

1 City of Montgomery
2 City Council Public Hearing Minutes
3 January 6, 2021
4

5 Present

6 Brian Riblet, City Manager
7 Terry Donnellon, Law Director
8 John Crowell, Police Chief
9 Gary Heitkamp, Public Works Director
10 Tracy Henao, Asst. City Manager/Acting Comm. Dev. Dir.
11 Katie Smiddy, Finance Director
12 Matthew Vanderhorst, Community and Information Services Director
13 Paul Wright, Fire Chief
14 Connie Gaylor, Clerk of Council
15

City Council Members Present

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

16
17 City Council convened its Public Hearing for January 6, 2021 at 6:45 p.m. in a hybrid meeting at City Hall and by
18 telephone conference with Mayor Dobrozsi presiding. This remote access meeting was allowed by emergency
19 legislation adopted by the Ohio General Assembly and approved by the Governor. The emergency legislation
20 added language to RC Section 121.22 allowing public meetings by telephone conference during the current
21 pandemic and declared State of Emergency. As required by the statute, notice of the telephonic meeting was
22 publicized more than 24 hours in advance to allow public access through the same conference call in service. The
23 public was also given a backup number to call in the event there were technical difficulties. This Notice was
24 posted on the City's website and a similar Notice was sent to The Cincinnati Enquirer.
25

26 Mayor Dobrozsi explained the process for the Public Hearing to those in attendance and on the phone line. He
27 explained that in a public hearing Council has the following options when considering an application:
28

- 29
- Approve the Recommendation
 - Deny the Recommendation
 - Remand the matter to Staff for more specific information or
 - Take the matter under advisement and vote at another public meeting within thirty days.
- 33

34 Mayor Dobrozsi explained that if City Council chooses the final option, it is suggested that they announce the date
35 and time of the subsequent hearing when the matter will be discussed and considered for vote.
36

37 Mayor Dobrozsi stated that as a reminder, the Code does not allow additional new evidence to be submitted for
38 review during the public hearing. City Council is to limit its consideration to the information presented from the
39 City, and any comments, pro or con, from the public.
40

41 Mayor Dobrozsi asked Ms. Henao to present the background of the agenda item.
42

43 **NEW BUSINESS**

44
45 **Application from Sycamore Community Schools to allow for the expansion of a conditional use for the**
46 **construction of an addition for E.H. Green Intermediate School at 5200 Aldine Drive**
47

48 Ms. Henao provided background to City Council regarding a request that City Council consider an application for
49 an expansion of a conditional use and an equivalency for renovation and new construction at E. H. Green
50 Intermediate School at 5200 Aldine Drive.
51

52 Ms. Henao explained that the school property straddles the jurisdictional boundary between the City of Blue Ash
53 and Montgomery, with most of the building located in Blue Ash. E.H. Green Intermediate School has been
54 located on the property since 1962 with additions in 1989 and early 2000. The portion of the project that is in
55 Montgomery will entail demolition of a portion of the existing school building, addition of a bus parking lot and
56 the addition of a baseball diamond. The property is zoned 'A' Single Family Residential and schools are a
57 conditionally permitted use in the district. The surrounding properties are zoned Single Family Residential and

58 used for single family residences in both Montgomery and Blue Ash.

59
60 Ms. Henao explained that The Planning Commission met on October 19, 2020 for a concept plan discussion on
61 the project. At the meeting, the applicant familiarized the Commission with the project and received feedback on
62 a potential equivalency request to allow for additional vegetation along the shared property lines in lieu of interior
63 parking lot landscaping in the bus lot as well as feedback on the need for a fence around the play area on the bus
64 lot.

65
66 Ms. Henao stated that the Planning Commission considered the application for the expansion of a conditional use
67 and the Final Development Site Plan with an equivalency on November 16, 2020. After hearing testimony and
68 discussing the application, the Planning Commission voted unanimously to recommend approval of the expansion
69 of the conditional use permit and approve the Final Development Plan with a recommendation to approve the
70 equivalency request. The conditions recommended by the Planning Commission are shown below:

- 71
- 72 • Final stormwater calculations and plans be reviewed and approved by the City Engineer.
 - 73 • A copy of the NPDES permit from the Ohio EPA be supplied to the Community Development
74 Director.
 - 75 • A copy of the Post Construction Best Management Plan Inspection and Maintenance Plan (I & M
76 Plan) be properly recorded prior to issuance of the Certificate of Occupancy.
 - 77 • To meet the equivalency requirements, the required interior parking lot landscaping be located along
78 the driveway to the bus lot and be enhanced to fully landscape the bus parking lot and the elbow of
79 the driveway, to prevent lights penetrating the residents' homes.
 - 80 • Final approval of the landscape plan by the Community Development Director and the City Arborist.
- 81

82 Ms. Henao summarized her report by stating that the project is a significant development for Sycamore
83 Community Schools, which is one component of the facilities master plan which will involve renovations and/or
84 new construction on many of the campuses throughout the district. Only a small portion of the property is in the
85 City of Montgomery and the redevelopment of the site has received approvals in the City of Blue Ash. The
86 proposed plan meets the regulations in the Zoning Code except for the interior parking lot landscaping in the bus
87 lot. The Planning Commission has recommended approval of an equivalency for the interior parking lot
88 landscaping requirement and Staff believes that the addition of extra landscaping along the property line to
89 provide for a visual screen to the surrounding residential properties is a good solution to help mitigate any
90 negative impact. Therefore, Staff is in support of the recommendation of the Planning Commission.

91
92 Ms. Henao added that the landscape plan was revised and displayed the drawing to those in Council Chambers.
93 She explained that there were now Evergreens lining the entire property line. She stated that they consisted of
94 Norway Spruce and Green Giant Arborvitae.

95
96 Ms. Henao explained that she had received a letter from a property owners at 5201 Aldine Drive whose property
97 actually fell in the City of Blue Ash. She stated that she had responded to their letter and forwarded on to the City
98 of Blue Ash as well as Sycamore Schools. She stated that their letter requested information on the speed limit that
99 would be enforced by the City of Blue Ash as well as video from the City of Blue Ash's meeting.

100
101
102 Frank Forsthoefel, Sycamore Community Schools- Mr. Forsthoefel identified himself as being on the phone line.
103 He extended his sympathies in the passing of Council Member Gerri Harbison. He stated that he was grateful to
104 the Planning Commission for their incredible feedback and was excited about the opportunity to see this project
105 come to fruition. He stated that this addition would transform the schools for generations to come. He stated he
106 was happy with the collaboration with the City and grateful for the Planning Commission approval of the plan and
107 is hopeful for City Council's approval that evening. He turned it over to Mrs. McKenzie from SHP and Mr. Chad
108 Lewis, Asst. Superintendent of Sycamore Schools.

109

110 Allison McKenzie of SHP thanked Mr. Forsthoefel and the Mayor for a great collaborative process and feels that
111 they have listened to homeowners who have expressed concerns and as a result made alterations to plans to
112 hopefully be the best neighbors they could be. She stated that she was there to answer any questions she could.

113
114 Mayor Dobrozsi asked for comments from City Council.

115
116 Vice Mayor Margolis stated that he has listened to quite a few of the presentations and acknowledged that the site
117 was not ideal as there was an existing building that made it difficult to work within those constraints. He asked
118 Ms. Henao to describe how the Planning Commission spoke and drilled down to the buffering between the
119 residents and the school.

120
121 Ms. Henao explained that the Planning Commission did spend a significant amount of time discussing the
122 buffering between the properties on Stonehenge Drive and the proposed bus garage. She explained that headlights
123 were a concern but added that there would be no busses parking at that location only for pickup or drop off. This
124 area would then be used for outdoor recess during the school day. There was a lengthy discussion regarding a
125 fence being required or not. She explained that the Planning Commission preferred to see an Evergreen buffer
126 being placed on the school side of the property so it would be required to be maintained in perpetuity.

127
128 Vice Mayor Margolis added that he felt that a new school is a wonderful addition to the community and the
129 Sycamore School District.

130
131 Mr. Suer stated that he agreed with Vice Mayor Margolis and Ms. Henao that the Evergreen screening is a good
132 equalizing compromise and in the long run would benefit the surrounding neighbors. He stated that he agreed that
133 the overall plan is a benefit to the City even though the majority of it is in the City of Blue Ash. He stated that he
134 felt it would benefit the community and made Sycamore School District more viable for our community.

135
136 Mrs. Bissmeyer stated that she agreed with Vice Mayor Margolis and Mr. Suer. She stated that the best scenario
137 would have been for the school to have land to work with, but she liked the use of landscaping as a barrier. She
138 stated that the only area that looks to be out of compliance was the area to be used by the busses but that appears
139 to be an unsolvable problem.

140
141 Mr. Cappel stated that he liked the design and felt it was a great fit for the community. He asked the following
142 questions: Where does the stormwater go. Are the downstream areas subject to flooding.

143
144 Ms. Henao responded that the stormwater plans are under review by CT Consultants. She stated that there are
145 several detention basins that will be located on the site. She explained for more detail on that she would turn that
146 over to SHP as she was not a storm water expert however, they would be held to Hamilton County stormwater
147 regulations and are also including best practices for storm water quality on site. She stated that she was not aware
148 of any flooding issues in the area. She felt complying with the Hamilton County Storm Water Regulations and the
149 review from CT Consultants, they should be able to take care of any storm water management issues on site. Ms.
150 Henao asked Ms. McKenzie from SHP if she had anything to add.

151 Ms. McKenzie replied that while she was an architect and not a civil engineer, but she does know that a great deal
152 of attention was paid to the storm water management. She stated that her civil engineer has been in contact with
153 Montgomery engineering staff for additional storm water calculations. She stated that she firmly believes that any
154 work at the site will be a net benefit as far as storm water management is concerned, not increasing any storm
155 water on the site.

156
157 Ms. Roesch stated that she concurs with what has been said. She stated that she feels the conditions that were set
158 were adequately addressed by the revised plans. She stated that she is in favor of what has been done.

159
160 Mayor Dobrozsi stated that he appreciates the relationship with the Schools and the great work done by the
161 Planning Commission and staff. He stated that it appears there were give and takes throughout the project and that

162 we have come to a win-win. He stated that he felt the landscaping was extremely important. He asked if the Post
163 Construction Best Management Plan Inspection and Maintenance Plan (I & M Plan) have to do with the
164 landscaping as well.

165
166 Ms. Henao replied that it does not. She explained that that document is specific to the storm water management
167 plan but the condition upon approval would stand and is enforceable as a zoning condition. She explained that if a
168 Norway Spruce were to die that staff would have the authority to go to the Schools to require its replacement as
169 per the new landscaping plan.

170
171 Mayor Dobrozsi opened the floor to Public comments.

172
173 **GUESTS AND RESIDENTS**

174
175 Derek Steele, 7717 Stonehenge Drive-Mr. Steele stated that he and his wife and a number of neighbor's object to
176 the proposed site of the replacement school. He stated that the general site area is very large, and he felt it was not
177 necessary to place the school at the rear of the property such that the parking and movement of busses are close to
178 the residences, not excluding pollution and the loss of green space. Mr. Steele stated that he has had the pleasure
179 of living at his home for more than 40 years and wishes to continue that for years unspoiled by this proposal. He
180 asked that City Council consider the request of people who have lived there for so many years.

181
182 Mayor Dobrozsi thanked Mr. Steele for his time in coming and sharing his thoughts and comments.

183
184 Mayor Dobrozsi asked if there were others on the line who would like to speak.

185
186 Christie Schonscheck, 7719 Stonehenge Drive-Ms. Schonscheck stated her disappointment that this meeting was not
187 conducted as a Zoom meeting so she could view the updated landscape plans made available to those in
188 attendance. She asked if the added landscaping would border both sides of the project.

189
190 Ms. Henao replied that the entire property line on Stonehenge as well as the rear of the property line where the bus
191 lot would be.

192
193 Ms. Henao provided her email to those on the phone line in order to provide the electronic version of the
194 landscape plan to them for review.

195
196 Tom Riegler, 5449 Hagewa Drive- Mr. Riegler stated his property was directly behind the school and asked if the
197 landscape plan could also be sent to him as he felt it may answer his questions. He asked if the plans include
198 drainage or some sort of layout.

199
200 Ms. Henao stated that she can also provide a link to the drainage plans which are large, but she was happy to send
201 a link to the City's Dropbox account.

202
203 Jonathan Smith, 693 Stonehenge Drive-Mr. Smith stated that he has been a resident on Stonehenge for over 12
204 years now and that the bus traffic in the neighborhood has been the largest nuisance by far but acknowledged that
205 that was a small nuisance in the large scope of life. He stated that while he had been a previous student of E.H.
206 Greene long ago, that he had underestimated the scale of traffic as an adult when purchasing his home on
207 Stonehenge. He explained that four times a day he was unable to exit or enter his driveway due to the bus traffic
208 and that traffic line extends to his rear property line. He explained that his property is along the southern border of
209 Greene school. He stated that he felt it unfortunate that the existing building set a foundational restraint for where
210 the addition could be constructed on the lot. He stated that he felt the plan failed to address the concern for
211 parading headlights across the property. He stated he would like to see the bus parking lot more central in the rear
212 of the lot with the driveway extending between the soccer field and baseball diamond. He stated that he realized
213 that may not be feasible. He stated that he would like to see the shrub row be continued along the southern and

214 eastern boundaries to shield light pollution from the bus lights.

215

216 Ms. Henao explained that the landscaping does exist all the way down Stonehenge as the Planning Commission
217 also had a large concern over the effects of the bus lights. She explained that evergreen landscaping was added to
218 the landscaping plan.

219

220 Mr. Smith asked if the updated plan was included in the online packet.

221

222 Ms. Henao stated that it was not as it had not been received by the schools at the time of posting and was not part
223 of the consideration by Council this evening. She explained that the final landscape and stormwater plans have not
224 yet been approved and that comments could still be considered at the staff level. Ms. Henao asked Mr. Smith to
225 send her an email and she would send him in her reply the landscaping plans.

226

227 Mr. Smith thanked Ms. Henao for that but expressed his displeasure for where the bus lane ended up as it will still
228 travel along his property line.

229

230 Mayor Dobrozsi thanked Mr. Smith for his comments and asked if there were any other comments from people on
231 the phone line. There was no further response so Mayor Dobrozsi closed the floor for public comments.

232

233 Mayor Dobrozsi restated that the options available to City Council related to this request were:

234

- 235 • Approve the Recommendation
- 236 • Deny the Recommendation
- 237 • Remand the matter to Staff for more specific information or
- 238 • Take the matter under advisement and vote at another public meeting within thirty days.

239

240 Vice Mayor Margolis moved to approve the recommendation and conditions as made by the Planning
241 Commission.

242

243 Mr. Donnellon explained that the packet includes the specific recommendation that Council has been asked to
244 vote upon. He stated that as Ms. Henao has explained, although Council is seeing the landscaping plan at this
245 meeting, it is not under consideration this evening. It is still open for comment and feedback along with the storm
246 water plan to Ms. Henao, the Arborist, and the City Engineer. Even though Council is seeing that they are not
247 voting on that at this meeting.

248

249 Mayor asked for a second. Mr. Suer seconded.

250

251 Vice Mayor Margolis stated that he realizes that change and infill construction is difficult and fraught with
252 compromises and issues that have to be corrected. He stated that he appreciates the efforts it takes to reach those
253 compromises. He stated that we have to look at the community in a higher view and try to mitigate issues and
254 minimize impact.

255

256 Mayor Dobrozsi asked for a roll call and the vote was as follows:

257

258 AYE: Suer, Margolis, Cappel, Bissmeyer, Roesch, Dobrozsi (6)

259 NAY: (0)

260

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

263

264 Vice Mayor Margolis made a motion to adjourn. Mr. Cappel seconded. City Council unanimously agreed.

265

266 The meeting was adjourned at 7:28 p.m.

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268

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Connie Gaylor, Clerk of Council