

## AVON PLANNING COMMISSION REGULAR MEETING 3-20-19

### MINUTES OF THE PUBLIC HEARINGS HELD ON WEDNESDAY, MARCH 20, 2019 IN COUNCIL CHAMBERS OF CITY HALL

The meeting was opened by Chairman Carolyn Witherspoon at 7:02P.M

CREATE A SPECIAL USE PERMIT FOR BAR NOVA TO INCLUDE AN OUTDOOR PATIO TO BE LOCATED AT 36816 DETROIT ROAD. 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 7:00P.M.

CREATE A SPECIAL USE PERMIT SLYMAN'S TAVERN TO INCLUDE AN OUTDOOR PATIO TO BE LOCATED ON JUST IMAGINE DRIVE EAST OF NAGEL ROAD. 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.

PRELIMINARY PLAT FOR SCHATSCHNEIDER LAND DEVELOPMENT FOR A NEW 24 HOME SUBDIVISION TO BE LOCATED OFF JAYCOX BETWEEN SADDLE CREEK AND KELLER DRIVE. The Chair opens the Public Hearing at 7:01P.M.

Harold Schatschneider says they are proposing a 24-home subdivision on the family estate for over 70 years. Mr. Schatschneider says his parents had a dream of developing that land and they are trying to fulfill that for them. Travis Crane says they are proposing 24 new homes that comply with the City code and there are over 20 acres. Mr. Crane says there are a few other people involved in this project- you have obviously the Schatschneider family, the Metro Parks and the Linden's all have property that will be used in this plan. Mr. Crane shows on the map the street location. Mayor Jensen asks them to point out what they have done to help fix the flooding in the area as some residents could be afraid of what's going on behind them. The residents could be concerned with the higher elevations and if it does flood how will it affect them. Mr. Crane says that is one of the biggest things they have been working on for almost a year now when they first started trying to make it work. Mr. Crane says they are doing storm water management that water has to stay on their property and they have a detention basin and will comply with the City Ordinances. Mr. Crane talks about compensatory storage and the 2:1 requirement. Mayor Jensen asks if they will be bringing in soil and Mr. Crane said possibly. Mayor Jensen asks Mr. Cummins for the elevations from Saddle Creek to the subdivision as they know it will be slightly higher than Keller Dr. Mr. Cummins says regarding the houses on Saddle Creek, it would be the same possibly a foot or two possibly in a few locations. Mr. Cummins says there is a buffer on both sides of the development, so the homes will not be built right up to the line. There is a drainage ditch on the north side of Keller south side of development that will be maintained. The subdivision itself will collect all the water within its boundaries but anything coming from the north will go to the basin as well and the Keller Dr. should see an improvement.

Ron Krystowski owns a couple properties on Keller Drive says the ditch between Keller and their property is pretty much stagnant water all the time and a ton of mosquitos. Mr. Krystowski asks if the basin is going to be a dry pond or wet. Mr. Crane says its proposed to be a wet basin. Mr. Krystowski asks with moving water or stagnant. Mr. Crane says its not a flowing river, it's a standard pond with water. Mr. Krystowski says the mosquitos are so bad now and adding another pond is making the problem worse. Mr. Crane says in his professional opinion, he feels that is not an issue, it's a storm water management basin for storm water purposes. Mayor Jensen asks if they would help work with that area to keep the water moving. Mr. Cummins says maybe there can be some grading in the ditch area. Mr. Cummins says mosquito larva needs still water for up to 14 days, this will be a pond, but water will be coming in and out the other end. It is not a river but it's not stagnant water. Mr. Schatschneider says they will be willing to help with the ditch and some work, but he thinks it's a City ditch and serves both sides

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(his and Keller Drive). Mayor Jensen says if it's a City ditch they will go in and clean it, but they would like to see the developer help make it easier and they will work together.

Ron Buchanan, 3106 Jaycox Road, shows on the drawing the location of his home and says his property line is only 10' from the side yard. Mr. Buchanan is concerned that the right of way is on the north property line and says there's no room for drainage there. Mr. Buchanan gives some photos that show the surface water showing they are always wet. Mr. Buchanan says he feels this is going to flood them out by looking at the drawing. Mr. Cummins asks Mr. Crane what the distance is from the proposed right of way to the property line and says he does not know the exact number but will investigate that. Mr. Cummins says that this is preliminary, all drainage issues will be addressed when they put together their final plans. Mr. Cummins says there is a fair amount of space between property lines and feels there will be some area for drainage. Mr. Buchanan says there's a small area with pine trees and was curious if those were going to be taken down and says there is no space and doesn't know where the water will flow to. Mr. Cummins says it will be their responsibility to address any drainage issues as they are doing their final plans. They will need to do detail survey and will be installing a new drainage system that will go back to the new basin. Mr. Buchanan talks about the traffic on Jaycox and says it backs up from Schwartz all the way back to his house and its so hard to get out of his house at certain time and says its not good to add more cars. He also says safety, but the doesn't understand how the fire department can get in there, it's a dangerous set up that the emergency vehicles can't get in there. Mr. Buchanan says he is very much against the zoning change and allowing so many homes in there. Mr. Cummins says they would need to get a variance for the length of the cul de sac. Mr. Dudziak says there is concern of the length of the cul de sac and he doesn't like one way in and is over two times what our ordinance says.

Chris Ames, 35538 Keller says he agrees of not doing the subdivision because of the traffic. Mr. Ames says you know you can't get out at certain time and if there's an emergency, they can't get out. Mr. Ames says the water in his back yard pours into the ditch area. The last big flood it cost him thousands of dollars. Mr. Ames says there is walkway path and that means strangers will be walking in their back yard and that will bring crime and vandalism and thinks its ridiculous. Mr. Ames says it's not worth the little profit they will make, he is not against anyone making money if it doesn't affect our community. Mr. Cummins ask Mr. Crane to confirm that is the access driveway is for the propose of getting to the sewer and says that is correct. Mr. Schatschneider say they have been working with the park for years swapping property, so they can have the Creekside property to continue their walkway from 83. Mr. Schatschneider says they wanted to give the people in the development the opportunity to get to the sewer and to the walking path. Mr. Ames says he doesn't want strangers walking in his back yard, that's why he lives on Keller. Mayor Jensen says the fact is most criminals don't walk on the trail its more residents. We are trying to add more trails and connect them as the facts are there and it doesn't increase crime. Mayor Jensen says we are not rezoning anything, its zoned for this. The one thing we could do is make them take one lot out and put a stub there. Mayor Jensen says we are not changing anything, they will ask for a variance for the length of the cul de sac, they could add a stub and we have no grounds to stop that. Mayor Jensen continues to say there is water pouring off the field, this could correct the issues. Mr. Ames says in theory that could work but what works on paper doesn't necessarily work. Mr. Dudziak says they would be happy if a stub was installed.

Shawn Stewart, 35602 Keller Drive asked what it is currently zoned. Ms. Fechter says R-1 single family. Mr. Stewart asks if its always been and it was confirmed yes. Mr. Stewart asks if the ditch is going to be relocated and Mr. Cummins says no it will stay where its at. Mr. Cummins says there could be some cleaning and regrading, but it serves the Keller residents. Mr. Stewart gives photos to show how wet his land is and is concerned that the extra water will flood. Mr. Cummins says the proposed drainage system for the new homes will have downspouts that will go to the public storm sewer which is in the proposed street and flows into the west. Mr. Cummins said earlier the back yards will have yard drains and there will be a buffer area that will have a small amaount of water but there will be a drainage system installed.

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Brandie Smith, 3079 Jaycox Road says she is directly across from proposed entrance and asks about sewers-is that coming off Jaycox or from behind. Mr. Cummins says that is still an open discussion between the developer and the City. Mr. Cummins says it is currently proposed on the plan to flow into the trunk line to the west. There is discussion that it goes to Jaycox to Schwartz, but its still open. Ms. Smith asks how that impacts the residents, will they be responsible to pay for the running of the line or the hook in as there is a significant cost as most have septic. Ms. Smith is not opposed to getting on the sewer just wanting to know what the future cost could be. Mr. Cummins says no matter what way they go, they will be installing the line within the street and will bring connection to each property line and it would be the responsibility of the person to go from the street to the house then they will be in touch with the health department on crushing the septic. Ms. Smith says its her understanding as there could be other homes being built on Jaycox on the other side and start thinking of the infrastructure, she just wants to plan accordingly. Ms. Smith says her drive will be across the street and sees 10' widening of the road and asks if they are widening the road there. Mr. Cummins says the plan does not include any widening of Jaycox, it is widening the right of way, but no improvements are proposed at this time. Ms. Fechter says with the plans in front of us today with both the Schatschneider and the Longwood Forest Development, these are preliminary plans. Ms. Fechter says they come with the concept and get approval to be able to move forward and a lot of the due diligence that needs to be done with the engineering, all those are presented with final development plan. Ms. Fechter will have a sign up and we can notify residents when they come back for final. Ms. Smith asks budgeting wise, with all the new developments, what does that do in terms of the City's budget for fire, police, etc. and how will that be passed along to the residents. Mayor Jensen says the reason we are looking to work with the developer is we are trying to find the most cost-effective way to get sewer along there. We have an area that has been mandated by the EPA to get off septic systems. Mayor Jensen says trying to keep cost to minimum because if it becomes mandated, it will be more expensive. Mayor Jensen says they look to find how to get a revenue stream and that help comes with commercial development. Mayor Jensen says the Council we have now, tries to do what's in the best interest of the residents at a fair cost.

Mitch Randolf, 35410 Keller Drive says its not only the water that development is going affect the water is going to be an issue. Mr. Randolf doesn't think the house value will go up, Keller Drive is a nice quiet street. He agrees with the Mayor on the fact that they have the right to develop their property. Mr. Randolf says he doesn't think that their riht to develop should affect his neighborhood.

Ted Schmitz, 35506 Keller Drive says the drainage will go from pipe to pond and he doesn't understand the words, will the pond always get water. What happens if we go two weeks without rain, does it go dry? Mr. Crane says it will be fed with storm water and rain events and doesn't think two weeks will dry it out. Mr. Crane says there's enough drainage to keep it a healthy pond. Mr. Schmitz asks who will maintain the pond with trimming. Mr. Crane says typically the HOA will maintain that within their covenants. Ms. Fechter says the law director will review those documents prior to approval. Mr. Schmitz says if that water goes into the pond, will that water go into the French Creek as over flow. Mr. Crane says currently the pond outlets into the French Creek. Mr. Cummins says the water quality aspect will hold water for 48 hours then release on larger storms it will hold longer and release over a few days.

Jessie Hanchosky, 37245 Colorado Ave asks on the north west corner of the development they mentioned a land swap and would like details. Mr. Hanchosky says its all wooded and wants to know if it will remain or be cleared. He says property was donated by Buddy Miller. Mr. Schatschneider says their intent has always been to swap with the Metro Parks and they could do what they want but his assumption would be to leave it wooded. Mr. Schatschneider shows on the map of what was traded-they give them property along creek and development gives property along north side of proposed subdivision.

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There being no further questions or comments from the audience, Chairman Witherspoon closes the public hearing at 7:54P.M. Mayor Jensen says there will be no vote if they want to leave they can, or they can hang around.

PRELIMINARY PLAT FOR LONGWOOD FOREST SUBDIVISION NO. 1, A NEW 40 HOME SUBDIVISION TO BE LOCATED AT THE END OF NORTH LONG ROAD EXTENDING TOWARDS DETROIT ROAD WITH A CONNECTION TO BRIAR LAKES DRIVE. The Chair opens the Public Hearing at 7:54P.M.

Mark Holz of Frontier Land Group says they are here for preliminary plat approval for Longwood Forest which is a 40 new home subdivision with the extension of North Long and extending to just beyond Briar Lakes Drive. Kevin Hoffman of Polaris shows on the map the layout of the subdivision and roads around it. Mr. Hoffman says they are proposing two basins and all the drainage is north to Wagner Ditch and ties into French Creek. Mr. Hoffman says they will be bringing up a 21" sanitary sewer main taking south on North Long Road. Ms. Fechter says again, this is Preliminary, and they are still working through some areas of the subdivision. Mr. Cummins says one of the main outstanding questions is the existing high-pressure water main that runs through the property. Mr. Cummins says they are waiting to see how that will be addressed but it is preliminary and are open to comments.

Barbara Whitmore, 3054 Hatteras Way says they are proud of the subdivision and the City as it's a desirable place to raise their families and recognize that is because of the hard work that Council, Planning Commission and other people have done. Mrs. Whitmore says there are several challenges in this subdivision and they want to be part of creating a win situation with Ryan for this development. Mrs. Whitmore reads a letter she prepared with exhibits, please see attached letter and documents.

Chad Bowerman, 38484 Cardinal Court in Avondale asks if this goes to Detroit Road. Mr. Hoffman says now they are not proposing the extension to Detroit Road. Mr. Hoffman says there is a property they would like to purchase but are unable to at this time so putting a road out to Detroit Road with single sided lots doesn't work. Mr. Bowerman says the only way in is through Avondale to Briar Lakes or the other development to the east. (Briar Lakes) Mr. Bowerman asks what the distance from the power line to the lot lines to begin. Mr. Bowerman says he lives on the other side of the lines and wants to know what the distance will be. Mr. Hoffman says there are no lots in the easement, so it could be 70' approximately. Mr. Hoffman says in Avondale, the HOA owns that land under the power easements. Mr. Bowerman says their retention ponds are working very well and his neighbors dog died. Mr. Bowerman says they wanted to install a fence to keep kids away from the basin. Mr. Bowerman continues to say because of the easement for storm water, they can't put anything up to protect their kids and now there will be more water for the safety of the homes.

Larry Schramm, 2441 Kenwyn Blvd says he is across the street from subdivision. Mr. Schramm shows on the map there has always been a propose road from Detroit down to French Creek. Mr. Schramm says his road is a race track and is concerned that if the road goes to Detroit Road he might as well give his house away. He adds that all the people will drop off the kids to the Middle School, they will cross and go down the new road and drive through his subdivision with speeding and running stop signs. Mr. Schramm says any connection to Briar Lakes or Avondale is horrible. He knows this is preliminary and if they don't do something about it now, it will slip through the cracks. Mr. Schramm says people have the right to develop their land, but they don't need a road from the Middle School to the highway, its just more and more traffic.

Chris Orlando, 3066 Fairview Drive says the initial phase 1 had Long Road extending and its not longer there and its been referenced the land can no longer be acquired. Mr. Orlando says as an Avondale resident, traffic is becoming concern. He moved to Avondale recently and there are close to 100 kids and

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the cars speed down Fairview and having another connection, Fairveiw Dr will be a little highway for people. Mr. Orlando says since the connection has been made to Amberwood they have noticed an increase in traffic and they need to look at the connections streets we have. Mr. Orlando asks if we are concerned about over saturation at this point? For example, a house listed on his street was at \$500,000 which sounds like a lot, but it took about 6 months to sell and sold for \$446,500. Mr. Orlando says according to the agenda and including lots available here, there are 144 proposed units including 76 condos and 68 resident units. Mr. Orlando thinks the market is starting turn and says they should speak to the realtors in the market and this over saturation and by approving more and more lots be built that its too fast and not enough infrastructure Avon might be caught with their pants down and half-built houses and developers out of business.

Nancy Voiklis, 37847 Briar Lakes asks what benefit is it to connect the developments? She bought her home four years ago and was attracted to the development because of the simplicity with one way in and one way out. Mrs. Voiklis says some of the children have not been to safety town and don't know not to cross the street and thinks it safe as they have minimal traffic. She continues to say the only reason you're in the development is you live there, are visiting or have business. Mrs. Voiklis says the traffic increase becomes a cut through to the high school. They are not permitted to have fences and is concerned about kids going into the street. She says there is a reason why teenage drivers have higher insurance costs as some are less safe at driving. It takes one second, one minute, one accident for a fatality to happen and she is not willing to allow that to happen to her children or the children that live in her development. Mrs. Voiklis says she Avondale is a newer development and their taxes are higher than their development and wants to know how that will affect her tax rate. Mrs. Voiklis says she doesn't want her home to be include in a \$500,000 bracket when its not. Mrs. Voiklis hopes they take these concerns into consideration. Mr. Dudziak says they have issues with Avon Lake they need to hash out but as for the safety stand point they do like multiple ways to get in and out. Mr. Dudziak says they do not like only one way in and out as an example a tree went down across the road and only had one way in and couldn't get to the end of the street. Mr. Dudziak says its an older subdivision with trees and if something happens, he understands they worry about the cars going through, but it could save a life with having another way in.

Brian Muldoon, 3026 Silverton with all due respect to the safety force he thinks we should take our chances on a once in a generation storm than 100's of cars daily. Mr. Muldoon thanks the Planning Commission for hearing everyone out. Mr. Muldoon asks if quality of life is considered by this committee and the Mayor's bigger picture in general. Mr. Muldoon asks about the City's mission statement or vision, we all moved to Avon for the quality of life and it is getting a little congested. He continues to say as the people on Keller are talking about Schwartz backing up, its starting to happen every where in Avon. Mr. Muldoon asks if there is any thought to the end game with Avon-do we turn into Lakewood? Mayor Jensen says the zoning is what it is and has been in place for a long time. Mayor Jensen says the number one priory its safety and says they have had that road closed two time because of a gas line break. Mayor Jensen says he must look out for everyone, Mr. Muldoon may say he will take a chance for once in a lifetime, if there was child that would die, or we need to get to, we need to get to them and the Mayor wont take that chance. Mayor Jensen says he understands the passion, but the realization is we need to get to those residents. He says he will not take a law suit to try to stop something that he can't legally stop, we take an oath and need to follow that. Mayor Jensen says will see the increase of the traffic, has not stopping that, the master plan shows it on there. We need to be realistic about certain things we are asking as if there is a law suit and the judge makes the decisions, the judge is going to make the decision and give the example of why his home is where it is. Mayor Jensen says he represents all residents. Mr. Muldoon wants the commission to listen to residents as they voted against the expansion of Detroit Rd, they don't want to be Cleveland. Mr. Muldoon says he would like to see this stopped as there are many reasons why it should be, and the commission should stand up and stop this development that doesn't need to be here. Barbara Whitmore shows where she believes the wetland are and says they go all along Briar Lakes. She adds the delineation works for this development but adds issues to Briar Lakes. Mr.

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Muldoon says the Commission can take a stand and work together and see if they can keep the tree and when is enough. Mayor Jensen says there will be no vote but the sign in sheet is in the back.

There being no further questions or comments from the audience, Chairman Witherspoon closes the public hearing at 8:38P.M.

### MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD ON WEDNESDAY, MARCH 20, 2019 IN COUNCIL CHAMBERS OF CITY HALL

Present: Bill Fitch; Tammy Holtzmeier; Bryan Jensen, Mayor; Jim Malloy, 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-FEBRUARY 20, 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 February 20, 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 delete item #13 Concord Village Final Development Plan at the applicants 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.

#### BEETLER/BUZAS-FIRST PRESENTATION-LOT SPLIT

Judy Buzas is requesting taking a 29.23-acre parcel, 3990 Nagel Road and splitting off 1.033 acres to create a new lot to be located on Nagel road.

Judy Buzas says the property is owned by her and her sister and would like to do the split to deed it to her son, so he can build a house. Ms. Fechter says there are no city comments. Mr. Cummins says he has reviewed the plans and find them to be acceptable and would recommend approval.

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 29.23-acre parcel, 3990 Nagel Road and splitting off 1.033 acres to create a new lot to be located on Nagel road. The vote was: "AYES" All. The Chair declared the motion passed.

#### RICHARD SCHNEIDER-FIRST PRESENTATION-LOT SPLIT

Rick Schneider is requesting taking a 6.06-acre parcel and creating 3 lots, Lot 1-.8728 acres, Lot 2-.8698 acres, Lot 3-.8667 and leaving the remainder parcel at 3.4521 acres located on the east side of Jaycox Road.

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Rick and Pauline Schneider says they would like to create 3 lots that will be 105'x378' and leave the remainder parcel of 415' where the blueberries are located. Ms. Fechter says there are no city comments. Mr. Cummins says he has reviewed the plans and find them to be acceptable and would recommend approval.

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 6.06-acre parcel and creating 3 lots, Lot 1-.8728 acres, Lot 2-.8698 acres, Lot 3- .8667 and leaving the remainder parcel at 3.4521 acres located on the east side of Jaycox Road. The vote was: "AYES" All. The Chair declared the motion passed.

### BAR NOVA-FIRST PRESENTATION-MINOR MODIFICATION

Keith Grisafo is requesting approval of the site plan for the minor modification of adding a stamped concrete patio with retaining wall to be located at Bar Nova, 36816 Detroit Road.

Keith Grisafo says they want to spruce the outside up and would like to put a 900 sq. ft. concrete patio with retaining wall. Mr. Cummins says he has no comments. Mr. Malloy asks how high the wall will be as it's so close to the road and it was determined 36" and it would be on three sides, like a U. Mrs. Holtzmeier asks what the material will be, and Mr. Grisafo says concrete base they will have stone or brick on the exterior. Mrs. Holtzmeier asks what they will do to keep the patrons on the patio safe, bollards? Mr. Grisafo says they would do what they need to but to make it esthetically nice, they wanted to do the retaining wall. Mr. Malloy asks if the patio will be covered and Mr. Grisafo says no, they already have a covered area.

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 the minor modification of adding a stamped concrete patio with retaining wall to be located at Bar Nova, 36816 Detroit Road. The vote was: "AYES" All. The Chair declared the motion passed.

### BAR NOVA-FIRST PRESENTATION-SPECIAL USE PERMIT

Keith Grisafo is requesting approval of the site plan and recommend to Council for approval to create a Special Use Permit to include a stamped concrete patio with retaining wall to be located at Bar Nova, 36816 Detroit Road.

It was determined the hours will be 4-midnight during the week, 1:00am on weekends, the patio will be seasonal-weather permitting and there will be no music on the patio.

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 and recommend to Council for approval to create a Special Use Permit to include a stamped concrete patio with re-enforced retaining wall to be located at Bar Nova, 36816 Detroit Road. The vote was: "AYES" All. The Chair declared the motion passed.

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### SLYMAN'S TAVERN-FIRST PRESENTATION-FINAL DEVELOPMENT

Bud Perry of Vocon representing Slyman's Tavern is requesting approval of the site plan for the proposed 7,415 sq. ft. Slyman's Tavern to be located on Just Imagine Drive, east of Nagel Road.

Dean Spong of Vocon, Dan McDonald of Vocon and Joe Drucker all are present. Mr. McDonald says the proposed development is a 7200 sq. ft. restaurant on Just Imagine Drive. They did provide additional screening to the adjacent residence with trees. Mr. Spong says show the drawings and again adds there are more trees. Mr. Spong show the patio is in front and shows elevations of the building. Mr. Spong says signage will be submitted later. Ms. Fechter asks about the patio. It was determined brick walls, with 8' wide fence opening with proposed capacity will be approximately 45 people. Mr. Dudziak asks about the width of the break. Mr. Spong says they wanted to break it up, so people don't feel closed in. Mr. Dudziak talks about the fire code and says it typically 6 feet. Ms. Fechter asks if there is a curb and it was mentioned yes, your 6" standard curb and sidewalk.

Don Meyers, 4145 Stoney Ridge Road thanks them for coming and have been waiting. Mr. Meyers says this appears to be a two-story structure is that true or open? Mr. Spong says its wide open and at the bar and have garage doors that can be opened.

Ms. Fechter says they have had several comments and have added landscape and they have done a great job of responding. Ms. Fechter says there is a house next door and they feel if they add some tree buffer it will add to the existing chain linked fence. Mr. Cummins says they have done a review and have a few minor items outstanding and would recommend a contingent approval.

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 the proposed 7,415 sq. ft. Slyman's Tavern to be located on Just Imagine Drive, east of Nagel Road contingent upon final engineering. The vote was: "AYES" All. The Chair declared the motion passed.

### SLYMAN'S TAVERN-FIRST PRESENTATION-SPECIAL USE PERMIT

Bud Perry of Vocon representing Slyman's Tavern is requesting approval of the site plan and the recommendation to Council for approval to create a Special Use Permit to include an outdoor patio for the proposed Slyman's Tavern to be located on Just Imagine Drive, east of Nagel Road.

Ms. Fechter says the patio is opened until midnight and there will be no live music on the patio. Mr. Gasior says you can add into the Special Use Permit as needed. Mrs. Holtzmeier says she would like to see the open space to be dropped down to 6 feet and they agreed that is fine.

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 and recommend to Council for approval to create a Special Use Permit to include an outdoor patio for the proposed Slyman's Tavern to be located on Just Imagine Drive, east of Nagel Road with spacing be 6 feet and possible additional landscaping if needed. The vote was: "AYES" All. The Chair declared the motion passed.

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### THE GANZHORN SUITES OF AVON-SECOND PRESENTATION-FINAL DEVELOPMENT PLAN

Eleanor Alvarez of The Ganzhorn Suites of Avon is requesting approval of the site plan for a 51,531 sq. ft. single story memory care facility to be located at 33350 Health Campus Blvd.

Aaron Appell of Bramhall Engineering is requesting final approval and been here a few times and have addressed some recent comments about curb cuts to comply with requirements. Mr. Appell says Ganzhorn did agree to install sidewalk along west side of Rose Parkway. Mr. Appell says north of the driveway; those sidewalks will be installed later with the extension of Rose Parkway. Ms. Fechter says Mr. Appell did respond and would ask for contingent approval to allow Mr. Farmer to view the revision. Ms. Fechter says we are still working with the Jacobs Group on the traffic study. Mr. Cummins says there are four minor items out there and would request a contingent approval as well.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the site plan for a 51,531 sq. ft. single story memory care facility to be located at 33350 Health Campus Blvd. contingent upon final engineering. The vote was: "AYES" All. The Chair declared the motion passed.

### CONCORD VILLAGE PHASE 2-FIRST PRESENTATION-FINAL DEVELOPMENT

Chuck Szucs of Polaris Engineering along with Jason Friedman of JA Friedman Captial, LLC is requesting approval of the final development plan to include 76 condominium units within Concord Village located northside of Chester Road.

No action taken, item deleted at the applicants request.

### SCHATSCHNEIDER LAND DEVELOPMENT-FIRST PRESENTATION-PRELIMINARY PLAT

Harold Schatschneider is requesting approval of the Preliminary Plat for Schatschneider Land Development, a 24 new home subdivision to be located on the west side of Jaycox Road between Saddle Creek and Keller Drive.

Travis Krane of TCG says its 24-lot subdivision on 20+ acres and can answer any questions. Ms. Fechter says this is first presentation. Mr. Cummins says there have been a lot of concerns and some of that information is still being reviewed. Mr. Cummins says there is discussion about the sanitary sewer connection point and those details need to be worked out and expect to meet with applicant to get these items worked out.

Mr. Fitch says he thinks the property is flat and thinks the retention stuff they have planned will help the area. Mr. Cummins says this project has some potential benefits storm water management wise. Mr. Cummins adds they did mention they are providing compensatory storage, storm water management system and that has a lot of benefit as well. Mr. Fitch says the wet, water retention, how deep will that be after a week or two with no water? Mr. Krane said they will design it to be a minimum of six feet of water always could be a little deeper. Mr. Fitch can you grade is to be deeper at one end to help with mosquitos. Mr. Krane says he doesn't think so that the difficulty of the site is how flat the parcel is, so they want to keep it as low as possible. Mr. Cummins says the water in flow is at the east end and the outflow at the west end. Mr. Cummins says if its too close you can have a little problem. Mr. Malloy talks about the walking trail that is noted to be connected. Mayor Jensen says if they can help on the ditch to keep it flowing could help. Mr. Fitch says the one guy says the reason they live there is basically it's a dead-end and they should feel safe as this only has one way in and its like that. Mrs. Holtzmeier says there was talk on the ditch and it is a named ditch, its Leferink Ditch. She asks as a named ditch, who is responsible for maintenance on the ditch. Mayor Jensen says if it's a named ditch, it's the City's responsibility we just

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need to make sure we have easement to get through there. Mrs. Holtzmeier asks about the length of the cul de sac and it determine is about 1300 feet. She says the code says its longer and possible need to add stub street and feels that needs to be looked at closely to try to comply with the code. Mrs. Holtzmeier asks if Mr. Gasior can follow through on the revised codes quoted from the residents. (let it be noted-that was for Longwood Forest.) Mr. Cummins asks about the wetlands and asks if they know what type of permitting they will go after. Mr. Krane says hopefully a nationwide permit unless there's a big change in the walk through.

No action taken, Chair declares this to be first presentation.

### LONGWOOD FOREST SUBDIVISION-FIRST PRESENTATION-PRELIMINARY PLAT

Kevin Hoffman of Polaris Engineering is requesting approval of the Preliminary Plat for Longwood Forest Subdivision to include 40 new single family homes to be located at the new of North Long Road extending towards Detroit Road with a connection to Briar Lakes Drive.

Mr. Cummins says it was talked about the, the 42" water main and were copied on comments from Avon Lake that they feel are unacceptable and asks if there have been any discussions with Avon Lake and how have these been addressed. Kevin Hoffman of Polaris Engineering says they talked to Jack Gaydar and he felt the main concern was near Briar Lakes, but they will continue to work with them and adjust alignments at the right elevations. Mr. Hoffman says there's an easement, building setbacks and they can add additional language on the plat about what can and can't be done in the easement or put some restrictions on. Mr. Cummins asks if Avon Lake located exactly where the main is in the subdivision. Mr. Hoffman says the only place they located was at the Briar Lakes intersections area to proposed subdivision. Mr. Cummins asks if they will be getting a letter to state all their concerns have been address and Mr. Hoffman say yes. Mr. Hoffman says there are two corner lots that will be forced to front North Long Road. Mrs. Holtzmeier wants it reflected the revised codes were for this subdivision and not the Schatchneider. Mr. Cummins says the comments are out and a lot of discussion about traffic. Mr. Cummins says North Long Road has planned to be a collector street and having these two connections east and west and has asked the applicant to come back with a traffic study to talk about those items. Chairman Witherspoon confirms there is a stub in Briar Lakes already. Mark Holz says they did hire a traffic study they provided that. Mr. Cummins says the trip generation did not speak to the question of how this will be used with the surrounding areas. Chairman Witherspoon says pond safety and it was brought up and Mr. Cummins says we do not have a requirement to fence the pond unless the applicant wants to do such.

No action taken, Chair declares this to be first presentation.

### 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 was adjourned at 9:40P.M.