



**CITY OF AVON LAKE
PLANNING COMMISSION
150 Avon Belden Road
Avon Lake, Ohio 44012
(440) 930-4110**

Voting Order

G. Smith
M. Spaetzel
R. Haas
J. Leitch
H. Ma
S. Orille
C. Raymond

**AGENDA
Tuesday, May 6, 2025
7:00 PM
City Council Chambers**

ROLL CALL

Mr. Haas, Mr. Leitch, Dr. Ma, Mr. Orille, Mrs. Raymond, Mr. Smith, Mayor Spaetzel, Director of Law Ebert, Engineer Howard, Community Development Director Esborn, and Planning and Zoning Manager La Rosa.

- 1. APPROVAL OF APRIL 1, 2025, MEETING MINUTES**
- 2. GENERAL CORRESPONDENCE/ANNOUNCEMENTS**
- 3. COUNCIL REPORT**
- 4. SWEARING IN PUBLIC COMMENT PARTICIPANTS**
- 5. NEW CASES**

Case No. CPC-25-5, Las Margaritas Mexican Restaurant, Site Plan Approval for the Construction of a New Outdoor Patio located at 519 Avon Belden Road. Applicable Code Section: 1214.06 Site Plans apply.

Case No. CTA-25-1, Planning and Zoning Code Text Amendments. Applicable Code Section 1214.02 Code Text and Map Amendments apply.

- 6. OTHER BUSINESS**

2025 Proposed Rules and Regulations Amendments

- 7. GENERAL PUBLIC COMMENT**

The next regular meeting of the Planning Commission is Tuesday, June 6, 2025.

- 8. ADJOURNMENT**

**MINUTES OF THE AVON LAKE
PLANNING COMMISSION MEETING
April 1, 2025**

A regular meeting of the Avon Lake Planning Commission was called to order on April 1, 2025, at 7:00 P.M. in Council Chambers, with Pro-Tem Raymond presiding.

ROLL CALL

Mr. Haas, Mr. Leitch, Mr. Orille, Mrs. Raymond, Mr. Smith, Mayor Spaetzel, Director of Law Ebert, Engineer Howard, and Planning & Zoning Manager La Rosa were present for the roll call.

APPROVAL OF MINUTES

Mr. Haas noted that there were no corrections, but he wanted to provide an update regarding the landscape plan in the Pulte development since his comments and concerns were in the minutes. Pulte representatives have met with the Homeowners Association of Current Village to review the landscape plan, discuss commitments, and address concerns. They also provided details on the lot line and explained the necessity of removing trees due to easements for utilities and road work. The representatives were responsive to the homeowners' concerns.

Mr. Haas moved, and Mr. Leitch seconded, to approve the February 4, 2025, meeting minutes as presented. The motion carried (6-0).

Mr. Haas moved, and Mr. Leitch seconded, to approve the February 4, 2025, work session minutes as presented. The motion carried (6-0).

GENERAL CORRESPONDENCE & ANNOUNCEMENTS

There was no general correspondence or announcements.

COUNCIL REPORT

Mr. Smith reported on a recent town hall meeting regarding issues in the Handford-Lear Road area. He noted that the meeting focused on a proposed traffic study and that the discussion was productive as the city continued to explore solutions.

Mayor Spaetzel added that the meeting took place on March 18, with many residents in attendance. A complete study of the Handford-Lear Road area was ordered and includes Walker, Lear, and Krebs Roads. The city received significant public input, and a follow-up meeting incorporated those comments into a revised scope that is now being reviewed by TranSystems.

SWEARING IN PUBLIC COMMENTORS

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

NEW CASES

Case No. CPC-25-2, Pulte Homes of Ohio LLC, Zoning Map Amendment for the property located at the southeast corner of Walker Road and Avon Belden Road (SR 83), changing from Single-Family Residence (R-1A) and General Commerce (B-2) to Multi-Family Residence (R-3). Applicable Code Sections: 1214.02: Code Text and Map Amendments apply.

Keith Filipkowski, representing Pulte Homes, presented the request to rezone the 11.86-acre site, which is located in the center of Avon Lake, specifically in Ward 2. This proposal follows up on the February 4th work session regarding the Harbor Crest Townhomes project. Mr. Filipkowski noted that the parcel size had been adjusted from 12.12 acres to 11.86 acres due to the exclusion of a northwest alcove section, which had previously been considered a pocket park.

The current zoning includes a Mixed-Use Overlay (MUO) and General Commerce (B-2) to the northwest, with R-1A Single-Family Residential to the south and southeast. The applicant has submitted a split and consolidation plat to unify the parcels, which was presented to the Development Review Committee on March 24th. The plat application is expected to be recorded administratively through the county.

The applicant is requesting an R-3 zoning designation, which would allow for a maximum of 146 units by right. However, Pulte Homes has voluntarily conditioned the rezoning to a maximum of 73 units, resulting in a density of 6.16 units per acre.

A Traffic Impact Analysis (TIA) was submitted, along with a letter of clarification. The study initially accounted for 74 units, but as the plan was refined, the actual count was adjusted to 73. The study concluded that no turn lanes would be required and that the proposed development would not necessitate roadway improvements. Concerns from the Planning Commission's work session, including turn lanes on Avon Belden Road and adequate street widths for public safety access, were addressed. The roads within the development will have a 22-foot width, which meets safety standards.

Mr. Filipkowski emphasized that this meeting was focused on the zoning change, not the site plan approval. He urged the commission to consider whether the proposal aligns with the city's land use strategy. He also provided clarifications regarding the type of housing being proposed. The project will feature first-floor master units, which are expected to attract empty nesters rather than families with school-aged children. Recent data from Pulte's Avon Lake developments indicate that none of the last 25 homes sold through Pulte Mortgage included dependents.

Regarding affordability, Mr. Filipkowski presented data on the housing supply in Avon Lake. The current inventory for homes under \$500,000 is significantly lower than for homes priced above that threshold, with less than one month of supply in the lower price range. The proposed development aims to introduce townhomes starting at just under \$500,000, addressing the need for more affordable housing options in the community.

The applicant acknowledged the concerns raised in the work session and indicated a willingness to provide an updated traffic study that accounts for the adjacent Sandridge development's 28 units. Mr. Filipkowski requested that the Commission consider delaying its review of the TIA until the updated report is submitted.

Mr. Filipkowski elaborated on key considerations for pedestrian circulation, ensuring connectivity between various areas, including Avon Belden, Walker Road, and the Town Center. The sidewalk width has been expanded to six feet to enhance walkability and accessibility. The northwest corner's alcove is no longer available; instead, a pocket park will be relocated to the southern end, creating a more tranquil and usable space for residents.

Regarding fire safety and traffic concerns, the site plan has been adjusted to replace the previously proposed hammerhead turnaround with a cul-de-sac, which includes the pocket park. Parking was another consideration, with 25 designated common spaces in addition to garages and driveways, offering over 300 parking spaces for 73 units. While no specific code requirement exists, the provided parking was deemed sufficient.

The community boundary along the R1A district will include fencing and/or plantings to maintain a buffer. The development will feature nearly five acres of open space, constituting 39% of the total project area. The site plan has been modified to relocate the stormwater retention basin to the west side, making Avon Belden the primary entryway, aligning with feedback that it should serve as the prominent gateway to the community.

Architectural and landscape elements were discussed, including wrought iron fencing and consistent streetscape design. The pocket park will serve as a quiet retreat with seating areas and specimen trees. The residential product offerings remain unchanged, with design enhancements such as colored garage doors to reduce visual impact and increased landscaping between driveways to soften the streetscape.

The project team remains optimistic about securing rezoning approval in April and was available for questions.

The Commission members expressed appreciation for the thorough presentation and the responsiveness to previous work session feedback. Discussions primarily focused on the rezoning request, particularly the proposed R-3 designation versus R-2, with concerns centered around density, financial feasibility, and future land use restrictions.

It was acknowledged that the proposed density (6.16 units per acre) falls between the R-2 and R-3 designations, aiming to balance financial viability and community impact. Questions were raised regarding why an R-2 zoning designation would be financially unfeasible, with the developer explaining that a lower density (60 units) would make the project nonviable.

Concerns were noted about the potential for increased density in the future under R-3 zoning, with some members suggesting an R-2 designation with a variance request as an alternative. Law Director Ebert clarified that conditions imposed on the rezoning would be binding and restrict future density increases.

Commission members reviewed density comparisons with nearby developments, noting that the proposed density aligns with surrounding properties. Traffic concerns were mentioned, with a third-party review of the traffic study planned to address potential issues.

Some members emphasized the importance of tree preservation and buffering, particularly on the southern boundary.

Overall, the commission acknowledged the developer's efforts but debated the long-term implications of the rezoning approach, balancing financial, planning, and community considerations.

Debra Beard, after being sworn in, inquired whether there were other areas in Avon Lake with split zoning beyond the property under discussion. She was surprised to learn about the split zoning on Walker Road, where properties are zoned R-2, B-2, and R-1. She also expressed significant concerns about the traffic study, particularly regarding the same developer's project next to Huntington Bank. Mrs. Beard questioned why the traffic study did not account for those additional units and noted that traffic congestion in the area is already problematic, especially on weekends. She emphasized difficulties in turning onto SR-83 and criticized the lack of turn lanes. Additionally, she pointed out that speed limits in the area are not well observed.

Austin Page, Planning and Zoning Manager, responded to Mrs. Beard's zoning inquiry by identifying two other split-zoned properties in Avon Lake: the former Ahern's Banquet Center, which is split between industrial and commercial zoning, and a property near the power plant, which has both industrial and commercial zoning.

In response to comments, Mr. Filipkowski reaffirmed the commitment to providing an updated traffic report that addresses the development across the street, and he stated that collaboration with the city on traffic concerns will continue throughout the project. He also clarified that the R-1 zoning with conditions allows for a maximum of 73 units, not a minimum, which should be considered in discussions about creative planning. To illustrate efforts toward creativity, he presented a conceptual plan featuring a meandering trail designed to create a passive park-like experience, though he emphasized that this was just an idea, not a final design. He concluded by expressing interest in developing a high-quality project and requested that discussions on creativity not impede the rezoning process.

Mr. Haas moved, and Mr. Leitch seconded to recommend that the City Council approve Case No. CPC-25-2, Pulte Homes of Ohio LLC, Zoning Map Amendment for the property at the southeast corner of Walker Road and Avon-Belden Road (S.R. 83) from its current zoning designation to R-3, subject to the condition that the maximum density shall not exceed seven dwelling units per acre or a total of no more than 73 units. This recommendation is based on findings that the amendment aligns with the Comprehensive Land Use Plan, provides a logical transition between commercial and residential areas, and meets the review criteria outlined in Section 1214.02 of the Planning and Zoning Code. The motion carried (4-2), with Orille and Smith dissenting.

Case No. CPC-25-3, Ford Motor Company, Site Plan Approval for the Construction of a Pre-Engineered Metal Building as part of the New 400 Building Project located at 650 Miller Road. Applicable Code Section: 1214.06 Site Plans apply.

Patrick Carney from Rudolph Libbe, Inc. presented the case and explained that the building measures 40 x 45 feet, and would be part of the final production process, where vehicles are checked before being transferred to North American Vehicle Logistics. This building would serve as the final step in production, where vehicles are either accepted into a holding lot or sent back to the plant for repairs if rejected. It will include two lanes for truck traffic and will be unoccupied except for the equipment necessary for the vehicle inspection process.

The building is located on the south end of the property, approximately 500-600 feet from Miller Road, near the existing Natville expansion. The new building will be positioned next to a single-lane 400 building and will add two lanes, with the existing building serving as a return lane for company vehicles or employee traffic.

Commission members expressed confusion over the location of the building due to unclear scaling in the plans. Additionally, questions were raised about the impact of relocated lighting on neighboring properties. It was clarified that the building will not have garage doors and will remain open with two lights.

The engineering department reviewed the site plans and noted some outstanding comments. The site plan was not yet fully approved, but these comments would be addressed in a revised plan before the project could move forward with building permits.

Mr. Haas moved, and Mr. Leitch seconded to approve Case No. CPC-25-3, Ford Motor Company and Rudolph/Libbe Inc., site plan for the Ford OHAP New 400 Building Project, located at 650 Miller Road, subject to the condition that all engineering comments be positively addressed before the plans are sent to the building department for permitting. The motion carried (6-0).

Case No. CPC-25-4, Jake's on the Lake, Site Plan Approval for the Construction of a Patio Enclosure and Building Renovation Project at 32485 Lake Road. Applicable Code Section: 1214.06 Site Plans apply.

David Mason of Mason Design presented the project, explaining that the south side of the building, including the deck, ramp, and HVAC equipment, will be removed and rebuilt. The new design includes a slight extension of the dining area to accommodate health requirements and additional space for guests. The building's exterior will feature an L-shaped dining area, a new ADA restroom, and a covered patio with large, openable windows and doors. The patio is designed to improve guest comfort by providing shade, while the interior improvements will allow for a better guest experience.

Jake Paul, co-owner of the restaurant, explained that the project will not significantly increase the number of guests or parking spots. The new addition is expected to improve the guest experience, reduce noise for neighbors by enclosing the patio area, and create a more modern, welcoming atmosphere. He emphasized that the restaurant already has a loyal local customer base, and no concerns have been raised by neighbors.

Several commissioners praised the design and noted that it would improve the patio area, making it more usable and reducing noise levels for nearby residents.

There was a question about whether the patio would be used year-round. Jake Paul clarified that while it would be open during cooler weather, it would not be used during the winter months.

Clarifications were made about the location of the new entrance and the service ramp, which is for deliveries and kitchen equipment only, not for customer use.

The new foundation will be typical masonry, and the patio addition will have a capacity of approximately 38-42 seats, similar to the current deck area.

Mr. Hass noted that he serves as the Planning Commission's non-voting representative on the Historic Preservation Commission. Jakes on the Lake is a historically significant building with a long-standing presence in Avon Lake. In the past, the Historic Preservation Commission approached the owners to gauge their interest in officially designating the building as historic. The decision ultimately rests with the owners. The historic designation can be particularly challenging for businesses, as it requires adherence to a certificate of appropriateness for any modifications. Since Jake's on the Lake has not been designated as historic, this requirement does not currently apply. However, past and future renovations or alterations could affect the building's historic integrity. If changes are substantial, the building may no longer meet the criteria for historic designation, potentially preventing Jakes on the Lake from ever receiving official historic status.

Commission members suggested using more natural, Ohio-native plants in the landscaping plan, especially around the addition, to align with city guidelines. The applicant agreed to consider this suggestion.

Mr. Haas moved, and Mr. Leitch seconded to approve Case No. CPC-25-4, Jake's on the Lake, Site Plan for the Construction of a Patio Enclosure and Building Renovation Project at 32485 Lake Road. The motion carried (5-0), with Haas abstaining.

OTHER BUSINESS

A proposal from Avon Lake Regional Water to vacate a portion of Alameda Avenue (a 50-foot right-of-way). Applicable Code Section: 1216.03 (c) Zoning District Map and District Boundaries, Vacation of Public Rights-of-Way apply.

Engineer Howard noted that the purpose of this vacation is to consolidate properties in the area for development, and he confirmed that the request was reviewed by DRC and there were no objections.

Mr. Haas moved, and Mr. Leitch seconded to recommend to the City Council to vacate a portion of Alameda Avenue (a 50-foot right-of-way). The motion carried (6-0).

DISCUSSION ITEM

There were no discussion items.

GENERAL PUBLIC COMMENTS

There were no general public comments.

ADJOURNMENT

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

Planning Commission
Pro-Tem Chairperson Raymond

Recording Secretary
Kelly La Rosa



LAS MARGARITAS MEXICAN RESTAURANT - SITE PLAN

Report

To: Avon Lake Planning Commission

From: Kelly La Rosa, Planning and Zoning Manager

Date: April 30, 2025

Re: Case No. CPC-25-5, Las Margaritas Mexican Restaurant, Site Plan Approval for the Construction of a New Outdoor Patio located at 519 Avon Belden Road.

PROJECT OVERVIEW

The purpose of this report is to outline the site plan application submitted by Las Margaritas Mexican Restaurant for the addition of a new outdoor patio on the south side of the existing building. The proposed patio aims to enhance the restaurant's amenities by offering expanded outdoor dining and bar service.





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Las Margaritas Mexican Restaurant
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PROJECT DESCRIPTION

The owner of Las Margaritas Mexican Restaurant, Rogelio Hernandez, is proposing the addition of a new outdoor patio on the south side of the existing restaurant located at 519 Avon Belden Road. The goal of the project is to enhance the dining experience by offering an inviting outdoor seating area that complements the restaurant's current operations.

The proposed patio will feature seating for 29 guests, including six tables with four seats each and a bar area with five additional seats. A metal canopy will cover the bar, providing partial shading for the patio, while four custom planters wrapped in Spanish tile vinyl will enclose the space, adding both safety and visual appeal. Additional features include suspended string lighting and a 70-inch monitor to support the ambiance of the new area.

To accommodate the patio, the existing parking lot will be slightly modified, reducing the total number of parking spaces from 48 to 45. However, the two designated handicapped spaces will remain, and the current drive-thru access will be maintained. The overall design ensures continued access to Avon Belden Road and does not disrupt existing site circulation.

This outdoor dining area is considered an accessory use under the City's zoning code and does not require additional parking. The project will also help mitigate heat gain on the building's southern exposure, contributing to the site's sustainability efforts.

Zoning Map: The subject property is located within the B-2 General Commerce District, consistent with the zoning of the surrounding parcels, which are also designated B-2.

The B-2 General Business District is intended to accommodate a wide range of commercial uses, including retail, restaurants, offices, and personal services that serve both the local community and the surrounding region. This district is typically located along major roads and is designed to support high-visibility, high-accessibility businesses while maintaining compatibility with nearby developments.

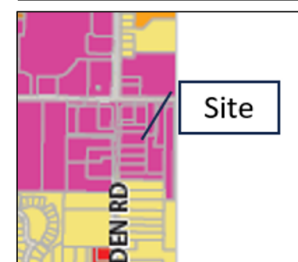
Comprehensive Land Use Plan: The Future Land Use Map designates this site as a Focus Area, intended for mixed-use development that blends residential, retail, office, and entertainment uses within a walkable, neighborhood-scale environment. This district emphasizes connectivity, public gathering spaces, and complete streets, encouraging both vertical and horizontal integration of uses, with architecture and open space that reflect a human-centered, urban character and high-quality design.

Applicable Code Section: 1214.06 Site Plans apply.

ZONING MAP



FUTURE LAND USE MAP





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PROJECT ANALYSIS

Zoning and Land Use

The proposed outdoor patio for Las Margaritas Mexican Restaurant is consistent with the B-2 General Commerce District, which permits a range of commercial uses, including restaurants with accessory outdoor dining. The surrounding parcels share the same B-2 zoning, reinforcing the compatibility of the proposed use within the existing development pattern. Additionally, the site's designation as a Focus Area in the Comprehensive Land Use Plan supports enhancements that promote a vibrant, mixed-use environment with pedestrian-friendly amenities and public gathering spaces. The addition of the patio aligns with these objectives by expanding the restaurant's offerings and enhancing the customer experience in a manner consistent with the district's intent and the community's long-term vision for the area.

Sustainability Considerations

The proposed outdoor patio at Las Margaritas Mexican Restaurant has been designed with several sustainability considerations in mind. Most notably, the addition of the patio and its structural canopy on the south side of the building will provide shading for the building's southern façade. This reduction in direct solar exposure is expected to help lower interior heat gain, potentially reducing cooling demands during warmer months and contributing to overall energy efficiency.

The project minimizes environmental impact by utilizing the existing developed footprint of the site. Only a small portion of the current parking area—two standard spaces—will be repurposed to accommodate the new patio, ensuring that site function and vehicular circulation remain intact.

Furthermore, the proposed design incorporates durable and low-maintenance materials, such as outdoor pavers and planters, which will reduce the need for frequent replacement and contribute to the long-term sustainability of the space. The inclusion of string lighting, rather than overhead floodlights or pole-mounted fixtures, limits light pollution and minimizes potential glare or spillage onto adjacent properties.

No existing sustainability features will be removed or adversely impacted as a result of this project. Instead, the patio enhances the restaurant's usability and customer experience while supporting energy-conscious design practices aligned with the City's broader sustainability goals.

Development Review Committee

The Development Review Committee (DRC) comprises representatives from Community Development, Engineering, Building, Public Works, Avon Lake Regional Water, Fire, and Police departments. Each member provides feedback on the proposed development. Comments received from DRC are attached to this report.



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REVIEW AND RECOMMENDATION BY THE COMMISSION

The Commission shall review the application, taking into account the review criteria in Section 1214.06 (d) as a minimum.

To approve the site plan, the Commission shall determine that:

- (1) The proposed development is consistent with all the requirements of this code and other related codes and ordinances of the City;
- (2) The proposed development complies with the applicable zoning district regulations;
- (3) The proposed development complies with any established standards or requirements in the approved comprehensive land use plan or thoroughfare plan;
- (4) The proposed development meets all the requirements or conditions of any applicable development approvals (e.g., previously approved planned developments, conditional use approvals, variance approvals, etc.);
- (5) The development will result in a harmonious grouping of buildings within the proposed development and in relationship to existing and proposed uses on adjacent property;
- (6) The development will preserve and be sensitive to the natural characteristics of the site in a manner that complies with the applicable regulations outlined in this code;
- (7) Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent property;
- (8) The development will provide adequate lighting for safe and convenient use of the streets, walkways, driveways, and parking areas;
- (9) Upon review and recommendation of the Code Administrator, points of ingress/egress to the development shall be controlled and designed in such manner as to minimize conflicts with adjacent properties and developments;
- (10) Adequate provision is made for emergency vehicle access and circulation; and
- (11) If the project is to be carried out in progressive stages, each stage shall be so planned that the foregoing criteria are complied with after each stage.

After its review, the Commission will either approve, approve with modifications, or deny the application. If the Commission decides to deny the application, it must reference the specific review criteria in Section 1214.06(d) and explain why the application does not meet those criteria.

Potential Motion: A motion must be made in the affirmative. A minimum of four “yes” votes to approve or “no” votes to reject the application is required to take action on the application. The following language is provided as a guide and does not suggest any specific action by the Planning Commission.



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Las Margaritas Mexican Restaurant
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I move to approve the Site Plan Application for Las Margaritas Mexican Restaurant's New Outdoor Patio at 519 Avon Belden Road, as submitted or subject to the following conditions:

SUBSEQUENT ACTION

Based on approval from the Planning Commission, this plan may proceed to the Building Department for permit submission. If approved outright, no further action is needed. If approved with conditions, all specified conditions must be satisfactorily addressed before proceeding.

ATTACHMENTS

- Application to the Planning Commission
- DRC Comments

CPC-25-5

Planning Commission Application

Status: Active

Submitted On: 3/19/2025





Primary Location

519 AVON BELDEN RD
AVON LAKE, OH 44012


Owner

CLEAVONBELDEN LLC
1914 CHARTLEY RD GATES MILLS, OH 44040

Applicant

 Seth Moyer
 440-567-7035
 smoyer@hsbarch.com
 1250 Old River Rd
Cleveland , oh 44113

Property or Parcel Information

Zoning Classification 

Present Use*

restaurant

Type of Request*

Site Plan

General Description of Project*

The current tenant of Las Margaritas Restaurant wants to expand its dining space through an outdoor patio addition that will feature a exterior canopy.

Have you had your meeting with the Development Review Committee?*

No

**Your application will not be reviewed until you have met with the Development Review Committee (DRC).
Please submit the DRC application before submitting this application.**

Applicant Information

Applicant is the Property Owner or Property Owner's Designee.

Project Manager will be the person working closest with the plans and will be the main point of contact for the Planning Department's questions.

Applicant Role*

Developer

Applicant Name*

Rogelio Hernadez

Address*

519 Avon Belden Rd.

City*

Avon Lake

State*

ohio

Zip*

44012

Phone*

216-644-2323

Email*

jlaver@crescorealestate.com

Project Manager

Bob Bajko

Project Manager Phone

216-469-8571

Project Manager Email

bbaijko@hsbarch.com

Property Owner Information

Name*

Jason Laver

Address*

3 summit park drive

City*

Independence

State*

ohio

Zip*

44131

Phone*

216-644-2323

Signature

Applicant Signature*



Rogelio Hernandez

Mar 19, 2025



LAS MARGARITAS MEXICAN RESTAURANT: PATIO DESIGN

519 AVON BELDEN RD, AVON LAKE, OH 44012

EXISTING PHOTOGRAPHS

EXISTING CONDITIONS:

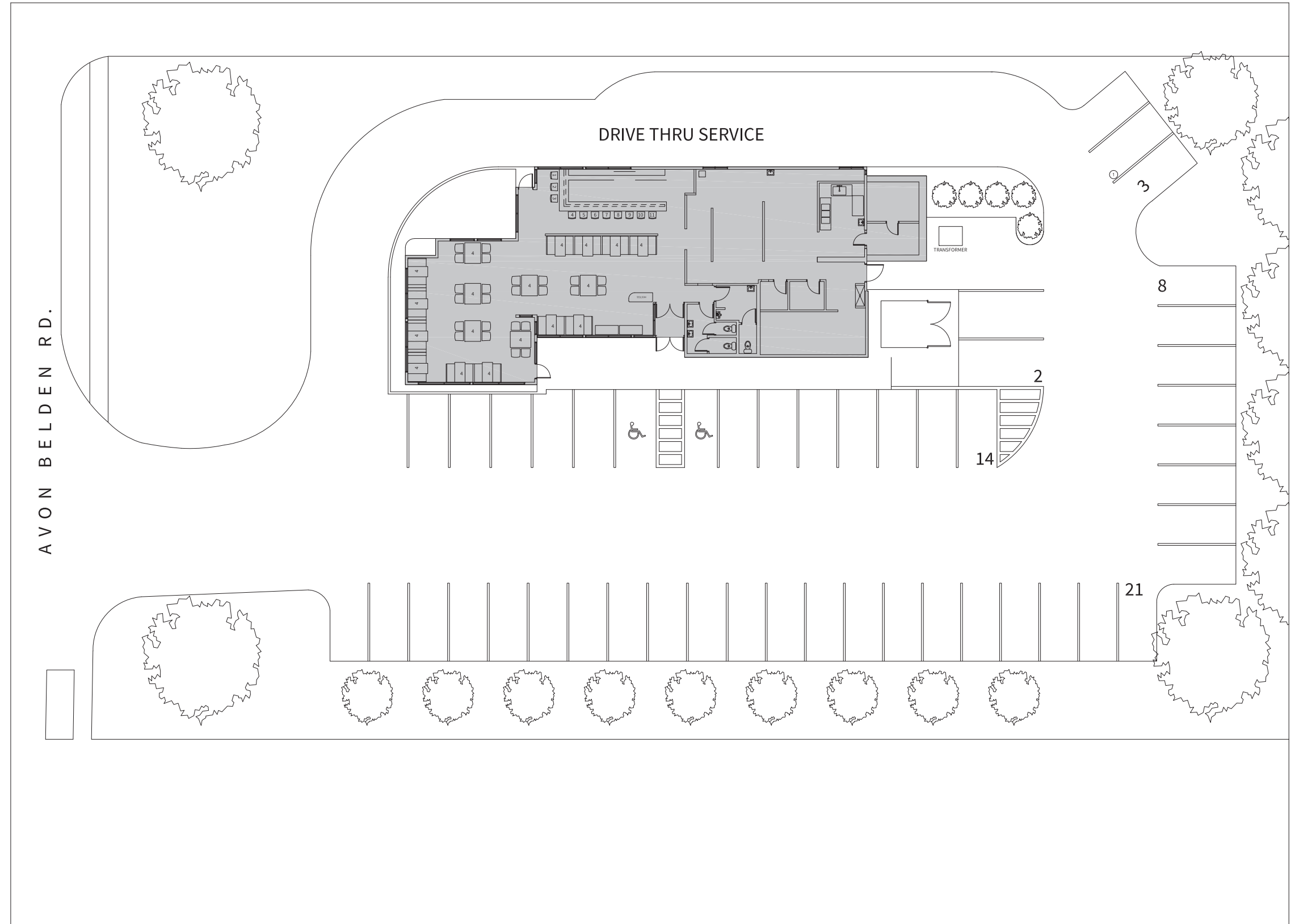
The current site host las Margaritas at 519 Avon Belden Road in Avon Lake Ohio. The existing conditions currently serve on site parking and a drive thru for quick service.



VIEW FROM AVON BELDEN RD
519 AVON BELDEN RD, AVON LAKE, OH 44012

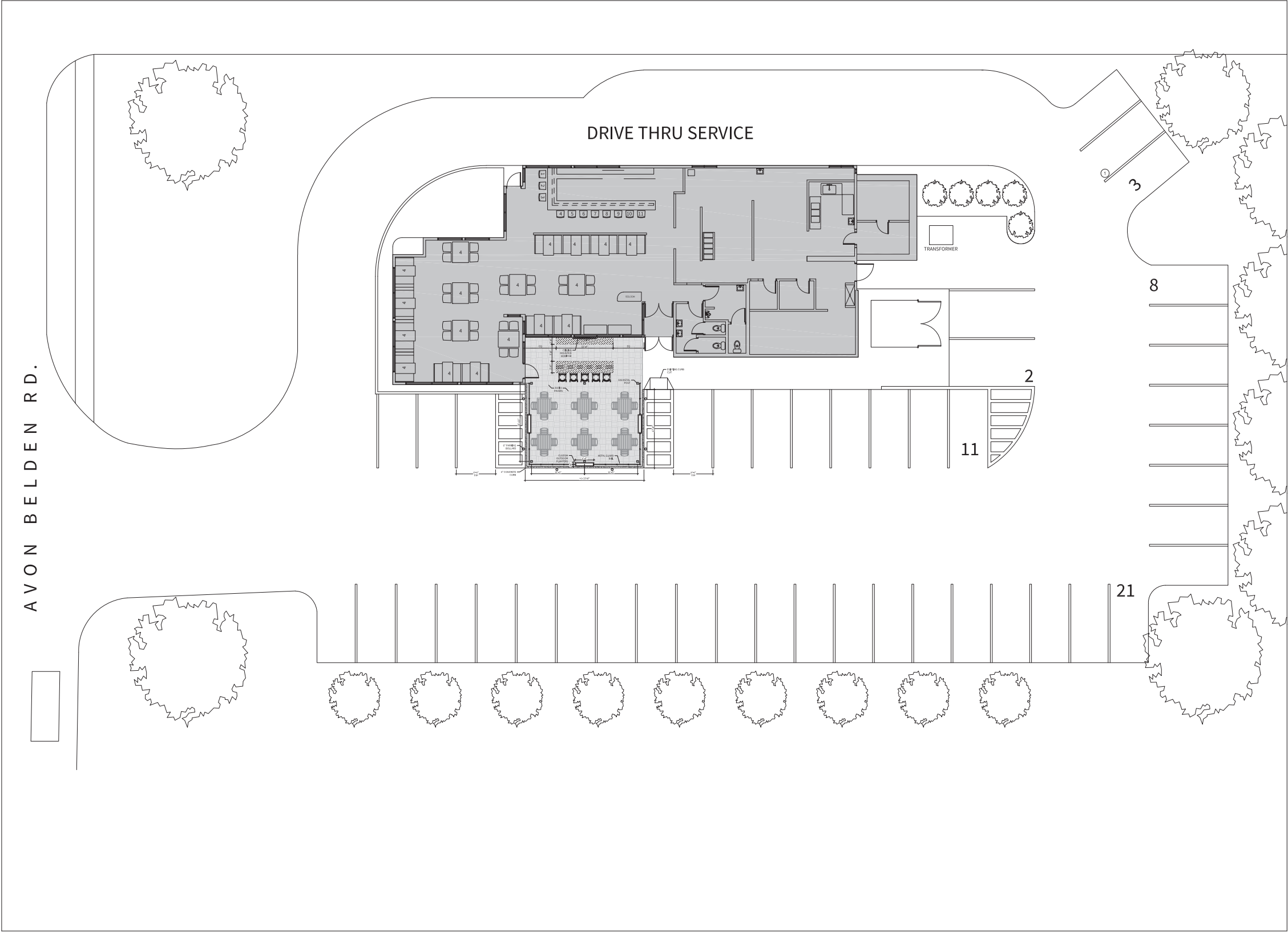
EXISTING CONDITIONS

- 48 parking spots
- 2 Handicap spots
- Drive thru access for quick service
- Access to Avon Belden RD.



PROPOSED SITE PLAN

- 45 parking spots
- 2 handicap spots
- Maintained drive thru access
- New patio with 29 added seats
- Maintain access to Avon Belden RD.

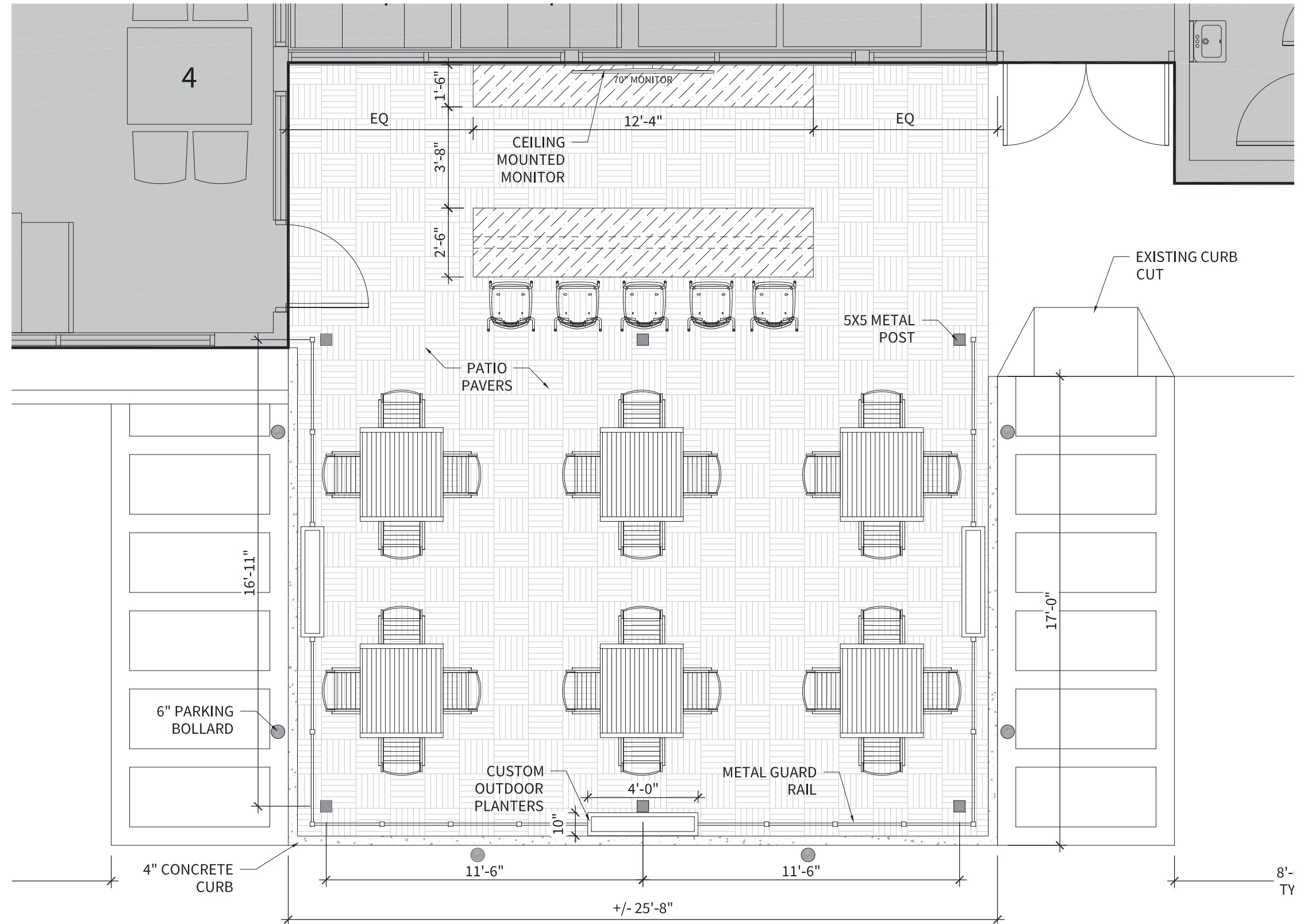




PROPOSED PATIO PLAN

FEATURES:

- Outdoor patio paver's
- 29 newly added seats
- 6 (4) tops tables
- 5 bar seats
- (1) 70" suspended monitor
- 4 custom planters with Spanish tile vinyl wrap

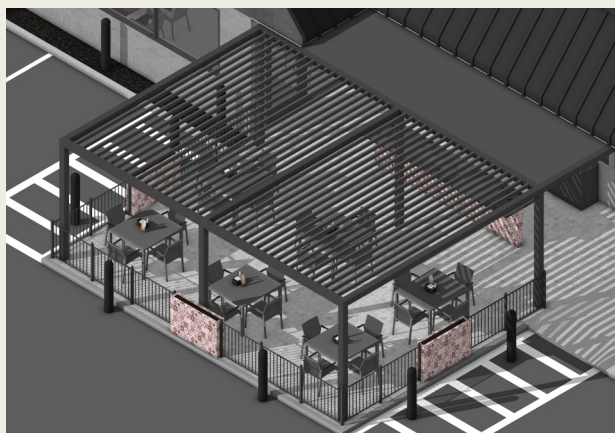


SITE PLAN: 1/4" = 1'-0"
519 AVON BELDEN RD, AVON LAKE, OH 44012

PROPOSED PATIO

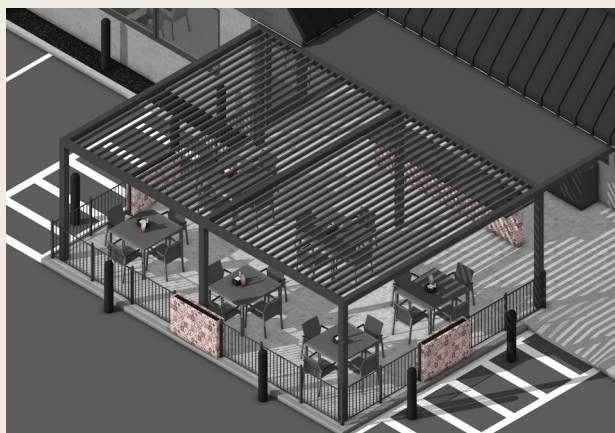
DESIGN:

The design establishes a new outdoor seating area with an adjacent bar and back bar area. Included in the design is a metal canopy that covers the bar and partially shades the outdoor tables.



PROPOSED FEATURES

- Outdoor tables and chairs
- Bar with Seating
- Back Bar
- Suspended Monitor
- Exterior Canopy
- Suspended outdoor lighting
- Custom Platers wrapped in Spanish Tile Vinyl

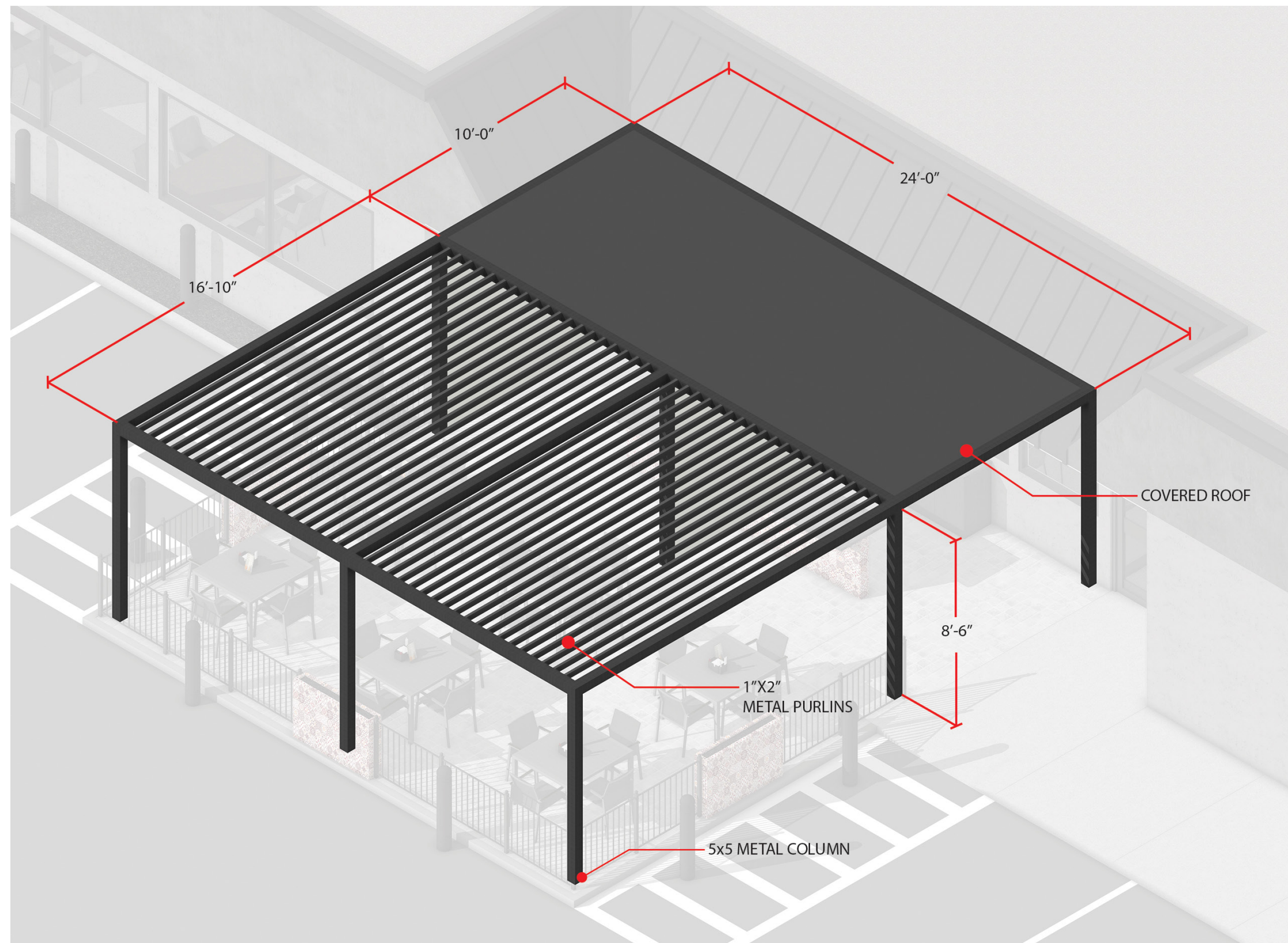




PATIO CANOPY DESIGN

FEATURES:

- 45 parking spots
- 2 handicap
- Maintained drive thru access
- New patio



OVERALL CANOPY AXO
519 AVON BELDEN RD, AVON LAKE, OH 44012



City of Avon Lake
Design Review Committee

March 18, 2025

Las Margaritas Mexican Restaurant – New Outdoor Patio

519 Avon Belden Rd.
Avon Lake

DRC:

The owner of Las Margaritas, Rogelio Hernandez, is excited to present this project to your committee. Las Margaritas has prospered in your city and Rogelio is now looking to offer an outdoor dining experience by creating a new patio on the south side of the restaurant.

The new patio will be covered by a new pergola and be serviced by a new outdoor bar. The new patio will be protected on all sides with a new railing and planter boxes.

The new patio requires a slight modification to the existing parking lot but will not adversely affect the parking count.

We look forward to presenting this project to the committee on Monday, March 24th. Please reach out if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Bajko'.

Robert Bajko, AIA



City of Avon Lake
Planning Commission – Sustainability Statement

March 18, 2025

Las Margaritas Mexican Restaurant – New Outdoor Patio

519 Avon Belden Rd.
Avon Lake

DRC:

The owner of Las Margaritas, Rogelio Hernandez, is excited to present this project to your committee. Las Margaritas has prospered in your city and Rogelio is now looking to offer an outdoor dining experience by creating a new patio on the south side of the restaurant.

The new patio will be covered by a new pergola and will take over two existing parking spaces providing a new shaded area on the site. The patio will not affect existing sustainable measures, but rather reduce heat gain on a portion of the southern exposed windows.

We look forward to presenting this project to the committee on Monday, March 24th. Please reach out if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Bajko'.

Robert Bajko, AIA

Zoning Review - Austin

Record No. CPC-25-5

Status Completed**Became Active** March 27, 2025**Assignee** Austin Page**Due Date** April 6, 2025





Primary Location

519 AVON BELDEN RD
AVON LAKE, OH 44012

Owner

CLEAVONBELDEN LLC
1914 CHARTLEY RD GATES MILLS, OH 44040

Applicant

 Seth Moyer
 440-567-7035
 smoyer@hsbarch.com
 1250 Old River Rd
Cleveland , oh 44113

Messages

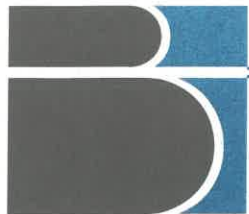
Austin Page

March 28, 2025 at 3:25 pm

The patio is considered outdoor dining (1224.01(f)(11)) and is an accessory use per Chapter 1224.01 of the Planning and Zoning Code. Even though the patio is attached to the primary structure and is considered part of the primary structure for setback purposes, outdoor dining allows connections to the principal structure. Outdoor dining does not require additional parking spaces as the spaces on site are sufficient. As mentioned during DRC (3/24/25), liquor control may require the patio to be fully enclosed if serving alcohol. If enclosed, you will need to have exits via outward swinging gates. The gate shall not open into the parking lot for safety purposes. The applicant needs to confirm their intentions of playing music on the patio. Outdoor. Per the Chapter 1224.01(f)(11)(D) of the Planning and Zoning Code: Outside entertainment, whether by band, orchestra, instrument, musician, singer, radio, television, loudspeaker, microphone, recital or any other individual, group or mechanical device shall not be permitted in any outside dining area if the noise from such entertainment is of such a volume so as to cause a disturbance to abutting property owners. The addition of this activity to an existing use shall require approval through site plan review. If the applicant is planning to have music, etc., it will need to be confirmed by the applicant and included as part of this site plan approval. No issues with the proposed height of the patio. No lighting plan has been provided but plans depict string bulb lighting and would not expect any issues with lighting bleeding at the property lines. Umbrellas and awnings that shelter diners from the elements shall be secured so as not to create a hazard in windy conditions. Such umbrellas shall not contain signage, but awnings may include signage in compliance with Planning and Zoning Code Chapter 1236, Sign Standards. Mentioned during DRC (3/24/25) but please confirm there is no FDC connection within 10 of the patio. Recommend additional bollards at the east/west corners of the proposed patio.

Step Activity

OpenGov system activated this step	03/27/2025 at 1:17 pm
OpenGov system assigned this step to Austin Page	03/27/2025 at 1:17 pm
OpenGov system changed the deadline to Apr 6, 2025 on approval step Zoning Review - Austin	03/27/2025 at 1:17 pm
Austin Page approved this step	03/28/2025 at 3:25 pm



BRAMHALL
ENGINEERING &
SURVEYING COMPANY

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April 25, 2025

Ted Esborn
Community Development Director
City of Avon Lake
150 Avon Belden Road
Avon Lake, Ohio 44012

Reference: Proposed Outdoor Patio Addition
Las Margaritas Mexican Restaurant
519 Avon Belden Road

Mr. Esborn:

On behalf of the City of Avon Lake we have reviewed the Plans submitted for the Proposed Outdoor Patio Addition at Las Margaritas Mexican Restaurant, as prepared by HSB Architects & Engineers, and offer the following comments:

1. For the two (2) new handicap accessible spaces provide the required pavement handicap parking symbol and required handicap parking signs.
2. The Applicant may want to consider adding additional parking bollards at the corners of the Proposed Patio Addition.
3. The Applicant will need to provide a breakdown of the number of required and proposed parking spaces per City Code.

If you have any questions, please call.

Sincerely,

BRAMHALL ENGINEERING & SURVEYING CO.
City of Avon Lake Consulting Engineers

Christopher L. Howard, P.E., CPESC
City Engineer



PLANNING AND ZONING CODE TEXT AMENDMENTS

Report

To: Planning Commission
From: Community Development Department
Date: April 30, 2025
Re: Case No. CTA-25-1 Planning and Zoning Code Text Amendments

BACKGROUND

The Planning and Zoning Code is a crucial tool for shaping land use and development in the City of Avon Lake, aiming to protect public health, safety, comfort, and the general welfare of the community. Since the comprehensive update took effect on January 1, 2022, the Community Development Department has been actively monitoring its implementation, identifying areas for strengthening the code through ongoing use and stakeholder feedback.

An initial round of amendments was enacted in March 2023 to address early implementation challenges. A second set of refinements was adopted in March 2024, following the city's second year operating under the revised code. Building on that progress, the 2025 amendments are focused on improving clarity, enhancing procedural efficiency, and correcting inconsistencies that have emerged during day-to-day application.

These latest changes are a direct response to observations from staff, input from Planning Commission members, and comments from applicants engaged in the review process. The proposed amendments were formally introduced and discussed during the Planning Commission Work Session on January 7, 2025, where staff outlined key revisions and solicited Commission feedback to shape the final recommendations.

DESCRIPTION

The Community Development Department is submitting the following proposed code amendments for formal review. Organized into three categories—editorial corrections, procedural enhancements, and zoning clarifications these updates are intended to support a more effective and user-friendly code.

PROPOSED AMENDMENTS

Editorial Corrections

These revisions are non-substantive and correct typographical errors and internal reference inconsistencies. Affected sections include 1224, 1226, and related charts. There is no action required of the Commission on these items, but they will be incorporated into the final ordinance for clarity and consistency.

Procedural Revisions for Improved Administration

1. Major Subdivisions – Improvement Plans

To align with current practices and improve transparency, we propose requiring the Planning Commission and Council to review subdivision improvement plans. This would be achieved by:

- Incorporating improvement plan review into Section 1214.05(c)(8) and Table 14-1, and
- Deleting outdated language in 1214.05(c)(7)(D) that gives sole decision-making authority to the City Engineer.

2. Variance Expiration

The revised language in Section 1214.09(d) defines “start work” as *obtaining a building permit*, replacing ambiguous phrasing, and improving enforceability.

3. Traffic Impact Analysis (TIA)

We propose refining Section 1234.22(b)(4) to require a TIA only when a site plan may reasonably cause traffic issues, as determined by the Development Review Committee.

Clarifications for Zoning Interpretation

1. Generator Screening

The side-yard screening requirement for generators in Section 1224.01(f)(8)(C) has proven difficult to enforce. Staff recommends its removal, especially given narrow lot configurations and pre-existing equipment.

2. Freestanding Signs

Revised Section 1236.10(b) clarifies that freestanding monument signs are permitted in all business and industrial districts (B-1, B-2, B-3, I-1, I-2), not just in B-3.

3. Driveway Widths

To protect residential character and minimize over-paving, a new standard limits driveway width to 50% of the dwelling width in residential zoning districts.

4. Rear Yard Projections

Section 1226.01(e)(4)(K) will allow porches, steps, and similar features to project up to six feet into rear yard setbacks, aligning with front yard provisions.

5. Corner Lot Setbacks in Industrial Zones

Table 1226-7 reduces minimum front setbacks from 60 to 30 feet for I-1 and I-2 corner lots, eliminating the need for frequent variances in these areas.

Development Review Committee

No concerns were raised by the Development Review Committee on the majority of the proposed code amendments. One comment was received from Avon Lake Regional Water objecting to language changes regarding the City Engineer and Consulting Engineer. To clarify, the City Engineer or Consulting Engineer, both licensed under Ohio law, remains a required member of the Development Review Committee. The amendment simply broadens participation to include other department heads without removing or reducing the City Engineer's responsibilities.

REVIEW AND RECOMMENDATION BY THE COMMISSION

Recommendations and decisions on code text or map amendment applications shall be based on consideration of the review criteria in Section 1214.02 (e). Not all criteria may be applicable in each case, and each case shall be determined by its facts.

Review Criteria

- (1) The proposed amendment is consistent with the comprehensive land use plan, other adopted City plans, and the stated purposes of this code;
- (2) The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions;
- (3) The proposed amendment will promote the public health, safety, and general welfare;
- (4) The proposed amendment, if amending the zoning map, is consistent with the stated purpose of the proposed zoning district;
- (5) The proposed amendment, if to the zoning map, follows lot lines or the centerlines of streets, railroads, or other rights-of-way.
- (6) The proposed amendment is not likely to result in significant adverse impacts upon the

natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

- (7) The proposed amendment will not constitute spot zoning where special treatment is given to a particular property or property owner that would not be applicable to a similar property, under the same circumstances. and/or
- (8) The proposed amendment is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract.

Following its review, the Planning Commission shall determine whether to recommend approval or disapproval to the City Council.

Potential Motion: A motion is to be made positively. A minimum of four “yes” votes is required to approve or four “no” votes to reject the application to make a recommendation to the City Council. The language set forth below serves as a guide, with no intent to suggest any specific action on the part of the Planning Commission.

I move to recommend to the City Council that Case No. CTA-25-1
Code Text Amendments be approved as submitted

or subject to the following conditions:

SUBSEQUENT ACTION

Upon the Planning Commission's recommendation, the Community Development staff will forward the findings and recommendations to the City Council for final consideration.

ATTACHMENTS

- Planning Commission Application



CTA-25-1

Code Text Amendment

Status: Active

Submitted On: 4/21/2025

Primary Location

150 AVON BELDEN RD
AVON LAKE, OH 44012

Owner

AVON LAKE CITY OF
150 AVON BELDEN RD , AVON LAKE OH

Applicant



Kelly La Rosa



440-930-4110



klarosa@avonlake.org



150 Avon Belden Road
Avon Lake, Ohio 44012

Summary of Proposed Updates to the 2025 Planning and Zoning Code

This document summarizes the final proposed updates to the Planning & Zoning Code for 2025. These changes incorporate feedback from the Planning Commission work session held on January 7, 2025, and incorporates Planning Commission feedback received since that time. Items have been grouped by theme to highlight areas of correction, clarification, and procedural improvement.

Code Section	Description of Change	Category	Status
1224.01(12)(B)	Correct typo: delete stray 't' in setback text	Typo	Finalized
Table 1224-2 Note [2]	Fix incorrect reference to '0 and 1234.06'	Typo	Finalized
1226.03(d)(2)	Update table reference from 1226-8 to 1226-9	Typo	Finalized
1214.05(c)(8)	Include Improvement Plan in Planning Commission review	Procedural Revision	Finalized
1214.05(c)(7)(D)	Remove Engineer's authority over Improvement Plans	Procedural Revision	Finalized
Table 14-1	Clarify Planning Commission review of Improvement Plans	Procedural Revision	Finalized
1214.09(d)	Clarify 'start work' as obtaining a building permit	Zoning Clarification	Finalized
1234.22(b)(4)	Refine criteria for requiring Traffic Impact Analysis	Zoning Clarification	Finalized
1224.01(f)(8)(C)	Delete generator side yard screening requirement	Zoning Clarification	Finalized
1236.10(b)	Clarify freestanding signs allowed in all B/I districts	Zoning Clarification	Finalized
1234.05	Limit driveway width to 50% of dwelling width	Zoning Clarification	Finalized
1226.01(e)(4)(K)	Permit porches to project into rear setbacks	Zoning Clarification	Finalized
Table 1226-7	Reduce I-1/I-2 corner lot setbacks to 30 feet	Zoning Clarification	Finalized

Community Development Department Proposed 2025 Changes to Planning & Zoning Code

Planning Commission

Work Session - January 7th

Revised for Planning Commission Meeting – May 6th

Part 1: Typos

1. Accessory Uses and Structures, delete “t”

1224.01(12)(B)

Current: “Accessory structures in residential districts shall be^t setback . . .”

Recommended: “Accessory structures in residential districts shall be setback . . .”

2. Minimum Setbacks for Accessory Structures and Uses in Residential Districts, delete “0 and” in Table 1224-2, Note: [2]

Current: “[2] See additional driveway standards in Section **0 and** 1234.06.”

Recommended: “[2] See additional driveway standards in Section 1234.06.”

3. Maximum height, location, and types of fences and walls permitted in residential districts, 1226.03(d)(2)

Current: “Table 1226-8 establishes the maximum height, location, and types of fences and walls permitted in residential districts.”

Recommended: “Table 1226-9 establishes the maximum height, location, and types of fences and walls permitted in residential districts.”

Part 2: Changes Based on Difficulty with Enforcement or Interpretation

4. Procedure for Major Subdivisions

Specifying Improvement Plans in 1214.05(c)(8)

Question: Does the Code need to specify that Planning Commission and Council review improvement plans?

Current:

Step 8 – Review and Recommendation on the Final Plat by the Planning Commission

- A. The Planning Commission shall review the final plat at its next regularly scheduled meeting, or at a special meeting, after the final plat is submitted and determined to be complete.
- B. The Planning Commission shall make a recommendation to approve, approve with conditions, or deny the final plat. The Planning Commission may also continue the meeting if questions regarding the plat are not satisfactorily answered by the applicant.
- C. The Planning Commission shall make a recommendation within 60 days of the filing of the final plat (Step 6) unless the Planning Commission and subdivider agree to an extension of this time frame. If the Planning Commission fails to act within the 60 days or there is no agreement for an extension of time, the application for a preliminary plat will be considered approved.
- D. If the Planning Commission denies the final plat, the applicant shall not move forward in the review process until a final plat has a recommendation for approval by the Planning Commission.

Recommended Change

Step 8 – Review and Recommendation on the Final Plat **or Improvement Plan** by the Planning Commission

A. The Planning Commission shall review the final plat **or improvement plan** at its next regularly scheduled meeting, or at a special meeting, after the final plat is submitted and determined to be complete.

B. The Planning Commission shall make a recommendation to approve, approve with conditions, or deny the final plat **or improvement plan**. The Planning Commission may also continue the meeting if questions regarding the **final plat or improvement plan** are not satisfactorily answered by the applicant.

C. The Planning Commission shall make a recommendation within 60 days of the filing of the final plat (Step 6) **or a complete application for an improvement plan** unless the Planning Commission and subdivider agree to an extension of this time frame. If the Planning Commission fails to act within the 60 days or there is no agreement for an extension of time, the application for **the final plat or improvement plan** will be considered approved.

D. If the Planning Commission denies the final plat **or improvement plan**, the applicant shall not move forward in the review process until there has been a recommendation for approval by the Planning Commission.

4. Procedure for Major Subdivisions

Deletion of 1214.05(c)(7)(D)

Question: Based on current and past practice, does City Engineer make a decision on improvement plans?

Current:

(7) Step 7 – Development Committee Review on the Final Plat and Improvement Plans

A. Upon determination that the submission of the final plat and improvement plans, including the subdivider's agreement, is complete, the Development Review Committee shall review the application and plans, and may distribute the application and plans to other departments or agencies for review and comment.

B. The Development Review Committee will review the application and provide a summary report of comments to the applicant.

C. Upon receipt of comments, the applicant shall have the option to make revisions to the final plat and plans based on the comments prior to being forwarded to the Planning Commission or may request that the application be forwarded to the Planning Commission without revisions. In all cases, the Development Review Committee will forward their report to the Planning Commission.

D. The City Engineer or engineering consultant(s) to the city shall have the authority to make a decision on the improvement plans and subdivider's agreement prior to review of the final plat by Planning Commission and City Council based on comments and revisions suggested by the Development Review Committee and other agencies having jurisdiction. (Ord. 24-33. Passed 3-25-2024.)

E. Construction of Improvements

All improvements shall be constructed in accordance with the subdivider's agreement in Section 1238.05: Subdivider's Agreement.

Recommended Change

(7) Step 7 – Development Committee Review on the Final Plat and Improvement Plans

A. Upon determination that the submission of the final plat and improvement plans, including the subdivider's agreement, is complete, the Development Review Committee shall review the application and plans, and may distribute the application and plans to other departments or agencies for review and comment.

B. The Development Review Committee will review the application and provide a summary report of comments to the applicant.

C. Upon receipt of comments, the applicant shall have the option to make revisions to the final plat and plans based on the comments prior to being forwarded to the Planning Commission or may request that the application be forwarded to the Planning Commission without revisions. In all cases, the Development Review Committee will forward their report to the Planning Commission.

~~D. The City Engineer or engineering consultant(s) to the city shall have the authority to make a decision on the improvement plans and subdivider's agreement prior to review of the final plat by Planning Commission and City Council based on comments and revisions suggested by the Development Review Committee and other agencies having jurisdiction. (Ord. 24-33. Passed 3-25-2024.)~~

~~D~~ E. Construction of Improvements

All improvements shall be constructed in accordance with the subdivider's agreement in Section 1238.05: Subdivider's Agreement.

4. Procedure for Major Subdivisions

Edit to Table 14-1: Summary of Review Procedures and Meeting/Hearing Type

Question: Should Table 14-1 specify that Planning Commission and Council Review Improvement Plans?

Current:

TABLE 1214-1: SUMMARY OF REVIEW PROCEDURES AND MEETING/HEARING TYPE						
Review Procedure	See Section	City Council	Planning Commission	Zoning Board of Appeals	Historic Preservation Commission	Code Administrator
Code Text or Map Amendment	1214.02	PH/D	PM/R			
Conditional Use	1214.03	PM/D	AH/R			
Minor Subdivision	1214.04					D
Major Subdivision: Preliminary Plat	1214.05	PM/D	PM/R			
Major Subdivision: Final Plat		PM/D	PM/R			
Site Plan	1214.06		PM/D			
Certificate of Appropriateness	1214.07				PM/D	
Designation of Landmark or Historic District	1214.08	PH/D	PH/R		PM/R	
Variance	1214.09			AH/D		
Zoning Permit	1214.10					D
Appeals	1214.11			AH/D		
Interpretation of the Code	1214.12					D
MUO Development Plan	1218.03	PH/D	PM/R			
PUD Modification	1220.03	See Section 1220.03				
RPD Development Plan	1222.03	PH/D	PH/R			
Abbreviations:						
PH = Public Hearing AH = Adjudication Hearing PM = Public Meeting		R = Recommendation D = Decision				

Recommended Change

Table 1214-1: Summary of Review Procedures and Meeting/Hearing Type						
Review Procedure	See Section	City Council	Planning Commission	Zoning Board of Appeals	Historic Preservation Commission	Code Administrator
Code Text or Map Amendment	1214.02	PH/D	PM/R			
Conditional Use	1214.03	PM/D	AH/R			
Minor Subdivision	1214.04					D
Major Subdivision: Preliminary Plat	1214.05	PM/D	PM/R			
Major Subdivision: Improvement Plan	1214.05	PM/D	PM/R			
Major Subdivision: Final Plat	1214.05	PM/D	PM/R			
Site Plan	1214.06		PM/D			
Certificate of Appropriateness	1214.07				PM/D	
Designation of Landmark or Historic District	1214.08	PH/D	PH/R		PM/R	
Variance	1214.09			AH/D		
Zoning Permit	1214.10					D
Appeals	1214.11			AH/D		
Interpretation of the Code	1214.12					D
MUO Development Plan	1218.03	PH/D	PM/R			
PUD Modification	1220.03	See Section 1220.03				
RPD Development Plan	1222.03	PH/D	PH/R			
Abbreviations:						
PH = Public Hearing			R = Recommendation			
AH = Adjudication Hearing			D = Decision			
PM = Public Meeting						

5. Expiration of an Approved Variance

Define “start work” in 1214.09(d)

Question: What does it mean to “start work”, and should variance expiration have a different requirement

Current

“The applicant shall submit a completed application for a zoning permit and start work within one year of the date the variance was approved or the approval shall expire.”

Recommended Change

“The applicant shall **obtain applicable building** permit(s) within one year, of the date the variance was approved, or the approval shall expire.”

6. Traffic Impact Analysis

“Site Plan” for traffic impact analysis purposes, 1234.22(b)(4)

Question: In this section, is “site plan” a general term, or is it referring to the review procedure in 1214.06?

Current:

(b) Applicability

A TIA shall be required in the following cases:

- (1) Any zoning map amendment application that seeks to rezone properties from R-1A, R-1B, R-1C, or R-1D to an R-2 or R-3 zoning district;
- (2) Any application for a RPD Development Plan where there is a proposed density of four units per acre or more and the site is located adjacent to a R-1A, R-1B, R-1C, or R-D District;
- (3) Any application for a MUO Development Plan; and
- (4) Any site plan application that due to its size, density, traffic generation rates, or location can reasonably be expected to create traffic issues, as determined by the City Engineer or engineering consultant(s) to the city, are required to submit a TIA. (Ord. 24-33. Passed 3-25-2024)

Recommended Change:

(b) Applicability

A TIA shall be required in the following cases:

- (1) Any zoning map amendment application that seeks to rezone properties from R-1A, R-1B, R-1C, or R-1D to an R-2 or R-3 zoning district;
- (2) Any application for a RPD Development Plan where there is a proposed density of four units per acre or more and the site is located adjacent to a R-1A, R-1B, R-1C, or R-D District;
- (3) Any application for a MUO Development Plan; and
- (4) Any ~~site plan~~ application ~~to Planning Commission~~ that due to its size, density, traffic generation rates, or location, can reasonably be expected to create traffic issues, as determined by the ~~Development Review Committee, City Engineer or engineering consultant(s) to the city,~~ **is** required to submit a TIA. (Ord. 24-33. Passed 3-25-2024)

7. Screening for Generators in the Side Yard

Delete Section 1224.01(f)(8)(C), Accessory Uses and Structures

Question: Is it necessary and reasonably enforceable to require generator screening in the side yard?

Current:

(8) Generators and HVAC Equipment

A. All generators must be located on a paved surface and shall be set back a minimum of three feet from all lot lines. HVAC equipment may be located on a paved surface or attached to the principal building.

B. Generators and HVAC equipment shall be located in the rear yard, to the maximum extent feasible and shall be set back a minimum of three feet from all lot lines.

C. If generators or HVAC equipment are located in the side yard, such equipment shall be screened from view of adjacent properties along the side lot line at a minimum distance of three feet.

D. Generators or HVAC equipment may be permitted in the front yard if approved as a conditional use with the following considerations:

i. The generators or HVAC equipment must be screened by a solid wall that is architecturally compatible with the principal building in color and materials, that is connect to the principal building, and that does not exceed four feet in height.

ii. The generators or HVAC equipment shall not extend more than six feet from the front façade of the principal building and the screening wall shall not be located more than seven feet from the front façade.

iii. The wall shall not be wider than six feet and shall screen the entirety of the equipment.

E. Such screening requirements shall not apply when the HVAC system is to be located in a side yard adjacent to a lot in a nonresidential zoning district.

Recommended Change:

(8) Generators ~~and~~ or HVAC Equipment

A. All generators must be located on a paved surface and shall be set back a minimum of three feet from all lot lines. HVAC equipment may be located on a paved surface or attached to the principal building.

B. Generators ~~and~~ or HVAC equipment shall be located in the rear yard, to the maximum extent feasible and shall be set back a minimum of three feet from all lot lines.

~~C. If generators or HVAC equipment are located in the side yard, such equipment shall be screened from view of adjacent properties along the side lot line at a minimum distance of three feet.~~

~~C~~ **D**. Generators or HVAC equipment may be permitted in the front yard if approved as a conditional use with the following considerations:

i. The generators or HVAC equipment must be screened by a solid wall that is architecturally compatible with the principal building in color and materials, that is connect to the principal building, and that does not exceed four feet in height.

ii. The generators or HVAC equipment shall not extend more than six feet from the front façade of the principal building and the screening wall shall not be located more than seven feet from the front façade.

iii. The wall shall not be wider than six feet and shall screen the entirety of the equipment.

~~D~~ **E**. Such screening requirements shall not apply when the ~~generators or~~ HVAC system is to be located in a side yard adjacent to a lot in a nonresidential zoning district.

8. Free Standing Signs in Nonresidential Districts

In 1236.10(b) specify that freestanding signs are not just allowed in B-3

Question: Is it clear, given the language in 1236.10(b)(1), that B-3 is not the only district in which freestanding signs are permitted?

Current:

(b) Freestanding Signs in Nonresidential Districts

All freestanding signs in nonresidential district shall be monument signs that meet the following requirements:

- (1) A freestanding sign is only permitted in the B-3 District when the principal building is set back a minimum of 10 feet from the right-of-way.
- (2) The monument sign shall be set back minimum of seven feet from the right-of-way and 15 feet from any adjacent lot lines. In the B-3 District, the sign shall not be required to be set back from the right-of-way.
- (3) Only one monument sign shall be permitted along each street frontage. One additional monument sign may be allowed on the same street frontage provided there is a minimum lot width of 200 feet and the signs are separated by at least 100 feet.
- (4) The maximum sign area permitted, per sign, shall be 32 square feet in the B-3 District and 40 square feet in all other nonresidential zoning districts.
- (5) The maximum sign height shall be seven feet
- (6) Monument signs may include manual changeable copy signs or electronic message centers as regulated by this chapter.
- (7) Where a freestanding sign serves a multi-tenant building, it shall be the responsibility of the property owner to determine the messaging on the sign.
- (8) Exposed sign foundations shall be constructed with a finished material such as brick, stone or wood.

Recommended Change

(b) Freestanding Signs in Nonresidential Districts

All freestanding signs in **B-1, B-2, B-3, I-1, and I-2** districts shall be monument signs that meet the following requirements:

- (1) A freestanding sign is only permitted in the B-3 District when the principal building is set back a minimum of 10 feet from the right-of-way.
- (2) The monument sign shall be set back minimum of seven feet from the right-of-way and 15 feet from any adjacent lot lines. In the B-3 District, the sign shall not be required to be set back from the right-of-way.
- (3) Only one monument sign shall be permitted along each street frontage. One additional monument sign may be allowed on the same street frontage provided there is a minimum lot width of 200 feet and the signs are separated by at least 100 feet.
- (4) The maximum sign area permitted, per sign, shall be 32 square feet in the B-3 District and 40 square feet in all other nonresidential zoning districts.
- (5) The maximum sign height shall be seven feet
- (6) Monument signs may include manual changeable copy signs or electronic message centers as regulated by this chapter.
- (7) Where a freestanding sign serves a multi-tenant building, it shall be the responsibility of the property owner to determine the messaging on the sign.
- (8) Exposed sign foundations shall be constructed with a finished material such as brick, stone or wood.

9. Width of Residential Driveways

Creating a maximum width in 1234.05

Question: Should the Planning & Zoning Code provide a check on driveways with a wide span

Current:

(a) Access for Single-Family and Multi-Family Dwellings

Access for residential uses shall be as follows:

- (1) For single-family dwellings, no more than two access driveways shall be permitted, per unit, with a minimum width of 10 feet and a maximum width of 30 feet for each driveway as measured at the curb.
- (2) For multi-family dwellings, no more than two access driveways into the off-street parking area shall be permitted with a minimum width of 20 feet and a maximum width of 40 feet for each driveway as measured at the curb. For multi-family dwellings that have garage driveway access or parking spaces directly accessible to a private street, the Planning Commission may authorize wider driveway widths.
- (3) Residential driveways and parking pads shall meet the setback requirements of Section 1224.01(b)(12).
- (4) Where the main or principal structure is demolished in any residential zoning district, all driveways and paved surfaces shall also be cleared from the site.

Recommended Change

(a) Access for Single-Family and Multi-Family Dwellings

Access for residential uses shall be as follows:

- (1) For single-family dwellings, no more than two access driveways shall be permitted, per unit. ~~with a minimum width of~~ Each driveway must be at least 10 feet wide and no more than ~~a maximum width of~~ 30 feet wide for each driveway as measured at the curb. ~~and The maximum width of the driveway at any point on the lot cannot exceed being no wider than~~ 50% of the dwelling width at any point.
- (2) For multi-family dwellings, no more than two access driveways into the off-street parking area shall be permitted with a minimum width of 20 feet and a maximum width of 40 feet for each driveway as measured at the curb ~~and being no wider than~~ 50% of the dwelling width at any point. For multi-family dwellings that have garage driveway access or parking spaces directly accessible to a private street, the Planning Commission may authorize wider driveway widths.
- (3) Residential driveways and parking pads shall meet the setback requirements of Section 1224.01(b)(12).
- (4) Where the main or principal structure is demolished in any residential zoning district, all driveways and paved surfaces shall also be cleared from the site.

10. Projections into Rear Yards

1226.01(e)(4)(K) allows for 6' extension of porches, steps, etc. into front and side yard setbacks, but not rear yard.

Question: Should residential property owners be able have the same extension into rear yard?

Current:

Every part of a required yard shall be open to the sky and unobstructed except:

K. Unenclosed platforms, porches, landings, steps, terrace, decks, terraces or other similar features not extending above the first-floor level of a building, or any combination thereof, may extend six feet into the required front yard setback and three feet into the required side yard setback. Such encroachment shall not cover more than 50 percent of the applicable façade width; and

Recommended Change

Every part of a required yard shall be open to the sky and unobstructed except:

K. Unenclosed platforms, porches, landings, steps, terrace, decks, terraces or other similar features not extending above the first-floor level of a building, or any combination thereof, may extend six feet into the required front yard setback **and rear yard setback**, and three feet into the required side yard setback. Such encroachment shall not cover more than 50 percent of the applicable façade width; and

11. Nonresidential Corner Lot Setbacks

1226 – 7 Requires 60’ Front Setbacks in I-1 and I-2

Question: Should a corner lot property in I-1 or I-2 have a smaller setback?

Current:

TABLE 1226-7: MINIMUM SETBACK REQUIREMENTS FOR NONRESIDENTIAL DISTRICTS						
Required Setback	Minimum Setback in Feet					
	B-1	B-2	B-3	I-1	I-2	P-I
Front Yard Setback for Lots with Frontage on Lear Road	40	40	0	60	60	20
Front Yard Setback	30	30	0	60	60	20
Side and Rear Yard Setbacks Adjacent to a Residential Zoning District	35	35	20	75	75	10 Side 20 Rear
Side and Rear Yard Setbacks Adjacent to a Nonresidential Zoning District	10	10	5	25	25	10 Side 20 Rear

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Side and Rear Yard Setbacks Adjacent to a Nonresidential Zoning District	10	10	5	25	25	10 Side 20 Rear

Recommended Change #1

NOTES: [1] When a corner lot in a nonresidential district is part of a platted subdivision, the minimum setbacks shall be those in the original plat

Recommended Change #2

NOTES: [1] If the property is a corner lot in I-1 or I-2, Front Yard Setback is 30 feet.



RULES AND REGULATIONS AMENDMENTS

Report

To: Planning Commission
From: Community Development Department
Date: April 30, 2025
Re: Rules and Regulations Amendments

PURPOSE

The Community Development Department recommends updates to the Planning Commission's Rules and Regulations to better reflect current review practices and clarify procedural responsibilities. As internal guidelines, these rules are adopted and amended directly by the Commission from powers granted by the City Charter, which authorizes the Commission to independently manage its internal procedures.

DESCRIPTION

The proposed amendments to Article VI of the Planning Commission Rules and Regulations reflect a transition from a paper-based application system to a streamlined, online submittal and review process through the City's new OpenGov portal.

The revised language clarifies that all applicants must now initiate project review through the Development Review Committee (DRC) by submitting an online application. This change replaces outdated expectations for in-person or paper submittals and ensures a consistent and transparent pre-application process. After completing DRC review, applicants then proceed to submit their Planning Commission application through the same digital platform.

A key improvement in the amended article is the detailed explanation of the interdepartmental review process. Staff from multiple departments—including Building, Fire, Police, Public Works, and Avon Lake Regional Water—enter their comments directly into OpenGov. This centralized communication allows applicants to receive timely electronic feedback and make revisions.

The amendments retain the requirement for physical plan submissions before Commission meetings (thirteen copies), acknowledging the current need for hard-copy review materials while reinforcing digital submittal as the official intake process. Deadlines and scheduling language have also been updated to reflect current practices.

Together, these changes modernize the application workflow, clarify responsibilities, and ensure that Planning Commission procedures are aligned with the City's online permitting system. This update improves staff efficiency, applicant transparency, and public record management, and supports a more consistent application experience.

Development Review Committee

The Development Review Committee reviewed the proposed amendments and raised no concerns.

Planning Commission Review

The City of Avon Lake operates under a municipal charter, which serves as its foundational governing document. Under the authority granted by the Charter and related ordinances, the Planning Commission has the power to adopt and amend its own Rules and Regulations governing internal procedures. These changes do not require Council approval unless they involve modifications to the zoning code or other legislative actions. As such, the proposed updates fall within the Commission's authority to manage its agenda procedures and review protocols.

The Planning Commission is asked to review and adopt the revised Rules and Regulations as presented or with amendments if discussed.

Potential Motion

A motion is to be made in the positive. A minimum of four 'yes' votes is required to approve the amendments. If fewer than four affirmative votes are cast, the amendments will be considered not approved.

I move that the Planning Commission adopt the proposed amendments to Article VI of the Planning Commission Rules and Regulations, as presented by the Community Development Department, to reflect the City's transition to a digital application and review process and to clarify current procedural practices.

Optional: with the following conditions:

SUBSEQUENT ACTION

Upon approval, the updated Rules and Regulations will be incorporated into the Commission's official procedures and distributed to all members.

Current:

ARTICLE VI. → APPLICATION FOR COMMISSION AGENDA¶

¶

1. → An applicant must participate in a preliminary review process prior to being placed on the Commission's agenda. To start the preliminary review process, an applicant shall contact the Community Development Department and request a meeting with the Development Review Committee (DRC). After the DRC meeting, the applicant may submit an application online at avonlakeoh.portal.opengov.com, and deliver to the Community Development Department the required number of plans, supporting documentation, and fee.¶

¶

The review cycle consists of ten (10) working days. The staff from the Building, Police, Community Development, Fire, Public Works, and Avon Lake Regional Water shall review and analyze the plans from the perspective of each individual's area of expertise with a complete reference to any applicable laws, rules, regulations, and policy considerations and/or professional opinions pertinent to the area involved. After all department comments are uploaded in OpenGov, the applicant will be notified as to whether the plans submitted are adequate or must be revised and resubmitted.¶

¶

2. → If the plans are adequate, the application advances to the Commission's next meeting. If the applicant's plans are not adequate, the plans shall be revised and resubmitted and the preliminary review process will start again. Each time plans are submitted for review, it will take approximately ten (10) working days for the completion of the review.¶

¶

3. → Once this review process is completed, the applicant shall submit thirteen (13) copies of all required plans, documents, and supporting data to the Community Development Department no later than Wednesday before the Commission meeting. The application deadline shall be extended to the next succeeding workday if the deadline falls on a holiday.¶

¶

4. → The Commission meeting agenda will be set by the Community Development staff and approved by the Chairperson. f.¶

¶

ARTICLE VI. APPLICATION FOR COMMISSION AGENDA

1. Preliminary Review. An applicant must ~~participate in complete a the~~ preliminary review ~~process of their project prior to before~~ being placed on the Commission's agenda. To start the preliminary review process, ~~an applicant shall contact the Community Development Department and request a meeting with the Development Review Committee (DRC). After the DRC meeting, the applicant may shall~~ submit a Development Review Committee (DRC)an application online at avonlakeoh.portal.opengov.com, ~~and deliver to the Community Development Department the required number of plans, supporting documentation, and fee.~~ Once the application is submitted, the applicant will be scheduled to attend the first available DRC meeting to present their project to the committee. Following the DRC review, the applicant may apply to the Planning Commission.
2. Application Submission. After completing the DRC review, the applicant must submit a Planning Commission application online at avonlake.oh.portal.opengov.com. Additionally, the applicant must deliver two (2) full-size sets of plans and supporting documentation to the Community Development Department.
3. Plan Review. ~~The review cycle consists of ten (10) working days. The s~~Staff from the Building, Police, Community Development, Fire, Public Works, and Avon Lake Regional Water ~~shall will~~ review and analyze the plans ~~from based on their the perspective of each individual's respective areas of expertise. This review will include consideration of with a complete reference to any applicable laws, rules, regulations, and policy policies, and professional standards. considerations and/or professional opinions pertinent to the area involved. After all department Department comments are will be uploaded made directly into in~~ OpenGov, ~~and the applicant will be electronically notified. Applicants may revise and resubmit plans before the Planning Commission meeting deadline. as to whether the plans submitted are adequate or must be revised and resubmitted.~~
- 2.—4. Commission Meeting. ~~If the plans are adequate, Once the review is complete and comments have been addressed, the application advances to the Commission's next meeting. If the applicant's plans are not adequate, the plans shall be revised and resubmitted and the preliminary review process will start again. Each time plans are submitted for review; it will take approximately ten (10) working days for the completion of the review. At least four (4) business days before the Commission meeting , the applicant shall submit thirteen (13) copies of all required plans, documents, and supporting material to the Community Development Department . If the application deadline falls on a holiday, the deadline will be extended to the next business day.~~
3. — Once this review process is completed, the applicant shall submit thirteen (13) copies of all required plans, documents, and supporting data to the Community Development Department no later than Wednesday before the Commission meeting. The application deadline shall be extended to the next succeeding workday if the deadline falls on a holiday.
- 4.—5. Meeting Agenda. The Commission meeting agenda will be set by the Community Development staff and approved by the Planning Commission Chairperson.

ARTICLE VI. APPLICATION FOR COMMISSION AGENDA

1. **Preliminary Review.** An applicant must complete the preliminary review of their project before being placed on the Commission's agenda. To start the preliminary review process, the applicant shall submit a Development Review Committee (DRC) application online at avonlakeoh.portal.opengov.com. Once the application is submitted, the applicant will be scheduled to attend the first available DRC meeting to present their project to the committee. Following the DRC review, the applicant may apply to the Planning Commission.
2. **Application Submission.** After completing the DRC review, the applicant must submit a Planning Commission application online at avonlakeoh.portal.opengov.com. Additionally, the applicant must deliver two (2) full-size sets of plans and supporting documentation to the Community Development Department.
3. **Plan Review.** Staff from the Building, Police, Community Development, Fire, Public Works, and Avon Lake Regional Water will review and analyze the plans based on their respective areas of expertise. This review will include consideration of applicable laws, regulations, policies, and professional standards. Department comments will be made directly into OpenGov, and the applicant will be electronically notified. Applicants may revise and resubmit plans before the Planning Commission meeting deadline.
4. **Commission Meeting.** Once the review is complete and comments have been addressed, the application advances to the Commission's next meeting. At least four (4) business days before the Commission meeting, the applicant shall submit thirteen (13) copies of all required plans, documents, and supporting material to the Community Development Department. If the application deadline falls on a holiday, the deadline will be extended to the next business day.
5. **Meeting Agenda.** The Commission meeting agenda will be set by the Community Development staff and approved by the Planning Commission Chairperson.