

MINUTES
Wyoming Planning Commission
February 1, 2021

The Wyoming Planning Commission met in regular session on February 1, 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
Al Delgado
Dan Johnson
Ethan Pagliaro

STAFF:

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

OTHERS:

Lynn Love, Owner of LL Spirits, LLC
Andrea McBride, Architect for LL Spirits, LLC
Tony Nasser, Engineer for LL Spirits, LLC
Sara Aschliman

Approval of December 7, 2020 Meeting Minutes

Mr. Pagliaro 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 participated.

Business:

Preliminary Review of a Development Plan for 522 Wyoming Avenue: Container Row, submitted by LL Spirits/Lynn Love: Ms. Statt Blake provided a review of the background:

522 Wyoming Avenue, referred to as the Mercer Property, is owned by the Wyoming Community Improvement Corporation (CIC) and maintained by the City of Wyoming. It sits on the north side of Wyoming Avenue between Van Roberts Place and the CSX rail line which separates Wyoming and the Village of Lockland. It currently provides a public parking lot with 11 parking spaces, landscaping, and streetscaping (decorative paver sidewalk, planters, street lights, and street trees). The property is zoned E – Commercial District.

The City administration was approached by prospective developer Lynn R. Love (LL Spirits, LLC) in late 2019, with the concept of developing a food court and bar utilizing shipping containers as a primary building component. The concept has been preliminarily presented to City Council and the CIC. The general concept aligns with a number of objectives within the City's 2018 Master Plan.

In order to guide further discussion with the CIC, the administration recommended that the concept be presented to the Planning Commission in the form of a preliminary Development Plan review. Chapter 1133 of the Planning & Zoning Code provides the review process for commercial development in Wyoming (Development Plans), but it should be noted that this preliminary review is being provided as a courtesy in advance of a complete Development Plan application by Lynn Love, in part to determine the feasibility of the project from a zoning and development plan standpoint. You will notice that a number of details are yet to be provided.

A primary goal for this Planning Commission meeting is to provide preliminary feedback to Lynn Love on the proposed development, with particular attention paid to the following zoning items, as further discussed below:

- Parking; and
- Shipping containers as building components.

Parking

Section 1171.04 of the Code details the parking requirements for commercial buildings. With the main building of the proposed development being 3,850 square feet, this would equate to 38 parking spaces. As currently presented by the developer, no on-site parking has been proposed.

Shipping Containers as Building Components

Section 1183.15 prohibits shipping containers, as follows:

"No shipping or similar container, trailer whose wheels have been removed, or other similar item not specifically designed and constructed as a building shall be placed on any property in the City and used for the storage of items unless otherwise specifically permitted in Title 11."

Given this provision, staff requests guidance be provided by the Planning Commission as to the proposed use of shipping containers as significant architectural components of Container Row.

Per Section 1133.05(d), as part of the City's Development Plan review process, the Planning Commission may waive or modify any provisions of the Zoning Code, which waiver or modification shall be detailed in the Planning Commission's report to City Council. Should

either the parking requirement or the shipping container prohibition be items that the Planning Commission is open to modifying, it would be helpful to provide that feedback to the developer and the City staff at this time, in order to facilitate more concrete discussions and preparation of a formal Development Plan application.

The City applied for CEDAP funds from Hamilton County on behalf of this development and those funds have been committed to the project. If the Members wish to receive additional background on this item Ms. Statt Blake is happy to go into further detail.

Ms. Love is in attendance, along with her architect Andrea McBride and engineer Tony Nasser, to present the concept and have a preliminary discussion with Planning Commission, in advance of preparing a comprehensive Development Plan application that would be brought back before the Commission.

Mr. Boss commented that in addition to staff's preliminary review the Planning Commission should keep in mind Section 1133.06(b)(2) of the Code which states that a Development Plan shall be approved only if the proposed shows the following, and it lists provisions labeled 'A' through 'G'. Ms. Statt Blake has covered a number of the provisions of Section 1133.06(b)(2), and he would suspect that if this were to be taken to City Council, that City Council would be looking for the same items and ask the Planning Commission to have thoroughly considered each provision and reported as such in its written recommendation to Council. If the Members have not already reviewed items A through G of Section 1133.06(b)(2), they are encouraged to. Mr. Boss commented that the Code already stipulates that a shipping container is not something that can be used, and parking not provided, and those are things that Planning Commission must address in its discussions. The grassy area just north of the current Mercer parking lot could be considered for development of parking to essentially replace the existing eleven parking spaces that would be lost to the building placement, though it may not likely be a net gain. Therefore, additional parking alternatives may be needed. Mr. Boss asked Ms. Love to make her presentation to and then the Members can further discuss the preliminary proposal.

Ms. Love thanked the Members for the opportunity to address them. Ms. Love introduced herself and provided her professional background. She is a retired City of Cincinnati firefighter, has owned small businesses, managed event spaces, and produced local events. This concept is a longstanding project for her. She introduced her team members Andrea McBride, architect, and Tony Nasser, engineer. Ms. Love explained how the project came about, and shared photos of a food hall in Detroit that she has modeled her concept after, as well as her preliminary plans for the 522 Wyoming Avenue property. She envisions an eclectic and flexible mixed use space where Wyoming and neighboring communities can come together for entertainment, cocktails, art, and local foods. She described the different

components of Container Row including the five food stall, bar, courtyard, and annex with a rentable commercial kitchen. She knows that parking is an issue, and she has been looking for parking.

Ms. McBride spoke to the Members about the architectural language and massing of the buildings.

Mr. Boss commented that although the parking concern is recognized, he pointed out that there will possibly be 11-13 employees needing parking at any given time, which compounds the issue of parking needed for the public. He is unsure of the level of conversations, if any, that Ms. Love has had with the Village of Lockland, and he pointed out a few vacant commercial parcels that could potentially be used for parking lots. This is a high priority item that will need to be addressed. Additionally, consideration must be given to the residents that live on Van Roberts Place and whether their on-street parking spaces will be taken by patrons of Container Row, as many of these homes do not have driveways and/or garages.

Mr. Boss commented that his sense is Lockland may or may not be interested but they may be because Container Row could be a feeder business that drives interest and traffic to other restaurants and businesses that could establish themselves in Lockland. Additionally, Mr. Boss expressed concerns with possible noise from the site. The facility will have an open courtyard with entertainment going on and a mitigation strategy will need to be considered in order to not disturb the neighboring residents who may be trying to sleep while the operations are underway. These are items that are not stoppers to the project but they will be questions and concerns that are likely to come up when there is a public hearing at the City Council level, and they should be addressed as this proposal progresses.

Mr. Johnson commented that he likes the idea in general in the sense that the more opportunities for families and people to get together in Wyoming the better. He expressed concerns similar to Mr. Boss's regarding parking, which may have a way of working itself out, but he would not want to have it worked out on the backs of the residents who live close by in that it would inconvenience their daily lives. Using a vacant lot nearby in Lockland may be a solution. Mostly, his concerns are about the residents on Van Roberts. If off-street parking isn't available at one's destination, people will park on the closest street, and so on. If parking becomes too difficult, people may simply move on to another venue. A benefit however, is due to the density in Wyoming, we have a walkable community, which is true for Lockland as well.

In terms of the shipping containers from an architectural standpoint Mr. Johnson stated that he is not that concerned. The building and the design that's been shown is attractive.

There is an auto repair shop across the street which is not architecturally very interesting. As far as the use itself, he is in favor of it. One of the things he likes about Wyoming is that in many places, the built environment is varied and eclectic. There are many newer communities where there are subdivisions with 200 houses that look the same. He likes the variety that the shipping container structures would bring to the downtown area.

Lastly, Mr. Johnson commented that from the shipping container standpoint, he is unclear how the second level is supported, and is curious to see how the containers are made into buildings. In terms of visual impact and the view of the structure from the residential side, input from the residents on Van Roberts Place would be valuable.

Ms. Love explained that the softest side of the building was designed to face Van Roberts Place. The courtyard would be open to the Van Roberts side in order to break up the massing of the main building and the annex so that the residents would not simply be looking at a two story building close to the edge of the sidewalk. She acknowledged that the goal is to be centrally located in this entertainment zone but also realize the residential homes on Van Roberts and her mission is to be a good neighbor first.

Mr. Johnson stated that of all the issues raised, his biggest concern is that there is going to be someplace where bustling activity would occur in a residential area. He would hate for the residents to be negatively impacted because now they have something that is just a constant barrage of noise and activity and when they want to go to bed at nine or when they are sick and they want to sleep in or even if they just want to read a book in the middle of the day and there is something going on across the street and it is loud, it is a very difficult thing to deal with.

Mr. Pagliaro commented that the project is interesting and he believes it may be a good fit for Wyoming. The concerns he is hearing are relatively solvable. In terms of parking, when he looks at the public parking lots in the area, he views downtown Wyoming as more of a complex with the individual buildings. There are other lots where people could park and he agrees with Mr. Johnson that the problem might solve itself. He suggested diagonal parking spaces along Van Roberts that do not take away the green space like a new parking lot would. The existing green space may, in the future, become valuable event space for Container Row and for City events. With the train tracks along Van Roberts, he imagines the noise from the train impacting the patrons of Container Row. Additionally, Mr. Pagliaro stated that he would be interesting in having the Architectural Review Board review the proposal and provide its feedback. He would also like to hear more about the operational aspects of the proposal such as the various uses and events that may occur there, such as weddings, or whether it would be a late night bar atmosphere, or be family-friendly and how. Who would the five vendors potentially be and will they clash or blend with Wyoming's existing food and drink establishments.

Ms. Love explained that in Container Row there would be two separate main business entities: Container Row and the LL Spirits bar, along with the five food vendors. The mission with Container Row is to support small businesses in a way that takes away some of the high costs of running a small business and to keep it as local as possible. There will be communal space for all of the vendors with shared restrooms and the shared food court. The businesses would sign three year leases, they will be open six days a week, and stay open later than most other eating establishments in Wyoming. Occasionally, when there is a special event, Container Row may be open seven days a week. She envisions the annex to be a good opportunity for chefs and caterers to expose their products to Wyoming for a day. For instance, one chef she has spoken with is interested in doing a Taco Tuesday, so on Tuesdays that particular business would operate from the annex. Additionally, there may be other theme days in the annex, such as Blues Thursdays. The programming of Container Row will be consistently different. When you have that many small businesses together it drives people to the location. By keeping overhead low for small businesses she will have a nice group of businesses to choose from that will keep Container Row fresh and entertaining.

Mr. Delgado commented that his initial questions had been asked and answered at the Committee of the Whole meeting in September. He liked the project the first time he saw it and the only concern that remains in his mind is with parking. He lives on Wyoming Avenue, and has noticed that when Station Family + BBQ opened up, pre-COVID, there were people parking in front of his home on Wyoming Avenue, west of Burns Avenue. When there is also an event at the middle school, and at the Presbyterian Church, Wyoming Avenue can become a parking lot in and of itself. Then there may be concurrent activities at the Fine Arts Center and the businesses in downtown Wyoming. When there are many activities going on in the businesses on Wyoming Avenue, parking on the street and in the lots is already taken. Parking is the issue for him that needs to be addressed.

Mr. Boss commented that he envisions, in time, as Lockland continues its revitalization efforts, the food court would add to the lunchtime offerings. If there is not adequate parking nearby, and people have to park near the middle school and walk a few blocks to get food, it may not work. The other item that will need to be addressed is getting to know the neighbors and figuring out how to respond to the noise. The issue of parking is a critical item that needs to be settled, and the potential noise and disruption to the neighborhood are the items that will need to be addressed early on to assure the residents who live nearby. Input from the Architectural Review Board should be sought.

Ms. McBride commented that she appreciates the thoughts and ideas that have been suggested especially in terms of parking and she believes the team will be able to create solutions because they want the customers to be able to easily walk, drive, or be dropped

off at the site. She believes there are a number of tools available that can address noise and sound dampening and there are methods that can be implemented to ensure that the indoor noise will not be an issue.

Mr. Boss commented that he hopes that the Planning Commission members have provided enough feedback to Ms. Love and her team to refine the Development Plan moving forward and into the next phase with the City.

Ms. Statt Blake stated that she will contact the Architectural Review Board to initiate their preliminary review. Because the property is owned by the Community Improvement Corporation (CIC) it will need to be revisited by them for support of the potential development and sale of the property.

Miscellaneous:

Due to the Labor Day holiday, the Planning Commission will plan to meet on Tuesday, September 7, 2021.

Excusal of Absent Members

Mr. Delgado moved to excuse Ms. Bossin. Mr. Pagliaro seconded the motion. By voice vote, all voted yes, the motion carried. Ms. Bossin was excused.

Adjourn

Mr. Delgado moved to adjourn the meeting. Mr. Johnson seconded the motion. By voice vote, all voted yes, the motion carried. The meeting adjourned at 8:02 p.m.

Respectfully submitted,

Debby Martin, Executive Assistant

Jon B. Boss, Chairman