

PLANNING COMMISSION MINUTES OF November 14, 2018  
6:00 P.M. Council Chambers  
745 Center Street, Milford, OH 45150

The Planning Commission of the City of Milford met in regular session on the evening of Wednesday, November 14, 2018, at Council Chambers, 745 Center Street, Milford, OH 45150.

Roll Call:

Lois McKnight called the Planning Commission meeting to order at 6:00 p.m. Other members present at tonight's meeting are Dino Pelle, Oliver Roe, Fred Albrecht, and John Wenstrup.

Staff: Pam Holbrook, Asst. City Manager; Mike Minniear, Law Director

Visitors: Sharon McCullough, JSC; Marianne Lang, JSC; Carl Samson, 233 Laurel; Mary Ellen Fellingner, JSC; Al Cucchetti, JSC; Christopher Odell, 320 High St.; Paul Macke, S.J.; Jon Lenihan, 5364 S. Milford Rd.; Ed Geiser, 5361 S. Milford Rd.; Ken Waeber, 431 Garfield Ave.; Donna Luecke, 910 Wallace Ave.; Tom Wagner, 5382 S. Milford Rd.; David Emmons, 5371 S. Milford Rd.; Eric Boyd, CEO; Daniel & Grant Wenstrup, 817 Main St., Cincinnati; Gail & Bob Laudeman, 5388 S. Milford Rd.; Sister Therese Gillman, JSC; Cathy & Bruce Shaffer, 5338 S. Milford Rd.; Jose V. Paris II, Klaire Mathews, Megan Brooks, Andrew Callahan, Jordan Skarr, Walter Deye, S.J., 5361 S. Milford Rd; Donna Amann, GMAHS; Suzette Albrecht, 105 Cleveland Ave.; Mr. Stuhlreyer, 203 Mill St.; Pat Meisner, 15 White Water Way; Dale Roe, 750 US 50; Susan Gates & John Hueber, 811 Center St.; Rick Block, 404 Miami; Len & Sandra Harding, 211 Main St.; Nancy Meyer, 211 Main St.; Janet Henderson, 879 Round Bottom Rd.; Caroline Good, 16 Wooster Pike; John Mikesell, 5 Main St.

**Minutes Approval:**

Mr. Albrecht moved to approve the October 10, 2018 minutes, seconded by Mr. Pelle. All voted aye.

**SITE 18-10 SEM Terrace Independent Living Units, 5371 South Milford Road. (CONTINUED)**

Ms. McKnight: I want to thank everyone for coming to the meeting this evening. As you're aware, we have two cases on the agenda. The first is a continuation of the SEM Independent Living Unit's project that we started at the last meeting. Our second is regarding the Millcroft downtown. As I recall, we continued the meeting, and asked the applicant to provide additional information regarding the traffic study and their parking plan. They did submit that information to the city, the city then forwarded it on to Planning Commission. We've all had a chance to review that. Are there any questions from Planning Commission of the applicant regarding the information, that they submitted last week?

Ms. McKnight: I believe we did leave it open that if there were members of the public who had any questions or comments specifically with regard to the supplemental information provided by the applicant, that they would be given an opportunity to speak this evening. Everyone's comfortable with the information provided?

Mr. Albrecht: Yes.

Ms. McKnight: With that, are we prepared? Let's see, council, would we be closing the public hearing portion and beginning deliberation, or should we continue the public portion during deliberation?

Mr. Minniear: No, I think you should close the deliberation. That would be my opinion.

Ms. McKnight: Okay. We haven't, I mean-

Mr. Minniear: No, I mean close the public contribution.

Ms. McKnight: Thank you.

Ms. McKnight: I'll entertain a motion to close the public hearing portion of the meeting.

Mr. Pelle: So, moved.

Mr. Roe: Second.

Ms. McKnight: Motion and second to close the public hearing portion of this case. All in favor say aye.

Mr. Roe: Aye.

Mr. Pelle: Aye.

Mr. Albrecht: Aye.

Ms. McKnight: Any opposed? Thank you. Alright gentlemen. A discussion regarding the application.

Mr. Pelle: Well, first thing that comes to mind is the extra time was really helpful. I'm not sure that's a discussion, but it was very helpful, because it's a very touchy subject.

Ms. McKnight: I agree. I appreciated the additional information and the additional time to review everything that was given to us at the last meeting.

Mr. Pelle: You had written form on the minutes, that was really helpful, going through that.

Ms. McKnight: Difficult to hear, alright. Got to make sure we're talking in the microphone.

Mr. J. Wenstrup: So, we're talking about this aren't we?

Ms. McKnight: We are, this is our discussion portion.

Mr. J. Wenstrup: Alright well, here are my thoughts. Both parties have had lots of time to express their concerns and say what they want, and I haven't seen much movement by either side. So, that makes it difficult, I think, for me, to come up with a decision that is fair, because I don't think the developers came up with specific remedies to his adjacent neighbors' concerns. Both ones that are in the R1 and also with the spiritual center, which is institutional, which is problematic for me. What's also problematic for me is that after hearing about the planned development last meeting, it sounds more like a multi-family unit versus an institutional unit. So, they're building multi-family and freestanding multi-family, in an institutional, and oh, by the way, they can walk over across the parking lot to get something to eat. There're not even sidewalks that match the character of the neighborhood, or extend the character of the neighborhood, and so, while I totally respect someone's right to develop their property.

Mr. J. Wenstrup: The reason that's in front of us, is we've got two different parties, and on the other side, I've seen no real movement on what I'll call, the neighboring, to say, well, here's what we would like, we just don't want anything. So, I'm kind of in a stalemate and I'm looking forward to someone else's comments that will persuade me one way or the other, but that's where I'm at. Spiritual Centers clearly was not in favor of it, hoping to get some kind of different response, didn't get it. It's a multi-family sitting in institutional, which really isn't a nursing home product, it's an independent three- or two-family building. So, that's where I'm at, and I really don't think it's in the spirit of the plan, because it chops away a lot of trees and really over burdens the space with housing.

Ms. McKnight: Thanks.

Mr. Roe: I'm still struggling a little bit with the classification they use for the traffic study. My feeling when I read some of the definitions of the land uses, and all the numbers that go along with that. I'd still tend to think they fall into senior, adult housing attached or detached. This seemed to fit the best, and I think that traffic study has always been a huge concern for a lot of people, and I think a little more work could have gone into properly categorizing that land use, and I think they had a chance to go back and look at that, and they stuck to what they went with originally, and still think that's a little misguided, and I don't entirely feel comfortable with that still. I know that doesn't adjust the numbers a lot on the average rate of trip generation per dwelling unit, but when there's such a major issue of contention, I think it is something that should be as accurate as possible. So, that's still a little bit of a concern to me, and still struggling with that a little bit.

Mr. Roe: I've got to wrap my head around it a little more, but because they had the opportunity to look at it again, it feels a little like gamesmanship or something that's going on here with that.

Mr. Albrecht: I pretty well read my statement last week, if you want me to read it again Law Director, I will. I have, however, found additional things that re-reading over the last minutes and stuff. Would you like me to read that again?

Mr. Minniear: Two things, I think you should read it and I would love to hear it.

Mr. Albrecht: Okay, thank you. So, I based my site plan review on the site review guidelines listed at 1127.04, in the Milford Zoning Ordinance as amended, September 6, 2016. Items B and F state that a site that has an appearance of being congested or over built or cluttered, can evolve into a blighting influence, and therefore avoided. In my opinion the site plan is overcrowded, and has been laid out only to accommodate the maximum number of buildings permitted, rather than for the best use, considering the practical intended functionality. In addition, the buildings are arranged in a rather random array, without consideration for aesthetics. Made only to fit in a specific square footage. Item C, open spaces should be linked by plantings and sidewalks, while one small area has been linked, much of the little remaining open spaces are not accessible. As for general comments as well, which I'm basing on general guidelines within the Milford Zoning Ordinance, as well as the 2017 City of Milford Comprehensive Plan. In that plan, the building should only be sighted in orderly, non-random fashion with entries and windows facing the street.

Mr. Albrecht: Common open spaces should be reserved for activities, and appropriate in size, and character considering the size, density, and the expected population of the number of buildings. While this is not a specific planned development, the spirit of the City of Milford Comprehensive Plan revised in 2017, would dictate that the green spaces occupy more than 60% of a planned neighborhood. Which is precisely what is being produced. I think, I asked those several questions around that same area last meeting, and I still believe that the proposed plan does not pass the litmus test, and those questions were not answered, at least, for my own likings. The architect presenting the project mentioned that he had taken the time, just that evening of the last meeting, to spend time driving around the neighborhood, and noticed the different types of building materials, colors, etc. First the fact that this was his first site visit, reinforces the fact that little if no attention to the surrounding area was taken into consideration.

Mr. Albrecht: In fact, the very fact that the surrounding area is eclectic, which he noted, further creates an issue with me, with the building structures requested, which are tantamount to row housing or at the very least a subdivision with a cookie cutter type houses. If you notice, we have a lot of character in our neighborhood, and, this has no character. The applicant promised to make all the requested changes suggested by staff, that was their very first statement, but then, when on the entire meeting and defended their positions and refused to address any of the issues, specifically, in the presentation they failed to change the orientation of the buildings to face the road, or orient the parking to the rear of the property as suggested by staff. The fact that these items had never been addressed, I think, tells the story. One resident makes a very valid argument with respect to the intent of the I institutional zoning, and clearly makes a good argument that these are nothing more than apartments, and would be subject to an R5 zoning requirement, which are different than I institutional.

Mr. Albrecht: In general, the development is not consistent with the goals and objectives of the Milford Land Use Plan. There should be a beneficial relationship between the proposed plan and the neighborhood in which it is to be established. Commercial uses should be designed to resemble the character of the surrounding residential buildings which is clearly not the case. Given the proximity to R1 residential property, the open green spaces, the Jesuit property as well as the rest of the park like settings of the remaining SEM community. This proposed plan would truly not fit the character of any of the neighbors. I'm also concerned about the traffic congestion and I'm not convinced that the traffic study performed, accurately reflects the current, or projected additional traffic created by visitors, staff, maintenance, food service, additional EMS, and police runs. Currently the SEM community consumes close to 26% of our city-wide EMS runs annually. Which generally includes a Milford police cruiser. Current traffic levels on Mound and Cleveland are stressed already due to congestion, created by the daily traffic to and from the SEM community by employees. The addition of the traffic created by these 40 units would add to the current congestion.

Mr. Albrecht: Safety services, the EMS runs to the SEM community have increased in each of the past six years, averaging 377.6 per year in each of the five years, 2012 through 2016, for the 2017 year a 45% increase. Fire runs doubled from 39 to 78, compared to 30% of rate increase for the entire city. We can anticipate similar increases over the next two years without the additional 40 more units. The average call per unit in 2017 was 1.2, which would add 48 runs alone. This will

increase the traffic, the noise pollution from sirens, as well as wear and tear on the EMS. Fire and police equipment will clearly require additionally trained EMS employees. The additional 40 units will compromise the quality of the Milford Safety Services without additional funding for manpower and equipment. In addition, Chief Baird expresses concerns specifically with the location of building D in his evaluation of the plan for the ingress and egress of safety services.

Mr. Albrecht: Parking, while I did read the Attorney's response, and while he may have made a good point with respect to the required number of spaces, he still has not, in my opinion, addressed the location of those spaces, and according to our basic land use plan, parking should be limited to the rear of the property, or buildings whenever possible. With over 13 acres to plan, it would be my belief that a design with parking in the rear of the building is reasonable. In addition, adequate parking has not been provided based on even the basics of city planning with zero or limited parking in buildings F, J, K, and P, as noted by staff in the addition. Over all there were only six handicap spots, they claim ten in their revision. They have not addressed in their revision my concerns about the location of the parking, either in the rear of the buildings, nor the fact that there's no parking in areas for F, J, K, and P.

Mr. Albrecht: So, even if they have 10 handicap spots for the entire 13 acres, I'd have to see a plan as to where those are being located, because I noticed a lot of buildings didn't have any parking spaces, and no handicaps. So, there were only two allotted for building I through P and four for the rest of the development, which again, is my point with respect to location. It would seem given the commercial use for this property as a retirement community, more handicap spots would be planned. The number of parking spaces, lack of handicap spaces, and the location of the parking, is a serious issue with the current plan. I don't believe those were addressed in the remedies that were submitted to us. I'll save my conclusion, which also includes my vote when it's time to vote.

Mr. Pelle: I have a written statement too. I don't know if you want me to wait on the vote, or say it now? It's more of a statement than a discussion.

Ms. McKnight: Well I also put my thoughts down in writing, and I'll attempt to go over those as succinctly as possible. After reviewing the application, all the testimony that we received at the meeting on October tenth, as well as the additional information that the applicant provided at our request. It was a lot to review, but using the site plan review guidelines that were mentioned from Section 1127.04, tried to determine how I fall out on this. In general, I'm okay with the design of the structures of the buildings. I think for its purpose, having them be similar in design, is okay, even though, yes, the nice thing about Milford is the houses are varied and eclectic may be a good word, and I like that, but for this project that didn't bother me.

Ms. McKnight: I thought, yes, we're losing mature trees, but it was a very extensive landscape plan they were providing, and I think a plan like that, once the plantings came to maturity it would be a very pleasant environment, but there were other things that gave me pause. Guideline A, talked about buildings and open spaces being in proportion and scale with existing structures and spaces. I really feel like the project not in proportion and scale with itself. I like that look of the proposed

buildings, but they're not in keeping with the existing development, and the two together don't result in compatible uses and practices within the project, and the zoning district. Guideline B, about congestion over buildings being cluttered. I really felt that it appears congested due to the arrangement of the buildings, especially in consideration of their relationship to the existing buildings. Four of the new proposed buildings project beyond the front building line of the existing buildings much closer to the road, giving that congested feel.

Ms. McKnight: Two of the buildings, J and K, are kind of enveloped by the existing building, and again, they feel that creates congestion as they're kind of tucked inside that building, giving that congested and over built environment. D, references natural separation being preserved on the site by careful planning of streets and clustering of buildings. Back to those buildings J and K, while their physical separation, the distance is similar from the existing buildings as the new buildings are from each other. The fact that they're tucked back into that L of the existing building doesn't result in the feeling of natural separation, and then they get that envelope or tucked in feeling, like they're putting more foot into the shoe. L, references pedestrian circulation, and handicap parking. Separating pedestrian and vehicles circulation. Kind of echoing what was said earlier, but the parking proposed for the east side is not located within convenient walking distance to the uses served.

Ms. McKnight: Particularly for buildings P, J, and K, and while they are providing the ADA required number of spaces, considering the nature of the use for a senior population, the handicap accessible spaces are not located as near as possible to many of the buildings. While there may not be a high proportion of residents with cars, one would think that there would be family and friends that would come to visit residents. Taking them off site, and having those convenient parking spaces for transition to and from a vehicle is necessary for resident safety, and it's not clear where the residents in the proposed buildings will enter the existing buildings for the meals and activities that have been discussed. The pathways are shown throughout the development but, in considering the population, most of the buildings are a considerable distance from the main entrance. Particularly in inclement weather, we're having now, and will have worse, and even the heat and humidity of the summer. Considering the proposed use, the pedestrian connections don't appear to be convenient. M, talks about street crossings, and there are no cross walks shown for the units on the west side.

Ms. McKnight: It's a nice pathway along the street, but it's presumed those residents will be walking several times a day to the main building for those meals and activities, and should have several well-defined cross walks provided along the main drive. We're all pedestrians, we take the point of least resistance to get from here to there, and providing multiple ways to get there would be a safety concern for me, and parking lots and garages located in the south west provide safe convenient access, and parking areas being screened. Again, this was already mentioned that parking area next to building O, should be screened from the street by building O. Flipping it and putting the parking to the north of the building and away from the street. I've struggled some with the, kind of echoing what Mr. Roe said, if the use is people that are living in these units are independent enough to get to the building for meals and activities. You kind of have to look at it one way, and they might have cars and result in more traffic and the need for more parking. If

they're not independent enough to have vehicles, then there's issues created with them having to get into the main building for those common activities. So, I've struggled with that definition as well. Kind of where I am on this right now.

Mr. Pelle: I think this has been a difficult decision, obviously, for all of us. At odds are our local organization's healthy desire to grow, and the healthy desire of its neighbors to preserve the standards of its community. This case in particular is perhaps more difficult because the community as recorded in these meetings does not believe the applicant has been transparent with its plans or genuine in its desire to meet the request. And the developer on that side seems to believe pushback from the community is simply a case of "not in my backyard." I think the issues go much deeper than that, much more factual than that.

Mr. Pelle: Also making this difficult is the location in question, which although on private land, is seamlessly integrated with the character and the culture of the neighborhood. South Milford Road is the last remaining corridor into and out of the heart of Milford that is largely undeveloped. It is the only area that, since the 1800's, has consistently given equity to two of the city's unique brand pillars for which Milford has come to be associated, namely the long and still preserved history of its homes and the charm of its geographically and aesthetically-rich natural resources.

Mr. Pelle: So, it's a particularly sensitive area for those reasons. The Milford Zoning Ordinance states, and see item B as the mayor has alluded to before, 1127.04, that if a site has the appearance of being congested, overbuilt or cluttered, it can become a blighting influence and should be avoided. It does feel that this particular plan is in the best use of the developer, but not necessarily the community in that regard. In addition, recently approved 20-year comprehensive plan was produced by a committee, which I and one or two others here participated, which stressed objectives such as low-impact, environmentally friendly development, sustainability and the necessity for a more strongly reinforcing our city's brand.

Mr. Pelle: The concern of the traffic study is its credibility, which I have very little faith in as presented. The use of this land seems ill-defined, at this time at least. As previously stated, I also believe the applicant's plan as submitted does not meet the 1127.04 item B standard, nor does it help Milford achieve its 20-year objectives, especially considering the vital nature of the specific areas discussed. Just as concerning is the increase Milford has seen in its EMS runs over the last decade and the increase we expect to see, regardless of this development. The increase to this area in particular is already disproportionately large compared to the rest of Milford, 45 percent to the 30 percent as discussed before as well.

Mr. Pelle: I believe the additional units will lead to financial issues and cost overruns that will not be fully compensated for by the increase in tax revenue, which leads to other financial issues down the road that we will have to address in those ways. That's kind of where I stand.

Ms. McKnight: Any other comments or points of discussion from the commission?

Mr. J. Wenstrup: I appreciate the point by point everyone provided, because I think it reinforces some of the things that I'm concerned about. And while traffic is really

unpredictable, I think it's unacceptable to me, on behalf of the people in the community, to accept as a city the burden of additional traffic on a road that's already way overused for what it was built for. And if it has to be rebuilt, that creates an additional expense and destroys the character of the neighborhood.

Mr. J. Wenstrup: The same with a facility that is an adult senior care facility puts in a multifamily, which are you? These are independent people who will buy them, so are you selling housing units on the skirts of a ... Well, no we want to call it a ... I really have a problem of what the identity of the space is as well. It's whatever works, and you had mentioned the word "gamesmanship." I feel a little worked here, a little bit. So, I have a real difficult time taking what you're representing as genuine. Whatever you need to hear, here's a traffic study. But none of the things that we brought up in good faith last time have been addressed to my satisfaction at this point. So, I don't know if anybody else feels that way, but that's how I feel.

Mr. Roe: Yeah, I agree with you, John. I think this was brought up last time that, when it suits them to say that, well they're going to be a younger, more independent and active residents that might be more a part of the community, that's mentioned. And then, when they need to say, "Well, actually, there's going to be less traffic there. They're not going to be leaving the campus very often," then that suits them. You brought that up again. That was brought up in the last meeting. And then, in conjunction with the traffic study issues that we seem to all have, it just doesn't feel right.

Mr. Roe: The same themes kept coming up with everybody. I agree with Ms. McKnight, there's a great effort for new landscaping to be planted as they clear trees and I understand that's all part of development. You do have to clear trees sometimes and they're making a very concerted effort to replace those, and yes, those take time. Fortunately, I think that's a plus that you can attribute to this development.

Mr. Roe: It does feel congested, overbuilt and random. Things that don't fit the 1127.04 section ..... I guess its just section 1127 of the ordinance. It doesn't feel like it's a part of the neighborhood. I do have an issue with ... Everybody brings up the amount of traffic there, that's a problem. As it stands today, they've called it dangerous, they've called it too busy. There are speed humps there. They've been there for years. I know recently we've had an issue with having to shut trucks down traveling through that neighborhood because that's become a problem. So, adding additional traffic, particularly when we don't feel comfortable with the traffic study, just doesn't feel right to me, either.

Mr. Roe: I know that's been a concern and I don't think that there was any effort to allay our concerns with that. I don't think there's really been much compromise on their part at all. They know how the community's felt; that the community felt like this was sprung upon them. There wasn't much, from what I could see, effort before this process started from them to reach out to them. So, that disconnect was there and it's existed from the beginning and I haven't seen a lot happen with me to engage with them and possibly compromise. One of the lines in 1121.04 of Title 3 for site plan review is that you must meet the minimum requirements for safety and general welfare. I think that the general welfare of the community around it has been of little concern for that, in addition to the safety as related to the traffic study.



Mr. Roe: I feel pretty uneasy about it. I don't think there has been much in the way of a good faith effort to meet the general intent of the zoning ordinances, let alone the basic existence as a neighbor in a neighborhood that's proud and concerned with anything that happens around them.

Ms. McKnight: All right, gentlemen. If there are no other comments, I guess we could entertain a motion regarding the site plan for the Sem Terrace Independent Living units at 5371 South Milford Road.

Mr. Albrecht: So moved.

Speaker 1: Second.

Ms. McKnight: Wait, wait, wait. Moved what?

Mr. Albrecht: I'm not finished. Move to vote.

Mr. D. Wenstrup: Excuse me? May we address the board with the developer's comments?

Ms. McKnight: Well, we received the information that we requested, and we've closed the public hearing. I guess I'd ask the council. I'd assumed we were ...

Mr. D. Wenstrup: There were certain statements made that actually were incorrect. We can address that if the board wanted to hear it. I'm sorry for my voice. It's the best I can do.

Mr. Minniear: That's up to the board if they want to hear the issue. There's got to be some kind of conclusion.

Mr. Minniear: My understanding was the sole purpose of continuing to today was to give the additional factual documents that the board requested. I didn't understand that we were going to continue the give and take and the discussion. I thought it was continued solely for the purpose of getting that additional information and documentation, and then the board would discuss and debate, and then vote. But if the board wants to hear additional comments, that's at the discretion of the board.

Ms. McKnight: I mean, that was my feeling as well, that we asked for additional information, we received written information from the applicant. We gave the audience the opportunity to comment on that additional information. There were no comments. But, if there's anyone on the ...

Mr. J. Wenstrup: On my part, I've heard enough.

Mr. Albrecht: I've heard enough.

Mr. Pelle: I've heard enough.

Mr. Albrecht: And I believe in the spirit of the continuation, clearly, we had a very clearly defined reason for continuing it, rather than closing it last time and then delaying the vote for us to decide. We've done both at the same time and I don't believe that we should open ourselves up for the comments, either by ... by anyone in the public, by either side.

Ms. McKnight: It's the decision of the commission, they'd like to just proceed with the vote.

Mr. D. Wenstrup: Very well.

Ms. McKnight: So, we need a motion either to approve the site plan or to reject the site plan.

Mr. Pelle: I make a motion to reject the site plan as submitted.

Mr. J. Wenstrup: I second.

Ms. McKnight: Motion and a second to reject the site plan for the Sem Terrace independent living units project at 5371 South Milford Road. We should probably do a roll call vote on this one.

Ms. Bain: Ms. McKnight?

Ms. McKnight: I will vote yes to reject the plan.

Ms. Bain: Mr. Roe?

Mr. Roe: Yes.

Ms. Bain: Mr. Wenstrup?

Mr. J. Wenstrup: Yes, to reject the plan.

Ms. Bain: Mr. Pelle?

Mr. Pelle: Yes.

Ms. Bain: Ms. Albrecht?

Mr. Albrecht: Yes. Reject the plan.

Ms. McKnight: Thank you. The commission has made a recommendation that the site plan is not approved ... or, made a decision that the site plan is not approved. As I stated earlier, we do have additional cases this evening, or at least an additional case this evening. We'd like to continue on with the meeting. If you choose to leave, if you'd leave quietly, that'd be appreciated.

**Site 18-13 The Millcroft Collection, Certificate of Appropriateness, 203 Mill Street.**

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

**Project:** The Millcroft Collection Certificate of Appropriateness

**Location:** 203 Mill Street

**Property Owner/Applicant:** Contingent Holdings, LLC  
7885 East Kemper Road  
Cincinnati, OH 45249

**Acreage:** .449 Acres

**Tax Parcel Id:** 210709.001; 210709.002B; 210709.005A; 210709.006B

**Zoning:** B-2, Downtown Mixed Use, OMO, Old Mill Overlay

**Existing Use:** Vacant Building

**Proposed Use:** Distillery, Restaurant, Banquet Facility, and Office

## **EXISTING CONDITIONS**

### **Adjacent Land Use and Zoning**

All adjacent property is zoned B-2, OMO

*North: Park National Bank and Masonic Lodge;*

*East: One Main Gallery and May Café;*

*West: Milford Library, Dr. Guju, and Parker Building;*

*South: Little Miami Brewery*

## **PROPOSAL**

Mr. Stuhlreyer Stuhlreyer, Contingent Holdings, is requesting a Certificate of Appropriateness to construct a 10,600 square foot multi-use building. The applicant proposes to demolish the structure located between the Millcroft and the Stables building, upgrade the infrastructure, and incorporate portions of the Millcroft and Stables into the new footprint. Potential uses include: Distillery, Restaurant, Banquet Facility, and Offices.

If Planning Commission grants a Certificate of Appropriateness for the proposed development, applicant will come to a future Planning Commission meeting for a full Site Plan review.

## **ANALYSIS**

### **Demolition**

The applicant is requesting permission to demolish the structure that connects the original historic Millcroft and the Stables Building. Properties located in the Old Mill Overlay District are required to receive a Certificate of Appropriateness from Planning Commission before demolition can be completed. Section 1167.11.K. states that "Demolition of any structure shall not be permitted unless the applicant can demonstrate that one of the following conditions exist:

1. Demolition has been ordered by the Building Official for reasons of public health and safety;
2. The owner can demonstrate that the structure cannot be reused nor can a reasonable economic return be gained from the use of all or part of the building proposed for demolition;
3. The demolition of the building will not adversely affect the streetscape as determined by Planning Commission."

The applicant's intention is to remove the later additions from the Millcroft so that the building can be restored closely to its original condition. Staff feels the applicant's proposal is in keeping with the historic nature of the Millcroft, the Stables and, downtown Milford; therefore, we would recommend approval of the demolition.

### **Permitted Uses**

The proposed uses which include: Restaurant, Banquet Facility, and Offices are permitted uses in this district. The distillery use is not identified as a permitted use in any Milford zoning district. This is not surprising since the existing ordinance was created in 1999. Staff is currently working on an update to the downtown district zoning guidelines and our intention is to add the distillery use as a part of these

changes. Staff does not see an issue with this use as it is very similar to the Microbrewery use that is permitted in the downtown district.

### **Site Plan**

The Planning Commission is being asked to review the basic layout and concept plan before the applicant proceeds with a full site plan review. This project is located in the Old Mill Overlay and the Commission will have the ability to regulate material type and height. The applicant is making an effort to preserve the Millcroft and Stables as well as investing a great deal of money to restore the Millcroft to a close replica of the building as it once was many years ago. The proposed new construction appears to be more contemporary, but complimentary to the surrounding buildings.

Vehicle access to the site would be handled via Water Street. The applicant is providing 9 parking spaces on site and eleven shared spaces are available in the right of way on Water Street and Mill Street. Trash would be handled by an on-site dumpster.

Parking is a concern with the number of different uses proposed on this site. Section 1187.05 states that the applicant is required to provide a parking plan showing that an adequate number of spaces have been provided for the proposed use. According to Section 1187.06 the applicant is permitted to use shared parking as a part of their space count. Staff would ask that a parking plan be submitted during site plan review.

### **Comments**

1. Planning Commission Site plan review submittal to include 10 sets of the following: Site Plan, Grading & Erosion Control, Elevations (with building materials), Landscaping, and Lighting.
2. Provide a parking plan showing that an adequate number of spaces have been provided for the proposed uses in accordance with Section 1187.05.

Ms. Holbrook: You have received a copy of the concept submittal, provided by the developer. As you can see, the applicant is showing nine spaces to the rear of the building off of Water Street. They provided for a loading zone and a trash dumpster in the back. The applicant is present and he will give you more detail as far as the structure and what they plan to do. I'd be happy to answer any questions that you have. A full site plan review would occur at a future date when the developer is ready and has the whole package together.

Ms. McKnight: Just to clarify, the action of the commission tonight is to consider whether the proposed use is appropriate for the downtown district and therefore, allow the demolition permit to be issued.

Ms. Holbrook: The Certificate of Appropriateness would permit the demolition. The applicant is interested in hearing feedback on the concept before he puts a lot of money into site plans. Because this is a sensitive area, this is a great opportunity to get feedback from planning commission as well as the public regarding his proposal. The distillery use, is kind of an odd duck because we don't have that anywhere in the zoning ordinance, but it seems closely matched. The applicant hasn't provided a lot of detail as far as the building material. He may have more information tonight, but at the next level of review, site plan review, we would ask for all of that detail.

Ms. McKnight: And one other question, I didn't see you bring your crystal ball in this evening. The proposed text amendments that would include distillery as a permitted use, any idea how that process might shake out?

Ms. Holbrook: We are doing downtown design guidelines text changes and we can incorporate the distillery use as a part of that, which would be early in the year. We would add distillery use as a conditional use, just like microbrewery. So, that should be before council at the beginning of 2019.

Ms. McKnight: Awesome. Okay. Thank you.

Ms. McKnight: Any other questions? Would the applicant like to tell us a little bit more about the project, please?

Mr. Stuhldreier: Thank you for considering our application this evening. It's a pleasure to be here. Ms. Holbrook, she did a very nice job of outlining what we're attempting to do with this wonderful location here in downtown Milford. I'm here, really, to answer questions, specifically to make good use of the commission's time. So, what particular things could I address for you to get comfortable with, at least our preliminary concept tonight?

Mr. J. Wenstrup: Excuse me, what is your name?

Mr. Stuhldreier: My name is Mark Stuhldreier.

Mr. J. Wenstrup: I like the concept. I like the fact that we preserve a building. It's not chump change you're looking at here. So, that's a good thing. We like people that make an investment in the community. If we don't tell you that. We should. Everybody that has a business here is appreciated. And then, the plan says you're not really seeking any variances. Is that correct?

Mr. Stuhldreier: We're unaware of any code relief that we would need.

Ms. Holbrook: Based on the concept, which is just a concept, we haven't really seen a site plan, but based on the conversations that we've had with Mr. Stuhldreier and what we've seen so far, we don't think they will need any kind of variance.

Mr. J. Wenstrup: Thank you. So, you want some feedback. Let's talk like neighbors. Let's be friends. Thank you for doing that. One of my big concerns as a member of planning is protecting our neighborhoods, while letting our businesses grow. And you know there's a balance. So, this design seems great. We can get more detail later, but I'm good with that. The concept of having a distillery is not problematic for me. My understanding, from looking at what you have here, this isn't where you're going to crank out barrel, after barrel, after barrel of whiskey ... or spirits. The distilling part is, I like to say more for show. Because you produce stuff in other places, correct?

Mr. Stuhldreier: Correct.

Mr. J. Wenstrup: It's not going to be a wholesale distilling operation, where it smells like you're driving through Lawrenceburg, Indiana. Where they make so many. I think that's important and it gets to one of the points that I want to address. I know that you

can put a scrubber on a stack. So, that if it does create a problem later on, or a complaint, "Geeze you know it doesn't smell like I thought it would smell."

Mr. J. Wenstrup: Is that something we can mitigate? You can mitigate? You can be in agreement to deal with? Because that's one of my concerns. You don't have to commit to that now. You know I think if we had somebody who says, "we're going in, at the old ... U-haul place. We want to put in a fertilizer factory." I'd be like, " Well wait a minute. That can cover a big area. "So, that's one. And the other is sound. So, it just doesn't go into our neighborhoods, we want to kind of keep that separate.

Mr. J. Wenstrup: Then lastly, you've got a lot of glass, which is fine. But I would say I don't want a big sign here in the window, "This is whiskey a go-go weekend." You know, I don't want to junk it up. Those are my three concerns. But I assume from visiting your location last week on Kemper Road that none of those should be a concern.

Mr. Stuhldreier: Thank you. I have all these notes taken and we will comply with all the code.

Mr. J. Wenstrup: Thank you. Not every community does a good job of respecting the residents or the residents being genuinely welcoming and saying, "These are our concerns." And we want to facilitate that as much as we can, I believe.

Mr. Albrecht: I have a few questions for you as far as the demolition goes. And, again I don't always like to assume that I know all the answers. I've heard you speak before. Can you kind of point out on the screen to people, exactly what you're taking down? And do you think that it will have any impact on the area around you, as you're making that demolition happen. I know you're going to have construction debris. But I'm talking about in the adjacent buildings, any issues? Anything at all that might affect the downtown?

Mr. Stuhldreier: Yes sir. I wouldn't consider it a traditional demolition. This is a building that was built 100 plus years ago, this structure that we're talking about. And there are elements of it that may be 300 years old. So, first of all it isn't going to be a wrecking ball or a bulldozer going through here. We're going to be systematically, almost surgically taking it down. Because, of the historical value and importance of the things that are inside the building, that we will reclaim as much as possible. The building itself if you look at the rectangular structure that forms the 1812 building on your drawing there. That building is going to be retained in its entirety. So, from that edge, if you're familiar with the property.

Mr. Roe: Excuse me Mr. Stuhldreier. Can you point it out on the screen for us? There's an aerial right there. I think I know what you're talking about. Just so I make sure everybody can understand. So, the 1812 building is which one?

Mr. Stuhldreier: 1812 is this structure right here. Everything from along that back perimeter, over to the perimeter of the stone which is east.

Mr. J. Wenstrup: So, you've said which thing you're keeping. Maybe it'd be good if you outlined the thing you're taking out. So, it's the goofy building on the back of the stable on the building between the two?

Mr. Stuhldreier: This building here the backside, that will stay. That structure's viable, it was built in the early nineties.

Mr. J. Wenstrup: Okay.

Mr. Stuhldreier: We believe that's an important structure to retain.

Mr. J. Wenstrup: Okay.

Mr. Stuhldreier: But everything else, with the exception of the stone stable and the 1812 house, comes out, would come out.

Mr. J. Wenstrup: And we see in the drawings that the original building, stables and [inaudible 01:03:55] and stuff. What will that building built behind the stable be used for?

Mr. Stuhldreier: Very similar application, so tables. We would consider it a VIP or special events room for the distillery.

Mr. J. Wenstrup: Okay, thank you.

Mr. Albrecht: Where exactly would you be putting in the distillery operation?

Mr. Stuhldreier: So, here's your first-floor plan. And on the right-hand side of the diagram is the stone stable. That's staying intact. The still room, the actual room where the production would occur is directly through that first entry way. So, the front, that sits on Mill Street, it'll be a window. We've seen renderings. That's the distillery per se. Now that is not going to be open to the public. That'll be a room that you could see from the inside the distillery, but not access.

Mr. Albrecht: Can we make the assumption that a distillery of this nature would be not much different than the distillery of a brewery nature? As far as the looks?

Mr. Stuhldreier: There are differences, but it's very similar in terms of-

Mr. Albrecht: Looks, feel, smell?

Mr. Stuhldreier: Yes. It's actually significantly less equipment, and the process is a little simpler, than the brewing.

Mr. Albrecht: Okay. I just want a comparison, because we're used to something now.

Mr. J. Wenstrup: There's only one still?

Mr. Stuhldreier: There's one still, but there will be what's called a mash time and fermentation vessels.

Mr. J. Wenstrup: What is the thing on top, that kind of a hut looking thing? With a round-

Mr. Stuhldreier: That is a water tower. It's serves zero purpose in the functional activities in the building.

Mr. J. Wenstrup: That's just for show?

Mr. Stuhldreier: That is for show.

Mr. Roe: So, in essence kind of the center mass of the existing buildings is what's being demolished and replaced?

Mr. Albrecht: And if I remember right, you're doing a new basement. Is that where your kitchen's going to be? Or what were you thinking there?

Mr. Stuhldreier: The basement would serve as storage for any, all business' that occupied this space in total. We've talked about a commissary kitchen for the event facility that occupies the second floor and then the roof top as well. So, that kitchen's separate from the kitchen that you would find in the main building. And, also again separate from the smaller kitchen that we will be putting in the distillery room.

Mr. Pelle: How committed are you to this design in regard to the viewable area with the still in it. The all glass kind of look? I'm asking because for me at least, it's a really important feature for a number of reasons. Obviously marketing wise reasons for you. In terms of reducing the sense of mass, it really helps quite a great deal in doing that.

Mr. Stuhldreier: So, what was the question again?

Mr. Pelle: I just think that's a really important feature with all that glass. Because it reduces the amount of ... feeling of a massive block, perceived mass. I'm wondering how committed you are to that kind of design and that kind of technique?

Mr. Stuhldreier: This is eighth iteration. And, that has been the center piece for the distillery business from the beginning. While we have refined it to this point, satisfies some [inaudible 01:08:18] concerned.

Mr. Stuhldreier: We can go further. But you hit the nail on the head. It is an important element for the marketing of the business. And, the viability of the site in general.

Mr. Pelle: Absolutely.

Mr. Albrecht: So, what I'm interpreting that as a positive? That you were saying?

Mr. Pelle: Absolutely a positive. I mean for him as a business, but for the neighborhood in general. Because, in this particular area, adding a structure like this, it could really be overwhelming. Traffic, parking and all those things. Anything that reduces the feeling of this big, giant building right there, is really going to help. And, that glass really does that.

Mr. J. Wenstrup: Does the space around that ... is that required, that much space around the still itself?

Mr. Stuhldreier: The operation itself will have, at times two or three people in there. We've really not done the best job of depicting the equipment that'll be in there. There're hoses, there's smaller rigging equipment and cleaning equipment that then will be the atmosphere, so yes.

Mr. J. Wenstrup: When it comes to the mass part. What hits me is ... as we look at it from this angle too. The line that starts at the old mill building itself and runs across, say's



restaurant and a pub and runs across the Sycamore. Being that it's a straight line all the way across, it creates a blocky-ness. Even if it dropped down a foot or went up a foot, so that you've got some dimension. I don't think it looks ... I mean you've got this old character, I wouldn't expect you to make it look like a 200-year-old building. But it'd be kind of nice to break up that ... You've got a nice line down below, but break up the line above. So, that the Sycamore's a foot higher or the restaurant pub's a bit lower. That might make it visually less opposing. Do you think?

Mr. Pelle: Well, I don't know. The way I'm seeing it I really like how this is treated architecturally. Because, you've got the white in the front on a lower level, and then the black top is kind of receded in the back. Which, also gives the illusion of less mass. So, I'm okay with it, I think, as it is.

Mr. Albrecht: I like the fake water tower too.

Mr. Pelle: Yes, yes. And that's very Milford, right.

Mr. J. Wenstrup: I like it a lot. And, I know you know the history of the Kugler's across the street. I mean some of that stuff might find its way out of the woodwork. And, people that have things from years ago. It would be wonderful to celebrate our heritage. And, of the fact that this is part of what Milford's all about. And I sense that you recognize that and that's the value of the location. It's was the Kugler home at one point.

Mr. Roe: I think you guys do a great job breaking up the mass that you need to make it viable. From the water tower, floor to ceiling glass, the curtain wall and the receding ... It looks like there's a second-floor balcony there. I mean it looks great to me. One of the things that we have to determine and you have to demonstrate for the Certificate of Appropriateness, is whether you meet one of these conditions: one is the demolition has been ordered by the building official for reasons of public health and safety. I don't think that applies here.

Mr. Roe: The second one may apply: The owner can demonstrate that the structure cannot be reused, nor can be a reasonable economic return be gained from the use of all or part of the building proposed for demolition. The third one: The demolition will not adversely affect the street scape as determined by planning commission.

Mr. Roe: Can you address the second one? Whether you need to demolish that part of the building, in order to make this work or not.

Mr. Stuhldreier: That's a good question. The site was first put into service as a restaurant in 1939. It has served in that capacity, all the way until almost the end of this past century. And has not since then. That's a functional kitchen in there, that I'm sure if you looked hard enough you could find somebody to try to, light back up. And try to do some work inside the kitchen to bring it back at some level of service, the way it has been in the past 75 years. But I would say it would not be financially viable in the long run, nor in the best interest of Milford to try to do that.

Mr. Stuhldreier: We looked at it, seriously considered it. And realized that that entire function in there, which will be obviously paramount to the restaurant that goes in the 1812 first floor, had to be completely removed and replaced. It's just too old. In order

to attract the level of economic activity that you're going to want and that this thing has the potential for. It has to be replaced. By me or somebody else.

Mr. Pelle: I think we've known or suspected that for a long time.

Mr. Stuhldreier: I can arrange a tour of that, anytime.

Mr. Roe: I agree with you I just wanted to make sure that you could quickly demonstrate that to us. I've toured the building several times as a part of doing budgets with the company I work for here in town. To remodel that thing, to make it work for a modern functional restaurant, is going to take a lot of money and the kitchens are in bad shape and the hoods are obsolete. So, I tend to agree with you.

Mr. Stuhldreier: For the record I'm not a restaurateur. I don't know how to run a restaurant. But I know if I tried to rent that space today, the restaurant that we'd all be proud of in Milford, I'd have a hard time.

Mr. Roe: Yes, that's why it's so empty.

Mr. J. Wenstrup: Mr. Stuhldreier, I've done a little bit of research on National Historic, Ohio Historic and Preservation. There's also a functionality of economics, if I'm not mistaken. Because, if you remove the building between and that building's intact and the stable are intact. You can get some matching funds, which makes the project more feasible, is that correct?

Mr. Stuhldreier: We have yet to explore the potential there.

Mr. J. Wenstrup: I will tell you that the folks at Promont are a great resource for information like that. I think that not only can they give you some great information about the history of Milford. I'd like to see us establish a status of at least historically significant. And then if people want to go a step further and do a preservation and get matching funds. There're some restrictions on that. I want to encourage that in the community. I appreciate you keeping those other two intact, and you might be pleasantly surprised if you look into that statute. They're both online.

Mr. Stuhldreier: Thank you.

Mr. Albrecht: I want to tell you just from resident and as mayor. We really appreciate your investment in that building. It's well beyond what you're going to make out of that operation. I think a lot of its philanthropy too. So, we appreciate it.

Mr. Stuhldreier: Thank you.

Ms. McKnight: I agree with my fellow commissioners. I like your concept. You'll be coming back with site plan and materials. I like how the look of the siding on that first floor is continued to the new building. I think that is a nice addition for the street scape. The closure around the still, I wish it didn't have to stick out so much coming from that side, blocking the stable. But since it's glass I guess you see through it so you can still see that building. I think you're definitely headed in the right direction and it will be a wonderful addition for the city.

Mr. J. Wenstrup: I have a question. If residents want to share concerns, insights and so forth certainly they can approach us. But, will there be a meeting where they'll be able to speak? Do that tonight or can they do that at another meeting?

Ms. McKnight: I was intending on opening it up to the public once the commission is done. Do you have any other questions or comments for the applicant? Then I'll invite the audience to come up and state their name, address and give any additional comments, questions they may have.

Mr. J. Wenstrup: Just a comment about it. I'm excited about it and look forward to seeing all the community try to find a way to be supportive of it. In all phases of the demolition, and the build out and during the operations. I hope you get more business than you can handle.

Ms. McKnight: Well that would lead to another point about the parking. We will need to see a plan for how this would be approached. Obviously, there's been a restaurant here, as you said since cars were invented. So, parking's had to be handled for the site. But, with your particular use and all the ancillary uses that you're proposing, we're going to want to see how parking would be addressed. Just bring that back to us when you come in with the site plan.

Mr. Roe: Yes. I'd like to reiterate that point. That's a concern for a lot of people, it was 10 years ago and it's become even more of an issue recently. I think that's going to be a big focus for a lot of people. So, I think a lot of careful thought should go into that. I think it's great. We have a history of a distillery and a mill in this old mill district. So, it's nice to see it coming back. You're familiar with the history. I own the Cooperage building across the street, the old stone building. That's where they made the barrels for the distilling operation. I can appreciate that. We found some fun things while we've done some remodeling there, that you wouldn't expect to be finding. I'm sure you'll find the same when you get digging into there, if this turns into something real.

Mr. Stuhldreier: Thank you.

Ms. Holbrook: Do you have a timeline for the project?

Mr. Stuhldreier: 18 months is probably a good estimate. As soon as we're approved.

Mr. J. Wenstrup: Can I break that down. How long will the demo take do you think?

Mr. Stuhldreier: Well I don't want to give anybody the impression that we're going to do demolition before we have full approval.

Mr. Stuhldreier: Maybe a week.

Mr. J. Wenstrup: So, that part is not a big disturbance of things going on downtown?

Mr. Stuhldreier: I wouldn't think so.

Mr. J. Wenstrup: And then the building of the structure.

- Mr. Stuhldreier: It's be a carefully orchestrated process with the limited space that we have. I have a crew that I've worked with for 12 years. They know what they're doing they've done similar things.
- Mr. Pelle: I think if I leave you with any suggestion other than stating, how much I love this concept. Parking as we've said to you. Please very seriously consider in that plan when you come back, how you can address parking and traffic. Those are the things that seem to be coming up more and more here. I get comments a lot about what happened to downtown Loveland. Nobody wants Milford to go that route, where there's just way too much traffic.
- Ms. McKnight: Okay. Well we'll have an opportunity if there's anything we want to add at the end. We can go ahead and take comments or questions from the audience. If you come up again, and state your name and address for the record.
- Mr. Len Harding: Len Harding, resident of Milford and trustee of the Milford Public Library, right across the street. Our building was built in 1860. We house the Milford Public Library, which was founded in 1900. I'm a trustee of the building. There're several things I want to say. First of all, for the city. I have stood up here before and asked, if it were not possible that we could adopt some form of LEED requirements to go with this sort of thing? And I would especially want to do LEED Demolition. There's going to be all manner of interesting accoutrements as you had pointed out, that you will find. Plus, a lot of asbestos. We would find it much to our advantage, if the dust were kept at a minimum and if the asbestos were abated as you went along.
- Mr. Harding: I might also suggest that there's probably a lot of interesting copper in there to preserve and get out. In the basement of the library we have the old bar to the old stable mill. So, yeah there's a lot of stuff that didn't come out of there. And, one would hope be reused. Basically, this building has been vacant for so long, that I'm sure there's deterioration inside that nobody really knows about. At one time the old mill was on a national registry of fine restaurants. And that's been a long time because I was a little boy when that was there. It's been mostly empty.
- Mr. Harding: I think this is a wonderful idea. And, all I'm saying is the LEED aspects are really good for this kind of a building moving in, especially the glass. I don't know how familiar you guys are with LEED. It's not hard, it's rather easy for a rehabbed building. I like the idea that you're maintaining Doctor Belts old house, which was the old mill, and the old stable. I think it's a wonderful idea. It revitalizes the area and makes the Milford waterfront interesting. We're just going to have to be careful of things like dust, traffic, dirt on the roads. LEED does address these things, and so, that will be important, because that is a highly used roadway in the mornings. Dirt is going to go everywhere and the dust becomes an issue. Especially since most of the people who come to the Milford Library are older and probably have breathing problems.
- Ms. Nancy Meyer: Hi, I'm Nancy Meyer with Row House Gallery, 211 Main Street. We've been on Main Street for 47 years. We were there when that whole street was thriving, the Millcroft was booming it brought a lot of people in, they walked the streets. We were there when they all closed. People would get in their car and drive away. With a brewery, The Main Cup moving down. If you haven't had breakfast yet,

go down on the weekend, it's fabulous. The French restaurant, and a lot of other places. It's made a big difference, so kudos to this project. Thank you.

Mr. John Hueber: John Hueber, 811 Center Street. I just want to speak specifically to some of the issues about the demo. I've been through the building like Oliver has, numerous times. Crawled through it a few times. Trying to figure out what could be done with it, and I'm 100 percent in agreement with what Mr. Stuhldreier is doing with the center section, and at different floor levels, and it was just a mess. My first inclination when I looked at it was do exactly the same thing. Tear that thing out of there. Preserve the original front building and the stable. I just couldn't be happier with what's going on.

Mr. Hueber: One other comment, I'm a custom homebuilder, remodeler for 45 years, and done over 80 units in OTR; I've been through the planning commission down there so many times it's remarkable I have hair. But, some of the design requirements down there when we're working with these whole buildings is to not reproduce them, as you were saying, and to bring that more contemporary line in there. There are projects down there where they buried that roof line a little bit. Personally, I don't think it worked. I like the clean line, and I think putting the fake water tower on top does break that line up as well as his pergola on top for the rooftop garden. So, I think that's addressed, at least for me. I also like the white below with the dark. These are just concepts but, for the most part, I just think this is a no-brainer on permission to demo that center section.

Mr. Hueber: Lastly, to address this gentleman's concerns. Mr. Stuhldreier mentioned that the demo is going to be done surgically. I've done many of these demos downtown, and you have to keep the dust, and the dirt, and all that stuff down, and I'm confident, I've only known Mr. Stuhldreier since he got involved with this thing, but, I'm confident he knows that, and is going to do that. And I would also agree though, that, I'm sure you probably have it in your plans already, you didn't mention it, but either build to LEED standard, or energy efficiency and those kinds of things. I think that's a great thing, and I think the City of Milford should consider it overall, for all projects. Thank you.

Caroline Good: Hi, my name is Caroline Good. I own 16 Wooster Pike, on the other side of the river. I want to say that I actually really like the way this looks, and I'm very happy to see that, there's interest in the Millcroft and I think this looks actually really dignified and very nice. My only concerns, and one that was addressed early is about the smell of the distillery. I don't know much about, I remember distilling on 75's, but I know this is small batch, so I'm glad that someone had brought that up as an addressed issue.

Caroline Good: The other question, and this looks like a very dignified kind of, more lower key thing. I am concerned about noise, and again about the traffic which I think, parking and stuff. But the noise, because I know there has been an increase of noise from the brewery that has affected our property across the street, and so there's a lot of noise that spills over, and also light pollution that has spilled over on to the other side of the river. That's from the brewery. So, this actually looks pretty nice, and it's nice, and I know that it'll provide a lot of interest, investment, and revitalization of the area. But those are the two concerns that I personally have at this time. So, thank you very much.

- Mr. J. Wenstrup: Let me just make a comment to you ma'am. We had a gentleman who expressed a concern about sound from, they had a band or something one night, and I'd asked him if he'd gone over and talked to Dan Lynch, or any of those guys and he said "No". I highly encourage dialogue between our commercial property owners and our residents, because it gets the job done. They don't want to come in and upset people. They don't. So, then from our standpoint perhaps we ought to have, and I don't know that we have, an actual decibel. But we ought to have some way to address sound pollution, because then we'd be able to revert to those laws, so you make a good point, and thank you for bringing it up.
- Ms. Good: I do know that at one point on Wooster Pike there was a sound ordinance sign. I haven't noticed recently if it's still up there, but there was a sound ordinance sign. And I know that, as we've been living there and renovating that place as well, that a lot of motorcycles and all this other kind of stuff, sometimes there's loud trucks and everything, we're just kind of like, "Okay, whatever". But yeah, it is something. I know that we did speak to him early on, when they were developing it, they had accidentally left a speaker on. And I know I had brought those concerns up at the meeting when they were developing it too, but we just kind of felt it's gotten out of hand. But I do like this concept. I don't know if there's plans for live music or anything. It doesn't look like it. Thank you very much.
- Ms. Tobi Iaconno: I live in South Milford, and I won't be a parking issue, because I can walk. That is one of the concerns that I have, and I was wondering what's going on across the street, behind the brewery? It looks like there's a lot of vacant space there. I don't know if there are any plans for that. It looks like there's excavation going on. Anybody know what that is?
- Ms. McKnight: We haven't had anything in front of us.
- Ms. Iaconno: No? Because it almost seems like it might be a great place for some additional public parking. I don't know how much public parking we actually have. The other spot I was thinking of was at the Main Cup behind the building, is that public, or is it owned by the building?
- Mr. Albrecht: It's owned by the building. Yeah, property behind the brewery's also not public, because there's some sewer work going on and a parking lot being added to one of the existing buildings, I know that's from council. They're just doing some underground work, as well as adding on a parking lot to one of those buildings, but it's private parking, private building, privately owned land back there. I can tell you council's also addressing parking. That doesn't have anything to do with this project, but we haven't made any progress, but we're working about it.
- Mr. Carl Samson: Carl Samson, 233 Laurel. Hello to everybody. Hello to Mr. Stuhldreier. I just wanted to say, this is an era in our society when in older communities like this, you've got older buildings, you've got issues with which ones do we keep, which ones we don't keep, and obviously it's impractical to keep every one of them. But I think that what Mr. Stuhldreier is proposing is just fantastic. It's a blend. If we'd gone in and he'd decided to put something historical looking in the middle, rather than something contemporary and fresh, you wouldn't enjoy the historical as much, you wouldn't enjoy the contemporary as much. So, the two kind of work hand in hand, I think, to make it very fresh and interesting look. And it preserves

the buildings that we all love in this community, so hats off to you Mr. Stuhldreier, thank you.

Ms. Janet Henderson: Hello, Janet Henderson, One Main Gallery. First and foremost, thank you so very much. This is very, very exciting I think, obviously for the community. We kind of talked about parking a little bit. Pam and I talked a little bit about parking to see whether or not the city would consider possibly investing, in additional lots, and about the Legion. With their availabilities perhaps, because they don't use their parking on a regular basis, except for maybe special events, like reunions or what have you, so, just wanted to kind of bring that up, is there valet parking possible as another option to be considered? Just to be thinking about what other options might be available to address that situation

Mr. J. Wenstrup: I think that makes a lot of sense. I mean, downtown Milford's all in basically three blocks by three blocks, so anywhere you can park is probably good. And, there is some space that, hopefully we can address our parking problems by encouraging people to walk more.

John Mikesell: Hello, John Mikesell coowner of the May Café. We abut right up to where you're coming in right on the back side there, adjacent the stable. So, my biggest concern, or our biggest concern is the coordination. You know, where our money comes in, where we make our nut so to say, is during the good season, we have the outdoor seating. So, depending on when the demolition's going to take place, and just coordinating with you guys in that regard, and then obviously the new construction. Because it looks like there is a small portion that abuts right up to where our patio area is that looks like it's going to come out between the stable, and what you're considering that VIP area?

Mr. Stuhldreier: Correct.

Mr. Mikesell: So, that would be something I'd like to definitely make sure we coordinate that, so we have as minimal disruption to our business as possible, and we welcome you, and we're looking forward to it. But just that coordinated effort would be very important to us.

Mr. Stuhldreier: Well, I can only speak for the distillery, and it's probably 7:30 in the morning for operations, all the way through 'til 2AM depending on the day of the week. The restaurant I [inaudible 01:38:22] I guess.

Ms. Good: Are there any noise issues with the [inaudible 01:38:32]

Mr. Stuhldreier: It's a silent operation.

Ms. Good: Okay.

Ms. McKnight: Anybody else have any comments?

Mr. Christopher Odell: I'm for it.

Mr. J. Wenstrup: Well, I want to make sure we're all aware of the sad, but true, lack of recognizing the value of Christopher George Salon, along with everybody else, the May Café. Everybody that's doing places downtown really has their heart in the right place. I

think all of you who've been here for 47 years, or have been here for less, that's a wonderful spirit we're seeing, and I'm glad to see it, and I know everybody else is too. But we want our history, and we seize our future, and we kind of cut our own path. I don't know. I'm glad we're doing it.

- Ms. McKnight: If there are no other comments from the audience? Any other comments from the Commission? There is an action we need to consider regarding the Certificate of Appropriateness that's requested? I believe we heard the applicant state that it was the condition that the structure can't be reused, nor can a reasonable economic return be gained from the use of all, or part of the building that he's proposing to demolish. And then he's given us a concept plan for what he proposes to place in its stead.
- Mr. Pelle: I'm sorry. Do we need to throw anything in here? There was a concern about the demo itself. Would we need to throw in anything about that?
- Mr. Roe: They have to meet basic demolition standards on their construction, which would be dust control. That's not even LEED requirement, that's just a basic EPA requirement, as well as asbestos abatement, that's all got to be done, and certified. There is nothing extra that has to be done to satisfy Len's desires regarding the demolition, that's all required.
- Mr. Stuhldreier: I would just add, we had a full asbestos inspection. Someone has already done the abatement. We found one small pipe in a crawlspace that's about six inches long. It has been completely cleaned out. We took walls, dry wall off, to inspect walls of the 1812 building, and did a thorough inspection, I have a full published report I would be happy to provide.
- Mr. Roe: Pam, correct me if I'm wrong. Obviously, parking's an issue. We would be reviewing a parking plan during the site plan review, so that will be reviewed in another meeting.
- Ms. Holbrook: Yes.
- Mr. Roe: So that's no consideration regarding parking at this time. Just so everybody's aware.
- Ms. Holbrook: That's correct.
- Mr. J. Wenstrup: How many people, how many employees are there in a distillery?
- Mr. Stuhldreier: Operationally it could be as few as five during the day. The bar staff and the restaurant bar staff would be another 10. Total on site at any given time would probably be around a dozen in that location, in just the distillery.
- Mr. J. Wenstrup: One of the things that we want to be cognizant of is, not only do you have people coming to visit the distillery, but you've got people that work there that need to park and get to work, so, we really need to figure out how we accommodate our commercial employees, and their commercial guests for the benefit of everybody.
- Mr. Albrecht: You know, this has been debated, I do want to point out, the city spent a lot of money on a brand-new parking lot that's not often used. So, part of its directing



traffic that way. There is a lot more parking at that end of town than people realize. And, so my point is it's not insurmountable, but I agree it needs a plan. I want to make sure it's not as bad as it looks. I think that there is opportunity in the City of Milford to accommodate it.

Mr. J. Wenstrup: I think in general, if businesses take the tack that we're going to leave the sweet spots for our customers to park, and we can walk two or three blocks, that goes a long way. And the other thing we had when we reviewed the plan about a month ago, we talked about making our sidewalks and streetscape more attractive and more walkable. I think that problem will lessen when people use those.

Ms. Holbrook: I wanted to add at that public input session for the downtown design guidelines, we talked quite a bit about the parking, and there were several things that came to light. The fact that there are several office businesses where the employees are parking on the street, where customers should be parking. There was a representative from Salon 2200 who said her landlord is encouraging all the employees to park in the city lot. They are recently going through an expansion, but she said that they would easily take up 25 to 30 spaces out of the city lot. And that would be for employee parking. I do think that the city's been made aware that we have some parking issues. I think some of it can be resolved through better signage. There are more spaces than what people realize. I always like to say, if you go to Kenwood Mall, you are going to park and walk a pretty good distance, so it's that education of "Okay, here's public parking, and I'm going to walk three blocks to the distillery." Part of it is a city problem, and part of it is going to be the developer's problem as well.

Mr. J. Wenstrup: It's kind of a good problem to have isn't it?

Speaker 23: You could consider a valet stand, right there on [inaudible 01:45:49] street. If that adds a nice [inaudible 01:45:52] explains if you get a couple of high school kids. Run two blocks, three blocks. Go add to some block that's not being used. Shut the [inaudible 01:46:03]

Ms. Meyer: I will say, I have a regular customer that comes from Indianapolis, and she never complains and two regular customers from Louisville and Dayton. They never complain about the parking. The closer they get to Milford, they [crosstalk 01:46:31]

Ms. Luecke: If you go to Over-The-Rhine [inaudible 01:46:49] find a place to park. Go to [inaudible 01:46:51] Main Street. You'll find a place to park. Downtown.

Ms. Holbrook: There are more spaces there than what people are willing to admit to. It's a perceived problem, I'm not saying it isn't a problem, people want to park, directly in front of wherever they're going. And that just doesn't exist in downtown Indianapolis, or Louisville, you expect to walk, so I think good signage would help. If I didn't know Milford, I wouldn't know, where I could park on Water Street there are private lots there.

Mr. Albrecht: We're working on that plan.

Ms. McKnight: Back to the Certificate of Appropriateness. Is anyone prepared to make a motion?

Mr. Roe: I'll make a motion to prove, or issue, a Certificate of Appropriateness.

Mr. J. Wenstrup: Second.

Ms. McKnight: With a motion and a second to approve, the Certificate of Appropriateness for the Millcroft collection at 203 Mill Street. All in favor say "Aye".

Mr. J. Wenstrup: Aye.

Mr. Pelle: Aye.

Ms. McKnight: Aye.

Mr. Albrecht: Aye.

Mr. Roe: Aye.

Ms. McKnight: Any opposed?

Ms. McKnight: Okay.

Ms. McKnight: Wonderful. Happy to have your investment, happy to have your business.

Ms. McKnight: Any other items to come before the commission?

Ms. Holbrook: I do have one item. I received this letter from Dean Judkins with the Methodist Church, November 2nd. He asked about doing a child daycare center at the church, and the property is zoned institutional. If you look at the list of permitted uses, conditional uses, child daycare is not identified on the list. It is identified as a conditional use in every other zoning district in the city. I don't know why it wasn't included in the institutional district.

Ms. Holbrook: They would like to add that use. Most likely for profit. And, the only way, to make that happen, is a text amendment. What I'm asking planning commission, if they are agreeable to it, is to initiate a text amendment to add child daycare as a conditional use in the institutional district.

Mr. Roe: I'd be willing to entertain that.

Ms. McKnight: I think that makes a lot of sense.

Mr. Pelle: I agree.

Ms. Holbrook: We would come back to planning commission with a text amendment. We hold the public hearing to add child daycare to the Zoning Ordinance, planning commission would review it, and then city council would review it. I don't know if it was an oversight, but it's been that way since 1999. We've just never had anybody ask about it.

Mr. J. Wenstrup: I have no objection with that. Seems like an appropriate use. Are there guidelines for those types of businesses, profit or not, perhaps you'd have to comply with those? They already on the books?

Ms. Holbrook: In every other zoning district it's considered a conditional use, and there's a list of conditions associated with that use.

Mr. J. Wenstrup: If it comes as a reading and a change of text for the institution to add 'H', you know, a daycare center, I would also like to see the language we have that addresses the control.

Pam Holbrook: The conditions?

Mr. J. Wenstrup: Issuance of that type of conditional use.

Pam Holbrook: Okay. It's a good opportunity to change or add items to the list of conditions.

Mr. J. Wenstrup: Make it more representative of today's times.

Pam Holbrook: Right.

Ms. McKnight: I'll make a motion that we initiate a text amendment to add, child daycare as a conditional use to the institutional district.

Mr. Pelle: Second.

Ms. McKnight: The motion and a second, all in favor, say "Aye".

Ms. McKnight: Aye.

Mr. Pelle: Aye.

Mr. J. Wenstrup: Aye.

Mr. Albrecht: Aye.

Mr. Roe: Aye.

There being no further business or comments to come before the Planning Commission, Ms. McKnight made a motion to adjourn the meeting at 7:55 pm; seconded by Mr. Roe. Following a unanimous decision, the ayes carried.

---

Assistant City Manager

---

Ms. McKnight