

## AVON PLANNING COMMISSION REGULAR MEETING MINUTES 1-15-20

### MINUTES OF THE PUBLIC HEARINGS HELD ON WEDNESDAY, JANUARY 15, 2020 IN COUNCIL CHAMBERS OF CITY HALL

The meeting was opened by Chairman Carolyn Witherspoon at 7:00P.M

REZONE PPN'S ENDING IN -235, -234, and -233 TO ADD THE C-4 OVERLAY TO THE EXISTING M-1 ZONING LOCATED AT THE CORNER OF JAYCOX AND MILLS ROADS. The Chair opens the Public Hearing at 7:00P.M. There being no one present in the audience; Chairman Witherspoon closes the public hearing at 7:01P.M.

### MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD ON WEDNESDAY, JANUARY 15, 2020 IN COUNCIL CHAMBERS OF CITY HALL

The meeting was opened by Chairman Witherspoon at 7:01P.M.

Present: Bill Fitch; Bryan Jensen, Mayor; Jim Malloy, Scott Radcliffe, Carolyn Witherspoon, Chairman; 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-DECEMBER 18, 2019

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 December 18, 2019 and to approve the said minutes as published. The vote was: "AYES" All. The Chair declared the motion passed.

### CORRESPONDENCE

#### ADDITIONS/DELETIONS

A motion was made by Mr. Malloy, seconded by Mayor Jensen to add item #8A Brew Kettle-First Presentation-General Development. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to delete item #7 Maria's Garden-First Presentation-Rezone at the Planning Coordinator's request. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to accept the agenda as amended. The vote was: "AYES" All. The Chair declared the motion passed.

#### MICHAEL BECK-FIRST PRESENTATION-LOT SPLIT

Michael Beck is requesting approval of taking a 3.77-acre parcel and splitting the rear portion into two lots making Parcel C .1995-acre, Parcel B .2158 acre and leaving the remainder 3.5688 acres located at 38021 French Creek.

Michael Beck explains that the neighbors would like to purchase the back of his lot and add that to theirs. Ms. Fechter says all staff comments have been addressed. Mr. Cummins has reviewed the survey and has no comments. Mr. Gasior asks if they are doing any deed restrictions since they are landlocked parcels. Mr. Beck says they will sell that back land with theirs. Mr. Gasior says when they did this for Palmer, he thought they required deed restrictions. Ms. Fechter says they did not as the mortgage companies did but they are cash sales and when they sell, both lands go together.

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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 taking a 3.77-acre parcel and splitting the rear portion into two lots making Parcel C .1995-acre, Parcel B .2158 acre and leaving the remainder 3.5688 acres located at 38021 French Creek. The vote was: "AYES" All. The Chair declared the motion passed.

### BREW KETTLE-FIRST PRESENTATION-GENERAL DEVELOPMENT PLAN

Bobby Johnston of MPG Architects is requesting approval of the general development plan for the proposed Brew Kettle and outparcel to be located at 33287 Just Imagine Dr.

Ms. Fechter reminds them that Brew Kettle was with us last year and presented an 11,000 sq. ft, two story building at this time they have changed their plans and made it a 7,000 sq. ft. building and an outparcel, so we need to do a general development plan.

Bobby Johnston explains they have been here a few times and finally have a good plan. The previous one had a larger brewery. Mr. Johnston says the exterior of the building was simplified but the patio stayed the same too. Ms. Fechter and Mr. Cummins have no comments. Mayor Jensen asks when they could get under construction. Mr. Johnston says with civil nearly complete, they will have a couple phases. He says they would like to submit shell plans in spring and break ground as well.

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 general development plan for the proposed Brew Kettle and outparcel to be located at 33287 Just Imagine Dr. The vote was: "AYES" All. The Chair declared the motion passed.

### BREW KETTLE-FIRST PRESENTATION-FINAL DEVELOPMENT PLAN

Bobby Johnston of MPG Architects is requesting approval of the revised site plan for a proposed 7,435 sq. ft. Brew Kettle Restaurant with patio to be located at 33287 Just Imagine Dr.

Bobby Johnston shows the Commission where the internal side walk was added from Just Imagine. Ms. Fechter says with the Clinic across the street both Slyman's and Brew Kettle are taking advantage of the fact they will have foot traffic and have incorporated internal sidewalks within the parking lot. Mr. Cummins says there are a few civil outstanding issues they are working through and would recommend a contingent approval. Mayor Jensen asks if those are minor. Mr. Cummins replies yes, just dealing with storm water quality.

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 revised site plan for a proposed 7,435 sq. ft. Brew Kettle Restaurant with patio to be located at 33287 Just Imagine Dr. contingent upon final engineering. The vote was: "AYES" All. The Chair declared the motion passed.

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### JIFFY LUBE-FIRST PRESENTATION-LOT SPLIT

Chris Coonan of Coon & Bonds Architects is requesting approval of splitting a one acre parcel off the Meijer site leaving that with 22.176 acres located at 1820 Nagel Road.

Ms. Fechter says he is coming from airport and hasn't arrived yet and asks if they can go to Panera. Chairman Witherspoon says they will move to item #11 and go back upon arrival of the applicant.

7:18 Chris Coonan arrives.

Chris Coonan says he apologizes for being late, his plane had a flat tire. Mr. Coonan says they are would be adjacent to the Meijer Garden Center and are splitting off a 1-acre parcel. Mr. Coonan says in discussing setback they decided to make the front of the building facing the street. Mr. Coonan says the smaller side yard setback will be off the access drive in. Mayor Jensen asks how they enter. Mr. Coonan says they will go in from the from the main entrance to Meijer. Mayor Jensen asks what the hours of operation will be. Mr. Coonan says they will be 8am to 10pm. Mayor Jensen would request that adding a little more buffering along the access road and Middleton with residence across the street. Mr. Cummins asks them to point out the street and access to clarify. Mr. Radcliffe says some of the pictures shown show two different colors. Mr. Coonan explains the colors. Mayor Jensen asks if they do anything else other than oil changes. Mr. Coonan says they do, some window repair, tires and fluid changes and brakes.

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 splitting a one acre parcel off the Meijer site leaving that with 22.176 acres located at 1820 Nagel Road. The vote was: "AYES" All. The Chair declared the motion passed.

### JIFFY LUBE-FIRST PRESENTATION-FINAL DEVELOPMENT PLAN

Chris Coonan of Coon & Bonds Architects is requesting approval of the site plan for a 4,050 sq. ft. single level commercial Jiffy Lube to be located on a 1-acre outlet of Meijer located at 1820 Nagel Road.

Chris Coonan says about 1,000 sq. ft of the total square footage is in the basement- the footprint of the building will be 3,050 sq. ft. Mayor Jensen asks if they have cost estimate and Mr. Coonan says about a million dollars. Ms. Fechter asks how many employees. Mr. Coonan says they usually have 8 full time employees with typical shift 5-6 people, two shifts a day. Ms. Fechter says all staff comments have been addressed. Mr. Cummins says they have reviewed and have no comments.

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 4,050 sq. ft. single level commercial Jiffy Lube to be located on a 1-acre out lot of Meijer located at 1820 Nagel Road. The vote was: "AYES" All. The Chair declared the motion passed.

### PANERA RESTAURANT-SECOND PRESENTATION-FINAL DEVELOPMENT PLAN

Mike Gilbert of Development Management Group, LLC is requesting approval of the site plan for a proposed 4,523 sq. ft. Panera Restaurant to be located at 35680 Chester Road.

Ms. Fechter says from last month the applicant is also from out of town and if everything was complete, he would not be here. Mr. Cummins says since the last meeting, all the details of their site have been addressed. Mr. Cummins says one outstanding item is their development is along Chester Road and their

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storm water leaves their site and goes to a detention pond to the north property adjacent to Menards. Mr. Cummins says there is future development that will occur, and that development will provide the storm sewer system to take the water from their site back to the basin. Mr. Cummins says the plan development will be submitted and they will need to compare their plan coordinates with the future development and asks if this could be contingent approval subject to the adjacent commercial site development being approved later. Mr. Cummins says that would allow them to continue with their work and allow the other site to be given consideration when submitted and doesn't see how this would cause a delay. Ms. Fechter says she would add this is part of Area 9 and the Jacobs Group came in and got approval for site work. She says as Mr. Cummins mentioned this system that is in place will tie into the larger piece in the back. Mr. Malloy asks what time frame we are looking at. Ms. Fechter says next month they should be on the agenda. Mr. Cummins says the detention system that this goes to is already constructed with Jacobs and is in place. Mayor Jensen asks for an update next month as they don't like having too many contingents. Mr. Schneider did appear in front of the Zoning Board of Appeals last week and were granted a 3 car from 10 to 7 car stacking.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the site plan for a proposed 4,523 sq. ft. Panera Restaurant to be located at 35680 Chester Road contingent upon future site development approval by Engineering.

### COMMENTS

### ADJOURN

A motion was made by Mr. Malloy, seconded by Mayor Jensen to adjourn. The vote was: "AYES" All. The Chair declared the motion passed. The meeting adjourned at 7:33P.M.