



Project 17-6: The BottleHouse, 2050 Lee, S2 Mixed-Use, requests Conditional Use permit for 35-seat outdoor dining in front w/ food truck in S. parking lot per Code chapters 1111, 1115, 1131, 1145, 1151 and 1153.

Approved 36-seat outdoor dining facility, 5-0-2 recusals with the following additional conditions:

1. Hours of operation shall be limited to 11:00 a.m. to 1 a.m.;
2. Live music shall not be permitted outdoors unless approved by the City in advance as part of a special event;
3. A clear passage measuring at least six feet in width shall be maintained for pedestrian traffic at all times;
4. Outdoor lighting shall not directly glare onto neighboring properties;
5. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity or create a nuisance for adjacent residential properties and The Bottlehouse shall work with staff to resolve complaints from neighbors, which, if necessary, could result in reduced outdoor dining hours;
6. The Bottlehouse shall maintain any liability insurance required by the City;
7. Decorative pylon approval contingent upon granting of Board of Zoning Appeals variance or revised Code-compliant plan approved by Planning Director and Architectural Board of Review;
8. Applicant shall obtain license agreement from the City for outdoor dining located in the public right-of-way, if any;
9. Any proposed expansion of the use shall require the approval of the Planning Commission; and
10. All required construction and installation of the use shall be completed within 18 months of Planning Commission approval.

Approved outdoor dining facility to include operation of one food truck, 5-0-2 recusals with the following additional conditions:

1. Food truck shall only operate when The Bottlehouse is open though it shall not be operated after 11 p.m.; On-site food truck storage when truck is not in use is prohibited;
2. Food truck headlights or lighting shall not directly glare onto neighboring properties;
3. Food truck operators and patrons shall comply the City noise ordinances and all traffic laws and shall not block public sidewalks, streets, fire lanes and their access roads, fire hydrants, Fire Department connections, required parking or driveways;
4. Food truck shall not park within 10' of buildings, vehicles or any combustible material;
5. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity or create a nuisance for adjacent residential properties including, but not limited to, sound; the applicant shall work with staff to resolve complaints from neighbors, which, if necessary, could result in reduced food truck hours;
6. Applicant shall maintain lease for two parking spaces within 300' of the site for use when the food truck is on site;
7. The Bottlehouse shall assure that each truck that is part of the conditional use permit shall maintain a Mobile Food License from the Cuyahoga County Board of Health and is licensed, as required, by the City of Cleveland Heights;
8. The Bottlehouse shall maintain any liability insurance required by the City;

9. Applicant shall assure that food truck litter is controlled by providing adequate trash receptacles which must be emptied as needed. At the end of the day, applicant or designee shall empty all trash containers into the restaurant's refuse dumpster or transport off site;
10. The Bottlehouse shall provide temporary signage, cones, or similar demarcation to assure the food truck parks only in the approved area and ensure that any engine-driven source of power is separated from the public with barriers or enclosures;
11. Food truck staff and patrons shall be provided restroom access at The Bottlehouse; and
12. Operation of food trucks shall be permitted only through November 1, 2017.

Project 17-7: J & Y Goldurs, 3867 & 3871 Glenwood, 'A' single-family, request lot resubdivision to join PPN 683-05-022 and 683-05-023 per Code chapters 1111, 1115 and 1121.

Approved, 7-0, with the condition that, prior to submitting the plat to the County Recorder, it must be signed by the Director of Law and Director of Planning & Development.

Project 17-12: M. Miller & R. Patrick, 2947 Somerton, 'A' single-fam, request lot resubdivision to join PPN 684-05-024 and 684-05-068 per Code chapters 1111, 1115 and 1121.

Approved, 7-0, with the condition that, prior to submitting the plat to the County Recorder, it must be signed by the Director of Law and Director of Planning & Development.

Project 17-9: Fairmount Presbyterian Church, 2757 & 2765 Fairmount, AA single-fam, requests revision to Conditional Use permit for parking lot alterations and lot resubdivision of PPN 686-16-014,015,-016, and 017 to join church parcels and for house at 2765 Fairmount to be a separate parcel per Code chapters 1111, 1115, 1121, 1151, 1153, 1161 and 1166.

Approved lot resubdivision, 7-0 with the following additional conditions:

1. Prior to submitting the plat to the County Recorder, it must be signed by the Director of Law and Director of Planning & Development; and
2. Approval contingent upon receipt of setback variances from the Board of Zoning Appeals.

Approved conditional use, 7-0 with the following additional conditions:

1. Request contingent upon granting of variances by the Board of Zoning Appeals.
2. The applicant shall communicate with—and be responsive to—neighbors well in advance of any special event that might intensify the level of activity in this single-family neighborhood;
3. All existing trees, shrubs and other landscaping shall be well-maintained, with dead plants being promptly replaced and weeds being removed. Any major changes to the existing landscaping shall require the approval of the Planning Director;
4. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity or create a nuisance for adjacent residential properties; Fairmount Presbyterian Church shall work with staff to resolve complaints from neighbors;
5. Any proposed expansion shall require the approval of the Planning Commission;
6. All required construction and installation of the use shall be completed within 24 months of Planning Commission approval.

Project 17-10: A. Marshall, dba Heights Neighborhood House, 2940 Noble, C2 Local Retail, requests Conditional Use permit for 42-child day care per Code chapters 1111, 1115, 1131, 1151, 1153 and 1161.

Approved conditional use, 7-0 with the following additional conditions:

1. *This use shall not be injurious to the use and enjoyment of other properties in the immediate vicinity or create a nuisance for adjacent properties;*
2. *The applicant shall work with staff to resolve any complaints from neighbors;*
3. *This use shall comply with all Building and Fire Department regulations;*
4. *Between the hours of 6:00 a.m. and 8 a.m., workers and patrons shall not congregate in the parking lot;*
5. *Any exterior changes, including signage, shall require the approval of the Architectural Board of Review;*
6. *Signage shall be installed to designate a minimum of two parking spaces as reserved for pick-up/drop-off only;*
7. *Outdoor play area and practices that meet Ohio Department of Job and Family Services requirements shall be maintained in connection with this business; and*
8. *All required construction and installation of the use shall be completed within 18 months of Planning Commission approval.*

Project 17-11: T. Delaney, dba A Natural U Hair Spa, 2490 Lee Blvd., C-1 Office, requests Conditional Use permit for 600 s.f. beauty salon per Code chapters 1111, 1115, 1131, 1151, 1153 and 1161.

Approved conditional use, 7-0 with the following additional conditions:

1. *This use shall not be injurious to the use and enjoyment of other properties in the immediate vicinity or create a nuisance for adjacent properties; and*
2. *The applicants shall work with staff to resolve any complaints from neighbors.*

Project 16-16: M. Rajan & L. Radl, 3500 Fenley, chicken coop & run, 'A' single-fam. The Commission will review Conditional Use permit for possible revocation per Code chapters 1111, 1115, 1121, 1151, and 1153.

Motion to place project Project No. 16-16 back on the agenda by no later than August 9, 2017, at which time staff will report whether a Code-conforming coop has been constructed and whether chickens are present on the property, 6-1-0.