



**Oberlin Planning Commission
December 15, 2010, 5:30 p.m.
City Hall Conference Room #2
85 South Main Street, Oberlin, Ohio**

Members Present: David Gibson, Eric Gaines, Frank Carlson and Marilyn Fedelchak-Harley.

Members Absent: Richard Gallagher.

Others Present: Gary Boyle; Wendie Fleming, Secretary to the Planning Commission; Steve Varelmann; Leo Evans; Peter Lehrer; Elizabeth Rumics and Tony Mealy.

Chair Fedelchak-Harley called the meeting to order at 5:30 p.m. on Wednesday, December 15, 2010.

1. Approval of the November 3, 2010 Meeting Minutes.

The Commission tabled consideration of the November 3, 2010 meeting minutes until the next meeting.

2. Approval of the December 1, 2010 Meeting Minutes.

Gibson made a motion to approve the December 1, 2010 meeting minutes as submitted. Gaines seconded. Motion carried unanimously.

3. Application for Conditional Use Permit and Site Plan Approval, Proposed Bed and Breakfast Inn, Moira Donovan and Peter Lehrer, 168 Forest Street.

Boyle advised that this application for a "Conditional Use Permit" was considered during the course of a "public hearing" conducted on November 3, 2010 and December 1, 2010. He noted that at the conclusion of that hearing, the applicant requested that this application be tabled and the Commission moved to table it so that he could have more time to decide whether to proceed with the Conditional Use Permit request.

Boyle indicated that the applicant has recently submitted a written request seeking the Planning Commission's further consideration of this application at its meeting on December 15, 2010.

Peter Lehrer was present to represent this application. Lehrer asked for clarification of the draft conditions, page 2 where it states that the Bed and Breakfast Inn would be restricted to the existing apartment unit in the ancillary building and whether he would be able to expand the Bed and Breakfast Inn in the future? Boyle advised that the applicant would have the right to apply for an expansion of the Bed and Breakfast Inn in the future, but no guarantee of approval could be made at this time. He indicated that the draft conditions are appropriate with respect to the current Conditional Use Permit that

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outlines the size, location, etc. of the Bed and Breakfast Inn in accordance with the request that was filed with the Commission. Gibson agreed that the applicant could apply but that it would not be a guarantee that an expansion would be approved.

Carlson made a motion to adopt the findings of fact regarding the proposed use as contained in the submission from staff, and to approve applications as submitted with the conditions outlined in the draft Conditional Use Permit provided by staff. Gibson seconded. Motion carried unanimously.

4. Application for Sign Permit Approval, Wall-Mounted Sign, Verizon Wireless, Oberlin Square, 14688 State Route 58.

Boyle indicated that this application seeks approval to install a wall-mounted sign on the building's south elevation or front façade. He stated that the proposed signage would be centered on the building's fascia above the storefront window/door system, and would have an overall height of about 2.75 feet, a length of 13.5 ft. and a sign surface area of 37.125 sq. ft. ±. The proposed signage consists of three (3) elements including the "Verizon" logo, the words "Verizon Wireless", and a subtext containing the words "Wireless Partners/Premium Retailer." These elements are comprised of mixed font styles which are the corporation's approach. Boyle noted that according to the applicant's submission, the "Verizon Wireless" portion of the sign would be fabricated of aluminum letters painted black and red with white LED back-lit illumination. The "Wireless Partners" and "/Premium Retailer" component of the sign would be made of PVC letters to be painted black and mounted flush to the façade. Boyle noted that the sign should be installed in a plane similar to nearby wall signs.

Carlson made a motion to accept the Design Review Subcommittee's recommendation and to approve the sign as submitted and described by staff. Gaines seconded. Motion carried unanimously.

5. Application for Site Plan/Design Review Approval, Proposed Exterior Building Changes, Apollo Theater, Apollo Theater, LLC, 19 East College Street.

Boyle stated that this application seeks approval to undertake Phase II of the Apollo Theater renovation project which includes both interior and exterior work. He advised that the applicant indicates that the theater will be the subject of various interior changes including a reduction in the total seating capacity from 490 seats to 421 seats. That lesser number includes 6 handicap accessible seating areas. The applicant also proposes to construct a second floor "screening room" with 66 seats that can be used by the College's "Cinema Studies" as "teaching space." Boyle stated that the barber shop space (Manuel's) and insurance office (Ross/Nationwide Insurance Agency) will be or have been relocated to other "downtown" buildings to accommodate the project.

Boyle indicated that the applicant also proposes to undertake a number of exterior changes or improvements to this building. He advised that those changes include the installation of new, clear glass in first and second floor windows facing East College Street and the "East Alley"; installation of vitrolite panels on the building's East College Street façade to replace an air conditioner opening; reconstruction of the marquee on the East College Street façade; installation of a new TPO roof; a new steel guardrail around mechanical equipment on the building's south elevation and access panels to that mechanical equipment; installation of new gutter's/drain leaders on the east, west and south building elevations; brick infill on window and door openings on the west and south building elevations; installation of a new man door on the west building elevation; installation of mechanical louvers on the east and west building elevations and access panels to that mechanical equipment; mortar replacement to match existing; etc.

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Boyle stated that the applicant's site plan also indicates that an emergency electrical generator is proposed as part of the alternative bid package, and that generator would be located to the south and east of the building. That location would affect the existing parking layout behind the building. Police and Planning staff question the loss of parking that could result if the generator is installed as shown.

Boyle advised the Commission that the Design Review Subcommittee considered this application at its meeting on December 15, 2010 and moved to recommend its approval without the generator and that if the generator is to be installed, the applicant would need to submit details for review and approval.

Boyle indicated that there are no departmental concerns other than that related to traffic circulation, and parking in and around the area that needs to be maintained during construction.

Steve Varelmann and Leo Evans were present to represent this application.

Evans provided detailed information concerning this application and outlined the proposed project. He also noted that it will involve repairs to the marquee structure which is rusted.

Gibson asked if there were any special Code requirements for the new exit door that opens into the alley so that a person exiting the building would not open the door into an oncoming car? Evans stated that he is not sure what the Code requirements are for this door to be used as a second means of egress, and they would have to comply with the Ohio Building Code. Varelmann noted that it is unlikely that a car would be able to get too close to the side of the building and in addition, the building has a sprinkler system installed for added fire protection. Boyle advised that the Plans Examiner will review this matter and determine what needs to be done with respect to this door, and how it opens.

Gibson asked where the construction staging area would be located? Evans indicated that they would like to have it located on the south side of the building and they would also like to use some of the parking spaces in front of the building for staging as well. He stated that they would of course have to get the City's permission to do so. Boyle noted that it is unlikely that the City would approve the use of the on-street parking spaces for construction staging. Evans advised that during the last phase of construction, they worked with Off-Street Parking to use some of its parking. Gibson stated that there is more demand for downtown parking now. Evans indicated that there were several large construction projects underway downtown at the same time when they were working on the first phase of the Apollo Theater renovation, and it worked out well.

Carlson asked what the status of the Verizon parking lot was. Varelmann stated that the College has been asked by a number of individuals and the City Manager if people are currently allowed to park there even though the parking lot renovation work has not been done yet. He noted that they cannot complete the renovation work on the parking lot until spring. Gaines stated that it is a usable space as it is right now and it would be great if it could be utilized, especially during the Holiday shopping season. The Commission agreed that this lot could be used in advance of its reconstruction. Boyle advised that if Oberlin College can work with Frontier Communications to keep their trucks in the back parking lot, it appears that the Commission is amenable to allowing people to use the parking lot.

Gibson mentioned that it is ideal to maintain as much parking as possible during the renovation work on the Apollo Theater. Evans noted that they will need to have a dumpster located close to the building. Carlson advised that the Commission does not usually involve itself with the staging of the construction work. Gaines stated that the Commission could offer a suggestion about the construction staging. Gaines

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asked if the alley would be blocked during construction. Evans stated that there would be short periods of time that it would be closed when they tie into to the sanitary sewer, etc. Gibson noted that the restaurants in that area will need to be able to get truck deliveries and trash removed. Evans stated that they did drilling in the alley already in preparation and they will be coordinating with Oberlin Off-Street Parking during the construction. He advised that there were no complaints during the first phase of construction on the Apollo Theater.

Gibson stated that the project looks great and that it is exciting to have the building renovated. Fedelchak-Harley encouraged the applicant to consider appropriate methods to address parking during the construction work.

Carlson asked what interior work would be done to the building. Evans advised that they propose to add new fabric seating, renovate the ceilings and to convert the former insurance office space into a small screening area with 60 to 70 seats. The second floor stairway would be maintained and ADA accessibility issues are being considered as well.

Mealy asked if the renovation work would have a LEED rating? Evans stated that all work will be done for energy efficiency such as insulating the roof, energy efficient designs for air handlers, etc. but since they cannot insulate the exterior walls, they are not pursuing a LEED rating. Evans further advised that they would be using like materials and colors for all items that are being repaired/replaced.

Gaines made a motion to encourage the applicant to carefully consider the staging of this project and to accept the Design Review Subcommittee's recommendation and to approve the matter without the generator and subject to the requirements of City departments including the submission of a Traffic Circulation Plan in order to ensure public access in the alley, issuance of all required permits, etc. The Commission also noted that should the applicant be interested in proceeding with the installation of a generator, details will need to be submitted for review and approval. Carlson seconded. Motion carried unanimously.

6. Discussion -- Sign Code.

Boyle provided the Commission with information concerning the update of the Sign Code. He stated that staff recently met with Majewski to further discuss the Sign Code updates. Boyle indicated that Majewski had drafted two charts which outline the current sign regulations and that the charts are intended to facilitate discussion regarding possibly simplifying the Sign Code and thereby making it easier to use. Boyle stated that he and Majewski also discussed trying to further condense the Sign Code, cover content neutrality issues and to make it easier to use and administer.

Fedelchak-Harley stated that the charts appear to be helpful. Boyle stated that Majewski had reiterated that Sign Codes are tough to rewrite as First Amendment issues much be carefully considered. He further noted that a better refined draft of the Sign Code amendments would be presented to the Commission for review and consideration. Fedelchak-Harley asked if the new Main Street-Chamber Director has reviewed the portions of the Sign Code amendments that deal with the "C-1" District. Boyle stated that he recently met with Scott Schell, the new Main Street-Chamber Director and he has advised him that the Commission has been working on updates to the Sign Code and that Mr. Schell understands the issues that have been and will need to be discussed. He further advised that Main Street-Chamber Director is willing to work with the Commission on Sign Code updates for downtown.

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7. Other Business.

Fedelchak-Harley indicated that she would still like to meet during the last week in December. Boyle stated that December 30th would be the best day for staff as he will be on vacation December 27, 28 and 29th. Gaines advised that he would not be able to meet on December 30th. Gibson stated that he would not be able to attend a meeting the last week in December. The Commission concluded that its next meeting would be held on January 5, 2011. Boyle advised that staff would contact Gallagher to see what his availability would be for meeting dates and times in the New Year.

Fedelchak-Harley expressed concern over the work that the Kent State Urban Design Center did with respect to the Planned Development District amendments. She advised the Commission that although the outcome of their work on this matter was a little disappointing, she is of the opinion that the Urban Design Center does very good work and asked the Commission to possibly consider using them again in the future.

Fedelchak-Harley advised the Commission that she was very honored to have been the Chair for the last three years and suggested that the Commission consider Carlson for the chairmanship 2011. Carlson advised that he would be willing to be Chair of the Commission unless Gaines wanted to be. Gaines respectfully declined the chairmanship.

Boyle advised the Commission that City Council has conducted interviews for the Planning Commission. The Commission discussed whether to forward a recommendation to City Council requesting that Fedelchak-Harley and Gibson be reappointed to the Commission and it was noted the Commission has done this in the past. Carlson made a motion to forward a recommendation to City Council strongly encouraging that Fedelchak-Harley and Gibson be reappointed. Gaines seconded. Motion carried unanimously.

8. Adjournment.

There being no further business, the meeting was adjourned at 6:25 p.m.


Marilyn Fedelchak-Harley, Chair


Wendie Fleming, Secretary