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Lyndhurst, Ohio  
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The Planning Commission of the City of Lyndhurst met in Special Session on Wednesday, March 8, 2017 at 7:30 p.m. in the Lyndhurst Community Center, 1341 Parkview Drive. Mayor Patrick Ward, presiding.

Members Present: Commissioners: V F DeCrane, D J Sirk,  
T S Kravitz, D A Frey, P A Ward

Others Present: P Murphy, Director of Law  
J Maichle, Building Commissioner  
C J White, Secretary  
L A Schlessel, Council Alternate

It was moved by Mr. Sirk, seconded by Councilman Frey that the reading of the minutes of the Regular Meeting held September 22, 2016, copies of which were mailed to all members, be dispensed with and said minutes stand approved as circulated.

The question was put to a voice vote and passed unanimously.

Motion carried.

#### **5443 Rae Road**

**Review request of Marc H. Cohen of North Coast Architects, Inc. on behalf of Progressive Lyndhurst Real Estate, LLC for a Conditional Use Permit to construct and operate a nursing home and assisted living facility in a ten thousand square foot single family zoning district.**

Mr. Eitan Flank, Manager and Project Developer of Progressive Real Estate, and CEO of Progressive Quality Care, introduced the following people:

Marc Cohen, North Coast Architects;  
Carl Holbrook, Corporate Director of Operations;  
Mr. Hamilton, Regional Director of Operations;  
David Hopmeyer, Legal Counsel

He then stated the Flank Family has over fifty years of experience in Assisted Living and Skilled Nursing facilities. He stated that the proposal includes an eighty (80) bed skilled nursing facility and thirty-eight (38) assisted living units. He further stated the name of the facility will be the Avenue at Lyndhurst. He explained that there are three Avenue models of their nine (9) buildings. He stated that this is not an institution, but residential focus building, with private rooms and showers, private dining, and different meal seating times, or the residents may eat in their rooms. He also stated he would work with the residents, city council and planning commission to design the landscaping in a way that would aesthetically pleasing to the

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neighbors. He explained that some of his other facilities are in neighborhoods similar to this one; the buildings are designed to fit in aesthetically. He also stated this proposed building includes three (3) indoor courtyards. He also stated that there will be a water retention pond which will slowly release water into the community but be dry ninety percent of the time.

Mr. Marc Cohen, President of North Coast Architects, stated he is requesting a Conditional Use Permit for a Nursing Home/Assisted Living Facility in a Ten Thousand Square Foot Single Family zoning district. He stated that there are approximately eleven (11) acres, on which a one hundred eleven thousand seven hundred eighty-three (111,783) square foot, one story building will be built with eighty private residence suites and thirty-eight (38) one bed units. He then stated that the corporate offices will also be located in this facility. He further stated that this proposal meets or exceeds all the zoning and building requirements. He stated the building is twenty three point thirty-one (23.31) percent land coverage, and the zoning code allows for thirty –five (35) percent. Lot area per dwelling unit required is one thousand seven hundred fifty (1750) square feet, this proposal shows four thousand (4,000) square feet per dwelling unit. He then stated that there is fifty-seven (57) feet from the right of way to the porte-cochere, but to the actual base of the building is one hundred seventeen (117) feet from the right of way; the east side will have a setback of eighty-seven (87) feet and the west side will have a setback of eighty-eight (88) feet, the rear setback is shown at one hundred fifty-eight (158) feet. He then stated there will be two (2) entrances, one aligns with Sunview Road; there will be parking across the front, and along the eastern portion of the site, with a total of one hundred thirty-eight (138) parking spaces, which takes into account the overlap of shifts. He then stated that the trash enclosure will have six foot eight (6.8) inches high masonry walls with solid wood gates. He then stated Fire Department access road is towards the rear and to the west side of the lot, and hydrants will be added. He then stated the detention basin is located on the west side of the property to manage all rain water runoff, and will release the water in a managed flow into the system. He further stated he will work with the city engineers and the civil engineer to comply with the strict requirements for storm water management.

Mr. Cohen stated that the site will be professionally landscaped with a combination of deciduous and evergreen trees and shrubs. He further stated that extensive landscaping and three (3) to four (4) feet in height of mounding is shown at the perimeter of the property for screening. He then stated there will be planting throughout the property. In regards to the parking lot lighting plan, Mr. Cohen stated that has not yet been designed; however, there will be full cut off fixtures to eliminate any lighting spill into the neighborhood. He then presented proposed samples of building materials and colors to be used; brick and stone veneer, vinyl siding, asphalt and roofing shingles. He stated so that the proposed building fits in aesthetically with the surrounding neighborhood, residential details and elements will be added to the building, such as gabled and hip roofs, window and corner trims and overhangs. He then addressed Chapter 1156.03, requirements for a conditional use permit, stating that the proposal meets or exceeds all criteria in A through I. He further stated that the proposed facility will allow residents to remain in the community, close to family and friends; The Avenue at Lyndhurst will be a good neighbor and a good fit for the community.

Mr. Sirk stated that he concurs that all of the conditional use requirements have been met. He questioned the transitional area between uses, as cited in Chapter 1160. He then asked the

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architect and developer of any lessons learned while building these facilities in other areas, in regards to fencing around the perimeter or mounding with landscaping.

Mr. Cohen stated that it is preferred to use landscaping instead of fencing when possible; it seems to be more residential in character and less institutional. He then stated that some residents in other communities, and he overheard some residents speaking here, that the residents who live in close proximity to the retention pond would prefer a fence in lieu of landscaping; he further stated the company would let the residents decide.

In answer to Mr. Sirk's question regarding the retention pond, Mr. Cohen, stated that on this proposal is the preliminary layout of the location of the retention pond. He further stated that the actual design and the required depth has not yet been determined.

Mr. Sirk stated that if possible, he would rather see a swale or swales across the expanse of the property instead of one large retention basin.

Mr. Cohen stated that storm management will be studied.

Mr. Sirk then stated his concern regarding the position of the proposed building. He stated that although it meets the required setback, it is positioned just off the setback line at Rae Road, and feels it should be set back further on the property.

Mr. Cohen stated the reason the proposed building is positioned towards the front of the property, but still within the front setback requirement, is due to a more than twenty (20) foot drop from the northeast corner to the southwest corner. He further stated that due to the use of the proposed building, everything has to be at one level.

Mr. Sirk stated his concern that most of the parking that abuts the residential areas is facing inward. He then asked if all parking could face inward, in particular the double aisle in at the rear of the property, and the potential that the proposed rear parking area be on the opposite side of the property. He then stated that if there is a shift change in the middle of the evening, cars would not be shining their lights into the residential neighborhood. He recommended that the fire department access road area, additional parking be added, so that the parking field adjacent to it could be tightened up, which would allow the proposed building to be set further back from Rae Road.

In response to the location of the parking as it pertains to car lights, Mr. Cohen stated that taking into consideration the grade drop off along the back corner and the mounding will alleviate much of the vehicle light overspill.

It was stated that the night shift which is 7:00 p.m. to 7:00 a.m., is the smallest shift; about eight (8) to ten (10) people. However, a restudy of the parking areas will be conducted.

In regards to the Fire Department access road, Mr. Sirk asked if the layout was due to discussions with the Fire Department.

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Mr. Cohen stated he has not had conversations with the fire chief regarding the access road.

Mayor Ward stated that he has had conversations with the fire chief and the fire prevention officer regarding the access road, and the stub may have to be reoriented more into the corner to make it a bit longer for backing out.

In answer to Mr. Sirk's question regarding the placement of the parking area towards the rear of the lot, Mr. Cohen stated the parking area was set up that way because in the future, they may request an addition.

Mr. Sirk then suggested that some type of impervious pavement be considered for that parking area.

In answer to Mr. Sirk's suggestion regarding the impervious pavement, Mr. Cohen stated that although those types of pavements look good at first, they do deteriorate somewhat quickly, and it takes a lot to maintain those pavements.

In answer to Mr. Sirk's question regarding future plans to connect the property to Blanchester Road, Mr. Cohen stated there are no plans to connect to Blanchester Road.

Mr. Sirk asked if any studies were done in regards to property values of the surrounding neighborhoods. Mr. Sirk commented that although one would think that property values would decrease due to a facility such as this being built in a residential area, he has read that the opposite has happened; property values have increased due to an assisted living facility being in the neighborhood.

It was stated that a study was done in regards to property values at the Medina facility, and that study will be submitted. He also stated that this proposed facility would bring jobs to the area as well; the draw for jobs is within a three (3) mile radius.

In answer to Mr. Sirk's question, Mr. Cohen stated that the code requires one parking space per two (2) units of four beds. He then stated that based on the number of employees, anticipated visitors, and residents, they have used the number calculated from other facilities, which will be less than one hundred and thirty-eight (138) spaces.

Mr. Sirk clarified by stating that he would like to see the parking reduced, that the proposed plan is at the minimum required to operate the facility.

Mr. Cohen stated that possibly six (6) or eight (8) parking spaces could be eliminated. He then stated it is his intent to deter parking on the city street.

Mr. DeCrane commended Mr. Cohen on the proposed plans in how it complies with the zoning code. He recommended that some type of sprinkling system be added to maintain the landscaping. He then asked if large equipment can access the courtyards for maintenance.

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Mr. Cohen stated that a sprinkling system will be added for the maintenance of the landscaping. Mr. Flank stated that the courtyards/patios will be professionally maintained as well, as they are the key features of the facility.

In answer to Councilman Frey's question regarding trash pick-up, deliveries and snow removal, Mr. Cohn stated that trash pick-up is generally between 7:00 am and 4:00 pm; deliveries are within the same time frame. In regards to snow removal, he will find out when that would be, which would more than likely be before the shift change at 7:00 am.

In answer to Councilman Frey's question regarding length of stay, Mr. Flank stated rehab patients are in the facility approximately thirty (30) to forty-five (45) days.

Mr. Kravitz asked about the maturity of the landscaping features.

Mr. Cohn stated that the proposed evergreen trees shown are six (6) feet in height at planting, ornamentals will be four (4) feet in height. He then stated that most of the bigger trees are based on caliper size, and he isn't sure how caliper size relates to height. Most tree plantings will be two (2) to three and a half (3 ½) caliper.

Mr. Sirk stated that the amount of parking spaces is in excess of the code requirement, and would like to see more green space, and less parking as long as it is within code. He then suggested land banking the parking spaces. According to the code, the parking requirements are as follows: one space for every two (2) rooms would be fifty-nine (59) rooms, the maximum parking spaces for employees would be seventy-five (75) in total that equals one hundred thirty-four (134).

In answer to Mr. Sirk's question regarding the facility owning and keeping on site a commercial vehicle such as a bus for transport, Mr. Holbrook stated there may be a small bus, possibly fifty (50) percent of the time, for transport to activities. He then stated that an ambulette is sometimes used to transport patients to doctor's offices. He also stated that private ambulance companies are used so as not to drain the city's resources, he then stated that in dire emergencies, the Lyndhurst Fire Department would be called.

Mr. Sirk then reminded the company that commercial vehicles are prohibited in residential zoning, and that a variance would have to be requested.

Mayor Ward reiterated the drop in elevation from the northeast to the southwest corner of the property, and that fact that there is no storm management on the property at this time. He then stated that the landscaping and the landscape buffer is quite extensive on the proposed plan, and it would be up to the community whether or not to put a fence up in addition to the landscape buffer. In response to the questions regarding ambulances, Mayor Ward stated that the Avenue at Aurora had very few EMS runs, and Medina Fire Department will be contacted tomorrow in regards to how many EMS runs the fire department had responded to in the last two (2) years. He also stated that generally, there are lights but no sirens when the Lyndhurst Rescue Squad drives down side streets.

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It was moved by Mr. Sirk, seconded by Councilman Frey that this item be tabled pending further information from the developer and the architect.

Roll Call:      Yeas: DeCrane, Sirk, Kravitz, Ward, Frey.  
                     Nays: None

Motion carried.

It was moved by Mr. Sirk, seconded by Councilman Frey that the meeting be adjourned.

The question was put to a voice vote and passed unanimously.

Motion carried, meeting  
adjourned at 8:40 p.m.

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Chairman

Approved: \_\_\_\_\_

Attest: \_\_\_\_\_