

**PLANNING COMMISSION
CITY OF AVON
REGULAR MEETING MINUTES OF JULY 20, 2022**

PUBLIC HEARINGS

Advanced Polymer Coatings Special Use Permit

Create a Special Use Permit for Advanced Polymer Coatings for an above-ground storage container at 951 Jaycox Road.

The Chair opened the public hearing at 7:00 p.m. There being no one present in the audience, Chairman Witherspoon closed the hearing at 7:00 p.m.

ROLL CALL

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

REVIEW AND CORRECTION OF MINUTES

Mr. Malloy moved, seconded by Mayor Jensen, to dispense with the reading of the minutes of the regular meeting held on June 15, 2022, and to approve the minutes as published. The vote was: four “AYES”, Mr. Fitch abstained. The Chair declared the motion passed.

REPORTS & CORRESPONDENCE

ADDITIONS & DELETIONS

Ms. Fechter asked to delete items #4 and 5 from the agenda. The applicants are still working on the details for the basin and the project should be on the next agenda.

Mr. Malloy moved, seconded by Mr. Radcliffe, to delete item #4 from the agenda as requested by the Planning Coordinator. The vote was: “AYES” all. The Chair declared the motion passed.

Mr. Malloy moved, seconded by Mr. Radcliffe, to delete item #5 from the agenda as requested by the Planning Coordinator. 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.

OLD BUSINESS

1. Advanced Polymer Coatings; Final Development Plan; PL20210066

Representative: Rene Jimenez, The Geis Companies, 2017 E. 9th Street, Suite 200, Cleveland, OH

Second presentation to request to approve the final development plan to construct a 20,000 sq. ft. building addition at 951 Jaycox Road off of Commerce Way. A variance was granted for the 50 ft. setback June 2, 2021.

Ms. Fechter explained that Advanced Polymer Coatings has been in town for a very long time and they have recently acquired a new product line. Mr. Cummins has completed a review and has minor outstanding comments. He recommended the Commission approve the project contingent on those final details being worked out. Mr. Jimenez said they will submit the updated documents as soon as they are ready from the civil engineer. Mr. Radcliffe asked if the truck traffic pattern will change because of the addition. Mr. Jimenez said they are hoping to ease the traffic flow by having trucks enter from Jaycox Road and exiting to the cul-de-sac.

Mr. Gasior asked how large the above ground storage tank will be. Mr. Jimenez said they are still finalizing the details but he estimates it will be around 30 feet tall. Mr. Gasior said he will need the tank size and substance to be stored for the Special Use Permit. Ms. Fechter said the applicant has been working with the Building and Fire Officials to submit the required documentation and will be installing bollards around the silo.

Mr. Malloy moved, seconded by Mayor Jensen, to approve the final development plan to construct a 20,000 sq. ft. building addition at 951 Jaycox Road off of Commerce Way contingent upon final engineering approval. The vote was: “AYES” all. The Chair declared the motion passed.

2. Advanced Polymer Coatings; Special Use Permit; PL20220033

Representative: Rene Jimenez, The Geis Companies, 2017 E. 9th Street, Suite 200, Cleveland, OH

Create a Special Use Permit for Advanced Polymer Coatings for an above-ground storage container at 951 Jaycox Road.

Ms. Fechter said the product to be stored in the above ground storage tank is Microcrystalline Silica, a component used in their adhesive. The specification sheets submitted show that it is a nonhazardous material but could still be flammable. The Fire and Building Departments have been involved in the review process to ensure the containment of the product inside the building and in the storage tank meet their requirements. Mr. Jimenez added that they will add a curb and bollards around the silo to contain a potential spill. Mr. Gasior will need the product name, storage tank size and company name for the Special Use Permit.

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 Mayor Jensen, to recommend City Council create a Special Use Permit for Advanced Polymer Coatings for an above-ground storage container at 951 Jaycox Road. The vote was: “AYES” all. The Chair declared the motion passed.

NEW BUSINESS

3. DJMG; Rezoning; PL20210044

Representative: Stefano Romanello, 11530 Barrington Boulevard, Parma Heights, OH
Request to rezone parcel ending in -072 from R-1 Single-Family Residential to C-4 General Business District located north of Detroit Road west of Pendleton Court in accordance with Ordinance 95-06.

Ms. Fechter explained that the Master Plan was reviewed in 2006 and it was determined that the area shown on the map in the purple box should be commercially zoned. The applicant had a survey done to show where Middleton Road would be when extended and the area to the north would be rezoned to commercial and the land to the south would remain residential. Rezoning requests for land in the purple box go to Planning Commission and City Council for approval but do not require to be placed on the ballot like other rezonings.

Mayor Jensen asked if the purple box was added to the map when the interchange went in. Mr. Gasior said the area is currently zoned residential and was carved out when the interchange went in for future rezoning. Ms. Fechter said the proposed rezoning requires 11 documents and she requested contingent approval for the Law Director to have time to review all of the associated easement documents.

Mr. Cummins pointed out that Heider Creek runs through the property and Middleton Road is stubbed into the east side of the property. The applicant has volunteered a highway easement with this proposal so Middleton Road can be extended through the property. Some preliminary designs have been prepared for extending the road so staff were already aware of utility and drainage easements that would be required. There are two other streams that run into Heider Creek where the road would be extended. The documents needed include the documentation for the zoning change, highway easement, future utility easements and four different drainage easements. He agreed that the approval should be contingent on the details being finalized.

Mr. Radcliffe asked if the zoning boundary would cut across the property. Mr. Cummins explained that the “R/W” shown in the darkened boundary on the plan is the Middleton Road right-of-way and is stubbed into the eastern property line. Mr. Gasior will ensure the future ordinance will state that only a portion of the lot will be rezoned commercial. Mr. Cummins said the southern extent of the purple box on the Master Plan is the northern right-of-way line which is the left “R/W” on the exhibit.

Mayor Jensen asked the applicant to take care of the existing home on the property since the City receives a lot of complaints about it. Mr. Romanello said they are currently in discussions to take care of the house.

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 approval to rezone the parcel ending in -072 located north of Detroit Road west of Pendleton Court in accordance with Ordinance 95-06 from R-1 Single-Family Residential to C-4 General Business District contingent upon review of final easement details by the Law Director. The vote was: “AYES” all. The Chair declared the motion passed.

4. Concord Village; Amend General Development Plan

Deleted from the agenda at the Planning Coordinator’s request.

5. Concord Village Phase 3; Final Development Plan; PL20220025

Deleted from the agenda at the Planning Coordinator’s request.

6. Beehive Homes of Avon; General Development Plan; PL20220026

Representatives: Aaron Appell, Bramhall Engineering, 801 Moore Road, Avon, OH; Michael Bruno, 9687 Brook Road, Olmsted Falls, OH

Request to approve the general development plan for Beehive Homes of Avon to construct a memory care facility with five buildings on the north side of Chester Road east of Colorado Avenue.

Mr. Appell said the general development plan proposes five buildings and the project was presented for a Special Use Permit last year. The first phase consists of the building on the far west side of the property along with the parking and driveway fronting Chester Road. The second phase is planned to be constructed in late 2023 or early 2024. The rest of the project would be constructed across Avins Ditch. The buildings are all about 13,600 square feet. On the north side of the ditch, the dumpster and maintenance garage will be constructed as part of phase one. The project is a single-story memory care facility with the exception of a mezzanine being installed on the second floor of the building in the first phase.

Mr. Radcliffe asked if the access drive on Chester Road is all-access due to concerns with Fiesta Habanero traffic nearby, Ms. Fechter said it would be all-access because not much traffic is anticipated for the memory care facility. Mr. Appell added that there is a secondary access to the property as well. Mr. Cummins asked what the distance is between the Chester Road access and Fiesta Habanero driveway, Mr. Appell estimated that there is approximately 300-400 feet between the two drives.

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 approval of the general development plan for Beehive Homes of Avon to construct a memory care facility with five buildings on the north side of Chester Road east of Colorado Avenue. The vote was: “AYES” all. The Chair declared the motion passed.

7. Beehive Homes of Avon Phase 1; Final Development Plan; PL20220027

Representatives: Aaron Appell, Bramhall Engineering, 801 Moore Road, Avon, OH; Michael Bruno, 9687 Brook Road, Olmsted Falls, OH

Request to approve the final development plan for Beehive Homes of Avon Phase 1 of a memory care facility on the north side of Chester Road east of Colorado Avenue including a building, maintenance garage, dumpster, parking, utilities and stormwater management.

Mr. Appell said the color elevations of the building were provided earlier that day. Mr. Cummins said he has been communicating with the applicant over the past few days and recommended approval contingent on getting the final engineering details shown on the plans. Ms. Fechter agreed with the contingent approval and added that a couple maps are still needed for the flood plain permit. Mr. Cummins added that part of the proposed structure is going into a designated riparian zone. He thought the area is a minor flood plain area and the entire parcel is mowed grass which does not have significant value for habitat or as a riparian zone. The applicant proposes to maintain a 25-foot grass strip on both sides of Avins Ditch. Mr. Cummins said the Commission would need to approve a modification to the applicant's riparian zone.

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 Beehive Homes of Avon Phase 1 of a memory care facility on the north side of Chester Road east of Colorado Avenue including a building, maintenance garage, dumpster, parking, utilities and stormwater management contingent upon final engineering approval and a modification to the riparian area for the site plan. The vote was: "AYES" all. The Chair declared the motion passed.

8. Avon Pointe; Lot Split and Consolidation; PL 20220034

Representative: Kevin Hoffman, Polaris Engineering, 34600 Chardon Road, Suite D, 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 to accommodate the assessment for the widening of Chester Road.

Mr. Hoffman said the gray area on the plans would be consolidated into one parcel to enable the developer to assess the individual property owners for the road widening. Ms. Fechter said the developer came in a few months ago. At the time, a turn lane on Chester Road was needed for those buildings and Concord Village. Mr. Cummins had no comments and recommended approval.

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 Mayor Jensen, to approve the 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 to accommodate the assessment for the

widening of Chester Road. The vote was: “AYES” all. The Chair declared the motion passed.

9. Avon Brewing Company; Informal Presentation; PL20220035

Representatives: Ben Gingrich, HSB Architects, 1250 Old River Road, Suite 201, Cleveland, OH; Mathias Hauck, Avon Brewing Company, 35475 Keller Drive, Avon, OH

Request to present a proposed site plan for a new restaurant at the corner of Detroit Road and Garden Drive.

Mr. Gingrich said the applicant is proposing a new 14,000 square foot brewery, taproom and family restaurant. The facility would have interior and exterior dining options. Mr. Hauck is a local family-owned business that opened in 2016. The current location is in the historic French Creek Tavern building at the corner of Detroit Road and Colorado Avenue. A few years after the restaurant opened, they had already outgrown the space. The new building would provide space for social gatherings and a party room. He plans on employing about 100 full-time employees and he is excited to be in that part of town.

Mr. Gingrich reviewed the plans. The property is located on the southeast corner of Detroit Road and Garden Drive. The building would be situated on the northern portion of the property near Detroit Road. They wanted to make sure the property was visually appealing from the intersection so the building sits back from the road and is surrounded by outdoor dining space. A garden area is located on the east side of the property that could be used for games. Parking would be on the southern and western portions of the site. There will be screening between the parking areas and Holly Lane. About 4,000 square feet of the building will be used for the brewery. The front of the building has outdoor dining space with nice fencing and landscaping. The beer garden will be more screened than the other dining space. The main entrance with the wood pergola will face the corner of Garden Drive and Detroit Road. Ms. Fechter confirmed with the applicant that the directions on the elevations need corrected. The main entrance would face Holly Drive. Mr. Hauck pointed out that there are no drives proposed on Holly Lane since there are no existing driveways for the property. Deliveries would use the drive on Detroit Road and exit onto Garden Drive at the light to get back onto Detroit Road. Mr. Hauck is excited to provide an event space for the community. They purchased the property for \$1.2 million and are planning a \$3.6 million project. They want to provide an opportunity for the neighbors to see what they are planning and get feedback while they are working on the final designs.

Gene Welsh, 2219 Garden Drive, asked if the entrance on Detroit Road could be used for customers as well as delivery trucks, Mr. Gingrich said it could be. Mr. Welsh was concerned about congestion with the nearby dance studio and an increase of traffic on Garden Drive. Mr. Gingrich said the curb cut on Garden Drive will be in the same location as the existing curb cut and they will try to limit additional traffic using Garden Drive. Mr. Radcliffe pointed out that most deliveries would probably happen early in the morning so patrons could use the Detroit Road entrance during business hours. Mr. Hauck said they will get deliveries two or three days a week from three or four purveyors.

Kathy Robertson, 2213 Holly Lane, thanked the applicant for putting the majority of the project on Detroit Road. She asked if there would be live music on the patio because she did not see

anything to reduce the sound shown on the plans. Mr. Hauck plans on having house music and does not plan on having a stage for live music. If they have live music, it would probably be in the beer garden area. Ms. Fechter pointed out that a Special Use Permit will be required for the outdoor dining space and live music will be addressed during that approval process and the neighbors will be notified. She asked if there would be a barrier between the parking lot and Holly Lane. Mr. Gingrich said they are planning on a combination of fencing and landscaping but the final details have not been decided. They want to limit headlights shining on neighboring properties from the parking lot as much as possible. Ms. Robertson wanted to make sure patrons could not exit the property onto Holly Lane. Mr. Gingrich said fencing and landscaping would help limit pedestrian traffic to Holly Lane as well.

Dave Newman, 2231 Holly Lane, asked if right-turn only access has been considered for northbound traffic from Garden Drive onto Detroit Road. Ms. Fechter said the applicants will need to have a traffic study done when submitting their final development plan for approval. Mr. Newman noted that the light is currently eight seconds long.

Ms. Fechter asked if the parking shown as “Adjacent Tenant Future Parking” on the site plan would be open to patrons at all times. Mr. Hauck said the neighboring property was purchased by the funeral home recently for their own parking needs. He approached the neighboring property owner about potentially using the space but nothing has been finalized. There are 160 parking spaces proposed and thinks there may be some opportunity for sharing parking.

Megan Engelmann, 2213 Garden Drive, welcomed the applicant to the neighborhood and thanked them for their presentation. She asked what the business hours would be. Mr. Hauck said they are currently open 3:00 p.m. to 11:00 p.m. Tuesday through Thursday, 3:00 p.m. to midnight Friday, 11 a.m. to midnight Saturday and closed Sunday and Monday. He does not foresee the schedule changing at the new location because they are a family business. He added that they are looking into opening earlier for lunch and possibly Sunday brunch. Ms. Engelmann asked if the landscaping could be taller shrubbery. Mr. Hauck did not see a need for traffic to go south on Garden Drive, but Ms. Engelmann was concerned that the road already seems to be a cut-through street.

Mr. Welsh added that traffic may stack up if all of the customers are supposed leave from one exit with the light. Mr. Gingrich explained that a traffic study will be done to help determine the best traffic flow for the site. There is access from Detroit Road with the current proposal and they do not want another curb cut too close to the intersection that may create other issues. Ms. Fechter said she would speak to the Traffic Signal Technician on staff to see if the timing can be lengthened at the Garden Drive intersection.

Ms. Rambo-Ackerman asked what the applicant is working on for the stormwater management requirements since most of the existing green space would be removed. Mr. Gingrich said they are looking at underground retention and potentially some pervious pavement to meet the City Engineer’s requirements.

Joe Misencik, 2209 Holly Lane, asked what the occupancy for the site would be. Mr. Gingrich said there would be 348 interior seats, 96 event seats and 167 exterior seats totaling 611 seats.

Ms. Fechter said the Chief Building Official would ensure they do not exceed their allowed occupancy. Mr. Hauck further explained that when the weather is nice, the majority of patrons would opt to sit outside while the inside seating would be empty. Mr. Misencik was concerned about patrons parking and speeding on the side streets. Mayor Jensen said the police could cite vehicles parked on the hydrant side of the street already. Mr. Misencik asked where the stormwater would be discharged. Mr. Gingrich said the stormwater would go underground and meet the timing requirements for how quickly it will need to drain. The stormwater would not go onto the neighboring properties. Mr. Misencik wanted to make sure the greenspace would look nice since it is the entrance to their neighborhood. He commended them for the design. Mr. Hauck described how the architects designed the property so it would beautify the intersection with greenspace on the corner and the wood pergola focal point. Mr. Misencik was also concerned about noise from the patio. Mr. Hauck said the speakers on the patio would point north. Mr. Misencik asked if the eastern drive could be the main entrance and use the Garden Drive entrance as an exit only because he is concerned about using Garden Drive as a cut through to SR 83. Mayor Jensen thought the driveway would need to be moved closer to Garden Drive if that was designated an exit-only drive.

Mr. Hauck introduced his brother and father who have also been long-time residents and are also owners of the restaurant.

COMMENTS

ADJOURN

Mr. Malloy moved, seconded by Mayor Jensen, to adjourn the meeting at 8:12 p.m. The vote was: "AYES" all. The Chair declared the motion passed.

Carolyn Witherspoon, Chair

Nicole Rambo-Ackerman, Clerk

Date