



U.S. Army Corps
of Engineers
Buffalo District
CELRB-TD-R

Public Notice

Applicant: Pine Orange
LLC

Published: OCTOBER 31, 2014
Expires: NOVEMBER 29, 2014

Application No: 2014-00066
Section: OH

All written comments should reference the above Application No. and be addressed to:
US Army Corps of Engineers, Buffalo District
Regulatory Branch (Attn:) Susan L. Baker
1776 Niagara Street
Buffalo, NY 14207

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC REGARDING THE WORK DESCRIBED BELOW. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

**Application for Permit under Authority of
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

APPLICANT: Pine Orange LLC, 1138 West 9th Street, Cleveland, Ohio 44113

WATERWAY & LOCATION: Unnamed wetlands and streams, 57.07 acre parcel located east and west of Pinecrest Road, Orange Township, Cuyahoga County, Ohio

LATITUDE & LONGITUDE: Latitude North: 41.4582 N
Longitude West: -81.4857 W

EXISTING CONDITIONS: The subject parcel consists of abandoned and recently vacated single family homes, maintained laws, streams, wetlands, shrub thickets, and forested habitat.

Description of delineation of waters of the US, if applicable: A Preliminary Jurisdictional Determination was issued on 20 October 2014 for a larger 80.8 acre parcel which included the subject parcel. Within the 57.07 acre parcel, the following waters were identified: Stream 4 (61 linear feet, ephemeral), Stream 5/6 (955 linear feet of open channel and 600 linear feet culverted, intermittent), Stream 7 (61 linear feet, ephemeral) , Wetland E (0.014 acre), Wetland F (1.949 acres), Wetland G (1.564 acres), Wetland H (0.388 acre), Wetland I (0.009 acre), Wetland J (0.125 acre), and Wetland K (0.305 acre).

PROPOSED WORK: The applicant proposes to place fills in waters of the U.S. in order to construct a retail, commercial, and residential development including uses such as retail, offices, apartments, hospitality, restaurants, entertainment, and a parking garage. Specifically, the applicant proposes to permanently fill 4.354 acre of federal wetland, 1,077 linear feet of federal open channel stream, and 600 linear feet of federal culverted stream. As part of a municipal referendum, the applicant will be constructing a buffer berm along the eastern parcel boundary. The applicant will be constructing the on-site buildings and appurtenances with the exception of Buildings 4, 8, 11, 12, 13, 14, and 15 which will be constructed independently by the tenants (Sheet 6 of 6).

PROJECT PURPOSE

Basic: Retail, commercial, and residential development

Overall: To construct a retail, commercial, and residential development within Orange Township and surrounding municipalities, Cuyahoga County, Ohio.

Water Dependency Determination: The project is not water dependent.

AVOIDANCE AND MINIMIZATION INFORMATION: The applicant does not propose to avoid any on-site waters of the U.S.

PROPOSED MITIGATION: The applicant proposes to mitigate for the permanent loss of 4.354 acre of federal wetland through the purchase of 10.1 credits from Trumbull Creek Mitigation Bank in the Grand River Watershed. In addition, the applicant proposes to mitigate for the permanent loss of 1,077 linear feet of federal stream through the purchase of stream credits at a 1:1 ratio from the Pope Home Consolidated Mitigation Site in the Upper Cuyahoga River Watershed.

Location and details of the above described work are shown on the attached maps and drawings.

Comments or questions pertaining to the work described in this notice should be reference the Application Number and be directed to the attention of Susan L. Baker, who can be contacted at the above address, by calling (716) 879-4474, or by e-mail at: Susan.L.Baker@usace.army.mil A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

The following authorization is required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency

Based on preliminary findings, there do not appear to be any properties listed in, or eligible for listing in, the National Register of Historic Places within the permit area as shown on Sheet 1 of 6. Due to the site being developed, largely previously disturbed, and the lack of identified federal eligible or listed historic resources within the permit area, it has been determined that there will be no historic properties affected by the proposed activity. This notice constitutes initiation of consultation with the Ohio Historic Preservation Office (SHPO) per Section 106 of the National Historic Preservation Act. All currently available historic resource information pertaining to this proposed project if any has been provided to the SHPO. Additional

information concerning historic properties should be submitted to the Corps before the end of the comment period of this notice. The Corps will forward that information to the SHPO for their review.

Pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers is consulting, under separate cover, with the USFWS to evaluate any potential impacts to: Indiana bat, northern long-eared bat, Kirtland's warbler, piping plover, and rufa red knot, and to ensure that the proposed activity is not likely to jeopardize their continued existence or result in the destruction or adverse modification of critical habitat.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy

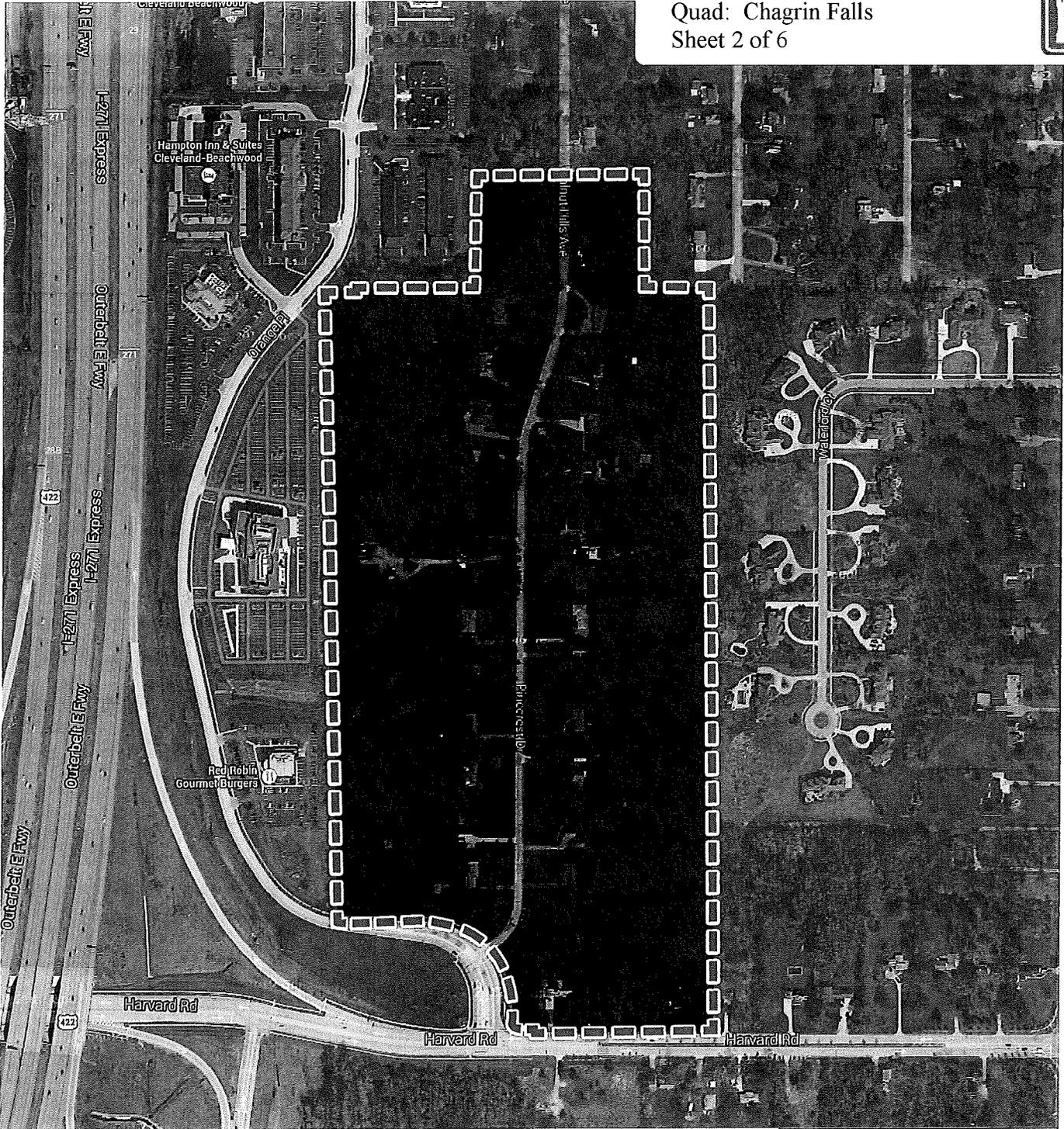
needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

SIGNED

Diane C. Kozlowski
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.



LEGEND

 Study Area



Map Source: Google Maps

FIGURE 2 - SITE AERIAL
Orange Village, Ohio

Date: XX-XX-2014

Project #: 13637

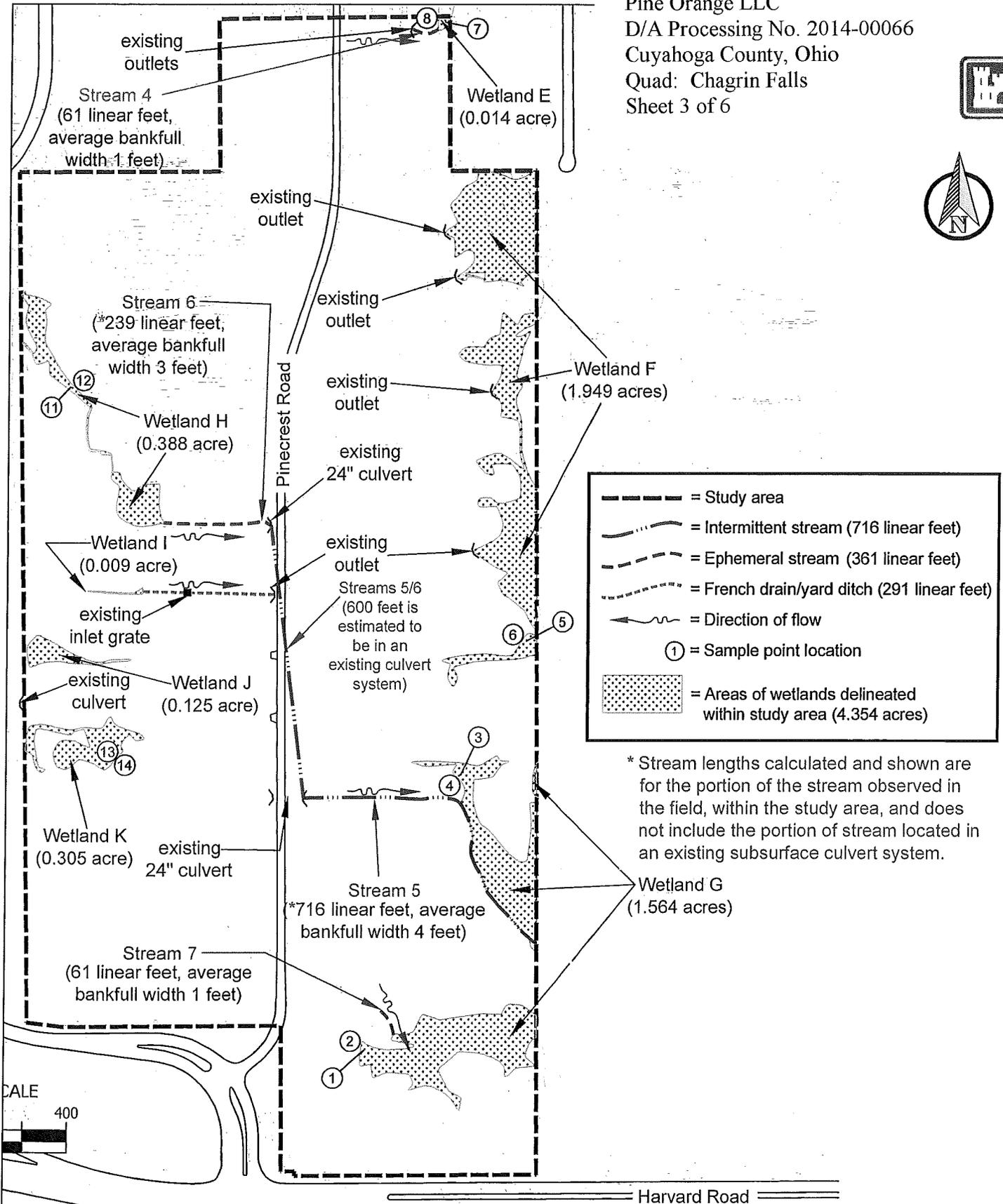
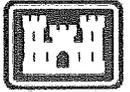


NORTH



NEFF
& ASSOCIATES

Civil Engineers • Landscape Architects • Planners • Surveyors



* Stream lengths calculated and shown are for the portion of the stream observed in the field, within the study area, and does not include the portion of stream located in an existing subsurface culvert system.

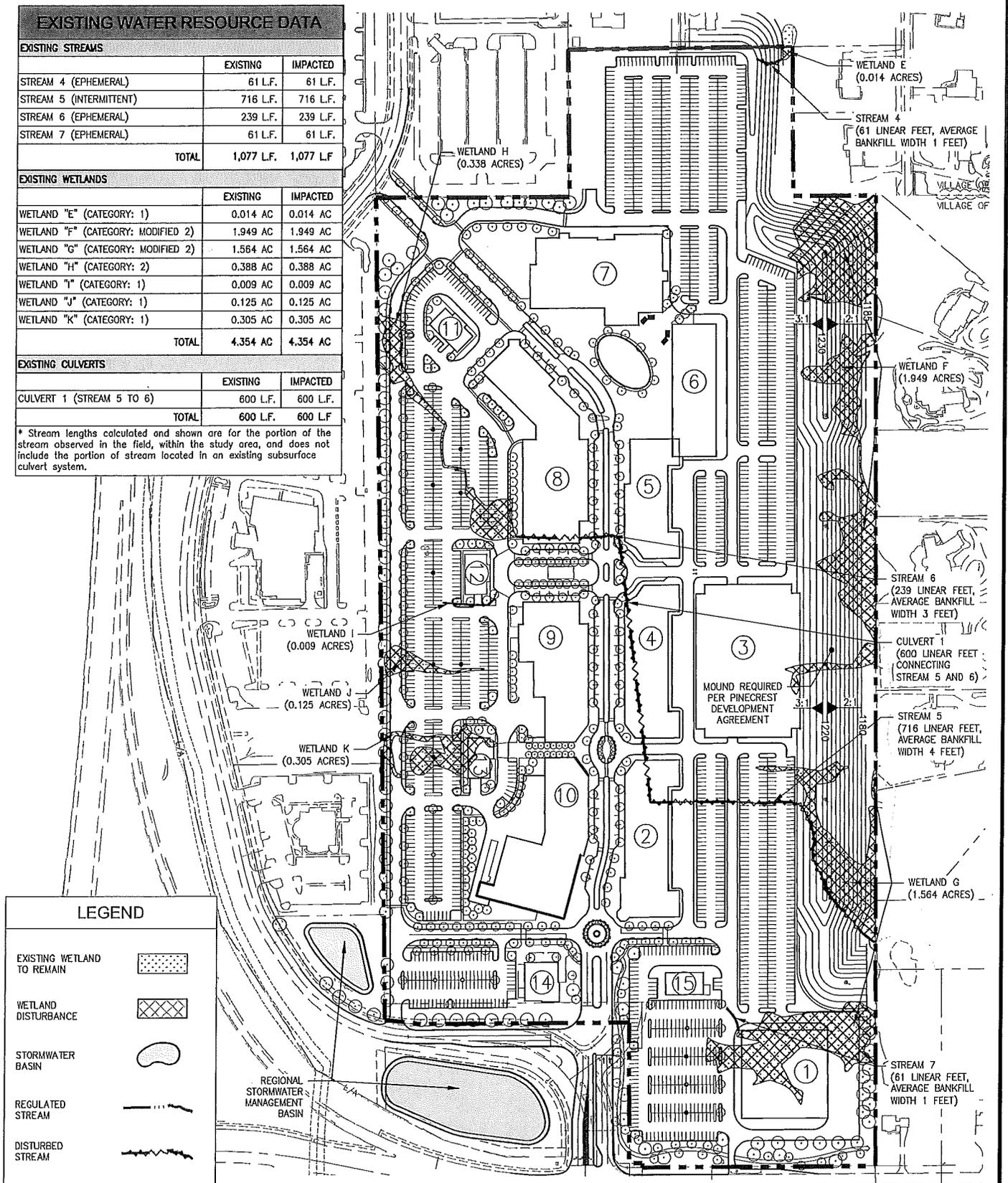
EXISTING WATER RESOURCE DATA

EXISTING STREAMS		
	EXISTING	IMPACTED
STREAM 4 (EPHEMERAL)	61 L.F.	61 L.F.
STREAM 5 (INTERMITTENT)	716 L.F.	716 L.F.
STREAM 6 (EPHEMERAL)	239 L.F.	239 L.F.
STREAM 7 (EPHEMERAL)	61 L.F.	61 L.F.
TOTAL	1,077 L.F.	1,077 L.F.

EXISTING WETLANDS		
	EXISTING	IMPACTED
WETLAND "E" (CATEGORY: 1)	0.014 AC	0.014 AC
WETLAND "F" (CATEGORY: MODIFIED 2)	1.949 AC	1.949 AC
WETLAND "G" (CATEGORY: MODIFIED 2)	1.564 AC	1.564 AC
WETLAND "H" (CATEGORY: 2)	0.388 AC	0.388 AC
WETLAND "I" (CATEGORY: 1)	0.009 AC	0.009 AC
WETLAND "J" (CATEGORY: 1)	0.125 AC	0.125 AC
WETLAND "K" (CATEGORY: 1)	0.305 AC	0.305 AC
TOTAL	4.354 AC	4.354 AC

EXISTING CULVERTS		
	EXISTING	IMPACTED
CULVERT 1 (STREAM 5 TO 6)	600 L.F.	600 L.F.
TOTAL	600 L.F.	600 L.F.

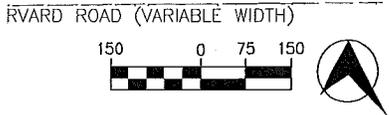
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LEGEND

- EXISTING WETLAND TO REMAIN
- WETLAND DISTURBANCE
- STORMWATER BASIN
- REGULATED STREAM
- DISTURBED STREAM
- SITE BOUNDARY

Pine Orange LLC
 D/A Processing No. 2014-00066
 Cuyahoga County, Ohio
 Quad: Chagrin Falls
 Sheet 4 of 6



JOB #: 13637
 DATE: SEPTEMBER 2014



FIGURE #4A - PREFERRED DEGRADATION ALTERNATIVE

PINECREST MIXED USE DEVELOPMENT

ORANGE VILLAGE, CUYAHOGA, OHIO

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PARKING DATA	
PROVIDED:	
SURFACE LOTS & ON-STREET	2,097 SPACES
GARAGE	804 SPACES
REQUIRED:	
THEATER (0.5 SPACES/SEAT)	375 SPACES
OFFICE	350 SPACES
HOTEL	120 SPACES
RESIDENTIAL	240 SPACES
SHOPS (5.4 SPACES/1,000 GLA)	1,815 SPACES

BUILDING DATA	
BUILDING 1	
GOURMET GROCERY	40,000 SF
BUILDING 2	
FURNITURE STORE	10,000 SF
SMALL SHOPS	27,500 SF
RESIDENTIAL - GROUND FL CIRCULATION + 3 FLS UPPER LEVEL RESIDENTIAL (157,800 SF TOTAL IN BLDGS #2 & #4)	1,500 SF
BUILDING 3	
GARAGE - 3 FLS ±43,900 SF FOOTPRINT	±131,700 SF
BUILDING 4	
SMALL SHOPS	34,500 SF
RESIDENTIAL - GROUND FL CIRCULATION	1,500 SF
BUILDING 5	
SMALL SHOPS	10,000 SF
RESTAURANT 5	5,000 SF
RESTAURANT 6	3,000 SF
HOTEL - GROUND FL ENTRY 3 FLS OVER GROUND FL (95,500 SF)	8,500 SF

BUILDING DATA (CONT.)	
BUILDING 6	
RESTAURANT 1	8,800 SF
RESTAURANT 2	8,700 SF
PROPERTY OFFICES/STORAGE	10,000 SF
OFFICE - 3 FLS OVER GROUND FL ± 29,000 SF EA.	87,000 SF
BUILDING 7	
RESTAURANT 3	9,600 SF
RESTAURANT 4	9,000 SF
THEATER ± 2ND LEVEL + PLAZA LEVEL ENTRY	±50,000 SF
BUILDING 8	
DEPARTMENT STORE	28,000 SF
SMALL SHOPS	30,000 SF
BUILDING 9	
HOME ACCESSORIES	24,000 SF
SMALL SHOPS	14,000 SF
BUILDING 10	
SMALL SHOPS	20,500 SF
RECREATION STORE	27,000 SF
BUILDING 11 - OUTPARCEL 1	5,000 SF
BUILDING 12 - OUTPARCEL 2	5,000 SF
BUILDING 13 - OUTPARCEL 3	5,000 SF
BUILDING 14 - OUTPARCEL 4	7,000 SF
BUILDING 15 - OUTPARCEL 5	4,000 SF

SUMMARY DATA	
PARKING PROVIDED	2,901 SPACES
PARKING REQUIRED	2,900 SPACES
TOTAL RETAIL + RESTAURANT (DOES NOT INCLUDE THEATER, OFFICE, HOTEL, GARAGE, PROPERTY OFFICES, & RESIDENTIAL)	335,600 SF
TOTAL SITE BOUNDARY	57.07 ACRES
P.D.A. DEVELOPMENT AREA	57.07 ACRES

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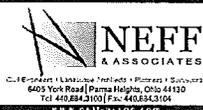


FIGURE #4B - PREFERRED DEGRADATION ALTERNATIVE

PINECREST MIXED USE DEVELOPMENT

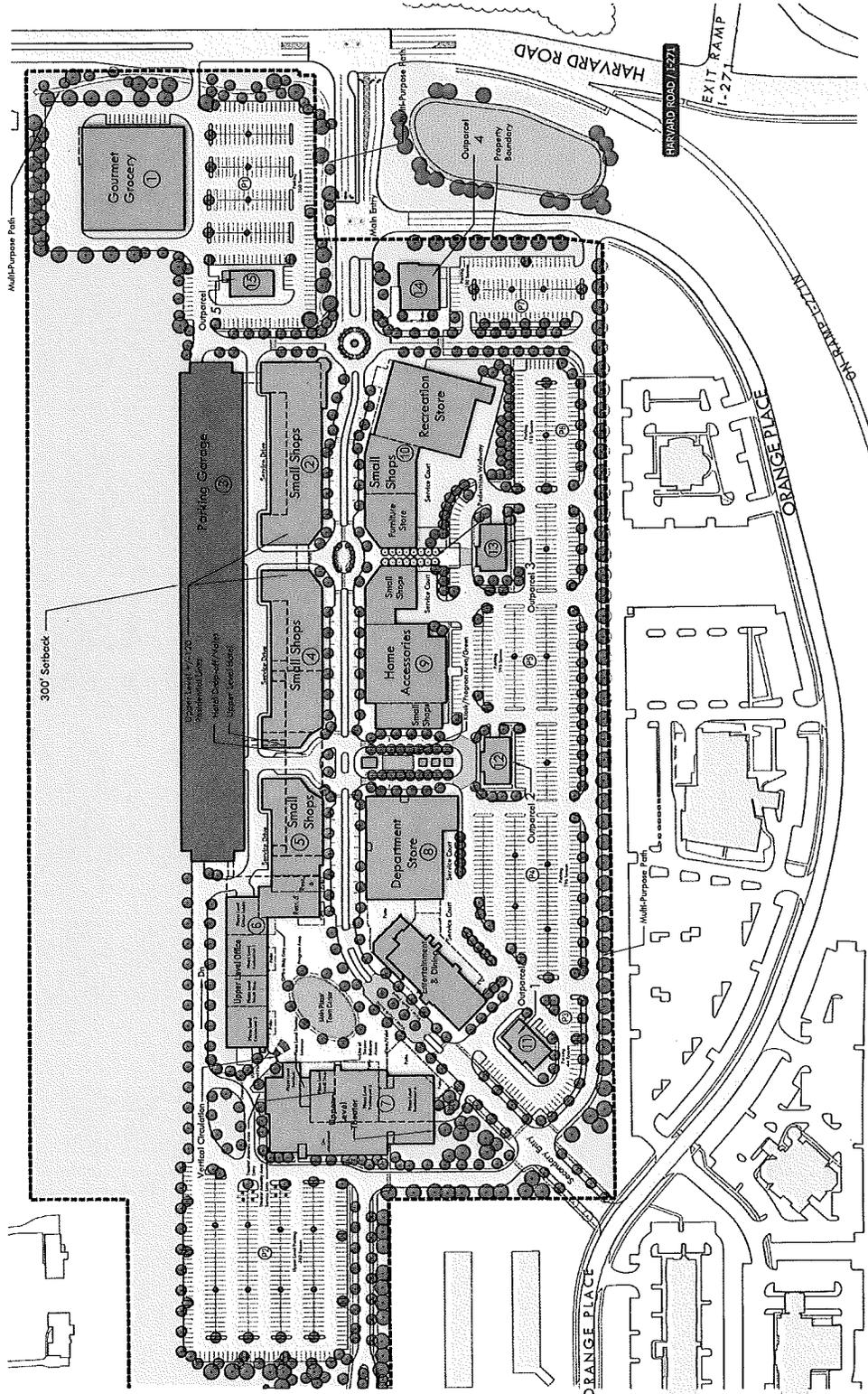
ORANGE VILLAGE, CUYAHOGA, OHIO

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RETAIL SUMMARY

Building 1 - Gourmet Grocery	40,000 SF
Building 2	
Small Shops	36,200 SF
Residential - Ground FL Circulation	1,500 SF
Residential - 3 FLS Upper Level Residential	44,120 Units
(157,800 SF Total in Bldgs #2 & #4)	
Building 3 - Carport (3 FLS)	
+ 119,310 SF Footprint	+/- 567,900 SF
Building 4	
Small Shops	31,000 SF
Residential - Ground FL Circulation	1,000 SF
Hotel - Ground FL Entry	2,500 SF
3 FLS over Ground FL (95,500 sf) 120 Keys	
Building 5	
Small Shops	17,700 SF
Restaurant 5	5,000 SF
Restaurant 6	3,000 SF
Building 6	
Restaurant 1	6,400 SF
Restaurant 2	6,400 SF
Small Shops	4,800 SF
Office - 3 FLS Over 5,800 of Ground FL 110,200 SF @ 34,800 SF EA.	
Building 7	
Small Shops	4,800 SF
Restaurant 3	8,800 SF
Restaurant 4	9,000 SF
Theater - @ 2nd Level +	+/- 43,254 SF
Pizza Level Entry (1,244 seats)	
Building 8	
Department Store	32,000 SF
Entertainment & Dining - 2 FLS	46,570 SF
Building 9	
Home Accessories	24,000 SF
Small Shops	14,000 SF
Building 10	
Furniture Store	10,000 SF
Small Shops	10,500 SF
Recreation Store	27,000 SF
Building 11 - Outparcel 1	5,000 SF
Building 12 - Outparcel 2	5,000 SF
Building 13 - Outparcel 3	5,000 SF
Building 14 - Outparcel 4	7,000 SF
Building 15 - Outparcel 5	4,000 SF
TOTAL RETAIL+RESTAURANT	= 355,670 SF
<small>(Does not include Theater, Office, Hotel, Garage, Property Office, & Residential)</small>	

PINECREST





 1" = 100'

PARKING SUMMARY
 Provided
 Surface Lots + On-Street
 Garage
TOTAL
 1,430 Spaces
 1,000 Spaces
 2,430 Spaces

Pine Orange LLC
D/A Processing No. 2014-00066
Cuyahoga County, Ohio
Quad: Chagrin Falls
Sheet 6 of 6

THIS DRAWING IS FOR GENERAL INFORMATION PURPOSES ONLY, ANY AND ALL FEATURES, MATTERS AND OTHER INFORMATION DEPICTED HEREON OR CONTAINED HEREIN ARE FOR ILLUSTRATIVE MARKETING PURPOSES ONLY, ARE SUBJECT TO MODIFICATION WITHOUT NOTICE, ARE NOT INTENDED TO BE RELIED UPON BY ANY PARTY AND ARE NOT INTENDED TO CONSTITUTE REPRESENTATIONS OR WARRANTIES AS TO OWNERSHIP OF THE REAL PROPERTY DEPICTED HEREON, THE SIZE AND NATURE OF IMPROVEMENTS TO BE CONSTRUCTED OR THAT ANY IMPROVEMENTS WILL BE CONSTRUCTED OR THE IDENTITY OR NATURE OF ANY OCCUPANTS THEREOF.

RDL ARCHITECTS
 16102 CHAGRIN BLVD, SUITE 200
 SHAKER HEIGHTS, OH 44120
 216.732.4500



FAIRMOUNT PROPERTIES
 1138 W 9TH STREET, SUITE 200
 CLEVELAND, OH 44113
 216.665.1724

