

MINUTES
Wyoming Planning Commission
April 5, 2021

The Wyoming Planning Commission met in regular session on April 5, 2021 remotely via the Zoom online video conferencing platform. Mr. Jon B. Boss called the meeting to order at 7:00 p.m. Attendance was as follows:

MEMBERS:

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

STAFF:

Megan Statt Blake, Community Development Director
Tana B. Pyles, Community Development Specialist

OTHERS:

Mr. Ron Wehtje
Ms. Allison Yeager
Ms. Kristine Green
Mr. Paul Bolster

Approval of February 1, 2021 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 participated.

Business

Preliminary Review of a Bed and Breakfast Establishment and Event Venue at 333

Oliver Road: Ms. Statt Blake provided the background for this item.

Background

The City has received a new inquiry from Mr. Ronald Wehtje and Ms. Allison Yeager regarding conversion of 333 Oliver Road (the Stearns Estate) into a bed and breakfast establishment and an event venue. This property is on the market and has been looked at by at least one other party for conversion to a bed and breakfast, as discussed at the December 7, 2020 meeting.

The bed and breakfast use is now a permitted use on the property, in accordance with Chapter 1197 of the Planning & Zoning Code, as the result of an amendment to the Reduced Density Residential Overlay that exists on the property. The amendment was approved by City Council in 2020, following the Planning Commission's recommendation. However, neither Chapter 1197 nor the remainder of the Zoning Code address the use of residential properties as event venues, and therefore such use is currently prohibited.

Due to the proposed bed and breakfast exceeding the allowable number of guest rooms and the Zoning Code being silent on the event venue use, staff have recommended that the applicants and Planning Commission have a preliminary discussion. The goal of this discussion is to provide guidance in advance of a comprehensive bed and breakfast permit application and potential Zoning Code amendment related to event venues.

As Planning Commission members may see in the preliminary submittal, Mr. Wehtje and Ms. Yeager propose a phased approach to adapt the Stearns Mansion, carriage house, and grounds as follows:

Phase 1:

- Convert mansion to provide 10 rentable guest rooms/suites with ensuite bathrooms
- Five guest suites on second floor
- Five guest rooms on third floor
- Add parking at rear of property adjacent to the City-owned Stearns Woods
- Host events in the mansion and on the grounds
- Preliminary landscaping

Phase 2:

- Purchase and make improvements to the carriage house
- Improvements to the mansion for an owner's suite (first and second floors)
- Construct detached garage to rear of mansion for use by owners
- Additional landscaping: Fountain/pond and gate installation

Primary Considerations

Number of Guest Rooms:

Per Section 1197.06, bed and breakfast establishments may have up to three, non-resident guest rooms and host up to five, non-resident guests at any one time. That said, per Section 1197.03(c) (3), as part of the Planning Commission's review process, the Commission may recommend a waiver or modification to any regulation or criteria of Section 1197.06, for a given bed and breakfast establishment.

That said, there is a provision in our bed and breakfast regulations that allows the Planning Commission in its review, which we are not doing the full review at this meeting-this is just

a very preliminary conversation, but there is a provision that allows the Planning Commission to wave or modify any of the bed and breakfast regulations and to provide that guidance to City Council for their ultimate review and approval. This has been discussed before when the Planning Commission looked at the prior concept for the bed and breakfast operation from a Zoning standpoint in which to allow for more than three non-resident guestrooms. There is the ability for the Planning Commission to provide a waiver, and it could be contingent upon certain other things being satisfied, but the power does live at the City zoning level amongst the Planning Commission and City Council to waive any of those requirements.

Event Venue:

A question before the Planning Commission is whether to consider amending the Zoning Code to allow event venues in residential districts. Should the Commission wish to consider such an amendment, staff would prepare draft legislation for review and recommendation. In the case of the Stearns property specifically, an amendment to the Reduced Density Residential Overlay Plan would be required if event venues were to become a permitted use in the Zoning Code. Lastly, a special use permit would need to be sought by the applicants for the specific operation at the property.

Additional Considerations

The Stearns property is listed on the National Register of Historic Places, and per the Reduced Density Overlay Plan and Deed of Acceptance, the mansion, carriage house, and grounds are subject to review by the Historic Preservation Commission and Architectural Review Board if exterior modifications are proposed. This review is intended to protect the historical integrity of the estate.

The applicants are working with a consultant on building code review and have been in contact with the Hamilton County Building Department regarding the conversion of the mansion into both a bed and breakfast and event venue.

Ms. Statt Blake explained that a distinction with this proposal is that the proposed number of guests and guest rooms may shift the applicable building code from the Residential Code of Ohio to the Ohio Building Code which is administered by the Hamilton County Division of Buildings and Inspections. This consideration came up when the Planning Commission discussed the property previously under the prior proposal in December. This initial code analysis has been undertaken by City staff and the applicants have hired a consultant for guidance, to determine the building department jurisdictional aspects since the County handles the City's institutional/commercial building code review, permitting, inspections, and enforcement. The change in use/occupancy may be seen as adapting from single family residential to essentially an R-1 use.

Mr. Ronald Wehtje and Ms. Allison Yeager, the applicants, introduced themselves to the Members, providing their professional backgrounds, and presented a PowerPoint presentation of their vision for what they are calling the Hearts of Stearns Bed and Breakfast and Event Venue.

Mission & Vision

Mission Statement

Build a premier lodging and event venue while maintaining the integrity and history of the Stearns Mansion and its founding families. Create an exceptional customer experience, for every customer, by delivering excellent customer service throughout every visit to the Hearts of Stearns Estate.

Vision

The vision for the Stearns Estate is to create an elegant Bed and Breakfast and Event Center in the heart of Wyoming. The estate will feature two separate entities including a bed and breakfast and an event center for small weddings, private and corporate events, and community gatherings. By hosting local gatherings and events, we will bring additional business to the Wyoming community by providing a welcoming venue for friends, families, and travelers.

Mansion Details & Amenities

Today

The mansion was built in 1908, by Edward R. Stearns, and is the core of the estate. The first floor offers several large sitting rooms, and a formal dining room. The wrap around veranda offers beautiful views of the grounds and the surrounding city lights. The Mansion, designed by Elzner & Anderson, showcases detailed architecture, handcrafted woodwork, built in cabinetry, Tiffany lighting, Rookwood fireplaces, and hardwood flooring throughout each floor. The focal point of the foyer is a massive organ with pipes that run through three levels of the home.

Renovation Plans

- Enhance the 3.9 acres of property with lush, pristine manicured landscaping and a fountain
- Five elegant guest suites with private ensuite bathrooms, located on the second floor of the mansion
- Five deluxe guest rooms with private ensuite bathrooms, located on the third floor of the mansion
- Private bridal suite and bridesmaid preparation area, on the second floor
- Two public half bathrooms, located on the first floor
- Onsite parking nestled into the fully wooded backdrop of the estate
- East lawn access for outdoor events or community gatherings
- Future renovation of the carriage house could provide for slightly larger indoor events

Renovation- Phase 1

Bed and Breakfast

-The mansion currently has 10 large bedrooms on the second and third floors. There are seven bathrooms, four full and three half. The renovation plan will remodel existing bathrooms, add additional new bathrooms, update wallpaper and paint, add furnishing and décor to each suite, guest room, and the first floor common space.

-Five, second floor suites, all with private full ensuite bathrooms

-Five, third floor deluxe guest rooms, each with a full private bathroom

-Two new public restrooms

-Welcome desk area located in the foyer

Parking

Parking for guests is being designed behind the mansion and will be carefully laid out behind the tree line so that parked cars will not be readily visible to neighbors.

Landscaping

Lush succulents, perennials, and colorful seasonal annuals will be added to frame the exterior of the mansion, enhancing the natural beauty of the iconic 113 year-old estate.

Renovation – Phase 2

Owner's Suite

An owner's retreat will be created by renovating the original servants' quarters and bath on the second floor and the first floor laundry room, half bath, office, and organ storage room. The owner's suite will also encompass the existing kitchen and butler's pantry. In addition, the west entrance of the mansion will be returned to its original architectural state, enclosing the entrance with a wall, as it was in 1908.

Detached Garage

Upon City approval, a three-car detached garage is planned near the rear west corner of the mansion where the existing out building currently stands. The garage will house the owner's vehicles, landscaping equipment and additional storage for the property.

Carriage House

Future renovation of the carriage house could provide for slightly larger indoor events if event venue legislation is enabled by the City.

Landscaping

A decorative wrought iron fence with stone pillars and gates would mark the entrance and exit of the property. A shallow pond with a fountain is proposed in view of Oliver Road to enhance the beauty of the grounds.

Mr. Wehtje displayed a proposed site plan showing where cars would enter the property potentially hand off to a valet if they were attending an event. The parking area could be placed discreetly behind the trees along the back property line. Additionally, the proposed site plan shows that up to 75 parking spaces could be accommodated at the rear of the estate in order to not create a nuisance or eyesore for the neighbors.

Mr. Wehtje stated that he feels that the proposed alterations would not change the look or feel of the estate but would rather take advantage of the natural beauty that is already there. If an event venue were to be allowed, there is a beautiful spot on the lawn between the mansion and rear of the carriage house where that could be easily worked in without changing the look and feel of the grounds.

Mr. Wehtje shared a first floor plan in his PowerPoint presentation outlining the proposed interior alterations as mentioned in a previous slide. The proposed location for the check-in station and coat check area retains the integrity of the stately foyer, especially the organ as it sits in the wall above the stairs, which would remain intact as it currently sits.

On the second floor the most significant change would be to remodel a number of the smaller service bedrooms into larger bedrooms for the owners to use as an owner's suite. For safety measures, a second set of stairs is proposed leading from the second floor to the third floor, because two routes of egress from each floor are required and currently there is only one set of stairs to the third floor.

Mr. Wehtje shared how the additional bathrooms can be incorporated into existing larger closet spaces without losing the feel of each bedroom. He explained that the bedrooms which currently have exceptionally large bathrooms are able to be split into two smaller full bathrooms to serve individual guest rooms.

Mr. Wehtje reviewed the third floor renovation plan and explained that there are several large closet spaces on the third floor that were used for coat and cloak storage during different seasons. In one of these larger closet areas, he envisions installing built-in bunk beds in one of the large closet room to be used by the children of families who may stay at the mansion. The space would be comfortable and cozy, and when the doors are shut the beds would not be seen.

The goal is not to renovate the property so much that the historic integrity of the home is lost. The history from the early 1900s and all of the furnishings within would be an elegant 1920s style.

Mr. Wehtje shared the Investment Summary slide with the Members outlining the estimated expenses for the types of improvements he is suggesting and reiterated that his

numbers are simply estimates at this time. Mr. Wehtje stated that his associate, Paul Bolster, has joined the meeting and is one of the core resources he will be contracting with.

The early estimates indicate that \$2,352,001, including the purchase price, would be needed for all of the improvements spaced out over a four year process. This is the figure that he feels is necessary to get the property to the look and feel of the vision.

Mr. Wehtje added that he has contracted with Greg Nicholls of the Preview Group, who is a code expert in the Cincinnati area. Mr. Nicholls has walked the property and completed a report included in the PowerPoint presentation as follows:

Code Report Summary

Summary of key Issues that must be resolved to be allowed to be a bed and breakfast up to 10 rooms and 20 guests:

- Mansion is three stories above grade and the Code only allows two stories.
- The travel distance from parts of the third floor using the central stair, to the door to the exterior exceeds 75 feet for some rooms.
- At least two means of egress are required from all three levels, but currently there is only one set of stairs from the third to the second floor.
- When a building changes occupancy (from Single Family Dwelling to Group R-1) any alterations must comply with the commercial rules for accessibility in the common areas. However, since the building is a designated historic structure, all accessibility requirements that would "threaten or destroy the historic significance of the building or facility, as determined by the applicable governing authority" may be allowed lesser levels of compliance. Since the construction is a poured concrete frame and has wide halls and tall ceilings, fire danger is reduced.

Proposed Changes:

- Single, multiple station smoke detection would be provided for all residential areas.
- A new stair must be added from the third floor down to the second.
- Michael Stehlin, AIA, Plans Examiner for Hamilton County Planning + Development, noted in an email dated March 31, 2021 that if the changes outlined above are made, a permit is possible without going to the Board of Building Appeals.

Mr. Wehtje stated that he wanted to share this information with the Planning Commission to show that he is working to understand what will be necessary to bring a bed and breakfast operation to the property. He added that safety is a top priority when having a bed and breakfast and he plans to make all improvements necessary and appropriate without losing the historic integrity of the building.

Summary

The Stearns estate has an iconic history and an undeniable charm that pulls you in and captures your heart. Our dream is to transform this amazing home into a place of retreat, relaxation, celebration, and honor of those generations' past, present, and future. By creating a unique venue, we will provide a restful oasis for overnight travelers, and intimate space to celebrate marriages, and a welcoming community gathering space for all.

Hearts of Stearns Estate will work in unison with the city of Wyoming to develop an exclusive venue that honors, not only the history of the Stearns Estate, but respects the traditions of the surrounding community, and the future of the heart of Wyoming. Together, we will build the next monumental piece of history to this historic and ever-growing community.

Mr. Wehtje and Ms. Yeager concluded their formal presentation and invited initial feedback and/or questions from the Members in an effort to best navigate the City's review and permitting processes.

Mr. Boss thanked Mr. Wehtje and Ms. Yeager for their presentation and for investigating the code issues early in their due diligence process. Mr. Boss asked whether the current owner Ms. Landers is on-line for the meeting. Ms. Statt Blake stated that Mrs. Landers had requested the Zoom meeting link but she has not logged on to the meeting. Ms. Kristine Green, realtor for Ms. Landers, was present and indicated that Ms. Landers is caught up at work, and is in support of the proposal.

Mr. Boss asked what protections will be made to protect small children either in the neighborhood or attending an event from getting into the small fountain/pool in the front yard landscaped area. Mr. Wehtje stated that there will be the small fountain in the corner of the yard near Glenway & Oliver and there is also an existing small Koi pond near the proposed outdoor ceremony area is planned. He explained that both of these ponds will be less than two feet deep. Additionally, a wrought iron fence will be erected around the perimeter of the property so no one should be able to wander into the pond area from off the street. Mr. Boss inquired about the proposed parking area and whether storm water run-off would negatively impact neighboring properties. Mr. Wehtje stated that the parking areas will be gravel and not blacktop and storm water will be able to soak into the ground rather than run off. He will be working with the landscape architect to facilitate a storm water run-off plan.

Mr. Boss asked what will be done with the carriage house before the construction begins or Phase 2 if there be any maintenance done to it or will it sit empty. Mr. Wehtje stated that in the agreement with Ms. Landers, because he is already under contract to buy the property, it was agreed that the structure will be maintained in its current condition and will be temporarily used for parking his vehicles until the carriage house can be renovated.

Mr. Boss questioned that with the addition of multiple new bathrooms to the estate, has it been determined that the sewer system is able to accommodate the additional bathrooms. Mr. Wehtje stated that he has not checked this detail yet but he will do so.

Mr. Wehtje added that he may need to enlarge the water line coming into the estate in order to have sufficient water pressure. These items are on his checklist to investigate and he has been made aware that with the current layout of the estate home, without fire sprinklers in the main house, he cannot have more than 49 people in the house. If the approval for events were to be granted, he knows that a larger water line for a fire sprinkler system and larger sewer pipes would be needed for the carriage house, and so he is aware that he would need to have upgraded plumbing systems installed on the property.

Ms. Bossin asked what the proposed time frame is for the renovations to start and how long will it take to renovate the main estate house. Mr. Wehtje stated that they are scheduled to close on the property in September and he and Allison plan to live there starting in October, however he does not plan to open the bed and breakfast until at least March or April of 2022, because they will need several months to prepare the guest rooms and get everything ready.

Ms. Bossin asked for further explanation on the owner's suite as the plans indicate it will encompass the existing kitchen and butler's pantry. Ms. Yeager explained that the bed and breakfast guests would not have access to the butler's pantry or the kitchen, this would be private space where food is prepared and taken out to the guests. Ms. Bossin asked where the kitchen will be located that caterers would use if an event venue were to be pursued. Ms. Yeager stated that the catering area could be staged near the carriage house. She does not anticipate the kitchen being used as a commercial kitchen. Additional potential caterer staging areas near the rear of the mansion were discussed on the proposed site plan.

Ms. Bossin commented that the financial projections and budget submitted are estimates and she asked if they were estimates from contractors or are they rough guess estimates by the applicants. Mr. Wehtje stated that the numbers submitted this evening are his estimates and he knows that they will likely be substantially more than his rough estimates. He estimates that new bathrooms may cost \$10,000 and the ones that need to be remodeled may be \$5,000 however he could be way off in these estimates and that he will need to get more accurate estimates from contractors who do these kinds of renovations. Ms. Bossin questioned if the rough estimates are 30% under the actual estimated costs how will this affect the timing or the ability to move forward, if at all. Mr. Wehtje explained that their business plan assumes that they will not be able to handle full occupancy immediately because it will take time to catch on until maybe four years down the road. If all of his estimates are 50% lower than actual costs he will have to slow down the renovation and do it over the course of several phases that may take longer than the two year tentative construction plan. The bed and breakfast rooms may simply take longer to

do so that everything stays within their funding. He is not interested in using an outside investor, they would like to fund this project themselves.

Ms. Bossin asked if there are any concerns about the potential lack of a return on the investment. Mr. Wehtje stated that he believes the return is very solid once 60-65% occupancy is achieved and some small events are held. There is a home budget that he is able to spend in order to live in the home so having a business in the home is an added bonus and does not need to represent a full return for him to be solvent.

Ms. Yeager explained that the proposed numbers were based on cash on hand and they intend to do the renovations without overspending. Initially, the bed and breakfast will be the main concentration, to get it running and be accepted by the community and experience success before expanding into the next area of small events. The process will not be all in at once.

Ms. Bossin asked whether they intend to host outdoor events prior to opening the bed and breakfast operation. Mr. Wehtje stated that he sees the bed and breakfast being the first element to open up and will be the main focus initially. If the City approves special events the plan is to start small and prove that there is something that the neighbors are going to be comfortable with before hosting events more regularly.

Mr. Pagliaro commented that most of his concerns lie with the safety aspect of the operations. He has in his mind what Wyoming's idea of a bed and breakfast is, and what Hamilton County's idea of it is, and what he feels that the definition of a hotel is, and he feels that the bed and breakfast proposal feels more like a hotel to him. Which is not a deal-breaker, however he is trying to determine how people are going to be kept safe on the third floor of a very old building with an open staircase with a lot of varnished woodwork. He would like to hear more on the safety aspect of the guests and in terms of the guests that need ADA assistance, will they be limited to the main floor of the estate. Mr. Wehtje explained that Mr. Nicholls spent time going through the ADA building codes and included the findings of his research in the PowerPoint. To review, in the case of a historic property listed on the National Registry, a bathroom that is ADA compliant must be available on the main floor and an entrance must be provided on the first floor that is ADA compliant. The owner's suite had to be closed off at the end of the hallway on the west end in order to have access to the kitchen without having to walk across the public hallway because the doorway width has to be left ADA compliant for a first floor entry. There are two bathrooms on the first floor for public events and one of them is oversized in order to meet ADA compliance. The ADA codes also stipulate that access does not have to be provided to any other floors other than the first floor, if the building is an historic structure.

Additionally, on the topic of a bed and breakfast without fire sprinklers, the floors are constructed of 13+ inches of concrete and most of the main bearing walls are 13+ inches of

concrete as well. When the house was originally built it was designed as a fireproof structure where you had very little to burn other than the woodwork and fabrics but the structure itself is considerably fireproof. The concern of the open staircase from first to second floor has resulted in the recommendation for a second enclosed stair to be added from the second to the third floor as an alternative exit. In the event of a structure fire there will likely be a lot of time to react to a fire event because it wouldn't be able to spread as fast as in a wood-framed structure.

Mr. Pagliaro asked for an explanation of the design of the second staircase and the smoke detector plan. Mr. Wehtje described the location and construction of all three staircases in the estate, and stated that every sleeping area is required to have an appropriate smoke detector with battery backup and hard-wired together with a monitoring system.

Ms. Green clarified that the floors are constructed of 18 inch thick concrete and the walls are two feet thick concrete throughout the building except for the areas that will be modified as noted on the floor plans.

Mr. Johnson stated that he does not have a lot of experience with bed and breakfast operations so it is hard for him to comprehend how a ten room bed and breakfast operates. Conceivably if there is full occupancy, there could be 20 additional people and ten vehicles on site, in addition to the owners. He likes the idea that the applicants are looking for ways to limit the visibility of the vehicles to the neighbors, this was a big concern for him, as well as the overall acceptance by the neighbors. He lives next to a church and it can be very busy, but he knew that when he bought his house. He is unsure of what kind of reaction will be received by the nearby neighbors that live on Oliver. A single family residence can generate up to ten vehicular trips per day. If the bed and breakfast is at full capacity of ten rooms, and guest are coming and going throughout the day, it could represent dozens of trips per day. He considered the residences across the street on Oliver and whether this could cause a burden that they would not have anticipated. He expressed overall concern about the traffic effects on the neighborhood in general.

Additionally, the same concerns relate to the events. He cannot think of another facility like this embedded in a neighborhood. It is not to say that he thinks it is good, bad, or is indifferent, he is simply not aware of one and not sure how other communities might regulate it. He would be very curious if there is an example that the Members could consider to provide insight into what that might look like. It is not out of the question for a property of this stature. He has had gatherings at his house where there were 100+ people in attendance and his house is a lot smaller than the estate and it is not out of the question to have large numbers of people at your house for a gathering but it may feel different having it happen once a month or once a weekend throughout the entire summer, for example.

Ms. Yeager explained that they anticipate weekday travelers, people coming to the bed and breakfast to be primarily business travelers from the surrounding businesses such as GE and P&G, so they do not anticipate noticeable traffic during the week as it would likely just be a single person. It is anticipated that the weekends would bring more couples to the estate who would want to retreat so there may be a bit more traffic on the weekends than the weekdays but they do foresee it being upwards of 100 trips.

Ms. Yeager stated that she is working with Ms. Landers to set up an opportunity to meet the neighbors by hosting an open house inviting all of the neighbors within 200 feet of the surrounding property to meet Mr. Wehtje and herself to learn about the plans and to ask questions so that there any concerns are heard, and if there are concerns from a large group of people about a particular area, there is the opportunity to make adjustments.

Mr. Wehtje added that there are also plans to privately meet with the two neighbors on either side, along with the Landers. Mr. & Ms. Landers have been very supportive and willing to help connect with the neighboring community and they are willing to open up their home before the applicants officially own it, which was Ms. Landers' idea for the two neighbors to spend the evening with the applicants and talk about what the plans are in the hope that they can address any concerns.

Mr. Wehtje stated that he is aware that if he cannot be successful as a neighbor that he will not be successful as a business owner. The bed and breakfast operation will need to be set up first and run successfully before opening up the property as an event venue which is why the applicants wish to take the renovations in a phased approach and go very slowly; to get to know the community and the people and learn how to work with the community to embrace a new vibrancy of the estate.

Mr. Wehtje stated that he understands that there may be many things that people will be concerned about and by working together as a group he and Ms. Yeager can help turn this old mansion into something that is still blossoming for years to come and that the community would benefit from.

Mr. Johnson stated that he does not want his comments to be taken negatively but in fact, he likes what has been presented so far. Having lived in Wyoming most of his life, he believes the prospect of having a place where class reunions could be held and local kids can get married if they are not getting married in a church is a special amenity for Wyoming.

Ms. Yeager stated that the estate will not be a place where kids can come and have a party, they are not going to rent it to fraternities and such that want to have a big party, the intent is to have it be an exclusive, adult only type event. She mentioned Pinecroft at Crosley Estate in College Hill and Peterloon in Indian Hill as good examples, and she has spoken

with stakeholders from Indian Hill and how they handle ordinances as far as noise, etc. Both communities seem to welcome these venues and they have not expressed displeasure with them. They have set curfews at midnight so that events do not go on for too long. The operator of Peterloon has been there for seven years and has not had to set any additional restrictions. There were a few instances where a band was setting out speakers in a manner in which the neighbors could hear the music and they have directed bands to make alternative arrangements. Care will have to be given to consider nearby neighbors and what they can hear. If there were ever a wedding reception, any speakers could be oriented towards the woods and not towards the nearby neighbors. Peterloon has 20 acres around it so it is a bit different. At Pinecroft there are homes adjacent to the facility. Additionally, when the carriage house work begins the walls will be insulated which would buffer sound within the building, which is not the case today as it is a rough framed structure.

Ms. Statt Blake commented that in addition to an advertised public meeting of the Planning Commission, there would be a formal public hearing held by City Council as part of City's review of the bed and breakfast, per Chapter 1197 of the Zoning Code. Then should the City adopt legislation for event venues, she imagines that it would require a significant amount of review and the approval process would involve the Planning Commission and City Council with regards to a Zoning Code amendment which would include public input and a public hearing component as well. She has conducted some preliminary research over the past few months about this concept of event venues that are nestled into residential areas and she has been in contact with Jon West, the Village of Indian Hill's Assistant City Manager, who handles their planning and zoning. They have three different estates that are approved with "special exceptions" which is the zoning term that they use, while in Wyoming we use the term "special use". Indian Hill has residential estates approved for events, they are considerably larger estates, so in terms of proximity to residential neighbors there is greater buffer and room to work with. Mr. West had shared the kind of review that Indian Hill's Planning Commission goes through, and again, it is very similar to the questions that have been raised tonight; questions of parking, lighting, when music would be cut off, when events would be cleared out, so while it's not apples to apples it is a precedent in a community in our region that has been flexible in allowing these types of new uses on iconic or historic estate properties.

The Indian Hill Rangers, which is the police department for the village, monitors and measures the sound, and that is something that Wyoming would consider in terms of how the City may address those concerns. Should Wyoming pursue an event venue zoning amendment, she would recommend that such a use be regulated similar to our other special uses; which is that it obtains its initial zoning approval through a public process involving review by Planning Commission and approval by City Council, and there is also attached to that approval an annual review which allows the City and the community check

points at least every year if there is a special use that goes astray, or becomes a nuisance. City Council holds the approval of those permits on an annual basis.

Ms. Statt Blake stated that she reached out to the City of Montgomery who has their own City-owned lodges and assembly halls which are tucked into residential settings, though their zoning regulations do not currently allow privately-owned event venues in residentially zoned areas. Amberley Village is a community that has a number of larger estate properties and indicated that they do not have this use at this time. Ms. Statt Blake stated she wanted to provide the Members with feedback from some of our peer communities in the region and how they do or do not currently address this idea.

Mr. Boss speculated that if there were to be an ordinance which allows events it would be by special use permit, which means you always have the annual review and that requires the Planning Commission to make a recommendation to City Council on each one of the special use permits so it is not a passive process.

Mr. Wehtje stated that he believes the City's bed and breakfast ordinance works the same way as well. Mr. Boss confirmed that was correct.

Mr. Delgado commented that he believes the applicants have done a good job of presenting their plans and many of his questions have been answered already. He asked Ms. Statt Blake to explain how she sees the bed and breakfast component piece unfolding and addressing the potential change of use and what the next steps would be.

Ms. Statt Blake responded that there are aspects of the commercial building code and the change in use that she is not intimately familiar with. As she understands it, the R-1 change from what is essentially a single family residence and what is considered a dwelling under the Residential Code of Ohio, to the R-1 designation that would be triggered by the bed and breakfast conversion requires, essentially, a stricter application of building and fire codes, because people are sleeping in the building, then there would be, as she understands it, with the use as an event space. If the applicant's first order of business is the review and change of use for the bed and breakfast, she estimates that the lion's share of the building code questions that would be brought out would happen at that stage. Questions about fire suppression, secondary egress, alarm systems, etc., would be resolved through that conversion. She will need to do more research about the change of use as it may apply to an event venue component of more than 49 guests, and whether or how that may trigger additional requirements under the Ohio Building Code.

Mr. Wehtje explained that what he has learned is that with the bed and breakfast component, if he goes over 21 guests it triggers requirements that would apply to a full hotel, which means you have to have all the things that a hotel up to 1,000 rooms, would be required to have. That is why he intends to keep the operation to ten rooms and will not

allow more than 20 guests. As for events, his understanding is that if you are having an assembly at the estate it would be kept to 49 or fewer guests and the relevant building code requirements for the bed and breakfast would similarly apply for assemblies. 50 or more guests would trigger additional building code requirements, one of them being a full sprinkler system. A primary reason why he would look to use the carriage house for larger private events is that it could more readily be retrofitted properly for the required fire protection systems.

Mr. Boss asked whether a couple brings their children with them to stay, are each of the children counted as guest. Ms. Statt Blake confirmed that is correct and added that if the child is an infant staying in the same room with the parent, the Code states that the infant shall not be counted as a guest.

Mr. Delgado commented that he would be looking at the bed and breakfast as one individual focal point and then begin to look at the event as a second focal point so that people don't get confused on how the Members are reviewing the proposal. That is the way he would approach it both by Planning Commission and by City Council as well as the potential owner. He is intrigued by the proposal as we have not had this type of establishment in the community before but it does not mean that we certainly cannot have it. He would be interested in seeing how the bed and breakfast component would move forward first and then consider the event piece second.

Mr. Wehtje explained that he wanted to talk about both operations together so that the Members understand the whole concept, however they will plan to work through the bed and breakfast aspect first before moving on to the event aspect. It could be possible to have both processes moving at the same time that way, any requirements that need to be met would be known at the outset and changes or adjustments could be planned for to meet those requirements. Mr. Wehtje added that though he and Ms. Yeager do not live in the community yet, they will as of September, and he has taken an interest in learning much about the community, including reading the 2018 Master Plan. The plan identifies that one of the main requests made by residents was for more public gathering space, more restaurants, more businesses, and he believes this plan can help meet a need mentioned in the Master Plan.

Mr. Boss commented that the applicants may have catering needs in the future and he suspects that there are individuals in Wyoming who would be a good resource to provide this service. Ms. Yeager added that initially, she and Mr. Wehtje will be running the estate but eventually as they set roots and grow and need to hire additional staff she would like to open up that opportunity to Wyoming residents first.

Mr. Boss commented that given the feedback that the Members have provided the applicants, they can begin the preparation of the application for a Special Use Permit for a

bed and breakfast operation and consider the potential for an event venue as a separate issue and possibly have some reconsiderations of that at the next Planning Commission meeting. By that time, Ms. Statt Blake could provide additional background information covering some of the points made at this meeting.

Mr. Pagliaro asked for clarification on the review process that the Planning Commission is to consider regarding a possible bed and breakfast, and whether their review is specific to the City's zoning regulations in Chapter 1197 or whether it goes beyond that. Ms. Statt Blake confirmed that the Planning Commission's review is specific to the City's code and added that if a formal bed and breakfast application is submitted, the Planning Commission and City Council would review for alignment with the zoning regulations, along with any historic review that is called for under the provisions of the Deed of Acceptance of the Reduced Density Overlay Plan for the property, and this would be the precursor to Hamilton County, with review by the Wyoming Fire Department, issuing any necessary building permits. Mr. Pagliaro asked whether the Special Use Permit in this scenario, which is the local zoning approval, would be conditioned on the County's approval requirements for a bed and breakfast. Ms. Statt Blake confirmed that in the issuing of a Special Use Permit we would condition our local approval on Hamilton County Building Department approval as well, so it would provide the use approval from the zoning aspect saying the City of Wyoming, with the recommendation of the Planning Commission and approval of City Council is allowing the property to be used for a ten-room bed and breakfast, and the owner then would navigate the building permitting side of the process with Hamilton County. The applicants have had this preliminary conversation with the Planning Commission in part to then navigate how such a change in use request would be viewed in the eyes of the building and fire officials, and what it means for preserving the estate by giving it a new purpose.

Mr. Pagliaro asked whether the County's determination as to use in the eyes of the building code, dwelling versus R-1, would require any zoning changes in Wyoming to allow an R-1 building use designation on the property. Ms. Statt Blake responded that though the Zoning Code is not married to the Building Code, there is clear correspondence between the codes, and such a use change would be memorialized and enforced at the building department level, so long as the end use continues to align with the City's approval under the Special Use Permit. She added that by having these initial conversations at the staff level with the applicants before approaching the Planning Commission, these types of more complex and overlapping code questions can oftentimes be answered ahead of time, so time and effort is not wasted in learning further into the process that there is a building code roadblock.

Mr. Wehtje stated that he is aware that if Wyoming approves the bed and breakfast, in order to move forward he still has to pass the County requirements to get the building permit and the inspections to allow the occupancy. If he does not meet their requirements

he cannot open the business. The Special Use Permit would become irrelevant, so as the applicant, he needs to be sure the project meets the requirements for safety and all other aspects of the various codes.

Mr. Delgado asked for confirmation that the Planning Commission would be asked to consider a waiver for the property in regards to the bed and breakfast restrictions. Ms. Statt Blake confirmed this is correct and added that a formal application for a Special Use Permit for the operation of a bed and breakfast establishment would be submitted to the Planning Commission and taken up at a future meeting. As a courtesy, the Commission is being presented with a preliminary application this evening by the applicants to discuss initially whether there are major roadblocks that can be addressed prior to preparing a formal application. Mr. Boss added that the Planning Commission is answering questions tonight and providing direction but not taking any action this evening because an official application has not yet been presented.

Mr. Delgado asked for clarification that the Commission is being asked this evening for initial feedback on a waiver to Section 1197.06 regarding the limit on number of guests and guest rooms, which in turn impacts the application of the building and fire codes. Ms. Statt Blake stated that is correct. For example, there is an exception in the Ohio Building Code, which indicates that if you are at no more than 20 occupants certain aspects of the Residential Code of Ohio may prevail, however review, permitting, and inspections would remain under the umbrella of the Ohio Building Code in the jurisdiction of Hamilton County Building Department.

Mr. Pagliaro asked if anything in this process, which the changing of Section 1196, would trigger a notification to the neighbors letting them know a change in use is being considered. Ms. Statt Blake explained that the City notifies the neighbors for the public meeting of Planning Commission and the subsequent public hearing that occurs at the City Council level. The neighbors, 200 feet from the edge of the property, would get a mailing from the City. If there are not at least 25 property owners within 200 feet of the edge of the property, the notification area would extend to 300 feet from the edge of the property.

Ms. Pyles asked for confirmation that if there are any exterior alterations to the property such as the installation of the parking area, that this would need to be reviewed jointly by the Historic Preservation Commission and the Architectural Review Board in which the neighbors would be notified of as well. Ms. Statt Blake confirmed this is correct and added that the process would be handled under Chapter 1336, which governs alterations to historic properties, and the aforementioned neighbors would be notified.

Mr. Boss commented that with no further questions from the Members, it appears that direction has been provided to the applicants and if they choose to submit a bed and breakfast application, at the Planning Commission's next meeting there will be a list of

questions that the Members will need to respond to as provided in Chapter 1197 of the code, and possibly additional discussion of the event venue concept. Ms. Statt Blake will also provide additional information from Hamilton County and the Fire Department that will help guide the Planning Commission with its review as well.

Ms. Statt Blake explained that the feedback from the Planning Commission will allow the applicants to amend their draft plan with the understanding that the Planning Commission is receptive to considering a waiver relating to the maximum number of guests and guest rooms. Part of that would include the applicants preparing the full bed and breakfast application, which could occur between now and the May Planning Commission meeting.

On a separate track, the Planning Commission could begin to look at draft regulations for event venues in residential districts. Some of staff's previous research was to identify properties in Wyoming that may be large enough or situated in a way that could accommodate an event venue from a practical zoning and use perspective. There are approximately ten residential properties, including the Stearns estate, which are over three acres. If three acres were to be used as the minimum, which is the minimum Planned Unit Development acreage requirement, there could be potentially up to ten properties within Wyoming that could qualify. Ms. Statt Blake believes tying such a use to the established special use process would be appropriate. There are many details that would need to be considered in drafting event venue legislation and the Planning Commission would review and provide feedback as to whether that is a path that its wants to pursue, and ultimately City Council would vote on such legislation, following a public hearing. Should such language be added to the Zoning Code, then a Reduced Density Overlay Plan change would need to be approved specifically for the Stearns property, and then there would be a Special Use review and approval of the proposed event venue at the property. As outlined here, there are three significant zoning processes that would have to take place to get to that point.

Mr. Boss added that each one of those steps requires a separate decision by the Planning Commission and City Council and is a public process.

Mr. Boss commented that the Wyoming Golf Club, which is grandfathered from an event facility standpoint, occasionally hosts outdoor gatherings and as he previously lived across the street from the golf course on Mt. Pleasant Avenue, and now on Reily Road, he can occasionally hear the sounds if he is sitting outside. This may be one of the questions people would raise in regards to the Stearns property, and it is relevant to note that there is some precedent with the Golf Club. The potential conflicts needs to be considered and minimized ahead of time.

Mr. Pagliaro asked if it would be inappropriate to include feedback from the fire inspector or the fire chief to determine if emergency lights or additional signage is needed or what

can be done from a smoke perspective for people on the third floor. Mr. Boss stated that the application process will include such from the public safety standpoint. The process generally engages all aspects of City services to be sure all is well.

Ms. Statt Blake commented that she has preliminarily reached out to the Wyoming Fire Department on this proposal and they will be considerably engaged moving forward.

Miscellaneous

Mr. Boss asked for confirmation from Mr. Delgado that the Committee of the Whole will be discussing, at its April meeting, of when City Council may return to in-person meetings. Mr. Delgado confirmed that this would be discussed. Mr. Boss recommended that the Commission follow whatever guidelines it receives from City Council to determine when in-person meetings will return and under what conditions, if any.

Excusal of Absent Members

All Members were present, there were none to excuse.

Adjourn

Ms. Bossin moved to adjourn the meeting. Mr. Pagliaro seconded the motion. By voice vote, all voted yes, the motion carried. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Debby Martin, Executive Assistant

Jon B. Boss, Chairman