



## SHAKER HEIGHTS

### **Neighborhood Revitalization and Development Agenda Shaker Heights City Hall, Council Chambers Wednesday, July 10, 2019, 6:00 PM**

1. Approval of May 8, 2019 Minutes

Documents:

[NRD 05-8-19 MINUTES.PDF](#)

2. Request for Acceptance and Appropriation of Carol M. Peterson Housing Fund Grant Funds

Documents:

[FHLB 2019 MEMO.PDF](#)

3. Purchase, Development and Use Agreement with Confluent Development

Documents:

[0709-CONFLUENTPURCHASEAGREEMENT-NRD.PDF](#)

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# SHAKER HEIGHTS

**Neighborhood Revitalization & Development Committee Minutes  
Wednesday, May 8, 2019  
6 P.M.  
City Hall Council Chambers**

Members Present: Anne E. Williams, Chair  
Nancy R. Moore, Council Member  
Earl Williams, Jr., Council Member  
Danielle Sydnor, Citizen Member  
Carter Strang, Citizen Member  
David E. Weiss, Mayor  
Jeri E. Chaikin, Chief Administrative Officer  
Kamla Lewis, Director of Neighborhood Revitalization  
Bill Hanson, Commissioner of Housing  
Colin Compton, Neighborhood and Housing Specialist  
Kyle Krewson, Director of Building and Housing

Others Present: Kim Harris  
Victor Mullen

The meeting was called to order by Chairperson Anne E. Williams at 6 P.M.

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## Approval of the April 17, 2019 Minutes

Anne E. Williams read the minutes, and had a few changes. Pending those changes, the minutes were approved.

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## Application to Acquire City Owned Vacant Lot at 3685 Winchell Road (PPN 736-18-147) for Side Lot

Summary provided by Kamla Lewis.

The City has received an application from Yvonne Smith and Victor Mullen, 3689 Winchell Road, who are interested in acquiring the city owned vacant lot adjacent to their home in order to use it as a side lot. The Neighborhood Revitalization & Development (NRD) Committee is being asked to consider this application and make a recommendation as to whether City Council should approve the sale of the vacant lot located at 3685 Winchell Road (PPN 736-18-147) to the Smith-Mullen family.

### **CITY OF SHAKER HEIGHTS**

3400 Lee Road Shaker Heights, Ohio 44120 P 216.491.1400 F 216.491.1465 Ohio Relay Service 711  
**shakeronline.com www.shaker.life**

## Background & Discussion

### Proposal Summary

- **Applicant** : Yvonne Smith and Victor Mullen, 3689 Winchell Road
- **Proposal summary** : to purchase this vacant lot, install a rear patio, create a play area, landscape and fence it and use it as a side yard, at a cost of approx. \$3,025. They propose to do the work themselves. (see attached drawing in the packet)
- **Price offered** : \$1.00 for the lot.

### Staff Review of Application

- The applicants' property is not in foreclosure, they are current in their property taxes, and have had no criminal nuisance activity complaints. They have no outstanding Housing or Zoning Code violations. They have owned their home in Shaker Heights since February 2018, and are owner occupants.
- Mr. Mullen is in attendance this evening in the event anyone has any questions about his application.
- The applicants' proposal is consistent with the City and neighborhood goal of expanding the size of lots in the neighborhood to enable households to have larger yards without selling their home and moving elsewhere. Larger lots typically command higher prices at sale as well. Sale to the Smith-Mullen family would return the vacant lot to productive use and tax revenue generation.
- The City has no redevelopment plans for this vacant lot.
- Staff considers that the use of the lot as described would be an improvement over it being maintained by the City as a vacant lot. It currently costs the City approx. \$615 per year to maintain a vacant lot.

### Background Information

- In May 2008, the City adopted a Side Lot Program to make City owned vacant lots available to the adjacent neighbors. The goal of the program was to encourage adjacent neighbors to acquire these lots to make capital improvements to the property that would increase tax value, such as construction of a house addition or garage, landscaping, etc.
- Applications are accepted on a "first quality, first served" basis. **Proposals that are approved by NRD will go to City Council for final approval.**
- There is no set price for side lots under the Program; pricing is negotiable based on lot size, location, configuration, planned improvements, etc. The NRD felt it is important to show reinvestment in the neighborhood.
- If the NRD recommends acceptance of this application, and it is approved by Council, the City will enter into an agreement with the applicant that will include all of the conditions and the buyer's responsibilities. The buyer will have to seek Planning Commission (CPC) approval for the consolidation of the lots. If there are variance requirements, they may also have to seek Zoning Board approval. Only once all these conditions are met would the property be transferred.
- The vacant lot was acquired by the City in 2009 as a donation from Wells Fargo Bank. The two family house that had previously stood on this lot was demolished by the City in December 2009.
- Families who want play area for kids is a common theme.
- The process, if approved, would go the Finance Committee for their consideration and then to Council. If Council approves, the City would work with the

homeowner to go through the legal process of getting the lot consolidated. In some cases, they have to go before the Planning Commission.

- Through its vacant lot program, the City so far has sold fifteen (15) vacant lots:

Year	# lots	Price	Buyer	Street	Use
2003	2	\$1.00 each	Rysar	Lindholm	New houses
2011	3	\$1.00 each	Zaremba	Strathavon	New houses
2011	1	\$1,000	Adjacent neighbors	Ashwood	Two side yards
2011	1	\$100	Neighbor	Enderby	Side yard
2011	1	\$1,000	Heights Christian Church	Daleford	Community garden
2012	1	\$50	Neighbor	Menlo	Side Yard
2013	1	\$50	Neighbor	Riedham	Side yard
2013	1	\$1,000	Neighbor	Daleford	Side Yard
2014	1	\$1,000	Neighbor	Avalon	Side Yard
2014	1	\$100	Neighbor	Albion	Side Yard
2017	1	\$50	3 adjacent neighbors	Palmerston	Side Yards
2019	1	\$1	Knez	Hildana	New houses

- One additional vacant lot on Rolliston is being leased to a community group for use as a Community Garden.

A question was raised as to why the previous 15 lots sold had different prices. Kamla reiterated the fact that there is no set price for side lots under the Program; pricing is negotiable based on lot size, location, configuration, planned improvements, etc. In different neighborhoods, there are different values. Additionally, they take into consideration if the lot is a buildable lot. The Committee looks at how much money the homeowner is putting in and how much they are offering. There are some lots where they have offered us more money but put less into the project. The easiest example is where someone is building a \$200,000 house, but only offering \$1 for the lot. The benefit to the community of a new home is great. The value of the land is negligible. Part of the purpose/goal for the Committee and for the City was to diversify the types of housing that we had available. We had heard anecdotally that people were leaving because they could not find enough adjacent land, especially on smaller lots south of Van Aken.

Nancy Moore indicated that the southern Shaker neighborhoods are so dense that when a lot became available to basically distance yourself from what was a neighbor (about 10 feet away from your home) people became very interested. However, there is a substantial cost to consolidation of the two parcels. You want to believe land is valuable but in the aftermath of the mortgage foreclosure crisis, we found that land had either zero or negative value in terms of the parcels - at least in concept for development - so it became a question of reducing the city costs.

The goal for this program was really not to make the money from the land but it was to push the residents to think carefully about how they would utilize the land and invest in it.

According to Bill Hanson, today we have 410 vacant lots in the city, of which 223 are City owned and 187 are privately owned.

Anne Williams asked if there have been issues with people maintaining the lots and if Kamla feels this has been a successful program. Kamla indicated there has only been one issue with one homeowner. Kamla also indicated that most homeowners have done more than what they had initially planned to do.

#### Recommendation

Staff recommends that the Smith-Mullen application to acquire the City owned vacant lot located at 3685 Winchell Road (PPN 736-18-147) for \$1.00 and utilize it as a side yard, be recommended by the NRD to Council. A motion was made and seconded and all were in favor of approving the application.

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#### 2019 Neighborhood Grant Award to S.A.M.S.

Summary provided by Kamla Lewis. Kamla introduced Kim Harris who is the founder of S.A.M.S. (Shaker African American Moms Support).

#### Background and Discussion

As part of the City's 2015 Housing and Neighborhood Plan, the City seeks to revitalize the southern Moreland neighborhood, bounded on the north by Chagrin Boulevard and on the east by Lee Road, through community engagement, new housing, enhanced amenities, including public art, and a strengthened commercial corridor. A large scale initiative like this requires a comprehensive program that includes marketing, new housing, attracting new businesses and residents, improving the physical infrastructure in the area and engaging the existing residents and businesses.

The community engagement component of the initiative is critical. The goal of the program is to create the strong social connections which are a hallmark of successful neighborhoods, and to create spaces where people can connect to each other. It currently includes a monthly drop in Neighbor Night, a regular newsletter addressing events in the neighborhood and issues that come out of the monthly meetings, and a small grant program for resident led community building activities. \$3,000 has been budgeted for neighborhood grants. The City previously provided a \$4,854 grant to the

Rising Phoenix group for a very successful community production of “Our Town” in 2016.

### S.A.M.S. Proposal Summary

S.A.M.S. was established in 2017 and is made up of community moms whose goal is to support our students and neighborhoods. They have been very active since their inception. They established an after school tutoring program, a grandparents program, partnered with the Library to support their Summer Reading Program, held a Mothers Walk in 2018, worked with kids to create mobiles which they hung in Hildana Park in 2018 and obtained a grant to build and install a Little Library at Hildana Park. S.A.M.S. is led by Kim Harris who lives in the Moreland neighborhood.

The proposal is to host a community wide celebration of the improvements made to Hildana Park over the past several years, transforming it from a passive green space to a park with several new amenities, including the “Strength in Unity” public art piece, new game tables, a Little Library donated by S.A.M.S., solar benches and free wi-fi, and two new trees planted by the local Baha’i group. The event would take place on June 9<sup>th</sup> from 2-5 pm. It is meant to be a family friendly event aimed at bringing residents from all over Shaker to the park. They see this as an important way of introducing people to all the park now has to offer, meeting neighbors and breaking down barriers between neighborhoods.

The City has received an application from the community group (S.A.M.S.) for a \$455 grant to support a June 9<sup>th</sup> community celebration of the improvements at Hildana Park. Their total budget for the project is \$1,425 - including \$600 worth of volunteer hours and \$380 dollars that they received to create the Little Library. For this project, they have partnered with several other groups to plan and implement this event. These include the Shaker Library, the Friends of Shaker Library, MyCom, Making Our Own Spaces (MOOS) and the city’s Recreation, Neighborhood Revitalization and Police departments. Planned activities include the dedication of the public art piece and the Little Library, family friendly activities, old fashioned kids games like sack races, arts and craft activities, barbecuing by the Shaker police, a Story Walk by the Shaker Library. MyCom will be providing several youth volunteers to help staff the event. They are getting marketing assistance through the city, The Mercer PTO, and the library, using newsletters and social media. Their goal is to celebrate Hildana Park. Just like with their mobile project, they want to bring people together.

The \$455 grant request would provide funding for arts supplies, games and food. The Neighborhood Revitalization & Development Committee is being asked to approve this application.

Anne Williams was personally excited to see this event taking place at Hildana Park because many people are not even aware of its existence.

### Recommendation

Staff is recommending the award of \$455 to S.A.M.S. for their proposed community building program. Funds have already been appropriated in the Neighborhood Revitalization Department budget for this purpose. Motion was made, seconded and approved by all to accepting and/or recommending the award of \$455 to S.A.M.S. for the community building program.

Kim Harris was thanked for attending.

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Mr. Strang questioned the missing Winslow Road historic signs and the reason for the **choice of yellow for the house being rehabbed by CRS at 18520 Winslow Road**. Jeri indicated she would follow up with the Planning Department.

There being no further business, the meeting was adjourned. The next meeting will be Tuesday June 11, 2019 instead of Wednesday, June 12, 2019.

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Name, Title

DRAFT



## Memorandum

To: Members of the Neighborhood Revitalization and Development Committee  
From: Colin Compton, Neighborhood and Housing Specialist  
cc: Mayor David E. Weiss  
Chief Administrative Officer Jeri E. Chaikin  
Date: July 10, 2019  
Re: Request for Acceptance and Appropriation of *Carol M. Peterson Housing Fund* Grant Funds

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This is a request to accept and appropriate \$75,000 in grant funds from the 2019 *Carol M. Peterson Housing Fund* of the Federal Home Loan Bank of Cincinnati. The City received approval in June to fund 10 households with up to \$7,500 each in accessibility upgrades and emergency repair work.

The purpose of this grant program is to provide low-to-moderate income, disabled and/or elderly (age 60+) homeowners in Ohio, Kentucky and Tennessee the opportunity to live safely in their current home. Properties must be owner-occupied, single-family homes to be eligible for grant funds. Eligible accessibility improvements can include installing grab bars and handrails, widening doors, altering cabinets, replacing fixtures, replacing flooring and more. Eligible emergency repairs can include roof repair or replacement, electrical and plumbing system repairs, heating/air system repairs, structural repairs to floors or walls, code violations, and more.

Approximately \$2M was available for the 2019 program and all funds were allocated within hours of the application opening.

This is now the fifth year that the City has been approved for funding from this program. Through 2018, a total of twenty-nine projects have been completed representing approximately \$202,710 in residential repair and improvement work at no direct cost to the City.

This year, the Economic Development Department received approval for 10 new projects. Three projects are in Moreland, two are in Lomond, three are in Mercer, and two are in Onaway. This year's projects include correction of exterior violations, interior safety upgrades, roofing, masonry, and accessibility improvements.

No matching funds are required from the City or from the homeowners. The funder requires the City to pay for the improvements and be reimbursed once work is complete. To date, all completed projects have been successful in receiving a full reimbursement from the funder.

This is a request to accept and appropriate grant funds totaling \$75,000 into the General Fund budget for Economic Development for the 10 approved *Carol M. Peterson Housing Fund* projects.



## Memorandum

To: Neighborhood Revitalization and Development Committee

From: William M. Ondrey Gruber, Director, Law  
Joyce G. Braverman, Director, Planning

cc: David E. Weiss, Mayor  
Jeri E. Chaikin, Chief Administrative Officer

Date: July 8, 2019

Re: **16800 Van Aken Boulevard – Formerly the Avalon Station 2 Development Site  
Purchase, Development and Use Agreement with Confluent Development**

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This is a recommendation to authorize the City administration to enter into a Purchase, Development and Use Agreement with Confluent Development LLC in order to construct an 80 unit Assisted Living and Memory Care facility on the current vacant 3 acre parcel formerly known as Avalon Station 2.

### **Avalon Station 2 Background**

The 3 acre Avalon Station 2 site, Parcel Numbers 735-17-020 and 735-18-023, was part of land assembled by the City for the Avalon Station development. The City entered into a Development and Use Agreement with Heartpoint to develop the site. One of 3 planned condominium buildings was constructed in 2007 and Heartpoint subsequently defaulted on the agreement.

After many informational meetings with potential Developers, the City released an RFQ in 2014 to redevelop the vacant site for multi-family rental or for-sale residential. The City received 3 proposals in response to the RFQ. A Development and Use Agreement with Payne & Payne was executed in June 2016 and later transferred to Knez. Knez selected Ryan Homes as the builder. Due to poor quality design and a weak market for townhomes the project was halted and terminated in September 2018.

The property is within the Shaker Town Center Tax Increment Financing (TIF) district. Development of this parcel will contribute to TIF proceeds which will be used to pay off TIF bonds.

### **Confluent Development**

Confluent is a Developer based in Denver that develops a wide range of projects from commercial to assisted living. They propose to purchase the 3 acre property from the City and develop an Assisted Living and Memory Care building. The project is proposed to be one building with not less than 80 units with at least 50% being assisted living units and the rest are memory care units. A draft site plan is attached.

The project will have no fewer than 80 units, and preliminary plans show 98 units. The purchase price is \$13,500 per unit, and will total between \$1M and \$1.3M. The payroll is estimated at \$1M and real estate taxes are estimated at \$500,000. The share of taxes that may be paid into the TIF district is estimated at \$350,000.

## **Purchase, Development and Use Agreement—Business Terms**

The City and Confluent have negotiated a Purchase, Development and Use Agreement. Below are the major business terms of the proposed Agreement:

### **Schedule:**

- The Agreement will be signed after it is approved by City Council.
- There will be up to a 120 day Inspection Period, which can be extended for an additional 60 days (for an additional deposit of \$25,000).
- Transfer of the property will occur no sooner than 270 days after Inspection Period ends (may be extended up to 120 days).
- Construction must commence 180 days after transfer.
- Completion of construction must occur no later than 30 months after commencement.
- Total maximum timeframe is about 4 years, though Confluent has stated that they intend to complete the project much sooner.

### **Purchase Price and Deposit:**

- Confluent shall pay to the City at the time of *transfer/closing* –
  - \$1,080,000, or
  - \$13,500 X number of units (no fewer than 80),
  - Whichever is greater.
- Deposits –
  - \$25,000 within 3 Business Days after the Effective Date.
  - \$50,000 after inspection period.
  - Additional deposits required to extend the Inspection Period or to extend the transfer deadline.

### **Transfer at Closing:**

- Conditions to Closing:
  - Confluent must have all final, non-appealable approvals from the City Planning Commission, BZA, ABR and Council.
  - Confluent shall pay the City's legal expenses up to a maximum amount of \$15,000.

### **Plans and Approvals:**

- Confluent shall obtain all required City approvals.
- Plans and Specifications shall reflect a high quality design and the use of materials and construction techniques which respect the historic fabric of the City.
- Site Plan and Plans and Specifications shall conform to the Design Principles set forth in the Commercial Mixed Use section of the City zoning code, the Architectural Board of Review General Design Guidelines and other appropriate design guidelines promulgated by the City and adopted by the Architectural Board of Review and/or City Planning Commission.

## **Recommendation**

The project develops a highly visible and long-vacant site and will contribute to strengthening the Shaker Town Center area. This is a recommendation to authorize the City administration to enter into a Purchase, Development and Use Agreement with Confluent Development in order to construct an Assisted Living and Memory Care facility.