



CITY OF AVON

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REGULAR MEETING MINUTES AVON PLANNING COMMISSION APRIL 15, 2026, 7:00 P.M. CITY HALL COUNCIL CHAMBERS

The regular meeting was called to order by Chair Witherspoon at 7:00 p.m. in Council Chambers.

PUBLIC HEARINGS

- **Acute Pet Urgent Care, 2100 Center Road, Special Use Permit**

Acute Pet Urgent Care is requesting a positive recommendation to City Council for approval of a Special Use Permit to operate a veterinary urgent care facility within an existing 3,000 square foot tenant space.

The Chair opened the public hearing at 7:00 p.m.

There were no comments from the audience.

The Chair closed the public hearing at 7:00 p.m.

- **LDC Stonegate LLC, 33294 Detroit Road, Rezone**

LDC Stonegate LLC is requesting a positive recommendation to City Council for the rezoning of 33294 Detroit (PPN 04-00-027-101-242) from R-1 (Residential Single Family) to C-1 (Neighborhood Business).

The Chair opened the public hearing at 7:01 p.m.

The Chair temporarily closed the public hearing at 7:02 p.m. due to Applicant not being present.

The Chair re-opened the public hearing at 8:06 p.m.

Matt Torbit, Liberty Development Company, 28045 Ranney Parkway, Westlake, Ohio 44145.

Mr. Torbit presented the request to rezone from R-1 to C-1. He noted the parcel is immediately adjacent to C-4 and there is no interest in intensive uses permitted in C-4 such as automotive, car washes, motels, hotels, or kennels, which was why they chose C-1 for future development (Exhibit 1 drawing).

Randy Miller, 33315 Detroit Road, Avon, Ohio 44011.

Mr. Miller expressed concerns similar to those raised about the Nagel Road rezoning, specifically highlighting the impact of the proposed commercial zoning changes between primarily residential areas. He elaborated on how the area is surrounded by houses on the east, south, and north sides, with the Drug Mart being the solitary existing commercial presence to the east. His primary worry centered on the detrimental effects the rezoning might have on the residential property values in the vicinity, highlighting that the property was initially intended and zoned for residential purposes.

Mr. Miller pointed out that the property's owner had purchased it with full awareness of its R-1 residential zoning status, arguing that it should remain as such to preserve the integrity and character

of the neighborhood. He remarked that commercial developments in residential areas often attract interest solely from builders and other parties who stand to profit financially, with little consideration for the residents' quality of life.

Mr. Miller elaborated on the existing noise pollution issues related to operations at Drug Mart, such as the constant sound of trucks backing up at all hours, along with the regular noise from dumpster pickups and alarm sounds which resonate into his home. Added to this were the odor issues emanating from nearby restaurants, notably when the winds came from the west, adding to residents' discomfort. He voiced a sense of relief that a proposed McDonald's outlet had not materialized, as it could have compounded these problems.

Mr. Miller noted traffic concerns were also at the forefront. He observed that the current traffic situation was poor, making it challenging for him to safely pull out of his driveway. Introducing more commercial businesses into an already congested area would only exacerbate the existing traffic issues. This point tied back to a broader sentiment shared by others in the community that Avon, a place with roots as a tranquil farming community, needed to evolve at a pace that was mindful of both infrastructural capabilities and community welfare, aligning with previous points made by other residents who voiced the need for controlled and thoughtful development in the area.

There were no other comments.

The Chair closed the public hearing at 8:10 p.m.

- **DJH Developers, Nagel Road, Rezone**

DJH Developers, on behalf of Avon-Nagel LLC, is requesting a positive recommendation to City Council for the rezoning of a portion of Nagel Road (PPNs 04-00-022-102-044, 043, 039, 041, 042, 047, and 048) from R-1 (Residential Single Family) to C-4 (General Business District).

The Chair opened the public hearing at 7:02 p.m.

Dan Hopkins, DJH Developers, 3494 Parkview Drive, Avon, Ohio 44011.

Michael Augastidas, Vocon Architects, 3142 Prospect Avenue, Cleveland, Ohio 44115

Mr. Hopkins acknowledged this item was familiar territory, having appeared before the Commission previously for the west side of Nagel Road rezone request. He stated that his team had spent the past year studying possibilities and listening to previous comments from the Commission and City Council. Mr. Hopkins explained they were excited because the extra time allowed them to re-evaluate the market and consider mixed-use concepts. He noted there has been input from national developers who conducted market research which suggested a mixed-use concept with retail on the first floor and residential on the second floor, but city zoning wouldn't allow that type of use. However, they believed a mixed-use with retail on the first floor and office space on the second floor was possible and needed, particularly a first-class office space. Mr. Hopkins noted that he has been engaged with Vocon Architects to create a design for the 17.66 acres to depict the possibilities for the site (Exhibit 1 Drawing).

Mr. Augastidas from Vocon Architects elaborated on the design concept, emphasizing consistency with commercial zoning requirements. He described their vision for a mixed-use development featuring retail spaces on the first floor and office areas on the second floor, structured as a two-story building. The project was strategically divided into four sections to maintain a realistic scale and avoid presenting an overly monumental facade. He proposed creating a plaza area intended for outdoor seating and various activities, enhancing the community's engagement aspect.

Mr. Augastidas noted the planning included positioning all buildings set back from the street to comply with setback mandates, while ensuring the area was thoroughly landscaped. This landscaping was part of their effort to blend the project seamlessly with its surroundings and maintain the aesthetic appeal of the neighborhood. He added that significant focus was placed on the residential area situated at the back, as they designed the office entrances to face the rear. By doing so, they effectively eliminated what could have been a "backside" to the building, allowing for a more natural interaction between the structures. Mr. Augastidas sought to integrate adequate screening to naturally separate the building complex from neighboring residential properties, which would be facilitated by a stormwater retention pond located strategically on the site. This pond would not only aid in stormwater management but also serve as a visual and environmental buffer.

Mr. Augastidas provided renderings of the project that depicted what they referred to as a "plaza condition," where restaurants would flank either side, offering outdoor seating and expansive green lawn areas. These spaces were designed to host a wide range of activities, thereby fostering a vibrant public space. Mr. Augastidas highlighted that these renderings were not definitive architectural plans but served as conceptual visualizations aimed at illustrating the possible aesthetics and function of the development once the zoning change was approved. This approach emphasized creating a "sense of place" that many other retail mixed-use projects lack, thus positioning the development as a well-balanced and beneficial neighbor for the existing site and community. In bringing forth the design, the team embraced the challenge of balancing commercial utility with the residential character of the area, working to enhance livability and community integration through thoughtful architectural design.

Bob Crissinger, 2337 Pendleton Court, Avon, Ohio 44011.

Mr. Crissinger stated his home is directly behind the proposed development. He questioned where the developers had received the input from, noting he and other residents had been clear at previous meetings about what people wanted and didn't want. He pointed out it was very clear from the ballot that residents didn't want a C-4 zoning, and it was very clear from City Council's vote that they didn't want C-4. He kept hearing "what could be" but emphasized it would negatively impact many things. He had several specific concerns but asked Mr. Hopkins to explain the market research process.

Mr. Hopkins responded that Vocon Architects were engaged to determine what could be done with C-4 zoning if changed. He noted previously they had only a site plan which had shown squares with no drawings or 3D renderings. They went further with an actual design because Planning Commission, City Council, and residents were curious about what could end up there. He noted market research showed a first-class office space was desirable as Avon is growing, but there wasn't much office presence like other cities had. They wanted to present something first-class and different.

Mr. Hopkins emphasized they were conscious of the neighbors when working with the architect and wanted the buffer between residential and commercial as expansive as possible. The project wasn't built out to code maximums - but if it was - they could probably fit another 25,000 square feet with more parking and blacktops, but they didn't want to do that. Mr. Hopkins noted as an Avon resident himself for 20-plus years who travels Nagel Road all the time, he was conscious of concerns and considered himself a neighbor too.

Mr. Crissinger asked about traffic infrastructure, noting current problems and that a stoplight wasn't the answer.

Mr. Hopkins explained that they conducted extensive traffic studies when they previously appeared before the city. He stated that the city asked them to wait one year because zoning changes could only be placed on the public ballot once annually in November. He said the study concluded that even if

both the 17-acre parcel and the 12-acre parcel across the street were fully developed with retail or office uses, the resulting traffic increase on Nagel Road would be only 10 percent over current traffic volumes.

Mr. Crissinger pointed out this would make a horrible existing problem 10 percent worse.

Mr. Hopkins acknowledged the complexity but noted that if this land was unoccupied for another 20 years undeveloped (which was possible given Drug Mart owner's passive real estate approach), it wouldn't solve the current problem. He noted while Avon-Nagel LLC is related to the Drug Mart -Isomer Group, it is a separate entity. He referenced a previous speaker who gave a scary story about emergency services delays in the past - that problem would exist regardless of this project.

Mr. Hopkins emphasized the Drug Mart owners had stated from the beginning they were willing to participate in whatever the city required for road expansion, whether assessments or other improvements. He envisioned it could look like Chester Road, noting improvements were needed regardless of the current proposal due to existing road conditions. He believes other entities like Sheetz, Meijer, Levins, and potentially Cleveland Clinic should also participate in the Nagel Road widening, as the Cleveland Clinic probably generated 20-25 percent of Nagel Road traffic.

Mr. Crissinger spoke in opposition to the proposed rezoning from R-1 to C-4. He stated that voters had previously rejected the proposal and that City Council had also unanimously denied the request the prior year. He questioned why the same C-4 rezoning request was being considered again. Mr. Crissinger referenced prior testimony regarding a serious traffic-related incident involving his daughter, stating that *she* was the individual involved and that the experience made him especially sensitive to ongoing traffic safety concerns. He expressed the opinion that the proposed development would worsen existing traffic issues.

Mr. Crissinger cited the purpose of the City's zoning regulations, noting that they are intended to protect property values, preserve the desired character of the community, provide for orderly growth and uniform development, and protect public health and safety. He stated that, in his opinion, the proposal failed to meet those objectives. He expressed concern that the rezoning would negatively impact nearby residential neighborhoods, including the West Wickham and Nagel Farms Subdivisions, by diminishing property values and disrupting the residential character of the area. He also noted concerns regarding proposed multilevel commercial buildings, the addition of a retention pond, possible environmental impacts, and loss of privacy for adjacent homeowners.

Mr. Crissinger further highlighted that the proposal would not support orderly growth or sound planning principles and would place additional strain on existing infrastructure, which he believed could not support further development. He also opposed comparisons, suggesting the area should develop similarly to Chester Road. Mr. Crissinger concluded by reiterating his opposition to the rezoning request and again questioned why the matter was being reconsidered after prior voter and City Council rejection.

Peter Gauthier, 32840 Elm Drive, Avon, Ohio 44011.

Mr. Gauthier agreed with previous comments and opposed the zoning change. He emphasized that people had voted, the will of the people should rule, and they shouldn't keep bringing this request back year after year until they got their way. He criticized the developers' use of words like "could," "believe," and conditional statements, calling them ways to "weasel their way in" rather than actual plans. He pleaded to the commission that they do not approve this request.

Carly Kennedy, 2407 Pendleton Court, Avon, Ohio 44011.

Ms. Kennedy brought her children to the meeting, feeling it was important to represent her community and family, emphasizing the significance of community engagement. She pointed out that the rezoning proposal had been voted down twice before and felt that the repetitive nature of the requests was disrespectful to residents' known decisions and choices. Ms. Kennedy expressed multiple concerns, drawing from her experiences with the Sheetz Gas Station project with promises regarding landscaping and the pond. She noted that the landscaping was minimal, providing no effective blocking or privacy, and trash from Sheetz consistently blew throughout their neighborhood, reflecting inadequate maintenance and impact on their living environment. She expressed apprehension about encountering similar problems with the new proposed buildings if the development moved forward. Ms. Kennedy also voiced concerns about the presence of dumpsters behind potential new buildings so close to her backyard. She highlighted issues regarding the unpleasant stench they might bring and the potential safety concerns with increased foot traffic and the possibility of people peering into her yard, impacting on her family's privacy and security. She expressed a strong discomfort with the idea of her bedroom window facing directly towards the proposed development area. Ms. Kennedy noted past promises were not delivered by Sheetz, leaving room for skepticism around the current developer assurances. She reinforced that their property was originally purchased with the expectation of maintaining residential character, offering a safe and communal space to build homes and neighborhood with their families, sentiments that were echoed by many in the neighborhood. Ms. Kennedy referenced Mr. Hopkins and asked where he lived.

Mr. Hopkins stated he lived on Parkview Drive which is adjacent to the park.

Ms. Kennedy pointed out he didn't have to worry about dumpsters and rowdy people in his backyard. When asked how he'd feel if this was built behind his property, Mr. Hopkins admitted he'd be concerned, which Ms. Kennedy said made her point.

Daniel Schreiner, 2323 Pendleton Court, Avon, Ohio 44011.

Mr. Schreiner raised concerns regarding the assurance and authenticity of the plans presented by questioning whether the visual representations shared were definitive examples of what could be expected from the proposed development. He expressed apprehension that attractive pictures could potentially be AI-generated, serving more as aspirational illustrations rather than being bound to what would actually be realized on the site.

Mr. Hopkins clarified that the images were indeed conceptual in nature and not binding plans, thereby confirming that what had been presented was not necessarily the final product but rather illustrative of what could potentially be executed, depending on the approval of zoning changes and further detailed planning. Mr. Hopkins expressed the critical nature of achieving zoning approval as a pivotal step for the developers, acknowledging it as a significant milestone despite being merely a component of the overall development process. He elaborated on his extensive interactions with various developers and potential users who consistently evaluated Avon in comparison to other neighboring areas like Westlake or Bay Village. These discussions emphasized that without proper zoning, businesses tend to explore alternatives, given the inherent risks and financial burdens associated with pursuing zoning changes, especially in cities like Avon where referendums play a crucial role. As a resident, Mr. Hopkins appreciated the checks and balances provided by Avon's referendum system but recognized the added layers of complexity it introduced, often increasing the challenges for developers seeking swift approvals.

Mr. Hopkins noted from past experiences and recounted a specific case involving a McDonald's and a 7Brew Coffee franchisee. The franchisees were initially introduced at the Planning Commission and City Council meetings and had shown interest in setting up operations on the east side of Nagel Road.

However, despite their initial enthusiasm, they ultimately withdrew due to the stringent compliance demands and procedural requirements mandated by Avon, illustrating the hurdles faced by potential businesses. Nonetheless, the existing zoning framework provided a platform for such enterprises to explore the possibility of establishing a presence in Avon initially.

Mr. Hopkins underscored that even if zoning approval were obtained, the journey would be far from over. Developers would be required to present their refined plans to the Planning Commission and City Council for further deliberation and approvals. The process ensures that only elite, first-class, and highly desirable businesses would be viable candidates given the high land costs and rigorous vetting procedures. This economic reality served as a natural filter, ensuring that only businesses capable of contributing positively to Avon's growth would proceed past the zoning stages.

Rebecca Bacon, 2253 Pendleton Court, Avon, Ohio 44011.

Ms. Bacon indicated her backyard also faces the proposed development and noted the HOA board was fully against the project. She described ongoing problems with noise and lights since Sheetz and the Clean Express car wash opened. She had to install blackout blinds and take extra steps they hadn't needed when building their home five years ago. She added with another community going across the street and children walking to school and church, they wanted a family-friendly development. The noise, lights, and traffic were already out of hand, and this wouldn't improve the situation.

Frank Beasley, 2240 Pendleton Court, Avon, Ohio 44011.

Mr. Beasley opposes the rezoning, noting when they bought their house six years ago, the property was zoned C-1 which was why they chose the location. He appreciated the city protecting citizens and asked them to continue. He thought the area along Chester Road would be great for such a project, but this location didn't help his neighbors or community. The talk of a three-story building made him uncomfortable.

Megan Ventura, 2703 Joseph Street, Avon, Ohio 44011.

Ms. Ventura also voiced opposition, noting she was one of the people who voted against this request before and was upset that they were making this request again. She saw empty office space around town already and wasn't sure why more was needed. She asked that the request be denied.

Mary Berges, 3471 Mass Drive, Avon, Ohio 44011.

Ms. Berges questioned the 10 percent traffic increase figure, asking 10 percent for what number - 50 cars, 500 cars, or 1,000 cars?

Mr. Hopkins didn't have specific numbers but explained it was 10 percent of whatever was currently happening. He described the morning and afternoon backups from Detroit Road to Middleton, saying if 200 cars were backed up, there would be 20 more if this was built out. He apologized for not having exact numbers.

Ms. Berges noted it was a lovely rendering but wasn't sure it belonged there. She was concerned about offices contributing to rush hour traffic at 8:00-9:00 am and 5:00 pm and noted there was currently available office space in Avon.

Michael Fumic, 1644 Pine Drive, Avon, Ohio 44011.

Mr. Fumic stated he has been an Avon resident for 22 years, said he wasn't acting like a "Pollyanna" believing Avon would remain a rural farm community, but progress must be controlled by the commission. He has watched traffic worsen at the Avon Road/Nagel intersection become a traffic accident hotspot due to light timing. He believes adding a fourth light plus attendant traffic would be ill-advised. He has never seen a traffic study with negative results and questioned who was paying for

traffic studies. He emphasized that control must remain with the commission and council, otherwise it would be open season for developers.

Dylan Kennedy, 2407 Pendleton Court, Avon, Ohio 44011

Dylan Kennedy is a young resident, son of Carly Kennedy (who spoke earlier in the meeting), and he is attending his first meeting, he expressed concern that three big buildings would block airflow into their environment, making it always hot during summer with no wind. He wanted to feel safe in his neighborhood.

There were no other comments.

The Chair closed the public hearing at 7:38 p.m.

- **Keller Farms, Detroit Road, Preliminary Plat**

Petros Development Group is requesting approval of the Preliminary Plat for a residential subdivision consisting of 31 single family homes on Detroit Road (PPN 04-00-027-102-025).

The Chair opened the public hearing at 7:38 p.m.

Greg Modic, Petros Development Group, 4223 Brecksville Road, Richfield, Ohio 44286.

Mr. Modic presented the Preliminary Plat plan that they have been working on for some time. They own the property outright and had worked with administration on feedback. He advised one of the most important aspects they examined was stormwater management with their detailed preliminary report showing a serious reduction of 100-year storm runoff for the overall watershed of approximately 85%, far beyond code requirements but needed for the area. He noted another important factor was density. Mr. Modic highlighted that under the Western Reserve development code section, they used larger lots, decreasing density compared to surrounding R-1(Single Family Residential) areas or closer cluster density to the east. This meant 31 lots versus potentially 50 or more with cluster development. He noted within the Western Reserve code it called for excluding sidewalks for a more rural road character. However, based on administration feedback, they agreed to include sidewalks on both sides, recognizing Avon's connectivity and walkability initiatives. They also included a wider road section and public right-of-way to allow potential future connectivity to the south via Schwartz Road. Mr. Modic added the motivation was to present a plan that would be unique for Avon - one-acre lots versus typical cluster or attached products (Exhibit 1 drawing).

Peter Kratt, 31760 Schwartz Road, Avon, Ohio 44011.

Mr. Kratt confirmed that the commission had received his April 8th letter expressing concern about losing access to his adjacent property after at least 20 years of seeing a proposed road on his property. He hoped the commission would take this into serious consideration.

David Boeff, 2209 Waters Edge Road, Westlake, Ohio 44145.

Mr. Boeff stated he is the President of the Waters Edge Homeowners Association, which is located in Westlake in Cuyahoga County and is adjacent to the proposed Keller Farm subdivision. He voiced significant concerns surrounding the absence of public waste treatment facilities. He noted that the proposed development plan involves the installation of septic systems rather than connecting to a central waste treatment system. Mr. Boeff referred to the drawing and noted that each home in the development was planned to have two leaching fields. His primary concern was how these septic configurations would impact on the surrounding properties, especially considering that the line marking the edge of their HOA's property runs along the top boundary of the proposed development area. Mr. Boeff raised specific questions regarding Avon's building requirements about the mandated distance between septic system leaching fields and neighboring property lines. He cited the State of

Ohio requirements, which stipulate that leaching fields should maintain a distance of 25 to 50 feet from property lines to prevent potential contamination and other environmental impacts. Mr. Boeff expressed skepticism and concern as it appeared that the proposed leaching fields did not comply with these distance requirements, potentially encroaching much closer to their property line than permitted by state regulations. Additionally, Mr. Boeff emphasized the importance of grading and how improper grading could exacerbate water runoff issues, potentially affect the surrounding properties and increase the risk of erosion. Mr. Boeff's questions underscored a need for assurance and clarity from Avon that these state-mandated distances would be rigorously upheld in the planning and execution of the project, along with ensuring proper grading practices to safeguard the interests and safety of the neighboring Waters Edge community. He noted their development is located in Cuyahoga County but that they are close neighbors to Avon.

Mallory Sonagere, 2786 Rocky Ridge Drive, Westlake, Ohio 44145.

Ms. Sonagere inquired about the average lot sizes and home sizes within the proposed development. She also asked for clarification regarding the blue square shown on the drawing, specifically whether it represented a river or a pond.

Mr. Modic replied that the proposed lot sizes would be just under one acre in each. He stated that the homes shown were only general depictions at this time and speculated that home sizes could range from approximately 3,200 to 4,600 square feet. He added that the homes would potentially be custom-built. Mr. Modic further clarified that the blue square shown on the drawing represented the stormwater management pond, which would collect and store stormwater before being released. He also stated that access to the proposed development would be from Detroit Road.

Ms. Sonagere explained she and her husband moved to Forest Lake Estates in October 2025, owning a wooded lot behind their property which is in Avon that has a shared property line with the proposed development. Their builder specifically told them the land behind was protected with no development threat. The area was currently farmland - scenic, partially wooded, and beautiful, home to deer, ducks, geese, and other birds. She noted adding 31 homes would disrupt wildlife habitat.

Ms. Sonagere stated she has a 3-year-old and a 15-month-old and there are several other children in the neighborhood. She was concerned about construction and traffic safety. She felt safe currently and believed this development wouldn't be in the best interest of the existing community. She was also concerned about traffic on Detroit Road, noting insufficient infrastructure for this size development.

Ms. Sonagere emphasized they purchased their lot at a premium for privacy, nature, and protection - factors that influenced their decision. She noted homes on her road ranged from \$1.5 million to over \$2.5 million. She appreciated consideration that what might make economic sense for some would disrupt life for others, create safety and traffic concerns, and put the environment in jeopardy. She added if approval moved forward, she requested heavy landscape screening, substantive space between existing and new homes, and intentional traffic flow management.

Gary Failor, 2198 Falls Oval, Westlake, Ohio 44145.

Mr. Failor indicated he is an immediate neighbor to the proposed subdivision. He has been at Waters Edge Subdivision since 2002, he noted he had attended every annual condominium association meeting. The only consistent issue was traffic. The Waters Edge entrance onto Detroit Road was camouflaged, and they dealt with complications involving Westlake in Cuyahoga County, Avon in Land state route designations. He noted while 31 houses were better than 56, there was a blind entrance from Waters Edge to the west where you couldn't see oncoming cars due to a ridge. This issue is something that everyone should be aware of.

Joseph Ticchione, 32203 Detroit Road, Avon, Ohio 44011.

Mr. Ticchione who lives immediately west of the proposed development, questioned the road jutting west midway through the property.

Mr. Modic explained it was a stub road for potential future development connectivity, recommended by the city for secondary connection points rather than singular dead-end roads.

Mr. Ticchione opposed that road section and wanted to hear substantially more about water management, as water crossed his property and had been a serious issue.

Mr. Modic explained that the proposed retention pond was designed to effectively capture and manage stormwater through a network of storm sewers and catch basins located on each lot. He stated that the system would consistently channel water to the retention pond, providing a controlled and managed flow. He noted that this design would significantly reduce water discharge levels, bringing them not only into compliance with code requirements but below the required thresholds. He stated that the plan was intended to manage and mitigate predevelopment runoff levels and address longstanding water management concerns in the area. He added that the reduction in discharge was intended to minimize impacts on neighboring properties and ensure compliance with city and environmental standards.

Mr. Modic further stated that during a one-hundred-year storm event, the current predevelopment peak discharge was 50 cubic feet per second. He noted that the allowable discharge under code requirements would be 10.34 cubic feet per second, while the proposed development would discharge 7.24 cubic feet per second. He stated this represented approximately 30 percent less than the code requirement and an 85 percent reduction from what is currently experienced within the watershed.

Mr. Modic stated that the development team understood the importance of stormwater management. He added that City Engineers had strongly advocated on behalf of the residents regarding stormwater concerns. He noted that the report submitted on a preliminary basis was more detailed than what is typically required at that stage, stating that such analysis is usually completed during final design. However, in response to concerns raised by the City Administration and residents, the applicant took additional steps and made efforts to address stormwater management early in the review process.

Mr. Ticchione thanked him but requested consideration of landscaping and property screening, noting he owned a large field and didn't plan on staring at house backs. He would like to enjoy the property as it is currently.

Ruth Schreber Sanchez, 2728 Rocky Ridge Drive, Westlake, Ohio 44145.

Ms. Schreber-Sanchez stated that she had moved from Los Angeles six months prior seeking tranquility and beauty. She explained that her builder had represented that development could not occur on the adjacent land. She stated that she invested \$1.6 million in what she described as her dream home after waiting many years and had enjoyed the peaceful setting, including birds and ducks in the mornings. She expressed significant concern after learning of the proposed 31-home development on the field adjacent to her property. Ms. Shreber-Sanchez inquired about the distance between the proposed homes and existing properties and requested substantial screening and buffering.

Mr. Modic responded that the proposed lots would have 50-foot rear setbacks, with septic fields anticipated in the rear yard areas. He clarified that Petros Development was not the builder who had made prior representations regarding future development and stated they had no affiliation with that

builder or the previous development process. When asked about the specific distance to properties on Rocky Ridge Drive, Mr. Modic stated he could not guarantee exact placement because future homeowners would have the ability to customize their homes and could potentially add patios, pools, and other outdoor features. He further stated that the lots were approximately 275 feet deep, with a 50-foot front setback and a 50-foot rear setback. He noted that the proposed development would generally align behind Sublots 14, 15, and 16 of the existing subdivision.

Ms. Sonagere stated that standing water currently existed behind her property in a marsh-like area where ducks lived and questioned the applicant's statements regarding water management.

Mr. Modic replied that he had walked on the property approximately one month earlier and had not observed standing water, though he acknowledged that the property extended farther south beyond the area he reviewed. He stated he would be willing to examine the specific property lines and ensure proper water capture through detailed engineering if the project were approved. He offered to view the residents' property to understand any retaining water issues that have arisen.

John Romancik, Parkview Landscaping, 32150 Detroit Road, Avon, Ohio 44011.

Mr. Romancik owns the property directly across from the development at 32150 Detroit Road, he shared his experiences with constant flooding and the issues he faces as a result. He questioned the developers' plan for handling water discharge from the pond to the lake.

Mr. Modic explained that they would utilize an existing culvert across Detroit Road to manage the water discharge. He emphasized the importance of understanding the downstream conditions and offered to walk Mr. Romancik's property with him to see his video evidence of the flooding issues. Mr. Modic expressed his willingness to work collaboratively with adjacent property owners, highlighting that his contact information was available for further discussions. He noted that Avon was known for its thorough stormwater management reviews, ensuring that such issues were addressed diligently.

Additionally, Mr. Romancik inquired about the street location concerning the existing Keller house and the former airport runway. He doesn't oppose development, but it should not be done at the expense of surrounding neighbors.

Mr. Modic confirmed that the existing Keller house was positioned approximately in the middle of the development site, closer to Detroit Road where the blue pond was illustrated on the plans.

Mr. Romancik detailed the flooding impact on his building, which necessitated insurance claims and office repairs due to water coming off the project site and through the pipe under Detroit Road.

Acknowledging these concerns, Mr. Modic committed to reducing the flow rate and actively working with Mr. Romancik and Avon Oaks beyond the pipe's edge to address the flooding. He shared that both the mayor and city officials identified this as a crucial issue that needed resolving. Regarding traffic, Mr. Modic stated that their preliminary traffic counts did not justify the installation of new traffic lights.

However, Mr. Romancik mentioned that Detroit Road could benefit from widening to alleviate the ongoing traffic backup problems. While he supported development progress, Mr. Romancik emphasized that it should not come at the expense of exacerbating flooding issues, offering to show videos as further evidence of the current water problems.

There were no other comments.

The Chair closed the public hearing at 8:06 p.m.

ROLL CALL

Present: Mike Beatty, Bryan Jensen, Scott Radcliffe, Carolyn Witherspoon, Chair.

Staff: Jill Clements, Zoning Enforcement Officer, Ryan Cummins, City Engineer, Pam Fechter, Econ. Dev./Planning Coordinator, John Gasior, Law Director, Duane Streater, Safety Director, Susan Pintz, Planning and BZA Secretary.

Absent: Bill Fitch

REVIEW & CORRECTION OF MINUTES

Mr. Radcliffe moved, seconded by Mayor Jensen, to approve the minutes of the regular meeting held on March 18, 2026, and approve the minutes as published. The vote was "AYES" all. The Chair declared the motion passed.

REPORTS & CORRESPONDENCE

Ms. Fechter, Planning Coordinator, reported that the commission members received 3 letters regarding the DJH Developers/Avon Nagel LLC Nagel Road Rezoning, that would be submitted into the record. She also noted a letter received from Mr. Kratt regarding the Keller Farms Subdivision that would be entered into the record.

ADDITIONS & DELETIONS

Ms. Fechter, Planning Coordinator, requested deletion of Item 3 Mills Road Flex Warehouse and Item 5 Westhaven Subdivision at the Applicant's request. She also requested adding Item 7a, Amending Ordinance 120-25 Imposing a Temporary Moratorium on Future Development in the R-3 Multifamily District to include Section 1262.07 Western Reserve Development.

Mr. Radcliffe moved, seconded by Mayor Jensen, to delete Item 3 Mills Road Development, Item 5 Westhaven Subdivision and the addition of Item 7a, Amending Ordinance 120-25 Imposing a Temporary Moratorium on Future Development in the R-3 Multifamily District to include Section 1262.07 Western Reserve Development. The vote was "AYES" all. The Chair declared the motion passed.

Mr. Radcliffe moved, seconded by Mayor Jensen, to approve the amended agenda. The vote was "AYES" all. The Chair declared the motion passed.

1. Aashish Patel, 3811 Williams Court, Modification to Riparian Zone according to Section 1051.08, PL20260016

Valore Builders on behalf of Aashish Patel is requesting relief for a modification to the Riparian Zone according to Section 1051.08 at 3811 Williams Court (04-00-026-110-089) to allow for the construction of a new single-family home.

Nick Kishmarton, Valore Builders, 23550 Center Ridge Road, Westlake, Ohio 44145.

Mr. Kishmarton presented the request and explained that based on the house that is being built, they needed to request a modification of the Riparian Zone. He has already worked with Ryan Cummins, City Engineer and Emily Hanson, Chief Building Official, with their current CLOMR filed with FEMA to proceed forward. Mr. Kishmarton presented an exhibit which provided an overview of the project (Exhibit A, drawing, Exhibit B overview correspondence).

Mr. Cummins, City Engineer, provided detailed background, stating that as part of the project, the applicants were proposing to build two basins on the property. One was for compensatory storage to offset flood zone impact as required by city code. They were working through the FEMA process and providing water quality enhancements inside the basins. Based on these extra efforts, he supported the application.

Mr. Gasior, Law Director, asked about documentation that Mr. Kishmarton provided to Mr. Cummins.

Mr. Cummins confirmed he had the information, which restated background facts about being within the French Creek watershed, dealing with FEMA issues, and providing compensatory storage.

Mr. Kishmarton added that their compensatory storage would actually be greater than necessary, with the second pond added for aesthetics and backup if needed.

There were no other comments.

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

Mr. Radcliffe moved, seconded by Mayor Jensen, to approve relief for a modification to the Riparian Zone according to Section 1051.08 at 3811 Williams Court (04-00-026-110-089) to allow for the construction of a new single-family home. The vote was: "AYES" all. The Chair declared the motion passed.

2. Acute Pet Urgent Care, 2100 Center Road, Special Use Permit, PL20260013

Acute Pet Urgent Care is requesting a positive recommendation to City Council for approval of a Special Use Permit to operate a veterinary urgent care facility within an existing 3,000 square foot tenant space.

Dr. Doug Hoffman, Acute Pet Urgent Care, 8875 Walnut Ridge, West Chester, Ohio 45069

Dr. Hoffman presented the Special Use Permit request to open a veterinary urgent care facility in a 3,000-square-foot space at the 2100 Center Road complex. He explained that urgent care differs from general practice and emergency care, with operating hours from 10:00 a.m. to 10:00 p.m. They would also treat common emergencies for dogs and cats that were not necessarily life-threatening and would not provide routine services such as vaccinations or boarding, nor would they hospitalize patients overnight.

Dr. Hoffman emphasized that the facility would function similarly to a human urgent care center, with patients typically remaining for thirty minutes to an hour and a half before returning home. Because of this model, no outdoor runs or overnight boarding facilities would be required.

Mr. Radcliffe asked about the level of services provided, specifically whether surgeries would be performed.

Dr. Hoffman clarified that they would not provide overnight hospitalization, orthopedic procedures, spays, or neuter. Surgical services would be limited primarily to laceration and wound repairs. They would not perform dental work, but would treat common urgent issues such as vomiting, diarrhea, and ear infections for pets unable to see their regular veterinarian or seeking an alternative to long waits at emergency hospitals. He added that their services were generally much more affordable than emergency rooms.

Mr. Radcliffe asked how many locations were currently in operation.

Dr. Hoffman stated they had seven facilities open, primarily in Ohio, including West Chester, Beavercreek, Bellevue, Grove City, Columbus, and Solon, as well as locations in Kentucky, New Jersey

and South Carolina. He noted that the positive response in the Cleveland market led them to pursue a west side location.

Ms. Fechter, Planning Coordinator, confirmed that all review comments had been addressed. She noted that City code permits veterinary clinics for urgent care through a Special Use Permit. She reiterated the importance of no overnight stays and no outdoor dog runs, stating that the use would function similarly to a human urgent care center. She recommended approval.

Mayor Jensen asked whether they partnered with any emergency facilities if an animal required more extensive care.

Dr. Hoffman explained that they maintained relationships with 24-hour emergency hospitals for cases requiring hospitalization, though they were able to evaluate and stabilize approximately 95 percent of emergencies themselves.

When Mr. Radcliffe asked about their other locations, Dr. Hoffman said they operated in similar facilities such as strip centers, with some in former bank buildings. He noted that landlords often requested tours of existing locations and were impressed, describing the facilities as resembling human hospitals with no noticeable noise or odor, and that they had received zero neighbor complaints.

Regarding staffing, Dr. Hoffman stated they would typically have one to two veterinarians on shift, hiring three initially with a maximum of four veterinarians. The proposed facility would be 3,000 square feet, with their other locations ranging from 2,700 to 3,600 square feet.

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

Mr. Radcliffe moved, seconded by Mayor Jensen, to approve a positive recommendation to City Council for approval of a Special Use Permit to operate an urgent veterinary care facility within an existing 3,000 square foot tenant space. The vote was: "AYES" all. The Chair declared the motion passed.

3. Mills Road Flex Warehouse Development, Mills Road, Final Development Plan, PL20260012

Civil Design Group on behalf of Gold Metal Construction is requesting approval of the Final Development Plan for a flexible office and warehouse development consisting of two buildings to be constructed in two phases at the intersection of Mills Road and Jaycox Road.

Item removed at Applicant's request.

4. DJH Developers, Nagel Road, Rezone, PL 20260015

DJH Developers, on behalf of Avon-Nagel LLC, is requesting a positive recommendation to City Council for the rezoning of a portion of Nagel Road (PPNs 04-00-022-102-044, 043, 039, 041, 042, 047, and 048) from R-1 (Residential Single Family) to C-4 (General Business District).

Dan Hopkins, DJH Developers, 3494 Parkview Drive, Avon, Ohio 44011.

Michael Augastidas, Vocon Architects, 3142 Prospect Avenue, Cleveland, Ohio 44115

Ms. Fechter, Planning Coordinator, explained to the audience that Planning Commission gives positive or negative recommendations to city council for rezoning. The process would take almost six weeks at city council. She clarified that by law; applicants were allowed to continue requesting rezoning even after previous rejections (Exhibit 1 drawing).

Mr. Dan Hopkins commented that, in the 2025 election regarding the rezoning request, approximately 14,000 total votes were cast, and the measure fell short of passage by only 34 votes. He noted that the result was nearly a 50/50 split. He referenced this close margin in explaining why the developer was bringing the rezoning request forward again, stating they had the legal right to do so despite the earlier election outcome.

Mr. Hopkins explained that although the real estate group involved is related to Drug Mart, it operates as a separate entity. He stated that Drug Mart founder Mr. Bourget purchased a substantial amount of land on the east side approximately 30 years ago, using only a small portion for the store and retaining the remainder for many years without development. Over time, factors such as highway interchanges and surrounding growth significantly increased the property's value. Mr. Hopkins emphasized that the current ownership group is passive in nature and that the land could remain undeveloped for many more years unless market conditions and City decisions support future development. He stated the owner wished to work cooperatively with the city and neighboring residents in a positive, community-focused manner.

Mr. Hopkins further detailed that the 17 acres in question consist of six separately owned parcels. He described them as including a 4-acre parcel adjacent to the Sheetz property, a 1.5-acre parcel next to that, a 1-acre parcel adjoining it, a 2.5-acre parcel nearby, and other parcels collectively totaling approximately 17 acres. He noted that the separate ownership of the land impacts how it could be marketed or developed.

Ms. Fechter commented that the DJH Developers rezoning project had gone before voters in the November 2024 General Election and was defeated. She stated that the developers returned in 2025 seeking to have the issue placed back on the ballot, but City Council again denied the request. She noted that the developers were now requesting once more that the matter be advanced to the ballot.

Mr. Hopkins noted that City code provides an alternative process whereby individuals or businesses may circulate petitions and collect resident signatures to request a zoning change. He stated that the developers chose not to pursue that route, instead electing to follow the formal review process through the Planning Commission and City Council. He said they preferred to work through the City's established bodies rather than attempt to bypass them through petitions.

Mayor Jensen acknowledged that the request for C-4 rezoning had previously been presented to the public and defeated. He recalled that during earlier discussions there had been suggestions to consider C-1 Neighborhood Business zoning rather than the more intensive C-4 General Business District zoning, as C-1 would provide greater protection and allow fewer intensive uses. He noted that the developers declined to pursue the C-1 option, and that decision had been respected by the city. Mayor Jensen stated that while he appreciated Mr. Hopkins' comments regarding the patience of Drug Mart and Avon-Nagel LLC, they would likely need to continue being patient, as he did not sense support for a positive recommendation from either the Planning Commission or City Council. He noted that little had changed since the previous request and, in some respects, conditions appeared less favorable. He added that it would be difficult to recommend that residents vote again on an issue they had already rejected. He also noted that the property had been purchased with knowledge that it was zoned residential.

Mayor Jensen further acknowledged that the City would continue evaluating traffic improvements, including roundabouts. He stated that traffic currently backed up to Middleton Road and suggested that additional development could significantly worsen congestion. He noted that improvements at the Detroit Road and Nagel Road intersection could be necessary to accommodate future growth and improve traffic flow.

Mr. Hopkins clarified that the developers did not anticipate pursuing any project without working closely with the city on roadway expansion plans. He stated they would not want quality tenants operating under current traffic conditions and intended to participate in roadway improvements, envisioning upgrades similar to Chester Road.

Mayor Jensen raised concerns regarding the implications of granting C-4 zoning, explaining that once approved, the developers would obtain certain legal entitlements that could limit the City's future ability to restrict uses or development intensity. He indicated that this reduced level of control was a significant concern.

Mr. Hopkins responded that a development agreement could help address those concerns by imposing specific conditions, such as requiring road widening before any project commenced. He stated this would allow infrastructure improvements to occur in step with development. He reiterated that the developers did not intend to proceed under existing traffic conditions and were committed to working collaboratively with the City to identify solutions that would reduce traffic impacts.

There were no other comments.

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

Mr. Radcliffe moved, seconded by Mayor Jensen, to approve a positive recommendation to City Council for approval to rezone a portion of Nagel Road (PPNs 04-00-022-102-044, 043, 039, 041, 042, 047, and 048) from R-1 (Residential Single Family) to C-4 (General Business District).

The vote was:

Mayor Jensen, "no", Mr. Beatty, "no", Mr. Radcliffe, "no", Mrs. Witherspoon, "no"

0-AYES

4-NAY

The Chair declared the motion DENIED.

5. Westhaven Estates, Detroit Road, Preliminary Plat, Third Presentation, PL20250079

Swipe USA is requesting approval of the Preliminary Plat for a residential subdivision consisting of 34 single family homes on Detroit Road (PPN 04-00-001-101-001, 002 and 015).

First Presentation held on December 17, 2025.

Second Presentation held on March 18, 2026.

Item deleted at Applicant's request.

6. Keller Farms, Detroit Road, Preliminary Plat, PL20260007

Petros Development Group is requesting approval of the Preliminary Plat for a residential subdivision consisting of 31 single family homes on Detroit Road (PPN 04-00-027-102-025).

Greg Modic, Petros Development Group, 4223 Brecksville Road, Richfield, Ohio 44286.

Ms. Fechter, Planning Coordinator, explained to the audience that the project in discussion was a Preliminary Plan, essentially a conceptual drawing representing the layout of the proposed development. She clarified that the commission's role was to vote on whether they agreed with this layout conceptually. Obtaining approval for the Preliminary Plan would allow the developer to carry out final engineering tasks and detail verification processes for stormwater management. The developers would need to return for final acceptance, which would include more detailed plans showing landscaping and addressing any questions that had been raised throughout the review process (Exhibit 1 drawing).

Mr. Modic of Petros Development Group commented that the proposed Keller Farms residential subdivision did not request any rezoning and was proceeding under the existing zoning classification. He emphasized that the proposed lots would be larger in size, each just under one acre, resulting in lower density than many surrounding developments and allowing for custom homes. He noted that Petros Homes is an established custom home builder with experience in Avon and neighboring communities, and that the homes proposed would be similar in style and quality to other nearby custom residences. He also stated that stormwater management had been a primary consideration in the site design.

Ms. Fechter noted that staff comments had been adequately addressed by the applicant and that no unresolved issues remained from the initial submissions. She recommended approval.

Mr. Cummins provided engineering comments, stating that the preliminary stormwater analysis indicated an estimated 80 to 85 percent reduction in peak flow rates. He added that the development would be required to provide water quality treatment measures, allowing sediment to settle before discharge and improving runoff quality. Mr. Cummins asked Mr. Modic to confirm his intent to work with adjacent property owners regarding downstream conditions to the north.

Mr. Modic confirmed his full commitment and offered to include the city in future meetings.

Mr. Cummins explained that septic systems for the Keller Farms development would be regulated by the Lorain County Health Department. He stated that the Health Department had consulted with the Ohio Environmental Protection Agency, which had raised no objections to the proposed mound septic systems. He further noted that percolation tests would be required for every sub-lot, ensuring that each septic system would be individually designed to match the specific soil conditions of that parcel. He emphasized that this requirement was part of the preliminary plan conditions and would need to be demonstrated before returning to the Planning Commission for final engineering approval. Regarding drainage toward Westlake properties, Mr. Cummins noted that available topographic information showed that neighboring Westlake parcels were currently shedding water onto the Keller Farms site. As a result, the developer would be required to accept and manage that water through the proposed detention pond system. He stated that this design should reduce drainage issues for parcels to the west by controlling the northwest drainage pattern.

Mr. Modic further explained that the development would utilize a network of storm sewers designed to comprehensively collect runoff and direct it into the retention pond for controlled discharge. He reiterated the applicant's commitment to working collaboratively with neighboring property owners and City officials during the detailed engineering phase to address concerns.

Mr. Cummins added that the final engineering review process would verify that all required stormwater measures were properly designed to accommodate existing drainage patterns while meeting City and environmental standards.

Ms. Fechter stated that, under the City Charter, Avon could not widen Detroit Road without voter approval. She noted that the City had attempted to do so approximately five years earlier, but the issue was rejected by voters.

Mayor Jensen elaborated that, while full road widening was not currently permitted under the Charter, the city was exploring the addition of a turn lane similar to improvements in Westlake. He stated that such a project could improve traffic flow and reduce congestion along Detroit Road without constituting formal road widening. He added that implementation would depend on funding availability and proper timing.

Mr. Modic committed that if any of the proposed 31 lots failed percolation testing and could not support appropriate septic systems, those lots would not be platted as buildable lots. Instead, they would be removed from the development plan, reducing the total number of lots. He stated that this commitment was intended to ensure that no unbuildable lots would be created and that all septic systems would comply with Health Department standards.

David Boeff, 2209 Waters Edge, Westlake, Ohio 44145

Mr. Boeff spoke regarding the proposal. Mr. Boeff expressed concerns about the location of septic leaching fields for the proposed homes. He asked about the distance between the leaching fields and the shared property line, noting that State of Ohio guidelines recommend setbacks of 25 to 50 feet. He observed that the proposed leaching fields appeared closer than that to the property line. He also raised concerns about stormwater management, stating that during heavy rains water currently flows from the Keller Farms property onto Waters Edge, and he requested assurances that future development would properly control runoff.

Mr. Cummins responded that reserve septic leaching fields were shown approximately 10 feet from the property lines, subject to final Health Department approval. He noted that Avon does not have its own ordinances governing leaching field setbacks, and therefore regulation would fall under the Lorain County Health Department, in coordination with the Ohio EPA as necessary. He stated that the Health Department would determine the appropriate setback distances before development could proceed.

Mr. Boeff questioned why the backup leaching field was located behind the primary field rather than in front. Mr. Cummins acknowledged the concern and stated it was a valid issue for the developer to evaluate further.

Mr. Modic offered his contact information to residents to maintain open communication throughout the lengthy engineering and approval process before construction could begin. He stated that residents would be kept informed and involved as the project progressed, emphasizing transparency and cooperation regarding concerns such as stormwater, traffic, septic systems, and neighborhood compatibility.

Mr. Kratt expressed concerns regarding the curve in the proposed roadway.

Mr. Cummins explained that the roadway curve was intentionally designed to move the road away from adjoining Westlake-owned parcels and to preserve future development opportunities involving the Kratt property. He stated that the right-of-way extended to Mr. Kratt's property line, preserving potential access.

Mayor Jensen added that the curve was also intended to avoid constructing directly on Mr. Kratt's property while balancing lot configurations on both sides of the roadway for future development. He stated that the city and developer were willing to work directly with Mr. Kratt to address his concerns.

Mayor Jensen then addressed Westlake residents regarding the small strips of land shown on the far-right side of the plan. He explained that these parcels had previously been sold to adjoining Westlake homeowners to create larger backyards and serve as a buffer. He expressed frustration that some builders or developers had allegedly told buyers that the land behind them would never be developed, despite not owning that land. He stated that such assurances created misunderstandings when future development proposals emerged.

Mayor Jensen added that the city had attempted to keep residents informed by posting signs indicating future development potential, but that some of those signs had reportedly been removed. Mayor Jensen emphasized that Avon strives to be a good neighbor and remains committed to transparent communication regarding development, while also recognizing the property rights of all landowners involved.

There were no other comments.

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

Mr. Radcliffe moved, seconded by Mayor Jensen, to approve the Preliminary Plat for a residential subdivision consisting of 31 single family homes on Detroit Road (PPN 04-00-027-102-025). The vote was: "AYES" all. The Chair declared the motion passed.

7. LDC Stonegate LLC, 33294 Detroit Road, Rezone, PL20260014

LDC Stonegate LLC is requesting a positive recommendation to City Council for the rezoning of 33294 Detroit (PPN 04-00-027-101-242) from R-1 (Residential Single Family) to C-1 (Neighborhood Business).

Matt Torbit, Liberty Development, 28045 Ranney Parkway, Westlake, Ohio 44145

Mr. Torbit presented the request to rezone from R-1 to C-1. He noted they were immediately adjacent to C-4 and had no interest in intensive uses permitted in C-4 such as automotive, car washes, motels, hotels, or kennels, which was why they chose C-1 for future development.

Ms. Fechter, Planning Coordinator, noted that with C-1 zoning instead of C-4, they have eliminated hospitals, urgent care, vet care, animal boarding, churches, congregational care, automotive detailing, and all automotive uses. Recent ordinances prohibited gas stations on Detroit Road anyway. No recreation would be allowed as this was neighborhood business zoning.

Mayor Jensen requested this be treated as a first presentation since they have covered a lot in both presentations and he didn't feel ready to vote.

Chair Witherspoon declared this item a First Presentation.

7a. Amending Ordinance 120-25 – Imposing a Temporary Moratorium on Future Development in the R-3 Multi-Family District to include 1262.07 Western Reserve Development.

Mr. Gasior, Law Director, commented that including the Western Reserve development (section 1262.07) in the existing temporary moratorium on future development in the R-3 Multifamily District is

a good idea. He explained that this addition would allow the city to review the relevant zoning code and regulations related to that development. He also noted that this moratorium inclusion would not affect any projects that are already in the pipeline but would apply only to new development applications. Mr. Gasior recommended that the Planning Commission make that recommendation to City Council.

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

Mr. Radcliffe moved, seconded by Mayor Jensen, to approve a positive recommendation to City Council for approval to Amend Ordinance 120-25 – Imposing a Temporary Moratorium on Future Development in the R-3 Multi-Family District to include 1262.07 Western Reserve Development. The vote was: "AYES" all. The Chair declared the motion passed.

COMMENTS

Mayor Jensen had no comment.

Mr. Beatty had no comment.

Mr. Radcliffe had no comment.

Ms. Fechter had no comment.

Mr. Cummins had no comment.

Mr. Gasior had no comment.

Ms. Clements had no comment.

Mr. Streator had no comment.

Chair Witherspoon had no comment.

Lauri Mathie, 2653 Jaycox Road, Avon, Ohio 44011.

Ms. Mathie referenced meeting minutes from the March 23rd council meeting where "Mayor Jensen asked Mr. Gasior about changing lot sizes through planning commission to address buffering issues, citing Grace Estates Subdivision on Detroit Road as an example with inadequate buffering between houses. He felt increasing required sizes could combat this issue. Mr. Gasior confirmed that Planning Commission was the place to start the discussion". She asked if Planning Commission is looking into this issue.

Ms. Fechter, Planning Coordinator, confirmed the planning department was currently examining several buffering effects within the city, but nothing had formally gone to Planning Commission yet.

Ms. Mathie expressed concern that any potential changes in lot size regulations would not address the issues faced by the residents of Grace Estates due to their adherence to the existing 15,000 square foot rule. She emphasized that Grace Estates conformed to the current standard, and she regretted that any forthcoming regulatory adjustments wouldn't alleviate the existing issues there. Ms. Mathie hoped that future communities could avoid the challenges that the residents of Elizabeth Street and Jaycox Road might face under the current rules. She noted that the minimum lot size was established at 100 by 150 feet in 2011, with corners set at 150 by 100 feet, according to a charter amendment. In addition to her concerns about lot sizes, Ms. Mathie inquired about the overall impact of new housing developments on the city's infrastructure, specifically asking for the number of new homes currently in the planning stages, those approved but not yet built, and those under construction. She expressed her frustration with the current traffic conditions, which she described as "crazy," and questioned how many more students the schools could accommodate, given the existing infrastructure. She suggested considering a construction moratorium until infrastructure could sufficiently support additional population growth.

Ms. Mathie's concerns were reflective of the broader community issues on how development pressures potentially strained local resources, roads, and educational facilities. She highlighted a need for balancing

growth with maintaining livable conditions for current and future residents, hinting at the importance of careful urban planning and resource management in rapidly growing areas like Avon.

Mayor Jensen reported school enrollment was going down according to recent superintendent discussions. He thought this was because seniors stayed in houses longer with no downsizing options. About 46 houses were built last year with more in planning phases. There weren't many developments under construction currently - one by Schwartz Road and approved R-3 developments on Nagel Road and Chester Road with smaller units.

Ms. Fechter noted they typically saw around 50 houses per year in Avon while surrounding communities like Avon Lake and North Ridgeville built hundreds annually. Avon worked diligently to keep numbers low while serving as a shopping destination for those communities.

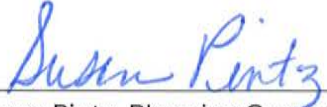
Mr. Mathie's current traffic concerns were partly due to Route 83 and Detroit Road improvements.

ADJOURN

Mr. Radcliffe moved, seconded by Mayor Jensen, to adjourn. The vote was: "AYES" all. The Chair declared the motion passed. The meeting was adjourned at 9:10 p.m.



Carolyn Witherspoon, Chair
Planning Commission


Susan Pintz, Planning Commission and
BZA Secretary

5-20-26

Date

PLOT PLAN

FOR
AASHISH PATEL
SITuated IN THE CITY OF AVON,
COUNTY OF LORAIN, AND STATE OF OHIO,
AND KNOWN AS BEING PART OF
ORIGINAL AVON TOWNSHIP SECTION No. 26

WORK LIMITS
GARBAGE ELEVATIONS
HOUSE ELEVATIONS
BUILDER

LEGEND:
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NOTES:
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COMPENSATORY STORAGE SUMMARY:
TOTAL COMPENSATORY STORAGE = 1.14 CU YD
REQUIRED COMPENSATORY STORAGE = 1.14 CU YD
PROPOSED COMPENSATORY STORAGE = 1.14 CU YD

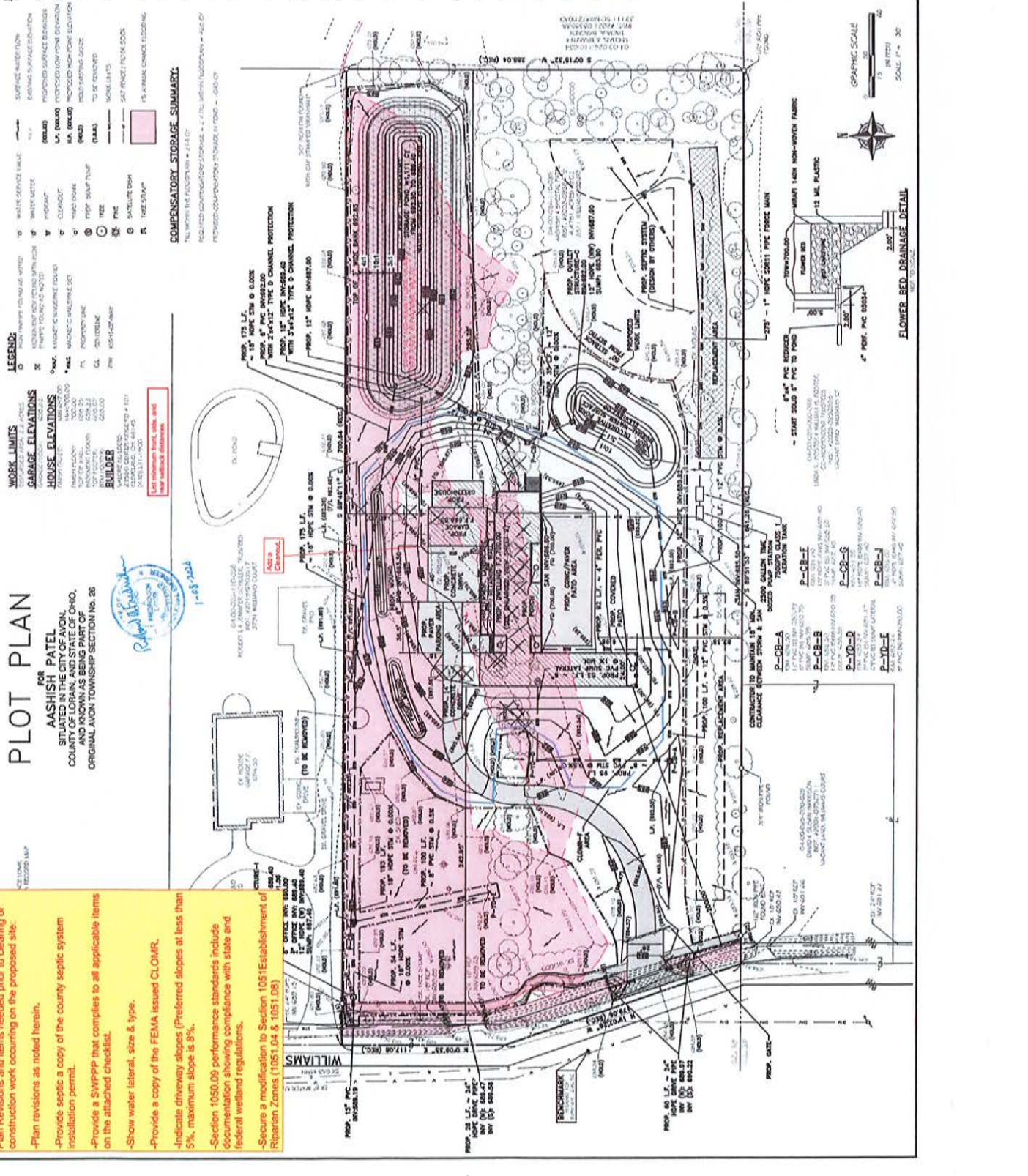
UNDERGROUND UTILITIES:
1. WATER MAIN
2. SEWER MAIN
3. GAS MAIN
4. ELECTRIC MAIN
5. TELEPHONE MAIN
6. CABLE MAIN
7. FIBER OPTIC MAIN
8. RAILROAD MAIN
9. HIGHWAY MAIN
10. AIRPORT MAIN
11. MARINA MAIN
12. PORT MAIN
13. CANAL MAIN
14. DAM MAIN
15. LOCK MAIN
16. TUNNEL MAIN
17. TUBE MAIN
18. PIPE MAIN
19. DUCT MAIN
20. CONDUIT MAIN
21. CULVERT MAIN
22. BOX CULVERT MAIN
23. OPEN CULVERT MAIN
24. DRAINAGE MAIN
25. IRRIGATION MAIN
26. FLOOD CONTROL MAIN
27. WINDMILL MAIN
28. WATERWHEEL MAIN
29. TURBINE MAIN
30. GENERATOR MAIN
31. MOTOR MAIN
32. PUMP MAIN
33. VALVE MAIN
34. CHECK VALVE MAIN
35. SLUICE MAIN
36. WEIR MAIN
37. DAM MAIN
38. LOCK MAIN
39. TUNNEL MAIN
40. TUBE MAIN
41. PIPE MAIN
42. DUCT MAIN
43. CONDUIT MAIN
44. CULVERT MAIN
45. BOX CULVERT MAIN
46. OPEN CULVERT MAIN
47. DRAINAGE MAIN
48. IRRIGATION MAIN
49. FLOOD CONTROL MAIN
50. WINDMILL MAIN
51. WATERWHEEL MAIN
52. TURBINE MAIN
53. GENERATOR MAIN
54. MOTOR MAIN
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66. CONDUIT MAIN
67. CULVERT MAIN
68. BOX CULVERT MAIN
69. OPEN CULVERT MAIN
70. DRAINAGE MAIN
71. IRRIGATION MAIN
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75. TURBINE MAIN
76. GENERATOR MAIN
77. MOTOR MAIN
78. PUMP MAIN
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85. TUNNEL MAIN
86. TUBE MAIN
87. PIPE MAIN
88. DUCT MAIN
89. CONDUIT MAIN
90. CULVERT MAIN
91. BOX CULVERT MAIN
92. OPEN CULVERT MAIN
93. DRAINAGE MAIN
94. IRRIGATION MAIN
95. FLOOD CONTROL MAIN
96. WINDMILL MAIN
97. WATERWHEEL MAIN
98. TURBINE MAIN
99. GENERATOR MAIN
100. MOTOR MAIN

RAFTER A, LTD.
4400 E. 12th Ave., Suite 100
Columbus, OH 43206
Tel: 614-261-1111
Fax: 614-261-1112
www.raftera.com

ASHISH PATEL
PLOT PLAN & STORMWATER
POLLUTION PREVENTION PLAN
3011 WILLIAMS COURT, AVON, OH 44011
FPM: 04-00-028-110-029

DATE:
10/10/2023
PROJECT:
3011 WILLIAMS COURT, AVON, OH 44011
CLIENT:
AASHISH PATEL
DESIGNER:
RAFTER A, LTD.
CHECKED BY:
RAFTER A, LTD.
APPROVED BY:
RAFTER A, LTD.

GRAPHIC SCALE:
1" = 30'
1" = 60'
1" = 90'
1" = 120'
1" = 150'
1" = 180'
1" = 210'
1" = 240'
1" = 270'
1" = 300'



Plan Revisions and items needed prior to clearing or construction work occurring on the proposed site:
-Plan revisions as noted herein.
-Provide septic a copy of the county septic system installation permit.
-Provide a SWPPP that complies to all applicable items on the attached checklist.
-Show water lateral, size & type.
-Provide a copy of the FEMA issued CLOMR.
-Indicate driveway slopes (Preferred slopes at less than 5%, maximum slope is 8%).
-Section 1050.09 performance standards include documentation showing compliance with state and federal wetland regulations.
-Secure a modification to Section 1051.04 & 1051.08 Riparian Zones (1051.04 & 1051.08)

EXHIBIT 2 VALORE-PATEL CORRESPONDENCE

Please see below bullet points for the description and reasoning behind the request for a riparian setback variance. As well as reference documentation from the City of Avon Codified Ordinances. Let me know if you have any questions. Can call me at the office will be here until 4pm today.

- Subject parcel lies within the French Creek Watershed. Further falling within the riparian zone of Schwartz Creek as extended because of the 100-Year Flood Plain. (Section 1051.04)
- Subject parcel has been studied for any environmental impacts from Flickinger GeoServices Group and no wetlands were found onsite. (Section 1051.04)
- Subject parcel requires a Variance to construct a home on the subject parcel along with the associated grading and compensatory storage pond required to remove a portion of the property from the 100-Year Flood Plain.(Section 1051.06)
- Subject parcel has a substantial area that is in the 100-Year flood Plain. A CLOMR-F application has been filed with FEMA to remove an area from the 100-Year flood plain. The area will be removed so that a home, associated driveway, and patio area may be constructed outside the flood plain. (Section 1051.08)
- The CLOMR-F requires compensatory storage based on the amount of fill that will be placed to remove a portion of property from the flood plain. This requires a pond to be constructed within the Riparian Zone as the compensatory storage must be within the 100-Year flood plain. It is not possible to construct the compensatory storage outside of the 100-year flood zone which is also the Riparian Zone. (Section 1051.08)
- Stormwater Management per the City of Avon requirements are provided in Rafter A Ltd's proposed site improvement plans. Further the required compensatory storage required by FEMA has also been provided onsite per the site improvement plans. (Section 1051.08)
- The subject clearing has been limited to a small number of trees around 20 total. The remaining portions of the lot are open field. The impacts to the natural vegetation are low. The consideration for the existing trees was the basis for the design of all the proposed site improvements. (Section 1051.08)
- With the amount of flood plain onsite it would not be feasible to construct the home with the required septic system on the proposed site without modifying the riparian setback. (Section 1051.08)
- The proposed improvements take into consideration the flood control as compensatory storage is provided above the amount as required by FEMA. (Section 1051.08)

Below Quoted from City of Avon Codified Ordinances (Key Points Highlighted in Yellow)

1051.04 ESTABLISHMENT OF DESIGNATED WATERCOURSES AND RIPARIAN ZONES WITHIN THE FRENCH CREEK WATERSHED.

Sections 1051.04 through 1051.08 shall be applied exclusively to areas within the French Creek Watershed (See Exhibit A - French Creek Watershed Map). See Section 1051.10 for riparian zone protection requirements that apply to all other areas within the City.

(a) Riparian Zones shall apply to all watercourses.

(b) Riparian zones on designated watercourses are established as follows:

(1) A minimum of 50 feet on each side of French Creek, Mills Creek and Schwartz Creek.

(2) A minimum of 25 feet on each side of all other watercourses.

(c) The following shall apply in riparian zones:

(1) Riparian zones shall be measured in a horizontal direction, perpendicular to the stream and outward from the ordinary high water mark of each designated watercourse.

(2) Except as otherwise provided in this regulation, riparian zones shall be preserved in their natural state.

(3) Where the 100-year floodplain is wider than a riparian zone on either or both sides of a designated watercourse, the riparian zone shall be extended to the outer edge of the 100-year floodplain. The 100-year floodplain shall be defined by FEMA.

(4) Where wetlands are identified within a riparian zone, the minimum riparian zone width shall be extended to the outer boundary of the wetland. Wetlands shall be delineated by a site survey prepared by a qualified wetland professional using delineation protocols accepted by the U.S. Army Corps of Engineers at the time of application. The wetlands delineation shall also have been submitted to the U.S. Army Corps of Engineers for its review and acceptance. Proof of such U.S. Army Corps of Engineers acceptance must be submitted with the Final Site Plan.

(d) The site owner shall be responsible for delineating riparian zones as required by these regulations and shall identify these setbacks on all site plans submitted to the City Engineer. The site plan shall be drawn to scale and shall be based upon a survey of the affected lot performed and stamped by a professional surveyor registered to practice in the State of Ohio. Two copies of the site plan shall be submitted with the Discussion Site Plan application as required by this chapter. In addition, the site plan shall be submitted in an electronic format, either in Arc View GIS or AutoCAD.

(e) If soil-disturbing activities, or construction related activities such as materials storage, will occur within 100 feet of the outer boundary of a riparian zone, the riparian zone shall be clearly delineated by the site owner on-site with construction fencing prior to any soil-disturbing or construction related activities. Such delineation shall extend 50 feet beyond the limits of soil-disturbing or construction related activities and shall be maintained throughout soil-disturbing or construction-related activities.

(f) The City Engineer shall not issue approvals or permits prior to delineation of riparian zones by the applicant and in conformance with this regulation as detailed in Section 1051.04(e).

(g) The City Engineer may consult with the Lorain SWCD, U.S. Army Corps of Engineers, Ohio EPA or other technical experts retained by City Council in reviewing any submittals associated with implementation of this regulation.

(h) The City Engineer shall be permitted to grant written waivers to fully or partially exclude the application of the regulations put forth in Section 1051.04 with respect to parcels of land two acres or less in size and in existence in its current configuration per Lorain County deed records prior to July 13, 2015 if in his determination the application of this section will result in unreasonable controls governing building and land use. In making a determination the City Engineer may consult with relevant outside agencies as well as may consider available FEMA resources, known best management practices, the presence of sensitive environmental areas, the proximity of the subject area to the associated stream channel, and previously approved plans, studies, planning criteria and subdivisions of land.

(Ord. 75-15. Passed 7-13-15; Ord. 58-16. Passed 5-16-16.)

1051.06 STRUCTURES AND USES PROHIBITED IN RIPARIAN ZONES.

Any structure or use not permitted under these Codified Ordinances shall be prohibited in riparian zones. The following structures or uses are prohibited:

(a) Construction. There shall be no construction of structures, utilities or sewers, land clearing, grading, filling, stockpiling, placement of project-related trailers, parking of equipment or tree cutting of any kind except as permitted under this regulation.

(b) Dredging or Dumping. There shall be no drilling, filling, dredging, or dumping of soil, spoils, liquids, yard wastes, or solid materials, except for noncommercial composting of uncontaminated natural materials and except as permitted under this regulation.

(c) Fences and Walls. There shall be no fences or walls constructed in the riparian zone except as permitted under this regulation.

(d) Parking Spaces or Lots and Loading/Unloading Spaces for Vehicles. There shall be no parking spaces, lots, or loading/unloading spaces, except as permitted under this regulation.

(e) Roads or Driveways. There shall be no roads or driveways, except as permitted under this regulation.

(f) Stormwater Retention and Detention Facilities. Stormwater retention and detention facilities, including water quality features, may not be constructed in the riparian zone.

(Ord. 75-15. Passed 7-13-15.)

1051.08 MODIFICATIONS WITHIN RIPARIAN SETBACKS.

(a) The Planning Commission may grant a modification to this regulation as provided herein. In granting a modification, the following conditions shall apply:

(1) In determining whether there is unnecessary hardship with respect to the use of a property or practical difficulty with respect to maintaining the riparian setback as established in this regulation, such as to justify the granting of a modification, the Planning Commission shall consider the potential harm or reduction in riparian functions that may be caused by a proposed structure or use.

(2) The Planning Commission may not authorize any structure or use in a Zoning District other than those authorized in the Zoning Code.

(3) Modifications shall be void if not implemented within one year of the date of issuance.

(4) For the purpose of mitigating impacts to the riparian setback, the applicant shall be required to implement structural and/or non-structural low impact development (LID) practices and controls in addition to applicable stormwater management controls required as part of Chapter 1050, Comprehensive Stormwater Management. The determination of ensuring proposed LID principles sufficiently mitigate these impacts shall be made by the Planning Commission with input from the City Engineer and the Planning Coordinator. An emphasis shall be placed on LID principles that mimic the function of riparian areas, which include but are not limited to preservation of natural areas, vegetative filter strips, establishment of native vegetation, bioretention areas, stormwater infiltration practices, etc.

(b) In making a determination under Section 1051.08 of this regulation, the Planning Commission may consider the following:

(1) The natural vegetation of the property as well as the percentage of the parcel that is in the 100-year floodplain.

(2) The extent to which the requested modification impairs the flood control, erosion control, water quality protection, or other functions of the riparian setback. This determination shall be made by the City Engineer upon reviewing any necessary scientific data and calculations to be provided by the applicant.

(3) The degree of hardship, with respect to the use of a property or the degree of practical difficulty with respect to maintaining the riparian setback as established in this regulation, placed on the landowner by this regulation and the availability of alternatives to the proposed structure or use.

(4) Soil-disturbing activities permitted in the riparian setback through modifications should be implemented to minimize clearing to the extent possible and to include applicable best management practices necessary to minimize erosion and control sediment, as required under Chapter 1052.

(5) Minimizing the presence of significant impervious cover, or smooth vegetation such as maintained lawns, in the riparian setback.

(6) Whether a property, otherwise buildable under the ordinances of the City, will be made unbuildable because of this regulation.

(c) In order to maintain the riparian setback to the maximum extent practicable, the Planning Commission may consider granting variations to other areas or setback requirements imposed on a property by the Zoning Code.

(Ord. 75-15. Passed 7-13-15.)

1051.09 PROCEDURES FOR VARIANCES AND APPEALS.

(a) Any applicant seeking a variance to the conditions imposed under these regulations or an appeal from an administrative decision made under these regulations shall follow the procedures set forth in Chapter 1232 of these Codified Ordinances.

(b) Applications for appeals or variances made under this regulation shall contain the information set forth in Chapter 1232, e.g.:

EXHIBIT 2 VALORE-PATEL CORRESPONDENCE

- (1) The name, address, and telephone number of the applicant;
 - (2) Proof of ownership or authorization to represent the property owner;
 - (3) The location of the property, including street address and permanent parcel number;
 - (4) The current zoning of the property;
 - (5) A description of the project for which the appeal or variance is sought, including any proposed low-impact development principles that are being considered to offset impacts to the riparian setback area as specified within Section 1051.08(a)(4);
 - (6) A description of the administrative decision being appealed or the conditions of the regulation from which a variance is sought.
- (c) Applications for variances or appeals of administrative decisions shall not be resubmitted to the Board of Zoning within one year of the date of a final decision by the Board of Zoning on the original application, unless the applicant shows the Board of Zoning either of the following:
- (1) Newly discovered evidence that could not have been presented with the original submission; or
 - (2) Evidence of a substantial change in circumstances since the time of the original submission.
- (d) A decision by the Board of Zoning in response to an application for a variance request or an appeal of an administrative decision filed pursuant to this regulation shall be final.

(Ord. 75-15. Passed 7-13-15.)

Source: https://codelibrary.amlegal.com/codes/avonoh/latest/avon_oh/0-0-0-61484

Thank You,

John DeChant Jr., PS

Rafter A. LTD

42653 Oberlin-Elyria Road

Oberlin, Ohio 44074

Phone: (440) 707-4014

www.raftera.com

jdechant@raftera.com

vocon.

PLANNING SUBMISSION

MARCH 26 2026

ISOMER GROUP NAGEL ROAD MIXED-USE AVON, OH

EXHIBIT 1 DJH DEVELOPERS-REZONE

AREA WIDE PLAN



EXHIBIT 1 DJH DEVELOPERS-REZONE

CONTEXT PLAN



MARCH 26 2025 | 3

EXHIBIT 1 DJH DEVELOPERS-REZONE

MASTERPLAN



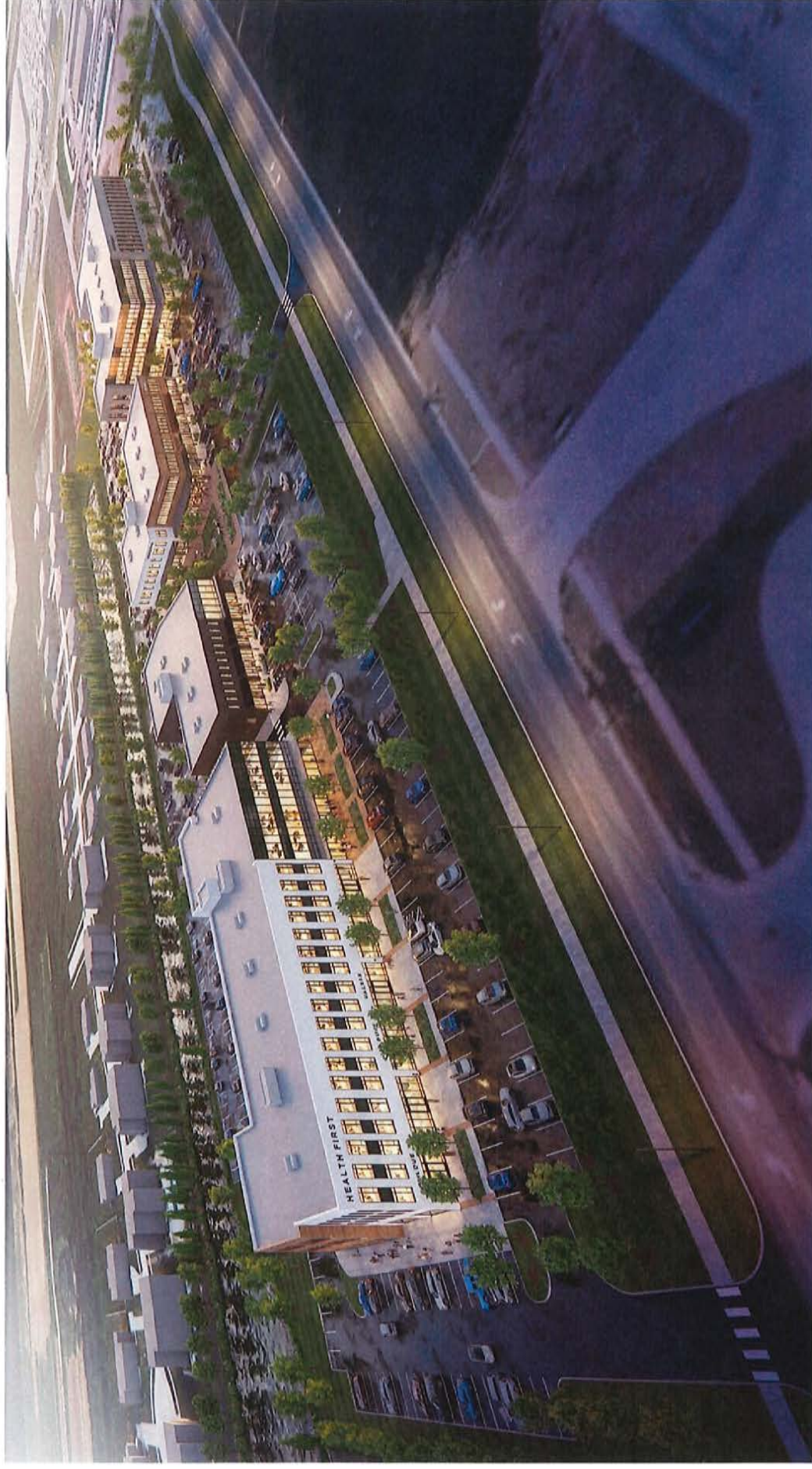
LEGEND

- A: 3-STORY BUILDING, 2 LEVELS OFFICE OVER RETAIL
- B: 2-STORY BUILDING, 1 LEVEL OFFICE OVER RETAIL
- C: 2-STORY BUILDING, 1 LEVEL OFFICE OVER RETAIL
- D: 3-STORY BUILDING, 2 LEVELS OFFICE OVER RETAIL
- E: COURTYARD OPEN SPACE

KEY DATA

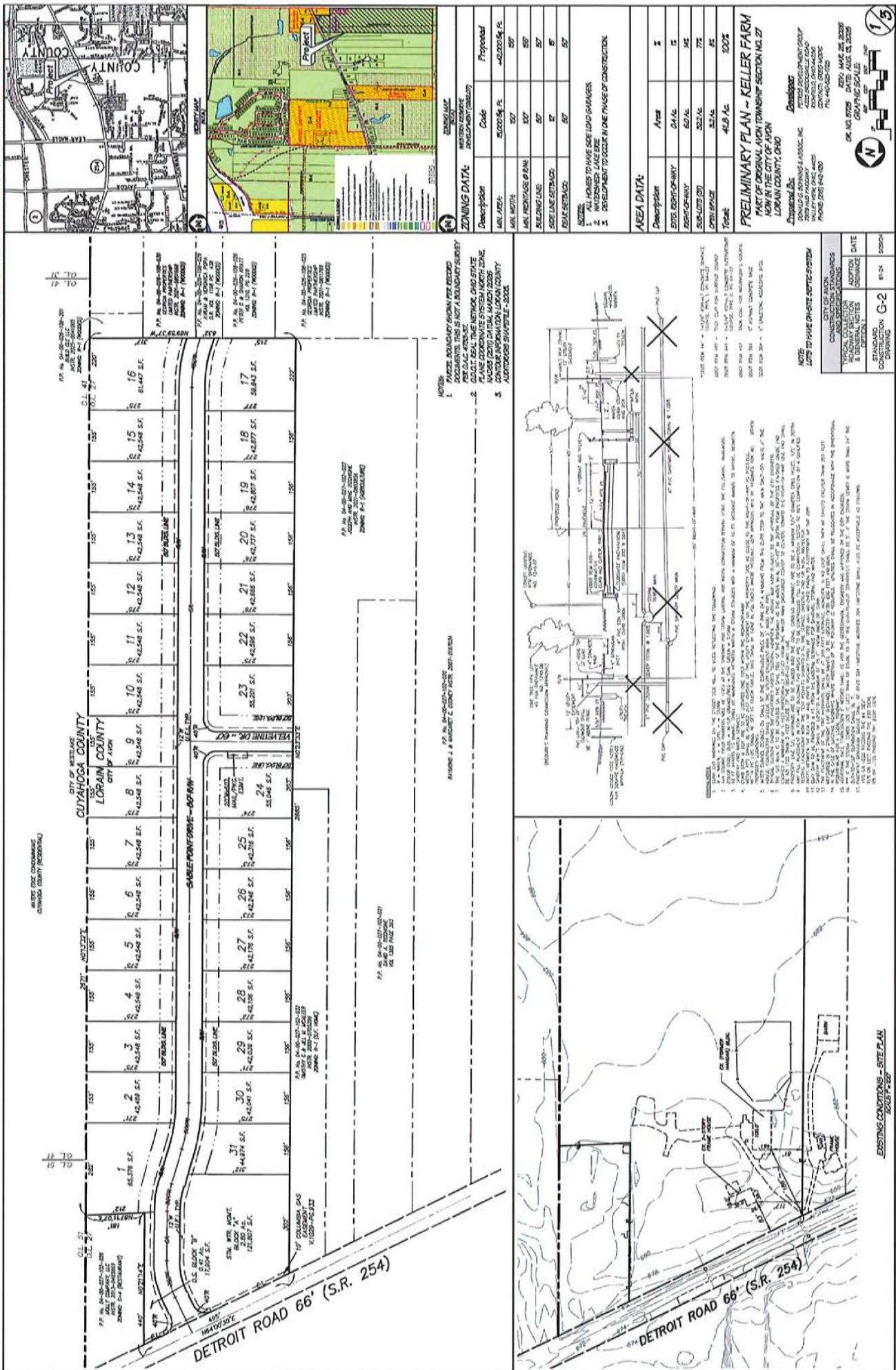
BUILDING A	RETAIL	24,000 RSF
	OFFICE	56,800 GSF (28,400 PER FLOOR)
BUILDING B	RETAIL	14,000 RSF
	OFFICE	16,700 GSF
BUILDING C	RETAIL	14,000 RSF
	OFFICE	16,050 GSF
BUILDING D	RETAIL	24,000 RSF
	OFFICE	56,800 GSF (28,400 PER FLOOR)
TOTAL RETAIL		76,000 RSF
TOTAL OFFICE		146,350 GSF
TOTAL PROJECT AREA		222,350 GSF
PROVIDED PARKING		720 SPACES

AERIAL VIEW LOOKING NORTH



ARRIVAL FROM NAGEL ROAD







SITE PLAN
PRELIMINARY PLAN - KELLER FARM
 10000 DETROIT ROAD, TOWNSHIP SECTION NO. 27
 NOW IN THE CITY OF AURORA
 LORAIN COUNTY, OHIO

Developer:
 DONALD S. BOWMAN & ASSOCIATES, INC.
 4225 ROCKDALE ROAD
 22201 HILL PARKWAY
 CLEVELAND, OHIO 44130
 PHONE (216) 448-1200
 FAX (216) 448-1201

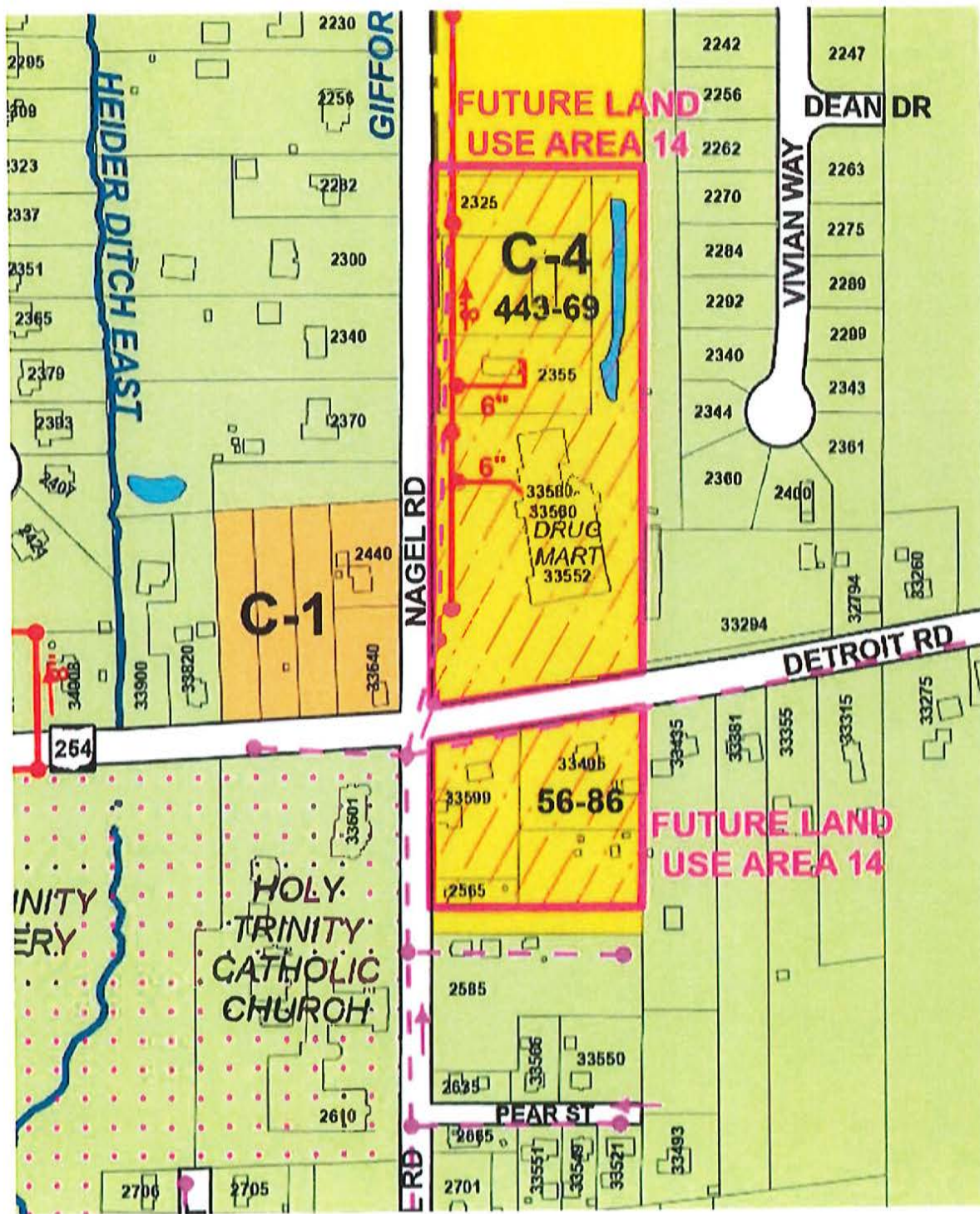
Engineer:
 PETRUS DEVELOPMENT GROUP
 4225 ROCKDALE ROAD
 22201 HILL PARKWAY
 CLEVELAND, OHIO 44130
 PHONE (216) 448-1200
 FAX (216) 448-1201

DATE: MAY 22, 2008
BY: [Signature]
SCALE: 1" = 100' 0"

2/3

EXHIBIT 1 LDC REZONE

Item 1 d – Vicinity Map (note the property is shown as 33294 Detroit immediately east of the existing C-4 zoning on the north side of Detroit Road)



From: Robert Crissinger
To: Bryan Jensen; contactmayor; Pam Fechter; Barbara Brooks; Susan Pintz
Subject: Nagel Rd Rezoning Opposition
Date: Tuesday, April 14, 2026 10:44:22 AM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

Hello Ms Brooks, Ms Fechter, Ms Pintz, and Mr Jensen,

My name is Robert Crissinger. We spoke last Spring and I also addressed the City Council at the final meeting on this same issue. My family and I reside in Avon Ohio within the West Wickham community on Pendleton Court, directly next to the land where Avon Nagel LLC / DJH Developers have been attempting to rezone the land from R1-Single Family to C4-General Business District and are requesting a positive recommendation to the City Council for the rezoning of a portion of Nagel Road.

I am writing to formally express my opposition to the proposed rezoning of the Nagel LLC / DJH Developers owned property. **I respectfully urge the Planning Commission to refrain from providing a positive recommendation to the City Council.**

This issue was previously presented to voters as Issue 2 on the November 2024 ballot and failed to secure the necessary votes to change the zoning from R1 to C4. This issue was then moved to City Council seeking a separate positive recommendation and it was unanimously rejected in Spring 2025. Despite these outcomes, the developers are now seeking another opportunity to place the same proposal before voters, seemingly without substantive improvements or modifications. To the best of my knowledge, the terms of the proposed rezoning remain unchanged, continuing to seek C-4 commercial designation. The Developer's strategy is clear – continue to get this issue on the annual ballot until it eventually passes due to poor voter turnout. The Avon, OH residents have already spoken, and the majority voted NO on this issue in the 2024 General Election Ballot. Avon City Council has already spoken and unanimously rejected the request for a positive recommendation in Spring 2025.

Per the City of Avon website – “The purpose of zoning regulations is to protect property values and preserve the desired character of the community, while providing for orderly growth and uniform development. It must be reasonable and/or protect public health and safety.” The proposed rezoning violates each of the regulations' intentions:

- **Negative Impact on Property Values and Character of the Community:** The introduction of additional commercial development adjacent to residential neighborhoods, including West Wickham and the forthcoming Nagel Farms community, would diminish property values and disrupt the residential character of the area, eliminating residential owner privacy by adding multi-level commercial buildings, and increasing both environmental and quality of life concerns through the proposed large retention pond directly across the property lines.
- **Orderly Growth and Uniform Development:** Rezoning this parcel would encroach on established neighborhoods. It does not support uniform development or sound planning principles to infringe on people's homes with large commercial businesses without due consideration for long-term community privacy and impact.
- **Strain on Infrastructure and Public Safety:** The existing infrastructure is already

under significant pressure. Increased commercial development in this area will further exacerbate congestion, impeding traffic flow and hinder access to the Cleveland Clinic on Nagel Road. The proposed addition of a stop light between Nagel and Middleton will continue to negatively impact the congested traffic on Nagel Road. Emergency vehicles are already facing difficulties safely and quickly navigating the city. My family experienced this firsthand when an ambulance took over ten minutes to travel less than three miles from the Avon Fire Department to our home—an unacceptable delay in a medical emergency.

Nagel Road has already undergone significant commercial and residential expansion, including the addition of Sheetz, two car washes, Dunkin Donuts, the Nagel Commons community, and other forthcoming businesses. Introducing additional commercial development without a comprehensive plan to address its impact would be both irresponsible and detrimental to the quality of the community for Avon residents.

I will be volunteering as a member of the Avon Soccer Board this Wednesday evening, so I regrettably may not be able to attend this meeting; however, I'm trying to rearrange activities so that I can attend. I respectfully ask you to consider these concerns. It is the Planning Commission's responsibility to make sound decisions for the benefit of Avon's residents. Sustainable growth requires careful planning and strategic infrastructure investment, neither of which have been adequately addressed in this rezoning request. A positive recommendation to include the rezoning in the 2026 ballot **does not serve the best interests of the City of Avon, our residents, or our infrastructure.**

Thank you for your attention to this matter and please do not hesitate to reach out should you have any questions or require further discussion.

Rob

Robert Crissinger
440-856-9062

From: Pam Fechter
To: Susan Pintz
Subject: FW: Opposition to Nagel Road Rezoning
Date: Tuesday, April 14, 2026 10:35:26 AM
Attachments: image001.png

Pam Fechter
pfechter@cityofavon.com
p | 440.937.7826 c | 440.420.9937

From: Barbara Brooks <BBrooks@cityofavon.com>
Sent: Thursday, April 9, 2026 12:05 PM
To: Council <council@cityofavon.com>
Cc: Pam Fechter <PFechter@cityofavon.com>; Duane Streater <dstreater@cityofavon.com>; John Gasior <jgasior@ssgavonlaw.com>
Subject: FW: Opposition to Nagel Road Rezoning

Hello,

Please see email below.

Thank you,

Barbara Brooks, CMC
Clerk of Council
bbrooks@cityofavon.com
Phone: 440-937-7821
www.cityofavon.com
36080 Chester Road, Avon, OH 44011



From: Mary Berges <mberges@cityofavon.com>
Sent: Thursday, April 9, 2026 12:04 PM
To: contactcouncil <contactcouncil@cityofavon.com>
Cc: Barbara Brooks <BBrooks@cityofavon.com>
Subject: Fwd: Opposition to Nagel Road Rezoning

FYI,
This email was addressed to Members of City Council, but only sent to me and the Mayor.
I hope you're getting a chance to enjoy this beautiful weather!
Mary

Begin forwarded message:

From: Amanda Elwell <amandaelwell@icloud.com>
Date: April 8, 2026 at 5:11:37 PM EDT
To: Mary Berges <mberges@cityofavon.com>, contactmayor
<contactmayor@cityofavon.com>
Subject: Opposition to Nagel Road Rezoning

This Message Is From an External Sender

This message came from outside your organization.

Dear Members of Avon City Council,

I am a West Wickham resident writing to oppose the proposed rezoning of the Nagel Road property to C4. Our neighborhood sits directly behind this development, and we would be heavily impacted by increased traffic, noise, and changes to the residential character of the area.

This proposal was already rejected by voters in 2024, and those concerns remain. I respectfully urge you to vote against this rezoning.

Thank you for your time,
Amanda Elwell
2267 Pendleton court

Sent from my iPhone

From: [Barbara Brooks](#)
To: [Pam Fechter](#)
Cc: [Susan Pintz](#)
Subject: FW: Rezoning Nagel Road
Date: Wednesday, April 8, 2026 11:15:20 AM
Attachments: [image001.png](#)

Pam,

Please see below.

Thank you,

Barbara Brooks, CMC

Clerk of Council

bbrooks@cityofavon.com

Phone: 440-937-7821

www.cityofavon.com

36080 Chester Road, Avon, OH 44011



From: Jennifer Fleck <jenniferfleck16@gmail.com>
Sent: Wednesday, April 8, 2026 11:12 AM
To: Brian Fischer <BFischer@cityofavon.com>; Tony Moore <tmoore@cityofavon.com>; Bryan Jensen <bjensen@cityofavon.com>; contactcouncil <contactcouncil@cityofavon.com>; Mary Berges <mberges@cityofavon.com>; Jennifer Demaline <jdemaline@cityofavon.com>; Dennis McBride <DMcBride@cityofavon.com>; Scott Radcliffe <SRadcliffe@cityofavon.com>; Michelle Patton <mpatton@cityofavon.com>
Subject: Rezoning Nagel Road

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

Dear Members of Avon City Council,

I am writing to express my opposition to the proposed rezoning of the Nagel Road property from residential to C4.

This proposal has already been brought before voters in 2024 and was not approved. I believe that outcome reflects the concerns of residents, and those concerns remain valid today.

The current proposal raises several issues for our community. Increased traffic congestion along Nagel Road is a significant concern, especially with the addition of a traffic signal and higher commercial activity. This could also impact emergency vehicle access and overall safety for residents.

Additionally, the plan appears to introduce a large commercial footprint that is not consistent

with the surrounding residential character. Many of us chose to live in this area because of its neighborhood feel, and this change could negatively affect property values and quality of life.

At this time, it does not appear that a comprehensive plan has been presented to adequately address these impacts. I respectfully urge the Council to take into consideration the prior vote, the concerns of residents, and the long-term impact on our community before making any recommendation.

Thank you for your time and consideration.

Jennifer Fleck

Sent from my iPhone

April 8, 2026

To Avon Planning Commission, Attention Carolyn Witherspoon, Chair

This is to raise a concern that Peter and Sharon Kratt ("Kratt's") have with respect to the proposed Preliminary Plat approval of Keller Farms ("Keller Land"), 32135 Detroit Road, Preliminary Plat, PL2026007 ("Keller Proposal") which is to be considered at the Avon Planning Commission's ("Commission") April 15, 2026 meeting.

The Kratts have for more than 50 years owned a 8.33-acre parcel (Permanent Parcel Number 040002610826, or "Parcel 026") that is adjacent to the Keller Property. Obviously it was purchased at a time when Avon was much more rural than it now is (which is why Kratt's moved to Avon.) Now that Avon is developing so fast it is obvious it will no longer remain rural, which raises the question how Kratt's can best protect the value of Parcel 026, which is currently landlocked.

For more than 20 years the City of Avon Overview Plan has reflected a proposed road running East- West thru Parcel 026 to a point on Parcel 026 where it turns north and runs to Detroit Road through the Keller Property. This would of course give parcel 026 access. However the Keller Proposal removes this possible access by moving the proposed road, Sablepoint Drive, to the East of Parcel 026, keeping Parcel 026 landlocked.

Kratt's earnestly hope the Commission will take their concern into consideration when considering the approval of the Keller Proposal.

Thank you,

Peter and Sharon Kratt

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John Gasior