

Mr. Reitz stated this first phase of construction will improve Belmont between Avon Belden Road west to just before Woodstock. Temporary and emergency access for the existing homes on the east end of Belmont will be provided through the Wildberry Subdivision. All construction traffic for this phase will be from Avon Belden Road. The contractor will be required to provide access to the two homes that face Avon Belden Road at the Belmont Intersection. In total this phase will install improvements for 16 sublots.

Mr. Jim Saylor with Reitz Engineering was present tonight to represent this case and answer any questions the commission may have.

Mr. Saylor described the first phase and put the plans on the projector so the public could see the plans. All comments from department heads have been responded to and the Utilities Department has received revised plans and I am awaiting response from them.

Mr. Simonovich asked about how the two home owners at the entrance and end of Belmont will access their properties during construction of the street.

Mr. Saylor stated that there will be limited times that the street will be completely closed, but when it is they will be notified. The homes on the west end will receive new aprons with the construction. The east end homes will be given access through Ryeberry only when the street is completely closed during construction.

Mrs. Fenderbosch asked who owns the properties to the east at the end of Belmont Drive that show existing building outlines.

Mr. Saylor stated that Mr. Kopf owns one of the properties but was unsure as to who owned the other property.

Mrs. Fenderbosch asked what surface material the access would be on the drive access or road for those two properties.

Mr. Saylor stated the access road would be stone, but didn't expect that Belmont Drive would be completely closed, only on a limited basis.

Mrs. Fenderbosch asked about the storm water management reports and why they were not included in the improvements.

Mr. Saylor stated that the management reports cannot be completed until a contractor is chosen and construction is getting ready to start.

Mrs. Fenderbosch asked where the utilities for this subdivision will come from, Route 83 or Ryeberry.

Mr. Saylor stated that the water will come off of Avon Belden and loop to Ryeberry, Sanitary will come off Avon Belden and the storm sewers will flow to the west to the Heider Ditch. The

cable and electric we have had no response from as yet. The design is up to the Illuminating and Cable companies, but will probably connect to Ryeberry.

Mrs. Fenderbosch inquired about the connectivity of Woodstock to Ryeberry.

Mr. Reitz stated that discussions with the applicant have been that the connection of Woodstock would be with phase two of the subdivision.

Mayor Zuber asked about the comments of the Utilities Department and asked Mr. Reitz if the Utilities Department has responded to the revised plans.

Mr. Reitz stated that it looks like all the comments have been taken care of with the revised plans from Mr. Sayler, but the department has not given us a response yet.

Mayor Zuber stated that when the connection of Woodstock Drive goes in there is a need for more storm water drainage.

Mr. Sayler stated that it would not be a problem to add more storm water drainage when the street connected.

Mr. Knilans asked if when the guard rail goes in at the stub of Woodstock a sign could be placed stated that the street will eventually connect and continue.

Mr. Sayler stated that there will not be a guard rail put in, but thought the signage would be a good idea.

Mr. Fell asked that no construction traffic use Ryeberry Lane.

Mr. Sayler stated that no construction traffic would use that entrance, they will be using the entrance of Avon Belden Road, but I will add a note to the plans.

Mrs. Fenderbosch asked about the time line for phase two of the subdivision.

Mr. Sayler stated that it would not be this construction season, but really did not have an exact time line. We would hope that maybe the next construction season we would be starting.

Ms. Mary Jane _____ 541 Hamiston Drive, Bay Village, sister and part owner of property co-owned with Judy Chevrolet stated that all phasing for the Avon Center Estates should be shown on these plans. There is no grading shown for this development and we need to see what will come in the future. The past administration will highly likely have litigation on this subdivision. I suggest that the City follow the letter of the law while approving this subdivision. We are requesting this request be tabled or dismissed because protocol is not being followed. Properties 300 feet surrounding the property were not notified.

Mr. Reitz stated that the applicant provided the City as required the labels of property 300 feet surrounding Belmont Drive phases one and two. Those property owners were sent notices as

required. The phasing of the subdivision was done when the plat was done for the original subdivision in the twenties. When the re-subdivision was done notification was given for the phases of one and two. We cannot give them notice of what will happen in the future.

Ms. Diane Pascario, 709 Cranberry asked why these plans were not looked at after Wildberry was built. Why would the City allow a subdivision to go in when the houses face the street. Ms. Judy Chevrolet, 697 Cranberry Court stated that all the property owners in Wildberry should have been notified of this development. This will affect the whole subdivision.

Mr. Reitz stated the notification is for 300 feet surrounding the Belmont Drive property. Notices were sent to the homeowners association and the management companies.

Mr. Gary Roudon, 852 Cranberry stated that he thought the City should have never approved the Wildberry subdivision to have houses that would back up to a City street.

Mr. Fell stated that Mr. Romes designed the subdivision. All the plans that were approved met all the City requirements and codes. The City cannot tell developers how to design, the City can only make sure that all City codes and requirements are met.

Mr. Simonovich stated that Courtland and Spruce are not part of the plans in front of us to vote on tonight. We are here to vote and approve the Belmont Drive Phase No. 1 Improvement Plan. We cannot include on plans what is in the future. Courtland and Spruce are approved streets platted many years ago. A developer can develop those lots as long as they meet the codes and requirements that are in place. A developer does not have to come before Planning Commission to build on the already platted lots.

Mr. Gary Roudon asked if it was common that the City approve a development that has houses that back to a City Street.

Mr. Knilans asked what the zoning was of the Wildberry Subdivision and Belmont Drive.

Mr. Reitz stated that Wildberry is R2 and Belmont is R1-A.

Mrs. Carol Fowkes, 723 Cranberry wanted to thank the commission for the explanation of vacating Courtland and Spruce, and ask the commission to hear all the considerations to save the trees and not allow the trees to be taken away.

Ms. Judy Chevrolet asked that if Belmont is allowed to be put in does that mean that Courtland and Spruce would automatically be allowed to be put in.

Mr. Fell stated that the owner of the properties that are already platted can build as long as they meet the code requirements. As to Courtland and Spruce being re-platted or subdivided and built upon is up to the owner. But if re-platted or subdivided the developer would have to come before Planning Commission and City Council and notification would be given at that time. We cannot predict what will happen in the future.

