Summit County Planning Commission (SCPC)
Thursday December 19, 2019 - 3:00 p.m.
County of Summit, County Council Chambers
175 South Main Street, 7th Floor, Akron, Ohio

Meeting Agenda

A. Call to Order
   Chair Mavrides

B. Roll Call
   Smith

C. Approval of the November 21, 2019 SCPC Minutes
   Chair Mavrides

D. Business Items
   Knittel

New Business

Item # 1 – Retreat at Liberty Lakes – Revised Preliminary Plan – Twinsburg Township – Located in Twinsburg Township off of Liberty Rd at the county line with Cuyahoga County, just north of the Willowbrook Subdivision.
   a) The applicant is requesting a variance from the subdivision regulations 1105.04(a) Blocks, the regulations have a 1,500’ block length maximum, a 1,714.8’ long block is proposed meaning a 214.8’ variance is needed.
   b) The applicant is requesting a variance from the subdivision regulations 1108.07(f) Street Intersections. The subdivision regulations require a 100’ tangent, a 73.6’ tangent is proposed needing a 26.4’ variance.
   c) The proposal is 60 lots on 39.0760 Acres with 23.0544 Acres of Open Space, Sewage serviced by DSSS and Twin-Keystone Water. The Applicant is requesting a one year time extension on the conditional approval the SCPC had granted in October 18, 2018.

E. Report from Assistant Director
   Tubbs

F. Comments from Public
   Chair Mavrides

G. Comments from Commission Members
   Chair Mavrides

H. Other
   1. Legal Update
      Nott

I. Adjournment
   Chair Mavrides
Members Present: George Beckham, Becky Corbett, Jerry Feeman, David Kline, Jeff Snell, Dennis Stoiber, and Jeff Wilhite

Members Absent: Helen Humphrys, Allen Mavrides, Jason Segedy, and Robert Terry

Staff: Dennis Tubbs, Stephen Knittel, Dave Nott, and Cazz Smith Jr.

Others: Patricia Rakoci – Redwood Apartments, Matt Duncan – TGC Engineering, Matthew Springer – Copley TWP, Joe Paradise – SCE,

I. Call to Order

Dennis Stoiber called the meeting to order on Thursday, November 21, 2019 at 3:02 pm in the County of Summit Council Chambers, 175 South Main Street, 7th Floor, Akron Ohio 44308. A roll call was conducted by Cazz Smith the attending members constituted a quorum.

II. Approval of the October 24, 2019 Meeting Minutes

<table>
<thead>
<tr>
<th>SCPC Member</th>
<th>Present</th>
<th>Motion</th>
<th>Second</th>
<th>Yea</th>
<th>Nay</th>
<th>Abstain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beckham, George</td>
<td>X</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corbett, Becky</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Feeman, Jerry</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Humphrys, Helen</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kline, David</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mavrides, Allen</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Segedy, Jason</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Snell, Jeff</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stoiber, Dennis</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terry, Robert</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wilhite, Jeff</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Motion

David Kline made a motion to approve the minutes of the October 24, 2019 meeting, and it was seconded by Becky Corbett the motion passed with no abstentions.
III. Business Items

A. New Business – (1) items

Item # 1 – Redwood Apartments – Copley Township – Located in Copley Township off of Ridgewood Rd to the west of SR 21, just south of the Arbor Chase Subdivision. The applicant is proposing a total of 100 apartment units on the site property of 59.51 acres. There will be 400 parking spaces, a garage and driveway and 26 off-street parking. The plan proposes three ponds.

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed plan be approved.

SCPC Action:
Approval: X
Disapproval:
Action:

<table>
<thead>
<tr>
<th>SCPC Member</th>
<th>Present</th>
<th>Motion</th>
<th>Second</th>
<th>Yea</th>
<th>Nay</th>
<th>Abstain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beckham, George</td>
<td>X</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corbett, Becky</td>
<td>X</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Feeman, Jerry</td>
<td>X</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Humphrys, Helen</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kline, David</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mavrides, Allen</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Segedy, Jason</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Snell, Jeff</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><em>Arrived at 3:12</em></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stoiber, Dennis</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Terry, Robert</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wilhite, Jeff</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Jeff Wilhite asked staff if the apartment units surrounding the round-a-bout were single or four units.
- Stephen Knittel answered they are four-unit buildings.
- Patricia Rakoci from Redwood Apartments stated the reason for their request.
- Jerry Feeman from SCPC stated his concerns about building the apartments on wetlands.
- Patricia Rakoci from Redwood Apartments stated they had a wetland delineation performed and approved.
- Matthew Springer from the Copley Township stated the history of the settlement agreement standards for this property.
- Joe Paradise for SCE explained their review process for this property since this was not a public street.
- David Kline from SCPC asked if sewer and water would be provided.
- Matt Duncan from TGC Engineering stated sewer would tap into an existing wet well and the water system would be looped.
**Motion**

A motion was made by *David Kline* to approve Item # 1 – Redwood Apartments – Copley Township, it was seconded by *Jeff Wilhite* the motion passed with no abstentions.
Approval of 2020 meeting dates and submittal deadlines

Staff Recommendation: Staff recommends to the Summit County Planning Commission that the proposed meeting dates and submittal deadlines are approved.

SCPC Action:
Approval: X
Disapproval:
Action:

<table>
<thead>
<tr>
<th>SCPC Member</th>
<th>Present</th>
<th>Motion</th>
<th>Second</th>
<th>Yea</th>
<th>Nay</th>
<th>Abstain</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beckham, George</td>
<td>X</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corbett, Becky</td>
<td>X</td>
<td></td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Feeman, Jerry</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Humphrys, Helen</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kline, David</td>
<td>X</td>
<td></td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mavrides, Allen</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Segedy, Jason</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Snell, Jeff</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stoiber, Dennis</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Terry, Robert</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wilhite, Jeff</td>
<td>X</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Motion

A motion was made by Jeff Wilhite to approve the Approval of 2020 meeting dates and submittal deadlines, it was seconded by Becky Corbett the two thousand and twenty SCPC calendar was approved with no abstentions.
IV. **Report from Assistant Director**

Approval of 2020 meeting dates and submittal deadlines

V. **Comments from Public**

VI. **Comments from Planning Commission Members**

VII. **Other**

Joe Paradise from SCE stated the traffic study was completed and no additional changes were required.

VIII. **Next Meeting**

The next Summit County Planning Commission meeting will be held on *Thursday, December 19, 2019.*

IX. **Adjournment**

Being no further business to come before the Planning Commission, *George Beckham* made a motion to adjourn, and it was seconded by *Becky Corbett.* The motion passed unanimously. The meeting adjourned at 3:18 pm.
EXECUTIVE SUMMARY

Located in Twinsburg Township off of Liberty Rd at the county line with Cuyahoga County, just north of the Willowbrook Subdivision.

   a) The applicant is requesting a variance from the subdivision regulations 1105.04(a) Blocks, the regulations have a 1,500’ block length maximum, a 1,714.8’ long block is proposed meaning a 214.8’ variance is needed.

   b) The applicant is requesting a variance from the subdivision regulations 1108.07(f) Street Intersections. The subdivision regulations require a 100’ tangent, a 73.6’ tangent is proposed needing a 26.4’ variance.

   c) The proposal is 60 lots on 39.0760 Acres with 23.0544 Acres of Open Space, Sewage serviced by DSSS and Twin-Keystone Water. The Applicant is requesting a one year time extension on the conditional approval the SCPC had granted in October 18, 2018.

   Staff recommends: Conditional Approval.

<table>
<thead>
<tr>
<th>Item No.:</th>
<th>1 a, b, &amp; c</th>
<th>Area:</th>
<th>39.0760 Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting:</td>
<td>December 19, 2019</td>
<td>Lots:</td>
<td>60</td>
</tr>
<tr>
<td>Developer:</td>
<td>Brad Piroli, Pulte Group</td>
<td>Streets:</td>
<td>60’ R/W</td>
</tr>
<tr>
<td>Engineer:</td>
<td>Neff and Associates</td>
<td>Utilities:</td>
<td>DSSS &amp; Twin-Keystone Water</td>
</tr>
<tr>
<td>Parcel No.:</td>
<td>6201347</td>
<td>Council District:</td>
<td>1, Ron Koehler</td>
</tr>
<tr>
<td>Zoning:</td>
<td>Residential R-2 with PRD</td>
<td>Processor:</td>
<td>Stephen Knittel</td>
</tr>
</tbody>
</table>

Site History:
- There was a Concept Plan Meeting held on August 3, 2018
- There was a site visit on August 16, 2018
- The original Preliminary Plan was conditionally approved by the SCPC on October 18, 2018 meeting with the following conditions:
   - Obtain a Conditional Letter of Map Revision (CLMR) or a Letter of Map Revision (LOMR) from FIMA (Federal Insurance and Mitigation Administration a division of FEMA) regarding the floodplain limits and their impacts for stormwater detention...
on the above referenced site, and to show the base flood elevation as determined by the CLMR or LOMR on the preliminary plan.

- Satisfy the conditions listed in the Memo by the County Engineer’s Office dated October 17, 2018

**Proposal:** The applicant 60 lots on 39.0760 Acres with 23.0544 Acres of Open Space, Sewage serviced by DSSS and Twin-Keystone Water.

- There are two roadways proposed
  - Proposed Road A, with an ingress and egress onto Liberty Road that turns at the intersection with Proposed Road B and ends in a cul-de-sac
  - Proposed Road B, that runs from the terminus of Fenmore Lane and ends at the intersection with Proposed Road A.

- There are two water quality basin’s proposed.

**Site Conditions:** Wetlands have been identified on the fringes of the property. The FEMA Flood Rate Insurance Map shows the Lakes in the Flood Rate “A” Zone. This is defined as an area subject to inundation by a 1 percent chance flood.

**Township Zoning:**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
<th>Municipality</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R-1-E</td>
<td>Residential low density</td>
<td>City of Solon</td>
</tr>
<tr>
<td>East</td>
<td>PDD</td>
<td>Residential</td>
<td>Reminderville</td>
</tr>
<tr>
<td>South</td>
<td>PDD</td>
<td>Residential</td>
<td>Reminderville</td>
</tr>
<tr>
<td>West</td>
<td>PUD</td>
<td>Residential</td>
<td>City of Twinsburg</td>
</tr>
</tbody>
</table>

**1a. Variance Request:**

The applicant is requesting a variance from the subdivision regulations 1105.04(a) Blocks, the regulations have a 1,500’ block length maximum, a 1,714.8’ long block is proposed meaning a 214.8’ variance is needed

The following narratives were submitted in response to the questions posed in the variance application. Staff comments are **bold and italicized**.

i. Are there exceptional topographic or other physical conditions peculiar to this particular parcel or land? If, so please explain.

Yes, existing ponds and existing roadway tie in location required a very specific intersection location.
The location of lakes, wetlands, and existing roadway tie ins limit the potential locations of roadways combined with the existing length of the parcel potential blocks to connect the roadways are forced to be in excess of 1500 ft.

ii. What is the unnecessary hardship which will result from a literal enforcement of the Subdivision Regulation owing to the special conditions set forth in subparagraph (i.) herein?

Yes, existing ponds and existing roadway tie in location required a very specific intersection location.

The location of lakes, wetlands, and existing roadway tie ins limit the potential locations of roadways combined with the existing length of the parcel potential blocks to connect the roadways are forced to be in excess of 1500 ft.

iii. Did the special conditions specified in subparagraph (i.) result from previous actions by the applicant? Please explain.

No, existing roadway of adjacent property was designed and approved by others. Pond has existing on site prior to the 1950s.

No.

iv. Explain whether the variance requested is substantial.

Variance request is minor and very close to required minimums/maximums.

Subdivision Regulations have a 1,500' maximum block length the proposed block length is a 1,714.8' a 214.8' variance is needed.

v. Explain whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

Being such a minor variance request, granting the variance will have no impact to the character of the neighborhood, and adjoining properties would not suffer a substantial detriment.

The essential character of the neighborhood would not change with the granting of the variance nor would adjoining properties suffer substantial detriment.

vi. Will the variance adversely affect the delivery of governmental services, including but not limited to, access by firefighting apparatus, law enforcement vehicles, ambulance and emergency vehicles and similar services relative to ingress and egress to the affected site and adjacent land?

Granting the variance would actually improve access by allowing connection to
adjacent subdivision

No, the addition of the proposed roadway could increase traffic connectivity and circulation.

vii. Explain whether the Subdivision Regulation was in effect at the time of acquisition of the property by the applicant and whether the applicant purchased the property with the knowledge of the Regulation.

Applicant has a purchase agreement on the property and has knowledge of the regulation. As mentioned above, the variance will improve access for governmental services, and is very close to required minimum/maximum.

Yes.

viii. Explain whether the applicant’s predicament can be feasibly solved through some method other than a variance.

As mentioned above, the existing roadway and pond locations result in a very specific intersection relationship and geometry.

The applicant’s predicament cannot be feasibly solved through another method other than a variance due to the geography of the parcel and the existing roadways.

ix. Explain how the variance from the Subdivision Regulations will not be contrary to the public interest.

As mentioned above, the variance would improve access by allowing connection to adjacent subdivision.

This variance would not be contrary to public interest as the access and use would not pose a threat/concern to public safety or the character of the neighborhood.

x. Explain how the spirit and intent behind the Subdivision Regulations will be observed if the variance is granted.

As mentioned above, the variance is very minimal and the design is very close to the spirit and intent behind the Subdivision Regulations.

The spirit and intent of the following purposes and objectives of the Regulations as listed in § 1101.02 WOULD be observed if the Variances were granted:

(a) The proper arrangement of streets or highways in relation to existing or proposed streets and highways and the thoroughfare plan. This variance would allow for the existing street network to connect.

(b) Adequate and convenient open spaces for traffic, utilities, access for firefighting apparatus, recreation, light and air, and the avoidance of...
congestion of the population.  

**This variance would not affect the above.**

(c) The orderly, efficient, and appropriate development of land.  

**This would not affect the orderly, efficient and appropriate development of land.**

(d) The orderly and efficient provision of community facilities at minimum cost and maximum convenience.  

**This would not impact the orderly and efficient provision of community facilities.**

(e) Safe and convenient vehicular and pedestrian movement.  

**This variance would allow for the existing street network to connect.**

(f) The promotion of public health, safety, comfort, convenience, prosperity, and general welfare, and the protection of the environment.  

**This would not affect the promotion of public health, safety, comfort, convenience, prosperity, and general welfare, and the protection of the environment.**

(g) The accurate surveying of land, preparing and recording of plats.  

**This would not impact the accurate surveying of land, preparing and recording of plats.**

(h) The equitable handling of all subdivision plats by providing uniform procedures and standards for observance by both the approving authority and Developer as defined herein.  

**This variance is required for the current layout as approved by the Township.**

xi. Explain how the requested variance is the minimum variance to the Subdivision Regulations that will allow for a reasonable division of land.

As mentioned above, the existing roadway and pond locations result in a very specific intersection relationship and geometry.

**The location of lakes, wetlands, and existing roadway tie ins limit the potential locations of roadways combined with the existing length of the parcel potential blocks to connect the roadways are forced to be in excess of 1500 ft.**

**Staff Comments:** Variances are to alleviate unnecessary hardships imposed by literal enforcement of the subdivision regulations due to exceptional topographic or other physical conditions peculiar to a parcel.

- The requested variance is the minimum variance required for the split to be performed.
- The location of lakes, wetlands, and existing roadway tie ins limit the potential locations of roadways combined with the existing length of the parcel potential blocks to connect the roadways are forced to be in excess of 1500 ft.

**Staff Recommendation:** Staff recommends the SCPC **APPROVE** the Variance Request.
1b Variance Request:

The applicant is requesting a variance from the subdivision regulations 1108.07(f) Street Intersections. The subdivision regulations require a 100’ tangent, an 88.9’ tangent is proposed needing an 11.1’ variance.

The following narratives were submitted in response to the questions posed in the variance application. Staff comments are bold and italicized.

xii. Are there exceptional topographic or other physical conditions peculiar to this particular parcel or land? If, so please explain.

Yes, existing ponds and existing roadway tie in location required a very specific intersection location.

_The location of lakes, wetlands, and existing roadway tie ins limit the potential locations of roadways._

xiii. What is the unnecessary hardship which will result from a literal enforcement of the Subdivision Regulation owing to the special conditions set forth in subparagraph (i.) herein?

Yes, existing ponds and existing roadway tie in location required a very specific intersection location.

_The location of lakes, wetlands, and existing roadway tie ins limit the potential locations of roadways._

xiv. Did the special conditions specified in subparagraph (i.) result from previous actions by the applicant? Please explain.

No, existing roadway of adjacent property was designed and approved by others. Pond has existing on site prior to the 1950s.

No.

xv. Explain whether the variance requested is substantial.

Variance request is minor and very close to required minimums/maximums.

_Subdivision Regulations require a 100’ tangent, a 73.6’ tangent is proposed needing a 26.4’ variance._

xvi. Explain whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
Being such a minor variance request, granting the variance will have no impact to the character of the neighborhood, and adjoining properties would not suffer a substantial detriment.

_The essential character of the neighborhood would not change with the granting of the variance nor would adjoining properties suffer substantial detriment._

xvii. Will the variance adversely affect the delivery of governmental services, including but not limited to, access by firefighting apparatus, law enforcement vehicles, ambulance and emergency vehicles and similar services relative to ingress and egress to the affected site and adjacent land?

Granting the variance would actually improve access by allowing connection to adjacent subdivision

No.

xviii. Explain whether the Subdivision Regulation was in effect at the time of acquisition of the property by the applicant and whether the applicant purchased the property with the knowledge of the Regulation.

Applicant has a purchase agreement on the property and has knowledge of the regulation. As mentioned above, the variance will improve access for governmental services, and is very close to required minimum/maximum.

Yes.

xix. Explain whether the applicant’s predicament can be feasibly solved through some method other than a variance.

As mentioned above, the existing roadway and pond locations result in a very specific intersection relationship and geometry.

_The applicant’s predicament cannot be feasibly solved through another method other than a variance due to the geography of the parcel and the existing roadways._

xx. Explain how the variance from the Subdivision Regulations will not be contrary to the public interest.

As mentioned above, the variance would improve access by allowing connection to adjacent subdivision.

_This variance would not be contrary to public interest as the access and use would not pose a threat/concern to public safety or the character of the neighborhood._

xxi. Explain how the spirit and intent behind the Subdivision Regulations will be
observed if the variance is granted.

As mentioned above, the variance is very minimal and the design is very close to the spirit and intent behind the Subdivision Regulations.

The spirit and intent of the following purposes and objectives of the Regulations as listed in § 1101.02 **WOULD** be observed if the Variances were granted:

(i) The proper arrangement of streets or highways in relation to existing or proposed streets and highways and the thoroughfare plan. **This would be part of connecting existing road networks.**

(j) Adequate and convenient open spaces for traffic, utilities, access for firefighting apparatus, recreation, light and air, and the avoidance of congestion of the population. **This would not affect the above.**

(k) The orderly, efficient, and appropriate development of land. **This would not affect the orderly, efficient and appropriate development of land.**

(l) The orderly and efficient provision of community facilities at minimum cost and maximum convenience. **This would not impact the orderly and efficient provision of community facilities.**

(m) Safe and convenient vehicular and pedestrian movement. **This would not impact vehicular and pedestrian movement.**

(n) The promotion of public health, safety, comfort, convenience, prosperity, and general welfare, and the protection of the environment. **This would not affect the promotion of public health, safety, comfort, convenience, prosperity, and general welfare, and the protection of the environment.**

(o) The accurate surveying of land, preparing and recording of plats. **This would not impact the accurate surveying of land, preparing and recording of plats.**

(p) The equitable handling of all subdivision plats by providing uniform procedures and standards for observance by both the approving authority and Developer as defined herein. **This variance is required for the current layout as approved by the Township.**

xxii. Explain how the requested variance is the minimum variance to the Subdivision Regulations that will allow for a reasonable division of land.

As mentioned above, the existing roadway and pond locations result in a very specific intersection relationship and geometry.

**The requested variance is the minimum variance required for the reasonable division of land.**
Staff Comments: Variances are to alleviate unnecessary hardships imposed by literal enforcement of the subdivision regulations due to exceptional topographic or other physical conditions peculiar to a parcel.

- The requested variance is the minimum variance required.
- The location of lakes, wetlands, and existing roadway tie ins limit the potential locations of roadways.

Staff Recommendation: Staff recommends the SCPC APPROVE the Variance Request.
1c. Preliminary Plan:


- There are two roadways proposed
  - Proposed Road A, with an ingress and egress onto Liberty Road that turns at the intersection with Proposed Road B and ends in a cul-de-sac
  - Proposed Road B, that runs from the terminus of Fenmore Lane and ends at the intersection with Proposed Road A.
- There are two water quality basin’s proposed.

Site Conditions: Wetlands have been identified on the fringes of the property. The FEMA Flood Rate Insurance Map shows the Lakes in the Flood Rate “A” Zone. This is defined as an area subject to inundation by a 1 percent chance flood.

Township Zoning:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
<th>Municipality</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>R-1-E</td>
<td>Residential low density</td>
<td>City of Solon</td>
</tr>
<tr>
<td>East</td>
<td>PDD</td>
<td>Residential</td>
<td>Reminderville</td>
</tr>
<tr>
<td>South</td>
<td>PDD</td>
<td>Residential</td>
<td>Reminderville</td>
</tr>
<tr>
<td>West</td>
<td>PUD</td>
<td>Residential</td>
<td>City of Twinsburg</td>
</tr>
</tbody>
</table>

Agency Comments: *Italicized text* indicates quotations from submitted agency comments.

SCE: Andy Dunchuck, 12/06/2019: Our office has reviewed the above referenced preliminary plan and the comments are listed below. Please note, the Summit County Engineer’s Office does not recommend the approval of this subdivision due to the number and nature of the following comments. The issues raised are not easily corrected without significant re-design of the property. This office requests the developer revise the design and once again re-submit the development.

Review Comments

1. What is the status of Planning Commission’s previous requirement to submit and obtain a FEMA Map Revision for the 100-Year Flood Plain?

2. A portion of the proposed stormwater management basin located between Ponds 1 and 2 is located within the 100-Year Flood Plain. Section 8.5 of the SCE Stormwater Drainage Manual prohibits stormwater management facilities being placed within the limits of a designated flood plain.
3. A portion of the maintenance access drive for the proposed stormwater management basin located to the East of Pond 1 is located within the 100-Year Flood Plain. In addition, the drive does not extend around the entire perimeter of the basin.

4. Portions of Sublots 22-24 and 30-35 are located within the 100-Year Flood Plain.

5. Subdivision Regulation 1105.04 requires the block length for a residential street not exceed 1,500’. Proposed ‘Roadway A’ has a block length of approximately 1,700’.

6. Subdivision Regulation 1108.07(f) requires intersecting streets to have a minimum tangent distance of 100’. Proposed ‘Roadway B’ has a tangent distance of 73.6’.

7. A 100-Year Overland Flow Path across the site is required.

8. The maintenance access driveways shall be designed to withstand maintenance equipment and vehicles and shall consist of an approved material.

9. A 2.5’ wide ODOT Curb and Gutter section and ODOT No. 3 and 3A Catch Basins is required in the design of the proposed roadway.

10. The traffic impact study requires construction of a southbound left turn lane into the proposed development. In addition, removal of vegetation on the East and West sides of Liberty road is required to achieve adequate Stopping Sight Distance and Intersection Sight Distance.

Dept. of Building Standards: 2019: Regarding the retreat at liberty lakes it appears that part of the allotment is in the floodplain. To build homes in the floodplain the requirements are the lowest level of the structure would have to be one foot higher than base flood elevation. As of now it appears that base flood elevation has not been determined. The only other option would be to request a letter of map amendment that would be submitted to FEMA for approval to remove the property from the floodplain.


Since that date, following discussions with Twinsburg Township and receipt of the Preliminary JD letter from the developer we have the following addendums to that letter:

1.) Riparian Setbacks: A small stream was identified on the Summit County Soil survey. Following a site visit and the Preliminary Jurisdictional Determination from US Army Corps, this drainageway was determined to not have a defined bed and bank, therefore it does not meet the criteria to be considered a stream under Summit County Chapter 937 and Twinsburg Township’s riparian regulations. Further, though the south pond is in line with a stream, ponds are not included in the regulatory scope of Twinsburg Township’s riparian regulations. Therefore, there are no concerns with riparian setbacks on this parcel.

2.) FEMA floodplain: Homes, backyards and a portion of the proposed stormwater management pond impact the 100 year FEMA floodplain. Per the preliminary plan, the developer is proposing a revision to the 100 year flood plain. The developer will need to provide confirmation from FEMA that the floodplain boundaries have been revised. If the floodplain boundaries are not
revised, the proposed floodplain impacts must obtain approval from Summit County Engineers and the County Floodplain Coordinator.

**DSSS:** Ross Nicholson, 12/04/2019: DSSS has reviewed the Liberty Lakes Revised Preliminary Plan as requested. We generally have no objection to the proposed preliminary plan, however our general comments relative to the submitted plans are as follows:

1) The sanitary sewer should be kept on the west side of Liberty Road until it crosses Liberty Road at the proposed new street;

2) A sanitary manhole should be located at the proposed project phase line to allow sanitary sewer construction to be consistent with the phase lines;

3) The eastern portion of the development will not have sanitary sewer service at basement elevations, due to the topography of the site;

4) As a result of Comment No. 3, the use of hung plumbing to serve basements at the indicated location should be specifically noted in the plan set.

*It is anticipated that DSSS concerns will addressed on the detailed design plan set submittal.*

**Staff Comments:**

- The Plan requires two Variances
  - 1105.04(a) Blocks (1,500' required, 1,714.8' provided – 214.8' variance)
  - 1108.07(f) Street Intersections (100' tangent required, 73.6' provided – 26.4' variance)
- Lots 22 and 23 have their building areas within the 100 year flood plain and lots 30-35 have a portion of the lot within the 100 year flood plain. Subdivision Regulation 1105.02 Suitability of Land (b) Flood hazards states “Land subject to flooding and land otherwise uninhabitable shall not be platted for residential occupancy nor for such other uses that may increase danger to health, life, or property, or aggravate the flood hazard as delineated on the FEMA Flood Insurance Rate Maps, or detailed engineering study. Furthermore building areas are not encouraged in the Floodway Fringe.” – Until a map revision it seems that these lots are to be discouraged from development.

**Recommendation:** It is Staff’s recommendation that the SCPC **Conditionally Approve** this Preliminary Plan with the conditions being the developer must obtain a Conditional Letter of Map Revision (CLMR) or a Letter of Map Revision (LOMR) from FIMA (Federal Insurance and Mitigation Administration a division of FEMA) regarding the floodplain limits and their impacts for stormwater detention on the above referenced site, and to show the base flood elevation as determined by the CLMR or LOMR on the preliminary plan, as well as satisfying the comments from the Summit County Engineer’s Office, Summit Soil and Water and the Department of Sanitary Sewer Services.
WETLAND IMPACTS

<table>
<thead>
<tr>
<th>ID</th>
<th>TYPE (AC.)</th>
<th>COVER TYPE</th>
<th>IMPACTS (AC.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>0.332</td>
<td>ENDIWAY</td>
<td>0.127</td>
</tr>
<tr>
<td>B</td>
<td>0.005</td>
<td>ENDIWAY, SCRB/SMBL</td>
<td>0.024</td>
</tr>
<tr>
<td>C</td>
<td>0.043</td>
<td>SCRB/SMBL</td>
<td>0.040</td>
</tr>
<tr>
<td>D</td>
<td>0.386</td>
<td>ENDIWAY, SCRB/SMBL</td>
<td>0.118</td>
</tr>
<tr>
<td>E</td>
<td>0.290</td>
<td>ENDIWAY, SCRB/SMBL</td>
<td>0.202</td>
</tr>
<tr>
<td>F</td>
<td>0.129</td>
<td>ENDIWAY</td>
<td>0.129</td>
</tr>
<tr>
<td>G</td>
<td>0.118</td>
<td>ENDIWAY</td>
<td>0.118</td>
</tr>
<tr>
<td>H</td>
<td>0.033</td>
<td>ENDIWAY</td>
<td>0.033</td>
</tr>
<tr>
<td>I</td>
<td>0.187</td>
<td>SCRB/SMBL</td>
<td>0.187</td>
</tr>
<tr>
<td>J</td>
<td>0.146</td>
<td>ENDIWAY, SCRB/SMBL</td>
<td>0.146</td>
</tr>
<tr>
<td>K</td>
<td>0.021</td>
<td>SCRB/SMBL</td>
<td>0.021</td>
</tr>
<tr>
<td>L</td>
<td>0.012</td>
<td>SCRB/SMBL</td>
<td>0.000</td>
</tr>
<tr>
<td>M</td>
<td>0.022</td>
<td>SCRB/SMBL</td>
<td>0.022</td>
</tr>
<tr>
<td>N</td>
<td>0.063</td>
<td>SCRB/SMBL</td>
<td>0.000</td>
</tr>
<tr>
<td>O</td>
<td>0.278</td>
<td>ENDIWAY, SCRB/SMBL</td>
<td>0.000</td>
</tr>
</tbody>
</table>

TOTAL: 1.773

POND IMPACTS

<table>
<thead>
<tr>
<th>ID</th>
<th>TYPE (AC.)</th>
<th>COVER TYPE</th>
<th>IMPACTS (AC.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>4.865</td>
<td>OPEN AREAL</td>
<td>0.000</td>
</tr>
<tr>
<td>2</td>
<td>4.766</td>
<td>OPEN AREAL</td>
<td>0.000</td>
</tr>
</tbody>
</table>

TOTAL: 0.000

NOTE: POND IMPACTS TO BE CORRECTED IN FINAL DRAWS FOR REVISED SURVEY REPORT

1. POND IMPACTS TO BE CORRECTED IN FINAL DRAWS FOR REVISED SURVEY REPORT
2. POND IMPACTS TO BE CORRECTED IN FINAL DRAWS FOR REVISED SURVEY REPORT
3. POND IMPACTS TO BE CORRECTED IN FINAL DRAWS FOR REVISED SURVEY REPORT
4. POND IMPACTS TO BE CORRECTED IN FINAL DRAWS FOR REVISED SURVEY REPORT
5. POND IMPACTS TO BE CORRECTED IN FINAL DRAWS FOR REVISED SURVEY REPORT
PRELIMINARY PLANT LIST

<table>
<thead>
<tr>
<th>P/N</th>
<th>EXTERNAL NAME</th>
<th>COMMON NAME</th>
<th>SIZE</th>
<th>CODE</th>
<th>SHADE</th>
<th>USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>200</td>
<td>Dogwood</td>
<td>Dogwood</td>
<td>2 ft</td>
<td>100</td>
<td>0</td>
<td>F</td>
</tr>
<tr>
<td>200</td>
<td>Forsythia</td>
<td>Forsythia</td>
<td>2 ft</td>
<td>100</td>
<td>0</td>
<td>C</td>
</tr>
<tr>
<td>200</td>
<td>Liriodendron</td>
<td>Liriodendron</td>
<td>2 ft</td>
<td>100</td>
<td>0</td>
<td>F</td>
</tr>
<tr>
<td>200</td>
<td>Magnolia</td>
<td>Magnolia</td>
<td>2 ft</td>
<td>100</td>
<td>0</td>
<td>F</td>
</tr>
<tr>
<td>200</td>
<td>OrientalPear</td>
<td>OrientalPear</td>
<td>2 ft</td>
<td>100</td>
<td>0</td>
<td>F</td>
</tr>
<tr>
<td>200</td>
<td>Redbud</td>
<td>Redbud</td>
<td>2 ft</td>
<td>100</td>
<td>0</td>
<td>F</td>
</tr>
</tbody>
</table>

"PLANT LIST IS FOR GENERAL REPRESENTATION TO BE USED IN THIS DEVELOPMENT. THE USE OF NATIVE SPECIES WILL BE A FOCUS OF THE LANDSCAPE DESIGN. THE USE OF EXOTIC SPECIES WILL BE MINIMIZED AND INVASIVE SPECIES WILL NOT BE USED."