

**CITY OF CLEVELAND HEIGHTS
REGULAR PLANNING COMMISSION
August 19, 2021
MINUTES OF THE REGULAR MEETING**

MEMBERS PRESENT: Jessica Cohen Chair
 Michael Gaynier Vice Chair
 Adam Howe
 Anthony Mattox, Jr. **(arrived at 7:22pm)**
 Jessica Wobig

ABSENT MEMBERS: Jeff Rink
 Leonard Horowitz

STAFF PRESENT:

Eric Zamft	Planning Director
Karen Knittel	Assistant Planning Director
Alix Nouredine	Assistant Director of Law
Christy Lee	Recording Secretary

CALL TO ORDER

Ms. Cohen called the meeting to order at 7:05 p.m. She welcomed the audience to the August 19, 2021, regular meeting of the Cleveland Heights Planning Commission.

APPROVAL OF MINUTES

Ms. Cohen asked if the Commission read the minutes from the June 29, 2021, Regular Planning Commission meeting and if there were any corrections needed. There were no additional corrections needed and the minutes stand approved.

Karen Knittel staff report and PowerPoint presentation as follows:

Proj. No. 21-07 Bd. Of Trustees of the Cleveland Heights-University Heights Public Library, 2780 Kirkwood Rd. (MF-2 Multi-Fam.) & 2800 Noble Rd. (A-Single-Fam.), requests lot resubdivision to join PPN 683-05-008 & PPN 683-05-009 per Code chapters 1111, 1115, 1121, & 1123.

CONTEXT: Noble Road Library, 2800 Noble Road (PPN 683-05-009) is zoned 'A' Single-Family and 2780 Kirkwood (PPN 683-05-008) the former Noble Road Presbyterian Church are zoned 'MF-2' Multiple-Family. The parcels to the east are zoned 'A' Single-Family. Parcels across Noble Road are apartment buildings zoned MF-2 Multiple Family. To the north along Noble Road are apartment buildings zoned MF2 Multiple Family. South of the Library, across Montevista Road, is Noble Elementary School, zoned 'A' Single Family.

RESUBDIVISION HISTORY:

Proj. No. 96-25, June 1996: joined 3889 and 3895 Montevista Road (PPN 683-05-054 and 683-05-055) with 2800 Noble Rd. for the library parking lot.

REQUEST FOR LOT RESUBDIVISION

The Board of Trustees of the Cleveland Heights-University Heights Public Library has purchased 2780 Kirkwood to enable the expansion of the Noble Road Library. The former Noble Presbyterian Church will be razed and plans developed for the library expansion on this parcel.

The public library is a conditionally permitted use in both the 'A' Single-Family and 'MF-2' Multiple-Family District. Cleveland Heights-University Heights Library representatives will return to the Planning Commission when expansion plans are further developed for review and approval of a new conditional use permit.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve the lot resubdivision to join 2780 Kirkwood (PPN 683-05-008) and 2800 Noble (PPN 683-05-009) as shown on the plat by Stephen Hovancsek & Associates, Inc. dated May 19, 2021, with the following condition that the resubdivision plat is signed by the Director of Law and the Planning Director prior to submission to the County Recorder.

Alix Nouredine Do you swear or affirm that the testimony that you are about to give is the truth the whole truth and nothing but the truth.

Nance Levin went on to give a brief description of why it was important to have the lot resubdivision and how this would improve the grounds while giving the Library the ability to expand.

Ms. Cohen asked if there were any additional questions for the applicant or staff at this time. She then asked if there was a motion.

Michael Gaynier made a motion to approve **Proj. No. 21-07 Bd. Of Trustees of the Cleveland Heights-University Heights Public Library, 2780 Kirkwood Rd.** (MF-2 Multi-Fam.) **& 2800 Noble Rd.** (A-Single-Fam.), requests lot resubdivision to join PPN 683-05-008 & PPN 683-05-009 per Code chapters 1111, 1115, 1121, & 1123 with the condition that the subdivision plat is signed by the Director of Law and Planning Director prior to submission to the County Recorder.

Mr. Howe seconded the motion with the staff recommendations.

The motion was approved 4-0.

Karen Knittel staff report and PowerPoint presentation as follows:

Project Number 21-08: OHH1, LLC, dba Honda of Cleveland Heights,

requests conditional use permit for

(a) 2953 Mayfield Rd, C-3 Gen. Commercial, to operate existing Honda dealership for new & used auto sales & auto service (major & minor) &

(b) 2888 Mayfield Road, C-3 Gen. Commercial, for used auto sales in conjunction with Honda of Cleveland Heights new auto sales minor auto repair, per Code chapters 1111, 1115, 1131, 1151, 1153, 1161, 1163 & 1166.

REQUEST FOR CONDITIONAL USE PERMIT

FHA OH HND, LLC dba Foundation Honda, is selling the business to the applicant. Code section 1115.08(i), requires OHH1, LLC to obtain the Planning Commission's approval for transfer or issuance of a new conditional use permit. This is a change in ownership of the Honda dealership. No changes to the dealership building or site conditions are proposed for either site.

(a) 2953 Mayfield Rd

CONTEXT: The car dealership is located in a C-3 Commercial District along the Mayfield Road corridor and is directly opposite the Motorcars Toyota. To the west and north is the City service garage, to the east across Superior Road is the Community Center, and to the south is Motorcars Toyota.

HISTORY: The Planning Commission has reviewed various conditional use permit revision requests from Motorcars Honda over the years. Recent approvals on this site have included signage, car display area, additions, and solar panels. The last review was in September 2019 to issue a conditional use permit to operate the Honda dealership after they acquired it.

PROJECT DESCRIPTION

This is a change in ownership of the Honda dealership. No changes to the dealership building or site conditions are proposed.

STANDARDS FOR CONDITIONAL USES

A conditional use, and uses accessory to such conditional use, shall be permitted in a residential, commercial or special district only when specified as a permitted conditional use in such district, or when such use is determined by the Planning Commission to be a similar use, and only if such use conforms to the following standards in addition to any specific conditions, standards and regulations for such category of use set forth in Chapter 1151 of the Zoning Code. Furthermore, the Planning Commission shall find:

- a) That the conditional use will be in general accord with the purpose, intent and basic planning objectives of this Zoning Code, and with the objectives for the district in which located;*
- b) That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;*
- c) That the conditional use will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not essentially change the character of the same area;*
- d) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;*
- e) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*
- f) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;*
- g) That adequate measures have been or will be taken to provide ingress and egress designed as to minimize traffic congestion in the public streets;*

- h) *That the establishment of the conditional use should not be detrimental to the economic welfare of the community by creating excessive additional requirements at public cost for public facilities such as police, fire and schools;*
- i) *That there is minimal potential for future hardship on the conditional use that could result from the proposed use being surrounded by uses permitted by right that are incompatible;*
- j) *That the conditional use shall address the sustainability guidelines of Section 1165.06 (see below).*
- k) *That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located as well as the specific supplemental conditions set forth in Chapter 1153.*

Staff commentary on Standards for Conditional Uses

A car dealership in a C-3 district is in keeping with the intent of the Zoning Code and should cause no danger to the public health, safety, morals, comfort, or general welfare. No changes to the operation are anticipated and, at this time, according to their website, hours of operation on most days are: Sales 9:00 AM - 7:00 PM Monday through Saturday and Service 6:00 AM - 9:00 PM Monday through Thursday, 7:00 AM - 6:00 PM on Friday, and 7:30 AM- 4:00 PM on Saturday. The applicant should confirm that these are the hours of operation they will follow. Because the building is surrounded by City Service and other auto-oriented uses, we will not require limitations on hours of operation and this use should have no negative impact on neighbors or their property values. The proposed transfer of operation/ownership is not anticipated to impact future development or improvement in the district, cause traffic congestion, or cause excessive requirements at public cost.

SUPPLEMENTAL STANDARDS FOR THIS CONDITIONAL USE

Code section 1153.05(r): *Automobile Sales, New or New and Used, and Auto Rental.*

Establishments offering new or new and used vehicles for sale may be conditionally permitted in

C-2 or C-3 District, and establishments offering automobiles for rental may be conditionally permitted in a C-3 District, in compliance with the following items (1) through (6):

- (1) *Sale of new automobiles means a building and land used by a franchised automobile dealer principally for the sale of new automobiles. The sale of used automobiles may be permitted as an accessory use provided the inventory of used automobiles does not exceed fifty percent (50%) of the overall inventory at any one (1) time.*
- (2) *Service garage, leasing department and other activities customarily incidental to a full service franchised automobile dealer shall be permitted as accessory to the sale of autos provided these activities are conducted in wholly enclosed buildings.*
- (3) *Only repair of automobiles customarily associated with automobile sales shall be permitted, and shall be conducted inside a suitable building.*
- (4) *No junk, inoperative or unlicensed vehicle will be permitted to remain outside on the property for more than forty-eight (48) hours.*
- (5) *All outdoor wiring, including electrical and telephone wiring, shall be installed underground.*
- (6) *Locations where such use abuts a neighborhood district or dwelling shall also provide a buffer zone along the entire length of the common boundary between the commercial use and the residential use which shall be maintained not less than ten (10) feet in depth. This buffer zone shall be landscaped with grass, shrubbery and trees, as approved by the Planning Commission and shall contain a solid brick wall three (3) feet in height from the residential building line of the adjoining residential use to the street, and six (6) feet in height from such residential building line to the rear property line of the adjoining residential use.*

Code section 1154.05(u) Automobile Service Station - Major Repair, Automobile Service Station - Minor Repair, Car Wash. In a C-3 District, an automobile service station or a car wash may be conditionally permitted provided that:

- (1) There shall be a minimum building floor area of 1,200 square feet;
- (2) All activities including cleaning, washing and drying operations shall take place inside the building;
- (3) No merchandise except oil may be stored or displayed outdoors;
- (4) No junk, inoperative or unlicensed vehicle will be permitted to remain outside on the property for more than forty-eight (48) hours;
- (5) All outdoor wiring, including electrical and telephone wiring, shall be installed underground;
- (6) Locations where such use abuts a residential district or dwelling shall also provide a buffer zone along the entire length of the common boundary between the commercial use and the residential use which shall be maintained not less than ten (10) feet in depth. This buffer zone shall be landscaped with grass, shrubbery and trees, as approved by the Planning Commission and shall contain a solid brick wall three (3) feet in height from the residential building line of the use to the street and six (6) feet in height from such residential building line to the rear of the residential use or residential district property line;
- (7) An automobile service station or car wash may be combined with a gasoline station provided the minimum lot area shall be no less than 30,000 and the regulations for each use are maintained.

Staff commentary on Supplemental Standards for Conditional Uses

A condition of approval should include compliance with the Supplemental Standards for Conditional Uses.

SUSTAINABILITY GUIDELINES (SEC. 1165.06)

Most of the sustainability guidelines don't apply to this proposal, though the existing building adaptively reused a portion of the original City Hall and preservation is the first sustainability guideline and continued operation of a successful business is good for the city's financial sustainability.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a conditional use permit for OHH1. LLC to operate a Honda automobile dealership for auto sales (new & used) & auto service (major & minor) in the existing building at 2953 Mayfield Road, with the following additional conditions:

1. Applicant shall comply with the Supplemental Standards for Conditional Uses;
2. 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;
3. The applicants shall work with staff to resolve any complaints from neighbors;
4. The landscape plan dated 12-17-12 by Cornachione & Wallace Architects (approved as part of Project No. 13-2), or other landscape plan approved by the Planning Director shall be maintained;
5. Architectural Board of Review approval shall be required for any exterior changes to the building, including signage;
6. Landmark Commission approval shall be required for any change to the designated Landmark 1924 City Hall Entrance;

7. Applicant shall comply with all sign regulations in Code chapter 1163, including the prohibition of temporary freestanding signs, pennants, banners, streamers, whirligigs, balloons, and other similar devices; and
8. All required construction and installation of the use shall be completed by July 31, 2022.

(b) 2888 Mayfield Road

CONTEXT: The site is located on the south side of Mayfield Road near Middlehurst Road in a 'C-3' General Commercial District. To the north are commercial businesses in the 'C-2' Commercial District, to the west are apartments in the 'MF-2' Multiple-Family District, to the east, are car dealerships in the 'S-2' Mixed-Use District, and to the south are apartments and single-family houses in the 'MF-2' and 'A' single-family districts.

HISTORY: The parcels at 2888 Mayfield Road - 2928 Mayfield have been used for auto sales and auto uses such as gasoline station/auto repairs since the 1950s.

1998 Project No. 98-22: Conditional Use permit granted for new and used auto dealership at this and other parcels.

1998 Cal. No.2742: Granted variances to allow 20' circulation aisles, residential property buffers of less than 10' (and no 6'-tall wall) in some areas and to permit a freestanding sign. A 6' tall chain link and 4' tall board-on-board fence were required along the west property line.

1999 Project No. 99-13: Conditional Use permit granted for used car sales at 2888-2900 Mayfield Road in accordance with the approved landscape plan.

2009 Project 09-04: Conditional Use permit granted for installation of new car wash.

2015 Project 15-10: Conditional Use permit granted for Motorcars Mobility wheelchair accessible vehicle sales, mobility conversion, and servicing.

2018 Project 18-06: Conditional Use granted for Freedom Motors' wheelchair-accessible vehicle sales, mobility conversion, and servicing.

2019 Project 19-22: Conditional Use permitted for OH HND, LLC (Foundation Honda) for used auto sales in conjunction with Foundation Automotive Corp. Honda new auto sales at 2953 Mayfield Rd.

PROJECT DESCRIPTION

This is a change in ownership of the Honda dealership. No changes to the dealership building or site conditions are proposed.

Used automobile sales in conjunction with new auto sales is conditionally permitted in the C-3 Commercial District. OHH1, LLC proposes to sell used autos at 2888 Mayfield Road in conjunction with OHH1, LLC's new auto sales at 2953 Mayfield Road and to conduct minor auto repair.

STANDARDS FOR CONDITIONAL USES

A conditional use, and uses accessory to such conditional use, shall be permitted in a residential, commercial or special district only when specified as a permitted conditional use in such district, or when such use is determined by the Planning Commission to be a similar use, and only if such use conforms to the following standards in addition to any specific conditions, standards and regulations for such category of use set forth in Chapter 1151 of the Zoning Code. Furthermore, the Planning Commission shall find:

a. That the conditional use will be in general accord with the purpose, intent and basic planning objectives of this Zoning Code, and with the objectives for the district in which located;

- b. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;*
- c. That the conditional use will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not essentially change the character of the same area;*
- d. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;*
- e. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;*
- f. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;*
- g. That adequate measures have been or will be taken to provide ingress and egress designed as to minimize traffic congestion in the public streets;*
- h. That the establishment of the conditional use should not be detrimental to the economic welfare of the community by creating excessive additional requirements at public cost for public facilities such as police, fire and schools;*
- i. That there is minimal potential for future hardship on the conditional use that could result from the proposed use being surrounded by uses permitted by right that are incompatible;*
- j. That the conditional use shall address the sustainability guidelines of Section 1165.06 (see below).*
- k. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located as well as the specific supplemental conditions set forth in Chapter 1153.*

STAFF COMMENTARY ON STANDARDS FOR CONDITIONAL USES

This use is consistent with the proposed, intent, and basic planning objectives of the C-3 General Commercial zoning. The site's more than a half-century as an auto use is well-suited to an arterial carrying 19,000 vehicles daily. The change in ownership should not impact public health or welfare, nor should it change the essential character of the neighborhood. The use complements the OHH1 Honda dealership and other auto-oriented businesses in the area. For-sale automobiles have long parked in close proximity to one another in west of the building and in the area nearest to Mayfield and Middlehurst roads; the parking of inventory on this site is consistent with parking practice here for decades and doesn't increase the nonconformity as long as the cars are parked in an orderly manner. The use is the same as what was approved in 2019 and is similar to the auto uses that have been at this site since it was developed more than 60 years ago and should not be injurious to the use and enjoyment of other property in the immediate vicinity as long as it is buffered as required. No changes to the site layout are proposed and this use should not impede other development, utilities, drainage, or other utilities or cause traffic congestion. Property tax and income tax from this parcel would help the delivery of governmental services and no exceptional demands for governmental services are anticipated. There is minimal potential for future hardship on the conditional use that could result from the proposed use being surrounded by uses permitted by right that are incompatible. Current sale hours, as posted on the dealership website, are from 9:00 AM to 7:00 PM. *The applicant should confirm that these are the hours of operation they will follow.*

SUPPLEMENTAL STANDARDS FOR THIS CONDITIONAL USE *Code section 1153.05(r)*

Automobile Sales, New or New and Used, and Auto Rental. Establishments offering new or new and used vehicles for sale may be conditionally permitted...in compliance with the following:

- (1) *Sale of new automobiles means a building and land used by a franchised automobile dealer principally for the sale of new automobiles. The sale of used automobiles may be permitted as an accessory use provided the inventory of used automobiles does not exceed fifty percent (50%) of the overall inventory at any one (1) time.*
- (2) *Service garage, leasing department and other activities customarily incidental to a full-service franchised automobile dealer shall be permitted as accessory to the sale of autos provided these activities are conducted in wholly enclosed buildings.*
- (3) *Only repair of automobiles customarily associated with automobile sales shall be permitted, and shall be conducted inside a suitable building.*
- (4) *No junk, inoperative or unlicensed vehicle will be permitted to remain outside on the property for more than forty-eight (48) hours.*
- (5) *All outdoor wiring, including electrical and telephone wiring, shall be installed underground.*
- (6) *Locations where such use abuts a neighborhood district or dwelling shall also provide a buffer zone along the entire length of the common boundary between the commercial use and the residential use which shall be maintained not less than ten (10) feet in depth. This buffer zone shall be landscaped with grass, shrubbery and trees, as approved by the Planning Commission and shall contain a solid brick wall three (3) feet in height from the residential building line of the adjoining residential use to the street, and six (6) feet in height from such residential building line to the rear property line of the adjoining residential use.*

STAFF COMMENTARY ON SUPPLEMENTAL STANDARDS FOR AUTOMOBILE SALES, NEW & USED

The sale of used automobiles is proposed in conjunction with the sale of new Hondas at OHHH1 LLC's business at 2953 Mayfield Road. This is a change in ownership, the business operation will remain the same. No changes to the dealership building or site conditions are proposed.

Any approval conditions should address Standards #1 - #4. Because this is a continuation of an existing auto use and all wiring is in place, Standard #5 does not apply and a previous variance was granted to the requirements of Standard #6.

SUSTAINABILITY GUIDELINES (SEC. 1165.06)

Most of the sustainability guidelines are not pertinent to this application; however, the first sustainability guideline encourages historic preservation and adaptive reuse of existing structures.

Encouraging the reuse of existing buildings is important to Cleveland Heights' sustainability and job creation is important to our economic sustainability.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve a conditional use permit for OHH1, LLC, 2888 Mayfield Road, dba Honda of Cleveland Heights, to permit used auto sales in conjunction with the franchised OHH1, LLC Honda dealership's new auto sales (2953 Mayfield Road) & minor auto repair at 2888 Mayfield Road, as shown on the drawing by H. David Howe, Architect, dated 11/26/2019, and approved as part of Project No.19-22, 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. All signage (building, window, pole, instructional, directional, etc.) shall conform to zoning requirements, considering previous variances, and require Architectural Board of Review Approval;
4. OHH1, LLC's sale of used vehicles at this site shall only be permitted accessory to the sale of new automobiles at the franchised OHH1, LLC, 2953 Mayfield Road. OHH1, LLC's inventory of used automobiles shall not exceed fifty percent of the overall OHH1, LLC inventory at any one time;
5. Only repair of automobiles customarily associated with automobile sales shall be permitted, and all auto repair, cleaning, washing and drying operations shall be conducted inside the building;
6. No junk, inoperative or unlicensed vehicle shall be permitted to remain outside on the property for more than forty-eight (48) hours;
7. Landscaping and screening plan shall be maintained and any new landscaping plan approved by the Planning Director;
8. Lighting shall not glare into, or upon, the surrounding area or any residential premises. Any proposed new lighting shall be approved by the Zoning Administrator in compliance with Code section 1165.07.
9. Hours of operation shall be limited to between 9 AM and 7 PM, changes to the hours of operation shall be approved by the Zoning Administrator.
10. Required fence in accordance with Calendar Number 2742 along the west property line shall be maintained.
11. No automobile delivery trucks shall load or unload automobiles on Mayfield Road. All deliveries shall occur on-site;
12. Parking lot shall be striped in accordance with approved site plan and cars-for-sale shall park in an orderly manner in the areas shown on the approved plan, any changes to the parking layout shall be approved by the Zoning Administrator;
13. Test-driving vehicles shall not be permitted on residential district collector side streets such as Middlehurst, Hampshire, and Preyer roads. Streets with high volumes of traffic and multiple lanes, such as Mayfield, Monticello, and Lee Road, shall be the principal routes for such test drives; and
14. All required construction and installation of the use shall be completed by July 30, 2022.

Alix Nouredine Do you swear or affirm that the testimony that you are about to give is the truth the whole truth and nothing but the truth.

Michael Tucci stated that he was the attorney for Honda of Cleveland Heights, he went on to explain that Honda will continue to operate as they have been as the Honda dealership for new and used auto sales along as providing auto services, and the additional location of 2888 Mayfield will operate as the new auto sales with minor auto repairs following the guidelines that are put in place by the City of Cleveland Heights zoning code.

Ms. Cohen asked if there were any additional questions from staff to the applicant.

Anthony Mattox asked if there were going to set time for delivery of the vehicles to the location. Consider that there normal has been traffic back due to loading and unloading of vehicles.

Mr. Tucci stated that although they can estimate the exact time of delivery of all vehicles they will do their best to make that it doesn't interfere with traffic.

Ms. Cohen asked if there was a motion on the floor.

Adam Howe made a motion to approve **2953 Mayfield Rd**, C-3 Gen. Commercial, to operate existing Honda dealership for new & used auto sales & auto service (major & minor) with the following conditions:

1. Applicant shall comply with the Supplemental Standards for Conditional Uses;
2. 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;
3. The applicants shall work with staff to resolve any complaints from neighbors;
4. The landscape plan dated 12-17-12 by Cornachione & Wallace Architects (approved as part of Project No. 13-2), or other landscape plan approved by the Planning Director shall be maintained;
5. Architectural Board of Review approval shall be required for any exterior changes to the building, including signage;
6. Landmark Commission approval shall be required for any change to the designated Landmark 1924 City Hall Entrance;
7. Applicant shall comply with all sign regulations in Code chapter 1163, including the prohibition of temporary freestanding signs, pennants, banners, streamers, whirligigs, balloons, and other similar devices; and
8. All required construction and installation of the use shall be completed by July 31, 2022.

Michael Gaynier seconded the motion.

The motion was approved 4-0

Anthony Mattox Jr. made a motion to approve **(b) 2888 Mayfield Road**, C-3 Gen. Commercial, for used auto sales in conjunction with Honda of Cleveland Heights new auto sales minor auto repair, per Code chapters 1111, 1115, 1131, 1151, 1153, 1161, 1163 & 1166, with the following 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. All signage (building, window, pole, instructional, directional, etc.) shall conform to zoning requirements, considering previous variances, and require Architectural Board of Review Approval;
4. OHH1, LLC's sale of used vehicles at this site shall only be permitted accessory to the sale of new automobiles at the franchised OHH1, LLC, 2953 Mayfield Road. OHH1, LLC's inventory of used automobiles shall not exceed fifty percent of the overall OHH1, LLC inventory at any one time;
5. Only repair of automobiles customarily associated with automobile sales shall be permitted, and all auto repair, cleaning, washing and drying operations shall be conducted inside the building;
6. No junk, inoperative or unlicensed vehicle shall be permitted to remain outside on the property for more than forty-eight (48) hours;
7. Landscaping and screening plan shall be maintained and any new landscaping plan approved by the Planning Director;
8. Lighting shall not glare into, or upon, the surrounding area or any residential premises. Any proposed new lighting shall be approved by the Zoning Administrator in compliance with Code section 1165.07.

9. Hours of operation shall be limited to between 9 AM and 7 PM, changes to the hours of operation shall be approved by the Zoning Administrator.
10. Required fence in accordance with Calendar Number 2742 along the west property line shall be maintained.
11. No automobile delivery trucks shall load or unload automobiles on Mayfield Road. All deliveries shall occur on-site;
12. Parking lot shall be striped in accordance with approved site plan and cars-for-sale shall park in an orderly manner in the areas shown on the approved plan, any changes to the parking layout shall be approved by the Zoning Administrator;
13. Test-driving vehicles shall not be permitted on residential district collector side streets such as Middlehurst, Hampshire, and Preyer roads. Streets with high volumes of traffic and multiple lanes, such as Mayfield, Monticello, and Lee Road, shall be the principal routes for such test drives; and
14. All required construction and installation of the use shall be completed by July 31, 2022.

Second by Michael Gaynier.
The motion was approved 4-0.

Proj. No. 21-06 Proposed Zoning Text Amendments regarding private parking garages and ancillary changes (Ord. 70-2021) for review and recommendation per Code chapters 1111, 1115, 1119.

Eric Zamft gave a brief overview of the proposed Zoning amendments regarding private parking, garages, and ancillary changes. He went on to inform the Planning Commission that this was just an overview and of the proposed recommendation.

The Planning Commission discussed the process for review and approval of the reduction to required parking. The process in the amendment is written so that this request is reviewed and approved by the Planning Commission. Commission members commented that after some experience, this procedure may be reviewed and that perhaps it would evolve to an administrative process, much like the approval of chicken coops.

Anthony Mattox Jr. made a motion to recommend adoption to City Council of the proposed zoning text amendments with revisions

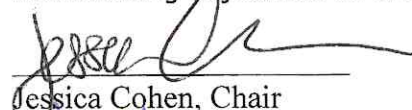
Adam Howe seconded the motion.

The motion was approved 5-0

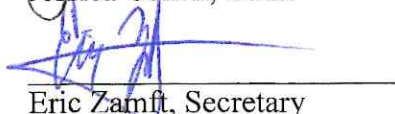
New Business – The September 9, 2021 Meeting is canceled, there are no new cases.

Old Business – There was no old business to discuss.

The meeting adjourned at 8:05 p.m.



Jessica Cohen, Chair



Eric Zamft, Secretary

