

PLANNING COMMISSION MINUTES OF October 9, 2019
6:00 P.M. Council Chambers
745 Center Street, Milford, OH 45150

ok
SIGNED

The Planning Commission of the City of Milford met in regular session on the evening of Wednesday, October 9, 2019, at Council Chambers, 745 Center Street, Milford, OH 45150.

Roll Call:

Dino Pelle called the Planning Commission meeting to order at 6:02 p.m. Other members present at tonight's meeting are Lisa Evans, John Brumleve, and John Wenstrup.

Staff: Pam Holbrook, Asst. City Manager

Visitors: Vanessa Hannah, Valley View; Jana Beal, Jason Verhoeff, and Zach Gambill, Park National Bank.

Minutes Approval:

Mr. Wenstrup moved to approve the September 11, 2019 minutes, seconded by Mr. Brumleve. All voted aye.

SITE 19-19 Valley View Site Plan Review.

Ms. Holbrook read the following Staff Report into the record:

Project: Valley View Barn Construction Site Plan Review
Location: 790 Garfield Avenue
Property Owner/Applicant: Valley View Foundation
790 Garfield Ave.
Milford, OH 45150
Acreage: 190 Acres
Tax Parcel Id: 210732.015
Zoning: R-2 Single Family Residential
Existing Use: Agricultural and Education Campus

EXISTING CONDITIONS

Adjacent Land Use and Zoning

All adjacent property is zoned B-2, OMO

North: R-2, Valley View;

East: I, City Wastewater Plant;

West: I, SEM Campus;

South: R-1, Single Family Homes.

ANALYSIS

Vanessa Hannah, Valley View, is requesting approval to construct a 4,928 square foot, pole barn on a portion of the 190-acre Valley View Campus property located at 790 Garfield Avenue. Valley View intends to use the building to store farm tools and machinery. The use appears to fall under the Building Code definition of an agricultural building used for agricultural purposes and therefore, would be exempt from the Building Code. See attached email from Scott Young, Building Department.

Agricultural uses are permitted as conditional uses in the R-2 district. The building would be located over 200 feet from South Milford Road and would comply with all setback and height requirements for this zoning district. The Fire Department is in the process of reviewing the drawings and may have additional comments.

The City Engineer has reviewed the request and determined that a Flood Plain permit will be required in accordance with Chapter 1319 in Milford's Codified Ordinance. He provided the following comments:

- Per Firm Panel 39025C0116G, Base Flood Elevation (BFE) is 513' . GIS shows current grade elevation around 512', so we will need grade elevations
- Building to be flood resistant materials to elevation of 514' (513' Plus 1' free board) per 1319.28b and c (if future electric is installed)
- Hydrologic and Hydraulic Study will not be required as the pole barn will not be watertight and will allow flood waters to enter and exit
- Pole building to be oriented with long walls in parallel with the river to offer minimum resistance to flood waters

Staff Recommendation

Staff recommends approval with the following conditions:

1. City approval is contingent on review and approval by the City Engineer and any other applicable local, state, and federal agencies.
2. Comply with all Fire Department comments.
3. Obtain Flood Plain Permit.

Ms. Holbrook noted that the responsibility for determining whether a project needs a building permit falls under the jurisdiction of the City's Chief Building Official, Scott Young with NIC. Planning Commission does not make the decision whether a project needs a Building Permit. Scott has determined that if the Zoning Official classifies this use as agricultural then a Building Permit is not required.

Ms. Holbrook stated that Fire Department comments include the following:

- Water supply in the event of a fire?
- Fire extinguishers will be required, contact the Fire Department for size, type, and location.
- Building must be used as designed (Agricultural). Any change in use will require a Use group change with all requirements that apply.

Vanessa Hannah stated the purpose of the new barn is to enclose and take care of the equipment including the hops picker; it will be adjacent to the dairy barn. The barn will help maintain the natural aesthetics of the area.

Mr. Brumleve asked whether there will be any instance where the barn might be used for educational purposes. Ms. Hannah stated, no, the idea is all equipment will be stored in this barn which allow them to use the historic tobacco and dairy barn for educational purposes. She noted the pole barn will wrapped in natural wood so that it will be in keeping with the other structures on site.

Mr. Brumleve asked for clarification on water access in the event of a fire. Ms. Hannah stated there are functioning fire hydrant on site that the Fire Department services regularly. She stated that they also have

a pump located in the tobacco barn that they use to irrigate their gardens. She noted that they will work with the Fire Department to satisfy their concerns.

Ms. Hannah stated they use the upstairs of the dairy barn for their educational programs and meeting space. The tobacco barn can be opened at both ends and could be a great space for programs and meetings.

Mr. Wenstrup asked whether the dairy and tobacco barn have been checked out by the city to make sure they are structurally sound. Ms. Hannah stated they did that with the dairy barn awhile ago. She noted when they took ownership of the property both barns were on the ground. It took about ten years, but we have structurally made them sound. Nobody goes upstairs in the tobacco barn.

Mr. Wenstrup made a motion to approve the Valley View Pole Barn site with staff conditions. Mr. Brumleve seconded the motion. The motion carried 4-0.

Park National Bank Drive Through

Ms. Holbrook stated that staff was approached by Jana Beal from Park National Bank to discuss a proposal to move their existing free-standing drive through so that it would be attached to the existing bank building.

Ms. Holbrook stated the bank is located in the Milford River District which had formerly been known as the B-2 OMO district. The downtown district was originally created in 1999. Drive throughs and automotive uses are not permitted in this zoning district. She noted that the intent may have been to create a walkable downtown and discourage automotive dependent uses such as fast food restaurants.

There are two existing drive throughs in downtown - one at Park National Bank and the other at River Hills Bank. These two drive throughs would be considered a legal non-conforming use. Chapter 1197.05 Non-Conforming Uses of Land in the Zoning Ordinance regulates non-conforming uses. A legal non-conforming use means that the existing drive throughs are allowed to continue but are not allowed to be enlarged, increased, extended or moved. Ms. Holbrook stated that they cannot ask for a variance because the Ordinance does not permit a Use variance. The only other option is a text amendment that would allow for this without opening the door to fast food drive throughs. Staff's goal is to honor the integrity of the zoning ordinance while coming up with a solution for the bank.

Ms. Holbrook stated that the bank is a good business and we would not want to lose them. She encouraged the bank representatives to come to Planning Commission for further discussion and to see if we could come up with a solution. Mr. Pelle stated that community banks have historically played a big role in downtowns. They generally, play a more active role in the community than the larger banks.

Ms. Beal stated their intent is not to expand the drive through and that relocation would open up room for additional parking that could be used by the city. Typically, there are only one or two cars using the drive through at one time so a large stacking space is not necessary. She noted that the bank has to request a police escort when moving money from the bank to the freestanding drive through. The relocation would be safer for bank employees, remove the need for a police escort, and free up additional parking for the downtown area. The existing unit is older and will probably stop working at some point, the business would be impacted without a drive through. She noted the bank is willing to work with the city to come up with a solution, and their proposal could be modified if necessary.

Ms. Beal stated the existing drive through is taking up a lot of space, that could be used for parking. It appears that 8-12 parking spaces would become available to the community by moving the drive through. She noted that all the signs would be redone to state that the parking was open to everyone. Currently, there are two drive throughs and an ATM. We would propose to flip it, creating one drive through and an

ATM. Ms. Beal stated that it has never been a high-volume drive through but does get used on a regular basis.


Ms. Holbrook asked if they would have to do a canopied drive through with an ATM. Mr. Verhoeff stated no. We have two branches with a drive through that is not under a canopy. If we were to exclude the structure then all we would be doing is installing new equipment. The existing equipment consists of a canopy with an underground pneumatic tube system. We would prefer not to have underground equipment. Mr. Wenstrup stated there are advantages to having a drive through, however, it would be nice to elevate the appearance. Mr. Verhoeff stated they are considering a walk-up ATM in their new plans which shows one drive through and a walk-up ATM. Mr. Wenstrup asked if they had considered a dual-purpose lane with ATM and teller in the same drive through. Mr. Verhoeff stated they had a few branches with layouts like that but have closed them because they are not efficient.

Mr. Brumleve stated that it appears to be mutually beneficial to come up with a solution. Ms. Holbrook stated the cleanest way is to create a text amendment that would allow for this type of modification without opening the door for new drive throughs. The text amendment process includes a public hearing at Planning Commission and City Council with the final decision being made by Council.

The Commission discussed various options to modify the text to permit a reduction in the nonconformity. Mr. Brumleve made a motion to initiate a text amendment to address the drive through issue. Mr. Wenstrup seconded the motion. The motion passed 4-0.

There being no further business or comments to come before the Planning Commission, Mr. Pelle made a motion to adjourn the meeting at 6:48 pm; seconded by Mr. Wenstrup. Following a unanimous decision, the ayes carried.


Assistant City Manager


Dino Pelle, Vice Chairman