

**Project 23-24: Shimaa Hassan Tolba/Nobil Amir, LLC, 2610 Noble Road, "C-2"**  
Local Retail, requests expansion of conditional use permit to allow 24-hour operation, eliminate private security requirement, & a kitchen addition to prepare carry-out food with existing gas station/convenience store per Code Chapters 1111, 1115, 1131, 1151, 1153, 1161, 1163, & 1166.

*Approved, 7-0, the addition of a kitchen for carry-out foods to the current convenience store and gasoline service 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 applicants shall work with staff to resolve any complaints from neighbors;
3. The only services permitted to be performed on a vehicle shall be the dispensing of fuel, oil, air, and windshield wiper fluid;
4. The location, display, or storage of rental trailers, automobiles, trucks, or other rental equipment on the premises is prohibited;
5. No merchandise except fuel and oil may be stored or displayed outside the building.
6. Except while being services at the pump island, no vehicles shall be parked between the pump and the setback line and the front property line, nor on a corner lot shall any vehicles be parked between the pump setback line and the property line on either of the intersecting streets. A vehicle parked in violation hereof during the time the station is open for business shall be presumed to have been parked with the knowledge and consent of the operator of that station;
7. No junk, inoperative, or unlicensed vehicle will be permitted to remain on gasoline station property for more than forty-eight (48) hours.
8. All refuse shall be kept or stored within the building or be screened from view as required by Section 1166.10.
9. A landscaping and screening plan shall be approved by the Zoning Administrator. The dumpster shall be screened as required by Section 1166.10(a);
10. Applicant shall maintain, weed, mulch and replace landscaping as needed;
11. Applicant shall empty trash containers and dumpsters regularly and keep the site free of trash and debris;
12. Parking lots shall be striped in accordance with the approved site plan and cars shall park in an orderly manner as shown on the approved plan;
13. Architectural Board of Review approval shall be required for any exterior changes to the building, including signage.
14. The current operational security plan be maintained. This includes:
  - a. Hours of operation shall be from 7:00 a.m. until 1:00 a.m.; the store/carryout kitchen must be closed and the gas pumps turned off between the hours of 1:00 a.m. and 7:00 a.m.

- b. Applicant shall maintain armed private security on the premises during the hours of 8:00 p.m. to 1:00 a.m. seven days a week.
  - c. Applicant, Applicant's employees, and any private security company hired by the Applicant shall cooperate with all police investigations;
  - d. Applicant shall continue to maintain all security lighting at the premises;
  - e. At all times, Applicant shall maintain all security cameras currently installed in good working order, subject to normal wear and tear, and shall maintain the video recording equipment so as to keep a video archive of all security cameras for a period of not less than thirty (30) days. Applicant shall provide access and duplication opportunities to the employees of the City of Cleveland Heights upon forty-eight (48) hours' notice to the Applicant. This access does not require the removal of any of the security cameras and/or security system hard drives and/or other security equipment from the premises.
  - f. Applicant shall make all employees aware of the conditions of approval and post them in a location visible to all employees.
  - g. Applicant may return to the Planning Commission to have private security requirement reviewed after one (1) year.
15. All required construction and installation shall be completed within 18 months of the Planning Commission approval.

**I hereby certify that the above decisions constitute the final actions taken by the Planning Commission on October 11, 2023. I further certify that this Action Summary was mailed to each applicant on October 12, 2023.**

  
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**Eric Zamft, Secretary for Planning Commission**

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**10/12/2023**