

City of Montgomery  
City Council Public Hearing Minutes  
October 5, 2022

Present

Brian Riblet, City Manager  
Terry Donnellon, Law Director  
Kevin Chesar, Community Development Dir.  
John Crowell, Police Chief  
Gary Heitkamp, Public Works Director  
Chris Bigham, Interim Finance Director  
Matthew Vanderhorst, Community and Information Services Dir.  
Paul Wright, Fire Chief  
Amy Frederick, Community Engagement Coordinator  
Connie Gaylor, Clerk of Council

City Council Members Present

Craig Margolis, Mayor  
Vice Mayor Bissmeyer, Vice Mayor  
Mike Cappel  
Chris Dobrozsi  
Ron Messer  
Sasha Naiman  
Ken Suer

---

City Council convened its Public Hearing for October 5, 2022 at 6:45 p.m. at City Hall with Mayor Margolis presiding with all Council members being present.

Mayor Margolis explained that the Public Hearing was for the purpose of considering an Application for Expansion of a Conditional Use and Final Development Plan for the Gate of Heaven Cemetery.

Mayor Margolis explained the process for the Public Hearing. 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 Margolis 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**

**Application for Expansion of a Conditional Use and Final Development Plan for the Gate of Heaven Cemetery**

Mr. Chesar explained that it is requested that City Council consider a recommendation from the Planning Commission regarding the Application for Expansion of a Conditional Use and Final Development Plan for the Gate of Heaven Cemetery regarding the construction of two mausoleums.

Mr. Chesar explained that The Archdiocese of Cincinnati/Gate of Heaven Cemetery as a part of growth in internment services has proposed to construct two new mausoleums. Each mausoleum structure is approximately 2,860 square feet for a total of 5,720 sq. ft. The cemetery anticipates building the first structure, labeled A1/B1, within the next year. The applicant plans to construct Structure A2/B2 within 5 years. The overall cemetery property is approximately 160 acres and the area for the location of the mausoleum is impacting about 35,000 sq. ft. (.8 acre). The mausoleums will be located on the western side of the cemetery approximately 240 feet away from Montgomery Road between the offices and columbarium structures. The property is zoned 'A' Single Family Residential, and cemeteries are a conditionally permitted use in the district. The property has been utilized as a cemetery since 1947. The surrounding properties to the north are zoned 'A' Single Family Residential and 'D3' Multi-Family Residential (Vintage Club), east and south are zoned 'A' Single Family Residential and used for single family residences. The property to the west is mostly located in the township with a small area zoned 'GB' General Business. Overall, a majority of the frontage of the property is bound by Montgomery Road on the west and I-275 on the south.

57

58 Mr. Chesar explained that the Planning Commission met on September 12, 2022, to consider the application for  
59 the expansion of a conditional use and the Final Development Plan. After hearing testimony and discussing the  
60 application, the Planning Commission was not in favor of extending the expiration date past the typical one year  
61 as it pertains to the future construction of building A2/D2. Overall, the Planning Commission voted unanimously  
62 to recommend approval of the expansion of the conditional use permit and approve the Final Development Plan.  
63 The conditions recommended by the Planning Commission are shown below:

64

- 65 • Final stormwater regulations be met in conformance with Hamilton County Stormwater Regulations.
- 66 • The Final Development Plan be approved with City Council's approval of the Expansion of Conditional Use.
- 67 • Final landscaping be approved subject to the City Arborist.

68

69 Mr. Chesar closed by stating the project significantly enhances the development of internment services provided  
70 by the Gate of Heaven Cemetery. The proposed structures are on a small portion of the overall property and are  
71 intended to architecturally compliment current cemetery buildings. The site presently has substantial landscaping  
72 and mounding with additional vegetation being added to enhance the area for visitors. Overall, the addition of the  
73 mausoleums should not have any negative impacts on surrounding properties. Therefore, Staff supports the  
74 recommendation of the Planning Commission.

75

76 Mrs. Naiman stated she thought the two buildings being built next to each other would look nice.

77

78 Mr. Dobrozsi asked how many other mausoleums they had, and which building would be built first.

79

80 Mr. Jordan from the Gate of Heaven Cemetery replied there were four mausoleums to the west and the first one  
81 built would be the one closest to the office.

82

83 Vice Mayor Bissmeyer stated that she knew that the Planning Commission had discussions about approving both  
84 buildings.

85

86 Mr. Chesar replied they did approve the development plan of both, but the discussion was around the approval of  
87 the time needed to construct both under one permit. He explained that the Commission were concerned there  
88 could be code changes prior to the time the second building would be built and concluded that the applicant would  
89 have to come back to the Commission for an additional conditional use permit if both buildings were not built in  
90 the same year.

91

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

93

- 94 • Approve the Recommendation
- 95 • Deny the Recommendation
- 96 • Remand the matter to Staff for more specific information or
- 97 • Take the matter under advisement and vote at another public meeting within thirty days.

98

99 Mr. Cappel made a moved to accept the Planning Commission recommendation to approve the conditional use  
100 permit and final development plan for the Gate of Heaven Cemetery. Vice Mayor Bissmeyer seconded. City  
101 Council unanimously agreed.


102

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

105

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

107  
108 The meeting was adjourned at 6:56 p.m.  
109  
110  
111  
112  
113

  
\_\_\_\_\_  
Connie Gaylor, Clerk of Council