COLOR & MATERIAL SPECIFICATIONS

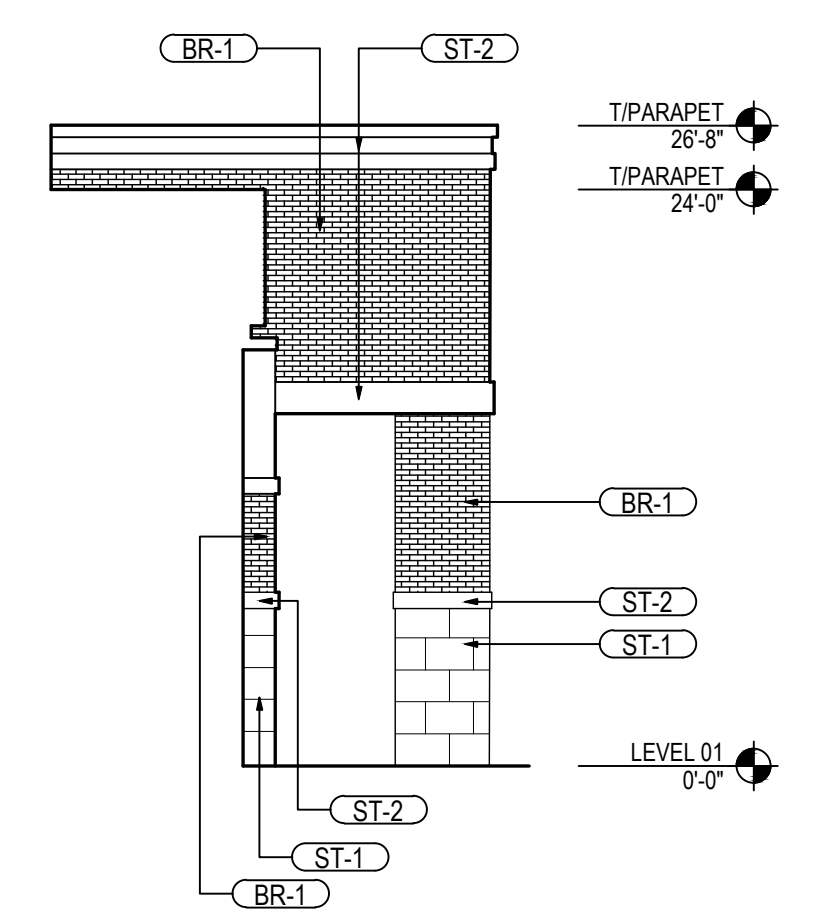


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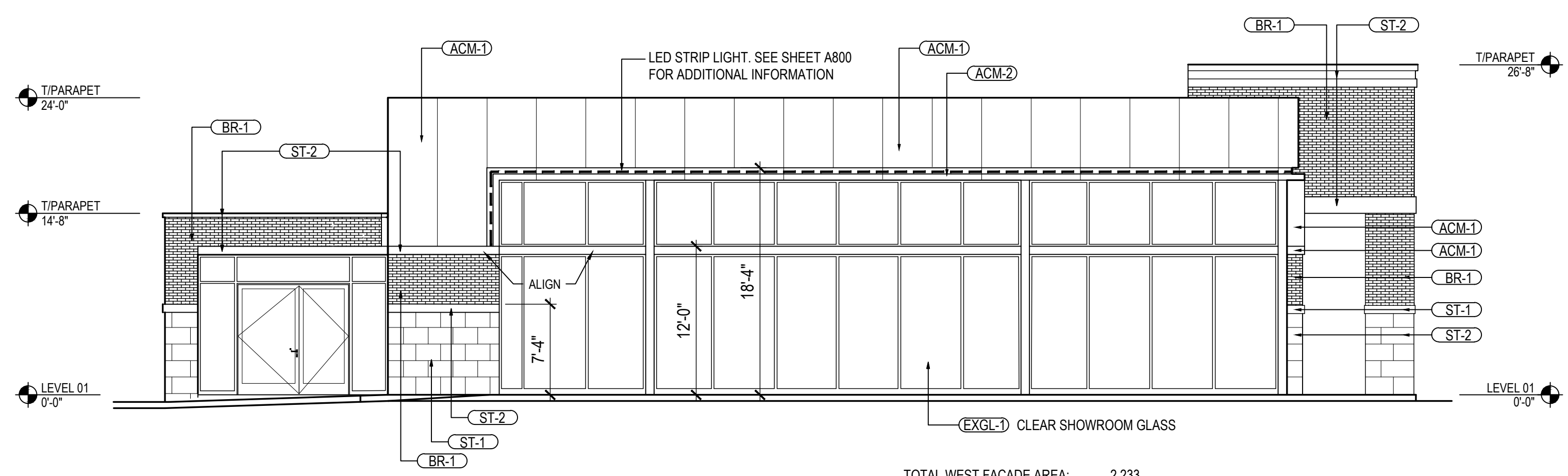


2 NORTH ELEVATION
SCALE: 1/8"=1'-0"

25 40
40



4 WEST ELEVATION
SCALE: 1/8"=1'-0"



3 WEST ELEVATION
SCALE: 1/8"=1'-0"

TOTAL WEST FACADE AREA: 2,233
ACM AREA: 550 = 24.6%
GLASS AREA: 1,286
BRICK/STONE AREA: 761



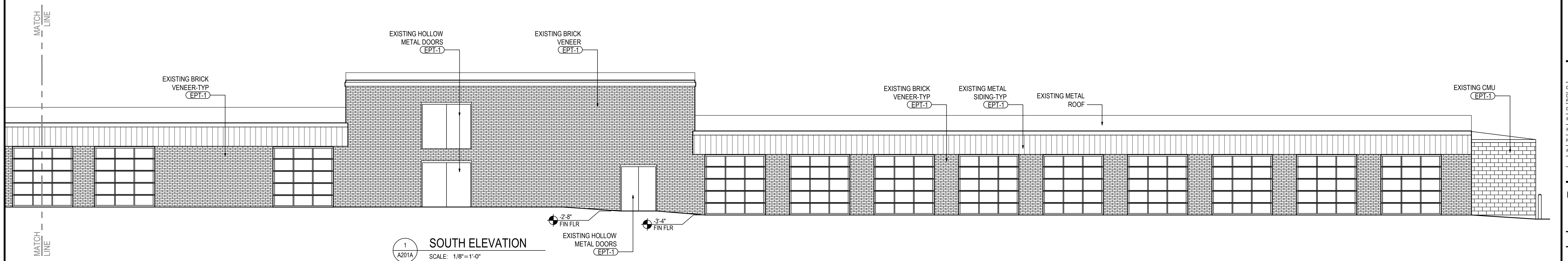
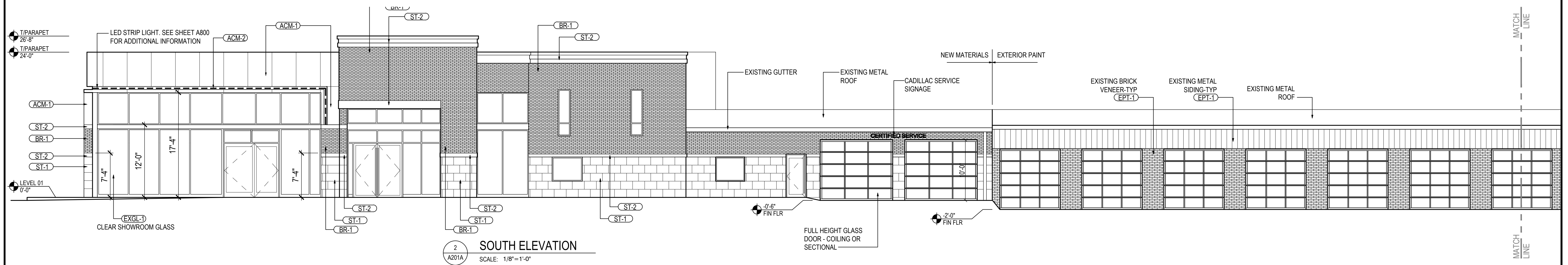
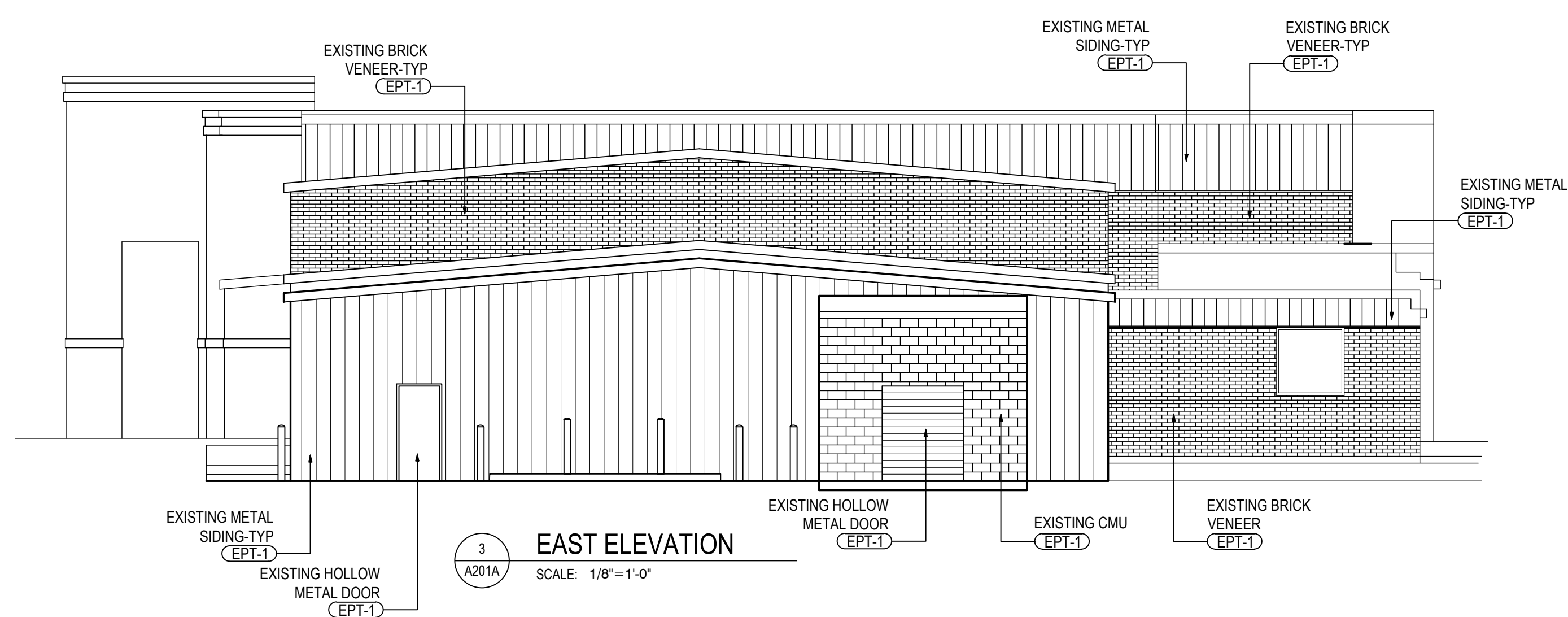
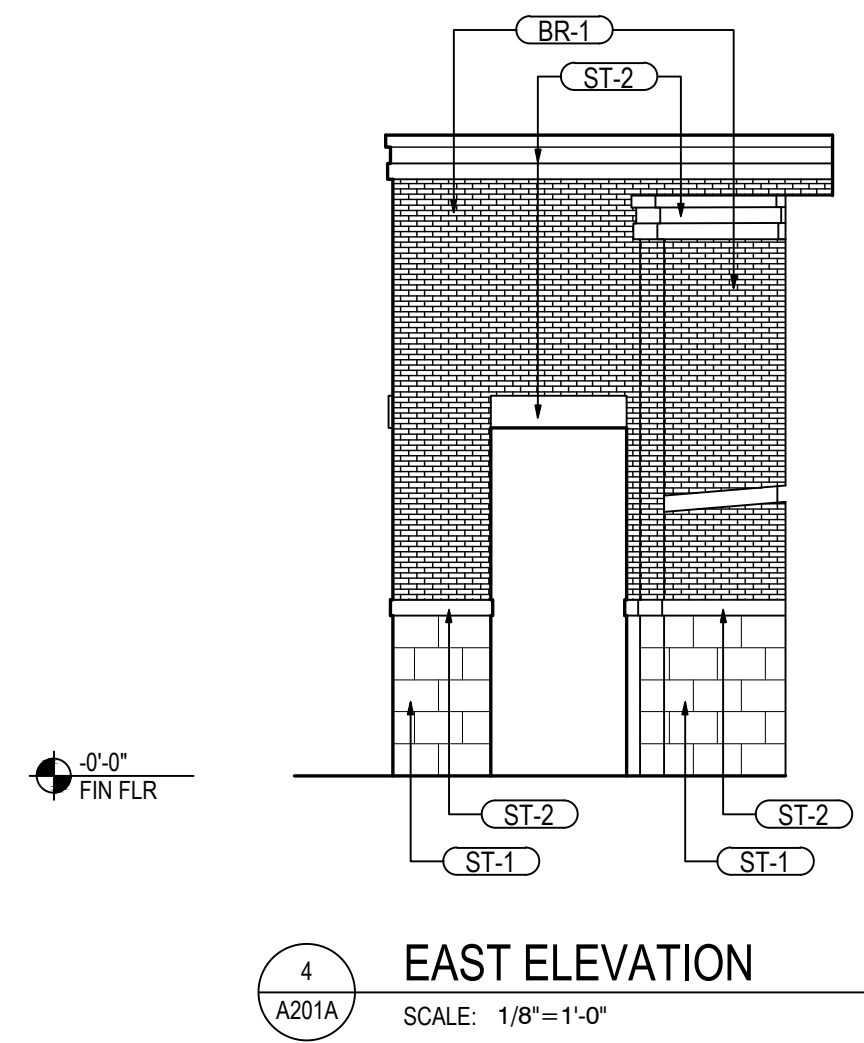
ISSUED	DATE
DESIGN PACKAGE 1	08 / 04 / 2023
DESIGN PACKAGE 1 RESPONSE	09 / 01 / 2023
DESIGN PACKAGE 2	12 / 06 / 2023
PLANNING COMMISSION	1 / 29 / 2024
PLANNING COMMISSION	2 / 27 / 2024
PLANNING COMMISSION	3 / 07 / 2024
PRELIM BID	03 / 14 / 2024
PLANNING COMMISSION	4 / 16 / 2024

SHEET TITLE
EXTERIOR ELEVATIONS

SCALE	COMM. NO.
DRAWN BY	E-12010.00
DATE	

SHEET #
A201

NOTE: SEE FINISH LEGEND FOR COLOR & MATERIAL SPECIFICATIONS



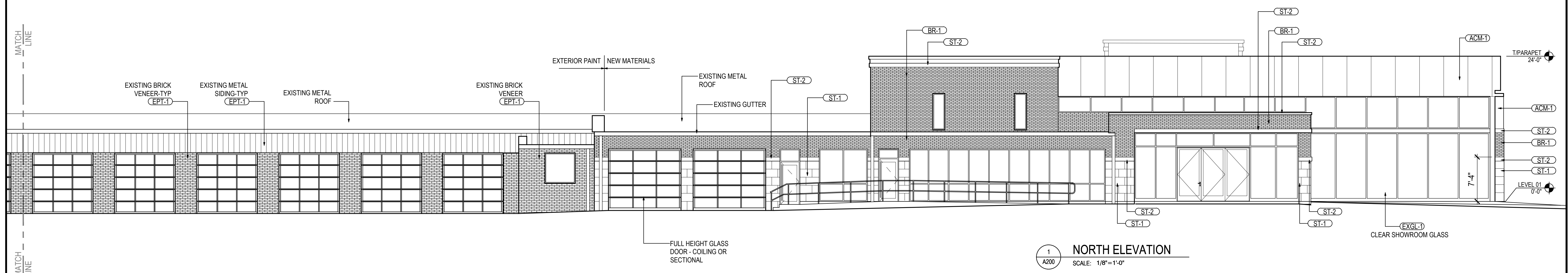
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SHEET TITLE
EXTERIOR ELEVATIONS

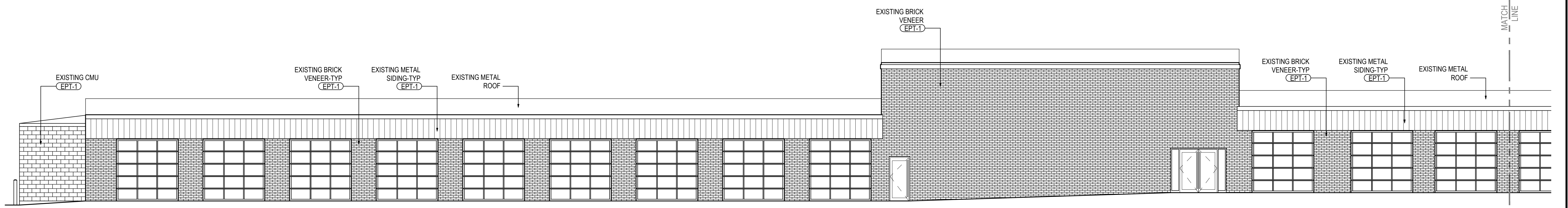
SCALE	COMM. NO.
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DATE	

SHEET #
A201A

NOTE: SEE FINISH LEGEND FOR COLOR & MATERIAL SPECIFICATIONS

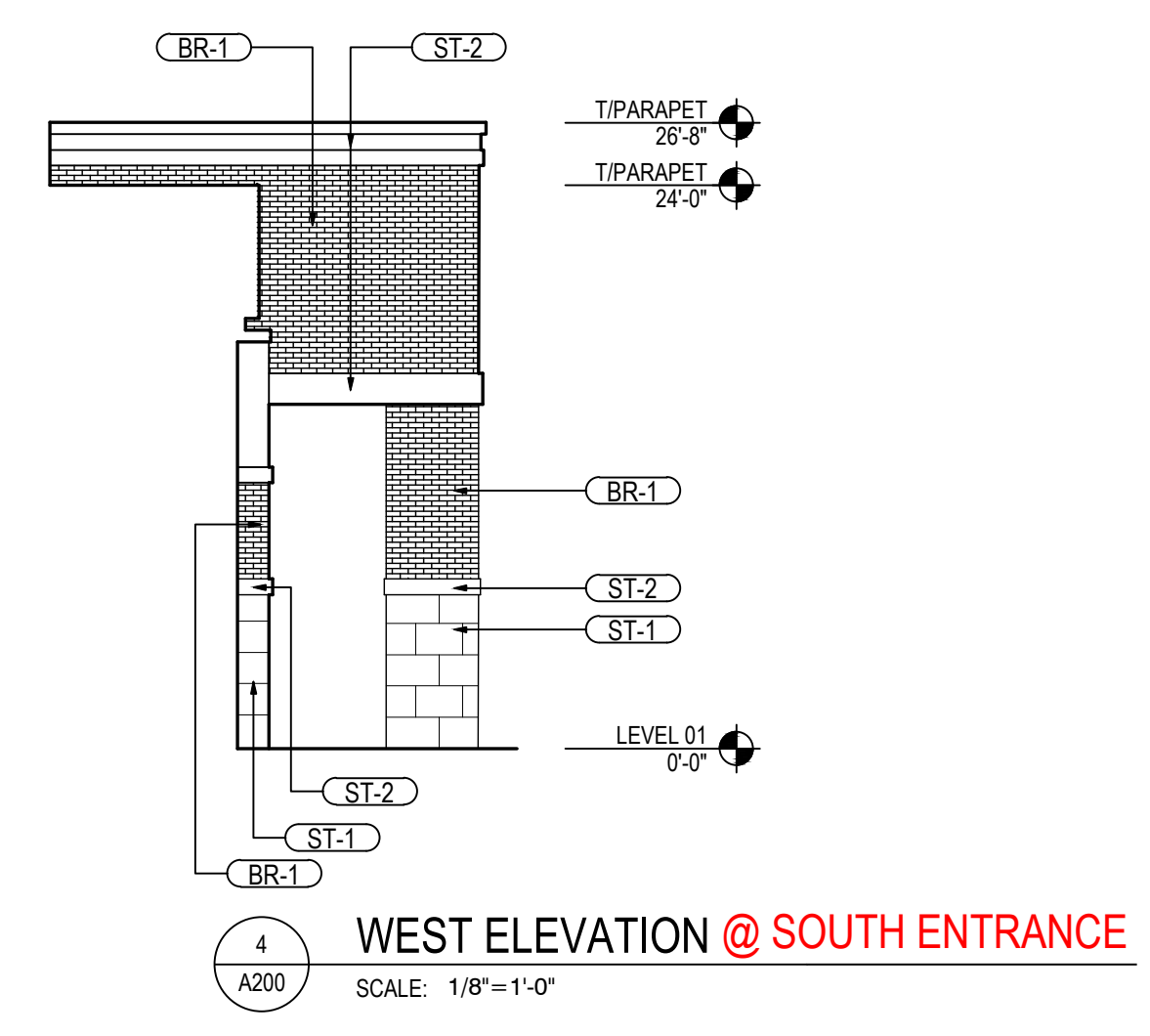


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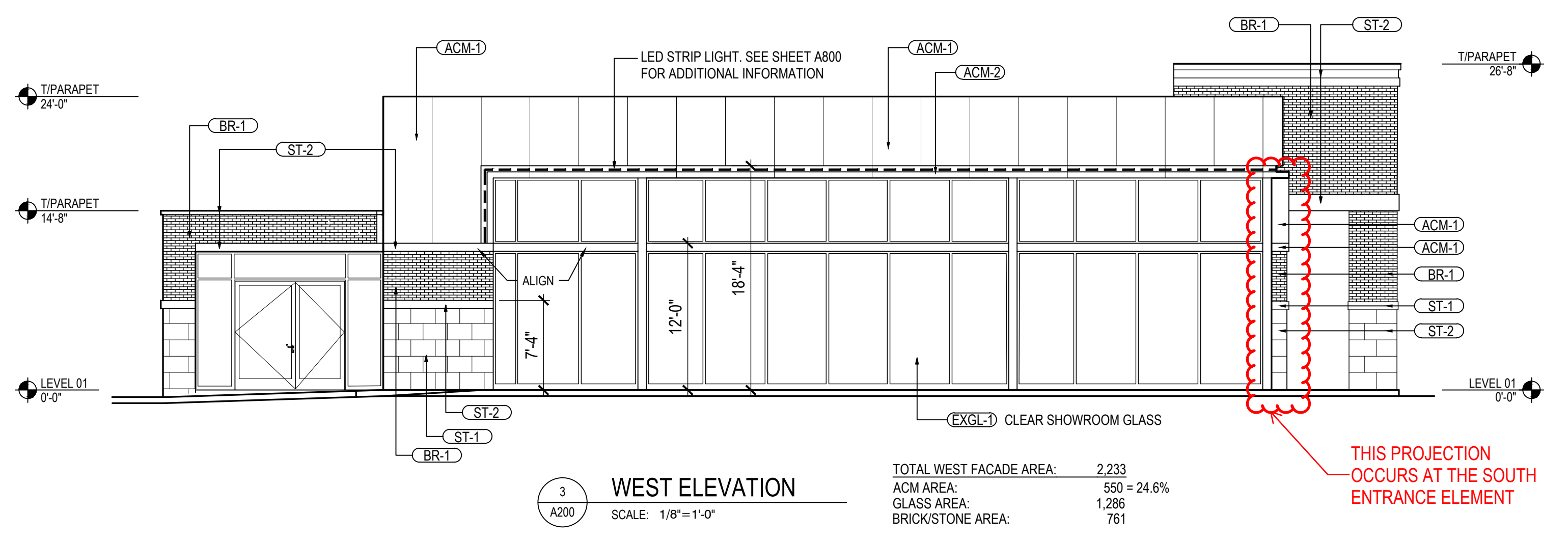


2 NORTH ELEVATION
SCALE: 1/8"=1'-0"

25 40
40



4 WEST ELEVATION @ SOUTH ENTRANCE
SCALE: 1/8"=1'-0"



3 WEST ELEVATION
SCALE: 1/8"=1'-0"

TOTAL WEST FACADE AREA: 2,233
ACM AREA: 550 = 24.6%
GLASS AREA: 1,286
BRICK/STONE AREA: 761

THIS PROJECTION OCCURS AT THE SOUTH ENTRANCE ELEMENT

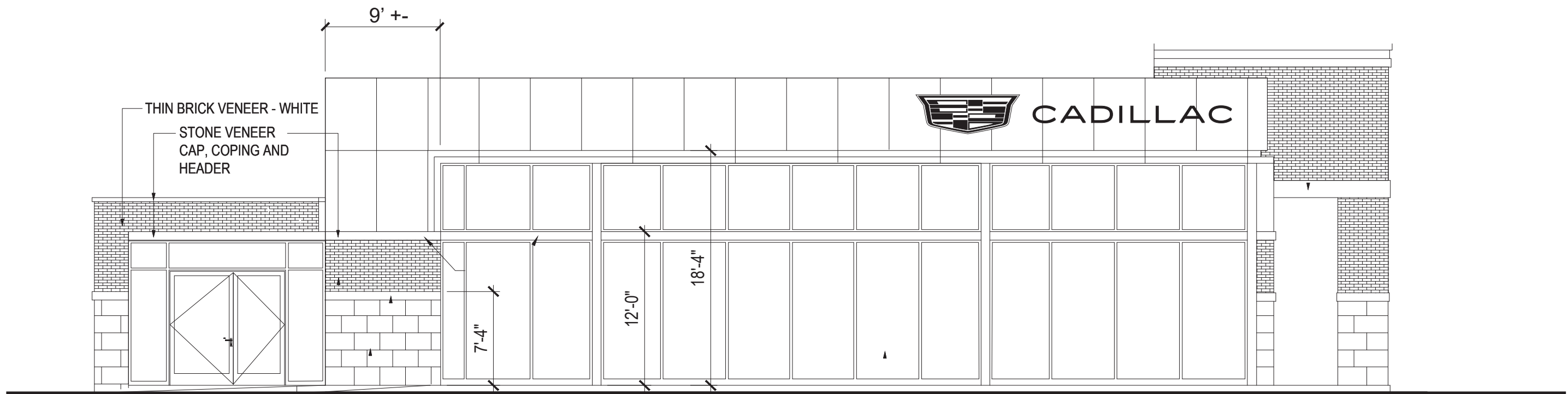


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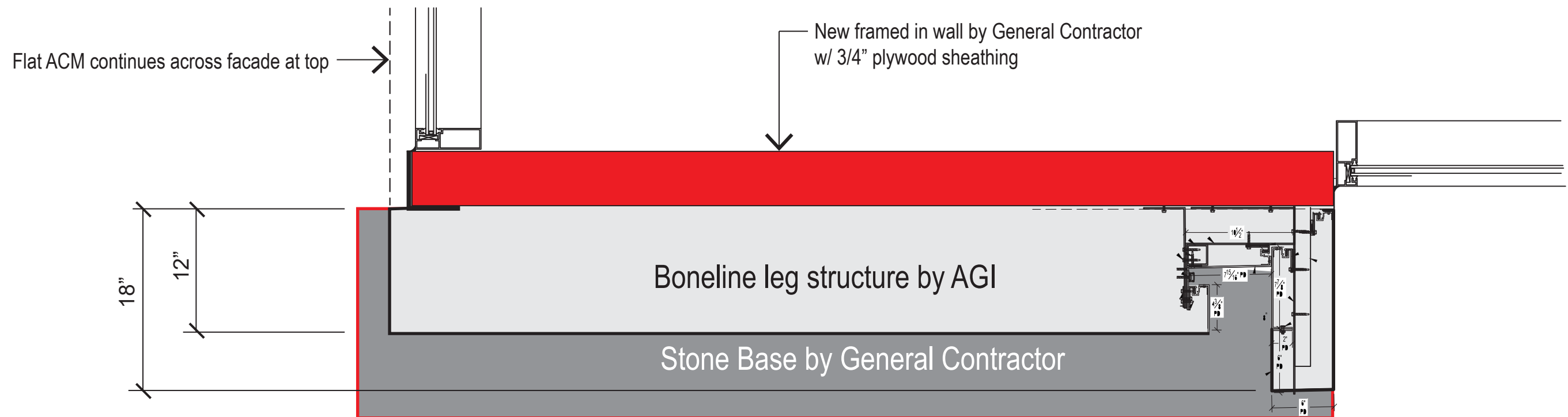
SHEET TITLE
EXTERIOR ELEVATIONS

SCALE	COMM. NO.
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DATE	

SHEET #
A201



Elevation
No Boneline



Proposed Section Through Vertical Leg

These minutes are a draft of the proposed minutes from the Planning Commission meeting. They do not represent the official record of proceedings until formally adopted by the Planning Commission. Formal adoption is noted by signature of the Chair, within the Minutes.

**CITY OF MONTGOMERY
PLANNING COMMISSION REGULAR MEETING**

CITY HALL · 10101 MONTGOMERY ROAD · MONTGOMERY, OH 45242

March 4, 2024

<u>PRESENT</u>		
<u>GUESTS & RESIDENTS</u>		<u>STAFF</u>
Kevin Bleichner, RA Elevar Design Group, LLC 555 Carr Street Cincinnati, OH 45203	Daniella Beltran Joe Nikol Kevin Wright Yard and Company 1542 Pleasant Street Cincinnati 45202	Tracy Henao Assistant City Manager
		Kevin Chesar Community Development Director
		Karen Bouldin, Secretary
		<u>ALL COMMISSION MEMBERS PRESENT</u>
		Dennis Hirotsu, Chairman
		Barbara Steinebrey, Vice Chairman
		Vince Dong
		Peter Fossett
		Andy Juengling
		Alex Schneider
		<u>MEMBERS NOT PRESENT</u>
		Pat Stull

Call to Order

Chairman Hirotsu called the meeting to order at 7:00 p.m. He reminded all guests and residents to sign in, and please turn off all cell phones.

Roll Call

The roll was called and showed the following response/attendance:

**PRESENT: Mr. Fossett, Mr. Juengling, Ms. Steinebrey, Mr. Schneider,
Mr. Dong, Chairman Hirotsu (6)**

ABSENT: Mr. Stull (1)

Guests and Residents

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

Chairman Hirotsu explained the process for this evening's meeting to all guests and residents:

Planning Commission Meeting

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24 “Mr. Chesar reviews his Staff Report and the Commission asks any questions they might have.
25 The applicant presents their application and the Commission then asks any questions. The floor
26 is opened to all residents for comments. If a resident agrees with a comment that was previously
27 stated, they could simply concur, instead of restating the entire comment to save time.
28 The Commission discusses the application and residents are not permitted to comment or
29 question during this discussion. The Commission will then decide to table, approve or deny the
30 application.

31

Old Business

32 ***An application for a modification of a Conditional Use and a Final Development Plan***
33 ***approval regarding a facade change for Camargo Cadillac.***

34

35
36 ***Mr. Juengling moved to take this application off of the table.***

37

38 ***Mr. Dong seconded the motion.***

39

40 ***All members unanimously approved.***

41

Staff Report

42
43 Mr. Chesar reviewed the Staff Report dated March 4, 2024, “Application for a Modification of a
44 Conditional Use and Final Development Plan Approval Regarding a Facade Change for
45 Camargo Cadillac at 9880 Montgomery Road.”

46

47 He showed drawings on the wide screen for all to see, to provide more understanding of the
48 Staff Report.

49

50 He indicated that there had been no calls or emails received regarding this application.

51

52 He asked for any questions, noting that the applicant’s representative was also in attendance to
53 answer any questions.

54

55 Mr. Fossett asked to see the verbiage relating to First Financial, which talked about the
56 percentage of accent materials. Mr. Chesar stated that the guidelines speak to the 25% of accent
57 material, but it doesn’t specify ACM or metal. He referred to page 15 in the Design Guidelines,
58 “a. Building Materials: Permitted materials or primary materials of buildings in the Corridor
59 shall have a primary exterior covering of brick, stone, natural wood, flat board, wood board,
60 batten, wood shingles, or modern manufactured materials that create the appearance of the
61 materials listed above.”

62

63 Also in the Design Guidelines, Mr. Chesar referred to “b. Accent Materials: Buildings in the
64 Corridor may incorporate any of the above permitted primary materials as accents. The
65 following additional materials may be used on the building in the Corridor as an accent, that
66 comprises no more than 25% of the building’s exterior wall surface: efface, decorative concrete
67 masonry units, and cementious fiber board.”

Planning Commission Meeting

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68
69 Item c in the Design Guidelines refers to other items – a catch-all for aluminum - ACM panels.
70 Staff read from the Guidelines, “c. Other materials that are not listed as prohibited may be
71 approved by the review board on a case-by-case basis, as a primary or accent building material.”
72
73 Section c. occurred for the Fifth Third, as well as a discussion point for the metal on First
74 Financial.
75
76 Chairman Hirotsu asked if the precedents were referring to metal as the accent material.
77 Mr. Chesar confirmed that metal has been utilized. Mr. Chesar stated that, from what has been
78 approved in the past, he does not know the exact percentages of the examples he cited earlier.
79
80 Mr. Schneider asked if the Chevy building had ever undergone any renovations. Mr. Chesar
81 deferred to Ms. Henao, Assistant City Manager.
82
83 Ms. Henao, Assistant City Manager, City of Montgomery, stated that Chevrolet had come in for
84 a review, wanting to clad the entire brick building in aluminum metal panels; however, the
85 Joseph family didn’t want to see that happen. The brand was continuing to push on for the look.
86 At the time, Frank Davis was the Community Development Director, and worked at the staff
87 level, to make minor modifications to the building that would bring it a little bit closer to the new
88 brand standard. There were changes in wall sconces and minor architectural detail changes. The
89 City wrote a very strong-worded letter to let them know that full clad aluminum would not meet
90 our design guidelines, and would not be approved.
91
92 On another note, Ms. Henao added that First Financial was very controversial; at the time
93 aluminum panels were a prohibited material. The Planning Commission approved the material
94 type in limited use. At the Lincoln site, Planning Commission approved a prohibited material
95 because of the precedent set at First Financial. At that point, in 2013, the City actually changed
96 the guidelines to take aluminum panels out of the prohibited material status, which then made it
97 eligible for accent.
98
99 Ms. Henao agreed with Mr. Chesar’s assessment that we had historically treated aluminum
100 panels as an accent material.
101
102 There were no more questions from the Commission.
103
104 Chairman Hirotsu asked if the applicant wished to speak.
105
106 **Kevin Bleichner, RA, Elevar Design Group, LLC, 555 Carr Street, Cincinnati, OH 45203**
107 reviewed a PowerPoint presentation on the wide screen. He referred to previous comments,
108 stating that he had spoken with the ACM fabricators to get more information on how this project
109 will be detailed. He explained that the base on the corner, when it was full panels, was supported
110 from the building; there was no foundation required. Because of what they are proposing now,
111 they will need to put in a foundation – basically build a platform on which we can land the ACM

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112 design that is there currently. As now proposed to be constructed on the corner, which will be
113 difficult, the vendor will come in and install the ACM panels.

114
115 Mr. Bleichner stated that they took the same elevation of the water table on the building and
116 included it on the two corners, so they can land the ACM panels on a base.

117
118 Regarding the suggestion to extend the base stone and brick up to the top of the bend, that
119 becomes difficult at best, for the fabricator. With the way that the design occurs, you would
120 have to lay it in the side of the masonry, which is difficult to do and keep the water out of the
121 building. It doesn't lend itself to terminate horizontally at the top, where the fold begins. It is
122 very problematic, and requires a lot of detail. He talked with the fabricator, AGI, and indicated
123 that it is a detailed process.

124
125 Mr. Bleichner explained why they went with raising the base at the corner of the elevation,
126 versus leaving it as it is.

127
128 Regarding the comment made about materials and textures of the ACM panel, Mr. Bleichner
129 stated that he had spoken with the brand, and received a hard no from them. This is their image,
130 their material is the color white, and it is their branding.

131
132 In response to try to make the northwest corner as well as the south elevation to terminate the
133 ACM at a different elevation it would be more than 25% accent material. To get to 25% would
134 be an arbitrary elevation change to the base, which he was not sure, from a design standpoint, is
135 really what they would like to go ahead and do.

136
137 He asked if there were any more questions, and to see which direction the Commission would
138 like to go.

139
140 Mr. Dong understood they could not go all the way to the top of the window; he asked how high
141 they could go up, from a feasibility standpoint. Mr. Bleichner stated that he could probably go
142 one foot below the top of the window.

143
144 Mr. Schneider asked how the brand reacted when Mr. Bleichner explained the Commission's
145 suggestions and vision. Mr. Bleichner stated that they were fine with it. Mr. Schneider asked if
146 they were open to anything else, something more or different? Mr. Bleichner stated they were
147 not - the ACM panels were their brand, and they were adamant about it. Mr. Bleichner stated
148 that if the Commission would like to hold more discussion with them regarding the ACM
149 method, he would like to table this, and have the Commission hold discussion with the brand
150 directly. He could not speak any more than he already has, for the brand.

151
152 Mr. Dong asked where they were located. Mr. Bleichner stated that they have different offices,
153 he was not positive, but could find out. Mr. Dong was wondering if they would be able to attend
154 a meeting.

155

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156 Mr. Schneider noted that there was discussion about two weeks ago, that there were other
157 locations of their dealerships. He asked if Mr. Bleichner talked with the brand about what they
158 have done in other cities. From what Mr. Bleichner has seen, that has been built, nothing has
159 been changed as far as their ACM panel design.

160
161 Ms. Steinebrey was concerned that the ACM was not in Group B, which allowed the 25%
162 accent. She stated that it is really in Category C, which did not show a percentage, and she was
163 concerned.

164
165 Chairman Hirotsu asked if First Financial and other buildings had included ACM as an accent
166 material. Mr. Chesar stated that this Commission has approved a type of ACM.

167
168 Ms. Steinebrey stated that the First Financial project made many people upset in the community
169 – they were not happy with that building. She was here during that time, and the disagreement
170 went on for many meetings. They actually wanted the front to have the yellow, and they wanted
171 a picture in the window that would remain there all of the time. After many discussions, the
172 Planning Commission gave in, which Ms. Steinebrey regrets.

173
174 Mr. Fossett asked where the Cadillac sign would be placed on the building. Mr. Bleichner stated
175 that is still to be determined and will be handled by AGI, exclusively. That will be separate from
176 this application. Chairman Hirotsu stated that it would need to be below the top of the window.

177
178 Mr. Chesar showed all on the wide screen some options of where it might/could be placed.
179 He explained that it is now no longer multi-color, as originally presented, but would be
180 monochrome in color.

181
182 Mr. Juengling asked about the header that showed on the renderings, but not on the elevation
183 drawing. Mr. Bleichner stated that they also had the same element on the south side, and felt that
184 it would be good to incorporate it on all of the areas. Mr. Juengling suggested replicating it on
185 the corner, above the water table, along where the window band was located; it would be almost
186 half way up. Mr. Juengling felt that having that consistency, would get you closer to, if not at
187 the 25%.

188
189 Chairman Hirotsu noted that Mr. Bleichner indicated that the level of impracticality for water is
190 near the top of the window. Mr. Dong confirmed, one foot below. Mr. Juengling stated that it
191 would not solve the water issue. Mr. Dong noted that it was an option to also put the sign there.

192
193 Chairman Hirotsu asked if they went to the highest point they could go, would it get to 25%.
194 Mr. Bleichner was not sure.

195
196 Chairman Hirotsu asked if they had cut down some window space to put the design in that
197 corner. Mr. Bleichner confirmed. Chairman Hirotsu asked if they could then, remove more
198 windows. Mr. Bleichner stated that they could not because that corner design was sized
199 specifically to the height of the fascia and the fold. He didn't have the numbers on it, but the

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200 fabricators informed him that there is a mathematical function there, as to how big it is, versus
201 how the fold interacts with it. He pointed out that the corner element actually angled inward, it
202 was not totally flat, it had an angle, and was a function of how all of the folds worked together.
203

204 Chairman Hirotsu asked if it was fair to say that Cadillac would not accept any more designs
205 from Mr. Bleichner unless this Commission rejected this design.
206

207 Mr. Bleichner stated that changing the white and/or the ACM panels was not open for discussion
208 from the brand. They did not have a problem with the stone and the base changes.
209

210 Mr. Fossett stated that one of our permitted materials was something that looked like
211 wood/board. If we were to put little vertical strips over each seam in the ACM panels, it would
212 start to look like Board and Batten, and the ACM would then become an expressly permitted
213 material. He asked if it would be possible to do this. Mr. Bleichner stated that he would need to
214 speak with the fabricator to see if it would be possible, and then speak with the brand, also.
215

216 There were no more questions from the Commission.
217

218 Chairman Hirotsu asked if any guests or residents had questions or comments. There were none.
219

220 Chairman Hirotsu closed the meeting to public discussion and asked for discussion from the
221 Commission.
222

223 Ms. Steinebrey pointed out that this was a huge building and felt that when you were talking
224 about 25% on a building of that size, it would be a lot more glaring than you think. She
225 understood the brand wanting their image, but felt that it would really stand out.
226

227 Mr. Dong felt that there was just too much ACM on this design, especially since it was right in
228 the front of Montgomery Road. He would like to push it as high as they could, to get the brick
229 up to one foot below the window.
230

231 Mr. Schneider stated that somehow this rendering looked worse than it did at the last meeting.
232 He hoped that the brand would compromise, to fit in with the Corridor and the community. To
233 him, this didn't feel like it fit in Montgomery. Mr. Schneider was willing to compromise to
234 some amount of ACM, but this was too much.
235

236 Mr. Juengling was okay with using ACM as an accent material but struggled with allowing more
237 than 25% ACM. He wondered if there was justification of a 3.2% variance to be granted, to
238 allow it to be an accent. He was curious to know if there was a design that could get it to the
239 25%, that wasn't arbitrary. He believed that there was plenty of justification in the guidelines
240 that we could approve the ACM as an accent material – on a case-by-case basis.
241

242 Mr. Fossett didn't read the 25% limit as applying to all accent materials. He read it as applying
243 to the 3 specifically listed accent materials: EFIS, decorative concrete masonry units and

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244 cementious fiber board. He believed that this design had an interesting mix of different elements
245 and looks, primarily glass. He saw the ACM as an accent. He pointed out that the brand had
246 made a move toward some of the concerns we expressed at the last meeting, by adding the stone
247 on the northwest corner and the southern side. He was not unhappy with this design.

248
249 Chairman Hirotsu spoke of precedence and felt that it was pretty clear that the ACM material has
250 been treated as an accent material historically, as a guideline.

251
252 He understood that things could be more expensive but felt there could be other approaches.
253 He would like to see some creativity. He felt that if we let 28% go on this building, we will see
254 32% on the next building. He was inclined to vote against this, and wanted to ask the applicant
255 to continue to work towards meeting the guidelines. He felt that the applicant could not go back
256 to the brand unless the City says no to this application. Then, that would be Mr. Bleichner's
257 license to go back. Chairman Hirotsu explained the process: that if this application was
258 approved, it would move forward to City Council.

259
260 Chairman Hirotsu asked for thoughts from the Commission.

261
262 Mr. Juengling asked the Commission if this application was denied, and the applicant did not
263 want to move forward, would we be comfortable with the current building. He felt that there
264 was no guarantee that that the applicant would continue with another design, if we denied this
265 one.

266
267 Mr. Schneider stated that people don't like change; we know what we have here. He agreed with
268 the others, that he would like something different, some compromise. With this current design,
269 we know what we have. If we approve this, or something similar, we are stuck with this until
270 they change their brand again. And what if we don't like the next brand change?

271
272 Mr. Chesar summarized to the Commission, that this was a recommendation to City Council, and
273 if it is not tabled this evening, it will get forwarded to City Council. For City Council, it takes a
274 Super Majority to override a Planning Commission recommendation. That is five votes out of
275 seven.

276
277 Mr. Chesar asked the applicant if he was willing to go back to see if there were other options
278 available to reach 25% for the ACM material.

279
280 Mr. Bleichner stated that, from an architectural standpoint, he could not be arbitrarily trying to
281 exceed 25%. He could only go up to the horizontal mullion; that was as far as he would be able
282 to take it. Anything more would just be an arbitrary line, and it is not just a number.

283
284 He stated that he wasn't sure what the percentage would be, but matching up with the lines
285 would be fine, but anything in between did not make any sense; he couldn't go higher than the
286 band in the window. Without running the numbers, he did not know what that would be.

287

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288 Mr. Dong asked if he had ever tried to design this, with 25% accent material. Mr. Bleichner
289 stated that he had not. He was trying to run his numbers to see where he was with continuity,
290 and that is where he stopped.

291
292 Mr. Schneider thanked Mr. Bleichner for being the messenger. Mr. Schneider would like to see
293 some compromise from the brand; he would like to see some investment in the community.
294

295 Mr. Dong would like to see a design showing 25%, or some other options. But, if they were just
296 saying take it or leave it, then he felt we should take a vote. He did not feel that was a
297 compromise.
298

299 Mr. Fossett saw significant moves in our direction, from Cadillac. It felt like a battle of the
300 brands – Montgomery has a brand, with stone, brick, etc., and Cadillac has its brand. He stated
301 that we both needed to compromise.
302

303 Mr. Dong believed that this was one of Cadillac’s most successful dealers, and that they should
304 be willing to invest in the community and do what was right for the community.
305

306 Mr. Juengling stated that if we could get the ACM material to the 25%, then they still have their
307 brand. He thought this could be done. He also felt that the current proposed design looked
308 favorable.
309

310 Mr. Dong stated that unfortunately what we liked and what the rest of the community liked could
311 be two different things. This is why this was hard.
312

313 Chairman Hirotsu asked Staff what the difference would be if this application was tabled versus
314 denied. Mr. Chesar clarified that because the Commission was making a recommendation, they
315 wouldn’t necessarily be denying this application. If it was tabled, it would not go before
316 Council. And, that is if the applicant was willing to go back to the drawing board, and have this
317 tabled. The applicant had a right to say no and ask for a vote, to move this forward.
318 Tabling would not go to Council, and a recommendation for denial would go to Council. If there
319 is a recommendation for denial, it must be accompanied by the rationale behind it.
320

321 ***Mr. Fossett made a motion to recommend to City Council that they approve the application for***
322 ***a modification of a Conditional Use and Final Development Plan regarding a facade change***
323 ***for Camargo Cadillac at 9880 Montgomery Road, as described in the Staff Report dated***
324 ***March 4, 2024.***
325

326 ***Mr. Juengling seconded the motion.***
327

328 Mr. Fossett believed that the brand had made a significant effort to compromise with the
329 Commission. He felt there was a visually interesting mix of materials in this application, and he
330 did not believe that the intentions of the guidelines was for the 25% to apply to all accent

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331 materials; he believed it applied only to the EFIS, concrete masonry units and cementious fiber
332 board.

333
334 Ms. Steinebrey commented that as much as we fought with First Financial, what ended up
335 happening was that Madeira got one without any yellow on theirs. Deerfield got theirs with both
336 yellow on the front and the sides. She stated that she felt very badly that we didn't continue to
337 work towards our goal, because the community did not like the outcome. She understood that the
338 Bank had what they wanted, but she did not feel that we had enough of a compromise for our
339 community.

340
341 ***The roll was called and showed the following vote:***

342
343 ***AYE: Mr. Juengling, Mr. Fossett (2)***
344 ***NAY: Ms. Steinebrey, Mr. Schneider, Mr. Dong, Chairman Hirotsu (4)***
345 ***ABSENT: Mr. Stull (1)***
346 ***ABSTAINED: (0)***
347

348 ***This motion is denied. Planning Commission did not wish to recommend approval of this***
349 ***application to City Council.***

350
351 Chairman Hirotsu asked Mr. Bleichner if he would like to have this tabled, and if he would be
352 open to come back with other options.

353
354 Mr. Bleichner asked if they were going to maintain that 25% accent material be a hardline
355 number; and if he did not reach that number, what was his recourse. Would it be a full denial?
356 He could raise the brick up to the line of the horizontal window mullion, but if it was not 25%,
357 would it then be fully denied?

358
359 Mr. Dong stated that they wanted to look at options to meet the 25% guidelines.

360
361 Mr. Bleichner stated that the 25% could be met, but he was not sure it would be architecturally
362 pleasing.

363
364 Mr. Juengling felt that there were different opinions from this Commission regarding the 25%.
365 Mr. Juengling stated that 25% was a historic number, a precedent. He would like to see
366 something that was more architecturally pleasing to the public - asking for less ACM, a potential
367 change of some of the materials, something more creative. He would like to see a bigger
368 compromise.

369
370 Mr. Bleichner stated that he would go back to the brand and see what they will do.

371 Mr. Juengling would be interested to speak with the brand owners; other Commission members
372 agreed.

373
374 Mr. Dong would simply like to see them meet our design guidelines.

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375

376 Chairman Hirotsu was fine with the ACM, but he would like to see them get closer to 25%.

377 If they can't get to 25%, we could also discuss an equivalency, which we have done before –

378 where they could provide something else that was good for the community.

379

380 Chairman Hirotsu gave an example of an equivalency: if they reduced the main sign in the front

381 to 5 feet, similar to others in Montgomery. Mr. Bleichner stated that the sign was a separate

382 discussion; he could not speak to that.

383

384 Chairman Hirotsu suggested that when Mr. Bleichner gets close to the 25%, there is room for

385 discussion of equivalencies. But it is hard to approve not getting to 25%, without seeing an

386 attempt.

387

388 Ms. Steinebrey was concerned that we may not like the design of the building, even if he gets it

389 to 25%, because it is such a large building, and that is such a small portion. Mr. Juengling

390 agreed.

391

392 Mr. Dong stated that if he met the guidelines, that would help to make the decision, instead of

393 being based on what different members liked, or did not like.

394

395 Mr. Bleichner stated that in the interim, he would go back to the brand and see what additional
396 compromises could be met, as far as their image, their branding and materials.

397

398 Mr. Dong asked if he had shown them other buildings in the Montgomery Corridor.

399 Mr. Bleichner stated that he had.

400

401 Mr. Bleichner stated that he would like to table this application.

402

403 ***Mr. Juengling made a motion to table the application, in an effort to meet Montgomery's***
404 ***guidelines, for modification of a Conditional Use and for a Final Development Plan approval***
405 ***regarding a facade change for Camargo Cadillac.***

406

407 ***Mr. Dong seconded the motion.***

408

409 ***The roll was called and showed the following vote:***

410

411 ***AYE: Mr. Juengling, Mr. Schneider, Mr. Dong, Chairman Hirotsu*** (4)

412 ***NAY: Mr. Fossett, Ms. Steinebrey*** (2)

413 ***ABSENT:*** (0)

414 ***ABSTAINED: Mr. Stull*** (1)

415

416 ***This motion is approved to be tabled.***

417

418 Mr. Bleichner left the meeting at 8:05pm.

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419

New Business

Comprehensive Plan Update from Yard & Company

422

423 **Kevin Wright, Yard and Company, 1542 Pleasant Street, Cincinnati 45202** stated that he
424 was the principal in charge of this project. He introduced Joe Nikol, co-founder and design lead
425 of this project, as well as Daniella Beltran, traffic manager. He encouraged the Commission to
426 ask questions throughout this presentation that was being shown on the wide screen.

427

428 Chairman Hirotsu asked Staff if the final result of this plan would require a recommendation to
429 City Council from Planning Commission. Staff confirmed. He noted that this was not the final,
430 but a preview. Staff pointed out that Chairman Hirotsu and Ms. Steinebrey have been serving on
431 the Steering Committee of this project.

432

433 Mr. Wright stated that this plan was named/themed Montgomery's Moment. He reviewed their
434 PowerPoint presentation.

435

436 Highlights of the discussion follow:

437

438 Mr. Wright showed all of the project goals, with 10 to 20 year long-term visions, noting that they
439 also looked at some current problems in small-focused areas. All of this involved much
440 community input and engagement. He thanked the City of Montgomery, particularly Ms. Henao
441 and Mr. Chesar, remarking that their level of customer service and experience was great.
442 He also appreciated the Steering Committee.

443

444 Mr. Wright explained the process --the planning hierarchy – 1) the comprehensive approach,
445 2) focus areas (2-5 acres, mobility, traffic, pedestrian, infrastructure, building types, etc.) and
446 3) specific site planning (Montgomery Quarter).

447

448 He noted that they started this planning process in June of 2023, with a goal to finish in May of
449 2024. He described the monthly accomplishments up to now. The next steps would be to
450 compile all of the information and form it into the final option. They will present it again to the
451 Planning Commission for recommendation to City Council for adoption, and then
452 implementation.

453

454 **Daniella Beltran, Planning Project Manager** described the 2023 summer events, where they
455 received comments and input from the community; engaging in more detailed opinions again in
456 October and November, 2023. Business owners downtown included their input as well. This
457 April is slated for another round of public engagement, via events and online.

458

459 Ms. Beltran noted that there was good acknowledgement of Montgomery Road and the Corridor,
460 that it is the spine of the community; serving multiple roles as being a major transit fare, with a
461 desire to have pedestrian safety as a priority.

462

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463 A specific housing issue was around being able to age in place; that it was harder to find homes.
464 One of the things the community loved about Montgomery was that they could get around fairly
465 well, walking and biking; and would like to see more of it.
466

467 Mr. Dong asked if they had ascertained the various population percentages of Montgomery –
468 those with children, and the different phases of life. Ms. Beltran stated that they had survey data
469 from the Census Bureau, and it will be included in the final document – much of it in the
470 Appendix. Mr. Wright asked if he would like this information in advance, he could get it to him.
471 Mr. Dong was curious as to the percentage of those wishing to age in place.

472 Ms. Beltran stated that Montgomery was similar to many other communities, where the
473 retirement market has been growing. The market is slower for the younger families, and is
474 harder for them to come into the neighborhood.
475

476 **Joe Nikol, Co-founder and Design Lead** explained that there is a population that wants to stay
477 in Montgomery, but not necessarily stay in their current home; but there is nowhere to move, and
478 therefore, nobody can come in and buy their homes. This is a national trend.
479

480 Ms. Beltran noted that this will also include key elements from their current Strategic Five-Year
481 Plan. They will also include analysis of how things are working from that plan. She indicated
482 the items that will be covered in the next version of this Plan for the Commission.
483

484 Mr. Nikol stated that his role will be focused on how we put the principles and policies into
485 practice. The best way to do this is to look at targeted initiative areas or potential areas where
486 you will see investment come back to you in the next 5-10 years, based on the priorities defined
487 in this process. He noted that they will suggest cosmetic and more detailed ways to augment 3
488 areas:

489 1) The Market Place
490 -Better ways to connect to the Kroger site.
491 -Connect through that site to the rear of the property, where there is a trail.
492 This is not to say that these will actually be done, but a stepping stone to possible
493 activation.
494

495 Mr. Dong asked if they ever looked into a connection to the Loveland Bike Trail.
496

497 2) 10700 Montgomery Road (by Weller Road)
498 -This site to the north can also welcome people into the Corridor, much like downtown.
499 -Two-story existing office building (fairly vacant) (proposing 5 stories)
500 --possibly retaining and retrofitting the building for a more active use and surrounding it
501 with a broader mix of uses. He noted that single-use office products that stand alone are
502 not very competitive in the market. The more complimentary uses you bring into the mix
503 that offer amenities and activities, the higher and better use of the land, as well as better
504 performance.

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505 --Change the surface parking and stack it, connecting it directly to the lobby of the office
506 building. This would free up land for new office /retail options, or smaller scale
507 residential.

508 --Mr. Nikol gave more detail on this site, showing all on the wide screen.
509

510 Chairman Hirotsu asked if this office building was one piece of land, currently one owner.

511 Mr. Nikol confirmed, except that it did not include Chase Bank. Ms. Beltran stated that the
512 owner has expressed interest in a future proposal. From their understanding, Mr. Wright stated,
513 the owner would be more inclined to sell to a developer.
514

515 Mr. Schneider asked how office space will be used in the future, based on so many now working
516 from home. Mr. Nikol stated that in any other market, he would be concerned about it, but
517 Montgomery was actually a benefactor of the changes in the office scenario. People want to
518 work close to where they live; they want to check into the office less frequently, and they want
519 higher amenities areas. He felt that with a lot of work, this existing facility could be made
520 relevant in today's marketplace. Either way, (and what you see in Montgomery Quarter) there
521 are smaller floorplan office buildings, more easily divisible into smaller tenants, instead of
522 landing huge tenants. While the large tenants are still out there, there are fewer of them. You
523 will see smaller office users and office tenants, that may only occupy the space on an average of
524 3 times/week. Montgomery is the next benefactor of that, because people already live out here –
525 they want to live and work closer.
526

527 Mr. Nikol stated that everything they were suggesting here, was based on the learning from the
528 Montgomery Quarter.
529

530 3) Downtown Business Area / Business Club Site

531 --This is a highly desirable area, with very few ways in and out of it.

532 --Scarce amount of land to develop
533

534 Mr. Nikol the plan asks, how could Montgomery sensibly attract growth and investment and
535 become a better, more connected version of itself and start to address some of the shortcomings
536 in the supply that exists in Montgomery today?
537

538 Mr. Nikol likens this to a scenario in Palm Beach, Florida. They created a network of pedestrian
539 lanes perpendicular to their main street, called "Vias", off of which are located small offices,
540 restaurants and shops with lobbies to upstairs residential units and other office spaces. It created
541 a beautiful network that extended the value of the main street.
542

543 Mr. Nikol stated that this was their point of inspiration on how to tie in the Business Club site
544 and other locations that could potentially be redeveloped so that walkability and connectivity
545 could be woven throughout the entire district.
546

547 Off of that network, you could start to locate things that respond to the demands of the
548 marketplace in a way that is in scale with the environment surrounding it.

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549

550 Mr. Nikol referred to a Pocket Neighborhood – a small neighborhood usually made up of small
551 cottages, 1 ½ or 2 story homes, fairly small footprint, but highly amenitized in the sense of
552 shared common areas and space.

553

554 He showed 20 detached homes around one or two central green areas, that would transition into
555 the neighborhood west of it. Moving closer to Montgomery Road, you could introduce town
556 houses, or walk-up buildings. Moving across from the jeweler, closer to Shelly Lane, he
557 introduced live/work units --essentially town houses with a ground floor that could either be a
558 home office of the expanded living area, or a small retailer with an owner above it.

559

560 Reaching Montgomery Road and Parrott Alley, he showed the public art that has been in the
561 works, coupled with opportunities for market stalls and other seasonal or provisional retail
562 opportunities, maybe pop-ups – that would complement the tenants along Montgomery Road.
563 As Main Street turns the corner, this idea could also be extended.

564

565 The idea would be that you could park in the public parking area, and have many activities close
566 by.

567

568 Another alternative offered would take advantage of the topography. He showed the Hamilton
569 Safe Building, south of Cooper, that could house parking in the basement level for a use on top
570 of it. He showed other options of parking for 40-50 spaces on a parking deck, and also a condo
571 building or mixed use on top of the garage.

572

573 Chairman Hirotsu asked if these ideas preserved the amount of parking that was already there.
574 Mr. Nikol stated that one would be the same, and one would not. He noted that, at the end of the
575 day, you want to achieve a park-once environment. You also want to make it so that no matter
576 what angle you come into downtown, you don't have to cross the district to get to a parking
577 place – that you can find convenient on-street parking, or better yet, in every quadrant, there is an
578 adequate amount of parking to access. They are considering preserving / expanding the amount
579 of parking off of Shelly, as well as the use of the asset created in Montgomery Quarter.

580

581 Mr. Dong gave examples of other suburbs that he did not go to, because the parking downtown
582 was such an issue. Ms. Beltran stated that they were very aware of this concern, and they have
583 their engineers running the numbers, and looking at all of the ways to make it convenient (also
584 shared day / evening spaces). They also know that way-finding is very important, so that people
585 know where to go and don't miss it. Mr. Dong suggested complimentary shuttles to help.

586

587 Ms. Beltran noted that they were looking at adding landscaping as a calming traffic measure,
588 using the space in the medians. She noted that they were also looking at more outdoor dining
589 opportunities on some of the streets that cars do not pass through as much.

590

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591 Referring to Main Street, they were looking at putting in sidewalks. Mr. Dong stated that the
592 Triangle Area, down at Main and Montgomery was a difficult area to cross, especially during
593 rush hour.

594
595 Ms. Beltran stated that they were also looking closely at intersections – for downtown, they
596 suggested raised crosswalks that would help to keep the speed down and make pedestrians more
597 visible as they cross. These crosswalks are horizontally lengthened, more than a speed bump.

598
599 Regional Trail Connections were being considered, toward Loveland, Blue Ash and Sharon
600 Woods, over time. Mr. Nikol stated that if you focused on one major signature game-changing
601 investment, from a public infrastructure standpoint, and you figure out how to connect Summit
602 Park to the Little Miami Trail, it would be an amazing major impact, particularly for
603 Montgomery, at the middle of it. He realized that this would require several jurisdictions to
604 come together but would be phenomenal for the entire region.

605
606 Ms. Beltran stated that on March 18, they will meet with the Steering Committee and review the
607 policy goals and how to arrive at the vision statement over the next 10-15 years. Throughout
608 April, this will be presented to the public, and receive comments. In early May, they plan to
609 have a draft document ready for the Planning Commission to review.

610
611 Chairman Hirotsu asked, of these 3 things (noted above), if they thought the east-west downtown
612 area was the most actionable item. He referred to the area behind the east-west corridor.

613 Ms. Henao stated that 10700 Montgomery was very motivated to move/sell now, but the City
614 wants to wait until the Comprehensive Plan is completed, so that we can determine zoning
615 changes. She stated that The Market Place was a long-term effort, that the owner loved the
616 suggestions but he was not interested in doing anything now.

617
618 Ms. Henao stated that the Business Club Site will be the City's next major area of focus, after
619 Phase II of the Montgomery Quarter. She noted that Phase II was still under the City's
620 ownership. Once it is developed, it will move to the developer, however the City will maintain
621 the streets and the public plaza, etc., but the pads will be transferred over to the developer.

622 Mr. Chesar added that the Business Club may be slated for higher than 2 stories.

623
624 Mr. Juengling asked about the land use – if we anticipated a future land-use map when we are
625 making zoning decisions. Ms. Beltran stated that we would be updating all of these focus areas
626 that have been shown – they will match up with the concepts. They will also spend time with the
627 Steering Committee to see if there are other areas that may serve a better use, as well.

628
629 Ms. Henao described the process going forward. After the Comprehensive Plan is adopted this
630 year, then next year, the Planning Commission really gets into the work of digging into the
631 Zoning Code – which will need to be changed in order to get us to our vision.

632
633 Chairman Hirotsu stated that he sent out the digital survey or poll to many of his friends, but was
634 concerned about public consensus.

Planning Commission Meeting

March 4, 2024

635

636 Mr. Wright stated that they were impressed with the City's surveys and engagement; the City
637 had received and shared with Yard & Company the community feedback so far, and there is
638 robust involvement. Ms. Henao noted, from experience, that when using these methods of
639 communications, the majority is usually silent, and the minority is very loud. Education and
640 proposals will slowly translate into text. There was more discussion from the Commission
641 around past examples of this, and how it has worked well.

642

643 Mr. Dong was concerned with parking. Chairman Hirotsu agreed. Mr. Nikol suggested focusing
644 on the balance of parking, not its limitations. He believed that putting the parking closer to the
645 various places that people will go, was the secret.

646

647 Mr. Wright stated that the benefit of the east-west connection was in creating a scenario where
648 there were 3 or 4 dispersed parking opportunities so that wherever you parked, you were next to
649 something great. Mr. Dong also felt that signage was imperative - to know where parking was
650 available. Ms. Henao added that there has to be something interesting along the way to get there,
651 or people will stop. Studies have shown how far people will walk if there is something
652 interesting, like art or a bench, along the way.

653

654 Mr. Nikol suggested that the City begin now to lay the groundwork for the zoning changes; if
655 you wait too long, it will not be good. He has seen this happen before. Ms. Henao stated that we
656 have a plan for next year already, and it is in the budget, as well.

657

658 Chairman Hirotsu asked if the City will hire additional resources. Ms. Henao stated that we have
659 not hired an outside consultant to revamp the Zoning Code since 2002, because Staff has been
660 handling it. We now have 3 Planners on staff, who are trained to do this. Because this will
661 probably be a very comprehensive rewrite, we may ask an outside consultant to help process it;
662 perhaps even in its form, readability, referencing, graphics and making it more user-friendly.

663

664 There were no more questions of the consultants. Chairman Hirotsu thanked Yard & Company.

665

666 The consultants left the meeting at 9:00 p.m.

667

Staff Update

669 There was no Staff Report.

670

671

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Planning Commission Meeting

March 4, 2024

672 **Minutes**

673 Mr. Fossett moved to approve the minutes of February 19, 2024, as amended.

674 Mr. Dong seconded the motion. The Commission unanimously approved the minutes.

675

676 It was decided to approve the December 18, 2024 minutes at the next meeting.

677

678 **Adjournment**

679 Mr. Dong moved to adjourn. Ms. Steinebrey seconded the motion.

680 The Commission unanimously approved. The meeting was adjourned at 9:05 p.m.

681

682

683

684

685

686

687

688 _____
Karen Bouldin, Clerk

_____ Dennis Hirotsu, Chairman

_____ Date

689

690 /ksb

DRAFT

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**CITY OF MONTGOMERY
PLANNING COMMISSION REGULAR MEETING**

CITY HALL · 10101 MONTGOMERY ROAD · MONTGOMERY, OH 45242

December 18, 2023

<u>PRESENT</u>		
<u>GUESTS & RESIDENTS</u>		<u>STAFF</u>
Nermine Banke Chairman Church of the Saviour 7492 Trailwind Dr., 45242	Rick Huff 7516 Fawnmeadow Dr. Cincinnati, OH 45241	Kevin Chesar Community Development Director Karen Bouldin, Secretary
Dan Behnfeldt Senior Project Architect SHP 312 Plum Street, Suite 700 Cincinnati, OH 45202	Chris Philpott 10091 Humphrey Manor Ct. 45242	<u>COMMISSION MEMBERS PRESENT</u> Dennis Hirotsu, Chairman Vince Dong Peter Fossett Andy Juengling Alex Schneider Pat Stull
Mark Combs 9295 Shallow Creek Loveland, OH 45140		<u>MEMBERS NOT PRESENT</u> Barbara Steinebrey, Vice Chairman

Call to Order

Chairman Hirotsu called the meeting to order at 7:00 p.m. He reminded all guests and residents to sign in, and please turn off all cell phones.

Roll Call

The roll was called and showed the following response/attendance:

- PRESENT: Mr. Stull, Mr. Fossett, Mr. Juengling, Mr. Schneider, Mr. Dong,**
- Chairman Hirotsu** **(6)**
- ABSENT: Ms. Steinebrey** **(1)**

Guests and Residents

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

Chairman Hirotsu 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

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27 is opened to all residents for comments. If a resident agrees with a comment that was previously
28 stated, they could simply concur, instead of restating the entire comment to save time. The
29 Commission discusses the application and residents are not permitted to comment or question
30 during this discussion. The Commission will then decide to table, approve or deny the
31 application.

32

Old Business

34 *An application from the Church of the Saviour, 8005 Pfeiffer Road, for reconsideration of*
35 *conditional-use approval conditions pertaining to the clarification of counseling services*
36 *provided by the Church at the Ministry Center located at 8003 Pfeiffer Road. (tabled)*

37

38 *Mr. Stull moved to take this application off of the table.*

39

40 *Mr. Fossett seconded the motion.*

41

42 *All members unanimously approved.*

43

Staff Report

45 Mr. Chesar reviewed the Staff Report dated December 18, 2023, "Application for
46 Reconsideration of a Conditional Use Approval Condition for Church of the Saviour at 8005
47 (8003) Montgomery Road."

48

49 He indicated that there had been no additional calls or emails received regarding this application.

50

51 While reading the items on page 2 of the Staff Report, he reviewed Item k: Pending the Law
52 Director's review, approval of final language: no person identified as a danger to the community
53 can be provided services at the site (for example, no registered sex offender or person convicted
54 of felonious or aggregated assault) out of concern for the community and the preschool on site.

55

56 Mr. Chesar noted that there had been considerable discussion about this item (as written in the
57 November 20, 2023 Planning Commission minutes), with the ultimate decision to refer to the
58 Law Director's comments, with respect to the law, as well as the Planning Commission's
59 authority on this matter. Mr. Chesar pointed out the email dated November 30, 2023 from the
60 Terry Donnellon, Montgomery Law Director, which was included with the Staff Report.

61

62 Based on the Law Director's recommendation, Mr. Chesar stated that he removed item k from
63 the conditions. All members were in agreement.

64

65 Mr. Chesar showed the revised verbiage on the wide screen (that was also listed in the Staff
66 Report) for all to see.

67

68 Mr. Chesar noted that the Church had stated that they would not be opposed to adding any
69 language that illustrated what was required of counselors, based on the Ohio Administrative
70 Code. Mr. Chesar offered another condition, if the Planning Commission chose to include it:

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71
72 Counselors shall adhere to the Ohio Administrative Code’s Duty to Protect which outlines a
73 provider’s legal and ethical duty to protect others if they believe a client is a threat to another
74 person, persons, or identifiable structure. The Ohio Revised Code defines conditions where a
75 provider can be held liable for damages.

76 He asked for any questions, noting that the applicant was also in attendance.

77
78 Mr. Fossett referred to the draft of the November 20, 2023 minutes, page 16 and asked why Item
79 l (L) was removed from this current version of conditions. Mr. Chesar noted that this was
80 eliminated as a result of a conversation with the Law Director. Mr. Chesar stated that we could
81 leave it in, but once this application is approved as a conditional-use, there is no further action
82 that can be taken to change it; so a one-year review would not allow the Commission to make
83 any additional changes, even one year from now. He noted that we could ask the applicant to
84 come in one year from now to update the Commission on how the operation was working.

85
86 Chairman Hirotsu stated that he wanted it to be in the conditions, so that the Commission could
87 learn about this, because if others started coming in with a similar application, we would know
88 how this was working. He didn’t feel we had to put it in the conditions. Mr. Chesar stated that
89 we could have them come back and give us an update, but we won’t know when this actually
90 gets started up – it may be the first or second quarter of 2024. Mr. Chesar did not see any harm
91 if they wanted to leave it in as a condition, either – he stated that he would put it back in.

92
93 Mr. Dong asked about taxes – if a counselor provides services in Montgomery, are they required
94 to pay taxes to Montgomery? Mr. Chesar would confirm the exact number of days for this – he
95 was aware that when you work a certain number of days in Montgomery, then you are required
96 to file taxes. It would be based on each individual provider, not the company or the Church.

97
98 Mr. Dong asked how we would track that. Mr. Chesar stated that it was the provider’s
99 responsibility, the same as if you have contractor’s working in Montgomery. Mr. Stull was very
100 familiar with this, stating that if you are a contractor, and get a building permit, the City knows
101 you are here. He noted that Montgomery has ways to track this, and there are rules that Ohio
102 has, and how many hours you work in various locations. He did not feel it was up to us to be
103 concerned with that. Mr. Chesar confirmed that it was not in the Commission’s purview.

104
105 Mr. Juengling wanted to clarify that the previous Item k was removed because the Law Director
106 did not believe it was a feasible condition. Mr. Chesar confirmed that it was not reasonable,
107 based on the Law Director’s perspective.

108
109 There were no more questions from the Commission.

110
111 Chairman Hirotsu asked if the applicant wished to speak.

112

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113 **Nermine Banke, Chairman, Church of the Saviour, 7492 Trailwind Dr., 45242** stated that
114 she worked for a consulting company, and for every job that she does, they always want to know
115 where it is, and so she was sure that the tax situation for the providers would be handled
116 appropriately.

117
118 Chairman Hirotsu asked if any guests or residents had comments. There were none.
119

120 Chairman Hirotsu asked for discussion from the Commission.
121

122 Mr. Stull felt this was clear, and was in favor of these conditions. Messrs. Juengling and Fossett
123 agreed.
124

125 Mr. Dong thanked the Church for going through this process, albeit tedious. He felt that the
126 groundwork and operating guiderails were very beneficial, and was in favor of this application.
127

128 ***Mr. Dong made a motion to recommend to City Council that they approve an application from***
129 ***Church of the Saviour, 8005 Pfeiffer Road, for reconsideration of conditional-use approval***
130 ***conditions pertaining to the clarification of counseling services provided by the Church (at the***
131 ***ministry center located at 8003 Pfeiffer Road), as detailed in the Staff Report dated***
132 ***November 20, 2023, based on the following conditions:***
133

- 134 1) Counseling services at 8003 Pfeiffer Road shall comply with the following conditions:
- 135 a. Counseling services offered at 8003 Pfeiffer Road will be limited to mental health
136 counseling by licensed professionals.
 - 137 b. Services will be contracted by and monitored by the church board;
 - 138 c. Counseling space will be less than 25% of the total floor area and no more than
139 1250 square feet; and,
 - 140 d. There will be no charges for the counselor's use of the space;
 - 141 e. A patient may directly compensate a provider for mental health counseling.
 - 142 f. An individual provider/company will not operate more than 20 hours per week.
 - 143 g. No more than 40 hours of operation (building open for counseling) per week in
144 total for all counseling services is permitted.
 - 145 h. All counseling services shall be provided between the hours of 8 a.m. to 9 p.m.
 - 146 i. There will be no signage for the provider of services.
 - 147 j. No counseling provider/company shall operate their principal office on the site.

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- 148 k. Counselors shall adhere to the Ohio Administrative Code’s Duty to Protect which
149 outlines a provider’s legal and ethical duty to protect others if they believe a client
150 is a threat to another person, persons, or identifiable structure. The Ohio Revised
151 Code defines conditions where a provider can be held liable for damages.
- 152 l. One year from the start of services, the applicant shall update the Planning
153 Commission on the status of operations.
- 154 2) A continuous evergreen screen be planted between the existing driveway and the adjacent
155 property to the west, in compliance with the plan presented to City Council at the public
156 hearing and approved by Staff and the City Arborist.

157 ***Mr. Fossett seconded the motion.***

158
159 ***The roll was called and showed the following vote:***

160
161 ***AYE: Mr. Stull, Mr. Fossett, Mr. Juengling, Mr. Schneider, Mr. Dong,***
162 ***Chairman Hirotsu*** (6)
163 ***NAY:*** (0)
164 ***ABSENT: Ms. Steinebrey*** (1)
165 ***ABSTAINED:*** (0)
166

167 ***This motion is approved.***

168
169 Mr. Chesar told the applicants that he would follow-up with them regarding next steps – when
170 the application goes before City Council. The applicants left the meeting.

New Business

173 ***An application from SHP, on behalf of Sycamore Community Schools, for a modification to***
174 ***the Final Development Plan pertaining to signage of a previously approved Conditional Use***
175 ***for Sycamore High School at 7400 Cornell Road.***

Staff Report

178 Mr. Chesar reviewed the Staff Report dated December 18, 2023, “Modification of a Final
179 Development Plan for Sycamore High School at 7400 Cornell Road.”

181 He showed drawings on the wide screen for all to see, to provide more understanding of the Staff
182 Report.

183
184 He indicated that surrounding neighbors had been notified regarding this application, and he had
185 received no comments.

186

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187 He noted that all of the conditions previously approved were included in the Staff Report (which
188 all Commission members received in their packets).

189
190 He asked for any questions, noting that the applicant was also in attendance to answer any
191 questions.

192
193 Chairman Hirotsu asked if the sign was behind the bleachers. Mr. Stull stated that the sign was
194 facing the back of the stadium. Mr. Chesar showed various views of this sign on the wide
195 screen.

196
197 Mr. Fossett referred to the “AVES” sign, and asked if the bands that stretched along the south
198 elevation and wrapped around the east and west elevations would also be green, i.e., a green
199 band running into the “A”, and out of the “S”, and then wrapping around. Mr. Chesar deferred to
200 the applicant.

201
202 Mr. Dong wanted to clarify that there was no lighting associated with this. Mr. Chesar stated
203 that there was on-site lighting, but nothing with this signage application.

204
205 Chairman Hirotsu asked if the applicant wished to speak.

206
207 **Dan Behnfeldt, Senior Project Architect, SHP, 312 Plum Street, Suite 700, Cincinnati, OH**
208 **45202** stated that he was also a resident of Montgomery. He confirmed Mr. Fossett’s question,
209 noting that the band would be green, and would wrap around, as Mr. Fossett stated earlier. It is
210 not planned to continue around the north side, and face the highway. It only faces 3 sides.

211
212 Chairman Hirotsu stated that he drove to the site today, and believed that the sign was already
213 up; he asked for confirmation. Mr. Behnfeldt confirmed, stating that it was a misunderstanding
214 between the contractor and the subcontractor.

215
216 Mr. Fossett asked if we should include the band as part of the signage. Mr. Chesar felt that was
217 an interesting question, noting that if there was framing around it, it would definitely count as the
218 sign.

219
220 Mr. Dong wanted to include it as part of the sign.

221
222 Mr. Chesar asked if the band was painted. Mr. Behnfeldt confirmed.

223
224 Mr. Dong was concerned with precedent.

225
226 Mr. Stull agreed that they should include it as part of the sign.

227
228 Mr. Juengling stated that if we considered the band as part of the sign, then we should specify
229 exactly where, because that would affect the square footage. Mr. Dong stated that the sign was
230 already over the maximum footage and overall, the school has been for years.

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231
232 Mr. Chesar stated that this was a conditional use related to a field house, and the only other one
233 application that could be affected by this would be the Visitor's Fieldhouse. Mr. Behnfeldt
234 stated that they did not have any plans of signage for the Visitor's Fieldhouse.
235
236 Mr. Fossett asked if the letters were standing out. Mr. Behnfeldt confirmed, noting that the band
237 was painted.
238
239 Chairman Hirotsu stated that no one could see this because it was hidden by bleachers; he had no
240 concerns.
241
242 Mr. Fossett stated that if it was on the wall, and not part of the letters, he did not feel it should be
243 considered as part of the sign. Mr. Chesar agreed that it was building design, however, it was up
244 to the Commission.
245
246 Mr. Stull felt that it was a stripe on the building, and they could change the color. He didn't
247 think of it as part of the sign.
248
249 Mr. Dong was concerned with precedent – for example, if the hospital came before the
250 Commission and wanted to paint the building a different color, with no sign, would it be under
251 our purview.
252
253 Mr. Juengling thought of this as part of the building design.
254
255 There were no other questions for the applicant.
256
257 Chairman Hirotsu asked if any guests or residents had comments. There were none.
258
259 ***Mr. Stull made a motion to approve an application from SHP, on behalf of Sycamore***
260 ***Community Schools, for a modification to the Final Development Plan pertaining to signage***
261 ***of a previously approved Conditional Use for Sycamore High School at 7400 Cornell Road, as***
262 ***detailed in the Staff Report dated December 18, 2023.***
263
264 ***Mr. Fossett seconded the motion.***
265
266 ***The roll was called and showed the following vote:***
267
268 ***AYE: Mr. Schneider, Mr. Dong, Mr. Stull, Mr. Fossett, Mr. Juengling,***
269 ***Chairman Hirotsu*** (6)
270 ***NAY:*** (0)
271 ***ABSENT: Ms. Steinebrey*** (1)
272 ***ABSTAINED:*** (0)
273
274 ***This motion is approved.***

Planning Commission Meeting

December 18, 2023

275

Staff Update

276

277
278 Mr. Chesar stated that the City was moving forward with the Comprehensive Plan, with another
279 Steering Committee meeting anticipated after the holidays, in mid-January. The hope is to have
280 most of process completed by early summer.

281

282 He noted that the recent tree lighting event at Montgomery Quarter was gorgeous, and very well
283 attended.

284

285 They have a base coat on the road (for Phase 2 of the Montgomery Quarter), which will allow
286 them to have a staging area and circulate traffic. They plan to route the hotel construction traffic
287 through there. He anticipates that maybe in the late spring, some of the buildings will come forth
288 for approval.

289

290 The City is still considering options for the entertainment venue. There was discussion about
291 pickleball, and some of the Commission members spoke of new equipment: Johnny Mac's
292 Sporting Goods has a new racket and ball that is supposed to be 50% quieter. They also have
293 balls made from felt now, so they don't make as much noise. Mr. Chesar stated that they are
294 considering Weller Park to possibly relocate the pickleball court.

295

296 Chairman Hirotsu spoke about the Montgomery Road Corridor vision (in the Comprehensive
297 Plan), and asked if we would be changing any underlying code before any changes occurred,
298 because there is a lot of private property involved. He asked how does our vision become
299 realized?

300

301 Mr. Chesar stated that we regulate what property owners are able to do, via our Zoning Codes.
302 Chairman Hirotsu noted that when we change the underlying code, we signal where the City is
303 going. How will the City move to this vision? Will Planning Commission (PC) be part of this?
304 Mr. Chesar stated that part of it will be through the Code, some of it will be through the City's
305 acquisition of land. Some of this will be internal in the City, we may look into grants - this part
306 does not come before PC.

307

308 Mr. Chesar stated that the Comprehensive Plan was about larger concepts. One of the concepts
309 being discussed was increasing density in some fashion. That could change our minimum and
310 maximum heights of buildings. In addition, many people surveyed in the community were
311 interested in accessory dwelling units. We might possibly do this in select areas.

312

313 Mr. Chesar answered Chairman Hirotsu's question by stating that the next phase for the PC will
314 be code amendments to align with the Comprehensive Plan vision.

315

316 Mr. Chesar stated that early next year, there will probably be code amendments regarding
317 medical marijuana, which would come through the Law Director. We now prohibit medical
318 marijuana dispensaries. Recreational marijuana rules and regulations will probably take 6-9

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319 months before we deal with them. There may be code amendments related to that, based on
320 City Council's vision. The intent would be to discuss prohibiting recreational dispensaries
321 within the City.

322
323 Overall, the Ohio law gives the right to utilize and for each adult to grow six plants in their
324 homes; for 2 adults, you could grow 12 plants. It is the sale and dispensing of it that we may
325 limit.

326

Council Report

327
328 There was no Council Report.

329

Minutes

330
331 Mr. Dong moved to approve the minutes of November 20, 2023, as amended.

332 Mr. Fossett seconded the motion. The Commission unanimously approved the minutes.

333

Adjournment

334
335 Mr. Dong moved to adjourn. Mr. Juengling seconded the motion.

336 The Commission unanimously approved. The meeting adjourned at 7:50 p.m.

337

338

339

340

341

342

343

344 _____
Karen Bouldin, Clerk

_____ Dennis Hirotsu, Chairman

_____ Date

345

346 /ksb