

**MINUTES OF THE AVON LAKE
PLANNING COMMISSION MEETING
FEBRUARY 2, 2010**

CALL TO ORDER

Pro Tem Chairperson Knilans called the Avon Lake Planning Commission Regular Meeting of February 2, 2010 to order at 7:30 p.m. in the Council Chambers of City Hall.

ROLL CALL

Mr. Knilans, Mr. Sherban, Mr. Simonovich, Mayor Zuber, Director of Law Kerner, and Engineering Manager Reitz were present.

Mr. Fell had told Mr. Knilans via e-mail that he would not be able to make the meeting tonight.

Mrs. Fenderbosch had told the commission that she would not be available tonight for the meeting, she is out of town.

Mr. McNamara called the planning office to let the commission know that he will be approximately one half hour late for the meeting tonight due to a business meeting.

There were no objections from the members to the absence of Mr. Fell and Mrs. Fenderbosch, so their absences are considered excused.

APPOINTMENT OF CITIZEN MEMBER

Mr. Knilans stated that City Council had appointed a new citizen member to the Planning Commission. Michael Sherban new citizen member will now be given the oath for the Planning Commission by Law Director Kerner.

Law Director Kerner administered the Oath of Planning Commission to Michael P. Sherban.

Mr. Knilans and the other members welcomed Mr. Sherban to the commission.

APPROVAL OF MINUTES

Mr. Simonovich moved to approve the minutes of the January 5, 2010 Regular Planning Commission Meeting. Mayor Zuber seconded the motion.

AYES: All NAYS: None

COUNCIL REPORT

No report with the absence of Mrs. Fenderbosch.

SWEARING IN

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

NEW CASE:

**CASE NO. 003-10
AVON LAKE HIGH SCHOOL
STADIUM RENOVATIONS
SITE PLAN**

REQUEST FROM THE AVON LAKE BOARD OF EDUCATION, 175 AVON BELDEN ROAD, FOR A RECOMMENDATION OF APPROVAL OF A SITE PLAN TO INSTALL IMPROVEMENTS AT THE ATHLETIC FIELD. THIS IS AN EXPANSION TO AN EXISTING CONDITIONAL USE WITHIN AN R-1 RESIDENTIAL ZONING DISTRICT.

WAIVERS UNDER THE EQUIVALENCY PROVISIONS OF 1217.03(g) HAVE BEEN REQUESTED FOR:

1240.05 HEIGHT REGULATIONS FOR AN ACCESSORY STRUCTURE EXCEEDING 17.5 FEET.

1264.03(E)(3) OFF-STREET PARKING SPACES STATES THAT 1140 ON-SITE SPACES ARE REQUIRED. 614 ARE PROVIDED ON-SITE WITH AN ADDITIONAL 1120 AVAILABLE SPACES WITHIN 3000 FEET.

Mr. Reitz stated this site plan for the expansion to the existing Conditional Use will involve several components. The existing grass field will be replaced with synthetic turf and an extensive under drain system. Two new concession stands will be constructed. The stand on the home (north) side will include an area for the Athletic Booster sales and a large storage area. The concession stand building on the visitor (south) side will have restrooms. The two smaller existing structures will be removed. The existing building under the grandstands will be

expanded for the visitor locker rooms, public restroom facilities and additional storage. The existing grandstand bleachers will be covered over by completely new seating and a new announcer's booth. Seating capacity shall increase from 2712 seats to 4560 seats. The existing home side announcer's booth will be relocated to behind the baseball field north of the stadium. The requested waivers are required as follows:

Section 1240.05 stated that accessory structures cannot exceed 17.5 feet in height. The proposed grandstands on the home side are 60 feet 2 inches to the top of the announcer's booth.

Section 1264.04(E)(3) states that 1140 parking spaces are required for the stadium. Per the applicant the High School has 614 spaces on site and there are 1200 total spaces available within 3000 feet not counting on-street parking. There are over 1260 available spaces between the High School, Library and City Hall/Bleser Park.

Mr. Rod Wiford, Fanning Howey Architects, Jeffrey Keefe, KS Associates, Bob Scott, Superintendent Avon Lake City Schools and Mike Abfall Avon Lake City Schools were present tonight to represent this case and answer any questions the commission may have.

Mr. Wiford explained the time lines of the construction and bidding process. All stadium construction is expected to be complete by August 15, 2010. Mr. Wiford showed a power point presentation of the plans and explained the changes.

We have asked for two waivers, one being the height exceeding 17.5 feet. Under the equivalency provision we feel the basic objective of residential district regulations is to maintain high quality places in which to live while preserving open space. This site plan arrangement does preserve open space as much as possible by elevating the additional seating rather than increasing lot coverage. The grandstand could not exist with strict application of the standards and requirements of the code, which limits the height of accessory structures to 17.5 feet. To achieve the proposed seating capacity with adherence to this restriction would result in a considerable increase in lot coverage, and the structure would not be functional for its intended purpose. The proposal will create a higher quality use of property. There will be no adverse impact upon the surrounding properties. A grandstand currently exists at this location, and an expansion of the seating capacity will not impact the surrounding area any more than does the current grandstand. The location remains distant from adjoining properties.

The second variance requested is for the parking spaces. The school currently has 614 spaces available. The new seat count will be 4,204 with 1051 spaces required. We feel with the additional spaces available at the Lutheran Church, United Church of Christ, St. Joseph Church, Calvary Baptist, Bleser Park, Erieview and the Library there will be plenty of parking in the area. We ask for the variance under the equivalency provision with the basic objective of residential district regulations is to maintain high quality places in which to live while preserving open space. This site plan arrangement does preserve open space as much as possible by not creating an excess of impermeable surfaces that are not needed for the daily operation of the facility. Adequate parking is available in the immediate area by utilizing parking at the Avon Lake Public Library, City Hall, Bleser Park, and Erieview, not counting the parking available at the neighboring churches and secondary locations. An overabundance of parking is available if churches and the rights of way of neighboring streets are considered; therefore additional onsite

parking is not necessary. The numerical standards for parking are met within existing parking lots on public property in short distance to the location. More onsite parking would be a detriment to adjoining properties because green space would have to be removed to provide additional onsite parking in strict compliance with the code.

Mr. Knilans asked what the existing height of the stands is and how much taller are the new ones than the old.

Mr. Wiford stated that the original stands are about 17-20 feet tall and the new stands will be approximately 25 higher than the old stands.

Mr. Knilans asked about the press box on the visitor's side, will that box be removed with the renovations and are there any renovations to the visitor's side or will all the renovations be on the home side.

Mr. Wiford stated that the only changes to the visitor's side will be the removal of the visitor's press box.

Mr. Sherban stated that he felt the use of parking at St. Joes and the other churches is too far and will not be used. Mr. Sherban asked if there would be any agreements with the churches in the area to use their facility for parking.

Mr. Scott stated that the school has always had a good rapport with the churches and have used the lots in the past. If the churches require an agreement or have a problem, the school would certainly discuss an agreement with them.

Mrs. Deb Beard, 197 Moore Road asked about the new concession stand that was just put in place in August of this year and press boxes as well. What will happen to them now, will they be taken down. I also feel that the parking spaces next to the concession stand will not be a good area for the safety vehicles. I am not sure there is enough room for the safety vehicle and the traffic of the concession stands.

Mr. Scott stated that the visitor's press box will be removed completely, it was a lease. The home side press box will be removed and replaced at the baseball field.

Mrs. Beard asked if there would be enough restroom facilities.

Mr. Wiford stated that a variance is being requested from the State of Ohio for a 50% waiver from the bathroom facilities, but we feel the facilities that will be put in are enough for the use of the stadium.

Mr. Knilans asked what happens if the State does not grant the waiver. Will you have to revise the plans to show the additional facilities?

Mr. Wiford stated that the plans will have to be revised if the State does not grant the waiver.

Mr. Randy Green, 150 Englewood Drive stated that he voted for the levy and is happy to see the renovations starting. My questions are in regard to the construction drive next to the bus garage. Will the construction drive be used and if so I am concerned about my tree lawn and new concrete drive apron. I do not want construction vehicles using my tree lawn and drive like they have in the past construction phases of the school.

Mr. Wiford stated that Route 83 will be used as the construction entrance and that he believes the construction drive will be removed when the construction is complete and the bus garages are moved.

Mr. Mike Abfall stated that there will be no access from the back of the stadium except for Police and Fire.

Mr. Randy Green stated that he is concerned about approximately 300 more vehicles that need spaces to park. I do not want parking on all the small side streets across from the school. The property owners have to maintain their tree lawns and don't want to keep repairing the lawn every time it rains and they get all torn up. I also worry about safety vehicles getting up and down the street if necessary.

Mr. Scott stated that the school did not anticipate any more vehicles parking. We are adding additional seating for the people who are already attending the games but just needed a place to sit. We are trying to give a seat to the people who are standing along the fence and on the side.

Mayor Zuber stated that the City will look at putting up "No Parking" signs up on the side streets across from the school during the games.

Mr. Scott stated that the construction drive will be removed when the bus garages are moved and built at another location.

Ms. Joan Lensner, 221 Avon Belden, stated that she lives right at the main entrance to the school. If you plan to start construction on April 1, 2010 then the children will still be in school. I don't think it will be a very good idea to put the construction traffic in with the employees and children trying to get in and out. It is already a traffic nightmare at that intersection. Now I will have to put up with the dust and noise of the construction along with the traffic.

Mayor Zuber stated that the school and the City will work on the traffic control during that time.

Mr. Scott stated that during the last phases of construction the contractors had a strict time schedule of when trucks could enter and exit while school was in session.

Mayor Zuber moved to approve the request of the Avon Lake Board of Education for a recommendation of approval of a Site Plan to install improvements at the athletic field with waivers under the equivalency provisions of 1217.03(g) from code section 1240.05 Height Regulation for an accessory structure exceeding 17.5 feet and from code section 1264.03(E)(3)

Off-Street Parking Spaces that states 1140 spaces are required with 614 spaces provided on-site with an additional 1120 available spaces within 3000 feet. Mr. Simonovich seconded the motion.

AYES: ALL NAYS: NONE

Mr. Knilans stated that the case had passed.

INFORMATIONAL ITEM

None

DISCUSSION ITEM

Mr. Reitz stated that the Rules and Regulations of Planning Commission require review. I have included a copy in your packets for review. Law Director Kerner had one suggestion for review and the change has been distributed tonight for you review.

Mr. Knilans stated that no other members had any comments or revisions to the Rules and Regulations of Planning Commission. Please add the revisions to the next Planning Commission Meeting as a case and vote.

Mr. Knilans stated that at the last meeting Mr. McNamara asked for a discussion on the Planning Commission meetings being televised. Mr. McNamara is not present tonight for the discussion but Mr. Fell did send me an e-mail regarding this issue. Mr. Fell stated that he is opposed to it, as he feels it will prevent some people from speaking freely at our meeting and may encourage some “grandstanding” from other people. Public input is very important to our process and decision- making and many people do not feel comfortable on camera/tv.

Mr. Knilans agreed with the comments of Mr. Fell.

Mr. Sherban stated that he could go either way with discussion I don’t feel strongly either way. I don’t see a problem with televising the meeting. Some people cannot make it to the meetings and this would give them a way to see what was happening in their communities before the projects started. It would give the community more of an opportunity to voice their concerns on projects.

Mr. Simonovich agreed with the comments of Mr. Fell and would not like the meeting televised, but thought that maybe the discussion should wait until Mr. McNamara was present to discuss this since he brought the idea up to the commission. I also feel that the decision of Planning Commission is made at the meeting. If people are at home watching they would not have an opportunity to discuss the cases as the vote would already have been taken that evening.

Mayor Zuber stated that he has always been for televising public meetings, but my opinion has recently changed for this commission. I agree with Mr. Fell that there could be “grandstanding” when people know they are being televised.

Law Director Kerner stated that the commission is missing three members tonight for this discussion. I think this item should be discussed when a full panel is present.

Mr. Knilans agreed and asked that this item be discussed again next month when all members are present.

Mrs. Spring stated that the Comprehensive Land Use Plan will be ready for next month. She will include any revisions in the packets to be added to your original draft copy under review. She will get new member Mr. Sherban a full copy.

Law Director Kerner stated that because Mr. McNamara did not make it to the meeting tonight the commission members should discuss whether they have any objections to his absence and if not excuse Mr. McNamara's absence.

Mr. Knilans stated that there are no objections to the absence of Mr. McNamara, and so his absence is considered excused.

Mayor Zuber stated that the May meeting will land on the primary date. I think a discussion or motion should be made at the next meeting to change the date of the May Planning Commission meeting.

Mr. Knilans asked for the change of date of the May Planning Commission meeting be placed on the agenda for the March meeting.

GENERAL PUBLIC COMMENT

None

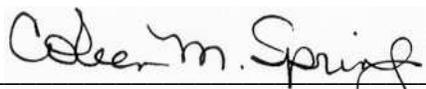
ADJOURNMENT

Mayor Zuber moved to adjourn at 8:19 p.m. the February 2, 2010 Planning Commission meeting. Mr. Knilans seconded the motion.

AYES: All NAYS: None

The next regular meeting of the Planning Commission will be on March 2, 2010.

Randy Knilans, Pro-Tem Chairperson



Coleen M. Spring, Recording Secretary