

City of Montgomery  
City Council Public Hearing Minutes  
September 1, 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  
Amy Frederick, Community Engagement Coordinator  
Connie Gaylor, Clerk of Council

City Council Members Present

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

City Council convened its Public Hearing for September 1, 2021 at 6:35 p.m. at City Hall with Mayor Dobrozsi presiding.

Mayor Dobrozsi stated that all Council members were in attendance.

Council Member Messer recused himself from the discussion as he is a current part-time employee of the applicant.

Mayor Dobrozsi explained that the Public Hearing was to consider a request from Twin Lakes for the establishment of a Planned Development (PD) overlay district. As part of the PD request, Twin Lakes, the applicant, is requesting approval of the General Development Plan and the List of Conditions and Exceptions. Twin Lakes is proposing to construct 30 multi-family units in three 'flats' style buildings with a community room and amenity space for residents of Twin Lakes Senior Living Community.

Mayor Dobrozsi explained the process for the Public Hearing to those in attendance. 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.

**NEW BUSINESS**

**A request from Twin Lakes for the establishment of a Planned Development (PD) overlay district.**

Ms. Henao explained to City Council that this public hearing is to consider a request from Twin Lakes for the establishment of a Planned Development (PD) overlay district. As part of the PD request, the applicant is requesting approval of the General Development Plan and the List of Conditions and Exceptions. The applicant is proposing to construct 30 multi-family units in three 'flats' style buildings with a community room and amenity space for residents of Twin Lakes Senior Living Community. She stated that the subject property is approximately 3.83 acres and lies at the intersection of Schoolhouse Lane and Montgomery Road. Schoolhouse Lane was recently extended to the corporation line to provide access to the subject property as well as the new subdivision, Meadows at Peterloon, in the Village of Indian Hill. This property abuts commercially zoned property to the south, and the City has continually experienced pressure to develop the property for commercial purposes due to the proximity to commercial uses, the high traffic counts on Montgomery Road and Montgomery Road's status as a principal urban arterial route in the region. The City has continually supported maintaining this property as a residential use, as evidenced by the Comprehensive Community Plan and the City's investment in a

landscape median to preserve the residential character of the area. Recently, the property between Schoolhouse Lane and Radabaugh Drive has seen significant investment with the development of The Villas of Montgomery and the villa homes for Twin Lakes, which has solidified the residential character of this section of Montgomery Road.

Ms. Henao stated the applicant is proposing to maintain the existing underlying zoning of 'D-3' – Multi-family; however, is requesting the creation of a PD Overlay that would allow for a slight increase in density, but more importantly flexibility in design in order to create a unique development. Twin Lakes is proposing a different product type than the villa homes located just north of the subject property. The product type is a 'flats' style buildings that would provide a transition from the higher intensity commercial uses to the south and the lower intensity development pattern to the north. Twin Lakes would maintain ownership of the parcel and the units would be utilized for independent living. All units would have two parking spaces in the underground parking garages provided for each building in compliance with the Zoning Code. Additional guest parking of 14 spaces would be provided on-site. The setback from Schoolhouse Lane would be significantly larger than the minimum thus allowing the creation of outdoor amenity areas between the buildings and Schoolhouse Lane. The applicant is proposing to create a 'park-like' setting for these amenity areas. The applicant has provided a proposed List of Conditions and Exceptions.

Ms. Henao explained the applicant previously submitted a General Development Plan and a request for a Planned Development Overlay District in April of 2020; however, the Planning Commission tabled that request due to concerns primarily surrounding the setback from Montgomery Road and Schoolhouse Lane needed to make the 'townhome' style product successful on the site. The Planning Commission met on May 3, 2021 for a concept plan discussion on the project. Twin Lakes presented several plans for 'flats' style buildings on the property. The various plans were discussed, and the Planning Commission provided feedback on the plans. After the meeting, the feedback was brought back to the leadership team of Twin Lakes and incorporated into the plans.

Ms. Henao stated the Planning Commission considered the application of the Planned Development (PD) overlay, the General Development Plan and the List of Conditions and Exceptions at their meeting on July 19, 2021. After hearing testimony and discussing the application, the Planning Commission voted unanimously to recommend approval of the establishment of a PD and to approve the General Development Plan and the List of Conditions and Exceptions with the following conditions:

1. A Final Development Site Plan in compliance with the approved General Development Plan be reviewed and approved by the Planning Commission prior to issuance of any permits.
2. Building B will be setback 50' from Montgomery Road.
3. Access to the site shall be from the boulevard entrance off Schoolhouse Lane with no new curb cuts on Montgomery Road, as shown on the General Development Plan dated July 7, 2021.
4. An exception be made in the List of Conditions and Exceptions to allow for the width of the access drives off Schoolhouse Lane to be a maximum of 16' in width in compliance with the General Development Plan dated July 7, 2021.

Ms. Henao stated that the project is a significant development that, if approved, will allow for the construction of 30 independent living units in three 'flats' style buildings. She stated that staff believes that a multi-family development could be very successful in this location and is in line with the Comprehensive Community Plan. Staff believes that the multi-family project provides a nice transition from more intense uses to the south and a less intense development pattern to the north. The proposed project will keep the area residential in the future while providing for quality, diverse housing and ensuring that this section of Montgomery Road remains desirable and economically viable. Staff is appreciative of the fact that the project is accessed off Schoolhouse Lane, thus

110 requiring no new curb cuts on Montgomery Road. The proposed site layout provides for good internal circulation  
111 and better access management along Montgomery Road than if a new curb cut was required. Staff is also  
112 appreciative of the internal pedestrian connectivity being provided, including a sidewalk connecting the  
113 development to the existing walking path to the rear of the project. Ms. Henao closed by stating that Staff is in  
114 support of the recommendation of the Planning Commission with the conditions imposed by the Planning  
115 Commission.

116  
117 Mayor Dobrozsi opened the floor to Council comments and questions.

118  
119 Vice Mayor Margolis stated that he agreed with the Planning Commissions recommendation and felt this was a  
120 high-quality project. He stated that when the Planning Commission asked to have Building B pushed back a little  
121 on the site that the developer was very accommodating to that request.

122  
123 Mrs. Bissmeyer stated that she felt this helped to address diverse housing concerns in the city and asked if there  
124 was a price point for these units at this time.

125  
126 Ms. Henao replied that she would let the applicant address that question.

127  
128 Mr. Cappel asked for the reason behind the widening the street into the development.

129  
130 Ms. Henao replied that it was for safety.

131  
132 Mayor Dobrozsi asked what the reason was for pushing Building B 50 feet off of Montgomery Road.

133  
134 Ms. Henao replied that the Planning Commission members felt that with it being a three-story building, the 50 feet  
135 location off the road provided extra visual relief as motorists would see the stories of the buildings step-up as they  
136 grew closer rather than having it so close to the road.

137  
138 Jon Homer, Director of Business Development for Life Enriching Communities thanked City Council for the  
139 privilege to be at the meeting and for being good partners during what has been a long process. He stated that the  
140 process has been one of collaboration with the Planning Commission and the focus group. Mr. Homer addressed  
141 Mrs. Bissmeyer's question regarding the price point. He explained that the buildings were in the design phase at  
142 the time and that more time would be needed to work the price out. He added that he felt the pricing structure  
143 would follow the format of the existing facilities at Twin Lakes with an entrance fee then a monthly fee.

144  
145 Mayor Dobrozsi asked what demographic they were targeting with the units.

146  
147 Mr. Homer replied that ages 62 and above was the focus but he felt like the mid 70's would be the target age they  
148 would see. He stated that the amenities were designed to encourage an active lifestyle. He explained that  
149 originally the plan was to feature townhome style buildings, but the focus group came back with wanting a one  
150 floor unit.

151  
152 Mayor Dobrozsi stated that he assumed all three buildings would have parking garages that were below grade.

153  
154 Mr. Homer replied that he was correct.

155  
156 Vice Mayor Margolis added that with this high-quality project there was a concern with the width of the streets  
157 being too narrow and that feedback received was to widen the street to what is in the recommendation.

158  
159 Ms. Roesch stated that she felt this was a perfect solution for the location. She stated that she was very impressed  
160 with the history of the Twin Lakes development projects. She stated that they were responsive to the Planning  
161 Commission requests and appreciates them meeting the needs expressed by the Commission and focus group.

Mr. Suer stated that he agreed with all the comments of his constituents. He stated that since the beginning, every project that Twin Lakes has performed has been done in a high-quality manner. He stated that they continue to serve the public. Mr. Suer explained that he felt the landscaping buffer along Montgomery Road will be very important to soften the look of the buildings and will be beneficial to the residents to dampen the noise from traffic. He stated that he liked the connectivity to the trail that led to the main campus and also to the sidewalks. He stated that the extension of Schoolhouse Lane to the Indian Hill Subdivision that is underway will be high quality and that this project will tie in nicely.

Mrs. Bissmeyer stated that there is a need for smaller housing units as downsizing is a big need in the community. She stated that she knows these units will be a wonderful asset to the community.

Mr. Cappel stated that he reinforces the other Council members comments and thanked Mr. Homer for considering the comments made by the Planning Commission and the residents.

Mayor Dobrozsi asked if any audience members wished to make a comment.

Mr. Frank Caccamo, 4004 Arbor Creek Lane-Mr. Caccamo stated that he was pleased with the landscaping and maintenance that Twin Lakes provides. He stated that he felt that the City should be proud to have Twin Lakes as part of the community. He stated that he likes the addition of the connectivity to the walking trail and to the sidewalks.

Charles Carrier, Director of Facilities of First Financial- Mr. Carrier stated to City Council that he would like to extend the support of the First Financial staff for the Twin Lakes development project. He stated that Twin Lakes has been a great neighbor to the bank.

Mayor Dobrozsi stated that he loves the format of the development to keep empty nesters in Montgomery.

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

- 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.

Vice Mayor Margolis made a motion to accept the recommendation from the Planning Commission to approve the Planned Development Overlay District with conditions. Mr. Cappel seconded.

The roll was called and showed the following vote:

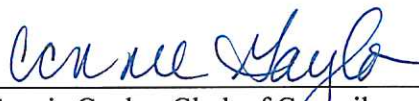
AYE: Cappel, Bissmeyer, Suer, Dobrozsi, Roesch, Margolis	(6)
NAY:	(0)
ABSTAIN: Messer	(1)

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 6:56 p.m.

212  
213  
214  
215



---

Connie Gaylor, Clerk of Council