



CITY OF AVON

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REGULAR MEETING MINUTES AVON PLANNING COMMISSION JANUARY 21, 2026, 7:00 P.M. CITY HALL COUNCIL CHAMBERS

The regular meeting was called to order by Chair Witherspoon at 7:00 p.m. in Council Chambers.

PUBLIC HEARINGS

None

ROLL CALL

Present: Mike Beatty, Bill Fitch, Bryan Jensen, Mayor, Scott Radcliffe, Carolyn Witherspoon, Chair.
Staff: Jill Clements, Zoning Enforcement Officer, Ryan Cummins, City Engineer, Pam Fechter, Econ. Dev./Planning Coordinator, John Gasior, Law Director, Duane Streater, Safety Director, Susan Pintz, Planning and Zoning Secretary.

REVIEW & CORRECTION OF MINUTES

Mr. Radcliffe moved, seconded by Mayor Jensen, to approve the minutes of the regular meeting held on December 17, 2025, and approve the minutes as published.

The vote was: Mayor Jensen, "yes", Mike Beatty, "abstain", Bill Fitch, "yes", Scott Radcliffe, "yes", Carolyn Witherspoon, "yes"

4-AYES

1-Abstention

The Chair declared the motion passed.

REPORTS & CORRESPONDENCE

None

ADDITIONS & DELETIONS

Ms. Fechter, Planning Coordinator, requested that Item 3, Westhaven Estates, Preliminary Plat be deleted from the agenda at the applicant's request.

Mr. Radcliffe moved, seconded by Mayor Jensen, to delete Item 3 Westhaven Estates, Preliminary Plat from the agenda at the applicant's request. The vote was "AYES" all. The Chair declared the motion passed.

Mr. Radcliffe moved, seconded by Mayor Jensen, to accept the agenda as amended. The vote was "AYES" all. The Chair declared the motion passed.

1. **R7 Motors Inc., Chester Road, Final Development Plan, PL20250081**

Polaris Engineering on behalf of R7 Motors Inc. is requesting approval of the Final Development Plan for construction of Mercedes Benz and Porsche Dealerships with private drive and access from Chester Road and Jaycox Road (PPN 04-00-021-000-255, 266 and 261).

First Presentation held on December 17, 2025.

Denver Brooker, Principal, Vocon, 3142 Prospect Avenue, Cleveland, Ohio 44115.

Mr. Brooker stated that he is the architect representing R7 Motors and is available to answer any questions.

Ms. Fechter, Planning Coordinator, confirmed that City Staff comments have been addressed; however, she requested that any action taken be contingent upon engineering approval and the execution of the dedication plat. She further noted that a future project includes the widening of Chester Road, for which R7 Motors will provide the necessary easements and right-of-way expansion.

Ryan Cummins, City Engineer, recommended that if the Commission wished to move forward with approval, it should be contingent upon final engineering, legal agreements, and the execution of the dedication plat along Chester Road.

Mayor Jensen requested information regarding payroll figures and construction costs associated with the proposed business.

Ms. Fechter confirmed that the investment would total \$50 million dollars, with an annual payroll of \$12 million dollars, including approximately \$5 million dollars from the headquarters office to be relocated to Avon. She noted that city staff communicate with Mr. Brooker multiple times per week, and he is attentive to providing requested information.

Mr. Radcliffe inquired about the timeline for completing the contingencies related to the final development plan for R7 Motors Inc., questioning whether it would take 1-2 weeks or a more extended period, like 4-8 weeks, to finalize these issues.

Mr. Cummins responded that he did not anticipate completion within the 1–2-week timeframe. However, he noted that both parties involved in the project were eager to proceed expeditiously. He suggested contingent approval to facilitate the continued progression of the process, acknowledging that some legal agreements were still being drafted and there were ongoing engineering discussions. Mr. Cummins mentioned that while there was some general agreement on the outline for the work along Chester Road and the right-of-way dedication, the legal details required further work. He added there are still some outstanding engineering comments to be addressed.

Mr. Radcliffe asked whether an additional Planning Commission reading would be appropriate to address unresolved issues before voting for approval.

Mr. Cummins indicated that the discussion reflected contingent approval to allow the project to proceed forward.

Mr. Brooker stated they were fully aware of where they were in the process and were ready to proceed with the dedication plat and understood the gas line easement requirements. He mentioned that Polaris Engineering had already completed addressing staff comments and was actively working on engineering comments. Mr. Brooker indicated that the construction was targeted to begin in April, and he emphasized their eagerness to move quickly with the project. Polaris Engineering has been diligent in collaborating closely with city staff over the past few months, having gone through multiple cycles of

review. Mr. Brooker reassured the commission that the owner was very much aware of their responsibilities in providing the required documentation and was committed to facilitating the easement for the gas line relocation, ensuring all agreements were executed efficiently. He expressed gratitude towards the city for their cooperation and emphasized a positive outlook in potentially seeing the project move forward without significant delays.

Mr. Gasior, Law Director, advised that, from a legal standpoint, the project will involve the dedication of right-of-way and the relocation of a gas line into a provided easement. He noted that there will also be additional commitments made by the city. He indicated that the detailed terms of the agreement are more appropriately addressed by City Council rather than this body; however, conceptually, he believes a contingent approval would be acceptable to allow the project to move forward.

Mayor Jensen elaborated on the necessity of obtaining signed agreements to proceed with the gas line and culvert work. He emphasized that from an administrative standpoint, these agreements are critical for initiating the subsequent processes along with the engineering aspects. The city is eager to address existing issues, such as flooding, and improve the area involved. He stressed the importance of avoiding any unnecessary delays, noting that waiting an additional four weeks could set back these improvements significantly. The Mayor highlighted the importance of these agreements to ensure that the city could commence its part of the work soon, underscoring the mutual benefits for both the city's infrastructure and the project's progress.

Mr. Radcliffe moved, seconded by Mayor Jensen, to suspend the rules. The vote was: "AYES" all. The Chair declared the motion passed.

Mr. Radcliffe moved, seconded by Mayor Jensen, to approve the Final Development Plan for construction of Mercedes Benz and Porsche Dealerships with private drive and access from Chester Road and Jaycox Road (PPN 04-00-021-000-255, 266 and 261), contingent upon final engineering approval, approval of legal agreements and recording of the dedication plat giving the city easements and right of way for widening of Chester Road. The vote was: "AYES" all. The Chair declared the motion passed.

2. Grace Estates, Detroit Road, Final Plat, PL20250070

Bank Avon LLC is requesting approval of the Final Plat for a residential subdivision consisting of 12 single family homes on Detroit Road (PPN 04-00-022-104-015, 016).
First Presentation held on December 17, 2015.

Dustin Keeney, Polaris Engineering, 34600 Chardon Road, Willoughby Hills, Ohio 44094.

Noam Adler, Knez Homes, 14390 Washington Blvd. University Heights, Ohio 44118.

Mr. Keeney presented on behalf of Bank of Avon LLC. He explained they had been through several plan iterations with city staff, and the city engineer and believed they had addressed all comments and completed cost estimating requirements.

Ms. Fechter, Planning Coordinator, stated City Staff comments have been addressed.

Mr. Cummins, City Engineer, addressed drainage concerns that had been raised at the previous meeting about the subplot that is furthest to the south (Exhibit 1 Drawing). He explained how the applicant had extended a storm sewer into the area adjacent to where a home is proposed on the southern lot. He described that downspouts would be connected to the storm sewer, and a swale would be created on the east side of the property line to direct any drainage in that boundary area to the storm sewer system, ensuring water would be drained away efficiently. Mr. Cummins elaborated that during the last meeting, there was a discussion about potential water collection issues and the

need for effective management of stormwater on the site. Mr. Cummins indicated that the applicant, in response to public concerns, adjusted their plan by extending the storm sewer to ensure that any drainage from the proposed southern lot would flow smoothly into the comprehensive stormwater management system. He emphasized that the swale design and connection of downspouts to the storm sewer were vital improvements aimed at preventing water from spilling over onto adjacent properties, thereby mitigating any potential impact on adjacent landowners.

Mr. Cummins noted there were still a couple of minor engineering comments to discuss with Mr. Keeney. He also mentioned they were still waiting for the wetlands permit, which was required for the existing wetlands shown in yellow on the plan. He recommended this item be considered a reading at this point, with final approval to come once the permit is available.

Mr. Keeney explained that while they didn't officially have the wetlands permit in hand, the application had been submitted to the Army Corps of Engineers. He noted that the consultant handling the process was diligently pushing on the Army Corps to expedite approval, though ultimately, they are subject to the federal government's timeline. Mr. Keeney mentioned that the necessary mitigation credits required for the project had been reserved and fully paid for. This, he suggested, demonstrated their commitment to compliance and their confidence that the permit would be approved in due course. Despite the progress made, he acknowledged they were still waiting for the permit issuance. In this context, he inquired whether there was any possibility of receiving contingent approval based on the current status, understanding they would not proceed with any activity that requires the permit until it was officially granted. This approach aimed to keep momentum on the project, addressing concerns while adhering to federal requirements.

Mayor Jensen indicated he was not comfortable moving forward until the wetland permit was received, noting that this approach was consistent with how the city had handled other developments in the past. He expressed appreciation for the applicant addressing some of the drainage issues at the site. Mayor Jensen emphasized that while the applicant had made commendable efforts to resolve the drainage concerns, the city's position remained firm on adhering to regulatory protocols in receiving necessary permits before giving final approval. He acknowledged the improvements made to the plans, such as the connection of the stormwater management system and the design of the swale, which were expected to manage the drainage effectively and alleviate potential impacts on surrounding properties. However, despite these enhancements, he stressed the importance of obtaining the wetlands permit as a crucial step, reinforcing the city's commitment to ensuring all environmental and regulatory requirements are satisfied before advancing the project.

Mayor Jensen asked Mr. Cummins about the potential impact of the proposed drainage improvements on neighboring properties, specifically addressing concerns about standing water on other residents' property. He questioned if the design would enable additional water to be directed away from those neighboring properties and into the project's drainage system.

Mr. Cummins clarified that the drainage improvements planned for the development would effectively cut off any water flow that might have previously been directed toward the west, impacting adjacent properties. The improvements would ensure that any water reaching the property line was captured by the swale and directed into the storm sewer system, which would then carry it to the development's retention basin for proper management. This additional infrastructure was aimed at diverting water away from neighboring lands, thereby minimizing the potential for new or increased water accumulation on adjacent properties.

Lauri Mathie, 2653 Jaycox Road, Avon, Ohio 44011.

Ms. Mathie raised concerns about her property which adjoins the proposed development. She pointed out that on the plans displayed for the development, her 42 by 40-foot garage, which is located on the property next to sub lot 5, was no longer depicted, despite being shown clearly on the plans from June and August. She questioned this omission as it was a significant feature of her property, and she was eager to understand why it had not been included in the latest drawings. Her primary concerns are centered around water issues, particularly in areas where water tends to collect significantly and back up onto her property during heavy rains.

Ms. Mathie described how water accumulation historically occurs and pointed to specific drainage issues that led to water backing up approximately 15 to 18 feet into her backyard during significant rainfall events. She explained that this problematic area, which is crucial to maintaining the usability of her yard, historically became stagnant and smelly before her neighbor assisted with trenching improvements. These concerns were emphasized by the videos she captured, which she sent ahead of the meeting to Ms. Fechter to provide a visual representation of standing water and potential flood risks affecting her backyard.

Mr. Cummins explained that the proposed drainage improvements for the development were structured to effectively intercept any water that might have shifted from the development property toward hers. The development plans included a swale, which was to be constructed to collect and properly direct any water impinging on the property boundary into a newly installed storm sewer system. This storm sewer was designed to carry the collected water to the development's retention basin, thereby providing a more sustainable and managed approach to water runoff.

Ms. Mathie further inquired about protections for wetlands within the development, seeking clarity around how these natural resources would be safeguarded during the construction phase.

Mr. Cummins assured her that protective fencing was part of the construction protocols, with a specific role of marking and safeguarding wetlands territories to prevent disturbances during the building process. This measure was backed by a broader commitment to adhering to environmental standards and ensuring minimal disruption to natural habitats.

Ms. Mathie expressed more comprehensive concerns regarding the broader implications of construction activities on existing wooded and swampy landscapes, including concerns about potential changes to the ecological and hydrological state of her surroundings. She inquired about the specific wetland requirements that would be in place during construction, seeking assurance that the wetland areas would be protected and properly marked to prevent unintentional disturbances.

Mr. Cummins clarified the importance of contractors adhering to the mapped boundaries and construction protocols designed to maintain the natural balance. He addressed potential negative impacts that the development's progress might have on the resident's property, particularly concerning any construction activities related to the specific home planned for subplot 8. Mr. Cummins highlighted that the site operators would need to carefully navigate this area, ensuring no disruption to existing conditions, especially in wetland zones. Additionally, Mr. Cummins underscored that the planned drainage features were purposely devised to mitigate adverse effects, fostering a design that aims to harmonize with existing conditions rather than compromise them.

Ms. Mathie had comprehensive concerns about the implications of construction on wetland properties, specifically addressing potential changes to the environment and water behavior around her home. She asked about the requirements for protecting wetland areas during construction and sought assurance that these areas would be clearly marked to avoid accidental disturbance.

Mr. Cummins reassured her that there would be protective measures put in place, including the use of construction fences or similar demarcations to ensure that wetland areas were clearly marked and undisturbed during construction activities. This was intended to prevent unintentional disturbances and maintain the natural ecosystems during the development process.

Ms. Mathie reiterated her concerns about building a house on the sublots, specifically lots, 1,2 and 8, which include designated forested wetlands.

Mr. Cummins provided detailed information regarding the considerations and requirements for construction in such areas:

- A house can be built anywhere within the setbacks of subplot 8, provided the builder either avoids the wetlands or obtains a separate permit for any wetland disturbance.
- The current site plan does not show the house located outside wetlands; the exact location could change depending on future homeowners' decisions.
- Wetland permitting is costly and time-consuming, so building directly in wetlands is generally less common but possible with the proper approvals.
- Construction is expected to include some fill, potentially raising the house elevation by 1 to 2 feet or possibly more to address wet conditions.
- The area will have construction fencing (silt fences) to protect the wetlands during development and prevent disturbance.
- Homeowners may move the house location within the lot in the future but must adhere to wetland regulations and permits.
- Drainage is designed so that water from the property and nearby parcels will be directed to the swale and storm sewer, reducing the likelihood of standing water.
- Any further drainage modifications or augmentations after development will be the sole responsibility of the homeowner and will not be maintained by the city or HOA.

Ms. Mathie asked whether soil elevation changes are permitted within wetland areas to prevent soggy conditions.

Mr. Cummins responded that grading within wetlands is allowed only with the appropriate permits and typically involves placing a limited amount of fill around the house site.

Ms. Mathie inquired about what steps she should take if, after development is completed, she experiences standing water in her backyard. She noted that she has lived at the property for 36 years and, as shown in the submitted videos, has not previously experienced standing water.

Mr. Cummins responded that, based on the video, there are several trees in the backyard and what appear to be pockets of standing water. He noted that some areas of the yard are higher and dry, while lower areas contain water. He explained that the proposed design would cut off any surface flow coming from the subject property. While this may not eliminate all areas of standing water in the backyard, it would likely reduce them. He stated that without an extensive evaluation of the backyard, he could not determine the exact source of the water. Mr. Cummins stated that under the current design, runoff flowing toward Ms. Mathie's property would be directed into a swale and collected by the storm sewer.

Ms. Fechter offered to provide Ms. Mathie with updated plans for her review. Providing such details was aimed at promoting an open line of communication.

Mr. Keeney added that along with delineating the wetlands with fencing, their team would ensure that all disturbed areas were temporarily seeded and stabilized to prevent erosion until individual lot owners begin their construction. This additional step, Mr. Keeney noted, would further align with their commitment to preserving the ecological balance during development. He clarified that the Storm Water Pollution Prevention Plan (SWP3) outlined that every disturbed area must be seeded and mulched to prevent erosion between the time grading and development work completes and the future execution of individual home constructions. This approach ensures that the soil remains stabilized, minimizing runoff and protecting the integrity of the surrounding ecological systems. Mr. Keeney emphasized that these measures are not mere formalities but are crucial components of their overall strategy to mitigate environmental impact, underlining the significance of remaining vigilant in soil conservation and erosion control, particularly in areas surrounding sensitive wetlands.

Mayor Jensen expressed his belief that no one would opt to construct a house on the subplot containing wetlands, as they would likely want to avoid having water issues in their yard with the new build. He highlighted the inherent challenges of building in a swampy area, emphasizing that homeowners would be compelled to take measures to maintain a dry environment to ensure the usability of their yard. Mayor Jensen pointed out the expectation that the planned drainage solutions should effectively address these concerns, converting wet spaces into more manageable areas through the integration of the proposed swale and storm sewer systems. He reassured Ms. Mathie and other residents that the systems were designed to facilitate water movement, prevent accumulation, and ultimately contribute to a more functional and less water-logged property.

Ms. Mathie inquired about the possibility of a potential new homeowner deciding to change the elevation for a new construction home on the subplot, expressing concern about the impact of such changes, especially if additional fill were to be brought in to alter the landscape.

Mr. Cummins explained that while new homeowners can adjust the grade around their house, they cannot legally fill or alter the wetlands without acquiring the necessary permits. He mentioned that typically, some amount of fill might be applied around the home, depending on the homeowner's preferences and whether they choose to have a basement. However, such modifications are bound by regulations to ensure no encroachment or disruption occurs within the designated wetland areas unless an additional permit is acquired.

Chair Witherspoon declared this item as a Second Presentation.

3. Westhaven Estates, Detroit Road, Preliminary Plat, PL20250079

Swipe USA LLC is requesting approval of the Preliminary Plat for a residential subdivision consisting of 35 single family homes on Detroit Road (PPN 04-00-001-101-001, 002 and 015).
First Presentation held on December 17, 2025.

This item was deleted at the Applicant's request.

4. Discussion

- a. Ordinance 119-25, Extending the Temporary Moratorium on the Acceptance and Processing of Applications for Zoning Occupancy, Special Use and/or Building Permit Approvals for the Establishment, Development and Construction of Car Washes and Self-Storage Facilities within the City of Avon.**

Ms. Fechter, Planning Coordinator, reported that staff had been working on this issue for some time and had compiled a chart showing the locations of all car washes and storage facilities in the city. They were conducting further research on occupancy rates of existing storage facilities to determine whether there was an overabundance and what restrictions might be appropriate. Different cities around us have addressed similar issues, with some implementing measures to ensure facilities are not overly concentrated in areas and are considering strategies to manage the distribution effectively. City Council extended the moratorium until June 23, 2026, to allow time to complete this analysis. Ms. Fechter informed the commission of ongoing efforts to gather data and develop a structured proposal for city planning, encouraging suggestions and feedback from the commission to ensure a comprehensive approach to addressing these facilities' placement and volume across the city.

b. Ordinance 120-25, Imposing a Temporary Moratorium on Future Development in the R-3 Multi-Family Zoning District for a Period not to Exceed 1 year from the Effective Date to Allow Time to Review Applicable Ohio Statutes, Regulations and the City's Codified Ordinances.

Ms. Fechter explained that while the Planning Commission had referred to City Council a 6-month moratorium, Council had decided to impose a 1-year moratorium to allow more time to address multifamily development issues, including fire access concerns and other obstacles. This extension was intended to give the city ample time to thoroughly examine the multifamily zoning district regulations and develop comprehensive strategies that address all pertinent issues.

Mayor Jensen recommended creating a well-defined line of demarcation to ensure clarity and consistency in zoning decisions to prevent future requests to extend R-3 zoning further than what is deemed appropriate. He emphasized the need for creating a strategic boundary line that would help maintain industrial zoning on both sides of Freeman Drive, thereby preserving land for its intended uses and preventing potential overdevelopment. Mayor Jensen suggested that this approach would not only delineate clear zoning boundaries but would also act as a safeguard, ensuring that future developments do not encroach into areas designated for other purposes, such as industrial use. The consideration of establishing a demarcation line would assist in maintaining a strategic approach to development, accommodating growth while preserving the intended use of land areas. This concept would prove vital in preventing any undue expansion of R-3 zoning by legal or other means. Mayor Jensen highlighted that the Commission's decision on zoning boundaries would significantly impact how future developments in the R-3 district would proceed, making it crucial to carefully evaluate how these zoning lines were drawn to align with the city's overall planning vision.

COMMENTS

Mayor Jensen had no comment.

Mr. Fitch had no comment.

Mr. Beatty had no comment.

Mr. Radcliffe had no comment.

Ms. Fechter Ms. Fechter welcomed Mr. Beatty to his first meeting, noting that the agenda was unusually light.

Mr. Cummins had no comment.

Mr. Gasior had no comment.

Ms. Clements had no comment.

Mr. Streater had no comment.

Chair Witherspoon had no comment.

Audience-no comment.

ADJOURN

Mr. Radcliffe moved, seconded by Mayor Jensen, to adjourn. The vote was: "AYES" all. The Chair declared the motion passed. The meeting was adjourned at 7:38 p.m.



Carolyn Witherspoon, Chair
Planning Commission



Susan Pintz, Planning and Zoning Secretary

2-18-26
Date

FINAL DEVELOPMENT PLANS FOR GRACE ESTATES SUBDIVISION

CITY OF AVON - LORAIN COUNTY - OHIO

DESIGNED BY:



POLARIS ENGINEERING & SURVEYING, INC.
24653 CHARLTON ROAD - SUITE D
WILLOUGHBY HILLS, OHIO 44094
(440) 344-4423 (440) 344-3722 (Fax)
www.polaris-es.com

DEVELOPED BY:
BANK AVON, LLC.
7555 FREDLE DRIVE
PAINESVILLE, OHIO 44077
CONTACT: NOAM ADLER
PHONE: (440) 710-0711
EMAIL: NADLER@KNEZ.NET



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APPROVALS

G.E.P.A. NOTES CONSTRUCTION STORMWATER PERMIT: _____
SEWER APPROVED BY G.E.P.A. BY LETTER DATED: _____
WATER APPROVED BY G.E.P.A. BY LETTER DATED: _____

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BY: _____ DATE: _____



David L. Zeng
City of Avon Consulting Engineer
(STAMP REQUIRED)
DATE: 10/26/2019

VICINITY MAP
N.T.S.

TITLE SHEET

CONTRACT NO.
24209
SHEET
01
OF
27

