

COMMUNITY DEVELOPMENT • 115 Executive Parkway, Suite 400 • Hudson, Ohio 44236 • (330) 342-1790

DATE: October 4, 2017

TO: City of Hudson Planning Commission for October 9, 2017 Meeting

FROM: Greg Hannan, City Planner

Mark Richardson, Community Development Director

SUBJECT: Site Plan Review for 1256 Barlow Road

Proposed assisted living facility

ZONING: District 8 – Industrial/Business Park

PC Case No: 2017-1766

Project Introduction

Application has been received for proposed construction of an assisted living facility at 1256 Barlow Road. The proposed project includes a two story, 48 room facility containing 20 parking spaces and a shared access drive with Heritage of Hudson, the skilled nursing facility adjacent to the west.

North of the subject property is the vacant Flood Company facility within District 8 Industrial/Business Park. To the east is residential development along Barlow Road. To the south is vacant land owned by the City of Hudson within District 8 Industrial/Business Park. West of the property is the Heritage of Hudson facility, railroad tracks and single family residential property within District 2 Rural Residential Conservation.

The following information is attached to this report.

- 1. Site Plan submittal from pH7 Architects and Campbell and Associates Surveying, Inc. received September 11, 2017.
- 2. Supplemental information submitted by David Mitchell, applicant, received September 11, 2017.

Applicable Zoning District Standards, Section 1205.11

Staff compared the proposal to applicable zoning district standards. We comment on the following:

<u>Land Use</u>: The Land Development Code (LDC) permits assisted living as a conditional use in District 8. The LDC defines assisted living as a facility for the elderly that provides rooms, meals, personal care, and supervision of self-administered medication. Facilities may also provide other services, such as recreational activities, financial services, and transportation. The

applicant has stated the facility will specialize in treatment of residents with Alzheimers and other forms of dementia and will be licensed by the State of Ohio.

Dimensional Standards: The proposal complies with the applicable dimension standards including a 100 foot setback of the building from an adjacent residential use property line.

Sidewalks: Sidewalks are required along one side of Barlow Road. The city has initiated plans to install sidewalks along the north side of Barlow Road. The applicant will need to contribute applicable funds for the 345 feet of subject property frontage. The proposed internal sidewalks should also be extended north of the building to connect to the public right of way and extended south of the building to connect to the existing sidewalk at the Heritage of Hudson facility.

Applicable Use Regulations, Section 1206

Assisted living facilities are permitted as a conditional use within District 8. The use is subject to compliance with the general criteria and standards applicable to conditional uses per Section 1206.02(b) as follows:

- (1) The use is consistent with the policies and intent of the Comprehensive Plan.
- (2) The use is physically and operationally compatible with the surrounding neighborhood.
- (3) The use can generally be accommodated on the site consistent with any architectural and design standards set forth in the applicable district regulations of this Code.
- (4) Access points are located as far as possible from intersections and adequate sight distances are maintained.
- (5) On-site and off-site traffic circulation patterns shall not adversely impact adjacent uses.
- (6) The use will be adequately served by public facilities and services
- (7) The use provides adequate off-street parking on the same property as the use.
- (8) The use will be screened with fencing and/or landscaping in excess of what is required in of this Code if the use may otherwise result in an adverse impact.
- (9) The use is proposed at a density consistent with that of the existing neighborhood.

Staff notes the proposed use is in compliance with the applicable standards as the use generates limited traffic, the entrance and parking have been oriented to the west towards Heritage of Hudson, the site will access public utilities, a shared access drive has been proposed, and a 100 foot setback to the eastern residential use has been proposed. Additionally, Bufferyard D (25ft) is required along the east property line.

In addition to the general conditional use standards, the application is subject to compliance with the below use specific standards:

- 4. Where applicable, certification or licensing by the sponsoring state or federal governmental agency shall be submitted.
- 10. Adequate vehicle turning areas shall be provided
- 11. The parking area for the use shall be a minimum of 50 feet from adjacent residential properties.
- 12. Safe areas for pick-up and discharge of persons shall be provided.
- 14. Adequate provisions shall be made for access by emergency medical and fire vehicles on two sides of the building.

The proposed use will be required to submit a copy of the applicable state license when it is issued.

Applicable Zoning Development and Site Plan Standards, Section 1207

Staff compared the proposal to zoning development and site plan standards. We comment on the following:

<u>Tree and Vegetation Protection</u>: Protective fencing must be incorporated to preserve the wetlands areas and to mark the limits of disturbance. The limits of disturbance have been proposed to maintain a 400 fot setback from the east property line.

<u>Wetlands</u>: The existing site contains large wetland areas at the southern portion of the property. The applicant has proposed to impact 0.48 acres of wetland adjacent to the fire access drive south of the proposed building. The proposed fire access drive would be setback 14 feet from the residual wetlands. The LDC requires a 100 foot setback from the boundary of Category II and III wetlands to all buildings, accessory structures, and paved area.

Planning Commission may modify the wetland setback regulations upon finding the standards of Section 1207.18(b)(6)(E)(ii)(b) of the Land Development Code have been met. The applicant's wetland consultant has provided documentation regarding the applicable standards noting the various erosion control and stormwater management practices which will be implemented to protect the adjacent wetland areas. Staff notes the following:

- 1. The site plan layout has been condensed to the northern portion of the property to minimize impacts.
- 2. The site disturbance will be minimized by the use of the stormwater management basin at the adjacent Heritage of Hudson facility.

Stream Corridor Protection: A 100 foot wide riparian corridor is present to the south of the proposed building, within the wetland areas. The proposed development includes a relocation of 165 feet of intermittent stream within this corridor. Per the standards of 1207.18(b)(6) the impacted stream will require approval of the applicable state and federal agencies and the establishment of a naturalized riparian corridor along the relocated stream.

<u>Landscaping</u>: The development will need to incorporate Bufferyard D (25 ft) along the east sideyard. Staff anticipates some enhanced landscaping will be needed east of the fire access road along with preservation of existing plantings to meet the applicable bufferyard requirement. Street trees are required along Barlow Road, perimeter landscaping to screen parking areas from Barlow Road, and a minimum of 10% of the front yard setback must also be landscaped. The site plan contains adequate areas to comply with these standards.

<u>Parking</u>: Assisted Living/Convalescent Care facilities are required to provide one space for each six beds plus one space for every two employees. The proposed 20 spaces for the 48 bed facility complies.

Exterior Lighting: A lighting plan, including fixture cut sheets and a photometric layout, will

need to be submitted.

<u>Engineering</u>: The stormwater management system for the property was approved as part of Case 2012-17 and designed to accommodate the proposed expansion. The proposal anticipated a shared access and shared stormwater detention system with the adjacent Heritage of Hudson facility. The applicant has submitted a letter from the Heritage of Hudson ownership confirming the intent to establish applicable easements.

City Engineer Thom Sheridan has completed a preliminary review. In addition to commenting on the above items, Mr. Sheridan notes the full design submission must include storm water calculations and that a Long Term Maintenance Agreement will be necessary for this shared storm water management.

<u>Design</u>: The architectural design will be reviewed by the subcommittee for compliance with Section 1207.18(h) with a recommendation forwarded to the Planning Commission. The submitted design incorporates pitched roofs and brick surfaces to match the adjacent Heritage of Hudson development.

<u>Fire Department</u>: Fire Marshal Shawn Kasson will review the site improvement plans. Mr. Kasson has noted the proposed parking and driveway configurations will allow adequate access to the facility.

Findings:

The staff finds that the application complies with the purposes and intent of the code and community plans, regulations that minimize land disturbance and protect environmental features, and other applicable development regulations as specified in Section 1204.04 except as discussed above and recommended below.

Required PC Action, Chapter 1203.09(g)(3)

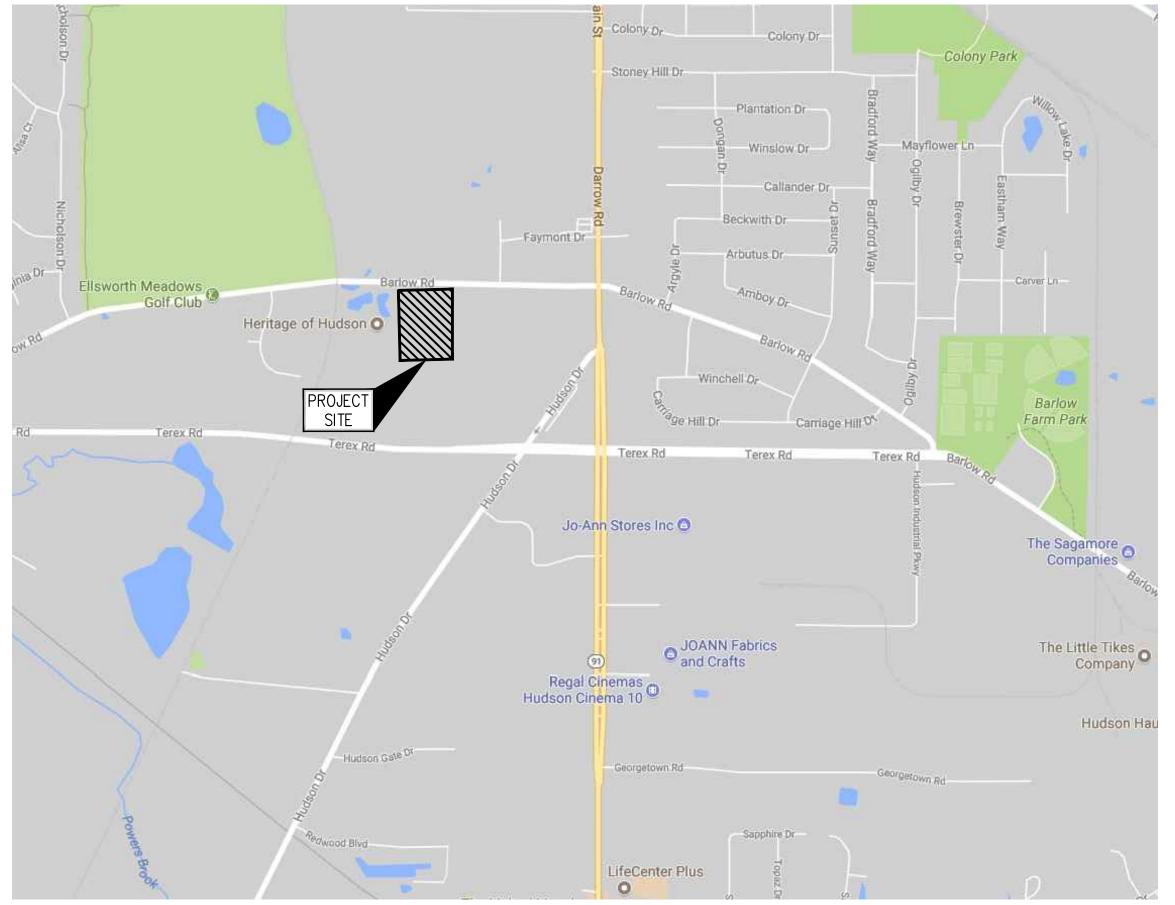
The PC shall consider the development application, the staff report, and then take final action. PC shall approve, approve with conditions, or deny the application based on its compliance with the appropriate review standards. All decisions of the Commission shall be based on findings of fact related to the relevant standards of the Code.

Recommendation

Approve the application for the assisted living facility at 1256 Barlow Road per Case No. 2017-1766 according to plans received September 11, 2017 with the following conditions:

- 1. Planning Commission accepts the recommendation of the Design Subcommittee for Development in Districts 6 and 8.
- 2. Depict the limits of disturbance on the plans including a minimum 25 foot setback of the limits from the east property line.
- 3. Contribute applicable funds to the City of Hudson for installation of sidewalk along Barlow Road.
- 4. Extend the internal sidewalks north of the building to the public right of way and south of the building to connect to the existing sidewalk at the Heritage of Hudson facility.
- 5. Planning Commission modifies the setback to allow the proposed development at a 14 foot setback to the delineated edge of the wetland at the southern boundary of the development area.
- 6. Submit the applicable Army Corp of Engineers and Ohio EPA approval to disturb wetland areas and relocate the intermittent stream.
- 7. The proposal is subject to the review and approval of City Engineer Thom Sheridan for compliance with the City of Hudson Engineering Standards.
- 8. The proposal is subject to the review and approval of Fire Marshal Shawn Kasson.
- 9. Submit a landscape plan incorporating Bufferyard D to the east, street trees along Barlow Road, perimeter landscaping to screen parking areas from Barlow Road, and a minimum of 10% of the front yard setback must also be landscaped.
- 10. A lighting plan, including fixture cut sheets and photometric layout, shall be submitted and approved for compliance with applicable standards of Section 1207.14.
- 11. Establish and record easements between the subject property and the adjacent Heritage of Hudson property (PP#3009937) for the shared access drive and shared stormwater management system.
- 12. The applicant shall install silt fencing and/or polypropylene fencing to mark and protect the approved clearing limits, which shall be maintained by the applicant.
- 13. Satisfaction of the above conditions prior to scheduling of a preconstruction meeting with City Officials and no clearing or construction of any kind shall commence prior to the issuance of a Zoning Certificate.

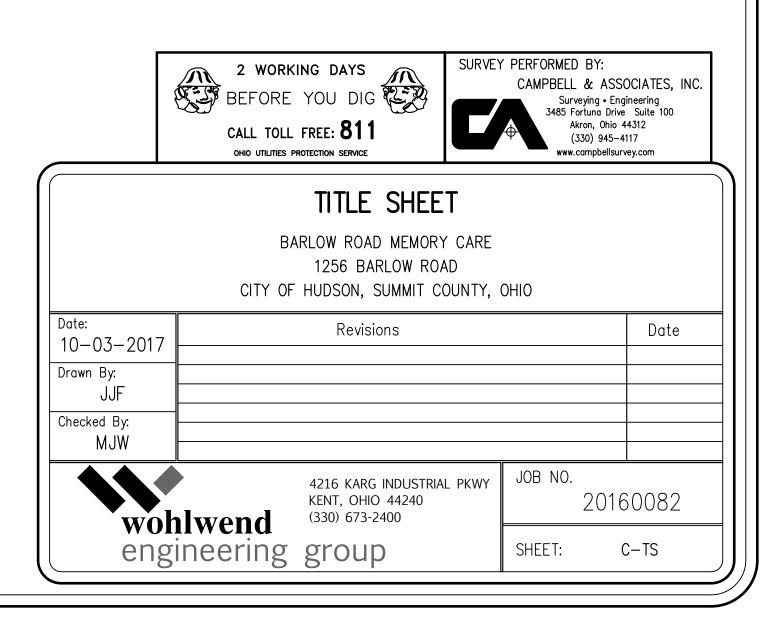
BARLOW ROAD MEMORY CARE 1256 BARLOW ROAD CITY OF HUDSON, SUMMIT COUNTY, OHIO PRELIMINARY SITE IMPROVEMENT AND SWPPP PLAN

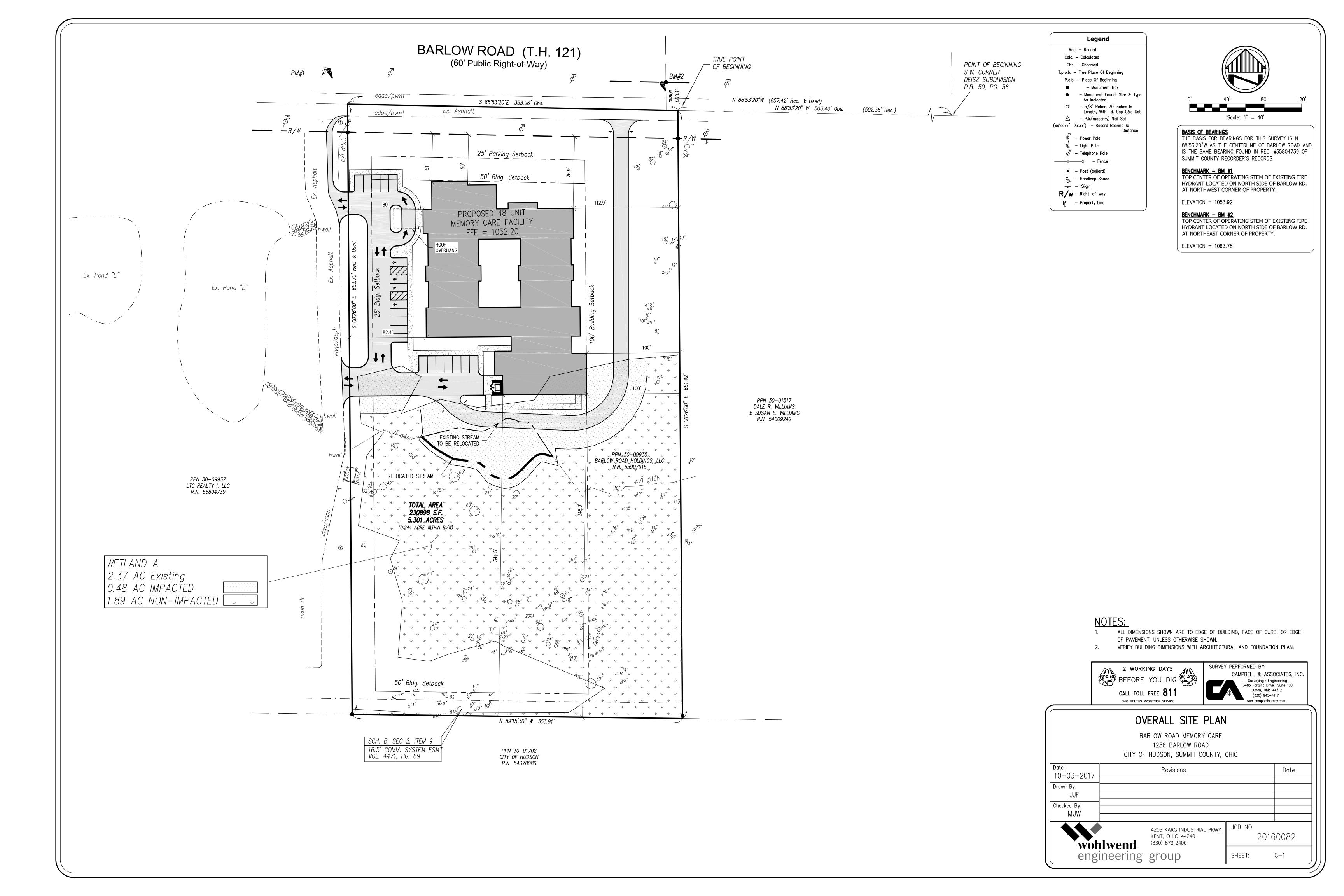


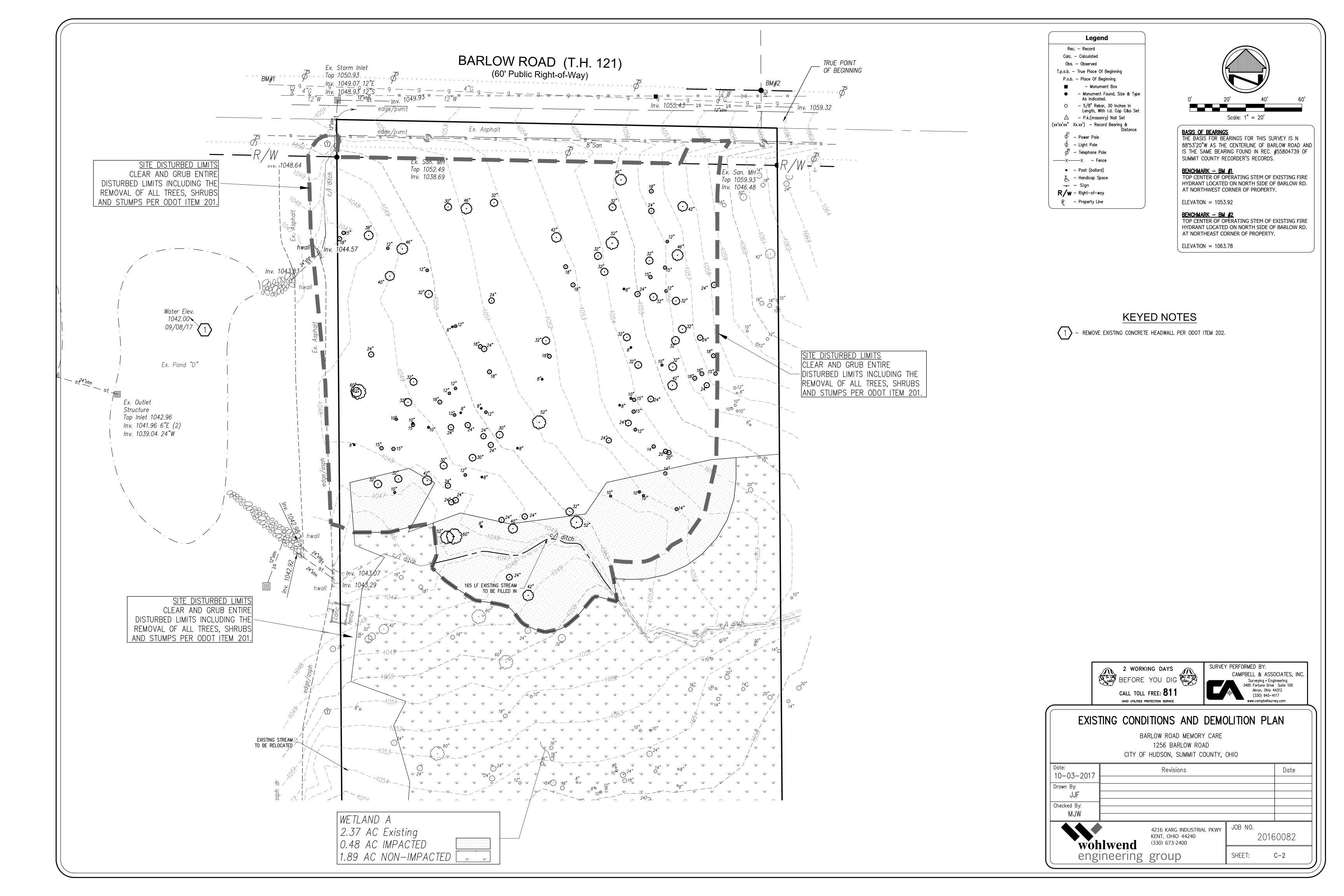


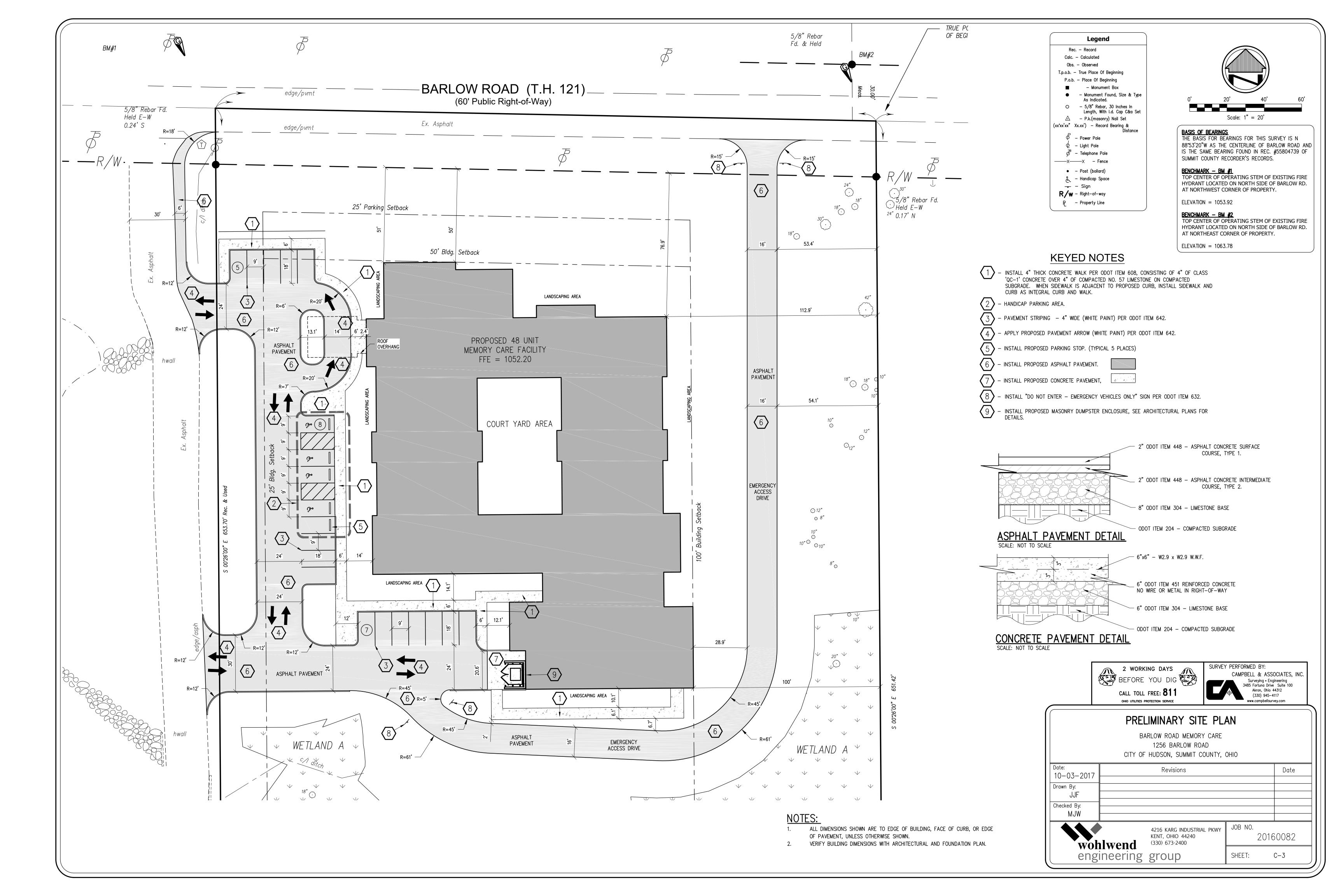
INDEX OF SHEETS:

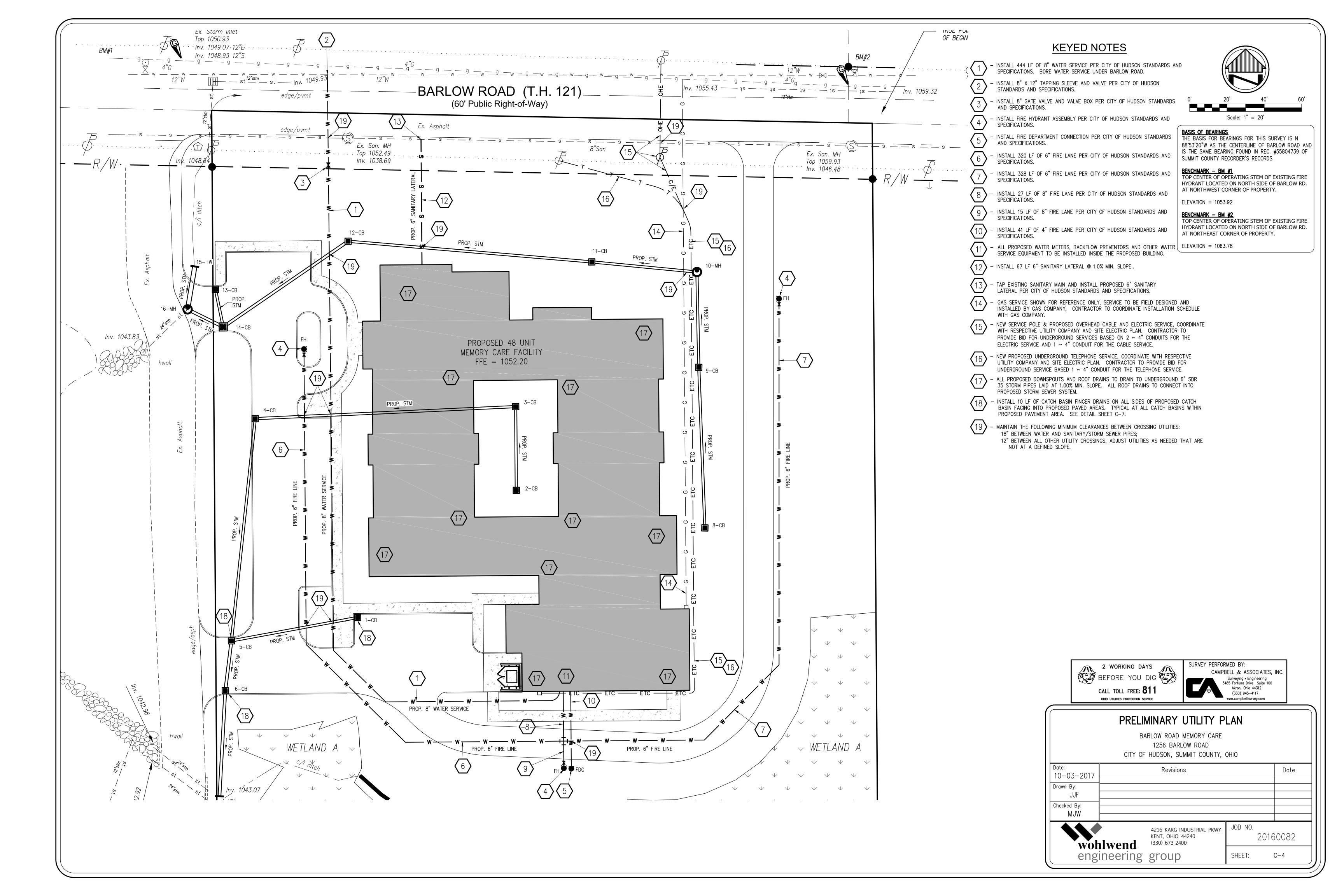
TITLE SHEET	C-TS
OVERALL SITE PLAN	C-1
EXISTING CONDITIONS AND DEMOLITION PLAN	C-2
PRELIMINARY SITE PLAN	C-3
PRELIMINARY UTILITY PLAN	C - 4
PRELIMINARY GRADING PLAN AND SWP3	C-5

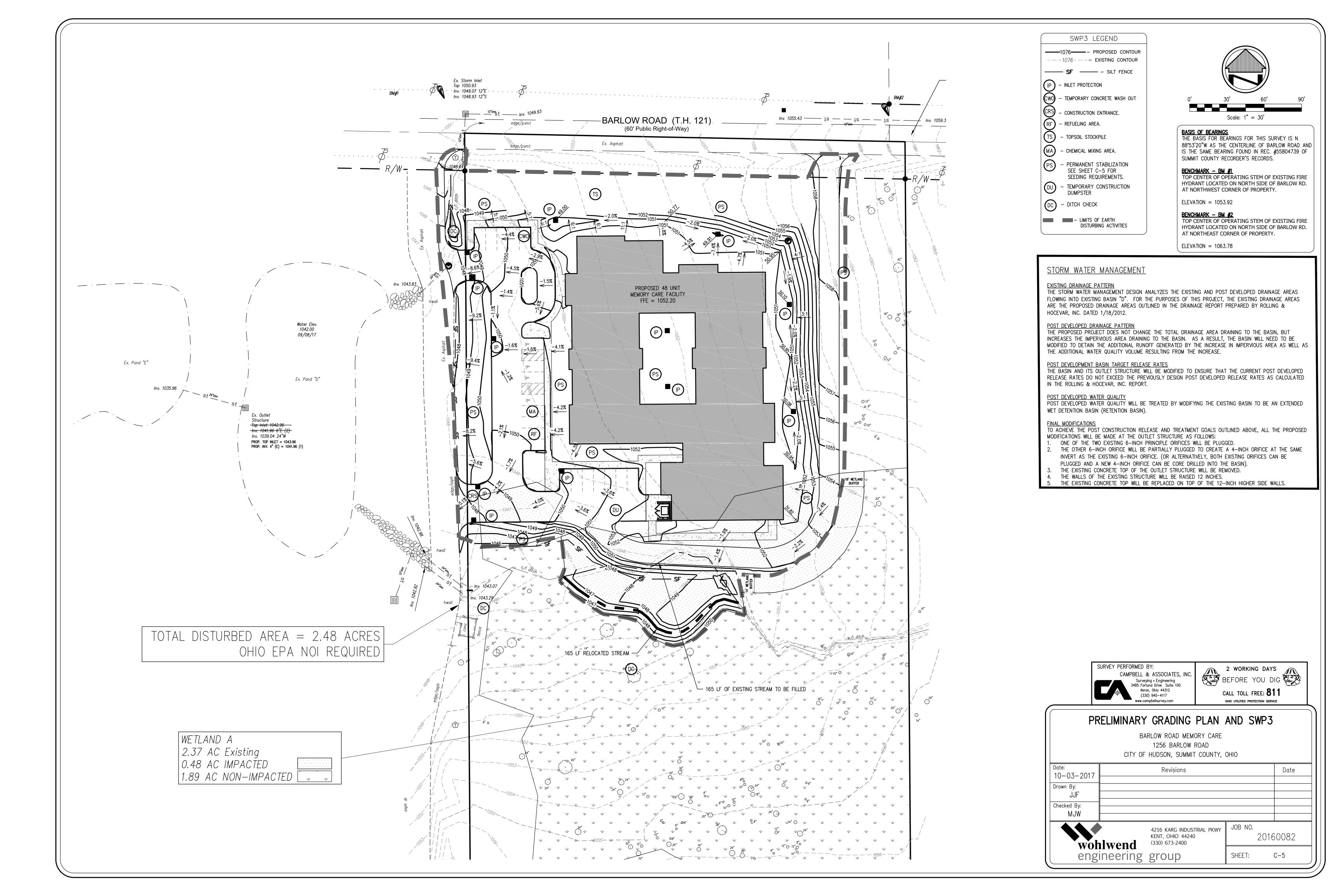










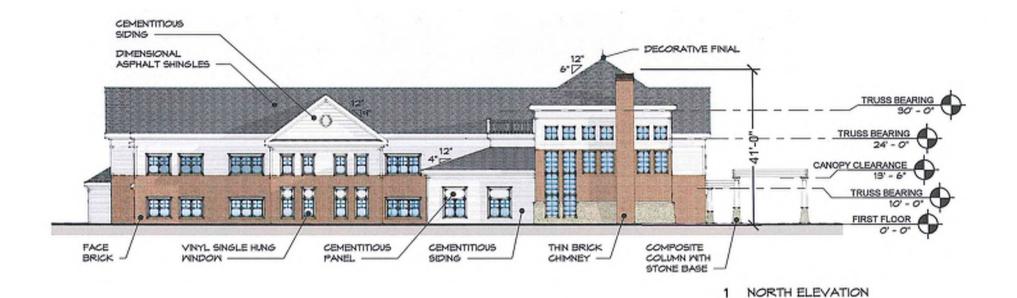




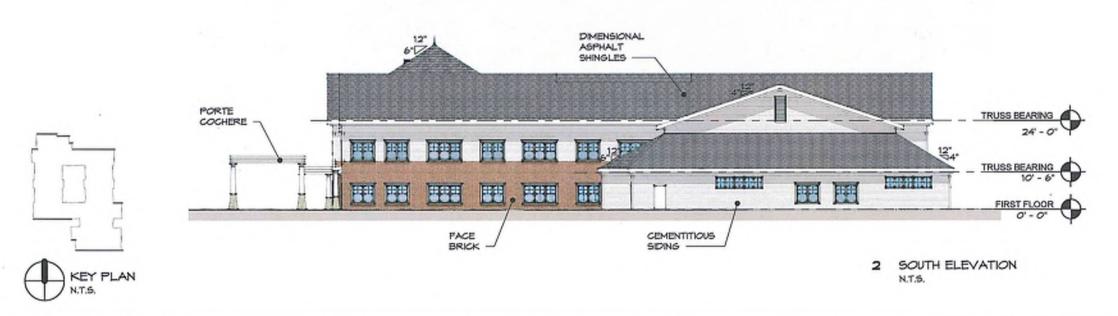
BARLOW ROAD PERSPECTIVE N.T.S.

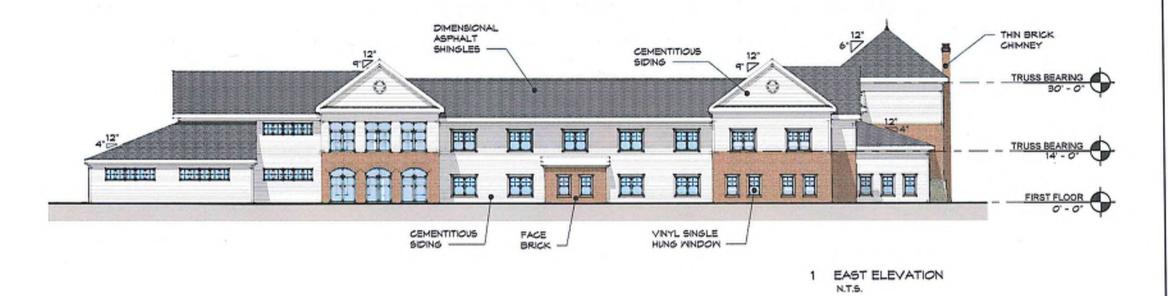


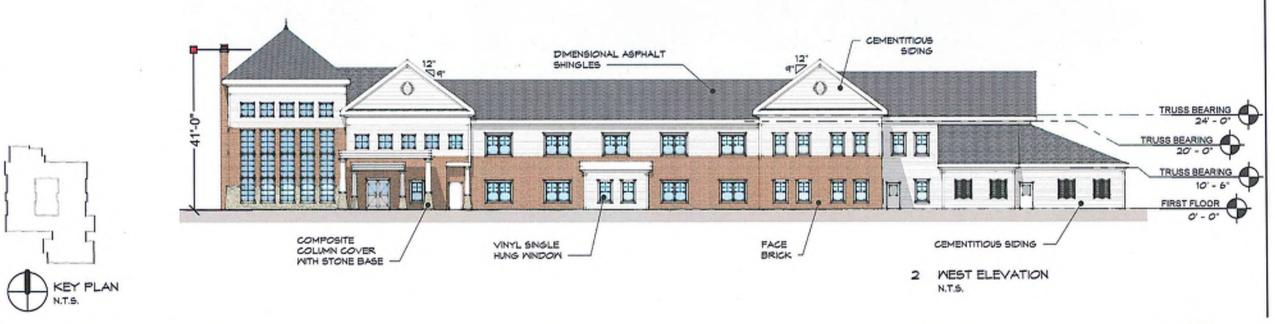
2 ENTRANCE PERSPECTIVE N.T.6.

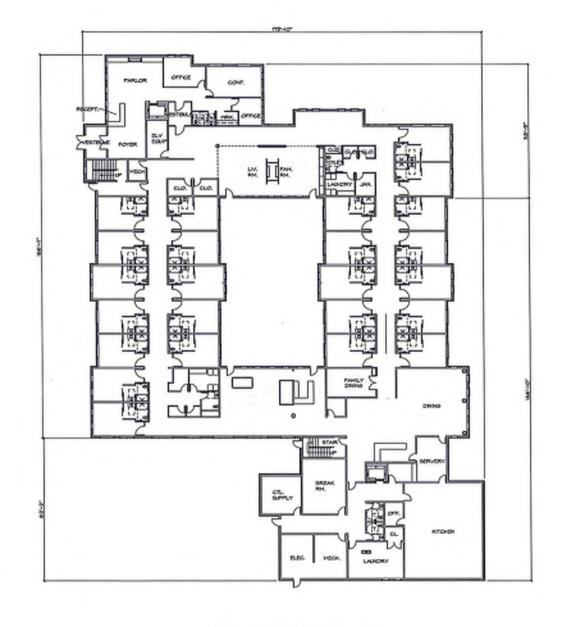


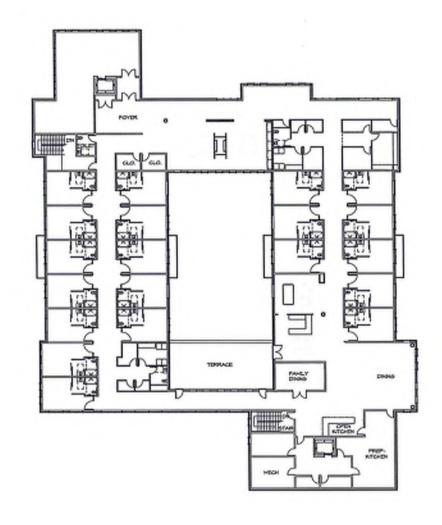
N.T.S.











FIRST FLOOR PLAN

(24) PRIVATE UNITS 25,768 SF

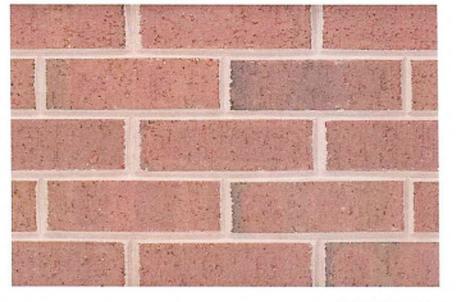
SECOND FLOOR PLAN

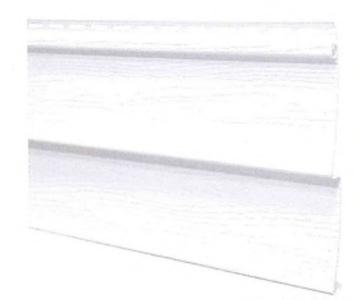
(20) PRIVATE UNITS 21,921 SF











ASPHALT SHINGLE ROOF

BRICK VENEER

VINYL SIDING







HERITAGE OF HUDSON NURSING HOME. COMPLETED CONSTRUCTION

ROUND COLUMNS PVC SHUTTERS DOUBLE HUNG VINYL WINDOW

SUPPLEMENT TO PLANNING COMMISSION APPLICATION SEEKING SITE PLAN AND CONDITIONAL USE APPROVAL FOR PROPOSED ASSISTED LIVING FACILITY AT 1256 BARLOW ROAD

September 11, 2017

I. The Site

Barlow Road Holdings, LLC ("Applicant") is the owner of a 5.3-acre parcel located at 1256 Barlow Road and identified as Summit County Parcel No. 3009935 (the "Property") just east of Heritage of Hudson skilled nursing facility. The legal description of the Property is attached hereto as **Exhibit A**. The Summit County GIS map, an aerial view of the Property, and the recorded Boundary Survey are attached hereto as **Exhibit B**.

II. History

LTC Realty I, LLC ("LTC") acquired the Property (along with the adjacent 9.22 acre parcel currently home to Heritage of Hudson-Parcel No. 3009937) by Limited Warranty Deed recorded on September 20, 2011. LTC subsequently conveyed the Property to Applicant by Quit-Claim Deed recorded on November 16, 2012.

On or about February 28, 2011, LTC submitted a Planning Commission Application seeking approval for a conditional use on both properties for assisted living and institutional residential for the handicapped and elderly (Case No. 2011-10). The Planning Commission unanimously approved the Application by Decision dated April 11, 2011. LTC subsequently submitted a Planning Commission Application on or about August 29, 2011 seeking site plan approval (Case No. 2011-31), which was approved on or about September 12, 2011. Copies of these decisions are attached hereto as Exhibit C. Based on the foregoing, the Planning Commission previously approved assisted living as a conditional use in this District 8 location.

III. The Project

Applicant desires to construct a two-story, 48-bed assisted living facility on the Property. The proposed facility will be licensed as a residential care facility and will specialize in the treatment of residents with Alzheimer's and other forms of dementia. Copies of the site plan, building floor plans and elevations are submitted herewith.

In an effort to minimize curb cuts on Barlow Road, Applicant has obtained LTC's written consent to access the Property via easement to the existing driveway to Heritage of Hudson. LTC has also consented to allow Applicant to use the existing detention ponds on the Heritage of Hudson property for its storm water management. A copy of

LTC's consent is attached hereto as Exhibit D. It is anticipated that the current operator of Heritage of Hudson will operate the new facility.

IV. Current Zoning/Conditional Use

A. Current Zoning

The Property is located in District 8 (Industrial/Business Park). Pursuant to Section 1205.11(c)(1) of the Codified Ordinances of Hudson, Ohio (the "Codified Ordinances"), as well as Sections 1206.01 and 1206.02, assisted living is an allowed conditional use in District 8.

Section 1213.02(a)(27) defines assisted living as follows:

(27) Assisted living shall mean residences for the elderly that provide rooms, meals, personal care, and supervision of self-administered medication. They may provide other services, such as recreational activities, financial services, and transportation.

Applicant submits that the proposed facility constitutes an assisted living facility under the Codified Ordinances.

B. Conditional Use

Applicant notes that assisted living is an allowed conditional use in District 8 under Section 1206.01 of the Codified Ordinances, subject to the General Criteria and Standards and certain Special Conditions referenced in Section 1206.02.

i. General Criteria and Standards

Section 1206.02 of the Codified Ordinances sets forth general criteria and standards for allowed conditional uses identified in Section 1206.01. As set forth in further detail below, Applicant submits that the proposed use of the Property for assisted living is compatible with and meets such general criteria and standards. Indeed, the Planning Commission's prior decisions attached as Exhibit C lend support to this conclusion.

(1) Since the proposed use is an allowed conditional use in District 8, it can be inferred that such use is consistent with the policies and plan of the City. Two preliminary meetings with the City Planner and Director of Community Development, as well as the pre-application telephone conference with staff, support this conclusion.

- The proposed use is physically and operationally compatible with the surrounding neighborhood and existing uses. Assisted living facilities are commonly developed in concert with skilled nursing facilities (such as the adjacent Heritage of Hudson facility to the west) and independent living facilities (such as the Barlow Road Retirement Community contemplated directly across the street). Section 1205.11(c)(1) of the Codified Ordinances categorizes assisted living as a "Residential Use", which is compatible with the adjacent property to the east. Furthermore, the proposed use is far less impactful than virtually all of the uses by right in District 8. To the extent that "potential significant adverse impacts on surrounding existing uses" are alleged (which Applicant denies), Applicant has made efforts to reduce them to the maximum extent feasible. Perhaps most importantly in this regard, Applicant's proposal meets the 100' side yard setback from the adjacent residential property to the east, Applicant intends to maintain, to the extent feasible, existing healthy trees within said setback and to augment same with additional landscaping, and all parking areas and driveways (except the emergency vehicle access/fire lane) are located on the west and, to a limited extent, south sides of the building away from the adjacent residential property.
 - (A) There will be very little, if any, potential adverse impacts from the Property such as noise and glare. Residents of the proposed facility do not drive, so there will be little traffic to and from the facility (other than staff and visitors). All driveways (other than the emergency vehicle access/fire lane), parking and delivery areas are located away from the adjacent residential property. Virtually all resident activities will be confined to the building or the interior courtyard areas.
 - (B) Although the proposed facility will, by necessity, be operational 24 hours/day for care of the residents, very little, if any, activity will be noticeable outside of normal business hours.
 - (C) Loading and delivery zones are located to reduce exposure to the neighboring residence to the extent possible.
 - (D) Applicant will work with City authorities to reduce light intensity and hours of full illumination, to the extent possible, while still complying with applicable building approvals and licensure requirements.
 - (E) There will be no outdoor vending machines on the site.

- (F) Loitering has historically not been an issue at similar facilities and is not anticipated at this facility. Residents, their families, visitors and employees are the primary users of the site.
- (G) Litter has historically not been an issue at similar facilities. Trash generated on site will be stored in appropriate receptacles and removed by contracted haulers.
- (H) Applicant will cooperate with the City to determine appropriate locations for exterior trash receptacles.
- (I) On-site parking will be as shown on the site plan. Section 1207.18(e)(4) requires one space for every six beds (or eight spaces) plus one space for every two employees per shift (or 10 spaces) for a total of 18. Twenty parking spaces are provided.
- (J) As indicated in (I) above and elsewhere in this Supplement, a shared entrance drive minimizes the curb cuts on Barlow Road. Again, most vehicular circulation (other than emergency/fire vehicles) will occur on the west and south sides of the building.
- (K) Again, the site has been configured so as to minimize disturbance to and to protect the privacy of the adjoining residential property to the east. The Property is completely buffered by forested wetlands to the south.
- (3) The proposed use can generally be accommodated on the site consistent with applicable standards. Applicant's plan is in full compliance with applicable standards with the exception of a request for relief from the wetland setback (which Planning Commission has authority to grant pursuant to Section 1207.18(b)(6)(E)(ii)). Applicant's request for modification of the wetland setback is attached hereto as **Exhibit F**. The proposed facility has been designed to be consistent with applicable physical standards for District 8 and will be compatible in style and materials with the adjacent Heritage of Hudson facility.
- (4) Applicant has proposed shared driveway access with Heritage of Hudson to reduce the impact of multiple curb cuts. Given that access will be provided via an existing drive, the City has previously determined that site distances are adequate for motorists entering and leaving the site. Recent improvements to the Barlow Road on both sides of the railroad tracks to the west only improve the site distances.

¹ Approximately 2.37 acres off the site is covered by wetlands. A wetland delineation map prepared by HzW Environmental Consultants is attached hereto as **Exhibit E**.

- (5) The proposed shared driveway and accompanying access easement will facilitate circulation to and on the site and reduce the impact of traffic on neighboring properties. A trip generation analysis performed by TMS Engineers, Inc. is attached hereto as **Exhibit G**. Applicant's site plan provides for walkways from the facility leading to the contemplated sidewalk on the north side of Barlow Road.
- (6) The Property is served by public sewer and water. All other necessary utilities (including electric, gas, telephone and cable) are available at the street. Storm water management will utilize the existing ponds on the adjacent Heritage of Hudson property. An analysis by Applicant's civil engineer, Wohlwend Engineering Group, is attached hereto as **Exhibit H**. It is unlikely that there will be any new burden whatsoever on schools.
- (7) Parking provided exceeds the minimum requirements of Section 1207.18(e)(4).
- (8) Applicant believes the 100' side yard setback, existing trees that will remain on the site, and additional landscaping to be provided will minimize the adverse impact, if any, on the adjacent property to the east. Applicant will address any required additional screening following submission of final landscape plans for the Property.
- (9) Given that the Property is located in District 8, the proposed density is far less than permitted within this district and is compatible with the architecture, orientation, parking and landscape buffer in the existing neighborhood.

ii. Special Conditions and Standards

The Table contained in Section 1206.01 provides that Special Conditions 5, 11, 12, 13 and 15 are applicable to assisted living facilities in District 8. Applicant intends to comply and believes its proposed use complies with the applicable Special Conditions and Standards set forth in Section 1206.02(c), including the following:

- (5) All applicable licensure requirements will be met, including the Ohio Department of Health's licensure standards for residential care facilities.
- (11) Adequate vehicle turning areas are provided so that vehicles and equipment can be maneuvered on site without interrupting traffic flow or blocking Barlow Road. A 16 foot wide "ring road" is

provided around the south and east sides of the building to accommodate emergency/fire vehicles.

- (12) There are no parking areas within 50 feet of any adjacent residentially used property. Moreover, the emergency vehicle access/fire lane is more than 50 feet from the east property line.
- (13) Safe areas for pick-up and discharge of residents, visitors and staff are provided. The porte-cochere at the main entrance to the facility provides protection from the weather for those entering and exiting the main entrance of the facility.
- (15) Adequate provisions have been made for access by emergency medical and fire vehicles on all sides of the building, not just two sides as required.

V. Conclusion

Applicant requests site plan and conditional use approval for the proposed assisted living facility as described herein in accordance with Sections 1205.11(c)(1)(A), 1206.01 and 1206.02 of the Codified Ordinances.

EXHIBIT A

EXHIBIT A

Legal Description

5.317 ACRES

City
Situated in the Township of Hudson, County of Summit and State of Ohio and known as being part of Original Lot 24 and 25 in said Township and being part of the lands conveyed to Akzo Nobel Coating Inc. by Document 55321804 of the Summit County Records and more particularly described as follows:

Commencing at a point on the centerline of Barlow Road, Township Highway 121 at the southwesterly corner of Deisz Subdivision as recorded in Vol. 50, Page 56 of the Summit County Records of Plats; thence along the centerline of said Barlow Road, North 88° 53°20" West, 502.36 feet to the True Point of Beginning; thence leaving said centerline of Barlow Road and with the West line of Dale R. & Susan E. Williams (Document 54009242), South 00°26'00" East, passing a set 5/8" iron pin at 30.00 feet a total distance of 651.41feet to a set 5/8" iron pin; thence with the North line of the City of Hudson (Document 54378086), North 89°15'30" West, 355.01 feet to a set 5/8" iron pin; thence North 00°26'00" West, passing a found 5/8" iron pin at 623.70 feet to the centerline of said Barlow Road; thence along the centerline of said Barlow Road, South 88°53'20" East, 355.06 feet; to the True Point of Beginning and containing 5.317 acres more or less of which 0.244 Acres are within the right-of-way of Burlow Road and subject to all easements and rights-of-way of record.

The basis of bearings for this survey is rotated 00°13'31" East from Ohio State Plane North Zone Coordinates.

All set pins are 5/8inch diameter x 30 inches in length rebar with a plastic cap bearing the number 7911.

The above description is prepared from and in accordance with a field survey by David J. Kuethe, Registered Surveyor No. 7911 on December 15, 2010.

Tax Parcel Number: 3009935 Routing Number: HU00008B1001000

EXHIBIT B

EXHIBIT B

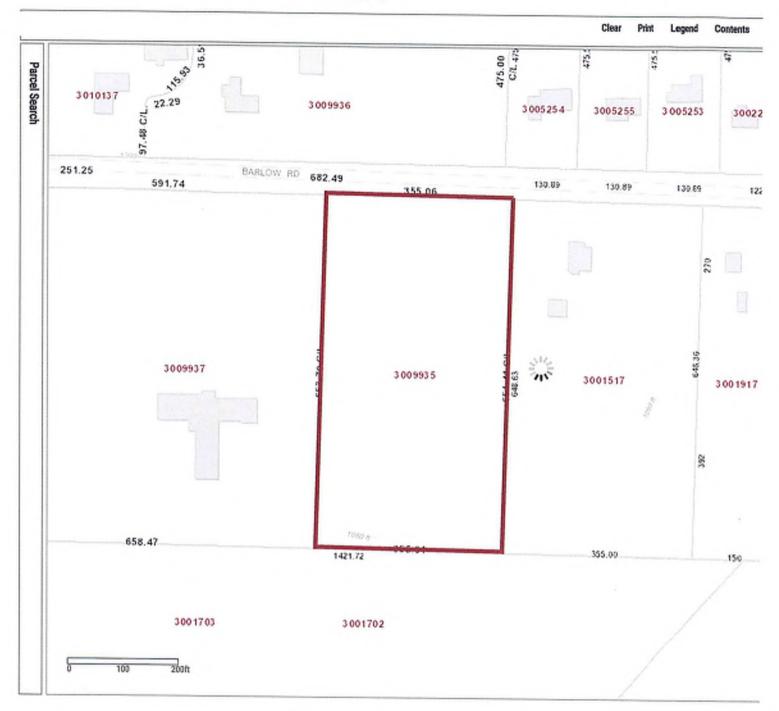


EXHIBIT B



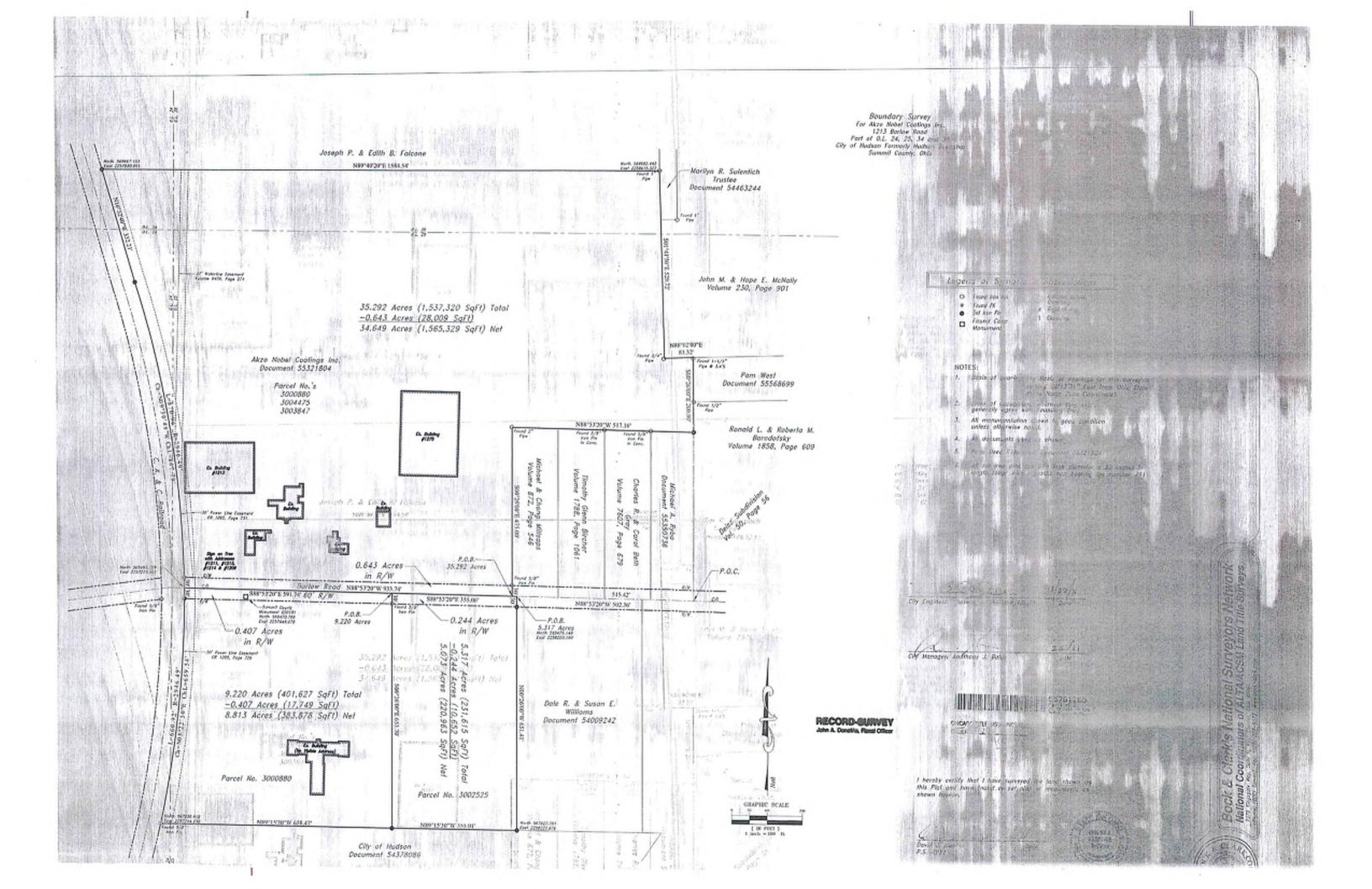


EXHIBIT C

CITY OF HUDSON PLANNING COMMISSION CASE NO. 2011-10
CONDITIONAL USE
WESTERN RESERVE HEALTH AND
REHABILITATION CAMPUS
BARLOW ROAD
DISTRICT 8

DECISION

Based on the evidence and representations to the Commission by David Mitchell, Brenner Kaprosy Mitchell, LLP, representing LTC Realty I, LLC, 30050 Chagrin Blvd., Suite 100, Pepper Pike, OH 44124, as applicant, and AKZO Nobel Coatings, Inc., as successor by merger to The Flood Company c/o Thompson Hine LLP, 3900 Key Center, 127 Public Square, Cleveland, OH 44114, as property owner, affected property owners, consultants, City staff and other interested parties, at a public hearing of the Planning Commission held at its Regular Meeting on April 11, 2011, the Commission unanimously approves the Conditional Use for Case No. 2011-10 for an assisted living and institutional residential for the handicapped and elderly facility, to be known as Western Reserve Health and Rehabilitation Campus, to be located on Barlow Road at Parcel Nos. 30-09937 and 30-09935 (Parcels 1 and 2, respectively), according to information dated February 28, 2011, provided the following conditions are met.

- 1. Zoning Certificates must be issued separately for each parcel.
- 2. A site plan for Phase I on Parcel 1 must be submitted illustrating the public sidewalk along Barlow Road and the required street trees. The City Engineer must approve the sidewalk. The City Arborist must approve the street trees.
- 3. The applicant must create an easement for a non-vehicular trail along the railroad right-of-way on the west side of the Phase I parcel.
- 4. Satisfaction of conditions 1, 2, and 3 above is required prior to the issuance of a Zoning Certificate for Phase I. No clearing, grading, or construction of any kind shall commence prior to the issuance of this Zoning Certificate.
- 5. Unless Planning Commission approves the site plan for Phase II by April 9, 2012, the Conditional Use approval for Phase II becomes null and void. Application for site plan approval must be made far enough in advance to meet this deadline. Planning Commission approval of this Conditional Use shall not be deemed or inferred to represent approval of any particular size, layout or configuration of improvements on the site plan.
- 6. A Conditional Use permit (Zoning Certificate) may not be issued for Phase II until a Zoning Certificate for site plan improvements is issued.
- 7. The applicant must submit the required certification and licensing for each facility as soon as they are available.

Dated: April 11, 2011

CITY OF HUDSON PLANNING COMMISSION

Jennifer K. Barone, Chair

CITY OF HUDSON PLANNING COMMISSION

CASE NO. 2011-31 SITE PLAN SKILLED NURSING FACILITY 1212 BARLOW ROAD DISTRICT 8

DECISION

Based on the evidence and representations to the Commission by David Mitchell, Brenner Kaprosy Mitchell, LLP, representing LTC Realty I, LLC, 30050 Chagrin Blvd., Suite 100, Pepper Pike, OH 44124, as applicant, and AKZO Nobel Coatings, Inc., as successor by merger to The Flood Company c/o Thompson Hine LLP, 3900 Key Center, 127 Public Square, Cleveland, OH 44114, as property owner, affected property owners, consultants, City staff and other interested parties, at a public hearing of the Planning Commission held at its Regular Meeting on September 12, 2011, the Commission approves the Site Plan for Case No. 2011-31 for an assisted living and institutional residential for the handicapped and elderly facility to be located at 1212 Barlow Road, and accepts the recommendation of the Design Subcommittee for Development in Districts 6 and 8 and approves the building design according to plans dated as received August 28, 2011 provided the following conditions are met.

- The drive on the west side of the building must be located the maximum distance possible from the nearby wetland. A zoning certificate may not be issued until the US Army Corps of Engineers approves the wetland delineation.
- 2. Planning Commission finds that the proposed wetland setback disturbances are acceptable and modifies the wetland setback accordingly.
- 3. The comments of the Engineering, Fire, and Community Development Departments must be addressed with final plans.
- 4. No clearing, grading or construction of any kind shall commence prior to the issuance of a Zoning Certificate.
- 5. Before a zoning certificate may be issued the applicant shall install silt fencing, polypropylene fencing, and/or other means acceptable to the City to mark and protect approved clearing limits, which shall be maintained by the applicant.
- 6. Pervious pavers should be used for the additional parking spaces in the front of the building in a manner to be approved by City staff.

Dated: September 12, 2011

CITY OF HUDSON PLANNING COMMISSION

Jennifer K. Barone, Chair

CITY OF HUDSON PLANNING COMMISSION

CASE NO. 2011-31 SITE PLAN SKILLED NURSING FACILITY 1212 BARLOW ROAD DISTRICT 8

RECOMMENDATION

The Planning Commission recommends that City staff investigate and consider funding additional storm water storage to be accommodated on the property of 1212 Barlow Road, Hudson, Ohio, to address existing long standing water concerns in this neighborhood.

Dated: September 12, 2011

CITY OF HUDSON PLANNING COMMISSION

Jennifer K. Barone, Chair

EXHIBIT D

LTC REALTY I, LLC

30050 Chagrin Blvd., Suite 100 Pepper Pike, Ohio 44124

September 7, 2017

BARLOW ROAD HOLDINGS, LLC 30050 Chagrin Blvd., Suite 100 Pepper Pike, Ohio 44124 Attn: T. David Mitchell

Re: Access and Storm Water Easements for project located at 1256 Barlow Road, Hudson, Ohio 44236

To whom it may concern:

In connection with the development of the proposed 48-bed assisted living facility at 1256 Barlow Road, this letter confirms that LTC Realty I, LLC has agreed to grant easements to Barlow Road Holdings, LLC for ingress and egress via the existing Heritage of Hudson driveway, as well as the right to use the existing ponds on the Heritage of Hudson site (with such modifications as may be agreed to by the parties) for storm water management.

Very truly yours,

R. Chad Brenner,

Manager

EXHIBIT E

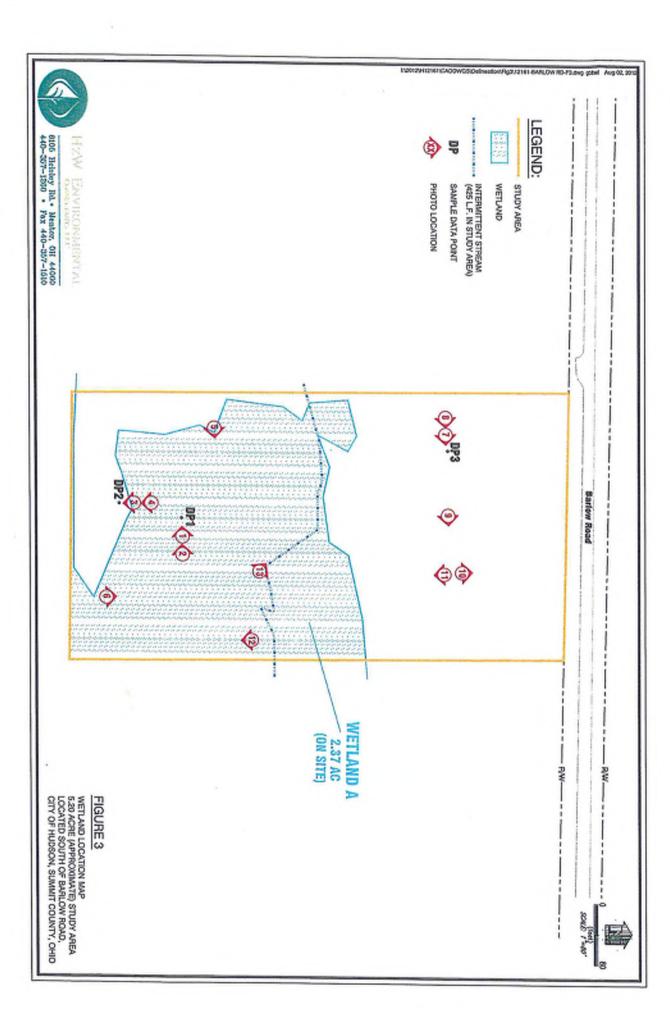


EXHIBIT F



September 6, 2017

The City of Hudson Mark Richardson, City Planner 115 Executive Parkway, Suite 400 Hudson, OH 44236

Re:

Barlow Road Memory Care

1256 Barlow Road Hudson, OH 44236

Wetland Setback Modification Application

Mr. Richardson:

On behalf of our client, Barlow Road Holdings LLC, we hereby request a modification of the Wetland Setback per Section 1207.18(b)(6)(E)(ii)(b) due to the following issues:

- Due to the existing topography and stream locations on this parcel, a significant portion
 of the parcel is un-buildable. The variance is required to allow for an emergency access
 drive to loop the proposed building.
- 2. The stormwater management system for the proposed development will utilize the existing stormwater ponds located on the western adjoining parcel. Silt Fence will be placed between all wetlands and disturbed areas as a BMP (Best Management Practice) in order to protect all natural and undisturbed areas. In addition, 4' tall orange construction fencing will be placed along the buffer to protect against encroachment into the wetland.
- The proposed building was placed on the site in the best location to protect existing trees and provide a large buffer to the neighboring uses.
- The reduced buffer and emergency access drive will not decrease the storm water infiltration into the wetland.
- The setback modification will not increase flood or erosion damage. The runoff from the site will be controlled in the existing wet ponds.
- 6. There is no plan for storm culverts within any wetland areas.

Please contact me if you should have any other comments or questions.

Sincerely.

Michael J. Wohlwend, P.E. LEED AP BD&C

President

EXHIBIT G

TMS Engineers, Inc.



Transportation Management Services

2112 Case Parkway South, #7 * Twinsburg, Ohio 44087 www.TMSEngineers.com

September 8, 2017

Mr. T. David Mitchell Brenner Kaprosy Mitchell, LLP 30050 Chagrin Boulevard Suite 100 Pepper Pike, Ohio 44124

Re: Proposed Barlow Road Memory Care Facility

City of Hudson, Ohio Trip Generation Analysis

TMS Engineers, Inc. has performed the following trip generation analysis for a proposed 48 bed memory care facility which is to be located south of Barlow Road in the City of Hudson, Ohio (see **Location Map, Figure 1**). The purpose of this trip generation analysis is to estimate the amount of traffic that will be generated by the proposed memory care facility. The proposed site plan can be seen in **Figure 2**. The following are the results of our trip generation analysis.

Trip Generation

The calculation of future traffic requires an estimate of traffic the development will generate after construction. The most widely accepted method of determining the amount of traffic that a proposed development will generate is to compare the proposed site with existing facilities of the same use. This estimate is typically expressed as a trip rate. In order to estimate traffic for the memory care facility, a trip rate was calculated using data and procedures found in the Institute of Transportation Engineers (ITE) "Trip Generation" Manual, Ninth Edition. The nursing home (ITE code 620) land use was used for the analysis since the development falls under this category.

A copy of the trip generation worksheets for the facility can be seen in the attached Figures 3.

Phone: (330) 686-6402 Fax: (330) 686-6417 E-Mail: Mail@TMSEngineers.com

Mr. T. David Mitchell September 8, 2017 Page 2

Proposed Trip Generation Calculations

Based on the trip generation analysis described on the previous page, the table below shows the estimated generated traffic during the AM and PM peak hour for the proposed memory care facility based upon the national averages considering the gross square footage of the development.

New Trip Totals			8		11	
620	Nursing Home	48	4	4	4	7
ITE Code	Description	Beds	Betwee	Peak Hour n 7-9 AM r/Exit)	Betwe	Peak Hour een 4-6 ter/Exit)
	ITE TRIP GENERATION			TRIP	ENDS	

The previous table shows that the proposed memory care facility is expected to generate a total of 8 new trips in the AM peak hour and 11 new trips in the PM peak hour.

It is our opinion that, when the anticipated traffic volumes into and out of the site are at these levels, the traffic generated by the memory care facility should not have an impact on the surrounding street network system.

This opinion is based upon the fact that traffic impact studies are recommended to be performed by the **Institute of Transportation Engineers** whenever an increase in trips in any peak hour is greater than 100 trips per hour. This recommendation is made because this is the point where a change in roadway capacity may be found and mitigation may or may not be needed. The anticipated levels of volume from this development are less than daily variations in the current volumes on Barlow Road and should not be perceived by the traveling public.

The Ohio Department of Transportation concedes that traffic impact studies are only necessary when the resulting trip increase is more than 100 trips per hour. This is stated in their **State Highway Access Management Manual**. Since this development is expected to generate less than 100 new trips during either the AM and PM peak hours, it is our professional opinion that the change in the amount of generated traffic will **not** have an impact on the surrounding roadway network nor require a full traffic impact study.

Mr. T. David Mitchell September 8, 2017 Page 3

If you have any questions or need additional information, please do not hesitate to contact me.

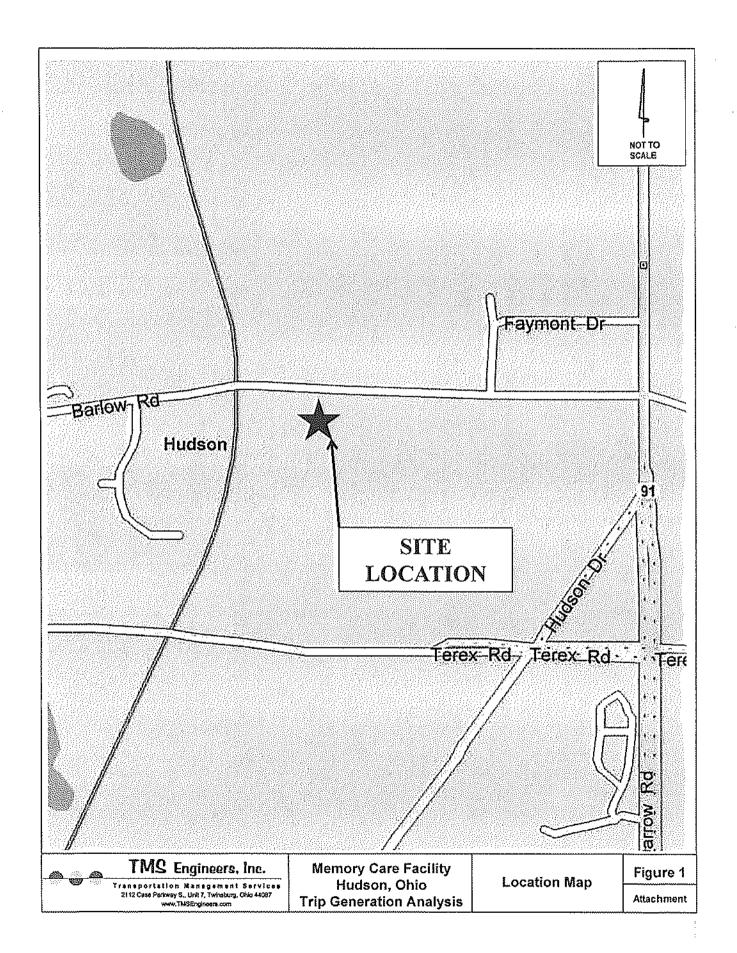
PIERSON

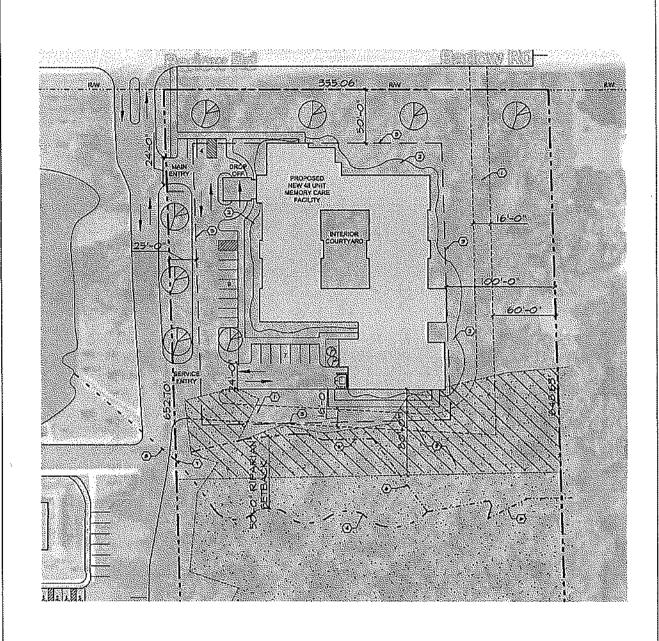
Very truly yours,

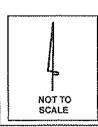
TMS Engineers, Inc.

Andrew Pierson, P.E. Traffic Engineer

Attachments







TMS Engineers, Inc.

Transportation Management Services
2112 Case Parkway S., Unit 7, Twinsburg, Ohio 44087
www.TMSEngineers.com

Memory Care Facility Hudson, Ohio Trip Generation Analysis

Site Plan

Figure 2

Attachment

NURSING HOME ITE CODE = 620 Project

	riojott			Date: 9/8/2017	
Trip Generation based on:		Size of Ana	lysis Area:	48	Beds
Number of Beds		Average Rate	Standard Deviation	Adjustment factor	Driveway Volume
Average Weekday 2-way Volume		1, 6 5	0.00	1.00	79
7-9 AM Peak Hour Enter		0.08	0.00	1.00	4
7-9 AM Peak Hour Exit		0.08	0.00	1.00	4
7-9 AM Peak Hour Total		0.17	0.00	1.00	8
4-6 PM Peak Hour Enter		0.08	0.00	1.00	4
4-6 PM Peak Hour Exit		0.15	0.00	1.00	7
4-6 PM Peak Hour Total		0.23	0.00	1.00	11
Average Weekday 2-way Volume	T = 3.49 (X) - 89	.09			
7-9 AM Peak Hour Total	T=0.17 * X			Enter	0.5
				Exit	0.5
4-6 PM Peak Hour Total	T=0.22 * X	 		Enter	0,33
				Exit	0.67

Source: Institute of Transportation Engineers

Trip Generartion, 9th Edition, 2012.

EXHIBIT H



September 6, 2017

The City of Hudson Mark Richardson, City Planner 115 Executive Parkway, Suite 400 Hudson, OH 44236

Re:

Barlow Road Memory Care

1256 Barlow Road, Hudson, OH 44236

Mr. Richardson:

The following is a general synopsis of the site Engineering issues that will continued to be addressed and the design progresses.

Existing Conditions Summary

The existing site is a heavily wooded lot with an existing stream approximately 350' south of Barlow Road. There is an existing nursing home facility to the west and an existing single-family house to the east. The existing stream flows east to west into the retention basin on the west adjoiner's property.

Riparian Setbacks

The existing on-site stream will be relocated south to accommodate the proposed project. Per the Summit County GIS, the existing stream has a 50' riparian setback associated with it. This setback will move with the relocated stream.

Parking and Access

All public access to the site will be via two drive entrances tying into the west adjoiner's eastern drive. An access easement with the west adjoiner will be required for this. This easement will need to extend for the entire eastern drive of the west adjoiner's lot.

Water Service

The proposed water service will extend north out of the front façade of the building and tap directly into the existing City of Hudson 12" water main on the north side of Barlow Road. The proposed water meter will be inside the building. As part of this project, we are anticipating the installation of at least 1 fire hydrant and 1 fire department connection on site.

Sanitary Sewer

The proposed project is in the Summit County Department of Sanitary Sewer Services (DOSSS) service area. The proposed sanitary lateral will need to extend from the northwest face of the proposed building to the existing sanitary main on the south side of Barlow Road. There is an existing manhole at the northwest corner of the project site with a record invert elevation of 1040.55, with a proposed building finish floor of 1049± and an estimated sanitary lateral invert of 1045.00 existing the building,

there will be approximately 5 feet of fall from the building to the existing main. DOSSS standards will require the use of a grease trap and sampling basin for any kitchen waste water. DOSSS will also require a trash trap to be installed on the main lateral prior to exiting the site and entering the DOSSS sewer main.

Private Utilities

All private utilities (phone, cable, electric and gas) will extend directly to the respective utility owners' facilities in public right-of-way of Barlow Road. Existing electric facilities are located on the north side of Barlow Road. Based on the west adjoiner's layout, an overhead drop pole will be installed on the south side of Barlow Road, and from this pole, site power will be fed to meters and transformers on site via an underground conduit.

Storm Sewer and Stormwater Management

All pavement drainage and building roof drains will be piped to the existing retention basins on the west adjoiner's property. There are two points of access to this basin. The first is a small culvert near the proposed north drive entrance of the proposed site. The second is the stream to be relocated to the south of the project.

The existing property is part of a 49.42-acre drainage area draining to the retention basin on the east side of the west adjoiner's property. This drainage area was accounted for in the calculations of the west adjoiner's development, but the area was routed through the retention system without consideration for future development in the area.

The existing basins on the west adjoiner's property will be utilized as the stormwater management facility for the current project. The basins will be modified for the additional impervious area being installed during the current project. The additional impervious area will impact the water quality and quantity design.

In designing the modified system, the existing conditions prior to the buildout on the west adjoiner's property will be utilized as the existing conditions. These conditions will be taken from the drainage report prepared by Rolling & Hocevar, Inc, January 18, 2012.

The preliminary design for the modified east basin will require modifications to the existing outlet structure. These modifications will provide the required water quality treatment for the contributing drainage area to the eastern basin and maintain the post developed flows existing the eastern basin at or below the existing flows shown in the Rolling & Hocevar report.

Preliminary Grading

The finish floor of the building will be approximately 1049.0. This will generate a cut condition at the northeast corner of the site and a fill situation at the southwest corner of the site. The general drainage pattern will follow the existing pattern that is east to west toward the west adjoiner's property.

Please contact me if you should have any other comments or questions.

Michael J. Wohlwend, P.E. LEED AP BD&C

Precident

Sincorely.