

Minutes
Wyoming Planning Commission
June 1, 2020

The Wyoming Planning Commission met in regular session on June 1, 2020 remotely via the Zoom online video conferencing platform and the meeting was webcast to the City of Wyoming's Facebook page. Mr. Jon B. Boss called the meeting to order at 7:00 p.m. Attendance was as follows:

MEMBERS:

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

STAFF:

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

OTHERS:

Emily Supinger, City Solicitor
Sophia Holley, Attorney Representing Kay Landers
Scott Humes, Traditions Building and Development Group
Doug Hinger, Traditions Building and Development Group
Jim Kiefer, Traditions Building and Development Group
Richard Arnold, McGill Smith Punshon

Approval of May 4, 2020 Meeting Minutes

Mr. Delgado moved to approve the minutes as written. Ms. Bossin seconded the motion. There being no comments, the motion to approve the May 4, 2020 meeting minutes carried with all voting yes.

Citizen Participation-Items Not Otherwise on the Agenda

No comments were received.

BUSINESS

Reduced Density Residential Overlay Plan Change for 333 Oliver Road

Mr. Boss reviewed the following concerns/questions, and suggestions from the Planning Commission's initial review of this item at the May 4, 2020 meeting:

- Request for changes of the existing Reduced Density Residential Overlay Plan be differentiated between: (1) the further division of property, and (2) rezoning to enable a bed and breakfast special use permit to be requested.
- Planning Commission to require design approval or other approvals to any modification of the carriage house/or a further split of that parcel into two parcels.
- Planning Commission recommend that future property owners make no changes to the appearance of the carriage house that would jeopardize its historic integrity or historic significance.
- Planning Commission recommend a change to the Overlay Plan that would permit an owner of the existing residence to apply for a bed and breakfast special use permit, and
- Planning Commission could require that any changes comply with the Design Guidelines for Historic Properties and that such a restriction be included in the Deed of Acceptance.

The revised Ordinance addresses these items as follows:

1. It proposes to make modifications to the existing Reduced Density Residential Overlay Plan permitting (a) subdivision of the existing property into two (2) separate lots of 3.9 acres and 1.66 acres; and (b) the existing single-family residence to become a bed and breakfast – assuming that the appropriate application for such use is applied for and approved at a later date.
2. All such future lots shall remain subject to the Reduced Density Residential Overlay.
3. All exterior modifications to the carriage house must be approved by City Council after the appropriate designated reviews.
4. Any significant changes must also be approved by City Council after the designated reviews, and
5. City Council shall not approve any changes that would adversely impact the historic integrity of the estate as a whole.

Ms. Statt Blake provided context for those that were not in attendance at the May Planning Commission meeting. The Reduced Density Residential Overlay zoning was placed on the property at 333 Oliver Road (commonly referred to as the Stearns Estate or the Stearns Property) in 2001 at the request of Ms. Margot Stearns, the owner of the property at that time. An original intent of the Overlay was to prevent the property from being subdivided into multiple building lots. The Overlay District zoning classification was approved by the City Manager and the City has since updated the Code to require that City Council approve Overlay zoning requests rather than the City Manager, going forward. Planning Commission's comments will be forwarded to City Council, in accordance with the Overlay District regulation of chapter 1157 of the Planning and Zoning Code.

Ms. Statt Blake shared an image of the existing and proposed site plans and described the main estate, the carriage house, shared driveway, and the dimensions of the parcels. A supplement to the original application for amendment was submitted by Thomas Tepe, Attorney for Ms. Landers. Following the Planning Commission's meeting in May to review the initial proposal, the application was amended by the applicant to request creating two parcels instead of three. One parcel will contain the estate home consisting of 3.9240 acres and a second parcel would consist of the proposed 1.6673 acre lot containing the carriage house. The carriage house lot was initially proposed to contain .8636 acres with a proposed adjacent buildable lot of .8038 acres. Those two proposed lots will be combined creating a single 1.6673 acre lot.

Ms. Sophia Holley, Attorney for Ms. Landers, addressed the Members and summarized that the proposal before the Commission is for two parcels rather than three. One parcel will contain the estate home and the other will contain the carriage house. There will be no trees removed and no additional, single-family houses constructed on the property. The proposal before the Members is intended to preserve the property going forward.

Ms. Holley stated that she has worked with Ms. Emily Supinger, the City's Solicitor, and together crafted the language in the proposed Ordinance that preserves the integrity of the carriage house. During a walk-through of the property, a question of whether the estate home could, in addition to being a bed and breakfast, be used for small event space as well. Ms. Holley stated that she tried researching this in the City's Ordinances but was unable to locate the legislation. Ms. Statt Blake and Ms. Supinger will conduct research on the appropriateness and possible legislation that would be necessary to consider allowing the estate to be used for small events such as weddings or reunions.

Ms. Holley stated that today, the Planning Commission is being asked to consider the request to subdivide the property into two parcels, and to allow for an application for a bed and breakfast establishment. If the bed and breakfast restriction is removed from the Reduced Density Residential Overlay Plan, it does not mean that one could open the next day. The process to request the operation of a bed and breakfast operation has its own application, review, and approval process that is to be followed separately.

Mr. Johnson commented that after having toured the property, he believes that a bed and breakfast operation out of the estate home would not be inconsistent with its historic character. The issue of parking would be reviewed and determined through the bed and breakfast application process. He is in favor of the two parcel proposal rather than the original proposal of three parcels, and with the promise to maintain the historic integrity of both proposed parcels/properties. Mr. Johnson commented that if he were buying a million dollar home he would want a garage with its own driveway. He was not in favor of maintaining the existing shared driveway element. He expressed desire for the Code to be more lenient in terms of the parking requirements for both parcels.

Ms. Bossin commented that after touring both properties she can understand the scale of the challenges with maintaining the estate home. She is more comfortable with splitting the property into two parcels rather than three. Ms. Bossin asked for clarification with regard to the required number of bathrooms in the bed and breakfast legislation and whether or not the estate home complies. Ms. Statt Blake stated that after re-reviewing the bed and breakfast regulations, it is not required that each guest room has its own bathroom.

Ms. Bossin stated that after having toured the property she is struggling to understand how the estate home would function as a bed and breakfast and be financially successful to provide the funds needed to maintain the estate home in good condition. The estate needs a lot of upkeep to keep it the way the City, and the neighbors, would expect it to be maintained. She is concerned that revenue may not be sufficient to support the maintenance needs. The concept of event space may be the primary means to keep the property in the condition that it deserves to be. It is a very large property and expensive to maintain.

Mr. Pagliaro stated that he too, believes it will take more than a bed and breakfast operation to keep the property maintained. Mr. Pagliaro asked Ms. Statt Blake for confirmation that this is not the process to request a bed and breakfast operation. Ms. Statt Blake confirmed that is correct and explained that whether to allow an owner to apply for a bed and breakfast operation on the estate property is one of the questions at hand. The bed and breakfast legislation has its own application and review process which comes to the Planning Commission first, then the Commission's recommendation is provided to City Council for additional review. Ultimately, City Council will vote on the issuance of a bed and breakfast special use permit. The process to consider if event space can occur in the estate home would be a separate process and the Overlay Plan would need to be further revised, if the Zoning Code were amended to allow event spaces in residential areas. Ms. Statt Blake explained that the Commission needs to be mindful to not create a spot zoning situation.

Mr. Delgado commented that it appears the Members are in agreement regarding the proposal to divide the property into two lots instead of three lots. The second outstanding item involves removing the restriction that a bed a breakfast is prohibited in the Overlay Plan. Lastly, it appears the Members are in favor of placing restrictions on the deed of the carriage house to ensure future changes would not jeopardize its historic designation.

Mr. Pagliaro asked what mechanism is available to protect the properties from losing their historic designations. Mr. Boss highlighted items one and two under Section Three in the proposed Overlay Ordinance. These provisions outline the details of restrictions pertaining to improvements to the estate home and carriage house. Section Four of the proposed

Overlay Ordinance indicate that the historic preservation restrictions shall also be executed in the deed. Mr. Pagliaro asked for clarification on that if changes to the properties are made which violate the Ordinance or the Deed of Acceptance, who enforces the legislation. Ms. Supinger stated that the issue would be considered a violation of the Zoning Code and would be addressed by the City. Mr. Delgado commented that the revised Ordinance appears to be very specific and well written.

Ms. Bossin moved that the Reduced Density Residential Overlay Plan be amended to allow for the property at 333 Oliver Road to be split into two parcels. The first parcel shall contain the main estate home and consist of 3.9240 acres. The second parcel shall contain the carriage house and the open space to the west of the carriage house for an area consisting of 1.6673 acres. Mr. Pagliaro seconded the motion. By roll call vote, 5-0, all voted yes. The motion carried.

Ms. Bossin moved that the Reduced Density Residential Overlay Plan be amended to allow a property owner to make an application to the City for the operation of a bed and breakfast operation. Mr. Pagliaro seconded the motion. By roll call vote, 5-0, all voted yes. The motion carried.

Ms. Bossin moved to recommend the approval of the proposed Ordinance amending the Reduced Density Residential Overlay Plan for 333 Oliver Road, and forwarding such recommendation to City Council. Mr. Johnson seconded the motion. By roll call vote, 5-0, all voted yes. The motion carried.

305 Crescent Avenue Proposed Subdivision

Ms. Statt Blake provided the background of this request. She displayed the proposed plat of subdivision submitted by Scott Humes of Traditions Building and Development Group, Inc. (the developer) for the property located at 305 Crescent Avenue (commonly known as the Wyoming Family Practice/UC Health facility). Traditions Group is proposing to demolish the existing vacant medical office building, and subdivide the property into seven (7) single-family residential lots, which they would develop with seven single-family homes. The request is being reviewed by Planning Commission in accordance with the Planning and Zoning Code's Procedure for Plat Approval, Chapter 1115 of the Code.

The property is zoned 'C-3' Office Building District, which reverts to the residential zoning requirements of the 'A' Single-Family Residence District in terms of use, lot size, setbacks, parking requirements, etc. The proposed subdivision would meet the use, lot size, layout, frontage, and other lot requirements of the Code's Design Standards in Chapter 1117. No changes are proposed to the existing public right-of-way and no new rights-of-way are proposed. Minor variance requests are being made to the Board of Zoning Appeals regarding the front and side yard setbacks of the future houses, which would be consistent with the pattern of development in the neighborhood.

The Community Development, Public Works, and Water Works Departments have been working with the developer to plan for utility needs and street tree preservation. The developer intends to provide a 15-foot deep landscape buffer along the western property boundary to preserve the existing mature trees and vegetation, which buffer the site from the Grove Avenue neighbors. The proposed plat of subdivision has been provided to the Police and Fire Departments and the Wyoming City School District for their review and comment.

Neighbors within 200 feet of the property have been notified by mail of the Planning Commission's review, per Section 1115.11. Planning Commission is asked to review the application and approve, modify, or disapprove the lot subdivision per Section 1115.02.

Mr. Humes was present on the webcast along with Mr. Doug Hinger, Mr. Jim Kiefer, and Mr. Richard Arnold. Mr. Humes stated that he is very excited to present this opportunity to the City. He shared he grew up on Elm Avenue before his parents moved to Reily Road. Mr. Hinger lives on Compton Road and is familiar with the area as well. Great Traditions (now Traditions Group) has been in the building industry for 40 years. Their "City Series" line of single-family homes will be a nice complement to the community and are intended to be consistent with the massing and character of the homes around it. The homes will include detached garages to the rear of the homes with driveways on the sides to match the neighborhood. Mr. Humes presented colored renderings showing what some of the homes could potentially look like. He explained that there will be 3-5 home styles for customers to choose from and customers will have the choice with their exterior material selections. Not all of the homes will look identical because of the design flexibility.

Mr. Hinger commented that he has been with Great Traditions for 25 years and he is looking forward to working on a project in Wyoming. He explained that the seven homes can be custom designed by each client so that each home takes on its own look.

Mr. Boss commented that on the proposed site plan it appears that some of the sketches of the homes show two car garages and some appear to show one car garages. Mr. Hinger explained that customers will have the option of a two car or three car garage and the sketch is simply an outline of a generic garage footprint.

Ms. Bossin asked what the price points will be for the homes. Mr. Hinger stated that he expects the homes to start at \$500,000. Mr. Boss asked if Ms. Statt Blake has received feedback from the Police, Fire, or Wyoming City Schools. Ms. Statt Blake stated that she has not received any substantial comments from them.

Mr. Delgado stated that the lots are well laid out. The project will add value to the community. He appreciates the 15' landscape buffer behind the homes; this would have

been his only question had it not already been provided. This is a great project and he is happy to see it happening.

Mr. Pagliaro stated that these seven new homes will be a great alternative to the vacant building and surface parking lot.

Ms. Statt Blake added that the property at 305 Crescent Avenue was a topic in 2018 Master Plan. Through the Master Plan process, it was recommended that this site be considered for residential redevelopment and that the homes be compatible in scale and character with homes in the area. From a staff perspective, it appears that the request before the Members meets this objective.

Mr. Boss asked whether the properties are located in the Historic District. Ms. Statt Blake stated that the properties on Grove Avenue that border the rear yards of the seven new homes create the eastern boundary of the Historic District, but Crescent Avenue is not within the District.

There being no further questions or comments, Ms. Bossin moved to approve the application for subdivision of 305 Crescent Avenue. Mr. Delgado seconded the motion. By voice vote, all voted yes, the motion carried.

Miscellaneous

The next meeting will be Monday, July 6, 2020 at 7:00 p.m. The location of the meeting is to be determined.

Adjourn

There being no further business to discuss, Ms. Bossin moved to adjourn the meeting. Mr. Pagliaro seconded the motion. By roll call vote, 5-0, all voted yes, the motion carried.

Respectfully submitted,

Debby Martin, Executive Assistant

Jon B. Boss, Chairman