

AVON PLANNING COMMISSION REGULAR MEETING MINUTES 10-20-21

MINUTES OF THE PUBLIC HEARINGS HELD ON WEDNESDAY, OCTOBER 20, 2021, IN COUNCIL CHAMBERS OF CITY HALL

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

Ms. Fechter says if anyone is here for the Gorney Rezone request, that will be tabled until next month.

PRELIMINARY PLAT FOR RED TAIL SUBDIVISION NO. 17 TO INCLUDE 18 NEW SINGLE-FAMILY HOMES LOCATED EAST OF ST. THERESA OFF RESERVE WAY AT ST. ANDREWS. The Chair opens the Public Hearing at 7:00P.M. Jim Saylor of Reitz Engineering Company says this is the next Phase in Red Tail development on the far eastern boundary. Mr. Saylor says this is part of the original masterplan, it does have fewer and larger lots and the street will be extended to connect to St Theresa or a loop street. Mr. Saylor says the storm sewers drain into the existing basins and lakes that were designed to handle both the detention and the water quality for the fully developed area. It is part of the master plan with smaller lots than what the code always but they are the same general size as the existing cluster lots are currently. There being no further questions or comments Chairman Witherspoon closes the public hearing at 7:04P.M.

PRELIMINARY PLAT FOR FIELDSTONE SUBDIVISION TO INCLUDE 44 NEW SINGLE-FAMILY HOMES TO BE LOCATED NORTH OF SCHWARTZ ROAD, WEST OF STONE WHEEL RUN STREET. The Chair opens the Public Hearing at 7:04P.M. Chuck Szucs of Polars Engineering says this is part of the developers master plan that started back in 2003. They did Woodbridge, Napa, Stone Wheel and this was the fourth subdivision that started back in 2009. It's the mirror image of what Stone Wheel is with 44 lots and extends to the cemetery property.

Chris Hanson, 3087 Stone Wheel and is part of the HOA and his concern is there going to be any tree abut that will be maintained to allow separation between the two streets. Mr. Hanson says he would like to see if they can put a buffer between the two development to maintain privacy and maybe a walkway that would be common area so they can walk between the two development to have a nature walk. There is going to be a new development to the east on 54 acres of land that has been bought and again it would be advantageous for both property owners to maintain a buffer between all the developments so they can enjoy a walk way and not feel like their neighbors will be on their land. Stone Wheel is totally treed on both the west and east side. Mr. Szucs says until they get the final design and look at drainage, they can not commit to anything.

Richard Miceli, 3086 Stone Wheel Street asks if anyone has taken into consideration the extra traffic this is going to cause with the development. Mr. Miceli says Schwartz Road is getting more and more crowded and there is more wait time and if you add 44 houses and the other development will be adding an addition of almost 100 more cars into the area, with one lane. Mr. Miceli asks if they can keep up with the infrastructure. Michelle Miceli asks about the wildlife, whats going to happen to all the wildlife? You are cutting down all our forests and were talking about we need to go green and yet your removing all of the trees. Mr. Miceli asks who approved this and thinks it's a great idea? Mrs. Miceli says how can we fight this, the homeowners are not happy. Mrs. Witherspoon says this is a first presentation this evening to discuss everyones concerns. Mayor Jensen says when Stone Wheel was built you know all the trees there were removed and Mrs. Miceli there was no other development there, we have trees on both sides. Mayor Jensen says he understands but people have to own property and it's the City's responsibility to make sure it can handle the infrastructure. Mr. Miceli says he agrees people have the right to sell their land and do what they want. Mr. Miceli asks if they can do a proposition that if a developer comes into the neighborhood, if the neighbors who want to not have them build, they have a matching offer to match the offer of the buyer so the seller has their money. Mayor Jensen says that is something the City wont do but

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that would be something the property owner would do. Mr. Miceli asks if the Mayor can put a proposition in, like they do in California. He says they have no issue raising their values which will increase their taxes and he thinks if you add more homes and make it less desirable to live in the area he thinks their home values may decrease. Mr. Miceli asks when does it stop? Mayor Jensen says it stops with the property owners, sell it or keep it. Mayor Jensen says he cant stop anyone from selling their house or developing their property. Mayor Jensen says we are trying to purchase more property for parks to help preserve the area and we look at all the options we can but we can't stop them from selling their land and develop it. There's positives and negatives that we have commercial development because people want to shop in Avon, that brings in cars from the north and the south, a positive to us for the businesses but a negative for the extra traffic. Unfortunately we cant stop people from selling their land. Mr. Miceli says he would asks they to consider a proposition to make the seller go to see if there is a matching offer.

Ms. Fechter says right now in the process is the Preliminary Plat, it's a concept, show us where the lots will be, where the sewer is going from, those types of details. Ms. Fechter says when they get the OK then they do full engineering and a traffic study has been requested before final plat approval. There is a whole lot more information that needs to come before a fully informed decision could be made. Mr. Miceli asks when this will start? Ms. Fechter says theres no idea, this is the first time its being seen and its been metioned it might be a little preliminary for this as this point.

Mark Pesta, 1532 Peach Drive, he says its well documented that Willow Creek has flooding issues and the City has done a good job of assisting with that. Mr. Pesta says this development is directly south of where those issues were and asks how much water is going to be diverted to the big culvert under Detroit Road. Mr. Cummins says there is the northern section of this property naturally drains to the north but everything, once they get that far along, everything they propose will have to meet City code with storm water management and water quality aspects. While it may drain that way naturally, it will continue to drain that way but it will be done in a controlled manor to offset any issues.

Anthony Lauricia, 3198 Stone Wheel Run says he is worried about their lots being higher and drainging towards them. According to the plans and he knows you can not commit to if a tree buffer will be there. Mr. Lauricia says when he built his house, he was not allowed to disturb trees in a certain area as it was wetlands. As far has he is concerned, that would include lots 5,6, and 7 of the development they cant take any of the trees down. Mr. Lauricia says his other concern would be will the lots being higher will they drain towards them or will they be dumped into their storm sewer running along their back yard. Once they begin construction, what is the start and stop time. The development going on across the road they start at 6:00AM. Mr. Cummins says as far as the drainage goes, he cant speak to if a tree buffer would be left due to drainage concerns but it is a critical aspect of any of these proposals this evening. Mr. Cummins says as you have to have a back yard drainage system, this proposed subdivision would also have their own drainage system as well. Mr. Cummins says as far as working hours go, its always a battle with construction companies but the hours are 7AM-9PM Monday through Friday and 9AM-7PM on the weekends and those are listed in the codified ordinanaces and we try to make sure they adhere to those times. Mr. Lauricia says he has a buffer on his property already and he wants to make sure they don't start whacking trees down and especially not his. Ms. Fechter says they will not remove any trees from his property at all.

Amy reikowski, 3966 Stone Wheel Run asks if they remove trees, there are some large trees that sit on adjoining lines so part is on her land and part on theirs, how would that be handled? Mr. Cummins says there will be a property survey done and will determine the new lines, if its half on half off, if there aren't important drainage issues it could be left if its one tree. As with any private property owners, he suggest she stay up on with the property markings and she could also reach out to the developer to discuss. Mr. Cummins says they try to save the trees but they its important to have a good drainage system.

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There being no further questions or comments Chairman Witherspoon closes the public hearing at 7:22P.M.

PRELIMINARY PLAT FOR NAGEL FARMS SUBDIVISION TO INCLUDE 38 NEW SINGLE-FAMILY HOMES TO BE LOCATED NORTH OF DETROIT ROAD, EAST OF NAGEL OFF MIDDLETON. The Chair opens the Public Hearing at 7:22P.M Tom Kuluris of Liberty Development says they presented a subdivision Nagel Farms between Detroit Road and Middleton. It would be the extension of Middleton and creating a road for 38 sub lots.

Stephen McCall, 33260 Detroit Road says he is east of Nagel property and was curious, 38 houses on that property is a lot of home and asks if they are going to take Middleton all the way through their property too? Mr. Kuluris says it will stop at the property line, they wont touch his property. Mr. McCall says his land is in a trust for his kids and wants to make sure, its going to be hard seeing 38 homes over there.

There being no further questions or comments Chairman Witherspoon closes the public hearing at 7:25P.M.

PRELIMINARY PLAT FOR GRANDE ESPLANADE TO INCLUDE 38 NEW SINGLE-FAMILY HOMES IN PHASE 1 TO BE LOCATED ON THE EAST SIDE OF NAGEL ROAD, NORTH OF MILLS ROAD. The Chair opens the Public Hearing at 7:22P.M Al Pitiak of Euthenic Engineers says the preliminary plat in front of you tonight is conceptually the same as what was approved back in March of 2021 with one noted exception. Phase 1 has 37 lots not 38 as noted.

Bill Prescott, 32966 Red Oak Ave., says drainage is important and a few years back they talked about a buffer 4' high and 5' wide and then on the other side they were going to put a ditch and asks if there is an easement required. Mr. Prescott says they have drainage out to Mills Creek and he is wondering if he is going to be looking at a ditch or if each property owner has their own 6" drain. He says he is not sure what's changed. Mr. Cummins says as far as drainage goes, they will not be impacting your property at all and they will not need an easement from you. Mr. Prescott says not an easement from him, who will be responsible to taking care of that as they wont see it past that buffer, he will see the ditch. Mr. Cummins says the HOA would take care of it. Mr, Prescott says the HOA will take care of it when they cant see it, when it's a drainage issue. Mr. Cummins says they are not putting ditch there it will be mounded up somewhat. Mr. Prescott says they said then it would come down into a ditch to prevent water from going on his property. Mr. Cummins says what they submitted, they documented how much area drains from the open field towards your subdivision currently and how much would drainn that way after and basically its drastically reduced. Mr. Prescott asks where are those studies at when we get a ½ inch of rain or 3" of rain. Mr. Cummins says its they lay of the land and the south side of the mound would drain back towards your property where currently it's the whole field. Mr. Cummins says the acreage goes down as everything on the north side of the mound goes into the storm water management system designed to City standards. Mr. Prescott what style are the basins, is there a study that can be sent to him. Mr. Cummins says all the studies are available and the studies for this development have not been submitted as of yet. Mr. Prescott says then with the HOA will have contact person in case it is bad. Mr. Cummins says in the future if you feel they aren't doing what they need to, you can contact the City and we can do more of property maintenance action.

There being no further questions or comments Chairman Witherspoon closes the public hearing at 7:33P.M.

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AMEND THE SPECIAL USE PERMIT FOR VETERAN'S MEMORIAL PARK The Chair opens the Public Hearing at 7:33P.M. There being no one present in the audience; Chairman Witherspoon closes the public hearing at 7:33P.M.

CREATE A SPECIAL USE PERMIT FOR VETERAN'S MEMORIAL PARK #2-ANGLER PARK. The Chair opens the Public Hearing at 7:34P.M. There being no one present in the audience; Chairman Witherspoon closes the public hearing at 7:34P.M.

MINUTES OF THE REGULAR PLANNING COMMISSION MEETING HELD ON WEDNESDAY, SEPTEMBER 15, 2021, IN COUNCIL CHAMBERS OF CITY HALL

Present: Bill Fitch; Bryan Jensen, Mayor; Jim Malloy; Scott Radcliffe; Carolyn Witherspoon, Chairman; Ryan Cummins, City Engineer; Pam Fechter, Planning Coordinator; John Gasior, Law Director; Rick Schneider, Zoning Enforcement Office; Duane Streator, Safety Director and Jill Clements, Secretary.

MINUTES OF THE REGULAR MEETING-SEPTEMBER 15, 2021

A motion was made by Mr. Malloy, seconded by Mayor Jensen to dispense with the reading of the minutes of the Regular Meeting held on September 15, 2021, and to approve the said minutes as published. The vote was: "AYES" All. The Chair declared the motion passed.

ADDITIONS/DELETIONS

WETGO PRO CAR WASH -FIRST PRESENTATION-FINAL DEVELOPMENT PLAN

Chuck Stewart of Giant Eagle is requesting approval of the site plan for a 3,532 sq. ft. car wash and area for vacuums to be located at the GetGo at 33501 Just Imagine Drive.

Pam Fechter explains that this was approve on their original final development plan that was approve in 2014 and they are ready to move forward with the laser wash and vacuums. Ms. Fechter says all staff comments have been addressed. Mr. Cummins says they have reviewed the plans and have no issues.

A motion was made by Mr. Malloy seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy seconded by Mayor Jensen to approve the site plan for a 3,532 sq. ft. car wash and area for vacuums to be located at the GetGo at 33501 Just Imagine Drive. The vote was: "AYES" All. The Chair declared the motion passed.

RED TAIL SUBDIVISION NO. 17-FIRST PRESENTATION-PRELIMINARY PLAT

Debbie Reed representing Carnegie Residential Development Corporation is requesting approval of the Preliminary Plat for Red Tail Subdivision No. 17 to include 18 new single-family homes to be located east of St. Theresa off Reserve Way @ St Andrews.

Jim Saylor, Reitz Engineering says they presented this after a pre application meeting prior to this submittal. Mr. Cummins says they just got the resubmittal a few days ago and in talking with the administration couple things wanted to see if they would be to accepting. Mr. Cummins says the first thing is the ditch along Williams Court and that is the City's maintenance responsibility, there is a block area adjacent to that and asks if it would be possible to have a blanket easement over the block area to allow for maintenance area. Mr. Saylor says he suspects as long as it can be written in a manner that would allow the property owner to develop that in the future. They are leaving that as it will not be a common block for HOA its for in case Williams Court is vacated by the City. As long as the easement is worded if the Williams Court is vacated, they would have full use of the land for development. Mr.

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Cummins says if that would occur, the ditch wouldn't be there and the City's responsibility is gone. Mr. Cummins says the other issue is there is a proposed 8" sanitary sewer, extending south and you get down to only about 4' of depth in existing conditions and brings some concerns. Mr. Cummins says there is area to the south and east that could potentially be served by that and the City wants to keep the options open to improve the depth of service to the homes and then if there is a need to extend the sewer in the future. Mr. Cummins asks if they would increase to make the existing 15" sanitary sewer, you pick up about 3' of depth at the south end and ask that that be incorporated in the plans. Mr. Saylor says he has no objection to that. Ms. Fechter says all staff comments have been addressed. Mr. Radcliffe asks on the north will there be continuation of the sidewalk going around and will that tie into Williams Court to make a loop. Mr. Radcliffe says they talk about connectivity and all. Mr. Saylor says at this location, Williams Court is unimproved, a dirt path and they have noted a 5' sidewalk will only be on one side. Mr. Saylor says they could talk about that and add for final design. Mayor Jensen says if at some point we wanted sidewalks on that other side, typically there would be an assessment but this would be the HOA, how would that work. Mr. Gasior says if the HOA owns it, we would contact them and hope they would install them. Mayor Jensen says that might be talked about for final. Mr. Saylor says they did add the CBU on the entry and provided some turn outs to allow them to pull cars off. He says he located it on the south side since the City doesn't want that in City right of way. Mr. Saylor says in final drawings maybe the City would entertain the CBU on the north side if it could be a possible suggestion. Mr. Cummins asks if you consider approval, that you consider a contingent approval upon the blanket easement of block f for ditch maintenance and also the proposed sanitary sewer in the development being 15" instead of 8" currently shown.

A motion was made by Mr. Malloy seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy seconded by Mayor Jensen to approve the Preliminary Plat for Red Tail Subdivision No. 17 to include 18 new single-family homes to be located east of St. Theresa off Reserve Way @ St Andrews contingent upon blanket easement for ditch maintenance and the 15" sanitary sewer instead of an 8" pipe. The vote was: "AYES" All. The Chair declared the motion passed.

FIELDSTONE SUBDIVISION-FIRST PRESENTATION-PRELIMINARY PLAT

Chuck Szucs of Polaris Engineering is requesting approval of the Preliminary Plat for Fieldstone Subdivision to include 44 new single-family homes to be located north of Schwartz Road, west of Stone Wheel Run Street.

Chuck Szucs with Chris Bender of Parkview Homes. Mr. Szucs says they are currently working through staff comments as they know they need a drainage study and haven't had time to get that done and know that is one outstanding item. Mr. Szucs says one point they want to discuss tonight, when they laid out Stone Wheel, Gristmill came into play, the City asked for a 20' block for culver that came in and they asked for 2' side yard so they would still meet code. They could still get a house with a 12' but 10' would be a block and the other 2' would be side yard and they did the same on Fieldstone that was approved 9 time but now the ordinance has changed. Mr. Szucs says you can not get a variance for a corner lot and they end up with a 142 feet on subplot 10, the corner lot with the 20' block. They can't get the 2' side yard and Ryan asked for another 5' to make it a 30' block. Mr. Szucs they are requesting if they could get a 30' drainage easement instead of a block, if not the lot is unbuildable. Mr. Cummins says as we spoke, there are a number of items still waiting to receive and will go through what was submitted and will get comments. Mr. Cummins says in talking to the administration as long as there is 30' of easement area that shouldn't be an issue. Mr. Szucs says they did shift Gristmill over so the other lot is good. Mr. Cummins says there are a number of things still outstanding, drainage being a critical piece. He says given the sensitive of the area they have asked that a drainage be submitted as part of the preliminary and not

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waiting until the final. Mr. Cummins says Mr. Szucs is still working on that and he asks that tonight be a first presentation as they continue to supply information, we will continue to review and hopefully we will be closer for next month. Mayor Jensen says he has heard the comments from the residents and ask if he could take a look at that property and the trees.

Chris Bender of Parkview and wants to give you some background. Mr. Bender says they are primarily a custom or semi-custom home builder out of Strongsville. The last few years they have been involved in Avon Lake. Mr. Bender says he understand the issues with trees and drainage and will ensure everyone that they take all of this very seriously and they appreciate the fact of the neighbors comments and try to be respectful of them as well. They will look to save trees if possible the drainage is the most important thing they need to make sure it done before they decide if they can keep a lot of trees. Mr Bender knows this is a change and they want to be a good neighbor and will do their best to be so. Ms. Fechter says when we ask for first presentation, no vote will be given tonight, they will give more information and hope to be back next month if they are ready.

No action taken, the Chair declared this First Presentation.

NAGEL FARMS SUBDIVISION-FIRST PRESENTATION-PRELIMINARY PLAT

Tom Kuluris of Liberty Development is requesting approval of the Preliminary Plat for Nagel Farms Subdivision to include 38 new single-family homes to be located north of Detroit Road, east of Nagel Road off Middleton.

Tom Kuluris, Liberty Development says they had a preapplication meeting that they received information and are addressing that. Mr. Kuluris says they made a request with the City to see whats going on around their development. Mr. Cummins says as they talked, theres an ongoing concern along Avon Road with drainage and flooding. Mr. Cummins says this a large undeveloped area that contributes to that and the history was brought to their attention and it could be asked what they are doing to help out. Mr. Kuluris says they have time to go through this together as once they know where its coming from they will have a better understanding of how to fix it and they will address that. Mayor Jensen says that this property has been farm land so when storms come through, theres been water coming from Detroit Road and down to the north and backed up. This is a launching point and our concern is that location has a history of holding and carrying water down and we want to be able to handle the water better. Mr. Kuluris says they will do what they can to help that area. Mr. Cummins says with the development before this, they issued comments and haven't gotten any responses and would request this be first presentation. One of the largest concerns is some of the lots, you have an existing farm ditch and you are pinching on the expectation of the use of the property. Mr. Kuluris says this is the opportunity to engage in this and they are working on that now. He says they don't want to change the flow of the road and keep the curve and character of the road with still being able to keep the lots. They have the land to the north of this and they intend to mark it and develop that in a commercial way that could give other opportunities with the water. They don't want to get too far ahead, they want to get Middleton in first though and working through details. Mr. Radcliffe says it looks like they are planning to put storm water on the north property and that doesn't seem like something that will go towards residential development. Mr. Radcliffe if that is the key and how they want to go forward, anything that is above and beyond for storm water in that area is good. They want to get a better understanding of what they can do to correct it as some of it is coming from their direction and some of it might not be. The northern land gives them flexibility but gives them opportunities.

No action taken, the Chair declared this First Presentation.

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GRANDE ESPLANADE SUBDIVISION-FIRST PRESENTATION-PRELIMINARY PLAT

Vince Bobkovic of Euthenics is requesting approval of the Preliminary Plat for Grande Esplanade Subdivision to include 38 new single-family homes to be located on the east side of Nagel Road, north of Mills Road.

Al Piatak of Euthenics asks who the resident was who spoke in the Public Hearing and says the developer for Grande Esplanade has been very proactive in meeting with the resident in Countryside to hear their concerns and Mr. Restivo would do that again. Ms. Fechter says we will get it to Mr. Restivo. Mr. Piatak says as indicated, this preliminary plat is similar to what was approved in March of 2021. They received a letter on October 11th on the latest submittal and they believe they addressed those comments. Mr. Cummins says that is correct, they did a revised copy and some of the comments have been addressed, just a few things to discuss though. Mr. Cummins says on thing that was in the previous approved plan that has been removed that is not here now and that is the walking path. Mr. Cummins says the mounding and ponds are the same but the path is gone. Mr. Cummins asks if they are agreeable he asks this be part of a contingent approval if they go that route. Mr. Cummins says along Nagel Road, there are two existing houses and he would like to see connections for both of those structures. Mr. Piatak says that would be agreeable. Mr. Cummins says the physical pavement of the stub street stops well short of the property line and he would like to see that constructed up to just a few feet from the line. Mr. Piatak says they will need to look at final engineering to see what they can grade in there for drainage, so they could extend it as far north as they can.

A motion was made by Mr. Malloy seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy, seconded by Mayor Jensen to approve the Preliminary Plat for Grande Esplanade Subdivision to include 38 new single-family homes to be located on the east side of Nagel Road, north of Mills Road contingent upon 2 connections to the residential homes on Nagel and moving the stub street closer to the property line. The vote was: "AYES" All. The Chair declared the motion passed.

GORNEY-MILLS ROAD-SECOND PRESENTATION-REZONE

Ryan and Kara Gorney are requesting a positive recommendation to Council for consideration of the rezoning of PPN 0400024116043 from M-1 to R-1 located at 33910 Mills Road.

Ms. Fechter asks that this be tabled until the November meeting at the applicants request.

A motion was made by Mr. Malloy seconded by Mayor Jensen to table until November meeting at the applicants request. The vote was: "AYES" All. The Chair declared the motion passed.

LORAIN COUNTY METRO PARKS-FIRST PRESENTATION-FINAL DEVELOPMENT PLAN

Jim Ziemnik of the Lorain County Metro Parks is requesting approval of the final development plan for the proposed park at the corner of Riegelsberger and Jaycox Road.

Ms. Fechter says what they saw last month, nothing has changed, they are on site and work is beginning. Ms. Fechter says the MetroParks are like the school and the library where they are a political subdivision on their own so their appearance is out of respect. Mr. Ziemnik has followed the process and has been in contact with Mr. Cummins so we are looking for approval so they can move forward. Mr. Cummins says that is correct and we are working with them to analyze any flood plain impact their work will have and it should be positive impact. Mr. Cummins says there have been considerable amount of material being taken out of the flood plain and create a flood plain area lower. Mayor Jensen says that Mr. Ziemnik isn't

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here because he said if they were working on site, he wouldn't be there. He is committed to do what he said he would and Mr. Cummins will be following along.

Kathy Schneeburger, 3477 Kensington Drive, she wants to know if they have opportunity to weight in on the fence, if there is going to be a fence and the location. She says some of them felt that the natural ditch was at the end of their yard but if that is part of the MetroParks the fence would be in what they thought was theirs. Mayor Jensen says he talked to Mr. Ziemnik and they are waiting for the property to be surveyed and then once that is done they would all sit down and talk to what is appropriate. If some property owners have moved their lot back in terms of what they can do to be agreeable. Most important is to get the survey stakes out. Mrs. Schneeburger says she is in favor of having the walking trails back there.

Dave Sommer, 35388 Riegelsberger since he hasn't seen the minutes from the September meeting, this is the final plan and asks what the percentage increase is in the storm water retention from first plan to this plan. Mr. Cummins says it was what was presented last month and to his knowledge he heard the number 70,000 cubic yards in total. The City project created the first 15,000 of that but again he doesn't have the final number. Mr. Sommer says that is pretty important when this was first discussed storm water retention in the Metro Parks plan was not a priority or a goal. Mr. Sommer wants to know what the percentage of increase is and if storm water retention is a goal or objected that they would measure and report back. Mr. Cummins says you need to keep in mind what we are doing is flood plain creation, we are not holding the water, we are holding a space at a lower elevation. Mr. Cummins says its been a couple years longer and there have been a lot of discussion and this plan does a great job of that with not having the specific number off the top of his head. Mr. Sommer says he appreciates that but as a homeowner and having gone through the storms, that management has to get measured and he is a little worried, he wants to know a 2X or 3X or something is important to know before you vote on a final plan. Mr. Cummins says you have to keep in mind the water shed size in this area, its several thousand acres in size and your working on a piece of property of 5-6 acres and you need to keep that in perspective. Mr. Cummins says this is not a silver bullet to climate change, its not a silver bullet to the French Creek watershed as a whole. Is it better than what is there now, yes, does it provide more volume now, yes but is it something that will lower the flood plain elevation by 2-3 feet. Mr. Sommer says this is the only bullet that can protect us from the development in North Ridgeville. Mr. Sommer says you mentioned earlier this water comes from North Ridgeville and having a good number give the residents a better feel. Mr. Cummins says they made sure they made storm water a goal and the plan does show a lot of storm water of work. Mr. Sommer says he doesn't know what a substainial means and isn't going to put Mr. Cummins on the block. Mr. Cummins says 70,000 cubic yards is a good amount of water if you convert that to gallons or whatever you wish to do. As Mr. Cummins says your looking at a water shed that is 12,000 acres and here were are working on 10 acres, youre not completely solving the problem but your correct it's a location where good can be done. Mr. Cummins continues to say good is being done, just at the change in the Avon code a few years ago added good change throughout. Mr. Cummins says every project talked about storm water is an issue and we don't take it lightly. Mayor Jensen says keep in mind not only did we do what we are over there, we are taking the restrictor out of the development and we are putting overflow in the basin as well. Mayor Jensen says we will probably have a flood like we have had before but its how fast can we get the water out of there. Mayor Jensen says it's a big water shed, we are continually trying to make adjustments to make it better. Mr. Sommer says this is a final vote he would love to see some of the numbers like from 1X to 5X, you ought to tell that story. Mayor Jensen says the proof will be in the rain event and not so much the specific number. Mr. Sommer says the vote is to approve the final plan. Mayor Jensen says the Metro Parks don't need their vote but they are going through the process. Mr. Ziemnik has been part of the conversations and he and Mr. Cummins are very satisfied with they finally made the progress of what is being done. Mr. Sommer says that's all he was looking for it went from 1X to 2X that's good to know. Mr. Sommer says the last question is, is

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Riegelsberger Road a designated emergency vehicle access road? He thought it was a designated emergency vehicle cooridor. The reason this is important is if we let development come around and it floods again and there is a emergency problem, that drive time will double to the hospital. He doesn't want to stand in front of deal that is moving(Autumn Grove) but if you check, you find that its important to get this right.

A motion was made by Mr. Malloy seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy seconded by Mayor Jensen to approve the final development plan for the proposed park at the corner of Riegelsberger and Jaycox Road. The vote was: "AYES" All. The Chair declared the motion passed.

REFERRAL TO COUNCIL – FIRST PRESENTATION – AMEND SPECIAL USE PERMIT
Per Article, VII, Planning Commission (D) Mandatory Referral of the Charter, Avon Planning Commission is recommending Council approval to the Ordinance amending the Special Use Permit for Veteran's Memorial Park to include future dog park.

Ms. Fechter says the next two items are for Veterans Park and she has them down to Vets 1 and 2 since the second park doesn't have a name yet. Vet 1 special use permit is looking to be amended to include the dog park. The dog park is scheduled to be north of the one ball park. Mayor Jensen says when you come in you have the fields that are used for LaCrosse and that open field where the duck tape festival was will be the dog park. Mayor Jensen says the Canning Family is donating money for items for the dogs to exercise so their name will be included.

A motion was made by Mr. Malloy seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy seconded by Mayor Jensen to approve and recommend to Council for approval to amend the Special Use Permit for Veteran's Memorial Park to include future dog park.

REFERRAL TO COUNCIL – FIRST PRESENTATION – SPECIAL USE PERMIT
Per Article, VII, Planning Commission (D) Mandatory Referral of the Charter, Avon Planning Commission is recommending Council approval to create a Special Use Permit for Veteran's Memorial Park #2-Angler Park to include bathrooms, fences, picnic table, fishing pier, playground equipment, signage and road infrastructure.

Ms. Fechter says the Kurtz Brothers property was recently purchased and it's a 16.65 acre they are going to make into a fishing park. There is a beautiful pond there, please go look at it, its beautiful. The next plan is to put a pier and eventually move the fishing derby. We wanted to get everything covered that goes with a park.

A motion was made by Mr. Malloy seconded by Mayor Jensen to suspend the rules. The vote was: "AYES" All. The Chair declared the motion passed.

A motion was made by Mr. Malloy seconded by Mayor Jensen to approve and recommend to Council for approval to create a Special Use Permit for Veteran's Memorial Park #2-Angler Park to include bathrooms, fences, picnic table, fishing pier, playground equipment, signage and road infrastructure.

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COMMENTS

Mrs. Witherspoon wanted to Congratulate Mr. Schneider and thank him for all his time even though he isn't here.

Mayor Jensen says he has had discussion with the administration on coming up with a way we don't have public hearing on items we don't think we will be voting on. We are talking to find away so we don't have everyone come out when we have no intention of voting on since they aren't ready and shouldn't be on the agenda. Mayor Jensen says the planning map is our map and if anyone wants to state we don't have a plan, we in fact do. Mayor Jensen explains the colors and if we are going to change something to another, we need to have a plan for what we are changing it too. You take a look almost everything south of Detroit Road is residential and if we change things you look at what the area is zoned to make sure it fits within the map. Mayor Jensen says another thing we have is the Charter, when it was put on the ballot to widen Detroit Rd., it went to the vote and they didn't want to widen it to anything more than 3 lanes. Then you talk about adding more street, he lives on North Long Road that is suppose to go farther south and connect to Detroit Road and Mrs. Whitmore will tell you she opposed that and it would connect Briar Lakes together, he cant stop it because it is on the master plan. If a developer wants to develop it, he could, the reason it wasn't developed was they came back to the City and the City said in order for you to develop that, we need you to put turn lanes and a signal at Detroit Road and they refused to do that. Mayor Jensen says then he left and that discussion hasn't come up again, the City will be more tha likely to push anyone whoever develops that put the signal and not the City. Mayor Jensen says we look everyday in ways we can try to control growth or how we can continue to make the City a great City but we have to realize there will be more development. How me make the developers continue to pay their fair share is what we do everyday.

Barbara Whitmore says she would like to respond to what the Mayor mentioned and explain why she is here tonight. Mrs. Whitmore says she is hear tonight as we have a large group of people on social media in discussion rooms that talk about whats going on in our town. They asked her, they wanted someone to come and voice some of the concerns they had. She says she is happy to say, she is very impressed with a number of things that were addresses especially the water issue. This comes up every day, look at the year we had. She said she had a new home and had flooding the first year she lived in it in 2004. Mrs. Whitmore continues says the traffic issue, we all live here and know how bad this is, its bad, the high school is a nightmare. She says shes not saying we don't build things, not at all. We are a City and we want to stay a desirable City to live in. She says thinks we are not getting enough information back that the City is doing these things. Mrs. Whitmore says Ryan is going a phenomial job, its be 3 years since I was in front of you and we worked together as a team on that and ended up the right way. We want to continue to do that, the people who live in this town want to do that. She says it's a 50/50 new and old Avon so it's a good balance. Mrs. Whitmore listed in her letter some items as she wasn't sure if there were ordinances in place to allow Avon to shift the cost back to where they belong, to the developers. Mrs. Whitmore is very impressed on the approach being used with the developers now as it is different from the last time she was there. A couple suggestions, if there is someone who could post a brief once a week or a month, people aren't getting the information. Getting some extra communication out could be a good thing.

Tanja Finch, 3817 Swinton Circle says she apologizes as she wasn't aware of the procedure of the Planning committee. Her concern is the High School and the traffic, it is horrendous. She says a lot of people have been parking as the church because its so hard to get in and out. When you come out of the school to make a left, its very dangerous. She continues to say you have students trying to come in, then you have people behind going around, then you have people trying to make the left onto Detroit that can get hit. Ms.Finch says she doesn't know what type of traffic planning took place when they began construction on the new arts theater and they put in all the new parking spaces, it's a mess. Ms. Finch says

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she is scared as she has to make the left turn and she's scared for the young students driving. She says she doesn't know if you can put a temporary light, like they have on Mills Road by the roundabout maybe during school hours or have an officer out there directing traffic so people have a chance to get in and out. In some of the conversations on social media it seems like some of the same problem is occurring on the street the Middle School is on, trying to come out onto Detroit. Ms. Finch says something has to be done. Mayor Jensen says the trouble with that is we have all this staging and if we put light there, we dump it all back onto Detroit Rd and it has no where to go so you build up farther. He says he knows it's frustrating to her spending the extra time to get out, but it keeps those leaving the school in that area where people are still traveling Detroit Road. Mayor Jensen says if we put a light there it would put everyone on Detroit and it wasn't set up to do that. Unfortunately with the Schools, they get ahead of themselves and we have always talked about neighborhood schools, now we're building mega schools. Ms. Finch says right. Mayor Jensen says the idea now is we have to prepare better, the school is zoned governmental entity so they get to do some things on their own. We are working with Mr. Hodge to find another way to get another location to get out of the school to try to split, but it takes time and a lot of work. Mayor Jensen says where the performing arts building is, is probably not where we would have like to see it built but they have that option. We have to be careful with clearing areas to keep the flow of traffic. Mayor Jensen says it's a tough situation, we work on it everyday. Ms. Finch says to let her understand, Mayor Jensen is saying to enlist the help of a police man to direct traffic, that's the responsibility of the school to do that? Mayor Jensen says we try to work together. Ms. Finch says her concern is trying to prevent accidents. Mayor Jensen says we have been very fortunate.

ADJOURN

A motion was made by Mr. Malloy, seconded by Mayor Jensen to adjourn. The vote was: "AYES" All. The Chair declared the motion passed. The meeting was adjourned at 8:50P.M.