



**City Of Broadview Heights  
City Council  
GPZ Meeting Minutes  
February 10, 2025 - 6:30 pm**

### **Call to Order**

**Price:** Okay, we're gonna call to order the meeting of Growth, Planning and Zoning committee.

### **Roll Call**

Committee Members: Joe Price, Jennifer Mahnic, Tom Pavlica

Council Members Present: Jennifer Mahnic, Joe Price, Glenn Goodwin, Tom Pavlica, Brian Dunlap.

### **Objective**

To ensure that the City building codes are of high quality standards and to recommend changes to codes as deemed necessary; and to review current usage of public land and buildings and recommend future changes and use thereof and to review present and future proposed development and to meet with developers as required, to enhance the city's possibilities of acquiring a desired project. To provide assistance to prospective developers by directing them to the appropriate authority, i.e., the Planning Commission or the Zoning Board of Appeals.

### **New Business**

#### **A. Moratorium for Small Box Discount Stores and Adding Big Box Stores**

**Price:** With that, we have, under new business, we have a discussion on moratorium of the small box discount stores and adding big box stores. Did the committee have anything they wanted to discuss on that, or do you wanna move that to the second part of the meeting?

**Mahnic:** I thought we already did that in a work session.

**Pavlica:** That was the small box discount stores though, I believe, wasn't it?

**Price:** Was it still on our committee agenda?

**Mandato:** You want me to talk to you about that?

**Price:** Sure. Go right ahead, Joe.

**Mandato:** Thank you. So, yeah, Mr. Boldt brought that to our attention. He wants our administration to start working on amending that ordinance that you guys have already put a moratorium on large and small box.

**Mahnic:** Yes.

**Mandato:** So we're gonna amend the ordinance and get something to you guys within two to three months here.

**Mahnic:** Okay.

**Mandato:** With the law director, myself and administration.

**Price:** Okay. And he sent you an email to you on that?

**Mandato:** Yes.

**Price:** And you've been working on that?

**Mandato:** Yes.

**Price:** Okay. So do we want to have a motion to move this forward to council work session? Is that what you're looking for, Joe?

**Mandato:** No, it's not, you can leave it on the agenda for when we bring it back to you within two to three months.

**Price:** Excellent. Then we'll do that. Okay.

## **B. Sheetz Project**

**Price:** The second item on the sheet, the agenda tonight is the Sheetz project. Just to let everybody know, this meeting may run a little bit long. We hope it doesn't, we're allotted no more than an hour at this time. I want to give 15 minutes to the presenters if they want to present their project tonight. We want to have some time for dialogue and discussion amongst the committee members and questions that they might have. And then I want to at least allocate the last 30 minutes to public comment, if we can afford that to them here tonight. So with that, I'd like to invite the project presenters to introduce themselves and let us know what's on the agenda.

**Diane Calta:** Good evening. My name is Diane Calta and I work as the Land Development Council for Sheets. I apologize. I think my voice is not gonna hold up. So the good news is I'll be brief. I work with Mansour Gavin. If you need an address, it's 1001 Lakeside Avenue, suite 1400, Cleveland, Ohio. With me today, I have, Ellen Selle, who is a project engineer with Sheetz, and Owen Wolf, who is our site selector. What I'd like to do today is just introduce briefly the project and then turn it over to Ellen to go over the site plan and then Owen to address the location and some other items for all of you tonight. So, as you know, we have an application before the city, site plan and conditional use application. This is at the northeast corner of Broadview Road and Wallings Road. What is proposed is a new Sheetz, which will contain a convenience store and six fuel pump islands, along with what we call a newest generation single winged canopy. If you've seen any of the newer Sheetz locations, it will look very similar to that. It will also have a drive-through. In all these capital improvements will be a multimillion dollar investment for Sheetz. It also will create approximately three dozen jobs, and those are typically split relatively evenly between full-time and part-time positions. Another question we often get obviously we have a process that we will be going through with the city appearing before the Planning Commission, et cetera. And, that will take some time. But if all of the necessary approvals are obtained, they would be looking to open and begin construction mid, I'm sorry, to begin construction mid 2025 with an opening early 2026.

And if I can just give a little bit of background about Sheetz. It is a family owned and operated business. It was founded back in 1952 by Bob Sheetz, who purchased his first store, which was his father's dairy farm. They now employ over 25,000 people. They operate over 700 stores and they are in central and western Pennsylvania, West Virginia, Maryland, Ohio, Michigan, Virginia, and North Carolina. So this team comes to you with a lot of experience with many, many other stores, which is a wonderful amount of information and I always say analytics to talk with you about. A little bit more about this site. It is a 2.73 acre site. So typically Sheets looks to have larger sites so that they can contain everything on site, which you may see some other fueling stations that don't have as large of a footprint. And then again, this isn't a local retail, which is C-1, and this is a conditionally permitted use. I'm not sure exactly if you also, all the committee received a copy of my letter that that overviews the conditional uses and the requirements but just generally we meet those. And I will turn it over to Ellen to walk through the site plan so you can see what is being proposed to be located on the property and how it's configured.

**Price:** Thank you.

**Ellen Selle:** Thanks, Diane. I'm Ellen Selle. I'm with Sheetz and we do have a number of things going on site. We have fuel pumps, Diane mentioned six, but there's actually 12 fueling stations. Those are gonna be positioned parallel to Broadview Road. And then we also have a building that is over 6,000 square feet. And that building includes indoor seating, outdoor seating made to order food and beverages, quite a bit and then along with the drive through component. So that drive through the order point would be along Wallings Road, adjacent to that side. And then you would circle around the building and pick up around the backside is that window. So this site, includes the Rite Aid property plus two properties north of that. So that would be the Frank's Coach and Carriage building as well as their parking lot. So just keep that in mind, it all fits into that footprint Diane was talking about. We are gonna propose, we're proposing to demo both those buildings and then all their site improvements to then build our site to the needs that we need to. We have quite a bit of landscaping on site. We're looking to keep some of the existing as well as add additional landscaping. We'll meet your lighting code requirements, there will be, sufficient lighting on site. And, some other things that we've talked about with the city already is we've submitted our traffic study to them, they're reviewing that. And then, we have pushed all of our driveways as far back as possible. So, the one Rite Aid driveway that's on Wallings, that one will remain and we'll use that one. And then there'll be another driveway on Broadview Road. That's, again, as far back as possible from the intersection. That traffic study did present a number of things, but I think a really good thing to take from that is the level of service measures how well that traffic signal operates. And currently it's at a level C, which is very good. It's average, it's something that traffic engineers and city engineers think is sufficient. And, even with the Sheetz build conditions, that level of service does not change, it's still a C. We're aware of the

sound levels within the city, the light levels. Then just a few other things to note about Sheetz is that we are open 24 hours, but we we have a lot of safety measures in place. I talked about that lighting. So we're lit appropriately to be open 24 hours. We also have a significant number of cameras on site, about 40 cameras on site and those will be monitored by our security operations back in Altoona. And every part of our team members who work on site can communicate with them and the security team can communicate with our onsite staff as well. With that, I will hand it over to Owen and he can talk a little bit more about why we selected this site.

**Owen Wolf:** Yeah, so I just wanna speak to, our company is really excited about this opportunity to be an be a member of the community here in Broadview Heights. Obviously, as you guys are aware of, it's a vibrant, thriving community and it's somewhere that we've been working for a really long time to identify a suitable location. How we start with that, from the site selection standpoint we have to take into account, as Ellen referenced, we typically take down more land area than the average convenience store. And that's, so we have the wider drive aisles, the site circulation the entire way around the site for any fire or police standpoints as well as our delivery trucks. And we also take a hard look at zoning. Zoning is basically where I start when I look at an overall site is where can we be that we are either an outright permitted use or conditionally permitted use. The zoning code and the zoning map and Broadview Heights really identify essentially three main commercial corridors. State route 82 at Broadview at route 82, route 82 closer toward the I-77 interchange, and then Broadview Road North, along East Wallings is another main commercial corridor. So throughout that process in identifying suitable locations, paired with the opportunity to find available land, which is a little bit more difficult than I think sometimes it can, can lead on to available property. Again, we've been working for probably close to a decade, if not longer, to figure out a suitable location in this municipality. As some of you may be aware of, Rite Aid announced bankruptcy last year. So we had pegged this intersection as a viable option for a long period of time, could not find a property that was suitable for us. We also wanted to be considerate to the fact that we're not immediately abutting residential in any direction. And that's something that we want to consider to the residents that we're not gonna have a 24/7 use that's immediately in someone's backyard. There is commercial screening on all four quadrants of this intersection, and that was intentionally thought about with the site selection as well. East Wallings Road, also runs out to Interstate 77, a little under two miles to the East. Broadview Road runs north the entire way into Parma and then south to the state Route 82 intersection. So naturally there is a lot of existing traffic and available customers at this intersection. So those are a multitude of the things that we took into account. We work very closely with an internal team at Sheetz as well that does data analytics and market studies. The demographics of this area were something that we felt like was very attractive to our business model and that we would be able to adequately serve. This is currently a large geographic hole in our ability to serve and in our footprint across northeast Ohio. So this has been a market that we're eagerly anticipating finding a site and we are excited about the opportunity we have in front of you guys. So either myself, Ellen, or Diane are certainly happy to answer any additional questions you guys might have.

**Price:** Well, that hand went up pretty fast. I have some questions, but I'm going to defer to my colleague Jennifer Mahnic.

**Mahnic:** Oh, thank you.

**Price:** Thank you by the way for your presentation, all three of you.

**Mahnic:** For right now. I just have a couple questions. I know we have a lot to discuss, but one question I did get from residents is if it's going to have as a charging station.

**Wolf:** So currently we work with three outside suppliers. We actually just added our fourth, but it's Tesla, EV Go, Electrify America, and then Iona EV chargers. And we actually do not supply the physical chargers. So how it works in terms of our internal processes, once we receive our building permit and we release to our construction team, we send out a notification to our vendors and they do a market study based off existing clientele that they have in their own analytics to see if we're right off an interstate at times that's more common, but if it's in a higher end different demographic area, there's usually an appeal for the electric vehicle chargers. So we normally do something where ahead of time we allocate a certain row of parking, usually anywhere four to eight spaces to allow for those future EV chargers. So I can't answer whether this one would be determined, I think I would've a hunch that this would be a good candidate, but it's ultimately up to our suppliers at that time.

**Mahnic:** Have you allotted space for that?

**Wolf:** Yes. I don't know if it's specifically called out on this site plan, but I'm sure we could point pretty quickly to a row of parking where we would have the chargers.

**Mahnic:** Okay. Another question I have is, have you purchased the land yet?

**Wolf:** No. So this will be a lease from the current owner of the Rite Aid property. He's an outright owner and then he has the Frank's Auto under purchase agreement contract contingent upon us getting our approvals. So once we go throughout our permitting process, at the end of the day, the current owner of the Rite Aid would consolidate all three properties into one tax parcel and then we would lease directly from that owner.

**Mahnic:** Okay. So you're not actually buying the land?

**Wolf:** Sheetz Inc. Is not buying this land. No, we're leasing.

**Mahnic:** So the landowner in that area is the one making the decision of who they're going to be leasing the land to.

**Wolf:** We have a signed lease agreement with that landlord, yes.

**Mahnic:** I think for right now that's what I have. I do have more questions, but since you're the one standing here. Oh yes. I guess my other question is, we have a big problem with the location that you selected. I think, we don't know.

**Price:** I'm gonna ask everyone to, I'm gonna give you a chance to speak.

**Mahnic:** Just in case you didn't know.

**Price:** Let's please keep this civil and let's give them a chance to ask. Thank you. Do you wanna repeat that question?

**Mahnic:** I think everyone heard it. Just so you know, that's gonna be a very tall hurdle to get through. Um, even if you can. It'd be great somewhere else. I don't know if you've looked at other locations or if other possibilities are obtainable for your company, but your family owned company is what you're telling me. And this is a family oriented community and we have to work together to make it make sense.

**Wolf:** Sure.

**Mahnic:** So I know that's not necessarily a question, but I need you to be thinking about what other options, locations, Sheetz could think of. Okay. But you don't have to respond this second 'cause I know we have a lot of other things to discuss tonight.

**Wolf:** Understood.

**Mahnic:** That's it for right now.

**Price:** Mr. Pavlica, did you have anything you wanna add or ask?

**Pavlica:** Thank you, Mr. President. I think Sheetz sounds like a great place to work. The building structures you guys put together is great, but as Ms. Mahnic brought up, I've got several, many, many emails from residents that are concerned about light pollution, noise pollution, and one building over from where you're proposing this building is residential property. There's residents that live there. So I got many phone calls from them, from residents that live around this area. Not only, my ward is right across the street, but even from ward two residents have contacted me to tell me their disapproval of possibly this going in. So that's all I have. Thank you.

**Price:** Okay. Owen, thank you, for taking my questions. I wanted to ask you, you did make mention that you were looking for suitable locations.

**Wolf:** Sure.

**Price:** And you mentioned two of them being on the Route 82 corridor.

**Wolf:** That's a retail corridor we've looked at for, yes over 10 years to try to find a location from a zoning perspective and overall land area as well. Yes.

**Price:** And you highlighted to me the 82 and Broadview Road corridor. Why not that at those locations?

**Wolf:** Well, one thing that's very important for what we do on the land side as well is available land. So we have to have land where either it's available for purchase or available for lease. So that's really what it's come down to for the site to hit our criteria, to be on the hard corner of a traffic signal with a certain volume of average daily traffic that is existing. That is the nature of our business. We're a convenience store. We want to catch a pass by traffic there, and there's been no available alternatives that suit our parameters and criteria.

**Price:** Well, statistically, how many vehicles do you see a day in the Sheetz? 24 hours a day.

**Wolf:** It's completely site dependent, it's on a case by case analysis. I mean, we have some in different markets that are much different than other ones. Roundabout, we require at least 18,000 cars a day. That's existing traffic. We, that's our minimum traffic requirement for us to look at a location.

**Price:** So who, who performed, and you may not have this question, who performed the traffic study?

**Selle:** Sure. GPD group performed the traffic study. Okay. They're a reputable engineering company in the area. So this intersection during the PM hour has 1700 vehicles per the AM peak hour. And the PM peak hour is almost 3000. That's just existing and the analysis that they've performed that meets ODOT specifications and requirements adds 3% of vehicles to that intersection in the morning. And 2% of vehicles to that intersection in the evening PM peak hour.

**Price:** As a Sheetz customer, how many locations do you have that run on just two lane highways. Cause we are both east

and west, one lane each way. And we are north and south. South of Wallings Road only it bottlenecks down to one lane each way. How many Sheetz locations are in a demographic like that?

**Selle:** I don't know how many, but this wouldn't be the only location. As Diane mentioned, we have the analytics, so I can find out some numbers, but I don't have that exact number this evening.

**Price:** And I, I don't want to cut you short, but I do want to give building department a chance to respond as to why it's going to Planning Commission but I also want to say, as a resident of almost 30 years and travels that intersection every day, it's already difficult enough. And as a former owner of not one but two locations, would be a competitor to Sheetz at one point some years ago and now 15 years ago. I understand the volume that you'll see and that you need to see to drive those profit centers that you create in those stores. So my concern is that you're taking a shoe horn in making this site fit because it's far too small for the type of business model that I've seen Sheetz build in the past. So those are my concerns. And I'm just expressing mine as both a chairman of this committee and as a resident who travels that intersection for, like I said, 30 years now. So, thank you. Okay. Do you have anything else, Ms. Mahnic?

**Mahnic:** Yes. Before we hear from building, because I have questions for building, just so I'm transparent with your company, I do have concerns for the existing businesses that are there and what something like Sheetz will do to the More For Less, which I think is family owned, the Marathon, which is family owned. What something like this is gonna do to them that have been longstanding in our community. I do have issues with that. I really wish you could just maybe work with our mayor and find a different location. I'm sure he'd be willing to see what's available. Maybe he knows something that you don't. But I am concerned what you're gonna do to those businesses that have been there for a long time that have sponsored our baseball teams and promoted recreation in our community that are invested with us. Like you're going to push them out. Okay.

**Price:** Okay. I'm gonna wrap up with this just a little bit of information, background information and Mr. Pavlica could relate to other members of council. We have had some projects that would be welcome to Broadview Heights. This could be welcome to Broadview Heights. But we did also ask in at least two cases for them to relocate those businesses to move to a different corridor and they did and they've been highly successful. So I would hope that you would take that under consideration because again, I just believe you're shoving too much into a small location that doesn't need the traffic, the ability for us to continue a flow of traffic. Since we've opened up State Route 82 corridor to five lanes all the way down to the Aldis, it has completely eliminated all those traffic concerns. So I could see that being a corridor and I know there's still land available over there. So you may not want that competition, 'cause there is one other, there's a Shell there. But I've seen Sheetz compete right across the street, do very well. So, I would hope that you would consider that. So with that, if I could ask Joe Mandato from our building department to step forward and Joe, you can at least tell me why exactly, it has to go to Planning and at least tell the crowd that.

**Mandato:** Every project that comes to you in the city is something that fits the zoning. So if we bring it to you and if it doesn't fit the zoning, they have to go for a vote to get the zoning changed. This fits the zoning. There used to be a gas station there, it was C-1 before, not saying it was the exact same type of gas station. This a convenience store, more so, and gas station as well. But again, it fits the C-1 zoning. All they need to do is get some conditional use approvals. So that's why it's in front of you. We don't choose where a business goes in the city. A business comes to us and fits the zoning and that's all we could do is let 'em know whether it fits the zoning or not.

**Price:** So it requires conditional approval from the planning commission.

**Mandato:** All gas stations require conditional approval for the fuel islands and this one for the drive through.

**Price:** And that meeting, the first meeting for this, is this coming Wednesday, is it?

**Mandato:** Wednesday at Planning Commission, yes. And I could clarify, you had a question about it showed for final approval. They're also going for the consolidation in the same meeting and that they could get final approval on the consolidation. They're only gonna get preliminary approval if they do get approval on the convenience store island and drive through.

**Price:** Okay. Thank you Joe, but hold on 'cause Ms. Mahnic has a question. Go ahead Ms. Mahnic.

**Mahnic:** Just 'cause we have so many residents here, and of course council, so Planning Commission will hear this and they'll be able to determine the gas station, the pumps or the drive through. Will they be able to say no to those two conditions?

**Mandato:** It's not my call. I can't say, well, I'm not here to give,

**Mahnic:** Are they legally are they allowed to. Right.

**Mandato:** I'm not sure that'd be a question for the law director I think. Again, they're just going for a conditional use and conditional use means more design, I believe. And, you know, other noise hazards or stuff like that, they could look at all that. But again, that's what the conditional use is for. It does fit the zoning again.

**Mahnic:** We definitely have to ask the law director that specific question, if anything, for the members of planning commission to know what they can and cannot do.

**Mandato:** Well, I'm sure they know their job, so I can't, I'm not gonna comment on that.

**Mahnic:** No, I mean, that'd be really big if they said based on conditional use, you can't put a drive through and you can't put gas pumps.

**Mandato:** Again, I'm not gonna comment on that.

**Mahnic:** Okay, no problem.

**Price:** Well, one question I didn't hear it ask, is there any potential variances?

**Mandato:** No variances needed?

**Pavlica:** Mr. Price, Joe?

**Price:** Okay, with that, I'd like to give the residents. Oh, go right ahead, Mr. Pavlica.

**Pavlica:** My question is, do we have to send this to planning from this committee?

**Price:** I think we'll go over the options at, at the end of this meeting, if you don't mind.

**Pavlica:** Okay, thank you.

**Price:** Okay, hold on just a second. Mr. Goodman, I'd like to invite you to come on in and ask a question real quick.

**Goodwin:** Thank you. I appreciate it.

**Price:** You've got less than two minutes.

**Goodwin:** I'd like to know you've picked this site and to the north of that it's saturated with gas stations. Why, in particular, would you bring this to compete head to head with five within a stone's throw of this? This doesn't make sense to me from the marketing standpoint and yet alone. You said that going down to 82 would be a better alternative. And I totally agree. I mean that's someplace that probably would even welcome almost your venue down there. And you'd have probably twice the traffic there. So rather than jumping quickly to go into a site here, wouldn't it make sense to pull back and wait for the best site, which would be down there at 82 and 77, where I think you'd find very little objection to being there.

**Wolf:** Thank you for your, your question, as alluded, we've been looking for well over a decade for an opportunity in this municipality. We're excited about the opportunity. We believe, as Joe said, we fit the zoning and that's something that we focused on on as far as the location. Again, an important part of my job is what's available. And it's not that we're jumping to any sort of conclusion. This has been a long, very long thought out discernment process to find this location. I think, to your comment about the competition, I mean, we've referenced multiple locations where there's existing gas stations across the street. And if you look at across our footprint we believe that we have a superior offering for any municipality that we're in with our food and convenience as well as fuel offering. So we welcome competition in that sense, but we also are not, our goal is never to put anybody out of business or have them lose their livelihood. Our our goal is the same thing as everybody else is to do our job the best we can.

## Resident Participation

**Price:** Okay, we're gonna open it up to the residents. I want to give, hold on just a second. You have to be a resident to speak. So let me first make that clear. We're gonna limit it to three minutes. Please keep in mind if someone gets up and makes the comments that you're going to make, you're gonna take somebody else's time who might want to bring another point up. So please refrain from doing that. Come on up sir. We're gonna let you give your name and your address and where you actually live here in the city. And again, we're gonna give you three minutes. So go for it.

**Parsons:** And please sign in on the sheet.

**Price:** Yes, please do.

**Robert Grabowski:** Okay. My name's Robert Grabowski and we recently moved to Broadview Heights to try to get outta the city. And I live on Richard Road, which is a cut through and so is Elmhurst and Longview. And I think that it's a bad idea putting a gas station there because it's gonna cause more traffic. There's enough traffic on Wallings, Sprague, Broadview Road. We may as well turn it into Independence and make it six lanes. As far as I'm concerned, like I said I live on Richard Road and there's people that do double speed limit there. I've been complaining for four years about people speeding down our roads and they actually put up digital speed limit signs, which people use as like a drag strip to see how fast they can go. And there's kids, there's dog walkers, there's three-legged dogs. And I think it's a bad idea. So I think they should keep looking. Thank you.

**Price:** Okay, thank you. Okay. Anyone else?

**Melissa Smith:** Good evening. My name is Melissa Smith. I live over in Spade Rockledge Terrace, which is on Kim Rose Lane. So it would be kitty corner from where you're looking to build. I can tell that you are here to do a good job and you're doing your due diligence well, especially if you've been looking for 10 years. But I wanna appeal to you as a person, not as an employee for a company. I know what it's like to work for a company and to wanna do a good job. But my question to you would be how would you feel if this facility went up in your backyard? And I recognize that yes, it's kitty corner across an intersection, but this is, I'm literally backing up to First Automotive. This is my backyard. And so between just the lights and the noise alone and the fact that I know that it's well lit for a reason and so that we have security and we have safety, but all the more reason why I don't want it there at night, I don't want those lights at night. It's already hard for me to see the stars. And I know that shouldn't matter, but we're not in a city for a reason. I go to More for Less. I love supporting the family that that owns that property. And for me it's not just about convenience, it's not just about the food offering. Sheetz is a great enterprise for sure and I love to support it in alternative locations. But I really do think that the fairness of this being in our backyard is not necessarily worthwhile, the investment for our community, especially given what it might do to other businesses. And on top of that, the commute is already really hard. I appreciate what Mr. Price said about it being a one lane road on both east and west sides and then it funnels into that going south as well. It is just too difficult already, even for me to pull out of my street. I will sit at the end of my street for five minutes trying to wait until someone will let me pull out into traffic and it's only gonna get worse if we build the Sheetz. So thank you.

**Karen Kocab:** Karen Kocab and I live right on Wallings Road. I am a long time resident. I moved into Broadview Heights when I was five years old. So what I'm here to say is what I'm worried about, you're going to have fuel tanks, trucks going in and outta there 24 hours. It's already insane. And what my concern is, what are you gonna do about all those trucks and fuel tanks? Where are they gonna wanna go? They're gonna wanna go on 77, they wanna go on that ramp. So far, I mean I lived there, we might have a Amazon or a garbage truck, but we don't have those kind of vehicles. Are you gonna allow those people to go on Wallings and are you going to think about opening up, widening Wallings Road? I can see that. And I don't wanna live on a four lane highway, so that's why I'm here. I love Broadview Heights, that's why I've been here my whole life and I wanna preserve it. It's a good place to live.

**Price:** Thank you.

**Dennis Furillo:** How you doing? Good. My name's Dennis Furillo and I live on McCreary Road. My birthday was yesterday and I turned 70. I've been here 70 years. I guess what I'm trying to say is when I moved here, there used to be a gas station there on the corner. When my parents brought us here back in 1959, that gas station's gone. I've seen a lot of changes. I can't believe people would want to drive up Broadview Road and look over, man, we need a Sheetz gas station here. We need to look like Brook Park Road, Parma, Seven Hills, like everything else. Can't we just stay looking like Broadview Heights somehow? Wallings Road, you ain't gonna get in and outta here. I live on McCreary. What's gonna happen when they work on the bridge and all them, I get more traffic from Pleasant Valley to Wallings Road constantly. I wish they'd put one of 'em solar lights up like this guy has because it's ridiculous on that road between the soccer moms and everybody else, the landscapers, and I only know this because I just retired recently. It's terrible. But all I'm saying Sheetz is not good for here. And all the construction that's gonna go on, are they going up and down Wallings Road with the dump trucks, the trucks they're bringing the steel in and everything else that's gotta come in to build that road or to build Sheetz. It's ridiculous. I'm sorry. And that's all I gotta say. Don't let Broadview Heights changed into Seven Hills. And you know what? In Seven Hills they can't even fix the roads. It looks a washboard over here

**Julie Terry:** Hello, my name's Julie Terry. I'm at 2195 Heather Lane Drive. First I wanted to start off by making a recommendation to City Council. I feel like we wouldn't even be in this position if council would look into, I've recommended this many times of starting a land preservation bank like they do on the east side. That way you don't have to throw up your hands and say, you know, we can't do anything. It's not our land. You know, the city should be buying up these parcels for preservation so we don't have to be here. I really would like to see a lot more land preservation and a lot less development by the city. And I would look to the city to please lead us. You know, I'm not on council. Please lead us to figure out and for us to do that. Second of all, I don't understand how this is not a zoning violation because Sheetz is not a gas station. It is a big box roadside attraction. It is a circus. It attracts people, it markets to attract people off the road. This is a two lane going through a school district with special needs kids, a quiet residential community. This is not a big box community as you guys have made a really good point, this is a small business community. We want walkable neighborhoods, we want unprocessed food, we want no pollution. Sheetz and Dollar General is like a pollution on five different levels that we don't want. Right now I like where I live because it's walkable. You know, I like walking up to Mark's. I like walking up to Joanne's Donuts. I like walking up to More For Less. When that Sheetz comes in, it's gonna be like Frogger. I'm not gonna be able to walk up there anymore. The amount of traffic it's gonna bring in is gonna be dangerous. And you know what Broadview Heights should be? You guys need to broaden your vision. You need to, get bit better legal counsel, you guys mentioned consulting with legal counsel. Um, zoning is a huge, um, litigious area in real estate. There's a lot of good counsel that could help you, protect yourself from this. Don't just throw up your hands and say there's nothing that you can do. I think I'd be a lot happier having my taxes going to protect us from this stuff than from road widening and having to hire more police, which is what this is gonna result in. So you know, like I said, I would like to see more gardens. I would like to see more forest. I would like to see more farmer's markets. I would like to see small business. You know, I grew up in Brecksville. We had Heinen's and Honey Hut. I'm very disheartened that I have a Dollar General and Sheetz. You know, I would like to, I would like to see better. So I'm almost outta time. I think that's it. Thank you for listening.

**Price:** Thank you Julie.

**Joe Hackney:** Joe Hackney, I get to be the privilege of actually being in your backyard right there on 317 Wallings Road. Most of the neighbors, if we grow up there, we pretty much know you adjust with the lights, you adjust with everything else that we have. We know when the dentist lights turn off, when we get to enjoy the sun, the star lights. And we know when the traffic dies down, when the noise dies down and everything else with that. Thursday morning, we know that we can't sleep with our bedroom windows open 'cause the dumpsters come and empty all the dumpsters in the neighborhood at four or five in the morning. But we get that. We've lived with that. We've grown with that. And to understand that that's gonna be a 24 hour thing that we now have to adjust into. That's really gonna hurt that the lights will never go away. The traffic will never die down. And my true belief is that a 24 hour building is going to invite people into the city that normally wouldn't come in the city. Being that close to Wallings Road and the highway people are gonna exit and come all the way down when we don't need those people in our area at two, three o'clock in the morning. That's pretty much it. Thank you.

**Price:** Thank you Joe.

**Tish O'Dell:** Hello. Tish O'Dell 7976 McCreary Road. I was surprised when I got something in my mailbox talking about this meeting tonight and that Sheetz was coming. I really am encouraged, people who know me in the city know that this is all what I work about is community. That's my whole job. And I've also lived in the city my whole life. I love this city. It's part of me and I've watched a lot of changes too with the other people that have spoken. And I agree with all of them. And what I heard tonight, I was really encouraged, Jennifer, when you spoke about the other, what it would do to the other businesses, the local businesses. Because that's what makes a community is the people who work here and live here. And we are a community. And what I heard from the Sheetz presentation was that they've been targeting us. They have been targeting Broadview Heights. We didn't solicit for them to come here. And the lady who spoke before, about more green space and preservation. I mean that's a zoning is a way we know, I know I work with the law a lot and it's a way to kind of like sacrifice parts of your city. You know, we're gonna sacrifice this part to this harm or whatever and it legalizes that. But I really like the idea of zoning some parts of the city for preservation. I know there's still some properties available and it would be kind of interesting to zone those for green space. So thank you for that suggestion. So that's all I have to say. Thank you. And I hope that you don't allow Sheetz here.

**Price:** Thank you Tish. Just for the general public's knowledge, there has been land purchased by the city, when available. You have to have an owner willing to sell the land and for us to buy. The downtown area, for instance, that land was all purchased from the Del Corporal family when we could and they wanted to sell it, to do just exactly what you're suggesting. So when possible we will do that, sir.

**Tom Hawkings:** My name's Tom Hawkins. I live on Twin Oaks Drive. It's been brought up about the traffic, but what hasn't been brought up is that's a very dangerous intersection as it is. There's a lot of accidents without an additional overflow of traffic. My concern is as bad it is to get out of those areas, even when Rite Aid was there, it was hard to get outta there. If you wanted to go left on Wallings, you had to wait forever. Now you're adding semi trucks in there, everything else, it's just gonna make it a nightmare. Moving down to 82 and, and Broadview perfect. That's a perfect area. They even agree. You know, that's the place, the place right there on Wallings and Broadview, it's just not big enough. And the area just can't contain the traffic. I really don't think it can. I think there's gonna be even more accidents, even more trouble. And that's what we're gonna run into. Thank you.

**Price:** Thank you Tom.

**Sarah Friedman:** Hi, I'm Sarah Friedman and I live on Elmhurst Drive. And just like the resident who lived on McCreary and Longview, we are constantly, our streets used as cut throughs. We have talked to the police chief, our councilmen. We're lucky if a car goes 55, that's a slow day. So we're gonna be more of a cut through now with all the traffic. Dollar General's truck can't even back into Dollar General, has to go down Broadview and actually turns around in the Rite Aid. So if we have the Dollar General truck trying to get in and the Sheetz trucks, where is everything going to go? And it's also before paying our higher property taxes wasn't an issue 'cause we were in a nice city, great school district, but now I'm basically paying high property taxes to be right next to a Sheetz and a Dollar General, which just doesn't make sense to me. So I just, you guys have really good subs, but you guys can go elsewhere. It just, is it? And what do we need something 24 hours, like the latest thing open Broadview Heights is 8:00 PM. So I think it just might not be the best spot, but best of luck.

**Price:** Thank you.

**Cathy Klass:** Hi, my name's Cathy Klass. I live at 138 Kimrose Lane, which is at Rockledge Terrace right off of Wallings Road. I would be in your back or you would be in my backyard. Me and my four kids that I have raised here, I've been here 25 years. And let me just tell you guys a story. Since we're talking about small businesses. This past fall, I was able to walk through that strip where More For Less, Carlos, Joanne's and ask for donations for my son's wrestling high school team. They hung pictures of our wrestling team's schedule and donated each \$200 to our wrestling program. I am pretty sure I could go into a Sheetz and they would not have that type of loyalty to my kids, our school and our families. I've been here 25 years and I'm not great with numbers, but this has been the safest city in Ohio for how long? And I'm gonna go on piggyback, but back off of Joe, I'm pretty sure at two and 3 AM you guys come in. That all changes. Please, my kids love your food. Please go find somewhere else. This is a residential area and I know you're all saying it's not, but it is. Thank you.

**Price:** Thank you Kathy.

**Gino Del Rosso:** My name's Gino Del Rosso. I live at Valley Park Drive. I'm new to this, type of environment and maybe there was a proposal that I was unable to see, but I haven't seen anything with the impact for the infrastructure for all these heavy trucks. When that road is a two lane residential road, when that road gets beat up, is the tax revenue gonna offset what it's gonna take for that road to be replaced? Are they getting a tax abatement where they're not even gonna pay tax to move in here because they are a large corporation, they're family like the Waltons and I haven't seen any analysis for that. I'm a data engineer. So to see a proposal with none of this stuff, you guys didn't even show up with suits. Multimillion dollar project. It just seems kind of like, what are, what are we doing here? I haven't seen anything about the money.

**Price:** A lot of lot of that information will be available at the planning commission meeting.

**Del Rosso:** Also, I don't know if you guys, you guys look like you're not necessarily admire at 11 o'clock at night. But you could imagine the type of people that are there. I'm sure at 3:00 AM there's gonna be nothing but future engineers and doctors hanging out at Sheetz, we don't want it.

**Price:** Okay. Everyone has done a great job of staying under three minutes, so I appreciate that. Is there anybody else before we let the committee?

**Jennifer Polcar:** Jennifer Polcar, I'm 8190 Joyce. I'm a little ways away. However, we have the cut through. We've had lots of issues with breaking in cars, theft, the whole nine yards. What is this going to bring to the city down Wallings Road, through the residential streets that are a cut through to get back to 77? Not to mention, didn't they, the gangs steal the ATM from Marathon a few years back? Yes. Our lovely old city of Cleveland mayor's grandson was part of that gang. I mean, what are we bringing at 2 and 3 AM car meets and people that don't live here? I'm sorry. One more thing. My daughter said. Why not like a bibby bop or something like a healthy fast food.

**Price:** Go right ahead.

**Christian Corso:** My name is Christian Corso and I live exactly 1000 feet away from the intersection. 1000 feet. I see the light keeps me up. It's a problem. A big problem. And I think to myself, would I go to Sheetz? So I got five gas stations I could go to? Am I gonna go and get a quick sandwich More For Less, family-oriented? I could walk in there and they know what I want before I get to the counter. Why would I go to Sheetz? And I'm gonna tell you a story. It was in the winter of last year. My wife, don't hold this against me, but my wife was taking out the garbage. And I heard her start screaming. She was screaming, Christian, get here, get here come on. And I ran out to the front and a deer was hit, a baby deer. So I was three sheets pissed. I was mad because I knew the person who hit the deer according to my wife, just kept on going. So I picked up this baby deer and I put it in my backyard and it just turns out that that's where that baby deer was born. I couldn't get into my garden for two days. It was born in the, in the doorway of the garden. The good news is, third day that the deer was gone. So it lived and I saw it. But the point being is, and something I haven't heard anyone say is a simple word. Pets. You think you have problems now with watching your pet go out in the road and there is no one in this audience that won't walk from hell and back for their pet. So I'm saying you, it's just not gonna happen. Good luck though.

**Price:** Thank you Christian. One more.

**Terry Gamble:** Hi, I'm Terry Gamble. I live on, Hunter's Trail off of Avery. I can't add a single thing, worst intersection ever. But I am not clear about the meeting on Wednesday. Is that where

**Price:** It's a planning commission, which the planning commission, what we do here and thank you. So that gives me a segue into what I need to tell the public here. We are just going to, we are actually required to hear this first and then pass it on to the planning commission, who will go through a meeting or a series of meetings, make a decision on the conditional use, and then it may come before council for final approval within 30 days or disapproval. And either way, whatever their decision could be, it could be reversed. So she's adding service and safety, which is, is viable. For instance, will the fire department be able to transverse the buildings and everything with regards to that? So a lot of those questions, and I appreciate everybody that talked about, nobody mentioned except one person. Finally, the way, Wallings Road from the west, dissects coming east. It is a blind corner when people come around there. So it is a very dangerous intersection. But with that, did you have something you wanted to add?

**Gamble:** I already drive, my family's on West Wallings and Twin Oaks. I visit my family and my sister constantly. So six, seven times a week I go all the way to Sprague and all the way up and back in because that intersection is so hazardous. And I don't even think our police officers have a clue how bad it is because they couldn't chase anybody 'cause they couldn't get out to do it. That's all I have to say.

**Price:** So it's usually at this point the council president reminds me, we have a meeting to go into next, but he hasn't done that. So he's being patient. So we appreciate that as well. Yes. My my colleague. Okay, we'll bring him up. And then Mr. Goodwin has a question for the Sheetz people, he wants to ask another question. Thank you, Mr. President.

**Glen Ramage:** Hello? I'm Glen Ramage. I live at 7980 Elmhurst Drive. A long time resident 40 years or so. I'd like to reinforce all the concerns that were expressed here tonight, but the traffic is dangerous and it's gonna be worse. And, and apart from those issues, I'd just like to talk about the zoning issue just briefly. So the zoning now is C-1, local retail, local retail. When you put a Sheetz gas station with six pumps, a restaurant, with a drive through and you keep it open all night, that's not local retail. That's the interstate commercial district. Exactly as everybody's pointed out that that's where this needs to be. And you can't

put that in the middle of a residential neighborhood for all the issues that, that we've talked about here. You know, the wrong people are coming there and they're not the local people, it's local retail. So thank you.

**Price:** And thank you. Now I'll ask Mr. Goodwin wanted to ask a question of our representatives of Sheetz tonight.

**Goodwin:** I don't know if you're aware, but Wallings Road has these weight limits and the gas trucks would exceed that let alone any construction and all those other issues that would be coming up there. So

**Selle:** Yep. Wallings Rd is not a truck route. Sorry.

**Goodwin:** Just so you know, you could tell all you want to drivers not to come. What do they do? They don't pay attention. They missed a road that they're supposed to turn on. They're gonna end up on Wallings Road. We do have that problem right now. I've been pretty insistent about having in the past, you know, the police come out and, and actually bring portable weighing devices so that we can actually ticket them and control some of that. But any truck traffic that you would expect to come to fill up shouldn't be happening. They're there illegally probably if they're coming up Wallings Road more than likely. And they're gonna have to come from Broadview either way in itself.

**Selle:** Yes, we, we are aware that Wallings Road is not a truck route. We've talked to Ethan, the assistant city engineer, we've discussed it with him and all of our trucks will enter and exit on Broadview Road, our entrance there. Does that answer your question?

**Goodwin:** Yeah, yeah. I just hope that if if something like that would happen that, that they would pay attention to that. 'cause we haven't had a perfect record for that in the past, you know?

**Selle:** I understand.

**Price:** Okay. Thank you. Mr. Mandato, can you, Ms. Mahnic wants to ask another question of building department, please?

**Mahnic:** I don't necessarily know if you'll be able to answer it right now. Okay. But we just had a resident talking about the classification of C-1 being local retail and that what is being built doesn't fall under those parameters. Can you clarify what is C-1, what's allowed, not allowed? Because we did hear that years ago, that area was actually a gas station.

**Mandato:** It was a gas station. So C-1 local retail, again, I cannot tell you the definition of, that's a question for the law director, but they are selling gas locally. I understand that the 24 hour thing could bring people off the freeway down to the gas station. I can't say that's gonna, obviously it will probably happen, but I mean that's, they're selling it locally. They're not selling anything domestic, it's not going anywhere else. So, but again, that's a question probably for the law director. Sir, we're not answering questions in the audience please.

**Mahnic:** Mr. Price, if I may, I wanna make sure that we send certain questions to the law director formally. So if I could make a motion to those three questions. Let me know if I'm missing a question. You know, how I am. Can planning commission vote, for the law director, vote no based on conditional use, specifically the gas station pumps and drive through. I think those were the two that you mentioned. Can we zone areas we don't own as green spaces? And if the law director can give us a clarification before planning commission on defining C one local retails. And if this is something that complies to those rules and regulations, right?

**Mandato:** Yeah, those are acceptable questions, I believe. The second question is, if we don't own it and the zoning sits there, it's the zoning. We are not gonna be able to touch that.

**Mahnic:** I know, but since it got brought up,

**Mandato:** Yeah, that's fine.

**Price:** From a zoning perspective, zoning can only be changed by a vote of the people with the agreement of the property owner.

**Mandato:** Correct.

**Price:** So that's where the conflict will lie.

**Mahnic:** Right, 'cause we can't take somebody's right away to sell their land and say, I know you own this valuable property, but we're just, you can't sell it. It has to be green space. So if we can make a motion to send those three questions to Vince to answer prior to the planning commission.

**Pavlica:** I'll second that.

**Price:** Okay. And we will have a roll call with that, if you don't mind. We'll start with myself. I'll vote yes.

**Mahnic:** Yes.

**Pavlica:** Yes.

**Price:** Okay. So that motion passes to ask the law director those questions. Now, Mr. Pavlica, in answer to your question and we could make a motion to send this with support. We can make no motion and either way it's gonna go to planning commission. So, I throw that back at both of my committee members. I do wanna make a final comment to our prospective partners and Sheetz. You've heard tonight that a lot of people want to preserve this small community identity. And you can't blame 'em. They've been investors far longer than any new business that comes to the city of Broadview Heights. And we are here to support them. And we're here to do whatever we can to foster new businesses that really have a wonderful fit. I'll close with a quick story. Car wash is gonna locate here, wedge itself in between three residential neighborhoods. And the man says we'll do anything, anything. You want a fence, 10 feet tall. We'll build, build it. You want this, you want that? We'll do it. You can say anything we want and we'll do it. I took to the podium and I asked for one thing, put it in a different location and that, that ended up creating a hardship for the individual. But they listened and that business is highly successful here in this town today. So I close with that. Anything else you'd like to say Mr. Pavlica?

**Pavlica:** No, I have nothing more right now.

**Mahnic:** Mr. Price, I would like to discuss with you and Mr. Pavlica, and I don't know if the rest of the council wants to chime in. I found it interesting to learn today that this is a lease agreement and we might not be able to stop Sheetz from selecting this location, but listening to all of our residents and all of the emails and letters that we've received, what if we sent a link to this video and sent all of our emails and letters that we've received to the actual landowners and see if they will reconsider this lease agreement because they might not know.

**Price:** I have reservations with what I would perceive as interfering with a transaction they've already consummated and there is a letter here authorizing them to speak on his behalf. So I would, that is something I think you could defer to the law director. I think it will just create another level of dispute at this point.

**Mahnic:** We can bring it up at the council meeting then and see what everybody else thinks. Okay. The other thing is, per our objective, we are just to review

**Price:** And assist to prospective developers by directing them to appropriate authorities.

**Mahnic:** So, right, their direction would be planning commission and at some point, service and safety. If it goes that far, we do not need to make some sort of motion. It automatically goes to planning commission.

**Price:** It'll go to planning commission. We have at times made motions in support. But if I don't hear a motion, we're gonna move on.

## **Adjourn**

**Price:** And I'm going to adjourn this meeting. If we don't have any objections. Hearing nothing else, this meeting's adjourned.

Time is 7:33.