

**MINUTES**  
**Planning Commission**  
**May 2, 2022**

The City of Wyoming Planning Commission met in regular session on May 2, 2022, in the Council Chambers at the City Building. The meeting was called to order at 7:00 p.m. by Jon B. Boss, Chair. Attendance was as follows:

MEMBERS:

Jon B. Boss, Chair  
Phyllis Bossin  
Dan Driehaus  
Dan Johnson  
Ethan Pagliaro

STAFF:

Megan Statt Blake, Community Development Director  
Rusty Herzog, City Manager

OTHERS:

Nayan Patel, representing Wyoming Subway Restaurant

Approval of March 7, 2022 Meeting Minutes

Ms. Bossin moved to approve the minutes as written. Mr. Pagliaro seconded the motion. By voice vote, all voted yes, the motion carried.

Citizen Participation

No citizens were present.

Business

Request to Revise Landscape Buffer Previously Approved as a Development Plan

Exemption for 1510 Springfield Pike – Subway Restaurant: Ms. Statt Blake provided background information to the Members. Applicant Nayan Patel, Subway franchisee and leaseholder of the property, has requested consideration of a revision to the previously approved landscape plan for the new Subway Restaurant located at 1510 Springfield Pike. Planning Commission approved a Development Plan Exemption in November 2021 for the change in use of the property. The request is to allow a 6-foot wide buffer versus the previously approved 8-foot wide buffer, in order to better accommodate vehicular movement on site. Per Section 1133.07 of the Planning & Zoning Code: *Development Plan Changes*, this request is being referred to the Planning Commission for consideration and recommendation to the City Manager. Staff is generally supportive of the revision, but note that Planning Commission may wish to recommend the addition of curb along the

landscape buffer in keeping with the recently installed landscape buffer at 1530-32 Springfield Pike.

Mr. Patel explained that he parked a car in a parking spot in front of the building and also parked one parallel along the current/new landscaping buffer and he felt that there is not much room to maneuver cars safely with a buffer larger than six feet. Mr. Boss referenced the new curbing and landscaping area next door, in front of the food mart, he referenced the curbing that surrounds the landscaped area to prevent mulch from entering the sidewalk and the parking lot. Mr. Boss commented that it would be helpful for Mr. Patel to consider the same, and it would likely be approved by the Commission. Mr. Boss explained that the curbing surrounding the landscaped area will also prevent drivers from backing up and into the landscaping thereby destroying all the planted materials. Mr. Patel stated that he can add the curb buffer to match what has been done next door.

Discussion was held regarding the level of fill in the landscaping area and it was noted that the curbing generally tends to disintegrate if there is no fill behind it, supporting the curbing from car tires hitting it. It was determined that Mr. Patel would not be required to provide any additional fill in this area however he will be sure that the area remains maintained.

Mr. Pagliaro moved to approve the request to revise the landscape buffer previously approved as a Development Plan Exemption for 1510 Springfield Pike – Subway Restaurant – for a six-foot landscaping buffer rather than an eight-foot buffer contingent on the applicant installing a curb around the landscaped area. Ms. Bossin seconded the motion. By roll call vote, 5-0, all voted yes, the motion carried.

Review of a Development Plan Application in Accordance with Chapter 1133 of the Wyoming Codified Ordinances for Structural Alterations of the Village Green, 412 Wyoming Avenue: Ms. Statt Blake explained that Mr. Rusty Herzog, City Manager, is present at the meeting to present the Application on behalf of the City. Mr. Herzog prepared the Development Plan Application, and it is being handled as such due to the plan consisting of a large structural alteration to the park, which is a non, single-family residential property. The City consulted with its legal counsel who advised that the Application should be handled through its full Development Plan Review process which includes notifying the residents within 200' of the park.

Mr. Herzog presented the Application in a PowerPoint format and shared the following highlights:

The Wyoming Village Green Performance Pavilion will be constructed on the north side of the existing Village Green. Overall, the Village Green will remain in the current footprint that exists today. The Pavilion will be an open construction with a storage closet that

completes the back wall of the Pavilion. The Pavilion will be 27' wide by 24' deep and have a roof that drops in height from front to back. The frame will be steel with a wood finish under the roof. The floor and steps will be concrete with brick-formed planters at the front. Accessible sidewalks will be provided from the east side of the Village Green to the backside of the Pavilion.

Mr. Herzog shared renderings from the engineer, The Kleingers Group. They included the plans for demolition, utilities, grading, phasing, landscaping, irrigation, floor and ceiling plans of the pavilion, elevations, and renderings of the pavilion as well.

The proposed site is already programmed for community functions including festivals, concerts, and other daily activities. Guests will continue to access the park on foot, bike, or by parking in current on-street parking or, in the City-owned parking lots provided on Grove Ave, Wyoming Ave, and Crescent Ave. The City is currently working to install RFBs (Rapid Flashing Beacons) at the intersection of Wyoming and Grove Ave. as well as the intersection of Wyoming and Oak Ave. These fixtures will provide additional safety measures for pedestrians in the area. No additional curb cuts are planned for this project.

#### *Environmental Considerations & Surface Water Run-Off*

The site is being designed to utilize sheet drainage as much as practical to improve storm water runoff quality. In addition, a rain garden is being included on the northern end of the site to capture and filter storm water prior to discharge into the public sewer system. There is no proposed sewer needed for the improvements.

#### *Visual Character*

The new Wyoming Village Green and Performance Pavilion project features a performance pavilion on the north side of the property facing the event lawn. The pavilion itself is surrounded by a pollinator garden, a rain garden, and is fully accessible with ramp entry on one side and accessible sidewalks to accommodate people of all abilities. On the Green beyond the pavilion, the large event lawn known as the "Great Lawn" will act as an open space for patrons to enjoy performances. The south side of the park will include an outdoor seating/dining area with a mix of hardscape and landscape surfaces, lush landscaping, picnic tables and umbrellas, and the flagpole area with a seat wall and gateway signage.

#### *Adherence to Master Plan*

The Wyoming Village Green is a cherished community gathering space in the heart of the downtown district of Wyoming which includes open green space, an aging gazebo, and picnic tables. It has traditionally been home to many annual and special events such as the Summer Concert Series, July Fourth Parade, Fall Festival, Wyoming's Got Talent, Holiday Celebration, the Pop-Up Dog Park, Family Entertainment Series, Taste the Love World Food + Music Festival, and Wyoming City Schools May Fete fundraiser. The City of Wyoming 2018

Master Plan identified the Village Green as a zone of potential change and noted that the addition of a performance pavilion could better accommodate special events and expand programming possibilities to larger-scale regional performing arts events.

The City launched a public design contest in 2019, and a Wyoming resident who is a landscape architect had their design chosen as the winner. Then in 2020, as the COVID-19 pandemic shut down the world, the Village Green became a vital outdoor gathering space for family, friends, and neighbors. Hosting everything from community meetings, small gatherings with friends, outdoor dining, live music, outdoor classes, library classes, fitness classes, play dates, cultural performances, poetry readings, and families simply picnicking on the Village Green, this space proved more essential than ever to the health and wellness of the community. At the same time, the State of Ohio approved Wyoming's new Designated Outdoor Refreshment Area (DORA), which encompasses the Village Green. Friends and neighbors were now able to enjoy an alcoholic drink in an outdoor public space while listening to live music and supporting local businesses.

As the need for additional outdoor dining space grew amidst the pandemic, the City also began closing nearby Crescent Avenue on Saturdays for alfresco dining with food from nearby restaurants and live music. Council adjusted its City Ordinance to allow beautiful crisscrossing, pub lights to be added for ambiance overhead. Programming the space was driven in part by the COVID pandemic and an urge to keep diners gathering wherever they felt comfortable but was also part of broader economic development plans to create "magnets," community points of interest in Wyoming's Business District. On Crescent Avenue, just feet from the area now used for occasional outdoor dining, the City of Wyoming will break ground on its Crescent Park Universally Accessible Playground, a play space designed in collaboration with community members with disabilities and their families.

The combination of the new Crescent Park Universally Accessible Playground, which will attract families regionally, and the Village Green Pavilion with its rotation of events and performances, will create a thriving zone of economic opportunity and drive foot traffic to Wyoming's Business District. It also compliments a row of new homes being built on Crescent Avenue, marketed for their walkability to amenities such as Crescent Park, schools, the Business District, and Village Green.

#### Effect on Services

**Schools:** The new Village Green and Performance Pavilion will have a positive effect on our Wyoming City Schools. Teachers will be able to use the space for field trips and outdoor learning opportunities. Students will be able to use the Performance Pavilion to showcase their talents.

**Fire and Police:** The new facilities will serve to enhance the gathering space currently

offered and is not anticipated to create any new challenges for our fire or police departments.

**Recreational Facilities:** This space will enhance the City's ability to program the space for many different types of events including concerts, theatrical productions, and festivals.

**Water Service and Distribution:** Our renovated park will have an irrigation system to keep the landscaping healthy but it will not create a strain on our water pressure or supply

**Timeline:** Complete Funding - The Wyoming Community Foundation will soon restart the fundraising campaign for the park. The City has applied for outside funding sources.

**Design:** We are at 60% design, once funding is adequate, we will complete the design and bid the project.

**Start Date:** Hopefully, we will be able to secure enough funds through donations and grants to start the project in June of 2023.

**Completion:** Project should be completed within 3-5 months. A more precise timeline will be available once the design is complete.

Mr. Boss asked clarification if Fall Festival will be affected by the construction. Mr. Herzog stated that the goal is to begin construction as soon as the 2023 May Fete is done and have it done by the time the 2023 Fall Festival begins.

Mr. Herzog added that the existing and new festivals and events that occur at Village Green will get a makeover once the Village Green improvements are finished. There will be many opportunities for us to do them differently. For example, all tents (for Fall Festival) are placed on Wyoming Avenue, which presents a challenge for tent companies, to get them to erect and disassemble tents on the same day, it is difficult for them to find sufficient staff and is very expensive to do on the same day. If those tents were moved into Village Green, then it is possible that Wyoming Avenue and the surrounding streets that are closed, could be opened sooner allowing the tent companies to come back the next business day to disassemble. Mr. Herzog explained that he has asked the May Fete Committee and Wyoming staff members to think about this type of logistics change and how it can be improved once the Village Green is redesigned.

Mr. Driehaus asked if instead of the umbrella tables could the triangular shade structures be used as an option since they are more of a permanent structure. Mr. Herzog stated that the design phase of the project hasn't reached that stage yet, but he is aware that the triangular shade structures exceed the budget for the proposal. It was also believed that the shade structures may in fact block the view of events happening on stage. He added that additional mature shade trees will be planted around the park that will provide natural shading.

Mr. Boss asked the Members if the Architectural Review Board (ARB) has reviewed any of the plans since its first conceptual idea in the early stages. Ms. Statt Blake stated that they were involved in the discussions about the removal of the gazebo but has not been involved in any discussions about the new pavilion structure. The ARB members have an understanding of the overall plan but had not reviewed a materials list or any other design element.

Mr. Herzog added that there are some members of the community that are sentimentally attached to the gazebo and have indicated that they will not donate to the project because it is planned for demolition. He reminds people regularly that the gazebo is not a historic structure, it was built in the 1990s from a kit, and the structure is in deteriorating shape. He believes that once the project is completely done people will believe that the park is beautiful. He added that people will also be upset with the fact that the large tree in the center of the park will need to be removed as well. The tree is very old and has been in declining health for some time; the city has been nursing it for some time but eventually it would need to come down regardless.

Mr. Johnson commented that overall, he believes the proposal looks great. There are minor tweaks he would suggest looking into but that would not be a 'deal-breaker' such as the addition of more tables in the south seating area. He felt that the landscaping area surrounding the well head could be reduced in size to allow more tables and seating to fit. Mr. Herzog stated that this is something the City can investigate especially tables that are easy to move because the wellhead will need to be serviced by a large work truck and the truck will need to have clear access to service it. Additionally, he can have the designers look at more hardscape features. Ms. Bossin commented that she is feeling the opposite, as she believes that the Village Green should be greener and have less hardscapes. She stated that she would prefer that the hardscapes do not cut into the amount of green space because people want to view it as a park. People will sit on the lawn and picnic and if there are tables they will sit at the tables and socialize or picnic.

Mr. Boss commented that there had been discussion at one point to close Oak Avenue at Wyoming Avenue to the rear of the 500 Wyoming Avenue building which could then permit the park to expand into the street. One difficulty with that idea is the recent addition of a pick-up window on the side of the 500 Wyoming Avenue building for the Sight customers. If the street were to be closed, they would likely not be able to recoup their investment. Mr. Herzog stated that this is a conceptual idea at this time and has not been incorporated into the Village Green project at this time.

Discussion was held regarding ideas of where bands and performers would ultimately park to unload their equipment and easily access the stage or pavilion. Mr. Herzog shared the parking/loading/unloading parking opportunities that provide the most direct path to the pavilion.

Mr. Johnson commented that he initially thought the living wall component looked like a TV screen of some kind for showing movies on. Mr. Herzog stated that he is potentially considering adding a screen for outdoor movies that could drop down from the ceiling of the pavilion and he noted that there are options available to us for utilizing a mobile projector and a portable screen as well. This will be something that will be considered in the final design stages as the project moves closer to construction.

Mr. Herzog reiterated that the design stage is currently around 60% complete at this time. The structure will not begin to be built for some time. Mr. Herzog would like to get the design phase closer to completion before putting a final plan before the public. However, he felt that it was important to share where things are at this early stage in the development. The community will have the opportunity to provide comments and feedback once the public hearing is set at a City Council meeting. The project can accommodate as many extras as the budget allows but will ultimately drive the cost up. Mr. Pagliaro commented that hearing about the options and their potential costs is very helpful.

Mr. Boss reminded the Members that the City has indicated that the Planning Commission could elect to recommend approval of the plan or refer the plan to the ARB and/or request the applicant, the city, provide additional information for the Planning Commission to make a recommendation.

Ms. Bossin commented that she does not understand why the proposal was not sent to the ARB first. The City is asking the Planning Commission to make a recommendation to approve a structure in the heart of the community that the ARB has not had the opportunity to review. She stated that she does not feel comfortable making a recommendation without the feedback of the ARB. Ms. Statt Blake commented that there are many paths that a Development Plan Application can take and sometimes it starts with the ARB depending on how the meeting scheduling works out. With a larger scaled community-oriented project, it was thought that the Planning Commission should be involved early on to get some of the general questions answered. If there were some fundamental things about the proposal that the Planning Commission was concerned about then those concerns could be heard by the applicant, in this case, the City, and then modifications could be made before having to take something back and forth between the two entities.

Mr. Boss commented that the Planning Commission has, in the past, conceptually approved a plan contingent on input of the ARB which is the common path. Ms. Statt Blake added that one challenge to this Application is that this is a project that funds are being raised to construct it. You are showing a potential donor what their money will be paying

for and if it ends up significantly changing from what they were sold, you will miss on what you have promised to deliver.

Discussion was held as to the various paths the Application could take whether the ARB or the Planning Commission looks at the Application first and what City Council could do with what it gets presented.

Ms. Bossin commented that there will be design elements that the Architectural Review Board will come up with that the Planning Commission may never have thought to look at. From a bird's eye view, this is a conceptual plan, and implementation plan, not a master plan of what shall be done. She stated that she is comfortable in saying that the overall project proposal is compatible with recommendations in the Master Plan with the goal of it falling under the Zones of Potential Change. But without the input of the ARB, she does not feel comfortable recommending the plan based on the lack of details without their input. She also recommended that after the ARB conducts its review of it that the Application should be referred to the Planning Commission.

Mr. Pagliaro expressed a few overall concerns with the proposal He stated that he would be interested in the idea to close off Oak Avenue and he suggested the idea that an area of Oak Avenue next to the 500 Wyoming Avenue building could be utilized for food truck parking. He also questioned how lighting in the park will be controlled once events are over at the end of the evening, as it is a residential neighborhood, in addition to the option of being able to turn on park lights during an evening event if an emergency were to occur and people needed to exit quickly [such as inclement weather]. He expressed concern with the sitting wall and the front steps of the stage and will there be any way to control kids from skateboarding across the wall and/or down the steps. He asked if there might be a way to advertise the core project on paper sharing that it will cost X amount for the base design and then list all the optional add-on features and how much they might cost such as a water feature or a sculpture, or trees and signage, so that it might catch the eye of a potential donor. Additionally, in lieu of a menu of potential add-on features the overall cost with all the wish list items could be presented as an option as well.

Mr. Driehaus commented that the idea of closing off Oak Avenue at Wyoming a festival type space where people could sit in the shade and enjoy refreshments or ice cream and not interrupt the openness of the vista of the park sounds like a great opportunity. Mr. Herzog added that over the coming months the City will be closing Oak Avenue between Wyoming Avenue and the back of the 500 Wyoming Avenue building during events as a trial or test to see if it works. Most of the businesses in the central business district are closed in the evening except for the restaurants that would benefit from the street closure.

There being no further questions or comments from the Members, Ms. Bossin moved to refer the review of the Development Plan Application for structural alterations of the



Village Green, 412 Wyoming Avenue, to the Architectural Review Board with their review and recommendations for the design elements and return the Application to the Planning Commission. The Planning Commission believes that overall, the proposal is consistent with recommendations of the Master Plan, and mostly complies with provisions of Section 1133.06(b)(2)A-G, except for the design, layout, height, architectural characteristics, and material components of the structure, which shall be reviewed by the Architectural Review Board. Mr. Johnson seconded the motion. By roll call vote, 5-0, all voted yes, the motion carried.

#### Miscellaneous

Mr. Herzog updated the Members on the status of the fundraising for the Village Green project and the fundraising and construction that began on the Crescent Park renovation project which includes an accessible play structure component.

#### Adjourn

With no further business before the Members, Ms. Bossin moved to adjourn the meeting. Mr. Johnson seconded the motion. By voice vote, all voted yes, the motion carried. The meeting adjourned at 8:34 p.m.

Respectfully submitted,

Debby Martin, Executive Assistant

Jon B. Boss, Chairman