

City of Montgomery
City Council Public Hearing Minutes
February 17, 2021

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
John Crowell, Police Chief
Gary Heitkamp, Public Works Director
Tracy Henao, Asst. City Manager/Acting Comm. Dev. Dir.
Katie Smiddy, Finance Director
Paul Wright, Fire Chief
Connie Gaylor, Clerk of Council

City Council Members Present

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

City Council convened its Public Hearing for February 17, 2021 at 6:30 p.m. in a hybrid meeting at City Hall and by telephone conference with Mayor Dobrozsi presiding. This remote access meeting was allowed by emergency legislation adopted by the Ohio General Assembly and approved by the Governor. The emergency legislation added language to RC Section 121.22 allowing public meetings by telephone conference during the current pandemic and declared State of Emergency. As required by the statute, notice of the telephonic meeting was publicized more than 24 hours in advance to allow public access through the same conference call in service. The public was also given a backup number to call in the event there were technical difficulties. This Notice was posted on the City's website and a similar Notice was sent to The Cincinnati Enquirer.

Mayor Dobrozsi asked for a roll call.

The roll was called and showed the following:

PRESENT: Cappel, Bissmeyer, Roesch, Dobrozsi, Suer, Margolis (6)
ABSENT: (0)

Mayor Dobrozsi explained that as this was a Public Hearing he would allow for public comment after the presentation of the new business and Council questions and discussion. He asked that any guests on the phone line hold their comments until after the presentation and Council discussion as well. He stated that all comments will be limited to three minutes in total.

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

- 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.

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

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

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

NEW BUSINESS

Application from SHP on behalf of Sycamore Community Schools for an expansion of a conditional use and equivalency for new construction of a new junior high school at 5757 Cooper Road

Ms. Henao provided background to City Council regarding a request that City Council consider an application from SHP, on behalf of Sycamore Community Schools, for an expansion of a conditional use and an equivalency for new construction of a new junior high school at 5757 Cooper Road.

Ms. Henao explained that the original building on this site was constructed in 1925 as the high school. The building has had various additions throughout the years and is currently used for Sycamore Junior High. The existing school is located on four existing lots of record; however, the property would be consolidated as part of this project. The project will entail the demolition of the existing junior high as well as the associated bus and maintenance buildings. The existing stadium will remain; however, some the remaining athletic fields will be reoriented (i.e., baseball diamonds, tennis courts, soccer field). The redesign of the site would eliminate the existing bus depot and create the ability to separate bus and car traffic on site.

Ms. Henao stated that the site is located on Cooper Road and border I-71 to the east and south. Pipkin's Market is located to the west and is zoned 'GB' – General Business. Cooper Creek condos are also located to the west and zoned 'D-3' – Multi-family. The homes to the north across Cooper Road that are in the City of Montgomery are zoned 'A' – Single Family Residential and used for single family residences in both Montgomery and Blue Ash.

Ms. Henao stated the Planning Commission met on November 16, 2020 for a concept plan discussion on the project. At the meeting, the applicant familiarized the Commission with the project and received feedback on a potential equivalency request to allow for additional vegetation along the shared property lines in lieu of interior parking lot landscaping in the bus lot. The Planning Commission considered the application for the expansion of a conditional use and the Final Development Site Plan with an equivalency on December 21, 2020. After hearing testimony and discussing the application, the Planning Commission voted unanimously to recommend approval of the expansion of the conditional use permit and approve the Final Development Plan with a recommendation to approve the equivalency request. The conditions recommended by the Planning Commission are shown below:

- Final stormwater calculations and plans be reviewed and approved by the City Engineer.
- A copy of the NPDES permit from the Ohio EPA be supplied to the Community Development Director.
- A copy of the Post Construction Best Management Plan Inspection and Maintenance Plan (I & M Plan) be properly recorded prior to issuance of the Certificate of Occupancy.
- Final Traffic Impact Study to be reviewed and approved by the City Traffic Engineer.
- Setback of the main parking lot shall be 50' from the right-of-way of Cooper Road. This can be accomplished by removal and/or relocation of the proposed 16 spaces on the north side of the drive aisle.
- New signage be reviewed and approved by the Planning Commission prior to installation.
- The location of fire hydrants shall be reviewed and approved by the Fire Chief.
- All new fire hydrants shall be Kennedy K-81A with a Storz outlet as required by the Fire Department.
- Impervious surface permitted to be up to a maximum of 46.4% as shown on the site plan.

Ms. Henao stated that the project is a significant development for Sycamore Community Schools, which is one component of the facilities master plan which will involve renovations and/or new construction on many of the campuses throughout the district. The proposed plan as approved by the Planning Commission meets the regulations in the Zoning Code except for the interior parking lot landscaping in the bus lot. The Planning Commission has recommended approval of an equivalency for the interior parking lot landscaping requirement. Ms. Henao stated that staff believes the addition of extra landscaping between the parking lot and Cooper Road to provide for a visual screen is a good solution to help mitigate any negative impact. Therefore, Staff is in support of the recommendation of the Planning Commission.

Ms. Henao explained that she had received email from Blue Ash residents regarding the access bridge across Ronald Reagan Highway to Donjoy Drive. She explained that the Schools have stated that they will maintain the

walkway both temporarily during construction as well as on a permanent basis.

Ms. Henao stated that she had also received an email from Mary Lewis of 5305 Cooper Road located in the Cooper Creek condominiums. Ms. Lewis asked about moving the bus garage closer to the highway as the buses cause noise when backing up. Ms. Henao explained that the bus depot will actually be relocated off the site of the Junior High and that bus traffic will be limited to drop off and pickup of students which will be a substantial improvement.

Mayor Dobrozsi clarified that the bus depot would be located off the site.

Ms. Henao stated that it would be and that she recently learned it would also be relocated out of the City.

Allison McKenzie, SHP Architects-Ms. McKenzie stated that she has been working with the School District and the City going through all the Planning Commission meetings and she can assure that the Schools are excited to bring an updated Junior High School building to the district and they feel it will be a huge resource to the district and the community. She explained that the School has went through several iterations of the building and site in an effort to be a good neighbor to the community. She explained that there are constraints on the site. She stated that the District is leaving the existing Junior High School building in operation during the construction, so this drives the location of the new building. She stated there is a specific area that they are able to build the new building on as well as area for parking, athletic fields, and bus traffic. She confirmed that the bus facility will be moved offsite. She explained that while there is a lot of impervious area on this site, the District is decreasing the amount of impervious area by over 10%.

Mayor Dobrozsi opened the floor to Council comments.

Vice Mayor Margolis asked what the substantial challenge is in providing interior landscaping on the bus parking lot.

Ms. Henao explained that the buses need more room in order to maneuver when backing up and having a larger turning radius. She stated that by moving all the required interior landscaping along Cooper Road it provides a greater visual buffer than even the code requires for the residents but also a safer area for the buses to maneuver.

Vice Mayor Margolis stated that our requirement is to keep from having a larger area of asphalt and asked if this would set a precedent for future applicants.

Ms. Henao stated that she did not feel it would. She stated that it may, if we had a similar situation with a bus turn around lot for a school. She explained that E.H. Greene was approved for the same equivalency on a bus lot however that does not apply to any other application within the City.

Vice Mayor Margolis asked that to meet the Hamilton County Storm Water Requirements and Best Practices, does the School have to manage the storm water on the site.

Ms. Henao replied that he was correct as the school was constructed in 1925, they will have to bring their storm water management up to standard and increase the rate of flow for the water coming off the project as well as the quality which will result in a significant improvement for the neighbors. This will provide for more detention.

Mr. Suer stated that had some observations. He stated that regarding the interior parking landscaping, he did not see a major issue as buses need more room to maneuver. He stated that the stormwater is important but is sounds like that would be brought up to current standards.

Mr. Suer stated that with the placement of the new school further on the property, he felt it would achieve several things. First, with the placement of the school and the elimination of the bus depot, he feels the appearance from

Cooper Road will be more appealing. He stated that secondly, while leaving the existing school in operation while the new school is being built will add to the craziness, he understands there are good very good reasons to do that.

Mr. Suer explained that the Traffic Study data showed that traffic flow will work reasonably well, although the new school is being built to accommodate more students than the number who are attending now. He stated that the study does prove that the District is of course is planning for the future. He stated that there is the consideration that there could be more vehicles, however they would be driven mostly by staff or parents. He stated that the backups that occur now would be alleviated by the new traffic pattern.

Mr. Suer closed by stating that for the City of Montgomery the new school was important as the district encompassed a majority of the city. He stated that if the City was to maintain their position as a premiere community, we need to have a topflight school district. He stated that over time buildings have to be replaced and that this new building will enhance the value of Montgomery.

Ms. Roesch stated that she agrees and concurs with the prior comments and is thrilled with the new traffic pattern. She stated that the school continues to be a great partner to the City, and she appreciates their willingness to make changes to be a good neighbor to the community.

Mrs. Bissmeyer stated that she also concurs with the comments. She stated that she thinks it is great that the bus depot will be transferred to another site and the redesign of the layout should ease the traffic congestion on Cooper Road. She stated that she likes how the school will look aesthetically pleasing as you go down Cooper Road. She knows there was concern with the homeowners of the Cooper Creek condominiums over the removal of vegetation that will now be a building. She wanted to confirm that there were plantings in place to block their view. She asked if the parcels will be combined.

Ms. Henao explained that the School would be consolidating all lots to be one parcel. She explained that regarding the landscaping, the stadium actually blocks the view of a lot of the new building from the Cooper Creek condominiums. The existing landscaping really will not be touched very much throughout the construction. The School has stated that they will work to maintain as much of the tree line as possible. She stated that if the landscaping does need to be looked at in the future that staff can certainly look at that.

Mr. Cappel stated that maybe once every hundred years school districts should get new buildings and he is excited to see the construction begin, and a new building finished.

Mayor Dobrozsi stated that he echoes everyone's comments and that one of the reasons people move to Montgomery is the school district. He thanked the residents for supporting the schools as if it were not for the passage of the bond levy, the construction would not be happening. He stated that the building is past its usefulness as a school. He thanked staff and the Planning Commission for their hard work. He asked that the I & M plan had to do with detention mostly.

Ms. Henao replied that he was correct, that it deals primarily with detention and maintenance of the storm water on the site. She stated that it is reviewed by the City Engineer and the County annually as well as perform inspections.

Mayor Dobrozsi stated that as of now there were no detention basins.

Ms. Henao stated that he was correct but with the new construction there would be three.

Mayor Dobrozsi asked if the landscaping plan was approved by Planning Commission.

Ms. Henao replied that it was. She explained that it had been reviewed and approved by the City Arborist prior to

214 this request so it was not cited as a condition.

215
216 Mayor Dobrozsi asked if the landscaping would be enforced through the Community Development Department.

217
218 Ms. Henao replied that it would.

219
220 **GUESTS AND RESIDENTS**

221
222 Pam Fricke, 6551 Donjoy Drive, Blue Ash-Ms. Fricke stated that she was in attendance to confirm if the
223 pedestrian bridge would stay open and be maintained.

224
225 Ms. Henao replied that it would be and that the School has committed to maintaining access to the walkway.

226
227 Steve Uckotter, 7561 Trailwind-Mr. Uckotter stated that he has lived in the Sycamore School District during the
228 remodel of E. H. Green School as his backyard backed up to the school parking lot. He stated that residents fought
229 to lower lighting and add buffering. He stated that it is a night and day difference now with the School welcoming
230 community input in the construction.

231
232 Mayor Dobrozsi asked for public comments from anyone on the phone line.

233
234 John DeVore, 10230 Penderly Drive-Mr. DeVore asked if Sycamore School had performed enrollment studies for
235 the next 10 years to predict the growth of the students in the district and this building.

236
237 Ms. Henao replied that the School has done projections on enrollment.

238
239 Ms. McKenzie also replied that the District has conducted several enrollment studies that, at this time, project flat
240 growth but support in three to four years increased enrollment in elementary grades which will cause growth in
241 the Junior High in subsequent years. She explained that they were flexible in recognizing one-off years that could
242 be higher.

243
244 Mr. DeVore asked if there was indication of increased commute times.

245
246 Ms. McKenzie replied there were none.

247
248 Mayor Dobrozsi thanked Mr. DeVore for his comments and asked if there were any other comments from people
249 on the phone line.

250
251 Roberto Rivera responded to the Mayor that he felt the building was still in good shape and did not need replaced.

252
253 Mayor Dobrozsi asked if there were any others on the phone line that wished to speak. There was no further
254 response so Mayor Dobrozsi closed the floor for public comments.

255
256 Mayor Dobrozsi restated that the options available to City Council related to this request were:

- 257
258 • Approve the Recommendation
259 • Deny the Recommendation
260 • Remand the matter to Staff for more specific information or
261 • Take the matter under advisement and vote at another public meeting within thirty days.

262
263 Mr. Cappel moved to approve the application from SHP on behalf of Sycamore Community Schools for an

expansion of a conditional use and equivalency for new construction of a new junior high school at 5757 Cooper Road. Vice Mayor Margolis seconded.

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

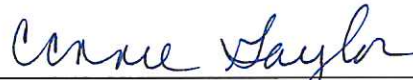
AYE: Suer, Margolis, Cappel, Bissmeyer, Roesch, Dobrozsi (6)

NAY: (0)

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

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

The meeting was adjourned at 7:06 p.m.



Connie Gaylor, Clerk of Council