

**March 13, 2023**  
**7:00 P.M.**

1. Call to Order
2. Election of Officers
3. Roll Call
4. Guests and Residents
5. Old Business
6. New Business
  - a. Discussion and update regarding Montgomery Quarter.
  - b. Presentation regarding the upcoming Comprehensive Community Plan Update Process.
7. Staff Report
8. Council Report
9. Approval of Minutes: September 12th, 2022
10. Adjournment

March 10, 2023

TO: Planning Commission Members

CC: Tracy Henao, Assistant City Manager

FROM: Kevin Chesar, Community Development Director

SUBJECT: Montgomery Quarter Development Update and Comprehensive Community Plan Update

- A. Staff and the development team will be present to give an update on Montgomery Quarter and the current vision for Phase 2.
- B. Staff will present and discuss the overall Comprehensive Community Plan Process, timing, and parameters for consultant assistance. The Comprehensive Community Plan Request for Proposal is attached for reference.

REQUEST FOR PROPOSAL

COMMUNITY  
COMPREHENSIVE PLAN



City of Montgomery, Ohio

10101 Montgomery Road  
Montgomery, Ohio 45242

[www.montgomeryohio.gov](http://www.montgomeryohio.gov)

The City of Montgomery seeks a qualified planning consulting firm to provide professional services for the City of Montgomery Community Comprehensive Plan.

## **I. GENERAL BACKGROUND**

Montgomery is a vibrant, high-quality, family-oriented suburb of approximately 11,000 people located northeast of Cincinnati, Ohio. The City embraces its future while valuing the traditions and history of its past. Founded in 1795, Montgomery was known for generations as a stopping point along the old “3-C” Highway (Cincinnati-Columbus-Cleveland). Montgomery is now easily accessible at the crossroads of I-275, I-71, Ronald Reagan Cross County Highway and US 22/Ohio 3, or locally known as Montgomery Road, the “main street” through town.

The colorful landscape, tree-lined streets, and miles of brick paver sidewalks in Montgomery lend themselves to the charming “Americana” feel of this well-preserved, historic community. It is home to wonderfully quaint old buildings that are a reminder of a quieter, slower time in the community. The treasured Montgomery Heritage District, located in and around Montgomery Road, is a diversified and unique destination for shopping, dining, and entertainment with storefront shops, nationally recognized and fine ethnic restaurants, galleries, services, and performance venues.

Newer developments have been planned for responsible growth to complement our community. Montgomery Quarter is a premier mixed-use development located adjacent to Historic Montgomery that includes a boutique hotel, meeting and event space, professional offices and a new community green. The Vintage Club, located on the northern end of the city, is a mixed-use village featuring single-family residential, luxury condos, medical office and commercial amenities. TriHealth has also invested in a new medical office building, The Thomas Comprehensive Care Center in recent years and is adding an 8<sup>th</sup> story on the Bethesda North Hospital.

## **II. SCOPE OF WORK**

The latest Montgomery Community Comprehensive Plan was completed in 2007 and can be found at:

<https://www.dropbox.com/s/ewhmhys5tsvz2hq/Comprehensive%20Community%20Plan.pdf?dl=0>

While this document has served well as a guide for our community to follow, updated strategies are necessary to guide our direction into the future in a progressive, insightful way while honoring our historical and residential lifestyle.

The new Comprehensive Plan will identify community issues and concerns. This

document will include policy statements, goals, objectives, guidelines, maps, illustrations, and graphics that will serve as a framework for the development of land use policy, which will provide a solid rationale for any resulting updates to our zoning map. This framework will provide clear and predictable guidance to developers, stakeholders, and citizens. It will help the City to preserve cooperative relationships within the Montgomery community and with our neighbors, with whom we can establish policies and priorities for coordinated development.

The Comprehensive Plan will build upon the recently updated strategic plan (<https://www.montgomeryohio.gov/documents/2022-2026-strategic-plan/>) with additional strategies to encourage economic development, sustainability, and general improvements for the continued quality of life of our residents and businesses. The plan will also recognize the land use plans of our neighboring jurisdictions and work to create a compatible use.

The City of Montgomery is not committed to the concept of the style, layout, and design of the previous Comprehensive Plan. Inventive or original approaches for a document and/or digital avenues are welcome. It is anticipated that the updated policy development will generally have goals and objectives for each of the topic areas recommended by the OKI Regional Council of Governments Comprehensive Planning Guide .

**However, Montgomery may not necessitate as much attention to all topic areas** as many of our land uses are successfully established. Therefore, consultant resources are also expected to focus on small area studies as indicated in the **Development or Re-development Strategies** task within the overall following scope of work:

#### **Background Research and Analysis:**

1. Data inventory and analysis of the existing conditions of this community, as well as rational projection of the community through 2045.
2. The consultant should be knowledgeable with the history, social and land use development patterns, culture, environmental opportunities/challenges, development constraints, infrastructure, and fiscal issues regarding the City of Montgomery.

#### **Public Participation Process**

1. The consultant will be heavily relied upon to manage the public engagement activities and social media with the key city personnel, citizens, stakeholders, Planning Commission, and other community participants. The consultant shall design and implement a public participation process that ensures members of the public are actively involved in the planning effort. Methods that do not require long

standing commitments of time by members of the public yet provide for meaningful input are expected. The use of charrettes/workshops, open houses, work sessions, online web pages/surveys, focus groups and solicitation at various community events such as the Fourth of July, Bastille Day and Harvest Moon Festivals is anticipated.

2. In addition to any proposed steering committee meetings, it is anticipated that the consultant will provide technical assistance, materials, and professional facilitation for a series of six (6) to eight (8) engagement sessions targeting select stakeholder groups or segments. The consultant will also be required to undertake a series of presentations at various stages of the planning effort to the Planning Commission and City Council. The purpose of these presentations is to provide information and obtain feedback.
3. The consultant is also expected to present the plan when formally reviewed and considered by the Planning Commission and City Council. Presentations to other boards and commissions, such as the Planning, Zoning and Landmarks Council Committee, the Landmarks Commission, or the Board of Zoning Appeals may be required. A minimum of six (6) presentations should be included with the possibility of more to be negotiated.

### **Site Analysis and Identification of Issues and Concerns**

1. Utilize information from background research, site visits, and constraints mapping to analyze, and create maps and analysis illustrating the City's existing conditions. The mapping and analysis shall include:
  - a. Brief Study Area Overview
  - b. Key Demographic Considerations (summary of existing demographic information such as population, employment, housing, and projections)
  - c. Existing Land Use(s)
  - d. Existing Zoning Land Use and Community Design (including density, layout, and form)
  - e. Housing
  - f. Mobility and Transportation Network, including parking
  - g. Infrastructure
  - h. Sustainability
  - i. Environmental Issues/Hazards
  - j. Public Facilities and Services
  - k. Recreation Facilities
  - l. Economic Development/Opportunities

## **Preparation of Goals, Objectives, and Recommendations**

Based upon the information obtained in the previous tasks, the consultant shall collaborate with the community to develop goals, objectives, and recommendations.

## **Development or Re-development Strategies**

In addition, the consultant shall prepare an overall development and/or redevelopment strategy and more specific policies for the use of the land - utilization of city owned land, land acquisition and/or disposal strategies, infrastructure improvements, commercial areas, public open space, and facilities. From a residential perspective many of our older areas are experiencing successful teardown and redevelopment of individual single-family homes. The city has an interest in understanding future density options in undeveloped or underutilized areas that would provide for a diversity of housing options for all age groups.

Furthermore, specific areas studies for the best use should include:

- Former Montgomery Business Club Property and surrounding properties
- The Marketplace Property
- Enhanced Montgomery Road Corridor Streetscape/Design Guidelines with , appropriate scale and massing setbacks, density, building height and overall form Improvements,
- Potential development options for the remaining acreage at the Vintage Club
- Outer and Core Old Montgomery (Historic) Districts

## **Preparation of Future Growth and Development Alternatives**

The consultant shall review projections of future population and economic growth and the resulting impact on land use and development patterns. Alternatives will include evaluation and discussion of future development, redevelopment, conservation practices, and impacts on public infrastructure. The alternatives shall be described in both a narrative and graphic/mapping manner. The purpose of these alternatives is to allow the public to become more aware of the impacts of future growth in Montgomery and to assist in developing goals, objectives, and recommendations. The identification of the most preferred development scenario is part of this task.

## Recommendations for Implementation

Preparing recommendations for achieving the goals, objectives, and recommendations of the Comprehensive Plan Update. Standard implementation techniques such as zoning and subdivision regulation changes should be considered, as well as other techniques such as growth management, impact fees, encouraging walkable development centers or nodes, etc.

In addition, this task shall result in the following:

1. A timeframe for identified actions.
2. A table allocating responsibilities for actions among the various governmental agencies and where applicable, not-for-profit organizations having interests in conducting the programs.
3. A schedule of proposed Capital Improvement Projects.
4. A general description of any land use development regulations or incentives that may be adopted by the City to achieve the goals, policies, and guidelines set forth in the plan.
5. A description of other procedures that the City may use in monitoring and evaluating the implementation of the plan.
6. A statement describing proposed programs of public services or changes in existing programs to include estimates of the needed increase in personnel, equipment, supplies, and related matters.
7. The proposed development criteria to be incorporated into any recommended or existing land development regulations.
8. Identification of potential funding sources for projects or other issues identified during the planning process.
9. A description of measures to be implemented to promote economic, social, and environmental sustainability.

## Final Plan

Draft a final Comprehensive Plan based on findings from the identified scope working closely with City staff and providing an opportunity for public review and comments on draft version(s).

The City is open to suggestions outside the items listed which the consultant believes will be of value to an effective comprehensive plan.

## III. PROPOSAL REQUIREMENTS

Each proposal must adhere to the following format:

### A. Proposal Content and Format

- a. Letter of Transmittal: This letter will summarize in a brief and



concise manner, the firm's understanding of the Scope of Work. The letter must name all persons authorized to represent the firm, and include the titles, addresses and telephone numbers of such persons. The official authorized to negotiate for the firm must sign the letter of transmittal;

- b. Organization profile and qualifications;
- c. Qualifications of key personnel;
- d. Experience and expertise;
- e. Work on current or pending assignments and personnel availability;

**B. Scope of Services**

- a. Statement of understanding;
- b. Methodology to complete tasks;

**C. Fee/Proposal Cost-** fee proposals must be submitted in a separate sealed envelope clearly marked "Fee Proposal Comprehensive Plan"

- a. Provide a schedule of fees broken down by work task;
- b. Include hourly rates for project personnel to be used as the basis for payment;
- c. Include a "not to exceed" total estimated cost for the work.
- d. List of all deliverables.

**D. References**

- a. Provide a minimum of three references for planning services comparable to this project. Include a contact person, title, address, telephone number and email address. In addition, provide the period when the services were rendered and a description of services rendered.

Each proposal shall state that it is valid for a period of one hundred twenty (120) calendar days from the date of submission.

**IV. ADDITIONAL INSIGHTS**

To refine responsibilities, the City expects that:

- A. The consultant will perform all technical and GIS related analysis (ESRI format). GIS data can be made available from CAGIS (Cincinnati Area Geographic Information System).
- B. The Montgomery Road Corridor Streetscape Plan is expected to focus on pedestrian enhancements, linkages, and beatification possibilities with an emphasis on presenting the ideas with conceptual streetscape cross-section renderings and designs.
- C. The use of visuals and images illustrating polices are desired.

## V. ANTICIPATED TIMELINE

- City of Montgomery publishes RFP February 27, 2023
- Response to RFP due to City of Montgomery March 20, 2023
- Selection of consultant by City April 17, 2023
- Execution of contract for services May 4, 2023
- Initial meeting with steering committee May 22, 2023
- Submit/present first draft for review June 2024
- Final presentation to the steering committee and Planning Commission July 2024
- Presentation to City Council August 2024
- All work products due September 2024

## VI. SUBMITTAL OF PROPOSAL

Interested firms shall submit eight (8) paper copies and one electronic copy of proposal to the following address:

City of Montgomery Planning & Zoning Department  
ATTN: Kevin Chesar, Community Development Director  
“Proposal for Comprehensive Community Plan Update”  
10101 Montgomery Road, Ohio 45242

Proposals are to be received by the City no later than **4:00 p.m. March 20, 2023.**

Questions regarding this Request for Proposal may be directed at [kchesar@montgomeryohio.gov](mailto:kchesar@montgomeryohio.gov) in compliance with the format specified in the “Contact/Information Section” below.

## VII. SELECTION PROCESS

The City of Montgomery will select a consultant based upon a review of the proposal’s merits including their ability to best meet overall City expectations including but not limited to the consultant qualifications, proposed plan methodology, understanding of the RFP, adherence to the timeline, knowledge of the city and cost of services. After initial evaluation, the City will select the top 2-3 consultants for interviews with **key consultant members that are directly responsible for the work performed.**

**Note:** Selection is not based on the lowest cost proposal.

## VIII. TERMS AND CONDITIONS

- **Late Proposals:** Proposals received after submission deadline will be considered void or unacceptable. The City of Montgomery is not responsible for lateness such as the non-delivery of U.S. mail or by carrier. The date/time stamp in the Department of Development shall be the official time of receipt.
- **Altering Proposals:** Proposals cannot be altered or amended after the submission deadline. Any interlineations, alteration, or erasure made before the opening time of proposals must be initialed by the signer of the proposal, guaranteeing authenticity.
- **Withdrawal of Proposal:** A proposal may not be withdrawn or canceled by the offering consultant without written permission of the City of Montgomery.
- **Conflict Of Interest:** No public official shall have interest in the contract.
- **Ethics:** The consultant shall not offer or accept gifts of value nor enter into any business arrangement with any employee, official or agent of the City of Montgomery.
- **Addenda:** Any interpretations, corrections, or changes to the RFP will be made by addenda. Sole issuing authority of agenda shall be vested in the City of Montgomery City Manager. Addenda will be mailed (U. S. Mail or electronic mail) to all who are known to have received a copy of this RFP. Submitting parties shall acknowledge receipt of all addenda by email to [kchesar@montgomeryohio.gov](mailto:kchesar@montgomeryohio.gov).
- **Law Compliance:** Proposals must comply with all federal, state, county and local laws concerning this type of project.
- **Required Documentation:** The submitting consultant shall provide all documentation required by this RFP. The City of Montgomery reserves the right to require such additional and supplemental information from interested parties as the City believes is necessary and appropriate to accomplish the City's objectives. Failure to provide this information may result in rejection of the party proposal.
- **Indemnification:** The successful proposer shall defend, indemnify and save harmless the City of Montgomery and all its officers, agents, employees and volunteers from all suits, actions or other claims of any character, name, and description brought for or on account of any injuries or damages received or sustained by any person, persons, or property on account of any negligence, or act or fault of the successful proposer, or any agent, employee, subcontractor or supplier in the execution of, or performance under, any contract which may result from the proposal award. The successful proposer shall pay any judgment with costs that may be obtained against the City of Montgomery growing out of such injury or damages.

- **Patents/Copyrights:** The successful proposer agrees to protect the City of Montgomery from claims involving infringements of patents or copyrights.
- **Contract Administrator:** The City of Montgomery's contract administrator is the City Director of Development with designated responsibility to ensure compliance with contract requirements. The contract administrator will serve as liaison between the City of Montgomery and the successful proposer.
- **Public Record:** All submitted information relating to this proposal shall become part of the public record. Submitting parties may identify in their proposals what information they deem to be proprietary information. The final determination of whether information is subject to the Ohio Open Records Act shall be made by the City's legal counsel.
- **Incurring Costs:** Any costs incurred by interested parties in preparing responses to the City's Request for Proposals and in carrying out negotiations with the City are the sole responsibility of the submitting party and not the City.
- **Equal Employment Opportunity Statement:** The City of Montgomery is committed to providing equal opportunity in employment and it is expected that the selected consultant will adhere to the same. No person is to be discriminated against on the basis of race, color, religion, sex, age, national origin, disability, military status or veteran status.
- **Contact Information/Questions:** Any questions concerning information included in the RFP must be submitted via e-mail to [kchesar@montgomeryohio.gov](mailto:kchesar@montgomeryohio.gov) no later than March 9, 2023 with the subject line: MONTGOMERY COMPRESHENSIVE PLAN. All questions will be responded to via e-mail no later than March 14, 2022 and responses will be forwarded to all persons who requested a copy of the RFP (if identifiable by the city).

The City of Montgomery reserves the right to waive any irregularities or informalities, and the right to accept or reject any and all proposals including, but not limited to, any proposal which does not meet the stated requirements, or any proposal which does not furnish the quality or offer the availability of materials, equipment or services as required by the specifications, description or scope of services, or proposals from an offer or who lacks experience or financial responsibility, or proposals which are not made to form. The City of Montgomery reserves the right not to award a contract to the lowest and most responsive offer or and may require a new contract. The City of Montgomery may rescind the award of any proposal within one week when the public interest will be served thereby. Only sealed proposals received by the City of Montgomery will be accepted. Proposals submitted by telephone, email or facsimile machines are not acceptable.

*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

**September 12, 2022**

<u>PRESENT</u>		
<u>GUESTS &amp; RESIDENTS</u>		<u>STAFF</u>
<b>LeeAnn Bissmeyer Vice Mayor Montgomery City Council</b>	<b>Mary Lou &amp; Joe Rimsky 11469 Grandstone Lne 45249</b>	<b>Kevin Chesar Community Development Director</b>
<b>John Hattersley Terracon Consultants 611 Lunken Park Drive Cincinnati, OH 45226</b>	<b>Mary Rutledge 8410 Capricorn Drive, 45249</b>	<b>Karen Bouldin, Secretary</b>  <u>ALL COMMISSION MEMBERS PRESENT</u> <b>Chairman Dennis Hirotsu Vice Chairman Jim Matre Vince Dong Peter Fossett Darrell Leibson Barbara Steinebrey Pat Stull</b>
<b>Thomas Jordan 11000 Montgomery Rd, 45249</b>		

**Call to Order**

Chairman Hirotsu called the meeting to order at 7:05 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, Ms. Steinebrey, Mr. Matre, Mr. Leibson, Mr. Dong,  
Chairman Hirotsu (7)**

**ABSENT: (0)**

*All members were present.*

**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 is opened to all residents for comments. If a resident agrees with a comment that was previously

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29 stated, they could simply concur, instead of restating the entire comment to save time.  
30 The Commission discusses the application and residents are not permitted to comment or  
31 question during this discussion. The Commission will then decide to table, approve or deny the  
32 application.

33

### **Old Business**

34 There was no old business to report.

35

### **New Business**

36  
37  
38 ***Application for expansion of a Conditional Use and Final Development Plan for Gate of***  
39 ***Heaven Cemetery located at 11000 Montgomery Road.***

40

### **Staff Report**

41 Mr. Chesar reviewed the Staff Report dated September 12, 2022, “Application for Expansion of  
42 a Conditional Use and Final Development Plan at Gate of Heaven Cemetery, 11000 Montgomery  
43 Road.” He showed drawings on the wide screen for all to see, to provide more understanding of  
44 the Staff Report.

45

46  
47 Mr. Chesar indicated that there had been one email received (included in Commissioners’  
48 packets), from a person inquiring if any of the wooded area would be removed, regarding this  
49 application. He indicated that the application is not impacting any of the wooded area  
50 surrounding the cemetery.

51

52 Staff asked for any questions.

53

54 Regarding the 5 year extension, Mr. Dong asked if we had ever extended this in the past for a 5  
55 year term, or more. He understood that it had been done for six months in the past, and could go  
56 up to one year.

57

58 Mr. Chesar explained that there is a provision in the Code to allow Staff or Planning  
59 Commission to extend for 6 months, and then an additional 6 months; these have both occurred  
60 previously in various cases. He additionally checked with Assistant City Manager, Tracy Henao,  
61 if she recalled of any previous 5-year extensions, and she had not. While not a normal practice,  
62 the provision in the Code does allow the Commission to consider this.

63

64 Mr. Chesar noted that it could be possible that regulations could change in the next several years.  
65 This could make a difference for a development that hadn’t really come to fruition.

66

67 Alternatively, Mr. Chesar noted the cemetery has been here since 1947, and is probably not  
68 going to be redeveloped into anything else. He reiterated that at this time, it is unknown if a  
69 potential code change regarding mausoleum regulations could occur in the future and most likely  
70 it makes sense that any future structures coordinate with the current architectural designs on the  
71 site. He deferred to the applicant, for explanation of the 5-year extension request.

72

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73 There were no more questions from the Board.

74

75 Chairman Hirotsu asked if the applicant wished to speak.

76

77 **John Hattersley, Terracon Consultants, 611 Lunken Park Drive, Cincinnati, OH**  
78 introduced Tom Jordan, from Gate of Heaven Cemetery. Mr. Hattersley explained that they  
79 requested both buildings at the same time simply for the sake of efficiency and simplicity.  
80 He felt they would be back again in 2 or 3 years, to do this again, so they decided to put both  
81 buildings in the same application. They are planning to get into construction for Buildings  
82 A1/B1 toward the end of this year or early next year, so that it would be completed and installed  
83 by this time next year. And then, within that 5 year timeframe, constructing and installing  
84 Buildings A2/B2.

85

86 **Thomas Jordan, Director, Gate of Heaven Cemetery, 11000 Montgomery Rd,**  
87 **Montgomery, OH 45249** stated that the reason to request approval now was that the same  
88 architect and same builder designed both buildings – they are identical. He holds the same  
89 concerns, that if trends change such as cremation becoming more popular than burial, they may  
90 not even need them. But if they do need them, they will be one step ahead.

91

92 Chairman Hirotsu asked if they were out of capacity now. Mr. Jordan stated that they were.  
93 He pointed out the 4 buildings on the drawing on the wide screen that were at capacity, except  
94 for a few upper level, less desirable spaces. He noted that they probably should have started this  
95 project about 3 years ago.

96

97 Mr. Fossett asked about the increasing popularity of cremation, and wondered if in another four  
98 years they would not need another mausoleum. If that is the case, would the site look strange,  
99 when it was designed for the 2 mausoleums to complement each other. He questioned if the area  
100 would look like an awkward gap.

101

102 Mr. Jordan stated that they have plenty of uses for that land, whether it be for cremation or  
103 ground burials.

104

105 Chairman Hirotsu asked if any guests or residents had comments.

106

107 **Joe Rimsky, 11469 Grandstone Lane, Montgomery, OH 45249** stated that their property  
108 abutted the cemetery. His question was about the new construction that they were addressing  
109 today. He asked if these were the same people who designed the existing mausoleums, with the  
110 same materials. Mr. Jordan stated that this is a different architect, but the same builder.  
111 He confirmed that the material will be granite, very similar in color, whatever is available today,  
112 versus in the 1980s, when the original mausoleums were built. Mr. Jordan stated that this is  
113 about identifying trends and expecting that is what it will be for the near future.

114

115 Mr. Rimsky asked to see the location of these proposed new buildings, on the drawing, as well as  
116 the 2 existing buildings. Mr. Chesar pointed them out, on the wide screen, noting that the new

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117 buildings will be approximately 240 feet off of Montgomery Road. He also showed Mr. Rimsky  
118 the 2 ponds, near the entrance.

119  
120 **Mary Rutledge, 8410 Capricorn Drive, Montgomery, OH 45249** stated that she received a  
121 letter from the City regarding this application saying that there were going to build the  
122 mausoleums within 300 feet of her property. She didn't believe this to be true. She was  
123 confused as to why she received a letter. Mr. Chesar explained that the Zoning Code requires the  
124 City to notify everyone who lives within 300 feet of the cemetery property. Because there are  
125 two large parcels of the cemetery, totaling approximately 160 acres, there were a lot of mailings  
126 that went out. He noted that it did not mean that they would be built within 300 feet of her  
127 property, but that she received notice of this application because she lived with 300 feet of the  
128 cemetery.

129  
130 Chairman Hirotsu thanked Ms. Rutledge for coming to the meeting.

131  
132 Chairman Hirotsu asked for discussion / comments from the Commission.

133  
134 Mr. Stull felt this was clear cut. He was in favor of this application.

135  
136 Mr. Fossett was also in favor; he felt the 5 year extension was sensible.

137  
138 Ms. Steinebrey agreed with the other members.

139  
140 Mr. Matre approved; he didn't feel we would set a precedent because there is not another 160  
141 acres anywhere else. Mr. Dong noted the hospital, but agreed it was different than the cemetery.

142  
143 Mr. Leibson agreed with this application.

144  
145 Mr. Dong agreed with this plan, but did not agree with the 5 year extension. He noted that it was  
146 not that difficult to come back before the Planning Commission (and then City Council) to get  
147 approval. He felt that the process was very simple. He would not want to give a blanket  
148 approval for 5 years to any developer.

149  
150 Chairman Hirotsu agreed with Mr. Dong. He felt that this seemed like a matter of convenience,  
151 and it didn't feel that it was necessary – for example, if it was for a structural reason. He noted  
152 that other applicants could come and request the same only based on convenience.

153  
154 Mr. Matre asked for Staff to explain the guidelines associated with this, regarding Staff's  
155 approval in these matters. Mr. Chesar stated that Staff could extend an application for (2) 6-  
156 month periods, essentially one year.

157  
158 Mr. Matre asked if we could give Staff the ability to extend it for a longer period of time.

159 Mr. Chesar stated the decision for extension is Planning Commission role.

160



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161 Mr. Stull recalled that the only times the Planning Commission had granted extensions was for  
162 Joseph Chevrolet's Body Shop and the Tree of Life applications.

163  
164 Mr. Chesar stated that if the 6 month extension was approved, the applicant could come back and  
165 ask for another 6 month extension, and the Planning Commission could approve or deny it.  
166

167 Mr. Fossett felt this issue was more than convenience; he stated that it appealed to the unity of  
168 the project, and the ability to attain visual unity against any possible changes in design or the  
169 Code, between now and the time of construction, that might change the look of the second  
170 mausoleum. Mr. Dong stated that we have no design guidelines. Mr. Leibson pointed out that  
171 we could, if we happened to create a new ordinance between now and then.  
172

173 Mr. Leibson asked if they were going to build both of these now, would anyone have any issues  
174 with it. If not, then let's give them some time to do it. Mr. Dong pointed out the Vintage Club,  
175 noting that they came back for each phase.  
176

177 Mr. Chesar stated that there is a point to be made, that if something does change, from the design  
178 guideline perspective, it could make a difference. He noted that there are Corridor Design  
179 Guidelines that could at some point be developed for this area. However, whether those changes  
180 would impact the cemetery is not known in relation to the future.  
181

182 ***Mr. Leibson made a motion to recommend to City Council that they approve an application***  
183 ***for expansion of a Conditional Use and Final Development Plan for Gate of Heaven Cemetery***  
184 ***located at 11000 Montgomery Road, per the application submitted by Thomas J. Jordan, dated***  
185 ***August 22, 2022, and proposal submitted by John L. Hattersley of Terracon, with the***  
186 ***following conditions:***

- 187 ***1) Final stormwater regulations be met, in conformance with Hamilton County***  
188 ***Stormwater Regulations.***
- 189 ***2) Final Development Plan be approved, with City Council's approval of the Expansion***  
190 ***of Conditional Use.***
- 191 ***3) Final landscaping be approved, subject to the City Arborist.***
- 192 ***4) Approval of a five-year extension for construction.***  
193

194 ***As detailed in the Staff Report dated September 12, 2022.***

195  
196 ***Mr. Fossett seconded the motion.***  
197

198 Mr. Dong had no problem with this development proposal, but he took issue with the 5 years.  
199 He asked if they could amend this motion so that there be two motions: one for the development,  
200 and one for the 5 year extension.  
201

202 Mr. Chesar read from the Code: "Conditional Use shall expire one year from date of enactment  
203 ..." His point was that it was the Conditional Use that you were extending.  
204

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205 Mr. Leibson understood it to be that the expiration of the expansion of Conditional Use, as  
206 approved tonight, be extended 5 years.

207  
208 There was more discussion, and all gained clarity of what points that the Planning Commission  
209 was recommending City Council to approve:

- 210 1) Expansion of a Conditional Use
- 211 2) Final Development Plan
- 212 3) Five year extension of the Conditional Use

213  
214 Mr. Dong stated that he was in favor of the Conditional Use and the Final Development Plan, he  
215 reiterated he only took issue with the 5 year extension.

216  
217 *Mr. Dong made a motion to amend the motion made by Mr. Leibson, to eliminate the 5 year*  
218 *extension of the Conditional Use, which would revert to allowing for an expansion of possibly*  
219 *one year.)*

220  
221 *Ms. Steinebrey seconded the motion.*

222  
223 *The roll was called and showed the following vote:*

224  
225 *AYE: Mr. Stull, Ms. Steinebrey, Mr. Dong, Chairman Hirotsu (4)*  
226 *NAY: Mr. Fossett, Mr. Matre, Mr. Leibson (3)*  
227 *ABSENT: (0)*  
228 *ABSTAINED: (0)*  
229

230 *This motion to amend Mr. Leibson's motion is approved.*

231  
232 *Mr. Leibson made a motion to recommend to City Council that they approve an application*  
233 *for expansion of a Conditional Use and Final Development Plan for Gate of Heaven Cemetery*  
234 *located at 11000 Montgomery Road, per the application submitted by Thomas J. Jordan, dated*  
235 *August 22, 2022, and proposal submitted by John L. Hattersley of Terracon, with the*  
236 *following conditions:*

- 237 1) *Final stormwater regulations be met, in conformance with Hamilton County*  
238 *Stormwater Regulations.*
- 239 2) *Final Development Plan be approved, with City Council's approval of the Expansion*  
240 *of Conditional Use.*
- 241 3) *Final landscaping be approved, subject to the City Arborist.*

242  
243 *As detailed in the Staff Report dated September 12, 2022.*

244  
245 *Mr. Fossett seconded the motion.*

246  
247 *The roll was called and showed the following vote:*

248

**Planning Commission Meeting**

September 12, 2022

249     **AYE: Ms. Steinebrey, Mr. Matre, Mr. Leibson, Mr. Dong, Mr. Stull, Mr. Fossett,**  
250             **Chairman Hirotsu** (7)  
251     **NAY:** (0)  
252     **ABSENT:** (0)  
253     **ABSTAINED:** (0)

254  
255     ***This motion is approved.***

256  
257     Mr. Leibson asked Staff a question regarding guidelines. If the applicant wanted an extension in  
258     about two years, do they come before the Planning Commission, and then we recommend to  
259     Council again, or do they go just to City Council. Mr. Chesar will research the code to clarify to  
260     all members of this Commission and will let them know what Staff can extend and what  
261     Planning Commission can extend.

262  
263     **Staff Update**

264     Mr. Chesar gave brief updates to the Commission:

- 265
- 266     ▪ Bethesda Hospital: Right before Labor Day, the Helipad relocated to the original area; a  
267     bit in advance of their projected date at the end of September.
- 268
- 269     ▪ Sycamore High School is still on track for the first game this Friday, September 16.  
270     There is still a lot of work to be done.
- 271
- 272     ▪ The City is working through the 2022-2023 Budget. City Council has a work session  
273     coming up. Staff will discuss the Comprehensive Plan with the Commission later this  
274     year.
- 275
- 276     ▪ Montgomery Quarter’s grand opening has been bumped to spring 2023, because they  
277     can’t get their materials in, due to the supply issue.
- 278
- 279     --There is no definite word on any more office rentals.
- 280     --Phase 2: still discussion about what that will be.
- 281     --Mr. Fossett stated that the flower boxes on the southern side of the parking garage  
282     looked great.
- 283

284     Mr. Chesar confirmed with members that because of the Labor Day holiday interfering with the  
285     meeting days for Planning Commission, there will be no other meeting this month.

286  
287

*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.*

**Planning Commission Meeting**

September 12, 2022

288 **Council Report**

289 Ms. Bissmeyer stated there were only two items that City Council discussed at the last meeting.

290

291 1) Various roads such as in the Winds Subdivision, were discovered to have been dedicated  
292 but never accepted by the County. A motion was made to make this happen.

293

294 2) Annual review process for the TIF projects for the Vintage Club, the Triangle and  
295 Montgomery Quarter.

296

297 **Minutes**

298 Mr. Dong moved to approve the minutes of August 15, 2022, as written.

299 Mr. Leibson seconded the motion. The Commission unanimously approved the minutes.

300

301 **Adjournment**

302 Mr. Leibson moved to adjourn. Mr. Matre seconded the motion.

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

304

305

306

307

308

309

310

311 \_\_\_\_\_  
Karen Bouldin, Clerk

\_\_\_\_\_

Date

312

313 /ksb