



**Oberlin Planning Commission**  
**June 26, 2013, 4:30 p.m.**  
**City Hall Conference Room #2**  
**85 South Main Street, Oberlin, Ohio**

**Members Present:** David Gibson, Tony Scott, Matt Adelman and Marilyn Fedelchak-Harley.

**Members Absent:** Peter Crowley.

**Others Present:** Gary Boyle; Wendie Fleming, Secretary to the Planning Commission; Sharon Soucy, Council Liaison; Becky Foster, Terry Miller; Mary Ann Bigrigg; Mark Polansky; and Jeff Baumann.

Chair Gibson called the meeting to order at 4:44 p.m.

**1. Approval of the June 5, 2013 Meeting Minutes.**

Fedelchak-Harley made a motion to approve the June 5, 2013 meeting minutes as submitted. Adelman seconded. Motion carried unanimously.

**2. Application for Sign Permit, Proposed Wall-Mounted Sign, Oberlin Martial Arts, ODEVCO, LLC, 133 South Main Street.**

Boyle advised that the applicant seeks approval to install a wall-mounted, non-illuminated sign that would be located on the building's mansard roof and facing South Main Street. He stated the proposed sign would be 8.0 feet in length and 2.0 feet in height (16.0 sq. ft. in sign surface area) and would feature a white colored background with red color letters outlined in black.

Boyle noted that the proposed wall-mounted sign would be located in the same location as the previous wall-mounted sign used by Beethoven's Bagel, and approved by the Design Review Subcommittee and Planning Commission on March 26, 2009.

Boyle also indicated that a window sign with a sign surface area of about 24.75 sq. ft. ± was reviewed and approved on May 1, 2013. He added that the proposed wall-mounted sign and the previously approved window sign would not exceed the maximum sign surface permitted by the Sign Code.

**Oberlin Planning Commission**  
**Meeting Minutes**  
**June 26, 2013**  
2 | Page

Boyle stated that the Design Review Subcommittee considered this matter at its meeting on June 26, 2013 and unanimously moved to recommend approval of the sign to the Commission as submitted.

Fedelchak-Harley made a motion to accept the recommendation of the Design Review Subcommittee and to approve the sign design as submitted. Scott seconded. Motion carried unanimously.

**3. Application Site Plan/Design Review, Proposed Outdoor Storage/Sales Area, Ace Hardware, Station Partners, LP, 291 South Main Street.**

Boyle indicated that the original application for site plan/design review and Conditional Use Permit sought the approval of outdoor sales, storage and display of materials and products and the installation of a 25 ft. by 50 ft. concrete pad for that purpose along a portion of the north side of the building associated with a new retail operation in the Station Square plaza.

Boyle advised that the Commission conducted a "Public Hearing" to consider the Conditional Use Permit application at its meeting on June 5, 2013. He noted that no public comment in opposition to the requested Conditional Use Permit was received at that time and after much discussion on that request and the proposed site plan, the Commission moved to grant approval of outdoor sales and storage of seasonal items under the "covered porch" area of the building and within the parking lot in front of the building for a one year period subject to the submission of a revised site plan illustrating the location of the storage area and fencing of the same for review and approval by the Commission.

Boyle stated that the applicant has now submitted a "revised" proposal in response to the Planning Commission's decision at the June 5<sup>th</sup> meeting to require that the outdoor sales, storage and display operation be conducted in the parking lot. He indicated that the "revised" submittal illustrates that the applicant intends to use 8 parking spaces for its proposed outdoor sales, storage, display area. Boyle advised that this proposed storage area would be screened by a portable decorative fence and have dimensions of 36 feet by 38 feet and would be located in the northeast portion of the parking lot. The proposed decorative fencing would have a post and base height of about 38.5 feet ±.

Boyle noted that the applicant's "revised" site plan proposal has been reviewed by affected City departments and officials and City staff has indicated concerns related to the location of an outdoor sales, storage, display area in a parking lot which is not generally recommended for a variety of reasons including aesthetics, loss of convenient parking spaces, traffic circulation/pedestrian conflicts, sight-line visibility issues, etc.

Becky Foster, of E & H Family Group, and Mark Polansky of Station Partners, LLC were present to represent this application.

**Oberlin Planning Commission**

**Meeting Minutes**

**June 26, 2013**

3 | Page

Boyle also advised that the Design Review Subcommittee considered this matter at its meeting on June 26, 2013 and unanimously moved to recommend approval to the Planning Commission as submitted.

Fedelchak-Harley made a motion to deny the revised site design for the storage area in the parking lot based on the staff comments concerning traffic and safety issues as well as aesthetic issues. She indicated that, in her opinion, this revised plan does not improve sight lines to the Underground Railroad Center, which was a concern expressed by some of the Commission previously.

Scott stated that he feels that approving a temporary outdoor storage area in the parking lot would be better than approving the fenced-in concrete pad on the north side of the building because this would allow time for the landscaping and site work for the Gasholder building to be completed. Fedelchak-Harley advised that the Commission can include conditions regarding maintenance of any fence and landscaping that would be installed for the proposed concrete pad in that location.

Gibson asked if there was a second to Fedelchak-Harley's motion. No second was made and the motion failed.

Adelman indicated that he understands that outdoor storage in the parking area is generally prohibited by the Code, but suggested that given the fact that the Gasholder building is an historic site, he too feels that the temporary storage area in the parking lot would be better than a permanent storage area north of the building. He advised that detailed information on the landscaping has not been submitted by the applicant for the area around the proposed concrete pad and by approving the temporary storage area, the applicant can have the seasonal display/storage area it needs in time for the opening of this new business. Adelman further stated that any issues with the storage area in the parking lot can be adjusted in the future. He noted that although this is a commercially zoned area, he feels that it is important to protect the integrity of the Gasholder Building site. Adelman then advised that if the Gasholder Building site was not located next to this building, he would not have any concerns regarding the concrete pad being located where the applicant proposes to locate it. He stated that the proposed concrete pad would be extremely close to the Gasholder Building property line.

Gibson stated that he has thoroughly reviewed the site and area. He noted that he is of the opinion that although the proposed concrete pad may have some visual impact on the Gasholder Building, landscaping along the property line would help to obscure the view of the storage area from the Gasholder Building. He further indicated that he is concerned over locating the outdoor sales/storage area in the parking for aesthetic reasons as well as for sight-line and safety issues. Gibson asked if the concrete pad area could be reduced in width to allow for additional landscaping to be placed along the north side of the storage area? He reiterated that it is much more preferable from an aesthetic and safety perspective to have the storage area located along the north side of the building as opposed to locating it in the parking lot.

## **Oberlin Planning Commission**

### **Meeting Minutes**

**June 26, 2013**

4 | Page

Foster advised that the fence that they are proposing for the storage area within the parking lot is only 38 inches in height and they would only be storing product one (1) pallet high. She was of the opinion that because the fence and product would not be as tall as a car, there would likely not be any sightline issues. Gibson disagreed.

Gibson asked if there is an issue with the proposed concrete storage being located close to the property line? Boyle advised that because this area is commercially-zoned, there are no side yard setback requirements in the "C-1" District unless the property abuts a residential zoning district. He further indicated that there are no Code-related impediments regarding the location of the proposed concrete pad. Boyle noted that site plan review is required in this instance to ensure that the site is developed in a way that relates to the surrounding buildings, etc.

Scott stated that he is of the opinion that this is a special situation since the Gasholder Building is immediately adjacent to the proposed concrete pad and he advised that granting a variance to locate the storage area in the parking lot would not set a precedent because of this unique situation. He reiterated that he is of the opinion that by temporarily locating the storage area in the parking lot, any issues or concerns can be addressed and changed at a later date. Scott noted that because this is a special site and circumstance, other applicants cannot claim a similar situation in order to obtain a variance.

Fedelchak-Harley indicated that if a variance is granted for locating the storage area in the parking lot, it will set a precedent. Adelman stated that because the Gasholder Building is an historic site, it is unlikely that this situation would arise elsewhere in the City.

Fedelchak-Harley asked what the distance is between the Gasholder Building and the base of the building where Ace Hardware will be located? Boyle advised that it is approximately 45 feet. He noted that the topography between the buildings is pretty level. He further indicated that the site plan that the Design Review Subcommittee and the Planning Commission previously reviewed for the Gasholder Building/Underground Railroad Center (UGRR) site was approved only in concept as the details on the landscaping plan for the Gasholder site had not been completely worked out. Boyle stated that the City's landscape architect has advised that they have the final landscape plan prepared and may be submitting that information for the Subcommittee and Commission to review within the next month or so. He further stated that even if the final landscaping plans are approved for the Gasholder/UGRR, it was his understanding that the City will likely not be able to proceed with the project due to lack of funding at this time. Baumann agreed that there is no money available in the City's budget to continue with the Gasholder/UGRR project at this time.

Boyle advised that the applicant is hoping that the Commission will make a decision regarding this matter at this meeting so that they can proceed. Scott asked if the Commission approved the storage/sales area in the parking lot, would this precedent destroy the regulations? Boyle indicated that it would not destroy any regulations, however, if the Commission decided to approve the storage/sales area in the parking lot, it would need to establish findings of fact that outline what the unique situation is, and why a variance is being granted. For example - the

**Oberlin Planning Commission**

**Meeting Minutes**

**June 26, 2013**

5 | Page

Gasholder Building site is in close proximity to the subject property, etc. and that other conditions, such as the fact that the storage area in the parking lot would be temporary and seasonal, that traffic flow in the parking lot would be maintained, that there would still be enough parking spaces available for the uses that are in the building, etc.

Scott noted that the Farmers' Market, which is a conditionally permitted use, changes the flow of the traffic in the City Hall parking lot. He further suggested that the Commission should approve the temporary storage area in the parking lot in order to allow for time development of the Gasholder Building site. Boyle reiterated that the Commission can put conditions on its approval of any outdoor storage area. He further advised that either of the proposed outdoor storage areas involve an investment for the applicant, although the temporary fencing for the parking lot storage area would not be as expensive as the permanent concrete pad, fencing and landscaping that was originally proposed for the north side of the building.

Gibson stated that in his opinion, a storage area that would be fenced-in and properly landscaped would not have a significant visual impact on the Gasholder Building site. He further advised that having the storage area along the north side of the building would be much more effective and efficient for the applicant business, would likely result in less theft/vandalism, and would be safer from a pedestrian/motorist standpoint. Adelman asked what "properly landscaped" would mean? Gibson indicated that the applicant would need to work with City staff to provide the appropriate amount and types of landscaping material, etc. He reiterated that, in his opinion, the best location for the outdoor storage area is along the north side of the building. Gibson further stated that he does not feel that having an outdoor storage/sales area in the parking lot is appropriate.

Scott indicated that Wal-Mart has outdoor storage/sales areas in its parking lot. Boyle advised that if that business does, it has not been approved by the City and staff will contact them to advise them of such. Gibson advised that he feels that a solution, such as reworking the outdoor storage area along the north side of the building, can be arrived at so that the Commission is comfortable and so that the applicant can have the storage/sales area that it needs, and in a location adjacent to the building.

Scott made a motion to approve the "revised" application as submitted and indicated that a variance should be granted for the outdoor storage/sales area to be located in the parking lot because of unique situation created by the close proximity of the historic Gasholder Building. Adelman seconded. Motion failed 2 -2 vote (Gibson and Fedelchak-Harley dissenting).

Adelman advised that if there was some way to ensure that if the storage area was permanently constructed on the north side of the building, that it would be properly screened and maintained and that it would be aesthetically pleasing, he would be willing to further consider a permanent outdoor storage area in that location. He stressed that his concerns regarding the permanent outdoor storage area are solely because of the fact that the Gasholder Building site would be located so close to this proposed storage area. Adelman would like to make sure that there would be as little impact as possible to that building, even though the Gasholder Building is

**Oberlin Planning Commission**

**Meeting Minutes**

**June 26, 2013**

6 | Page

located in a commercially-zoned area. Gibson advised that he agrees that proper screening is essential. He noted that any outdoor storage in the Wal-Mart parking lot needs to be corrected. Scott stated that the pallets in the Wal-Mart parking lot are often stacked 2 or 3 high. Boyle again noted that staff will follow-up to ensure compliance with the Code at Wal-Mart. Scott then added that he did not intend to create a problem for Wal-Mart in trouble but only to point out that storage in a lot can be done.

Gibson asked the applicant if it would consider reducing the width of the proposed outdoor storage area, from 25 ft. to 20 ft., so that it would be further away from the property line between this building and the Gasholder Building? Polansky stated that narrowing the storage area by that much would result in a 20% reduction of usable storage space. Boyle stated that the proposed storage area in the parking lot would be approximately 1,368 sq. ft. whereas the originally proposed concrete pad storage area would be 1,250 sq. ft. in area. Foster advised that the original drawing for the concrete pad indicated that it would be 25 ft. by 50 ft., however, they had indicated at the last meeting that they would be installing the gate at the pillars which would reduce the length of the storage area by 16 ft. Boyle noted that this 16 ft. reduction would result in the proposed concrete pad being 850 sq. ft. or 25 ft. by 34 ft.

Gibson asked the applicant what her preference was regarding the location of the proposed outdoor storage area? Foster indicated that installing the concrete pad on the north side of the building would be best for their business, the building owner as well as their customers. Gibson asked if the applicant was willing to work with staff on landscaping for along the fence? Foster stated that they should be willing to install landscaping that would be similar or would complement the landscaping that is proposed for the Gasholder Building site. Gibson asked if the landscape plan would be submitted to the Commission for its review or if staff would just handle the review. Boyle stated that the landscape plan would be submitted to the Commission for its review and approval. Polansky asked if he and Foster could be provided with a copy of the landscape plan for the Gasholder Building. Boyle advised that he would forward a copy of the landscape plan to them.

Scott stated that the Gasholder Building property is a higher elevation than where the concrete pad would be located along the building so that it would be possible to see inside of this fenced-in area. Boyle indicated that it is his understanding that there is little difference in elevation from the Gasholder Building to the area where the concrete pad would be located. Gibson advised that it is his opinion, a fence taller than 6 ft. in height would be less aesthetically pleasing.

Scott indicated that he still prefers that the storage area be located in the parking lot and that it would be there on a temporary/seasonal basis. Foster advised that they are willing to do what the Commission decides on, however, they are very anxious to move forward with this matter, and would like a decision.

Gibson asked the Commission if it found a 6 ft. fence to be acceptable for around the concrete pad area? Boyle noted that a pallet is usually only about 4 ft. in height. Foster stated that she

**Oberlin Planning Commission**

**Meeting Minutes**

**June 26, 2013**

7 | Page

would prefer using a 6 ft. fence as opposed to one that is taller. She explained that a taller fence would look out of proportion with the building.

Scott asked if the brick columns would still be installed along with the composite fence if the storage area is approved? Foster stated that their original application only included composite fencing, however, she indicated that she agreed at the last meeting to install the brick columns. Adelman advised that he feels the brick columns are needed as they help to relate this area to the building and noted that he has concerns regarding composite fence since it can fade. Gibson asked where the columns would be located? Foster stated that she had agreed at the last meeting to put one column at the east corner and one at the west corner of the storage area. Gibson asked about the south corner? Foster advised that the fence would just tie into the building at that location. Adelman suggested that the fenced-in area would look better if an additional column was added to the center of the north side of the fence. Foster agreed to add an additional brick column in the center of the north side of the fence. Gibson and Scott agreed that the additional brick column would improve the appearance of the fence. Polansky noted that the brick columns would be expensive, and they would likely be obscured from view by the landscaping along the fence.

Foster indicated that they had requested approval to use the “porch” area along the front of the building to display seasonal items during store hours and noted that they would like to be able to display items, such as plants, in front of the gate to the storage area. Fedelchak-Harley indicated that display of items in front of the gate would be acceptable to her as long as it was not pallets or bags of mulch, top soil, etc. Foster state that such product would not be there.

Fedelchak-Harley made a motion to approve the installation of the concrete pad along a portion of the north side of the building, subject to the installation of opaque composite fencing with brick pillars and the approval of landscape screening provided that material does not exceed the height of the fencing, as well as approval of the Conditional Use Permit for use of the concrete pad for outdoor sales and storage and to allow outdoor sales, storage and display of merchandise other than bagged/bulk items such as topsoil and mulch to be located in front of the gated entrance to the storage area. Adelman seconded. Motion carried 3 to 1 (Scott dissenting).

**4. Application for Site Plan/Design Review, Proposed Picnic Pavilion, Park Street Park, City of Oberlin, Park Street.**

Boyle stated that this application seeks approval to construct a picnic pavilion building in Park Street Park. The proposed pavilion would be constructed on an existing concrete pad that has dimensions of about 18.6 feet by 18.6 feet and would feature a hipped roof with “eco-shake” recycled roofing material. Boyle indicated that this structure would have an overall height of 12.25 feet, and the roof structure would have outside dimensions of approximately 21.0 feet by 21.0 feet.

Boyle advised that the proposed pavilion would comply with the Code’s minimum building setback and maximum height regulations and that this proposal has been reviewed by City

**Oberlin Planning Commission**

**Meeting Minutes**

**June 26, 2013**

**8 | Page**

departments, and there are no objections to this park improvement project. A building permit is, however, required for this project.

Jeff Baumann, the City's Public Works Director, was present to represent this application.

Scott asked if this pavilion was going to be located where the old concession stand was located, which is behind the hill? He further noted that there is not much activity in the area of the park. Baumann stated that it would be located where the old concession stand was because they are going to reuse the concrete pad that is still there. He then advised that this area of the park is used by youth soccer and often by College students. Scott stated that he understands that reusing the concrete pad would be cost effective. Baumann agreed and advised that the concrete pad is still in very good condition.

Scott asked if any other locations within the park were considered? Baumann indicated that if they had to choose another location, possibly, it would be in the northeast corner of the park near the old baseball diamond which would also be remote from the basketball courts and playground equipment. Boyle advised that one factor for locating the pavilion where the old concession stand was is that it would be located away from residences.

Fedelchak-Harley asked if residents would be able to reserve the pavilion? Boyle advised that they would be. Scott asked if the pavilion could be reserved for the Basketball Tournament? Boyle indicated that it would depend on the needs of the Recreation Division for the tournament. Gibson stated that the City has done a great job in trying to improve the parks.

Fedelchak-Harley made a motion to accept the recommendation of the Design Review Subcommittee and to approve the application as submitted. Adelman seconded. Motion carried unanimously.

**5. Other Business.**

**a. July Meeting Dates.**

Boyle indicated that the Commission had previously discussed the meeting schedule for July. In this regard, he stated that the next regularly scheduled meeting would be on July 3<sup>rd</sup> and since the July 4<sup>th</sup> Holiday is the next day, he suggested that if members are available, the Commission could meet on July 17 and/or July 31, 2013. The Commission agreed with those possible dates.

**b. Professional Office Use, Vance DeBouter, 181 West College Street.**

Boyle advised that the Planning Commission, at its meeting on June 1, 2007, granted site plan approval for the use of the building at the above address for professional offices. He stated that this building has a total floor area of about 2,918 sq. ft. ±, and the application approved in 2007 called for four (4) businesses and nine (9) parking spaces including one handicap accessible space.



**Oberlin Planning Commission**

**Meeting Minutes**

**June 26, 2013**

9 | Page

Boyle noted that the property owner has been approached about the use of an additional space within this building for a professional office. That use would be on the first floor in the area of the building, and has floor area of approximately 154 sq. ft.±.

Boyle indicated that the applicant has developed eleven (11) parking spaces which would be adequate to comply with the Zoning Code's off-street parking requirements to accommodate the proposed office use. Boyle provided the Commission with a report on this property which contains the approved site plan and proposed parking plan.

The Commission reviewed this matter and found it to be acceptable. Fedelchak-Harley then made a motion to approve the requested increase in the number of office tenants for this building to five (5) offices and the site plan with eleven (11) parking spaces subject to issuance of a building permit. Adelman seconded. Motion carried unanimously.


**c. Update on Oberlin College Gateway Hotel Project.**


Boyle advised the Commission that City staff recently met with the College and its design team regarding the Gateway Hotel Project and that a preliminary application is likely to be presented to the Commission in July.

The Commission briefly discussed parking for the Gateway Hotel project. Boyle noted that the preliminary plans that staff recently reviewed do not adequately address parking and traffic circulation. Adelman stated that in his opinion, parking must be addressed for this project. Scott noted that if the College was to construct a parking garage for this project, it may not be opened to the public for parking. Boyle indicated that as long as it provides adequate parking for the development, that is all that matters.

**7. Adjournment.**

There being no further business at this time, the meeting was adjourned at 6:15 p.m.

  
\_\_\_\_\_  
David Gibson, Chair

  
\_\_\_\_\_  
Wendie Fleming, Secretary

