

MINUTES
Wyoming Planning Commission
August 2, 2021

The Wyoming Planning Commission met in regular session on August 2, 2021 in the Council Chambers at the City Building. The meeting was called to order at 7:00 p.m. by Mr. Jon B. Boss, Chair. Attendance was as follows:

MEMBERS:

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

STAFF:

Megan Statt Blake, Community Development Director
Tana Bere, Community Development Specialist

Approval of June 7, 2021 Meeting Minutes

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

Citizen Participation

No citizens had comments regarding items not otherwise on the agenda.

Business

Review of a Development Plan Exemption Application in Accordance with Chapter 1133 of the Wyoming Codified Ordinances for Nobleman Farmer Restaurant at 1208 Springfield Pike: Ms. Statt Blake provided a background to the Members. Grant Hoffman and Ken Edelman are Wyoming residents and the pending new owners of 1208 Springfield Pike (former Wyoming Wines). The pair are seeking a Development Plan Exemption for the change in use of the property from retail/mercantile to restaurant, as described in their Development Plan Exemption Application. Such change of use requires review under Chapter 1133 of the Zoning Code (Development Plans). Staff is recommending the proposal be reviewed as a Development Plan Exemption, with input from the Planning Commission and the Architectural Review Board, as provided in Section 1133.04 (Development Plan Exemption), and specifically guided by Section 1133.06(b)(2) A-C, which states in part that a Development Plan Exemption shall be approved if the following conditions are met:

- A. The proposed use conforms with the objectives of the officially adopted Master Plan of the City;
- B. The establishment, maintenance, or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare; and

C. The proposed use shall not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair property values in the neighborhood.

In addition to the parameters set forth for Development Plan Exemptions in Chapter 1133 and the restrictions of the DORA, the proposed outdoor dining component will be reviewed in accordance with Chapter 1188 of the Zoning Code.

The primary goal for this Planning Commission meeting is to make a recommendation on the change in use, and consider recommending the building changes (front façade, dining patio, and rear cooler addition) be referred to the Architectural Review Board.

Mr. Hoffman and Mr. Edelman introduced themselves and provided their personal and professional backgrounds. Mr. Hoffman presented a PowerPoint presentation containing additional information for the Members to consider. Some of the content of the presentation included:

Building Background:

- Former tenant was Wyoming Wines
- Previous front patio seating was removed due to deterioration
- Current land use designation is Medical Clinic/Office
- Vacant/for sale for 4+ years

Vision for the Future:

- Significant renovation of existing ~1900 sq. ft. interior
 - New restaurant consistent with community needs
 - ADA restrooms/accessibility
 - Open floorplan & kitchen space
- Restore patio (street-side) seating akin to the setup used by Tēla and previous tenant
- Update the façade facing Springfield Pike:
 - Remove yellow wood siding and replace with windows/doors to provide natural light into the space
 - Improve access to the patio
- Potential to bump out walk-in cooler to the rear in an unused section of the parking lot immediately adjacent to the rear of the building.

Work to be Done:

- Building Renovation:
 - Close on the property
 - Commence demolition
 - Meet with Fire Chief to assess needs

- Complete detailed design (architecture, interior)
- Apply for Hamilton County building permit
- Complete renovations

- Business Start-up:
 - Engage neighbors & complete business plan
 - Finalize restaurant concept + team

Ms. Bossin asked when they anticipate opening. Mr. Hoffman stated that they would like to have the establishment open by June or July 2022. He added that the yellow siding will not be removed from the front façade until the glass panels are ready to be installed. Also, the name of the establishment has not been chosen yet.

Mr. Johnson asked if an additional trash dumpster will be needed in the rear parking lot. Mr. Hoffman stated it is not anticipated that the establishment will generate large amounts of trash. He has spoken to the owners of Tēla and they indicated that the existing dumpster can handle all of the trash. Mr. Johnson asked if the City has received any complaints from residents about excessive parking on Chestnut Avenue. Ms. Statt Blake stated that Tēla has an arrangement with Sheldon Reder to allow patrons to use their parking lot after the CPA office has closed for the day. There is also a lease agreement between the City and Spring Valley Bank to use some of the parking spaces for the tennis court use, and City installed the set of steps that run between the two buildings in the rear. It is not anticipated that there will be any traffic or parking difficulties.

Mr. Delgado added that when the Spring Valley Bank's parking lot gets impacted it is generally after the bank has closed for the day. Mr. Delgado commented that the proposed front glass façade will match that of Tēla's and will create a more visually appealing corner.

There being no further questions from the Members, Ms. Bossin moved to recommend the change in use be granted and that the building changes (front façade, dining patio, and rear cooler addition) be referred to the Architectural Review Board. Mr. Johnson seconded the motion. By roll call vote, 4-0, all voted yes. The motion carried.

Review of a Temporary Development Plan Exemption Application in Accordance with Chapter 1133 of the Wyoming Codified Ordinances for Sara Aschliman at 432 Springfield Pike: Ms. Statt Blake provided the background to the Members. Sara Aschliman is a Wyoming resident, architect, and owner of Wyoming Community Coffee at 434 Springfield Pike. As of August 1, 2021, she is leasing the property at 432 Springfield Pike, owned by the Wyoming Community Improvement Corporation (CIC), in anticipation of executing a development agreement with the CIC. The development agreement is for the sale and conversion to commercial use of the property, to include a City-controlled parking and connectivity plan for the eastern portion of the property. Such a development agreement

was recommended in broad concept by a report from the City's Economic Development Commission (EDC), and the report was adopted by City Council on July 19, 2021.

While the development agreement is being drafted, Ms. Aschliman would like to use the property for purposes not entirely in line with the current single-family residential use, as detailed in her letter. Due to this proposed change in use, City staff is recommending that a temporary Development Plan Exemption be considered, under the guidance of Chapter 1133 of the Zoning Code (Development Plans), more specifically Section 1133.04 (Development Plan Exemption). Such temporary approval would run until the end of current lease ending May 31, 2022 (if no lease extensions are approved), or until the approval of long term/permanent Development Plan.

In addition to the parameters set forth for Development Plan Exemptions in Chapter 1133, the proposed outdoor dining component will be reviewed in accordance with Chapter 1188 of the Zoning Code (Outdoor Dining). The Planning Commission is asked to review the proposal and provide a recommendation to the City Manager.

Ms. Bossin asked for clarification that a nine month extension to the lease is ultimately being requested as this time. Ms. Statt Blake confirmed that is correct and added that if the process happens to move any quicker it will be less than nine months. Ms. Bossin asked if the Planning Commission have to re-review the proposal if the process takes longer than nine months to complete. Ms. Statt Blake explained that the exemption runs until a development agreement is executed. If more time is needed, the lease will be extended and Planning Commission will not need to begin the review process over. If an expansion from the existing proposal is requested, then the Members will review the new proposal.

Ms. Aschliman stated that she has been working regularly with the Economic Development Commission, City Council, and the Community Improvement Corporation on an agreement for a more permanent use of the property. In the interim, the temporary use will have minimal impact on the area until she officially owns the property.

Mr. Boss stated that he believed at one time, he saw a carryout window installed on the side of the Wyoming Community Coffee building. Ms. Aschliman said that because the house was occupied by a tenant, the idea of a carryout window was removed from any previously seen plans. She explained that she created a carryout window on the front façade of the building due to COVID restrictions but has since decided that the front of the building is a better location for it rather than on the side (south) of the building.

Mr. Johnson asked who owns the dining tables in the grass area between the house and the Board of Education building. Ms. Statt Blake stated that the City owns the furniture with a casual agreement with the Board of Education to place them on their property. Mr.

Johnson stated that he has noticed that the tables are heavily used and it is phenomenal to see the number of people enjoying their use.

Ms. Bossin moved to grant approval of the temporary Development Plan Exemption until the end of the current lease. Mr. Johnson seconded the motion. Mr. Delgado questioned whether the temporary Exemption should end at the end of May or should there be the ability to extend the Exemption if more time is needed to craft the Development Agreement. He suggested the word "current" be removed from the motion on the floor. Mr. Delgado motioned to amend the motion to grant approval of the temporary Development Plan Exemption until the end of the lease. Ms. Bossin seconded Mr. Delgado's amended motion. By roll call vote, 4-0, all voted yes, the motion carried.

Miscellaneous

Ms. Statt Blake reported that due to the Labor Day holiday, the next standing meeting date will be Tuesday, September 7, 2021.

Excusal of Absent Members

Ms. Bossin moved to excuse Mr. Pagliaro. Mr. Johnson seconded the motion. By roll call vote, 4-0, all voted yes, the motion carried.

Adjourn

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 7:45 p.m.

Respectfully submitted,

Debby Martin, Executive Assistant

Jon B. Boss, Chair