

June 26, 2015

TO: Wayne S. Davis, City Manager

FROM: Tracy Roblero, Community Development Director

JMR

SUBJECT: Forward Request for Expansion of Conditional Use Permit for 10150 Montgomery Road

Request

It is requested that City Council hold a public hearing to consider a request from the Montgomery Police Department at 10150 Montgomery Road for an expansion of the conditional use permit to allow for the expansion of the parking lot for the Safety Center.

Background

The property is approximately 6.7 acres and is used for both the Municipal Pool and the Safety Center. There are 116 existing parking spaces that are used by both the Safety Center and the Municipal Pool. The proposal is for 18 additional parking spaces on the south side of the parking lot including two short term parking spaces for use by visitors to the Safety Center. Parking demand increases in the summer months due to pool usage which creates a parking issue especially during swim meets and on days when Mayor's Court is being held at the Safety Center.

There will be no additional lighting added as part of the project; however, one light will need to be relocated. The area of the parking lot addition is not large enough to require additional stormwater detention and stormwater runoff from the site is being captured at the retention pond on the north-west corner of the site which has the capacity to handle the small amount of additional stormwater runoff. In order to construct the parking lot, six trees would need to be removed and there will be four Fall Fiesta Sugar Maples, two Limber Pines and eight boxwoods added as part of the new plan.

Planning Commission Recommendation

The Planning Commission met on June 1 to consider this application (see minutes). Notices were sent to neighbors within a 300' radius of the Safety Center property. No guests or residents were in attendance at the meeting and staff has not received any phone calls regarding the application. The Planning Commission asked questions regarding the future parking demand and if the spaces would be for public use or employee use.

At the conclusion of the discussion, the Planning Commission voted unanimously to recommend approval of the expansion of the conditional use permit to allow for the expansion of the parking lot with the following conditions:

1. The proposed landscaping be installed and maintained.
2. No additional lighting be added to the parking lot.

Staff Recommendation

Staff supports the recommendation of the Planning Commission to allow for the expansion of the parking lot for the Safety Center at 10150 Montgomery Road.

**CITY OF MONTGOMERY
CITY PLANNING COMMISSION**

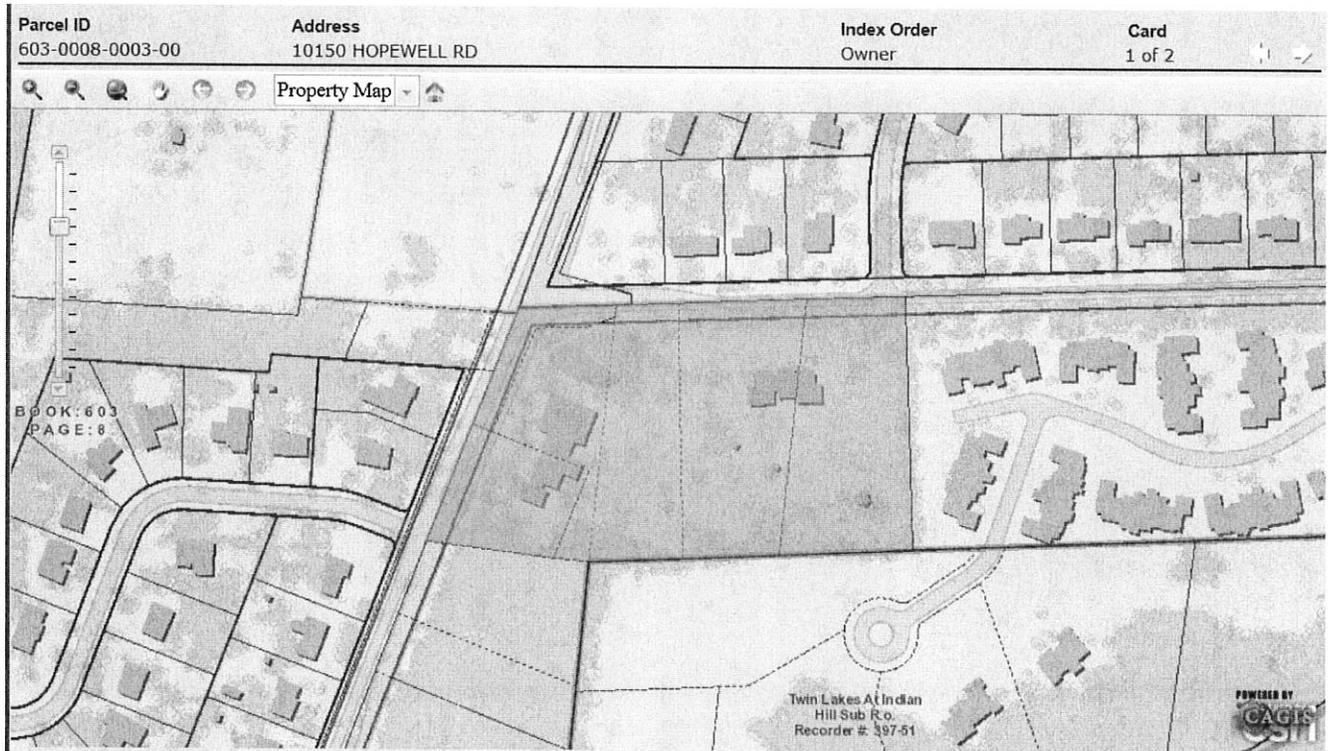
**Application for Expansion of a Conditional Use Permit
City of Montgomery - Safety Center
10150 Montgomery Road**

**May 28, 2015
Staff Report**

APPLICANT: City of Montgomery - Safety Center
10150 Montgomery Road
Montgomery, Ohio 45242

PROPERTY OWNER: Same as above

VICINITY MAP:



NATURE OR REQUEST:

The applicant would like to expand the parking lot for the Safety Center, 10150 Montgomery Road. The parking lot would be expanded by 18 spaces along the south side of the parking lot.

ZONING:

The property is zoned 'D-2' – Multi-Family Residential and is used for both the Montgomery Safety Center and the Montgomery Pool. Public safety facilities are a conditionally permitted use in the 'D-2' District. The property to the east is also zoned 'D-2' and used for Twin Lakes North campus. The property to the south that is located in the City of Montgomery is zoned 'D-2' and is owned by Twin Lakes. This property is currently vacant. There is additional property to the south that is located in the Village of Indian Hill and is zoned for large-lot residential. The property to the north and west is zoned 'A' – Single Family Residential and is used for single family residents.

FINDINGS:

1. The property is approximately 6.7 acres and is used for both the Municipal Pool and the Safety Center.
2. There are 116 existing parking spaces that are used by both the Safety Center and the Municipal Pool.
3. The proposal is for 18 additional parking spaces including two short term parking spaces for use by visitors to the Safety Center. The additional parking spaces would be located on the south side of the parking lot.
4. Parking demand increases in the summer months due to pool usage. This creates a parking issue especially during swim meets and on days when Mayor's Court is being held at the Safety Center.
5. Six trees would be removed in order to construct the parking lot addition. The applicant is proposing to add four Fall Fiesta Sugar Maples, two Limber Pine and eight boxwoods as part of the new plan.
6. The parking lot is located approximately 50' from the south property line.
7. There no changes proposed to the access to and from the property from Hopewell Road.
8. No additional lighting is being proposed; however, on light pole will need to be relocated.
9. Additional detention is not required for the amount of impervious surface being added. Stormwater runoff from the site is being captured at the retention pond on the north-west corner of the site and the pond has the capacity to handle the additional stormwater runoff that would be generated from the parking lot addition.

Staff Comments

Chapter 151.2007(r) lists the specific conditions for places of public safety facilities. Those conditions are listed below with a description of how the applicant is or proposes to address the condition.

1. *The minimum setbacks for individual buildings shall comply with those established in Schedules 151.2004 and 151.2006, respectively. As part of the development plan approval for a conditional use permit, Planning Commission and/or Council may establish greater setbacks when the minimum setbacks do not provide adequate safeguards to adjoining residential property due to topography, vegetation or building size.*

The Safety Center meets all of the required building and parking lot setbacks.

2. *No building shall exceed 3 stories or 45 feet, including all construction mechanicals.*

The Safety Center meets the required height limitation.

3. *Outdoor storage of vehicles used in the operation of the principal use may be permitted provided such storage areas shall be located in the side or rear yard in off-street parking areas. Freestanding carports which are visually compatible with the principal structure and are used for the storage of vehicles used in operation of the principal use shall be permitted in the side and rear yard, provided the carport maintains a minimum setback of 20 feet from the adjoining residentially zoning property.*

There is an existing sally port for the police vehicles that is located in the south side yard which meets the off-street parking setback regulations.

4. *When located in a residential district, the design of new structures or modifications to existing structures shall be visually compatible with the surrounding residential neighborhood character.*

No changes are being proposed to the existing structure.

Chapter 151.2002 lists 12 general standards that are applicable to all conditional uses. Staff has reviewed these 12 conditions and found that the site and the proposed expansion of the parking lot meets all of the conditions.

Staff Recommendation

Staff recommends approval of the expansion of the conditional use permit with the following conditions:

1. The proposed trees be installed and maintained.
2. No additional lighting be added to the parking lot.

**CITY OF MONTGOMERY
PLANNING COMMISSION REGULAR MEETING
June 1, 2015**

<u>PRESENT</u>		
<u>GUESTS & RESIDENTS</u>		<u>STAFF</u>
John Crowell Montgomery Police Dept. 10150 Montgomery Rd, 45242	Gary Heitkamp Assistant Public Works Director City of Montgomery	Tracy Roblero, Community Development Director Karen Bouldin, Secretary
		<u>BOARD MEMBERS</u> Chairman Mike Harbison Vince Dong Jim Niehaus Barbara Steinebrey Pat Stull Barbara White
		<u>MEMBERS NOT PRESENT</u> Jim Matre, Vice Chairman

Chairman Harbison called the meeting to order at 7:30 p.m. He reminded all guests and residents to sign in.

Staff Update

Ms. Roblero stated that they had just received the demolition permit for the Ford building today. Demolition for the Fifth Third Bank building is also happening this week.

Staff stated that the Request for Proposals for the Gateway Redevelopment Area have been sent out and the submission deadline is July 13. She noted that there will be discussions with the Community Improvement Corporation this Wednesday to determine which members of the Planning Commission and the Landmarks Commission will be selected for the advisory committee on this project.

Ms. Roblero noted that the developers of the Vintage Club were working on the latest proposal. There has been positive and negative feedback from the residents. There are also discussions with the City as to what is eligible for the public TIF dollars. Staff gave detail on this situation. She stated that there are several issues on the north side of the development.

Staff noted that there is some concern from the residents of the Vintage Club regarding the ground-mounted monument sign for Christ Hospital. She stated that the City was working with Christ Hospital on resolving this issue.

These Planning Commission Minutes are a draft. They do not represent the official record of proceedings until formally adopted by the Planning Commission.

Formal adoption is noted by signature of the Clerk within the Minutes.

Planning Commission Meeting

June 1, 2015

28 Ms. Roblero announced that Houdini's Room Escape was opening downtown at
29 9309 Montgomery Road, after they finish exterior modifications to the building. They will be
30 painting the entire building white, with a black roof and black shutters.

31
32 She stated that The Pop Shop is also planning to open in the space next to Delicio's, noting that
33 this shop is actually connected to Delicio's. This is a gourmet popsicle shop.

34
35 Staff stated that another new business, Scrumbles, will be opening downtown at 9361
36 Montgomery Road, which is a gourmet ice cream sandwich shop. There will be some exterior
37 modifications to the building.

38
39 Ms. Roblero noted that Cinque will be putting in outdoor seating.

40

Communications

42 There were no communications to report.

43

Guests and Residents

45 There were no guests or residents who wished to speak about items that were not on the agenda.

46

New Business

48 *Application for expansion of a conditional-use permit to allow for the expansion of the*
49 *parking lot at the Montgomery Safety Center at 10150 Montgomery Road, 45242..*

50

Staff Update

52 Ms. Roblero reviewed the Staff Report dated May 28, 2015, "Application for Expansion of a
53 Conditional Use Permit for the City of Montgomery Safety Center at 10150 Montgomery Road".
54 Staff noted that she had sent out notices, but did not receive any phone calls, questions or
55 comments from surrounding property owners.

56

57 Mr. Niehaus asked if the 18 spots fixed the problem or if that was simply the best we could do.

58 Ms. Roblero stated that this would not fix the problem entirely, but should alleviate a big part of
59 the issue. She also explained that the City may consider adding a gate to separate police vehicles
60 from the general population in the future.

61

62 Mr. Dong asked if we didn't create enough parking spaces for this area in the beginning or if the
63 code was just not sufficient.

64

65 Chairman Harbison gave the history on this project, as he was on the Commission at the time.
66 He noted that the City Manager (at that time) approved the plans and did not submit them to
67 Planning Commission for review. Chairman Harbison pointed out that it did not meet the code
68 in terms of parking then or now.

69

70 He stated that after construction began, the Planning Commission approved the application as a
71 non-conforming structure. He noted that they did the same process with the Safety Center,

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Planning Commission Meeting

June 1, 2015

72 which was also approved by that City Manager and not submitted for review to the Planning
73 Commission prior to construction beginning.

74

75 Ms. Roblero stated that the additional 18 parking spaces will bring that building closer to
76 compliance than it is now.

77

78 **Lieutenant John Crowell, Montgomery Police Department, 10150 Montgomery Road,**
79 **45242**, stated that the parking situation there is difficult and due to recent improvements to the
80 pool (heating), he believes it will reach a critical mass. He was not sure that this would eliminate
81 the problem, but believed it would help. He noted that the intent of the new spaces was for use
82 of police or the general public.

83

84 Mrs. White asked if there would be any signage to differentiate parking for police and for
85 residents. Lt. Crowell stated that there were unmarked cars and employee cars that would be
86 moved to one area. He stated that there were two signs at the beginning of the driveway that say
87 "Police Parking" only, but no legal consequences stating that you will be towed. He showed
88 members on the map the general location of the signage and the potential location of a future
89 gate.

90

91 Lt. Crowell explained that Miami Valley Risk Management Association was the insurance
92 company that consistently recommended each year that the parking be separated between the
93 general public and the police vehicles. He felt the intent of the proposed project was to provide
94 adequate parking and not to provide a separation between the public and the police vehicles at
95 this time.

96

97 Mr. Stull asked when this work would be done. Lt. Crowell stated it would probably be done in
98 September or October of this year after the pool was closed. Mr. Niehaus asked who paid for
99 this improvement. Staff stated that the City would fund the project and the project had been
100 budgeted for in the 2015 budget. Mr. Stull asked if we had estimates for this work.

101

102 **Mr. Heitkamp, Assistant Public Works Director, City of Montgomery**, stated that the project
103 would cost approximately \$65,000. He noted that the Public Works Department planned to do
104 some of the work themselves, such as tree removal and landscaping.

105

106 Mr. Dong was in favor of this application, as were all other members.

107

108 ***Mr. Dong made a motion to recommend to City Council that they approve an application for***
109 ***the expansion of a conditional-use permit to allow for the expansion of the parking lot at the***
110 ***Montgomery Safety Center at 10150 Montgomery Road, with the following conditions:***

111

112 ***1) The proposed trees (as stated in the May 28, 2015 Staff Report) be installed and***
113 ***maintained.***

114 ***2) No additional lighting to be added to the parking lot.***

115

116 ***Ms. Steinebrey seconded the motion.***

CITY OF MONTGOMERY

SAFETY CENTER PARKING LOT ADDITION

HAMILTON COUNTY, OHIO



VICINITY MAP

INDEX OF SHEETS

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CITY OF MONTGOMERY OFFICIALS

MAYOR

TODD STEINBRINK

VICE MAYOR

CHRISTOPHER DOBROZSI

CITY COUNCIL

ANN COMBS
 GERRI HARBISON
 CRAIG MARGOLIS
 LYNDA ROESCH
 KEN SUER

CITY MANAGER

WAYNE DAVIS

PUBLIC WORKS DIRECTOR

BRIAN RIBLET

ADMINISTRATIVE COORDINATOR

CONNIE GAYLOR

ODOT SPECIFICATIONS

IN GENERAL, THE PROJECT SPECIFICATIONS CONFORM TO THE LATEST STANDARD SPECIFICATIONS OF THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION, INCLUDING CHANGES AND SUPPLEMENTAL SPECIFICATIONS THERETO. THE PROJECT SPECIFICATIONS, UNDER SEPARATE COVER SHALL GOVERN ALL WORK AND MATERIALS FOR THIS PROJECT.

ODOT STANDARD DRAWINGS

THE LATEST EDITION OF THE ODOT STANDARD DRAWINGS ARE HEREBY MADE PART OF THESE PLANS.



ODOT STANDARD CONSTRUCTION DRAWINGS		
BP-3.1	ASPHALT PAVING	4/20/12
BP-5.1	CONCRETE CURB & COMBINED CURB AND GUTTER	7/28/00
BP-7.1	NEW CURB RAMPS	10/15/10
TC-71.10	WORD AND SYMBOL PAVEMENT MARKINGS	10/19/12
TC-73.10	PAVEMENT MARKING DETAILS	4/20/12

APPROVED _____
 WAYNE DAVIS, CITY MANAGER DATE _____

SIGNED _____
 GARY L. HEITKAMP, E-68724 DATE _____

CITY OF MONTGOMERY SAFETY CENTER PARKING LOT ADDITION
TITLE SHEET

GENERAL NOTES

MATERIALS AND WORKMANSHIP

UNLESS OTHERWISE SPECIFIED, ALL MATERIALS SHALL BE NEW AND BOTH WORKMANSHIP AND MATERIALS SHALL BE OF PREMIUM QUALITY, PROPER AND SUFFICIENT FOR THE PURPOSE CONTEMPLATED. THE CONTRACTOR SHALL FURNISH, IF SO REQUIRED, SATISFACTORY EVIDENCE AS TO TYPE AND QUALITY OF MATERIALS AND WORKMANSHIP.

ALL ITEMS OF EQUIPMENT AND/OR MATERIAL PROPOSED BY THE CONTRACTOR FOR SUBSTITUTIONS MUST BE APPROVED BY THE ENGINEER IN WRITING AND SHALL BE EQUAL OR SUPERIOR TO THE ITEMS SPECIFIED IN THESE PLANS AND CONTRACT DOCUMENTS. IF SAID SUBSTITUTION PROPOSED BY THE CONTRACTOR FOR A SPECIFIED ITEM REQUIRES ENGINEERING REVISIONS, THE TOTAL EXPENSE OF SAID REVISIONS SHALL BE PAID BY THE CONTRACTOR.

ANY ITEMS OF LABOR AND MATERIALS REQUIRED BUT NOT SHOWN AS A SEPARATE PAY ITEM IN THE PROPOSAL SHALL BE FURNISHED AND INSTALLED AS INCIDENTAL TO THE CONTRACT, EXPECT AS NOTED IN THE PLANS AND SPECIFICATIONS.

RESPONSIBILITY

IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PERFORM HIS WORK IN SUCH A MANNER AS NOT TO DAMAGE OR DESTROY AND EXISTING FEATURE (I.E. EXISTING INLETS, CONDUITS, ETC.) WHICH IS NOT MARKED FOR REPLACEMENT OR REMOVAL. IF ANY SUCH DAMAGE DOES OCCUR DUE TO THE OPERATIONS OF THE CONTRACTOR, HE SHALL REPLACE THE DAMAGED PORTION AT HIS EXPENSE.

THE CONTRACTOR SHALL EXERCISE DUE CARE DURING CONSTRUCTION SO AS NOT TO DESTROY ANY TREES, PLANTS, SHRUBS, OR STRUCTURES OUTSIDE OF THE INDICATED WORK LIMITS AND THOSE NOT SPECIFICALLY MARKED FOR REMOVAL OR RELOCATION WITHIN THE WORK LIMITS.

IN SOME INSTANCES, THE CONTRACTOR WILL BE REQUIRED TO EXCAVATE UNDER AND AROUND THE EXISTING UTILITIES. EXTREME CARE SHOULD BE USED NOT TO DAMAGE THE UTILITY DURING THE OPERATION.

CONSTRUCTION LAYOUT

THE CONSTRUCTION LAYOUT FOR THIS PROJECT IS THE RESPONSIBILITY OF THE CONTRACTOR, THE COST OF WHICH TO PERFORM THIS WORK SHALL BE INCLUDED IN THE OVERALL BID PRICE.

DUST CONTROL

DUST SHALL BE KEPT TO A MINIMUM. COST OF EQUIPMENT AND MATERIAL REQUIRED TO PERFORM THIS ITEM SHALL BE INCLUDED IN THE OVERALL BID PRICE.

WATER POLLUTION, SOIL EROSION, AND SILTATION CONTROL

THE CONTRACTOR SHALL TAKE EXTREME CARE TO PREVENT UNNECESSARY EROSION, WATER POLLUTION, AND SILTATION AT ALL POINTS OF THE PROJECT. TEMPORARY SEEDING AND MULCHING, STRAW BALES, SLOPE DRAINS, ETC. SHALL BE USED AS NECESSARY OR AS DIRECTED BY THE ENGINEER. COST OF EQUIPMENT AND MATERIAL REQUIRED TO PERFORM THIS WORK SHALL BE INCLUDED IN THE OVERALL BID PRICE.

UTILITIES

UTILITIES DATA IS BASED UPON INFORMATION PROVIDED BY OTHERS AND HAS NOT BEEN VERIFIED BY THE ENGINEER. THE ENGINEER OR THE OWNER IS NOT RESPONSIBLE OR LIABLE FOR DATA SUPPLIED BY OTHERS.

UTILITIES NOT UNDERGROUND, AND PRIVATE SEPTIC SYSTEMS IN SINGLE OR DOUBLE FAMILY DWELLINGS UTILIZED FOR ONLY THAT DWELLING AND NOT CONNECTED TO ANY OTHER SYSTEM ARE NOT INCLUDED ON THE PLAN.

WITHIN 10 DAYS OF THE AWARD OF THE CONTRACT, THE OWNER SHALL NOTIFY ALL UTILITIES OF THE NAME, ADDRESS, AND PHONE NUMBER OF THE CONTRACTOR. THE CONTRACTOR SHALL NOTIFY THE REGISTERED UNDERGROUND UTILITY PROTECTION SERVICE AND NON-MEMBER OWNERS OF THE STARTING DATE AT LEAST TWO WORKING DAYS PRIOR TO STARTING WORK. THE UTILITY SHALL MARK, STAKE, OR OTHERWISE DESIGNATE THE LOCATION OF THE UNDERGROUND FACILITIES WITHIN 48 HOURS OF RECEIVING THE CONTRACTORS NOTICE OF A STARTING DATE. THE MARKING OR LOCATING SHALL BE COORDINATED TO STAY APPROXIMATELY TWO DAYS AHEAD OF THE PLANNED CONSTRUCTION.

DURING CONSTRUCTION, THE CONTRACTOR SHALL REPORT IMMEDIATELY TO THE OWNERS OF THE UNDERGROUND FACILITIES ANY BREAK OR LEAK IN THE FACILITIES, OR ANY DENT, GOUGE, GROOVE, OR OTHER DAMAGE. THE CONTRACTOR SHALL NOTIFY NEARBY OCCUPANTS OF ANY EMERGENCY SITUATION THAT MAY ARISE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL UTILITY ACTIVITIES AND SCHEDULES.

ELECTRIC
DUKE ENERGY
139 E. FOURTH STREET
ROOM 467-A
CINCINNATI, OHIO 45202
TAMWA PUGH
513-287-2240

GAS
DUKE ENERGY
139 E. FOURTH STREET
ROOM 460-A
CINCINNATI, OHIO 45201
LAURA MATE
513-287-2594

TELEPHONE
CINCINNATI BELL
201 E. 4TH STREET
M.L. 103-1175
CINCINNATI, OHIO 45202
ALISON THOMAS
513-565-7073

SANITARY
MSD
1600 GEST STREET
CINCINNATI, OHIO 45204
ROB FRANKLIN
513-557-7188

WATER
GCWW
4747 SPRING GROVE AVE.
CINCINNATI, OHIO 45232
MARK APLE
513-591-7919

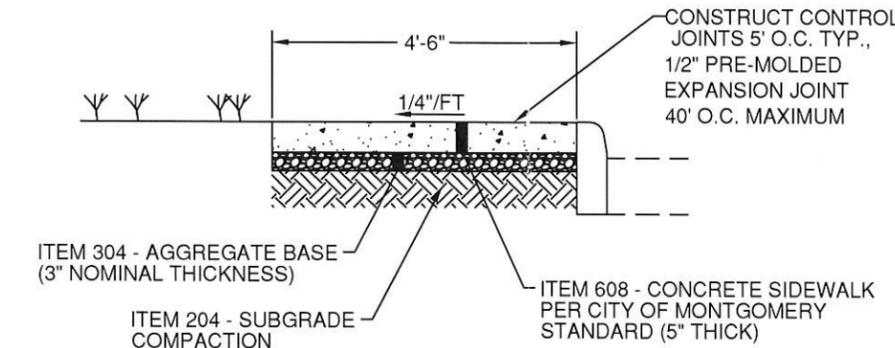
CABLE
TIME WARNER
11252 CORNELL PARK DRIVE
CINCINNATI, OHIO 45242
JIM O'REILLY
513-386-5483

WORK HOURS / SCHEDULE RESTRICTIONS

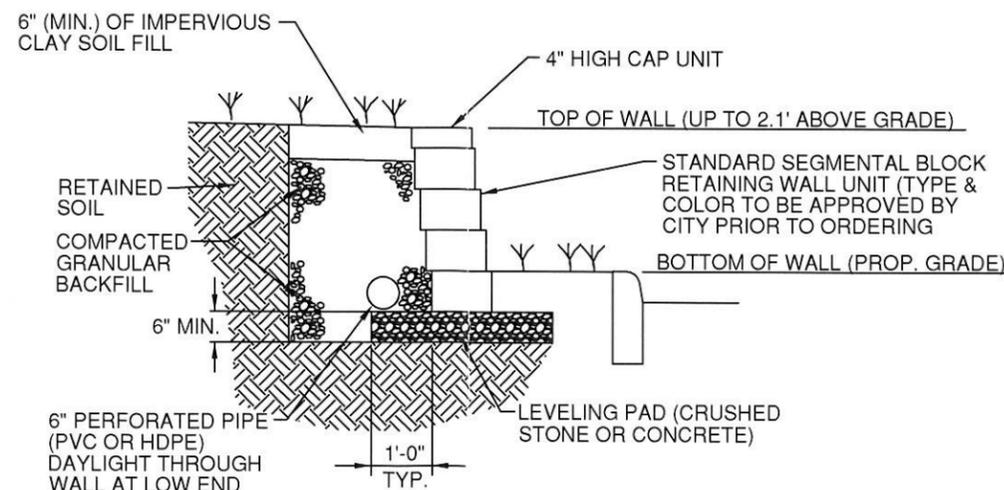
WORK HOURS ARE LIMITED TO MONDAY-FRIDAY 7:00 AM TO 10:00 PM

ITEM 660 - SODDING

THIS ITEM SHALL CONFORM TO ODOT'S CONSTRUCTION AND MATERIAL SPECIFICATIONS EXCEPT THAT THE SOD SHALL BE FINE LAWN FESCUE AS APPROVED BY THE CITY OR ENGINEER.

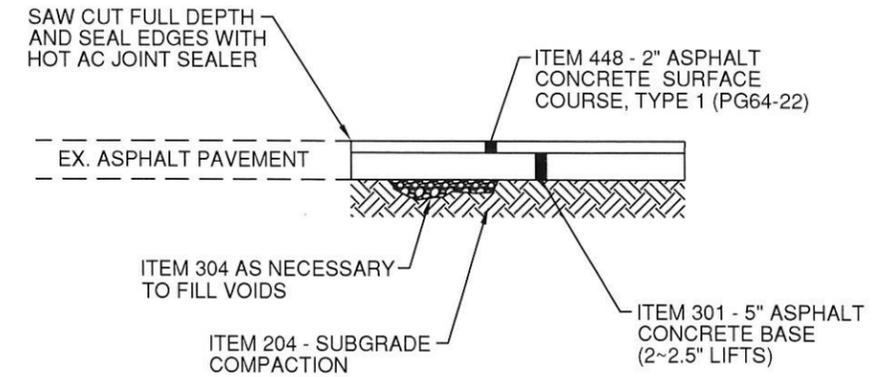


CONCRETE SIDEWALK

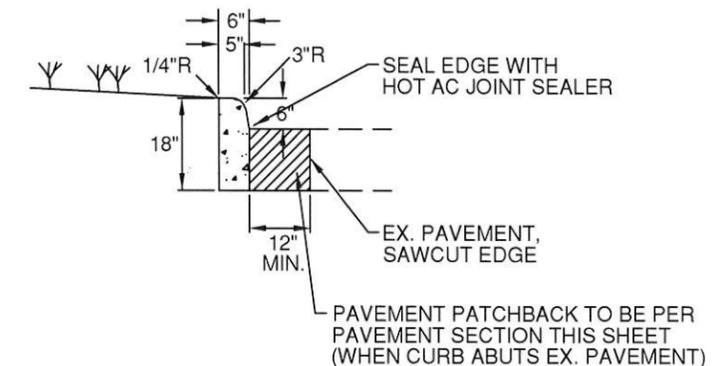


SEGMENTAL BLOCK RETAINING WALL

DETAILS



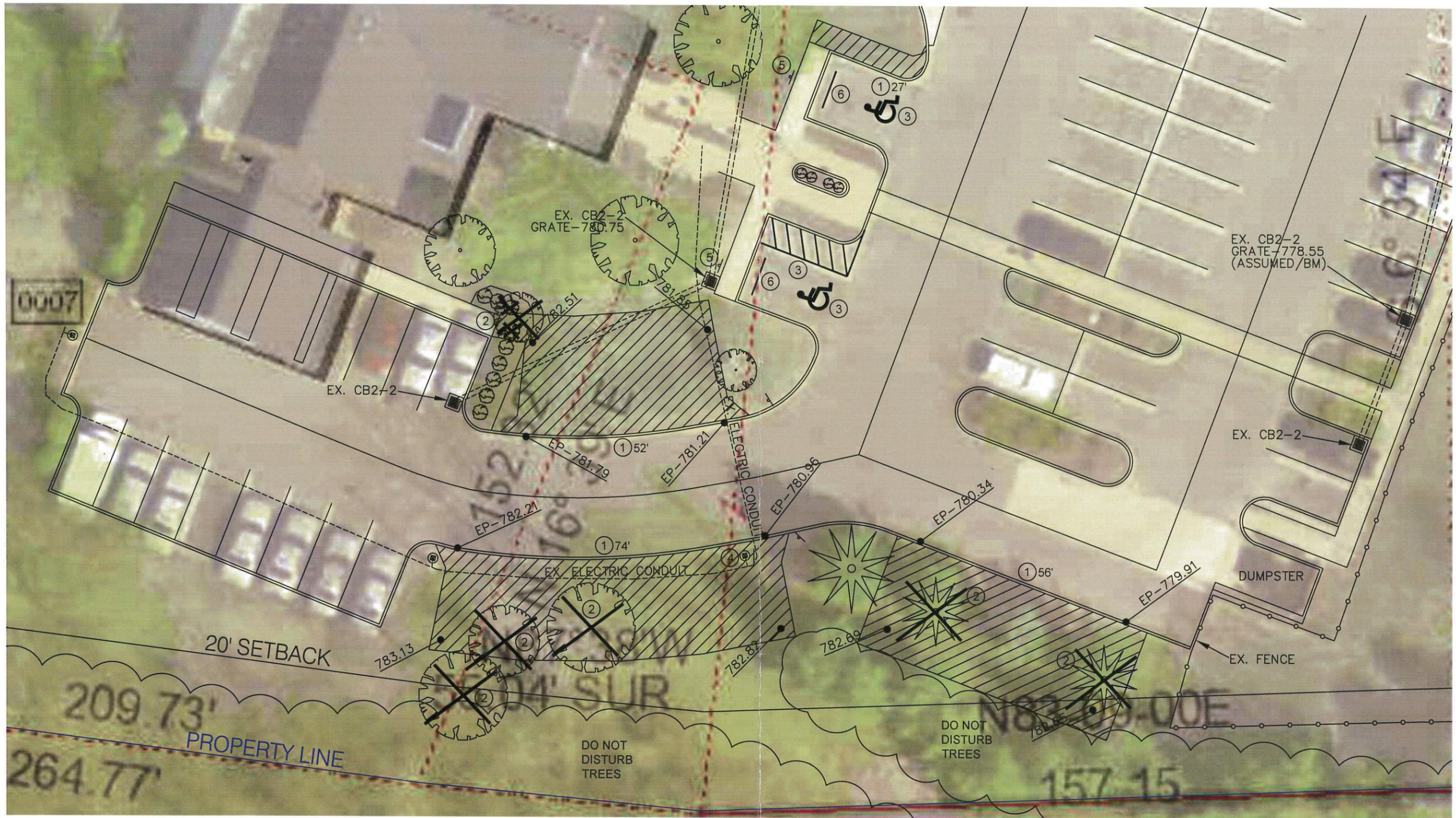
LIGHT DUTY PAVEMENT SECTION



CURB, TYPE 6

NOTES

1. THE INTENT OF THIS WALL DETAIL IS TO PROVIDE GENERAL GUIDANCE FOR THE WALL ELEMENTS, LOCATION, AND DIMENSIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE WALL'S DESIGN IN ACCORDANCE WITH THE WALL MANUFACTURER. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS SHOWING DETAILS OF THE WALL DESIGN.
2. HEIGHT OF WALL SHOWN IS FOR BIDDING PURPOSES AND MAY VARY BASED ON EXISTING TERRAIN, DETAILED WALL DESIGN, AND TO SUIT SUBSURFACE SOIL CONDITIONS.
3. WALL UNITS SHALL HAVE A STRAIGHT FACE GEOMETRY WITH A SPLIT FACE TEXTURE. SUBMIT BLOCK SAMPLE TO THE CITY FOR APPROVAL AT LEAST ONE WEEK PRIOR TO ORDERING MATERIAL.
4. ALL OF THE WORK AND MATERIAL PER THIS DETAIL, INCLUDING EARTHWORK, SHALL BE INCLUDED IN THE SQUARE-FOOT UNIT COST FOR BID ITEM SPL - SEGMENTAL BLOCK RETAINING WALL, AS PER PLAN UNLESS OTHERWISE SPECIFIED.



CITY OF MONTGOMERY SAFETY CENTER PARKING LOT ADDITION
PLAN SHEET (REMOVALS)

LEGEND

- AREA TO BE EXCAVATED
- EXISTING PARKING LOT LIGHT
- CURB TO BE REMOVED
- TREE OR SHRUB TO BE REMOVED (BY OTHERS)
- PAVEMENT MARKINGS TO BE REMOVED
- PARKING LOT LIGHT TO BE REMOVED AND SALVAGED FOR REUSE / REMOVE LIGHT FOUNDATION TO DEPTH NECESSARY TO CONSTRUCT PARKING LOT ADDITION AND EXPOSE CONDUITS (EXISTING CONDUITS AND WIRING TO REMAIN)
- ADA PARKING STALL SIGN TO BE REMOVED AND SALVAGED FOR REUSE
- REMOVE PARKING BUMPER BLOCK

