

PLANNING COMMISSION MINUTES OF October 10, 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, October 10, 2018, at Council Chambers, 745 Center Street, Milford, OH 45150.

Roll Call:

Lois McKnight called the Planning Commission meeting to order at 6:05 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

Visitors: Sharon McCullough, JSC; Marianne Lang, JSC; Carl Samson, 233 Laurel; Barbie Price, 111 Cleveland; Mary Ellen Fellingner, JSC; Al Cucchetti, JSC; Christopher Odell, 320 High St.; Paul Macke, S.J., Anne Flanagan, Donna Steffen, SC, Thomas Choquette, 5361 S. Milford Rd.; Jon Lenihan, 5364 S. Milford Rd.; Ed Geiser, 5361 S. Milford Rd.; Damiene Nelson, 205 Laurel Ave.; Ken Waeber, 431 Garfield Ave.; Donna Luecke, 910 Wallace Ave.; Jerry Halvorsen, 1077 Hawkstone, Cincinnati; Suzanne and Phil Ditchen, High St.; Sally Noble, High St.; Tom Wagner, 5382 S. Milford Rd.; David Emmons, 5371 S. Milford Rd.; Eric Boyd, CESO; Daniel & Grant Wenstrup, 817 Main St., Cincinnati; Cynthia Sooy, 405 Garfield Ave.; Matthew Colglazier, CESO; Gail & Bob Laudeman, 5388 S. Milford Rd.; Julie Murray, 5361 S. Milford Rd.; Bruce Shaffer, 5338 S. Milford Rd.; Beth & Eugene Johnson, 3919 Section Rd., Cincinnati; Lynn Chaney & Doug Michaels, 140 Mound Ave.; Sister Therese Gillman, JSC; Louise Hausman, 113 Mound Ave.; George Wright, 113 Mound Ave.; Jill Huang, 142 Laurel Ave.; Sharyn Kilduff, 5342 S. Milford Rd.; Cathy Shaffer, 5338 S. Milford Rd.; Jose V. Paris II, Joe Neidland, Jedidiah Surdyke, Klaire Mathews, Megan Brooks, Juan Pablo de Legerreta, 5361 S. Milford Rd.

Minutes Approval:

Mr. Pelle moved to approve the September 12, 2018 minutes, seconded by Mr. Roe. The ayes carried. Mr. Albrecht abstained.

SITE 18-10 SEM Terrace Independent Living Units, 5371 South Milford Road.

Ms. Holbrook read the following staff report into the record:

Project: SEM Terrace Independent Living Units
Location: 5371 South Milford Road
Property Owner: SEM Villa II Inc
5371 South Milford Road
Milford, OH 45150
Applicant: Same
Acreage: 13.01 Acres
Tax Parcel Id: 210733.016

Zoning: I, Institutional District

Use: Continuing Care Retirement Facility

ADJACENT LAND USE AND ZONING

Surrounding property:

North: I, Institutional District, SEM Campus;

South and West: I, Institutional District, Jesuit Center;

East: R-1, Large Lot Residential District, Single Family Homes.

PROPOSAL

SEM Villa II Inc. (SEM Terrace) is requesting approval from Planning Commission to construct five (5) duplexes and ten (10) triplex, single-story, independent living units on the property located at 5371 South Milford Road. Building 'G' on the site plan will be a maintenance shed. The parcel id is 210733.016. The property is 13.01 acres in size and zoned I, Institutional District.

SEM Terrace is a part of the SEM Retirement Communities Campus which includes SEM Laurels, SEM Terrace, SEM Villa and SEM Haven together they provide retirement housing from apartments to congregate living (senior living with meals) to assisted living, short term rehab, Alzheimer/Memory Care, and Nursing Care.

NEIGHBORHOOD MEETING

The applicant and their representatives held a neighborhood meeting at SEM Terrace on June 26, 2018. There were no Staff or Planning Commission members in attendance at the meeting.

ANALYSIS

Zoning

The subject site is zoned 'I', Institutional District and consists of 115 existing independent living units. The use is classified as Continuing Care Retirement Facilities which is defined as "a housing development that is planned, designed, and operated to provide a full range of accommodations and service for older adults, including independent living, congregate housing (self-contained apartments) and medical care." Continuing Care Retirement Facilities is a permitted use in the Institutional District.

Setbacks and Lot Area

Setback requirements may vary when property is adjacent to residential districts or uses. In this case, the required front setback for buildings along South Milford Road is no less than 50 feet from any residential district or use. Adjacent property to the north and west is an Institutional district and use; the minimum side yard setback is to be no less than 10 feet from each side lot line. The rear setback requirement is 20 feet from the rear lot line. The applicant appears to meet all setback requirements.

There are no minimum lot area requirements in the Institutional district.

Driveways

The site will utilize an existing driveway for access to 19 of the units, the Fire Department has reviewed the maneuverability through the site and requests that the curb be pushed back as far as possible on the existing drive and widen blacktop at the southeast corner of Building E. The Fire Department would also like to see an increased setback on building D and cut the curb back slightly to widen the blacktop surface to allow fire equipment easier access to this area.

The applicant proposes to install a new driveway allowing access to the other 21 units. Staff recommends that both driveways conform to city specifications.

Parking

The applicant proposes to add 82 parking spaces to the existing 26 spaces providing a total of 108 parking spaces for existing and new units. Chapter 1187 Off Street Parking and Loading Requirements in the Zoning Ordinance does not specify a minimum number of required parking spaces, however Section 1187.05.A. requires that each applicant should provide an adequate number of parking spaces for the proposed use. The applicant indicated that not all senior residents will have a car and therefore, believes that the shared parking provided will be adequate. The applicant has not provided any evidence to support this statement.

The eastern site plan, Sheet C2.2, shows 21 units and 36 parking spaces. Staff does not feel that parking on the east side of the property is sufficient to handle residents and visitors since shared parking is not an option. A more appropriate count would be 2 parking spaces for each unit or 42 parking spaces on the east side of the property.

The applicant proposes to provide 108 parking spaces for a total of 150 residential units. Staff does not feel that 108 parking spaces adequately serves the existing and proposed development. Staff is also concerned that parking spaces have not been provided for Building units F, J, K, and P.

Lighting

The applicant has provided a lighting plan. Section 1187.10 specifies that the maximum pole height for non-cutoff lights is 10 feet and 24 feet for cutoff lights. The applicant indicates they will be installing twenty-six (26) 12-foot light poles. Footcandle at the property line is not to exceed 0.5. Note that on page 4 of the lighting plan it appears that footcandles at the property line (see ROW) exceeds 0.5 footcandles. Staff is also concerned with the number of light poles proposed on the east side of the property and the possible negative impact on the residential area. Staff recommends a reduction of light poles in this location from 5 poles to 3. A revised page 4 should be resubmitted showing compliance with the Zoning Ordinance. The applicant should clarify whether the lighting is full cutoff.

Landscaping and Bufferyard

The applicant proposes to use a 3-foot-high mound along South Milford Road with a variety of plantings to screen the development from the residential use across the street. They have also added a variety of evergreens along the perimeter of the property that is adjacent to the Jesuit Center. The landscaping appears to exceed the minimum landscaping and bufferyard requirements. Staff recommends that plantings within the sight triangle be removed to allow for safe egress from the site.

Elevations

The applicant proposes to use a combination of brick and Hardie plank siding for their elevations. The Zoning Ordinance does not specify that particular materials are required.

Utilities

The Water Department, Wastewater Department, and City Engineer have reviewed the plans and feel that all City services can be provided. The Water Department did note that the northern 4" water line extending from Sheet 4.1 doesn't appear to continue to Sheet 4.0. This is a general note that would be resolved at a preconstruction meeting should the project be approved.

Safety Services

The Fire Department provided the following data regarding their fire and ems run numbers to the SEM complex:

2017 Fire and EMS Runs to the SEMs

	<i>Sem Villa 201 Mound Ave (158 Units)</i>	<i>SEM Laurels 203 Mound Ave (152 Units)</i>	<i>SEM Haven 225 Cleveland (100 Units)</i>	<i>SEM Terrace 5371 South Milford (115 Units)</i>	Total
2012-2016 Fire	93	20	24	58	
2012-2016 EMS	754	328	96	710	
2017 Fire	45	7	12	14	78
2017 EMS	266	82	39	161	548
Total					626

Chief Baird stated that the addition of 40 units to SEM Terrace will increase their runs by approximately 40 per year (His rule of thumb is one detail per apartment per year--the older the population the better the accuracy). The Chief indicated that many of the runs to SEM Villa, SEM Laurels, and SEM Terrace are for the purpose of helping a resident who has fallen. He noted that SEM Haven is more self-sufficient because they have medically trained staff on hand to assist residents who experience a fall.

The Fire Department citywide run data is illustrated in the chart below:

	Statistics			
	<u>EMS</u> <u>Runs</u>	<u>Fire</u> <u>Runs</u>	<u>Total</u> <u>Runs</u>	<u>Transports</u>
2006	1253	405	1658	698
2007	1261	408	1669	766
2008	1352	541	1893	841
2009	1252	473	1725	829
2010	1248	523	1771	790
2011	1213	524	1737	876
2012	1320	474	1794	966
2013	1278	463	1741	937
2014	1404	537	1941	1026
2015	1585	598	2183	1170

2016	1650	634	2284	1010
2017	1649	749	2398	1070

Fire and EMS runs to the SEM complexes totaled 626 in 2017 out of a total of 2,398 citywide Fire and EMS runs. Fire Department Service to the SEM complexes comprises 26% of the total Fire Department runs in 2017. In addition, a Police Officer will typically respond along with the Fire Department when a call for service is placed.

The City of Milford is very fortunate to have an efficient and well-run Police and Fire Department; Chief Baird and Chief Mills indicated that the Fire and Police Department could support an increase in runs as a result of additional retirement units. City management is concerned about the long-term ramifications and burden these additional runs will place on Fire and Police services. Since 2006 citywide total Fire and EMS runs have increased from 1,658 to 2,398 or 30%, and based on the historical data provided by the Fire Department it would appear that this trend will continue. The increased burden may result in an increase in city taxes to provide additional employees for both Safety Service departments.

The Fire Department provided the following comments:

1. Addresses - We propose that the existing private drive to Sem Terrace and the new private drive each have separate street names and each new building have an address and suite letter (A,B and C) This will be the simplest way to help us identify each building in the event of an emergency.
2. Fire Suppression & Fire Alarms - We would like to schedule a meeting with the general contractor, Sprinkler and fire alarm contractor to discuss options.
3. Private Roadway Widening - Push curb back as far as possible on the existing drive and widen blacktop at the southeast corner of building E. Also try to increase the set-back on building D and cut the curb back a little more to widen the blacktop surface to allow fire equipment to ingress and egress this area more easily.
4. Fire Lanes - Both the existing and new private drive to be designated as fire lanes with proper markings and signage.
5. Landscaping - All landscaping (trees, bushes) to be set back far enough that it will not block or hinder travel of the fire and ems equipment.
6. Knox Box - Key boxes will be required on buildings A,C, E, G,I,K,& M. We would prefer that a master key system be used to decrease the number of keys necessary in the key boxes.
7. Water line to be looped - we are requesting the water line to be looped, the main size to be a minimum of 6 inch.
8. Fire flow - Fire flow for area to ensure proper water supply.

Traffic Impact

South Milford Road is a two-lane collector street which functions primarily “to provide circulation within certain districts of the City and secondarily to provide access to private properties.” (See Milford Thoroughfare Plan) On the west side of South Milford Road driveways serve Institutional uses such as the SEM complexes, St. Andrews Cemetery, Jesuit Center, and Terrace Park Country Club. On the east side of the road the driveways serve a number of residential homes and Pattison Elementary School.

Accident data obtained from the Police Department shows that there were 2 accidents reported on South Milford Road in 2016 and 2017. One accident involved a deer and the other involved a person backing out of their driveway.

The applicant is proposing to add a second driveway on South Milford Road for the purpose of providing access to twenty-one units. The Federal Highway Administration defines 'Access Management' as the "proactive management of vehicular access points to land parcels adjacent to all manner of roadways. Good access management promotes safe and efficient use of the transportation network." According to The Milford Thoroughfare Plan controlling the locations of driveways is one means to reduce potential traffic conflicts and maintain traffic control. The City Engineer has reviewed the site plan and feels there is sufficient distance between the new and existing driveway. He does not feel an additional driveway will negatively impact South Milford Road.

The applicant provided a Traffic Impact Study in 2017 which concludes that the development will generate 106 trips per day on a typical weekday, of which 6 trips will be generated during the Weekday AM Peak Hour and 9 trips will be generated during the Weekday School Peak Hour. The report also states the SEM Terrace Drive/South Milford intersection currently is performing at a level of service 'A'. Under the 2018 Build traffic scenario (with the 2nd driveway), both intersections are performing at an overall level of service 'B' or higher.

Conclusion

On the west side of South Milford Road, the properties are zoned Institutional District and on the east side of South Milford Road the properties are zoned R-1 Large Lot Residential District. The purpose of both Districts follows:

Purpose Institutional District	Purpose R-1 Large Lot Residential District
<hr/>	<hr/>
Protect those lands used primarily by public or private institutional uses from development into other, incompatible or more intensive uses.	Accommodate large lot single family residential development within and adjacent to areas of similar development and to allow for low intensity development in environmentally sensitive areas.

Both districts serve different purposes, however, with a site design that is sensitive to the surroundings it might be possible to create a plan that is in keeping with the neighborhood.

STAFF RECOMMENDATION

Staff has identified the following concerns and recommends that the applicant be prepared to address these items at the Planning Commission meeting:

1. The applicant does not appear to be able to adequately address the parking needs for the existing and proposed Independent Living Units.
2. Address lack of parking spaces for Building units F, J, K, and P.

3. The increase in Fire/EMS runs may place an additional burden on the Fire and Police Department. The applicant has indicated that many of the residents are older and will not be driving so there is not the same parking need as would be required for a younger population. On the other hand, the applicant has stated that Fire and EMS response will not be significantly increased because this population is a younger, healthier independent population. Staff asks for clarification.
4. The site plan does not appear to be in keeping with the surrounding property.
 - a. Section 1127.04.A. states "Buildings and open spaces shall be in proportion and in scale with existing structures and spaces in the area within (300) feet of the development site." Staff feels the units should present a more residential look and feel by orienting the building fronts towards South Milford Road and moving the parking lots towards the rear of the building.
5. Resubmit a revised page 4 of lighting plan showing compliance with the Zoning Ordinance.
6. Reduce the number of light poles on the east side development from 5 poles to 3 poles. Is lighting type full cutoff?
7. Revise 4" water line issue on Sheet 4.0. and 4.1.

Ms. McKnight: Gentlemen, any questions for Pam at this time?

Mr. Pelle: I don't have any.

Ms. McKnight: All right. At this time, we would ask the applicant to come to the podium and state your name and address, and present your application and project.

Mr. Dan Wenstrup: Good evening members of Milford Planning Commission.

My name is Dan Wenstrup. I and Grant Wenstrup are here today in order to present SEM Terrace's application to improve their property, in order to add 40 units to the living units to their 13-acre property.

I would say that SEM Terrace, it's also known as SEM Villa 2. That's an independent, nonprofit corporation with its own board. We would like to address all of the items that have recently been read to us. I would also say that there are several other people who would be here to discuss some of the issues that you're talking about, and one person would be Jerry Halvorsen. He has been on the board for over 20 years, and he can give you a very brief but important idea with respect to the Mission and the history and the purpose of SEM Villa, also known as SEM Terrace.

I would like to emphasize that SEM Terrace has either incorporated or intends to incorporate virtually all of the items that was just discussed. I think that some of the paperwork and some of the letters have gone to Ms. Holbrook, but probably there hasn't been enough time to review all those by the board. We are attempting to remedy all of the situation, certainly all the Fire Department requirements. We've signed off, we agree to all of them. We do also have other people here who can address various parts of what we have here today. One would be Grant Wenstrup, who will be

involved in some of the technical aspects. We have the engineer and the architect here who are ready to face any questions and discuss anything that you would like.

Mr. Wenstrup: First of all, on October the 5th we sent a letter. I think we delivered a letter to the city, basically saying that we're going to do all these things. Did you receive a copy of this letter?

Ms. Holbrook: I received it on Monday. I have not shared that with Planning Commission yet.

Mr. Dan Wenstrup: I just want the Planning Commission to know that we're acting on the staff recommendations and we're trying to abide by virtually all of the staff recommendations. We'll address why we think some of them ought to be modified slightly. One matter which I guess you would say we probably haven't dealt with yet, is the idea of orienting three of the living units towards South Milford as opposed to basically toward each other or toward the center of the acreage.

Mr. D. Wenstrup: We're certainly willing to do that if that's really what is required. Prior to our earlier meeting, our neighborhood meeting, we actually paid for and got another copy of the plan showing the orientation that staff has suggested. If that's important, we're happy to do that. I should tell you that when we had our neighborhood meeting, we asked the neighbors whether anybody liked this idea or disliked the idea. I guess that wasn't the important item, so no one liked it or disliked it. It sort of felt like if nobody really cares, we're going to do it the way we like to do it so we changed it back.

Mr. D. Wenstrup: We're able, if the Planning Commission thinks it's important, to change again and include the orientation the way that it was suggested [inaudible 00:22:47]. Three of the units would be [inaudible 00:22:50]. That's not a concern for us. At this point, I guess what I'd like to do is I'd like to address some of the concerns that Ms. Holbrook read, and I think starting would be the parking facility. If it's all right with you, I'd like to call on various members to address, first, the parking concern and then some of the other concerns.

Ms. Holbrook: That would be fine.

Mr. D. Wenstrup: Dave, why don't you give us an idea of what the parking needs are and how you know that those are the needs?

Mr. Emmons: Good evening. My name is Dave Emmons. I'm the Managing Agent. I'm an employee of North Star Realty. I'm the Managing Agent of SEM Terrace.

Mr. Emmons: The parking situation at SEM is unique. We currently have, I believe, 93 existing residents and of the 93, only 17 list ownership of a car or driver's license.

Mr. Emmons: We have 93 current residents at SEM Terrace. We're at 100 percent occupancy. Right now, of the 93 residents there, only 17 who have a driver's license or own a vehicle. The rest of them rely on family members, the senior services, Uber, taxis, various things to do their travel. I believe Hamilton County has a proposal or a recommendation of 0.25 cars per unit. Our re-drawn units with the additional parking space brings us to a 0.8 per unit. With one person per ... There looks like there would be ample space available, with a shared parking throughout the complex.

Mr. Emmons: Most of [inaudible 00:25:08] what we experience, our current tenants are average age of about 85. Very limited amount of driving that they do.

Mr. Albrecht: Are those assisted living or independent living?

Mr. Emmons: We are totally independent. One of the things that is done, the group SEM, all the SEM communities as one, we are totally independent. We have no subsidies. It is purely, what we consider a market rent for us. There's no assistance from government. There's no assistance. They have to be able to provide for themselves, come out [inaudible 00:25:44]. We do provide meals, but they have to be able to take care of themselves, take care of their units and come out to the lunchroom and have dinner with us.

Mr. Albrecht: Currently of 93 residents, how many staff support those 93?

Mr. Emmons: 20.

Mr. Albrecht: The 40 that you're proposing, how many new residents? Is it 40 or is it 80?

Mr. Emmons: It could be up to 80. We allow up to two for each single unit, as we do in our existing facility.

Mr. Albrecht: In your current existing situation with 93 residents, how many parking spaces do you have?

Mr. Emmons: What do we have? Do we know, Grant? Do you know, Eric, how many we have currently?

Mr. Albrecht: I couldn't figure it out from the map that you had on there [crosstalk 00:26:50].

Ms. Holbrook: Yes, they would be increasing the parking to a total of 108 parking spaces.

Mr. Emmons: I'm sorry, what was it?

Mr. Albrecht: You have 93 residents now. How many buildings is that?

Mr. Emmons: We have five halls.

Mr. Albrecht: Five halls but obviously you have 93 residents.

Mr. Emmons: 93 heartbeats.

Mr. Albrecht: Locations [inaudible 00:27:28].

Mr. Emmons: There's 115 rooms.

Mr. Pelle: 115 rooms.

Mr. Emmons: Of those 115, we have what we consider a double which they're connected. We do have residents that have one person that has a double room, and we also have double room that have two occupants.

Mr. Albrecht: My question still is, do we know how many parking spaces there are for the current [crosstalk 00:27:50].

Ms. Holbrook: Existing, it's 82 and they're adding 26 for a total of 108 parking spaces.

Mr. Albrecht: I think it's the other way around.

Mr. Roe: I think it's the other way around.

Mr. Albrecht: They're only going to keep 26 of what they already have. They don't have that answer on them.

Mr. Roe: Add 82 to existing 26.

Mr. Albrecht: I guess it's important because I'd like to know what you planned for in the past. If you've got 93 residents there, you' have some history that you can tell us about. I'd just like to know what that history is.

Mr. Emmons: The history has been, the number of parking spaces required is extremely low.

Mr. Albrecht: How many do you have?

Mr. Emmons: We have 19 total today.

Mr. Albrecht: You only have 19?

Mr. Emmons: Only 19 people have registered us with an ID.

Mr. Albrecht: I didn't ask that question. I know the answer. I'm asking the question of how many parking spots do you have for your 93 residents right now.

Mr. D. Wenstrup: Eric might know best if it's-

Mr. Albrecht: Just curious. It's important to me, you know.

Mr. D. Wenstrup: Eric, please introduce yourself and speak to the parking issue.

Mr. Boyd: I am Eric Boyd. I'm with CESO, who are the engineering and architectural firm on the project. Currently, I don't have the exact count but I believe it's between 35 and 40 parking spaces existing.

Mr. D. Wenstrup: Right now.

Mr. Albrecht: Fair enough.

Mr. Boyd: Right now, yes.

Mr. Albrecht: Thank you.

Mr. D. Wenstrup: Eric, why don't you stay back here [inaudible 00:29:29]?

Mr. Boyd: Yes.

Mr. Emmons: Unless there's something else they'd like. Is there something else?

Mr. Albrecht: Not right now.

Mr. Emmons: Thank you.

Mr. Albrecht: Thank you.

Mr. Wenstrup: Eric, please [inaudible 00:29:43] and speak additionally about the parking issue.

Mr. Boyd: The staff also mentioned that there are certain buildings that they felt that there wasn't sufficient parking adjacent to them. Those buildings have parking near them. There's no parking directly in front of them, but there is parking near them. As Dave mentioned, there's not a great need for parking. We do have, for example, building K I think is the one up there at the tip of the triangle. There's parking across the driveway from that. There's five parking spaces. There's also an additional six spaces in front of the adjacent building, so there's parking spaces near these buildings although it's not directly in front of them.

Mr. Albrecht: I was curious, considering the facility and the average age is 85, you have two handicap spaces for ... one, two, three, four, five, six, seven buildings, and then four for the entire rest of the units, two way at one end and two at the other end. That looks peculiar to me for a facility that caters to the people that you have. It makes up more space obviously for each handicap spot, so I'm just curious if you could address your thoughts there.

Mr. Boyd: Again, with these seniors not driving as much, they don't use the handicap spaces because they don't have vehicles to park in those handicap spaces.

As Dave mentioned, nearby Hamilton County has a requirement in their code of 0.25 parking spaces per bed or unit. We far exceed that. If the commission really desired, we could increase the number of handicap spaces and reduce the number of total spaces to achieve that. We are trying to maintain as much green space as we can, so we are trying to keep the parking spaces minimized while still having sufficient parking spaces for the residents and their guests and staff.

Mr. Albrecht: Currently you have 93 residents and 20 staff. You're looking to add 80 new residents. How many more staff will that add?

Mr. Boyd: That I don't have the answer to. I would refer to Dave.

Mr. Albrecht: Sorry, I'm jumping around.

Mr. Emmons: We're currently looking to expand one on the maintenance side, and then there'll be additional part-time in the kitchen staff. We're probably adding a total of two to three at the most.

Mr. Albrecht: You have 20 now to take care of 93 residents and you're still only going to have 23 to take care of 80 more?

Mr. Emmons: It's independent living, so the majority-

Mr. Albrecht: I'm just asking.

Mr. Emmons: Right. The majority of our staff is in the kitchen area. Each of these units all are complete individual or complete units. They do have their own kitchens. The biggest impact will be maintenance, day to day maintenance of course and then there's the contracts that do lawn care and all those types of things. The actual coverage for the staff, we feel is sufficient with the two and possibly a third addition.

Mr. Albrecht: [inaudible 00:33:21] question, I just asked.

Mr. J. Wenstrup: I have a question about handicap parking. I know if you're a driver and you're handicapped, you need a little more room to get in and out of your car with your chair or your walker or whatever. The average age is 85. If I go to pick up my mom there, don't I need just as much space to get her in the car? Wouldn't it make sense to just have whole larger parking spaces throughout, so that people came to visit they can actually get them in the car?

Mr. Emmons: I believe there's plenty of space. Most people who've come to visit currently, they will pull up to the entrance of the existing facilities. They will walk out and get directly into a vehicle. These all have access directly to the front of the building. If someone wants to pick them up, they're more than welcome to come up and pick them up at the front of the units where they live. It does reduce the physical footprint for blacktop, that

expense and within ... I believe, at least what I requested for the architects is to put what's required. To be able to physically park and then leave the vehicle there, they allowed for what was a typical design. Many of the people, they come directly to the door, walk them out, get them in and go on.

Mr. J. Wenstrup: When you say typical, you mean another car could get by there-

Mr. Emmons: Absolutely.

Mr. J. Wenstrup: ... and they could pull off to the [side 00:34:44].

Mr. Emmons: Absolutely.

Mr. J. Wenstrup: Thanks.

Mr. D. Wenstrup: I'll ask Mr. Boyd to address the issue of lighting. I think there was a reference to that. You being the engineer, if you would, would you address the lighting issue?

Mr. Boyd: Certainly, the staff noted that in front of the driveway - of the second driveway - the new driveway, that the street lighting would exceed the 0.5 foot-candles at that driveway, that it went to 0.6 foot-candles which - I don't know about you but I can't tell the difference between 0.5 and 0.6 foot-candles, and being at the driveway there - at the drive entrance, but we do propose to pull the one light pole back five feet away from that drive entrance, which should more than sufficiently reduce that lighting to below that 0.5 foot-candles.

Mr. Boyd: Staff also I think mentioned that they felt there was an excessive number of lights - street lights along the parking out front on South Milford, at that same area. They recommended reducing it by three. We feel that that is an excessive reduction, but we are working with our lighting supplier to look into that.

Ms. Holbrook: I'm looking at the lighting plan right here and I see 7.3 foot-candles on page 4.

Mr. Boyd: 7.3 where? I didn't see that at all.

Ms. Holbrook: Right here.

Mr. Wenstrup: Is that at the property line or the set-back line?

Ms. Holbrook: Well it is at the set-back line.

Mr. Boyd: Well that's a huge difference from at the property line. I believe the setbacks are 35 feet. By the time you get to the property line, you're probably going to be less than 0.5 foot-candles.

Ms. Holbrook: Okay, I see what you're saying.

Mr. D. Wenstrup: Okay, there was also another question about whether there would be a full cut-off. Can we address that?

Mr. Emmons: The Richards Electric which did the plan, noted that in the full-sized drawings, if you go out to the property line, most of the foot-candles were at 0.1. The property line is at the center of the street. At the 35-foot set-back, they are 0.5, 0.6 and 0.7.

Mr. Emmons: Even pulling the one light post back about 5 or 10 feet would reduce it even to the set-back. The other thing was on the full cut-off, these are LED lights and that doesn't translate to the standard lighting [inaudible 00:37:41] in the letter that was provided here when I dropped off the revised plans actually covers what the full night - full dark specifications are for the LED systems that they're proposing.

Mr. D. Wenstrup: Any more questions to Mr. Emmons at this point?

Mr. J. Wenstrup: So, the answer to that questions is that those are not full cut-off lights.

Mr. Emmons: There is no equivalent in an LED system.

Mr. J. Wenstrup: Okay.

Mr. Emmons: They're fully compliant with the standards of today.

Ms. Holbrook: As I understand with the LED, we just installed LED in our parking lot, there is the opportunity to put on a shield if necessary.

Mr. Emmons: They actually have shutters that you can customize to bring what ever you want. Those are an option readily available.

Pam Holbrook: That's true. Our ordinance goes back to 1999 so LED has become the standard for lighting.

Mr. Roe: So you anticipate how many residents on average per unit?

Mr. Emmons: What we hope to anticipate, but I'm guessing probably 1.5 residents per. The majority I think are coming will be elderly couples that are wanting to downsize but not to the point of where they have meals provided. I suspect half of those or maybe 2/3 would be couples and then the rest will be single individuals. We have I believe a waiting list of 20 for the new units that have just heard through this and have come in saying 'I'm interested, put me in as soon as something's available.' The vast majority of those is individuals. One person. I think 2 or 3 are couples.

Mr. Roe: So maybe 70 more residents?

Mr. Emmons: That would be a good guess, yes.

Mr. D. Wenstrup: Dave I have one other question for you. There were some additional Fire Department requirements that were put in this latest staff report. Are you agreeable to basically comply with all of these new requirements?

Mr. Emmons: Oh, absolutely.

Mr. D. Wenstrup: Mr. Boyd, if you would, would you address the landscaping issue. I believe that the report indicated that there was too much landscaping in a certain area and staff requested a reduction. Would you address that?

Mr. Boyd: The concern was the landscaping at the entrances would inhibit the vision of the people trying to turn out of the site. Maintaining a clear vision triangle. We actually looked at the vision-sight differences and we resubmitted to Pam, but obviously she didn't get a chance to share that with the board. We did show that we have a clear vision, I believe 270 feet and 280 feet in each direction from both driveways.

Mr. Boyd: We have pulled back the landscaping in those areas to make sure we do have clear vision down the streets. On the southern driveway - the existing driveway, you can see all the way to the sharp turn. In the other direction you can see all the way to the next driveway. Obviously from the other direction - from the other driveway you can see all the way up to, I believe, the cemetery area, and then back the other way toward the existing driveway, almost all the way back to that. We do have clear vision triangles. We believe that there's plenty of vision there for people to make decisions about whether to pull out or wait for traffic to go by.

Mr. D. Wenstrup: Okay, thank you. There was just one other thing I wanted to address, and that is that there was a concern that there might be additional taxes that might be implemented in order to take care of some additional runs to the new SEM facility. I would just point out that there would also be additional taxes that SEM would have to pay for real estate taxes. That would probably more than compensate Milford.

Mr. D. Wenstrup: What I would like to do is yield the floor at this point and ask Jerry Halverson to come and briefly address the board with respect to the mission and history of SEM Terrace.

Mr. Jerry Halverson: Good evening, can you hear me now? My name is Jerry Halverson. I live at 1077 Hawkstone Drive over in Anderson Township and I've been on the board for over 20 years. Sometimes there a little confusion as to what SEM is and how it got started and all that SEM means South Eastern Ecumenical Ministry. It was started back in January, of 1967 by several pastors and lay people. Their idea was that 'What can we do with the ministry together as opposed to individual churches?' So, that's how this whole thing was formed.

Mr. Halverson: Now from there they established a food pantry which serves now over 12,000 people a year. They established a Race Track Ministry. Just briefly, what that is, is they have several churches in their group and they cook meals once a week, for people who work at the race track at the old River Downs Belterra. It is well appreciated by the people, I know that for a fact. That's one ministry they do. Somewhere over the course of time, in SEM there were several builders and developers that they decided 'What about senior housing?' And that's how this whole senior housing development came about.

Mr. Halverson: Four of the units are on the 55 acres over in Milford here. There's another one over in Anderson Township, but the idea is, and this is important to note, they're all different. Each have their own board of directors, they make all their decisions independently. Now the only thing we have in common with the other units is that we might use the same landscape company or insurance company or whatever, but as far decisions are made, and things like that, that goes to each individual board. SEM Terrace, that I'm on the board, is completely different from SEM Villa, and factor in the way that they operate and the way that they're funded, some are federally assisted, some are not, some are communal dining, some are not, so we've got the whole gamut of services that we could offer our senior citizens.

Mr. Halverson: If there's anything else that the board has questions, I'll be glad to answer them if I can.

Mr. Grant Wenstrup: I wanted to use some visuals because we're going to have some comparables that I'm going to bring up at some point. I'm here because Dan asked me to speak this evening, based upon my experience as Vice Chairman of Madeira Board of Zoning Appeals, I would like to start talking about SEM which is located in Milford's Institutional District, as Pam said in her introduction.

Mr. G. Wenstrup: In the Institutional District, this allows for a variety of businesses including retirement communities such as SEM and the proposed FC Cincinnati facility is also in the same zoning district. SEM has been at this location since the mid 1970s. It's one of the oldest residents in the neighborhood and it served this purpose for a very long time. The zoning that SEM is in, is on a map which is a public record available to anybody whose considering moving to Milford, you have the option of viewing the public map and seeing what each part of Milford is zoned and what their acceptable use is.

Mr. G. Wenstrup: The current plan by SEM is not requesting a zoning change or a variance, because SEM is using the property for one of the permissible purposes of this district, and it's not asking for any exemptions to the building codes. SEM is limited in what it can use its property for. Some people might

prefer it to be single family homes, but that's not something you can build in the Institutional District.

Mr. G. Wenstrup: I understand that many people do prefer to live in communities that feel wholly residential and have no institutional properties nearby, but as this commission knows, individuals cannot restrict the use of a property to create the feeling of being in a purely residential area. I read the letters and I've heard some of the comments by some neighbors who would ask this commission to reject the proposal based upon arbitrary standards. This commission already knows that such unreasonable and arbitrary standards are unlawful.

Mr. G. Wenstrup: In fact, the SEM plan is an attempt to accommodate the neighborhood with structures that look more like homes. We've all seen large institutional buildings for seniors. SEM could have chosen to build a giant concrete building like some of the other businesses in this area, but SEM chose to give its property a residential feel as part of its objective. This is also why SEM is planning to plant trees for each one it removes, despite the fact that it's not obligated to do so.

Mr. G. Wenstrup: I was asked how I would feel about one of my family members living in a place like SEM and would I be okay with that, and the answer was 'Yes.' And that gets me to my first comparable here. [inaudible 00:51:04] this is very difficult backwards.

Mr. G. Wenstrup: This is The Seasons. The Seasons in Kenwood. This is one picture of it, that's the interior, that's the atrium, if you will, I believe this building is 5, 6 stories. Here's the exterior. Very large, institutional, clearly used for housing lots of people. This is where my grandfather lives, it's in Kenwood, and 250 people live in this one building alone. Now that is way more dense than what SEM is proposing. I would also like to note that The Seasons is a little more up-market than SEM, and it costs a lot more than SEM, but even though it costs more and is more up-market, you have people living in a more close community and more close space.

Mr. G. Wenstrup: The next example I'd like to show is Hyde Park Health Center. I got a client living here. In Hyde Park Health Center, they've got several buildings that are not as big as The Seasons, but you've got these buildings - a few of these buildings around the place, they look very institutional. I think they look very ugly. You know, you've got the air conditioning units within sight, and at Hyde Park Health Center, they have 226 units on 9 acres. More people on less land than SEM.

Mr. G. Wenstrup: The next example is in Madeira, this is under construction. This is around where I live. As you can see here they're building something real big on this property. They're building a structure here, you've got 3 structures on this space. 3/4 of it is covered with structure, and you've got a road here. It's right next to the road. You've got residential houses here, some of them

in this neighborhood are very expensive, and you've got residential houses across the street. This is going to have as many units as the SEM proposal, even though it's on a much smaller piece of land.

Speaker 7: [inaudible 00:53:51] Reference?

Mr. G. Wenstrup: To where this is? This is The Traditions at Camargo, so this is Camargo Road. So, you've got Camargo here and then the intersection of Miami which runs right through the heart of Madeira, is like right there. It would have as many people as the SEM proposal even though it's on less land, closer to the street, and you've got houses on both sides.

Mr. G. Wenstrup: The last example comparable I'd like to show is Pinebrook, and I don't know how many of you are familiar with Pinebrook because this is a community which many people in Milford move to, it's up the street from the Milford high school. Pinebrook is currently increasing from 124 residents to 164, and those are units, so it's increasing to more residents than what SEM has and it's in the same area and it's on less than half the acreage of SEM. Quite frankly the buildings, you can say they look nice, but they look very institutional. They don't have that neighborhood feel. They don't look kind of like a large duplex, to give it that feel of the surrounding community.

Mr. G. Wenstrup: I thought this would be good example of something closer to home, showing that a retirement community could be more dense than what SEM is proposing and if you had another owner in this area that wasn't SEM, they might try to push this, But SEM is not interested in doing that.

Mr. G. Wenstrup: I would just like to point out that the property rights that SEM is trying to assert, they're protected by the Apex of the Ohio law. SEM is really trying to use the property for the use that it is permitted under the law and the city of Milford staff has provided feedback and SEM has made the changes or agreed to make the changes or said that they will make the changes because SEM is looking to cooperate with the city and do what is reasonable to give the city what it wants but also be able to use its property for its purpose. Thank you,

Mr. G. Wenstrup: Do you have any questions for me? Anyone on the board?

Mr. J. Wenstrup: What year did you say SEM - did you say ...

Mr. G. Wenstrup: It's the mid 1970s.

Mr. J. Wenstrup: That doesn't make it one of the oldest[inaudible 00:57:21] not even close.

Mr. G. Wenstrup: I would say in its neighborhood of South Milford Road. How many of the houses on South Milford Road have -

Mr. J. Wenstrup: 1885.

Mr. G. Wenstrup: 1885?

Mr. J. Wenstrup: 1886

Mr. G. Wenstrup: Okay

Mr. J. Wenstrup: The majority[inaudible 00:57:43]

Mr. G. Wenstrup: I believe it said in there that at least some houses were built in the 1980s.

Mr. D. Wenstrup: I'm going to ask Mr. Boyd to come up [inaudible 00:58:12] he has memory stick which shows some of the buildings I think someone wanted to see what the buildings look like [inaudible 00:58:18] ...

Mr. D. Wenstrup: Eric, I assume you don't have pictures of these buildings in the present setting that they plan to be in.

Mr. Boyd: No these are just elevations of the structures themselves. This is a triplex unit. This is what it would look like as you walk up to it in the front. I have my architect here and he'd probably be the better person to talk about these.

Mr. Boyd: This is Matthew Colglazier. He's our architect for the project.

Mr. Colglazier: I hope everyone's doing well this evening. Members of the Commission, thank you for your time. Admittedly I kind of inherited this project from others who have worked on it previously, but in so saying I wanted to make sure that I understood the property, the adjacencies and the area that we were talking about, so I took about an hour and drove around the city of Milford this evening and I was actually excited at the diversity that I saw in the city here.

Mr. Colglazier: I drove down Cleveland to South Milford Road, around all of the SEM properties and noticed what the buildings look like, the homes, the commercial buildings, things like that. You can tell here that, as others have discussed, the SEMS making a concerted effort to feel residential. How do we do that? We do that in ways such as breaking up large elevations, we add interest with things like - we add gables. A lot of you have homes that have gables on them. We create diversity in the materials that are selected on the exterior. We use brick, we use siding, we use stone in creative ways.

Mr. Colglazier: The color pallet is complementary both to the environment around it and to the other homes in the area. I was very excited when I looked across the street from this site and saw that there's a home with very similar materials on it. There's cast stone, there's siding, there are shingles that are almost exactly what we're proposing, so the materials are already in the neighborhood. We're trying to make sure that this fits.

Mr. Colglazier: I'm sure many of you have been to the meetings before, we have duplexes and we have triplexes. There's a mix of these. But within those there are 3 material concepts.

Mr. Colglazier: Here you see the triplex. With the triplex there are two different color schemes that we're offering up. That's to provide that visual diversity. It's also to provide visual interest. The materials here, the siding, the stone, the roofing material and the wood are actually man-made products that are Colorfast, meaning that they will hold their color for a much longer period of time and virtually maintenance-free. We're not using wood with paint, we're not using vinyl siding, we're using Colorfast products that will last much longer.

Mr. Colglazier: What does that mean? That means these buildings will look better for longer. I actually brought some physical samples. I'll put these against the dais if you like. They're kind of heavy so, members of the Commission, you can see the colors of the bricks, the wood that's actually a man-made product, the color goes all the way through, and we provide diversity of color through paint selection. We also have the [inaudible 01:03:41] that we're proposing, and the fiberglass shingles.

Mr. Colglazier: This is the siding, it's a [inaudible 01:03:42] siding. If you look at the side, you see the color goes all the way through. Even as it weathers, even under UV, as the sun attacks it, it doesn't weather. It actually has a 15-year warranty, just for the colors.

Mr. Colglazier: Likewise, I mentioned that we have cast stone. From a distance would you be able to tell that that's not stone? But, the color, again, goes all the way through. It's made out of cement similar to the siding but it's a much more durable product. [inaudible 01:04:53]

Mr. Colglazier: There are costs associated with this. SEM is paying a premium to do the right thing with materials. Will they realize some of the benefit with that? Absolutely. In saved maintenance costs and in the durability of these products. So again, they're going to have a better-looking facility for a longer period of time before they have to reinvest. If anyone has questions, I'll take them.

Mr. Albrecht: For the residents that live on the south side road, which side of those buildings will they see.

Mr. Colglazier: Erik, you can talk more as far as the landscape screening, but my understanding is that - you can see that the front and rear elevations, there isn't a lot of difference between them. They have the visual interest, they have the undulation - how do I get to the plan here? I can show that.

Mr. Colglazier: There's undulation in the facades on both the front and the rear, so these appear to be smaller than they actually are. This is ... this is south, so coming from the north heading south there's an opportunity to see the side

and corner elevations of one unit if you can see through the landscape. There's the front of one unit. There's the front and side of a unit. There's the front and side of another unit, directly adjacent to South Milford.

Mr. J. Wenstrup: Can you remind me what that set-back is for the front of those buildings from the side of the road?

Mr. Colglazier: From the center of the road?

Mr. Colglazier: It's 35 feet. [inaudible 01:07:11]

Ms. Holbrook: It's 50. It's 50 foot.

Mr. Colglazier: Is that a right-of-way or a property line?

Ms. Holbrook: Property line.

Mr. Colglazier: A right if way would be - what is this, a 50 foot right-of-way?

Ms. Holbrook: I think it is.

Mr. Colglazier: So you're 75 feet from the center of the road?

Ms. Holbrook: That sounds about right.

Mr. Colglazier: Okay. ... That's roughly twice the width of this room, from side to side. [inaudible 01:07:50] On the duplex we've actually introduced 3 different color schemes. Once again, the name of the game here is visual diversity, because as you drive down Cleveland, what do you see? You see lots of different types of houses. The massing, the way that the houses are shaped, the style, the colors, the materials on each of the houses is unique, but they all share a family, or rather a vocabulary of materials to make the words of the blocks and the sentences of the street work together. We want to work within that language, that lexicon that's already been established for the City of Milford here.

Mr. Colglazier: I think that we're effectively doing that, and as was just discussed, with the institutional, large scale facilities that we see throughout our communities here, personally I would appreciate if my kids, when I get old and they kick me into a retirement facility, put me in a place like this, rather than a tall tower where I have no interaction with the exterior.

Mr. Colglazier: Members of the board, do you have any questions? ... Very good. Thank you.

Mr. Albrecht: When you were commissioned to do this, what was the theory behind it? When a customer comes to you, they ask you to present a plan. What were the parameters of that plan?

Mr. Colglazier: The customer is going to come, or client's going to come to us and say, "Hey, we have this many dollars and we'd like to do this many square feet. What are our options?" Then we have discussions, Mr. Mayor, about what materials, what's the program, meaning how are the spaces used, how do they relate to one another, and how much more money or less money do you really want to spend.

Mr. Colglazier: That informs a lot of the decision making process. If there's a site already owned by the client then we have the opportunity to look at what are the requirements in the local jurisdiction, as well as state and federal requirements in order to build upon this site. Often times we have situations where we don't have 13 acres that we can build on, right? So we have to keep distances, setbacks, in mind, but also things like fire separation distances, because the construction type of the facility, meaning, okay, there are five major construction types in the building code, each costs a different amount of money.

Mr. Colglazier: Is the entire facility fire proof? I use that term loosely. Is there fire suppression? You know, those are major ticket items. Budget is a big driving factor in things. In a site like this with SEM Terrace, obviously the amount of land is not an issue for what they're desiring to do. They have within their ability with the current zoning to basically put five, six, seven, eight hundred different units on this property. There's no limit to what they can do in the building code to that regard. You know, cost has to be a factor as well. Could we build one building as we saw on the comparable images. Absolutely we could, and we could go up to whatever height the building code and the zoning ordinance allow us to and provide that density.

Mr. Colglazier: That's going to save the owner in long term cost. We have to think about the life cycle of the building. That's fewer foundations in capital investment, that's fewer walls in capital investment, that's fewer roofs in capital investment from day one. So there are a lot of benefits building the way we see other developers building. In this case, driving around the site, walking the site, there's some wonderful trees, there's some good landscaping. There's a cemetery that, I'm sure many of you understand that, those used to be our parks as a society.

Mr. Colglazier: It's a walkable site filled with natural beauty, and I think that it's wonderful that the SEM board and administration has really embraced that, and that's the legacy they want to leave on this site. It's that this proposed development blends with the site, blends with the neighborhood, blends with their mission as an organization. I hope that answers your questions?

Mr. Albrecht: What percentage of green space would you say is left after you get done putting all these buildings up.

Mr. Colglazier: Eric, do you have a number on that?

Mr. Albrecht: Well, would you rank it low?

Mr. Colglazier: Mr. mayor, are you asking, versus the existing green spaces

Mr. Mayor: Verses what's around in a Jesuit area or the current SEM?

Mr. Colglazier: Verses what's on site now, the 13 acres?

Mr. Albrecht: In your neighborhood, or the SEM community, how does this green space, kind of, blend of with those other properties.

Mr. Colglazier: Given that the majority of the land right now on the 13 acres is grass, I would say that we're looking at a net delta of maybe five to ten percent.

Mr. Albrecht: Left?

Mr. Colglazier: Net delta, between what's there now, grass, verses how much of that grass area will be removed.

Mr. Albrecht: So, explain that please just for the common folks like us [crosstalk 01:15:11] your saying net delta. Tell me that you're reducing it only by five to ten percent, or you're only leaving five to ten percent left?

Mr. Colglazier: I'm looking at the density of the trees on site, because that's really what you see from across the street. The density of the trees, I think, will be affected in the range of five to ten percent now.

Mr. Albrecht: How about the green grass, the open green space.

Mr. Colglazier: The green grass? I'd be shooting in the dark to give a number, but let's just say, in the range of 20 to 40 percent difference. That's a big difference, the 20 to 40 range.

Mr. J. Wenstrup: How many mature trees will be taken away, and I think it said that they'll be replaced. I don't think you're going to replace them with another 30, 40-foot tree. How many trees are taken out to accommodate this design?

Mr. Colglazier: I'm going to let Eric address that, he's more familiar with landscapes.

Ms. McKnight: Would you just state your name again for the record.

Mr. Colglazier: Sure, my name is Matthew Colglazier. I'm with CESO. Thank you. [inaudible 01:16:23] Actually, Mr. Evens is actually looking that number up, we actually had that question at the community meeting that we've had and we did research that number, so he's looking it up right now.

Mr. Albrecht: Concerning the density when you're planning this, did you look at any other options besides this layout in a design? We haven't seen change in

the direction in the buildings, but have you looked at any other options with respect to moving the parking in the back, or any other arrangements, any sketches were done? Anything? Any other considerations besides what this existing plan is?

Mr. Emmons: We went through several different napkin sketches per se. We have limitations about putting parking to the rear because there are power line easements and sewer easements and things which restrict where we can put the parking lots. The direction the board took, and kind of pressed forward was, "What's the minimum footprint of buildings, people, you know, units, that we could put in there and still maintain a residential feel?" The number of total units was reduced to 40, I believe it is, and less than that, the cost doesn't reduce because the actual infrastructure for sewage, streets, and so on and so forth, stays there. So where at a minimum from a density as for units.

Mr. Emmons: The first proposal was, how many could we bring in there? And we talked about it, contending with the existing hall system that we currently use. It didn't fit well or feel well with the board, with the way that we thought it would impact the things. We could get a lot more units in, but we wanted to maintain as much of the dream space, give space between units, give space around them. And so we kind of worked our way back to a minimum as with how we approach this. So with the 40, anything less than that we had targeted about \$1400 or \$1600 per month, as what our target rents were. That's our considered market, which is considerably lower than many of the other facilities around.

Mr. Emmons: We backed into it with this number. Less than that it becomes \$2000 or \$3000. It becomes a larger burden on our seniors, which is what the board is trying to avoid. Our proposal is all inclusive, so the utilities are paid by SEM, the water, electric, everything is provided. The only the tenants have to do is provide their own food. That was our goal to continue in. As they aim [inaudible 01:19:37] they decide that they can't utilize their own kitchens. We have an onsite kitchen facility that can handle the extra people.

Mr. Emmons: They can move them in to the other units and they continue through the whole concept of the community service for the seniors. That's how we came about this design as we currently have today.

Mr. Roe: Maybe I direct this question to your design team, but, how does the density of the proposed new development, new construction, compare to the density of the neighborhood?

Mr. Emmons: I'm confused. Is it density, is it one unit per an acre.

Mr. Roe: Yeah, you say it's 10 units per acre, or 40 units per acre.

Mr. Emmons: Okay, we have 40 units allotted to the ... I'm not sure what the size are per the lots sizes but-

Mr. Roe: I don't know either. I guess don't know if anybody else would know what [inaudible 01:20:34] density is, but [crosstalk 01:20:36]

Mr. Albrecht: [crosstalk 01:20:36] one, which is 10 000 square feet?

Ms. Holbrook: The R-1 district requires one and a half acres per lot, however if you look at some of the lots out there they're less than that.

Mr. Emmons: Some on Cleveland or whatever, if they're half acre lots, that's 200 units. And that's been the kind of question I've been asking, "how do we define density?" I'm not real certain. The square footage per acre?

Ms. Holbrook: Most of South Milford is R-3, which is a minimum lot size of 8000 square feet per single family. The lots that are across the street from SEM are R-1, so it's a little bit larger lot size.

Mr. Emmons: I don't have size a precise answer, I'm not sure exactly how to answer that.

Mr. Roe: Yeah, I guess it's more of like, not necessarily directed to you or to just everybody here, I don't know. If we've got R-1 and R-3 in South Milford, what's the blended density, that compared to what you guys are proposing. Just be interesting to see what that looks like.

Ms. Holbrook: It's a hard question to answer because your talking about three different zoning districts.

Mr. Roe: Yeah, I understand that.

Mr. Emmons: And directly north of us the Laurels, I believe, have 135 units and they're on a much smaller footprint than we have, so this is close. We tried to make it feel there's a gradation to that point. That was the intent that we came forward with.

Mr. Albrecht: Do you know off hand what the Laurels footprint is?

Mr. Emmons: I'd have to look at the-

Ms. Holbrook: I think I might have that. SEM Laurels, is 12.9 acres and they have 152 units. So, they were 12 units per acre. SEM Villa had 21.4 acres and they are 158 units, and that comes to 7 units per acre. SEM Terrace, 13 acres, 115 units, comes to 9 units per acre.

Mr. Albrecht: What would this be then when you're finished, including the existing units?

Mr. Emmons: With 13 acres divided by 156 total? 115 plus 40, 155. That wasn't right.

Ms. McKnight Other way around, units per acre.

Mr. Emmons: 155 divided by 13 equals 11.9.

Mr. Emmons: 110 acres. Hey Eric, is that 110 and 35? We found the e-mail. They requested previously about the number of mature trees or the trees that were being removed. There's a 110 existing, 35 are being removed because of direct conflict with building placement. And then I believe there's nearly 200 trees and stuff that are being replaced.

Mr. J. Wenstrup: How many trees are being replaced?

Mr. Emmons: Nearly 200.

Mr. J. Wenstrup: Trees, or planting?

Mr. Emmons: There's 110 originally, and then that's anything I believe is [inaudible 01:24:52] and larger, and 35 of those are being removed. And then replacement is like 210 total plantings.

Mr. Albrecht: Total plantings. And when you call plantings, how many of those would be trees?

Mr. Emmons: 18 red maples, seven sugar maple, six select [inaudible 01:25:15], 13 tulip trees, [inaudible 01:25:17], two oaks, five [inaudible 01:25:23], eight [inaudible 01:25:24]. These are all based on the

Mr. Emmons: I believe, the recommendation of the city's ordinances.

Mr. Albrecht: So they're all trees?

Mr. Emmons: Yes, I mean shrubs, and everything else along as well, yes. Evergreens to deciduous.

Mr. Albrecht: Can you address what the impact of a three foot berm will be along South Milford Road?

Mr. Mayor: How does that compare, maybe, already looked, there's a berm along South Milford road right now in front of, I don't know which unit it is, one of the SEM communities. You have a berm there now closer towards Hickory.

Mr. Emmons: That's the Haven.

Mr. Mayor: So, you already have a berm there out, just for perspective.

Mr. Emmons: We do not have a berm at all. Actually, it's a fairly steep drop off from the streets.

Mr. Albrecht: So it's already there right? How does that compare to what you've proposed?

Mr. Boyd: It's a three-foot berm that's going to be about that high, and the intent of the berm is to allow for the plantings to be brought up to a higher level so that they are obstructing the view on to the site, from across the road at an earlier stage. As you know that when you plant trees they don't start out as 50-foot-tall giant red woods. They start out as one inch diameter, or two inch diameter tree that's about this tall.

Mr. Albrecht: How wide will that berm be, deep?

Mr. Boyd: The width of that berm, I believe we're looking at a three to one slope on that berm, or four to one. It's going to be moldable, so it's going to be four to one slope. So if it's three feet high, it's going to be 24 feet wide at the base.

Mr. Albrecht: Is there any option to make that taller? Since you have 50 feet width?

Matthew Colglazier: Is there what?

Mr. Albrecht: An option to make that taller? How would that impact the look.

Mr. Boyd: It just means that you're going to have more birch sticking up there. It's going to be ... You've seen berms before, right?

Mr. Albrecht: No, I understand. I'm just asking you, is there an option to make that taller if requested?

Mr. Emmons: The option could be there. One of the things we're concerned about is when they're hanging up the plants. The taller they are they sweep the sides as opposed to grass mowing, typically include three to one's, four to one's to make it easier for these little towns. It lowers, people can get in or out, and it's also not quite as easy, like in someones face when they look at and say "Oh, it looks like a brown mound?" It blends in a lot more with the natural setting. [inaudible 01:28:19].

Mr. Boyd: You have to be careful with your height as well. Once you start getting five, six feet high then it starts looking like a dirt mound, no matter how well you landscape it.

Mr. J. Wenstrup: I guess there's a big difference in planting bigger trees, I would assume.

Mr. Boyd: What do you mean?

Mr. J. Wenstrup: Four-foot tree, that's where you held your hand. We talked about 216 plantings. I forget how many were trees.

Mr. Emmons: [inaudible 01:29:00] Five foot and higher. [inaudible 01:29:06]

Mr. Boyd: They're going to start out at about five feet tall, the trees. And then they'll grow from there?

Mr. J. Wenstrup: Are there utilities in this facility strung on poles, or are they as the-

Mr. Boyd: The trees will be set back away from the utility poles out front.

Mr. J. Wenstrup: Typical to the neighborhood.

Ms. McKnight: Any other questions at this time for the applicant?

Mr. D. Wenstrup: Thank you. I would just like to briefly sum [inaudible 01:29:47] What's planned here is affordable housing, not necessarily the Season's housing where you have a whole lot of people together and they charge a whole lot of money. If some of these buildings are taken away at SEM planning, obviously it will become less affordable. It is our mission statement. Our mission is to try to make this affordable, but make it nice at the same time. Make a low-rise building that looks a little bit like a residence. It's not a residence, it's not zoned to be residence, but we think it will fit in better. Finally, I want to say, if this hasn't come through to you, we're willing to work with you. This particularly mentioned and everybody on staff. Thank you.

Ms. McKnight: Now we will open the floor to other members of the audience that wish to come forward, ask questions, make comments. Again we ask that you limit your comments to those given at the podium. State your name and address for the record, and if you have additional questions we'll take those questions and have the applicant come back to answer them when everyone's done so we don't get a back and forth. We're trying to maintain a good record here. I'm not going to necessarily wait. I'm assuming there'll be several people that want to speak, so the podium's open. You can come on up and state your name.

Ms. Chaney: Hi, my name's Lyn Chaney. I live at 140 Mound Avenue. The first thing I think that needs to happen is a little clarification on what we're talking about here, because there's a blurring of the definition of independent living as it currently exist there and what they just said about affordability. What you're talking about in these new buildings is apartments. They're independent living apartments with kitchens and the demographic for that is very different, if I'm understanding it correctly, then the current independent living which is rooms that have no kitchen that come with a meal plan.

Ms. Chaney: You can certainly upgrade in the proposed buildings from an apartment with a kitchen and a level of independence by adding a meal plan, but the dining room is not attached to these buildings the way it is currently. You're talking about people that at, 85 years old, may have walkers, may have canes, may have scooters that they may be wheeling over. That's not the demographic. \$1400 to \$1600 is not in line with rent in Milford,

except for maybe down on the River Walk. That is a high-end rent for this area, including the apartments that are in the South Milford neighborhood.

Ms. Chaney:

There's a little bit of blurring of intent that I'm not comfortable with that I would like clarified on the definition of independent living as it exists at the facility now. It's the first time I've heard that all of the SEM's are separate, but there is independent living at the SEM, in some of those locations now. I live on Mound Avenue. I guarantee you, there are more than 17 cars coming in and out of the SEM facilities on a daily basis. I have the traffic report. There's a traffic report. All of the pages, starting with appendix D, talk about land use assisted living. I would like to know why these assisted living numbers are being used for the traffic study for independent living units, because independent living units could be one person, could be two people, but those people are independent. They have kitchens, that means they have to go to the grocery store, they're not going to not have a car.

Ms. Chaney:

I don't think it's a fair way of selling this to the neighborhood that your going to get 106 trips per week for 155 people who are living independently. My father in law lived in something similar to this, and he drove until the very last possible moment. He would get up and he would go have coffee, come home. He would go and have breakfast, come home. He would run out of toilet paper and go Kroger's, then he would go back and go out for lunch, and then he would have to go back to Kroger's. He was not taking one trip per day.

Ms. Chaney:

I don't know a single 70-year-old person, 80-year-old person who's still driving, that does not drive more than once a week. That's what these numbers imply. And again, I'm going to go back to, it's very unbelievable when the numbers are based on assisted living and we're talking about an independent living facility.

Ms. Chaney:

One of the things that I also question is, what the definition in these residential things, what would constitute purpose, institutional district, protect those lands used primarily by public or private institutional uses from development into other incompatible or more intensive. I would like some definition put to, what does more intensive mean. We've been shown some buildings with very high-density usages, but again, if you're not differentiating between what the people in those buildings do, because I guarantee you those high-density buildings are not independent living units.

Ms. Chaney:

They're skilled care nursing. And then you'd have to add in, to this traffic study, if it's independent then there's no staff going there. We're being told, one maintenance person and three part time kitchen people to accommodate all of these new people. That says to me these people are not getting medical intervention. Those big, tall buildings, Pinebrook in particular, that's a skilled nursing facility. It may have an assisted living

component to it. It's not independent living. So we're not comparing apples to apples in this instance, and we need to be very careful about what we're talking about when we start trying to put some definition to what the neighborhood concerns are.

Ms. Chaney:

Anybody who's driven South Milford road knows that it's narrow, there are not any kind of shoulders on most of the road, and that in good sections of the road it's starting to erode. Within the last couple of years, you had the example of Houston, and this may be reaching, but it's certainly illustrative. If we take the green space that we have and we put concrete everywhere, what happens to that ground water, because SEM is surrounded by historical rivers on two sides, a nature conservancy at the down part of another side where the wetlands are being restored. I would like to see a ground water study done before we develop all of the green space that's there so we have an understanding as a neighborhood. What's going to happen to the road? What's going to happen to the water? What's going to happen to the utilities?

Ms. Chaney:

Right in our own back yard, Beachwood Road, which is a major access point for a lot of the people that use Milford's downtown they go to Milford schools. It's closed because of erosion and use. It's a much more heavily traveled road, but it's a bigger road too. South Milford road, when you drive it, does not look that dissimilar to Beachwood Road. I think it behooves us to make sure that we understand the impact of building and covering up all of these green spaces.

Ms. Chaney:

Again, I'm less worried about the parking spots because I don't believe the parking information in here, because I don't believe we've put the right label to do a comparison. I would like to know what the number of parking spots are on the properties that are SEM properties that have Mound Avenue addresses, because those are more comparable. How many cars are associated with those units. You've got, we were told, 35 to 40 parking spaces currently. Only 19 residents with cars, but 20 staff members. So that's 39 total cars for spaces between 35 and 40 cars.

Ms. Chaney:

So, adding whatever. Where are those cars going to go? Into our neighborhood streets. I mean, that's a concern. Anybody who's ever been out walking their dog very early in the morning, will see two things going on. They will see people running the stop signs and zipping down the side streets to get around the buses. They will also see those people rushing to work. It's dark and, to go back I may, I'm not being very linear because there's been a lot of information thrown out today, but one of the other things that those other comparables we were offered are, they're all on main streets. They may abut residential neighborhoods, but they're all on main streets. The only way to get to this facility with an emergency vehicle, is through the neighborhood.

Ms. Chaney: When you add all of this, what about garbage trucks, because we as a neighborhood have one assigned garbage day. SEM that's at the end of the alley from me has two additional garbage days, so we've garbage trucks going through three times a week. How many times is that going to happen, and at what point does the practical reality become, and I heard the gentleman say it's within the law, well then maybe we need to look at changing the law, or changing the zoning in reverse, because at what point does the impact of a development like this change the nature of the neighborhood. It's not about whether you can get in and out on that street, it's about, how many cars can the neighborhood tolerate before it doesn't feel like a neighborhood anymore?

Ms. Chaney: And then what happens? People stop caring for their properties, they move away, they let everything fall into disrepair. Contrary to what the gentleman said, the houses were there first. I believe there was an agreement when the land was bought by SEM. Obviously it's changed. Nobody's suggesting that change isn't part of the fabric of everybody's life. But deliberate, considered change based on good data, and validated concepts is important to everyone concerned. Because the other thing that will happen is ... I lost my thought, I'm sorry, that wasn't very good.

Ms. Chaney: So I guess my two cents worth is, I don't think we have enough information. I also don't think we have the right information. I'm extremely concerned about the traffic. I don't think the traffic numbers are valid traffic numbers, and I would ask that you not proceed with making a decision on this until there is a ground water study done so we can understand the full impact of what this development means. Thank you.

Ms. McKnight: Just come on up if anyone else wants to speak.

Ms. Cathy Shaffer: Hi, my name is Cathy Shaffer. I live at 5338 South Milford Road. Though in, at the latest, 1907, I'm not really sure, that's just a guess based on the stones and the foundation, my mother bought the house in 1981 and I've been visiting her and going to this location since then. My husband, Bruce, and I moved in in 2011. After my mom passed away we inherited the house.

Ms. Shaffer: I'd like to talk to two broad areas, if I could. The first one is, it just looking at this picture which I know you can't see, it just strikes me that, the center are older buildings that quite honestly could use a little updating, and I know this first hand because my mother lived there for a time at the end of her life, and she was actually very grateful to live there. But it seems like that takes up the prime spot on that property. Those, I think they said, five halls, but I think of as four buildings, and then the newer, supposedly improvements, are like squished around and stuffed in the rest of the land. And I know that's pretty hard to solve that problem, but it seems like a poor use of space to me.

Ms. Shaffer: To have the center prime area at some point one need to be massively upgraded, or perhaps even rebuilt, or something. That's just my impression. And then my second point is, it seems like there's a dichotomy between every major aspect that were told. First, we're told that while there are independent people, and they won't need parking spaces. Well of course they will, that's one question. And then, we're told there is going to be lots more green space, and the density isn't that much

Ms. Shaffer: But if you drive ... I mean, we feel like we're a part of South Milford, totally, but when you enter Milford, if you enter from Round Bottom, or if you enter from Cleveland, that area with the country club and the nature preserve and the Jesuit Retreat Center, I feel that, to me, SEM Terrace falls into that category of land use. And, that ... The density on those properties is immeasurably less than this. Cause when you drive down Cleveland, you pass the cemetery and suddenly there's a few houses, but it's not a totally neighborhood anymore. It's more like you're entering a little bit of the country. And I feel if we put that there, that would not be the case. So, I guess, density is my major concern. I feel it's totally out of proportion to the surroundings.

Ms. Shaffer: And, the last thing is, we're told that they'll work with us, but yet, there's almost a veiled threat of, "Well, we can use our land how we want based on the zoning." But the previous speaker brought up the fact that the zoning plan does say that it should be in comparison to the surrounding areas. I believe that's the most recent zoning plan, and I feel that this would not be in comparison to the closest surrounding area. That's all I have to say. Thank you.

Ms. Damiene Nelson: Hello. My husband and I are kind of new to Milford. My name is Damiene Nelson. Live 205 Laurel Avenue. We've been here for a couple of years. I am very concerned about the construction impact with all these buildings being built. Already at this point, all the side streets, the trucks, everything, you know, electric trucks, cement trucks, lumber trucks, I mean you could go on and on. They're gonna be using Laurel. They're gonna be using Mound. They're gonna be using Cleveland and South Milford, which already is too narrow. I mean, we have ... I just ... I just really think a study has to be done on how that's gonna break the roads down. We felt bad just putting a garage in our backyard because it was so disruptive, the construction of just a two-car garage.

Ms. Nelson: And the traffic is really a problem on these small roads. You know, someone is gonna pay the price to have the roads rebuilt, to have the sidewalks redone. There are no sidewalks, walks at all down here, and so you can't walk dogs, there's very little biking, it's dangerous. It's just unacceptable. Big isn't better. More isn't better. Just it's fine how it is, and that one gal brought up that the other places are a little beat. Fix those up. You know. But the construction impact will be a good strain on Milford,

and we're probably all gonna pay the price I'm guessing. Someone's gonna pay the price. That's pretty much it. Thanks.

Ms. McKnight: Thank You.

Sister Therese: Good evening. I'm Sister Therese, Executive Director from the Jesuit Spiritual Center, 5361 South Milford. You know, many of us were here almost a year ago when the original plan was presented. Then, we were here on February 14th, and I think many of you know the history. My biggest concern, numerous concerns, have already been mentioned, but I'd like to talk a little bit about the ethics underneath this and what's really driving it.

Sister Therese: We had spoken a while back, and I had brought this up at a previous meeting, about what really is the need. Has there been a market study? All we know is that there were phone calls, and that there's a waiting list. I would like to quote once again that according to the Aging in Place data, only nine percent of seniors have a preference for moving to a facility where care is provided. In fact, the cutting edge senior programs are putting programs together for stay in place. This statistic is also confirmed by the AARP. Many seniors, including my parents, until their death at 94 and 95, aged in place. They were happier. They had family around. And so approximately 90 percent of seniors intend to continue living in their current homes for the next 5 to 10 years. Of these individuals, 85 percent are confident in their ability to do so with very minor changes to their home, as reported in a study in 2012. Even if seniors begin to need assistance, 82 percent would prefer to stay in their home. You know, I think this is a very interesting fact. Are you aware that the population in Milford is getting younger, not older? I don't know if anybody's aware of that. That's a great thing for a city to be able to say when the aging population is increasing in some areas.

Sister Therese: So, the fact is, what is the need for senior housing? What really is the need for independent living? And are you aware that each one of the SEM entities ... I've had the opportunity to meet some of the executive directors and to reach out to them. Each one has their own management company. Do you know who manages SEM Terrace? Dave and Elham Emmon's management company manages SEM Terrace. They also run and operate SEM Terrace, so who is to financially benefit? That is the question. Where is the financial risk? Where is the risk at all? It is not with the Emmons. It's with the city of Milford, the residents of Milford, the neighbors of Milford, and the residents themselves of SEM because as you heard mentioned, do you not first look at your property and look at what needs to be improved?

Sister Therese: You know how some of the best meetings are the meetings after the meetings? Well, at the June meeting that was held at their place ... And yes, people did not ask or comment on the turning of the buildings because

there was litigation there, lawyers, that said, "We can do what we want, and this can go to court." And there were mixed facts given. So, there was intimidation, and there was bullying, and it was not a listening session. I wish I could have taped it for you. In fact, the person that was sitting next to me, Dave Emmons had said, and we had quoted this once before, "If the neighbors don't like it, we won't do it." And he said, "Oh, I misspoke." The person next to me said, "He just apologized for lying."

Sister Therese: So, what concerns me ... I have concerns and support affordable housing for elderly, but not in this tenor because we asked at the meeting after the meeting, "Would you scale back?" It was not financially feasible, and you heard that tonight. You heard that tonight. It's not financially feasible. Well, what makes it not financially feasible? The top line and the benefit to the management company? What really is driving this?

Sister Therese: The other thing that I say, Milford is not a Madeira, is not Kenwood. Look at your website, and the neighbors that come who live here. It's because they want to be out of the city, and want the country, small-town environment. Take away green space, and it affects the urban heat, greenhouse gas emissions, storm water. But do you know what else happens when you pack housing on this? Have we not learned anything from government housing? Have we not learned anything from it? That it negatively affects residents' sense of security and heightens perceptions and possibly the incident of crime. Because if you don't take care of what you have, is that not gonna become blighted for future generations? What's gonna happen if these aren't filled? And over future generations, what's gonna happen to that property? So, it turns into congested buildings, parking spaces, asphalt.

Sister Therese: The one thing I love about Milford, I have learned to meet the neighbors. There is great passion, great passion. Thank God. There's not many cities where there would be people here around an issue because they care passionately about their land and about their neighbors. And so, they've come together to fight for what Milford is all about. So, what I say is that approving the plan of such high density without adequate facts, without adequate studies, as you're hearing being called for tonight, has an impact on generations to come, not on you, but for generations to come, and sets a very dangerous precedent for the future.

Sister Therese: The numbers in the statements throughout this entire process over the years have been contradictory. We were shown one plan in June, and another plan was submitted. It was challenged in the June meeting. The numbers, the numbers didn't add up. We were ... There were threats that said, "Well, we can sue." So, I ask that you hear the voice of the people of Milford, your community, and the community represented here tonight, and stay true to your roles and responsibilities as members of the Planning Commission. By preserving the character of Milford, particularly South Milford, for future generations. I ask humbly and employ on you that you

deny this proposal for many reasons, particularly the ethical reasons underneath it.

Mr. Jon Lenihan: Hello. My name's Jon Lenihan, same as it was last year when we had this discussion the first time. I'm here tonight presumably for the same reason that you are and that my neighbors are, and that's because we care about the city. We've invested financially, socially, professionally, spiritually, in this community, and we all want what's best for the city. That's why I'm here. I trust that's why you're here, and I know that's why my neighbors are here.

Mr. Lenihan: Less than two years ago, my wife and I purchased the property at 5364 South Milford Road. We sit right at the bend in the road, directly across the street from SEM Terrace. After living in Boston for 10 years, the accessibility and the peacefulness and the beauty of the neighborhood were impossible for us to resist. I found it interesting that back in 1994, almost 25 years ago, there was a survey done of Milford residents, and it was including in the comprehensive plan from that year. And in the survey, the South Milford neighborhood was rated both the best residential area in Milford and the most attractive area in the city. And my wife and I were thrilled to be moving into an area that the neighbors had already been admiring and taking care of for decades. To say that the quality of life in South Milford would be negatively impacted by this development would be a magnificent understatement. As one of our neighbors said so eloquently in December of last year, "You can't make a 100-year-old community, but you can destroy it quickly." We're seeing that happen here.

Mr. Lenihan: This development would include 16 buildings, including the shed, 82 parking spaces. This is a doubling of the square footage of SEM Terrace, and we see how it's been achieved. We're putting buildings in as many corners of the property as they will fit. In addition to what is already there on the property, this adds more than three new apartments per acre, which is significantly more dense than the surrounding community. Oliver, you asked, it happens to be here in my notes, if you happen to look at the property in South Milford surrounded by Valley View, Pattison, and South Milford Road, there's 10 single-family homes sitting on 18 acres. That's one residence for every one point eight acres. And they want to build three apartment buildings per acre.

Mr. Lenihan: The topic of density, and it's been brought up before tonight, brings us to the city zoning codes. We've spoken about this before, Section 1127.04, related to the site review guidelines, which states and I quote, "The following guidelines shall guide the exercise of site planning review by the Planning Commission. Point one: Buildings in open spaces shall be in proportion and in scale with existing structures and spaces in the area within 300 feet of the development site." What's within 300 feet? We have the Jesuit Spiritual Center and R-1 residential lots. "Point two: A site that

has an appearance of being congested, overbuilt, or cluttered, can evolve into a blighting influence, and therefore shall be avoided." I'll let the TV speak for itself on that one. "Point three: Natural separations shall be preserved on the site by careful planning of the streets and clustering of the buildings using natural features and open spaces for separation. Existing vegetation removal shall be kept to a minimum. Point four: Buildings shall be cited in an orderly, non-random fashion. Point five: Adequate landscaping shall be provided throughout the site to create an attractive development, to reduce the amount of impervious surface created, and to prevent large expanses of uninterrupted pavement areas. Point six: Consistency of proposed building materials and design with the prevailing character of the area." I don't think I need to continue.

Mr. Lenihan: I'm not an urban planning expert, but my untrained eye can look at this development and see how congested and overbuilt this would be on those 13 acres, and how poorly it would fit in with the surrounding community. The plan not only adds structures, it adds parking, blacktop driveway, sidewalks, lighting, even a cul-de-sac with new road access. Further, the proposed design is not at all consistent with the prevailing character and design of the area and houses that were built in the mid and late 1800s. SEM's own architect has called them modest and not high-style architecture.

Mr. Lenihan: In 1997, the city authored a land-use plan to guide the future development of the city. One of the specific goals was to promote strong and stable residential neighborhoods that provide an attractive living environment for present and future residents. One of the bullets under that goal was, and I quote, "To extend the character of existing neighborhoods, i.e. South Milford." Even 20 years ago, the elected officials in this city recognized the importance of the character of the South Milford community and the importance of its preservation.

Mr. Lenihan: Another goal of the '97 Land-Use Plan was "To promote a high activity downtown with uses and amenities that capitalize on and are sensitive to the historic traditions and character of the area." This same point was used as a basis for this community's objection to the Milford Main Development proposed in 2015. There's nothing about the development at SEM Terrace that seeks to identify, preserve, or incorporate the historic traditions and character of the area. What we'll have and what we saw are overly dense, low-cost apartment units, with no emphasis on aesthetical continuity within a well-preserved, historic neighborhood.

Mr. Lenihan: As I'm sure the commission knows, Milford recently adopted a new comprehensive plan on December of 2017. Ironically, this was adopted the week after the first meeting we had here to discuss this topic. This new plan provides both strategic direction for the city and a vision for Milford of the future. As we can see in the evolution of these city planning documents, both the Milford of the past and the Milford of the present

have emphasized the importance of temper development, protection of resources, and appreciation for the character and vibrant history of our historic neighborhood. Yet, here we are, contemplating a proposal that disregards the guidelines that have been put in place by the community and elected city leadership over the past two decades.

Mr. Lenihan:

The staff report that you have all seen and we've spoken about tonight, states that SEM Terrace is zoned as institutional, with its primary permitted use being a continuing care retirement facility. And I'll define this again. A housing development that is planned, designed, and operated to provide a full range of accommodations and services for older adults, including independent living, congregate housing, and medical care. This institutional designation in primary use only holds up under the assumption that the collection of SEM entities are operationally related and work collectively to provide a spectrum of services to seniors. In the past, maybe that was true. Dan went out of his way, Dave went out of his way, and so did Jerry, to tell us how independent all the SEMs actually are now. All their boards are actually independent. They make decisions independently. Well, if that's the case, how can they be a continuing care facility? They're not part of a continuing care group, but they're a stand-alone facility for independent senior living. Following this point to its logical conclusion, the R-5 zoning designation for Multi-Family Complexes is most appropriate for the services being provided and proposed by SEM Terrace. This R-5 designation does not permit the lot setback, building spacing, or density that their proposal calls for.

Mr. Lenihan:

Ironically, it's been exactly one year to the day, I think, since SEM submitted their first plan to the city. In that time, not much has changed. Not the plan, and certainly not this community's opposition to it. In the past year, we've heard a lot about what SEM wants. They want to build 16 buildings and 40 units. But what troubles me is that they haven't been willing to articulate what they actually need from this development. My concern is that the underlying need is actually a financial stability that doesn't exist now at SEM Terrace. Looking at their tax returns prepared by Ms. Emmons for 2016, they took in one point four million dollars in revenue, but have one point two million dollars in expenses. That left 166 thousand dollars at the end of the day, after their expenses were paid. If you ask me, that's not much of a cushion for an aging building and the ongoing support of over 100, almost 100 residents.

Mr. Lenihan:

We've been told that this development is only financially viable at this level of density, and nothing less, no compromises there. Assuming just for a moment that finances are the impetus behind this approach, does taking on a six-million-dollar project and the associated debt load really seem like the answer? Cause if this project falls through after it gets started or when money runs out in a few years, the property manager can walk away unscathed and focus on the rest of their portfolio. The bankers will grumble. They'll write off the bad debt, and they'll probably still have

a beer on the way home. But the community here and the current residents will continue to suffer the long-term consequences of the failure.

Mr. Lenihan: This development, as we've looked at it tonight, doesn't just impact the Milford of today or next year, but it impacts the long-term future of Milford, most critically by setting an important precedent for the types and density of development that will be permitted. What will Milford look like two or three decades from now? The decisions we make tonight will answer that question. On the city's website, it states that the planning committee is charged with, and I quote, "Controlling growth, promoting economic health, and improving the quality of life for our residents." SEM's development proposal runs contrary to each one of these responsibilities that you have. As members of the Planning Commission, you have the opportunity, the obligation, to uphold your responsibility to this city and its residents, to protect our neighborhoods and preserve our community by voting "No" to this overzealous expansion plan. Thank you.

Ms. McKnight: Anyone else that cares to speak to the Commission this evening?

Mr. Minniear: Can I first ask, will you please submit a copy of what you read from for the record please?

Mr. Lenihan: Absolutely.

Ms. McKnight: Thank you.

Ms. McKnight: Would the applicant like to come forward and address any of the questions that were raised by the public this evening?

Mr. D. Wenstrup: Yes, I think we'll [inaudible 02:10:13] the comments [inaudible 02:10:13]

Mr. D. Wenstrup: Members of the Commission, I think we'll sort of both take some of the comments that have been made. And I guess I'll start with the first speaker, and I think she wanted to know the definition of independent living. I think that what is anticipated here is independent living. It has a difference from the idea that what we're trying to build is just apartments. There will be kitchen facilities, not only ... Well, there will be kitchen facilities in the units, but there will also be food available in a cafeteria, so that makes it different than the idea that it's just an apartment.

Mr. G. Wenstrup: I also believe that it's a location where shuttles can come and take the seniors to pick up the necessary items. So, when you're talking about traffic, you know, a shuttle comes by and picks up several people and takes them to the grocery store ... We have the same system where my grandfather is. You know, they get into a shuttle, and sometimes I see them at Kroger when I'm shopping. And you know, then they get back in the shuttle. It takes them back to their location.

Mr. D. Wenstrup: The speaker mentioned that ... Regarding parking that there would only be, I think, a small number of cars coming out of SEM Terrace, and that's true. There is going to be a small amount of cars, but I think that she had the number wrong. I think it was 106 versus something like six or seven. With respect to the fire and the police, I guess all we can say is that the fire and the police did go out and they did their own examination. They weren't hired by us, but they went out there, and they didn't think that it was a problem. So, I think that we should rely upon the firefighters and the police that we have here. I think that they do a good job, and they're independent.

Mr. D. Wenstrup: With respect to the idea of several people that there was, that we are not doing as good of a job as we could for our green space, we want all the neighbors to be happy, but it is SEM Terrace's property. And they should be in a position where they make the final decision, with respect to the property, rather than their neighbors, just as their neighbors doesn't want SEM to come in and tell them what they should be doing with their property. We think it's a good plan, but I think we have a problem when we talk about the green space of the neighborhood. It is not a park.

Mr. G. Wenstrup: Or, I guess what I would add to that is what people think their belief of what the optimal use of the land is. I mean, we all think that we could come up with the best use of someone else's property and how they could make it the way that we like. But that isn't our prerogative.

Mr. D. Wenstrup: I think, and this was not the first speaker, but another speaker suggested that she thought that there was some sort of an agreement where certain things might happen at SEM Terrace. I've looked at the recorder's office, and there is no such agreement. Nothing has been filed. Anybody who would want to enforce any sort of an agreement would file it in the recorder's office, and that has not taken place. We don't believe it ever existed. With respect to the drainage, there was some concern about drainage. We've talked to our engineer, and the engineer indicates that he's satisfied with the drainage. And I think ... Would you like to address that? Before we have a second engineer do the same thing as he did, I think that we ought to let the experts in this particular area discuss the drainage. So, if you would, Mr. Boyd, you can tell us about that.

Mr. Boyd: Certainly. So, the SEM Terrace site sits on well-draining soils, which means that when it rains, the water percolates down through the soil. It doesn't run off. It doesn't go into the street. It doesn't go into the neighbor's property. It goes down through the soils. Engineers have been designing drainage for soil types like this for hundreds, thousands of years, and basically, you basically just have to make sure that you have a sufficient amount of percolation into your soil to capture the rainfall water off of the parking surfaces within your own property, and we are working towards that.

Mr. D. Wenstrup: Are you satisfied that there will be sufficient drainage at SEM Terrace if these development changes have occurred?

Mr. Boyd: I am satisfied with that.

Mr. D. Wenstrup: There was also a suggestion that it would really be nice if SEM Terrace would look more like the golf course or more like the Jesuit Community. Well, I wish my neighbors would make their yard look more like a golf course as well, but there's a limit to what we can do when our neighbors, especially our neighbors zoned in a different way than we're located, there's just a limit to what you can do.

Mr. G. Wenstrup: Playing off that, you know, SEM is a different institutional use. In theory, you know, if the FC Cincinnati practice field falls through, they could put it on SEM's lot because it's zoned for that usage. And, you know, so you could say, "Hey, there's no residents living at this practice facility," but it would completely cover the whole, the entire premises. And most of those trees would probably be gone and removed. It's ... There are different instit- ... The institutions are different, and each has their own uses and their own needs, and in theory, you could put a soccer field there. But it's ... And then, there would be no residents per square foot, but it would be totally finished, that whole space. So, you know, comparing SEM to residential areas is comparing apples and oranges, and quite frankly, different institutional uses is also an unfair comparison.

Mr. D. Wenstrup: These sorts of hearings are difficult at times, and everybody feels very strongly about their own position. I thought it was unfortunate when the issue of ethics was addressed and character attack. Especially when the speaker doesn't really know the facts, that's very unfortunate. And here, there was a suggestion that Dave Emmons and Elham Emmons own SEM Terrace and are making the money off of SEM Terrace, and that's just not true at all. There's an independent board. Elham, neither Elham nor Dave is on that board. Elham is an employee, and she got hired, and Dave is an independent contractor, and he does some of the work, but they don't own it. They might get paid for the services that they do, but they don't own that. And it's just unfortunate that there is that type of a charge that's here today.

Mr. G. Wenstrup: I'd like to address one of the comments about temporary issues like construction trucks. I get that a lot in a war zone, and we hear people saying, "We don't want this because there are going to be construction crews in the neighborhood." And the truth is, you can't, we just can't do anything about that. I mean, to prevent a project based upon the temporary setbacks like construction crews, nothing would ever get done anywhere if that were the basis for refusing [inaudible 02:19:20].

Mr. D. Wenstrup: Lastly, I would suggest that there's not that much more pavement that would be involved in this particular project. There is gonna be new

pavement for the circle, but there would not be that much pavement otherwise. I don't think it's a problem in any event. The engineer has indicated that there's, that drainage is not gonna be a problem. I think there's a certain amount of speculation that maybe economically the Sem Terrace idea will not catch hold and will not work despite the fact that there is already a lot of people right now that are already signing up to join it. Some of them are signing up from the original Sem. Some of them are signing up even for the other Sem's. I don't see an expert here who can substantiate that speculation that this isn't going to work. Good minds have looked at this. They've looked at it for a long time. I know there's reasonable differences of opinion, but there is no expert testimony here to tell you whether there is any justification whatsoever for the speculation that this might not work. I hope that you will all just think about that. We don't want to act on speculation. We want to act on what's probable and we want to give Sem Terrace a chance to operate and build its dream in this particular situation.

Mr. G. Wenstrup: I would just clarify the comments because we'll talk about Sem being accommodating and working with people who want to work with the city and with the staff on the logistical matters and we want to make sure that it conforms to those requests, but at the same time we're not willing to accommodate these unreasonable requests that we're hearing. We're trying to make some changes to be accommodating, but what we have heard loud and clear from some of the people who have spoken is they just oppose the project outright and there's no middle ground offered to us. When we ask for feedback it's, "Just don't do it" from some people and there's not much we can do about trying to appease those people. We just want to control Sem's property.

Mr. G. Wenstrup: On a final note, I know Milford does have its own identity and its own community. It's important to adhere to the standards that Milford has created. But Milford is also part of a greater community and that is Ohio and I would say, looking at these comparables, it's important to remember that that is how it should be evaluated. It's part of Ohio. And I heard that some people said that this is a Mayberry like community and I would agree with that, but there are other parts of Ohio and I would say Madeira is also considered a Mayberry like community and the standards that apply in some other areas apply here because this is all part of Ohio, this is all part of the Southwest Ohio.

Ms. McKnight: Excuse me, I had an additional question. Neither of you covered the point that was raised about the traffic study. And I don't think your Traffic Engineer is present or at least they haven't spoken yet why the land use category of assisted living was pulled from the ITE manual rather than the independent living.

Mr. D. Wenstrup: If you'll let us talk to the engineer and maybe we can give you a response on that. Unfortunately, I'm not a Traffic Engineer myself, so maybe I can get some help.

Mr. Boyd: Before I say anything more, I want to say I am not a Traffic Engineer.

Ms. McKnight: Understood.

Mr. Boyd: My traffic engineer went over the various categories and he looked at the categories that are available and the assisted living category, each category has a description. I don't know if you guys are aware of the ITE Trip Generation Categories. Each of those categories has a description and the one that we found that most represents what Sem does and wants to do with its property was the assisted living. There are other categories, but they were much more of the nursing home or skilled care facility type categories, so this one was the closest that we could find to what Sem is doing and wants to do at its site.

Mr. G. Wenstrup: So there was none that was just said independent living?

Mr. Boyd: Right.

Mr. G. Wenstrup: Okay. So that wasn't exactly an option when you were researching uses.

Mr. Boyd: Right.

Mr. J. Wenstrup: What about apartment living?

Ms. McKnight: Excuse me, just a second time. We don't have a copy of the ITE here in the room, I don't think, but in the description that was provided, it says assistant care commonly bridges the gap between independent living and nursing homes so I'm trying to grasp exactly, get a good handle on what the use will be here, which of the uses that are permitted in institutional will be here. I've been through the journey with my father. Several people have mentioned that we did the independent living which was Pinebrook, which is independent living, not skilled care. We did assisted living and we did nursing home so I have pretty good understanding of what the differences is and I really feel what you've described as much more like an independent living facility than assisted because I didn't want my dad walking outside in 95 degree heat or 15 degree weather to go to dinner, so he was in a different type of facility. Seems like independent living might have been a more appropriate choice to use on the study. Again, I'm not a traffic engineer either.

M. G. Wenstrup: So for clarification, I think you're right that it is more like independent living, but you saying that the study didn't have that option, so it was, what is the closest to that type of service because they just provided so many types of categories and they didn't have exactly the one that said [inaudible 02:27:14]. I think that's what he's saying is they didn't have a

research study for independent living. They had other categories and they looked at the criteria and said this was the closest.

Mr. Albrecht: So they didn't do a traffic study. They went and researched a traffic study and found one they thought was comparable? Is that fair to say?

Mr. Boyd: No, you do a traffic study, but you have to use the ITE Trip Generation Category to look at your numbers versus that. Like I said, I'm not the Traffic Engineer, I apologize, my traffic engineer is not here tonight, but she did a study. We went there. We counted the vehicles at the site. If you look through the study there, we did do that. But you do have this comparison that you do with the national ITE Trip Generation Categories to help you determine your level of service and things of that nature.

Mr. D. Wenstrup: Do you know what else or what [inaudible 02:28:11] of study was done?

Mr. Boyd: It was done at the intersection of South Milford Road and Sem's existing driveway.

Mr. J. Wenstrup: Would not have an apartment. I mean independent living apartments for old people. Is there a difference between independent living and living independently? As far as a traffic study? I mean, wouldn't that have been a lot closer? Not that it's not a huge issue, but it seems more appropriate.

Mr. Boyd: I'm not a Traffic Engineer, I couldn't tell you if-

Mr. J. Wenstrup: I'm not either but I know independent living-

Mr. Boyd: But my Traffic Engineer told me ... My Traffic Engineer looked at that, he looked at this. I actually went back through and looked at my emails from him while the conversation was going on and apartment living was not one of the categories that he gave me as what he was thinking would be similar to what we have.

Mr. J. Wenstrup: He just didn't think it would be similar. Okay. I gotcha. Okay.

Mr. Boyd: Sorry, that's what I was given.

Mr. D. Wenstrup: Would the Commission like us to supplement our answer to that?

Ms. McKnight: I don't know. We will have to discuss it.

Mr. J. Wenstrup: I can't tell from the drawings, but this community in Sem, there's no provision for any kind of walkway. Sidewalk people will either walk out and walk in the street. There're no sidewalks in this neighborhood. Is there? Are there?

Mr. Emmons: There are no sidewalks long Milford South or along Mound that leads back to the facilities. The sidewalks within the facility, and that's

something we're working for our residents, is we will have connectors that run throughout the whole complex. They're not tied to the external neighborhood around but immediately to the east where's the cemetery. There's no place with no existing sidewalk, but there's sidewalks that tie the new proposed stuff with our existing which has sidewalks. There's no sidewalk that ties Sem Terrace with the Laurels, but there's driveway's that connect when they walk through. There's also walking paths the connect between the Villa and down along the ... there's part of will have the handball courts and stuff. There's actually walking paths within that. It's just not connected to the neighborhood. So within the Sem communities, there are paths and ways to walk amongst them.

Mr. J. Wenstrup: Specifically, there's a sidewalk that people in this proposed neighborhood, this proposed additional housing space of apartments could walk to the dining room.

Mr. Emmons: Yes, absolutely.

Mr. J. Wenstrup: Thank you.

Mr. Emmons: Anything else?

Ms. McKnight: Thoughts? We've gotten a lot of information tonight.

Mr. Albrecht: Can I read a statement? So as I was reviewing many documents, spending many hours trying to look at this, certainly I understand land use in an owner's ability, but the same token, the Planning Commission from what I can find in our ordinances, which are probably different than Madeira's, with due respect to zoning official for Madeira, I found some things that do give the Planning Commission leeway that are more subjective than just a matter of numbers and acreage, things like that. So I want to point those out. I based it on the site review guidelines listed in 1127.04, the Milford Zoning Ordinance, which was amended September 6th 2016. Item B states that a site that has the appearance of being congested, overbuilt or cluttered can evolve into blighting influence and therefore should be 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 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 and as we learned tonight with my questions, to fit a budget.

Mr. Albrecht: 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 linked. There may be some sidewalks that connect other areas, but the green spaces are not linked from what I can tell from the plan. I have some general comments that are based on general guidelines within

Milford Zoning Ordinances as well as the 2017 City of Milford Comprehensive Plan.

Mr. Albrecht:

Buildings should be cited in orderly nonrandom fashion with entries and windows facing the street. Common open spaces should be reserved for activities, inappropriate in size and character, considering the size, density, and expected population of the number of buildings. While this is not a specific plan development, the spirit of the City of Milford Comprehensive plan revised in 2017 would dictate that the green space occupies more than 60% of the planned neighborhood, which is precisely what's being proposed. The proposed plan does not pass the litmus test. In my opinion, it truly is an apartment complex and should be looked at that in one perspective that way. The development in general is not consistent with the goals and objectives of the Milford land Use Plan. There should be beneficial relationships between the proposed plan and the neighborhood in which it is to be established.

Mr. Albrecht:

Commercial uses shall be designed to resemble the character of the surrounding residential buildings. Given the approximate proximity to our one residential property, open green spaces of the Jesuit property as well as the rest of the park, this proposed plan would truly not fit the character of any of the neighborhoods. Traffic congestion, I'm not convinced the traffic study performed accurately reflects the current or projected additional traffic created by visitors, staff, maintenance, food servers, and additional Sem's police runs. Currently the Sem community consumes close to 26% of our city wide EMS runs annually, which generally include a Milford police cruiser as well. Current traffic levels on Mound and Cleveland are stressed due to the congestion created by the daily traffic to and from Sem community by employees. I might point out that's not necessarily at the point of the road that you take for a traffic study, which is the furthest point from all of Sem.

Mr. Albrecht:

Your employees will come down Mound, they'll cut through Cleveland and they'll go in through the backdoor to get to your facilities to park for them as well, they do it every day. The addition to the traffic created by these 40 units would add to the current congestion. I analyzed the safety services part of my job as Mayor is to look at budgets as well. And in deference to our awesome Fire Chief and Police Chief, they look at ways to help the community more than they look at the budget and effects and the impact. I did a little comparison using the Chief's numbers EMS runs. The community has increased in each of the past six years, averaging 377.6 per year in each of the five years, 2012 through 2016 in 548 for 2017, 45% increase.

Mr. Albrecht:

Whereas overall throughout the city, they only increased 30 percent. Fire runs more than doubled from 39 to 78. We can anticipate similar increases over the next two years without the additional 40 more units. The average call per unit in 2017 was actually 1.2. Chief was being nice and said 1

while it's 1.2, which adds 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. It will clearly require additional trained EMS employees. The addition of 40 units will compromise the quality of the Milford Safety Services without additional funding. Some tax dollars, granted, will come flow through, but it's small compared to what the county gets from property taxes. Chief Baird, himself, expressed concerns specifically with location building D in his evaluation of the plan for the ingress and egress. I think that's just another symptom of the density that needs to be addressed.

Mr. Albrecht:

Parking, according to our basic land use, parking should be limited to the rear of the property or buildings whenever possible. With over 13 acres of plan would be my belief that design with parking in the rear of the buildings is reasonable. In addition, adequate parking has not been provided based on even the basic city planning was zero or limited parking in buildings F, J, K and P as noted by staff. In addition, overall, they're only a total of six handicap spots, allotted for the entire 13 acres with only two allotted for buildings I through P and four for the rest of the development. It would seem, given the commercial use for this property is retirement community, more handicap spots, would be planned. Lack of handicapped space and the placement of the parking spots is a serious issue with the current plan.

Mr. Albrecht:

I also agree that further groundwater study would be required while the contention by the engineer, and I do respect the engineer's authority and intelligence, but I also know that our city workers work one block away and that water does not just percolate away. We have to spend a lot of money on sewers and water treatment in order to make that happen. I would be also concerned about the water runoff and the impact it may have on the city property around, as well as the waterways and everything else. So those are just my comments and take them for what they're worth. Thank you.

Ms. McKnight:

Thank you. Before we hear from anyone else on Commission, Mike would like to speak.

Mr. Minniear:

Thank you. I just wanted to state that there are three options this evening. Option number one would be to keep the public hearing open and continue it in progress if the Commission feels that they need any additional information or if the applicant feels like it wants to respond as it may feel more adequately, some of the issues that were brought up. I wasn't at any of the prior meetings or hearings, but it sounds like some additional issues may have been broached this evening. It's all a matter of fairness. It's a fairness to the applicant, it's fairness to the citizens; that's why you have a public hearing. So that would be the first option to keep the public hearing open and continuing in progress to answer any inquiries that Commission may have. A second option would be to close the hearing and make the

decision tonight, which I do not recommend. And the third option would be to close the public hearing and continue this in progress so the Commission can digest what you've heard this evening and come back for the next meeting to make a decision. So those are the three options that I can suggest to you.

Ms. McKnight: Thank you.

Mr. Minniear: That's up to the chairperson.

Ms. McKnight: We haven't closed the hearing yet.

Mr. Lenihan: It will only be a second-

Mr. Lenihan: This issue has been going on for over a year. We've had submissions, they've been yanked back at the last minute, the day of. We had a meeting last month that was canceled the day of. I feel like the community has been yo yo'd back and forth deliberately, in my opinion, in a strategic effort by Sem to advance their agenda. I know you've been here almost three hours. We've been here three hours. We've been countless hours meeting as a community and as a group. I think everyone wants to put this behind them. I certainly do. I think everyone wants a resolution. I think we deserve a resolution and extending this or closing the doors again doesn't help with that effort of getting this to some sort of conclusion and I think to say, okay, well you have to all come back in a month and have another hearing and have more presentations, what are we going to accomplish by dragging this out even further. I'm not sure that anyone's interests are served by keeping this open, presumably indefinitely with no end date. Thank you.

Mr. Minniear: You can close the hearing, but I do recommend you come back so you have enough time to digest what you've heard this evening when you come back. If this goes to the court, I'm the one that has to defend, so I'm going to make absolutely positively sure that everything is done according to the law. I've been to court on these cases before so I know what they're about so I just want the Planning Commission to be absolutely sure that they've got all the information they need. They can close the hearing so there's no additional information to come before the Planning Commission, but I am personally recommending that you continue it until you've had enough time to think about it and come back here because your decision cannot be arbitrary and capricious. Those are terms of art. That means that you have to have a rationale that's based in law for your decision.

Mr. Minniear: You just can't say, well, "I don't think we need any more apartments." You've got to have some kind of rationale to base your opinion on. I don't know what you're going to decide, but whichever way you go, we're going to have people that are going to be upset with it and I have to be able to

justify the worst case scenario. If that goes to court, I have to be able to justify that. So I thought the mayor's recitation, whether or not I agree with it, I thought it was the exactly the kind of recitation that has to be made by somebody who's giving a rationale for a decision they're going to make. I would want all of you to be in a position to be able to do that when you come back.

Mr. Minniear: So I'm strongly ... I can understand their position on this that they have to have a decision, but again, I'm the one that's going to court if it goes south and I'm the one that's going to have to defend it, and I want to make sure that everybody, both sides have had absolute total fairness in this process. That's what it's all about. That's what due process is. Fairness to everybody concerned.

Mr. Roe: Mike, just to clarify, closing the hearing means we won't hear from anybody else in the community nor the applicant, that's correct?

Mr. Minniear: Correct.

Mr. Roe: And that at that point it's up for us to pass a decision or continue our discussion before we vote on it?

Mr. Minniear: You would come back and then you would discuss, give your reasons like the mayor did as to why you are either in favor or opposed,

Mr. Roe: I just want to make sure everybody understands. [crosstalk 02:45:31]

Mr. Minniear: Yeah, it would be a public hearing.

Mr. J. Wenstrup: I want to make sure that I understand obviously the people who own this property have rights, and we also have rights as a community to determine how our community evolves and develops. That's why we spend time and energy developing plans, like the 2017 plan and we're well within our rights to demand that the property be developed in conjunction with those plans that as a community we embrace, is that correct?

Mr. Minniear: In accordance with the code, the zoning code-

Mr. J. Wenstrup: And it would take some time for me to make a decision based on information that's been presented tonight.

Mr. Minniear: Exactly. This is complicated stuff. It's not easy. I did spend probably 10 hours reviewing the Zoning Ordinances before I made my thing. So I can see if you haven't already done that, I came prepared because I didn't know whether we'd vote tonight. So I clearly agree that it takes time.

Mr. Roe: But I feel similar to John. Um, I'm pretty torn. I bounced back and forth with how I feel about this. I've read the code. I'm particularly sensitive to the applicant and what they feel like they use of their property is. I hold

the only nonresident position on Planning Commission. I don't live here, but I probably spend more time here than I do anywhere else, and I have for my entire life, and I don't feel prepared to make a decision necessarily this moment. I'm always interested to hear what everybody else has to say in the Commission too, because I think we're all pretty smart, intelligent people and that we really had the community's interest at heart.

Mr. Roe: I don't know quite how I'm going to vote yet either. We've heard a lot of good things from both parties and it's tough every time someone else gets up to speak, I feel like I slide one way or another and I think I owe it to everybody, as is everybody else in the Commission to make sure that we are each individually a 100% certain of how we're going to vote.

Mr. Roe: It's a bit troubling to me. I know how these traffic studies work. It's a bit troubling to me what Lynn Chaney brought up and I think she makes a very good point about the definition of the ITE classification code for the traffic generation numbers. I was doing a little messing around on my phone here looking at what those code numbers are, and there's a number of different ones there and residential and I found one right away that I felt, my opinion was would have fit there than independent living and I understand how these things work. Whether advertently or inadvertently you can game the numbers a little bit when it comes to those, I'm not suggesting that they did, but those have to be really carefully considered. The way the numbers are now in that report, they don't necessarily alarm me but I don't know if that's the proper fit for the ITE classification, for what this proposed independent living complex is.

Mr. Roe: I think it's tough. I would appreciate further discussion on ... once our fellow Commissioners here before I feel comfortable about because I want to be 100% sure in my decision on how I am going to vote. I'm not saying I'm leaning one way more than another, but I want to be positive I'm making the right decision because as Mike said he's going to mop up any mess that we created up here and we want to make his job easy.

Mr. Pelle: I think our duty is to protect the city not just one project One way or the other so I would agree with that. I think we need some time to digest. I've gone both ways on this and it's easy to fall into the trap of basing a decision on emotion. I'd rather not do that by sifting through the information and see really what is plausible, pragmatic to the law kind of decision versus one on feelings, let's put it that way.

Mr. J. Wenstrup: I really want to be clear. I empathize, sympathize and have the same feelings many of the residents have presented. I live on Cleveland Avenue. My wife works at Pattison Elementary. I travel that road all the time. I walked through Sem. I might get in trouble for walking through there now, but no I'm kidding. It's a beautiful area and we have a lovely community. I try to juxtapose that with what would I feel as if that were my property, and I tried to understand that too, and I understand the community at large

with this, but to say that I go back and forth, I'm trying to find a way to resolve the conflict that I see and that's not my job. My job is to take what you present and give a decision and you presented for the most part based on all the things I've heard, the same thing you presented a year ago, It's not changed. The dynamics haven't changed. Turned to building a quarter of a turn, move this back and boom, here you go. Uh, so I feel it's a little disingenuous but I'm looking for a way to make sure I give every benefit of the doubt before I vote. And I need time to do that.

Mr. Minniear: Does the Commission feel like it needs any additional information from either the applicant or those in opposition? If so, we probably should keep the hearing open. If not, if you feel like you've got all the information and documentation that you need, you don't need any additional submissions then the public hearing should probably be closed and then you continue this in progress for your decision. Does anyone feel like they need any additional information?

Mr. Albrecht: I don't think I need any additional information.

Mr. Pelle: My questions don't concern anything that's an open question, I guess the questions and concerns that I particularly have.

Mr. Minniear: Then you might want to entertain a motion to close the public hearing?

Ms. McKnight: Milford Zoning Code is written a little unusual for a zoning code with regard to parking. It was intentional at the time in a way to try to get away from big fields of parking and seas of asphalt to allow some flexibility for an applicant to submit the number of parking spaces they need without having to go to a prescribed number, but the burden was on the applicant to give us justification for why those number of parking spaces were proposed. And I don't feel I've heard a justification. There hasn't been anything in writing or any examples that I can refer to that explains to me, and again, I'm still a little confused between the intent of the development. Is it assisted? Or is it independent? and the number of cars that might be generated. So, that's a little lacking as far as my decision-making process goes. And back to the traffic impact study, I think I'd like to hear more of a justification for why that particular category was used for the study versus another category that might be there. I've heard that that was the best one, I'd like to know why.

Mr. Pelle: I think that's reasonable to get that kind of information.

Mr. D. Wenstrup: We're happy to try to give you that information. We're also happy to [inaudible 02:54:42] We're happy to do that if [inaudible 02:54:57]

Ms. McKnight: Thank you. To throw a wrench in it, asking for more information, but that would help me in my decision-making. Because we are reviewing a site plan; saving that's our task.

Mr. Roe: I have to agree with you too.

Audience: Can I ask a question please? If you keep the public here in the open, does that mean that we'll have another meeting like this where residents come and hear the information that's presented and respond to it?

Ms. McKnight: Any information provided to this Commission is public record and the actions and deliberations of this body is public record and will be open to the public.

Audience: It was well presented at the meeting and this is good [inaudible 02:55:58].

McKnight: I would presume that they would submit-

Mr. Pelle: Submit it ahead of time.

Ms. McKnight: Any information we request, they would submit it ahead of time, so we'd have a chance to evaluate it before the meeting. As with the public, we've got a good connection already established with the city as far as getting information, so that would be available to the public. And then they would present it at the meeting and give a more thorough explanation of their answers.

Audience: The reason I'm saying that is because I think that there's enough interest in what is happening tonight, that certainly I'll feel like I'll want to be in a meeting just like this and have another chance to respond, just like this the next time. And I want you to consider that as another part of your decision about continuing with a hearing, because every time you continue to go with a public hearing, we feel like we want to come and respond to what's been said. I know you do too, you have to put in time; but wouldn't we also [inaudible 02:57:02]

Ms. McKnight: If you want to speak, would you please come to the podium? Yeah. You had your hand up. You get to speak.

Ms. Schaffer: I just had a quick question ...

Ms. McKnight: Would you state our name again, please?

Ms. Schaffer: Oh, it's Cathy Schaffer. Do you need my address again? Okay. I just have a question: would that mean that the traffic study would be redone, and the parking information redone? Because, I feel like there's been plenty of time for the applicant to submit all that information and I feel like they should have to keep what they have and explain it, rather than redo it over again. That would be my only thought that I had to say.

Ms. McKnight: For the edification of my fellow Commissioners, I'm not asking for a new anything, just an understanding, something in writing that I can evaluate as to why the choices were made that we're submitted.

Mr. Pelle: Right, clarification. I agree.

Mr. Albrecht: The question I have then is, which category does that then fall in, Mr. Law Director? If she's asking for more written information just to be submitted, does that require another hearing or a continuation of the hearing rather than closing of the hearing, waiting for more facts to be submitted?

Mr. Minniear: Well, you're just talking for clarification, right? To what was already submitted? They in a position to do that now?

Ms. McKnight: We asked the questions and ... I don't think they are.

Mr. Roe: I don't think so. I think there was a statement that their traffic engineer's not present, and that the engineer couldn't speak on behalf of him and just made some suppositions on speculation on that. Piggybacking on what Fred said, assuming that we receive clarification on the traffic study and the justification for the parking counts, is the next hearing limited to those specific topics?

Mr. Minniear: Yes. We're not gonna re-litigate what we've already heard, or rehear what we've already heard. This is exactly what I'm talking about. If the Planning Commission has questions, then those questions have to be answered to their satisfaction. I would hope that we could do it in expedited fashion, but I'm not going to recommend you do it just to get it over with. If you have questions, then they need to be addressed, they need to be answered.

Mr. Minniear: To answer your question, I think we can close the public hearing, and with the understanding that they're going to submit answers to your question or try to clarify it in some manner. I'll leave that up to Chairperson McKnight; she's been doing this a long, long time and she knows her stuff.

Ms. McKnight: Thanks.

Mr. Minniear: You notice how I deflected that?

Speaker 17: That was good.

Ms. McKnight: Well, in light of what I just told the gentleman in the back of the room, I feel to close the public hearing and not allow any comments on the additional information that we receive is disingenuous to our public. But I would like to limit any additional discussion to whatever questions this Commission needs answered, and not ...

Mr. Minniear: With the understanding that only what comes in since today is to be addressed. We're not going to rehear things we've already covered. That makes sense. You're indicating there's gonna be a motion to continue the public hearing in progress, in order that they may submit clarifications to your questions.

Ms. McKnight: Sounds good.

Mr. Minniear: We should be able to have that hearing fairly soon, shouldn't we?

Ms. McKnight: I think so.

Ms. Holbrook: Are you talking about a special meeting or just a regularly scheduled Planning Commission?

Mr. Minniear: It's up to the Commission, whatever they really feel they want to do. What is that? A month from now?

Ms. Holbrook: The next scheduled meeting is ... November 14th.

Mr. Pelle: Do we need that long?

Ms. Holbrook: Well, I'm not sure how quickly ... part of it depends on how quickly they can come back with information.

Mr. D. Wenstrup: When would you like us to have it submitted? I know we didn't submit it to you early enough. I would ask the Commission if we get it to you a week in advance, would that be sufficient?

Ms. Holbrook: That's really up to these guys. They're the ones that have to digest it.

Mr. Roe: That'd be enough time for me, a week in advance.

The Board: A week in advance would be fine.

Ms. McKnight: What they submit, the staff doesn't need time to evaluate and just submits to us, then that should be fine.

Ms. Holbrook: We're saying that they should submit by November 7th? That's a week before Planning Commission. At least by November 7th.

Mr. D. Wenstrup: Will the Commission give us a list of the questions that you would like us to address? I think if you were the one who crafted the questions, we could get more what you like and make sure we answer the right questions.

Ms. Holbrook: I'm hearing two questions? That's what I heard.

Mr. Pelle: Parking and traffic.

Ms. Holbrook: Clarification on the traffic study and justification on the parking spaces, the number of parking spaces ...

Ms. McKnight: Number and location of the parking spaces.

Ms. Holbrook: Number and location.

Ms. Chaney: What about the ground study? I heard the mayor say he agreed that there is enough validation for the ground study. What I heard the engineer say was, they were working towards [inaudible 03:03:30] that are there. I think a little clarification on the ground water and how we need proper ground water study, given the nature of their property's position should be included in the service.

Mr. Roe: Correct me if I'm wrong but I believe that is part of the Building Department review up on the storm water calculations. Am I right with that?

Ms. Holbrook It would be part of the site plan review when somebody submits construction drawings.

Mr. Roe: I don't know if we can review that.

Ms. Holbrook That's usually after it's been approved by Planning Commission.

Mr. J. Wenstrup: Explain to our resident what that means. How was her concern addressed?

Ms. Holbrook The City Engineer reviews all of the grading and erosion control, stormwater. Once that applicant has received approval from Planning Commission, then the next step is submit construction drawings, which includes site plan, grading, erosion control, stormwater; that's reviewed by all of city staff at that time.

Mr. J. Wenstrup: That gets done subsequent to Planning Commission.

Ms. McKnight: But before the issuance of any building permits.

The Board: Right. Correct.

Mr. Albrecht: So it's not really a function of Planning Commission, is what we're saying.

Mr. D. Wenstrup: Is it my understanding that we won't be responding to you with respect to stormwater?

Mr. Pelle: Correct.

Mr. D. Wenstrup: Just want to make sure I got that correct.

Ms. McKnight: We're gonna make a motion here in a minute that's going to explain what it is that we're asking for, so I think we're gonna make a motion.

Mr. J. Wenstrup: Odds are that you will have to answer questions about that, probably not to us but to the engineering people.

Mr. Roe: Correct.

Ms. McKnight: Are there any other questions that you gentleman would like answers to?

Mr. Albrecht: Not me.

Mr. Roe: So ...

Ms. McKnight: Are you preparing to make a motion?

Mr. Roe: I think so.

Ms. McKnight: All right.

Mr. Roe: Gonna get it right, guys. Make a motion to continue this agenda item, pending any new information provided to us regarding clarification on the traffic study and the parking space count. We will provide more detailed questions to you guys in writing. Correct.

Ms. Holbrook: There aren't additional questions, are there? You're asking for the two items; is that right? Is that what I'm ...

Mr. Roe: Correct ...

Ms. McKnight: If we can get a second, then I'd like to clarify.

Mr. Roe: Okay.

Ms. McKnight: Somebody second-

Mr. Pelle: I'll second.

Ms. McKnight: With regard to the traffic impact study, the question is, justification for the land use category that was used as opposed to other choices that were available in the residential, particularly the senior adult residential section. And then again with the parking, it's the number of parking spaces provided and the specific locations, why that was chosen because that's part of site plan review.

Ms. McKnight: We have a motion and second, to continue the public hearing in progress pending resolution of ... the additional information requested regarding the traffic impact study and parking. All in favor say "Aye."

The Board: Aye.

Ms. McKnight: Any opposed? Thank you. Request that the applicant get the information to the city no later than November 7, so there can be distributed to Planning Commission. You folks in the audience now know that it'll get here by November 7, to be considered at the November 14 meeting. There will be no new notices sent out regarding this request. Would there be? What do you usually do?

Ms. Holbrook: I wouldn't necessarily do that.

McKnight: But you'll happily take any phone call from someone who might want to call and ask a question about whether it's going to be on the agenda and have they submitted anything.

Ms. Holbrook Yes.

Ms. McKnight: I thought you would.

Ms. Holbrook Hey, can we just take a break.

Ms. McKnight: It's 9:08. We'll take a five-minute recess.

SITE 18-12 High Street Residential Planned Development Zoning Map Amendment.

Ms. Holbrook read the following staff report into the record:

Project: Ditchen Four Lot Residential Planned Development

Location: 308 High Street

Property Owner: Phil & Suzanne Ditchen
3759 North Berkley circle
Cincinnati, OH 45236

Applicant: Same

Acreage: .596Acres

Tax Parcel Id: 210731B540, 210731B043B, 210731B046B

Existing Zoning: R-3 Single Family Residential District

Proposed Zoning: R-3 Single Family Residential District, Planned Development

Existing Use: Vacant Land

Proposed Use: Four Single Family Dwelling Units

EXISTING CONDITIONS

Adjacent Land Use and Zoning

North: R-3 Single Family Residential District; Single Family Dwelling

East: R-1 Large Lot Residential District; Single Family Dwelling

West: B-2 Downtown Mixed Use District, OMO; City Parking Lot

South: R-3 Single Family Residential District; Vacant Land

Existing Utilities

City sewer and water. Duke electric and gas.

Flood Plain

The property is not located in a Special Flood Hazard Area.

INTRODUCTION

Phil and Suzanne Ditchen are requesting to add a Planned Development Overlay to the site identified above. According to Chapter 1169 in the Milford Zoning Ordinance (See ATTACH 1) the purpose of a Planned Development District is to allow flexibility in the zoning requirements in order to achieve a higher quality and more creative development.

The establishment of a Planned Development Overlay is a three-step process. First, Planning Commission holds a public hearing to review the Planned Development Overlay Request and preliminary development plan and make a recommendation. Second, City Council holds a public hearing, and will vote to approve or deny the establishment of the Overlay District. If Council approves the Preliminary Development Plan then the, third, and final step, is a review of the Final Development Plan by Planning Commission. The Planning Commission action on the Final Development Plan is final.

Consideration Dates: Planning Commission Public Hearing	October 10, 2018
City Council Public Hearing	November 8, 2018
City Council Final Vote	TBD
Planning Commission, Final Development Plan	TBD

PROPOSAL

The applicant is proposing to construct four, single family homes on the three vacant parcels identified above. The homes would be approximately 3,000 square feet in size and four stories tall; approximate building height would be 45 feet. The applicant intends to live in one of the homes and would sell the remaining homes.

The buildings would be clad in siding, and stone and would have balconies. Vehicle access to the homes would be handled via High Street with each home having its own driveway.

ANALYSIS

Permitted Uses

Section 1169.03.A. states that permitted uses in the "PD" Planned Development District shall be those uses permitted in the district in which the PD district is to be located. The R-3 Zoning District permits single family dwelling units on a minimum lot area of 8,000 square feet.

Project Area

Section 1169.03.B. states that the project area that will be used to determine the permitted number of units shall be limited to all the area within the Planned Development area that is devoted to the residential use excluding floodway and public right of way. In this case, the project area amounts to 0.596 acres.

Considerations

The applicant is seeking the following considerations or variances:

	<u>Required</u>	<u>Requested</u>
1147.06.A. Minimum Lot Area	8000 Square Feet	5800-6500 Square Feet
1147.07 Minimum Lot Width	60 Feet	42 Feet
1147.06 Maximum Height	35 Feet	46.5 Feet

The applicant's proposed development complies with front, rear and side setbacks as required by the R-3 Zoning District.

General Planned Development Guidelines

In accordance with Section 1169.03.G. of Milford's Zoning Ordinance when evaluating a proposed Development Plan, the Planning Commission shall use the following guidelines:

- 1. The residential "PD" district is consistent with the goals and objectives of the Milford Land Use Plan.** The Land Use Plan adopted in 2017 identifies the Project area as Single Family Residential. The proposed development appears to be consistent with the Land Use Plan.
- 2. The residential "PD" district is an effective and unified treatment of the development possibilities on the project site, and the development plan makes appropriate provision of the preservation of streams and stream banks, wooded cover, rough terrain and similar area.**
The development of these parcels is challenging due to the topography. The contours vary from 560 feet at High Street to 610 feet at the rear property line (See Contours). Sheet V-1 indicates that the applicant intends to cut into the hillside in order to build the homes. This will result in a different grade at the garage level and at the rear of the house; therefore, height at street level will be higher than at the rear of the property. The development appears to provide an effective and unified treatment of the project site.
- 3. The residential "PD" district is planned and developed to harmonize with any existing or proposed development in the area surrounding the project site.**
Existing single-family homes have been constructed to the north of the subject site; approximate height of these homes appears to be 30-35 feet. The land to the south of the site is vacant. This project could be setting an example for future development on the east side of High Street, however, property to the southeast is zoned R-3 so it is expected that single family homes will continue to be built along High Street.
- 4. Off-street parking and loading areas are provided in accordance with Chapter 1187, Off-Street Parking and Loading requirements.**
All parking will be managed on site with individual driveways and garages.
- 5. There is a beneficial relationship between the proposed residential "PD" district and the neighborhood in which it is to be established.**
The proposed development would add character and charm to downtown Milford and add value to the City by constructing housing on a challenging vacant lots.

- 6. Evidence of sufficient or proposed off-site and on-site services and infrastructure is presented. If the services or infrastructure are not in place, assurances that the improvements will be in place at completion of construction of the project shall be required.**

The City's current infrastructure is more than adequate to meet the needs of this development according to the Public Works Department.

Our current level of Police and Fire services should be more than adequate to meet the needs of the additional residents.

- 7. The proposal meets the purpose set for the "PD" Planned Development District as set forth in Section 1169.01, Purpose.**

Given the challenging nature of this site, the applicant has maximized the use of the lots in order to create a project that would fit into the character of this area.

- 8. The proposal meets all the regulations for "PD" Planned Development Districts as set forth in this Chapter.**

Spacing and Building Height: Staff feels that since the homes will be set into the hillside, the four-story building is appropriate for its location.

Setbacks: The applicant is able to comply with setback requirements as specified in the R-3 zoning district.

Common Open Space Requirements: The Ordinance requires that common open space comprise 20% of the project area. The applicant is not providing additional open space, however, additional open space is not necessary when viewing the sites relationship to existing parks and sidewalks

Traffic Impacts: Staff believes the traffic impact from this small infill development would be minimal and much less than a commercial use. A traffic study is not required.

- 9. Common open spaces and recreational areas should be linked together by walkways or planting areas.**

The development is within a short distance of public sidewalks.

- 10. Where commercial uses are proposed within the residential planned development, buffering and landscaping should be used to create a natural separation between the uses.**

Not applicable.

- 11. Commercial uses shall be designed to resemble the character of the surrounding residential buildings.**

Not applicable.

- 12. Buildings should be sited in an orderly, non-random fashion. Long unbroken building facades should be avoided.**

The applicant is proposing four separate single-family dwellings. Each unit will be on its own parcel.

- 13. Short loop streets, cul-de-sacs and residential streets shall be used for access to residential areas in order to provide a safer living environment and a stronger sense of neighborhood identity.**

The applicant will not be creating any new public right of way.

- 14. Street location and design shall conform to the existing topographic characteristics. Cutting and filling shall be minimized in the construction of streets.**

Not applicable.

- 15. Adequate landscaping shall be provided throughout the site to create an attractive development, to reduce the amount of impervious surface created and to prevent large expanses of uninterrupted pavement areas.**

The City does not typically regulate landscaping on single family residential lots.

- 16. Consideration should be given to the provision of bus shelters.**

Currently, there is a bus stop at Main Street and Garfield Avenue. An additional bus shelter is not necessary

STAFF RECOMMENDATION

Staff recommends approval of this four-lot residential development with conditions:

Comments

1. Applicant is required to create four parcels that will be surveyed and recorded at Clermont County prior to construction.
2. Each lot is required to have trench drain that will be tied into city storm basins.
3. WMSC permit required. Water runoff will need to be managed during construction.
4. Fire hydrant is required every 500 feet. If no Hydrant exists, applicant will be required to install.

Ms. McKnight: Any questions for staff at this time? Planning Commission?

Mr. Albrecht: I have none.

Mr. Pelle: None.

Mr. J. Wenstrup: ... In looking at ... this rendering, the spacing between those buildings is within the scope of the ... ?

Ms. Holbrook: That was a picture taken ... it's that color photo, Phil, that you presented.

Mr. Ditchen: Actual homes?

Ms. Holbrook: Those are actual homes that-

Mr. Ditchen: Those are closer than this. I think they're ... Those are ...

Mr. J. Wenstrup: These are somewhere else.

Ms. Holbrook: Yes.

Mr. J. Wenstrup: These aren't a rendering of your property.

Ms. Holbrook: Because they meet setbacks, there's a six-foot side setback required, so-

Mr. J. Wenstrup: 12 feet between each building.

Ms. Holbrook: They would be 12 feet apart.

Ms. Noble: 10 feet apart, and those will be 12.

Mr. Albrecht: Is that an example of what it is going to look like or it might look like?

Ms. Noble: That's a four-unit core building on very similar to topography that I design. They're built [inaudible 03:27:41]. It's just to show you how they feel when they've been done.

Mr. Albrecht: Appreciate it.

Ms. McKnight: Any other questions for staff before we hear from the [crosstalk 03:27:52].

Mr. J. Wenstrup: Give me a second.

Ms. McKnight: Okay, I'll wait.

Mr. J. Wenstrup: Down. Hang on. Might be a staff question. Where'd it go? ... I use that street quite often. I go down there. With more and more residents ... this is a development, this is a question for just the safety of that street. It should be a no-freight truck street. It's a narrow street to begin with. There's parking on that street. I'm all about making that ... you talked in the meeting about separating our downtown culture and our neighborhood culture ... that's a great start in doing that, but we need to re-characterize that street. Can we do that legally?

Ms. Holbrook: Re-characterize? Can you ... ?

Mr. J. Wenstrup: No through trucks, and address the safety issue as you add additional homes there for the people who are raising children or living there, because people can fly down that street. If we're going to add more homes, I want to take into count that we provide for additional safety, because the character of it is now a residential street, not a thoroughfare.

Ms. Holbrook: We could certainly have that discussion with the City Engineer. We can do whatever we want with our city streets within the confines of what

makes sense. I think you have a valid point, really. If no through trucks ... that would be one small step, but you're right. On each side of High Street.

Mr. J. Wenstrup: You're re-training a population that's used it as a thoroughfare. Unfortunately, Cleveland Avenue, South Milford roads become that where-

Mr. J. Wenstrup: And unfortunately, Cleveland Avenue, South Milford Road's become that where, "Well let's put bumps on it and try to slow people down. Let's put parking on only one side of the street. Let's do what..." It still becomes a major highway, and people who have invested in their properties suffer. Anything we can do as a Planning Commission to reclaim the neighborhood character of our streets would be well considered.

Ms. Holbrook: I mean, yes, I think those are all valid points and in the end, the decision does fall to council, but it's certainly all upon the recommendation of the City Engineer. I think you make very valid points because hopefully all of those vacant lots get developed at some point. That would be a nice thing.

Mr. J. Wenstrup: Yes. If it's economically feasible to develop that hillside, that could be a nice row of places.

Ms. Holbrook: Yep. I agree.

Ms. McKnight: If there's no other questions for staff, we'll ask the applicant if they would please come forward and explain your project for us.

Mr. Phillip Ditchen: Good evening. My name is Phillip Ditchen. This is our architect. We bought the property two different times, two sections. Once in October of 2014, and once in September of 2016, initially with the intent of building a home for our family. We have four small children. That's what we've set out to do. So, I've got a bit of a background as a hobby in real estate. So, I bought it originally as a great, in my mind, development opportunity. Then, that's what this is moving into with the four home idea, trying to maximize the property.

Mr. Ditchen: The city report that I guess you put together, Pam, you spelled it out in one sentence, and there were three Cs that you gotta maintain the character and charm of the neighborhood, with a challenging property. That's our goal.

Mr. Ditchen: We have ... If you look at High Street, and this is not knocking the city at all, because the City of Milford is an awesome place that we've wanted to live for a long time, but that section of High Street, I'm gonna call it. It's pretty blighted. It's not in the greatest of conditions. Like I said, that's not a slam on the city, that's just a reality. We want to work to change that. So, we want to revitalize High Street, through that, build a home for our family.

Mr. Ditchen: We don't want to put some contemporary, crazy-looking house on the property, we want it to fit in with the charm and the character of Milford. We want to use all the materials that we were just looking up here. We're not trying to put anything on this property. It's a very focal point of the city, right behind the parking lot. So, anybody that drives down there is gonna see the properties. We want to make it fit it.

Mr. Ditchen: Sally, as an architect, can use a lot more sophisticated words than that. But, that's our goal. In doing that, we want to add value to the community. So, we want to ... I think our neighbors, the property value, I think will appreciate, but I think there's a certain aesthetic value that it adds.

Mr. Ditchen: Then, the local businesses, I've got to meet several of the folks down there just in the last year or so. I think the value from a revenue side, to the patronizing the local businesses there.

Mr. Ditchen: So, I read this out of the 2017 City of Milford Comprehensive Plan. I'll read a quick line here. It says, "The plan presents a vision of what the City would like to be in the future, and identify steps required to move towards that vision." I think this is a great little opportunity of where the city, what I feel, wants to be in the future. This is a just a step moving in that direction.

Ms. McKnight: Okay. Questions for the applicant? Or do we want to hear from the architect? The architect would like to speak.

Ms. Sally Noble: I would ... My name is Sally Noble. I just want to say that I worked in the hillsides a lot in the city of Cincinnati, so, I'm really familiar with this type of topography and what works really well on this type of site.

Ms. Noble: I know what the challenges are, and I know what the benefits are. I feel like I'm the right choice on this project. I really have based everything I've done on fitting in with the neighborhood, and the contextuality, if that's a word.

Sally Noble: Okay. Anyway, how to say it. And the whole historic nature and trying to create sort of an urban fabric with people who are actually not renters, but owners. The walkability, that is a huge thing. A lot of my business is on lead and sustainability, and that's another area of higher density, allows people to have more buildings there. We can only go so far into the hillside. That's kind of where the big puzzle is to make it all work. Anyway, thank you.

Mr. Albrecht: I guess this is a general question for staff, and architect. Is there any road block you see with the how the garages, with the drive in to the garage, directly in?

Ms. Holbrook: I mean, I think the concern is the traffic speeding down the street. There's already residential dwellings on High Street. They do exist.

Mr. Albrecht: I guess I was reading with the plan development. With respect to having garages in the backs, in the alleys, and things like that. Of course, there are no alleys here.

Ms. Holbrook: No, there's no alley. Typically, you'd see a planned development in a bigger subdivision. In this particular case, Phil was asking for four different variances. So, rather than taking to BZA, just makes more sense to take him through this process. But, if it were a traditional neighborhood development with 30 or 40 units, then you would maybe ask for something like that.

Mr. Albrecht: I have no problems with it, don't get me wrong, I just asked the question because I saw it in the code, when I was reviewing the code today. I thought if I bring it up now, we can address it and be done with it.

Ms. Holbrook: Sure.

Mr. Albrecht: All right. That's cool.

Mr. J. Wenstrup: I have a couple questions. One, is it economically feasible to build there without these variances?

Mr. Ditchen: So, currently, the way the R3 zoning is, is we would be permitted to build a maximum of two houses.

Mr. J. Wenstrup: Why is that?

Ms. Holbrook: I'd be three. Because, I think you've got 25,000 square feet total area. And if you have...

Mr. Ditchen: The 60 feet minimum lot with ... We would have 172 feet.

Mr. J. Wenstrup: Right, but you've got room to put four 42 feet. Four times 42 is 160. Yeah, that would be tight.

Mr. J. Wenstrup: You need a variance to build three.

Mr. Ditchen: We would need a variance to build three correct. Maybe not on square footage, but on the lot width.

Mr. J. Wenstrup: Okay. That helps.

Mr. Ditchen: Would it be ... I don't know. I mean, I'm ... This isn't all about making money. It's about building a home for my family. But, there's a financial aspect of it that has to make sense. If we put two there, or three there, it's not like there's gonna be a bunch of green space for my kids to enjoy. We're gonna rely on going across the street to the park, or going to the bike trail, or something else. So, it's-

Mr. J. Wenstrup: Tumbling down the hill.

Mr. Ditchen: It might be good in the Wintertime, sled riding, but, I'm not so sure that it would, as a project, would make sense.

Mr. J. Wenstrup: Again, I'm asking questions. I'm excited about it. But, it's a lot easier to do it right than do it over, kind of a thing. I look again, about safety. There's sidewalks that come down the first block, and it comes halfway down the second block, and then there's no sidewalks. You say you got four kids? You know? Let's say the other three people that buy houses have four kids. There's 16 kids. I've seen kids on that street, and I've seen people put out little plastic things in the right of way saying, "Hey drive like you would if your kids lived here." Is there room on this plan to incorporate continuation of the sidewalk so that we actually increase the value of the property? I think that would increase the value of the property by moving it back another ... What would you need to move it back to have a setback for a sidewalk? Sidewalk's three feet, and the grassy stuff's maybe three, like six feet? Would that work? Would that increase the safety?

Mr. J. Wenstrup: I think the setback's off the property line, right?

Mr. Ditchen: Moving the properties back into the-

Mr. J. Wenstrup: The structure back.

Mr. Ditchen: Moving the house back.

Mr. J. Wenstrup: Means moving more dirt.

Mr. Ditchen: Means moving more dirt. But you can ask...

Mr. J. Wenstrup: Yeah, let me talk to an architect.

Ms. Noble: I mean, typically, the sidewalks are in the right-of-way. They're not on the property line. So, you can see where they already are. If you would continue it, it wouldn't even be on the property line.

Mr. J. Wenstrup: I'm gonna have to do that.

Sally Noble: Pardon me?

Mr. J. Wenstrup: If you're gonna put a sidewalk there, you'd have to do that.

Ms. Noble: Yes, it's a lot more expensive. I did a section cut through the site, and what happens is the more you push the houses into the hillside, the higher a retaining wall is at the back of the property in order to get any yard at all.

Ms. Noble: My goal is to ... The cost of that, the engineering, all of that, plus building it, plus the attractiveness of it, you know, you want to keep it as low as

possible. We have 30 feet right now. I feel like ... I'm not a civil engineer, but I don't ... We drove and I feel like it's possible, yes. But, I wouldn't want to push the houses back in order to do it. But, I think it is an important piece.

Mr. J. Wenstrup: I'd kind of be inclined to say, if I'm gonna make an exception on height, which I see the hillside part. That's a big exception. Because we've ... That's a big exception. Then you've got lot size, and lot width. You're boom, right on the street. I find that hard. I think that design needs to be worked to incorporate a sidewalk, and connect the rest of the neighborhood. However, it gets done. If we're gonna do it, let's do it right from the get-go. That's my thought.

Mr. Ditchen: I don't disagree with that. The height variance ... I don't know if you pulled the picture. I don't know if the picture was on there. But, the houses, there is a significant height variance that we're asking for.

Mr. Ditchen: We also, if you see the home, the picture, the fourth floor of the homes, are set back eight feet, 10 feet, something like that. So, when you're walking past these homes, it doesn't give you the intense, four-storied look. It softens it pretty significantly.

Mr. J. Wenstrup: Would you maintain the same roof break on all the buildings? Or is that just kind of for illustration? I mean, a flat roof break, boom, boom, boom, like that?

Ms. Holbrook: That's a balcony is what that is.

Ms. Noble: It's a roof deck.

Mr. J. Wenstrup: It's a roof deck?

Mr. Ditchen: Yeah, so there's a fourth floor that's set back 10 or 12 feet from the front façade of the house.

Mr. J. Wenstrup: So, we've got an eight-foot deck on the top of the thing.

Mr. Roe: Hey John, if you look at the plans I provide, you can see what she's talking about.

Mr. J. Wenstrup: You know what? I didn't get that plan. I got everything else, but I don't have that plan. I probably got the plan. But I don't have it.

Mr. J. Wenstrup: Thanks, appreciate it.

Ms. Noble: It shows it on the side view.

Mr. J. Wenstrup: Oh, great.

Ms. Noble: The south elevation, and actually I guess, the north elevation. You can see ... If that's what you were looking at, is that the railing wraps around the roof deck.

Mr. J. Wenstrup: I see it now, yeah.

Mr. J. Wenstrup: Thank you.

Ms. McKnight: Any other questions for the applicant before we hear from the public?

Mr. Pelle: Yeah, just really quick. Can you talk a little bit about the material? I love the symmetry and the balance in the design. Can you talk a little bit about the materials in there? I'm seeing what looks like stone, and possibly wood?

Ms. Noble: Yes, it's not completely specified or determined at this point, but based on my impression of Milford, I think it should be lap siding, or a combination of lap and shake, and some kind of stone accent. Whether it's exactly like this, or not, I don't see any brick. We discussed that. I don't feel like this style really fits with brick. So, I want it to feel like it fits with the fabric of the neighborhood. It would be some kind of stone and siding combination. Probably hardy, or some other composite-type siding. I don't really know. We don't know yet.

Mr. J. Wenstrup: We've got some beautiful stone buildings in our downtown area. That would be a nice transition look, in my opinion.

Mr. J. Wenstrup: Have you ... talked with your neighbors about the space? What's the buzz?

Mr. Ditchen: I have.

Mr. J. Wenstrup: Do you have some good vibes going? We saw what can happen when you don't have good vibes going, earlier. Let's address the...

Mr. Ditchen: So, I can tell you that both of the neighbors on either side, on High Street, are here tonight. I met the one actually lives there. The other one's a vacant land. I met him tonight. Both of them are in favor of it. I haven't heard anybody that's opposed to it. There's been questions, concerns. How's this gonna impact drainage, and different things.

Mr. Ditchen: Cynthia, who we met last week, that owns the Milford, the Inn, the Bed and Breakfast, that was one of her concerns. Just how is construction, drainage, those type of things.

Mr. Ditchen: But, the overall reception of the project is positive. Several of the business owners on that we've talked to are excited about it. Just because of the proximity to Main Street, and the aesthetic impact, I think, probably more than anything on High Street with the [inaudible 03:46:36] and the potential development that may go on there.

Mr. Ditchen: Overall, the response is very good.

Mr. J. Wenstrup: You'll remove some of the existing, obviously, trees and shrubs, and stuff in order to get this in there. Will you be able to save any of the trees on the property at all?

Mr. Ditchen: So, in between the houses, definitely not. Behind it, as much as possible.

Mr. J. Wenstrup: I mean, won't that help hold the hillside anyway?

Mr. J. Wenstrup: I know you couldn't plant a tree between those houses.

Mr. Ditchen: There's not much of a front yard.

Mr. J. Wenstrup: No.

Mr. Ditchen: There's probably not gonna be any trees.

Mr. J. Wenstrup: However, in response to that specifically, if there were grass and a sidewalk that continued, you could have street trees, which could make that look tremendous and increase the value. For both the community, and for you. Just saying my opinion. One guy.

Mr. Ditchen: That level of detail I have not gotten to yet. But, I'm not discounting that.

Mr. J. Wenstrup: Okay.

Ms. McKnight: Thank you.

Mr. Ditchen: Thank you.

Ms. McKnight: Is there anyone here that would like to speak about this request? Comment?

Christopher George O'Dell: I didn't even know about this SEM thing. Oh my God.

Mr. O'Dell: I'm Christopher George O'Dell. I live on 320 High Street. I'm the property right next to this. I've have not met them until tonight. I got this in the mail about a month ago. I am completely for this. That land is garbage. It is full of old, derelict foundations. I think there's a cistern in there. It is just an eye sore. To put these homes on the way they are, it's perfect. I own the salon in Main Street too. I've talked about it just in passing. They're gonna sell like that. I've had clients that say, "How much are they?" I say, "I don't know anything about it yet."

Mr. O'Dell: As is, this is perfect. I have no complaints at all. I want this to happen. I hate ... I put a fortune in my house, and I'm living next to garbage. It's literally, it's garbage. There's not been anything on the property since that hotel was taken. I have been talking about this for hours. Those foundations are that old.

Mr. O'Dell: So, I am completely for this. Completely, as it stands. I've looked at it, I've reviewed it. I love it. I think they're great. My house will sit behind them.

Mr. O'Dell: I have no trees in my front yard, other than the sides, and on her side. Without those trees, in my yard, I have a view of the city. To put trees in front of these houses would be awful.

Mr. O'Dell: There is a sidewalk. I walk it every day. I work on ... Well, you know, I work on High Street. So I walk this every day. There is a sidewalk. Actually, showed in this illustration, that I take every single day.

Mr. O'Dell: Three homes are not gonna affect the traffic. When Garfield was shut down, we were a bypass, we had traffic then. Even that wasn't awful.

Mr. O'Dell: So, I have no complaints. I want this to go through. Completely. That's all.

Mr. J. Wenstrup: George, how do you feel about it?

Mr. O'Dell: I sat through three hours of-

Mr. J. Wenstrup: Thank you for sitting here for three hours.

Mr. O'Dell: I don't know how you guys do this. This is awful. I didn't even know about this symbol, and I know everything that goes on. I do hair.

Mr. J. Wenstrup: We could have got foil in this time.

Mr. O'Dell: I know everything that goes on down here. People ask me. I don't know a thing about this. But, I think the group that was present here, are the only ones who care. Nobody else seems to care. I don't know anything about it.

Mr. O'Dell: That high school. That school that my step-daughter attends, that's a traffic drawer. The Brewery draws traffic, you know, everyone coming down Round Bottom. I didn't speak during all that, because I don't want to bring attention to myself because I'm a business owner, but ... I'm fine with SEM Villa. That's more clients.

Ms. McKnight: We need to keep our comments to this case.

Mr. O'Dell: I'm fine with SEM Villa.

Mr. O'Dell: I really felt bad for you guys. That was awful. I was just pulling my hair out. It's like being in high school again. I just wanted to get to this to say this is perfect.

McKnight: Thank you.

Mr. O'Dell: As is, I love it. It's perfect.

Mr. O'Dell: I didn't know them until tonight.

Mr. Roe: Great. Thank you very much.

Ms. McKnight: Thank you.

Mr. Roe: Appreciate it.

Ms. McKnight: Anyone else want to comment on this?

Cynthia Soy: Cynthia Sooy, 405 Garfield Avenue. I just wanted to voice my support for the proposal too. I think it's a great idea for the city.

Ms. McKnight: Thank you.

Eugene Johnson: My name is Eugene Johnson, that's my wife Cheryl. We own the property next to the development. We live in Silverton, Ohio. But, the vacant lot was her grandmother's property. We hope to get into this development piece also.

Ms. McKnight: Okay.

Mr. Johnson: So, we think it's a great idea, we fully support it.

McKnight: Thank you.

Ms. McKnight: Any other comments from the audience?

Ms. McKnight: Any other questions to anyone before we close the public hearing? Assuming we want to close the hearing.

Mr. Roe: I think it's great.

Mr. Albrecht: Super.

Mr. Roe: I wouldn't move the houses any farther back. I think part of the charm of that area is the zero set back, or close to it.

Mr. Roe: The sidewalk. I think it's good that you have a sidewalk there, you have a driveway there. So you aren't backing the car right onto the road blindly. But, I think it's gonna be really successful. It's great. Looks real nice.

Mr. Pelle: These hillsides need to be treated very carefully. It sounds like you have the right architect.

Ms. McKnight: Alright. We'll close ... Do I have to make a motion?

Ms. McKnight: I'll make a motion to close the public hearing at 9:53 and open for deliberation. Second.

Mr. Albrecht: Second.

McKnight: All in favor, say, aye.

Board: Aye.

Ms. McKnight: So, deliberate.

Mr. Roe: We recommend it.

Ms. McKnight: Yeah, you make a recommendation to Council.

Ms. McKnight: I echo what you gentlemen have said. I think it's a great addition to the city. Excited to see some continued development on High Street. There's a lot of potential there for...

Mr. Pelle: That street really needs it. That street really needs it.

Mr. Albrecht: It'll help greatly.

Mr. J. Wenstrup: You know, I look at this. These things are 30 feet, the houses themselves are 30 feet wide, I believe. Is that right?

Mr. Ditchen: [inaudible 03:54:08] and 30, yes.

Mr. J. Wenstrup: 42 with six feet on either side leaves 30? That's probably about as wide as my house. That's plenty big. I'm thinking out loud, so you can tell me to shut up any time. But ... I know that I'm probably the only one here that thinks that putting in a sidewalk, not only for yours, but for future ... Yours, and yours ... really sells the neighborhood. I know I've got five daughters, and they're all buying houses now. One of the biggest things is they want a walkable neighborhood. I wouldn't want my kids walking on that street. My little kids. I've got six grandkids. I just think that that's a safety thing that I'd like to see incorporated, so that we can elevate the status of that street to one of our neighborhood streets. Not just a street that's kind of transitional. So, that's just my-

Mr. Ditchen: When I envision these properties being built, I envision them having sidewalks all the way down. Chris said there was sidewalks that go halfway through our property, and then they stop?

Mr. O'Dell: There's sidewalks there. I walk it every day.

Mr. Roe: Where that comes down? That...

Mr. O'Dell: It's on...

Mr. J. Wenstrup: There's a sidewalk in front of that property?

Mr. O'Dell: I walk it every day.

Mr. J. Wenstrup: Those would be maintained in this thing? In your development?

Mr. Ditchen: That's my intention, yes.

Mr. J. Wenstrup: Okay. I just didn't see it in the drawing.

Mr. O'Dell: It's right behind Locust Street is where it stops and crosses. Then towards the end, there's nothing. Because that land is so steep. But, through their property, to Locust Street, I walk it every day. There's a cross-walk there.

Mr. Roe: It shows it. It shows it, yeah.

Mr. Roe: It goes 80% across the front of your frontage.

Ms. McKnight: I had sidewalk on mine. I was in favor of sidewalk as well.

Mr. Roe: There's a handicap mat.

Mr. J. Wenstrup: Okay. Wow. It's right up against the house. Okay.

Ms. McKnight: Sure. Well, we closed the public hearing, so probably not.

Mr. Ditchen: One of the ... Pam mentioned the charm and the character, and the challenge. One of the big challenges for me aesthetically are the Duke power lines that the horrific mess of them that run through there. I've met with Duke several times, and I think I have a plan to move them to the other side of High Street, like, in front of the, or behind the guard rail behind where the parking lot is. That would be kind of a fix for our little section of just moving them away from directly above the sidewalk where you're talking.

Mr. Ditchen: But, one of the things that came up in talking with Duke is that the little mini power plant, or substation that's down there, I know there's something in the works that over the next couple of years, that may go away, and probably a development in that block would expedite that.

Mr. Ditchen: But, as far as future development of what Eugene mentioned, and I know Cynthia also has property on High Street down there, but one thing that would make that much more aesthetically beautiful and marketable, would be to get rid of those power lines. Bury them, or something like that. The only way that Duke is willing to do that is, not willing, but able, to do it logistically, is if that substation is gone. So, if there's ... I feel like there can be a continuous, probably if we follow similar spacing, and house size, probably 10 or 12 of these type houses all the way down High Street. I think that can be reality more than something that's farfetched.

Mr. Ditchen: If there's anything that can be done from the City's perspective, as far as greasing the wheels on that substation moving, I think it would be warranted. For sure.

Ms. Holbrook: We've been told that it is in their timeline to do it, probably sooner, rather than later. But, we don't have an exact date.

Mr. J. Wenstrup: If they got revenue, if they know that, "Hey, these guys are gonna put in a sidewalk, and underneath it they're gonna run the power lines so they're not even ..." less appliance for them to maintain, they've got a reason to go out there and do that.

Ms. McKnight: Thank you.

Mr. Ditchen: Yeah.

Ms. McKnight: Anyone prepared to make a motion on this planned development, zoning map of it?

Mr. Roe: I make a motion to recommend it to the next step, which would be review by City Counsel.

Mr. Pelle: Second.

Mr. Albrecht: Is this where we would add though, a provision for respective of sidewalk?

Ms. Holbrook: Yes, you should. If you have ... If you want to make that recommendation. Now, Oliver didn't make that recommendation in his motion, so-

Mr. Albrecht: So, I would like to amend your proposal. All right?

Mr. Roe: All right.

Mr. Albrecht: To add the sidewalk.

Oliver: No problem.

Ms. Holbrook: Add a recommendation to add sidewalk.

Mr. Roe: In addition to staff's-

Ms. McKnight: Four other comments.

Oliver: Yes.

Ms. Holbrook: Okay. Then Fred, amended the motion. Does it need to be seconded again

Mr. J. Wenstrup: Second.

Ms. McKnight: So, we have a motion and a second to recommend to City Counsel that the High Street Residential Planned Development Zoning Map Amendment be approved with four conditions as recommended by Staff, plus a fifth condition that the sidewalk be extended along the front of the property.

Ms. McKnight: We'll do a roll-call vote.
Ms. Bain: Mr. Wenstrup.
Mr. Wenstrup: Aye.
Ms. Bain: Mr. Pelle
Mr. Pelle: Aye. Yes.
Ms. Bain: Mr. Albrecht
Mr. Albrecht: Yes.
Ms. Bain: Ms. McKnight
Ms. McKnight: Yes.
Ms. Bain: Mr. Roe
Mr. Roe: Yes.
Ms. McKnight: Thank you.
Ms. McKnight: This is an exciting project.
Mr. Albrecht: Thanks for the investment in the city, it's awesome.

There being no further business or comments to come before the Planning Commission, Ms. McKnight made a motion to adjourn the meeting at 10:30 pm; seconded by Mr. Roe. Following a unanimous decision, the ayes carried.


Assistant City Manager


Lois McKnight