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## REMINDER

### NOTICE OF MEETING

#### CITY COUNCIL

**Dennis Fiorelli**  
*President*  
**Sara Continenza**  
**Joe Frank**  
**Marty Gelfand**  
**Jane Goodman**  
**Ruth Gray**  
**Jason Russell**

MEETING OF: **COMMITTEE OF THE WHOLE**

CALLED BY: DENNIS FIORELLI, PRESIDENT

DATE: **JUNE 24, 2019**

LOCATION: COMMITTEE/JURY ROOM

TIME: 7:00 P.M.

RE: - MONTHLY FINANCE UPDATE AND REVIEW OF FINANCE LEGISLATION.  
- DISCUSSION OF RES. 20-19 BURGER KING CONDITIONAL USE PERMIT *(TIME PERMITTING)*.

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#### **COMMITTEE/COUNCIL MEMBERS:**

SARA CONTINENZA  
JOE FRANK  
MARTY GELFAND  
JANE GOODMAN  
RUTH GRAY

#### **ADMINISTRATION:**

BRENDA WENDT, FINANCE DIRECTOR  
LAURA HEILMAN, BUILDING COMMISSINER  
MIKE LOVE, ECONOMIC DEVELOPMENT DIR.  
KEITH BENJAMIN, COMM. SERV. DIRECTOR

**CITY OF SOUTH EUCLID**  
**2018/2019 RECEIPT AND DISBURSEMENT COMPARISON**

<b>RECEIPTS</b>				
	<b>2018</b>		<b>YTD</b>	
january	1,825,150	10.85%	1,825,150	10.85%
february	2,235,093	13.29%	4,060,243	24.14%
march	1,244,905	7.40%	5,305,148	31.54%
april	1,337,106	7.95%	6,642,254	39.49%
may	1,560,171	9.28%	8,202,425	48.76%
june	1,217,397	7.24%	9,419,823	56.00%
july	2,154,625	12.81%	11,574,448	68.81%
august	1,707,946	10.15%	13,282,394	78.96%
september	1,541,220	9.16%	14,823,614	88.13%
october	1,239,006	7.37%	16,062,620	95.49%
november	971,753	5.78%	17,034,372	101.27%
december	943,250	5.61%	17,977,623	106.88%
	17,977,622			
projected	16,820,775	106.88% of projected total		

<b>DISBURSEMENTS</b>				
	<b>2018</b>		<b>YTD</b>	
january	1,538,844	7.89%	1,538,844	7.89%
february	1,564,348	8.02%	3,103,192	15.91%
march	3,458,208	17.73%	6,561,400	33.64%
april	1,497,965	7.68%	8,059,365	41.31%
may	1,403,464	7.19%	9,462,829	48.51%
june	2,031,627	10.41%	11,494,456	58.92%
july	302,198	1.55%	11,796,654	60.47%
august	1,845,294	9.46%	13,641,948	69.93%
september	359,616	1.84%	14,001,564	71.77%
october	1,597,198	8.19%	15,598,762	79.96%
november	1,256,260	6.44%	16,855,023	86.40%
december	1,313,816	6.73%	18,168,838	93.14%
	18,168,839			
projected	19,507,612	93.14% of projected total		

<b>General Fund</b>			
<b>Balance</b>	<b>2018</b>	<b>2019</b>	<b>Difference</b>
january	3,564,305	3,107,536	-456,769
february	4,452,768	4,430,436	-22,332
march	2,042,883	1,057,769	-985,114
april	2,383,826	934,715	-1,449,111
may	2,853,875	1,230,800	-1,623,075
june	2,453,914		-2,453,914
july	4,036,487		-4,036,487
august	4,164,535		-4,164,535
september	5,477,072		-5,477,072
october	5,403,237		-5,403,237
november	4,683,733		-4,683,733
december	4,498,400		-4,498,400

<b>RECEIPTS</b>				
	<b>2019</b>		<b>YTD</b>	
january	1,558,215	9.03%	1,558,215	9.03%
february	2,351,729	13.62%	3,909,944	22.65%
march	1,236,495	7.16%	5,146,440	29.81%
april	1,312,976	7.61%	6,459,415	37.42%
may	1,877,396	10.88%	8,336,812	48.29%
june		0.00%	8,336,812	48.29%
july		0.00%	8,336,812	48.29%
august		0.00%	8,336,812	48.29%
september		0.00%	8,336,812	48.29%
october		0.00%	8,336,812	48.29%
november		0.00%	8,336,812	48.29%
december		0.00%	8,336,812	48.29%
	8,336,812			
projected	17,262,839	48.29% of projected total		

<b>DISBURSEMENTS</b>				
	<b>2019</b>		<b>YTD</b>	
january	1,709,791	8.36%	1,709,791	8.36%
february	1,107,818	5.41%	2,817,609	13.77%
march	4,882,529	23.86%	7,700,138	37.64%
april	1,812,884	8.86%	9,513,023	46.50%
may	1,213,637	5.93%	10,726,659	52.43%
june		0.00%	10,726,659	52.43%
july		0.00%	10,726,659	52.43%
august		0.00%	10,726,659	52.43%
september		0.00%	10,726,659	52.43%
october		0.00%	10,726,659	52.43%
november		0.00%	10,726,659	52.43%
december		0.00%	10,726,659	52.43%
	10,726,659			
projected	20,459,084	52.43% of projected total		

17,812,839      46.80%      550k added (520k - 624k)

CITY OF SOUTH EUCLID  
RITA tax collections 2019

Date of Report	+/- \$ vs 2018	+/- % vs 2018	YTD % COLLECTED		PRIOR	Withholder YTD	PRIOR	Individual YTD	PRIOR	Net Profit YTD	PRIOR
			VS BUDGET	YTD Collected	YTD COLLECTED		YTD		YTD		YTD
1/14/2019	(161,277)	-16.77%	7.61%	800,643	961,920	410,952	374,497	288,069	466,615	37,312	69,731
1/31/2019	(209,531)	-12.09%	14.48%	1,523,242	1,732,773	635,300		686,892		64,744	
2/13/2019	(161,973)	-8.62%	16.31%	1,716,448	1,878,421	817,827	839,957	701,109	760,936	58,002	147,013
2/28/2019	(105,358)	-4.41%	21.69%	2,282,504	2,387,861	1,066,239		906,275		121,942	
3/13/2019	(155,628)	-5.92%	23.50%	2,473,061	2,628,689	1,201,837	1,236,129	937,227	1,037,052	140,993	174,654
3/29/2019	(268,301)	-7.83%	30.01%	3,157,443	3,425,745	1,465,155		1,260,795		198,282	
4/11/2019	(186,121)	-5.27%	31.79%	3,345,079	3,531,200	1,566,873	1,548,569	1,301,295	1,509,316	236,329	221,822
4/30/2019	(125,953)	-2.71%	42.99%	4,524,065	4,650,018	1,879,979		2,071,067		274,112	
5/13/2019	(69,238)	-1.44%	45.19%	4,755,022	4,824,260	1,984,754	1,892,942	2,174,169	2,325,765	293,419	303,391
5/31/2019	3,263	0.06%	52.70%	5,545,462	5,542,199	2,273,882		2,500,673		430,646	
6/13/2019	43,861	0.77%	54.39%	5,722,581	5,708,720	2,362,456	2,283,219	2,554,882	2,762,764	492,503	325,361
				\$10,522,312	\$0	\$0		\$0		\$0	
				\$11,072,312	30.21%	550k added	(520k - 624k)				

\* Note: YTD Collected does not equal (Withholder YTD+Individual YTD+Net Profit YTD) due to penalties and interest charged to delinquent accounts.

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 20-19  
INTRODUCED BY: Fiorelli  
REQUESTED BY: Planning Commission

May 28, 2019

A RESOLUTION

GRANTING A CONDITIONAL USE PERMIT FOR A DRIVE-THRU FOR “BURGER KING” AT 4525 MAYFIELD ROAD IN THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, “Burger King” proposes to construct a new restaurant at 4525 Mayfield Road and proposes to include a drive-thru as part of the project; and

WHEREAS, in the Mayfield-Green (M-G) District in which this property is located, a conditional use permit is required in order for a business to have a drive-thru; and

WHEREAS, in accordance with Chapter 739 “Mayfield-Green District (M-G)” of the codified ordinances, the application for conditional use was referred to the Planning Commission; and

WHEREAS, notice of a public hearing on the aforesaid requested Conditional Use Permit has been duly given, and a full public hearing has been held thereon by the Planning Commission pursuant to such notice and as prescribed by law; and

WHEREAS, the Planning Commission made a motion to recommend to City Council that such a conditional use permit be issued; and

WHEREAS, in a vote of 1-4-0, the motion failed, justification for this motion failing is provided in the April 25, 2019 and May 9, 2019 Meeting Minutes of the Planning Commission; and

WHEREAS, after careful consideration and study, a majority of the Council of the City of South Euclid deems that the aforesaid Conditional Use Permit should be given in that the standards set forth in Chapter 739 of the South Euclid Zoning Code have been achieved provided “Burger King” follow the conditions as defined below when constructing the drive-thru.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of South Euclid, Ohio:

Section 1: That a Conditional Use Permit is hereby granted to “Burger King” to construct a drive thru at 4525 Mayfield Road in the City of South Euclid, Ohio, per the following conditions:

- Condition 1:** That the Board of Zoning Appeals (hereinafter referred to as the “BZA”) decides upon granting relief from Section 739.04(a), where the minimum lot size required is 1 acre. The proposed site is .4663 acres.
- Condition 2:** That the BZA decides upon granting relief from Section 739.04(b), where the minimum lot width required is 150 feet. The proposed site width is 104.49 feet.
- Condition 3:** That the BZA decides upon granting relief from Section 772.18 (Table 2) which requires one parking space for every 20sf of floor area, for a total of 52 parking spaces required for this establishment. As presented, the site plan depicts 9 dedicated parking spaces.
- Condition 4:** That the BZA decides upon granting relief from Section 739(a)(1)(B) which permits shared parking between uses, with the condition that not more than 50% of parking spaces be shared. As presented, the site depicts 9 dedicated parking spaces and 43 shared parking spaces, in order to meet the total of 52 required parking spaces. Thus, 83% of the parking is shared parking.

- Condition 5:** The final approved site plan must comply with Section 772.12 which states that drive-thru stacking spaces shall not block dedicated parking spaces or interfere with the flow of internal circulation, or the BZA decides upon granting relief from requiring compliance with this section.
- Condition 6:** The final approved site plan must comply with Section 739.12(d)(1) which states that pedestrian walkways shall be clearly separated and distinguished from automobile parking spaces and aisles, or the BZA decides upon granting relief from requiring compliance with this section.
- Condition 7:** In accordance with the Traffic Commissioner's review of the site plan, the final approved site plan shall include signage at the drive-thru entrance clearly stating "Drive-Thru Only."
- Condition 8:** In accordance with the Fire Inspector's review of the site plan, and Ohio Fire Code Sections 503.1.2 and 502.2.1, at least one of the access driveways to the site (entrance to drive-thru or exit from drive-thru) on the final approved site plan must be at least 20 feet wide.
- Condition 9:** The final approved site plan shall address the Fire Inspector's concerns that the two 12 foot wide drive-thru lanes entering the site could impair emergency vehicle access to the site, due to vehicle congestion.
- Condition 10:** The applicant shall be required to perform a traffic study prior to receiving final site plan approval.
- Condition 11:** The final approved site plan must be designed in such a way so that traffic from this use will not back up onto Mayfield Road and will not interfere with the ingress/egress of traffic moving throughout Marc's Plaza.
- Condition 12:** Building design, signage and landscaping shall be submitted to the Architectural Review Board for review and approval. If such approval is contingent on any variances being obtained from the BZA, such variances must be obtained before any construction permits would be issued.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This Resolution shall take effect and be in full force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Dennis Fiorelli, President of Council

Attest:

Approved:

\_\_\_\_\_  
Keith A. Benjamin, Clerk of Council

\_\_\_\_\_  
Georgine Welo, Mayor

Approved as to form:

\_\_\_\_\_  
Michael P. Lograsso, Director of Law