

MINUTES
Planning Commission
January 3, 2022

The Planning Commission met in regular session on January 3, 2022 in the Council Chambers at the City Building. The meeting was called to order at 7:09 p.m. by Mr. Jon B. Boss, Chair. Attendance was as follows:

MEMBERS:

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

ABSENT:

Phyllis Bossin

STAFF:

Megan Statt Blake, Community Development Director

OTHERS:

David Stevens, General Mgr, Broeman Property Management LLC, 1532 Springfield Pike
James Lusk, Potential Lessee of 1532 Springfield Pike

APPROVAL OF DECEMBER 6, 2021 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

None.

BUSINESS

Continued Review of a Development Plan Exemption Application in Accordance with Chapter 1133 of the Wyoming Codified Ordinances for a Change in Use of 1532

Springfield Pike – Laundromat: Ms. Statt Blake reported that the applicant, David Stevens, working on behalf of the property owner, Broeman Children Partnership, has returned to provide additional information and responses to the recommendations made by the Planning Commission at its December 6, 2021 meeting.

Ms. Statt Blake provided background for the Members. 1530/1532 Springfield Pike is a single property with two units which is owned by the Broeman Children Partnership, managed by Mr. Stevens. Mr. Stevens has applied for a Development Plan Exemption for 1532 Springfield Pike in order to change the use from dry cleaner to laundromat. The

tenant space at 1530 is currently, and will remain, Wyoming Food Mart. The tenant space at 1532 was most recently used as Choi's Dry Cleaners and has been vacant since approximately October 1, 2020.

The following is a summary of Mr. Steven's verbal presentation and discussion by Members.

Site Plan:

- The proposed landscape buffer has been modified to close the cut-through between 1532 Springfield Pike and Valley Self Storage. The proposed landscaping buffer area has been increased from what was initially proposed and one additional tree and bushes are provided in the landscape buffer. Staff noted that it appears that the remaining bushes and ground cover have been reduced.
- An ADA accessible parking space has been provided as requested.
- The applicant has confirmed that on-site parking is sufficient and there will be no need to park on the side street (North Avenue).
- Site parking appears to be sufficient to accommodate the Food Mart and the laundromat. Ms. Statt Blake explained that the Zoning Code indicates how many parking spaces are required for commercial businesses and it is based on the square footage of the interior floor space. It was clarified by the applicant that the interior floor space of the building is 2,200 square feet and that there are currently 15 parking spaces on the property. Per Code, 21 spaces are required for this property. It was suggested at the last meeting that the parking requirements could be relaxed given the amount of site improvements the applicant is willing to finance.
- From the City staff perspective, it is less concerning for the property to be under the minimum parking space requirement than lacking visual site improvements. Adding a buffer between the public sidewalk and other proposed improvements of the property is more of a concern.
- Ms. Statt Blake commented that having three site entrances is not an ideal configuration and presents turning conflicts on Springfield Pike from both Bonham Road and North Avenue, as well as neighboring businesses. It is suggested that the most northern curb cut/entrance on the site be removed. It was also suggested that the landscape buffer could then be extended to the existing landscape buffer area that contains the pole sign. This proposal could provide additional parallel parking spaces for both businesses.
- Mr. Johnson noted that the applicant stated that parking is sufficient and there will not be parking on the side street. He asked how this statement can be verified. Mr. Lusk, prospective lessee, explained that in a regular laundromat establishment, many people that wash their clothes and leave the site for an hour or so before returning to move them to the dryers. It would be considered crowded if there were six people in the facility at one time. The busiest days in a laundromat are on Mondays, Fridays, and the weekends. The proposed laundromat is not large and will

not be able to handle large crowds. Mr. Lusk stated that if he has eight parking spaces he believes that this is sufficient.

- Mr. Johnson stated that he believes that if there are not enough parking spaces available to accommodate both businesses it would be a mistake on the Members' part. He expressed concern with allowing something that will create a traffic jam where one did not exist before. It is in the best interest of the City that its commercial businesses do not flow out onto the residential streets. Mr. Johnson added that he felt that the applicant should meet the parking requirements as close as possible even if that involved not holding the applicant to other requirements of the Code. Staff can evaluate whether the plantings in the landscaping berm(s) are sufficient and are held to the standards. Mr. Johnson stated that regardless of the types of businesses that occupy space in this building, there should be enough on-site parking spaces to accommodate the customers.
- Mr. Lusk commented that business owners can park elsewhere or behind the building so long as the dumpster is not blocked, which is emptied once a week. He added that the owner of the Food Mart parks in the space where the proposed handicap parking space will be created. Mr. Stevens added that the average Food Mart customer is in the business for two minutes but the number of people in the store can fluctuate. He has witnessed as many as nine cars in the parking lot. Mr. Stevens stated that he has no concerns about the parking situation.
- Mr. Pagliaro stated that from a Fire Department standpoint, the removal of the northern most driveway apron and expansion of the landscaping berm should not create a safety concern.
- Discussion was held regarding the existing power pole and transformer on the site and whether it can be removed, which could reduce the size of the landscaping buffer and provide sufficient space for cars to back out of parking spaces in front of the building without hitting any parallel parked cars. Mr. Stevens expressed concern that creating a curbed area for landscaping is expensive, especially if all of the asphalt underneath would need to be removed to plant trees. If less trees can be planted, then ground covering in the landscaped berm area can sit on top of the asphalt.
- It was suggested that alternatives to concrete curbing be investigated. It was noted that whatever changes to the site that abut the public sidewalk must be able to be maintained. It was also suggested that if the City and the applicant use the same contractor to do the site work then the costs could be reduced but still be separated among the parties.
- Some conclusions discussed were that the Development Plan Exemption could be approved with the caveat that the applicant work with the administration to find additional landscaping methods in the berms and to bring the required number of parking spaces as close to the requirements as possible.

Business Operation:

- The Police Chief and Fire Chief provided feedback on the operation and concerns about the site. Chief Brady had expressed concern with the laundromat being a 24-hour operation and the possibility of theft while removing currency from the site. Ms. Statt Blake reviewed additional concerns that were shared. Clarification was needed on if an employee will be on site during opening and closing, what type of security system or camera system will be planned, and how will it be monitored. The Fire Chief expressed concern about how dryer lint will be maintained and vented. A buildup of dryer lint can easily start a fire. The run on a dryer vent should not be longer than 20 feet before it reaches an outside wall or a roof. It was suggested that a booster fan be installed if the distance is greater than 20 feet. Additionally, the dryer vents can be expelled through the roof.
- Mr. Lusk explained that in his other laundromat location he has a total of nine cameras. He will be on site for the first several weeks at opening and closing in order to get acquainted with regular customers.
- The doors will be set to unlock and lock on timers which are also controlled on Mr. Lusk's cell phone. He stated that at his other laundromat location, which is open 24 hours, he has had to call the police for assistance one time in five years. Mr. Lusk stated that he does not anticipate having any issues at the proposed Wyoming location. Additionally, there will be a cleaning crew that will be in the business daily. Mr. Lusk and his step-son will also visit the business once a day.
- Mr. Lusk explained that he is not in favor of having the business open 24 hours. He does not want it open from 5:00 a.m. to midnight because he cannot always be available at these hours but he was required, at the time, to provide an operating timeframe for the business. He would prefer that the laundromat be open at the same time as the Food Mart, or 8:00 a.m. to 10:00 p.m.
- Mr. Lusk explained that the money changing machine and supply machines are emptied on twice a week. The machines are bolted to the floor and recessed into the walls and locked access. The coins are disbursed into the change machine and the cash is taken to the bank. It was unknown when the Food Mart handles its banking/money handling operations.
- Mr. Lusk stated that there will be a restroom in the facility. Some Members expressed concern with this, however it was noted that certain businesses are required to provide a restroom for its patrons. It was noted that the number of washer and dryers proposed for the business as reported by Mr. Stevens at the last meeting were incorrect. Mr. Lusk shared that he plans to have 23 washers and 26 dryers. This provides ample room to provide an area for people to move around and to be able to use the folding tables. The space provides the opportunity to add three additional washers and six additional dryers if the need arises. He commented that he is investing at least \$500,000 on this business including the cosmetic improvements to the interior.
- Mr. Pagliaro stated that when he Googled Mr. Lusk's other laundromat location for reviews, there are many comments from patrons on things such as the floor being

dirty and slippery. He asked if there is any mechanism available to provide feedback after a year or so on how well the business is going. Mr. Lusk explained that he will be at the business daily for the first several weeks to get customers used to using the machines. People will only post reviews if they are upset about something. He can have his staff clean his business and 30 minutes later it could look like it's not been cleaned. This is one of the reasons why he wanted to start this laundromat from scratch and not by buying someone else's bad looking business.

General Discussion:

- Discussion was held regarding the difference between a Development Plan Exemption request and a full Development Plan. Ms. Statt Blake explained that the Planning Commission can recommend that a request for Development Plan Exemption be approved by the City Manager. Conditions and/or caveats can be applied to that recommendation as the Members see fit.
- Mr. Driehaus commented that in this case, he recommends that the Development Plan be reviewed as an exemption rather than the longer Development Plan process. That path would require a significant number of people weighing in on an existing small commercial space. The Members have the desire to bring this property in as close compliance as it can with the Code, and ensure that there is no harm to the residential neighbors. Adding the landscaping area and extending it to the sign enclosure, in addition to closing the northern entrance and the cut-through between the building and Valley Self Storage is more important than requiring the applicant to have the required parking spaces. Mr. Driehaus stated that he is surprised that a change to the existing pole sign was not included but if a well-maintained landscaping area is extended to the sign it will be notably more visually appealing than the current site.
- Mr. Driehaus commented that the proposed operating hours of 5:00 a.m. to midnight is better than the business being open for 24 hours. It was noted that the Food Mart is open from 6:00 a.m. to 10:00 p.m.
- The personal handling of any issues that may arise was discussed at the last meeting and Mr. Lusk explained that his name and phone number would be prominently posted in the laundromat should someone need to contact him. Generally, if there are any issues, customers will call him rather than the police.
- Mr. Driehaus commented that the City wants new businesses to come to Wyoming but it is the City's role to be compliant with the Code in order to provide a cohesive relationship between the business owners, neighboring residents, and the City. If the City wishes for this area to be more visually appealing, the removal of asphalt and the northern entrance would aid in accomplishing that. Mr. Herzog commented that the City can offer to make improvements from the street side of the property and to the public sidewalk but it cannot make improvements to private property.
- Mr. Stevens explained that the investment company consists of five brothers and sisters. They do not have very deep pockets. He expressed concern that the family

just spent two years of income to improve a box and now the Members are asking them to spend another twelve months of income to add landscaping. Mr. Stevens stated that the family is willing to do whatever it can to make everyone happy but at some point the family has to stop spending money on improvements.

- Mr. Boss suggested that site improvements could also be completed in phases. Perhaps the City can first close up the curb cut and add some kind of barricades or bollards to close the north entrance. Then maybe eighteen months from now, after some revenue has been received, the additional landscaping materials can be planted in the landscaping berms. Mr. Stevens stated that he can run the numbers with this scenario, however it is hard to keep asking the owners for more money. Mr. Stevens added that he does not want to add so much landscaping to the front so that people then cannot see the building.
- Mr. Johnson commented that as a Planning Commission members, he recognizes that the Members need to be cognizant of the owner's financial concerns as well as the City's concerns of parking and access. Everyone can look at solutions to cut costs to assist the owners but at the same time, achieving the goals of the City.
- Mr. Boss commented that he believes the Members have resolved most of the outstanding issues and if they can work out the landscaping details in the near future, he is comfortable with that. This can provide the applicant enough leeway to move ahead but continue to work with the City on what it wants them to do to improve the overall site.
- Mr. Pagliaro stated that he has not reached a level of comfort to provide a recommendation to the City Manager to approve the Development Plan Exemption request. He explained that he does not feel he can look at a neighbor and say that the change in use meets the requirements of the Code. He explained that the combination of the traffic concerns and the crime reports from the property is a challenge. He expressed concern that there could be trouble hanging out in the laundry if alcohol from the Wyoming Food Mart is brought over to the laundromat. The crime reports indicate that there has been a regular pattern of concern at the Wyoming Food Mart.
- Mr. Pagliaro also expressed concern with the proposed hours of operation and the laundromat closing at midnight. Mr. Boss stated that if the Members wish to impose certain operating hours for the business it can be articulated in the motion, however if those hours were to change, the applicant would have to return to the Planning Commission to request that change. Ms. Statt Blake added that currently there are no businesses in Wyoming that are open 24 hours and the Zoning Code does not dictate what hours a business can operate.
- Mr. Pagliaro stated that he would feel more comfortable if more people were involved in reviewing the application. Mr. Boss commented that the application has now been before the Planning Commission for two reviews, the Police Chief, Fire Chief, and the City Manager and they have provided comments, concerns, and suggestions for improvements. He expressed concern that there are questions that

remain such as the sign pole, landscaping, and a curb cut that may or may not go away.

- Mr. Boss stated that the minor unsettled details can be worked through between the applicant and the City Manager and if need be, it can come back to the Planning Commission. He believes that the administration will do its level best to find solutions to all of the concerns and the applicant can then make the decision to spend the additional money for the improvements we are asking them to make. They have already made an investment in the building and by default, in the community. How much more do we make them pay?
- Mr. Pagliaro stated that he is having difficulty understanding the advantages to the City by not having the applicant go through the Development Plan process rather than the Exemption. Mr. Boss explained that the Exemption could be rejected and the applicant would be required to resubmit their application as a Development Plan. As an Exemption, the Planning Commission's job is to be as specific as possible to the administration and to the applicant about what is expected in order to approve the request. The Members cannot be half way in its explanations.
- Mr. Johnson stated that if the Planning Commission had to make a recommendation to approve the proposal based on the initial application details he would not recommend it be approved. However, given the discussions and accommodations that have been agreed upon by the applicant, he feels more comfortable recommending the approval. Mr. Johnson stated that he understands Mr. Pagliaro's concerns but he does not share them entirely. He stated that he is in approval of a Development Plan Exemption path as long as the Members' concerns are met. If the landscaping buffer works out and creates the additional parking space, he agrees with recommending an approval.
- Mr. Driehaus commented that hopefully the applicants can sense the level of apprehension expressed by the Members. This is a great opportunity to have an improvement in this area of the City; to eliminate an unsafe cut through area; and to improve the overall flow of traffic at this dangerous intersection. Mr. Driehaus expressed appreciation for being able to work out the landscaping buffer to improve the site flow and to add more parking for both tenants. The coordination of the contractors for the private and public improvements would be very helpful but is certainly not required. He would like to see either the applicant and/or the City work with Duke Energy to determine if the existing power pole with transformer can be relocated or if the utilities can be relocated underground. Mr. Lusk indicated that he has to work with Duke Energy on gas lines anyway and he would be appreciative if the City could be behind him to help rectify the bad placement of this power line pole. The result could benefit the City and both tenants. Lastly, Mr. Driehaus commented that it would be an improvement if the five yellow bollards surrounding the sign were to be removed.
- Ms. Statt Blake commented that she is comfortable with seeing the site improvements agreed upon if Planning Commission is comfortable making a

recommendation for the applicant to work with the City Manager and herself on the final details.

- Mr. Johnson commented that he would feel comfortable recommending an approval of the Development Plan Exemption on the condition that the landscaping buffer be modified to extend it from the area surrounding the sign to the property line to the north in order to close off the cut-through area. The width of this landscaping buffer should be as wide as possible to accommodate enough parallel parking spaces that the City Manager finds sufficient. Additionally, he would prefer to see that the existing bollards be removed surrounding the sign. If the landscaping buffer areas can be enclosed with something other than a concrete curb/buffer that meets the City Manager's approval would be acceptable as well. Additionally, the operating hours do not need to be modified beyond what has been proposed.

Mr. Johnson moved to recommend the City Manager approve the revised Development Plan Exemption request. Mr. Driehaus seconded the motion. By roll call vote, 3-1, all voted yes and Mr. Pagliaro voted no, the motion carried.

2018 MASTER PLAN VISION STATEMENT UPDATE

Members reviewed the proposed changes to the Vision Statement as recommended by Mr. Herzog. He reported that the City's Diversity, Equity, and Inclusion Task Force has recommended updating the Vision Statement located in the City's Master Plan. The original Vision Statement, which can be found on page four of the 2018 Master Plan reads:

The City of Wyoming will preserve its welcoming, safe and diverse residential neighborhoods and its small-town charm while continuously cultivating opportunities to improve the high quality of life experienced by its residents. Wyoming will promote sound economic and financial planning practices to ensure its continued fiscal health and will implement policies that enhance public trust and promote understanding, reduce waste, promote sustainability, preserve the natural environment, and foster pedestrian-scale redevelopment while actively responding to new economic, environmental and social opportunities.

An updated Vision Statement has been proposed by the DEI Task Force, and was subsequently reviewed and slightly modified by the City Manager, as follows:

The City of Wyoming is a welcoming, safe, and diverse community for its residents and its visitors. Its small-town charm offers opportunities to interact with neighbors, strengthen friendships and cultivate new ones. The City of Wyoming actively encourages equal opportunity for all its citizens. Its employees operate within a culture of inclusion. Wyoming implements policies that enhance public trust, pedestrian-scale redevelopment, sustainability, waste reduction, and the preservation and health of the natural environment. The City of Wyoming promotes sound economic and financial planning

practices to protect its good fiscal health, and it proactively responds to new economic, environmental, and social opportunities.

It is recommended that the Planning Commission accept the above updated Vision Statement. Mr. Johnson moved to adopt the revised Vision Statement. Mr. Pagliaro seconded the motion. By voice vote, all voted yes, the motion carried.

EXCUSAL OF ABSENT MEMBERS

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

ADJOURN

With no further business before the Members, Mr. Pagliaro moved to adjourn the meeting. Mr. Johnson seconded the motion. By voice vote, all voted yes, the meeting adjourned at 9:10 p.m.

Respectfully submitted,

Debby Martin, Executive Assistant

Jon B. Boss, Chairman