



**Oberlin Planning Commission  
Wednesday, April 2, 2014, 4:45 p.m.  
City Hall Conference Room #2  
85 South Main Street, Oberlin, Ohio**

**Members**

**Present:** Tony Scott, Peter Crowley, Matt Adelman and Bryan Stubbs.

**Members**

**Absent:** Ellen Mavrigh.

**Others**

**Present:** Gary Boyle; Wendie Fleming, Secretary to the Oberlin Planning Commission; Sharon Soucy, Council Liaison; Scott Broadwell, Council President; Valerie Urbanik; Fred Brown; Kathryn Spencer; Charles Startup; Lloyd Moore; Tim Mehok; Elizabeth Mehok; Barb Fuchsman; Bob Lenz; Elizabeth Rumics; Christopher Noble; Tita Reed; Larry Funk and Tony Mealy.

The meeting was called to order at 4:47 p.m.

**1. Approval of the March 19, 2014 Meeting Minutes.**

Stubbs made a motion to approve the March 19, 2014 meeting minutes as submitted. Adelman seconded the motion. The motion carried unanimously.

**2. Public Hearing - Application for Conditional Use Permit/Site Plan Approval, Proposed Outdoor Storage, Sales and Display, Wal-Mart Store, 46440 United States Route 20.**

Chair Crowley opened the public hearing at 4:48 p.m.

Boyle advised that this application seeks the approval of seasonal storage and sale of landscaping, yard materials and garden products on the southwest portion of the parking lot and on the sidewalk/alcove area adjacent to the "Garden Center." He indicated that the outdoor storage/sales/display area would affect about twenty-four (24) parking spaces within the parking area to the east of the building. Boyle stated that the Application Form indicates that the proposed activity is intended to take place annually from April to August.

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Boyle indicated that Section 1340.05(f) of the Zoning Code requires that the Planning Commission grant a "Conditional Use Permit" for any "outdoor sales, storage, and display as an accessory use to a permitted or conditionally permitted use" in the "C-3" District.

Boyle stated that Section 1355.09 of the Zoning Code contains "Standards and Requirements for all Conditional Uses," and Section 1355.10(f) of the Code has "Supplementary Requirements for Conditional Uses" such as "outdoor sales, storage or display."

Boyle advised that various City departments have reviewed this request and there are no objections regarding same.

Boyle indicated that the Zoning Code requires notice of a public hearing for a Conditional Use Permit to be published in a newspaper of local circulation, which was done on March 13, 2014 and that the applicant and property owners within 200 feet are to be notified of the public hearing which notices were mailed on March 15, 2014. The notice requirements of the Code have, therefore, been met.

Scott asked if the mulch, soil, etc. would be stored in shipping containers. He noted that there are several shipping containers currently on the store's property and advised that he has been told that the Wal-Mart Store in Sandusky, Ohio has a number of shipping containers that are kept behind the building and regularly used for storing products. Scott also asked if there would be any sheds or other structures used? Fred Brown, the Store Manager from Oberlin Wal-Mart, stated that the bags of mulch, stone, soil, etc. would be store in the open on pallets in the southwest corner of the parking lot. He indicated that the bagged materials as well as some potted trees would be located in several of the parking spaces in the southwest corner of the parking lot so that customers could easily drive down the aisle and load items when they are purchased. Brown advised that they would not be any sheds or shipping containers used for this outdoor sales, storage and display activity. Boyle stated that staff had received a call inquiring about the shipping containers recently located on the Wal-Mart property that Scott mentioned and he was advised by store personnel that those shipping containers are being used by the contractors performing the previously approved renovation work at the store. Brown agreed that those containers are being used by the contractor.

There being no other questions or comments from the public regarding this matter, Chair Crowley closed the public hearing at 4:54 p.m.

Crowley read the list of draft conditions that staff had prepared. Scott asked if the Conditional Use Permit was also needed for the outdoor storage, sales and display area in the alcove area next to the building? Boyle advised that it is and further explained that any outside storage, sales or display would require a Conditional Use Permit. Crowley asked if the proposed outside storage area in the southwest corner of the parking lot would affect the parking requirements for this building? Boyle advised that it would not as more than adequate off-street parking is available on this property.

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Adelman made a motion to approve the Conditional Use Permit with the conditions outlined in the draft permit that was provided to the Commission. Stubbs seconded. Motion carried unanimously.

**3. Public Hearing - Application for Conditional Use Permit, Proposed Bed and Breakfast Inn, Lloyd D. Moore, 96 South Cedar Street.**

Boyle stated that this application seeks approval of a Conditional Use Permit to operate a “bed and breakfast inn” with up to two (2) guest rooms. He advised that according to the applicant, the proposed “bed and breakfast inn” would be operated year round with “slower usage in the (College’s) winter term and summer.” Boyle noted that five (5) parking spaces are potentially available on this property including a parking space for one vehicle within the detached garage and parking for four (4) automobiles within the driveway. He advised that a minimum of two (2) parking spaces is required by the Zoning Code for a single-family dwelling and one parking space for each guest room is required.

Boyle indicated that the subject property is zoned “R-1”/Single-Family Dwelling District by the Oberlin Zoning Map and Zoning Code. The “R-1” District permits a variety of uses including single-family dwellings, parks, playgrounds and community buildings, public and private schools, churches or temples, agriculture and horticulture, home occupations and accessory buildings (Section 1335.03 of the Code) as well as a “bed and breakfast inn” if a “Conditional Use Permit” is granted by the Planning Commission (Section 1335.06(c) of the Code). He noted that a number of Conditional Use Permits for “bed and breakfast inns” have been approved over the years for various properties in this neighborhood.

Boyle advised that Section 1355.06(a) of the Zoning Code requires that “the Planning Commission shall hold a “public hearing” on each application for a conditional use permit.” Section 1355.06(b) further provides that “written notice of the hearing shall be mailed. . . to all property owners located within 200 feet of the property on which the conditional use is proposed,” and that the notice must be mailed not less than fifteen (15) calendar days prior to the date of the hearing. The Code also provides that “notice shall also be published in a newspaper of general circulation in the City of Oberlin not less than ten (10) days prior to that hearing.” Boyle stated that the required hearing notice was mailed to property owners on March 17, 2014, and the applicant on that date and a notice of the “public hearing” was published in the Oberlin News Tribune on March 20, 2014. The notice provisions of the Zoning Code have, therefore, been complied with.

Boyle stated that the various departments have reviewed this application and there are no objections subject to compliance with the Fire Department and Building Division requirements.

Chair Crowley opened the public hearing at 4:57 p.m.

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Tim Mehok, 105 South Cedar Street, indicated that he is a neighboring property owner and he is in favor of the proposed bed and breakfast inn at 96 South Cedar Street. Elizabeth Mehok, 105 South Cedar Street, also stated that she is in favor of the proposed bed and breakfast inn.

Barb Fuchsman, 192 Forest Street, advised that she owns property near the Moore property, and that she too is in favor of the proposed bed and breakfast inn. Fuchsman added that she does not feel that it would cause any negative impact on the neighborhood.

There being no other comments or questions, Chair Crowley declared the public hearing closed at 5:01 p.m.

Crowley advised that staff had prepared a draft list of conditions and read through that list.

Stubbs made a motion to approve the Conditional Use Permit subject to the revision of Item No. 1 on the draft list of conditions so that it would clarify that “. . . the maximum number of guests would be restricted to four (4) persons in total with the maximum of two (2) persons per room . . .” Adelman seconded. Motion carried unanimously.

Scott asked for a clarification on the number of parking spaces that are to be provided for this use. Boyle explained that the Code requires that there be two (2) parking spaces provided for the single-family residence and that there be two (2) parking spaces provided for the two (2) guest rooms. He advised that the applicant has indicated that there is one (1) parking space in the garage and there is an additional four (4) parking spaces that will be provided for guests, which totals five (5) parking spaces in all. Boyle stated that staff reviewed this application and determined that sufficient off-street parking will be provided for this bed and breakfast inn use. He noted that Cedar Street is a narrow street so on-street parking could potentially create hazards for pedestrians, bicyclists and motorists. Boyle advised that currently, it is his understanding that on-street parking is permitted on Cedar Street, but only on one side. Scott noted that the on-street parking would likely only be allowed during the warm weather months. Boyle indicated that on-street parking is not permitted at night during the snow ban periods.

**4. Application for Site Plan Approval, Proposed Self-Storage Building, Route 58 Storage, Brownhardt, LLC, 550 South Main Street.**

Boyle indicated that the Planning Commission may recall that this application was reviewed at its meeting on December 4, 2013. This application sought the approval of the construction of a one-story self-storage building with dimensions of 55.0 feet by 110.0 feet (6,050 sq. ft.), and a height of 12.25 feet  $\pm$  on property at 550 South Main Street. After reviewing this application, the Commission moved to grant site plan approval subject to compliance with a number of conditions.

Boyle advised that since the property in question is zoned “M-1”/Light Industrial District, a self-storage facility requires the issuance of a “Conditional Use Permit” under Section 1343.04(b) of the Zoning Code. He noted that the Planning Commission conducted a “Public Hearing” on

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December 4, 2013. After conducting that hearing, the Commission moved to grant a "Conditional Use Permit" for the proposed self-storage building subject to a number of conditions. Among the conditions of approval, the applicant is required to submit a landscape plan and final building elevation drawings for the Commission's approval.

Boyle stated that the applicant has submitted a fencing/landscape plan and building elevation drawings in order to address the Planning Commission's requirements. He noted that the principal landscape feature proposed is a decorative metal fence that is to be located along the site's north property line and east property line. That fence will match the design and construction of an existing decorative metal fence on this property.

Boyle indicated that the intent of the Zoning Code's standards with respect to self-storage buildings located near residentially-zoned property is to ensure that such buildings are setback at an adequate distance to reduce any potential impacts, and to ensure that landscaping/fencing is provided to soften the appearance of and provide some screen buffer area between uses.

Boyle advised that the proposed building design drawings indicate that the new self-storage building will feature a design similar to that of other self-storage buildings on the applicant's overall property and would feature a shallow pitched metal roof, vertical metal siding panels, and metal man doors on the north, south and west elevations. Also, the building colors will match those of the existing buildings.

Larry Funk was present to represent this application.

Crowley asked where the landscape plantings would be located? Funk indicated that the fence is proposed and that existing landscaping will remain. Crowley stated that he is of the opinion that there should be some plant materials used with the fence, especially to the south since this is a residentially-zoned area. Funk advised that the driveway to the storage facility runs along the south part of the property and there is an existing row of trees in that area. Boyle noted that the property to the south is located in the township and not within the City limits. He further advised that the vacant property to the north is located within the City limits and that this property is zoned residential. Boyle stated that to the east there is a commercial use that is located in the township.

Crowley asked if a copy of the previously approved Conditional Use Permit was available? Boyle indicated that it was included in the staff report to the Commission. Crowley noted that the Conditional Use Permit requires that landscaping must be done in accordance to the Code requirements. Funk explained that along the north property line, it is all paved in asphalt and in order to create a landscape bed for plant material, the asphalt would need to be dug out. He further advised that there is already decorative fencing around a portion of the site and the new fence would provide both security and visual interest. Crowley asked if there is fencing on the south side of the property and suggested that it run the whole length of that side of the property. Funk stated that there is an existing row of trees on the south side of the property along the

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entrance drive and that there is fencing which starts at the entrance gate and runs the full length of the property to the west property line.

Scott made a motion to approve this application as submitted. Stubbs seconded. Motion carried unanimously.

**5. Application to Amend the Zoning Map, "R-1" District to "PD" District, Proposed Three-Family Dwelling, Charles Startup, 221 West College Street.**

Boyle stated that this application seeks an amendment to the Zoning Map through a change in zoning from the "R-1"/Single-Family Dwelling District to "PD"/Planned Development District. The requested zoning change is to accommodate a change of use from a two-family dwelling to a three-family dwelling. He indicated that the present two-family use of this dwelling would be reconfigured to provide one dwelling unit on the first floor with two (2) bedrooms (Suite A), and two (2) dwelling units on the second floor with either two (2) bedrooms (Suite B) or one bedroom (Suite C). Boyle advised that the applicant also proposes to add four (4) paved parking spaces by expanding an existing paved area in the rear yard. Two (2) parking spaces are also available in the detached garage on this property. Other than widening of the existing driveway, there will be no other exterior changes to the house on this property.

Boyle noted that the Zoning Code requires that a minimum of six (6) off-street parking spaces be provided for the three (3) proposed dwelling units (Section 1349.03, Table 3). The applicant's proposal would provide that minimum number of parking spaces. He indicated that screening of the parking area is also required by the Code and he noted that there is currently a board on board wood fence that is located along the east lot line to provide that necessary screening.

Boyle advised that the City's Code does not have a zoning classification to accommodate multi-family dwellings other than the "PD"/Planned Development District. He then stated that the proposed use of this dwelling for three (3) apartment units is considered to be consistent with the Comprehensive Plan's goals. Those planning objectives include efforts to preserve the historic character of older housing, to utilize the community's existing infrastructure, to provide a range of housing types, and to strengthen the core area by encouraging new housing units both downtown and in close proximity to downtown.

Boyle further indicated that City departments and officials have reviewed this application and have no objection to this request.

Bob Lenz of Arkinetics, Inc. and the property owner, Charles Startup, were present to represent this application.

Scott asked if there have been any changes made to the application that was originally presented to the Commission? Boyle advised that no changes have been made.

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Stubbs asked if the total number of parking spaces would be six (6)? Lenz advised that this is correct. Stubbs asked if any feedback had been received from neighbors in the immediate vicinity of this property? It was indicated that no feedback had been received.

Crowley stated that, in his opinion, this application has merit. He noted that the other residential zoning classifications do not permit multi-family and this area of the City is already in transition to higher density likely due to the demand for residential rental units for Oberlin College students due to the area's proximity to the campus. Crowley then suggested that it may be wise to consider creating a "Conversion District" zoning classification that could be applied to this area and perhaps other areas in the City that are experiencing similar transition. He noted that rezoning to "PD"/Planned Development District for one property can be requested by any property owner in the City and this approach will cause incremental changes to an area. Crowley indicated he feels it makes sense to create a separate "Conversion District" with its own requirements for this area. He stated that it is City Council's decision to approve the rezoning of this property and advised that it would make much more sense to wait until a "Conversion District" zoning classification is created and then this property and others surrounding it can all be rezoned at the same time. Stubbs noted that the Commission's duty with respect to this application is to consider what the applicant has submitted and to make a recommendation to City Council on that submittal. Crowley indicated that he suggests that the Commission wait to make a recommendation on this application and focus on creating a "Conversion District" instead of rezoning this property to "PD" District. He advised that he is of the opinion that "PD" District zoning should be used for much larger scale projects than this one.

Lenz noted that there are many other multi-family dwellings in area surrounding the subject property and throughout this neighborhood near downtown. He advised that his client, Mr. Startup, would not wish to wait for what could be several years, while a new zoning classification is being created. Lenz stated that the addition of one rental unit to this existing two-family house is relatively minor, and will not change the character of the area.

Stubbs indicated that there are still single-family homes in the area which Crowley is referring to and we must be respectful of them and if this whole area were to be rezoned to a "Conversion District" zoning classification, this could impact those single-family homes.

Boyle advised that the Commission needs to consider individual applications and also stated that "PD" District zoning works well for the subject property. He noted that abutting property owners will also have an opportunity to ask questions and make comments regarding this application at City Council's public hearing. Boyle further advised that if the Commission wants to consider the possibility of looking into the future creation of "Conversion District" zoning classification, staff can research this matter but such an effort would require a review of other neighborhoods as well.

Startup stated that he has lived in this house for thirty (30) years and he knows that many of the abutting properties are and have been student rentals. He noted that his house is an established

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residence and the conversion of the existing two-family use to a three-family use is not a revolutionary situation in this area.

Stubbs indicated that after City Council's public hearing, maybe the Commission can consider the idea of "Conversion District" zoning and recommend it to Council if it thinks that such zoning is appropriate. Crowley stated that there could be concerns about "PD" District zoning on one property being legally challenged. Boyle indicated that he did not think that this would be the case as there are already a number of "PD" District zoned properties in the City. He advised that these properties were all rezoned by City Council to a zoning district that was created in order to "offer more flexible zoning guidelines and site design criteria than permitted in traditional districts." Boyle stated that this zoning district classification was created by City Council in 1996 and reiterated that many property owners have applied for "PD" District zoning and have been approved since that time including one a short distance to the east of this property.

Stubbs asked when will City Council be holding the public hearing on this rezoning request? Boyle advised that City Council must provide thirty (30) days notice of a public hearing after receipt of a report and recommendation from the Planning Commission. He noted that property owners within 200 feet would then be notified of the date of Council's public hearing. Boyle indicated that even with the published notification of Council's public hearing and the mailing of notices to property owners within 200 feet, there are usually few, if any property owners that attend the public hearings, but there have been contentious situations when a large number of property owners attend to give input to City Council. If the Commission makes a recommendation on this request, the hearing would likely be in late May or early June.

Scott stated that his concern with the rezoning process is that the Commission does not have the opportunity to hear comments and questions that are raised by neighboring property owners and he would prefer to have this input prior to making a decision. He noted that the proposed project appears to be well designed, the house is definitely large enough to accommodate the additional apartment, the parking area is large enough and adequately screened and the overall he finds the project to be acceptable, however, he would like to be able to hear neighboring property owners input before making a recommendation. Boyle advised that the rezoning process, however, requires that the Commission make a recommendation to City Council and that Council holds the public hearing prior to making its decision to rezone a property. He noted that the Commission should base its recommendation on how the rezoning request fits in with the Comprehensive Plan, if it is compatible with other uses in the area, availability/adequacy of utilities, traffic, etc. Boyle indicated that the subject property is located in an area that has been in transition from single-family residences to multi-family residences for quite some time. He advised that conversion of single-family residences in this area of the City as well as other areas has slowed since 2000 when the City changed the Zoning Code to require a public hearing and also because the College has been requiring more of its students to live on campus than it did in the past. Boyle stated that the current Code provides for input from staff, the Commission, the community and City Council.



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Scott asked if the Commission does not recommend that City Council rezone the property, will Council still consider the matter for approval? Boyle indicated that if the Commission does not recommend approval of the rezoning to City Council, it should provide reasons why it does not feel that the property should be rezoned, and Council will still need to consider the rezoning at a public hearing whether the Commission recommends its approval or not.

Crowley advised that this rezoning makes sense, however, he reiterated that he is of the opinion that the Commission should consider this area as a whole and consider rezoning a larger area to a "Conversion District." He further suggested that the Commission should not recommend this rezoning until a larger "Conversion District" is created.

Scott asked Crowley if he would prefer this whole neighborhood to be rezoned "PD"/Planned Development District? Crowley advised that "PD" District would require that any property being rezoned would have to be owned by one person/entity. What he is proposing would be a special district that would allow a property owner to convert their house to a three-family use, for example. Crowley noted that there are already many houses in this area that have been converted to multi-family use.

Lenz asked why there are so many multi-family residences in place now? Crowley indicated that they are non-conforming uses. Boyle agreed that most are legal non-conforming uses, one of the multi-family uses nearby to this proposed one is an eight (8) unit apartment that is zoned "PD"/Planned Development District. He indicated that rezoning this whole area to "PD" District is not possible because of multiple owners and as this section of the Code is currently written, each property to be zoned "PD" District must be reviewed on an individual basis.

Scott asked if the Commission does recommend this rezoning and City Council approves it, will this set a precedent for anyone else that wants to rezone their property and what happens if City Council were to deny similar rezonings in the future? He indicated that treatment of these rezonings would need to be unilateral in order to be fair. Boyle stated that each property is somewhat different, so anyone requesting that their property be rezoned to "PD" District would not automatically be approved. He advised that there is a considerable amount of case law regarding establishing differences in properties for approval or disapproval of a rezoning. Boyle indicated that if the Commission would like to look into the possibility to rezone this or other areas for multi-family residential, staff can provide information regarding this matter. He noted that the Comprehensive Plan envisioned a range of housing in the area where this rezoning request is because of its proximity to downtown. Boyle advised that no concerns were expressed by City departments regarding the rezoning of this property and the use is appropriate for this area. In addition, he indicated that there would not be a significant increase in traffic from the proposed use.

Tony Mealy began making a comment regarding this rezoning. Crowley asked Mealy to not interrupt the Commission's discussion. Mealy stated that this is a public meeting and he has a right to make comments. Crowley advised that there would be an opportunity later for the public

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to make comments. He then reiterated that while this application has merit, he feels that this whole area should be considered for multi-family housing.

Adelman asked how this rezoning would fit in with the Comprehensive Plan? Boyle advised that the Comprehensive Plan envisions medium to high density residential in this area, which would include more than just single-family dwellings. This rezoning could also be considered a sustainable use of land because this property is close to the College campus as well as to downtown, would be highly walkable, can use existing infrastructure, etc.

Adelman indicated that he sees a need for this type of use in this area and it certainly fits in with existing uses. He advised he understands Stubbs' comment regarding someone who purchased a house in this block that is zoned "R-1"/Single-Family Dwelling District, however, this area has been mixed with multi-family residential uses for a considerable amount of time. Adelman noted that the house on the subject property is not being added to in order to accommodate the proposed three-family use, rather the interior is just being reconfigured so there will not be any exterior changes or expansion of the current house. He stated that in addition, the subject house is already a two-family dwelling, not a single-family house. Adelman indicated that the proposed use fits in this area and it is a good use of this property.

Scott advised that he would still like to have the neighbors input regarding this rezoning before he makes a decision on whether he is in support of this rezoning request or not. He stated that he understands that it is City Council that makes the decision on this rezoning request and the Commission is only making a recommendation, however, he would have liked to have the neighborhood input that City Council will have at its public hearing. Scott indicated that the Commission should provide reasons for why it feels that this rezoning should be approved and noted that "PD" District zoning can be requested anywhere in the City. He stated that a list of the merits should also be included in the Commission's recommendation in order to help Council with its decision. Scott advised that he does not have any issues with the project and understands that the current house and property are large enough to accommodate the proposed three-family use.

Charles Startup noted that there are a number of absentee landlords who own property in the area surrounding his property and there is an abandoned house that has been that way for a number of years. He advised that he understands and respects the Commission's desire for neighborhood input regarding his project, and the neighbors that he has talked with have no objections.

Crowley once again indicated that he feels that rezoning this property to "PD"/Planned Development District zoning is incremental zoning and that the Commission should consider rezoning this whole area and seek the public's input regarding that rezoning concept.

Scott stated that he is not prepared to consider rezoning this whole area and he appreciates Mr. Startup's comments and it appears that he has very good knowledge of his neighborhood. He advised that this project does appear to be the best use for this property and he noted that he is inclined to recommend the approval of the rezoning to City Council. Scott indicated that he has

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been concerned about the Citywide conversion of owner-occupied single-family houses to multi-family rental properties over the years but reiterated that this project seems to be a good fit for the area where it is located. He advised that he feels this project is acceptable and understands that the public will have an opportunity provide input at the City Council public hearing and that Council will consider the best interests of that neighborhood.

Soucy indicated that incremental zoning is not always a bad thing. She stated that the oversight that is provided for under the "PD"/Planned Development District zoning is important and she noted that there would not be as much oversight and control if this whole area was simply rezoned to a "Conversion District" zoning classification.

Crowley made a motion to recommend to City Council that this request for "PD"/Planned Development District zoning be denied and instead recommend that the Planning Commission create a larger "Conversion District" zoning classification for this area that would allow for conversion of single-family dwellings to two or three-family dwellings. He noted that this would treat all property owners in this area equally and they would not have to worry if their request would be approved or not by Council.

Scott advised if a "Conversion District" zoning classification was created, there are many areas in the City where it would need to be considered for, not just the area surrounding the subject property. Crowley stated that this new zoning classification could be applied to different areas of the City, but since there is currently an application for the conversion of the subject property, this area should be dealt with first.

Lenz suggested that the creation of an additional district could be considered by the Commission in the future and advised that he does not think it fair for the Commission to make his client wait, for possibly years, while a new zoning district is being created.

Startup indicated that the location of his property makes it desirable as a rental property because it is close to downtown and the College campus so tenants can walk to those places. He advised that most of the properties surrounding his are rentals for the same reason. Further to the west, because it is less walkable, there are fewer rental properties. Startup stated that this is a big reason why his rezoning request is appropriate.

Scott made a motion to recommend to City Council that the subject property be rezoned to "PD"/Planned Development District as submitted. Stubbs seconded. Motion carried 3 to 1 (Crowley dissenting).

**6. Application to Amend the Zoning Map, "C-2" District to "R-2" District, Donald and Kathryn Spencer, 461 West Lorain Street.**

Boyle advised that Donald and Kathryn Spencer have submitted an application to City Council seeking the approval of an amendment to the Zoning Map for their two (2) parcels of land on West Lorain Street. He indicated that those properties have a combined frontage of about 276.63

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feet ± on West Lorain Street. The westerly parcel is developed with a large single-family dwelling and outbuildings. The applicants reside in that dwelling, and Dr. Spencer's counseling practice also operates there. The easterly parcel contains a small business building that is used as a workshop. Should this application be approved, the applicants intend to seek approval of a lot-split to separate that building from this parcel, and to combine it with the westerly parcel.

Boyle indicated that this area is designated for future "Medium/High Density Residential" use in the City's Comprehensive Plan. That land use designation also applies to abutting vacant property to the west and to residential uses to the north, south and east.

Boyle noted that the properties in question are zoned "C-2"/General Business District by the Oberlin Zoning Map and Zoning Code. That zoning classification also affects vacant property to the west and a lot developed for single-family residential use to the east (449 West Lorain Street). Land use in the vicinity of the subject property is somewhat mixed in nature.

Boyle stated that the applicants seek an amendment to the Zoning Map to accommodate the future single-family residential development on the subject property. The applicants have advised that they intend to continue the residential use of the dwelling at 461 West Lorain Street as well as the counseling services, and business use in the outbuilding. He noted that the present residential use of 461 Lorain Street is not a permitted use in the "C-2"/General Business District, and that use is considered to be a legal, non-conforming use.

Boyle also noted that the vacant property to the west is also zoned "C-2"/General Business District which zoning is not in conformity with the City's Comprehensive Plan's Land Use Plan. In addition, the single-family use to the east (i.e. 449 West Lorain Street) is also zoned "C-2"/General Business District, and the use of that property is also considered to be a legal, non-conforming. That zoning is also not in conformity with the City's Comprehensive Plan's Land Use Plan.

Boyle advised that the applicants' request to amend the Zoning Map to a residential zoning classification is considered to be appropriate as such a zoning classification would bring the zoning of this property into compliance with the City's Comprehensive Plan and staff recommends that the Planning Commission consider that the Zoning Map be amended from the "C-2"/General Business District as follows: (1) vacant parcel to the west to the "R-2"/Dwelling District; (2) 461 West Lorain Street to the "R-2"/Dwelling District; and (3) 449 West Lorain Street to the "R-1B"/Single-Family Dwelling District.

Boyle stated that these changes to the Zoning Map would bring the zoning of those properties into conformity with the City's Comprehensive Plan's future Land Use Plan. Those changes would also recognize the current use of 449 West Lorain Street for single-family residential purposes, and the current use of 461 West Lorain Street for single-family residential use as well as a professional office. The antique/furniture refinishing business uses now conducted at 461 West Lorain Street would, however, become legal, non-conforming uses with that change. This

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would also allow for a good transition from commercial zoning and use further to the west and single-family zoning and use to the east.

Kathryn Spencer was present to represent this application. She advised that the reason for requesting this rezoning is to split the vacant parcel to the east off so that it can be sold for future single-family residential development and also so that they can refinance the remainder of the property as the bank will not refinance their residential property because it is in a commercial zoning district.

Stubbs advised that he is of the opinion that this request fits in with the Comprehensive Plan and noted that this rezoning should have been done years ago. Adelman agreed.

Stubbs made a motion to recommend to City Council that the zoning changes noted in the staff report be recommended to City Council for approval. Scott seconded. Motion carried unanimously.

**7. Preliminary Presentation – Revised Application for Site Plan Approval, Proposed Gateway Hotel Complex, College Properties of Northern Ohio, Inc., 7 North Main Street.**

Boyle indicated that the Planning Commission previously granted partial site plan approval for this project subject to a number of conditions which include the submission of a site plan for the Lorain National Bank Building, which the Commission reviewed at its last meeting, landscaping plans, the design of exterior lighting, etc. He advised that the applicant had contacted staff with a request that they discuss possible revisions to the Gateway Hotel site plan and obtain the Commission's input on the same. Boyle stated that no action is being requested at this time by the applicant, this presentation is merely to receive input regarding possible revisions to the site plan.

Christopher Noble of Smart Hotels, Inc. and Tita Reed of Oberlin College were present to represent this application. Noble stated that during the course of the development of the site plan for the Gateway Hotel, there has been a struggle between providing sufficient off-street parking for the development to be successful and providing green space within the site. Noble advised that the parking is needed and green space is wanted, and the Commission had also expressed concern regarding this issue at previously meetings. He indicated that they have slightly revised the site plan for the hotel and some minor amount of additional green space has been added.

Noble advised that the relocation of the bio-retention area to the middle of the parking lot has created some needed green space. In addition, they are proposing to add a seven (7) foot wide green strip in the Gateway Hotel parking lot to the east of Willard Court. Noble stated that they plan to plant London Plain trees which will provide a large canopy over the parking area. He advised that the percentage of green space that they are proposing to add is not significantly increased from the previous site plan but it does add some much needed landscaping and greatly improves the appearance of the parking area.

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Noble stated that in order to accommodate the landscape strip, they will be creating a number of compact car parking spaces which are allowed by Code and which will give them some additional space for the landscape strip. He advised that they propose to add the compact car parking space close to the entrance to the hotel. Noble indicated that the Code allows up to 25% of the parking spaces to be for compact cars. He stated that the compact car parking spaces per the City's Codes would be 7 ½ ft. by 15 ft. and a regular parking space is 9 ft. by 18 ft. Noble noted that provisions for compact cars have been around since the 1970's when the oil embargo encouraged people to drive smaller cars that were more fuel efficient. He advised that the compact car parking spaces that they are proposing would still be 9 ft. wide like a regular parking space, but would be 15 ft. in length. Noble stated that the compact car parking will still allow plenty of room for fire truck access up to the building, even with vehicles the length of F-150 pickup trucks parked in those spaces.

Noble advised that the reconfiguration of the site plan for the landscape strip also results in the loss of about eleven (11) parking spaces. He noted that there would still be sufficient peak demand parking, not including the on-street parking spaces that are currently in place. Noble stated that this revised site plan would still have 227 parking spaces and would contain much more usable or visible green space than the previous plan.

Crowley advised that he likes the addition of the green space and asked if there was any specific landscape plan for area where the Lorain National Bank was previously proposed to be located? Noble stated that they hope to present that landscape plan soon and because landscaping is expensive, they are not sure if that area will just be grass or whether they will be able to include some trees and benches. Crowley asked if this area was possibly going to be used for future expansion of the retail space for the hotel and noted that this green space is a welcome addition. Noble indicated that it may be used for expansion of the retail space in the future.

Scott asked for confirmation on how wide the landscape strip would be? Noble stated that it would be 7 ft. wide and they propose to plant London Plain trees in it to provide a nice shade tree canopy over the parking lot. He indicated that they may use maple trees instead of the London Plain trees. Noble further advised that the compact car parking spaces will allow them to construct this landscape strip which will provide a better balance between parking lot and green space.

Adelman stated that he likes the addition of the green space for what has been touted as a "green" hotel. He advised that the hotel itself is an amazing and innovative project that will draw in visitors to Oberlin, but he would like to know if the College Trustees have given anymore consideration to the construction of a parking structure for this project? Noble indicated that the issue of a parking structure has been discussed. He noted that likely any future installation of a parking garage would be done as a joint project between the College and the City. Noble stated that it is his understanding that the College does not believe the "tipping point" has been reached where they feel a parking structure is absolutely necessary. In addition, it has not been determined if this area would be the best location for a parking structure.

Adelman indicated that because the Commission does not know what the College's future plans are for this "Green Arts District" block as far as future development, it is harder to make a decision. He advised that even a general concept of what might be proposed for the block would help, especially since this is a very prominent part of the City and downtown.

Adelman advised that he is very disappointed that the College Trustees have decided not to address the issue of a parking structure for the Gateway Hotel project. He indicated that more green space could be made for the site if a parking structure was built. Adelman stated that he understands that it is hard for the College to obtain funding and it is likely even harder to obtain funding for a parking garage, but the College could charge for parking which could help to pay for the structure. He advised that he hopes that this issue will be further considered by the College. Noble stated that the College never indicated that it would build a parking structure for the Gateway Hotel. He indicated that the College's parking expert had advised that the "tipping point" had not been reached wherein a parking structure would be necessary at this time. The consultant is still reviewing parking demand and supply downtown. Noble noted that there may be a need for one in the future and there should be conversation between the College and community about this possibility. Noble also mentioned that the "revised" parking plan would not preclude a future parking structure.

Adelman indicated that green space for the Gateway Hotel project should be very important not only for aesthetics but also for how it will relate to the community.

Noble advised that they feel that this revised plan is the best balance between parking and green space and if the Commission agrees, they can finish the landscaping plan for this project and submit it for review and approval.

Adelman stated that the previously submitted site plan was short the required number of parking spaces at peak demand. Noble reiterated that they will have 226 parking spaces not counting nineteen (19) on-street parking, but including parking for employees and residents in the north parking lot. Adelman indicated that the parking expert had advised that 227 parking spaces were needed at peak demand times and asked if this plan would satisfy that. Scott asked if this would include the Hall Auditorium parking lot? Noble advised that it would.

Scott indicated that the revisions to the parking lot will help during the snow season. He advised that normally the Oberlin Inn parking has many parking spaces that are unusable during the winter because of snow storage as a result of plowing the parking lot. The revised site plan will give the snow plow drivers a place to stack the snow which result in less parking spaces being unusable. Scott asked if there would be a curb around the bio-retention basin? Noble stated that there would be a curb around it, but there would be some breaks in the curbing to allow water to drain. Where there is no curb, parking stops would be installed.

Scott asked why no landscaping areas are being added to the Hall Auditorium parking lot? Noble stated that they cannot install landscaping areas at this time due to the expense, however, they may be added in the future.

Crowley asked if the sidewalk for the bank would still be continued as discussed previously? Noble advised that it would and that this would be included in the landscape/lighting plans that will be submitted. Scott asked how far the sidewalk along Willard Court goes to the north? Noble stated that it goes to the Hall Auditorium parking lot.

Boyle asked if the landscaping areas proposed for the front of the Gateway Hotel and outdoor café areas will that be reflected in the landscape plan? Noble advised that it would be but details have not been finalized yet. He also noted that there is currently discussion on the amount/type of perennials that will be included in the landscaping in front of the Gateway Hotel because they do not plan to irrigate the landscaping in that location in order to meet the LEED Platinum rating so they may install various ornamental grasses to start with add more plantings in the future.

Noble thanked the Commission for its preliminary input on their possible revised plans.

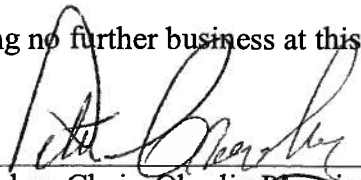
**6. Other Business.**

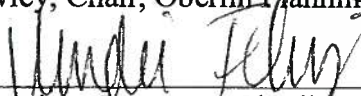
Boyle reminded the Commission that its next meeting will be on April 16<sup>th</sup>.

Boyle also advised the Commission that the Western Reserve Land Conservancy will be conducting a property survey in Oberlin in the near future. The results of this survey will help with the City identifying areas needing ongoing property maintenance enforcement efforts, etc.

**7. Adjournment.**

There being no further business at this time, the meeting was adjourned at 6:45 p.m.

  
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Peter Crowley, Chair, Oberlin Planning Commission

  
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Wendie Fleming, Secretary, Oberlin Planning Commission