



CITY OF OLMSTED FALLS  
PLANNING AND ZONING COMMISSION  
MINUTES  
JULY 17, 2024  
7:30 PM  
COUNCIL CHAMBERS

Commission Members Present: Brett Iafigliola, Brian Chitester, Michelle Hawkins, Heidi Meehan, Randy Abood, and John Campbell. Audience: 29. Garry Thompson was excused.

Chairman Brett Iafigliola called the meeting to order at 7:30 p.m.

**1. Planning & Zoning Case # 14-2024** - A request by Nick Sommer representing Ryan Homes and Suhail Land Development, for approval of amended architectural plans for Smokestack Trails MUTND pursuant to Section 1260.07(h).

Nick Sommer, 6770 Snowville Road, Brecksville, Ohio. Mr. Sommer stated that he has six floor plans approved for Smokestack Trail, the Stapleton is the only first floor master two story approved but the performance of this home has not been good. The company is looking to make this model obsolete, but he could extend it to this community. The successor would be the Anderson model and he is present tonight requesting that the Anderson be approved in lieu of the Stapleton model. Mr. Iafigliola asked what the main difference is or just that it is not selling. Mr. Sommer stated that the square footage size is roughly 150 square foot so the Anderson starts at a smaller square footage with an option to increase to a similar square footage of the Stapleton. Mr. Iafigliola asked if the Anderson still maintains the first-floor master. Mr. Sommer replied yes. Mr. Iafigliola asked if the basement was standard or optional. Mr. Sommer replied the Anderson model has a basement and all of the models are basement standard. Mr. Iafigliola asked if this model also has a 2-car garage standard. Mr. Sommer stated yes, the biggest difference is that the Stapleton has porch forward and the Anderson does not, but he is proposing that there will only be full front porches on any Anderson model and no half front porches. Mr. Iafigliola asked how the porch situation was handled on the Stapleton model. Mr. Sommer stated that it was a non-issue because the garage was non-prominent. Mr. Iafigliola stated that there is obviously an appropriate mix but at some point you become plain which is another issue. Mr. Sommer stated that we can't have the same elevation on either side of the models, across the street or diagonal, but if this is a popular model he would like to have the ability to not limit it.

Mr. Smerigan stated that he does not think there has been a substantial change in terms of the quality of the look. As you in this district the Commission approves all the architectural treatments as part of the package, and he thinks this is consistent with the rest of the package. All the Commission is really doing is substituting one house design for the other which is very similar, and he would recommend approval.

Mr. Iafigliola asked what the smallest square footage would be for the Anderson model. Mr. Sommer replied 2259. Mr. Iafigliola asked what Stapleton's square footage was. Mr. Sommer replied roughly 2400. Mr. Iafigliola asked if the Anderson could be upgraded to

something larger at the buyer's discretion. Mr. Sommer replied yes. Mr. Iafigliola asked if Mr. Sommer was willing to maintain full porches on all the Anderson models. Mr. Sommer replied yes. Mr. Iafigliola stated that as Mr. Sommer knows our code has verbiage regarding front loading garages and to keep the various looks and feel and having a full front porch he thinks is a reasonable mitigation.

Mr. Iafigliola moved to **approve** the amended architectural plans for Smokestack Trails MUTND pursuant to Section 1260.07(h) as per revised architectural submittal any option with the Anderson model will have full front porches; Mr. Abood **seconded**. Poll: 6 ayes; 0 nays. **Motion carried.**

2. **Planning & Zoning Case # 11-2024** - A request by Olmsted Real Estate LLC, owners of property located at 2580 Elm Street, and further known as Permanent Parcel No. 281-17-014 consisting of 1.88 acres for a proposed zoning map amendment to rezone the property from P-2 Professional Office / Multi-Family District to P-1 Professional and Medical District.

3. **Planning & Zoning Case # 12-2024** - A request by Olmsted Real Estate LLC, owners of property located at 2580 Elm Street, and further known as Permanent Parcel No. 281-17-014 for a Conditional Use Permit to operate an in-patient addiction treatment rehabilitation facility and a geriatric psychiatric hospital in a P-1 Professional and Medical District.

Mr. Iafigliola stated that since agenda items 2 and 3 are essentially the same the Commission is going to consider and discuss them together.

Steven Larson stated he is an attorney at UBGreensfelder, 1660 W 2<sup>nd</sup> Street, Suite 1100, Cleveland, Ohio. Mr. Larson stated that Ken Assiran and Chason Archuleta are present, and both are representatives of the property owner Olmsted Real Estate.

Mr. Larson stated that he is present on behalf of Olmsted Real Estate who owns the assisted living facility and memory care center also known as Symphony at Olmsted Falls. The building is a two-story 34,000 square foot building on a 1.8-acre lot. We are seeking a zoning amendment change from a P-2 Professional Office/Multi-Family District to a P-1 Professional and Medical District, along with a Conditional Use Permit for our proposed uses. The proposed uses are a geriatric psychiatric hospital with or without a assisted living component and a in-patient detox/outpatient addiction treatment rehabilitation center. The property was constructed in 2000 as a personal memory care/assisted living facility formerly known as Kemper House, currently licensed for 60 beds and 44 units, currently our occupancy is about 70%. His client has owned this building for a number of years and since COVID in 2020 the demand for the current use as an assisted living/memory care center has significantly diminished; a lot of facilities, including ours, have experienced significant vacancies and these facilities need to run at about 90% to 95% occupancy to essentially keep the doors open. My client has been averaging around 70% occupancy for a number of years. The decrease in demand is partially due to the fact that in the 90's and early 2000's these types of facilities were significantly overbuilt. In this region there are

roughly 10 within a five-mile radius and all of them are also experiencing the same types of vacancy issues but at different levels. To compound that fact, we have a significant increase in labor costs and labor shortages which are correlated. These facilities require a significant number of aids to assist the residents who live there, some is regulatory and mandated by licensing agencies, so you have to have "x" number of aids. This work is low pay and labor intensive; you are also dealing with people in intimate fragile moments. You also have a lot of other options that are significantly paying more than they used to, for example, warehouse and food service jobs that are paying much more than minimum wage so they are taking the jobs that are less labor intensive and less physically demanding. Due to the labor shortage we have to deal with significant labor cost increases to fill those positions and if they are at risk of falling low on the number of aids they have to use a staffing agency, and those costs are probably 150% higher than the typical wage. Also, there is the standard inflation on food, linens, utilities and everything else they pay have significantly increased; whereas the cost to live in these facilities is not able to increase to keep pace with inflation. The costs for a typical assisted living facility stay is approximately \$78,000 a year and these are not Medicare covered facilities, so they are generally out of pocket personal pay. There are a couple of residents, he assumes, that probably have long term care insurance, but that product is not offered anymore, and most companies went bankrupt. A large majority is private pay which is extremely expensive for seniors on a fixed income and not something that all of senior citizens have available as an option. The median income, for example, within a 15-minute drive for people 75 and older is just under \$40,000 a year, so those numbers don't balance. His client's goal is to keep the building open and provide a use the community can benefit from and to keep its employees and people in need of the services they want to offer.

We are proposing two uses, the geriatric psychiatric hospital is a support hospital for local assisted living centers and skilled nursing centers for geriatric patients who are experiencing some sort of mental health issue which usually arise from medications they are on for Alzheimer's, Dementia, and Parkinson's. Some of these medications can create psychological issues that need highly specialized care and there are only 30 beds within a 10-mile radius. Given the design of this facility it would make a great geriatric psychiatric hospital meaning it is already secured as patients are not able to leave and these types of security's need to be in place for geriatric psychiatric, as well as a number of upgrades that his client will discuss on the interior of the building. The demand is growing significantly in this area as the baby boomer population ages and according to the CDC roughly 20% of older adults have a diagnosable psychiatric disorder and there are not a lot of options for treatment at this point.

The other use his client is contemplating is an in-patient drug and alcohol treatment facility. The building can support two uses since there are two floors and they have different licenses and requirements. The ultimate goal is to find the best uses of the building as its constructed to keep it operational, so it is an asset for the community and to keep the tax base and employees in town. The alcohol and drug addiction treatment works typically as a 30-day program, patients come in and go through a 14 day detox program, then they maintain a stay of two to three weeks during which time there are counseling sessions and therapy. There are all sorts of mental health related treatments to help them deal with their addictions.

There are essentially two prongs that the zoning ordinance requires us to show that we meet in order to qualify for the zoning amendment. The first prong is does this use or uses fit with the comprehensive plan and provide a benefit to the public health, safety and welfare of the residents. The proposed use does fit within the comprehensive plan; the future uses outlined in the plan contemplate revising the mixed-use traditional neighborhood, which is to the west of the property, to an I-2 Industrial area and turning the mixed use traditional neighborhood to the south to a P-1 Professional and Medical District, which is the same designation we are seeking. So, across the street the future uses already contemplates adding this P-1 designation and from our perspective this is transitioning from a P-2 to a P-1 fits within that plan. The discussion about whether this is a benefit to the public safety, health and welfare of the community, research shows that lack of access to treatment options for people suffering from addiction whether its opioids or drugs and alcohol is harmful to a community when they do not have access nearby their homes. There is a significant need throughout the country in Cleveland and Cuyahoga County for additional treatment facilities in this area. After researching the area we were not able to locate any specific in-patient treatment options within a few miles, there are some treatment options at Southwest General for counseling but not any in-patient options. As you know Ohio has a significant addiction problem particularly in the opioid section, we are the 7<sup>th</sup> highest rate for overdose mortality; Cuyahoga County has an average of 2500 EMS response events mentioning Loxin administrations, which is what they use to combat overdoses. There is an average of 500 deaths in the county each year from opioid addiction and these stats do not include any sort of alcohol related incidents or the negative impacts that has on a community. As you know alcoholism often lives behind closed doors a lot easier.

Regarding the geriatric psychiatric is there an impact to the public benefit safety and welfare of the community. This would be an immediate benefit to the area particularly the neighbor, which is another assisted living facility, not affiliated with his client, and there are 10 other facilities in the area, having access to a geriatric psychiatric hospital that close would make things significantly easier for these facilities and residents to get the treatment quickly. The second prong we need to address for a zoning amendment is that the uses will not negatively impact the economic welfare of the community which is generally outlined as the police, fire and schools, he is not going to discuss schools as they are not applicable. From a safety perspective rehabilitation patients are actively seeking help for a problem they have and usually come with family or friends to get help for something they lost control of. We have not seen safety issues in our communities and we have had discussions with a number of operators of other facilities and they do not see any sort of material impact on the local area or on their facilities. Generally, most patients stay for the entire duration and when they leave they sometimes fall back into their addiction and it is not uncommon for people to come back two, three or four times but these issues do not happen at the facility. We have done a lot of research into studies on what are the impacts in the communities and how it impacts the residents around them. Multiple studies have shown that just increasing access to facilities has a statistically significant reductive affect on mortality and crime. One study showed expanding access to substance abuse reduces local crime particularly financially motivated crime; another study determined that adding an additional treatment facility to a county reduces the number of alcohol related mortality by 15% and without patient treatment services that increased to 26%. There is a study by

Johns Hopkins done in 2016 that went into a detailed analysis on what is the impact on crime, does it bring in bad elements and they found that addiction treatment centers do not negatively impact the communities they are in anymore than commercial businesses such as a convenient store or a typical commercial business you might have down the street. His clients are very aware of the sensitivity and concerns of the residents and the community with this type of treatment facility. They will have extensive security policies in place which include heavy admissions screening to ensure that the people coming here are not a danger to themselves or anyone else and are here for treatment purposes to get better. They have policies in place for patients who are leaving, particularly when they leave against medical advice. When they leave after completion of the program it is usually a happy event and family or friends pick them up and are excited. For patients that do leave occasionally against medical advice are not ready for the program. The rules are that they cannot leave without a place to go which means having family or friends pick them up; if there is no one to pick them up having transportation arranged for them so that they are not walking onto the street when they leave. My client also plans to make sure there is significant security features around the property with security cameras on the exterior of the property. If the use is approved they will meet with the police chief to discuss any concerns or suggestions they have. One of the other concerns he knows that is of issue is what this use would do to traffic. We do not expect any increase in traffic; a large portion of the assisted living and memory care traffic is the employees which is roughly around 50 people. These uses generally have less employees but are usually higher compensated; so we expect to see a reduction in the number of employees driving back and forth. The current use as assisted living allows visitors 24/7 although most visitors usually come between 7am and 7pm. The visitation policies for the addiction treatment center and the geriatric psychiatric are generally different patients going through detox either on the alcohol and drug side or what we call detox on the geriatric side where they take them off medicines and put them on new medicines, during these detox phases there are no visitors. After that period of time on the geriatric psychiatric side you generally have immediate family or caretakers come to discuss and learn about the new medicines; on the drug and alcohol side you may have group therapy sessions or family therapy sessions so you may have visitors coming to see patients usually in the late afternoon or early evening hours, but these sessions usually do not involve more than a few people.

As to how patients arrive on the substance abuse side, they are typically dropped off by family or friends, sometimes a ride share program, or occasionally they drive themselves but cannot leave the property during their treatment, unless they voluntarily withdraw at which time they must have transportation to leave the area. As currently designed the property has ample parking so there will not be issues with street parking. He stated that patients for geriatric psychiatric arrive by transportation from the facility they are at whether it is an assisted living, skilled nursing or a hospital setting they generally arrive by transportation arranged through it which could be ambulatory but no sirens because they are not an emergent care center. They would be a detox and medication mental therapy center so the number of ambulances and traffic would be expected to be less than now because at assisted living there are falls and health issues that happen.

Mr. Iafigliola asked if Mr. Larson would allow the audience to speak to determine what their concerns as it might be better to hear specific concerns to address them when he has the opportunity to speak again.

**Frances Gardner, 3905 Oberlin Avenue, Elyria, Ohio** stated that with him are his colleagues Amy Sanfilipo and Heather Johnson. We are from Sprenger Health Care and we are the company which operates the next door neighbor, we are the facility next door. We are here because we want to voice our concern about this project and our objection to the granting off either the zoning change or the granting of a conditional use permit. Anything that is going to involve a drug and alcohol rehab facility on this property is very problematic to us and our use of our building and property and we want the Commission to understand this. So, he knows that a plat was presented but he is a visual person and he wanted the Commission to understand what this property looks like in relation to ours. He gave the Commission two aerial photographs; one is from Google Maps which shows his property on the left side and immediately on the right is the building being discussed this evening. As you can see we are virtually on top of each other, we share asphalt. His assisted living facility has 36 elderly vulnerable residents of Olmsted Falls who live in the building and is car lengths away from the building being discussed. The second photo is the plot from the county records showing the size of the actual lots and our property extends all the way to almost the side of the building being discussed. All the parking is basically on his property and some of the landscaping. He has never been able to find an easement but he thinks we have always peacefully co-existed the years that we have been here together. He believes the memory facility began operating around 2016 and is when they purchased the facility and started operating assisted living. We also made an additional investment in the community and built a 36 bed skilled nursing on the left side of our property. We have an investment here and a stake in how this land is going to be used and how the building is going to be used. Our biggest concern is the zoning code Chapter 1264.02 lays out the specific criteria for the granting of a conditional use permit and he thinks the one that is most important to consider is how this use would affect his property and other properties which are immediately in the vicinity. Since we are mostly in the vicinity it obviously matters to them. The requirement would be that the use couldn't be hazardous or disturbing to the use of the properties as they are now or in the future. We maintain that this use as proposed is going to be not only disturbing but hazardous to his use. We have elderly residents who go in and out of our building all the time on that side of the property. They like to sit out in front, we have a patio in the back, we have our employee entrance but its mostly the residents that we are concerned about. Their families come and take them out they use the front door that is on the same side. If there is a facility that is going to have drug and alcohol rehab they are going to be different types of residents than the memory care residents that we have as neighbors next door. It is not that we do not recognize that there is a need for these facilities it's just that the location is important and this is not the right location for that kind of use. Our residents like to walk and be outside so this proposed use mentions that there is going to be an outpatient component so that means people going in and out for their outpatient visits and that is going to be a significant hazard for our residents who use the building. It will also be a diminution in value for us because we are pretty sure that we will have families who are going to say that they will take their residents out of our facility. We know it will affect our marketing and future business because we are not going to be able to get the same

number of residents that will be interested in coming to live there and if you think for a moment yourselves if you were helping your parents choose an assisted living facility and you have choices in the community would you pick the one with the outpatient and inpatient drug and alcohol rehab a couple of car lengths away, we do not think so. We believe that clearly this will diminish the use of our property and value of our building, if we cannot use it the way we are using it. He stated that their use has been very successful; we have 38 spaces in the assisted living and 36 of them are filled and our skilled nursing has also been very successful. We have been talking about the assisted living because there was mention in the earlier presentation about how these facilities are all failing and that is not true for them. We have been very successful here since 2016 and thinks actually that this facility has been more successful as a memory care facility than is being represented because he thinks they have had a pretty good occupancy lately, according to what is reported. So, the point is what is paramount to this Commission, the public health, safety and general welfare of the community is what counts with respect to a zoning change and also counts with respect to granting a conditional use permit; we feel those things are at risk with the proposed use and we ask that they be denied.

**Brian Ashley, 7741 Mapleway Drive**, stated he purchased his home in August of 2017 and the first thing his realtor showed them was the back yard and green space all the woods there with the retired community behind that. We were never told that there was an expansion in the works, title company never said anything, we did find out when we came home one day and the trees were being ripped out of the ground with flags all over the place that this was set in stone seven months prior to him purchasing the home. They were pretty upset and one of the reasons they purchased the home was the view in the backyard. After the expansion, last week his six year old daughter was playing in the back yard and when he went outside with her in a window that is parallel with his patio door there is someone receiving a sponge bath with the blinds and window wide open. His wife called the next day to file a complaint, they were very apologetic. There are people that roam around the back and people staring at his children playing in the backyard and swimming pool. They stated that they did not have any intention of installing a fence, we never had any intention of installing a fence because of the woods. When it comes to the geriatric psychiatric treatment center, he has PTSD and has been to a few facilities and two of them he witnessed people escaping. The first place he went to last year there was a lady there who gave birth and was there for postpartum and somehow she escaped the facility and was found in the parking lot. This is not something he feels comfortable with he does not feel safe for his children, he has three small kids. He knows first hand as he grew up in a bad neighborhood and has a lot of family and friends that are drug addicts and alcohol abusers and they have never willing went to a facility, not once, they do not want to get help, the majority of the time it is court ordered. Once they are released, they go through the process, what if they decide to roam into someone's back yard or break into a house to steal something to go get their next fix, you have to worry about these things being in a small community. This is literally his back yard and showed the window where the individual was receiving the sponge bath. He stated that his six year old had questions but what do you say. Mr. Iafigliola stated that the property behind him is not the topic under discussion this evening but his point is well taken.

**Stephanie Ashley, 7741 Mapleway Drive**, asked why people only living 500 feet from this property were notified. This is going to affect this entire community not just those directly next door. Mr. Smerigan stated that the notice requirement is set forth in the law and we have to follow the law in terms of how we do the notice.

**Lara Mahoney, 26258 Cranager Road**, stated that she has been a resident of Olmsted Falls for about 19 years and she lives on Cranager Road, outside of 500 feet, but a five minute walk from Symphony, the location in question. She comes today with two perspectives, first she comes as a daughter of a mother who has lived at Symphony for two years this month. The journey of losing your loved one to Alzheimer's or other memory care issues is known as the long goodbye, you lose the person you love far before their body gives away. Because these people lose their voice in a memory care journey it is so important to find a care community that you can trust. Mr. Larson mentioned in the April meeting minutes that there are several assisted living and memory care communities in the area, she would argue that there are not many good ones, trust her she's looked because she loves her mom very much. We have been so blessed by Symphony and its staff over the past two years, it is not perfect, no place is, but it is very good and she trusts that her mom is well cared for. The staff provides outstanding activities that make every moment count for their residents and she simply cannot say enough good things about them. When she read about the re-zoning proposal through the Olmsted Falls Community Facebook page she was surprised and devastated. The fact that this proposal was being discussed without informing the families or the Symphony staff proactively is hurtful and it speaks to the character and financial interests of Olmsted Real Estate and Capital Funding Group. Please keep this in mind as you consider working with them. Second, she comes as a mother, she has two children that have grown up in the community and now will be both attending Olmsted Falls High School. While Olmsted Falls and Olmsted Township continue to build homes on all stretches of land, we have managed to maintain our small town feel. This is a very walkable community and from her home on Cranager Road we regularly walk to the library, playground, baseball fields behind Falls Lenox Elementary School as well as to ice cream and popcorn store at Grand Pacific Junction. In fact, her kids are now old enough that she trusts them to walk there themselves or with their friends. So, reading the proposal for a geriatric or psychiatric hospital or an inpatient detox and outpatient addition treatment and rehab facility, she was struck by just a few of the comments of the many comments in the April 3<sup>rd</sup> meeting minutes. For example, Mr. Assiran stated that geriatric psychiatric is for people in nursing homes or memory care buildings who are screaming and have other inappropriate behaviors, some get violent, combative and other things, then they go to geriatric psychiatric for medication adjustments. Regarding the drug and alcohol treatment facility, we just heard Mr. Larson say that the goal is to not have patients leave on their own if the program is not for them and Mr. Assiran mentioned in the meeting minutes that there is security, we generally have a fence around the building and its as much to keep people out as it is to keep people in, if someone leaves they can but there are people that sell the group drugs and we want to prevent that from happening. That statement alone should give the zoning committee a lot to think about and as a mom that is why she is here tonight. She understands the need for this type of treatment facility however, she does not believe it belongs in the middle of our community where we have recently invested in new playgrounds and baseball fields where we currently feel safe walking and going to the Village Green and Grand Pacific Junction. This proposal is very

much at odds with the community that we and all of you have helped to build here. She hopes the Commission takes that into consideration.

**Amy Sanfilipo, 25920 Elm Street, Olmsted Falls**, she stated that we as well found out about the change of use through the Facebook page and received something from the city shortly well after and were shocked when we saw it because historically we have been very good partners with Symphony. We do a lot of programming together like community events, let them share parking spaces, their dumpster is on our property, so we have really tried to be good partners. She was even more surprised when she saw some of the quotes in the meeting minutes about this being immediately beneficial to the neighbors because no one talked to us or consulted with us at all about this whole process. She found out what was going on by calling Ms. Mancini and she confirmed that this was real, she then called and talked to Mayor Graven and talked to him about our concerns specifically regarding the drug and alcohol rehab but also the geriatric psychiatric just based on the proximity to our facility. She thinks that one of the biggest concerns she has in regard to safety for our facility and residents and staff, it will be well known to anyone that uses that we have a lot of narcotics at our facility; granted they are kept safe and behind locked doors but also in the med room. We have had, and there are other places, and you can look in the news, where addicts will come and attack nurses to get at that narcotic box. Our staff, especially at night as we don't have 24-hour security, we don't really have a reason to because we do not have any patients that are dangerous that we would require that, staff is primarily female and to know that this possible is next door concerns us. She would like to challenge the statistics that most people stay through their treatment and wonders where those came from because she believes there are quite a few more AMA's then is spoken of. She also thinks that when they say everyone has to have a safe way home a lot of times that is Uber, cab, drug dealer, or someone else to pick them up. It is not like mom is picking up their child who is AMA out of rehab so there are some issues there with that. The outpatient program specifically, those are still current addicts who are in recovery and they could be recovered for 30 days, 90 days, but still the same issue there with the safety and security. She would like to reiterate the economic welfare because she oversees the marketing department and this will crush us financially. She stated that Fran mentioned who would want to bring their loved one to our facility, she knows this will severely damage our ability to attract new patients. She has two elderly parents and there is zero chance that she would pick an assisted living next to a geriatric psychiatric hospital or a drug and alcohol rehab. Again, this is a good service and understand the need for it but it would be right next to elderly residents and she thinks her competitors will use that to their advantage. She does not know if her facility would have a big use for a geriatric psychiatric hospital because her physicians are all connected through UH or Cleveland Clinic, when someone goes to the hospital they are sent to Southwest ER, there is a geriatric psych unit there and their doctor sees them there. If their primary care doctor is from the Cleveland Clinic and they are stable enough they will transfer them down to Lutheran which is further but has a very long history of having a very good geriatric psychiatry unit. So, the comment about it being greatly beneficial she thinks is negated in both situations. When we sent someone to the psych unit, in most cases, it is because they are a danger to themselves, others or have tried to escape the facility. In most nursing homes nowadays if somebody is at a point where they are having a behavioral outburst the staff tries to manage that either with sitting with them, talking to them, or medication, if necessary. She thinks if you have a

geriatric psych facility next door if they are from nursing homes it's most likely they were a danger because we try to work with them in-house. She thinks that when you are looking at occupancy she would ask the gentlemen representing Symphony what their current census is today, she does not believe the number given today quite represents what it is and she would like them to share that information. She would also like to understand where the statistics of success came from. She would also mention that there is a Medicare waiver program for the State of Ohio for Medicaid assisted living as we have that program at Village of the Falls and approximately half of our residents are there on Medicaid waivers and that is available to apply for. There has been a significant increase for funding through the government, so it does make the business profitable if there is a concern for that as well.

Lastly, she spoke with the mayor twice and when we spoke on the phone he was happy that we reached out and talked to him about this. He did tell her that he received multiple calls from many citizens who were concerned, he actually had not talked to anyone who was in favor of the project, and he was worried about how the residents of this city felt, he was worried about the safety of the residents of the facility. She was happy that he at least took the time to talk to everyone so that made her feel a little better since it was a broadside to us.

**Dr. Brandi Klaich, 6376 Columbia Road, Olmsted Township**, stated she is a clinical pharmacist of 12 years. She has children enrolled in the school and loves it here. She grieves deeply for those addicted to medication and works in healthcare and knows there are risks and dangers. She also has concerns because these patients, once treated, are on medically assisted therapy, which is also helpful, but can be things such as Suboxone, methadone or other medications. When they go home she is interested in the process, are you sending it to a pharmacy, is the medication being held in the facility, and is there a risk to having that medication in our community. She has worked at inpatient psych units as a student and as noted before they can get a little out of hand and have to be reeled in and it is very tolling on the staff. She is not trying to make a prediction, but, they say they are having staffing shortages, all of healthcare has staffing shortages, pharmacists, nurses, its across the board so she doesn't know if that is going to solve their problem because it is a very hard field to be in right now. She wants to bring to light that she thinks this is a wonderful opportunity but is worried about financial motives. This is a very lucrative business right now and she doesn't want financial motives to be put in place of the safety in our community. She encourages these facilities to increase but in the right area and right location with the right resources that don't negatively impact. She also thinks she read the study about the negative impact being equivalent to a convenience store or less than a convenience and that study said it was an equivalent to adding a liquor store. Be careful when you hear information because part of her job as a drug information pharmacist is to pick things apart, you are only hearing half you're not hearing whole so please keep that in mind when you make this decision; there may be more to the story. She would like the Commission to consider the community because this is a beautiful community, and she just wants to make sure that it stays that way for our citizens here.

**Linda Herman, 9149 E. Windsor** stated that she is fairly a new resident of Olmsted Falls. She stated she and her husband moved across the state to Olmsted Falls because of

Symphony and he is a resident there. The fact that we moved across the state to find good healthcare uprooted us after 50 some years of where they lived, because we could not find a memory care unit that was loving and trained in how to take care and treat a memory loss individual. Symphony has been wonderful to us. Before she moved here she was a Guardian Ad Litem for the county she lived in, almost every child she represented who was protected by the juvenile court system was in the system because of alcohol or drug abuse by a parent or guardian. The question is not if help is needed for these individuals but does an in-house drug rehab facility or a geriatric psych center fit the address of 25880 Elm Street. An internet search found that there are over 70 drug rehab facilities in Cuyahoga County, now not all of them are in-house of course. Most of the pictures of the buildings that they showed looked like the facility was either in an office type setting or medical type setting. Here are her questions, there is an elementary school, day care center, library, playground and park within 4/10's of a mile of 25880 Elm Street, how will a drug rehab, geriatric psych unit affect the crime rate in that area, what percent of families or friends will bring drugs into a patient, we don't know the answer to those. Other questions, what is the timeline for changing from memory care to a drug rehab geriatric psych facility, when will families with a loved one at Symphony be notified, how will families be notified, will the cost of relocating residents be covered by the building owner, relocation will be between \$4,000 and \$5,000 per resident. A memory care loss individual is fragile, a physical move of that individual or individuals will come with a high death rate. How and when will the Symphony staff be notified, how will the residents that live within a mile of Symphony be notified. In closing she is staunchly opposed to the zoning change at 25880 Elm Street, it is not a good fit.

**Anita Grellar, 25640 Elm Street**, stated that she is just east of Symphony. She would like to know if the CEO of this company has a drug rehab facility within a half mile or a quarter of mile of where they live, or do they have something like that close by or any representative present this evening. We moved from Cleveland almost 12 years ago, we love our place. We have gone through some changes with the city growing but having lived in the City of Cleveland, she retired as a nurse after 40 years, critical care, working in the ER, many hospitals of the Cleveland Clinic. Her husband retired as a Battalion Chief for the City of Cleveland, we both have seen all the stuff that goes with drug rehabs and the people that require the help and stuff. She does not believe this area is a good fit with all the families that we have here. She has had people that have been in drug rehab facilities, people bring drugs in there and sell it, there is no way to guarantee that is not going to happen, a fence around the facility is not a good fit for our little hometown atmosphere here. She does not think this is the place for it, there is an empty lot on Lewis and Bagley Road that if you want a rehab center for drug and alcohol build there. She thinks that if you wanted to do geriatric psych, she worked in the ER and understands the geriatric facility type stuff she doesn't know the ins and outs of legalities but that would be a possibility on her radar but definitely not drug and alcohol. We are happy that we can walk to places but this is not a good fit for our community and she hopes this gets looked at and turned down big time.

**Whitney Mason, 25751 Bagley Road**, stated that she has some simple questions. When she read about this on Facebook she did some studies herself from John Hopkins showing that when a drug and rehab is in a residential area they said it starts off where some of the

people are there because they want to get better; they said that 80% to 90% are court ordered which only gives a 20% success rate. The financial part is if they go to 80% court ordered they can become 501C tax exempt. We have a tax problem here anyways and she doesn't want something that can hinder our community and then be tax exempt because they get so many court ordered which is going to further the situation. She is confused because a gentleman said there would be a fence, and they would stay in the property but the paperwork states it would be outpatient meaning they would be able to leave so what is the truth. If they are leaving is a police officer following them, do they have to show where they are and where they are going, do they have GPS trackers. If they are freely walking our neighborhood or having their friends pick them up and driving casing the place that she does not want to see.

**Natalie, 374 Longfellow Street, Elyria**, stated that one major concern she has is if there will be renovations inside the building because currently we have problems with the elevator's opening; we have people going into the building that we do not know who they are in the middle of the night sometimes and the doors are not locked. The double doors that are supposed to be locked that you need a code for, if you hold onto them for about 15 to 30 seconds they open up. Mr. Iafigliola stated that it sounds as if she is familiar with this facility. Natalie stated that she works there. She stated that if the power goes out the doors are open, so it is not that hard to leave the facility. It is supposed to be locked and if this is specifically a rehab and geriatric psych it would be more of a concern for people leaving. She definitely thinks that people with addiction don't typically want help, and they probably do not want to be at the facility, and it will probably be court ordered. She worries that there will be a lot of people leaving the facility and roaming outside and with the playground, school and the houses nearby she does not feel safe. She has family that lives on Mapleway and she does not like that at all. She does not think this specific location will be good; she does think that geriatric psych and drug rehabilitation is something that could be useful but does not think this is the right location.

**Eileen Seiter, 25600 Elm Street**. Mr. Iafigliola asked where her home was located in relation to the subject property. Ms. Seiter stated that she is east of the facility next door to Ms. Grellar. She grew up in Olmsted Falls, moved away and then came back. She has owned her home for 29 years and has been a resident for approximately 55 years. According to the statement about there being no locations in Cuyahoga County, she googled after the statement was made and there are 60 of them. She knows that Cleveland Clinic Lutheran on West 25<sup>th</sup> has an overnight facility; Glenbeigh in Rock Creek which is very rural has an overnight facility; and Metro Health has a facility, but she is not sure if it is overnight. So, there are two overnights that are capable, able and willing to take people in. Olmsted Falls as you know is 4.09 square miles and she believes we have 4,000 houses. In the area west of Columbia, east of Mapleway, south of Cook, and north of Bagley, so the little section surrounding this property, there are 219 homes, she googled the county website. She walks the area a lot because she has a dog. She was in the banking industry for 40 years and was a manager and when people are addicted to drugs and there is money they will do anything. She has relatives that have been addicted to drugs and some have passed away because of their addiction. She has two grandchildren that spend a lot of time at her house and spend overnights with her. During thunder she walks her dogs at 4:00 a.m. from her house to Mr. Grellar's house and back so she can

always see her grandchildren. She does not want to have the grandchildren over and have to walk her dog and have to lock the house up so the children cannot come get her if something happens. She works in her backyard a lot and leaves the garage door open. Her experiences working in the banking world with money and her family members its bad. She thinks people coming in for outpatient therapy that are court ordered will come through Olmsted Falls through downtown and see all the people going to restaurants they are going to see money. While going through our neighborhoods and seeing money they will come back and try to find some of that money or maybe steal, so our perfect world of Olmsted Falls which was like the best city in Ohio, is going to change since we will be bringing in all these people. She will be afraid to walk out her door and she walks Elm, Brookside, and Mapleway and takes the kids to the train station but she will not want to. She worked at that unit before in Symphony a couple of years ago and one of the patients got out, the patient pretended like she was with the visitors; someone called but does not know if they called the police, but someone called the facility and asked if we lost somebody. So, they allowed that person to just walk out the door. If people are addicted to drugs they can figure out how to get out of that unit; there are two elevators in the unit a front and side door from what she remembers. They are going to put psych on one floor and rehab on the second floor, what is going to stop rehab from going to psych and psych coming down and attempting to hurt rehab. The facility had a patient come in who was moved around from different nursing homes when she worked there and he came up to her and pushed her, he thought she was a football player, and he was playing football with her. They told her that they would end up moving him again because he was a floating patient. Her question is are they going to have an off duty police man or security guard at the front door, side door and at each of those elevators because the patients hang out by the elevator so there are people that want to get out. They hang out by the elevator and the psych person wants to hurt somebody because unfortunately that is why they are there. As far as the property that Ms. Grellar mentioned on the corner of Bagley and Lewis there are two parcels there for sale and it has more square footage with less houses than the 400 houses in her little neighborhood and is actually zoned P-1, so if they want to develop in Olmsted Falls in a P-1, they already have an area available.

**Matt Betlejewski, 7732 Brookside Drive**, stated that he can see the facility through his backyard. He has been a resident since 2018 and has two kids in the school system and we have done nothing but love it here. He has been in love with this city since he was a kid and when it was time to buy a house he made the move here and be a part of this community. He sees a lot of his neighbors present this evening who walk by his house every day, faces that he wants to continue to see walking by his house every day. He fears that a lot of these individuals knowing who we are potentially bringing in are probably not society's best people. He understands that they may or may not be there willfully looking for help but the reality is we have kids here, we have all these parks within the vicinity. He wants to remind everyone what just happened one city over just a few short months ago from a mentally unstable person when we lost a young child due to a mentally unstable person who was out and about and maybe had the ability to go into an inpatient facility who now has no more life; he has passed away he was killed because one person made a mistake whether it was a police officer, somebody in a facility, who allowed this individual back on the streets. A mentally unstable probably addicted to drugs or had some kind of ongoing effects in their life. These are not the kind of people we want to bring into this

community. He will be the first one to put his home up for sale if this goes through. There is no way he will continue to live here; he will pull out of the school system and go somewhere else where he does not have to worry about this becoming an issue. This is a family-oriented community. He does not know what we are thinking or what amount of money would allow any reasonable person to allow this kind of a business here. We talk about lots here in the community, there are plenty of lots in Akron or Parma, any of these other less desirable areas. This is not a facility that you bring into a hometown community with seven parks in the area and baseball fields. Like he said, he will be the first one to put his house up for sale and get out of here if that is going to be the case. He thinks that everyone here should have a little bit more pride in their community and hopefully takes that into account, not what the economic value might be. If Symphony does not want to run it he is sure the neighbors would be willing to buy that property and show them how a skilled nursing facility can be run, if that is the issue. He thinks this is a money grab and thinks it is pretty clear and obvious. We are hearing a lot of vague round about figures, most of these people completed, but what is the actual percentage of people who come in and completed the program, is it 50%, 60% or 80% because he has a feeling it is a lot less than 50 and that is why we are being so vague. He would like to see some concrete numbers and thinks everybody here is probably in agreement with what these figures actually look like for completion. His biggest fear and a lot of neighbor's here have said it as well is at the end of the day it doesn't matter what security cameras you put in what kind of door locks you have on the system it takes one press of a button, one individual who played nice with a disgruntled employee on that shift, to walk out those doors and be at his house in five minutes with his two boys playing out front, it's a nightmare. He will be the first one to leave if this is going to go through; it's a terrifying thought to try and raise kids a mile away from something like that.

**Laura Rini, 7752 Brookside Drive**, stated that she and her husband are here tonight and they purchased their home in a historic neighborhood in 2016 and came before you all with all kinds of proposed plans. They live in the nice blue home that they just love and adore. They have spent a lot of time, money, resources, and physical labor making that home look very presentable and get lots of compliments. They love their neighbors, and they made it they are in Olmsted Falls. They walk for ice cream; this is the lifestyle they always wanted and worked so hard for. We pay high taxes but for a reason, we love where we are. We love the investment the community is making in the parks and playgrounds. Then we got this letter, her back yard is the facility's side yard. They have a lovely home and do not have a lot of money, but our home looks lovely and probably would look even more enticing to someone who is not in their right mind set. Now that we heard from an employee who has witnessed doors not being locked, what is the disconnect from ownership to employee. It upsets her that this employee has spoken and shared those concerns because she does feel secure in her home but now her worries are compounded knowing the clientele that will be going there and the security measures will not be adequate as they are not adequate now for the people being served and for the employees, let alone the clientele and employees that are going to need higher security and more drastic matters. That issue just came up in her mind and is very prominent right now. The real reason she is stepping forward was to say that we have invested in making our home look historic and we are on a historic street. How many historic neighborhoods in Ohio can say that their backyard buts up to a drug rehab facility, find one, it's absurd. They sought out a neighborhood like this,

found a home and restored it. They see the value in appreciating things that have been here a long time and like Mr. Bettlejewski said, we'll be gone, it's just going to be a trickle effect. Our home values will go down and the good people that we have come to know and love as our neighbors are going to put their homes up for sale sign and who's moving in, the clientele or the friends of clientele, it will trickle from there. Please think about all of that when you make your decisions.

**Heather Johnson, 25920 Elm Street**, stated that she is the administrator for Village of the Falls. She wants to speak for her residents that live there, its their home, they don't like to lock their apartments, they like to have a door open to see their friends and neighbors. They love to sit out on the front porch. She is present to protect them and wants to know that they are safe and taken care of. She can't promise their families that they will be safe. She also wants to challenge that if someone leaves against medical advice that they have to have a ride, that is not a regulation they can simply walk away. Where are they going to walk to right into our building where there's money, narcotics and anything else that you could want probably. She stated that their lot extends into the part that we share and let them borrow so how close will the fence be how to prevent and keep all their people in. She would like everyone to think about her residents because this is their home too.

**Joan Tabar, 25601 Elm Street**, stated she lives across from Ms. Grellar and Ms. Seiter and wanted to add her voice to everybody's here. She lives in a historic home with a beautiful front porch that she spends all her time on, when the weather permits, and even when it doesn't with her little dog. She walks her dog around the neighborhood and feels safe, most of the time, this would just destroy all of that, she fears for financial reasons. She does not mean to be rude, but like carpet baggers, they will come in, do their thing, it will collapse, the neighborhood will die, and then they will be gone, and we will be left with it if there is anybody left here. She just wanted to add her voice and say no thank you. We will probably have to pay more for police because she can't imagine there will not be more crime and more traffic coming down the street that is already pretty busy.

**Thomas Obhof, 9450 Shady Elm Lane, Olmsted Township** stated that he is present on behalf of his mother-in-law who lives on Columbia Road just south of Bagley. We heard earlier about some of the problems, now he would like to explain who he is. He is a criminal defense attorney. They talked about the facility being locked, he has family members who worked in prisons and county jails and knows quite a few people who work in these facilities. He has visited prisons in eight different countries and on three different continents including Kenya, New Guanda, Norway, the Netherlands, United States, and France. You can get the feeling that when he says drugs get in and out of those facilities they really do; you have a problem wherever you go. We heard from an employee today, stating that elevators aren't working, and people are going in and out. We heard from the business located right next door to the facility that does similar type work state that they have a 95% occupancy and do not know what these people are talking about. To him, and excuse his ignorance just sounds like poor management and they are trying to save their skin and find a different way to bring money into their facility without thinking about the community. He moved here a little less than four years ago to help a friend out and fell in love, he loves this community and could not imagine living outside of it now. He has lived in Paris, his ex-wife is French, Amsterdam, Nyrobi, Kampala, and this community is great for

what it does and what it stands for and for the small-town community. He grew up 75 miles northeast of here in Ashtabula County and simply loves this place. Now, talking about the John Hopkins article he had to do a little bit of work to find the report about the impact of these facilities. The article did state that the facilities are comparable to a convenience store but we are not talking about the suburban style place of Olmsted Falls or even North Olmsted or Westlake, they are talking about downtown Baltimore. He has lived in cities with millions of people and a township where 1% of the voting population lived in his parents' house so he has seen the gambit of what happens in big cities versus what happens in small townships. Now, while we have our assorted violence incidents here, it is rather low; it bothers and worries him that the applicants are not trying to find studies that are similar in nature or trying to find a study of suburban America. This is a study from a very reputable medical institution, John Hopkins, in his opinion the best even though some people say Harvard, but it's a study that is not comparable to Olmsted Falls or to the township or any place around here. He wants the Commission to look into this and see how they put effort to site these studies, but yet they put no effort into citing the catch all phrase of "the pandemic hurt them." This is something he has had to deal with for the past four years in his law practice. Everyone cites the pandemic, but nobody really gives specific reasons why. The facility right next door is doing perfectly fine and thinks we need to look at the management and we shouldn't try to save bad business because if things are not working properly now what do you think they are going to do when they get in druggies, do you think they are going to let the facility fall apart. If an employee is saying this place is falling apart he does not want it falling apart with somebody that uses heroin inside of when their friends are trying to smuggle stuff in because they are not getting a full body search like you do at the airport. He does not want his kids to be walking home one day or to their grandmothers or a friend's house and step on a hypodermic needle and catch HIV. You must think about what this does to our children and our community.

**Suzie Warning-Coy, 7612 Clark** stated that she grew up on one end of the street and lives at the other. Her dad still lives in the house she grew up in and has lived there for 52 years at 7865 Brookside Drive, which is on the corner of Brookside and Elm just feet from the facility. She appreciates what everyone has stated, because this town means a lot to her, and she thinks it means a lot to everyone present as well. She hopes that the Commission takes into consideration what everyone has said. She has a couple of questions based on what was previously stated, she thinks we all know that staffing in health care is a challenge across the country, so how does the developers expect to improve this by changing over to some of the most challenging and dangerous conditions in health care for caregivers to work in; if they are having challenges now she doesn't understand how its going to be better changing over to a more challenging environment that's counter intuitive to her. How does it make sense to put a facility like this so close to our schools, parks, libraries, day cares, and homes. She has two kids who walk and ride bikes to the libraries that's why we live here so we have that opportunity not a lot of places do. She stated that the application states this project is not within the historic district but how can that be true. She lives in the historic district and grew up in the historic district; she wanted to put an addition on her home when she moved back and had to go before the historical review board; so she doesn't understand that. She stated that variances have already been granted for developers to tack houses into this same historic district that do not belong and diminish the integrity of our district and the houses that we work so hard to preserve. She

questions whether these developers have any personal interest in our community other than greed. We are worried about this destroying the fabric of our community. Additionally, the city does not have the resources to support a facility and protect our residents. She knows it has been stated that they do not think there would be any impact on fire and police but she questions that. The developers state that their census is wide open and that doesn't make any practical sense to her either given the increase life expectancy today and she actually feels like they contradicted themselves when they said that there was not a need for the facility they have now, but the baby boomers are coming; so that also doesn't make sense. As another resident stated, this just seems like poor business management and it is not our responsibility, as a community, to bail them out.

**Enzo Saberna, 7872 Columbia Road**, stated that he is the one that posted this on Facebook. He lives in the oldest house in the county a historic house. We live in Happy Pants USA and you want to put a drug rehab place in his backyard. He had to apply for an easement to build a garage and still does not have a garage, this will never fly. He asked if Mr. Iafigliola received the letter from the mayor. Mr. Iafigliola replied that he did. Mr. Saberna stated that the mayor is not supportive of this at all, just so everyone knows, he had a conversation with him and told him that he had no problem with him sharing that information. He felt that a lot of people didn't know about this because they don't fall within 500 feet so if we continue he is going to post door hangers or personally start knocking on doors to make people aware of what is going on. Lastly, this is spot zoning and you can't do that.

Mr. Iafigliola stated that he would like to thank everyone who spoke this evening. He has been chairing this commission for a long time and this is a very well-spoken group of individuals. He would like to be clear on a couple of procedural issues, the reason there is an application before us is because any property owner has the right to propose anything they want; it is not the city doing this. He stated that sometimes people perceive that incorrectly and can't believe that the city would propose this project. This is a private citizen who owns a property and is proposing this project. This is the Planning & Zoning Commission and there are other boards and commissions that some referenced all of which fulfill a duty for the city. Our guide under the planning and zoning code is to consider two things being asked, the first is to change the zoning from P-2 to P-1 which allows for certain uses. Even if the zoning was changed from P-2 to P-1 what the applicant is asking for has to be conditionally allowed. Some people say why not just follow whatever the law says, well the planning commission is a group of unpaid volunteers who consider what the code says and then try to apply some commonsense logic. Now, here are the options before us, we will make a recommendation to city council who is under no obligation to accept but the recommendation does carry some weight, we can also either accept, deny, or table that recommendation to council. As to timing, historically the commission and city council have taken the month of August as an annual recess, Mr. Chitester is our council liaison who serves both on planning and zoning and it is his understanding that city council does not meet again until September. He stated that recognizing the time and appreciating that fact that everyone has been sitting here for a very long time he would like to take a short recess and resume at 9:25. This will give the applicant or the representative a few minutes to respond because there was a lot discussed. After we come back he would like to hear the applicant's response. He would also recommend, at this point, that the

Commission table this issue which will allow us to think about what is being asked, give the applicant an opportunity to respond in a way that seems logical to them, and gives the residents an opportunity to consider what they have said. A lot of what has been said is very personal and everyone will go home and think of all the things they wished they would have said, then you will talk to your neighbors, and they will wish that they had known about tonight's meeting. One of the earlier speakers asked why the notification was only as far as it went which is because that is what the code requires. There is no reason why anyone cannot check the city website or share the information on Facebook; there is no reason why you can't share and tell your neighbors. This is a public meeting, and everyone is welcome, there is no secret behind any of this. You may find that a neighbor wants to send something in writing after the fact, the process would be to send our clerk, Ms. Mancini, an email and she will collect all of them and present them to us. He wants everyone to know that you have that opportunity to do when you go home and think about other things you wish you would have said.

The Commission recessed at 9:19 p.m. and reconvened at 9:30 p.m.

Mr. Iafigliola stated that he was reminded and feels remiss for stating that he spoke to the Mayor and Law Director today and asked for his opinion. He wants to read the mayor's brief memo dated July 17, 2024 into the record. The memo states: "I have reviewed the application to rezone PPN 281-17-014 the current use is a personal memory care assisted living facility, the rezoning would allow for an addiction treatment rehab facility, the planning commission chairman requested my administration's input on this matter. After reviewing the application my recommendation is that the Planning Commission deny the application and leave the existing zoning and limit the uses to what is currently allowed at this site. Based upon on the last census over 1/3 of Northeast Ohio is over 55, the average age of Ohio residents is continuing to climb. There will be a continuing need for assisted and nursing care facilities in our region and within the City of Olmsted Falls. I believe in community engaged and I have talked to many residents concerning this issue, all of the cities that I have listened to are against this application to rezone. I agree with our residents and believe that we have a duty to take care of our senior citizens who continue to need assisted living care centers, and the property should not be rezoned."

Mr. Iafigliola stated to be fair he would like to give Mr. Larson the floor to obviously give him the opportunity to respond but he thinks the best response will be to go back with his team and provide a written letter that shows what the concerns are and your responses to those concerns, almost like a frequently asked question. Then, that can be emailed to Ms. Mancini, we will make publicly available, then we will have another meeting to discuss those responses, and any other comments received. We will see the comments the applicant provides, which you may agree or disagree with, and then we can have a civil discussion. For example, let's say there are 20 points Mr. Larson makes and 15 seem reasonable but the last five are still contentious, we will focus our discussion on those last five.

Mr. Larson stated that there were a lot of concerns so they will not be able to address all of them tonight.

Mr. Assiran, 202 Church Road, Ardmore Pennsylvania, stated that he wants to mention that they acquired Symphony which is currently run as a memory care facility in 2016. He thinks we have made every effort to be a good neighbor and work with the community and manage the building to the best of their ability. Our business approach is providing good service and working with people and the community, it is our philosophy of running our business. We listened to neighbors, and they have a lot of issues and he certainly sees how passionate they are about their community and definitely admires that. Their application was for two things, one was for a drug and alcohol rehab, which hasn't gotten a round of applause tonight and we hear what the neighbors are telling us. We have other colleagues from industry here and they are running their building, which we respect. Their thoughts are that we probably will come back and will take the chairman's advice regarding composing a letter, but we will probably drop the drug and alcohol approach. We are not here to fight, sometimes you have to fight, but we really are not here for that. We are here to provide another service to the greater community and maybe this isn't the place for drug and alcohol rehab, but we do think that a geriatric psych hospital will have less impact on the community than what they are doing now. This is a fully secured facility and the residents are geriatric patients that are generally 80 plus, and what he means by 80 plus is that they are in their 80's to 100's; they would not stay very long and generally in an ambulance. The facility is totally secure, and the residents would not get out into the community, they do not drive so there will be less impact than the memory care residents on the community. He stated that they will probably talk to the Commission about that and see what their thoughts are. We came here tonight, and we really listened and saw what the neighbors are concerned with and what the mayor is thinking. We have been here since 2016 and want to stay here. Whatever we do we will do it well and respect the community and people here. He thanked the Commission for letting them submit this application and will give, as requested, a written response and then come back to talk again.

Mr. Iafigliola stated that he appreciates his comments and thinks that most people will be relieved or at least appreciative of what the gentleman said. He asked if any Commission members had any comments.

Mr. Campbell asked if the geriatric facility would still need to be rezoned. Mr. Smerigan stated a rezoning would still be needed as well as a conditional use permit. Mr. Campbell asked if the Commission permits a rezoning the applicant could say they were doing one but still do the other. Mr. Smerigan stated no. Although we had the hearings together the Commission will take two separate actions. The first will be to make a recommendation to city council as city council makes the decision whether or not to rezone a property and if the Commission made that recommendation based on this property being simply a geriatric psych facility you would make that clear going forward. If council were to approve that rezoning, the matter then comes back to the commission for the conditional use permit, which will remain tabled until council acts on the rezoning because the commission cannot approve a conditional use permit in the current zoning district, the district has to be changed and that won't happen until council acts. If the Commission and council approve the zoning change, then the conditional use permit would be back in front of the Commission and at which time you can stipulate that this would be geriatric care only. The Commission can also stipulate other things they believe are reasonable and appropriate

and that will be the only thing they can operate in the facility. If they were to ask for anything else they would need to come back and start the process again.

Mr. Chitester stated that as Mr. Iafigliola mentioned he is a member of city council so if anyone has any questions or other concerns feel free to email him as well.

Mr. Iafigliola moved to **table** Planning and Zoning Case #11-2024 and 12-2024 to the Planning and Zoning Commission meeting on September 18, 2024 at 7:30 p.m.; Mr. Chitester **seconded**. Poll: 6 ayes; 0 nays. **Motion carried**.

#### **COUNCIL LIAISON REPORT – *None***

#### **OTHER BUSINESS – *None***

**APPROVAL OF MINUTES** – Mr. Iafigliola suggested that the Commission, postpone, in the interest of time, the approval of minutes until the next meeting. There were no objections.

Mr. Iafigliola indicated that there will be no meetings in August, but the commission reserves the right to call a special meeting if a need arises. Mr. Chitester stated that the unsung hero of all the preparation including the letters the residents received, or the packets given to the commission, Ms. Mancini, the clerk of the city is the reason why this moved as well as it did.

**ADJOURNMENT:** Mr. Iafigliola moved to **adjourn**; Mr. Abood **seconded**. Voice Vote: 6 ayes; 0 nays. **Motion carried**.

The meeting adjourned at 9:43 p.m.

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Planning & Zoning Commission Clerk

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Date

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Planning & Zoning Chairman

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Date