**MINUTES OF THE AVON LAKE**

**PLANNING COMMISSION MEETING**

**APRIL 5, 2022**

# CALL TO ORDER

Chairmen Plunkett called the Avon Lake Planning Commission Regular Meeting of April 5, 2022 to order at 7:00 p.m. in the Council Chambers of City Hall.

# ROLL CALL

Mrs. Ma, Mr. Orille, Mr. Plunkett, Mrs. Raymond, Mayor Zilka, Director of Law Ebert, Public Works Director Reitz.

Mr. Haas stated at the last meeting that he would be unavailable for the meeting tonight. Mr. Haas was excused.

Mrs. Fenderbosch sent an email today to the Planning Secretary and Mayor that she was sick today and would not be at the meeting. Mrs. Fenderbosch was excused.

# APPROVAL OF MINUTES

Mrs. Raymond moved to approve the minutes of the February 1, 2022 regular meeting as amended prior to the meeting. Mrs. Ma seconded the motion.

AYES: All NAYS: None

**GENERAL CORRESPONDENCE/ANNOUNCEMENTS**

None

# COUNCIL REPORT

Mayor Zilka reported on the cases that have been heard at City Council and reported on the approvals.

# SWEAR IN

Director of Law Ebert swore in applicants and members of the audience speaking to items on the agenda.

Jim O’Connor, Pulte Homes

Jim Sayler, Reitz Engineering

Doug Baldi, Baldi Design

Scott Brown, Giant Eagle

**NEW CASES:**

**CASE NO. 002-22**

**REQUEST OF GIANT EAGLE SUPERMARKET – 31990 WALKER RD., AVON LAKE FOR APPROVAL FROM PLANNING COMMISSION THE NEW SIGNAGE AT GIANT EAGLE. THE SIGNAGE WILL REPLACE THE EXISTING SIGNS. THE BUILDING IS IN THE LEARWOOD SQUARE SHOPPING CENTER ON WALKER RD. AND LEAR RD. WITHIN A B1 LIMITED BUSINESS ZONING DISTRICT.**

**GIANT EAGLE**

**31990 WALKER RD.**

**NEW SIGNAGE**

Mr. Reitz stated this case is for Site Plan approval for the installation of new signage for Giant Eagle Supermarket on the northeast corner of Walker Road and Lear Road. The proposed signage will replace the existing wall signs on the western facing wall and southern facing wall of the building. The existing pole sign is a reface and does not need to come before PC for approval. The new code requires these wall signs to be reviewed for approval before permits can be written.

Mr. Scott Brown, 620 Saratoga was present to represent this case and was sworn in.

Mr. Brown stated that the signs are a new graphic for Giant Eagle. The signs are actually smaller in size and a just a different font.

Mrs. Ma stated that there are other signs on the building other than the ones shown in our package. Will you be replacing all the signs or just the ones shown?

Mr. Brown stated that only the signs in the package, the ones showing the Giant Eagle name only.

Mayor Zilka moved to approve the request of Giant Eagle Supermarket for the Site Plan for the new signage at the Giant Eagle Supermarket at 31990 Walker Road. Mrs. Ma seconded the motion.

**AYES: All NAYS: None**

Mr. Plunkett stated that this case has passed.

**CASE NO. 004-22**

**REQUEST OF PULTE HOMES OF OHIO, 387 MEDINA ROAD, MEDINA 44256 FOR RECOMMENDATION OF APPROVAL TO CITY COUNCIL THE REVISIONS TO THE FINAL PLAT FOR PHASE NO. 1. THIS SUBDIVISION IS LOCATED ON THE SOUTH SIDE OF WALKER ROAD BETWEEN SORRENTO LANE AND AMBLESIDE DRIVE IN A R1A SINGLE FAMILY RESIDENTIAL PUD ZONING DISTRICT.**

**PORT WEST**

**SUBDIVISION PHASE NO. 1**

**REVISED PLAT**

Mr. Reitz stated this case is for recommendation of approval of a revision to the Plat for Phase 1 of Port West Subdivision by Pulte Homes. The requested revisions are to the side yard setbacks for several sub lots in the subdivision by decreasing the setbacks on several sub lots but also increasing the respective setbacks on the adjacent lots to retain the same minimum setbacks between homes.

The attached comments from the Police Department will be handled by the Public Works Department. We are seeking a firm to do a signal warrant analysis for this intersection.

Based on the recommendation from Planning Commission this Plat will need to be sent to City Council for final approval.

Mr. Jim O’Connor, Pulte Homes, Mr. Jim Sayler, Reitz Engineering and Mr. Doug Baldi, Baldi Design were present to represent this case and were sworn in at the beginning of the meeting.

Mr. O’Connor stated that there was a slight variation of the homes and the sizes of the homes. Three of the homes needed a change to the setback, these were minor changes in the field, but needed to be reflected on the plat.

Mr. Orille asked Mr. Reitz about the comments of the Police Department and the traffic study.

Mr. Reitz stated that this is a plat, the comments of the traffic should have been done at the Improvement plan. The Engineering Department will do a before and after traffic count to get a better idea of what will be needed for the traffic on Walker Road and Midship.

Mrs. Raymond moved to approve the request of Pulte Homes for revisions to the Final Plat of Port West Subdivision, Phase No. 1. Mayor Zilka seconded the motion.

AYES: All NAYS: None

Mr. Plunkett stated the case has passed and will now move on to City Council for readings and approval.

**CASE NO. 005-22**

**REQUEST OF PULTE HOMES OF OHIO, 387 MEDINA ROAD, MEDINA 44256 FOR RECOMMENDATION OF APPROVAL TO CITY COUNCIL THE FINAL PLAT FOR PHASE NO.2. THIS SUBDIVISION IS LOCATED ON THE SOUTH SIDE OF WALKER ROAD BETWEEN SORRENTO LANE AND AMBLESIDE DRIVE IN A R1A SINGLE FAMILY RESIDENTIAL PUD ZONING DISTRICT.**

**PORT WEST**

**SUBDIVISION PHASE NO. 2**

**FINAL PLAT**

Mr. Reitz stated this is a request for approval of the final plat to dedicate the right-of-way and parcels for the second phase of the development. All improvements have been completed and accepted with a few punch list items needing to be completed. This plat will dedicate the public right-of-way and necessary easements for this phase which creates sub lots 21 through 46.

Based on the recommendation from Planning Commission this Plat will need to be sent to City Council for final approval.

Mr. Jim O’Connor, Pulte Homes, Mr. Jim Sayler, Reitz Engineering and Mr. Doug Baldi, Baldi Design were present to represent this case and were sworn in at the beginning of the meeting.

Mr. O’Conner stated that all lots are the same as the General Development Plan and no changes have been made. All improvements are complete and accepted.

Mr. Orille asked if the punch list items have been taken care of.

Mr. Reitz stated that the joint sealing is the only item left and that is weather permitting. This will get done prior to Council approval.

Mrs. Raymond moved to recommend approval to City Council the request of Pulte Homes for recommendation of approval to City Council the Final Plat for the Subdivision Plat for Phase 2 of Port West. Mayor Zilka seconded the motion.

AYES: All NAYS: None

Mr. Plunkett stated that this case has passed and will now move on to city council for approval.

**CASE NO. 006-22**

**REQUEST OF PULTE HOMES OF OHIO, 387 MEDINA ROAD, MEDINA 44256 FOR RECOMMENDATION OF APPROVAL TO CITY COUNCIL THE FINAL PLAT FOR PHASE NO.3. THIS SUBDIVISION IS LOCATED ON THE SOUTH SIDE OF WALKER ROAD BETWEEN SORRENTO LANE AND AMBLESIDE DRIVE IN A R1A SINGLE FAMILY RESIDENTIAL PUD ZONING DISTRICT.**

**PORT WEST**

**SUBDIVISION PHASE NO. 3**

**FINAL PLAT**

Mr. Reitz stated this is a request for approval of the final plat to dedicate the right-of-way and parcels for the second phase of the development. All improvements have been completed and accepted with a few punch list items needing to be completed. This plat will dedicate the public right-of-way and necessary easements for this phase which creates sub lots 47 through 86.

Based on the recommendation from Planning Commission this Plat will need to be sent to City Council for final approval.

Mr. Jim O’Connor, Pulte Homes, Mr. Jim Sayler, Reitz Engineering and Mr. Doug Baldi, Baldi Design were present to represent this case and were sworn in at the beginning of the meeting.

Mr. O’Conner stated that all lots are the same as the General Development Plan and no changes have been made. All improvements are complete and accepted.

Mr. Reitz stated that the last piece of sidewalk is missing on Walker Road. Can this be put in with phase 1, 2 or 3.

Mr. O’Conner stated that he would make sure that was taken care of.

There were no further comments or questions from the commission.

Mr. Orille moved to recommend approval to City Council the request of Pulte Homes for recommendation of approval to City Council the Final Plat for the Subdivision Plat for Phase 3 of Port West. Mayor Zilka seconded the motion.

AYES: All NAYS: None

Mr. Plunkett stated that this case has passed and will now move on to city council for approval.

**CASE NO. 007-22**

**REQUEST OF KOPF CONSTRUCTION CORP, 420 AVON BELDEN ROAD, AVON LAKE FOR RECOMMENDATION OF APPROVAL TO CITY COUNCIL THE IMPROVEMENT PLANS FOR PHASE NO. 1 THE PORT SIDE SUBDIVISION. THE PROJECT IS LOCATED ON THE SOUTH SIDE OF WALKER ROAD BETWEEN LEAR ROAD AND SOUTH PORT DRIVE IN AN R-1A SINGLE FAMILY RESIDENTIAL PUD ZONING DISTRICT.**

**PORT SIDE SUBDIVISION**

**PHASE NO. 1**

**IMPROVEMENT PLANS**

Mr. Reitz stated this is the first phase of the subdivision off of Walker Road. The plans have been reviewed by department heads and comments are in the packets but two items of note need to be brought to the attention of Planning Commission for discussion. The Police department has made comments about the need for a center left turn lane on Walker Road. The HOA representative at Liberty Rose is asking for additional improvements to be installed at the painted island at the new intersection on Liberty Rose. The HOA is asking for deflectors to be installed around the painted island to force vehicles to comply. The Safety Forces oppose anything that will prohibit their movement through the intersection and the fiberglass deflectors, like we use at our bike paths, could strike the side of an emergency vehicle. The last issue relates to fully enclosing the Gable Creek in the right-of-way on Walker Road.

Base on the recommendation from Planning Commission the Improvement/Site Plan will need to be sent to City Council for final approval.

Mr. Jim Sayler, Reitz Engineering and Mr. Doug Baldi, Baldi Design were present to answer any questions or comments.

Mr. Reitz stated that the comments of the Police and Fire Department were discussed in a meeting and these comment on the island can be taken care with painting instead of a raised curb. The ditch enclosure will need to go before Public Service and Finance to approve the plan that is in the packet tonight.

The full island delineators the Police, Fire and Service have objected to and feel they will work with just paint. The raised curb as suggested by Mr. Baker will be difficult for Fire Truck, Service and Garbage.

Mr. Sayler stated that the lots and lay out are the same as was approved in the General Development Plan. This area will connect to the South Port stub and we expect this area to be complete by the spring. The Police concerns of the turn lane at Walker Road can be accommodated with the addition of wings at the entrance that have been added when the City is ready in the future. We feel the painted island will work and the traffic will have more access than a half triangle. We have discussed the ditch enclosure as we had when we enclosed the ditch as South Port, but this is a much larger pipe and will cost approximately ½ million dollars. We have gone before the Building and Utilities committee for the credits and easements.

Mr. Rob Baker, 32006 Liberty Rose, representing the Liberty Rose HOA. The plan originally agreed upon was the full island, this plan is not the full island. The painted island portion will not deter traffic as was intended in the General Development Plan.

Mr. Orille and Mayor Zilka stated that this was a discussion about the raised pork chop delineation, but concerns of the Police and Fire brought this pork chop/triangle back as a painted only pork chop/triangle from the City. The City feels this will work and will be accommodating for all.

Mayor Zilka stated that the City’s position on the ditch is that it be enclosed completely and not leave areas open. The City’s cost for the portion of ditch not on Mr. Kopf’s property would be approximately $243,000. The contribution as been asked for, but has not been approved. The City feels that the cost should be incurred by the developer.

Mrs. Ma asked if the retention ponds would be left open and if there would be aeriation?

Mr. Baldi stated that the larger ponds will have aeriation and will have weekly maintenance by the HOA with algae and week control.

Mrs. Ma understands the costs of the ditch enclosure and the inflation that has happened but felt that the ditch needs to be completely enclosed.

Mrs. Raymond asked about the sidewalks, it looks like the sidewalk stops and then picks back up at the ditch.

Mr. Baldi stated that yes, the existing houses that are not owner by the developer do have small areas where are there are no sidewalks. We cannot develop property that is not ours. That is why we are looking for the work to be performed on our property and a few areas that are not on our property, but on City ROW and look to have a credit from the City that can be used to inspection services, and permit fees.

Mayor Zilka asked if the inspections will be covered by inspections.

Mr. Baldi stated that, yes the credit would be covered by the credit.

Mr. Plunkett asked if the City had any plans for a turn lane or extending the turn lane on Walker Rd.

Mr. Reitz stated that the City will look at the turn lane on Walker Road when the area is built out and determine what is needed. The turn lane can be taken care of by the wings that Mr. Sayler has added if needed at that time.

Mr. Plunkett asked if there is room for sidewalks with the addition of the basins at the area of the ROW.

Mr. Sayler stated that yes, sidewalks can be put against the basins.

Mr. Baldi stated that there will be a split rail fence that will be separate from the sidewalks. This will fix any safety issued and enhance the maintenance of the area.

Mr. Plunkett asked about the signage at the triangle, can a right turn only sign be added to take care of some of the issues brought up by Mr. Baker and the traffic at Liberty Rose.

Mr. Sayler stated that yes there could be, but that would be determined by the city. If they want us to add the signage then it could be done.

Mayor Zilka had concerns about a contingent plan approval based on the concerns of the ditch enclosure. We have contingent plans that have never been taken care of.

Mr. Sayler stated that Planning Commission does not handle monetary issues for the City. This issue about the credit and or cost of the developer must come from the Finance Committee and Building and Utilities Committee. This would be an issue that City Council must handle. Mr. Kopf is willing to pay his fair share of the ditch enclosure, but feels that the City should have to pay for the areas not on his property. He is willing to do the work, but feels that there should be a credit in some fashion for him doing this. There has to be some kind of incentive for him to move forward with a project of this size. We can just start on the back phases that connect and go out to Lear Road and not do these phases up on Walker Road if needed. Mr. Kopf is ok with paying his contribution and feels that he and the City have room for negotiation.

Mr. Plunkett moved to approve the request of Kopf Construction for recommendation of approval to City Council the Improvement Plans for Phase No. 1 of the Port Side Subdivision contingent upon the Building and Utilities and Finance committees meeting and approving an agreement on the Ditch Enclosure on Walker Road prior to going before City Council. Mayor Zilka seconded the motion.

AYES: All NAYS: None

Mr. Plunkett stated that this case has passed and will now move on to the Building and Utilities, Finance and City Council for approval.

**INFORMATIONAL ITEM**

Mr. Haas has stated prior that he would be unavailable for the May meeting.

**DISCUSSION ITEM**

**GENERAL PUBLIC COMMENT**

# None

# ADJOURNMENT

Mrs. Raymond moved to adjourn at 8:20 p.m. the April 5, 2022 Planning Commission meeting. Mrs. Ma seconded the motion.

**AYES: All NAYS: None**



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Mr. Plunkett, Chairperson Coleen M. Spring, Recording Secretary