

**SPECIAL MEETING MINUTES
AVON PLANNING COMMISSION
NOVEMBER 6, 2024, 6:15 P.M.
CITY HALL COUNCIL CHAMBERS**

PUBLIC HEARINGS

Avon MOB Self Storage LLC, Rose Parkway/Avon Commerce Parkway, General Development Plan

Marc Strauss of Chamberlin-Avon Real Estate, LLC, on behalf of Avon MOB Self Storage LLC is requesting approval of the General Development Plan for the future construction of a 47,750 sq. ft. Medical Office Building, 60,000 sq. ft. Self-Storage Facility, and future development of a 4.7-acre roadway extension of Rose Parkway and a portion of Avon Commerce Parkway off Health Campus Boulevard, PPN: 04-00-028-101-114.

The Chair opened the public hearing at 6:18 p.m.

There were no comments from the audience.

The Chair closed the public hearing at 6:19 p.m.

ROLL CALL

The meeting was called to order by Chair Witherspoon at 6:19 p.m. in Council Chambers. Present: Bill Fitch, Bryan Jensen, Mayor, Jim Malloy, Scott Radcliffe, Carolyn Witherspoon, Chair. Staff: Ryan Cummins, City Engineer; Pam Fechter, Planning Coordinator, Jill Clements, Zoning Enforcement Officer John Gasior, Law Director; Duane Streator, Safety Director; Susan Pintz, Planning Commission and Zoning Secretary

1. Avon MOB Self Storage LLC, Rose Parkway/Avon Commerce Parkway, General Development Plan

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Denver Brooker, Architect, Vocon, 3142 Prospect Avenue E, Cleveland, Ohio 44115.

John Slagter, Attorney, Tucker Ellis, LLP, 950 Main Street, Suite 1100, Cleveland, Ohio 44113

Marc Strauss, Chamberlin-Avon Real Estate LLC, 5057 Shepherds Glen, Willoughby, Ohio 44094

Anthony J. Coyne, Attorney, Mansour Gavin, LPA representing City of Avon, 1001 Lakeside Ave E, Suite 1400, Cleveland, Ohio 44114.

Mr. Brooker stated he would like to make a presentation on the project. He refers to a 3-page drawing which was displayed on the screen. He begins by explaining the phases for requests.

1. Rose Parkway

- a. Reconstruction of Rose Parkway as necessary to comply with City of Avon right-of-way standards. Reference Avon punch list 01/27/2017, to be updated per current conditions.
- b. Dedication of existing Rose Parkway as a public right-of-way.
- c. Extension, construction, and dedication of Rose Parkway as a public right-of-way continuing north to the future Avon Commerce Parkway.

2. Avon Commerce Parkway

- a. Construction of Avon Commerce Parkway from the intersection of Rose Parkway to eastern edge of the Phase 1 medical office building development.
- b. Dedication of Avon Commerce Parkway as a public right-of-way from the intersection of Rose Parkway to the eastern edge of the 19.184 -acre parcel.

3. Medical Office Building.

- a. 53,000 +/- SF Medical Office Building to be constructed on approximately 12.995 acres. (Phase 1 parcel of approximately 4.396-acre after future lot split). (The agenda indicated 47,750 sq. ft but the General Development Plan that was submitted has +/- 53,000 sq. ft)

4. This General Development Plan requires amending the Master Throughfare Plan within the Master Plan of the City of Avon.

Mr. Brooker stated the application, and the exhibit has been prepared and submitted for the Master Throughfare Plan Amendment.

Mr. Brooker refers to page 2 of the drawing, the plan shows the existing portion of Rose Parkway (the southern half), the proposed extension to the north and the proposed construction of Avon Commerce Parkway to the eastern edge of the medical office building development. The drawing also shows the proposed right of way extending all the way to the eastern property edge. He stated in response to City Engineering comments, a future lot split for the medical office building site has been shown. The Lot Split is not being proposed in the initial phase because it is not known when or how the remainder of the property will be used. The Lot Split would occur when necessary. He said if the Lot Split were to occur where it is indicated the open space requirements for the smaller parcel will be met. Mr. Brooker stated the drawing concept indicates the parking requirements have been met for the proposed medical office building size. He said the drawing has been revised in response to the City Engineer comments and he believes the comments have been fully addressed.

Mr. Brooker continued to page 3 and indicated the drawing is an enlarged version of the development plan to make it easier to see what is being proposed in terms of the future line split line, the configuration of the medical office building, parking and accommodation for the stormwater retention pond that would serve the Phase 1 development.

Ms. Fechter stated she would defer to Mr. Cummins for engineering comments.

Mr. Cummins stated the revised submission was received on November 6, 2024; he apologized but he did not have enough time to type up a response. He would like to address some items related to this submission.

Mr. Cummins referred to page 2 of the drawing, the extension of the typical roadway at 60 feet wide, he noted the legend calls for that to be asphalt pavement, he believes it should be in compliance with the city's typical local roadway section in the standard drawing labeled G1 which would require it to be concrete pavement.

Mr. Cummins stated the next item (page 2 of drawing) would be to provide a call out for a proposed Standard Highway Easement along the northern side of the narrow western end of the subject parcel to avoid any type of devil's strip from being created. As noted in the Applicant's November 6th response, the exact legal method to address this concern will be determined during the preparation of the final dedication plat for the publicly dedicated roadway.

Mr. Cummins advised this was brought up and was addressed on the south side and he thinks it is something that needs to be addressed in what he calls the "handle" of the property, which is the narrow piece of the property that extends to the west. The proposed 60-foot right of way is narrower than the width of the property and it leaves a 10-foot gap on the north side. Whether that is dedicated at 60 feet and then another highway easement is created beyond that, or it is dedicated as a little bit wider roadway.

Mr. Cummins continues to the next item on the drawing (page 2) a 12' utility easement is to be shown and provided on both sides of Avon Commerce Parkway throughout the main body of the parcel. Showing the utility easement across the dedicated right-of-way is not needed at the western end of the medical office building. Mr. Cummins advised it is possible that on the south side it could be handled as part of the highway easement, and it could be a standard utility and standard highway easement. He said as for the easement rights for outside utilities, the city has received several requests from fiber companies and the like to make their way around town and the city wants to have those set up in advance if we could.

Mr. Cummins said the biggest comment he noted in his initial review and the resubmittal was he had requested the roadway be constructed all the way to the eastern property line, the resubmission still showed it in the middle. It is his recommendation that the roadway still be extended to the eastern end because the city is not sure how the east side will develop. Since it is a single sided roadway, for development potential, he thinks having it constructed all the way to the eastern property line, so that doesn't fall onto the city as some point in the future.

Mr. Cummins continues to the next item and refers to page 3 of the drawing. He would prefer to see an approximate distance of the medical office building parcel, the future property lines are shown, but he would like an approximate distance shown as a label. He believes there is a gas well in the middle, but the text is very small and light and difficult to read. He would prefer to have the text more legible. He indicates the reference to the recorded roadway and easement as requested. Mr. Cummins requested a copy of the document be emailed to him to complete the record.

Mr. Cummins noticed in the October 23rd memo, item number 6, it mentioned the General Development Plan having no expiration date as to timing. Mr. Cummins stated he did not see that on the title sheet but would like to have everything in one spot and maybe reword it a little bit, to say: "pursuant to Avon Codified Ordinance Section 1228.18, once the

construction of the to be dedicated public improvements has commenced, the General Development Plan will have no expiration as to the timing of the presentation of a Final Site Development Plan for the medical office building, and the balance of the developable site”. It puts all the criteria that are being considered in one spot and he believes it would be cleaner that way. He feels all the other previous comments were addressed and subject to the agreement on items stated this evening he would recommend any approval be contingent subject to revised drawings and final engineering approval.

Mr. Radcliffe wanted to clarify what the use of the proposed office building will be. He asked will there be semi-trucks entering the site for deliveries. Will this be individuals only entering the building for visits? Has it been determined what kind of traffic there will be? How many parking spaces will there be? Will there be a traffic signal at the site? Is there a plan for the traffic pattern to alleviate traffic from Nagel. Currently there is only one way in and out at Lear Industrial Parkway, Nagel Road and Health Campus Boulevard. He said it seems as though there will be a significant amount of traffic. Mr. Radcliffe said the area around this site has sidewalks in the back for the residents to walk. He wanted to make sure that sidewalks are installed on both sides of whatever road is constructed. He believes there are several issues yet to be addressed.

Mr. Cummins stated sidewalks were a comment in his initial review. A response was given that there will be 5-foot sidewalks on both sides of both roadways.

Mr. Radcliffe wanted to make sure that it was covered and the ability to tie it in for those residents to loop around when they walk. He asked what the timing for occupancy of the potential tenant is. He asked when the anticipated start date of the project is. He inquired why there is an urgency of approval with this project with so many undetermined issues outstanding.

Mr. Cummins indicated approval of the General Development Plan is the first step. The next step would be to amend the Master Thoroughfare Plan as the Applicant is requesting. Then a Public Improvement Plan would need to be presented, which includes engineering drawings, calculations for the building and the roadways that would be dedicated back to the city. The next step would be other submissions related to the medical office building then eventually whatever plan regarding the remaining land. He added for the engineering aspects, the city would ask the same of them as we do everyone else, we would ask the applicant to address any traffic concerns, provide storm sewer calculations and truck turn radius. All of that would happen in the engineering phase for the final roadway plans and then eventually the Final Development Plan for a proposed construction.

Mr. Radcliffe asked why is there an urgency to get this approved tonight.

Mr. Cummins said this is only a General Development Plan which gives the future extents of what the Applicant is planning to do.

Mr. Radcliffe thinks the medical office building concept is a great idea.

Ms. Fechter said the General Development Plan is just the concept of what they are proposing to do.

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

Mr. Brooker had a question about the construction of Avon Commerce Parkway all the way to the eastern edge? He understands the City Engineer has recommended that, however the Applicant would prefer to build to the eastern edge of the medical office building.

Mr. Gasior indicated the city would prefer the roadway to be constructed to the eastern property line and then when the Final Development Plans are submitted that item can be addressed at that time.

Marc Strauss indicated the purchaser of the property is in complete agreement. Mr. Strauss has authorization to speak on behalf of the applicant. He understands the concerns of being able to perform and do the things necessary to complete the project. The buyer has indicated they will provide a performance bond for the entire Avon Commerce Parkway. They may ask that the city permit it to be completed in phases with the development of the properties. He said the city will have assurances that there will be funds available to complete the roadway work in its completion by the purchaser of the property. Should the performance bond approach expiration and the roadwork is not completed the renewals will be made at that time. That is the applicant’s intent, and they understand the concerns of the city about funds being available and the ability to perform.

Mr. Gasior stated there should not be a problem with the General Development Plan showing the roadway extending to the end of the property line.

Mr. Strauss indicates that is correct. He says the Final Development Plan may include a temporary cul-de-sac and then with the performance bond that will secure the performance of the entire road.

Mayor Jensen stated this is the process the city has followed in the past. He said if the road extension is in the General Development Plan and when the Final Development Plan is presented the city can work with the applicant/purchaser at that time. The city wants to make sure there will be a performance bond and then there will be no issue.

Mr. Strauss indicated this has been discussed with the city and he has indicated this process to the Applicant.

Mr. Malloy moved, seconded by Mayor Jensen, to approve the General Development Plan for the future construction of a 53,785 sq. ft. Medical Office Building, and future development of a 4.7-acre roadway extension of Rose Parkway and a portion of Avon Commerce Parkway off Health Campus Boulevard, PPN: 04-00-028-101-114 contingent on revised drawings and final engineering approval. The vote was: “AYES” all. The Chair declared the motion passed.

COMMENTS

Mayor Jensen had no comment.
Mr. Malloy had no comment.
Mr. Radcliffe had no comment.
Mr. Fitch 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.
No audience comments.

ADJOURN

Mr. Malloy moved, seconded by Mayor Jensen to adjourn. The vote was: “AYES” all. The Chair declared the motion passed. The meeting was adjourned at 6:43 p.m.

Carolyn Witherspoon, Chair
Planning Commission

Susan Pintz, Planning Commission and
Zoning Secretary

Date