

load and exit via the second driveway. A small garage is proposed to be built in the southeast corner of the lot to house the front end loader which is used to load the salt. Mr. Vild noted that there will be landscaping and a bioretention area with natural plantings – the lot would drain into this area to filter sediments before the water goes into the storm sewer. An 8 ft. high masonry split face block wall would surround the perimeter of the site with two remote controlled wooden gates.

In regard to the second option (Plan B), agenda item “B” below, Mr. Vild stated that this plan includes the two city-owned parcels as well as three parcels owned by the Cleveland Heights-University Heights City School District. With this plan, the dome would set further back off of South Taylor Road and the front end loader garage would be built behind the dome so that it would not be visible from the street. There would be a larger asphalt work area as well as a larger bioretention area. There would also be a larger grass area within the site to incorporate more evergreen landscaping for screening purposes. Mr. Vild stated that there are no plans for an ingress/egress on Wynn Road.

Mr. Vild stated that the City applied for Community Development Block Grant (CDBG) funds with the intention of constructing the perimeter wall and doing streetscaping along South Taylor Road from Cedar Road to the Cleveland Heights line; it would include sidewalk replacement, planting of ornamental grasses, perennials and annuals to improve the appearance of the commercial area. In addition, he noted that 10-12 quick growing, larger trees are also proposed to screen the salt dome from Wynn Road.

City Engineer Joseph R. Ciuni presented artist renderings of both options. He presented both aerial views and views from the street on S. Taylor Road. He noted that the first option is closer to the street while the second option is further away from the street and has more landscaping. Mr. Ciuni stated the City applied for CDBG funds for a streetscape project on S. Taylor Road from Cedar Road to the Cleveland Heights line. He noted funds will also be used to enhance the salt dome area with trees and the masonry wall.

Mr. Ciuni stated that in order to construct the salt storage facility, the two (2) lots owned by the City have to be consolidated. Mr. Ciuni recommended consolidation.

Mayor Rothschild requested that Mr. Vild address the invitation to receive salt from a neighboring city and cover the equipment currently being used as well as the proposed truck route. Mr. Vild stated that the City’s snow removal fleet consist of five (5) large dump trucks that are equipped with salt spreaders and snow plows. He stated that the proposed salt storage facility would only be used during the winter months. He noted that only maintenance activity will go on at the site during the other months of the year. Mr. Vild explained that if the trucks have to leave the City limits to get salt that is time wasted (30-45minutes round trip) in which the crews could have been plowing. He added that there would be more fuel costs as well as wear and tear on the trucks. He also noted that because the personnel would have to leave the city, an additional person would have to be added to the existing three-men on call crew, which would be an additional expense to the City. Mr. Vild noted his concerns of potential limitations being placed upon University Heights with regard the amount of salt that his crews would have access to if the City partnered with a neighboring community.

Mr. O’Connor quoted from a Sun Press editorial of November 29, 2007, and stated that Mayor Rothschild made a very cogent proposal in the best interest of the City.

Because public comments had been raised about property values going down if the salt dome was built, Finance Director performed a survey of property values around the salt bin in Cleveland Heights. Finance Director Arman Ochoa reported that there has been no decline in property values; they remained even for four (4) years, then they increased in the 2006 tax year. Mr. Bolotin inquired if the increases in property values were based on County assessment or properties that have sold. Mr. Ochoa noted that it was based on the County assessments. Mayor Rothschild noted that a cone shaped salt dome and water tower in Beachwood has not affected property values either.

Mr. Vild displayed photographs of both sides of S. Taylor Road from the Cleveland Heights line to Cedarbrook Road. Mayor Rothschild stated that twenty years ago she tried to facilitate a joint renovation project with Cleveland Heights on both sides of S. Taylor Road. She noted that S. Taylor Road was not a priority area for Cleveland Heights. Therefore, she proceeded with the development of the University Heights side of S. Taylor Road.

Finance Director Arman Ochoa reported that the City issued a \$200,000 note in May, 2007 to pay for the construction of the salt dome. Mr. Ochoa stated that the City must begin construction of the salt dome before May of 2008 or pay back the note in full with interest.

Chief of Police Gary Stehlik stated that there are no traffic concerns as the trucks will be entering and exiting the site in a forward motion.

Mayor Rothschild pointed out that the proposed facility will only be used in the winter months so the nearest residents should not hear any noise because their windows will be closed during the winter.

Fire Chief John Pitchler had no issues with the project.

Building Commissioner William Nadeau reported that the proposed project will have to go before the Architectural Review Board for review of materials. Mayor Rothschild mentioned that the proposed salt storage facility will not look like the salt domes on the freeways.

Mr. Vild stated that if the city does not complete the CDBG project as applied for, it may count against the City in the future. Community Coordinator Walter Stinson concurred with Mr. Vild.

Jason Stein, 3510 Severn Rd., Cleveland Heights, suggested that the City consider the option offered by Cleveland Heights to use its salt dome located at 1418 Warrensville Center Road. He commented about how long it would take crews to travel to the salt dome from various locations in the city. Mr. Stein proposed a joint University Heights/Cleveland Heights redevelopment at the former Oer Chodosh site to bring new businesses, jobs, property taxes, and income taxes to the area.

Mary Ann Rini, Tyndall Road, expressed concern that a bond was issued prior to the decision to build the salt dome. Mrs. Rini suggested that the salt dome be included in the needs assessment being performed for the City. She also expressed concern for the residential neighborhood in the vicinity of proposed site with regard to privacy, property values and quality of life. Mrs. Rini stated that there needs to be more citizen participation in the project. She suggested that a silo type facility be used at Purvis Park instead of a dome. She also suggested that other sites be considered. Mrs. Rini requested that the City look more at regionalism by considering Cleveland Heights' proposal.

Law Director Kenneth J. Fisher reported that in its plan to the Ohio EPA the City stated that it would have an enclosed salt facility by the year 2007. He stated that although the City has not been cited, it must come into compliance. Mr. Fisher stated that the options for land are extremely limited. He also noted that the meeting is a public process with citizen input.

David Schwartz, property owner at 2113 S. Taylor Rd., stated that he is in favor of any kind of development in the area. He mentioned that retail or housing in the area would be a plus. But, he did not have any objection to the proposed salt storage facility. Mr. Schwartz stated that he looks for the facility being constructed and having the streets serviced in the proper fashion.

John Gibbons, law director of the City of Cleveland Heights, stated that the City of Cleveland Heights Heights opposed to the proposed project because it amounts to an industrial use in a residential area. He noted that Cleveland Heights believes the project would have an adverse impact on property values and on development efforts by University Heights and future retail and residential development efforts by Cleveland Heights. Mr. Gibbons stated that University Heights is not required to abandon its existing salt facility. Therefore, he suggested that the City continue to use the facility and enter into an agreement with another city or cities in an act of regionalism to replenish the salt when the existing facility runs low. Mr. Gibbons stated that every time regionalism is brought up there is a fear of losing control. But, he challenged University Heights and Cleveland Heights to work together because the sharing of salt could be the perfect opportunity for regionalism.

Mayor Rothschild stated that one of the positive aspects of this issue is that Cleveland Heights may now make the S. Taylor Road area a priority. Mr. Gibbons stated that Cleveland Heights has been discussing the upgrade of the Cedar/S. Taylor area during the last three Council meetings.

Mr. Fisher stated that originally he suggested possible sharing of a salt facility with the City of Cleveland, but they did not have any interest in sharing the facility. Mr. Fisher noted that University Heights has a real present need to have an enclosed salt facility because the City could be cited if action is not take to comply with plan which was submitted to the EPA. Mr. Fisher made himself available to discuss the matter further. Mr. Gibbons stated that Cleveland Heights City Council is now interested in talking about a cooperative effort for salt storage.

Richard Wong, director of Planning and Development, City of Cleveland Heights, shared his concerns and observations on the effects of the proposed salt dome, which he presented in writing in letter dated November 29, 2007 as well as other documentation. Mr. Wong stated that the proposed salt dome is similar to a warehouse or industrial use and is incompatible with the single-family residential district and local retail uses which surround the site.

He noted that noise will be an issue as heavy equipment used in the salt storage facility will be heard in the residential district on Wynn Road, Washington Blvd. and Raymont Boulevard.

Mr. Wong suggested that a land use plan consisting of residential and small retail uses would be more beneficial to the area. He noted that Cleveland Heights continues to provide storefront renovation grants, commercial revolving loans, and streetscape funds. He added that a comprehensive reuse of the corner building at Cedar and S. Taylor is now in the design stages.

Mr. Wong noted that the trees planned for the site will not do well because of being near the road salt. He added that the trees planned for the buffer zone to the east of the site will receive acidic dust that will impede their growth.

Mr. Wong suggested that truck deliveries will be a problem because both plans require delivery trucks to backup. Therefore, he mentioned that neither site is good for the proposed facility. Mr. Wong requested that the project be reconsidered and the property be considered for uses beneficial to the area.

Mayor Rothschild mentioned that the City property (Permanent Parcel Nos. 722-01-001 and 722-01-002) were rezoned on June 26, 2007 from Local Retail District (U-7) to Two-Family Residence District (U-2).

MOTION BY MR. REICHEK, SECONDED BY MR. O'CONNOR to recommend to Council approval of the proposal to construct a road salt storage facility using the two parcels of real estate that the City owns on South Taylor Road, subject to the approval of all City departments and the Architectural Review Board. On roll call, all voted "aye," except Mr. Bolotin, who voted "nay."

MOTION BY MR. REICHEK, SECONDED BY MR. O'CONNOR to recommend to Council approval of a lot consolidation plat for the two city-owned parcels (specifically Permanent Parcel Nos. 722-01-001 and 722-01-002) in order to facilitate the construction of a road salt storage facility, subject to the approval of the City Engineer. On roll call, all voted "aye."

- B. Preliminary discussion of proposal to construct a road salt storage facility utilizing parcels of City owned property and possible parcels of land currently owned by the Cleveland Heights-University Heights City School District, including approval of a lot split and consolidation plat.**

Discussion on this item took place simultaneously with agenda item "A."

MOTION BY MR. REICHEK, SECONDED BY MR. O'CONNOR to recommend to Council approval of the proposal to construct a road salt storage facility using the City's existing two parcels and the three parcels of land currently owned by the Cleveland Heights-University Heights City School District subject to the City's acquisition of those parcels and to the approval of all City departments and the Architectural Review Board. On roll call, all voted "aye," except Mr. Bolotin, who voted "nay."

MOTION BY MR. REICHEK, SECONDED BY MAYOR ROTHSCHILD to recommend to Council approval of a lot consolidation plat of the three parcels currently owned by the Cleveland Heights-University Heights City School District together with the city-owned parcel as consolidated (specifically Permanent Parcel Nos. 722-01-001 through 722-01-006), subject to the City's acquisition of those three parcels and the approval of the City Engineer.

Prior to the vote, Mr. Fisher stated that that the motion was not appropriate at this time because although the City has made an offer on the parcels, the City of Cleveland Heights has made a competing offer, and the School Board has not taken action on either offer.

Mr. O'Connor mentioned that the City is trying to be self-sufficient as far as salt storage is concerned which is in the best interest of the community. He hoped that the City continue to do things in the best interest of the community.

Mr. Reichek called for the question.

On roll call on the motion, all voted "aye," except Mrs. Zucker and Mr. Bolotin, who voted "nay."

Mayor Rothschild stated that the aforementioned recommendations will be presented to the City Council at its meeting on Monday, December 3, 2007.

C. Application of Waterway Gas & Wash Company, 727 Goddard Ave., Chesterfield, MO, to demolish retail strip building located at 2216 Warrensville Center Road and construct a full service car wash, gasoline and convenience store facility with administrative office and training center/conference room on a second floor.

Present for Waterway Gas & Wash Company were Mr. Henry Dubinsky, chairman and CEO, Mr. Michael P. Goldman, vice president, site development and general counsel, and Mr. John Lateulere, civil engineer with Atwell-Hicks. Mr. Goldman stated that Waterway Gas & Wash Company has entered into a contract to purchase the property at 2216 Warrensville Center Road. Mr. Michael Goldman presented the history of Waterway Gas & Wash Company, which has been in business since 1970. He noted that it is one of the largest full service car wash companies in the nation. The Cleveland area will be the fourth market for the company. Mr. Henry Dubinsky stated that Waterway stands apart from other companies because of the quality of its sites, its service, and its personnel. He also noted that they have high style buildings and landscaping. It was noted that the Cleveland market was selected because of the amount of road salt used here, the competition and the location (near Whole Foods). Mr. Dubinsky stated that they anticipate opening the facility next year.

Mr. Goldman stated that their desire is to continue the trend of recent development along Warrensville Center Rd. by bringing forth their proposal to demolish the outdated retail strip building located on Warrensville Center Road between Lansdale and Bushnell Road. After which, they propose to construct an architecturally pleasing two-story building which will be approximately 7,500 sq. ft. in size. The building materials will be metal and brick with a stone base. There will be a ground mounted monument sign, which was not indicated on the plans.

Mr. Goldman noted that this will not be the only Waterway Gas & Wash facility in northeast Ohio, but hopes it will be their first. He noted that the proposed second floor of the building would house the management office and a training room, which would be a positive for University Heights as it would generate several thousands of dollars in salary from the management staff and bring payroll taxes into the City. He added that training hours will be in the evening and generally once every other week. The training will be for the car wash line employees and consist of safety and human resource training.

In referring to his memorandum of November 27, 2007, Building Commissioner William Nadeau reported that the only variance required would be a 10' variance on the rear setback. He noted that Fire Chief John Pitchler stated that a 10' fire lane is sufficient; therefore, the second variance mentioned in his memo will not be required. Mr. Nadeau recommended that a traffic study be submitted to justify the proposed entrances and exits to the site as well as addressing the issue of car queuing. He pointed out that the City does not want stacking on the side streets. Mr. Nadeau inquired as to where the employees would park. Mr. Goldman stated that they have intentions of contacting University Square regarding parking in the garage. Mr. Nadeau stated that the garage is a public parking facility and can be used for parking; he would just need verification as to where the cars would be parked. Mr. Nadeau stated that he would like the opportunity to review the sidewalks around the site because they may need to be repaired or replaced. Mr. Goldman stated that they reviewed the sidewalks and they do need to be replaced, which Waterway would be responsible to complete. Mr. Nadeau noted that further consideration will be given to the exact location and configuration of the proposed 6 ft. high masonry wall separating the residential district from the project. It was his hope that the wall of the building could act as the separating wall with the 6ft. high masonry wall extending to the north and south of the building. He noted that the immediate neighbors abutting the site will be asked to be part of this decision making process. Mr. Nadeau stated that the landscape plan has been provided and all indications of "CONCRETE BLOCK" has been replaced with "FACE BRICK." Mr. Nadeau stated that architecturally the proposed building is better a looking facility than the existing building.

Mr. Goldman addressed the issue of queuing of cars. He noted that customer will start the process under the fuel canopy by requesting the type of wash, then they will proceed to the car wash tunnel, which would hold a line of approximately twelve (12) cars. He added that the conveyor is capable of washing 120-150 cars in an hour. Mr. Dubinsky also noted that they have proposed fifteen (15) spaces outside of the car wash building for vacuuming and drying the cars so there will not be a bottleneck at the end of the building. He added that very rarely will there be more than three (3) cars lined up at the entrance.

Mr. Nadeau inquired if the fuel supplier has been chosen. Mr. Goldman replied that the fuel supplier has not been selected to-date.

Mr. Fisher noted that multiple uses are proposed for the site: gasoline service station, which is a permitted use in the district; car wash; and retail sales. He would like to make sure the city is complying with all of its regulations and inquired into the hours of operation. Mr. Goldman noted that typical hours of operations will be 7:00 a.m. to 10:00 p.m., but they will work with the City on hours of operation. Mr. Fisher noted that since the site abuts a residential neighborhood, times when the tanker trucks will be

accessing the site should be regulated. Mr. Goldman stated they can make an agreement with the shipping company regarding the time of day in which deliveries are made and also address this issue in the traffic study. Mr. Fisher noted that Warrensville Center Road is a busy street and expressed concern about the amount of traffic that the car wash could generate as it relates to the queuing of cars.

Mr. Goldman inquired if the City has current traffic counts that could be used for the traffic study since holiday season counts would not be representative of typical traffic counts. City Engineer Joseph Ciuni noted that he has traffic counts which could be utilized.

Chief of Police Gary Stehlik reported that the existing traffic signal on Warrensville Center Road is only configured for three outlets; therefore, if Waterway opens the curb on Warrensville Center Road then additional mast arm lights must be purchased, erected and tied into the current system. Chief Stehlik was against any queuing on Warrensville Center Road. Mr. Goldman noted that Waterway does not have any sites in which queuing goes onto public roads because of the safety factor.

Mr. Fisher inquired into the number of personnel anticipated at the facility. Mr. Goldman noted that there will be two (2) management positions (territory manager and a market operations manager) and once two sites are operational, a full-time maintenance person will be based out of the University Heights office. Mr. Fisher also inquired if this will be the only Waterway facility with administrative offices. Mr. Goldman responded yes.

With regard to retail sales, Mr. Goldman noted that they intend to sell car care items such as oil, washer fluid, etc., greeting cards, water, candy, and snacks in general. He noted that they do not stack retail items outside for sale. Mr. Goldman stated that they do not sale beer or wine and do not intend to apply for a liquor license.

Mr. Nadeau inquired into the need for traps. Mr. Goldman responded that they use sand/oil separators. Mr. Fisher inquired if the water will be re-circulated. Mr. Goldman replied that the water runs off the cars and falls into a pit in the tunnel. The particulate solids are cleaned out, stored for removal by an independent company, and the water goes into the sanitary sewer.

In regard to his letter of November 26, 2007, City Engineer Joseph Ciuni recommended that Waterway submit the following: 1) geometric, grading, utility and storm water management plans for a detailed review of the plans; 2) traffic impact study; 3) site plan of existing conditions, which must include the locations of adjacent driveways on Lansdale and Bushnell Roads in order to determine possible impacts of the new facility on existing residents and businesses. Mr. Ciuni noted that the curb cut on Lansdale is near the car wash entrance, and inquired how staking will be controlled on Lansdale coming into the site. He also requested that the traffic study address queuing in detail. Mr. Ciuni stated that the City will not allow stacking on Lansdale or Bushnell Roads. Mr. Dubinsky stated that they can eliminate the curb cut on Lansdale Road.

Service Superintendent Christopher Vild requested detailed information on how the waste water will be treated and storm water managed at the facility. He also requested that they take the noise factor into consideration in planning where the rubbish containers are located so that it does not cause a disturbance to the neighborhood.

Mr. Fisher noted that plans for petroleum use should also be submitted. Mr. Nadeau stated that final detailed drawings must be submitted upon approval. Mr. Nadeau stated that variances may be needed for hours of operation and parking. Mr. Goldman stated that the site has sufficient parking, but that could be discussed further.

Mayor Rothschild and Mr. Nadeau recommended that the application be tabled until Waterway submits the traffic study, and other pertinent information as discussed. Mr. Goldman requested that the application be tabled to allow time for additional documentation to be presented.

MOTION BY MRS. ZUCKER, SECONDED BY MAYOR ROTHSCHILD to table the application of Waterway Gas & Wash Company until additional documentation is submitted. On roll call, all voted "aye."

D. Ordinance No. 2007-68 Amending Chapter 1266 of the Codified Ordinances changing the title of the district from "Cedar Center District, U-9" to Cedar Center District/Mixed Use, U-9"

Law Director Kenneth J. Fisher stated that Ordinance No. 2007-68, which was presented on first reading at the Council meeting of November 5, 2007 and referred to the Planning Commission, changes the name of the U-9 District to allow other areas of the city to be governed under the Mixed Use District.

MOTION BY MR. BOLOTIN, SECONDED BY MAYOR ROTHSCHILD to recommend to Council the passage of Ordinance No. 2007-68 to amend Chapter 1266 of the Codified Ordinances changing the title of the U-9 District from Cedar Center District to Cedar Center/Mixed Use District. On roll call, on passage, all voted “aye.”

E. Ordinance No. 2007-70 Vacating a portion of Raymont Blvd.

Mr. Fisher stated that Ordinance No. 2007-70 vacates a portion of Raymont Blvd., which has not been used for years as a public roadway at the corner of Cedar and South Taylor Roads. Mr. Ciuni concurred that a portion of Raymont Blvd. is being officially vacated as a public right-of-way. Mr. Fisher stated that the vacation will allow the strip of land to be conveyed to Premier Restaurant Company (KFC) in the amount of \$110,000. He added that the City currently leases this land to KFC.

Mr. David Schwartz inquired if KFC could do something different than what they have been doing with the land. Mr. Bolotin noted that there are underground utilities which run under the property. Mr. Fisher added that a utility easement will be maintained on the property. Mr. Ciuni stated that agenda item “F” includes the utility easement for water and sewers on the lot split and consolidation plat. He noted that there will be a blanket easement over the entire area; therefore, the land cannot be built upon. It was noted the KFC will continue to use the land as part of its parking lot.

Mr. Reichel called for the question.

MOTION BY MR. O’CONNOR, SECONDED BY MR. REICHEK to recommend to Council the passage of Ordinance No. 2007-70 to vacate a portion of Raymont Boulevard. On roll call, on passage, all voted “aye.”

F. Approval of lot split and consolidation plat for the City of University Heights and Premier Restaurant Company (KFC) for real property located at the corner of Cedar Road and S. Taylor Road

Discussion on this item took place simultaneously with agenda item “E.”

MOTION BY MAYOR ROTHSCHILD, SECONDED BY MR. O’CONNOR to recommend to Council the approval of a lot split and consolidation plat for a portion of the vacated Raymont Blvd. and P.P. N. 722-01-112. On roll call, all voted “aye.”

There being no further business, the meeting was adjourned.

Beryl E. Rothschild, Mayor

Nancy E. English, Secretary