



**Oberlin Planning Commission  
Wednesday, June 18, 2014, 4:30 p.m.  
City Hall Conference Room #2  
85 South Main Street, Oberlin, Ohio**

**Members**

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

**Members**

**Absent:** Tony Scott

**Others**

**Present:** Gary Boyle; Wendie Fleming, Secretary to the Planning Commission; Sharon Soucy, Council Liaison; Valerie Urbanik; Elizabeth Rumics; Ron Rimbert; Daniel Neff; Tita Reed; Christopher Noble; Dennis Kirin; and Jeff Baumann.

The meeting was called to order at 4:36 p.m.

**1. Approval of the May 28, 2014 Meeting Minutes.**

Adelman made a motion to approve the May 28, 2014 meeting minutes as submitted. Stubbs seconded. Motion carried 3 to 1 (Mavrich abstained).

**2. Revised Site Plan Application, Proposed Gateway Hotel Complex, Oberlin College, 7 North Main Street.**

Daniel Neff of Neff and Associates advised that they have submitted the final revised site plan which they feel addresses outstanding items for the partial approval that was giving by the Planning Commission late last year for the site plan. He indicated that they have been working with staff to address outstanding issues and have tried to provide more landscaping in and around the parking area for this project. Neff stated that the original parking lot layout was a large mass of pavement but they have now added bioretention areas that will contain plantings as well as landscape strips in the parking lot. He noted that the bioretention basin has been reconfigured and would be located in the middle of the parking lot which will help with the water quality.

Neff stated that the placement of the building has not changed on the site, nor has the turnaround area at the rear of the building.

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Neff indicated that at the front of the building along Main Street, the courtyard area will provide a landscaped area in front of the hotel. He noted that this area would contain outdoor seating for the hotel's restaurant and it will be a very large pedestrian-friendly space.

Neff advised that the proposed drop-off area on East College Street has been reconfigured on the site plan and they have shown stripping on East College Street along the proposed retail space to indicate that there is no on-street parking in this area.

Neff explained the selection of landscape plants that were chosen for this project. He indicated that the types of trees chosen: ginko, Bromhall maples, London Plain trees and river birch are more slender in shape and will provide some shade to the site but will not completely obstruct the view of the building's architecture. Neff stated that the river birch have been chosen for the bioretention areas because they thrive in wet areas. He advised that the varieties of trees that were chosen will also provide enough of a canopy to reduce the heat island effect of the parking field. Neff outlined the other types of plants chosen such as serviceberry and red bud trees which flower in the spring and will provide additional color. He advised that all of the plant species chosen are native to the area. Neff indicated that Norway spruce trees will be used at the back of the building and near the service areas to help soften these areas of the building. He stated that ground cover plants, such as turf lilies and sedge grass along with day lilies and grasses will be used in the bioretention areas and in some of the shaded areas they have chosen to use ferns. Neff advised that they propose to install arborvitae along the loading area to help screen and soften the look of those areas.

Neff outlined the types of exterior lighting that would be used on site which would include flush-mounted uplighting to provide soft lighting around the building, tall bollard lighting that would flank the parking area near the rear of the building. They also propose to use low bollard lighting and shoe box style light fixtures that would be mounted on 20 ft. black powder-coated aluminum poles. Neff stated that all of the light fixtures would be LED. He advised that along College and Main Streets the standard City decorative pole lamps would be used and there would be some additional decorative pole lamps used on-site. Neff provided the Commission with an updated photometric plan and stated that the light levels would be good but not excessive throughout the project area.

Neff advised that with respect to the site utilities, they propose to tie into existing sewers for this project. He stated that per the Public Works Department's requirement, they have sent cameras into the sewers to check to see what condition they are in. Neff noted that they have been working with the Public Works Department regarding this and will continue to do so.

Neff further indicated that they have shown the various fire service connections as well as the fire signal control room at the front of the building off of the lobby as requested by the Fire Department.

Boyle stated that the Commission has considered this project over a number of meetings. At its meeting on October 23, 2013, the Commission granted "partial" approval of this application

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related to the general site layout and location of the proposed building, etc. and that approval was subject to compliance with a number of conditions including the need to address all City department requirements.

Boyle further noted that the Planning Commission reviewed and approved the proposed building's architectural design, building materials, colors and textures at its meeting on December 4, 2013 subject to compliance with conditions including the need for a Development Agreement. He also noted that the Commission considered a site plan and building design for a proposed stand alone bank building on property at 52 East College Street at its meeting on March 19, 2014, and the site plan and the building design of that proposed bank was approved by the Planning Commission on that date subject to compliance with conditions. The Commission also reviewed and granted approval of a "Conditional Use Permit" for drive through lanes associated with that proposed bank building on March 19, 2014. Lastly, he explained that the applicant presented a "preliminary" site plan illustrating a "revised" parking design for parking areas on either side of Willard Court at its meeting on April 2, 2014 that included landscape areas within the parking areas and compact car spaces.

Boyle indicated that this most recent, revised site plan revision is based on the "preliminary" site plan that was presented to the Commission at its meeting on April 2, 2014. He noted that landscaping has been added to the parking lot, parking spaces for compact cars have been added, etc. Boyle advised that City departments have met with the applicants since then in an attempt to resolve the outstanding site plan issues that have been previously identified and although some of those issues have been addressed, there are still a number of matters that have not been such as truck delivery movement concerns, etc.

Boyle advised that staff has prepared a draft list of "Conditions of Approval" should the Commission decide to approve the revised site plan. This list was provided to the Commission members before the meeting began. He noted that these conditions will memorialize what needs to be addressed by the developer and some could be included in the Development Agreement. Boyle stated that some of the outstanding issues can also be dealt by City staff administratively. He further advised that a building permit has been submitted but the drawings submitted with that application are not consistent with this revised site plan submission and that needs to be rectified as well.

Boyle stated that the list of conditions express the requirements that the various City departments have concerning this project as well as outlining City standards and regulations that must be complied with. He reiterated that many of these conditions could be included in the Development Agreement which will also be required. Boyle noted that the items on the list were identified by City departments in the past and to date have not been addressed to those departments' satisfaction or will need to be addressed in the future if the site plan is approved.

Crowley asked for clarification with respect to Item 44 on the list of conditions and whether this meant that further revisions to the site plan would need to be reviewed and approved by the Commission? Boyle advised that if the Commission were to approve this site plan at this

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meeting with conditions, the conditions could be dealt with administratively so that the Commission would not need to conduct another review of this site plan. He noted that this would apply to issues such as conducting CCTV inspections on the sewers, etc. Boyle indicated that the City requirements need to be complied with and the Commission can, if it wishes, approve this revised site plan with conditions or it could disapprove it. He noted that staff would, as always, be available to continue to work with the applicant at the staff level to address the outstanding concerns.

Adelman asked if the list of draft conditions was shared with the applicant? Boyle advised that the list was e-mailed to the applicant prior to this meeting and a hard copy of the list was just provided before this meeting started.

Adelman observed that Jeff Baumann, the City's Public Works Director, is in attendance and indicated that he would like to hear from Baumann regarding his concerns on this project. Boyle advised that Baumann and Fire Chief Dennis Kirin were in attendance and could answer any questions that the Commission may have with respect to their respective comments. He further advised that the applicant's site plan shows striping on East College Street in front of the proposed retail space and indicates it as a no parking area. Boyle stated that staff sees this area as a possible future plaza area and as an opportunity to do something special with the streetscape.

Baumann stated that Section 1357.04 of the City's Codified Ordinance outlines the application requirements for projects such as this and indicated that one of the purposes of the Code is to ensure that adjoining properties are not be adversely affected. He further indicated that safe traffic circulation on public and private streets for a project is a Code requirement and various City departments have continued to express concerns over the traffic circulation for this project for months.

Kirin indicated that he and other City departments have expressed their frustration with this project. He advised that staff has been more than willing to work with the applicant and staff has continually supplied the applicant with recommendations and requirements, and the most recent revised site plan does not reflect those recommendations and requirements. Kirin stated that the Commission can approve the revised site plan with conditions if it wishes, but in his opinion this revised site plan is not reflective of all Code requirements nor does he feel that the outstanding issues are close enough to being addressed to the City's satisfaction to give him any sort of comfort level. Crowley noted that the draft list of conditions is quite lengthy.

Stubbs asked about the work that ODOT is going to be doing on Main Street and Lorain Street, and what impacts this project may have on that work? Baumann stated that ODOT has had the resurfacing SR 58 and SR 511 on its project list for the last 4 to 5 years and that ODOT awarded a contract for the repaving of these roads in March 2014. He noted that the City asked ODOT to delay start of this project until after Memorial Day/Commencement Weekend and he has been advised that the work will be starting next week. Baumann further advised that in Section 903.11 of the Code, it states that excavations in newly paved streets are prohibited, barring an emergency, for 2 years. He indicated that any utility work for this project should have been done



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prior to ODOT's resurfacing project in order to avoid excavating in newly paved streets and once the resurfacing starts, and excavations will require City Council's approval to do so.

Neff stated that they have completed the camera inspections on the sewer main. He advised that some sewer repairs are necessary but he feels that they do not have to excavate into the street. Neff further noted that they did move the fire connection as requested by the Fire Department and that they have listened to the City department's recommendations and requirements. He indicated that their sewer inspections show that there are only minor defects and that they are proposing to reline the sewers. Neff reiterated that they have not ignored City department comments and they will not be excavating into the right-of-way. He stated that they completed the sewer inspections and the Public Works Department then asked them to inspect the sewers further down East College Street, which they acted on immediately. Neff advised that their sewer inspections have shown no structural issues and that they will only have to reseal some joints or reline the sewers, subject to the approval of the City Engineer and Public Works Director. Also, unneeded taps can be abandoned in place.

Neff stated that with respect to truck access to the site, this is an urban redevelopment project and functionality for the hotel is important. Given the site's urban location, there may be some traffic conflicts such as a delivery truck blocking cars. He indicated that City departments had recommended that the truck delivery area be moved to the north side of the building, however, their architects advised that this would not work with the building design. Neff stated that not all items will mesh with the design of the building and he noted that they have tried address the outstanding requirements, and that they know that they will need to satisfy City department requirements. He noted that any differences of opinion between the applicant and staff on the design can be decided by the Commission.

Baumann advised that relining the sewers for this project is a great idea if the lateral is in good condition, however, this is the first time he has heard that the applicant is proposing to do so. He also noted that there have been no conversations with the applicant regarding abandoning utility connections prior to this meeting. Baumann stated that the applicant's sewer inspection report was incomplete, that is why the applicant is required to do additional inspections. With respect to traffic circulation, delivery trucks will have to cross the centerline on East College Street to make a right turn from Willard Court to East College Street, and he as well as other departments have continued to express concern regarding this. Baumann stated that it appears to him that the architect designed the building independent of the site and it does not fit on it.

Adelman stated that every Commission meeting that he has attended when this project has been reviewed, the same concerns have been expressed by the City departments over and over again. He indicated that he believes that this is a great project, but he does not understand why the applicant has not addressed the concerns of the various City departments. Adelman advised that a few minor adjustments have been made but for the most part it seems as if the applicant has just ignored the departments' concerns and requirements. He stated that these department requirements need to be addressed. Adelman noted that this building will be standing for the next fifty (50) years or more and there are four (4) pages of issues that need to be addressed, and

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it is the Commission's and City Council's responsibility to see that they are. He stated that he feels that a considerable amount of time has been wasted reviewing the same list of concerns and that these concerns, especially traffic circulation, must be taken care of to the satisfaction of the various City departments. Adelman indicated that he is of the opinion that it is not responsible for the Commission to give approval for this site plan with outstanding concerns. He advised the applicant that it should revise the drawings to reflect all of the concerns/requirements listed and resubmit the plans for review.

Stubbs agreed with Adelman that he too wants to see this project happen for the community but that the outstanding items need to be addressed. He suggested that this application be tabled and that the applicant can resubmit the plans for review once it has revised the drawings. Stubbs stated that he is not comfortable enough with what the applicant has submitted for review today to vote to approve the site plan.

Mavrigh indicated that she does not understand why there continues to be such a large gap between the applicant and the City departments. She advised that the Commission cannot move forward with approval since concerns and requirements that have not been addressed. Mavrigh stated that she does not understand why these items have not been taken care of and asked if there may be other individuals that should be involved that could see that they are. She suggested that maybe bringing in a professional to arbitrate this situation would be helpful as it is not clear if the outstanding items are a difference in professional opinion or just a lack of information. Mavrigh advised that she is disappointed to not be moving forward on this project.

Stubbs suggested that the Commission could meet in two (2) weeks to further consider this application. Mavrigh asked what needs to happen now?

Noble advised that this is the first time that he has seen the draft list of "Conditions of Approval" and some of the items he has not seen before or has not seen in a year or so. He indicated that they received partial site plan approval by the Commission last year and that they have addressed many of the concerns expressed by the City departments to date. Noble stated that they were under the impression from that partial approval that they just needed to submit landscape and lighting plans in order to obtain final approval of the site plan so he is surprised that the issue of traffic circulation is still on this list. He advised that if this list were to be "scrubbed" there are really only three (3) or four (4) items that there is some level of contention on. Noble stated that there has been a fundamental disagreement between them and the City departments in the past regarding the building layout, specifically, the truck delivery area, but he thought that had been resolved. He advised that they would address the other issues. Noble also noted that there is some level of contention on the scope of the sewer camera work but what they are legally obligated to do in the street, they would do.

Boyle indicated that there have been many discussions with the applicant in the past regarding the requirements of City departments and matters that need to be addressed and staff remains available to further discuss them with the applicant. He noted that what cannot be resolved this way could be brought before the Commission for its consideration.

Stubbs asked approximately how many times the applicant and City departments have met to discuss this project? Boyle indicated that staff has probably met on average at least every other month or so with the applicant over the last two (2) years but there have been gaps at the start of the project when the applicant did not communicate with staff for a while, probably while design work was under way. He stated that there has been regular correspondence with the developer regarding the project and almost all of the items on the draft "Conditions of Approval" have been outstanding items for the last year which issues have for the most part been shared with the developer. Those matters have not been fully resolved to the satisfaction of City departments or reflected on the site plan drawings to date but they can be addressed as part of site plan approval.

Mavrich asked if there has been some approval on this project by the Commission? Boyle stated that partial site plan approval had been given by the Commission last year with respect to the location of the building on the site as well as the parking, however, there have been a number of conditions with that partial approval that have not been resolved and what cannot be resolved by working with the applicant can be submitted to the Commission for its consideration. He further noted that a Development Agreement will be needed for this project and many of the listed "Conditions of Approval" can be included in that Agreement.

Soucy asked when the Commission will be advised if the Lorain National Bank building will be built? She indicated that if the bank is not built, this could help improve traffic circulation. Boyle stated that the applicant's site plan still illustrates the bank and it is his understanding that the applicant wants to proceed with that design showing the bank at a location east of Willard Court. He noted that any changes to that site design, such as removal of the bank from the site plan, would require that applicant to resubmit a site plan for the Commission's review and approval whether or not this current design is approved by the Planning Commission. Boyle agreed that elimination of the bank from the site plan may provide opportunities for improved traffic circulation on the hotel site, the ability to provide more parking, and landscaping.

Crowley stated that he thought that the traffic circulation had already been approved for this project? Boyle advised that the truck delivery/loading area has been an issue with City departments from the beginning and noted that only partial, not final site plan approval had been previously given to the applicant by the Commission. He noted that the applicant did request approval of the location of the building on the site plan last fall since it did not comply with the setback requirements for the "C-1" District zoning classification, and that the partial approval was subject to the applicant meeting all of the City utility, etc. requirements as well.

Crowley advised that traffic circulation is critical for this project and he indicated that the requirements of the City departments must be resolved before the Commission can approve the application. Baumann stated that in his opinion, the issue of traffic circulation has not been resolved by the applicant. He noted that these issues have been discussed with the applicant on a number of occasions and the applicant has made little effort to address them. Baumann again



advised that Public Works Department is not the only department that has expressed concerns regarding the traffic circulation for the site.

Boyle stated that the Commission's approval of the building design elements on December 4, 2013 reiterated that the applicant must comply with all City requirements and that circulation and parking issues expressed by City departments are still germane. He advised that there is concern with the intersection of Main and College Streets as to whether semi-trucks can make a north-bound turn from East College Street. Boyle noted that the intersection of Main and Lorain Streets was just improved by the City to facilitate such truck turning movements there. He advised that the City can work with the applicant regarding this issue.

Adelman indicated that although he has not been on the Commission for a real long time, this is the first time other City department heads have attended a Commission meeting to express their concerns regarding any project and it says a lot that they are in attendance. He stated that he understands that the applicant is upset, but the lack of response to the City department's concerns has stalled progress for this project. Adelman advised that the Commission may not be able to remedy this situation and there may not be any progress at the Commission's next meeting. He stated that the applicant needs to address the outstanding issues and requirements in order for progress to be made. Adelman indicated that the list of "Conditions of Approval" were not just picked at random by City departments, they are Code requirements and standards that need to be addressed.

Mavrigh advised that the applicant has indicated that it thought it had met the requirements. She stated that it is not responsible for the applicant to ignore the department's concerns and in order to move forward with this application, maybe a work session should be held. Stubbs asked how this situation should be addressed?

Noble stated that until today, they thought they had addressed City department concerns. He advised that with respect to the list of "Conditions of Approval," they plan to address OMLPS's issues, and they will do what is required for the water and sewer lines. Noble indicated that he feels that they are being held hostage with respect to the off-site sewer work and they can meet with the City to try to resolve those requirements. He reiterated that he thought that the circulation issues had been resolved and that City departments have had conflicting opinions regarding access to the site via Willard Court, specifically whether it should be accomplished from the north or south. Noble advised that they do not have a problem with most of the items on the list of "Conditions of Approval" and they should be able to resolve most of these conditions within the next few days. He noted that the College is several weeks beyond the deadline for the closing for the New Market Tax Credits and delays could jeopardize the project's financing. Noble stated that any work session would need to be schedule as soon as possible.

Boyle explained that any meeting on this project would be a "special" meeting and not a work session.



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Neff advised that several items on the list of "Conditions for Approval" have already been completed and that with respect to the ADA parking spaces, the subject site plan shows the seven (7) required spaces and they are as close to the building as they can be. He stated that other items like the signage for the drop-off area, trash dumpster, sewer camera work and the electrical issues can all be taken care of. Neff further advised that they should not be expected to repair sewers in the entire downtown area as part of this project and with respect to the Fire Chief's requirement that the drive aisles in the parking immediately behind the hotel need to be 26 feet in width instead of 24 feet wide, he stated that the Fire Chief has indicated in the past that the Fire Department will not be fighting any fires that may occur at this building from behind it, so therefore, they should not have to make those aisles 26 feet wide. Baumann stated that the requirements concerning refuse and recycling for this project are not new and asked why adjustments have not been made in the plan sets to date to address department concerns?

Mavrigh suggested that this application be tabled until the applicant addresses the items on the list of conditions and then a special meeting can be scheduled if needed.

Mavrigh made a motion to table the application until the applicant resubmits a further revised plan that addresses the issues and requirements indicated by City departments. Adelman seconded. The Commission discussed and agreed that it would be willing to schedule a special meeting as necessary to consider a revised site plan once it is submitted by the applicant. Motion carried unanimously.


**3. Other Business.**

Boyle advised that the Commission's next regularly scheduled meeting would be July 2, 2014. He noted if a special meeting is necessary related to the Gateway Hotel project after the submission of "revised" plans, the Commission can decide on such a meeting. The Commission has in the past met on projects as needed, including meeting early in the morning in order to accommodate members if that time of the day would work best. The Commission indicated that it remains available to meet as may be necessary.

**4. Adjournment.**

There being no further business at this time, the meeting was adjourned by the Chair at 5:55 p.m.

  
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Peter Crowley, Chair, Oberlin Planning Commission

  
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Wendie Fleming Secretary, Oberlin Planning Commission

