

PLANNING COMMISSION MINUTES OF November 9, 2022

6:00 PM Council Chambers

745 Center Street, Milford, OH 45150

The Planning Commission of the City of Milford met in regular session on the evening of Wednesday, November 9, 2022, at Council Chambers, 745 Center Street, Milford, OH 45150.

Roll Call: Mr. Brumleve called the Planning Commission meeting to order at 6:01 PM. Other members present were Ms. Evans, Mr. Wenstrup, and Mr. Price. The Commission made a motion to excuse Ms. McKnight. The motion carried 4-0.

Staff: Ms. Celsor, Planning and Community Development Coordinator

Visitors: Joe Kirk, 117 Main St; Tim Kirk, 117 Main St; Tara Scharber, 212 Main St; Jared Donner, 731 Lila Ave; Stijn Van Woensel, 1148 Main St, Cincinnati, OH 45202; Venancio Martinez, 2894 Stoneleigh Ln, Cincinnati, OH 45255.

Minutes Approval:

Mr. Price made a motion to approve the June 8, 2022 minutes, seconded by Mr. Wenstrup. Motion carried 3-0. Ms. Evans abstained.

Mr. Price made a motion to approve the October 12, 2022 minutes, seconded by Ms. Evans. Motion carried 4-0.

SITE 22-17, 731 Lila Avenue, Auto Repair Conditional Use

Ms. Celsor read the Staff Report into the record:

Project: On the Go Wheel Repair

Location: 731 Lila Ave

Property Owner: Gregory Kauffeld, Ulmers 5 LLC
3513 Heather Hill Ct.
Cincinnati, OH 45245

Applicant: Gregory Kauffeld
731 Lila Ave.
Milford, OH 45150

Tax Parcel Id: 210726.107P

Acreage: .506 acres

Zoning: B-3, General Business District

Proposed Use: Automotive wheel restoration

ADJACENT LAND USE AND ZONING

All surrounding property is zoned B-3, General Business District

PROPOSAL

The applicant is seeking approval to operate an automotive wheel restoration business on the property located at 731 Lila Ave. Parcel id is 210726.107P. The property is zoned B-3 General Business District. The specific use of automotive wheel restoration is not defined in Milford's Zoning Code. The most similar use is automotive repair. Automotive repair is a conditional use in the B-3 District which may be permitted upon approval by Planning Commission.

SITE DESCRIPTION

This .506 acre parcel is the site of a former gas station. The majority of the site is paved. There is a small building and a metal canopy. No changes to the site are being proposed.

STANDARDS FOR ALL CONDITIONAL USES

In review of a conditional use application, the Planning Commission shall consider whether there is adequate evidence that the proposed conditionally permitted use is consistent with the following standards:

- A. The conditional use is consistent with the spirit, purpose and intent of the Comprehensive Plan, will not substantially and permanently injure the appropriate use of neighboring property and will serve the public convenience and welfare.
- B. The proposed conditional use is to be located in a district wherein such use may be permitted, subject to the requirements of Chapter 1195, Conditional Uses.
- C. The requirements set forth for each specific conditional use will be met;
- D. Minimum standards for parking and loading areas shall be as required in Chapter 1187, Off-Street Parking and Loading Requirements;
- E. Minimum Standards for landscaping shall be as required in Chapter 1189, Landscaping and Bufferyard Requirements; and
- F. The proposed use shall be adequately served by essential public facilities and services such as, but not limited to, roads, public safety forces, stormwater facilities, water, sewer, and schools.

Additionally, Section 1195.05 specifies specific standards for each conditional use. Attachment 1 lists the specific standards for automotive repair establishments.

ANALYSIS

The applicant is not proposing to make any changes to the site. The conditional use request does not appear to negatively impact the adjacent property.

Section 1195.05C.7 specifies that lubrication, washing and other incidental servicing of motor vehicles and all supply and merchandise storage shall be completely within an enclosed building. Staff recommends getting clarification from the applicant that this standard will be met.

Section 1195.05C.9 specifies that employee vehicles and vehicles awaiting servicing or return to customers following servicing shall be parked in areas indicated on approved site plan. Staff recommends that the applicant provide a site plan showing where these vehicles will be parked.

The applicant appears to be able to satisfy the conditional use requirements for an automotive repair shop as specified in Section 1195.05.C, and the proposed use is in keeping with the existing development.

STAFF RECOMMENDATION

Staff recommends approval of this conditional use application with the following conditions:

1. City approval is contingent on review and approval by any other applicable local, state, and federal agencies.
2. All activity areas shall be located no less than 40 feet from all lot lines (1195.05C.2).
3. No gas tanks shall be permitted (1195.05C.3).
4. No underground tanks shall be permitted unless approved by the authority having jurisdiction and by the Planning Commission (1195.05C.4).
5. Lubrication, washing and other incidental servicing of motor vehicles and all supply and merchandise storage shall be completely within an enclosed building (1195.05C.7).
6. Provide a site plan for staff approval showing where employee vehicles and vehicles awaiting servicing or return to customers following servicing will be parked prior to the issuance of a new business permit (1195.05C.9).
7. Not more than 36 square feet of ground area may be used for outdoor storage of discarded materials, automobile parts, scrap and other waste prior to their collection and disposal. Storage areas shall be obscured from view by a masonry wall not less than 5 feet in height (1195.05C.11).
8. New business permit is required before the business begins operation on the site.

Mr. Donner: Hello, my name is Jared Donner. I operate On the Go Wheel Repair. We're a small family business. We operate, we have three mobile units that we use and we're all across the tri-state, but we're just looking for a home base, source some supplies so the technicians can get them and do some prep and work for some bigger projects that we may have. We're growing and we have more techs and we just need more supplies and some area to work. I assure you guys, some of the stuff that you said was unclear about the parking parameters. I'd like to clarify some of that, but we aim to be a good steward of the community and clean things up and make it even more presentable as it is.

Mr. Wenstrup: All right. So will you be repairing wheels on site or on the go? Will there be any work done on this site?

Mr. Donner: Most work is intended to be kept on the go where we're mobile and doing our work. However, sometimes we run into some jobs that might need a little bit more time to properly execute, and so with storage and just having a place to keep things to where we don't pull up and have to have a job done right away.

Mr. Wenstrup: So what's involved? I mean, is this a cleaning or a grinding or a rechroming or polishing?

Mr. Donner: Not rechroming. We do grinding, we do sanding, we do filling and a lot of polishing as well.

Mr. Wenstrup: Okay. But that's mostly done on the go?

Mr. Donner: Yes.

Mr. Wenstrup: Is that noisy?

Mr. Donner: No. Maybe the sound of a tool, like a 90 degree grinder. Our air compressor is minimal so there would be minimal impact on that surrounding community.

Mr. Brumleve: Ms. Celsor, the 40 foot requirement, is the existing facility compliant with that requirement?

Ms. Celsor: I would think all activity areas shall be located no less than 40 feet from all lot lines. I would think vehicles could be parked there, but I interpret activity area to mean work being done. So I would think they could park vehicles in that parking lot near the 40 feet from the lot line, but we wouldn't anticipate having the work done there right by the street.

Mr. Price: So if they end up needing to change the building or do retail there, do they have to come back or once they're established to have storage there, then that can morph into whatever.

Ms. Celsor: If there would be any significant changes to the site and building, then it would need to come to Planning Commission. If it was something, a minor addition or a minor change, we could handle that administratively.

The Planning Commission voted 4-0 to approve the application for conditional use with conditions for 731 Lila Avenue.

SITE 22-16, 208 Main Street Restaurant, Major Building Improvement/Site Plan Review

Ms. Celsor read the Staff Report into the record:

PROPOSAL

Venancio Martinez of El Ranchito Inc. is proposing to construct a 3,340 square foot building with an outdoor patio in the front. The building is proposed to be used as a restaurant.

A neighborhood meeting took place on November 2, 2022, as required for new construction in the Milford River District. Notices were mailed to property owners within a 400 ft. buffer. There were four residents/property owners in attendance. Overall, there was support for the project. Concerns about traffic and parking were raised.

Case #: SITE 22-16
Project: 208 Main Street Restaurant
Location: 208 Main Street
Tax Parcel : 210710A031C

Acreeage: .192 Acres

Zoning: MRD, Milford River District

Existing Use: Fountain Specialist

Proposed Use: Restaurant

Property Owner: Mark Sedacca

Applicant: Venancio Martinez
El Ranchito Inc.

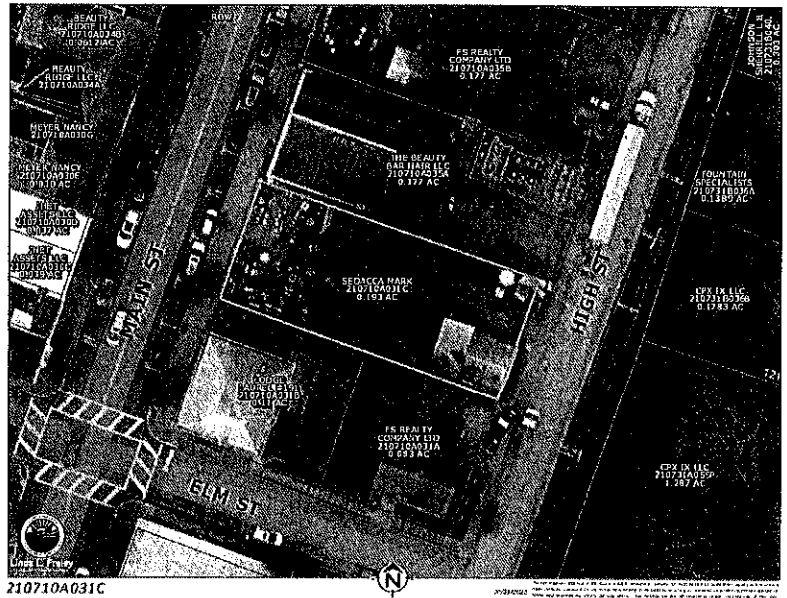
ADJACENT ZONING/ LAND USE

North
Zoned MRD: *The Beauty Bar*

South
Zoned MRD: *Painted River Art Studio, Coyotees, Single-Family Residential*

East
Zoned R-3: *Undeveloped Single-Family Residential*

West
Zoned MRD, *Rowhouse Gallery Custom Framing, McCarthy Stevenot Agency*



ANALYSIS

Zoning Use (1167.02)

The applicant intends to use the building as a restaurant described as an upscale modern cantina. Restaurants are a permitted use in the Milford River District.

Dimensional Standards (1167.10)

The Milford River District specifies the following dimensional Standards:

	Specification	Proposed
Maximum Height:	45 ft.	Approximately 16 ft.
Minimum Lot Area:	None	.192 Acres
Minimum Lot Width:	Average Lot width	Approximately 56 ft.
Minimum Front Yard Setback on Main Street:	Average Setback	No setback for patio; building setback is 12 ft.
Minimum Front Yard Setback on High Street:	Average Setback	Approximately 40 ft.
Minimum Side Yard Setback:	None	Approximately 4 ft.

The applicant appears to meet all dimension standards as required by the Zoning Ordinance.

Milford River District Design Standards (1167.11)

Site development complies with the standards outlined in Section 1167.11. The front façade is brick with large window and door openings. Planters are proposed in front of the building. The design's scale, proportions and general character are harmonious with the predominant themes found in the district. The dumpster is proposed to be screened by a wood trash enclosure.

Bufferyard Requirements (1189.10)

Milford's Zoning Code specifies the following buffer requirements: When... Any commercial land use is proposed to abut... any R-1, R-2, R-3, R-4, R-5 or I zone or land use, a minimum buffer yard of...30' side and/or rear yard is required with...specified plant material.

201 High Street is an adjacent residential use. There are existing trees on the residential property that would provide a buffer between the residential and commercial use. Staff believes that in this case, given the fact that 208 Main Street is in the central portion of downtown, the existing vegetation would serve as an adequate buffer.

Off-Street Parking and Loading Requirements (Chapter 1187)

Five parking spaces are proposed off High Street which are intended for employees. The proposed restaurant is located near on-street parking and within a short walk of several public parking lots (see Attachment 1). Section 1187.04 of Milford's Zoning Code states that properties lying west of the intersection of High Street and Main Street are exempt from off-street parking requirements.

STAFF RECOMMENDATION

Staff recommends approval of the application for Site Plan Review with the following conditions:

1. City approval is contingent on review and approval by the City Engineer, Fire Department, and any other applicable local, state, and federal agencies.
2. Any lighting added to the building or site shall comply with section 1187.10 of the Milford Zoning Code and should be directed so as not to shine on adjacent properties.
3. Any roof mounted mechanical and electrical equipment, large vents and vent pipes shall be concealed by or integrated within the roof form or screened from view at the ground level of nearby streets.
4. Full civil drawings, including the wall designs, shall be submitted for review as part of the building permit application.
5. A WMSC permit is required before construction can begin.
6. Plan for drainage is subject to Engineer review and approval. The City Engineer anticipates that the roof and yard drains will be tied directly into the storm sewer system within Main Street.
7. Sprinkler system, fire alarm system, and knox box are required and must meet all City ordinances and Ohio Fire Code requirements.
8. Per Fire Department, a Bi-Directional Amplifier survey will be required.
9. Contact Fire Department during design phase to determine Fire Department Connection location and fire alarm panel location.
10. Address number to be displayed on building per Code requirements.

Mr. Wenstrup: I have a question. So it says that rooftop vents, like for kitchens and whatever is up on the roof, has to be hidden from view from adjacent streets. That would mean that it would have to be obscured from the houses that are on the other side of High Street, from that side of the street also, correct?

Ms. Celsor: Yes.

Mr. Wenstrup: And I think that's a reasonable expectation given the tremendous investment we're seeing and some people on High Street, tremendous investment in this. We want it to be an agreeable example of how to match city growth with residential properties. This is also, this is to build the building, this is not dealing with any signage, anything else at this point.

Ms. Celsor: Correct. Signage would be dealt with as an administrative permit approval.

Mr. Van Woensel: So you're correct. The building we are proposing is a one story building, a flat roof, a parapet on the front facade. This would allow to hide some of the mechanical units. We still need to develop that for in the design, but there are several options where we can pay units with consideration, the concern about concealing them from neighboring streets and houses. As mentioned, the building is set back from the front facade, allowing space for outdoor dining. We also pulled the building back from the side property lines providing more buffer and access to the rear of the building, and then I'm not sure there are any questions regarding architecture or design.

Mr. Brumleve: I had a question last month about the unseen requirement for any kind of access between what amounted to the restaurant level to between it and the parking and dumpster level above it by 15, 16 feet. So has there been any progress of thought in that matter?

Mr. Martinez: In regards to that matter, we see it that we're just one billing away from the turn of the block. So essentially, use public access and roadway as for pedestrian traffic in that sense. We would love to have, like you said, access directly, but we see it's not perfect, but adequate for our needs.

Ms. Scharber: Hi. I'm Tara Scharber. I own 212 Main Street, the building directly next to it. I don't think I got a letter. I didn't know that this was happening so I just wanted to kind of see some plans just because I put a lot of money into the outside of my building.

Ms. Evans: Because that's the one thing I thought about your beautiful mural, but this is going to be set back off the street and then they're leaving a pretty wide space there. So I think that will still be visible.

Ms. Scharber: Okay. And then what about, I know I own, I think it's about six feet off of the building, or four to six feet, and there are some strange building things. I'm sure it's going to be leveled, correct, the ground? There's just some weird trees and concrete half walls. So I know some of it's on your property, some of it's on mine. So I wasn't sure is that getting taken down and rebuilt up?

Mr. Martinez: So the portion that I think that would be on our property would probably be taken out and replaced by newer retaining walls. And it kind of just, the drawings, kind of use those as scale. That's still being developed. We hired an engineer process of assessing that, they're going to taking soil samples and looking at that whole scope. Right now, we don't have answers to that.

Mr. Wenstrup: I have a question for you, sir, if you come back. So a neighbor like that, I mean, six feet's pretty close. I mean, you don't have any problem keeping an open dialogue as you go through this process because you're going to be doing some landscaping and wallscaping there.

Mr. Martinez: I mean, anywhere there's going to be development, whether it be traffic through the front, I think have to be open to input from community neighbors. So I mean, it's certainly much so there's going to be a lot of dirt being moved there and I think we have to do a tap on for the sprinkler system, if I'm correct from what we received. So yeah, we're open to it.

Mr. Wenstrup: Yeah. What I hear, and I'm sure other members are planning here, is when stuff happens and I didn't even know they were going to close my street or I didn't even know they were going to do this or do that or I didn't get a notice about this meeting, so those kinds of common courtesies are greatly appreciated as we develop our, and I don't know. I'm not preaching to you, I'm just saying-

Mr. Martinez: Yeah, I think someone else handled that, but yes, surely we'll communicate with, I think Michael Doss and everyone here from the city's done a tremendous job being very open to us and provide input and we have to continue that line of communication.

Ms. Evans: That's the one thing I wasn't sure at first about being set back, but I like the frame of the outdoor seating because it kind of makes it look like it's on the front and I think because her beautiful mural that everyone loves, I wouldn't want to get hidden or buried. So I think you'll still be able to see it.

Mr. Wenstrup: When are you targeting to have completion and have an operational restaurant?

Mr. Martinez: We're looking at a year timeframe, just the state of construction right now with a lot of materials and systems being back-ordered. We like to be generous in our time period. So hopefully, beforehand, but we're going to play it safe and say here.

Mr. Wenstrup: The name of the restaurant is?

Mr. Martinez: It's going to be Martinez Cantina and Kitchen.

Ms. Evans: I think by year two, maybe some of the parking problems will be ironed a little bit, but I do know from looking at the map, luckily, they're at the other, more towards the other end of the street and this whole, all the street parking all the way up to where High Street meets, that street parking is usually all empty because everyone parks at this end.

So I don't necessarily think parking's going to be terrible for this end of the street for this restaurant, and we're actively looking for solutions to the other parking issues.

Mr. Wenstrup: We did receive a communication about parking, didn't we?

Ms. Evans: One letter.

Mr. Wenstrup: And just, they say parking's a major problem, which isn't your problem, but it's the city, and I think we're working on that by the time you're... So I would like to make sure we let this person know that our expectation is to have parking by the time they're into completion and I expect to personally come and inspect and taste every meal that you prepare.

Mr. Block: I own 227 Main Street for pick one address. I have several properties in historic downtown Milford and I think it's a great idea. I really don't have any problems with it, but my only problem was, and I mentioned it to him at our meeting the other day, is that if it's a franchise and it ends up being a franchise kind of thing, we have this overlay, the historic overlay that said we can't have franchises, but I think we were looking at Subways and McDonalds and whatever.

When I first bought my first property in Milford back in probably '06, I went to some of the Old Milford Business Association meetings and I said, the first thing I got to the first meeting, I think we have to change our name. We have to be Historic Milford Association as opposed to the Old Milford Association, and I got some pushback from that, but eventually, I think now we are the Historic Milford.

But anyway, but some of the people were saying, we have this parking problem downtown, we have this parking problem, there's nowhere for people to park, and after a couple of months, I said, our only parking problem is we don't have enough cars parking. So we finally reached that, I think. We're going to come to a point when the Nation opens and when the new, whatever Chappy's was is going to be down at the old latitudes and the coffee shop and whatever, that spot, and then we have potentially you guys, and then I own the building that Chappy's was in and that's going to be a new product. The Governor is going to have a new brand there. And it's going to be Caribbean, Cuban food kind of thing, but it's going to be the Barraco Brothers, and I've known them for 20 years, and so they're going to open up this new brand there and so we're going to have a lot of new traffic. That product is probably going to be huge. It's probably going to be huge. So I don't know if the parking, I don't think it's the problem. I don't think that... Guys, I think we're still, I just go through just right now and there's plenty of parking spots. So I'm sort of interested just being here to be here, but I think we have a vacant lot there and something's better than nothing, and I hope you do well.

I also heard rumors that there might be something going on down on the land over by the VFW.

Ms. Evans: I mean, well, the city, we own part of that lot, so there's a lot of parking there. We are applying for a grant to do a study on the feasibility of could we put a parking garage somewhere? Where would be the best location? Would that be a location? Also, talking about adding a second deck to the harvest market parking lot. Mr. Sedacca has contacted us about his other rest of his property and parking. So we have lots of ideas

going on. Dale Row has contacted us about his lot, so hopefully, more parking in the future.

Mr. Brumleve: I'd like to echo the good problem to have sentiment. If we were in downtown Cincinnati and we got out of our car and walked two blocks to something or anything in downtown Cincinnati, we wouldn't think anything of it, but two blocks in Milford is somehow a longer distance. I'm not really sure why.

Mr. Wenstrup: Sure. Yeah. So my question is, I think one of the things that's with mixed use is that if some restaurants are breakfast, lunch, and dinner, what is the business model for that?

Mr. Martinez: For us, it'd be concentrated mostly on dinner service with on the weekends, there's a little bit more traffic there, a lot of families and such. So we would be opening for lunch and possibly brunch down the road during weekend, but mostly, it's going to be concentrated five to nine or four to nine.

Mr. Wenstrup: So for people that might own a business downtown that count on people to be able to park from nine to five, there's a good fit that way.

Mr. Martinez: Yeah. I mean, for example, a lot of people might be taking up parking spaces for a salon in the morning. Most of the times, they'd be already home, which would free up some traffic there, some apartment spots, excuse me, on the later part of the day for that. So I think there's a lot of searching. It's very diverse outside. You have from galleries to restaurants and their business operates during different hours so I think it'll work out.

Mr. Wenstrup: I'm just so thrilled that Milford attracts these wonderful entrepreneurs that want to put a business in our town and are listening and caring about how their business affects their neighbors and how it affects the city at large. We are so blessed, so that's my only comment. Thanks for being here and thanks for investing in our community.

The Planning Commission voted 4-0 to approve the application for site plan review with conditions for 208 Main Street.

SITE 22-18, 117 Main Street Restaurant, Minor Building Improvement

Ms. Celsor read the Staff Report into the record:

Project: Kirk & Company Jewelers Minor Building Improvement

Location: 117 Main Street

Property Owners: Early Properties LLC
123 Main Street
Milford, OH 45150

Applicant/Agent: Kirk & Company Jewelers
117 Main Street
Milford, OH 45150

Acreage: 0.169 Acres

Tax Parcel Id: 210709.020A

Zoning: MRD

Existing Use: Jewelry store

ADJACENT LAND USE AND ZONING

All adjacent property is zoned MRD, Milford River District.

PROPOSAL

Kirk & Company Jewelers is proposing to add an awning sign to the building located at 117 Main Street. The property is zoned MRD, Milford River District. New awnings in the Milford River District require approval by the Planning Commission.

ANALYSIS

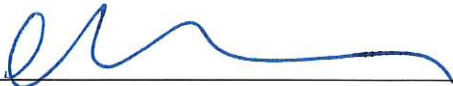
As specified in Section 1191.09(E) of Milford's Zoning Code, awning signs are permitted in the Milford River District (see Attachment 1). The proposed lettering appears to comply with Section 1191.09(E). The color palette is in keeping with the character of the building and the Milford River District.

STAFF RECOMMENDATION

Staff recommends approval of the Minor Building Improvements.

The Planning Commission voted 4-0 to approve the application for minor building improvement for 117 Main Street.

There being no further business or comments to come before the Planning Commission, Mr. Price made a motion to adjourn the meeting at 7:00 PM, seconded by Mr. Wenstrup. Following a unanimous decision, the ayes carried.


Christine Celsor, Planning and Comm. Dev. Coordinator


Lois McKnight, Chair



CITY OF MILFORD
 PLANNING COMMISSION MEETING
 November 9, 2022 6:00 p.m.

SIGN IN SHEET

NAME	ADDRESS
Joe Kirk	117 MAIN ST Milford OH 45150
Tim Kirk	117 MAIN ST Milford OH 45150
Tara Scharber	212 main st Milford OH 45150
Jared Donner	731 Lila Ave. Milford OH 45150
STIJN VAN WOENSEL	1148 MAIN ST CINCINNATI 45202
Venancio Merzon	2894 Steudleij Ln Cincinnati OH 45215

