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## **MEMORANDUM**

TO: Members of Council  
FROM: Tanisha R. Briley, City Manager  
DATE: September 9, 2016  
RE: September 12, 2016

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## **MEETINGS & REMINDERS**

Monday, September 12 - 6:15 p.m. - Committee of the Whole

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## **LEGISLATION**

Legislation has been prepared for nuisance abatement at the following addresses. Each piece of legislation is followed by a memo from the Housing Director.

1. 950 Nelaview Road
2. 1610 South Taylor Road
3. 1617 Eddington Road
4. 3380 Beechwood Avenue

## **GENERAL INFORMATION**

1. Enclosed are the Council Update and Agenda.
2. Enclosed is a Community Outreach update from the Vice City Manager.
3. Enclosed is an update from the Public Works Director.
4. Enclosed is the weekly water report from the Utilities Commissioner.
5. Enclosed is the weekly activity report from the Police Chief.
6. Enclosed are the weekly and monthly activity reports from the Fire Chief.
7. Enclosed is an update for Planning Commission.
8. Enclosed is an invitation from the Northeast Ohio City Council Association.

TRB/jkw  
Enclosures



## **COUNCIL UPDATE**

**SEPTEMBER 9, 2016**

### **1. LEGISLATION**

- Nuisance Abatement. These four pieces of legislation will declare the following properties to be nuisances and authorize abatement of said nuisances:
  - 950 Nelaview Road – This house is vacant and is in a state of severe disrepair. This is a hazardous environment and when the Fire Department was called to the property, they required hazmat clothing to enter.
  - 1610 South Taylor Road - This house is vacant and is structurally unsound. The property has received housing code violations that were not addressed and has, since then, been damaged by a fire.
  - 1617 Eddington Road – This house is vacant and has received numerous housing code violations since December 2008 with no progress toward correcting the violations.
  - 3380 Beechwood Avenue – This house is vacant and structurally unsound. This property was severely damaged by a fire in March 2016 and had a major housing code violation previous to that as well.

### **2. TOP OF THE HILL – DUE DILIGENCE REPORT**

- Please review the enclosed report in preparation for Monday's presentation of the review committee's due diligence findings. Both Fairmount Properties and Flaherty & Collins made a request to include information in the Council packet. This information is included in the electronic packet. Hard copies of the materials will be available for each Council member at the meeting.

### **3. RECENT BZA CASE REGARDING CHICKEN COOP VARIANCE**

- Council raised several questions with the regard to BZA Calendar No. 3407 (Chicken Coop variance) that was presented for Council action at the last meeting. Council decided not to take action but instead directed staff to seek answers to questions concerning ventilation, location of doors and building materials. Since the answers to these questions could create evidence outside of the BZA record, the Law Department was asked to review the issue. The Law

Department recommends that Council take action on BZA Calendar No. 3407 at the September 19 meeting to satisfy the deadline. If additional information is needed to render a decision a “hearing like” process must be followed and the applicant must be invited and provided an opportunity to participate. This conceivably could occur at the September 19 meeting. The enclosed memo from the Law Department contains more detailed information regarding this issue.

**4. CHECKS BETWEEN \$10,000 - \$50,000**

- None



## COUNCIL MEMORANDUM

**DATE:** September 9, 2016  
**TO:** Mayor Stephens & Members of Council  
**FROM:** Tanisha Briley, City Manager  
**RE:** Top of the Hill Redevelopment Update

### EXECUTIVE SUMMARY:

The following is an update on the Top of the Hill project since the presentations to Council by Fairmount Properties and Flaherty & Collins Properties on July 12. The review committee has conducted significant due diligence on both development teams. Each team has worked very closely with the review committee to provide additional information regarding their plans for the site. Each team's concept for the project has evolved and is now fairly similar in scope, scale, and mix of uses and both are highly qualified to execute their proposed concept.

The review team will be present to discuss this report in greater detail at the September 12, 2016 Committee of the Whole meeting.

### BACKGROUND:

- Six development teams submitted responses to the Request for Qualifications and Preliminary Development Proposals (RFQ/RFP) issued by the City in April.
- On May 28<sup>th</sup>, the review committee met to evaluate the submissions and select teams for an interview by the committee based upon the following five criteria:
  - Developer qualifications
  - Development concept
  - Development approach
  - Economic and fiscal impact
  - Development schedule

(Note: Each of the five criteria including sub-categories to further define the overall criteria was shared with and previously approved by City Council at the April 11, 2016 meeting.)

- On June 22, the committee interviewed five teams at City Hall.
- At the July 5<sup>th</sup> Committee of the Whole meeting, two teams, Fairmount Properties and Flaherty & Collins Properties were selected to make presentations to Council.
- On July 11<sup>th</sup>, both developers presented to Council.
- Since July 11<sup>th</sup>, the review committee has conducted significant due diligence on both teams, including:
  - Site visits of recent developments by each team in the Cleveland and

Indianapolis areas.

- Interviewing, via telephone, six to seven public, or former public officials from communities in which each team has recently worked on a similarly sized development project.
- Engaging both teams in in-depth discussions of their expectations regarding financial assistance from the City.
- Reviewing and evaluating the financial feasibility models prepared by each team.
- Meeting with a representative of a hotel brand that has an interest in having a location in the development.
- Maintaining consistent dialogue with the teams regarding changes to their initial concepts and their efforts since their presentation in July.

## **FINDINGS:**

### **FAIRMOUNT PROPERTIES**

*Qualifications:* Fairmount Properties has an exceptional history of recent, successful, large, mixed-use redevelopment projects both inside and outside of northeast Ohio. Notable examples include the East Bank of the Flats (Cleveland, OH), First & Main (Hudson, OH), College Town Kent (Kent, OH), College Town Rochester (Rochester, NY), and Pinecrest (Orange Village, OH), all of which remain owned and managed by the Company. The Company and its current team have worked together on other projects and have demonstrated the ability to overcome complex development hurdles and work effectively with communities.

*Concept:* The Company's concept has evolved since it was presented to Council on July 11. The current proposed concept includes:

- 288 luxury apartments, a portion of which could be developed as condominiums
- 18 townhomes
- 36,000 square feet (SF) of first floor retail/restaurant space
- 30,000 to 40,000 SF of office
- A 120 room nationally-branded hotel or a 55-80 room boutique hotel
- 600 structured parking spaces

The Company indicates that the project would involve estimated hard construction costs of approximately \$75 million.

The Company indicates that the current concept would require tax increment financing (TIF), or other public financing sources, to fill a cost gap. The Company has also indicated that 100% property tax exemption for 15 years may be required for the for-sale housing units.

*Approach:* The Company has a successful track record of soliciting and incorporating public input into its prior developments. The Company also outlined a compelling approach for ensuring diverse participation in not only the project's construction, but also the permanent

jobs created at the development. The latter would be accomplished through developer-sponsored job fairs as has been done at the Company's prior developments. The Company has also outlined ways that it will "give back" to the community, including internships for Heights students, utilization of Cleveland Heights products and services, and development of a living learning program with CWRU.

The Company has already contacted potential office, retail, and restaurant tenants as well as a hotel brand, about the project and received positive feedback and expressions of interest. The Company has also reached out to many stakeholders, including the CHUH schools, adjacent property owners, and the Cedar Fairmount Special Improvement District and received positive feedback as well.

**Economic & Fiscal Impact:** The positive economic and fiscal impact of both proposed projects would be significant. Due to similarities in the scale and type of developments being proposed by the two teams, the likelihood of both concepts changing over time, uncertainties about the amount and form of public financial assistance required by each concept, and other factors, it is difficult to distinguish between the two concepts on the basis of economic impact.

**Development Schedule:** The project would occur in one phase and would be completed within 24 months of groundbreaking.

#### FLAHERTY & COLLINS PROPERTIES

*Qualifications:* Flaherty & Collins Properties has an exceptional history of recent, successful, large, mixed-use redevelopment projects in the Midwest, most of which remain owned and operated by the Company. The Company and its team have the demonstrated ability to overcome complex development hurdles and to partner with the communities in which its projects are located. With over 450 employees, the Company seems to have the most in-house capabilities, including architecture, construction, property management, leasing, etc. While the Company has significant experience in and near Ohio, it has the least prior Cleveland area experience of the submitting teams. The Company maintains the vibrancy of their developments through ongoing special events. The Company tends to cluster more than one development in a community and indicated that a follow-on project in Cleveland Heights could occur.

Since the July 11 presentation to Council, the Company has added Liberty Development of Cleveland as a partner in the development of the hotel and the office, retail, and restaurant spaces. Liberty would also develop the for-sale housing and would be deeply involved in identifying and securing tenants for the commercial space.

*Concept:* The Company's concept has evolved significantly since it was presented to Council on July 11. The currently proposed concept includes:

- 250 luxury apartments, a portion of which could be converted to condominiums in the future
- 25 townhomes/condominiums
- 30,000 square feet (SF) of first floor retail/restaurant space
- 20,000 SF of office
- A 110 room nationally-branded hotel
- 750 structured parking spaces

The Company indicates that the project would involve estimated hard construction costs of approximately \$75-85 million.

The Company indicates that the current concept would require tax increment financing (TIF), or other public financing sources, to fill a cost gap. The Company has also indicated that property tax exemption will not be required for the for-sale housing units.

*Approach:* The Company has demonstrated exceptional flexibility, patience, trustworthiness, transparency, and willingness to incorporate public input. As it has done for other projects, the Company would implement a process for ensuring diverse participation in the construction of the project. The Company's developments offer uniquely exceptional amenities to residents, including pools, immaculately landscaped courtyards, exercise facilities, bicycle storage and maintenance areas. The Company's development would offer a unique combination of location and amenities offerings not currently available in Northeast Ohio.

*Economic & Fiscal Impact:* The positive economic and fiscal impact of both proposed projects would be significant. Due to similarities in the scale and type of developments being proposed by the two teams, the likelihood of both concepts changing over time, uncertainties about the amount and form of public financial assistance required by each concept, and other factors, it is difficult to distinguish between the two concepts on the basis of economic impact.

*Development Schedule:* The project would occur in one phase and would be completed within 18-24 months of groundbreaking.

**STAFF RECOMMENDATIONS:**

The City has the opportunity to select the very best partner from two exceptionally qualified and respected development teams offering similar development concepts in terms of size, quality, and mix of uses. Staff recommends a comprehensive discussion of the review committee's findings at the Committee of the Whole meeting on September 12. Because each development team has provided confidential information, staff recommends that a portion of the discussion on September 12<sup>th</sup> be conducted in executive session to allow this confidential information to be shared.

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September 9, 2016

City of Cleveland Heights  
40 Severance Circle  
Cleveland Heights, Ohio 44118

Mayor Stephens, City Manager Briley, Members of Council and Staff,

The ultimate success of the Top of the Hill development will be a function of the local partners and stakeholders who, as a team, can successfully weave together the complicated municipal, financial and community-building strategies which will result in this transformative, but also extremely complex, vision becoming a reality. The importance of local collaborations among the many stakeholders cannot, and should not, be underestimated. To succeed where other development attempts have failed, a deep understanding of the varied community members' needs and desires will be required. A strong, local approach to a community "ground game" that helps unify the sometimes competing interests, even sometimes within that community itself, will be needed. A commitment to reaching out into the neighborhoods *every single day* and consistently working toward building a consensus and shared vision will be needed. In our opinion, these commitments cannot be made from afar. Rather, these commitments require an institutional knowledge base forged by many decades of experience both living and working in the Heights.

Fairmount Properties has financed over \$1.5 billion of development since its inception. As a homegrown, Northeast-Ohio based firm that has risen to national prominence in the last 19 years, we have invested hundreds of millions of dollars in the continued renaissance of communities throughout this region including Cleveland, Kent, Hudson, Twinsburg, and yes, Cleveland Heights. We are grateful for the continued confidence of our debt and equity partners, including our programmatic joint venture with a multi-billion dollar hedge fund that specializes in this exact type of complex real estate investment and whose lead investment professional is a Northeast Ohio native himself, and also Huntington National Bank, Wells Fargo Bank and any number of other financial partners who have grown to trust us over the years. Our track record over the last two decades demonstrates that in good economic times, and also

in not-so-good economic times, we will provide project certainty of execution to our financial, public and community partners.

The competitive landscape facing the Top of the Hill is formidable. Not only are there a number of high quality mixed-use developments either under construction or planned within a few miles of the Heights, but many include the very same use groups and target markets as those discussed for Top of the Hill. One University Circle, UC3, the Van Aken District, Innova Phase II and Centric as well as other neighborhood-level investments in places like the Coventry, Little Italy and Cedar-Lee districts are presenting a potent competitive environment which requires a diligent and thoughtful market-based response rooted in a deep understanding of those who live and work in this area. These competing developments are collectively proposing the addition of as many as 1,500+ market rate apartments, many new hotel rooms, new retail, office and for-sale residential choices as well as great new pedestrian scaled public gathering spaces. In order to compete, a development team must be embedded locally to leverage its personal industry and community relationships to keep its finger on the constantly evolving pulse of this dynamic, competitive landscape.

Since engaging in the Top of the Hill development opportunity months ago, our team has fully immersed itself in the Cleveland Heights community. We have reached into the Cedar-Fairmount district to draw out what is important to the business owners, residents and other stakeholders. We have sought to truly understand this neighborhood not simply as a collection of buildings, but as an intricate ecosystem of people, places, beliefs, traditions, behaviors, lifestyles and social interactions. We have been humbled by the number of residents from all areas of Cleveland Heights who have offered to write letters or speak on our behalf or to host community meetings in their homes in support of this exciting initiative. We have declined as to not overwhelm any part of this process; however, we have a growing list of 28 individuals prepared to play a role at the appropriate time. We have tasked our locally based, in-house leasing team to seek out the best-in-class retailers and restaurants who may be a part of this exciting new district, including a great new cooking school and other unique and authentic community driven concepts. These retailers will not simply fill ground level space, but will instead be procured to deliver specific niche retail experiences that will elevate the productivity of the entire Cedar-Fairmount district through increased customer traffic. We have deepened our existing personal relationships in the Cedar-Fairmount business district and forged new ones. We continue to engage with the Superintendent of the school district and are beginning to formalize our working partnership for the good of the local children growing up in the Heights. To enhance visibility and provide information to the community, we have identified two locations to create a Welcome Center which will facilitate a friendly first encounter for visitors to the district as well as to provide a place for gathering and community engagement.

Incorporating LEED building elements are important in every project we develop and we strive to integrate sustainable building philosophies into our firm's mission. However, LEED focuses only on the built environment and sometimes overlooks the human implications. With the support and guidance of our Advisory Board consisting of International Functional and Wellness Practitioners from the Cleveland Clinic, Fairmount Properties is advancing the concept of a new certification model which focuses on how humans will experience new development. Examples include districtwide smoking bans, the absence of any chemical treatments on lawns or in common areas, a rent discount for those who forgo vehicle ownership in favor of alternative means of transportation such as biking or transit, strict microwave oven standards, yoga and meditation rooms facing private gardens and a bike share program. This new model is envisioned as the first of its kind and will be the blueprint for a happy and healthy "people first" development approach across the US.

There is nothing more important to us than our reputation locally. Fairmount Properties' Principals have been embedded in the Cleveland region for a combined 100+ years and that local experience manifests itself in our collaborative approach to market based community evolution, responsible planning, active relationship building and financial certainty of execution. The Top of the Hill development will not be simple. Past history tells us that it will have some challenges to overcome. The key to this project's success lies with the right mixed-use development partner who can effectively synthesize the collective wants, needs and dreams of those who live, work, study, govern and do business in the area into a viable and achievable development that powers the entire Heights community for the next hundred years. There is only one chance to get this right. Thank you for the opportunity to participate in this exciting and once-in-a-lifetime transformation.

Sincerely,



Fairmount Properties LLC  
Randy Ruttenberg, Founder and Principal



While this is far from what our final collateral would look like or include, I wanted to give you a sense of the general direction we're headed in and the type of collateral we can produce in-house. These are work-in-progress drafts which are far from fully proofed or formatted.

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# LIVE DELIBERATELY.

**Top of the Hill** will be a bold, new extension of an already world class neighborhood. Here you will join existing friends and make new ones from both near and far. Top of the Hill will feature indigenous, innovative design, a welcoming pedestrian-scaled landscape, and a maintenance free lifestyle to those who will call Top of the Hill home.

Top of the Hill is a \$100M mixed-use development featuring 35,000 square-feet of engaging shops and restaurants, 30,000 square-feet of new class-A office space, a 120-room boutique hotel and over 200 residences from single floor living to brownstones, lofts, and muse-styled residences. Top of the Hill will offer a wide range of floor plans and amenities to both the for-sale and rental marketplace.

Shop and dine on site or venture into the district for a wide variety of flavors, fashion and professional services.

## TOP OF THE HILL FEATURES

State of the Art Fitness Center | Daily Yoga and Meditation Classes | Health Science Lectures  
3,200 Square-Foot Day Spa and Salon | 5,000 Square-Foot School of Cooking and Wine

Common  
Lounge Spaces

Community  
Garden

On-Site  
Educational  
Lectures

Remote  
Conference  
Rooms +  
Meeting Spaces

On-Site  
Concierge Services

Interior  
Design +  
Organizational  
Services

Bike + Car  
Sharing

*CONNECT.*



*SIMPLIFY.*

*BALANCE.*

Yoga Studio

Massage Room

Fitness  
Center

Meditation  
Space

# THRIVE.

**Top of the Hill** will be the nations first project to receive the THRIVE designation. THRIVE, LEEDS healthier counterpart, demonstrates Top of the Hill's commitment to providing it's residence, tenants and guests with the highest quality and most sustainable practices for achieving overall health, quality of life and well-being – both physically and mentally. There is no better place to ascend to your best self than Top of the Hill.

TOGETHERNESS. HEALTH. RESPONSIBILITY. INTELLECT. VITALITY. ENVIRONMENT.





*TOP*  
OF THE  
*HILL*

*authenti-CITY.*

**Cleveland Heights** is a city of foodies, musicians, scholars, frequent travelers and artists. Richly cultured, multi-generational, and wonderfully diverse – Cleveland Heights boasts endless parks, treasured historic districts, chef driven restaurants, and a host of live performance venues.

Top of the Hill will provide the missing link between the Cedar-Fairmount historic district with its lively shops, restaurants and pedestrian scale and University Circle a world renowned hub of medical and educational institutions and internationally recognized museums and cultural destinations.



## DEVELOPED BY CLEVELAND. FOR CLEVELAND.

Since being founded in 1998, **Fairmount Properties** has become a well-respected industry leader that specializes in the development, ownership and management of high-quality, vertically integrated mixed-use specialty districts. These projects incorporate retail, office, residential, hospitality and entertainment and are located in top-tier urban cores and inner-ring suburbs throughout North America. Trust is the bedrock upon which successful partnerships are built and the entire Fairmount team works hard to cultivate that trust within all of its relationships. As the majority of Fairmount's developments are created within the context of public-private partnerships, the firm recognizes the importance of transparency, thoughtful collaboration and community stewardship. To date, Fairmount Properties has developed projects in excess of \$1.3 billion.

## ABOUT OUR ARCHITECTS

**Mood Nolan**, an award winning Cleveland based architectural design firm, is recognized for creating functional yet iconic design statements that respond to ever evolving spaces, aesthetics and site dynamics. With a strong foundation of work currently existing in the Cleveland Heights community, Moody Nolan has demonstrated their capacity and willingness to collaborate and integrate with the larger community to achieve a unified and shared architectural expression. Moody Nolan is one of the largest Minority Owned Architectural firms in the country with offices in Columbus, Chicago, Cleveland, Covington, Dallas, Houston, Indianapolis, Nashville and Washington DC.

**Dimit Architects** is an award winning Cleveland based architectural design firm which has a particular interest in helping to preserve and augment the historical built fabric of Northeast Ohio, while at the same time remaining environmentally responsible. Dimit offers special expertise in the renovation of historic properties, phased master planning and mixed-use residential developments. Dimit has a strong history of working in the Cleveland Heights community and a longstanding strategic relationship with Fairmount Properties which has resulted in many cutting edge designs, including the 250-unit Flats at East Bank Apartments, opened in 2015.

For more information, please visit us at the **Cedar-Fairmount Welcome Center**  
12397 Cedar Road, Cleveland Heights, OH 44106 | 216.291.2016

or at [discovertopofthehill.com](http://discovertopofthehill.com)



## **TOP OF THE HILL TENANT MIX AND RETAIL STRATEGY**

With careful attention to detail, the Top of the Hill project will redefine an iconic suburban thoroughfare and transform it into an area that will provide residents and visitors alike the opportunity to experience great retail, restaurants and culture, while taking in all that this historic district has to offer. The careful curating of retail tenants, which will showcase the best of the best local and regional tenants, will complement the bustling Cleveland Heights canvas. The merchandise plan for Top of the Hill will be comprised of men's/women's/children's apparel, accessories, gifts, furniture, home goods, skincare, specialty shops, and boutique fitness concepts. This mix, alongside the combination of contemporary fast casual restaurant concepts and chef driven restaurants, will truly offer something for all shoppers. Top of the Hill will be a destination for a truly diverse and unique shopping environment.

The following pages represent a combination of actual tenants interested in this very development as well as a pictorial of what we believe this global district can aspire to. In addition to leasing the ground level spaces of the Top of the Hill, our leasing team will volunteer its services, at no charge, to other property owners within the district, should they wish, to help them to secure tenants who, in the aggregate will continue to establish this district as one of the regions finest and most engaging.



FAIRMOUNT  
PROPERTIES

COMPANIES WE ARE  
PROUD TO DO BUSINESS WITH



URBAN OUTFITTERS

TALBOTS  
*Established 1917*



chico's



west elm



PINSTRIPES  
BOWLING BOCCE BISTRO



WILLIAMS-SONOMA



BARNES & NOBLE



WHITE HOUSE

BLACK MARKET



LOFT



FWD  
FORWARD DAY + NIGHTCLUB



📍 140+ Locations Nationwide | [www.corepoweryoga.com](http://www.corepoweryoga.com)

We believe in working every muscle and every emotion. Our classes, our instructors and our network of over 140 studios nationwide welcome you when you're ready for a fitness experience like no other.

Our studios feature modern, consciously-designed spaces filled with thoughtful amenities. Inspired by busy urban life, every location has the conveniences and comforts you need to come to your mat and discover your power and purpose.



📍 200+ Locations Nationwide | [www.orangetheoryfitness.com](http://www.orangetheoryfitness.com)

Do you have 60 minutes in your day for a workout? If so Orange theory is the place for you. Built on the philosophy that a 60 minute workout will put you into your "excess post exercise oxygen consumption zone" also known as your orange zone. This will allow you to feel lasting results and all of this is supported by the science of our bodies oxygen intake. In your 60 minute workout, regardless what level you are at, you will get the feel of a personal trainer while being at a group fitness class. Not to mention the great upbeat atmosphere and top of the line equipment.

# Vernacular



📍 4 Locations - Columbus, OH | [www.shopvernacular.com](http://www.shopvernacular.com)

The owners previously had two other store concepts, one was a furniture boutique called Objects for the Home and a kitchen concept called Cosecha. They have rolled up items from these concepts into the Vernacular merchandise mix, as Vernacular is the company's growth vehicle. Vernacular's price point is under \$100.00 and is always ushering in new vendors lines that aren't being sold in other similar boutiques.

# THREAD



📍 3 Locations - (1) Dublin, (1) Downtown Columbus, OH  
& New store opening soon in Short North Columbus OH | [www.shopthreadonline.com](http://www.shopthreadonline.com)

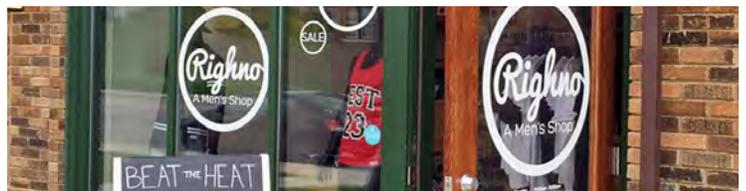
Thread carries both men's and women's apparel, shoes and accessories. The store offers customers a chance to buy designers not readily available in Ohio and the mid-west, such as Ulla Johnson, Rag & Bone, Pedro Garcia, Ashley Pittman, The Great, Pam and Gela and The Eric Clapton Collection/Thread Private Label.

bluemercury®  
makeup • skincare • spa



📍 107 Locations | [www.bluemercury.com](http://www.bluemercury.com)

Blue Mercury is a leader in the cosmetics market for men and women. Founded by Barry and Marla Malcolm Beck in Washington D.C. in 1999 with the idea of creating a “neighborhood store for beauty” and the vision of giving clients the highest of quality beauty products as well as well-informed employees to help them make decisions. The company prides themselves on the customer experience and stresses the idea that they would rather have the customer leave the store with samples to find the best product for them rather than them purchasing things that won’t benefit their skin. Not only can you purchase skincare, makeup, fragrance and hair products; you can also find yourself getting pampered in the spa.



📍 2 Locations - Columbus, OH & Cincinnati, OH | [www.righno.com](http://www.righno.com)

Righno is a Men’s Lifestyle Shop; filled with contemporary, lifestyle fashions and other lifestyle products. Righno’s vision is to be at the forefront of the fashion industry. While establishing a widely recognized and prestigious brand, it both craves and demands an ever-growing clientele. Righno’s collection of men’s apparel, accessories and jewelry will be continually evolving to give their customers the latest fashions and trends at a range of price points.



📍 10 Locations - (4) Columbus, OH, (4) Cincinnati, OH, (2) Dayton, OH | [www.fusian.com](http://www.fusian.com)

Fusian offers customers the opportunity to engage and be inspired by personalizing sushi rolls based off of the “Chipotle model” of create your own. One of the fastest growing Columbus based fast casual concepts.



📍 9 Locations - (8) Columbus, OH & Cincinnati, OH | [www.bibibop.com](http://www.bibibop.com)

Owned by Charley’s Philly Steaks, this new concept for the company has quickly proven itself. Current sales have fast-tracked growth outside of the Columbus market.

A healthy meal inspired by the popular Korean dish “Bibimbap” literally meaning “mixed rice”. True to its namesake each Bibibop starts with perfectly steamed rice. Followed by a mix of your choice of grilled meats or tofu. Along with a variety of fresh vegetables and Asian-inspired sauces.



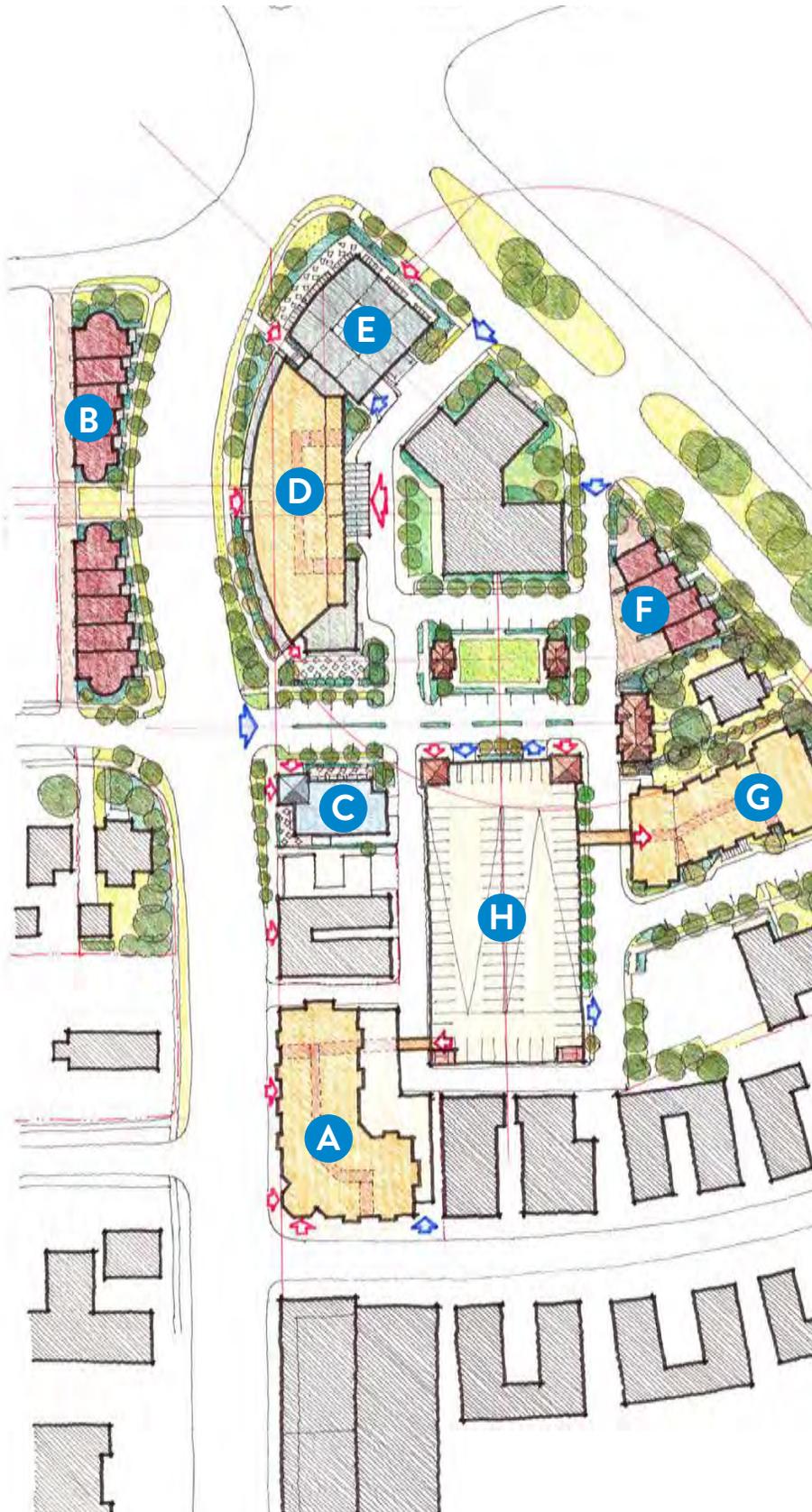
📍 7 Locations - (4) Cleveland, OH, Columbus, OH, Cincinnati, OH & Breckenridge, CO  
[www.westelm.com](http://www.westelm.com)

FlipSide is the most coveted gourmet burger restaurant in the Cleveland area and is one of the fastest growing restaurant groups out of the Cleveland area. The owner/founder has two other concepts, both within Fairmount Properties Hudson project (Three Palms and One Red Door).



📍 4 Locations - Downtown Cleveland, Hudson, OH, Canton, OH, New Jersey, NJ  
[www.restorecoldpressed.com](http://www.restorecoldpressed.com)

Restore cold Pressed serves raw, cold-pressed juices, superfood smoothies and small bites that contain only the highest quality, always organic fruits and vegetables, locally sourced when possible. Restore also offers a limited food menu consisting of avocado toasts, acai bowls and fruit bowls. Restore is looking to expand its food offerings with a limited grab and go menu items.



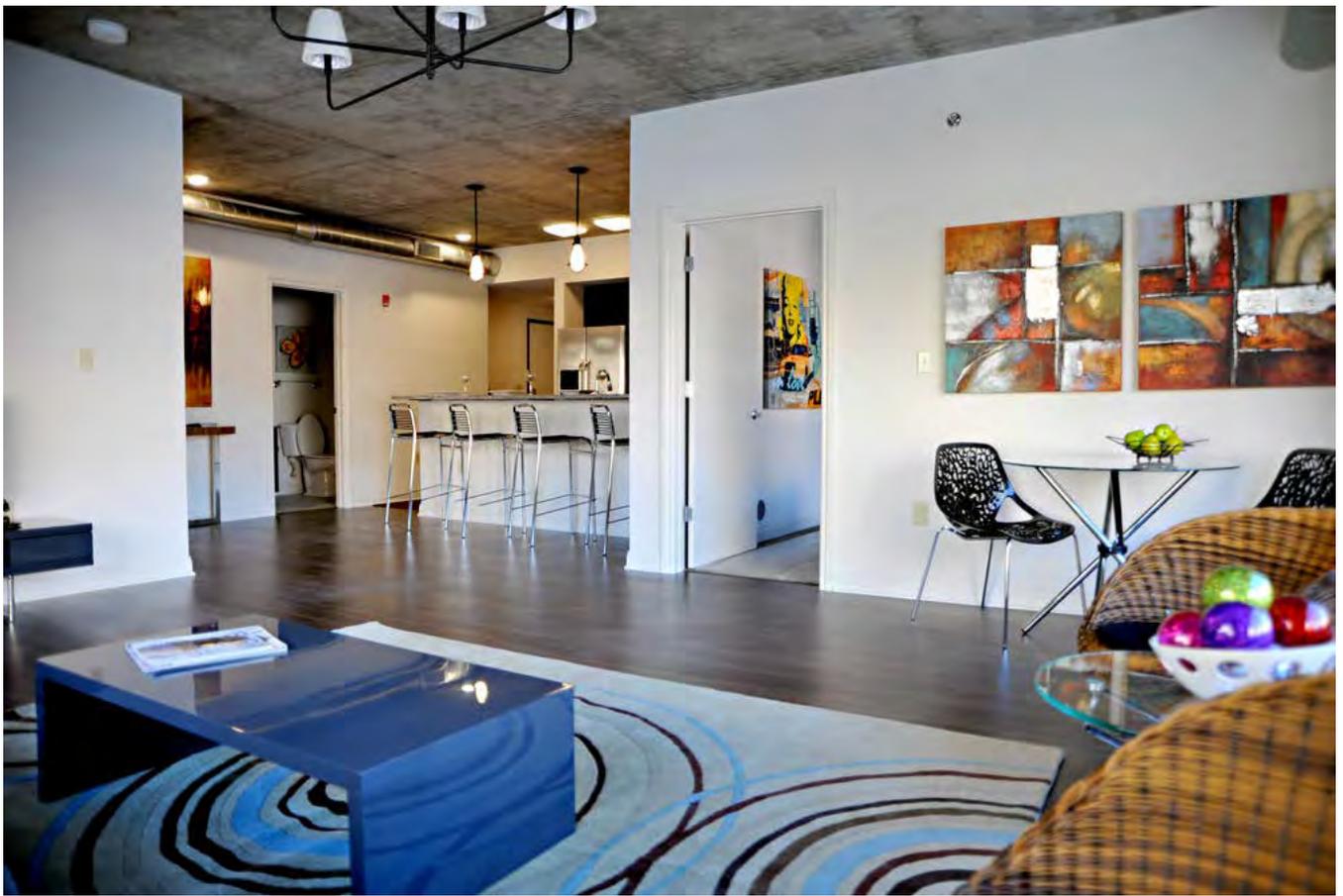
- A 14,000 sf retail podium concrete  
18' floor to floor 4 stories Residential –  
56,000 sf total (50 units)
- B 10 townhomes (for sale, by others)
- C 3,500 sf signature restaurant,  
single story
- D 15,000 sf retail podium concrete  
18' floor to floor 7 stories Residential –  
105,000 sf total (100 units)
- E 7,000 sf retail podium concrete 18'  
floor to floor 10 stories Residential –  
70,000 sf total (90 units)  
OR 10 story hotel over retail
- F 10 townhomes (for sale, by others)
- G 4 story multifamily building  
48,000 sf total (48 units)
- H 600 car parking garage (468' x 396' –  
108 stalls per deck) see garage ideas in  
alternate package for liner residential

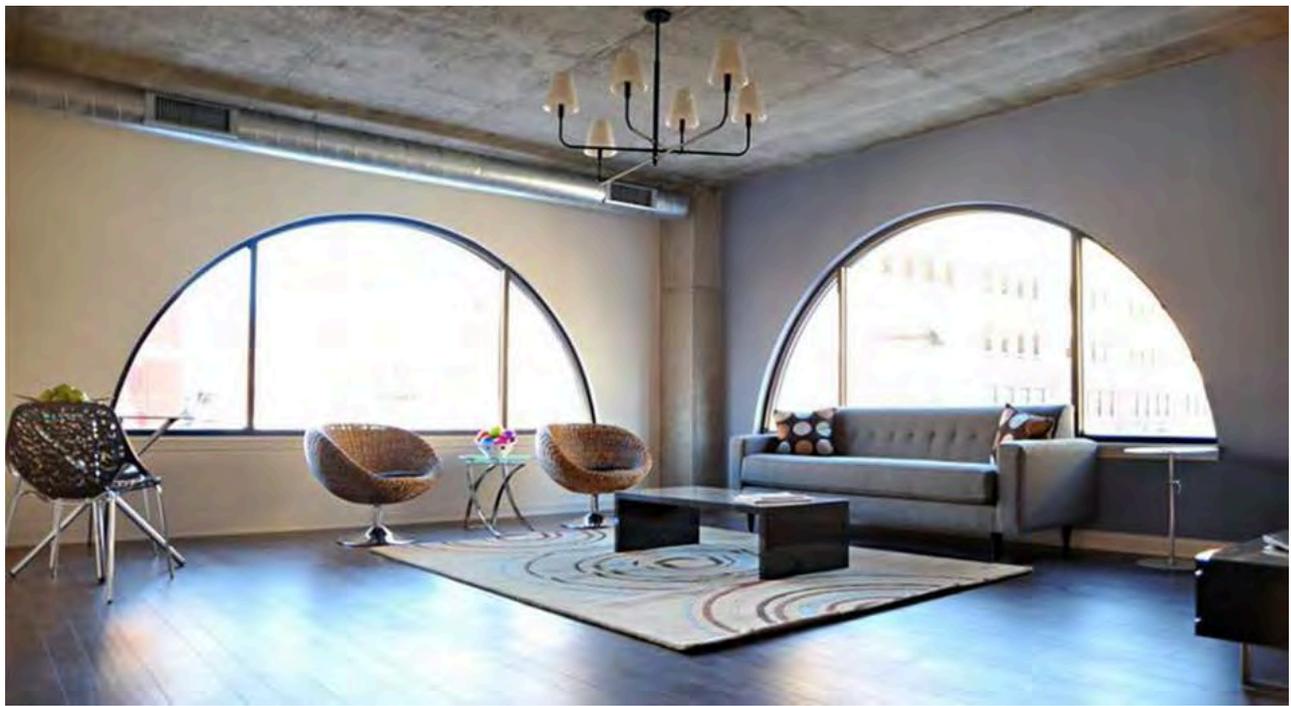
MERCHANDISE STRATEGY:

- Cooking School** - 5,000 sq ft
- Men's/Women's Apparel** - 5,000 sq ft
- Specialty retail** - 1,200 sq ft
- Men's apparel/accessories** - 800 sq ft
- Fast Casual restaurant** - 1,000 sq ft
- Juice Bar** - 1,000 sq ft
- Furniture/Home accessories** - 4,000 sq ft
- Beauty** - 1,500 sq ft
- Boutique fitness** - 4,000 sq ft
- Chef driven restaurant** - 2,500 sq ft
- Fast Casual restaurant** - 2,500 sq ft
- Art Gallery** - 1,200 sq ft
- Children's apparel** - 1,000 sq ft
- Florist** - 800 sq ft
- Chef Driven Restaurant** - 2,500 sq ft.
- Total:** 35,000 sq ft

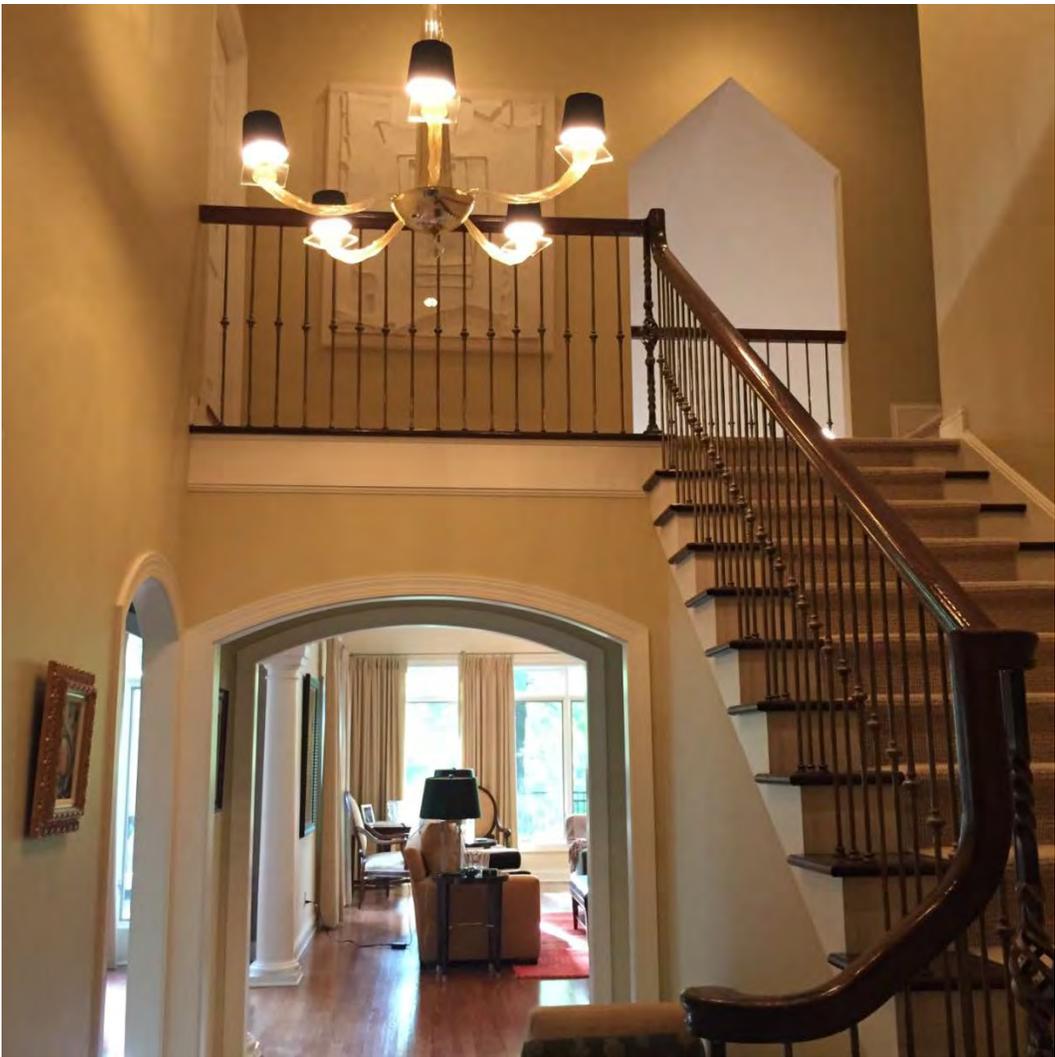
## A. Interiors



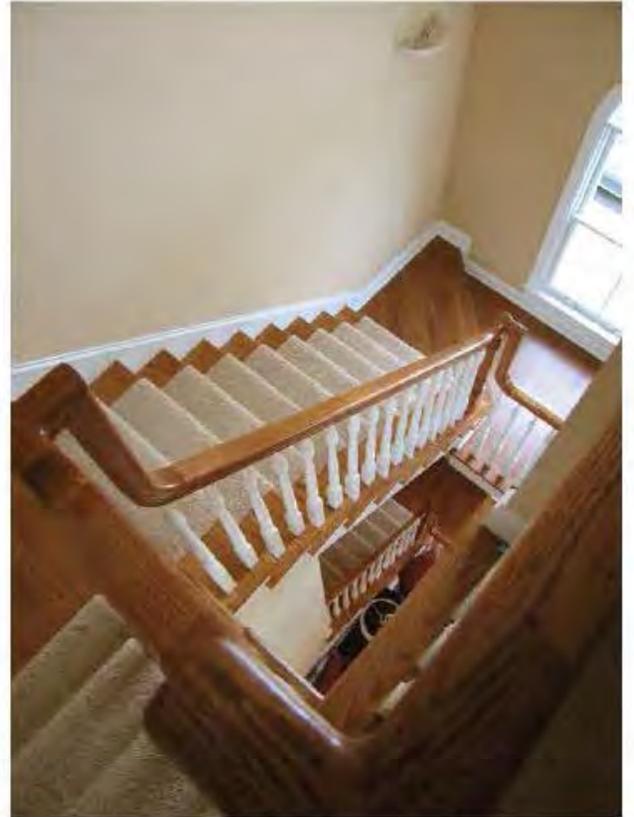


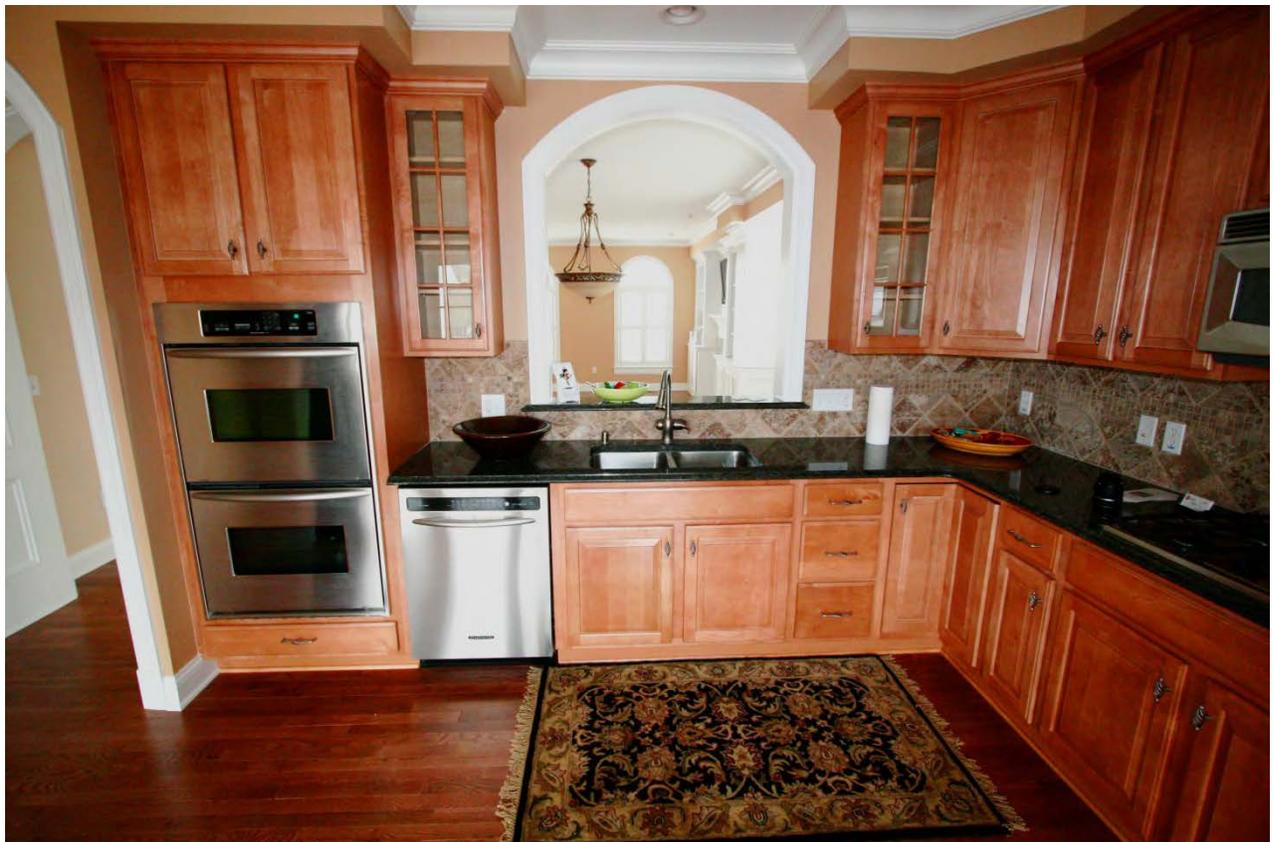






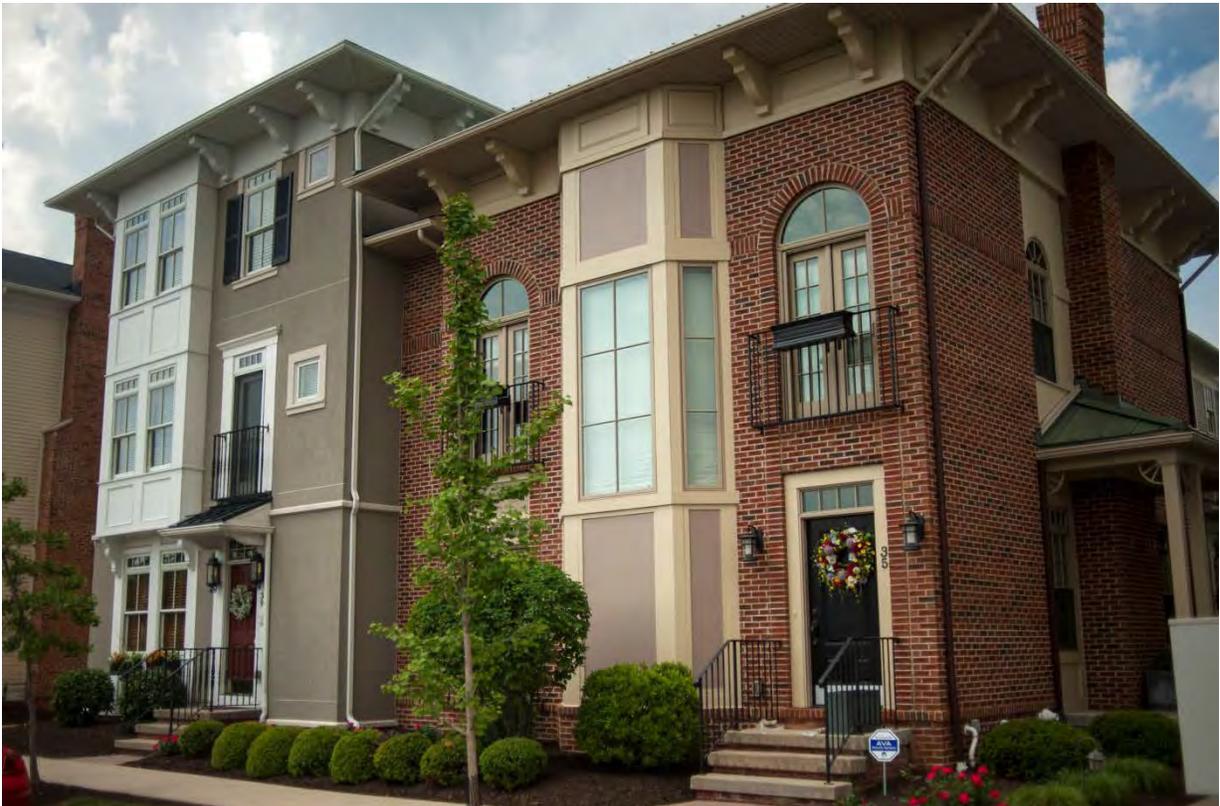








## B. Exteriors



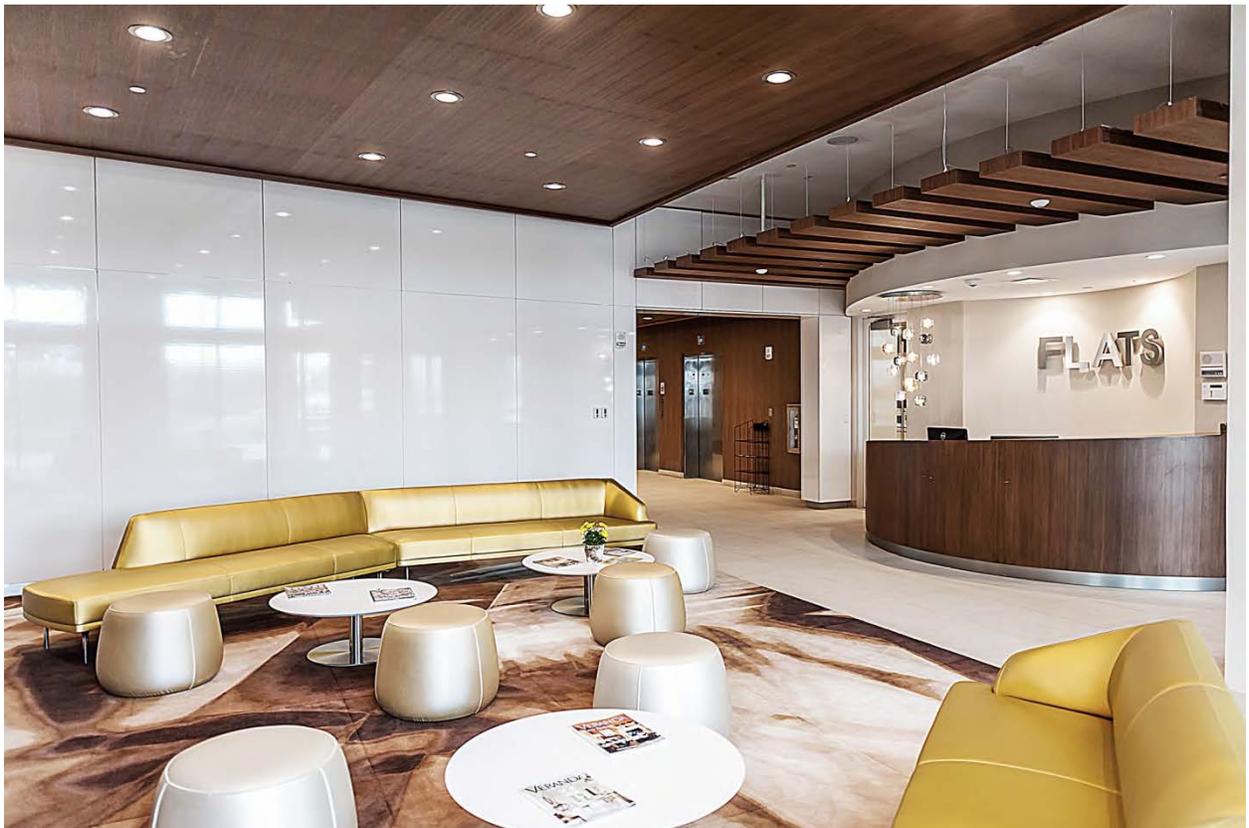


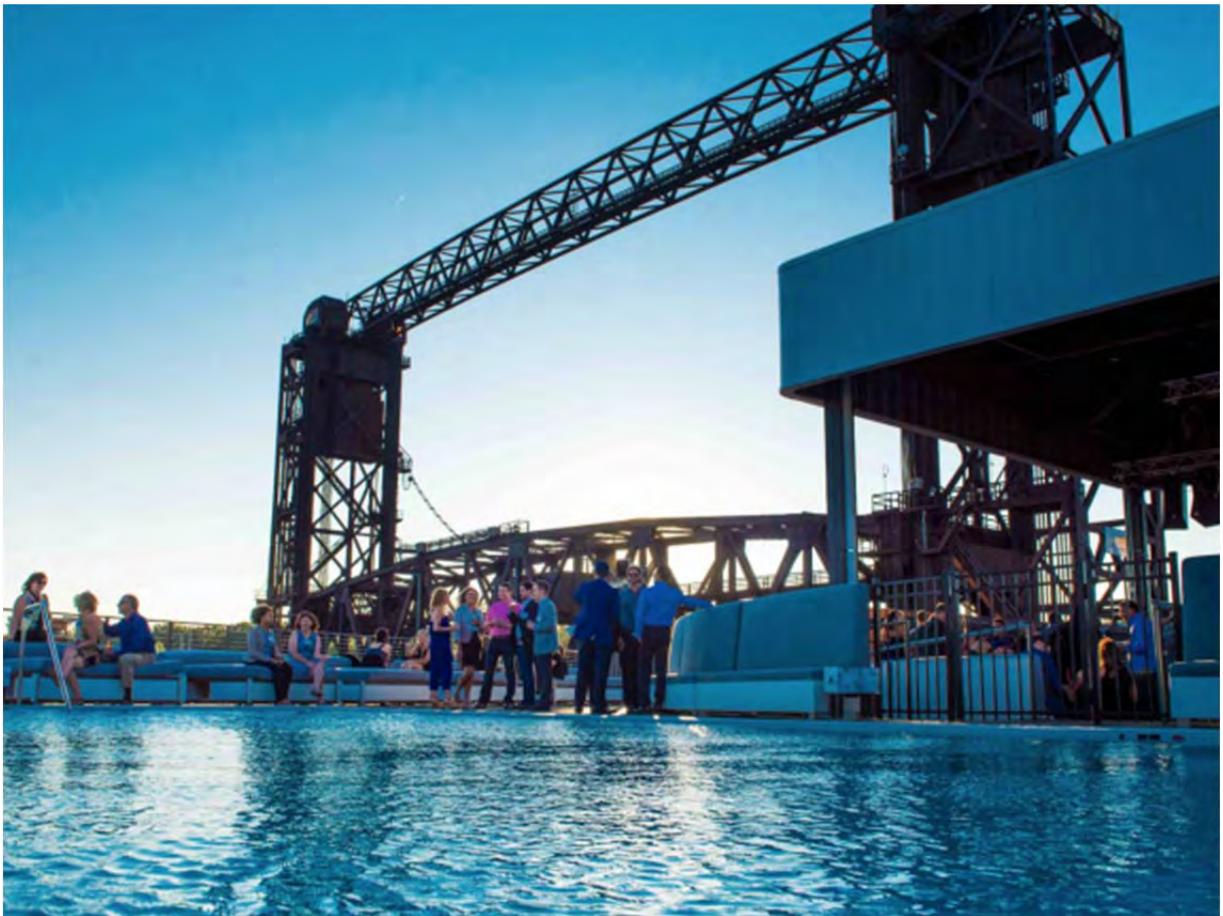




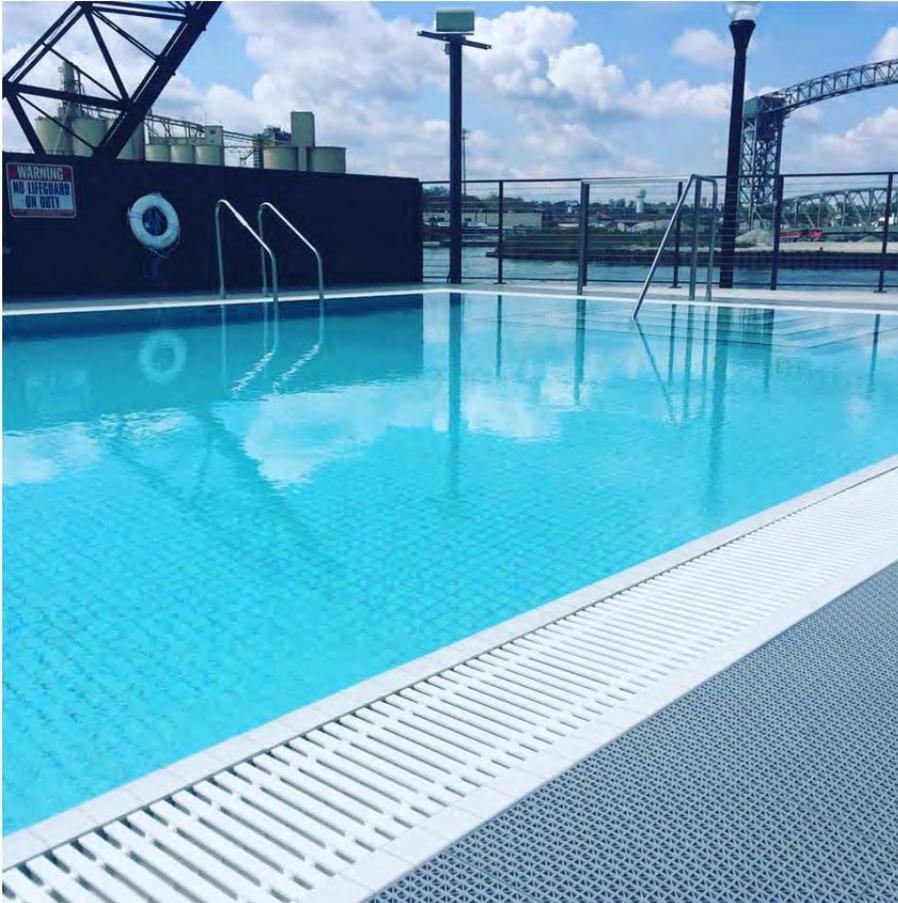


## C. Amenities and Common Areas













COMMUNITY DRIVEN \* INCLUSIVE \* DYNAMIC \* SOCIABLE

Fairmount Properties is committed to placemaking in all of our developments. We pay close attention to the myriad ways in which the physical, social, ecological and cultural qualities of a place are intimately intertwined. Our combined 100+ years of marketing experience has taught us that creating a sociable community through arts, culture and events are crucial to our placemaking strategy.

Commitment to events at select local Fairmount Properties' Projects:

East Bank of the Flats (Cleveland, Ohio) hosts over 20 large scale events each year with attendance ranging from 2,000 – 27,000 guests. This year's Art Festival had over 22,000 guests while the weekly *Flat Out Fridays* events averaged 2,000 with overall attendance at the 11 summer Friday evening events reaching close to 30,000 people. The Mardi Gras Crawl is a ticketed event with over 2,000 guests and raises over \$12k for local non-profits.

First & Main (Hudson, Ohio) plays host to more than 25 events annually on the property. Events range from holiday celebrations to concerts with the area's most popular band to movies at dusk and full scale festivals celebrating the food, wine and businesses of Northeast Ohio. Attendance at events ranges from 100 to 30,000 depending on the event and its size/length/etc.

Further examples of events are as follows:

Summer Music Nights Concert Series - this 8 week series features concerts every Friday and Saturday night in July and August on the First & Main Green. Bands from all over Northeast Ohio play a variety of musical styles to audiences ranging from 300 to 1,000 people each evening. Historically, the best turnout during the concert season is the finale show featuring Carlos Jones and The Plus Band.

Hudson Wine Festival - First & Main is proud to host and sponsor the annual Hudson Wine Festival held each July in conjunction with the local Merchants of Hudson sidewalk sale. Guests can sip and sample more than 150 fine wines, dozens of craft beers and spirits as well as enjoy live music and delectable food from area restaurants and food trucks. The Hudson Wine Festival attracts over 7,500 people annually and has donated over \$150,000 to animal welfare and military support organizations since its inception.

Hudson Holiday Walk - First & Main proudly hosts the annual Hudson Holiday Walk inviting guests to shop, dine and stroll throughout the property and downtown Hudson enjoying holiday activities. Activities include horse drawn carriage rides, live reindeer, carolers on the green, a charity toy drive, hot cocoa warm up stations and children's activities in addition to special sales and incentives at each restaurant and shop throughout the property.

All About Mom - There's no better way to celebrate Mom than with a trip to First & Main! Enjoy the strolling musicians while meandering the property and take a moment to join the festivities on the green as we help children and dads prepare for Mom's big day! Enjoy complimentary roses for all moms and grandmas, free refreshments, children's activities including a free photo booth, frame decorating and card making stations and much more at the annual celebration of all things Mom!

Taste of Hudson - This annual 2-day event held over Labor Day weekend will return in 2017 with the all NEW Taste of Hudson hosted within First & Main. Featuring 15 area restaurants offering samples of mouthwatering menu items and the very popular wine and beer garden where more than 20 beers and 50 wines are on site, guests won't go home hungry! Live music flows from five stages and children explore in the children's activity area while exhibitor row is bursting with local artists and companies showcasing their products. This is Hudson's must attend event that marks the end of the summer and the back to school season.

Fun at First & Main - This new event was created in 2016 featured three dates throughout the summer where children 0-9 were invited to join us on the First & Main green for interactive activities, live music, vendor interactions and giveaways. More than 500 children attended our events this summer with their adult chaperones and enjoyed activities such as a scavenger hunt, carnival games and movie madness

where characters from the most popular movies were on site to entertain. Plans are underway for another great season in 2017!

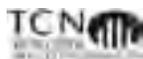
Our goal is to elevate and enhance the Cedar Fairmount District through placemaking. Our events will serve people of all ages and socio-economic backgrounds. Events will be community driven, inclusive, dynamic and sociable and will position this district as Cleveland's most sought-after neighborhood to live, shop, dine, recreate and play.



## Fairmount Properties' Approach to Maintenance, Capital Renewal and Property Updates

1. Before a property is ever developed, our in-house leasing team is very thoughtful about our merchandizing approach with prospective lessees. We make very deliberate selections of commercial tenants who share our commitment to high-quality storefront and interior maintenance and have demonstrated their dedication to maintaining a superior customer experience in other locations.
2. We utilize strict Landlord-Tenant lease conditions such as the Tenant's mandatory furnishing and active maintenance of outdoor patio areas, the establishment of a 5' Landlord Control Zone within the storefront area (i.e., Landlord controls fit and finish selections within a specified area of the storefront) as well as Landlord approval rights of building and finish materials, signage and furniture, fixtures & equipment (FF&E).
3. We employ on-site property management professionals in every project we own. Property managers walk the property and grounds every single day, making note of areas in need of attention or maintenance. The scheduling and mobilizing of service calls or repairs typically are done within 24 hours of issues being identified.
4. With respect to outdoor common areas, planters are seasonally adjusted, seasonal events and promotions are visibly marketed throughout the year, signage and banners are rotated and parking areas are constantly monitored for maintenance concerns.
5. Commercial lease renewals trigger automatic space "refreshes." For instance, if a lease is renewed for 5 additional years, specific storefront and FF&E updates and maintenance are performed, refreshing the look and feel of the customer and community experience.

6. A perpetual 5-year Capital Plan is funded annually through contributions to the Reserves for Major Repairs (RMR). Each year, updates are prioritized and made to the units and common areas when necessary, and repairs and/or maintenance items are funded through this capital reserve fund.
7. Regular preventative maintenance (PM) of all building systems is scheduled. All major building systems, for example, vertical transportation, HVAC, trash chutes, fire suppression, plumbing, and energy management, are serviced through PM contracts with third party vendors and/or suppliers. Regular PM enhances the longevity and efficiency of the property itself and extends the life of its various support systems.
8. Our Asset Management philosophy is driven by our long term ownership mentality. Said differently, when multiple hundred million dollar investments are made to create world class mixed-use destinations, those assets must be maintained long term through the careful and planned deployment of reserve capital funded through the operations budget, as well as the thoughtful exercise of Landlord control over leased spaces with respect to commercial storefronts, interiors, FF&E and shared common spaces.



## OFFICES

Albany, NY  
Atlanta, GA  
Birmingham, AL  
Broward County, FL  
Chicago, IL  
Cleveland, OH  
Dallas, TX  
Denver, CO  
Detroit, MI  
Fort Lauderdale, FL  
Fort Worth, TX  
Harrisburg, PA  
Hartford, CT  
Houston, TX  
Las Cruces, NM  
Long Island, NY  
Los Angeles, CA  
Marin County, CA  
Maryland  
Minneapolis, MN  
NE Ohio  
New York, NY  
Newport Beach, CA  
Norfolk, VA  
North Central PA  
Northeast PA  
Oklahoma City, OK  
Omaha, NE  
Orange County, CA  
Palm Beach County, FL  
Philadelphia, PA  
Phoenix, AZ  
Portland, OR  
Reno, NV  
San Francisco, CA  
San Rafael, CA  
Scottsdale, AZ  
Scranton, PA  
Sherman Oaks, CA  
Southern NJ  
St. Paul, MN  
SW Washington  
Vienna, VA  
Virginia Beach, VA  
Washington, D.C  
Wilkes-Barre, PA  
Williamsport, PA

## International:

Australia – Brisbane  
Canada – Calgary  
Canada – Edmonton  
Canada – Montreal  
China – Beijing  
China - Hong Kong  
India – Mumbai  
Italy – Milan  
Mexico - Mexico City  
Mexico - Monterrey

September 8, 2016

Kara Hamley O'Donnell  
City Planner  
City of Cleveland Heights  
Department of Planning and Development  
40 Severance Circle  
Cleveland Heights, OH 44118

**Re: Top of the Hill – Fairmount Properties**

Dear Kara:

For the past several months, we have been working alongside Fairmount Properties as they have continued to shape their vision for the Top of the Hill project. Our relationship with Fairmount dates back to 1998 and our two companies and their respective principals continue to have great mutual respect for one another. In as much as this specific geography in Cleveland Heights has historically garnered very little traction in the Class A office sector, Fairmount has asked us to share our professional opinion as it pertains to the potential of leasing office space as a part of this development. Absent a project of the scale described to us, we believe there would continue to be a very low level of interest in new office space. That said, if Fairmount were to build a mixed-use project similar to the many they have built to date, we can confirm that there will be demand for 25,000 square feet of office space and perhaps as much as 35,000 square feet. Today's traditional office tenant prospect, both large and small seek venues which are active and have engaging retail, restaurant, and residential options, (a hospitality component is a plus), all of which help them recruit talent, and as you know, this geography is flush with a dynamic and well educated talent pool.

We can attest specifically to Fairmount's local knowledge and the high quality mixed-use product that they have built in the East bank of the Flats, Downtown Kent, First and Main, and likewise, across the country. What sets them apart from other developers is their keen sense of place making and detailed attention to painstakingly selecting the right tenant mix to ensure they add a superior product that enhances the overall community. We understand this to be vitally important to Cleveland Heights. At the same time they always pay homage to the history and unique attributes of the surrounding neighborhood. A visit to any of their proximate developments will demonstrate this. As they have proven in the aforementioned developments, Fairmount has their pulse on the market and has the ability to respond appropriately, think outside the box if necessary and listen attentively, a rare skill in our business. A prime example is their herculean goal to build a new 23 story Class A office tower in Downtown Cleveland and in a short period of time have the half-million square feet 97% leased. In a more notable corollary, neither Kent or Hudson absorbed much office space until each of those mixed-use developments were created which resulted in 70,000 square feet and 60,000 square feet respectively, the majority of which brought net new tenants to those



respective markets. We have watched how Fairmount creates a project brand and subsequently communicates that brand to prospective tenants in a uniquely humble, honest and forthright manner.

While I trust their competitor in this process can also build very nice office product, Fairmount's personal relationships and reputations have been a key differentiator in their ability to recruit the very type of tenants I'm sure your community would be proud to host.

Our firm has knowledge of the commercial real estate industry dating back 1939. We have a full service team of professionals ranging from office, industrial, retail, multi-family, auctions, property management, corporate services, and appraisal. Our office services extend throughout the region and we have intimate knowledge of the existing product and demand for office space in the near-East suburbs of Cleveland. We can confirm that there is demand for 25,000 square feet of office space at Top of the Hill as there is a current shortage of Class A office space in Cleveland Heights. We are certain that due to this lack of supply, businesses that need modern space and have a well educated talent pool are being lost to surrounding markets such as Midtown and Beachwood. Clearly, due to their ability to respond to market demands, Fairmount Properties is the most suitable developer to fill this gap.

Please feel free to reach out to me directly should you wish to discuss any of the above.

Sincerely,

HANNA COMMERCIAL

A handwritten signature in dark ink that reads 'Diana C. Whisenant'.

Diana C. Whisenant, SIOR  
Managing Director

**Howard Hanna Real Estate Services**  
**12435 Cedar Road**  
**Cleveland Heights, OH 44106**  
**216-721-1210**

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September 8, 2016

The Top of the Hill opportunity is about more than just “reshuffling the deck chairs” for those who are already living in the Heights. Although responding to the empty nester and downsizer for-sale market is an important premise of this project, this district is also about generating new residents in Cleveland Heights. It is about becoming the place where a professional moving to the Cleveland area from Chicago, Los Angeles or Washington DC will choose to live.

There is a saying that “all real estate is local” and that is especially true in the Heights, a distinct and nuanced real estate market characterized by its inner ring historical context, well maintained existing housing stock, relatively high real estate taxes, its informed and professional buyer base and a diversity in area employment anchors with a heavy emphasis on “Eds & Meds.” A locally based sales and marketing team is critical to executing the Top of the Hill development successfully.

The principals of Fairmount Properties, Randy Rутtenberg and Adam Fishman, have deep and long standing personal relationships with the prospective buyer pool. Both Randy and Adam have each lived and worked locally for decades and those personal relationships with potential buyers will be a huge differentiator for this team.

There is no substitute for the local experience of having already developed and sold new housing in the Heights. This team has the proven ability to draw upon decades of local market responsiveness to develop and deliver the right product at the right price point with the right amenities, layouts and interiors choices.

With Thanks,

*Ernie Cahoon*

Ernie Cahoon

Gwen Bradley

*Gwen Bradley*

Realtor- Howard Hanna  
Cleveland Heights – University Circle Office

Manager - Howard Hanna  
Cleveland Heights – University Circle Office



FREDERICK G. STUEBER

September 8, 2016

Ms. Kara Hamley O'Donnell, City Planner  
City of Cleveland Heights  
Department of Planning and Development  
40 Severance Circle  
Cleveland Heights, OH 44118

Re: Fairmount Properties

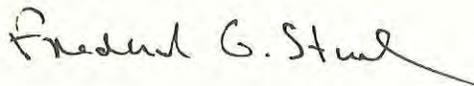
Dear Ms. Hamley O'Donnell:

I have been a resident of Cleveland Heights for 22 years and reside at 2253 Delamere Drive. I understand that Fairmount Properties is a finalist for the "Top of the Hill" project.

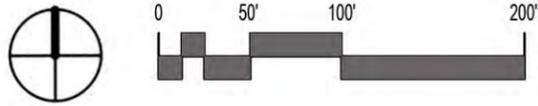
When Fairmount began the "Cedarmount" residential project some years ago at the base of Fairmount and Cedar, I was skeptical that they would be respectful of neighborhood concerns. In particular, we were concerned about the pedestrian right-of-way at the base of Notting Hill Lane and the quality of construction. Over two years I found Randy Ruttenberg and Adam Fishman to be attentive and responsive. We resolved our concerns and the project overall has been very successful.

I think it is important to work with a developer who listens to local concerns, adapts and responds. These projects evolve over a period of time and good working relationships back and forth among the stakeholders are essential to their success. If you choose Fairmount I am confident we will get a good product that will be very good for the Cleveland Heights community for many years to come.

Very truly yours,



Frederick G. Stueber



- 1 HOTEL WITH BELOW GRADE PARKING
- 2 MIXED-USE BUILDING WITH GROUND FLOOR RETAIL, OFFICE ON SECOND FLOOR & APARTMENTS ABOVE
- 3 MIXED-USE BUILDING WITH GROUND FLOOR RETAIL & APARTMENTS ABOVE
- 4 APARTMENT BUILDING WITH UNDERGROUND PARKING
- 5 FOR SALE TOWN HOME UNITS
- 6 PARKING DECK





# BEACON ON THE HILL

AERIAL







**FLAHERTY & COLLINS**  
PROPERTIES

## Maintenance FAQ



For More Information Contact:  
Deron Kintner, General Counsel  
[dkintner@flco.com](mailto:dkintner@flco.com)  
317.816.9300



The Flaherty & Collins Properties (F&C) Management Team has extensive experience in Property Management, including maintaining of sites and updating properties:

- 239 Total Properties Managed
- 40,027 Total Units Managed

Currently, F&C manages over 100 properties and over 15,000 units in 12 states. An AMO® designated company, F&C follows the Institute of Real Estate Management (IREM®), NAA and local apartment association and industry guidelines and best practices. AMO® is a designation awarded by IREM for excellence in property management, achieving the highest level of performance, experience, customer service and financial stability.

Flaherty & Collins Properties adheres to several Standard Operating Procedures (SOPs) for property management, and several specifically concerning maintenance. In the sections below, you will find links to several documents that detail these policies and procedures:

- [Maintenance SOP](#)
- [Daily inspection sheets](#): Performed by leasing office staff; maintenance checklists are turned in daily.
  - [Property Inspection](#)
  - [Daily Opening Checklist](#)
- [Preventive Maintenance Plan](#)
  - Each area of concentration has a designated month and is reviewed every 90 days to schedule and order necessary supplies. See maintenance section of SOP linked above.
  - [Preventive Maintenance Plan](#)
- [Work Order Summary Review](#)
  - Included in Monthly Owner's Report
  - This helps to identify most common work order(s) and where our maintenance team is spending the most time
  - Many times, areas in which we can change the design with small modifications, or plan out in our five (5) year Capital Improvement Plan.
- [Occupied Unit Inspections](#)
  - Occur once a month
  - Check all smoke detectors, furnace filters, fire extinguishers, all life safety, safe and sanitary conditions.



- [Monthly Site Review](#)
  - Audit monthly
  - This includes file audit, unit inspection, renewal audit, contract audit, preventative maintenance plan review, market condition review, physical inspection of all common areas and grounds.
- [Capital Needs Assessment Form](#)
  - Completed on an annual basis

## Value Enhancements

Flaherty & Collins Properties works to understand all the dynamics of the specific markets and target demographics of a site. This includes obtaining knowledge of competition within the market and sub market in the following key areas:

- Rent
- Amenities
- Any recent upgrades
- Reasons traffic rents at competitor

Additionally, F&C “shops” competition and compiles a report to provide this information and track regularly, providing to owners and potential owners (when needed).

- Example Shop: [Willowbrook Lake Shop](#)

## Common Area Spaces

Common area spaces are normally updated every five (5) years, with unit upgrades every seven (7) years.

On renewal, many times F&C give upgrade options, such as new fixtures, flooring, countertops, etc. This helps keep the unit modern and more cost efficient to owners.

The following page is an example of a renewal menu and unit upgrade for a property in Ohio, Shadow Creek. Below are links to documents detailing these items.

- Floor Plan Upgrades (example on following page)
- [Rent Comparison](#)
- Upgrade Menu

Many times, these enhancement items can be reimbursable from reserve funds.

Additional information, discussion and explanation can be provided upon request.

# Unit Upgrade Spreadsheet Example

## Apartments

### Unit Upgrade Summary

Floorplan Name	The Sandpiper, The Starling, The Downy, The Meadowlark		
Unit Type	1 Bedroom/1 Bathroom and 2 Bedroom/2 Bath, and Loft		
Square Footage	809- 1296		
Total Investment per unit	3,271.66- 1x1	\$3,320.13- 2x2	
Proposed Monthly Rent Increase / Floorplan	\$125		
ROI (years)	26 months/ 2 years 2 months- 1x1	27 months/2 years 3 months- 2x2	
Projected income if all 252 units upgraded	\$31,500 monthly	\$378,000 yearly	
Total investment	\$830,565.54		

### Flooring

Product Name	Manufacturer Model #	Brand	Location	Product Color	Total Expense
LVT Planks	N/A	Shaw	Kitchen/Living Area/Dining	TBD	1,474.94
<b>Total</b>					<b>1,474.94</b>

### Appliances

Product Name	Manufacturer Model #	Brand	Location	Product Color	Pre-tax Cost
Refrigerator	GIE18GCHSA	GE	Kitchen	Stainless like	661.00
Electric Range	JB255GJSA	GE	Kitchen	Stainless like	499.00
Dishwasher	GSD3340KSA	GE	Kitchen	Stainless like	342.00
<b>Total</b>					<b>1,502.00</b>

### Lighting

Product Name	Manufacturer Model #	Brand	Location	Product Color	Pre-tax Cost	Column1
Pendant light (2)	#24-79568	Monument	Kitchen	Brushed Nickel	43.63	93.26
Vanity Fixture (3 bulb)	Wilmar Part#91-3862	Sonoma	Bathroom	Brushed Nickel	40.82	81.64
<b>Total</b>					<b>84.45</b>	<b>150.52</b>

### Doors and Hardware

Product Name	Manufacturer Model #	Brand	Location	Product Color	Pre-tax Cost Ea	Quantity	Pre-tax Total
Cabinet Knobs	Wilmar#86-6427	National Brand Alternative	Kitchen Cabinets	Brushed Nickel	7.63	6 (packs)	45.78



Shadow  
Creek is  
now  
offering  
upgraded  
units!

Upgraded  
Units Include:

- ◆ Wood Style  
Flooring in  
Living and





**FLAHERTY & COLLINS**  
PROPERTIES

[www.flco.com](http://www.flco.com)

317.816.9300

8900 Keystone Crossing, Suite 1200  
Indianapolis, IN 46240

## **Flaherty & Collins Properties & Liberty Development Retail Strategy**

We believe Cleveland Heights is poised for a significant infusion of new commercial activity creating a regional destination at the Top of the Hill. Our goal is to enhance the Cedar-Fairmount district so that it is both memorable and highly accessible — providing a strong sense of “you are here”. Top of the Hill will be a known in the region as the new component to already strong neighborhood by offering experiences and spaces to further connect people to place. That here and that place is Cleveland Heights.

Together, we see the streetscape level of Top of the Hill as a large community “patio”. When you think of a great patio space, you typically think of: great food, drink, music, entertainment and aesthetics. A place where people want to gather.

We expect the energy that results from adding this type of retail to the existing businesses in Cedar-Fairmount will be mutually beneficial and result in both prospering and thriving. We would also expect a catalytic effect in that additional businesses will want to locate nearby, even beyond the Top of the Hill site, to benefit from the proximity to these new attractions.

Our current conceptual plan, contemplates approximately 30,000 sf of retail. One potential breakdown of that space could be as follows:

Chef-inspired Restaurant	5,000sf
Craft Beer Tasting Room & Res.	5,000 sf
Coal Fire Pizza	2,500 sf
Fast Casual	2,000 sf
Ice Cream	2,000 sf
Coffee	2,000 sf
Salon/Spa	2,500sf
Yoga	2,500 sf
Orange Theory	3,000 sf
Bank	3,500 sf
Total	30,000 sf

We would pursue the best in class in each category. Great organic concepts that understand the marketplace. We do this differentiating Top of the Hill from other locations in the area via a tenant mix that is new to the community but reflects the best characteristics of Cleveland Heights. We are pursuing retailers and restaurateurs who have built their brands in the region around a local identity, community involvement and who assign a premium to cultivating that sense of place. We are happy to provide you a detailed list of some existing businesses or types of business for each category that we believe would be a good fit.

More importantly, our focus in the local market will be to build smart deals to bring these sought after businesses to Cleveland Heights. Projects like Van Aken Boulevard in Shaker Heights and Pinecrest in Orange will be coming online concurrently and competing for some of these same tenants. Our team will focus solely on Top of the Hill and make the time and financial investments to build a destination retail neighborhood that has stability and vibrancy for years to come.

The key is to create a great mix of experience chefs, along with newly emerging concepts (similar to Luna, Barrio, GiGis that are already in Cleveland Heights) that become the “go to place” for not only Cleveland Heights, but beyond. We are capable of connecting with and attracting an anchor chef-inspired restaurant(s) that are nationally recognized and locally known, including:

1. Zack Bruell
2. Michael Symon
3. Jonathon Sawyer
4. Doug Katz
5. Rocco Whalen
6. Brad Friedlander

These chefs have a number of successful restaurants throughout Cleveland, and there is no reason Top of the Hill should not be added to that list. We recognize that attracting talent of this caliber will come with a significant investment, and we are willing to do as necessary to get great concepts and strong performers, while also providing stability not only for their specific space, but for the entire destination.

In addition, we have already reached out to discuss the opportunity with a caliber of business owner who would accentuate the fundamental retail objectives, including:

1. Dan Deagan (Deagan’s Kitchen and Bar, Humble Wine Bar)
2. Eric Williams (Momocho, El C, Happy Dog, Jack Flaps)
3. Gordon Geiger (Geiger’s Clothing and Sporting Goods)
4. George Vlosich (GV Art & Design).

As a potential alternative approach, we also believe the site could serve the community as a whole with a fresh market grocery concept. This concept would include a 20,000 sf anchor grocery, with room for an additional 20,000 sf of retail as described above. Examples could include: Fresh Thyme, Fresh Market, Trader Joes and Lucky’s.

We have significant experience with including urban grocery stores in our projects, including a Whole Foods Market, and would be happy to explore this concept further if desired by the City. We recognize that Dave’s Supermarket is nearby and would not look to bring in a grocer that was direct competition with Dave’s.

Lastly, we believe the Top of the Hill development and the community as a whole, all benefit from regularly occurring public benefits that showcase Cedar-Fairmount. Cleveland

Heights has a long history of success with community events that showcase the character of the city. We will work the City and the neighborhood to host as many as these events as possible throughout the year.



# CLEVELAND HEIGHTS

## Committee of the Whole

**September 12, 2016**

### **Agenda**

1. Mayor's Update
2. Staff Updates
3. Legislation Overview
4. Master Plan Update
5. Economic Development Update
6. Top of the Hill Update – Due Diligence Report
7. Executive Session: 1) To consider the terms of a sale of City-owned real property; 2) To discuss, with an attorney for the public body, claims or disputes involving the public body that, in the judgment of such attorney, appear likely to be the subject of a future claim

**TO: TANISHA R, BRILEY, CITY MANAGER**

**FROM: SUSANNA NIERMANN O'NEIL, ASSISTANT CITY MANAGER**

**RE: COMMUNITY OUTREACH UPDATE**

**DATE: SEPTEMBER 8, 2016**

**COMMUNITY RELATIONS:**

- **The Community Improvement Awards ceremony date has been changed to Thursday, October 20<sup>th</sup> at 7:00pm in the atrium. This gives residents more time to email any addresses they would like to nominate. Renovated businesses can also be nominated.**
- **Block parties this weekend: Saturday – Briarwood and Sunday – South Overlook. Staff is also coordinating cones and barricades at the houses that are on the Heights Community Congress house tour on September 17<sup>th</sup> and 18<sup>th</sup> .**
- **Staff is working with the Heights Music Hop Committee on the logistics for their weekend ( September 23<sup>rd</sup> and 24<sup>th</sup> ). For the first time there will be a Friday night event at Cedar Fairmount. ( This event will have performers at Nighttown, Apple Books , the Fairmount and Luna) On Saturday in the Cedar Lee mini park there will be family events from 5:00pm to 8:00pm. In the evening there will be 68 performers in the various restaurants and bars, including a band in the lower level of the parking deck.**
- **Staff attended the monthly Noble Neighbors meeting on September 6<sup>th</sup> . Plans are underway for an event in May of 2017 that will also include the schools. A task force is also tracking particular vacant houses in the area to learn more about the court system with foreclosures.**

**SOCIAL MEDIA/CHANNEL 20:**

- **Facebook postings regarding : The change in refuse/recycling pickup due to Labor Day ; the Monday September 12<sup>th</sup> tour of the Alcazar Hotel in honor of the 50<sup>th</sup> Anniversary of the National Historic Preservation Act ; The annual Heights Community Congress House Tour on September 17<sup>th</sup> and 18<sup>th</sup> ; and of course Shredding Day .**
- **An email blast regarding various City events and information goes out every Friday.**



# MEMORANDUM

**TO:** Tanisha Briley-City Manager  
**FROM:** Alex Mannarino-Director of Public Works  
**DATE:** September 9, 2016  
**RE:** Weekly Update

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## **Lee Road Streetscape**

S.E.T. crews continue to work on forming the foundations for the pedestrian street lights. Their concrete contractor started pouring curb ramps near the new Tavern Company. Concrete started on the south end of the job, and is scheduled to proceed north.

## **Construction Project Updates**

### **2016 Road Resurfacing**

No new progress. Ronyak Paving is the sub-contractor for the road resurfacing phase of Lee Road. They plan on finishing the remaining city paving work when they mobilize to pave Lee Road.

### **2016 Surface Treating**

All of the Chip Sealed streets have been completed with exception to Derbyshire Road. Specialized Construction is coordinating their work with Dominion East Ohio.

### **Mayfield Signalization**

Contract modification for the final design and right-of-way acquisition phase is currently under review.

### **Dominion East Ohio**

Work continues on PIR 1464 Lee Road from Euclid Heights Blvd. north to Mayfield Road.

We have received some complaints regarding the bags used to prevent contaminated surface water run-off into the storm sewers. Some residents have complained that these devices are creating flooding. The devices do slow the infiltration of surface water, but that is a side effect of the filtering process. Unfortunately, they are required environmental measures on any construction project, and they cannot be removed until

a certain amount of grass has been established. In Dominion's case they must receive clearance from their environmental division.

### **Service Department**

Street maintenance crews have been out working diligently on storm clean-up of brush on tree lawns since the microburst wind storm that occurred on August 9<sup>th</sup>.

The Forestry Department has been performing follow-up tree work on storm damaged trees.

All other operations continued as normal.

### **Misc. Business**

Joe Kickel attended a one day class at NOACA that was taught by instructors from the Federal Highway Administration's National Highway Institute on Road Diets. The class covered design, increased safety characteristics, and the overall benefit that they provide to communities.

Date: September 9, 2016

To: Tanisha Briley, City Manager

From: Collette Clinkscale, Utilities Commissioner

Subject: Water and Sewer Department Weekly Update

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#### Water

- Investigated misc. water leaks.
- Dug, replaced, and turned off curb stop at 3558 St. Albans
- Dug, replaced, and turned off curb stops at 3645 and 3783 Berkeley
- Installed new 3" water main in Cain Park
- Repaired curb stop at 3286 E. Overlook
- Excavated tree lawn to locate meter pit at 2434 Overlook
- Continuing transponder update program
- Repaired tree lawns on Nelaview, Bendemeer, Cedarbrook, Shannon and Severn

#### Sewer

- Ran sewer machine on Monticello, Bainbridge, St. Albans, Princeton, N. Taylor and Superior
- Prepped road hole at 2300 Overlook
- Repaired storm main (in connection with water main install) in Cain Park
- Investigated sink holes on Canterbury and Middlefield
- Checked overflows
- Cleaned culvert at Park Synagogue
- Dug trench in connection with Fire Department training
- Checked Overflows

#### Other

- Catch basin cleaning in process by Cuyahoga County Public Works
- On-going coordination on Cleveland Water requests
- Phone conference with CWD team regarding CC&B project
- Met with Engineers from County Public Works on Randolph sewer project
- Phone conference on sewer-related matters
- Attended equipment event at NEORS

CITY OF  
**CLEVELAND  
HEIGHTS** 

DEPARTMENT OF POLICE

Annette M. Mecklenburg, CHIEF

40 SEVERANCE CIRCLE, CLEVELAND HEIGHTS, OHIO 44118 – Telephone 216-291-4974

## MEMORANDUM

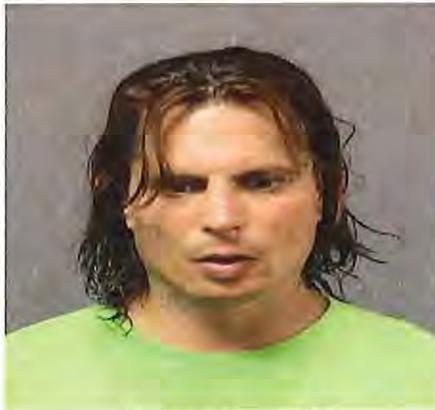
**To:** Tanisha R. Briley, City Manager

**From:** Annette M. Mecklenburg, Chief of Police

**Date:** September 9, 2016

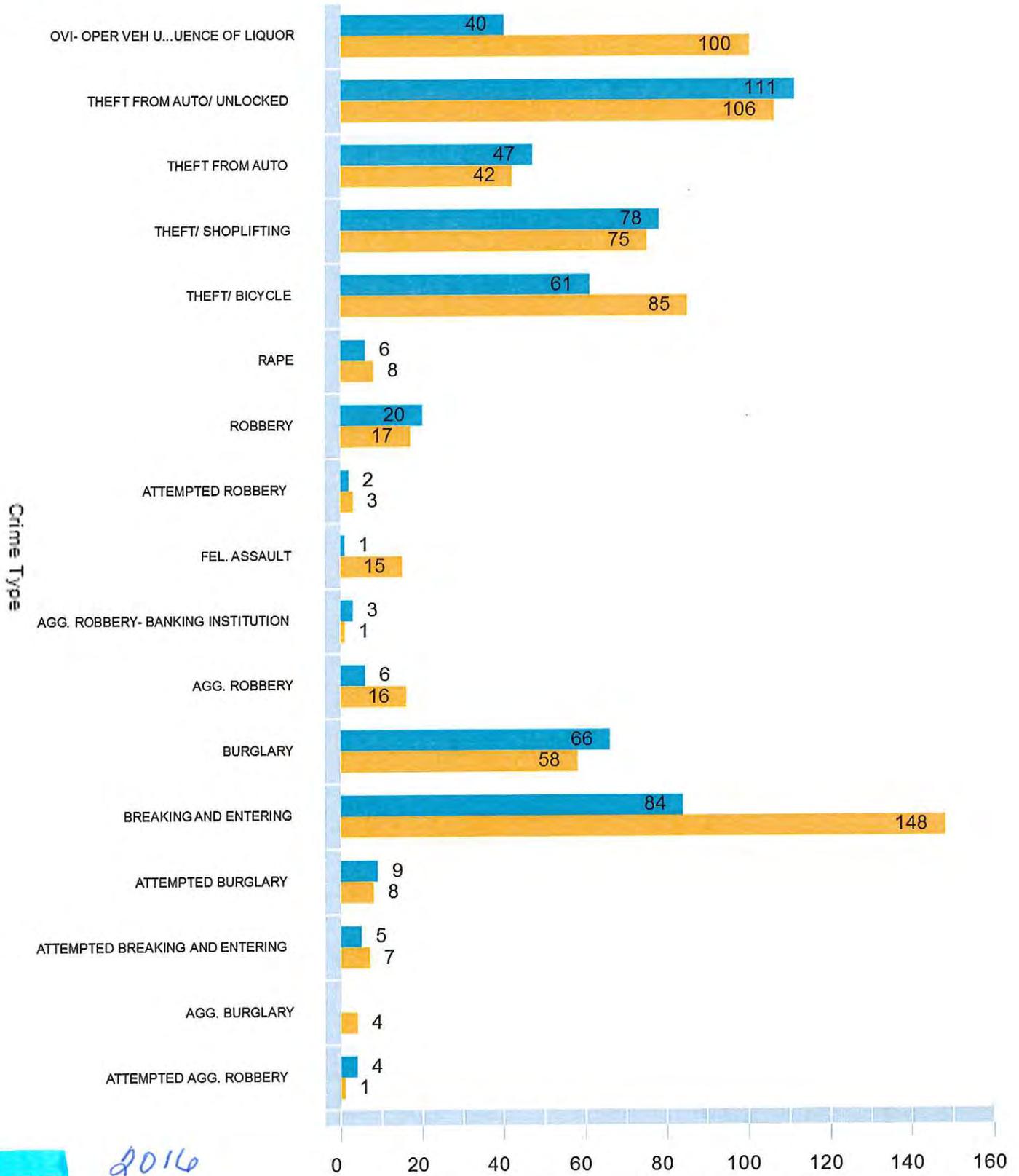
**Subject:** Weekly Update

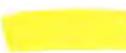
On Wednesday, September 7, 2016, a robbery occurred at Huntington Bank located at 1865 Coventry Rd. Shortly before 2:15 pm the suspect entered the bank, passed the teller a note, and exited the bank with the money. While checking the area, Officer Christopher McHugh located the suspect in the area of Superior Rd. near Euclid Ave. The suspect, identified as Larry J. Berry Jr. 42 years of age, was positively identified as the suspect who committed the robbery. Mr. Berry was placed under arrest and returned to the Cleveland Heights Jail. The money taken in the robbery was recovered. Mr. Berry is currently being held pending his initial appearance in court.



**Larry Berry Jr.**

Dashboard Tab



 2016  
 2015

Friday, January 01, 2016 to Thursday, September 08, 2016 COMPARED TO Thursday, January 01, 2015 to Tuesday, September 08, 2015



# Cleveland Heights Fire Department

## Weekly Activity Report

Total Emergency Calls Year To Date	4,463
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Total Emergency Calls for Period	105
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Report Date Period: 09/02/2016 - 09/09/2016

### Fire Data

	<u>Current Period</u>	<u>Year to Date</u>	<u>Last Year to Date</u>	<u>Current Year % of Run Count</u>
Emergency Fire Run Count	23	919	868	21.17 %
Emergency Structure Fire Count		49	39	
Emergency Non Structure Fire Count	23	859	820	
Emergency Vehicle Fire Count		11	9	

### Emergency Medical Data

Total Emergency Run Count	82	3,544	3,385	78.83 %
Emergency Medical Run Count	80	3,421	3,258	
Automobile Accident Run Count	2	123	127	
Advanced Life Support Run Count	24	951	1,032	
Basic Life Support Run Count	59	2,575	2,326	
Total EMS Transports	51	2,293	2,226	
Total EMS Non Transports	30	1,084	1,042	

## Mutual Aid Run Count to Date

<b>Mutual aid received</b>	SEFD A - 42 SHFD A - 37 ECFD A - 18 UHFD A - 32
<b>Mutual aid given</b>	SEFD A - 22 SHFD A - 26 ECFD A - 22 UHFD A - 13
<b>Automatic aid received</b>	SEFD A - 3 SHFD A - 10 ECFD A - 0 UHFD A - 4
<b>Automatic aid given</b>	SEFD A - 0 SHFD A - 8 ECFD A - 0 UHFD A - 8

<b><u>Fire Prevention Bureau</u></b>	<b><u>Current Period</u></b>	<b><u>Year to Date</u></b>
<b>Total Completed Fire Inspections</b>	<b>31</b>	<b>779</b>
<b>Company Fire Inspections</b>	<b>13</b>	<b>358</b>
<b>Fire Prevention Fire Inspections</b>	<b>1</b>	<b>48</b>
<b>Fire Alarm Test Inspections</b>		<b>1</b>
<b>Kitchen Supression Test Inspections</b>		<b>8</b>
<b>Sprinkler Test Inspections</b>		<b>2</b>
<b>Other Inspections</b>	<b>17</b>	<b>362</b>
<b>Smoke Detectors Distributed</b>		<b>91</b>



## **MEMORANDUM**

**To: Tanisha Briley, City Manager**

**From: Kara Hamley O'Donnell**

**Date: September 9, 2016**

**Subject: Weekly Update**

### **Planning Commission**

At its meeting next Wednesday, the Planning Commission will review a proposed mural in the Cedar Taylor commercial district and the plans for Hebrew Academy's new school at the former Oakwood Club. This new school will hold all early childhood classrooms and grade school and junior high for boys. The school for girls will remain on South Taylor Road.

Last November, Hebrew Academy presented their preliminary plan to the Planning Commission. In January, the Planning Commission gave approval for the clubhouse to be repurposed for a high school and administrative offices, which opened last week. Since November, many meetings with Hebrew Academy leaders and consultants, neighbors, city staff and city consultants have taken place reviewing issues including building location, landscape buffers, storm water, sanitary sewers, tree preservation, traffic impact, fencing, parking, signage, lighting, safety and sustainability. Hebrew Academy has been working with Oakwood Drive neighbors to purchase additional "right of first option" buffer land to join to their rear yards.

Changes made since November are outlined in the attached 9/2/2016 e-mail from C.J. Onyak (Neff Associates). The most up-to-date site plan is also attached. Staff has recommended approval of the proposed school.

## **Kara O'Donnell**

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**From:** C) Ornyak - cjonnyak@off.usgs.gov  
**Sent:** Friday, September 02, 2016 1:18 PM  
**To:** Kara O'Donnell  
**Cc:** Ivan NCCIOE; Ron Kluehn  
**Subject:** HAC - Plan Progression  
**Attachments:** Hebrew Academy Plan Progression.pdf

Kara,

Please let me know if you receive this email due to its size. Below is a summary of site plan revisions that have taken place since October 2015. The attached PDF includes exhibits that should help in visualizing the plan progression that has taken place.

### **Campus Master Plan Concept – October 13th, 2015**

- Building was setback 60' off Right-of-Option Line.
- Service Drive was setback 10' off Right-of-Option Line.
- Service Court faced west toward Oakwood Drive

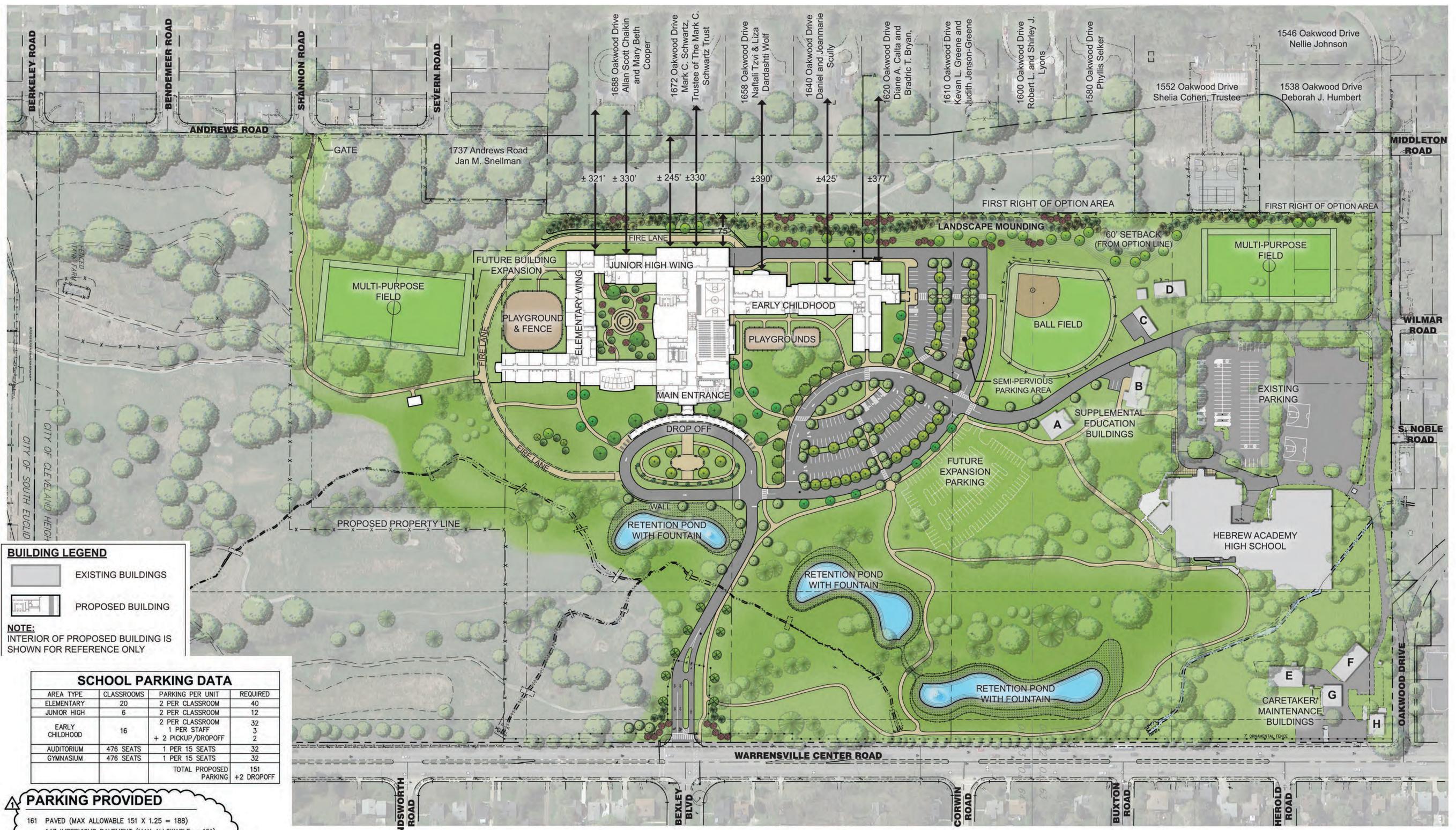
### **Site Plan – February 25th, 2016**

- Service Court was rotated to face north (no longer facing toward Oakwood Drive residences)
- Service Drive setback from Right-of-Option line was increased from 10' to 50'
- Landscape mounding was added within the 60' setback to increase screening.
- Toddler playground was moved to east side of building (away from the Oakwood Drive residences).
- The northern portion of the Early Childhood wing was shifted 31' east in order to facilitate a continuous 60' wide landscape buffer in this area.
- The service drive was shifted 11.5' closer to the building (further away from the Oakwood Drive residences).
- Moved ball field further away from the Oakwood Drive residents.

### **Site Plan – May 31<sup>st</sup>, 2016**

- Moved overflow parking lot away from Oakwood Drive residents by relocating ball field.
- Moved the Oakwood Drive access road to the east side of the ball field to provide increased buffer between the access road and Oakwood Drive residences.
- Extended landscaping mound further north and further south to extend entire length of building and ball field.
- Made adjustments to the building footprint and main entrance drop-off area in order to shift entire building an additional 15' east (further away from the Oakwood Drive residences)
- The additional 15' of buffer area was utilized to create a meandering and more naturalistic landscape mound.
- Additional plantings were added to the landscape mound to improve screening for the Oakwood Drive residents.
- Building currently setback 75' off Right-of-Option Line (15' increase over October 13th, 2015 layout).
- Service Drive currently setback 75' off Right-of-Option Line (65' increase over October 13th, 2015 layout).

Thank you,



**BUILDING LEGEND**

EXISTING BUILDINGS

PROPOSED BUILDING

**NOTE:**  
INTERIOR OF PROPOSED BUILDING IS SHOWN FOR REFERENCE ONLY

**SCHOOL PARKING DATA**

AREA TYPE	CLASSROOMS	PARKING PER UNIT	REQUIRED
ELEMENTARY	20	2 PER CLASSROOM	40
JUNIOR HIGH	6	2 PER CLASSROOM	12
EARLY CHILDHOOD	16	2 PER CLASSROOM 1 PER STAFF + 2 PICKUP/DROPOFF	32 3 2
AUDITORIUM	476 SEATS	1 PER 15 SEATS	32
GYMNASIUM	476 SEATS	1 PER 15 SEATS	32
TOTAL PROPOSED PARKING			151
+2 DROPOFF			

**PARKING PROVIDED**

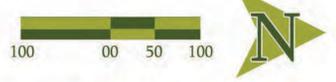
161 PAVED (MAX ALLOWABLE 151 X 1.25 = 188)

147 IMPERVIOUS PAVEMENT (MAX ALLOWABLE = 151)

14 SEMI-IMPERVIOUS PAVEMENT (10 REQUIRED PER 1161.055)

125 FUTURE EXPANSION

286 TOTAL



Date: September 9, 2016  
 Project #: 13404M  
 Developer: Hebrew Academy

# Hebrew Academy - Overall Site Plan

City of Cleveland Heights, County of Cuyahoga, State of Ohio

**NEFF**  
 & ASSOCIATES

Civil Engineers + Landscape Architects + Planners + Surveyors

Dear Council members,

August 30, 2016

Let me introduce you to our organization NOCCA; the Northeast Ohio City Council Association. We are sponsoring a September forum the *Building Blocks of Leadership on Thursday, September 15<sup>th</sup> at 6pm*. The event will be held at Doubletree Inn, Rockside Rd in Independence. Registration and dinner precede the 6:30pm program. We would like to extend an invitation to all council members but especially newly elected officials. Newly elected officials may find this program especially pertinent along with other topics that we present throughout the year. Please visit our website and also like us on Facebook for additional information. Hopefully we will see you soon as our organization offers unique ways to interact with other city council members on both the east and west sides of Cleveland! Give us a try. You may email me at [linda-garrity@sbcglobal.net](mailto:linda-garrity@sbcglobal.net).

Linda A Garrity  
NOCCA membership chair

Proposed: 9/19/2016

RESOLUTION NO. (PSH)

By Council Member

A Resolution declaring the property at 950 Nelaview Road, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency.

WHEREAS, the City Manager has reported to this Council that the residential property known as 950 Nelaview Road, owned by Cheyenne M. Toole, is currently vacant, in a state of severe disrepair, and hazardous; and

WHEREAS, the City Manager has further reported that the owner of the subject property has been cited by the Housing Inspection Department for numerous housing code violations on the property since at least September 2014 and no progress has been made toward correction of the violations; and

WHEREAS, the City Manager has further reported that the Cleveland Heights Fire Department was called to the property because of a foul odor emanating from the interior of the house and were unable to enter the property without proper hazmat clothing due to dead and live rodents throughout the property; and

WHEREAS, the City Manager has further reported that the property has deteriorated over the years to the point that it is a hazard to the health, safety, and welfare of potential occupants and the public and is a blighting and deteriorating factor in the neighborhood adversely affecting the value of neighboring property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby finds and determines that the premises known as 950 Nelaview Road, owned by Cheyenne M. Toole, is in a state of severe disrepair to the extent that it constitutes a health and safety hazard and a blighting influence and hereby declares said property to be a public nuisance pursuant to Chapter 553 of the Codified Ordinances of the City of Cleveland Heights.

SECTION 2. The City Manager is authorized and directed to cause the nuisance to be abated in accordance with Chapter 553 of the Codified Ordinances of the City of Cleveland Heights or in any manner determined to be appropriate and in accordance with law.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

RESOLUTION NO. (PSH)

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being that the condition of the property is so hazardous that it must be abated at the earliest time permitted by law. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

CHERYL L. STEPHENS, Mayor  
President of the Council

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TOM RAGUZ  
Clerk of Council

PASSED:

# MEMORANDUM

To: Tanisha Briley, City Manager  
From: Allan Butler, Housing Programs Manager  
Date: 8/24/2016  
Re: Request for Nuisance Abatement for 950 Nelaview Rd. PPN 681-07-137

---

The single family dwelling at 950 Nelaview Rd. was purchased by Chyenne M. Toole on November 14, 2002 for \$92,000. The property taxes have not been paid since 2014 and are currently \$4,265 in arrearage. On January 20, 2015 the fire department was called to the property for a wellness check. At that time, the home owner was cited for excessive fire load throughout the house and to clean and disinfect the entire house. This case is still in housing court. On July 26<sup>th</sup>, 2016 the fire department was called again to the property because of a foul order emanating from the interior of the house. Upon their arrival, both the fire and police departments were unable to enter the property without proper hazmat clothing. When the door was forced open, the neighbors were forced to exit their homes due to the horrendous smell. During the inspection of the interior, dead rats were everywhere and live rats the size of house cats were seen running throughout the property. What was thought to be carpeting was actually rat feces thick enough to make it look like carpeting throughout the house.

There are currently 4 active complaints on this property that the owner has been notified of with no progress of being resolved. These complaints range from litter, garbage, exterior maintenance and the excessive fire load from the above mentioned incidents. ***A systematic inspection from September of 2014 has 4 pending violations, and a complaint pending for excessive fire load, and to clean and disinfect from January of 2015.***

A notice to demolish the property was issued August 9, 2016 with no response.

The exterior of the house has obvious signs of neglect. The house has also been posted for no trespassing since June of 2015.

Based on this information, I hereby request Council declare the property an immediate nuisance as defined in chapter 553 of the Codified Ordinances, and order the following repairs to abate the nuisance:

- |                              |          |
|------------------------------|----------|
| 1. Raze the house and Garage | \$30,000 |
| 2. Cleanout of premises      | \$10,000 |
-

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Total Estimated Cost

\$40,000

# MEMORANDUM

In the event the owner fails to comply with this order, the City should be authorized to abate the nuisance and to assess such cost of the abatement against the subject real estate.

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Proposed: 9/19/2016

RESOLUTION NO. (PSH)

By Council Member

A Resolution declaring the property at 1610 South Taylor Road, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency.

WHEREAS, the City Manager has reported to this Council that the residential property known as 1610 South Taylor Road, owned by Northstar Strategic Partners, is currently vacant, structurally unsound, and hazardous; and

WHEREAS, the City Manager has further reported that the subject property was severely damaged by a fire on August 7, 2016; and

WHEREAS, the City Manager has further reported that the owner of the subject property was cited by the Housing Inspection Department for five (5) housing code violations on the property prior to the fire and no progress was made toward correction of the violations; and

WHEREAS, the City Manager has further reported that the property is a hazard to the health, safety, and welfare of potential occupants, adjoining properties, and the public and is a blighting and deteriorating factor in the neighborhood adversely affecting the value of neighboring properties.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby finds and determines that the premises known as 1610 South Taylor Road, owned by Northstar Strategic Partners, is in a state of disrepair to the extent that it constitutes a health and safety hazard and a blighting influence and hereby declares said property to be a public nuisance pursuant to Chapter 553 of the Codified Ordinances of the City of Cleveland Heights.

SECTION 2. The City Manager is authorized and directed to cause the nuisance to be abated in accordance with Chapter 553 of the Codified Ordinances of the City of Cleveland Heights or in any manner determined to be appropriate and in accordance with law.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants

RESOLUTION NO. (PSH)

of the City of Cleveland Heights, such emergency being that the condition of the property is so hazardous that it must be abated at the earliest time permitted by law. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

CHERYL L. STEPHENS, Mayor  
President of the Council

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TOM RAGUZ  
Clerk of Council

PASSED:

# MEMORANDUM

To: Tanisha Briley, City Manager  
From: Allan Butler, Housing Programs Manager  
Date: 8/24/2016  
Re: Request for Nuisance Abatement for 1610 S. Taylor Rd. PPN 684-38-001

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The single family dwelling at 1610 S. Taylor Rd. was purchased at a Sheriff Sale tax foreclosure by Northstar Strategic Partners, Stanley Jackson member on June 6, 2013 for \$33,076. The deed was not recorded until April 21, 2015 as the County Prosecutor's office had filed contempt of court proceedings for not completing payment of the Sheriffs Sale. Prior to that it was owned by another investment company, Karka Inc. (Uri Gofman) who purchased it for \$36,000 from Bank One on September 30, 2008. The property taxes have not been paid since 2008 and is currently \$25,656 in arrearage with another tax foreclosure pending. The property has been vacant since a fire destroyed the entire second and third floor on August 7, 2016. The unit was used as a rental property even though there were postings from both the housing department that no person was to occupy the premises.

There are currently 6 active complaints on this property that the owner has been notified of with no progress of being resolved dating back to May 2015. These complaints range from Failure to obtain Point of Sale, Failure to obtain Certificate of Occupancy for multiple years, to litter/debris, tall grass and exterior maintenance items.

A notice to demolish the property was issued August 8, 2016 after the fire with no response. The fire department has reported there is no insurance on the property.

The exterior of the house has obvious signs of fire damage, i.e., boarded windows, holes in roof, and damaged and charred siding. The interior has significant water damage, mold, asbestos exposure and missing mechanical systems.

Based on this information, I hereby request Council declare the property an immediate nuisance as defined in chapter 553 of the Codified Ordinances, and order the following repairs to abate the nuisance:

- |                              |          |
|------------------------------|----------|
| 1. Raze the house and Garage | \$19,000 |
| 2. Cleanout of premises      | \$ 1,000 |

Total Estimated Cost	\$20,000
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In the event the owner fails to comply with this order, the City should be authorized to abate the nuisance and to assess such cost of the abatement against the subject real estate.

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# MEMORANDUM

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Proposed: 9/19/2016

RESOLUTION NO. (PSH)

By Council Member

A Resolution declaring the property at 1617 Eddington Road, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency.

WHEREAS, the City Manager has reported to this Council that the residential property known as 1617 Eddington Road, owned by Upscale Properties Unlimited, is currently vacant, is in a state of severe disrepair, and hazardous; and

WHEREAS, the City Manager has further reported that the owner of the subject property has been cited by the Housing Inspection Department for numerous housing code violations on the property since at least December 2008 and no progress has been made toward correction of the violations; and

WHEREAS, the City Manager has further reported that the property has deteriorated over the years to the point that it is a hazard to the health, safety, and welfare of potential occupants and the public and is a blighting and deteriorating factor in the neighborhood adversely affecting the value of neighboring property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby finds and determines that the premises known as 1617 Eddington Road, owned by Upscale Properties Unlimited, is in a state of disrepair to the extent that it constitutes a health and safety hazard and a blighting influence and hereby declares said property to be a public nuisance pursuant to Chapter 553 of the Codified Ordinances of the City of Cleveland Heights.

SECTION 2. The City Manager is authorized and directed to cause the nuisance to be abated in accordance with Chapter 553 of the Codified Ordinances of the City of Cleveland Heights or in any manner determined to be appropriate and in accordance with law.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being that the condition of the property is so hazardous that it must be abated at the earliest time permitted by law. Wherefore, provided it

RESOLUTION NO. (PSH)

receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

CHERYL L. STEPHENS, Mayor  
President of the Council

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TOM RAGUZ  
Clerk of Council

PASSED:

# MEMORANDUM

To: Tanisha Briley, City Manager  
From: Allan Butler, Housing Programs Manager  
Date: 8/24/2016  
Re: Request for Nuisance Abatement for 1617 Eddington Rd. PPN 684-02-036

---

The two family dwelling at 1617 Eddington Rd. was purchased by Upscale Properties Unlimited on October 19, 2009 for \$6,750. Prior to that it was owned by the Bank of New York who foreclosed on Jay Callaway on May 28, 2008. The property taxes have not been paid since 2009 and are currently \$26,194 in arrearage. The property has been vacant since November, 2015.

There are currently 15 active housing cases against this property dating back to December of 2008 that the owner has been notified of with no progress of being resolved. These complaints range from a lengthy Point of Sale , Certificate of Occupancies for multiple years, to litter, tall grass and exterior maintenance items.

A notice to demolish the property was issued August 2, 2016 with no response.

The exterior of the house has obvious signs of deterioration, i.e., boarded windows, partially collapsed 2<sup>nd</sup> floor front porch and a collapsed garage. The interior has significant water damage, mold, asbestos exposure and missing mechanical systems.

Based on this information, I hereby request Council declare the property an immediate nuisance as defined in chapter 553 of the Codified Ordinances, and order the following repairs to abate the nuisance:

- |                              |          |
|------------------------------|----------|
| 1. Raze the house and Garage | \$17,000 |
| 2. Cleanout of premises      | \$ 1,000 |

Total Estimated Cost	\$18,000
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In the event the owner fails to comply with this order, the City should be authorized to abate the nuisance and to assess such cost of the abatement against the subject real estate.

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# MEMORANDUM

Proposed: 9/19/2016

RESOLUTION NO. (PSH)

By Council Member

A Resolution declaring the property at 3380 Beechwood Avenue, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency.

WHEREAS, the City Manager has reported to this Council that the residential property known as 3380 Beechwood Avenue, owned by Matilda M. Day and Theodore A. Day, Sr., is currently vacant, structurally unsound, and hazardous; and

WHEREAS, the City Manager has further reported that the subject property was severely damaged by a fire on March 22, 2016; and

WHEREAS, the City Manager has further reported that the owner of the subject property was cited by the Housing Inspection Department for a major housing code violation on the property in November 2015 and no progress was made toward correction of the violation prior to the fire; and

WHEREAS, the City Manager and Certified Building Official have further reported that the property is a hazard to the health, safety, and welfare of potential occupants, adjoining properties, and the public and is a blighting and deteriorating factor in the neighborhood adversely affecting the value of neighboring properties.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby finds and determines that the premises known as 3380 Beechwood Avenue, owned by Matilda M. Day and Theodore A. Day, Sr., is in a state of disrepair to the extent that it constitutes a health and safety hazard and a blighting influence and hereby declares said property to be a public nuisance pursuant to Chapter 553 of the Codified Ordinances of the City of Cleveland Heights.

SECTION 2. The City Manager is authorized and directed to cause the nuisance to be abated in accordance with Chapter 553 of the Codified Ordinances of the City of Cleveland Heights or in any manner determined to be appropriate and in accordance with law.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Resolution is hereby declared to be an emergency measure

RESOLUTION NO. (PSH)

immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being that the condition of the property is so hazardous that it must be abated at the earliest time permitted by law. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

CHERYL L. STEPHENS, Mayor  
President of the Council

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TOM RAGUZ  
Clerk of Council

PASSED:

# MEMORANDUM

To: Tanisha Briley, City Manager  
From: Allan Butler, Housing Programs Manager  
Date: 8/10/2016  
Re: Request for Nuisance Abatement for 3380 Beechwood Ave, PPN684-29-110

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The two family dwelling at 3380 Beechwood Ave. was purchased by Matilda M Day and Theodore A Day Sr. on October 6<sup>th</sup>, 2000 for \$190,000. It sits on the southeast corner of Compton Rd. and Beechwood Ave. The property taxes have not been paid since 2010 and are currently \$60,592 in arrearage. The property has been vacant since a fire destroyed the entire third floor unit on March 22<sup>nd</sup>, 2016. Prior to that, the unit was used as a rental property for the owners who reside on the southwest corner of Compton and Beechwood since August 15<sup>th</sup>, 1991. The property owner did not have any insurance and has not made any repairs or provided any repair proposal.

A Complaint to replace the entire garage roof has been open for this property since November of 2015 with no progress being made.

A notice to demolish the property was issued April 23<sup>rd</sup>, 2016 with no response.

The exterior of the house has obvious signs of fire damage, i.e., boarded windows, holes in roof, and damaged and charred siding. The interior has significant water damage, mold, asbestos exposure and missing mechanical systems.

Based on this information, I hereby request Council declare the property an immediate nuisance as defined in chapter 553 of the Codified Ordinances, and order the following repairs to abate the nuisance:

1. Raze the house and Garage	\$24,000.00
<b>Total Estimated Cost</b>	<b>\$24,000.00</b>

In the event the owner fails to comply with this order, the City should be authorized to abate the nuisance and to assess such cost of the abatement against the subject real estate.

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# MEMORANDUM