



REPORT

Planning and Development Dept.

To: Chair and Members of the Design Review Subcommittee
Chair and Members of the Oberlin Planning Commission

From: Gary Boyle, Director of Planning and Development

Subject: Application for Conditional Use Permit
and
Site Plan/Design Review Approval
Proposed Bank and Drive Through
Lorain National Bank
Oberlin College
52 East College Street

Date: March 17, 2014

I. BACKGROUND:

Christopher Noble of Smart Hotels, on behalf of Oberlin College, has submitted an application for site plan approval related to a proposed bank building and for approval of a conditional use permit related to proposed drive through lanes. The following information is relevant to this request:

Applicant: Oberlin College
Cox Administration Building, Room 200
70 North Professor Street
Oberlin, Ohio 44074

Authorized Agent: Smart Hotels, LLC
20600 Chagrin Boulevard, Suite 705
Shaker Heights, Ohio 44122

Location: 52 East College Street,
East of Willard Court

Zoning: "C-1"/Central Business District

Proposed Development: The applicant proposes the construction of a one-story business building with a gross floor area of

about 2,940 sq. ft., off-street parking for eleven (11) vehicles and three (3) drive through lanes.

Approvals Required:

1. Design review is necessary for any new building in the “C-1” District under Section 1357.03(b)(1)(B) of the Zoning Code;
2. Site plan approval by the Planning Commission is required for any new building and parking area in the “C-1” District under Section 1357.02(a) of the Zoning Code;
3. Approval of a Conditional Use Permit by the Planning Commission is required for any drive through facility under Section 1341.03(b) of the Zoning Code; and
4. Issuance of the required building permit by the Chief Building Official is required by Section 107.2 of the Ohio Building Code.

II. STAFF COMMENTS:

Staff has reviewed these applications and has conducted a site inspection of the subject property and surrounding area. In this regard, staff notes that the subject property is located along the north side of East College Street and immediately to the east of Willard Court, a private street. The parcel of land in question has a width of about 82.5 feet and a depth of 195 feet according to the Application Form submitted to the City. This property is currently used for off-street parking which parking is accessed from Willard Court. The property’s frontage along East College Street is currently landscaped.

Land use in the vicinity of the subject property includes a parking area to the north, Shansi House and the Charles Martin Hall House to the east, business and residential uses to the south (across East College Street), and business uses included Lorain National Bank and the Oberlin Inn to the west (across Willard Court).

The Planning Commission will recall that the applications for site plan approval and for approval of a Conditional Use Permit for the proposed bank drive through feature were considered at the Commission’s meeting on October 23, 2013. In this regard, it is noted that the Commission moved to approve the applicant’s “revised” site plan subject to compliance with a number of conditions. The Conditional Use Permit application was considered and tabled by the Commission.

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Attached to this report as “Appendix A” is a copy of the Planning Commission’s partial site plan approval.

The applicant proposes to construct a one-story business building with an overall height of 18 feet and a gross floor area of 2,940 sq. ft. That building is to be used by Lorain National Bank, and will replace that bank’s current locations in the Oberlin Inn complex. Pedestrian access to the subject property will be provided by a sidewalk along the north side of East College Street, and along the east side of Willard Court. On-site sidewalk access will also be provided to the “rear” or north of the building. Vehicular access to this property is proposed through a 24 ft. wide driveway connection to East College Street, and through the off-street parking area to the north and east.

The applicant’s site plan also proposes the development of eleven (11) off-street parking spaces to the north of the proposed building and two (2) on-street parking spaces located within the East College Street right-of-way, and in “front” of the proposed building.

The applicant’s site plan also proposes the development and use of three (3) drive through lanes to the east and adjacent to the proposed bank building. Those drive through lanes would lead to a canopy structure at the north-east portion of the building. Each of those drive through lanes would provide stacking for four (4) vehicles outside of the East College Street right-of-way.

Landscaping is proposed along the east side of the site adjacent to Shansi House, and in front of and to the rear of the proposed building. Three (3) light poles with full cut-off fixtures are indicated on the plan along the east lot line. Recessed lighting is proposed on the building, and ground-mounted building lighting is proposed in front of and to the rear of the building.

The applicant’s submittal is attached to this report as “Appendix B.”

The following is noted for your consideration:

(a) Comprehensive Plan and Zoning Code.

The property in question as well as the Oberlin Inn complex site is identified for future “Commercial” use in the City’s Comprehensive Plan. The proposed bank use would be consistent with the Comprehensive Plan’s future land use.

The subject property and adjacent properties are zoned “C-1”/Central Business District by the Oberlin Zoning Map and Zoning Code. The proposed bank use is a permitted use in the “C-1” District under Section 1341.02(c)(1) of the Zoning Code. The proposed bank drive through feature is a conditionally permitted use under Section 1341.03(b) of the Zoning Code if approved by the Planning Commission. Such conditionally-permitted uses are subject to compliance with the standards found in Sections 1355.09 and 1355.10(d) of the Code as well as the regulations contained in Section 1349.03 Table 4 related to drive through access.

With respect to the regulations for the “C-1” District, Section 1341.04 of the Zoning Code requires that “buildings shall be built flush with the sidewalk and have their facades aligned with and where possible, joined to those of adjacent buildings. No setback from the front or side of the building lines of a parcel shall be permitted except to allow for pedestrian use area or for variations in entry features as approved by the Planning Commission.” This section of the Code also requires that “(n)ew construction and reconstruction of buildings shall be so designed as to maintain a consistent and complete façade from lot to lot without gaps between buildings except where required for driveways, pedestrian ways, utility corridors. . . or other reasons approved by the Planning Commission.” A review of the applicant’s plans indicates that the proposed building would be setback about 18 ft. ± from the East College Street right-of-way. That proposed setback distance from the front lot line would result in the alignment of the proposed bank building with the proposed Gateway Hotel complex to the west.

(b) Urban Design.

The Design Review Subcommittee and the Planning Commission should review the applicant’s plans from the perspective of the Code’s intent and purpose relative to urban design. The applicant may provide information as to why it considers the proposed building siting to be in compliance with the intent of the Code. The Subcommittee and the Commission should also consider the proposed building design, materials, colors, textures, etc. as they relate to existing and the proposed hotel building as required by Section 1357.06 of the Code (please see “Appendix C” of this report).

(c) Traffic Circulation.

The proposed bank building and drive through feature represents a significant redevelopment of the subject property. Staff notes that the Commission should consider this application from the perspective of the Zoning Codes’ site plan standards found in Section 1357.06(e). That section requires that driveways and parking areas be “designed to promote safe and efficient pedestrian and vehicular traffic” circulation on “both private and public lands.”

In this regard, staff notes that on-site and off-site improvements, including to Willard Court and East College Street, should be designed to adequately address and accommodate all modes of travel including motor vehicles, bicycles and pedestrians.

Staff further notes that the Planning Commission should consider traffic circulation and parking design as it relates to the proposed and adjacent Gateway Hotel complex. As noted earlier in this report, the applicant’s plans call for motor vehicles to exit this site through the proposed area to the east of Willard Court associated with that proposed hotel complex.

(d) Conditional Use Permit.

The applicant, in addition to site plan approval, also seeks the Planning Commission’s approval of a “Conditional Use Permit” for the proposed development and use of three (3) drive through lanes associated with the proposed bank. The approval of a “Conditional Use Permit” is required for a drive through feature in the “C-1’ District under Section 1341.03(b) of the Zoning Code.

Section 1355.09 of the Zoning Code outlines the “standards and requirements for conditional uses” (See “Appendix D”) and Section 1355.10(d) contains standards related to “drive-in establishments” (See “Appendix E”).

The subject request has been reviewed from the perspective of those Code standards and the following comments are provided for the Commission’s consideration:

S. 1355.09(a) The proposed conditional use shall be in harmony with the existing or intended character of the neighborhood and shall not change the essential character of the neighborhood.

The proposed bank drive-through feature is intended to accommodate the requirements of the bank. As the Commission aware, Lorain National Bank currently has a drive-through lane along the east side of its bank at 40 East College Street and along the west side of Willard Court. That location is part of the City’s “Downtown District.”

As noted earlier, the City’s Comprehensive Plan designates this property for the future “Commercial” use. The proposed bank use and drive-through feature are consistent with the types of use envisioned for that area subject to compliance with Zoning Code standards.

S. 1355.09(b) The proposed conditional use shall not adversely affect the use of adjacent property.

The intent of this standard is to ensure that future uses do not adversely impact existing, nearby uses. In this regard, it is noted that various forms of business use as well as upper floor residential uses are found in the overall area near the subject site. The Commission should, however, determine whether the proposed site design would impact nearby uses, and the function of the “Downtown District.”

S. 1355.09(c) The proposed conditional use shall not adversely affect the health, safety or welfare of persons residing or working in the neighborhood.

The intent of the Code is to require that conditionally permitted uses not negatively impact nearby uses, and not detrimentally affect the health, safety or welfare of persons either living in the district or working in the district. While the City’s Fire Code and Building Code will address public safety related to building construction and use, the site plan approval process is intended

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to ensure that development will not affect the functioning of the district or nearby uses by addressing site design matters such as site access, traffic safety and circulation both on- and off-site of all types (pedestrian, bicycle and motor vehicle), the availability/adequacy of parking, landscaping, lighting, etc. Again, the Commission should assure itself that this standard is met.

S. 1355.09(d) The proposed conditional use shall be served adequately by public facilities and services . . .

The question of the design of public utilities for this proposed use will require the review and approval of the Public Works Department and OMLPS. There is no indication that utility design requirements cannot be met.

S. 1355.09(e) The proposed conditional use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Ordinance and the Comprehensive Plan . . .

As described above, the proposed use would not appear to be inconsistent with the general intent and purpose of the City’s long-range plans. The proposed use does, however, need to be designed in accordance with the requirements of the Zoning Code as described elsewhere in this report.

S. 1355.09(f) The proposed use shall be found to be consistent with a use specifically stated as a conditional use in the district in which it is proposed to be located.

The proposed drive-through facility is provided for under the list of “Conditional Uses” for the “C-1” District found in Section 1341.03(b) of the Code.

It is also noted for the Commission’s information that this request has also been considered from the perspective of the Zoning Code’s “supplementary requirements for conditional uses” (Section 1355.10). In this regard, the Code requires that conditional use requests for a drive-through meet additional requirements as described in Section 1355.10(d) of the Code. The Code does provide that “the Commission may vary any requirements that it determines to be an unnecessary hardship on the property owner and in the best interest of the City.” Those additional requirements are described below:

S. 1355.10(d)(l) Loudspeakers shall be located and designed. . . in a manner to minimize noise impacts. . .

Staff has no information as to whether the applicant intends to use such a communication feature. The Commission should ascertain whether any such device will be installed.

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S. 1355.10(d)(2) Lanes required for vehicle access to and waiting for use of the drive-through facility shall be designed to have sufficient length. . . , to provide escape lanes. . . , and to minimize impacts on. . . parking, drives, the use of abutting streets and hazards to pedestrians.

The design of the three (3) proposed drive through lanes does not comply with the Zoning Code’s requirement that a minimum of five (5) stacking spaces be provided for each drive through lane/teller/ATM (Section 1349.03 Table 4(d)). While the applicant has provided for four (4) stacking spaces per lane, the Commission should assure itself that such stacking space will be adequate for the applicant’s needs, and not result in vehicle stacking in the street or over the sidewalk.

Staff also notes that the applicant’s design does not incorporate an “escape/abort lane for vehicles desiring to leave the stacking lanes or to avoid disabled vehicles” as required by Section 1355.10(d)(2) of the Zoning Code.

S. 1355.10(d)(3) The Planning Commission may impose restrictions on the hours of operation in order to reduce impacts on abutting uses and street traffic and to ensure compatibility with normal vehicular traffic activity in the district.

Staff notes that this standard is intended to ensure that the operation of a drive-through facility will not negatively impact nearby uses and street traffic. In this regard, the Commission should assure itself that the proposed drive through lanes will function in such manner as to not adversely affect normal traffic circulation (motor vehicle, bicycle and pedestrian) on the street.

S. 1355.10(d)(4) The applicant shall so design the site plan. . . to reduce the impacts of lighting, noise. . . especially . . . on nearby residential uses.

The applicant’s plans indicated that full cut-off light fixtures are proposed for site lighting. As the Commission is aware, the Zoning Code requires that adequate site illumination be provided that does not “cause glare on adjoining streets or properties” (Section 1349.01(l) of the Code).

III. DEPARTMENT COMMENTS:

In accordance with our usual procedures, this application has been forwarded to City departments and officials for review. The following summarizes the comments received to date:

(a) Chief Building Official:

This applicant will need to submit an application form and plan sets for review and compliance with the Ohio Building Code. No construction can take place prior to the issuance of required permits.

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(b) City Engineer:

The applicant's site plan has been reviewed and the following comments are noted:

1. The two (2) diagonal parking spaces in the street are problematic for a number of reasons. First, the 20 ft. line between the two (2) spaces is not the proper length and does not represent the length of the parking stall; because of the angle this line should be 27 ft. long on a 9 ft. wide space at 45 degrees to give a 18 ft. length stall. Some downtown parking spaces are less than this because there is an 18 inch curb which allow vehicles to overhang. That will not work with the proposed 5 ft. wide sidewalk. The curb line drawn on the south side of East College Street is not an accurate depiction of what is existing there now. The existing centerline appears to favor a wider eastbound lane - any proposed new parking should show a striping plan of the centerline if it is to be relocated to accommodate the parking. I do not believe the design works as drawn. Notwithstanding all of that, I believe diagonal parking that close to the drive entrance increases the risk of collision between someone backing out of the spaces and someone turning left into the bank drive – although those conditions do exist in other parts of downtown. I am in favor of eliminating those spaces as well. The one at the Public Library parking entrance at Main Street is a good example.
2. The sidewalk across the bank drive should be continuous to give pedestrians the right-of-way as it is not an intersection (i.e. concrete surface).
3. Crosswalk on Willard Court does not align with the sidewalk.
4. Is a bike rack shown by the diagonal parking space? It appears on one of the renderings. More detail is required to make sure it functions in that space with adequate room for bikes so that they do not encroach on the sidewalk.
5. No handicap ramp is shown on the east side of Willard Court.
6. No access ramp from the ADA ramp to the sidewalk is shown.
7. Excavation permit and utility review is required as part of any approval.

(c) Fire Chief:

The application proposing the relocation of Lorain National Bank to a separate building has been reviewed. In this regard, two (2) concerns with this proposal are noted:

1. The proposal depicts two (2) parking spaces located immediately in front of the building. This design is not considered practical as vehicles in those spaces would extend into the travel lanes of the street.
2. The proposal depicts an 8 inch water supply for fire protection and a 4 inch water supply for domestic use. Due to the size and location of the proposed building, it would not require a fire suppression system. The Department is not sure what the designer's intent is.

(d) Police Chief:

The applicant's plans have been reviewed. Based on that review, the following is suggested:

1. One of the proposed drive through lanes should be considered for designation as access to the ATM. That designation of a lane could also be utilized as an "escape route" for the other lanes.
2. The two (2) proposed spaces in front of the proposed bank on East College Street do not appear to be sufficiently deep enough so as to not impede westbound traffic on that street.
3. The location of the two (2) on-street spaces is problematic due to potentially conflicting traffic movements with backing vehicles, turning vehicles to Willard Court and the drive through lanes, etc.

(e) Electric Director:

Oberlin Municipal Light and Power System (OMLPS) staff has met with the designer, and the department's requirements for service will be addressed if this application is approved.

IV. CONCLUSION:

The applicant has previously requested the approval of a site plan and "Conditional Use Permit" for a proposed bank with a drive through feature on the west side of Willard Court. That proposal was reviewed and tabled by the Planning Commission on September 18, 2013 due to the site design, traffic circulation, etc. concerns. The Commission subsequently granted partial site plan approval on October 23, 2013.

The subject applications for site plan approval and for approval of a "Conditional Use Permit" for the proposed bank drive through have been filed in an effort to address the Planning Commission's and City department concerns with respect to the earlier design proposal.

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The applicant's "revised" plans seek site plan approval of a proposed bank with a gross floor area of about 2,940 sq. ft. ±, eleven (11) off-street parking spaces and three (3) drive through lanes. That development is proposed on property located to the east of Willard Court, and along the north side of East College Street. The "revised" site plan also proposes two (2) on-street parking spaces within the East College Street right-of-way.

The applicant's plans should be reviewed from the perspective of the Zoning Code's site and building design standards found in Section 1357.06 of the Zoning Code. The application for a "Conditional Use Permit" should similarly be reviewed from the perspective of the Code's standards contained in Section 1355.09 and 1355.10 of the Code.

These requests are hereby respectfully submitted for your consideration.