

**PLANNING COMMISSION
CITY OF AVON
REGULAR MEETING MINUTES OF JANUARY 18, 2023**

ROLL CALL

The meeting was called to order by Chairwoman Witherspoon at 7:00 p.m. in Council Chambers.
Present: Bill Fitch, Jim Malloy, Scott Radcliffe, Carolyn Witherspoon
Staff: Jill Clements, Zoning Enforcement Officer; Ryan Cummins, City Engineer; Pam Fechter, Planning Coordinator; John Gasior, Law Director; Duane Streater, Safety Director; Nicole Rambo-Ackerman, Planning Clerk
Absent: Bryan Jensen, Mayor

REVIEW AND CORRECTION OF MINUTES

Mr. Malloy moved, seconded by Mr. Radcliffe, to dispense with the reading of the minutes of the regular meeting held on December 21, 2022, and to approve the minutes as published. The vote was: “AYES” all. The Chair declared the motion passed.

REPORTS & CORRESPONDENCE

ADDITIONS & DELETIONS

Ms. Fechter asked that Avon Pointe Block J Lot Split be added to the agenda as item #2A.

Mr. Malloy moved, seconded by Mr. Radcliffe, to add Avon Pointe Block J Lot Split as item #2A. The vote was: “AYES” all. The Chair declared the motion passed.

Mr. Malloy moved, seconded by Mr. Radcliffe, to approve the amended agenda. The vote was: “AYES” all. The Chair declared the motion passed.

NEW BUSINESS

1. Michael Beck; Lot Split; PL20220058

Representative: Michael Beck, 38021 French Creek Road, Avon, OH
Request to split the 3.5685-acre parcel ending in -056 at 38021 French Creek Road into seven parcels, six of which are to be deed restricted with homes on North Long Road.

Mr. Beck would like to split six parcels off the back as requested by residents in Kenwyn. There is a parcel that is slightly larger than the others due to a complication of the sale. Mr. Radcliffe asked if the residents are ok with that and Mr. Beck said they were. Mr. Beck added that the deed restrictions are listed in their contract so the additional land will be sold when their homes are sold. Ms. Fechter explained that Mr. Beck split a couple lots off the far end of his lot about two years ago. At the time, a lot was for sale in the middle of the homes, so the rest of the lots could not be split at the same time because the City requires them to be done consecutively. Mr. Cummins said they reviewed the plans and all comments have been addressed so he

recommended its approval. Mr. Gasior pointed out that the homes are on the east side of North Long Road and were part of the original Kenwyn Subdivision No. 1 approved in 2006. There is no green space along their lot lines so he did not see any reason not to go forward.

Mr. Malloy moved, seconded by Mr. Radcliffe, to suspend the rules. The vote was: “AYES” all. The Chair declared the motion passed.

Mr. Malloy moved, seconded by Mr. Radcliffe, to approve the request to split the 3.5685-acre parcel ending in -056 at 38021 French Creek Road into seven parcels, six of which are to be deed restricted with homes on North Long Road. The vote was: “AYES” all. The Chair declared the motion passed.

2. Concord Village; Amend General Development Plan; PL20220056

Representative: Jason Friedman, 3401 Enterprise Parkway, Beachwood, OH

Request to amend the general development plan for Concord Village to create 41 units in Phase 3 on the north side of Chester Road due to wetland mitigation. The General Development Plan was previously approved August 27, 2022 showing 72 units in Phase 3.

Mr. Friedman said the project has been delayed by the process to get their Army Corps of Engineers permit. Combined with the economy and delay associated with it, they have come up with a plan to phase the project. The phasing would have 41 units in the new Phase 3 which is approximately the first half of the property previously approved for Phase 3. The unit types, sizes and styles are not being changed. The only change is that the retention pond is to be installed in the middle of the site and a cul-de-sac would be installed in the center top portion. The amenity space with a picnic area and dog park will be built in Phase 3 as shown in the shaded green area. The intention is to build this phase as soon as possible. Assuming sales continue to be strong and they are able to get through the Army Corps permit process, they would most likely request approval for Phase 4 next year and finish the street exactly the same as it was originally approved. When that is done, the retention pond shown in the new Phase 3 would be replaced with the pond originally proposed at the back of the property. The utilities would be extended to the street and connect the emergency access point in Phase 4. Mr. Cummins noted that the applicant will need to submit a revised final development plan and a full engineering review will be done at that time. Mr. Malloy asked if the back half of the property was the only part affected by the wetlands, Mr. Friedman said that was correct. Mr. Friedman said they have accepted the Army Corps' ruling on the front portion and have submitted a permit application that is currently being considered for a nationwide permit impacting less than five acres. Mr. Malloy asked how big of an issue was being dealt with, Mr. Friedman said they get little feedback and are going through the process. Mr. Gasior thought the proposal is similar to a preliminary plat showing phase lines and asked if there is a map showing Phase 4, Mr. Friedman said one was included in the plans. The amenity area and cul-de-sac is shown where the calming islands were initially proposed and he believed it divided the space up nicely. Mr. Gasior knew they were talking about the emergency connection and moving the water line but did not think either of those were required in Phase 3. Mr. Friedman said the easements have been obtained from the neighbor so they will be able to install those when they are ready to develop the back portion.

Mr. Malloy moved, seconded by Mr. Radcliffe, to suspend the rules. The vote was: “AYES” all. The Chair declared the motion passed.

Mr. Malloy moved, seconded by Mr. Radcliffe, to approve the request to amend the general development plan for Concord Village to create 41 units in Phase 3 on the north side of Chester Road due to wetland mitigation. The vote was: “AYES” all. The Chair declared the motion passed.

2A. Avon Pointe; Lot Split and Consolidation; PL 20220034

Representative: Kevin Hofmann, Polaris Engineering, 34600 Chardon Road, Willoughby Hills, OH

Request to consolidate four parcels ending in -137, -138, -140 and -067 totaling 1.9034 acres and splitting off a 0.9467-acre parcel and dedication of public right-of-way to accommodate the assessment for the widening of Chester Road.

Mr. Hofmann explained that the lot split was prepared a few months ago. After approval by the City, the County said it needed to be formatted similar to a subdivision because blocks were proposed. The only change is that the County requested that the property to the centerline of Chester Road be dedicated public right-of-way. Ms. Fechter said the Law Director and City Engineer worked with the applicant after receiving County comments. Mr. Cummins agreed that this is probably the more proper form and recommended approval. Mr. Gasior said City Council will need to accept the dedication of the right-of-way at their next meeting.

Mr. Malloy moved, seconded by Mr. Radcliffe, to suspend the rules. The vote was: “AYES” all. The Chair declared the motion passed.

Mr. Malloy moved, seconded by Mr. Radcliffe, to approve the amended lot split and consolidation for Avon Pointe, consisting of four parcels ending in -137, -138, -140 and -067 totaling 1.9034 acres and splitting off a 0.9467-acre parcel and recommend Council accept the dedication of public right-of-way to accommodate the assessment for the widening of Chester Road. The vote was: “AYES” all. The Chair declared the motion passed.

COMMENTS

ADJOURN

Mr. Malloy moved, seconded by Mr. Radcliffe, to adjourn the meeting at 7:16 p.m. The vote was: “AYES” all. The Chair declared the motion passed.

Carolyn Witherspoon, Chair

Nicole Rambo-Ackerman, Clerk

Date