

**MINUTES OF THE PLANNING COMMISSION WORKSHOP
CITY OF INDEPENDENCE
Held in the Council Chambers at City Hall**

5:00 P.M., SEPTEMBER 4, 2007

AGENDA:

- 1. Chapter 1143A, Section 1141.021 of Codified Ordinances** – Approval of Ordinance amending the Zoning Code to create a senior citizen residential development district in a certain designated area of the City.

Acting Chairman Shallcross called the meeting to order at 5:00 p.m. on Tuesday, September 4, 2007, and the following responded to Roll Call:

PRESENT: Fred P. Ramos, Mayor
Gregory Kurtz, Vice Mayor
Tom Narduzzi
Jack Shallcross

OTHERS

PRESENT: Greg O'Brien, Law Director
Don Elewski, City Engineer
Ron White, Economic Development

ABSENT: Dale Lytkowski, Chairman

Acting Chairman Shallcross stated that the purpose of the workshop will be to discuss Chapter 1143A, Section 1141.021 of the Codified Ordinances to amend the Zoning Code to create a senior housing residential zoning district in a certain designated area of the City. Acting Chairman Shallcross stated that the Chairman Dale Lytkowski is not in attendance tonight.

The purpose of the meeting is to try to come up with some kind of compromise to get an Ordinance out of the Planning Commission to Council based upon the two Ordinances before the Planning Commission; 2007-33 and 2007-36.

Vice Mayor Kurtz stated that there is a time frame with regard to this matter in order to go to the ballot. The Vice Mayor would like the Law Director to get a timetable with critical dates. The Vice Mayor wants to first look at time and works backwards. The Law Director asked if the Vice Mayor was concerned about the earliest possible time to

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

get it on the ballot. The Vice Mayor thinks one of Council's questions would be what are their options in terms of election dates; and then what is the timeframe that they have to work with in order to approve something. There are public hearings, and there is a timeline that the Board of Elections has to work with. The Vice Mayor requested that the Law Director put that together for the next meeting. Law Director O'Brien stated that he will e-mail the Vice Mayor tomorrow letting him know when the mid-term elections are. The Vice Mayor stated that then they will know that they have a certain date to have everything done. If they know the timetable they are working with, it should help. Right now it is September, and if the deadline is December; they should know that so that meetings can be framed around the dates.

Mayor Ramos stated that he believes it has to be sent over to the Board of Elections 90 days prior to the election. So, consequently, if they are looking at March, then 90 days from that is approximately December 1st. If you need a 30 day hearing, that takes it to November. It already went through one reading on Council; so consequently, there is not too much time. There is maybe six to eight weeks at the absolute most to come up with an Ordinance. Otherwise, it will take us to November, and they have to schedule it for public hearing. This has to be referred over to the Board of Elections by December 1st at the very least.

Mayor Ramos stated that one of the things that he has contended is that he is certainly open to working out some type of compromise. He thinks it is one of the issues that the Mayor, the Finance Director and all of Council has to be in support of because if they have somebody that has a problem with any portion of the Ordinance, it will be extremely difficult to pass. One of the things that the Mayor likes about the Ordinance is the continuum care. He certainly is open to putting that in there. He thinks that it serves the needs. They are trying to serve as many needs as they possibly can in respect to senior housing. Different people need different things. The Mayor stated that philosophically he is in support of continuum care. He thinks that is a portion of what was in Mrs. Kemper's plan. The only thing is that he doesn't think Mrs. Kemper included any type of nursing care or assisted living. First of all, nursing care requires a special license, and that is a whole different ball game. As far as assisted living, when they were doing the market studies; and once again, this was done previously. When they were doing the market studies, it seems like there was an over-saturation of the market as far as assisted living is concerned. That is why that part of it was excluded.

The Mayor is certainly willing to go along with continuum care just so that we can get things moving. He thinks that all of Council will support something like that, he hopes. Let's do this. The Mayor stated that he is willing to listen.

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

Acting Chairman Shallcross stated that one of the things they need to decide on or understand a little bit better is the differences between the two proposals to see whether there is room for movement in either direction. Mayor Ramos stated that the Law Department did provide this information to the Mayor's office. The Mayor does not know if he shared all of the differences. The differences were not substantial. There were other restrictions put on 36 that were not there in 33. The Mayor's concern is that if they become too restrictive, it will be difficult for any developer to effectuate the plan. In other words, they are going to look at it and see all the restrictions and all the parameters and say that they won't be able to do this. It will be too risky of an investment for them. The Mayor didn't perceive any substantial differences. They had talked about limiting the number of units. The Mayor stated that he is willing to look at the continuum care closely. He does not know if necessarily he wants to see nursing care there because of the licensing requirements. What the Mayor can do is have the Law Department provide a comparison of 33 and 36 to the Planning Commission as well as Council and also to the Senior Coalition so that everyone is on the same page. The Mayor thinks that when you review all this information, you will see the message is the same; it is just a different way of getting to the water. The Mayor is sure that something can be worked out. It is important that something get worked out. It is also important that everyone is on board. The Mayor certainly does not want to go into the March election and have a divided Council or have an administration that has different opinions because this is such a sensitive issue. There needs to be everyone on board 100%. There can't be some nay sayers out there saying that they have concerns about this or that. The Mayor is sure it can be worked out.

John Nicastro, Sr. stated that he knows the Ordinance will be re-written and extensive work done on it, but the coalition has looked over both ordinances; and they have some areas that they think everyone should consider before re-writing the Ordinance. There was something mentioned about the nursing home and the assisted living and managed care, etc. This was never accepted in the last committees that they joined, because they said there was a saturation of nursing homes in the area; consequently, that did not come into the picture. The other factor was that they were restricted on room in the middle school. They couldn't put all these things in there because of the way it was. The thing that they have to be concerned about, and he is sure that Kathleen Kapusta can answer to this better than he can. When you are talking about nursing homes, assisted living, etc., you are talking about licenses, permits, etc. That presents a problem to a developer to do something like this. Everyone should take that into consideration.

Mr. Nicastro stated that the other thing is that if you are going to have a nursing home and assisted living here, you cannot restrict that to Independence residents. First of all,

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

he does not think a nursing home can be economically supported with the population that Independence has. As far as the downtown redevelopment committee is concerned, they never considered a nursing home in this kind of area, because now they are talking about having an active adult community located downtown so that viability can be brought to whatever is planned there. If there is a nursing home in this prime land, there will be a group of inactive people that won't contribute as much as the others. If you are going to add a nursing home and assisted living, you will have to increase the 8%. There will have to be more units involved than what they were talking about.

Vice Mayor Kurtz asked if they are talking about alternative housing and congregate living, if they just say congregate, which the Vice Mayor is comfortable with, and he thinks the coalition requests congregate living; then if it is congregate, assisted or nursing home, it does not matter because it is all the same. It is just a level of care. The Vice Mayor stated that if it is approved as congregate, then it does not matter what level of care; someone will have to want to provide that and there has to be a need. The Vice Mayor is assuming that if they just say congregate and drop everything else, there is an assumption that you are talking about any different level of care as long as it has the ability to congregate in some type of center forum for food, for recreation, for companionship. The Vice Mayor asked if the coalition was thinking the same way. Mr. Nicastro stated that congregate living is an important part of this. The Vice Mayor stated that from his perspective, it doesn't matter if it is congregate single or assisted or nursing because as long as it is adopted as congregate, the right developer or operator could have any level of that as long as they had the necessary permits and licenses. The Vice Mayor stated that they don't have to say nursing, drop that, drop the assisted, because once you adopt the congregate, you are adopting the flexibility. The Vice Mayor does not think there is disagreement on that.

Mr. Nicastro stated that there was mention in there of having a clubhouse. They are saying that the clubhouse is going to be the congregate living facility. As you add the amenities (inaudible). Mayor Ramos stated that when they refer to the clubhouse, he thinks of it as a common area. The social area, whether it be the cafeteria, meeting room, social room; someplace for the people. Whether they live in congregate living or separate units, that they have a place to congregate in order to share meals, play cards, and stuff like that. The Mayor thinks it would be part of the congregate living. It is not necessary to duplicate and put in a separate building. The Mayor would picture the congregate building being in the center, and then everything around it. It would almost be like a magnet that people would go there. The Vice Mayor stated that the Mayor is right. The vision he had was that the congregate area was the center area; that would be the place to congregate, eat, and for companionship, recreation. All the activities would be part of that central area.

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

Mr. Nicastro stated that the other question they had, and hopefully it will be taken into consideration, is about the limited building permits. There was some figure in there about 24 a year. Mr. Nicastro stated that he does not know if this will go over well with a developer. If Mr. Nicastro was the 25th one, does he have to wait a year? He doesn't want to micromanage the project, but they want the developer to set the pace on this thing. Vice Mayor Kurtz stated that the intent was several facets; one was to not to saturate the housing stock on the market where people moving in would get a lesser value for their existing house. That was one reason from his perspective to limit the number per year. The second was to limit based on the supply and demand, so that they are catering to Independence seniors. Without that, they haven't accomplished anything. Mayor Ramos stated that this is one of the concerns he has with that. He is afraid it is too restrictive, and he thinks it will be market driven. The Mayor would rather not say that they are going to do 24 units a year. He thinks that is one of the things that may scare a developer or potential developer from the project. The Mayor is not saying that you have to cater to the developer. He just wants this to be an attractive project so that they have quality developers that are going to come forward and do the project right. That is the Mayor's concern with that.

Mr. Nicastro stated that the thing they have to remember is that they are talking about congregate living. That can be done in phases. The Vice Mayor thinks that the campus was still a concern on how many units to be built a year. Congregate is one aspect of it, but there are still the other aspects of the entire campus that need to be addressed. You need to have some way of measuring, it is something that needs to be researched, because he thinks it is important that they do two things; make it for Independence seniors and then not saturate the housing market where people are getting less than what the value of their homes are. Mr. Nicastro stated that they do not want to discourage a developer from coming into town.

Mr. Nicastro stated that with regard to the dimensions, there were 25 foot side yard variances. That is far too many. It should be closer. He will leave it up to the planner. If you are going to make a 25 foot side yard, that is 50 feet right there. That is already half a lot. Mr. Nicastro thinks they should use the same figure that was used before. The Vice Mayor stated that the professionals could probably maximize the utilization of the value. Mr. Nicastro stated that most of the ordinances have one, two and three bedrooms. Mr. Nicastro thinks they are doing away with that. Let's just give minimum and maximum dimensions, and let the developer decide based on his cost studies, etc.

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

Mr. Nicastro stated that he heard something about a survey. His only comment is that the downtown redevelopment people are talking about a market survey to discover (inaudible), maybe the two surveys can be combined to save some money. The Mayor stated that it is a different type of survey. Mr. Nicastro stated that the day after a survey is taken, it is not anymore. Things change the following day.

Councilman Crooks stated that he wanted to refer back to the question that was asked about outlining some of the differences between the two pieces of legislation. He would like to bring everyone's attention to the second page of 2007-36, the second Whereas. He thinks it is one of the profound differences: "Whereas in order to specifically determine the type and number of living units the active adults require, the City needs to gather all information regarding the senior community within the City with the assistance of a professionally prepared information gathering process". Councilman Crooks thinks this is one of the profound differences between the two pieces of legislation. It has been his experience as a Councilman going through these public hearings and Council workshops and so forth, that they might not have a full understanding or as good of an understanding about the needs for the seniors as they could have. He does respect the fact that the City engaged in a survey a few years back, but as Mr. Nicastro said about tomorrow a survey has already changed; a survey that was taken almost five years ago when this was put on the ballot has really changed. The Councilman does not think that this be an imperative part of the legislation; however, he really believes that they can know more of what the seniors want with a survey. It doesn't matter to him if the survey is done before this goes to the ballot or afterwards. Just so long as they have some more information to really get their hands around what type of what number of units that they need.

Mr. Nicastro stated that it would be good to know exactly how many you need, but you will never find out until you start marketing the thing. Mr. Nicastro provided the Planning Commission with an AARP survey that stated 143 units without talking about former residents or parents of residents. He bets that figure is about as close as anyone can come up with. Vice Mayor Kurtz asked if the senior coalition did any surveying of their group to determine or come up with a number of units of any kind. Mr. Nicastro stated that the only survey they took and that was informally, was what do you want either single units or congregate; and it came out 50/50. The Vice Mayor stated so 50% were single units, and 50% were congregate. Mr. Nicastro stated that they are thinking of doing it. There are over 200 people that meet once a month. Mayor Ramos stated that the important thing as far as surveys are concerned is that before they took the survey they did an educational thing. They explained the different type of housing, and the different things that are available to the seniors. Consequently, there is an education part that needs to be given before anything like that is done. Secondly, what happens is that

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

people's situations change rather quickly. All you have to do is to look at many of the seniors who are very, very active. They live very active lives, they are on the golf course, they are participating in many activities; and then all of a sudden there is a fall or a broken hip, or a stroke, or a heart attack; and things change quickly. The Mayor thinks that as people get older they are more prone to those types of things. He just doesn't want to get bogged down into that because people's needs change rather quickly. Also, it will be market driven as far as what type of units. One of the struggles that they have had with senior housing in Independence is that when you hear senior housing, everyone has a different perspective or answer as to what it is. Some equate it with smaller units. Others look at cluster homes, carefree and maintenance free types of things. Others look at it as congregate living with common areas, independent living. There are some that look at it as independent living but want more services such as medication, laundry, etc. That is part of the challenge. If you look at just what Independence residents need today, and tell a developer this is what they want; they have restricted the developer and the housing to a great extent that it is not going to happen.

Acting Chairman Shallcross stated that a survey makes sense from a standpoint of what people are interested in; and as Mr. Nicastro said that the moment it is done it is obsolete. You might have to take it with a grain of salt when you do it. It is a great guideline, but you certainly don't want to limit yourself to that. On the other side of that, the market driven aspect makes a lot of sense because if somebody comes in and says they want "x" amount of these and "y" amount of these; what good does that do if no builder wants to build it. Then they have a plan they like, but nobody is going to come and help do it because they don't think it will be financially viable. Somehow you have to have the two work. Obviously, if it is not going to be market driven or the City is going to finance it, then it is a different story. He doubts that is even a reasonable – that is a tongue-in-cheek comment. He states that he is on the fence right now and not sure which way to go. You need to understand what people are thinking and where they are coming from. From the meetings in the fall and spring, there have been a variety of different opinions. They have already discovered that nursing homes won't work because it is outside the scope and realm of what they can reasonably do here. The same with the assisted living; each of those goes hand-in-hand with each other. The term congregate living encompasses what they do mean to say in that regard; where as you can have something more congregated as such as opposed to those specific things. You probably don't want to get specific in that regard.

Mr. Narduzzi stated that once you educate the people that the City is not going to subsidize this totally and they are on their own; there will be a lot of people who bale. The average home that these people will be selling will probably be worth \$150,000 to

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

\$225,000. These people are not going to spend \$250,000 to \$325,000 to move into these facilities and then have to pay a monthly service fee. Mr. Nicastro stated that this is what scares everybody. These are not going to be \$230,000 houses. They won't be over \$180,000. That is what the developers are telling him. You are talking about a downsized house. You are not talking about \$325,000. That is what scares everybody. You should leave it up to the Planner. Let him get ahold of a developer and come up with a 1,650 square foot house that is not going to cost \$300,000. Acting Chairman Shallcross stated that a lot of people that are outside of this group looking directly at these, think that if you make them affordable, that you are opening it up for the undesirables as such. Mr. Nicastro stated that they have been talking to a lot of people. They don't want to talk about senior housing anymore. They want to talk about "active adult centers". A 55 year old is not going to admit they are a senior. They are making a mistake. The first time somebody says senior housing, they think it is low cost, government subsidized housing. You have to educate them. The first thing they are going to educate them on is that they are not going to talk about senior citizens anymore. It is going to be active adults. That includes people all the way down to 55. It can include people 50 and over if you want to do that. Mr. Nicastro doesn't want to hear senior housing anymore. That gives a wrong connotation of what they are talking about. Vice Mayor Kurtz stated that 55 was a challenge also. The group of people that really want to benefit from this are older than 55; even 65. In talking with the Law Director, the reason it was made 55 is because there may be a spouse that is younger, then you would not qualify. If you are 70 and your spouse is 56 or 57, you would not qualify. The Vice Mayor does not think 55 is the right age. He would like to cater to people that are 65 or 70 or even 75 or 80. The reason they went with 55 was because if you have a spouse that is less than 65, you would not be allowed in. The Law Director said that 55 is less restrictive on many avenues, that being one of them. Vice Mayor Kurtz stated that their needs are for people older than 65. Mr. Nicastro stated that "gray-headed" baby boomers want the same thing they want. They want to lock and go. They want a little place where they have to live while they are working, and when they are on vacation they want to lock and go someplace else. The baby boomers are looking for this. The planners better start working on this thing. If you aren't going to cater to those people, that really deliver your income tax and stuff to this town; and they move out, you are losing out. Mr. Nicastro said they are not the only ones asking for what they are talking about.

Acting Chairman Shallcross stated that being one of those "gray-headed" baby boomers, he agrees with Mr. Nicastro. He would love to do that, and have a place like that. He knows a lot of his friends feel the same way.

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

Councilman Crooks stated that he thinks a survey and something that is market driven is one in the same. Or is that two different things. He sees them as the same thing. A market survey determines what the market will bear here so that we don't get 8% of the total number of households in Independence (inaudible). It is his concern for doing the survey in the first place, because he has talked to a lot of seniors who don't want to leave their homes. He just doesn't want to build something, and then not have their hands around the right number of people who would move in.

Acting Chairman Shallcross stated that it has to be market driven, and they also need to know the needs of the community.

A resident addressed Councilman Crooks asking when he talks to these people how many said they didn't want to move, and how many said they did want to move. Was there a percentage? Councilman Crooks believes that more than half wanted to stay in their homes; and the people who wanted to move out wanted to go to condominiums. The resident asked if what was being proposed would work for them. It is an active adult community. She said there are people who want to move out of their homes.

Councilman Crooks wants to know for sure. The resident stated that you would never know for sure. (Inaudible) She also addressed Mr. Narduzzi with regard to his comment regarding these houses for \$300,000. Mr. Narduzzi stated that he would not want to bring in 100 or so units at \$150,000. That would weaken the City. The resident asked why it would weaken the City. Mr. Narduzzi thinks the City does a lot to keep the value of homes up in this City. The resident stated that now that she is alone, she does not do well on ladders, etc. Mr. Narduzzi stated that if the City put together a comprehensive plan to take care of all of the small things, and the resident asked if she would have to pay someone. Mr. Narduzzi stated that she would have to pay somebody to do things in the little house. She stated that is okay because it would be little and smaller. Right now she has four bedrooms, and it is hard. Vice Mayor Kurtz stated that you have to keep in mind one thing, whatever wisdom or knowledge they put together, if they can't sell it to the people they are not going to have it. They should try to see if they can find something that everybody can live with. The Vice Mayor stated that everyone is committed; but ultimately it is not their decision. It is the people who have to weigh in on this. They should come up with something that is the least concerning, something that can benefit people; and they can demonstrate that. The Vice Mayor stated that they live in a pretty selfish society. The bottom line is if it is not for me, why should I vote for it. Unless I am going to benefit. The Vice Mayor stated that he has told people they might not need this today, but they will need it in a few years. They may benefit down the road. It is all about planning and coming up with the right product mix. That is the challenge. The resident asked how come other cities can have senior housing. The Vice Mayor stated that they don't have our zoning code. They don't have that provision of mandatory referral for multiple dwellings. Certain communities vote on some types of zoning.

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

Mrs. Guzi stated that if you give the people a definite idea of the house and the location and everything else, you will find out how many people are interested. Right now they are saying it's never going to happen. You people are negative on everything. Mr. Narduzzi stated that they aren't negative, they are just trying to make sure that what they get for them to vote on is what everybody wants. Mrs. Guzi stated that they know what they want, but Mr. Narduzzi just doesn't understand. Vice Mayor Kurtz stated that if everyone in this room agreed to something, and they said okay they could live with that, that is the goal. They all agree, and then they take it to the people. They still may turn it down. They are agreeing to the basic framework of that, taking it to the people. There is no disagreement on that. They are trying to sort out what is the most palatable. That is where you will find some disagreement. That's where they have to try to come to some sort of consensus, put it on the ballot and let the people decide. The goal right now is to see if they can reach something that is palatable. It can get defeated at the ballot. Mrs. Guzi stated that there are a lot of young people that aren't interested, and they don't vote for it. Mrs. Guzi stated that they are the people who are suffering. The Vice Mayor asked what Mrs. Guzi wants them to do about that. Mrs. Guzi wants it on the ballot and get it over. Just go ahead and say that you're going to build it and the heck with the ballot. Mrs. Guzi does not know why the seniors have to beg for everything. It is ridiculous. Vice Mayor Kurtz stated that with regard to the Kemper survey, it's not the survey that fascinates him; it's the comments that they received from the people of Independence. There is a certain faction that believes the City does too much for the seniors. Mrs. Guzi stated that the baseball fields and everything else around here is for the young people. Vice Mayor Kurtz stated that this is the argument you don't want to start. There are people in the survey that said the City does too much for the seniors. Then there are people that say the City doesn't do enough for the seniors.

Vice Mayor Kurtz stated that the goal is to try to come up with something that they can take to the people, that they can reach a consensus on, that can be the best for the future of the City. Ultimately, the people will make a decision. Mrs. Guzi wants them to have something definite to look at; where it will be and what it will be. Right now people say they don't know what the City is talking about. Mr. Narduzzi stated that this is what they are trying to achieve. Mayor Ramos stated that he has a different approach about these things. He has a different approach about downtown, he has a different approach about senior housing. Mayor Ramos stated that sometimes they make this a lot more complicated than what it is. This type of housing is happening all over northeast Ohio and happening all over the country. This is not the first senior housing development in the United States. He has to tell this to everybody so that everybody realizes that. Independence is probably 20 to 30 years behind other communities. Consequently, it is not a new concept. The Mayor thinks it is changing now because of the baby boomers

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

and things like that. The type of activities and type of amenities are changing because the baby boomers are more active and have different interests. Mayor Ramos' approach to this is if he had to do, start with a clean slate, he would find a reputable developer that has a lot of experience in this thing; set out a piece of property and say this is how many acres we need to work with. This is what we are thinking about as far as density is concerned. These are the things we would like to see. We would like to certainly make it pedestrian friendly. We certainly don't want to make this all concrete. We want walking trails. We want to make it for an active community. We could have several public hearings; let's massage it into some type of plan or some type of layout. Let's start talking about prices. Let's start talking about where the things would stand and how this would work. Then take it to the voters, and say that this is what it is. Do you like this plan? Let's go with it. If you don't like it, don't vote for it. Mayor Ramos stated maybe that's the problem; maybe that's why we've been debating about this issue since he has been involved in politics. That was 1983 or 1981. It is the same thing. We have been talking about this for 23 to 25 years. Maybe that is a different way of approaching it, and let's put it out there. Let's show a little diagram. Let's show little models so that everyone can feel it and touch it and look at it. Let's go forward. Mayor Ramos says that with the idea that you might not like the entire project. Maybe you would only like 80%; maybe you only like 70%. But that is okay. Mayor Ramos stated that this development is not going to be perfect. It won't give everything to everyone. If we take care of 75% of our needs in this project, that is pretty damn good. The Mayor thinks it is. It certainly is farther along than where we are at right now. Mr. Nicastro stated that 51% is good enough for him. Everyone began talking at once.

Mrs. Guzi stated that everyone should just remember that 30 years ago she didn't give a darn about senior housing. Everyone will get there one day. The problem with this town is that there is a bunch of young people who are in their 40's who have large houses and don't want seniors around; but in 30 years they will need something smaller. Right now the majority of the people who are going to vote will be younger people, and they don't want seniors. They haven't gotten to that point yet, but they will. Mayor Ramos stated that he thinks there are a lot of families in their 40's and 50's that their parents are living in Cleveland, Euclid, Willoughby, or Bay Village; and they would love to bring their parents closer here to be with their grandchildren. He can probably name at least 10 families that tell him that their mom lives on a certain street in Cleveland, and they are concerned. Their mom doesn't want to leave her house. They would love to have their parents move closer so they can see them more frequently. The Mayor thinks there are those families that are in support of this. Mayor Ramos stated that unless you go through with an ailing parent, unless you go through that process; you really don't understand it. He thinks there are a substantial number of families where their parents are going through that now. There is a better understanding of what the needs are in talking about senior housing.

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

Mrs. Guzi stated that on the other hand then you will say you can't do that because it's not in the Charter. So change the damn Charter already. Vice Mayor Kurtz told Mrs. Guzi that she has to do that. The Vice Mayor stated that it is the Constitution. They have to live with it.

A resident stated that she knows when she spoke previously she rattled on and on; but she wants to thank the Commission for listening to her. She gets so frustrated. Acting Chairman Shallcross stated that he was glad the Commission was able to relieve her frustrations.

Councilman Crooks stated that he has heard some reference made to younger people in the community, and them not being for senior housing. That may very well be true; but he also wants to say for the record that they would be foolish to perceive that there are not older people in this community who would vote against senior housing. There may be some young people who are against this; but let's not be foolish to think that it's just limited to young people who are voting against because it is not. Acting Chairman Shallcross stated that it is one of the unfortunate things, because it seems that if it's not for me, then I will be against it; and I don't care about the rest of you people. It is all about me. Like someone said earlier, it's me oriented. Mr. Nicaastro stated that they are only talking about 10% of the people. He expects 90% of the people not to want to move in there. He is talking about 10% which is approximately 240 people. That is all they are talking about. He stated that is just a start; if they do a damn good job, then they will have everybody's parents coming in here. That is the thing you have to guard against. They are talking about 240 people, 143 units. They have guys going out there saying that they are going to build 218 houses on Hillside Road. That's not true. We have to educate the people. They are taking about 10%. If they can't accommodate 10% of the people in the town that we live in, there is a problem.

Vice Mayor Kurtz stated that Mr. Nicaastro makes a good point. We should be cognizant of what the big stumbling blocks are; and one of the things that they have to be sensitive is if it doesn't benefit the Independence seniors, it is of no value to him or everybody here. The goal is to benefit Independence seniors. Because that is what the need is being developed for. Mr. Nicaastro agreed. Vice Mayor Kurtz doesn't want somebody outbidding one of his seniors for something that they created. It is a real concern of his. It has to be for Independence seniors, or they lose their advantage. Mr. Nicaastro stated that they can start with that, but the rest of the cities aren't concerned about that. When they build senior housing, it is open to the public. Mr. Narduzzi asked how many residents get served by that? Mr. Narduzzi asked how many Brecksville residents actually moved into their senior housing? Mr. Nicaastro didn't know. Mr. Narduzzi

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

wants to make sure that Mr. Nicastro's 10% get into their senior housing. Mr. Narduzzi doesn't care about the guy coming from outside of the city. Mr. Nicastro stated that they are talking about preferences, but they can only go so far with that. The Law Department will tell you that. Mr. Nicastro stated that they can have a preference list; once it is loaded, you can come up with a waiting list. When that waiting list gets smaller and smaller, and you have to fill that house; you have to look somewhere to fill that house. Vice Mayor Kurtz stated that is why he was talking the supply and demand formula for two reasons. One was to make sure that they don't saturate the existing housing market and cause a hardship. The second one was to service Independence seniors and have a waiting list. He thinks one of the members Mary Sekerak suggested and he agreed with; was how to create a seniority list. The Vice Mayor stated that he has had discussions on this. He thinks the best one is how long a person have lived in Independence. If you have lived here for 40 years, you have a higher rating than someone who has lived here for 25 years. That is fair.

Mr. Nicastro stated that you have to contend with the developer too. If he has room for five more; and then you'll say no one can go in there except for Independence people and you don't have an Independence person on the list, what will that developer do with those five houses? Vice Mayor Kurtz stated that is where you come to that crossroads. That's where you have to find that balance because they should have those five homes filled by Independence seniors. That is the goal. Vice Mayor Kurtz stated that finding the right mix and also having the developer accept that so he knows. It is not an easy solution. Mayor Ramos stated that he has a different philosophy about that. Once again, he doesn't want to be that restrictive. He would certainly want to give a preference. We're talking about housing. We are not talking about providing snow removal for seniors or services for seniors. We're talking about housing people. The Mayor guesses that when a developer comes in to propose a housing development, maybe we should just say that we should only be serving those people that live in Independence. That doesn't make any sense. Consequently, we are talking about housing. We are talking about basic housing. The Mayor is just afraid that if we start getting so restrictive, that the developer will come in and look at this and say why. First of all, why would a developer want to come here? For what reason? Because they can do this type of senior housing in Brecksville, Broadview Heights, Solon, Strongsville or wherever without all these restrictions; without all these parameters. What they can do is that they can do it on a market driven type of basis, and they can do a viable project. Once again, he is not certainly favoring any developers. The developer is not his concern. But at the same time, he certainly does not want to restrict it so that we almost exclude everybody to a fault. Let's face it, developers are here to make a profit. They are not going to be doing it to be charitable. Consequently, we have to turn this into a win-win situation. That is his concern. The Mayor would like to re-iterate, and he thinks that they are making this way too

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

complicated. He thinks that they just need to find a reputable, fine developer who has the experience, who has the track record, who has the reputation and credibility and the integrity, someone that the City wants to partner with and say okay this is what we are looking for. This is the land that we are looking at, this is the type of density that we would like to see; show us what you can do. The Mayor stated that everybody has a different way of approaching this issue, and he thinks that has been the problem.

Acting Chairman Shallcross stated that there has been some interesting comment made. You wouldn't want to restrict who could buy your house and only to someone who lives in Independence. He understands the need to try and service the Independence residents first, but in a free market enterprise that seems kind of off the wall in saying that you are going to build a senior housing development; I can understand giving preference to, but he can't see how you can be too restrictive.

Kathleen Kapusta stated that she would have to agree with that because while our first priority is to serve those seniors; we can't do that exclusive of not serving others. For instance, we just as well want to serve our 40 year olds who want to bring in their parents here. They are not currently our seniors, but they are part of our population – that 40 or 50 year old is. The other thing is that she would rather have a facility here as an option for our seniors even it means that we have to wait another six months to get in the next unit because somebody else was in there from Brecksville or wherever; than not have that as an option. If we have no entity here, then we have no options for them. One of the City's employees said so eloquently in going through the campaign with Betty Kemper, "I would hate to see if Garfield had said don't put your parent there when she moved her parents from Brunswick to Garfield and moved into Jennings". Another one said how would she have felt if they couldn't have moved their parents into Chippewa Place in Brecksville. For us to say that we can't take other people is really very selfish. The other concern that she has is that she believes everyone on the Commission and in the room respect the continuum of services for seniors. To be so shortsighted as to say that we can just hire more people to do things for them in their home is not respectful of the continuum services. She would stand in front of the Commission and say that Independence offers more services and more referrals to services to the Independence seniors than any other city in this county. So, we do that, and we still have people for whom that is not enough. Because one thing she cannot refer them is for somebody to come in at 9:00 at night and watch their favorite T.V. show with them or sit with them to have dinner on Sunday.

Councilperson Wisnieski spoke and stated that she found the Mayor's comments quite interesting about bringing in a developer or some type of professional. How would that

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

work in with the two pieces of legislation because it seems to her that there are still two separate viewpoints that have not been merged together. Nor does she see any melting of these two pieces of legislation. So, how would that work? Mayor Ramos stated that there are two ways to approach this. What we can do is we can sit as City officials and come up with an Ordinance and tell the developer that this is what they would like to see. Then the developer would have to work within this parameter. What the Mayor is suggesting is that we don't give them the parameters; we kind of say we are looking for senior housing on 20 acres behind Concordia. We are looking for continuum type of care. We would like to restrict it to so many units. Present to us what would work. In other words, what would work as far as marketability. What would work as far as financially. Because the Mayor finds it difficult to tell a developer that they only want 3 units an acre. This developer would say if he has to pay \$150,000 to \$200,000 an acre, and he can only build 3 units; that won't work. The Mayor would like the developer to make the proposal to them, and then for us to massage it together in partnership after public hearings and things like that. The Mayor is not looking to take the Ordinance to the developer. He is looking for the developer to come forward with a plan, then an Ordinance being created out of that. Councilperson Wisnieski asked "then taking it to the ballot"? Mayor Ramos replied "yes". She asked if that could be done in the amount of time that has been outlined. The Mayor stated that it could not be done in the time allowed. He thinks that there have been several developers or people in the senior housing market that have approached the City and said they are certainly interested in doing something here. He does not know if they could do that in a month or two; maybe they can. He guesses that it would be a challenge. He believes they did that with Kemper. It makes him uncomfortable because he doesn't want to rush through it and throw it on the ballot. That is his concern.

Mr. Narduzzi stated that if they go to the ballot in March and everyone is not on the same page; then what good is it anyway? How about if we give everyone the information they need, educate them in that process so that when it does go to the ballot, if it's next year, we would be way better off. Mr. Narduzzi knows that people are saying we are putting things off, but it has been to the ballot how many times and not gone anywhere. We are getting closer, but we are not there yet. Why wouldn't we do what the Mayor has just spoke of, getting a developer on board, being realistic about numbers and quantities that is feasible for the developer. Then we can see what we can even pass would be completed. We are all taking guesses on numbers. Mr. Narduzzi does not believe you can do a house for \$180,000. Mr. Narduzzi stated that in 15 years, what you build, you get what you pay for. So, it may look beautiful today, but in 10 years, when he is ready for this place; what has to be put into it, may be cost prohibitive. Mr. Narduzzi thinks that the more you spend up front, it will last for a longer time.

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

Councilperson Wisnieski stated that she wanted to pose the same question to Vice Mayor Kurtz. How do you propose that these two pieces of legislation are going to be merged to make something that can be taken to the ballot? Vice Mayor Kurtz stated that most of it was worked out within the first 20 minutes of this workshop. Councilperson Wisnieski asked “so we have one piece of legislation that is going to Council”? Vice Mayor Kurtz stated that it’s not going to go to Council. Council has to weigh in to. Everyone has to weigh in. They are going to get the Law Director to give them timeframes, they are going to attach timeframes, they are going to eliminate the nursing homes, because they determined that it is congregate and a developer could blend that in any phase. He doesn’t know if there are any major disagreements at this point. He thinks it has already been blended. The Vice Mayor thinks that the next step will be to have the Law Director get his summary list of any other disagreements. He is going to get that for us. He is going to get us a timetable, and then we are going to come back and meet at the next meeting. The Vice Mayor thinks it has been pretty much blended. They have a few outstanding issues, but Greg is going to give us an insight as to what our options are with those. Councilperson Wisnieski stated that then next month the Planning Commission and the people in this audience can expect a brand new piece of legislation. Vice Mayor Kurtz stated that he did not say that. He said that the Law Director will give the Commission a summary sheet and everybody is going to look at that and then be able to say here is the framework and ask if anyone else wants to add anything else to it. The Vice Mayor will take that same framework and give it to Council and have them weigh in at that point so that it is not a two step process; it becomes a one step process. Vice Mayor Kurtz’s vote would be to have next month the framework established with any disagreements, and then Council will get that same information that the Planning Commission will get and be asked to weigh in so they have any other debate that needs to be taken care of publicly. By October or November Council will have a weigh in. The Planning Commission will take everyone’s information and the Law Director will come up with a final version that has already been presented to Council informally. It should be then just a formality to go and prepare it for the proper time period to go to the ballot. By that approach, you have a chance to weigh in earlier rather than everyone else weighing in and all of sudden there are six more people stating that they want to change this or that. This is the way the Vice Mayor sees this thing developing.

Law Director O’Brien stated that he will provide a timetable. He can also merge the two ordinances which he has done before. At the front of that merging, he can provide at least what his notes show the consensus as the result of this meeting and previous meetings and identify what differences of the two ordinances are left. The Vice Mayor would like that given to Council and the Planning Commission and also the Senior Coalition. By the next meeting, we can further refine it to have a finished product that we can take in and digest. By November, we would be all set. The Law Director will get it to the Secretary of Planning so that it can be distributed.

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

Acting Chairman Shallcross stated that he has one comment with the active adult community. What happens when they get the legislation all done and passed and it goes to a developer who might think we are crazy. Do we need to go and have someone weigh in on this thing to see the feasibility of our plan before we even get there. Mr. Nicastro stated that is what the City has a Planner for. The Planner has already hinted to Mr. Nicastro what it should be. Mr. Nicastro stated that they are talking about minimum and maximum. He is sure that the Planner can come up with those figures. You are talking about no more than six units per acre. Mayor Ramos stated that maybe we should rely upon Jeff because of the fact that he probably has a good perception of what we are looking for, what our concerns are, what type of units, what type of City Independence is, the quality of construction, the type of density, the amenities; if he possibly could draw some type of parameters. The Mayor stated that he is in a minority on this thing. He is in a minority on how to approach the senior housing issue. He is in a minority when it comes to the downtown revitalization thing. He thinks it is market driven. He can draw some pretty pictures and tell you exactly what he wants, and what he wants the building to look like, how many units, what the prices are and everything else like that. It is not his money. Until he is putting down his money, and whether or not it is a viable project and whether or not it is something that is going to work, whether or not it is going to be feasible. Then you hear the comment why leave it to the developer. The developer is only in it to make money. Are you surprised? But there is no one else to do it except the developer, unless we find some non-profit agency that is willing to come to Independence to put senior housing in. Until that happens, we have to keep in mind that a developer will come in here and make a profit. He will have one interest and the City will have another. We need to merge these interests together to go forward with the project in the best interest of the City. That is what we are trying to strive for. The Mayor has been criticized in the past for that approach, but all he sees is everyone spinning their wheels as far as what we would like to see; not knowing whether or not it is viable.

Acting Chairman Shallcross asked Jeff Markley if it would make sense for him to do something. City Planner Markley stated that we are basically pulling numbers out of the air. The Mayor said something about not necessarily having parameters, but give it to a developer and have him give us their thoughts. City Planner Markley thinks that the parameters that have to be established is the area with which we want to develop this project. It is housing. Let's not forget the very basic component of what this is. It is just another alternative to the housing market that the City is willing to offer. They are going to allow this into the community. He wants to try to bring back that premise and say that it is simply housing. The parameters are this area; then we can start. It may go back to taking a look at the other communities and what they have done that we like. Do we like Chippewa Place, do we like Hillbrook, there are number of other areas that we can look

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

at. If these are the ones that the group is comfortable with, then we can start analyzing the densities and analyzing the distance between units. That is when the City Planner can be most effective in helping design that plan. At that point the developer will also be right there in the mix. They can fit the plan that they like, and the unit that they like and the style of architecture that they like into a site that is going to work for us. We have to get past this real basic issue of do we want this alternative form of housing in our community or not. If we do, and can identify what we like, we can find a developer to come in and fit that into a footprint. Will congregate living fit up by the downtown redevelopment area and not have the active component? Maybe it won't, but will it fit somewhere else within that corridor. City Planner Markley can come up with the specifics, but it would be limited; and he doesn't know if it behooves this Planning Commission to come up with a more specific plan than what we have already indicated here. To the point of the survey, the Vice Mayor had mentioned the concerns of market saturation of homes. That is an interesting point, and it is something that the seniors who are willing to buy a new active adult home should be very cognizant of because if this is done well and we find something we really like and it does fit in the area that allows connection the downtown; you may very well get a flood of buyers which makes it then a challenge to sell the homes because suddenly there are 30 or 40 homes on the market all very similar. It is something to be cognizant of. With regard to the survey, you don't want to take a lot of time doing this. That is why they initiated the detached housing component first because it seems that they could go ahead and develop there and move beyond.

Mr. Nicastro stated that the thing he wants everyone to remember is that they are sitting out there wanting something and sometimes we don't know exactly what we want. So, they rely on the City's input on this thing. You guys have to come up with the total parameters are. Acting Chairman Shallcross doesn't want to make this legislation so limited that if a developer comes in he will say that he can't do this. Then you would have a hard time finding anyone to build this.

Vice Mayor Kurtz stated that the only component of seniors that has to go to the ballot is housing. The highest priority to him is senior services. The real question is how do we tie in all the senior needs together. That is where the care aspect is important. The only reason to go to the ballot is because of that housing component.

Mrs. Guzi stated that while all of the group is planning and talking and deciding on what you want and don't want, we have 130 houses in Independence that are rented out. Vice Mayor Kurtz asked about the figure and where she came up with that number. Mrs. Guzi stated that she heard that number. If you have people that are renting their homes, you can't possibly know what kind of people are coming in here. If you are so worried about

**PLANNING COMMISSION WORKSHOP MINUTES – CITY OF
INDEPENDENCE, OHIO
SEPTEMBER 4, 2007**

who are going to come into Independence, how can you do that? Acting Chairman Shallcross stated that they can't regulate who rents or buys homes. He stated that the whole area, and the whole country is in a depressed housing market. She stated that she sees signs everywhere. The Vice Mayor needs to get some good information to find out.

Acting Chairman Shallcross stated that there will be another workshop scheduled for Tuesday, October 2, 2007 at 5:00 p.m. In the meantime, the information will be provided to the Planning Commission, Council and the Senior Coalition showing the differences with regard to the two pieces of legislation.

A motion was made by Tom Narduzzi, seconded by Mayor Ramos, to close the Planning workshop at 6:25 p.m.

**ROLL CALL: Yeas: Narduzzi, Ramos, Shallcross, Kurtz
 Nays: None
 MOTION CARRIED**

Acting Chairman Jack Shallcross

Debi Beal, Planning Commission Clerk
Minutes Unapproved at Time of Release 09/07/07