

**CITY OF AVON PLANNING COMMISSION
JULY 19, 2023, 7:00 P.M.
REGULAR MEETING MINUTES**

PUBLIC HEARINGS

None

ROLL CALL

The meeting was called to order by Chair Witherspoon at 7:00 p.m. in Council Chambers.
Present: Bill Fitch, Bryan Jensen, Mayor, Jim Malloy, Scott Radcliffe, Carolyn Witherspoon, Chair, Staff: Ryan Cummins, City Engineer; Pam Fechter, Planning Coordinator; John Gasior, Law Director; Duane Streator, Safety Director; Susan Pintz, Planning Commission and Zoning Secretary

Absent: Jill Clements, Zoning Enforcement Officer

REVIEW & CORRECTION OF MINUTES

Motion to dispense with the reading of the minutes of the regular meeting held on Wednesday, June 21, 2023, and to approve the minutes as published.

Mr. Malloy moved, seconded by Mayor Jensen, to dispense with the reading of the minutes of the regular meeting held on June 21, 2023, and to approve the minutes as published. The vote was: “AYES” all. The Chair declared the motion passed.

REPORTS & CORRESPONDENCE

None

ADDITIONS & DELETIONS

Motion to delete agenda items:

Item 5 Middleton Crossings-General Development Plan

Item 6 Middleton Crossings-Final Development Plan

Item 7 Sheetz-Final Development Plan

Item 8 Sheetz-Special Use Permit

Mr. Malloy moved, seconded by Mayor Jensen, to delete item 5, Middleton Crossings General Development Plan, item 6, Middleton Crossings Final Development Plan, item 7, Sheetz Final Development Plan, and item 8, Sheetz Special Use Permit from agenda at the Planning Coordinator’s request. The vote was: “AYES” all. The Chair declared the motion passed.

Motion to approve the amended agenda.

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

1. Tom and Patsy Mass- 32301 Schwartz Road-Lot Split, PL 20230035

Kevin Hoffman of Polaris Engineering representing Tom and Patsy Mass is requesting approval to split Parcel 04-00-026-110-041 into 3 new, single-family parcels fronting Williams Court for a total of 4 lots.

Tom Kuluris, Liberty Development, 28045 Ranney Parkway, Westlake, Ohio 44145. Mr. Kuluris states he is stepping in for Kevin Hoffman of Polaris Engineering. Mr. Kuluris indicates he is helping Tom and Patsy Mass, but this is not a Liberty Development project. He states that they promised to help Tom and Patsy Mass when they purchased the rest of their land to subdivide it when they were ready. Mr. Kuluris states he believes this has been reviewed and it consists of taking the piece of land that they had left and subdividing 3 new lots and keeping their house on the larger lot. Mr. Kuluris further states he knows there was a discussion about sidewalks which he believes the agreement would be that when the rough grading is complete and they get ready to do those sites, they would install sidewalks.

Mr. Cummins states that they have reviewed the lot split plat and do not have any other comments on that and would recommend it's approval. There is one outstanding issue which is about 20 feet of sidewalk in the section where Mr. Mass previously installed sidewalks before the property lines were established for the division of the lots. Mr. Cummins further states that it is his understanding that the work would occur when the adjacent home is constructed. Mr. Cummins states if Mr. Mass would state that in the record tonight, to confirm that would be his plan, then, given the conversations with the Administration, that would be a sufficient guarantee for the work to occur.

Ms. Fechter had no comments.

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

Tom Mass 32301 Schwartz Road, Avon, Ohio 44011. He states he agrees to complete the 20 feet of sidewalk when the corner adjacent lot gets developed and as they are putting that sidewalk in to get the same contractor.

Mr. Malloy moved, seconded by Mayor Jensen, to approve a split of parcel 04-00-026-110-041 into 3 new single family parcels fronting Williams Court for a total of 4 lots. The vote was: "AYES" all. The Chair declared the motion passed.

2. Christian Heritage Assembly of God– Amend Special Use Permit, PL20230033

Dan Schlak representing Christian Heritage is requesting approval and recommendation to City Council to amend their Special Use Permit to include an outdoor pavilion at 36465 Chester Road.

Dan Schlak, Christian Heritage Assembly of God, 36465 Chester Road, Avon, Ohio 44011. He states they are requesting to amend their Special Use Permit to add a pavilion and a stamp pad on their property. He states it will be on the northeast corner of the lot, it is an open space.

They currently have a tent that they use for events. It will be a pavilion to host picnics and special events.

Ms. Fechter states she went to the site, and they do have a covered pavilion now and it will be in the exact same area. They are going to do a concrete pad outside of the door that is there, and this pavilion will be adjacent to that. They are doing more events outside and they wanted to have a place where they will be covered.

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

Mr. Malloy moved, seconded by Mayor Jensen, to recommend to City Council to amend Christian Heritage Assembly of God’s Special Use Permit to include an outdoor pavilion at 36465 Chester Road. The vote was: “AYES” all. Chair declared the motion passed.

3. Maka Group-4645 and 4661 Jaycox-General Development Plan, PL20230031

Aaron Appell of Bramhall Engineering and Kevin Urig of the Maka Group are requesting approval of the General Development Plan for Parcel 04-00-024-116-030.

Aaron Appell, Bramhall Engineering, 801 Moore Road, Avon, Ohio 44011. Mr. Appell states what is on the screen is the General Development Plan with phasing indicated. Phase 1 is the north side building which is just over 9,000 square feet. Additional phases are proposed in the future. This includes water and sanitary extensions and a comprehensive stormwater basin for the entire development.

Ms. Fechter states when looking at the General Development Plan the left side of the drawing indicates keeping of the different things that were inside of the development as Mr. Urig moved in. That is memorialized in this drawing, and they have the addition to the building that they are doing, and they have added in what they would like to do in the future. Ms. Fechter states to confirm; everything to the left in the drawing is existing and they wanted to make sure all the is encompassed in this drawing.

Mr. Cummins states that they have reviewed the updated submission and all the comments have been addressed. A copy was given to the all the members, there were some last-minute revisions that addressed that last of Mr. Cummins concerns. He is recommending that this proposal be considered for approval.

Mr. Radcliffe states he would like to know more about the development specifically the parking spaces. The parking spaces are facing toward the residential properties. As he looks at the future development, it looks like the are cars on the south side, drive north, turn, head west, and then park diagonally. That is putting the cars in the travelling path right around where the residents that live there who are used to seeing a field there. Mr. Radcliffe asked how much usage is that driveway going to have? How many things will be around that building? Is there a way to limit the residents’ view of the cars circulating in that area? Those

residents have been vocal in the past about keeping the field that they are used to seeing. What is the plan for that?

Mr. Appell states that some of that issue is “to be determined”. These buildings are shown for future phases. We will need to come back to Planning Commission once those are defined. On the north side where the retention basin is going; just north of there is a landscape buffer mound, and it is fairly vegetated right now, and that will remain. The parking in front of those building, it heads in towards the building so that those lights would shine to the building and not towards the residents.

Mr. Radcliffe asked if that is planning to be used at late hours of the night when headlights would be on also? If they come around from the south side, lights going into those houses that are on the eastside of the property, coming up towards the north and then swinging as you go west across the back of those houses. He is concerned about how some of those neighbors might react to this. Mr. Radcliffe supports the buildings and the development but if there is a way to help limit the site of the cars and headlights, etc. He is trying to understand how much use this will have. Will there be 20-30 cars there each hour or for sports activities or if this will be some traffic at certain times of the day? He is requesting that these kinds of concerns be considered on behalf of the residents. If the residents have an issue, they will state their concerns to the city. He reiterated that he supports the development of that area because it was a mess before.

Mr. Urig states that he thinks they have tried to take the residents’ concerns into account. They have been trying to address all their concerns and will continue to do that.

Mr. Radcliffe states Mr. Urig has done a spectacular job of addressing these things. He is trying to look at future concerns on behalf of the residents.

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

Mayor Jensen states you must be doing something right because there is no one here for it. Last time there was quite a few people. Whatever you are doing keep doing it.

Mr. Urig says thank you.

Mr. Malloy moved, seconded by Mayor Jensen, to approve the General Development Plan for parcel 04-00-024-116-030 for Maka Group. The vote was: “AYES” all. The Chair declared the motion passed.

4. Maka Group-4645 and 4661 Jaycox-Final Development Plan, PL20230030

Aaron Appell of Bramhall Engineering and Kevin Urig of the Maka Group are requesting approval of the Final Development Plan to construct a Building, Extension of Utilities and Minor Paving project on Parcel 04-00-024-116-030.

Aaron Appell, Bramhall Engineering, 801 Moore Road, Avon, Ohio 44011. Mr. Appell states this is the first phase of development. The building addition on the north side, which they have previously obtained zoning variances for setbacks for this building. The existing building heading east, which is shown on drawing C2 which is on the screen, is a 9,145 square foot building, single story, 6 parking spaces on the east side, 4 overhead doors on the south side of the building, wall pack lighting around the building. They are very cognizant of the north side existing mound and vegetation to remain there and there will be no lighting on the back side. It will only light up the building itself and the parking areas, it will be minimal.

Ms. Fechter asked what will this building be used for?

Mr. Urig states the potential client would be car storage and maintenance, kind of like a G & K style. That is what he is anticipating.

Ms. Fechter states no further comments. They have been addressed.

Mr. Cummins has no additional comments.

Mr. Streater asked about the building to the north side; will that still be a gravel lot next to the paved lot?

Mr. Urig states yes. Mr. Streater indicated that question was presented at one of the meetings.

Mayor Jensen asked that if at some point in the future if that whole area will be black top.

Mr. Urig states yes but they are trying to take care of the main entrances because that is where all the traffic is and with the sidewalk going thru there, it may cut off the parking lot from being a main entrance all the way across.

Mayor Jensen states that the ultimate goal at some point is that it become black top.

Mr. Urig states yes.

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

Mr. Malloy moved, seconded by Mayor Jensen, to approve the Final Development Plan for Make Group to construct a building extension of utilities and minor paving for parcel 04-00-024-116-030. The vote was: "AYES" all. The Chair declared the motion passed.

5. **Middleton Crossing-General Development Plan, PL20230013**

Aaron Appell of Bramhall Engineering is requesting approval of the General Development Plan creating 4 sublots on the 8.79-acre parcel at the southwest corner of Middleton Road and Nagel Road, Parcel Number 04-00-022-102-150.

Item deleted.

6. **Middleton Crossing-Final Development Plan, PL20230014**

Aaron Appell of Bramhall Engineering is requesting approval of the Final Development Plan creating 4 sublots (including Sheetz) and roadwork, utility extension and related stormwater management on the 8.79-acre parcel at the southwest corner of Middleton Road and Nagel Road, Parcel Number 04-00-022-102-150.

Item deleted.

7. **Sheetz-Final Development Plan, PL20230016**

Aaron Appell of Bramhall Engineering is requesting approval of the Final Development Plan for a 6,139 SF gas station and convenient store with drive-thru at the southwest corner of Middleton Road and Nagel Road on a portion of Parcel 04-00-022-102-150.

Item deleted.

8. **Sheetz-Special Use Permit-Drive Thru and Outdoor Seating, PL2023007**

Aaron Appell of Bramhall Engineering is requesting approval and recommendation to City Council to approve a Special Use Permit for outdoor patio seating and drive-thru for Sheetz at the southwest corner of Middleton Road and Nagel Road on a portion of Parcel 040-00-022-102-150.

Item deleted.

COMMENTS

Mayor Jensen, no comments

Mr. Malloy, no comments

Mr. Radcliffe, no comments

Mr. Fitch, no comments

Ms. Fechter, for those of you who don't Mrs. Clements is absent tonight because her father passed away this afternoon. Please keep her in your thoughts and prayers, she lost her mother in December, that family will need extra prayers.

Mr. Cummins, no comments

Mr. Streator, no comments

Mr. Gasior, no comments

No comments from the audience

ADJOURN

Mr. Malloy moved, seconded by Mayor Jensen, to Adjourn. The Chair declared the motion passed. The meeting adjourned at 7:20 p.m.

Carolyn Witherspoon, Chair

Susan Pintz, Planning Commission &
ZBA Secretary

Date