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DATE: May 6, 2015

TO: City of Hudson Planning Commission for May 11, 2015 Meeting

FROM: Greg Hannan, City Planner  
Mark Richardson, Community Development Director

SUBJECT: Final Plat and Site Improvement Plans: Reserve at River Oaks Phase II

ZONING: District 3: Outer Village Residential Neighborhood

PC Case No: 2015-10

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### **Project Introduction**

Prestige Homes and Pulte Homes of Ohio have applied for the Final Plat and Improvement Plans for The Reserve at River Oaks Phase II. The Final Plat and Improvement Plans approval for Phase I were approved on April 14, 2014. Phase II received preliminary plan approval for 60 sublots within the western portion of the site was approved on January 27, 2015 per case 2015-01. Phase I is proposed as 60 sublots accessed from Boston Mills Road and connecting to the terminus of Phase I within the interior of the subdivision.

A summary of the applicable Planning Commission cases for the Reserve at River Oaks subdivision since the project was resumed in 2013 is listed below:

Case#	Meeting Date	Action
2013-19	September 9, 2013	Preliminary Subdivision Plan approval for 144 unit, 353 acre project (not including subject parcel)
2013-24	December 9, 2013	Site plan approval for tree clearing activities (Phase I)
2013-23	March 10, 2014	Recommendation of approval for map amendment for subject property (request not approved by City Council on May 7, 2014)
2014-01	March 10, 2014	Compatibility review for subject parcel
2014-05	April 14, 2014	Final Plat and Improvement Plans approval for Phase I - 47 sublots accessed from Boston Mills Road
2014-14	August 11, 2014	Recommendation of map amendment for subject property (request approved by City Council on October 1, 2014 per Ordinance 14-106)
2015-01	January 26, 2015	Preliminary Subdivision Plan approval for an additional 88 sublots for a total overall subdivision of 236 sublots.
2015-02	January 26, 2015	Site Plan approval from tree clearing activities (Phase II)

**Adjacent Development:**

The eastern phases of the Reserve of River Oaks are adjacent to the east fronting Boston Mills Road. Across Boston Mills Road to the north is commercial office development within District 6. Hudson Crossing commercial/industrial development within District 6 is immediately south of the subject parcel. The Village of Boston Heights abuts most of the western boundary of the subdivision. The abutting village zoning is large lot residential along Boston Mills Road, general business abutting the central portion of the development, and light industrial abutting the southern portion.

The following information is attached to this report.

1. Final Plat and applicable sheets from Site Improvement Plans received April 2, 2015 from Donald G. Bohning & Associates, Inc.
2. Preliminary review comments prepared by City Planner Greg Hannan, dated April 27, 2015.
3. Engineering Department review comments, prepared by City Consultant Engineer Jason Miller, P.E., dated May 1, 2015.
4. Planning Commission Decision dated January 26, 2015 for the Preliminary Plan per case 2015-01.
5. Draft Final Subdivision Improvement Agreement.

**Chapter 1205 – District Regulations**

**Lot Dimensional and Setback Standards:** The proposed sublots are in compliance with applicable lot dimensional and setback standards.

**Building Siting and Orientation:** The concept house layouts for the following sublots should be revised to comply with the applicable LDC and Architectural and Design Standards building orientation standards.

Sublot	Street Name	Orientation standard
74	Ridgeline Drive	Minor adjustment to be parallel to the street
50-56, 102-107	Timberline Trail	Revise garage orientation to the south so garage is not visible from primary direction of approach

**Section 1207 Zoning Development and Site Plan Standards**

**Tree and Vegetation Protection:** The limits of disturbance have been delineated on the plans. As discussed in the preliminary plan, the applicant has proposed to complete the mass grading of the individual sublots as part of the base improvements. Tree clearing within the limits of disturbance was previously approved for Phase II per PC 2015-02.

**Wetland/Stream Corridor Protection:** The subject parcel contains significant wetland areas as well as a 100 foot width riparian corridor located within the interior of the wetland areas adjacent to the western property boundary. No disturbances are proposed to the existing wetland, riparian

corridors, or their setbacks.

As part of the Preliminary Plan review (2015-01) the applicant submitted documentation related to U.S. Army Corp of Engineers (ACOE) permit 98-5120009 and 2001-01833, issued to Duke Realty for wetland and stream disturbances within the subject property and Hudson Crossing Industrial Park to the south. The associated stream and wetland disturbances authorized under the ACOE permits were completed between 2003 and 2005. The submitted documentation indicates the applicant completed the applicable disturbances and mitigation work within the requirements of the ACOE.

The proposed grading limits for the sublots and the stormwater management systems are primarily set at the 50 foot wetland buffer.

Landscaping/Buffering:

Adjacent use	Bufferyard required	Minimum Distance
West – single family residential land use at 800 Boston Mills Road	C	15 ft (Moderate)
West - Office/Commercial at 780 Boston Mills Rd	D	25 ft (Substantial)
South - WBC Development at Hudson Crossing	E	40 feet (Major)
East - Reserve at River Oaks adjacent phases	N/A	

The required bufferyard dimensions should be depicted on the final improvement plans as well as the location of existing vegetation that will meet bufferyard requirements or where additional plantings are needed. Due to the required 100 foot perimeter setback for an Open Space Conservation Subdivision (OSCS) and the existing vegetation, preservation of existing vegetation will satisfy the requirements in most areas. The landscape plan must include plans for bufferyards where additional plantings are required. The proposed retention basin west of sublots 99 and 100 will require the installation of bufferyard plantings.

Open Space: OSCSs must set aside at least 50% of the subdivision for a combination of public and private open space. The proposed 91.5 acre western parcel is proposed with 52.18 acres open space or 57% of the parcel. The expanded larger subdivision contains 311 acres of open space within the 444.60 acre area for 70% of the subdivision.

Required Public Open Space –The subdivision will include an eight foot wide pedestrian path connecting the north and south portions of the subdivision within the eastern phases. Additionally, 70% (311 acres) of the subdivision is dedicated as a conservation easement. This significant dedication along with the multi-purpose trail extension was previously determined to meet the public open space requirements.

Sidewalk and Pathway Requirements: Sidewalks have been appropriately depicted on both sides of the interior streets. A multi-purpose path has been required through the eastern phases of the development and along the Boston Mills Road frontage. The improvements plans must depict

the multi-purpose path on the northside of Boston Mills Road from Executive Parkway West to Executive Parkway. Additionally, a sidewalk should be placed on the south side of Boston Mills Road.

Although the sidewalks shown are in substantial compliance with current requirements, staff expects that the LDC may be amended in the near future to reduce some sidewalk requirements. Staff recommends that a condition of approval be that should the LDC be amended, that the applicant may revise plans accordingly and need not return to the Planning Commission for plan approval.

Conservation easement: The conservation easement covering 205 acres within the subdivision was recorded in 2007 as part of the previous Phase IA development. Staff offers the following comments:

1. The recorded conservation easement is missing Exhibits B and C
2. Signage noting the conservation easement and wetland boundaries must be placed adjacent to sublots and in compliance with the signage requirements of the USACOE wetland disturbance permit.

Traffic Impact: The City Engineer has completed a review of the submitted Traffic Impact Analysis and determined improvements to the Boston Mills Road right of way are not warranted as part of the proposed subdivision.

Stub Streets: The LDC requires a temporary cul-de-sac with an outside roadway diameter of 80 feet and a temporary property line/right-of-way line of 120 feet. As the phase limits terminate in close proximity to through streets, a full temporary cul-de-sac is not warranted. Phase I approvals incorporated 20 feet of pavement beyond the final driveway to be permit acceptable access to the street for maintenance and snow removal. The termination of Timberline Trail, Ridgeline Drive, Birch Court and Kingswood Drive will require the additional 20 ft of pavement.

Emergency Access: The final subdivision plan approval for Phase I depicted an emergency access drive along proposed Timberline Trail within Phase II. The applicant has proposed to not construct this emergency access drive as the completion of Phase II will create a loop road system in the northern section of the subdivision. A temporary emergency access drive has been installed from Boston Mills Road to subplot 10 to permit a portion of Phase I to be compliant with the emergency access standards. Zoning certificates for sublots beyond 600 feet from the temporary access drive will be not issued until the Phase II improvements have been completed. The temporary access drive will be removed at the completion of the Phase II improvements.

Curb cuts and Intersections: Section 1207.13(c)(5)(B) states curb cuts and new intersections for development on arterial and collector streets should be a minimum of 400 lineal feet from any intersection. Timberline Trail is presently proposed 365 feet to the west of Majestic Oaks Drive. Staff is requesting the applicant shift Timberline Trail as far west as is practical without encroaching on the wetland setbacks or altering the angle at which the road intersects Boston Mills Road. Staff understands and is satisfied with the final intersection spacing requiring a minor deviation to this standard.

Special Development Standards: The development contains an existing gas well installation adjacent to subplot 94. The applicant has noted the applicable setbacks on the improvement plans.

Engineering Comments: City Consultant Engineer Jason Miller, P.E. of Rettew Engineering Inc. has completed review of the improvement plans and plat per his letter dated May 4, 2015.

### **Chapter 1208 – Subdivision Design and Improvement/Dedication Standards**

Side Lot Lines: Side lot lines shall normally be at right angles to the street or radial to curved streets. The shared lot lines at sublots 73/74 need to be adjusted to comply with the standards.

Improvement guarantees: The subdivider and the city shall execute a Final Subdivision Improvement Agreement setting forth what improvements are to be installed and when. A performance bond or other financial guarantee shall be posted by the applicant for the purpose of assuring the installation of such improvements at or before a time the agreement is executed.

### **Additional Comments**

Declaration of Restrictions: The Developer has previously established the Declaration of Restrictions for the subdivision.

Fire Department Comments: Fire inspector Shawn Kasson has completed a review and is satisfied with the submitted plans.

Assistant City Solicitor Comments: Aimee Lane, Assistant City Solicitor, has completed a review and noted the following regarding the plat:

1. Final Plat: Regarding the listed sublots with easements of varying width, subplot 69 can be removed as no storm sewer infrastructure is present.

### **Findings: Section 1204.05(c) Final Subdivision Plat**

Staff finds that the application complies with applicable sections of the Land Development Code, except as discussed above and recommended below. The subdivider has committed to execute a Final Subdivision Improvement Agreement and post the required bonds pursuant to Section 1208.15(a).

### **Required PC Action, Chapter 1203.10(d)(1)(B)**

The PC shall take final action on the Final Plat application by reviewing the application and all submitted plans and reports, and then either approving, approving with conditions, or denying the application based on its compliance with the standards summarized in this report.

All decisions of the Commission shall be based on written findings of fact related to the relevant standards of the Code.

**Recommendation**

Approve the application for the Final Plat and Improvement Plans for Case No. 2014-05 for the Reserve at River Oaks Phase I according to plans dated as received April 2, 2015 with the condition that the applicant must address the following:

1. The Final Subdivision Improvement Agreement must be accepted and signed by the City and Developer.
2. Plans must be revised to show the following:
  - a. Plans must address the review comments of City Consultant Engineer Jason Miller, P.E. of Rettew Engineering Inc. from his letter dated May 4, 2015.
  - b. Plans must address the review comments of Assistant City Solicitor Aimee Lane as detailed in the staff report dated May 6, 2015.
3. Revise the concept building orientation layouts to comply with the staff comments on page two of the staff report dated May 6, 2015.
4. Submit a landscape plan depicting the street trees, entrance features, and applicable bufferyards. The plan must meet the LDC requirements including the applicable notes, specifications, details, and plant lists.
5. Revise the pathway layout as detailed in the staff report dated May 6, 2015 to incorporate the following:
  - a. Depict the installation of the pathway along the north side of Boston Mills Road.
  - b. Depict a sidewalk along the south side of Boston Mills Road
6. If the LDC sidewalk requirements applicable to the development are amended, the applicant may revise the proposed sidewalk plans accordingly and does not need to return to the Planning Commission for plan approval.
7. The following items related to the conservation easement should be addressed:
  - a. The recorded conservation easement is missing Exhibits B and C.
  - b. Signage noting the conservation easement and wetland boundaries should be placed adjacent to sublots and in compliance with the signage requirements of the USACOE wetland disturbance permit.
8. Incorporate an additional 20 feet of pavement beyond residential driveway curb cuts of Timberline Trail, Ridgeline Drive, Birch Court and Kingswood Drive to accommodate city maintenance of the street and snow removal.
9. Shift Timberline Trail as far west as is practical without encroaching on the wetland setbacks or altering the angle at which the road intersects Boston Mills Road.
10. Adjust the shared lot line at sublots 73/74 to be at a right angle to the radial of the street.
11. A performance bond or other financial guarantee shall be posted by the applicant for the purpose of assuring the installation of improvements at or before a time the Final Subdivision Improvement Agreement is executed.
12. No clearing or grading of any kind shall commence prior to the issuance of a zoning certificate.