**MINUTES OF A WORK SESSION**

**OF THE AVON LAKE**

**PLANNING COMMISSION**

**AUGUST 2, 2022**

# CALL TO ORDER

Chairmen Plunkett called the Avon Lake Planning Commission Work Session of August 2, 2022 to order at 7:08 p.m. in the Council Chambers of City Hall.

# ROLL CALL

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

Mrs. Fenderbosch was absent.

**MEETING BUSINESS**

Mr. Plunkett thanked everyone for coming. The idea of the Work Session is an informal exchange of ideas by Planning Commission. Nothing will be formally decided or voted upon today. Neither the applicant nor Planning Commission can be bound by any aspect of a concept plan review. The public will be able to speak or ask questions at the end of the discussion.

**CASE NO. WS 03-22**

**KOPF PROPERTIES – TOWNE CENTER MIXED USE OVERLAY – REZONE CONCEPT PLAN**

This is a request from Kopf Properties, 420 Avon Belden Road, for a review and discussion of the properties for use of the Towne Center Mixed Use Overlay for Apartments over several properties zoned R-2 Multi-Family property on Walker Road just west of St. Route 83.

Based on the discussion of Planning Commission, this case will be reviewed and will come back to Planning Commission as a regular case and vote, then will be sent to City Council.

Mr. Kopf, Kopf Properties, Mr. Jason Kopf, Kopf Properties, Mr. Jim Sayler, Reitz Engineering and Doug Baldi, Baldi Design were present to represent this work session discussion and available to answer any questions the commission may have.

Mr. Kopf stated that since the Top’s Store closed, all the other stores and uses in the shopping center have failed. I would like a nice place at the corner of the intersection. Mr. Kopf complimented Jim Sayler and Doug Baldi and all their hard work on designing and making the areas in town a nice place to live.

Mr. Kopf stated that he has a plan for the area, to include this area that we are asking for a rezone. We would like a nice shopping center to support the tenants that he has and make the area a destination with housing, shopping and business. I tore down a run down a dilapidated area and built Aqua Marine and made it a beautiful place to live. I would like to make this area a nice place to live as well, along with future plans for the shopping center.

Mr. Sayler stated that the thought is to ask for a rezone of the area and variance for the number of units from the Zoning Board. With the Mixed-Use Overlay (MUO) the restriction of the residential being limited to 40%, we feel the rezone would be our best option.

Mr. Kopf stated that we need to fill the shopping center and bring on anchor store/business. We would like to have the apartments on the plans to bring the people to the shopping and business area and support our tenants. We are moving into a more urban environment now with different types of styles of homes, not just single family. We are trying to make a transition to a more transit friendly area.

Mr. Sayler stated that the units would be 6 buildings, with 20 units and will be three stories over an R-3 density area. We feel that we have a better chance for a zoning variance for the number of units based on the whole thought of the area. We have with this plan for now a 100% coverage with residential, not the 40% with the MUO.

Mr. Kopf stated that he has been working on a plan for the area for the entire time that the Tops store has been gone. We feel that we are close with a new plan, but not quite there yet, we have no signed contracts as of yet, we are close, but not yet. We cannot add or acquire more property, this is all we have. We also have to worry about financing. Financing is hard to get right now. The plan that we have in front of you tonight reflects what we think will be the best for the area. At this time, the MUO would work if we have the whole Towne Center design ready to go and could get financing for it all at once, but we don’t.

We think that the R-3 zoning with a variance for the number of units would be the best option for now. I do not think that we could meet all the requirements with the MUO because of only having concept plans for the area as of now.

Mr. Baldi state that the new apartment will be based on the Aqua Marine apartment buildings with a more urban feel, sleeker more contemporary. There will be a1 bedroom units with approximately 860 sq. ft., and two-bedroom units for 1040-1240 sq. ft. The units will be more contemporary with an upper scale design. We will be using the same brick as Towne Center to tie everything together. These will be elevator buildings with enclosed garages and a storage area for every unit. We are gearing toward your professional singles and younger couples that are not interested in having the yards with maintenance, stores and businesses near by within walking distance. The rents of the units will range from 1400 for a single and 1750-2200 for the two-bedroom units.

Mayor Zilka asked when the lease was up at the Top’s location.

Mr. Kopf stated that the lease is up in April of 2023.

Mayor Zilka stated that he thought the MUO for the whole Towne Center property makes more sense to him. The R-3 will be more cut up. If you look at the shopping center as a whole over the next 10 years, the MUO makes more sense. The 40% residential could be looked at as a whole, not just the properties that the apartments are sitting on. I think this plan will be very successful for the future and that it is good to have the businesses thrive and be taken care of, this meets the everyday needs for all. I have questions as to the connectivity to the Sprenger Senior Care and the homes there and also the connectivity to the shopping center.

Mr. Baldi stated that the dream is to have a corridor through the Sprenger Senior and through to the Parkers location with paths, but, all of this property is not owned by Mr. Kopf and we do not control the property. What paths Sprenger has now from the senior area to the shopping center are not being used. There are possibilities in the new areas for paths to the senior areas with sidewalks and a path through the apartments to the shopping center.

Mr. Kopf stated this will all depend on what types of people we get in the units. We will want them to be able to get to the shopping center. If we find it is needed the paths will be added. Right now, there are sidewalks and existing paths they can use to get back and forth. Right now there are a lot of what-ifs for the Top’s site.

Mrs. Ma asked about the parking and if there is any extra or guest parking for the apartment.

Mr. Baldi stated that every unit has a garage and one extra space. We have approximately 40-50 extra parking spaces throughout the complex and recreational area for guest and extra spaces, and have the whole Towne Center parking lot if needed.

Mrs. Ma asked about the traffic out to Walker Road with the additional 120 units.

Mr. Baldi state that Walker Road was designed to take on the traffic, but there are multiple entries on to Walker Road and St. Route 83 at this point. The traffic from these units will not be using the Sprenger properties.

Mrs. Ma asked if the units would be leased/rentals or purchases.

Mr. Baldi stated that they are leases and would be a minimum lease of 1 year, but in the Aqua units that started this way, we find that people tend to stay and extend the leases.

Mrs. Raymond stated that she supports the residential in this area as this buffers the residential on the edges. I do question the higher density with the pavement, parking and traffic in the area and against the senior housing. I with that I was looking at a Master Plan for the whole area or Towne Center as opposed to just the apartments with a rezone. I understand the problems with the Towne Center and the issues of not having a set-in stone plan yet. If you move forward with this plan, I would like to see a connection of the housing and commercial in some fashion.

Mr. Plunkett stated that he would rather see the MUO vs. the R-3 Zoning. I think that we should be looking at the overall plan, and include these parcels in the shopping center. If you included these parcels with the overall site, the 40% residential would work. We could modify the code to meet the necessities of the spaces left in Avon Lake. I prefer the mixed use overlay so we don’t get all residential. The intent of the new code was to have the MUO in two areas of town. We aren’t achieving that goal if we just rezone.

Mayor Zilka agreed that he thought we should use the MUO for the whole area not just by parcel, even if you have to bring in a concept plan for the whole area knowing that we may not see the whole plan completed for many years.

Mr. Haas would be open to discussing either way. I see why the developer would want the rezone to keep the process moving and financing. He was convinced on the R-3 zoning, but see the need for the MUO for the whole site.

Mrs. Ma stated that she thought that we just need to rip the ban-aid off at some point. We need to start looking at the two areas of town with the MUO, need to look at the whole picture even if it will take a lot of time for completion.

Mrs. Raymond asked if what is asked is that we either look at this as a parcels vs. MUO for the whole site and 40% of the parcel vs 40% of the overall site?

Mr. Esborn stated that the administration has looked at this both ways. The applicant has a meeting with the DRC and this can move in either direction. We thought that the MUO would be a better fit for the whole area.

Mr. Orille stated that he liked the idea of the MUO, it looks like it would be a better fit for the area overall. The plan is a nice plan for the area.

Mr. Kopf stated that he can’t do anything with the shopping center right now. I can’t give you any more information about the plan that I have in the works in case the plan falls through. I can give you an idea of the thought on the area with a basic plan.

Mr. Plunkett stated that it looks like you have support of the R-3 zoning for now and that we will look to modifying the MUO at a later date. Pedestrian walk ways with connections will need to be shown on the plans and connect the recreation area.

Mr. Haas stated that he prefers theR-3 rezoning idea better than the MUO. Can you explain why you went with apartments rather than condos, and why not a mix of the two.

Mr. Baldi stated that the condos at Aqua Marine have been going down in value and the apartments close to the Towne Center we thought was a much better fit.

Mr. Haas asked if these would be rentals, or purchases?

Mr. Baldi stated these would be rentals. VIP Management will be the management company as they are at Aqua Marine.

Mr. Haas asked, if the density was to be follow the code, how many of the units will need to be removed to make it work.

Mr. Baldi stated that two buildings would need to be removed. The financing would not work then, this has to be a viable plan to make it work. You also have to have a good management company to take care of the units and recreational area.

Mr. Haas asked if pool and recreational areas are used at Aqua and asked if there is still a need or request for these things by residents.

Mr. Kopf stated that the pool at Aqua Marine is used all the time, but we do look at these items during planning. Sometimes different areas of town are needed more than others.

Mr. Haas asked about the elevators and if there are units on the first floor or just parking, storage and elevator space.

Mr. Sayler stated that there are units on the first floor along with the parking spots. The elevators are three-floor elevators. You can enter the garage without having to go outside. This was designed as a safety issue.

Mr. Haas asked about the noise from Conrad’s and the garage, and the businesses in the area. Do you feel that there would be a noise issue or complaints?

Mr. Baldi stated that with these types of units the sound proofing is a different type. It basically takes away the outside noises. But keep in mind that the people moving in know that they are renting in a higher traffic area, more urban setting and like having the access to all the businesses.

Mr. Haas asked about the demographics and has the impact on the schools been looked at?

Mr. Baldi stated that the school impact is always a consideration. Not all of the units will be filled with families with children. We have a nice mix of older residents as well as young singles or couples without children and then some with families. The schools are always notified and look at these areas in their planning.

Mr. Kopf stated that our intention is to build these units and have these residents come and shop, eat and use the tenants. This was always our intention was to have the tenants be profitable.

Mayor Zilka stated that he would like to see a pedestrian as well as bike paths connecting to the sidewalks and to the shopping center.

Mr. Orille stated that he like the plan. I would look at this for the density of the overall Towne Center and would like to see a more integrated plan with the shopping center.

Mr. Esborn stated that when this plan was brought in it was reviewed as a rezone. The city showed him how this could work with the MUO, but never wanted to recommend how they move forward. The biggest concern is how the variance will be looked at and if they could get the variance.

Mr. Sayler stated that he thought that a modification to the MUO should be looked at for the future properties left in Avon Lake. The MUO doesn’t always work, like this case. The authority of how much movement Planning Commission can make should be looked at as well.

Mr. Kopf thanked the commission for their time. We will bring the plan back next month for the rezone and try to get a plan for the Towne Center together as soon as we can.

There were no further comments from the commission.

The Work Session of August 2, 2022 was adjourned at 8:25 p.m.



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