AVON PLANNING COMMISSION
FEBRUARY 21, 2024, 7:00 P.M.
REGULAR MEETING MINUTES

PUBLIC HEARINGS
None

ROLL CALL
The meeting was called to order by Chair Witherspoon 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; Jill Clements, Zoning Enforcement Officer Duane Streator, Safety Director, Susan Pintz, Planning Commission and Zoning Secretary.

REVIEW & CORRECTION OF MINUTES
Motion to dispense with the reading of the minutes of the regular meeting held on January 17, 2024, 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 January 17, 2024, and to approve the minutes as published. The vote was: "AYES" all. The Chair declared the motion passed.

REPORTS & CORRESPONDENCE
None

ADDITIONS & DELETIONS
None

1. <u>**Kathleen and Randall Twyman, 3020 Jaycox Road, Lot Consolidation, PL20240004**</u>
Kevin Hoffman of Polaris Engineering representing Kathleen and Randall Twyman are requesting approval to consolidate 0.1069-acres of PPN 04-00-023-102-034 and 5.2088-acres of PPN 04-00-023-102-151 to create a 5.3059-acre parcel.

Kevin Hoffman, Polaris Engineering, 34600 Chardon Road, Willoughby Hills, Ohio 44094. Mr. Hoffman states Mr. and Mrs. Twyman recently purchased the lot, and they are interested in building a new home and therefore we wanted to modify the legal description. There is a 5-foot section along the property which is a non-conforming lot. He states according to the Lorain County Auditor's Office for them to transfer the parcel in the future it would need a revised legal description.

Ms. Fechter states all staff comments have been addressed.

Mr. Cummins had no comments.

There were no other comments.

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 request to consolidate 0.1069-acres of PPN 04-00-023-102-034 and 5.2088-acres of PPN 04-00-023-102-151 to create a 5.3059-acre parcel. The vote was: "AYES" all. The Chair declared the motion passed.

2. <u>Jacobs Group, Chester Road, Subdivision Plat No. 8, PL20240002</u>

Carl Frey of Jacobs Group and Aaron Appell of Bramhall Engineering are requesting approval of Chester Road Subdivision Number 8 to create a new 12.7727-acre lot with 19.2787-acres remaining.

Carl Frey, Jacobs Group, 600 Superior Avenue East, Suite 2440, Cleveland, Ohio 44114. Mr. Frey states this Plat is to create one new lot for the next agenda item. This is similar to some of the other uses in the overall project. This project will have a flagpole size frontage on Chester Road. The driveway is on the north edge of this parcel and stormwater management for this project and the out parcel will all be within this parcel.

Ms. Fechter states there are no staff comments.

Mr. Cummins had no comments.

There were no other comments.

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 Chester Road Subdivision Number 8 to create a new 12.7727-acre lot with 19.2787-acres remaining for the Jacobs Group. The vote was: "AYES" all. The Chair declared the motion passed.

3. <u>ARCO/Murray National Construction Company, Chester Road, Final Development Plan, PL20240003</u>

Carl Frey of Jacobs Group and Aaron Appell of Bramhall Engineering representing ARCO/Murray National Construction Company are requesting approval of the Final Development Plan for a proposed outdoor recreation and entertainment facility consisting of a two-story driving range, restaurant, patio, and related improvements.

Carl Frey, Jacobs Group, 600 Superior Avenue East, Suite 2440, Cleveland, Ohio 44114. Mr. Frey. Mr. Frey states this was introduced at the January 2024 Planning Commission Meeting on the General Development Plan. This is an entertainment use, and a Special Use Permit was requested at the last meeting. Jacobs Group has been working with Bramhall Engineering and there are still some items that are being worked on in addition to some architectural related items.

Todd Waldo, Director of Real Estate, Top Golf, 8750 N Central Expy Ste 1200, Dallas, Texas 75231. Mr. Waldo states they are excited to bring this project to Avon. This new venue concept will be the first of its kind in the state of Ohio. It is a 2-story community focused family friendly venue. They have 4-5 of these operating across the United States. There are 2 under construction currently.

Mayor Jensen asked how this new concept is different from the location in Independence.

Mr. Waldo states this will be a 2-story venue, 60 bays, and it is less corporate oriented than the building in Independence and will be more community focused and family friendly. However, similar to the Independence location it will have a full-service restaurant and bar. This will be a smaller venue that will be the right size for the community and the west side of the metro area.

Mr. Radcliffe asked how the driving range part differs from the location in Independence.

Mr. Waldo states the driving range in Avon will be complete with the latest technology as seen on the PGA broadcast on CBS or other channels. It will have ball tracing technology and it will be surface targets as opposed to in-ground targets. This is the evolution of the new technology that they have introduced in the past year or two. They have introduced this into several communities across the country thus far. It has been extremely well received in every community as being more of a local and regional destination for people that are living in Avon and outside the limits. Their goal is to partner with the Jacobs Group to hopefully get under construction this summer and open sometime next year.

Mr. Malloy asked what other amenities besides the driving range and restaurant are available.

Mr. Waldo states there will be some outdoor patio space. He also wanted to emphasize that from a community benefit perspective they have a Youth Play It Forward initiative. They have a director for instruction at the venues that offer lessons to youths and adults. The Youth Play It Forward initiative is to partner with local schools and non-profits to introduce young people to the game of golf and they allow free game play during the week from 9:00am- 5:00pm. Local high schools teams come to the venue and participate in this and with all the technology it offers a different experience for them. They have found in cold weather markets they are extremely popular during the winter, and they expect it to be the same at the facility in Avon.

Ms. Fechter asked how many employees they will have in the new facility.

Mr. Waldo states it is a big economic development generator. They are estimating between 200-250 employees, that is when the venue is open and operational. They will probably create about 150 jobs during construction. Those will all be new jobs. Since this is vacant property, this will also generate tax revenue for the city.

Mr. Radcliffe asked about the video screen on the building rendering. He asked if that is for game play only, will there be advertising on the screens?

Mr. Waldo states the video screen will be for some advertising and for some live sports. He said it will be viewable from the T-line. In the northeast direction, the intent is that it will be visible from the T-line only. It is not associated with game play. It is just visible there and there is no audio associated with that.

Ms. Fechter states that she spoke to the representatives of Top Golf, and they are not sure they are going to put the video screen in. She questioned if the location would cause site issues with ODOT. They are going to let us know if they decide to move forward with that. They had it on their plan just in case but it's not something they are looking to do right away.

Mr. Waldo states that from a zoning perspective they would like that to be part of the approval and they would come back for any type of specifics necessary for that application.

Ms. Fechter states that City Council did pass their Special Use Permit at the February 12, 2024, meeting. She had a few minor comments come from the Utilities Department, and she would request if this were approved that it be contingent upon some minor Utilities items.

Mr. Cummins states there are still some minor outstanding engineering comments as well. He would agree with Ms. Fechter to consider this item as contingent approval.

There were no other comments.

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 a proposed outdoor recreation and entertainment facility consisting of a two-story driving range, restaurant, patio, and related improvements contingent on final engineering approval. The vote was: "AYES" all. The Chair declared the motion passed.

4. <u>Isomer Group, Drug Mart, West Side of Nagel Road Rezone, Second Presentation PL20220057</u>

Dan Hopkins of DJH Developers is requesting a positive recommendation to City Council for the rezoning of 17.7 acres, PPN, 04-00-022-102-044, 04-00-022-102-043, 04-00-022-102-039, 04-00-022-102-041, 04-00-022-102-042, 04-00-022-102-047, 04-00-022-102-048 from R1 to C4 to be included at the General Election in November.

Dan Hopkins, DJH Developers, 3494 Parkview Drive, Avon, Ohio 44011. Mr. Hopkins states he wanted to speak for a minute about Top Golf. His first experience at Top Golf was about 6 years ago in Phoenix, Arizona on a golf trip. He states it was extremely impressive. He also has family in Chicago and there are several facilities in that area. He also states as an Avon resident, he believes the city will be very happy with this facility. He and his family like to go to Top Golf even though some of his family members are not golfers. It is a good place for a family to go. He says that he is involved with the Special Olympics and Top Golf has recently hosted events for the Special Olympics Program. He supports Top Golf and is excited that they are coming to Avon and believes they have a great corporate story.

Chair Witherspoon states Mr. Hopkins is requesting a positive recommendation to City Council for rezoning 17.7 acres from R1 to C4 to be included at the General Election in November.

Mayor Jensen states at the January meeting some of the residents asked if they would change the zoning request from R1 to C1 or C2 not C4. Mayor Jensen asked if Mr. Hopkins could give an update.

Mr. Hopkins states that he did speak with the Drug Mart ownership, and they did look at the zoning classification and he is not sure C1 or C2 is something that is beneficial for them or for the land. He believes that the C1 zoning is intended for smaller lots and smaller commercial projects. The Drug Mart ownership's goal is to be a "little sister" to Chester Road. They have talked about having the same traffic flow with 5 lanes and to do that they hope to be able to obtain some larger tenants like there is on Chester Road. As an example, they would like to be able to obtain a medical research facility which does not fall under the C1 zoning. They feel the C1 zoning would limit the commercial project opportunities. Another potential business would be a veterinary hospital. They have had a conversation with a national provider of a large veterinary hospital similar to the one in North Ridgeville which has been very successful. However, a veterinary hospital would not be permitted in C1. The Drug Mart ownership group believes a veterinary hospital would be beneficial for the city in terms of tax revenue. The Drug Mart ownership group does not believe that C1 or C2 would be beneficial to them. They believe C4 is the most appropriate zoning, and they would like to continue to ask for that approval.

Mr. Cummins had no comments.

Ms. Fechter states last month they had several residents from the neighborhood behind the parcel that had concerns. She asked Mr. Hopkins if he had any conversation with any of those residents, HOA or the development team as far as providing landscape buffering.

Mr. Hopkins refers to the site plan on the screen and states a buffer and landscaping is almost a third of the site. They feel that it is generous, and it does line up with the buffering of the project that is currently being constructed to the north. The driveway will line up and the retention will line up with the project and trying to keep as much buffer as possible for the residents. Mr. Hopkins says they have a third resident who has moved out of a purchased property. They have 3 residents who have vacated so far. The Drug Mart ownership has cleared out the debris and the sites are already looking better. Mr. Hopkins further says that it will look much better when the landscape is complete and when the water retention ponds are put in and it will be very attractive.

Chair Witherspoon asked if there is anyone in the audience has any questions about the rezoning request.

Andrew Ljubi, 2351 Pendelton Court, Avon, Ohio 44011. Mr. Ljubi states he nor any of the residents have heard anything from the developer. After the last meeting in terms of any discussion or any opportunities to get the plan together and he and Chase Slepak left their contact information with the City so that could be facilitated, and they were not contacted. Mr. Ljubi understands from the ownership perspective C4 gives the most options and he understands that. However, it is not being built next to undeveloped residential land. There are 30 homes there that will potentially be viewing a gas station or a car wash or something of that nature. He believes those types of businesses are unsightly to look at. He further states that the retention ponds with all the water bring up issues with mosquitos that the residents will have to deal with in their yards. Mr. Ljubi says he thinks they mailed a letter to the city addressed to the Planning Commission which was signed by some of the residents continuing to urge the city to reconsider the C1 zoning instead of C4. He states he and the residents feel disappointed that the developer didn't take the request to heart and did not contact residents or propose anything new that might be more in line with this project backing up existing residential homes.

Ms. Fechter states this meeting is to get this item onto the November election ballot for the people to vote. If it does go forward and does get onto the ballot, any building that they want to build will need to come to Planning Commission. She says Mr. Hopkins gave an estimation of what kind of projects they are thinking of for the area. This could change and if something is coming in directly behind the residential homes there will be an opportunity to discuss the landscaping options at that time. There will be another opportunity to discuss options if this gets approved by the vote of the people.

Mr. Ljubi states he doesn't necessarily think what is proposed looks bad in terms of a couple of buildings. He is more concerned about it being subdivided and having fast food, a car wash, a gas station all next to each other and the plan differing from what is initially proposed. He believes that a C4 zoning opens the door to those kinds of businesses that would be undesirable to the residents that live there.

Mr. Hopkins apologized for the lack of communication, his recollection was that when he left the meeting last month he spoke with Mr. Ljubi and Mr. Slepak, and he gave them his card. He didn't know it was going through the city. He has no problem meeting or talking with them at anytime and answering any questions. They want to be as friendly as possible, and they think they have attempted to be that way. Mr. Hopkins states he would like to speak with them. He said that there will not be a gas station on the site.

Ms. Fechter states to Mr. Ljubi that this body will make a positive or negative recommendation to City Council. This will be at City Council for 6 weeks. There will still be an opportunity to have comments heard.

There were no other comments.

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 as a reminder this body is a recommending body, but most of us on this body want to give the residents an opportunity to decide if they want this continued growth in that area. Drug Mart owns the east side of the property and with some of the traffic issues that exist we are still trying to work through this, and this may be an opportunity for the residents to vote yay or nay. Our obligation is to let those residents make that positive or negative recommendation.

Mr. Malloy moved, seconded by Mayor Jensen, to recommend to City Council to approve the rezoning of 17.7 acres, PPN, 04-00-022-102-044, 04-00-022-102-043, 04-00-022-102-039, 04-00-022-102-041, 04-00-022-102-042, 04-00-022-102-047, 04-00-022-102-048 from R1 to C4 to be included at the General Election in November. The vote was: "AYES" all. The Chair declared the motion passed.

COMMENTS

Mayor Jensen had no comments.
Mr. Malloy had no comments.
Mr. Radcliffe had no comments.
Mr. Fitch had no comments.
Ms. Fechter had no comments.
Mr. Cummins had no comments.
Mr. Gasior had no comments.
Ms. Clements had no comments.
Mr. Streator had no comments.

ADJOURN

Mr. Malloy moved, seconded by Mayor Jensen, to adjourn. The vote was: "AYES" all. The meeting was adjourned at 7:27 p.m.

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Carolyn Witherspoon, Chair

Susan Pintz, Planning Commission & Zoning Secretary

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Date