**MINUTES OF THE AVON LAKE**

**PLANNING COMMISSION MEETING**

**JUNE 7, 2022**

# CALL TO ORDER

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

# ROLL CALL

Mrs. Fenderbosch, Mr. Orille, Mr. Plunkett, Mrs. Raymond, Mayor Zilka, Director of Law Ebert, Economic Development Director Esborn.

Mr. Haas and Mrs. Ma stated at the last meeting that they would be unavailable for the meeting tonight. Mr. Haas and Mrs. Ma were excused.

# APPROVAL OF MINUTES

Mrs. Raymond moved to approve the minutes of the April 5, 2022 regular meeting and May 3, 2022 Regular meeting. Mayor Zilka seconded the motion.

AYES: All NAYS: None

**GENERAL CORRESPONDENCE/ANNOUNCEMENTS**

Letter of Mr. Bill Reader, Legacy Isle was read into the record.

# COUNCIL REPORT

Mrs. Fenderbosch 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

Keith Filipkowski, Pulte Homes

Craig Sanders, Hinkley Lighting, 33000 Pin Oak Parkway

Rob Baker, Liberty Roade

K.C. Zuber, City Council

Sherly Bott, The Adventure Factory, 2800 W. River Rd., Elryia

Shelley Stewart, The Adventure Factory, 824 Washington, Elyria

Dick Mayer, Westwind South HOA, 141 Brunswick Drive

**NEW CASES (Public Hearing):**

**CASE NO. 008-22**

**REQUEST OF SHERYL BOTT AND SHELLEY STEWART, 32925 PIN OAK PARKWAY FOR A RECOMMENDATION OF APPROVAL TO CITY COUNCIL FOR THE CONDITIONAL USE SITE PLAN TO USE THE EXISTING COMMERCIAL BUILDING AT 32925 FOR A RECREATIONAL INDOOR FACILITY. THIS ADDITION IS WITHIN THE BUILDING AT 32925 PIN OAK PARKWAY BETWEEN AVON BELDEN ROAD AND MOORE ROAD WITHIN A L-1 LIGHT INDUSTRIAL ZONING DISTRICT.**

**THE ADVENTURE FACTORY**

**32925 PIN OAK PARKWAY**

**CONDITIONAL USE SITE PLAN**

Mr. Esborn stated this case if for conditional use site plan approval to the existing commercial building at 32925 pin oak parkway. The proposed business, a recreational indoor facility use, is proposed to lease the now vacant space adjacent to Miss Kristin’s Dance Studio, within a L-1 Light Industrial Zoning District. The adventure Factory is proposed as a place for kids to play, including assortments of games, playground requirement and spaces for birthday party rentals. Parking requirements have been met. There are no outstanding items to be addressed. Based on the recommendation from Planning Commission the conditional use/site plan will need to be sent to City Council for final approval.

Ms. Sheryl Bott and Ms. Shelley Stewart were present to represent this case and answer any questions the commission may have. Both have been sworn in.

Mr. Plunkett opened the Public Hearing portion of the meeting. There were no comments from the audience. Mr. Plunkett closed the Public Hearing.

Ms. Stewart stated that if approved tonight, materials would be ordered. We look forward to opening and having a space in the City for indoor use.

Mrs. Fenderbosch asked if the facility would be opened year-round.

Ms. Stewart stated that it is open year-round. We will have the play place and a separate room for parties.

Mayor Zilka stated that he liked your presentation at the Development Review Committee. I also like the new name change. It looks like all requirements have been met.

Mrs. Raymond moved to recommend approval to City Council the Conditional Use Site Plan for the Adventure Factory at 32925 Pin Oak Parkway. Mrs. Fenderbosch seconded the motion.

**AYES: All NAYS: None**

Mr. Plunkett stated that this case has passed and will move forward to City Council for approval.

**CASE NO. 009-22**

**REQUEST OF WESTWINDS SOUTH RECREATION ASSOCIATION FOR AN APPROVAL OF A SITE PLAN TO PLACE A PREFAB GAZEBO ON AN EXISTING CONCRETE SLAB IN THE SOUTH POOL AREA AT 449 LONG POINTE DRIVE. THIS SITE IS ON LONG POINTE DRIVE BETWEEN WALKER ROAD AND TRADEWINDS DRIVE IN A R-1A RESIDENTIAL ZONING DISTRICT.**

**WESTWINDS SOUTH**

**RECREATION ASSOC.**

**449 LONG POINTE**

**REVISION TO ORIGINAL SITE PLAN**

Mr. Esborn stated this case is for approval of a site plan modification to place a prefabricated gazebo on existing concrete slab in the Westwind’s South Pool area at 449 Long Pointe Drive. Any modification to previously approved amenity and open space areas requires Planning Commission approval. The site is located at the southeast corner of Long Pointe Drive and Bounty Way, north of Walker Road, in a R-1A Single-Family Residential Zoning District. There are no outstanding comments to be addressed. Based on the recommendation from Planning Commission this plan can go directly to the Building Department for permits.

Mr. Dick Mayer, Westwind’s HOA was present to represent this case and answer any questions the commission may have. Mr. Mayer was sworn in.

Mr. Plunkett stated that the prefab gazebo will need to meet all building code and have proper inspections.

Mr. Mayer stated that he would make sure all permits and inspections were done.

There were no further comments.

Mayor Zilka moved to approve the request of the Westwind’s South Recreation Association of a Site Plan to place a prefab gazebo on an existing concrete slab in the pool area at 449 Long Pointe Drive. Mrs. Raymond seconded the motion.

**AYES: All NAYS: None**

Mr. Plunkett stated the case has passed.

**CASE NO. 010-22**

**REQUEST OF HINKLEY LIGHTING, 33000 PIN OAK PARKWAY – STORAGE BUILDING ADDITION FOR AN APPROVAL FROM PLANNING COMMISSION FOR A 3000 SF ADDITION TO THE NOREAST CORNER OF THE EXISTING BUILDING AT THE SITE TO USE AS A STORAGE FACILITY. THIS SITE IS ON PIN PAK PARKWAY BETWEEN WALKER ROAD AND MOORE ROAD WITHIN A I-2 INDUSTRIAL ZONING DISTRICT.**

**HINKLEY LIGHTING**

**33000 PIN OAK PARKWAY**

**STORAGE BUILDING ADDITION SITE PLAN**

Mr. Esborn stated this is a request for approval of a site plan to construct a 3000-sf storage building addition. The addition is located on the northwest corner of the existing building and will be used as a storage facility. The site is located on the northside of Pin Oak Parkway between Walker Road and Moore Road, in a General Industrial Zoning District. There are no outstanding comments to be addressed. Based on the recommendation from Planning Commission this plan can go directly to the Building and Zoning Departments for permits.

Mr. Craig Sanders, Hinkley Lighting was here to represent this case and answer any questions the commission may have. Mr. Sanders was sworn in.

Mr. Sanders stated that this addition will be to the NE side of the building, using the same materials as the existing building.

Mrs. Fenderbosch asked if any vehicles or fuel would be stored in the addition.

Mr. Sanders stated that yes there would. This would be for personal storage and would have fuel for lawn mowers and small engine. We follow Ohio Building Code on all storage of equipment and fuel.

Mr. Plunkett asked if the stormwater was considered when the original building was done.

Mr. Sanders stated that the whole building including the addition stormwater management was done.

Mrs. Raymond moved to approve the request of Hinkley Lighting, 33000 Pin Oak Parkway for a 3000-sf addition to the existing building at the site for a storage facility. Mrs. Fenderbosch seconded the motion.

**AYES: All NAYS: None**

Mr. Plunkett stated that this case has passed.

**CASE NO. 011-22**

**REQUEST OF KOPF CONSTRUCTION, 420 AVON BELDEN RD. AVON LAKE OR RECOMMENDATION OF APPROVAL TO CITY COUNCIL THE FINAL PLAT FOR THE HARBOUR SUBDIVISION NO. 2. THIS SUBDIVSION IS LOCATED ON THE SOUTH SIDE OF WALKER ROAD BETWEEN THE BAY VILLAGE LINE AND SOUTH PORT DRIVE IN A R-1A SINGLE FAMILY PUD RESIDENTIAL ZONING DISTRICT.**

**KOPF CONSTRUCTION**

**THE HARBOUR SUBDIVISION NO. 2**

**FINAL PLAT**

Mr. Esborn stated this is a recommendation to City Council the final plat to dedicate the right-of-way and parcels for the second phase of The Harbour Subdivision. The property is located on the southside of Walker Road, adjacent to the Bay Village property line. This plat includes 18 sublots, numbered 30 through 47. The property is located in a R-1A Single-Family Residential/PUD Zoning District. All improvements have been completed and accepted with no outstanding items to be addressed. This plat will dedicate the 60’ wide public right-of-way for the roads Pier East, East Bank, and the other necessary easements for this phase. East Bank will be the connection to future phases in the Harbour Subdivision. Based on the recommendation from Planning Commission this Plat will need to be sent to City Council for final approval.

Mr. Jim Sayler, Reitz Engineering was present to represent this case and Mr. Sayler was sworn in at the beginning of the meeting.

Mr. Sayler stated that all lots are the same as the General Development Plan, the phasing changed slightly, but no major changed from the plan. All improvements are complete and accepted.

Mrs. Fenderbosch asked if Mr. Kopf will be building this phase of the subdivision.

Mr. Sayler stated that Kopf Builders will be building these homes.

There were no further comments from the commission.

Mr. Orille moved to recommend approval to City Council the request of Kopf Construction for recommendation of approval to City Council the Final Plat for the Subdivision Plat for Phase 2 of The Harbor. Mrs. Raymond 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. 012-22**

**REQUEST OF KOPF CONSTRUCTION CORP, 420 AVON BELDEN ROAD, AVON LAKE FOR RECOMMENDATION OF APPROVAL TO CITY COUNCIL THE IMPROVEMENT PLANS FOR PHASE NO. 2 THE LEGACY ISLE SUBDIVISION. THE PROJECT IS LOCATED WITHIN THE LEGACY ISLE SUBDIVISION SOUTH OF LEGACY POINTE PARKWAY AND WEST OF JAYCOX ROAD WITHIN A R-1A SINGLE FAMILY RESIDENTIAL /PUD ZONING DISTRICT.**

**KOPF CONSTRUCTION**

**/PULTE HOMES**

**LEGACY ISLE SUBDIVISION NO. 2**

**IMPROVEMENT PLANS**

Mr. Esborn stated this request for improvement plan approval for the second phase of the Legacy Isle subdivision. This phase is located south of Legacy Pointe Parkway and west of Jaycox Road, within a R-1A Single-Family Residential PUD Zoning District. This phase includes 18 townhomes, units 16 through 33, this also includes 13 single-family cluster homes, units 16 through 28. Any approval of this application shall be contingent on the Planning Department Office receiving updated plans from the Project Engineers addressing the outstanding comments from Avon Lake Regional Water. No Construction will be allowed on Phase No. 2 until the construction of retention basins are 100% completed in Phase No. 1. Based on the recommendation from Planning Commission the Improvement Plan will need to be sent to City Council for final approval.

Mr. Jim Sayler, Reitz Engineering, Mr. Jim O’Conner, Pulte Homes and Keith Filipkowski, Pulte Homes were present to answer any questions or comments. Mr. Sayler and Mr. O’Conner and Mr. Filipkowski were sworn in at the beginning of the meeting.

Mr. O’Conner stated that the plans reflects the same presentation from the General Development Plan except that from the original plan there are 4 less cluster homes and approved and 3 less townhomes from what was approved. A presentation was given and showed the lay out.

Mr. Orille asked about the home prices of these homes.

Mr. O’Conner stated that there are three different home styles in this phase. The townhomes will start at $390,000, the Cluster Homes will start at $490,000 and the Single-Family style homes will start at $625,00. This phase will have 13 cluster homes and 18 Townhomes.

Mrs. Fenderbosch asked about the conditions on the retention basins.

Mr. O’Conner stated that Phase No. 1 retention basins weather permitting will be complete by the end of this week. We are keeping in contact with and trying to keep a friendly basis with the residents. We are monitoring the hall route and construction traffic to minimalize any damage. We are aware of some landscaping issues that we have taken care of, but a truck drove over again so we will take care of the issue again and possibly replace a bush. We keep monthly reports of damage and we carry a bond to cover any damage, we will maintain and restore and damage. At this time, as promised there is no construction through Herron Bay. We plan to replicate the landscape and theme that Kopf already has designed. A gate is planned at the end of Herron Bay. The pool area will be built in phase no. 2 and will mimic the styles of recreation and home styles.

Mrs. Fenderbosch asked about the reduction of the homes. Was the reduction from the original plan or by you in this plan? Mr. Kopf had already reduced the plans by three units.

Mr. Sayler stated that the reduction of units is both Kopf and Pulte. The original 3 units by Kopf Construction a one additional unit is being reduced by Pulte now.

Mrs. Fenderbosch asked about the retention basins and stated that this will be a conditional approval until the basins can be 100% completed.

Mr. O’Conner stated that the north basin will be complete by the end of this week and the south basin will be complete by July. We know that the approval will be conditional, but think this will be completed by the time this is approved by City Council.

Mrs. Fenderbosch stated that in the past there have been issues with stormwater. Will there be a yard basin in each yard?

Mr. Sayler stated that each home or unit will have a catch basin in the yard. The condos will not have basements, so we will not have to worry about those flooding. The units will have a double sump.

Mr. Plunkett asked if there would be two pump crocks or one crock with two in the same pit.

Mr. Sayler stated that it would be one pit with two outlets.

Mrs. Fenderbosch reminder Mr. O’Conner of the water issues that the City had with Pulte and Park Place. I want some type of assurance that this will not happen again and especially at this site.

Mr. O’Conner stated that the water issue at Park Place was a one-time issue and was taken care of immediately. That will not happen again and not at this site.

Mayor Zilka asked about the pip on page 10, It is talked about a HDPE pipe, can you tell me where that pipe drains to.

Mr. Sayler stated that the HDPE pip is behind the cluster units and drains out behind the club house to the waterway in that area.

Mrs. Raymond asked about the status of Phase No. 1. Will the access to Phase No. 2 go through phase no. 1? Also, would like to say the presentation maps and drawings are appreciated. It really helps with seeing how things will look and flow in this area.

Mr. Sayler stated that the access for phase no. 2 will be through phase no. 1. Streets should be in within the next few weeks.

Mr. Plunkett asked about the timing of the basin construction. Will phase 1 basin be installed before starting with phase no. 2.

Mr. Sayler stated that the comments of the water line from the Utilities Department have been agreed to, but there was not enough time prior to this meeting to update the plans. Utilities has agreed to accept our comments for now until we can get the plans updated and to their department.

Mr. Plunkett asked about the stormwater, sheet 12. Units 23, 22 and 21 how will that retention work and will they have stormwater issues.

Mr. O’Conner stated that those units do not have basements. The stormwater will meet the 100- year storm. The stormwater plans have been reviewed and will work. The basin behind those homes is not a retention basin. It will only rise to approximately 2-2 ½ feet in a 100-year storm event.

Mrs. Fenderbosch asked if the gate at the end of Herron Bay would be for emergency access only.

Mr. O’Conner stated that yes, the gate will be for emergency access only. The water for irrigation will go through this area.

Mrs. Fenderbosch asked if there would be yard drains on all the lots in this phase.

Mr. Sayler stated that yes, every yard will have at least one-yard drain.

Mrs. Raymond asked if there is access to turn around in the safety gate area.

Mr. Sayler stated that there will be signage and an area for traffic to turn around.

Mayor Zilka moved to recommend approval to City Council the Improvement Plans for Phase No. 2 of the Legacy Isle Subdivision contingent upon the 100% completion of the retention basins of Phase No. 1 and the comment addressed and new plans submitted to the Planning Office to take care of the Utilities Department comments outstanding. Mrs. Raymond seconded the motion.

**AYES: All NAYS: None**

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

**INFORMATIONAL ITEM**

Mrs. Fenderbosch stated that at the Ad Hoc committee there has been discussion of software changes and department changes. Ted has been working with the Development Review Committee to make the changes go smoothly.

Mayor Zilka stated that the first four cases on this agenda tonight went very smoothly and quickly. I believe this is mostly because of the Development Review Committee. This process has really gone very well and helps the applicant move through the Planning and Zoning process easily.

**DISCUSSION ITEM**

Mr. Plunkett stated that a Planning Commission case will be on the June 22nd Zoning Board of Appeals. The Goodard School is appealing the decision for Planning to re-hear that case. I will be attending the Zoning Board meeting.

Mr. Plunkett asked if all were able to be present for the Wednesday, July 6th meeting.

All said they would be able and present.

**GENERAL PUBLIC COMMENT**

Mr. Rob Baker, 32006 Liberty Rose Dr. Mr. Baker was sworn in. Mr. Baker stated that his comments were about the Port Side Subdivision No. 1 that were approved last month. The plans are not per City standard. The correct plan for the turn lanes is not to DOT standards. The plans for the turn lanes that were discussed at prior meetings are not the plans that Engineer, Ms. Fulton received are not to DOT standards. The correct plans should be the proper plans prior to going before City Council for approval.

# ADJOURNMENT

Mrs. Raymond moved to adjourn at 8:30 p.m. the June 7, 2022 Planning Commission meeting. Mr. Plunkett seconded the motion.

**AYES: All NAYS: None**



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