

**MINUTES OF THE AVON LAKE  
PLANNING COMMISSION MEETING  
JANUARY 3, 2024**

A regular meeting of the Avon Lake Planning Commission was called to order on January 3, 2024, at 7:00 P.M. in Council Chambers with Chairperson Haas presiding.

**ROLL CALL**

Present for roll call were Mrs. Fenderbosch, Mr. Haas, Dr. Ma, Mr. Orille, Ms. Raymond, Mayor Spaetzel, Director of Law Ebert, Community Development Director Esborn, Engineer Howard, and Planning & Zoning Manager LaRosa.

**ELECTION OF CHAIRPERSON**

Mrs. Fenderbosch moved, and Ms. Raymond seconded to elect Dr. Ma as Chairperson. Motion carried (6-0).

Mrs. Fenderbosch moved, and Dr. Ma seconded to elect Ms. Raymond Pro Tem Chairperson. Motion carried (6-0).

Both were sworn in by Law Director Ebert. Dr. Ma chaired the remainder of the meeting.

**APPROVAL OF MINUTES**

Mr. Haas moved, and Ms. Raymond seconded to approve the November 14, 2023, meeting minutes as presented. Motion carried (4-0). Mrs. Fenderbosch and Mayor Spaetzel abstained from voting as they did not attend the November meeting.

**READING OF GENERAL CORRESPONDENCE & ANNOUNCEMENTS**

None

**COUNCIL REPORT**

Mrs. Fenderbosch reported that all 2023 Planning Commission cases have gone through City Council.

**SWEARING IN**

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

**CASE NO. CPC-001 Kopf Construction Company, Final Plat Approval for Harbour PUD Subdivision No. 3.**

A request from Kopf Construction Company, 420 Avon Belden Road, Avon Lake, for Final Plat Approval for Harbour PUD Subdivision No. 3. This project is located between Walker Road Park to the south and the Cuyahoga County property line in Bay Village to the east. It begins at the terminus of The Inlet and extends eastward along Grande Bank. Applicable Code Sections: 1214.05 Major Subdivision and 1238: Subdivision Design Standards apply. Based on the

recommendation from the Planning Commission, this application will go to City Council for their review and decision.

James Sayler of Reitz Engineering represented the applicant. Mr. Sayler stated that all improvements have been installed and inspected. In response to Commission members' questions, Mr. Sayler explained:

1. There are no plans for a guard rail at the end of the street leading to Phase 4 land because it is a landscaped area.
2. Sales of Phase 3 are moving quickly so a sign indicating that the road will be extended does not seem necessary.
3. All water and hydrant improvements are approved, and a flushing device is not required.
4. The City of Bay Village objected to ingress and egress from the park which is the reason for not showing an entrance between Lots 53 and 54. That area will be under the control of the HOA.

Mr. Haas moved, and Mr. Orille seconded to recommend approval with the condition that the Concrete Sidewalk Letter of Credit be received by the Finance Director before City Council's review and decision. Motion carried (6-0).

**CASE NO. CPC-002 Kopf Construction Company, Improvement Plan Approval for Phase 4 of the Harbour PUD Subdivision.**

A request from Kopf Construction Company, 420 Avon Belden Road, Avon Lake, for Improvement Plan Approval for Phase 4 of the Harbour PUD Subdivision. This project is located between Walker Road Park to the south and the Cuyahoga County Property line in Bay Village to the east. It runs west on Grande Bank at the terminus of The Inlet. Applicable Code Sections: 1214.05 Major Subdivision and 1238: Subdivision Design Standards apply. Based on the recommendation from the Planning Commission, this application will go to City Council for their review and decision.

James Sayler of Reitz Engineering represented the applicant. Mr. Sayler stated that sewers, streets, and lot sizes all conform to code requirements and comments from department heads have been addressed. In response to Commission members' questions, Mr. Sayler explained:

1. Phase 4 will have public streets.
2. Regarding safety services' comments and concerns, Mr. Sayler answered and sent them back to the department heads for their approval.
3. No approvals are needed regarding wetlands because they are all in the HOA areas.
4. All the homes will have a minimum 5-foot side setback providing the required 10 feet between each home.
5. Sublot 69 is situated as it is because Avon Lake Regional Water does not want driveways over storm sewers.
6. Grande Bank is the required 27 feet in width, and the cul-de-sac has the additional width safety services prefers for firetrucks.
7. The Grande Bank cul-de-sac will have vegetation, not brick pavers.

Engineer Howard explained that his company, Bramhall Engineering & Surveying Co., ensures that the five items of concern enumerated in his letter of December 1, 2023, are addressed. He added that the dwelling on subplot 69 cannot have a side entrance garage.

Mr. Haas moved, and Ms. Raymond seconded to recommend approval with the condition that the applicant post appropriate signage designating the wetland areas and making it known that they are not to be disturbed. Motion carried (6-0).

### **INFORMATIONAL ITEM**

Mrs. Fenderbosch explained the interview process for filling the Planning Commission vacancy.

### **DISCUSSION ITEM**

Community Development Director Esborn presented proposed text changes to the Rules and Regulations of the Avon Lake Planning Commission and the Planning and Zoning Code.

#### **CASE NO. CPC-003 – Planning and Zoning Code Text Amendments.**

1. **1214.03 (c)(5)(B)(ii) – Conditional Uses**
  - a. Page 24
  - b. The purpose of this amendment is to delete additional code language that is problematic. The section now clearly states that Council is to simply confirm or reject the Planning Commission recommendation.
  - c. *Reject the recommendation of the Planning Commission, ~~in which case the application shall be deemed denied.~~*

Mr. Haas moved, and Mrs. Raymond seconded to approve recommended changes to Section 1214.03 (c)(5)(B)(ii) – Conditional Uses.  
Motion Carried (6-0).

#### **CASE NO. CPC-003 – Planning and Zoning Code Text Amendments.**

2. **1214.03 (h) – Conditional Uses**
  - a. Page 26
  - b. This section deals with the appeals procedures for conditional use applications and is a grammatical correction.
  - c. *Any person or entity claiming to be injured or aggrieved by any final action of City Council shall have the right to appeal the decision to the Court of Common Pleas as provided in ORC Chapters 2505 and 2506.*

Mr. Haas moved, and Mrs. Raymond seconded to approve recommended changes to Section 1214.03 (h) – Conditional Uses.  
Motion carried (6-0).

The balance of amendments will be revised based on Commission member suggestions and be considered at the next meeting.

**GENERAL PUBLIC COMMENTS**


Mr. Saylor stated that Table 1222-2 of the Planning and Zoning Code still has “2 Units per Acre” for the Low-Density Residential category when it is supposed to be “2.5 Units per Acre”.

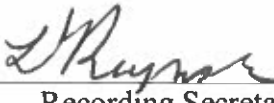
**COMMENTS FROM BOARD MEMBERS**

None

**ADJOURNMENT**

Mr. Orille moved, and Mr. Haas seconded to adjourn the meeting at 8:40 pm.  
Motion carried (6-0).

  
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Planning Commission  
Chairperson Dr. Ma

  
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Recording Secretary  
Diane Reynolds