



Oberlin Planning Commission
Wednesday, September 18, 2013, 4:30 p.m.
City Hall Conference Room #2
85 South Main Street, Oberlin, Ohio

Members

Present: Tony Scott, Peter Crowley and Matt Adelman.

Members

Absent: David Gibson and Marilyn Fedelchak-Harley (excused).

Others

Present: Gary Boyle; Wendie Fleming, Secretary to the Oberlin Planning Commission; Sharon Soucy, Council Liaison; Steve Varelmann; John Mazze; Christopher Noble; Jim Curtain; Brett Boaz; Leo Evans; Daniel Neff; Tita Reed; Ron Watts; Dan Klimas; John Mazze; Ken Stanley; Eliza Weidenbaum; Elizabeth Rumics; Lester Allen; Scott Diedrick; Robin Diedrick; Wallace Johnson; Tony Mealy and Mark Chesler.

Vice Chair Crowley called the meeting to order at 5:19 p.m.

1. Approval of the September 4, 2013 Meeting Minutes.

Scott made a motion to approve the September 4, 2013 meeting minutes as submitted. Adelman seconded. Motion carried unanimously.

2. Public Hearing - Application for Conditional Use Permit, Proposed Two-Family Dwelling, Timothy and Robin Diedrick, 17 North Pleasant Street.

Boyle advised that an application for a "Conditional Use Permit" to provide for the conversion of a single-family dwelling to a two-family dwelling has been submitted by Timothy and Robin Diedrick for property at 17 North Pleasant Street. He indicated that this application proposes that the existing single-family dwelling be converted to two-family use. Boyle stated that the subject property is located along the east side of North Pleasant Street, a short distance to the north of East College Street.

Boyle indicated that the subject property is zoned "R-1"/Single-Family Dwelling District by the Oberlin Zoning Code and Zoning Map. Section 1335.02(a)(1) provides that a "two-family dwelling" is a conditionally permitted use if approved by the Planning Commission (Section 1355.06(d)). The proposed two-family dwelling use could, therefore, only be established if such a permit is granted by the Commission.

Boyle noted 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” and Section 1355.06(b) further provides that “written notice of the hearing shall be mailed. . . to all property owners 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 “notices 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 informed the Commission that staff had published notice in the Oberlin News Tribune on September 5, 2013 and mailed notices to property owners within 200 feet on August 29, 2013. He stated that this fulfills the notice provisions outlined in the Code.

Vice Chair Crowley opened the public hearing at 5:21 p.m. Crowley asked if there were any comments from the public. There were none. Crowley then closed the public hearing.

Scott asked whether there would be sufficient parking for this conversion. Boyle indicated that he has met with the applicant who has advised that parking for three (3) vehicles can be accommodated on the driveway and the fourth would be parked in the garage, instead of creating parking in front of this house as originally proposed. He stated that staff had concerns regarding the aesthetics of allowing parking in the front yard as well as concerns related to sight-lines and backing traffic. Boyle advised that staff has no objections to the revised plan.

Scott made a motion to approve the application for Conditional Use Permit with the condition that the revised parking plan which would allow for parking of three (3) vehicles in the driveway and one (1) vehicle in the garage and subject to the conditions outlined in the draft permit prepared by staff. Adelman seconded. Motion carried unanimously.

3. Public Hearing - Application for Conditional Use Permit, Proposed Bank Drive Through, Proposed Gateway Hotel Complex, Oberlin College, 7 North Main Street.

Boyle indicated that this application seeks approval for a “Conditional Use Permit” to provide for the operation of a bank drive through feature associated with the proposed Gateway Hotel Project as well as for site plan/design review approval. He noted that applicant had given a preliminary presentation to the Planning Commission regarding this proposed project at its meeting on July 17, 2013.

Boyle advised that the proposed hotel site is zoned “C-1”/Central Business District by the Oberlin Zoning Map and Zoning Code, and that zoning district classification provides that a “drive through facility” is a conditionally permitted use if approved by the Planning Commission as provided for under Section 1341.03(b) of the Zoning Code. He stated that the proposed bank drive through feature would, therefore, only be able to proceed if such a permit is granted by the Commission.

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Boyle stated 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 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 “notices 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 also informed the Commission that staff has published notice of the public hearing on September 5, 2013 in the Oberlin News Tribune and letters regarding the hearing were sent to property owners within 200 feet on August 29, 2013 which satisfies the notice provisions outlined in the Code.

Boyle indicated that the staff report states that the plans submitted by the applicant do not comply with the Code related to the minimum number of stacking spaces for each drive through lane. He advised that the Design Review Subcommittee at its meeting on September 18, 2013 tabled the overall application for site plan/design review approval. Boyle stated that the Planning Commission can, however, proceed with discussion of the application for a Conditional Use Permit for the drive through bank.

Vice President Crowley opened the public hearing at 5:27 p.m. and noted that the Commission was going to consider just the Conditional Use Permit application for the drive through at this time.

Christopher Noble of Smart Hotels and Jim Curtin of Soloman Cordwell Buenz were present to represent this application. Noble introduced College staff present at this meeting. He advised that they have been working with the tenant, Lorain National Bank on this drive through project. Noble introduced Dan Klimas, the President of Lorain National Bank. Klimas indicated that approval of a Conditional Use Permit for the drive through is very important to them. He advised that they are committed to being in Oberlin and have investments in many projects in the City, such as Kendal at Oberlin, renovation of the LMHA “pagodas,” and the East College Street Project. Klimas further noted that they have worked closely with the College and its students for many years. He stated that the drive up ATM is very important for their operation and the one being proposed is very similar to what they have had in the past.

Noble explained how the bank drive-through operates currently. He indicated that the replacement drive through will be much better than what is there now. Noble advised that the Lorain National Bank will occupy the eastern end of the retail space along East College Street. He indicated that this is a current use and all of the access points will remain as they are. Noble advised that with the redevelopment of this site, the layout of this drive through area will be improved. He stated that they are proposed to install two (2) lanes and there is only one (1) lane currently. Dan Neff, the engineer for this project, indicated that there will be room for a total of six (6) cars in two (2) lanes. He also advised that the cars will be able to exit onto Willard Court and then to East College Street. Boyle indicated that the Code requires stacking for five (5) cars

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per lane on-site and this proposal does not comply. Neff advised that there would only be stacking for three (3) cars per lane but it is still an improvement on the existing situation. Crowley noted that the third car would probably block the sidewalk. Boyle outlined the Code requirements regarding vehicle stacking for drive through features. Klimas stated that this is an existing condition. Crowley noted that currently, there is only one drive through lane and it is located much closer to Willard Court. He asked if that configuration was going to be changed. Noble advised that it would be. He indicated that the access point at East College Street will be enlarged to accommodate all types of vehicles. Crowley stated that most of the cars at the drive through will turn left or north onto Willard Court and they cannot make a u-turn to go back to College Street. Neff advised that this layout will be better than the existing one and it will be easier to turn south on Willard Court with this design. Crowley indicated that with this design, trucks in the adjacent loading zone could block Willard Court to the north. Neff stated that there would only be short-term interference because of the location of the truck loading zone. In addition, the loading area would not be visible as there is going to be a masonry screen wall installed.

Crowley asked if there had been any studies conducted regarding the traffic flow and demand for the bank drive through. Do they know when most of the traffic occurs at the drive through? Neff advised that they did not conduct any studies and indicated that this is an existing situation to which they are making improvements. Crowley stated that his recent observation of the bank drive through at this location showed that it is a very popular feature. Klimas agreed and reiterated that this is the reason that the drive through is so important to them. Neff indicated that their plan will increase capacity for the drive through.

Adelman expressed concern over the fact that the site plan does not indicate any parking near the bank and asked where the customer parking would be if they cannot park on the street. Klimas stated that they are always supportive of more parking for their customers. Adelman indicated that a lack of convenient parking will have a negative impact on a business and noted that he understands the importance of the drive through for the bank. Crowley advised that the drive through would only be allowed if a Conditional Use Permit is approved by the Planning Commission. He stated that the Commission could deny it based on non-compliance with Code Standards but that would not be helpful for the bank.

Tony Mealy advised that he does not like the plan for the drive through at all. He asked where the Lorain National Bank employees park? Mealy indicated that he has been a customer of Lorain National Bank for over forty (40) years and he knows that the ATM is very popular with the customers. He also noted that the turn radii depicted do not look correct. Mealy stated that he is of the opinion that it is a poor plan since this plan looks like it could cause vehicular and pedestrian conflicts and that already occurs. He asked whether they have studied other options. Mealy also stated that there is currently parking in front of the bank for customers.

Crowley asked where the exact location of the ATM would be? Noble advised that it would be on the wall of the bank next the west lane. Mealy asked how two (2) cars can turn out onto Willard Court from the drive through lanes without creating a traffic problem since he did not

think there would be enough room to do so. Neff stated that it would be an 18 ft. wide so it could accommodate two (2) cars at the same time. He advised that they are trying to make this drive through more efficient. Crowley asked if the ATM drive through could be relocated to another location that is not so congested? Klimas advised that a standalone ATM machine will not work for them because they would have to hire an armored car company to service the ATM if it is not directly connected to their bank building. Also, the proposed drive up teller window would need to be staffed and it would be too hard to do so with a standalone building. Adelman asked if this was the only ATM at this location? Klimas stated that this is their only drive up ATM. They will also have an ATM in the building lobby of the bank like they have now. They also have an ATM inside the Oberlin Inn. Scott asked if the traffic flow for the lanes could be reversed. Klimas indicated that the ATM would need to be on the left side in order for drivers to access it. Scott asked if the ATM could be moved to the landscape island? Klimas advised that the teller window would service customers via a pneumatic tube. Mealy asked why the traffic for the drive through could not extend north for better traffic flow. Neff stated that to the north of the ATM is the screened loading zone. Crowley noted that many banks use video surveillance for their drive through lanes and noted that if this was done, access from Willard Court to the drive through would have better traffic flow. Adelman noted that the drive through could be removed from the building. Crowley asked if an ATM machine was necessary. Klimas stated that they feel that the drive up ATM is essential for their business and that they have explored all options and this is the best solution that they could come up with for their customers.

Eliza Wiedenbaum stated that she feels that this application is premature since there are many details that have not been worked out with City departments. She suggested that the applicant should come back with its application when it has worked out all of the issues with staff.

Wallace Johnson suggested that the site plan be changed so that traffic enters from Willard Court and exits at College Street. The building could be sited in the southeast corner of the site. Neff advised that this application is for a new bank that is part of the redevelopment of the Oberlin Inn hotel complex. Johnson indicated that he was referring to the ATM drive through, but also for the hotel site plan as well. He also stated that he did not know why the applicant was seeking approval for a Conditional Use Permit for a building that has not even been approved to be built yet. Boyle explained that the Commission would have to approve the site plan as well as the Conditional Use Permit and that the applicant has filed applications for the Commission to review both of these matters.

Mealy asked if the hotel building was going to extend over the drive through? Neff stated that it is not, the hotel portion of the building would be over the bank, which would be on the ground floor but, not over the drive through. Mealy reiterated that this is a bad site plan, in his opinion.

Ken Stanley advised that he is on the School Board and that the Oberlin Public Schools support this project and asked the Commission to approve it. For completeness of the record, Boyle asked Stanley if the School Board passed a motion supporting this project and if so, when. Stanley stated he was not sure that the Board has done this.

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Crowley indicated that the bank is an existing business in the community and it is apparent that they would like to know if they will be able to install the drive through. He stated that the Commission must decide if it should grant a Conditional Use Permit without approval of the overall hotel site plan.

Since there were no other comments from the public at this time, Crowley declared the public hearing closed at 6:06 p.m.

Scott advised that Lorain National Bank is important to the community and we want them to stay in Oberlin, but the question is how the drive through can be done in a manner that will work? He stated that there are many items to consider, such as on and off-site traffic flow, which is a concern of the City. Scott indicated that, in his opinion, the layout for the bank drive through is not the best option. He stated that the site plan does not meet Code and needs further discussion between City staff and the applicant. Adelman agreed. He too indicated that the bank and ATM are important, however, there has been traffic congestion at the current drive through location for many years. Adelman advised that he understands that this layout was allowed in the past, but today, the site does not function properly and stacking of automobiles is a big issue and a big safety concern. He indicated that the layout is not adequately addressed by the site plan submitted by the applicant and the request is for two (2) drive through lanes, one (1) for a teller and one (1) for an ATM which will create even more traffic, where currently there is only one (1) lane for the ATM.

Adelman asked if the Commission denied the Conditional Use Permit application whether there would be a waiting period for the applicant before they could apply again? Boyle advised that this is only the case with site plan approval. He indicated that if the Commission has concerns regarding how the drive through lanes relate to the entire site plan, the Commission could table the Conditional Use Permit request and address the issues it has concerns with during the discussion on the site plan application. Boyle stated that the Code requires that a public hearing be held for a request for a Conditional Use Permit and this has now been done. Adelman advised that by tabling the Conditional Use Permit application, the applicant has the opportunity to design a better layout for the drive through.

Scott made a motion to table the Conditional Use Permit application pending resolution of traffic stacking issues and ingress/egress to the site and to consider other options for the drive through. Adelman seconded. Motion carried unanimously.

The Commission then considered the site plan application for this project. Boyle advised that this site plan is very similar to what was presented to the Commission in July as a "preliminary" application. Curtin stated that they have worked on the site plan for some time and they want to show the Commission how it has evolved.

Noble and Curtin gave a presentation on the site plan. Noble indicated that there are three (3) principal "macrovisions" for this site: a strong connection to the community, an interior main entrance/drop-off and parking to the rear of the building without bringing vehicular traffic north

on Willard Court; and keeping vehicles to the south end of the block so that a pedestrian area for Willard Court can be created to the north in the future. He stated that there are no plans for the "Green Arts District" or any other redevelopment of the block at this time.

Noble stated that there are six (6) connections to Willard Court. The driveway connection to College Street would be widened. He indicated that they have had several discussions with the various City departments in which they have struggled over the issues of parking and traffic circulation. Noble advised that with respect to parking, the Fire Chief wants the parking on the street in front of the bank eliminated. He stated that in the center of the courtyard by the main entrance portico, there will be a bio-retention basin which is an important feature for the building's LEED rating. Noble indicated that they propose that this hotel will have a platinum LEED rating.

Scott asked what the Fire Chief's concerns are with respect to the parking on East College Street in front of the bank? Noble stated that it is his understanding that the Fire Chief wants to be able to access the building from East College Street if there is a fire instead of accessing the building from the rear. He further indicated that the access drive at Willard Court will have a large enough turning radii to accommodate any of the Fire Department's trucks. Adelman advised that the on-street parking along East College Street is very much needed. Noble indicated that they are proposing parallel parking for this area which form of parking is known to have a traffic calming effect and he also advised that the Police Chief had an objection to a drop-off area in this location. Boyle noted that the Commission can take whatever action it wants regarding on-street parking, however, matters concerning the Fire Code are not within the Commission's jurisdiction and the Fire Code will prevail. He further advised that it is his understanding that the Fire Chief believes it would be easier to respond to a fire from the street instead of trying to negotiate Willard Court and the parking area to access the building. Noble indicated that he does not know why there can't be parallel parking on East College Street as the Fire Department still access the building from the street. He stated that they can discuss this further with the Fire Chief. Adelman noted that parking in front of buildings is the current situation in most of downtown and important for businesses.

Crowley asked about the minimum setback for the building. Noble advised that they have moved the building back from the East College Street right-of-way to allow for parking. Crowley asked what the distance would be between the right-of-way and the face of the building? Curtin indicated that it would be about six (6) feet and they could design it to have the pedestrian area and future café area. Crowley advised that pedestrian space is important to him, more so than parking is. Curtin indicated that the design gives adequate public space but the building is too disengaged with a setback from the Street and no parking. Crowley stated that he feels that the Fire Code can be met even with the on-street parking. Curtin advised that access to the rear of the building is still provided but the Fire Chief apparently does not want to work around park cars in the event of a fire. He noted that they are still trying to work this out.

Weidenbaum stated that the site plan is a concern for downtown with respect to traffic circulation and parking. She also asked why it is necessary for the College to move its

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Admissions and Development offices to this location, which will increase traffic and the need for parking more than if it was just a hotel. Curtin advised that the original design was just for the rebuilding of the hotel.

Mealy asked how much citizen input when into this project? Noble stated that the College's Trustees feel that discussion with the community has been done through the applicant's submission to the Planning Commission. Mealy suggested that the site plan design should be reversed since he feels that the building turns its back on downtown. This would reduce traffic congestion and the loading/service area should be left in the area where it currently is, near Hall Auditorium. Mealy advised that he feels that this would fit better with downtown. He also stated that parking needs to be discussed and that the College does not screen its parking properly. Mealy further indicated that he does not feel that the traffic circulation plan for this project is acceptable.

Crowley asked about the amount of parking for this project. Boyle outlined what is proposed versus what is normally required by the Code and the ADA. He explained that some of the proposed parking is located in "R-2" District zoning and parking is not allowed for commercial uses in residential zoning districts. Boyle indicated that according to his calculations, the applicant has indicated one hundred thirty-three (133) parking spaces for this project including two (2) ADA parking spaces and, the Code would require about three hundred fifteen (315) parking spaces and eight (8) ADA spaces for this project. He noted that this is a great divergence in the number of spaces proposed notwithstanding the parking exemption provision for downtown development in the "C-1" District downtown.

Noble stated that parking for the hotel is an existing condition and they are trying to improve what is already there. He advised that their parking calculations are based on a "diversity factor." The diversity factor reduces the number of spaces required because it is based on the fact that not all of the parking spaces would be used at one time, and that the number of parking spaces that are needed for a particular use changes throughout the day.

Noble advised that they calculated two hundred and fifteen (215) parking spaces, which is a 40% increase in what is currently there. He indicated that there is only so much land in this area that could be used for parking. Noble stated that there are a number of access points to Willard Court and that traffic circulation would be improved but there are still dead-ends and this could be changed, however, it would result in a loss of eight (8) or nine (9) parking spaces. He advised that there is no way to make everyone happy and it is difficult to address the site circulation issues and parking.

Crowley stated that the information that the Commission members had in their packets is different from what now is being shown in the applicant's presentation. He advised that he understands that there is a limited amount of space to put parking in this area and that Willard Court may not always be there, but there is much concern over traffic circulation and the loading zones and possible conflicts. Noble indicated that they are trying to restrict truck traffic from going north on Willard Court. Scott stated that the garbage trucks will need to back in and the

curb cut could restrict them from doing so. Neff advised that the access to the loading zone would be 24 feet wide as it is today. Noble stated that they needed to make the drive large enough to be able to accommodate tour busses and they designed the turn radii to allow for this. He indicated that all traffic will enter the site as shown. Crowley asked if it would be better to allow delivery trucks to drive as far as the bio-retention pond and then back into the loading area? Noble stated that this is what they have to do currently, but they felt it would be easier for the trucks to back across the drive to enter the loading dock. Crowley noted that the maneuver to turn and then back into the loading area would cause sight-line visibility issues.

Boyle stated that City staff would prefer that heavier truck traffic travel north to State Route 511 instead of East College Street. Mealy agreed that large trucks should not be on College Street. He suggested the trucks should also enter from State Route 511. Crowley asked if trucks could enter the site from State Route 511. Noble advised that he thinks that it would be difficult for the drivers to maneuver. Curtin stated that the designed turning radius will force traffic to flow in a certain direction. There needs to be flexibility to go in different directions. Noble advised that he feels that their plan improves the existing conditions. He further stated that there are some ingress/egress issues that they are still working on, less parking will make the site easier to maneuver through. Scott advised that parking in the existing parking lot is very tight. Crowley agreed that this parking lot is heavily used based on his observations and that it is a struggle to pull in or out of the spaces.

Noble indicated that they are not required to put in parking since they are in the "C-1" District but the need to provide it to make the project feasible. Adelman stated that parking in downtown has been a huge issue for a long time and suggested the College consider building a parking structure. Noble indicated that he does not believe that this is the ideal location for a parking structure. He advised that the ideal location for a parking structure would probably be south of West College Street in Off-Street Parking and that he did not believe the Trustees would agree to a parking structure here.

Adelman stated that this is a great project for the College and the community, but parking is a real issue. Patrons of the hotel or conference center will need parking because they will be coming from outside of Oberlin. Adelman indicated that the conference center as well as the Admissions and Development offices will create a need for more parking. He noted that the project will not work without parking which could be in a parking structure. Watts stated that parking for evening events should not be an issue as the College offices would be closed in the evening. He indicated that they need to minimize the impact of parking and they need to have a green building. Watts suggested concierge parking as a solution so that not all parking would need to be accommodated on this site.

Adelman advised that since the whole plan for this block is not available, the Commission needs to be careful about how this project happens as it will potentially affect future projects. He stated that if this location is not logical for a parking garage, where would the best location for one be? Adelman indicated that adequate parking will be needed when the project is completed and it is irresponsible planning if parking is not addressed notwithstanding the Code.

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Noble stated that there are no plans for the Green Arts District and outside funding for this and future projects may slip away if the hotel is not built and that the parking issue will work itself out. Adelman advised that parking will not just work itself out. He noted that the conference center will be used at times other than evenings and weekends and the concern is where will parking be for conference attendees? Adelman stated that Off-Street Parking on the west side is pretty much full during the hours of 12:00 p.m. to 4:00 p.m. There will be no place to put more cars.

Crowley indicated that the parking garage is a much larger issue. He stated that he did not appreciate that different plans were presented by the developer at this meeting than what the Commission received. Boyle also noted that staff had not seen the revised plans either. Crowley advised that he is not convinced that the parking the applicant has presented will work for this project and he would like better information in order to consider an argument for less parking.

Mealy asked how many people would the ballroom accommodate. Noble indicated it would hold 300 people. Mealy stated that the conference center will obviously attract additional traffic. He advised that many hotels have underground parking. Mealy indicated that not only will parking be needed for the conference center but also for the guest rooms and College offices. He noted that the East College Street project does not have enough parking to accommodate its uses. If insufficient parking for this project is permitted, people attending events, etc. at the hotel and conference center will park downtown and use parking spaces that are needed for patrons of downtown stores and restaurant. Mealy stated that downtown businesses cannot afford to lose business which they will if patrons cannot find a place to park because of this project.

Scott indicated that lack of parking is in some ways a good problem because it shows that people want to come to downtown Oberlin. He noted that the site cannot just be considered by itself but must be considered in the context of the whole downtown. Scott advised he has notice increased parking downtown in the evenings which shows that people are coming downtown and not just during the day. He stated that he does not like the layout of the loading zone either and he would like to further discuss parking on East College Street as well as the traffic flow issues for the bank drive through. Scott indicated that these discussions would need to be done at a later time, not tonight.

Boyle stated that staff is willing to continue to work with the developer on the outstanding site plan issues. Noble asked if a work session with the Commission could be done? Adelman stated that the Commission has shared its comments with the applicant already at this meeting and the July meeting. Neff advised that they are working on addressing staff comments and other issues such as utilities. He asked the Commission to approve the site plan subject to working out these details. Boyle recommended against such an approach given the number of site plan matters to be resolved.

Mealy asked if the College made a presentation to the school board, churches or Oberlin Business Partnership on this project since comments were made earlier at this meeting by some of those folks. Noble stated that they did not.

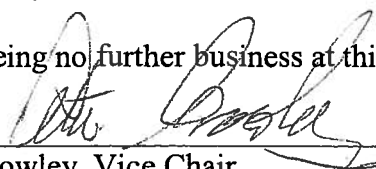
Adelman made a motion to table this application. Scott seconded. Motion carried unanimously.

4. Other Business.

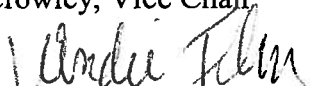
Boyle indicated that the Commission's next meeting is scheduled for October 2, 2013.

5. Adjournment.

There being no further business at this time, the meeting was adjourned at 7:45 p.m.



Peter Crowley, Vice Chair



Wendie Fleming, Secretary, Oberlin Planning Commission

