

PUBLIC HEARING

**BEDFORD
PLANNING COMMISSION
STATE OF OHIO
COUNTY OF CUYAHOGA**

DATE: September 29, 2015

AGENDA

TIME: 6:00 P.M.

**PLANNING COMMISSION
PUBLIC HEARING**

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **NEW BUSINESS**

- a. Proposed Ordinance rezoning property described herein from "R-1" One-Family Residence to "R-4" Multi-Family Residence located at Broadway Avenue and Union Street (1 of 2) (Permanent Parcel 814-19-001 Cleveland MetroParks District)
- b. Proposed Ordinance rezoning property described herein from "R-1" One-Family Residence to "R-4" Multi-Family Residence located at Broadway Avenue and Union Street (2 of 2) (Permanent Parcels Nos. 814-19-002 and 814-19-003 Sisters of Charity of Cincinnati)

4. **ADJOURNMENT**

Bedford Planning Commission met for a **Public Hearing** at Bedford City Hall on Tuesday, **September 29, 2015** at 6:00 P.M. The roll was called. Present: Dickard, Dzomba, Powers, Briggs, Mallis. Also in attendance were Building Commissioner Calvin Beverly, Law Director John Montello and Planning Secretary Lorree Villers. Absent: None. Also present: Thomas King, Paul Testa and Ryan Landi representing TESTA, Daryl Mast from Hattie Larlham and Sister Dorothy Ann Blatnica, Sisters of Charity of Cincinnati.

Approximately 45-50 residents in attendance this evening for the Public Hearing along with Stan Koci, Marilyn Zolata, Donald Saunders, Walter Genutis and Sandy Spinks who were not required to attend nor were they present to represent City Council.

“R-1” One-Family Residence to “R-4” Multi-Family Residence located at Broadway Avenue and Union Street for Permanent Parcel 814-19-001 the Cleveland MetroParks District

Present: Nobody was present from the Cleveland Metroparks.

The Planning Commission had previously discussed this topic on August 4, 2015. Chairman Dickard explained the location of this property on Broadway Avenue. Mr. Mallis explained this parcel was necessary in order to make the rezoning contiguous; (P.P. 814-19-001) abutted the Sisters of Charity property (P.P. 814-19-002/814-19-003). He explained there was a process/several meetings the Administration, Council and the Planning Commission had to have in order to rezone any properties in Bedford. As requested from the audience, it was defined that “R-1” meant a “one-family residence” and “R-4” meant a “multi-family residence”. This specific parcel (P.P. 814-19-001) would remain park green space. The Planning Commission previously reviewed the Application for Rezoning / Map Amendment and the proposed ordinance which resulted in a recommendation to Council for consideration.

“R-1” One-Family Residence to “R-4” Multi-Family Residence located at Broadway Avenue and Union Street for Permanent Parcels Nos. 814-19-002 and 814-19-003 Sisters of Charity of Cincinnati. The Planning Commission had previously discussed this topic on August 4, 2015 where Mr. King submitted a corrected Application for Rezoning / Map Amendment and a revised map. (See attached) The Planning Commission previously reviewed the Application for Rezoning / Map Amendment and the proposed ordinance which resulted in a recommendation to Council for consideration.

Present: Thomas King, King Associates, LLC, 2335 Second Street, Suite A, Cuyahoga Falls, Ohio 45221, Sister Dorothy Ann Blatnica, Sisters of Charity of Cincinnati, 5900 Delphi Road, Mount St. Joseph, Ohio 45051, Paul Testa, Testa Companies and Ryan Landi, Testa Companies, 2355 Second Street, Suite A, Cuyahoga Falls, Ohio 45221.

Thomas King, Paul Testa and Ryan Landi jointly explained the project. Mr. King represented the Testa Company on the project rezoning request for the Sisters of Charity property.

At the Regular Planning Commission of August 4, 2015 and this evening, Mr. Testa explained he had been the owner for 48 years developing a multitude of different types of residential, commercial, fast food, medical and hospital projects. The company used several different avenues of investors, Tax Credits and funding to accomplish their projects for a reasonable price and/or low income up to \$33,100 type rental units ranging \$352-\$750 per month. This project was focused on an Independent Senior facility which was 55+ years of age and the applicant had to meet the financial criteria. The study showed there was 1,000+ current residents within a five mile radius that could qualify to live in this facility. He listed several projects they built in Northeast Ohio and the units/rooms were filled very fast. This project was mandated to stay affordable for 30 years as deed restricted. The other facilities have been very successful, the units filled quickly and there was a waiting list for those who chose this type of living.

Mr. Landi, Director of Development, showed a PowerPoint presentation (see August 4, 2015 Planning Commission meeting minutes for the hardcopy presentation) explaining several locations and why they were constructed using different styles; some included vegetable gardens, healing/relaxing gardens/spaces, ponds, green house and bocce/game courts. Different areas had different needs/ideas, all the mail room area and entrances were built with an open space for lounging and staircase to give a home type feeling. Each facility was decorated according to the history of the community for a home type feeling.

The laundry rooms were upscale as well along with large community rooms for games, gathering and entertainment. There was also a party room that could be used/rented for family gatherings, a holiday meal which had a complete built-in kitchen. There was a large exercise space provided for those that wanted to use it with padded flooring. This specific project was approximately a total of 60 units in two different buildings for 55+ years of age and older for a 30 year period as senior type living only. The units were: one bedroom ranged 650-700 sq. ft. and two bedrooms ranged 900-950 sq. ft. apartment type living and they figured the renovations would cost about \$13 million utilizing different investors. Senior housing allowed residents to stay in their community and the opportunity to free up their home they may not be able to maintain. The facilities were constructed to assist in aging and non-carpeted spaces to help with allergens. Another asset was the City would benefit from the property taxes.

This specific application/project consisted of two (2) parcels that needed to be rezoned (P.P. 814-19-002/814-19-003). Recently this property was listed on the National Register of Historic Places. A lot split was necessary for Catered Elegance and LOHV. The Motherhouse would be converted into approximately 29 senior apartments with a three story addition of approximately 30 additional senior apartments. The School Building would be converted into apartments for people with developmental disabilities managed by one of the investors Hattie Larlham. The current commercial kitchen and dining room spaces would be utilized by Hattie Larlham. The Shrine of Our Lady Levoca would remain and it would be renovated with the removal of the pergolas to provide additional green space. The current gardens, ravine, remaining statues, hiking trails, woods and pond areas would be restored and maintained. The current green space would remain and would not be utilized for additional living space in the future.

It was clarified the Hattie Larlham facility would not be restricted for senior living; there would be younger residents in this facility. It was determined Hattie Larlham was the largest provider for these types of services in Northeast Ohio and possibly the largest in the State of Ohio. Hattie Larlham was very large, solid and very well-funded. Non-profit organizations were an asset in a project like this one.

Mr. Mallis clarified for a resident the Planning Commission listed conditions regarding the Sisters of Charity parcels (Nos. P.P. 814-19-002/814-19-003) as follows:

- The applicant makes the effort to parcel out/lot split Catered Elegance, Catered Elegance's parking lot and LOHV and if the lot split was not done, the property would revert back to R-1, and
- The current percentage of green space as shown on the map remains as is and approved limited to this project's scope of work, and
- Parcels P.P. 814-19-002 and 814-19-003 stay senior living 55 and over excluding the Hattie Larlham facility as long as Testa Companies continued to partner with Hattie Larlham. If the Hattie Larlham facility didn't become a reality, the building would not become apartments.

The conditions were listed in the proposed/draft ordinance to ensure the Planning Commission's concerns and requests. Mr. King said the listed conditions were acceptable.

Mr. Landi showed the map to the audience and outlined for them the two parcels they were requesting to rezone. He stressed Catered Elegance and the parking lot were not part of their rezoning request; they had

no desire to become a catering business. He clarified for a neighboring resident the parking lot across the street on Broadway Avenue would remain a parking lot. There were several discussions regarding the potential use of the existing parking lot but it would remain a parking lot unless things changed many years down the road. He showed the area in which parking spaces would be available for those who maintained a vehicle; not all residents had vehicles. In their profession, they realized a "one for one"; defined as "one resident per one parking space" would be adequate with 60 available spaces. Mr. Mallis assured the Catered Elegance and the Broadway parking would not be part of this rezoning and it was not the desire of the Administration and Council to develop this area. The lower bowl of the property was a part of Tinkers Creek Watershed and occasionally flooded so it would remain green space.

Chairman Dickard opened the floor for questions and concerns:

- A resident thought housing should be constructed in the Broadway Avenue parking lot in order for the City to make money. Mr. Mallis explained there were many discussions and it was determined it was not the desire of the City or Council; not everything was about making money.
- A resident asked if the existing buildings were going to be cleaned up/power washed. The answer was yes; power washed and repointed.
- A resident asked if the Shrine was going to be restored. The answer was yes; however, it would not open to the public and it would not be utilized to maintain its historic purpose. The steps would be constructed differently to include additional green space.
- There was concern about the landscaping. Mr. Landi assured the landscaping/green space was going to be cleaned up, restored to its natural beauty and landscaped beautifully. Mr. Testa went overboard on the landscaping of all his facilities.
- A resident felt the new construction should have the same warm look as the current building.
- A resident asked if the other facilities were senior low income housing. The answer was yes but the applicant had to meet the requested financial criteria for their area.
- A resident asked if TESTA was going to purchase the property. Mr. Testa replied yes; there was a separate LLC for each project/facility. This project was deed restricted for 30 years.
- A resident referred to the new addition to the Motherhouse and its construction. Mr. Landi explained the Motherhouse was considered 1930 to 1979. The 1979 was deemed to be historic. The idea of the addition was to be plain so the 1930's original building would be the focal point therefore the new addition would blend accordingly.
- There was a question if the water and sewer infrastructure had been addressed. Mr. Landi replied no because they didn't own the property and couldn't do any digging to investigate. They figured there were environmental issues that needed to be addressed.
- Mrs. Zolata and Mr. Testa clarified this was Tax Credit housing not low income as most people defined it. Mr. Testa explained there were qualifications/requirements per the demographics of each area for middle average seniors. Bedford topped out at \$33,100.
- It was determined this was not considered an assisted living facility; it was considered "independent living". If the resident(s) chose to have meals delivered it would be up to them. There was not a nursing staff to assist the residents or administer drugs.
- Could grandchildren or foster children live in these units? Mr. Landi explained the Fair Housing Act laws stated senior housing of 55 and older required one (1) person be of the required age. A younger spouse and/or a grandchild could occupy the unit. A younger spouse was more common in these facilities than younger children. Mrs. Zolata said it was a known fact that some Bedford grandparents allowed their grandchildren to reside at their residence so they could attend the Bedford School system. Mr. Landi explained he had known of one child living at one of their six (6) locations but they ended up moving. It was rare for children to be a part of these types of living arrangements.
- Who would be contacted if there was a problem on the grounds? Mr. Landi explained when the project was completed the facility would be managed by TESTA Management for snow

removal, landscaping, building maintenance plus scheduled bussing for shopping and church. This project would be treated the same as a rental type facility. Apartment buildings/rentals have a maintenance crew for all its needs. TESTA would maintain this facility accordingly.

- Would this facility have security? No, Bedford Police Department would handle the security.
- A resident asked since the senior activities would be open to the public; where would they park? Mr. Landi replied there would be adequate parking; not all the residents had vehicles.
- There was concern regarding Catered Elegance and if there was an opportunity to expand programs would there be access to Catered Elegance or any changes? Mr. Testa explained Catered Elegance would continue to be leased/rented as it currently was. Sisters of Charity currently leased/rented the building to the business owner of Catered Elegance. The property would be owned by TESTA and leased/rented to Catered Elegance so access would continue as it currently was. It would be up to the business owner of Catered Elegance if he wanted to continue their business. TESTA was not interested in a catering business.
- It was determined the average age at these facilities was 75 years of age and not all of them drove.
- A resident wanted to know if there would be a pool at the facility. Mr. Landi replied no, pools were too much of a liability, a maintenance issue and too expensive.
- A resident wanted to know after the property was sold would TESTA pay property taxes. Mr. Testa replied yes.
- A resident felt this Public Hearing was not publicized. Chairman Dickard proved/showed to the audience the Clerk/Secretary published the meeting in the Neighborhood Newspaper, at the five locations per the Charter and other areas. Mrs. Zolata informed the resident his address was on the list that received a letter from the Clerk/Secretary informing him personally of the Public Hearing. He replied Oh, Okay. Ms. Villers stated the notice was in the Neighborhood Newspaper on August 19, 2015 per the requirements.
- It was determined after the rezoning was completed they would submit for the Tax Credits in February 2016. The Sisters would maintain the property until the sale was finalized. Mr. Testa was very confident the transaction would take place and they hoped to be the new owners in July/August 2016. Sister Dorothy stated TESTA was the best offer they've received.
- There was a concern what would happen if TESTA did not get the Tax Credit. Mr. Testa explained the Tax Credit made the project easier; however, if TESTA did not get the Tax Credit they would still proceed with the \$13,000 project working closely with the bank.
- It was determined the residents would carry electronic fobs and not keys. The fob allowed TESTA to track their residents of their coming and goings at the facility. It was also determined the Hattie Larlham residents would also have access to the entire property.
- A resident asked how the current smaller building was going to be utilized.

At this time, Daryl Mast, Hattie Larlham representative, was introduced to address any questions or concerns.

Daryl Mast, Hattie Larlham representative, 7996 Darrow Road, Twinsburg, OH explained Hattie Larlham has been in the disabilities field for 53 years. This organization was the largest provider for these types of services in Northeast Ohio and was a very large, solid, very well-funded and non-profit organization. They worked with different levels of those people who needed their services. Some of these specific residents at this specific facility would be very active, live full lives, some were employed, taught jobs skills, taught vocational programs, attended schools and attended training/programing. It was important not to confuse this with mental health but could include autism or an individual who could not keep up with others. SSI and the Ohio Waiver program was utilized for assistance depending on each person's needs and qualifications. It was determined the Hattie Larlham would have their own social/common spaces/areas within the Hattie Larlham building which also included several available/different activities.

The Hattie Larlham residents would also be tracked by their use of their fobs and TESTA staff would be available from time to time depending on the individual's needs. An office was available at this facility and would be utilized if there was a need. The Hattie Larlham residents were not required to be 55+ years of age and the general age was 20+ years old. It was stressed this facility was not a halfway house, they did not have criminal records, they were not in drug rehab/alcohol abuse nor were they violent individuals. These individuals were employable and worked in various positions in which they were capable of working. Sister Maryann spoke about the series of stores in Twinsburg that Hattie Larlham workers maintained, cleaned and worked. She was given a tour of the facility where she was boarding her dog plus they were also employed at the Day Care. These employees had certain jobs to do and they were proud of their accomplishments. Mr. Testa was very interested in employing some of the Hattie Larlham individuals for cleaning the Bedford location/facility. These individuals were very proud of what they do daily. Sister Margaret emotionally stated it was about giving dignity to people and we were all called to do that as Christians. Mr. Mast stated the rewarding part was to witness the difference you can make with an individual to give them self-confidence, self-worth and to allow them to be intergraded and involved in daily activities. Working at Hattie Larlham for ten years has made him realize the rewarding feeling of helping these individuals and he enjoyed the experience.

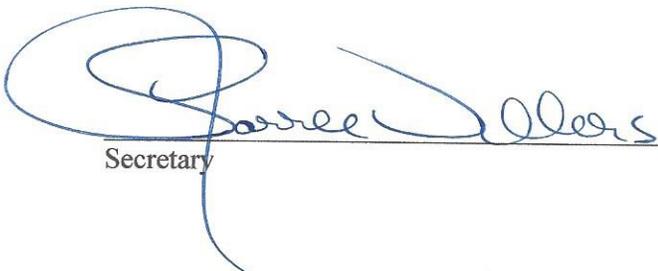
Sister Dorothy Ann Blatnica, Sisters of Charity of Cincinnati, made it clear the goal was to sell the property. The Sisters of Charity of Cincinnati did not need the property and they were not in the business of maintaining real estate. The main goal was to sell the property in its entirety. However, she stressed it would no longer be "religious" property. She was completely and totally impressed with the respect the TESTA Company has had for the property itself and the desire to maintain the remaining items/statues. The Sisters took what they wanted to Cincinnati. The "religious" items would remain but it would not be a religious property. The Shrine would remain as a historical building not functioning as a Shrine. She was honored that TESTA pursued the Historic Designation because it is a mammoth project. Mr. Mast assured the TESTA Company would develop the property with great care, keeping it nice, functional and all of their projects were first class and helped people.

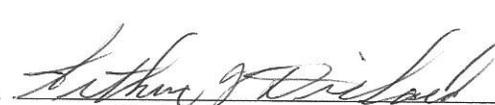
Chairman Dickard informed the audience that this project would have to go through the City's Building Department for all permits and inspections in order to be in compliance with all city codes and ordinances.

There were no other questions. Chairman Dickard thanked everyone for their input.

There being no further business to come before the Commission, it was moved by Powers and seconded by Dzomba to adjourn. The roll was called. Vote – Yeas: Dickard, Dzomba, Powers, Briggs, Mallis. Nays: None. Motion carried unanimously.

Meeting adjourned at 7:26 PM.


Secretary


Chairman