

Angela Mancini

From: Aimee Stone
Sent: Thursday, March 7, 2019 11:45 AM
To: Dave Kolar
Cc: George Smerigan (geosmerigan@gmail.com); Brett lafigliola; Angela Mancini
Subject: 7 questions from P & z 03.06.19 mtg.

Mr. Kolar,

As requested by the Planning and Zoning Commission (PZC) on March 6, 2019, please provide a thorough written response to each of the noted questions below, along with any other pertinent information that may apply to these two docket items. This information will be incorporated into the public record and discussed at the next PZC meeting. Your prompt attention and satisfactory responses to this matter are necessary in order to place these items on the next agenda for further discussion/action. Thank you in advance for your cooperation.

1. What are the compelling reason(s) for each the requested variances?
2. Explain why the usable green space meets the intent of the code.
3. Explain the drainage strategy, particularly as it relates to each of the border properties, on all sides; both docket items.
4. Similarly, explain the screening strategy; also for all sides, both docket items.
5. Please explain your expectation of the traffic impact.
6. Explain the intent of the proposed basins (namely, wet or dry) and the emergency overflow path.
7. What is the intent of the noted plots when the existing gas well ceases to operate.

Aimee Stone, Secretary
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April 16, 2019

Ms. Aimee Stone
Secretary
Building & Service Depts.
City of Olmsted Falls, Ohio

RE: Western Reserve East & West
Variance & Plan Approval

Dear Aimee:

Please find attached our responses to the questions from PZC submitted to me in your email of March 7, 2019. Also enclosed are copies of the aerial drawings for Western Reserve East & West.

Thanks,



David M. Kolar

VARIANCE REQUEST – WESTERN RESERVE EAST

1. Density 1.95 Units/Acre vs 1.5 Units/Acre

The zoning district classification at the time the Project was approved was and remains D-2. However, the allowable density in the D-2 district was reduced after plan approval from 2 units to 1.5 units per gross acre. The majority of the existing sublots in this D-2 zoned area, including all the Main Street lots entering and most lots adjoining the project parcel are of a size consistent with a density of 2 units or more per acre. Relatively few of the existing sublots are of a size consistent with a density of 1.5 units/acre or less. The ex post factor reduction in D-2 density from 2 to 1.5 units/acre when applied to this substantially developed area renders the majority of existing sublots non-conforming. More importantly, it effectively rezoned the D-2 district and the project area subjecting this owner to the burden of a more restrictive use than was imposed previously on a majority of the existing sublots and owners.

In light of the substantial due diligence and planning effort expended prior and subsequent to the original Plan approval retroactive application of this change would be unreasonable and overly burdensome. The calculation for the sewer assessment the city placed on the project site was predicated on the original D-2 zoning and project density.

10' Front Setback

The right of way proposed for the project is an extension of Main Street north of Water Street. There are existing sublots with homes fronting on that portion of Main Street which have variable setbacks of 40' or less from the existing right of way. The reduction to 40' minimum setback from 50' was suggested and granted as a way to provide for a smooth transition from the existing sublots on Main Street. This would also allow the flexibility to introduce variable setbacks (at 40' and 45') to adapt to and soften the unified streetscape of Main Street north of Water Street. Denial of the previously approved variance will result in a streetscape which is less than optimal given the pre-existing conditions on this portion of Main Street.

WESTERN RESERVE WEST

Project Size < 10 Acres

The Project is located on an infill site in the R-3 zoning district. It is surrounded on three sides by existing residential sublots and home sites. The site is also somewhat irregular in shape with limited frontage on Columbia Road. The design flexibility afforded by the Planned Residential Development overlay was used to mitigate some impacts to the adjacent existing properties by drawing the development away from the perimeter and replacing it with open space. Additionally, this site is being developed simultaneously with the PRD on the opposite (east) side of Columbia Road. Arguably the total area of both parcels exceeds the 10 Acre requirement for PRD development. For these reasons the application of the PRD overlay to this parcel was both

logical and desirable as to the best use of the parcel. Denial of the previously approved variance will require the elimination of the PRD overlay resulting in conventional development pursuant to the R-3 geometric standards. That would necessitate clearing and grading of the entire site with the attendant impacts.

Project Density 3.3 Units/Acre vs 3.0

The District classification at the time the Project was approved was and remains D-3. However, the allowable density in the D-3 district was reduced after plan approval from 3.5 to 3 units gross acre. A substantial number of the existing sublots in D-3 district adjacent to the Project site are of a size consistent with a density of 3.5 unit/acre or more. That includes lots in the area of the project fronting on Cook Road, Columbia Road, Myrtle Avenue, Mapleway Drive and Clark Street. The ex post facto reduction in the D-3 density had the effect of rezoning the D-3 district and rendered a substantial portion of the existing sublots non-conforming. There was substantial due diligence and planning effort expended prior and subsequent to the original Plan approval. Retroactive application of the revised more restrictive zoning to the project site would be overly restrictive and burdensome in light of the existing conditions in this D-3 zoning district.

2. Green Space Provided

The green space provided in both developments exceeds the required amounts pursuant to the PRD code by about 40 and 46% respectively. In both projects the open space is contiguous and adjacent to the developed sublots. It is distributed around the perimeter of the projects so as to provide additional separation between the developed area and the adjoining properties. Additionally, its location facilitates the retention of some wooded and natural buffer areas. As such it will benefit both the residents and the adjoining property owners by mitigating some of the impacts related to development. This is a principle benefit of and one of the objectives for the incorporation of the green space in the PRD.

3. Storm Water Management

Both projects will be designed and constructed so as to be in compliance with applicable storm water collection, detention and release best practices. That said all storm water from streets, homes and impervious surfaces will be collected directly into the storm water system. Additionally, all storm runoff from any graded or disturbed areas will be directed towards and collected into the storm water system as well. The collected storm water will be detained in a series of holding ponds until released. Approximately 1/2 of the water collected from Reserve West will be initially detained in two small detention ponds from which it will be piped, along with the rest of the Reserve West stormwater, to the principle retention pond (Basin 2) on the east side of Columbia Road. Most of the storm water collected from Reserve East will be piped to Basin 2 as well. However, the rear yard runoff toward the east side open space will be directed to a small collector basin at the southeast corner of the project. All of the detained water will be released at a controlled rate into the Rocky River. As a result, the affect on adjoining property owners will be a net reduction in existing water runoff from both projects sites when the storm water system is constructed and in service. It is anticipated that the small basins at the west end of Reserve West will be dry detention with grass bottoms and berms. Likewise the open space collector basin

on the southeast side of Reserve East will likely be a dry basin as well. The principle retention (Basin #2) will be a wet basin.

The final design requirements for all elements of the Storm Water Management System including the basins will be determined through worst case modeling in conformance with the EPA and USACE standards. Pursuant to those regulations an emergency overflow will be required for the basins in the event of a storm condition exceeding the worst case scenario. That overflow will be directed towards the confluence of the principle drainage course leaving the site. As such in the unlikely event of a temporary discharge it will be directed towards and comingled with other surface flows downstream of the site.

4. Site Clearing and Screening

The clearing and grading in both projects will generally be limited to the developed area. Any clearing and/or grading in the open and green space areas will be minimal in support of the installation of adjacent utilities or storm detention. That said after completion of clearing and mass grading an assessment will be made as to the need for additional perimeter screening utilizing trees and shrubbery. The subjective standard for that assessment will be the adequacy of the perimeter as a vegetative buffer which clearly defines the project perimeter and provides an enhancement to the privacy of the residents.

5. Traffic Impact

The addition of 27 homes in Reserve East and 21 homes in Reserve West would add a total of 48 living units which access the Columbia Road corridor. Assuming the Cuyahoga County average of 6.1 (household) tpd this would indicate a total of 292 additional trips/day originating from these projects and impacting the Columbia Road corridor. The estimated traffic (ODOT 2018 estimate) over this section of Columbia Rd. (south of Cook Rd.) is 17,813 vpd. The incremental increase in traffic then is .016. Clearly this represents a de minimis impact and does not rise to an incremental level of service requiring a traffic study. The impact to traffic due to these projects is minimal.

6. See 3 Above

7. Upon the cessation of operations and/or abandonment of the existing gas well it is likely ODNR would require the operators of the gas well to plug this well. The reservation area within the 100' gas well setback would then be reduced and any equipment, access drive and screening could be removed at that time. However, the record lot remains the same and there could not be any subdivision of these lots or additional building on the lots. The existing homes would remain with extra deep front yards.