

**CITY OF AVON PLANNING COMMISSION
REGULAR MEETING MINUTES
JUNE 21, 2023, 7:00 P.M.**

PUBLIC HEARINGS

Inn the DogHouse, Special Use Permit, PL20230029

Special Use Permit for Dog Grooming and Boarding Facility

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

No comments

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

ROLL CALL

The meeting was called to order by Chair Witherspoon at 7:01p.m. in Council Chambers.

Present: Bill Fitch, Bryan Jensen, Mayor, Jim Malloy, Scott Radcliffe, Carolyn Witherspoon, Chair, Staff: Jill Clements, Zoning Enforcement Officer; Ryan Cummins, City Engineer; Pam Fechter, Planning Coordinator; John Gasior, Law Director; Duane Streater, Safety Director; Susan Pintz, Planning Commission and Zoning Secretary

REVIEW & CORRECTION OF MINUTES

Motion to dispense with the reading of the minutes of the regular meeting held on May 17, 2023, and to approve the minutes as published.

Mr. Malloy moved, seconded by Mayor Jensen, to dispense with the reading of the minutes of the regular meeting held on May 17, 2023, and to approve the minutes as published. The vote was: "AYES" all. The Chair declared the motion passed.

REPORTS & CORRESPONDENCE

None

ADDITIONS & DELETIONS

None

1. Inn The DogHouse, Special Use Permit, PL20230029

Chuck Szucs of Polaris Engineering representing Whitney Callahan of Inn the Dog House, Inc. is requesting approval and recommendation to City Council for the creation of a Special Use Permit for a dog grooming and boarding facility at 37525 Colorado Avenue.

Whitney Callahan, 13885 Edgewater Drive, Lakewood, Ohio 44107.

Ms. Fechter stated that Mrs. Callahan has two locations: Lakewood and Mentor. She would like to open another location in Avon. She is looking at the site on Colorado Avenue and wants to redevelop that location and she is here to present that and request a special use permit.

Mrs. Callahan stated that she started the business almost 20 years ago. This will be their fourth location because they moved and bought their building 12 years ago in Lakewood and refurbished that. They opened the building in Mentor 4-1/2 years ago and that was a shell that they built out. This location in Avon would be a new build. It is a dog daycare boarding and grooming facility. The hours are 7:00am-7:00pm Monday-Friday and on Saturday and Sunday they have pick ups and drop offs of boarding dogs between the hours of 9:00am-11:00am and 5:00pm-7:00pm. During those business hours are the only times when dogs would be let out in the supervised runs.

Mrs. Callahan refers to the site plan; the green triangles are greenery. The other green areas to the south and the west of the building are potentially 8-foot fenced in areas where the dogs can run during business hours.

Mayor Jensen asked what the investment would be? Mrs. Callahan responded this would be the biggest footprint she would build; it would be a 9,100 square foot building. In the 20 years she has been doing this she thinks 7,000-10,000 square feet is an ideal building. She needs to see what the price per square foot will be on new construction. She thinks approximately \$1.5-2 million dollars.

Mayor Jensen inquired about noise concerns. She stated no dogs are just let out to bark. She says her locations have close neighbors and it has never been a problem and she has never had any complaints from neighbors. They try to be good neighbors. The Avon location will be her first new construction.

Ms. Fechter stated that she has come to Planning Commission to get the Special Use Permit before she started doing any more work or investment on this project.

Mrs. Callahan stated that the purchase of the property is contingent on receiving the Special Use Permit because if she doesn't get approval then she cannot move forward with the purchase. She negotiated a 90-day purchase window. If she needs longer, it will be at her expense.

Ms. Fechter stated the Special Use Permit is for the animal boarding. Animal Boarding requires a special use permit. Those codes have been revised during all the livestock conversation. Animal boarding was taken out of C4. Mrs. Callahan came in prior to that being done, from this point forward it will only be allowed in the M1 district.

Mr. Malloy asked about the average number of animals to be boarded at one time or does it depend on the season? Mrs. Callahan responded that it is seasonal, summers are busier when kids are out of school; holidays are also busy. They have 49 enclosures at the Lakewood location, 30 enclosures in the Mentor location with about 16 more to be added. It also depends if they come with companion animals, but they probably have upwards of about 50 dogs boarding on a holiday weekend.

Mrs. Witherspoon asked about how many employees they will have? Mrs. Callahan responded that when they opened the Mentor location, they had a job fair and the people they hired worked in the Lakewood and Mentor locations for training. They hired 8 full time employees to start. They will probably have 15-20 employees when the occupancy is at full capacity in Avon, that is her hope. The majority will be full time employees.

Mayor Jensen states there is a need for this facility in Avon. He believes most residents must go to an Avon Lake boarding facility. He also states the only concern will be the noise from the animals and with a special use permit if there are complaints there may be a need for some adjustments. However, he believes the facility will be full quickly. Mrs. Callahan appreciates the support.

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

Mr. Malloy moved, seconded by Mayor Jensen, to recommend to City Council to Create a Special Use Permit for a dog grooming and boarding facility with an 8-foot fence at 37525 Colorado. The vote was: "AYES" all. The Chair declared the motion passed.

2. Michael Gilles Lot Split, 20230028

Michael Gilles is requesting approval to split 1.45 Acres from Permanent Parcel 0400011107176 at Halsted Lane and Stoney Ridge Road for a single-family home.

Michael Gilles, 3635 Stoney Ridge Road, Avon, Ohio 44011. Mr. Gilles states that they are trying to split a section of their lot off the main parcel of land.

Mr. Cummins states that a review of the lot split plat and legal description has been completed. All the comments and concerns have been addressed. He states that this lot split does cure 2 encroachments from the existing parcels onto the larger current parcel by 6.1 feet of land onto the existing parcel that is there. He has no opposition to this request.

Ms. Fechter states that all staff comments have been addressed and would recommend its approval.

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

Mr. Malloy moved, seconded by Mayor Jensen, to approve to split 1.45 acres from Permanent Parcel 0400011107176 at Halsted Lane and Stoney Ridge Road for a single-family home. The vote was: "AYES" all. The Chair declared the motion passed.

3. Stoney Acres Sewer District Modification, PL20230027

Aaron Appell of Bramhall Engineering representing Kevin Urig of Route 83 Properties is requesting the approval and recommendation to City Council to amend the sanitary sewer district.

Tom Baldwin, Bramhall Engineering, 801 Moore Road, Avon, Ohio 44011. Aaron Appell is unable to attend so Mr. Baldwin is filling in.

Kevin Urig, 4305 Stoney Ridge Road, Avon, Ohio 44011.

Mr. Baldwin states that they are proposing to modify the existing sewer district to allow for the 5 sublots at the end of the proposed subdivision and 2 out parcels that fronts State Route 83. He further states as part of the project they are proposing a private sewer line to be installed onto the Willoway Nursey property to the south to include their main office building, 2 houses and another office that has a bathroom. All the buildings on Willoway are currently on septic. This will allow all the septic systems to be disconnected and the properties to be on city sewers.

Ms. Fechter stated that when Mr. Urig proposed the Stoney Acres Subdivision, we reviewed it and saw the opportunity for some of the houses along State Route 83 because it was difficult to get sewer there based on the geography and we thought it would be a good idea to include those parcels as well.

Mr. Cummins stated that the Utility Department as well as himself reviewed the information submitted. The district line is set so that only these very limited portions of property on the Willoway parcel could be impacted by this and be attached to a private sewer. It does not open any additional opportunities for sewer for the Willoway parcels at large. It is a very focused request. They are taking it upon themselves to seek the private sanitary sewer lines to service the Willoway parcel. They will have to get those approvals from the Ohio EPA and they understand that and they will take that upon themselves to do that. It would be public sewer to the eastern end of the proposed subdivision which would be the limits of the public sewer which Mr. Cummins refers to the purple area on the drawing shown. The orange is indicated as private sewer. Based on the information submitted and the limited nature, there is no objection from the Utility Department or Mr. Cummins to consider this for approval.

Mrs. Witherspoon indicated that the application indicates it refers to a flag lot.

Ms. Fechter states that was completed last month. There has been a Lot Split and the Flag Lot; that has gone to City Council and that has been approved. This is the remainder subdivision piece as well as the Willoway.

Mr. Cummins states the Flag Lot is noted as Out Parcel B on the sheet.

Mayor Jensen asked, since it will be attached to Ravinia will that be included in that Homeowners Association, will they accept these houses?

Mr. Urig responds no. It will be separate.

Mayor Jensen states when talking to the Health Department, any time a piece of property can be taken off the septic system they encourage that. There is also a positive response from them in terms of getting that business; in terms of getting that office building off the septic system. Because it is limited, we have talked about in meetings that we have had with Mr. Urig the idea of when we encourage development, we do an adjustment to the sewer district. The Health Department was supportive in moving those houses off the septic and limiting part of that so it's not for more development and they have another access off the development on the other side. It is really to get those off septic.

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

Mr. Malloy moved, seconded by Mayor Jensen, to recommend to City Council to amend the Sanitary Sewer District for the Stoney Acres Development. The vote was: "AYES" all. The Chair declared the motion passed.

4. Stoney Acres Preliminary Plat, PL20230010

Aaron Appell of Bramhall Engineering representing Kevin Urig of Route 83 Properties is requesting the approval of an 11-lot subdivision off Ravinia Way and SR-83.

Tom Baldwin, Bramhall Engineering, 801 Moore Road, Avon, Ohio 44011. Aaron Appell is unable to attend so Mr. Baldwin is filling in.

Mr. Baldwin states this a Preliminary Plat for the subdivision off Ravinia. It will provide 7 sublots and part of it will be the splitting off Out Parcel B that Mr. Cummins had mentioned earlier and a block which will be to the south of that Parcel B, which will hold the retention basin for the subdivision for storm water detention, sanitary sewer as previously mentioned, which runs and connects into the existing sewer on Ravinia Lane. There is a small stub street that comes out to south Maka Court that will abut into the Willoway property which will also provide access for the Utility Department to access any of the sewer that they need to access along that stretch.

Mr. Cummins states he has reviewed the Preliminary Plat and all the comments have been addressed. He would like to comment that he has expressed to the applicant and to Mr. Baldwin that the utmost concern is keeping the drainage on the Willoway property and not having the opportunity to have it cross over the property line and have an impact on the new homes in the subdivision or the two out lots. They have done quite a bit of work to define what that amount of flow would be, and they show on the Preliminary Plat, the outline of some rear yard mounding to serve as a buffer. That is very similar to, what we required with the last phase of the Highland Subdivision, which is to the west of this, and what this will be tying onto. We do have a couple of other things to work out in the final design, although it is difficult until we get into final grading and drainage issues related to that. Mr. Cummins has no issue with the Preliminary Plat being considered for approval. They have performed a preliminary storm water management study. We have identified what the issues are at hand and have ideas about how they can be done. There are several ways they can be addressed during the final design, and we will identify what will be the best way to address them. Mr. Cummins again states he has no issue with considering this for approval.

Ms. Fechter states all staff comments have been addressed and reiterated what Mr. Cummins stated as to addressing any issued during the final plat.

Mr. Radcliffe wanted to clarify regarding the stub street; he thought maybe there would be a guard rail at the end of the street, but he asked if that would have access to Willoway?

Mr. Urig states it will be for the use of the Service Department and will need to get the details worked out; if they wanted it gated with a lock or what the Service Department would prefer. Mr. Urig states Willoway is not planning anything with that.

Mr. Cummins states he will be required to have the standard guard rail and signs there at the end of the street. There will need to be mounding at the end of the street for the drainage issue. There will need to be maintenance service access when needed.

Mayor Jensen states there will be some retention that is off that site. There will also need to be a Homeowner Association with the 11 homes.

Ms. Fechter states Mr. Urig is aware he needs to provide us those documents for John Gasior's review.

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

Mr. Malloy moved, seconded by Mayor Jensen, to approve an 11-Lot Subdivision for Stoney Acres off Ravinia Lane and State Route 83. The vote was: "AYES" all. The Chair declared the motion passed.

5. Fieldstone Final Plat Phase 2, PL20230032

Chuck Szucs of Polaris Engineering representing Parkview Homes is requesting the approval and the recommendation to City Council for the creation of a sub-divider agreement for Phase 2; 22 single-family homes, off Schwartz Road and Woodstone Lane.

Sam Vitale, Polaris Engineering, 34600 Chardon Road, Suite D, Willoughby Hills, Ohio 44094

Mr. Vitale states this is Phase 2 of a 2-phase development in Avon; which consists of 22 homes that are proposed to be installed and this is the continuation on Woodstone Lane. The plan is to extend the road, sewers, utilities, and everything to service these new proposed residential lots.

Rick Puzzitiello, stated he is the developer from Avon Lake Holding, LLC, 22700 Royalton Road, Strongsville, Ohio 44136.

Mr. Puzzitiello states that there was a preliminary approval on the entire 42 lots about 1-1/2 years ago and this is the continuation of the next 22 lots. He further states that because of the development timelines and the supply chain issues they think it is critical to put in the next 22 lots. He states it will probably take about 1 year to 1.25 years to get the street in and dedicated. This is why they are seeking approval and to move to the City Council stage so they can get the street in.

Ms. Fechter states they were at City Council recently and received their final approval on the acceptance of their improvements in Phase 1 and now they would like to get started on Phase 2. Ms. Fechter stated staff comments have been addressed.

Mr. Cummins states that the engineering review has not been completed. We have provided some comments and we received a response back. There is a part of the project, probably more of the thornier part, that is the coordination of the land to the west which is owned by Catholic Cemeteries. There are easements that are designated to be acquired from Catholic Cemeteries. We have some draft documents for those easements. We have an email from Catholic Cemeteries that the board is in support, but they still must get the approval from the Bishop. The documents must be put into a form that is acceptable to the Law Director. They need to be coordinated with the final plat. Mr. Cummins further states there are still some outstanding items to be addressed.

Mrs. Witherspoon asked if this would need to be contingent or if he is not recommending approval?

Mr. Cummins states if there is any type of vote it would have to be contingent, or they can come back next month.

Mayor Jensen asked if any of the issues are major issues that need to be addressed?

Mr. Cummins states it is just coordination, none of them will change the footprint of the lots or anything like that. It is just dotting the I's and crossing the T's and making sure the property rights are secured that will allow the detention basin and outlet storm sewers that will end up going on the Catholic Cemeteries property.

Mayor Jensen asked without Catholic Cemeteries, is this fatal?

Mr. Cummins responds yes without Catholic Cemeteries approval this plan is not buildable.

Mayor Jensen states we need to make sure nothing moves forward until signatures are in place.

Mr. Gasior states that is correct.

Mr. Cummins responds that is correct. He states that the easements should be approved by the Bishop and executed before it goes to City Council under the way it is currently formatted. Those easements would need to be recorded. That would set in stone the ability for the subdivision to be constructed. It is those kinds of details that we need to have in place and get the Bishop's approval and get the documents executed and be in a position to move forward.

Mr. Radcliffe asked if there is a timeline for all of that happening, based on what has happened so far? Is it a 2-week timeline or a 20-week timeline?

Mr. Cummins states that they have been very responsive, but it is based on the Bishop's approval on signing the documents.

Mr. Puzzitiello states they got the approval from the CCA Committee today (June 21, 2023) and from his understanding the Bishop should be signing in the next week or so. He states all the easements have been sent. Mr. Gasior states he has not received those. Mr. Puzzitiello states he knows they have been drafted and he will make sure they are presented to the Bishop for signature and then sent to Mr. Gasior.

Mr. Gasior states we do not have the easements. The next meeting of Council will be on July 10, 2023, so there is some time. Council decided to change the Work Session to from July 3rd to July 10th. Typically, several things would need to be done by July 3rd but now its July 10th. If the Planning Commission would grant this contingent approval and Mr. Cummins is satisfied all the items have been met, then there would not be a need to come back to Planning Commission next month. There are some things to be done; deposits need to be made, I (Mr. Gasior) will need to review the easements and subdivider agreement. These items are things that can be addressed in the next few weeks. If this cannot be done, then it will need to wait until August because the only meeting in July is July 10th.

Mr. Puzzitiello states that extra week helps. So, if we can get the recommendation subject to Mr. Cummins approval for the documents, that would be their wish.

Mayor Jensen states as long as we have that stop cap for Council, he doesn't object to moving it forward. If they don't make it for the July meeting, then it will be in August. There is only 2 weeks in August because Council is off 2 weeks in August.

Mr. Cummins states at one point they proposed removing the stub. We let them know there was some opposition to that. The only very minor change is they move some property lines

on the cul-de-sac very slightly; it did not affect the numbers; it didn't affect frontages or lot sizes or anything like that.

Mr. Gasior pointed out that if they miss August then this will go into Labor Day.

Mr. Puzzitiello states if they miss that date then they will not be doing the work until January or February and paving in the spring of next year.

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

Ms. Fechter asked to verify that no one in the audience has any questions.

Mrs. Witherspoon asked if there is anyone from the audience that has a question?
No one from the audience commented.

Mr. Malloy moved, seconded by Mayor Jensen, to approve and recommend to City Council the Creation of a Subdivider Agreement for Phase 2; 22 single family homes off Schwartz Road and Woodstone Lane contingent upon final engineering and legal approval. The vote was: "AYES" all. The Chair declared the motion passed.

COMMENTS

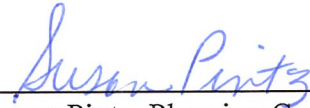
Mayor Jensen	no comments
Mr. Malloy	no comments
Mr. Radcliffe	no comments
Mr. Fitch	no comments
Ms. Fechter	Happy Summer
Mr. Cummins	no comments
Mrs. Clements	no comments
Mr. Streator	no comments

ADJOURN

Mr. Malloy moved, seconded by Mayor Jensen, to Adjourn. The vote was: "AYES" all. The Chair declared the motion passed. Meeting adjourned 7:37 p.m.



Carolyn Witherspoon, Chair



Susan Pintz, Planning Commission &
ZBA Secretary

07-19-23
Date