

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16

MINUTES OF THE PUBLIC HEARINGS HELD ON WEDNESDAY, JUNE 15, 2016 IN COUNCIL CHAMBERS OF CITY HALL

The meeting was opened by Chairman Carolyn Witherspoon at 7:00p.m.

AMEND THE SPECIAL USE PERMIT FOR THE AVON EARLY LEARNING CENTER TO INCLUDE A SCOREBOARD TO BE LOCATED AT 3075 STONEY RIDGE ROAD.

The public hearing was opened by Chairman Carolyn Witherspoon at 7:00P.M. Frank DeSmit, the baseball coach explains that over at the Early Learning Center or old Middle School, they have been wanting to upgrade and put a scoreboard there. Mr. DeSmit says they have never had a scoreboard and 2/3 of their games are played there. The scoreboard is very plain, has no speakers, no exterior lights, just the lights in the scoreboard and will only be used for daytime baseball games. Mr. DeSmit shows on the drawing the location of the scoreboard which would be along the left field side which would make it more effective to see the lights. There being no questions or comments, Chairman Witherspoon closes the Public Hearing at 7:04P.M

AMEND THE SPECIAL USE PERMIT FOR THE AVON HIGH SCHOOL TO INCLUDE A SCOREBOARD TO BE LOCATED AT 37545 DETROIT ROAD.

The public hearing was opened by Chairman Carolyn Witherspoon at 7:04P.M. Ken Matuszak, the softball coach says this the same scoreboard that the baseball team is requesting. This location in at the Avon High School again in the left field area. Mr. Matuszak says they were told the height of the sign would be 15 feet high. There being no questions or comments, Chairman Witherspoon closes the Public Hearing at 7:06P.M

AMEND THE PRELIMINARY PLAT FOR STONEBRIDGE SUBDIVISION.

The public hearing was opened by Chairman Carolyn Witherspoon at 7:06P.M. Jim Saylor of Reitz Engineering explains this is an amendment to the preliminary plat and the revision is only for phase 14 which is a 6 lot phase. Mr. Saylor says the previous alignment had more homes in the cul de sac but the revisions cuts the lots to 6 and then the entire subdivision will be completed.

Jason Gray, 2559 Stonefield has some concerns with the six lots and wants to know how they will affect his property. It was determined, given Mr. Gray's location, there is a mound behind him and that mound is going to stay there and then a house will be a little further up the road. There being no further questions or comments, Chairman Witherspoon closes the Public Hearing at 7:09P.M

AMEND THE PRELIMINARY PLAT FOR AVONDALE SUBDIVISION.

The public hearing was opened by Chairman Carolyn Witherspoon at 7:09P.M. There being no one present in the audience, Chairman Witherspoon closes the Public Hearing at 7:09P.M

MODIFY MASTER SANITARY SEWER DISTRICT.

The public hearing was opened by Chairman Carolyn Witherspoon at 7:10P.M. Aaron Appell of Bramhall Engineering says they are requesting a sanitary sewer change to incorporate the proposed West Wickham subdivision. The subdivision will consist of approximately 23 acres and could add additional 46 acres. Mrs. Witherspoon asks Mr. Appell to point out the roads on the map so people will know where they are talking about.

Skip Conant, 34390 Detroit Rd asks Mr. Gasior to explain the note on the drawing concerning the Jaycox District Surcharge tap in fee ordinance. Mr. Gasior says a 3-4 million dollar sewer went in on Jaycox Road in 2006-2007, the City bonded it and the City instituted a surcharge by ordinance on all properties in that district. Mr. Conant asked where the sewer ran from. Mr. Gasior says it ran from Detroit Road to Avon Lake line. Mr. Conant says the business on Jaycox Rd were required to pay the surcharge to tap in

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16

and Mr. Gasior says no most businesses had already been serviced by sewers. Mr. Conant reads a statement he had prepared. The statement references that he objects to the redistrict referencing 1246.02 requires all proposed subdivisions to conform to the master plan. Mr. Conant says that this redistricting is in violation to the Master Plan. Mr. Conant says the city will be taking about 30% and moving it to the Nagel district which he says is almost to capacity. Mr. Conant says he presented to the City a sketch showing properties that if the city moved forward with the redistrict it would benefit with being included. Mr. Conant says none of those properties are included in this proposal and believes the Serfozo property should be included in this redistricting. Mr. Conant says his final objection is the Jaycox Surcharge fee and says the people on Jaycox will be required to pay the fee and will no longer be taping into that sewer and believes that fee should be revisited by the City. Mr. Conant asks Mr. Cummins what are the Nagel and Jaycox lift stations capacities and how does this proposed districting affect them? Mr. Cummins says he believes Nagel is 3 million gallons per day and Jaycox is 2 million gallons per day. Mr. Cummins also says that he doesn't believe it will have any effect on the pumping capacities as both districts could absorb the change. Mr. Conant asks why the Serfozo property wasn't included. Mr. Cummins says this was the request that was submitted to the City and it serves to provide alternate route to the Puth and Joseph area as well as the land owner who submitted the request. Mr. Conant asks hasn't the city spent a lot of time and money about riparian ways. Mr. Cummins says they passed a new ordinance last year. Mr. Conant says wouldn't this sewer going under Heider ditch and the riparian way have an adverse effect. Mr. Cummins says no you are allowed to do crossing with riparian. Mr. Conant asks Mr. Gasior how the city asks people to pay for a sewer that does not benefit them. Mr. Gasior says it was passed by ordinance and asks Mr. Conant about Serfozo and how they would most benefit. Mr. Conant says the line ends at their property and they want to sell and thinks it would make their property more valuable. Mr. Gasior says they will be serviced by the Jaycox district and says this is a savings to the City on sewerage the Joseph, Puth area as they are under an EPA administrative order to do that. Mr. Gasior says they keep pushing the date to try to come up with a plan that is the most economical for those residents as they will be assessed. Mr. Gasior says with this project and the engineering they found benefits to do it this way for the City. Mr. Gasior explains who will have to pay the surcharge and how it came about.

Dave Horwedell, 34070 Detroit Road asks where is the tap in going to be from Detroit Road to this project. Mr. Cummins says the final location has not been set. Mr. Cummins says it could come off the cul de sac and head south but there is some flexibility and when it is finalize will be speaking with the homeowners.

Howard Lane, 5333 Meadow lane is representing Denise Maynard, the owner of the Serfozo parcel. Mr. Lane says this property is to the west of the West Wickham project and has filed a written objection to both the approval of the plat and the modification of the sewer district and wants to reiterate that objection. Mr. Lane says this does not conform to the master plan. Mr. Lane ask about Middleton and asks if a sewer will run down Middleton. Mr. Cummins says no it will not. Mr. Lane also says he agrees with Mr. Conant and the surcharge and understands Mr. Gasior explanation and wants on the record that they do object.

Tony Vacantti legal representative for Skip Conant says they he wants to reiterate the objection as he is a property owner within the Jaycox district. Mr. Vacantti says anytime the government asks to provide a utility services it cannot be arbitrary or cupreous. Mr. Vancatti says the City adopted a Master Plan and has changed it a number of times. There being no further questions or comments, Chairman Witherspoon closes the Public Hearing at 7:33P.M

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16

MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD ON WEDNESDAY, JUNE 15, 2016 IN COUNCIL CHAMBERS OF CITY HALL

Present: Mary Berges; Bill Fitch; Bryan Jensen, Mayor; Jim Malloy; Carolyn Witherspoon; Ryan Cummins, City Engineer; Pam Fechter, Planning Coordinator; John Gasior, Law Director; Rick Schneider, Zoning Enforcement Officer; and Jill Clements, Secretary.

MINUTES OF THE REGULAR MEETING-MAY 18, 2016

A motion was made by Mr. Malloy, seconded by Mayor Jensen to dispense with the reading of the minutes of the Regular Meeting held on May 18, 2016, and to approve the said minutes as published. The vote was: "AYES" All. The Chair declared the motion passed.

CORRESPONDENCE

None

ADDITIONS/DELETIONS

PRAYERS FOR MARIA-FIRST PRESENTATION-MINOR MODIFICATION PL20160055

Lori Thomas McCarthy of Lowes is requesting approval of the site plan showing the temporary observation deck, sunflower deck and storage shed to be located at 35365 Chester Road, the Planting Hope Sunflower Garden.

Ms. Fechter says that they are here on behalf of NWQ, the Jacobs Group has given them full authority to do what they have planned and wanted to let the city know.

Lori Thomas McCarthy, store manager of Lowes in Avon and Enrico of the Rocky River Lowes are asking permission to work with Prayers for Maria to build a 20'x24' deck and a 16'x4' photo observation deck to take photographs and an 8'x10' storage shed. Ms. Fechter says all structures will be temporary and wanted the City to know what they are doing. Mayor Jensen says they appreciate what Lowes is doing along with Prayers for Maria and thanks them for their help. Mr. Dudziak asks if they know what will be stored in the shed, making sure it's not fertilizer and it is confirmed it's more like t-shirts and not fertilizer.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the site plan showing the temporary observation deck, sunflower deck and storage shed to be located at 35365 Chester Road, the Planting Hope Sunflower Garden. The vote was: "AYES" All. The Chair declared the motion passed.

AVON HIGH SCHOOL-FIRST PRESENTATION-AMEND THE SPECIAL USE PERMIT

Erich Frombach, Athletic Director, Avon High School is requesting approval and the Recommendation to Council the approval to amend the Special Use Permit to include a scoreboard to be located at 37545 Detroit Road.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve and recommend to Council for the approval to amend the Special Use Permit to include a scoreboard to be located at 37545 Detroit Road. The vote was: "AYES" All. The Chair declared the motion passed.

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16

AVON EARLY LEARNING CENTER-FIRST PRESENTATION- AMEND SPECIAL USE PERMIT
Erich Frombach, Athletic Director, Avon High School is requesting approval and the Recommendation to Council the approval to amend the Special Use Permit to include a scoreboard to be located at 3075 Stoney Ridge Road.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

Don Meyer, 4015 Stoney Ridge Road wanted to specify that it is a baseball scoreboard and there is a football scoreboard at the same location just different area of the parcel.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve and recommend to Council for the approval to amend the Special Use Permit to include a scoreboard to be located at 3075 Stoney Ridge Road. The vote was: "AYES" All. The Chair declared the motion passed.

MIKE & HEATHER MAHONEY-FIRST PRESENTATION-LOT SPLIT/CONSOLIDATION 20160050
Chuck Szucs of Polaris Engineering is requesting approval of splitting one acre from 3740 Center Road leaving that with a 1 acre parcel and consolidating to PPN ending-004 to create a 3 acre parcel located on Center Road.

Chuck Szucs of Polaris says there are two parcels on 83 and splitting off the rear acre and combining it with the other parcel. Mr. Cummins says the review is completed and recommends approval.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the splitting one acre from 3740 Center Road leaving that with a 1 acre parcel and consolidating to PPN ending-004 to create a 3 acre parcel located on Center Road. The vote was: "AYES" All. The Chair declared the motion passed.

MCINTOSH FARMS-FIRST PRESENTATION-LOT SPLIT/CONSOLIDATION PL20160041
Richard Batt of McIntosh Farms Development Group is requesting approval of taking PPN 04-00-002-101-082 and PPN 04-00-002-101-176 and splitting a portion of land and consolidating that to create a proposed .36 acre parcel, a 1.35 acre parcel and leave the remainder to be consolidated in the McIntosh Farms Subdivision to be located off Moon Road.

Jim Saylor of Reitz Engineering explains the parcel line is irregular and they are looking to take a small portion to make it a 100 foot lot. There is an existing home and out parcels that has received some variances and have been updated. Mr. Saylor says the rear of that parcel will be consolidated to form McIntosh Farms subdivision that was approved a year ago and will be coming back for some minor revisions. Mr. Cummins says there are a few minor engineering issues and would recommend a contingent approval. Ms. Fechter add that they did receive a number of variances and they were required to remove a portion of the barn and they have done so and are compliant.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve lot split of taking PPN 04-00-002-101-082 and PPN 04-00-002-101-176 and splitting a portion of land and consolidating that to create a proposed .36 acre parcel, a 1.35 acre parcel and leave the remainder to be consolidated in the McIntosh

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16

Farms Subdivision to be located off Moon Road contingent upon final engineering. The vote was: AYES” All. The Chair declared the motion passed.

AVON FAIRFIELD INN-FIRST PRESENTATION-LOT SPLIT/CONSOLIDATION PL20160043

James Peters representing Inn on the River’s Edge, L.P is requesting approval of taking an 11.5 acre parcel and splitting 1.5076 acres to create a parcel, leaving the remainder with 9.9969 acres located at 39050 Colorado Ave.

James Peters representing Inn on the River Edge is requesting a lot split for the Fairfield Inn leaving the back parcel at 9.9 acres and the front parcel at 1.5 acres. Mr. Peters says there will be frontage and direct access for both parcels. They do have a contract for the 9.9 acres and their council is here for the next item. The front parcel was part of an appropriations case and an additional .5 acre was taken by the City as part of the Chester Road project. Mr. Peters says as part of that process there were several variances given for future development of that parcel which include open space and parking. Mr. Cummins says there are minor engineering issues and would recommend a contingent approval. Mr. Peters says they are under contract and time is of the essence. Mayor Jensen asks Mr. Gasior with the lot splits all the variances go with that one parcel. Mr. Gasior says yes, they had this planned during the proceedings all the relief will go with the parcel but they will still need to apply with the BZA when moving forward.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: “AYES” All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the lost split of taking an 11.5 acre parcel and splitting 1.5076 acres to create a parcel, leaving the remainder with 9.9969 acres located at 39050 Colorado Ave. contingent upon final engineering. The vote was: “AYES” All. The Chair declared the motion passed.

AVON FAIRFIELD INN-FIRST PRESENTATION-LOT SPLIT/CONSOLIDATION PL20160046

David Douglas is requesting the approval of taking a 9.9969 acre parcel and splitting 6.8573 acres to create a parcel, leaving the remainder with 3.1396 acres to be located on Chester Road.

David Douglas of Fisher Douglas representing the buyer of the larger parcel. Mr. Douglas says there is no particular plans for development but for the future they have included ingress and egress easements. Mr. Douglas says the hotel is an outstanding one and has been there for some time now. Mr. Cummins says there are minor engineering issues and would recommend a contingent approval. Avon Lodging, LLC is going to be the owner of the parcel. Mr. Douglas reiterates that time is very important and will do whatever they can to get this finished quickly. Mr. Cummins says comments were sent out and suggests that they contact Jim at the CVE office.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: “AYES” All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the lot split of taking a 9.9969 acre parcel and splitting 6.8573 acres to create a parcel, leaving the remainder with 3.1396 acres to be located on Chester Road contingent upon final engineering. The vote was: “AYES” All. The Chair declared the motion passed.

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16

T3 PERFORMANCE-FIRST PRESENTATION-LOT SPLIT/CONSOLIDATION

The City of Avon is requesting approval of taking 11.31 acre piece of land and creating a 9.19 acre Parcel for T3 Performance Center and leaving a .88 acre parcel and a 1.24 acre parcel to the City of Avon.

Ryan Cummins says this lot split is to facilitate the T3 project that has been before the commission. Mr. Cummins says that the lot split will create a number of parcel and it spells out what parcels the City will keep ownership on and show the cross easements. Mr. Cummins says there are still a few minor outstanding issues and would recommend a contingent approval.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the taking of 11.31 acre piece of land and creating a 9.19 acre parcel for T3 Performance Center and leaving a .88 acre parcel and a 1.24 acre parcel to the City of Avon contingent upon final engineering. The vote was: "AYES" All. The Chair declared the motion passed.

DISCOUNT DRUG MART-FIRST PRESENTATION-LOT SPLIT/CONSOLIDATION

PL20160052

Mike McIntire of Discount Drug is requesting the approval of taking an 8.2633 acre parcel and splitting that to create a total of 3 parcels, Parcel A, 1.2954 acres, Parcel B 1.0509 acres and leaving the remainder Parcel C with 5.9170 acres located at 1810 Nagel Road.

Mike McIntire of Discount Drug Mart explains that Levin is at 1801 Nagel Road and there is a perspective user for what is labeled block A and would like to split that off. Ms. Fechter says Polaris has done the review and requests a contingent approval.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the taking an 8.2633 acre parcel and splitting that to create a total of 3 parcels, Parcel A, 1.2954 acres, Parcel B 1.0509 acres and leaving the remainder Parcel C with 5.9170 acres located at 1810 Nagel Road contingent upon final engineering. The vote was: "AYES" All. The Chair declared the motion passed.

DRUG MART-FIRST PRESENTATION-AMEND GENERAL DEVELOPMENT PLAN

PL20160053

Mike McIntire of Discount Drug Mart is requesting approval of the amended general development plan to show a proposed 4,600 sq. ft. gas station to be located on 1.2954 acre parcel.

Mike McIntire of Discount Drug Mart says the original general development plan showed a fast food restaurant and hotel. He would like to revise that as the fast food restaurant perspective is a gas station and put mixed use retail on the open parcel. Ms. Fechter says that Polaris did the review for this project as well and there are minor issues and would recommend a contingent approval. Mrs. Berges asks if there is going to be buffering required and it was determined yes it will need to be buffered.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the amended general development plan to show a proposed 4,600 sq. ft. gas station to be located on 1.2954 acre parcel contingent upon final engineering. The vote was: "AYES" All. The Chair declared the motion passed.

CROWS NEST-FIRST PRESENTATION-GENERAL DEVELOPMENT PLAN PL20160054

Deb Bauer is requesting approval of the general development plan for a proposed 2,400 sq. ft. restaurant with outdoor patio to be located at 37755 Colorado Ave.

Deb Bauer, 2557 Shakespeare says she would like to develop the house that is zoned C-4 as a new restaurant. Ms. Bauer says the plan shows ingress/egress, parking and drive thru and would have an outdoor patio too. Ms. Fechter says they will come back for a Special Use Permit for the patio and they wanted to do the general development plan to get a feel before they invested a lot of money. There are some comments that were generated and those will need to be addressed in final engineering. This plan is to show what the site will look like. Mayor Jensen asks what kind of restaurant it will be. Ms. Bauer says its breakfast, brunch and lunch, farm to table with a local chef. Mayor Jensen says more family like and it was confirmed yes.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve of the general development plan for a proposed 2,400 sq. ft. restaurant with outdoor patio to be located at 37755 Colorado Ave. The vote was: "AYES" All. The Chair declared the motion passed.

AJ ROSE MANUFACTURING-FIRST PRESENTATION-FINAL DEVELOPMENT PLAN PL20160045

Mike Garvin of Janotta Herner representing AJ Rose is requesting approval of the site plan for a 32,016 sq. ft. building addition to be located at 38000 Chester Road.

Mike Garvin of Janotta Herner representing AJ Rose explains this is a simple addition of 100'x320' noncombustible construction, fully sprinkled and meets all requirements. Mr. Cummins says that comments were issued and would recommend a contingent approval.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

Mr. Dudziak says the fire main is going to be moved and is assumed it will be around the building and it was confirmed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the site plan for a 32,016 sq. ft. building addition to be located at 38000 Chester Road contingent upon final engineering. The vote was: "AYES" All. The Chair declared the motion passed.

CHRISTIAN BROTHERS AUTOMOTIVE-FIRST PRESENTATION-FINAL DEVELOPMENT PLAN

PL20160047

William Boron of Langan Engineering representing Christian Brothers Automotive is requesting approval for the site plan for a new 6,046 sq. ft. light automotive service facility to be located at 1110 Nagel Road.

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16

Jonathan Wakefield says this is a light automotive repair facility with 10 bays and about 6,000 sq. ft. building. Mr. Wakefield says they have received the comments and have addressed them and would like to get an approval of some type tonight. Mr. Wakefield shows the elevations and renderings of the building and talks about the business. Mr. Cummins says he would recommend a contingent approval. Ms. Fechter is excited to have them in the City.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the site plan for a new 6,046 sq. ft. light automotive service facility to be located at 1110 Nagel Road contingent upon final engineering. The vote was: "AYES" All. The Chair declared the motion passed.

STONEBRIDGE SUBDIVISIONS-FIRST PRESENTATION-AMEND PRELIMINARY PLAT PL20160042

Richard Batt of Stonebridge Land Holdings is requesting approval of the amended Preliminary Plat for Stonebridge Subdivision showing the revision of Phase 14 and amending it to 6 sub lots.

Jim Saylor of Reitz Engineering says this change affects the last phase which had 8 lots and is down to 6 lots. Mr. Cummins recommends a contingent approval for minor engineering issues. Ms. Fechter thanks Mr. Batt for making the changes.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the amended Preliminary Plat for Stonebridge Subdivision showing the revision of Phase 14 and amending it to 6 sub lots contingent upon final engineering. The vote was: "AYES" All. The Chair declared the motion passed.

ARLINGTON PLACE SUBDIVISION-SECOND PRESENTATION-AMEND PRELIMINARY PLAT

Dale Haywood of KS Associates is requesting approval of amending the Preliminary Plat for the Arlington Place Subdivision.

Michael Braunstein, Cody Bruce and Chris Brown from K. Hovnanian and Dale Haywood of KS Associates are all her to request the approval of the amended plat. Mr. Bruce shows on the drawing the amended area and Ms. Fechter says it went from 20 lots down to 10 lots. Mr. Cummins says the review has been completed and recommends approval. Mayor Jensen confirms that they are decreasing the number of homes and Mr. Bruce says yes.

Allan Sawyer of NRG pipeline reiterates that he has suggested that approval of this plan could be premature as there are ongoing conversations between NRG and K. Hovnanian and the easement areas. Mr. Sawyer says the compensation issues are handled in another forum but they have come up with some options that could help K.Hovnanian with more than 10 houses and has submitted those drawings.

Mr. Braunstein says this plan is the plan K. Hovnanian intends to implement construction plans. As soon as this plan is approved, they will file permits to begin work. Mr. Braunstein says there are no negotiations that are ongoing that will affect that. All K.Hovnanian is doing is moving out of the easement so they can maintain a good quality that they have maintained in the first 10 phases. The most recent phase sold out quickly and believes this will too. The ongoing negotiations will be for compensation and they will not affect their lay out. Mrs. Berges asks about sub lot 232 and it was

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16

determined it is going to be the storm water maintenance pond. Mr. Gasior says that Arlington is the last cluster subdivision that Avon approved and reducing the lots from 20-10 is a plus to the City.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the amended Preliminary Plat for the Arlington Place Subdivision. The vote was: "AYES" All. The Chair declared the motion passed.

ARLINGTON PLACE SUBDIVISION PHASE 11-SECOND PRESENTATION-PRELIMINARY PLAT PL20160034

Dale Haywood of KS Associates is requesting approval of the Preliminary Plat for Arlington Place Subdivision Phase 11, a 10 sub lot phase located west of Miramar, Clayton and Shoreman Drive.

Cody Bruce of K.Hovnanian shows on the map the location of the revised preliminary plat for phase 11. Mr. Cummins say engineering review has been completed and recommends approval.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the amended Preliminary Plat for the Arlington Place Subdivision. The vote was: "AYES" All. The Chair declared the motion passed.

ARLINGTON PLACE SUBDIVISION PHASE 11-FIRST PRESENTATION-FINAL PLAT PL20160048

Dale Haywood of KS Associates is requesting approval of the Preliminary Plat for Arlington Place Subdivision Phase 11, a 10 sub lot phase located west of Miramar, Clayton and Shoreman Drive.

Mr. Cummins says he has been reviewing the plat and engineering drawings and it is his recommendation that this be a first presentation. Ms. Fechter says she agrees with Mr. Cummins given the number of outstanding items. Cody Bruce says there was a subdivider's agreement already set up that he will follow up with Mr. Logan. Ms. Fechter says this is a referral to Council and will bring this back next month and hopefully have it on the August Council meeting. Mr. Gasior says that the subdivider's agreement might have expired since it was originally done in 2014. Ms. Fechter says that she would like to get the engineer numbers in in the meantime.

No action was taken and the Chair declared this to be first presentation.

AVONDALE SUBDIVISION-FIRST PRESENTATION-AMEND PRELIMINARY PLAT Kevin Hoffman of Polaris Engineering is requesting approval of the amended Preliminary Plat for Avondale Subdivision showing the re-Phasing of the Subdivision.

Chuck Szucs of Polaris Engineering explains this is the same lay out as originally approved, they are just re-phasing the subdivision. There were originally three phases and the developer wanted to change it into 5 phase, with original phase 2 being the new Phase 2 and 3 and original phase 3 being the new Phase 4 and 5. Mr. Cummins says they have done a review and there are a few minor outstanding engineering issues and would recommend a contingent approval.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the amended Preliminary Plat for Avondale Subdivision showing the re-Phasing of the Subdivision contingent upon final engineering. The vote was: "AYES" All. The Chair declared the motion passed.

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16

AVONDALE SUBDIVISION PHASE 2 -FIRST PRESENTATION- FINAL PLAT PL20160049

Kevin Hoffman of Polaris Engineering is requesting approval of the final plat and the recommendation to Council for approval to create a Subdivider's Agreement for Avondale Subdivision Phase 2 to include 19 new single family dwellings.

Mr. Szucs says they have received comments and are working on a resubmittal. Mr. Cummins says he would recommend this to be first presentation.

No action was taken and the Chair declared this to be first presentation.

AVONDALE SUBDIVISION PHASE 3-FIRST PRESENTATION-FINAL PLAT PL20160049

Kevin Hoffman of Polaris Engineering is requesting approval of the final plat and the recommendation to Council for approval to create a Subdivider's Agreement for Avondale Subdivision Phase 3 to include 12 new single family dwellings.

No action was taken and the Chair declared this to be first presentation.

NORTON PLACE SUBDIVISION PHASE 1-SECOND PRESENTATION-FINAL PLAT PL20160035

John Eavenson of Perpetual Development is requesting approval of the final plat and the recommendation for Council approval to create a Subdivider's Agreement for the 26 sub lot, Norton Place Subdivision Phase 1 located off Jaycox Road.

Dan Barcikoski of Atwell representing John Eavenson of Perpetual Development explains they are requesting final plat approval for phase one. Mr. Barcikoski says this is their third submittal to the City and have addressed all the comments with the exception of some final plat comments they received yesterday. Mr. Barcikoski says they are willing to remove the boulevard entrance at Middleton. Mr. Cummins says they have been reviewing this and have had some back and forth conversation and would recommend a contingent approval. Mayor Jensen asks if everything they have worked on has been taken care of. Mr. Gasior says yes, the plat will be as indicated with the sizing of the pipe and the ditch on Jaycox Road. The only thing they need to get is the final engineering numbers and prepare the subdivider's agreement and present it to Council. Mr. Gasior says they are looking to shoot for the Council meeting on the 27th and will continue to work on wrapping things up. Mayor Jensen says that there was a lot of behind the scene work to get this project done and appreciates Mr. Eavenson and Mr. Barcikoski for working with the City. Mr. Schneider says that they did come in front of the Zoning Board of Appeals for rear yard setbacks and the length of the cul de sac and both were approved. Mr. Gasior says the final item that needs to find a location, is the cluster box. Mr. Cummins says since they are still reviewing the construction plans that will be one of the comments. Mayor Jensen explains to those who do not know the Post Office is no longer allowing single mailboxes in new developments and they want to make sure these cluster boxes are not too close to the road or to someone's driveway.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the final plat and recommend to Council for approval to create a Subdivider's Agreement for the 26 sub lot, Norton Place Subdivision Phase 1 located off Jaycox Road contingent upon final engineering. The vote was: "AYES" All. The Chair declared the motion passed.

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16

WEST WICKHAM SUBDIVISION-FIRST PRESENTATION-FINAL PLAT PL20160010

Frank Jaram of SiteTech is requesting approval of the final plat and the recommendation For Council approval to create a Subdivider's Agreement for a 30 sub lot Subdivision West Wickham located off Middleton Road west of Nagel Road.

Aaron Appell says it's a 30 sub lot subdivision and there were some easements added for utility and storm sewers at the back end. Mr. Cummins says final plat and engineering plans are still under review and would ask that this be a first presentation. Mr. Gasior says they need to find an ideal spot for the cluster mailbox. Mr. Jaram asks what do they see that works best. Mayor Jensen and Mr. Gasior both say this is new to the City. Mayor Jensen says with this subdivision having 100 foot lots the city would rather see each lot have its own mailbox but the postal service is saying no. Mayor Jensen says they are leaving it up to the developer and trying to get the location worked out in the construction drawings. Mr. Gasior says he thinks something where they have to get off the road and dedicate that area to the City or homeowners association would be ideal. Discussion is on if people would walk to the mail boxes or drive and it was determined it would depend on the location of the boxes within the subdivision.

Howard Lane representing Denise Maynard who is responsible for the Serfozo Estate wants to add to the record again their objection to this plat as it incorporates the sanitary sewer modification.

Tony Vacannti representing Skip Conant wants to add their continuing objection to the change in sanitary sewer district as indicated as it relates to this subdivision.

No action was taken and the Chair declared this to be first presentation.

REFERRAL TO COUNCIL-FIRST PRESENTATION-SANITARY SEWER DISTRICT MODIFICATION

Frank Jaram of SiteTech is requesting approval of the modification of the Nagel Road Sanitary Sewer District. Per Article VII, Planning Commission (d) Mandatory Referral of the Council, Avon Planning Commission is recommending Council approval of site plan for the modification of the master sanitary sewer district.

Mr. Gasior wants to introduce the project to the Commission a little better. Mr. Gasior says the City is in the process of doing a sanitary sewer study for the entire community. The plan we have currently, back in 2007 the City installed a 24" sanitary sewer line north to the Avon Lake line. Mr. Gasior says to pay for that sanitary sewer City Council approved a surcharge on all the properties located in that district at that time. Mr. Gasior says that was done through an engineering study from Zwick and Associates. Mr. Gasior continues to say that the City also entered into agreements with Avon Lake to handle sanitary sewer flows at the Avon Lake treatment plant and the 2008 plan was modified and says a lot of work has been done. Mr. Gasior says Mr. Jaram put in on his own in 2013 a sanitary sewer on Nagel Road to service the property that we now know as Middleton and down Avon Road and under I-90. He continues to say just to the east where this property is from the study there was no reason to think of the change and along came the EPA examination. Mr. Gasior says the EPA found that some of the storm water was contaminated and the City was told that they need to get all the properties on Elizabeth, Joseph and Puth onto a sanitary sewer system. Mr. Gasior says the cost to sewer that area is very high and they have continued to look for cheaper ways as it would have been significant assessment on those homes. Mr. Gasior continues to say then Mr. Jaram came up with the plan for the subdivision and after Mr. Cummins looked at it closer there was a possibility the sewer line could help service the Elizabeth, Joseph and Puth. That would make less of a mess on Detroit Road, trying to install and would resolve the shallower sewer on the western end going into the Jaycox Road sewer with considerable savings to the City. Mr. Gasior says this modification and subdivision have been well thought out and the plan helps sewer the area we need by EPA order.

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16

Mr. Cummins says that the cost savings as well as the interruption and length of time impacting Detroit Road is very beneficial. Mr. Cummins continues to say they are still under review of this and request a first presentation so they can work through some details. Mr. Gasior says all the sanitary sewer modifications that he is aware of there has had to be some significant benefit coming to the City before it would be considered. Mr. Gasior says the most recent one was for a housing development but also allowed the School to buy property on Long Road and it wasn't to benefit a private property owner, in that case it benefit the school. Mr. Gasior says in this case it benefits 70-80 families in a difficult section of the City where property values are not as high and to satisfy the EPA order. Mayor Jensen says because of the EPA mandate we have looked at every opportunity and Mr. Conant and the other land owners never brought anything for consideration. Mayor Jensen says Mr. Jaram volunteered to help do something that benefits the City and for his subdivision and Mr. Jaram confirms he will not back away from the surcharge. Mr. Fitch asks how far east and west would this go on Detroit. Mr. Cummins says it would serve those lots in the district and shows the area on the drawing and up Joseph and Puth. Mayor Jensen says then Elizabeth would come from the other way and is less disruptive to Detroit Road. Mr. Fitch references changing the master plan when Highland Park was put it verses going down 83 to service that and how expensive that would have been.

No action was taken and the Chair declared this to be first presentation.

MENDARD'S-FIRST PRESENTATION-TIME EXTENSION

Tom O'Neil of Menard, Inc. is requesting approval of a one year time extension for the construction of a new 172,740 sq. ft. Menards Home Improvement store to include overhang and warehouse located on Chester Road east of Lowes and J.C. Penny's.

Ms. Fechter says that Mr. O'Neil could not make it out and they would like a one year time extension of their approved drawings. Menard's does intend on building but have been waiting on the improvements for Chester Road.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the one year time extension for the construction of a new 172,740 sq. ft. Menards Home Improvement store to include overhang and warehouse located on Chester Road east of Lowes and J.C. Penny's. The vote was: "AYES" All. The Chair declared the motion passed.

COMMENTS

ADJOURN

A motion was made by Mayor Jensen, seconded by Mr. Malloy to adjourn. The vote was: "AYES" All. The Chair declared the motion passed. The meeting was adjourned at 9:11 P.M.

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 6-15-16