



**Oberlin Planning Commission  
Wednesday, October 1, 2014, 4:30 p.m.  
City Hall Conference Room #2  
85 South Main Street, Oberlin, Ohio**

**Members**

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

**Members**

**Absent:** Ellen Mavrigh.

**Others**

**Present:** Gary Boyle; Wendie Fleming, Secretary to the Design Review Subcommittee; Sharon Soucy, Council Liaison; Valerie Urbanik; Mark Lesner and Eric Norenberg.

Chair Crowley called the meeting to order at 4:53 p.m.

**1. Approval of the September 3, 2014 Meeting Minutes.**

Stubbs made a motion to approve the minutes as submitted. Adelman seconded. Motion carried unanimously.

**2. Application for Site Plan/Design Review, Proposed Building Addition, Sacred Heart, Diocese of Cleveland, 410 West Lorain Street.**

Boyle indicated that this application seeks the Planning Commission's approval of a site plan application proposing a building addition to Sacred Heart Church. He stated that the proposed building addition would be located to the north of the church and would be one story in height. Boyle advised that this addition would be about 110.0 feet in length and 38.33 feet in width. He noted that the applicant's plans indicate that the proposed addition would include floor space for the parish's office, a restroom, and rectory space for the parish's clergy and the addition would also feature a large attached garage (about 1,027 sq. ft.). Access to that garage would be provided by a new asphalt driveway connecting with the existing parking area to the east of the church. Other site improvements include a sidewalk from the parking lot to the main entry to the addition, a patio area to the west of the proposed addition, and a pad along the north elevation for access to an overhead door.

Boyle advised that the proposed building addition will require the removal or relocation of an existing picnic pavilion building located to the north of the church. He stated that relocation of

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the existing picnic pavilion will require further review and approval by the Planning Commission in the future.

Boyle indicated that the proposed building addition will provide new rectory and parish office space to replace space in the current rectory building that is intended to be sold to Family Promise of Lorain County, Inc.

Boyle noted that City departments and officials have reviewed this application, and have identified no objection to the proposed building addition subject to compliance with departmental requirements. He advised that those requirements include the following: (1) that the applicant obtain all required permits from the Building Division prior to the commencement of construction; (2) that a site grading plan be submitted for the review and approval of the City Engineer; (3) that details related to utility connections to the proposed addition be submitted for the review and approval of the Public Works Department; (4) that roof drainage be directed to splash blocks or handled in a manner acceptable to the City Engineer; (5) that a sidewalk be constructed across the site's frontage; (6) that the applicant extend the 12 KV buried primary service from the existing pad-mounted transformer located on the west elevation of the Education Building to a new 75 KVA pad-mounted transformer located at the west elevation of the existing church sanctuary as required by the Electric Department; and (7) that the new transformer feed an upgraded 200 amp, 120/208 volt, 3-phase electric service with that new service feeding both the existing church and the proposed rectory addition.

Boyle advised that the Design Review Subcommittee reviewed this application at its meeting on October 1, 2014 and moved to recommend approval to the Planning Commission with the suggestion that the north wall of the existing church building be sided to match the rear of the addition if funds are available to do so.

Boyle noted that if the Commission moves to accept the Subcommittee's recommendation, compliance with all staff requirements should be included. Also as previously noted, there is a picnic pavilion located where the addition is to be constructed and it is staff's understanding that the applicant intends to disassemble the pavilion and relocate it elsewhere on the site at a later date.

Mark Lesner of Mark Lesner and Associates Architects was present to represent this application. Lesner indicated that the lot that the former rectory building sits on has been split from the main church parcel and a new property line has been created. He advised that the utilities for the addition will be run to it. Lesner stated that a new electric transformer would also need to be installed and it would be located to the north of the existing church. He noted that the addition would be about 110 feet in length and 38 feet in width. The east elevation of the addition would be clad in brick veneer to match the existing church building and the brick insets that are on the church building would be replicated on this new addition. Lesner noted that the window pattern on the existing church building would also be replicated on the new addition.

Crowley asked what the current electric transformer serves? Lesner stated that it only serves the school and there is an overhead line to the church. With the lot split, they need to provide that new electric service. Crowley noted that during the Design Review Subcommittee meeting, Lesner had advised that the Church's Board reviewed twelve iterations of plans for the rectory addition and this is the one that the Board agreed on.

Stubbs made a motion to accept the Design Review Subcommittee's recommendation and to approve as submitted subject to the applicant complying with the various City department requirements noted earlier. Adelman seconded. Motion carried unanimously.

**3. Application for Sign Permit, Proposed Wall-Mounted and Window Signage, Vineway, LLC, 82 – 86 South Main Street.**

Boyle advised that this application seeks approval for the installation of various non-illuminated signs that are intended to identify this building and the various uses within it.

Boyle indicated that the Design Review Subcommittee considered this application at its meeting on October 1, 2014 and made various suggestions regarding the design and location of the proposed signage. He advised that the Subcommittee had expressed concerns over the appearance of the signage in the transom windows. Boyle stated that the Subcommittee then unanimously moved to table the application pending resubmission of revised sign design and locations. As there was no recommendation from the Subcommittee, the Commission took no action on this matter.

**4. Proposed Amendment to Zoning Procedures, Chapter 1327.**

Boyle noted that the Planning Commission, at its meeting on September 3, 2014, considered a staff report outlining possible revisions to the zoning procedures contained in "Chapter 1327: Amendments" of the Zoning Ordinance. He advised that the Commission received that report for its information at that time. Boyle stated that City Council, at its meeting on August 18, 2014, referred the proposed amendment to the Planning Commission for a report and recommendation.

Boyle indicated that the Commission was provided with a report and draft ordinance related to the adoption of the proposed amendments to Chapter 1327 for its review, and recommendation to City Council. He stated that at the last meeting that the Commission discussed this matter, it seemed that the Commission was supportive of the proposed amendments to Chapter 1327.

Boyle advised that the proposed amendment would clarify the Commission's authority with respect to Zoning Code text changes and changes to the Zoning Map. The amendment would also make the process for making these changes more efficient. Boyle indicated that the proposed amendment will clearly enable the Commission to make recommendations on changes to the Zoning Code text and Zoning Map thereby enhancing its ability to implement the Comprehensive Plan.

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Boyle stated that the draft ordinance that was provided to the Commission in the agenda packet was prepared by the City's Law Director. He indicated that if the Commission finds the amendment acceptable, it could formally move to recommend the approval of the amendment to City Council, and Council will need to schedule a public hearing that would likely take place at its second meeting in November.

Crowley asked for clarification on the procedures outlined with respect to a zoning amendment recommended by City Council and that a majority of the members must vote for it in order to pass the recommendation. Boyle indicated that a super majority would be needed to defeat a recommendation by the Commission. Crowley asked if City Council amends a recommendation of the Commission, how is that handled? Boyle advised that if the change was substantial, five of the seven members would need to vote in the affirmative. He indicated that this was discussed with the Law Director. Crowley noted that it is not very clear the way it is worded. Boyle stated that it can be clarified with the Law Director. Crowley asked if language can be added that if City Council's change is substantial, Planning Commission would need to be consulted. Boyle indicated that when other regulations have been adopted in the past, there was often a considerable amount of going back and forth between City Council and the Planning Commission with changes to the draft regulations. He advised that the amendment to Chapter 1327 could be worded that either a super majority would be required to make changes to the Commission's recommendation or that Council would need to send any changes back to the Commission for consideration.

Boyle noted that the amendment to Section 1327.05 as now worded would avoid having to give another thirty (30) days notice once that notice had already been given. Crowley suggested that the amendment could be worded that "any substantial change by City Council would require that it be referred back to Planning Commission or approved by super majority." Stubbs noted that the term "substantial" is open to interpretation. Adelman agreed and asked how would the Commission quantify "substantial changes," i.e. if two (2) or more words were changed in the recommendation? Crowley asked if the Law Director could determine what would be considered a "substantial change?" Boyle advised that the Law Director could probably offer an opinion to Council as to whether a change could be construed as "substantial" or not. Adelman suggested changing the wording to "change of scope" which he feels would not be as subject to interpretation. Boyle stated that he understands the Commission's concern and he can discuss this matter with the Law Director to get his opinion. He noted that since there is not a public hearing set by City Council yet for the amendment to Chapter 1327, staff will keep the Commission apprised of any changes in this section prior to Council's public hearing.

Stubbs asked if the Commission needed to make a recommendation on the proposed amendment to the zoning procedures today? Boyle stated that if the Commission was comfortable, it could make a motion to recommend the proposed amendments to City Council.

Adelman made a motion to recommend the proposed Amendments to Zoning Procedures to City Council with a recommendation that the draft be amended to state that if City Council substantially alters the scope of a recommendation made by the Planning Commission, the

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proposed changes would be submitted to the Commission for its review and recommendation to Council. Stubbs seconded. Motion carried unanimously.

**5. Proposed Regulations, Commercial and Recreational Vehicle Parking.**

Boyle advised the Commission that staff is still waiting for other departments to complete their review of these proposed regulations. He indicated that these departments have been extremely busy and thus they have not completed their review. Staff provided the Commission with an updated staff report dated October 1<sup>st</sup>. Boyle stated that the draft proposed regulations address what the Commission has discussed in the past and it was staff's understanding that the Commission came to a consensus and indicated that it wanted to make the suggested updates to the Code. He noted that the section with respect to electric car charging stations has been removed pursuant to Mavrich's suggestion at a recent meeting.

Boyle stated that construction trailers, etc. have been added to the proposed regulations and that it is staff's opinion that the proposed regulations will aid in enforcement of recreational and commercial vehicle parking and it will be easier to enforce than it currently is with the way the Code is worded.

Boyle indicated that the definition of a commercial vehicle has been updated to expand the range of vehicles. He noted that currently the Code uses a maximum weight size to limit commercial vehicle parking. In addition, Boyle stated that the Code indicates that parking spaces markings must be painted. He advised that this needs to be updated to include "thermoplastic" markings which are more durable than paint.

Boyle advised that the proposed changes to the parking regulations for would allow pervious pavement to be installed so there is no need for a variance should an applicant wish to use this type of material. He further indicated that some additional "cleaning up" of the wording in this section of the Code that was last updated in the 1980's/1990's. He noted that one of the biggest changes to the parking regulations is to not permit more parking than is needed for a particular use. Boyle stated that currently the Code requires bicycle parking outside of downtown through the commercial design standards but it does not address bicycle parking for multi-family residential uses, etc. He indicated that in light of the City's commitment to work toward carbon neutrality, bicycle parking for multi-family other uses needs to be addressed as well.

Stubbs stated that the Commission will of course review the proposed regulations in the future, but noted that the changes outlined by staff would be acceptable to him. Crowley asked if there would be an opportunity for an applicant to apply for a variance to the maximum number of parking spaces allowed for a particular use to the Zoning Board of Appeals? Boyle advised that there would be a variance procedure by the Commission so that the Commission can keep control of parking. Crowley asked if the Commission would maintain control over granting of variances for parking? Boyle advised that staff's recommendation is that the Planning Commission would have control over granting variances to parking regulations since it has site

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plan review authority and since it is most familiar with those requirements. The Zoning Board should not be vested with that authority in his opinion.

Adelman asked what the basis is for using 200 feet as the limit to give notice to neighboring property owners for a variance? Boyle advised that the City's notice provision of 200 feet is based on the notice provision outlined in the Ohio Revised Code which uses 200 feet as the notification limit and has been incorporated in the City's Codified Ordinances. Adelman stated that although it may increase the burden of the property owner and City staff, there could be times when a project would affect property owners in excess of the 200 feet limit. Boyle advised that notice can also be published in the newspaper if the Commission wants to do that. He further indicated that if a resident is not able to comply with the parking regulations for recreational vehicles, they could ask the Planning Commission for a variance. Boyle stated that in this type of case, the immediate neighboring property owners would be most impacted although others may be as well. He noted that staff is still receiving complaints regarding recreational vehicle parking in residential areas and the City needs to be able to have a way to enforce the regulations. Boyle stated that some property owners will move their recreational vehicles when they are notified of a potential violation, however, others refuse to do so.

Stubbs made a motion to accept the report and proposed regulations for its information. Adelman seconded. Motion carried unanimously. Boyle indicated that this matter will likely be discussed further at the Commission's next meeting.

**6. Proposed Regulations, Mobile Vending Operations.**

Boyle noted that the Commission has discussed this matter at several meetings in the past. He advised that the Commission was provided with updated draft regulations on mobile vending operations at this meeting for consideration at a future meeting. Boyle stated that the updates to the draft were based on input that was received via a forum held last August by the Oberlin Business Partnership (OBP) in which the issue of mobile vending operations was discussed with local business owners.

Boyle advised that attendees of the OBP forum indicated that having mobile food vendors operate in the City during special events would be acceptable, but concerns were expressed regarding unfair competition, reduction in available parking spaces for customers, etc. if mobile food vendors were allowed to operate on a regular basis. He noted that with the construction currently taking place at the Gateway Hotel site, parking in downtown is often at a premium. Boyle stated that these proposed regulations, if adopted, would be part of the Business Regulations section of the Code and not part of the Zoning Code. He advised that this is how the Sidewalk Café/Downtown Business Activity regulations were handled.

Stubbs made a motion to accept the report and proposed regulations for its information at this time. Adelman seconded. Motion carried unanimously.

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**7. Other Business.**

Boyle advised that the Commission's next regular meeting is scheduled for October 15, 2014.

Boyle reported that there was a public open house meeting on September 23, 2014 regarding the redevelopment of the Green Acres property owned by the City. He noted that the meeting was well attended and input was received from attendees regarding how and what type of development that they would like to see on this property. Boyle advised that there will be an upcoming meeting providing an opportunity for further review of design concepts by residents. In addition, it was noted that the development team for this property is working on refining its marketing strategy and tax credits will likely be applied for in February for the redevelopment of this property.

Boyle indicated to the Commission that permits have been issued for demolition of a portion of the Oberlin Inn as well as permits for the construction of the shell of the new Gateway Hotel. He advised that there have been some issues with the demolition and the contractor has been contacted to address those issues, specifically maintaining pedestrian access on the north side of East College Street so that pedestrians are not forced to walk in the street. Boyle stated that the contractor has indicated that the pedestrian access may have to be shifted and that revised plans would be submitted to City staff for review and approval.

Boyle stated that staff has spoken with the new energy efficiency/sustainability person at the Oberlin Project regarding obtaining information on the ground floor size of "green" houses. He indicated that information on this matter would be provided to the Commission when it becomes available.

Boyle advised that the City-owned "former Clark Lumber Yard property" has been sold to Lorain County Health and Dentistry (LCH&D) for the construction of a clinic on that property that would service Oberlin and southern Lorain County. He stated that this clinic would be open to all, but is focused on low to moderate income individuals. Boyle noted that grant funding has been applied for to build the clinic and once funding is received by LCH&D, it is likely the Commission will receive a site plan application for its consideration.

Boyle reminded the Commission that the annual Cleveland APA Planning and Zoning Workshop will be held on October 24, 2014 and indicated that if there were any members interested in attending, funds could be located within the Department's budget to pay for registrations. Members interested in attending should advise staff as soon as possible.

Adelman asked whether the on-street parking spaces for the Gateway Hotel project along East College Street were going to be permitted or not? He advised that he has heard that they are not going to be permitted. Adelman indicated that those on-street parking spaces are a very important aspect of the project and they are needed. Boyle stated that he understands that the Commission prefers to have the on-street parking on the north side of East College Street. He advised that the installation of some on-street parking for that area is still under review at this

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time. Boyle noted that the on-street parking issue would be resolved by the time the hotel is completed. Adelman reiterated that the City needs to allow on-street parking on East College Street in front of the proposed retail spaces. He advised that the East College Street project does not have on-street parking in front of the building and noted that it is very hard to find a place to park there. This creates problems for customers that want to patronize those businesses.

Boyle indicated that this is a point well taken. He advised that when the East College Street project was reviewed, there was much discussion regarding parking in front of this building. Boyle stated that ultimately, because of the very narrow right-of-way width in front of this building, on-street parking was not permitted, except for a few spaces like the transit space/loading area. The right-of-way width of East College Street to the west of Willard Court is, however, much wider. Adelman reiterated that he is of the opinion that on-street parking on East College Street in front of the Gateway Hotel building needs to be permitted like the developer originally presented to the Commission. Crowley agreed. He stated that because of the redevelopment of the former Oberlin Inn, it intensifies the need for additional parking in this area, especially since there is no type of downtown trolley for people to use. Adelman advised that the Gateway Hotel project will exacerbate the existing parking problems in the downtown area.

Crowley indicated that adding a few more parking spaces would not resolve the existing parking problems. Boyle stated that any additional parking spaces downtown would help, even if they do not resolve the parking problems. Adelman advised that taking away the proposed on-street parking spaces along East College Street would only make the downtown parking issues worse. Crowley noted that another problem in the downtown area is the lack of affordable housing. He stated that the College just demolished a house on Pleasant Street to make room for more parking for the Gateway Hotel. Crowley suggested that there is a need for affordable housing downtown as well as parking and that any time a house is demolished or parking spaces are removed, replacement of such should be required, especially if the goal is to create more density in the downtown area. He advised that parking is a key to a better downtown and that the College should be required to replace the housing it demolishes in order to maintain the current density of downtown.

Stubbs asked how many on-street parking spaces might be permitted on East College Street. Boyle advised that staff is still working on a solution. Stubbs suggested that some parking spaces in the downtown area could be changed into 15 minute parking. Boyle indicated that there are currently some 15 minute parking spaces downtown which were added to help with turnover in parking and staff is willing to look at whether more short-term parking spaces can be added. Adelman stated that 15 minute parking spaces in the Off-Street Parking lot have worked well for Watson's Hardware. Boyle reiterated that it is clear that the Commission is concerned with downtown parking and would like additional on-street parking spaces.

Crowley asked about the parking analysis that the College had agreed to have done? Boyle stated that staff is still waiting on a report from the College's parking consultant and he further noted that staff has asked College representatives about the parking analysis report on a number



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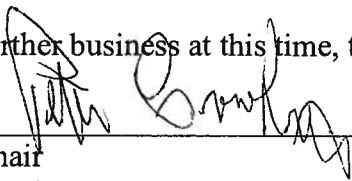
of occasions, including recently. Norenberg advised that he was assured recently by the College that the report would be forthcoming.


Adelman stated that originally, the developer was proposing nineteen (19) on-street parking spaces along East College Street, but the Commission has been told that nineteen (19) parking spaces is not possible. Boyle reiterated that staff is working on the issue of on-street parking for East College Street, and further advised that the Police Department, after its review, concluded that the design of on-street parking plan presented by the developer in his plans would not meet Code. Staff feels that the design can be adjusted to meet Code. Soucy advised that staff is working on the issue of on-street parking for East College Street and she hoped for a compromise to have some parking there. Boyle explained that staff is very aware of the importance of on-street parking in the downtown district. He noted as a recent example that after ODOT repaved Main Street, ODOT wanted the City to change all of the diagonal on-street parking to parallel parking. He advised that City staff worked hard to convince ODOT to allow the angled parking spaces to remain. Boyle and Soucy indicated that there is still time to work out the on-street parking issue before the work on the Gateway Hotel is completed.

Stubbs asked whether Tony Scott was going to continue serving on the Commission as he has missed several meetings. Boyle stated that Scott has resigned and that Council would need to appoint a replacement. Boyle thanked Scott for his service to the community.

**8. Adjournment.**

There being no further business at this time, the meeting was adjourned at 6:00 p.m.

  
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Peter Crowley, Chair

  
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Wendie Fleming, Secretary to the Planning Commission

