



## SUBDIVISION REVIEW STAFF REPORT

**PROJECT:** Belmont Place PRD Subdivision, Olmsted Township  
**REQUEST:** Preliminary Plan  
**PREPARED:** May 3, 2018  
**BOARD MEETING DATE:** May 10, 2018

**Applicant/Owner:** Belmont Place Development LLC  
31005 Bainbridge Road – Suite 5  
Solon, Ohio 44139

**Project Engineer:** Polaris Engineering and Surveying, Inc.  
Kevin Hoffman, P.E.  
34600 Chardon Road, Suite D  
Willoughby Hills, OH 44094

### **Project Description:**

Application for approval of the Preliminary Plan for Belmont Place PRD Subdivision (PPN 265-15-001). The Belmont Place Subdivision consists of 29.85 acres and will have 64 single-family sublots, two blocks which contain open space (portions of Blocks 'B' and 'C'), and one block that is comprised of a stormwater detention basin (Block 'A'). Belmont Place proposes the creation of four new public roads, consisting of 2,770 lineal feet of pavement, as well as 7,525 lineal feet of sidewalk and 2,115 lineal feet of walking path.

### **Property Location:**

The property is located at the southeast corner created by the intersection of Schady and Sharp Roads in Olmsted Township.

**Project History:**

January 2017	The applicant (Palmieri Enterprises) submitted a General Development Plan for Belmont Place PRD subdivision to Olmsted Township, requesting approval of the General Development Plan and the subsequent rezoning of PPN 265-15-001 from R-40 to a PRD district. The original proposed General Development Plan and rezoning sought to create 69 single family residential sublots with a density of 2.78 du/acre.
March 2017	The Olmsted Township Zoning Commission held the required public hearing and recommended denial of the General Development Plan and rezoning request for Belmont Place PRD Subdivision and sent notice of their recommendation for denial to the Board of Township Trustees.
April 2017	The applicant submitted a revised General Development Plan and rezoning request to the Board of Township Trustees which included the creation of 64 single family sublots.
May 2017	The Board of Township Trustees voted unanimously to approve the revised General Development Plan via resolution 047-2017, which specifies the 64 single family sublots.
December 2017	The applicant submitted an application to the Cuyahoga County Planning Commission for approval of the Preliminary Plat for Belmont Place. Inconsistencies between the approved General Development Plan and specifications contained within Township Resolution 047-2017 pertaining to open space acreage and density caused the applicant to Withdraw the application.
March 2018	After inconsistencies between the approved General Development Plan and specifications contained within Resolution 047-2017 pertaining to open space acreage and density were noticed, the Board of Township Trustees passed resolution 044-2018, which corrected those specifications to be consistent with the approved General Development Plan.

April 2018	Belmont Place LLC (a subsidiary of Palmieri Enterprises) submitted a Preliminary Plan for Belmont Place PRD Subdivision to the Cuyahoga County Planning Commission, which provides for the creation of 64 single family residential sublots, at a density of 2.68 units per acre, and the calculation of open space as 5.04 acres.
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**Review Comments/Recommendations to Date:**

The appropriate agencies were asked to review and comment on the Preliminary Plan's compliance to Township Zoning Regulations (2013), Township Comprehensive Stormwater Management Regulations (2017), and Articles 1 and 2 of the Cuyahoga County Land Development Regulations (2007). As of May 3, 2018, the following comments have been received:

1. CHIEF SURVEYOR (Public Works): No comments.
  
2. HIGHWAY DESIGN ENGINEER (Public Works):

Staff recommends **disapproval**, based on the following questions and observations:

- a) We strongly recommend a hydraulic study, such as SWMM, as opposed to a hydrologic study during. This study will have to be performed from the point where the stream crosses Sharp Road at the southwest corner of the subdivision to the point it passes through the inline pond along Aaron Lane and exits into the Schady Road ditch. Profile and cross-sections will need to be provided for the existing stream along these limits. The flow of the critical storm and base flood cannot exceed the capacity of this existing stream/ditch. Existing tributary areas must be considered.
- b) The status of the Ohio EPA 401 permit and/or Army Corps of Engineers 404 Permit remains unclear. Please provide an update on the status of this permitting.
- c) Does the 18" culvert pipe at the southeast portion of the site terminate on the Fleck parcel? We would anticipate that these impediments to the stormwater flow would be removed, but this may result in an easement with the Fleck parcel. The entrance of this culvert appears to be undersized and limits the outflow from the ditch resulting in stormwater overflowing the bank of the ditch upstream. This appears to be the reason for some of the wetlands. This will likely involve some work on the stream itself.

- d) Based upon the "Soil Survey of Cuyahoga County, Ohio", the Condit soil is "severely limited as a site for buildings" and both soils, "Condit" and "Mahoning A" are "better suited to dwellings without basements than to dwellings with basements."
- e) The retention basin must have a carefully designed emergency spillway with the base flood being carried overland to the ditch.
- f) Sight distance triangles will need to be calculated at the entrances to Schady Road and Sharp Road and, if necessary, within the subdivision itself. This may impact the landscape plan.
- g) It should be clear in the plans how the stream will be repaired where it has breached its bank.
- h) Sublots 16 and 17 should be kept out of the storm easement.
- i) Verify that there is positive drainage along Schady and Sharp Road and whether or not the ditch needs to be improved. It appears that the preliminary plan recognizes the need for this important drainage function.
- j) Verify any utilities within 200 feet of the subdivision that may impact the development or be a detriment to the adjacent land.
- k) Verify any grading within 200 feet of the site that may impact the development or be a detriment to the adjacent land.
- l) The detail of the swale along the east property line is in the drip zone of the existing trees.
- m) Access to the retention pond should be adequately clearly defined.

3. TRANSPORTATION AND PLANNING DEPARTMENT (Public Works):

Staff recommends **conditional approval**, based on the following questions and observations:

- a) Additional STOP signs are needed. Locations have been provided on a map that will be conveyed to the applicant.
- b) Please provide a stub road in lieu of sub lot 13 to provide access for police, fire and safety vehicles to the subdivision that will eventually be built to the east of the proposed Belmont Place PRD Subdivision. This connection will also enable cross access between the subdivisions to Schady Road and Sharp

Road when the subdivision roads need to be repaired due to age or utility work.

4. SANITARY ENGINEERING GROUP (Public Works):

Staff made **no recommendation** for approval or disapproval, but included the following comments:

- a) On the preliminary plans, it appears that the storm and sanitary sewers do not meet the Uniform Standard horizontal clearance requirements. Also, at the intersection of Pimlico Path and Churchill Court, the storm sewer should be re-routed to meet the clearance requirements and not cross over the sanitary sewer twice. The Uniform Standards requires the following clearances with utilities:

"The following separation requirements (minimum clearances) shall apply, both in the right-of-way and on private property.

- Mainline and Force Main Minimum Horizontal Clearances (barrel to barrel) shall be:
  - (1) Sanitary and water of ten (10) feet,
  - (2) Sanitary and storm of ten (10) feet,
  - (3) Storm and water of ten (10) feet.
- Service Lateral Minimum Horizontal Clearances (barrel to barrel) shall be:
  - (1) Sanitary and water of five (5) feet,
  - (2) Sanitary and storm of five (5) feet,
  - (3) Storm and water of five (5) feet.
- Mainline and Service Lateral Minimum Vertical Clearances (barrel to barrel) shall be:
  - (1) Sanitary and water of eighteen (18) inches,
  - (2) Sanitary and storm of eighteen (18) inches,
  - (3) Storm and water of eighteen (18) inches."

These separation requirements apply regardless of which pipe is crossing over or under the others. Deviation from these requirements must be approved in writing by the responsible authority.

Note that premium joints are required on all sanitary and storm sewers.

When it is impossible to maintain the proper horizontal and vertical separation as stipulated, the sewer shall be encased in concrete or be constructed of water main type materials that shall withstand a 50-psi pressure test.

- b) The proposed sanitary sewer ties into the existing 21-inch sanitary sewer in Schady Road. At a minimum, the proposed sanitary sewer should at least match crowns with the existing sewer and, if possible, it would be preferable that the proposed sanitary sewer enter the existing sewer at a higher elevation, such that the proposed flow "spills" into the existing straight-line flow.
- c) Specific details of the proposed manhole to be built on the existing 21-inch sanitary sewer will be required.
- d) An EPA Permit to Install will be required.

5. CUYAHOGA COUNTY SOIL AND WATER CONSERVATION DISTRICT:

Staff recommends **disapproval**, based on the following questions and observations:

- a) Discrepancies exist between the demarcated wetland areas on the General Development Plan dated 3/23/2017 and the wetland report dated 9/25/2017. Developer must explain these differences.
- b) It appears that the wetland delineator lumped the 4 different wetlands together for the purpose of scoring. This is not acceptable. An ORAM (Ohio Rapid Assessment Method) scoresheet should be prepared for each of the separate identified wetlands and resubmitted for review.
- c) For the wetlands that are to be preserved, depict any setbacks required by Olmsted Township comprehensive stormwater management regulations.
- d) The developer should provide a copy of the Approved Jurisdictional Determination or Preliminary Determinations from the US Army Corps of Engineers.
- e) Developer must provide a copy of the US Army Corps of Engineers Nationwide Permit.

6. OLMSTED TOWNSHIP TRUSTEES: No comments.

7. OLMSTED TOWNSHIP ADMINISTRATOR (Rebecca Corrigan):

Recommends **approval**.

- a) Olmsted Township Resolution 044-2018 provides zoning approval for Belmont Place PRD Subdivision.
- b) The Township Administration also requested in March 2018 that Cuyahoga County Public Works conduct a traffic study at the Schady and Sharp intersection due to potential development as well as the future of other developments in this area.

8. OLMSTED TOWNSHIP ZONING AND BUILDING STAFF (David Faciana):

Recommends **approval**.

9. OLMSTED TOWNSHIP ENGINEER:

- a) In accordance with Olmsted Township Comprehensive Stormwater Management Regulations, a Preliminary Comprehensive Stormwater Management Plan should be submitted in conjunction with a Preliminary Subdivision Plan. This plan must be reviewed by Cuyahoga County, Cuyahoga Soils and Water Conservation District, and the Township. Plan requirements are defined in Section 4.3 of the Comprehensive Stormwater Management Regulations.
- b) As part of the Township review process, a pre-application meeting to review the timetable and submittals should be held (section 2.1(1)). Developer needs to comply and make the required plan review submittals and schedule a meeting to review the requirements and discuss the deposits that are required by the Township.
- c) Plans submitted indicate that there are four separate wetlands on site. Two are shown as being filled as part of the development. As per the Township Comprehensive Stormwater Regulations (section 6.4(2)(a and b)), "upon filing for a request for approval of a preliminary plat, applicant shall retain a qualified wetland professional. If wetlands are found, the professional shall determine the presence of Ohio EPA Category 2 or 3 Wetlands. Acceptance of that determination shall be subject to the approval of the Township. Plans show two wetlands being filled and two being retained without any wetland setbacks shown. Applicant should provide OEPA NPDES permit and if applicable USACE approvals for the filling the two wetlands as proposed, the

submittal should include the wetland setbacks and easements (if required) on the plans.

- d) Plans show a stormwater management basin being proposed in the center of the development. This basin has a normal water level of 787.0 with a basin bottom of 779.0. The revised plan does appear to have the required safety bench as requested previously. Slopes of 4:1 for the basin appear to have been provided.
- e) Applicant's submittal includes a hydraulic analysis of the proposed basin and the site stormwater characteristics that will be reviewed by the County Department of Public Works for compliance with their standards. The Township is aware of previous complaints issued by downstream property owners relative to the adequacy of the storm channel and culverts in the area. This is the same culvert and ditch that would serve as an outlet for the development. Applicant's analysis should address concerns about the downstream capacity of the system as part of the submittal to the County for their review.
- f) The plans do now indicate the routing of the 100-year overland flow through the development, as required by the Township regulations. Routing will be reviewed as part of the total submittal for stormwater and are pending submittal of the analysis of the receiving stream adequacy (see comment 5).
- g) The Township has clarified the open space issue that was previously discussed, and a modified Township Resolution 044-2018 has been adopted.

10. OLMSTED TOWNSHIP ZONING COMMISSION CHAIR:

- a) Some houses are to be built on wetlands. How is that possible?
- b) The detention pond along the south border has been eliminated along with landscaping. There is now a 50' sewer easement. Is there a concern from County that this may increase possibility of flooding?
- c) All water from the site now seems to be draining into an unimproved culvert and posing the possibility of flooding to adjacent property.
- d) On the eastern border, there are currently deciduous trees which will block sunlight to what will become a middle row of trees and almost assure their death. The builders should consider some low growing shrubs to better enable their growth.



11. OLMSTED TOWNSHIP PUBLIC SERVICES: No comments.

12. OLMSTED TOWNSHIP POLICE AND FIRE DEPARTMENTS:

- a) Ensure that the fire hydrants have a 5-inch Storz Connection.
- b) An additional hydrant should be placed near the development entrance on Pimlico Path by Schady Road to protect the houses adjacent to the entrance.

13. COUNTY LAW DEPARTMENT: No comments.

14. COUNTY PLANNING COMMISSION STAFF:

According to 104.8.C. of the Cuyahoga County Land Development Regulations, in order to approve a preliminary plan, the County Planning Commission must find that:

1. The preliminary plan meets the standards and requirements of the subdivision regulations.
2. The Township has determined the plan meets township regulations.
3. County Public Works has determined the subdivision will have adequate water and sewer service.
4. County Public Works has determined the plan for streets, stormwater management, and drainage is acceptable subject to the approval of more detailed improvement plans.

For the purposes of this report, County Planning staff will frame comments and our recommendation within these four criteria.

1. County Subdivision Regulations:

The Preliminary Plan application is complete and contains all pertinent information.

The planned sub-lot characteristics, sidewalks, and street design criteria largely meets regulations (see additional comments in #4 below).

Consideration should be given to the open space contained within the plan. The open space for Belmont Place is contained entirely in Block 'B' on the southern portion of the property. Although the 4.14 acres more than meets the 10% minimum acreage, according to Section 106.6 open space is required to be both

contiguous and “relatively level and dry”. The open space is bisected by a stream, potentially rendering 2.09 acres of the openspace inaccessible. There are also questions as to whether this area will be needed for any stormwater retention or management during storm events. Therefore, the developer should consider a pedestrian bridge across the stream to make the open space accessible, and further ensure that the majority of this area will not be needed to serve any stormwater management role.

Section 106.2.B. of the Subdivision Regulations states “if the County Planning Commission finds that the land proposed to be subdivided is unsuitable for subdivision development due to flooding, poor drainage, topography...or other conditions that may endanger the health, life, or property; and if from investigations by the designated public reviewing agencies, it is determined that in the best interest of the public that land should not be developed for the purpose proposed, the County Planning Commission may consider the impact on the land proposed for the subdivision and any adequate methods that should be advanced by the subdivider for solving the problems that will be created by the development of the land.” It should be noted that, based on the comment from other reviewing departments and agencies, significant concerns exist about this property’s capacity to handle this level of development.

2. Township Regulations:

The zoning for a Planned Residential Development (PRD) subdivision is unique. The zoning for PRDs are based upon the approved General Development Plan. Since the Preliminary Plan complies with the approved General Development Plan and Township Resolution 044-2018, the Preliminary Plan is in compliance with Township Regulations.

3. Public Works Water and Sewer:

The review of storm and sanitary sewers has indicated that there are several questions and areas of concern to be addressed at the Improvement Plan stage in order to meet Cuyahoga County standards and regulations, including:

- a) Storm and sanitary sewers fail to meet Uniform Standard horizontal clearance requirements, and
- b) Sanitary sewer ties should match the existing 21-inch sanitary sewer in Schady Road, and if possible, enter the existing sewer at a higher elevation.

#### 4. Public Works Road, Stormwater, and Drainage, and Soil and Water Conservation District:

The review of the road, stormwater and drainage of the property is of particular concern and warrant attention during the improvement plan stage. Questions and concerns to be addressed include:

- a) Roadway: Need to include sight triangles, additional STOP signs, and consideration of the comment to provide a stub road in lieu of sub lot 13 to provide access for police, fire and safety vehicles to the subdivision that will eventually be built to the east of the proposed Belmont Place PRD Subdivision.
- b) Wetlands and Drainage: Need to address wetland discrepancies between plans, resubmit acceptable ORAM for wetlands, submit all required permits from OEPA and US Army Corps of Engineers, and comply with Township Comprehensive Stormwater Management Regulations requiring a wetlands report and establishment of requisite setbacks.
- c) Stream and Stormwater Management: Concerns are detailed above and appear in the staff recommendation below. This property is prone to flooding, and it should be noted that engineers and property owners are concerned with drainage and stormwater management of this development. It also appears that the applicant failed to comply with the Olmsted Township Comprehensive Stormwater Management Regulations requiring a preapplication meeting.

#### **Staff Recommendation:**

According to Section 104.8 of the County Subdivision Regulations, the County Planning Commission is required to take action on the Preliminary Plat application within 35 calendar days from the date the complete final plat application was submitted. The time limit may be extended by written agreement of the applicant. Action by the County Planning Commission must be one of the following: approve, approve with conditions, disapprove or table the application.

County Planning staff has reviewed the Preliminary Plans for Belmont Place PRD Subdivision and considered the comments from reviewing agencies.

County Planning staff recommends that the Planning Commission **table** the Preliminary Plan for Belmont Place PRD Subdivision. The following items are considered fundamental to County Public Works and Soil and Water Conservation

District being able to determine if Belmont Place PRD Subdivision would pose a threat to the health, life, or property of future residents of Belmont Place or surrounding properties. The information contained in the items below will reveal if the site can or cannot be developed to the extent proposed.

Wetlands:

1. The applicant must address, in writing, the discrepancy between the two wetlands reports.
2. Applicant must submit a wetlands report consistent with Township Comprehensive Stormwater Regulations to the Township and establish necessary wetlands setbacks, if any.
3. The Ohio Rapid Assessment Method for Wetlands that was submitted does not meet standards. A new ORAM for each wetland must be submitted.
4. All appropriate permits from the Ohio EPA and the US Army Corps of Engineers must be submitted.

Stormwater:

5. Applicant must submit a hydraulic study, such as Stormwater Management Mode (SWMM), for the site. This study should focus on the point where the stream crosses Sharp Road at the southwest corner of the subdivision to the point it passes through the inline pond along Aaron Lane and exits into the Schady Road ditch. Profile and cross-sections will need to be provided for the existing stream along these limits. The flow of the critical storm and base flood cannot exceed the capacity of this existing stream/ditch.

Once the applicant addresses the fundamental items listed above, the County Planning staff recommends that the Planning Commission **conditionally approve** the Preliminary Plan for Belmont Place PRD Subdivision, requiring the applicant to address noted deficiencies, areas of concern, and questions.

Based on a review of the outstanding issues noted by the reviewing agencies, and the concerns regarding drainage and stormwater management, County Planning staff recommends the following items must be addressed before Improvement Plans are accepted:

Roadway design and safety:

1. Ensure that all fire hydrants have a 5-inch Storz Connection.

2. Include all stop signs indicated by County Public Works.
3. Work with County Public Works to address the requested stub street at the southeast corner of the property at the location of sub lot 13. This may result in the reduction of one subplot.
4. Calculate and accommodate sight distance triangles at the entrances to Schady and Sharp Roads and within the subdivision.

Stormwater:

5. Meet requirements set forth in the Township Comprehensive Stormwater Regulations:
  - a) Conduct the requisite pre-application meeting for the review of the Preliminary Stormwater Management Plan (Section 2.1 (1)).
  - b) Submit the required plan review materials, including monetary deposits and timetables.
6. Address concerns in writing and on both the Preliminary Plan and the Preliminary Stormwater Management Plan regarding the ability of the site's soils to accommodate buildings, especially buildings with basements.
7. Submit in writing and to be included on both the Preliminary Plan and the Preliminary Stormwater Management Plan if the open space contained at the southern end of the property will serve any stormwater mitigation function or if it will serve only as open space area for the community. If the area is to be used to temporarily house stormwater runoff, it should have appropriate easements shown to protect the area from changes. Overflow provisions for this area are also a concern and need to be clarified since there are residences adjacent to these features. The clarification of these issues should be part of the Comprehensive Stormwater Management Plan.
8. Address concerns about the downstream capacity of the system as part of the submittal to the County for their review of Improvement Plans, including the location and capacity concerns regarding the 18" culvert pipe at the southeast portion of the site. Determine if an easement should be put into place on the Fleck parcel.

9. Address the following regarding the retention pond:
  - a) Include a carefully designed emergency spillway with base flood being carried overland to the ditch.
  - b) Clarify where access to the retention area will be.
  - c) Ensure that the retention pond features the required safety bench.
10. Clarify on the plans how the stream will be repaired and where it has breached its bank.
11. Ensure that all sublots will remain outside of the stream easement.

Sewer and other Utilities:

12. Applicant must work with County Public Works Sanitary Division to resolve sizing and elevation concerns between planned and existing sewer connections and include specific details on the proposed manhole to be built on the existing 21-inch sanitary sewer.
13. Ensure storm and sanitary sewers conform to Uniform Standard horizontal clearance requirements. The storm sewer at the intersection at Pimlico Path and Churchill Court should be redesigned to meet clearance requirements and to cross over the sanitary sewer only once. Where clearance requirements cannot be met, the sewer shall be encased in concrete or be constructed of water main type materials that shall withstand a 50-psi pressure test.
14. Ensure the street lighting plan shows sufficient street lights.
15. Ensure premium joints are required on all sanitary and storm sewers.
16. Verify any utilities and grading within 200 feet of the site that may impact the development or be a deterrent to the adjacent land.

Open Space:

17. The applicant must convey in writing that at least 2.985 acres of open space contained in Block B will remain relatively level and dry and otherwise suitable for open space. The applicant should make every effort to make the 2.09 acres on the south side of the stream accessible to residents.