



Planning Commission Conditional Use Permit Info Sheet

Printed Date: June 06, 2025

Property Address: 1975 LEE RD CLEVELAND HEIGHTS, OH 44118

Property Type Multi-Family Residential, Commercial, etc.

Provide a brief narrative describing your use, including details to help the Planning Commission understand your use such as number of full-time employees, hours of operation, how the building and/or the site will be used, number of persons who you will serve, the maximum number of people that will be serving at one time, any specific details that explain how the building or site is used, for example day care centers have designated drop-off and pick up parking spaces.

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

For the patio area we are looking to hire 2 to 3 new servers for the duration of the summer and until the weather prevents us from having it opening. For our regular service hours 8am - 10pm, we would want to expand the seating to 80 so that we can accommodate larger groups that reserve the space. We would like the overall number of people for both of the spaces to be 100 to accommodate for events and receptions. For these events, we would normally have 1 server for every 25 people and extra staffing for the food production depending on the specific event. For the front patio space will be mostly a standing area for people drinking and snacks.

Purpose & Intent Alignment The expansion enhances active, pedestrian-oriented uses by encouraging more outdoor dining and community engagement. It supports local economic development by increasing the restaurant's capacity and viability. Design elements will be visually compatible with the surrounding streetscape and existing structures.

District Objectives Compatibility The property is located in a commercial or mixed-use zoning district where outdoor dining is either permitted or conditionally permitted. The project maintains the commercial character of the area and reinforces its mixed-use, walkable environment.

Landscaping, lighting, and noise mitigation will ensure that the expansion does not negatively impact adjacent properties, especially any nearby residential uses.

Planning Goals Support Encourages vibrant street life and supports a sustainable urban form by utilizing outdoor space efficiently. Promotes public health and social interaction, especially post-pandemic, by offering well-ventilated, open-air dining. The patio expansion follows all site design

standards, including setbacks, height limitations, and ADA accessibility. **Compliance Measures** The design will comply with all fire, building, and health codes. Noise levels will remain within acceptable thresholds, with operational hours aligned to municipal guidelines. Outdoor seating will not encroach on required parking or create unsafe pedestrian or vehicular conflicts.

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.

Public Health & Safety The patio will be constructed using code-compliant materials and in accordance with local building, fire, and health regulations, including spacing, egress, and sanitation standards. All cooking and food-handling activities will remain indoors or within enclosed approved areas to maintain health code compliance. Clear pedestrian paths and access routes will be maintained to prevent crowding or unsafe circulation. **Noise, Lighting, and Nuisance Control** The design will include low-level ambient lighting and landscaping or fencing to buffer noise and light from affecting neighboring properties. No amplified music or outdoor entertainment is planned without future approval. Outdoor hours of operation will be limited to appropriate times to avoid disruption to nearby residents or businesses. **Comfort & Welfare** The patio is designed to enhance customer comfort through shaded seating, comfortable furniture, and seasonal climate solutions (heaters or fans). The expansion supports local dining options, contributing to the social and economic vitality of the community. The space will be pet- and family-friendly, promoting an inclusive and welcoming environment. **Morals & Community Character** The business has a track record of responsible operation, including alcohol service within legal limits and respectful behavior standards for staff and guests. The design promotes clean, respectful use of public space and aligns with the aesthetic and cultural identity of the neighborhood.

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 area.

Design Compatibility The patio design will use materials, colors, and architectural features that match or complement the existing restaurant building and surrounding structures. Outdoor furnishings, landscaping, fencing, and lighting will be commercial-grade, attractive, and cohesive, contributing to the visual appeal of the area. Shade structures (e.g., pergolas, umbrellas) and planters will soften the built environment and integrate natural elements. **Neighborhood Character Preservation** The expanded patio is a natural extension of the existing use and will not introduce a new or incompatible land use. All design elements are consistent with the community's mixed-use or commercial corridor aesthetic, helping to enhance, not alter, the neighborhood character. The expansion is modest in scale and intentionally designed to remain low-profile, without excessive height or signage. **Operation & Maintenance** The patio will be regularly maintained to ensure cleanliness and quality — including trash management, landscaping upkeep, and furniture repair/replacement. Outdoor operations will adhere to defined hours and noise limitations, ensuring peaceful coexistence with nearby

residential or commercial uses. Seasonal elements (heaters, awnings, etc.) will be safely stored or maintained in a manner in keeping with the property's appearance year-round. Positive Contribution Rather than changing the character of the area, the project will enhance the vibrancy and walkability of the street, encourage local commerce, and provide a safe, welcoming space for community engagement. Our expansion plan will be harmonious and appropriate in appearance with the existing character of the building and neighborhood.

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 or impair property values within the neighborhood.

The patio is designed to maintain a respectful distance and clear separation from adjacent properties through the use of landscaping, fencing, and sound-buffering elements. Operating hours will remain within city-permitted limits, and no amplified music or excessive noise will occur outside. The design enhances the visual appeal of the premises, using high-quality, attractive materials that complement the surrounding environment. The expansion supports local economic vitality by increasing capacity and outdoor dining options, which is consistent with community and commercial development goals.

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.

The expansion is fully within the bounds of current zoning regulations and complements the existing commercial character of the neighborhood. No structural encroachments or modifications will interfere with neighboring parcels or their access to utilities, driveways, or rights-of-way. The patio will be located entirely on our property and will not affect future land use or redevelopment potential of adjacent sites. By investing in a high-quality outdoor space, the project may help encourage nearby property owners to make similar improvements, contributing positively to the district's overall development. There are no known planned developments on adjacent parcels that would be adversely affected by this patio addition.

F. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.

The existing utility infrastructure (water, sewer, and electrical) is sufficient to serve the expanded patio and is already in place. No major upgrades or extensions are required. The property has direct access to Lee Road and is capable of handling current and future traffic levels associated with the restaurant. Drainage on-site is handled through [existing stormwater systems/permeable surfaces], and the proposed expansion will not interfere with or alter current drainage patterns. Trash disposal and recycling facilities will be maintained on-site and will remain fully accessible to staff without impacting customer or public areas. The patio area will be serviced by existing restrooms located inside the building, which are ADA-compliant and meet current occupancy requirements.

G. That adequate measures have been or will be taken to provide ingress and egress

The existing access points to the property, including entrances and exits from Lee Road and E Overlook Road, will remain unchanged and are sufficient to accommodate increased customer traffic without impeding public roadway flow. The layout of the expanded patio does not obstruct or

designed as to minimize traffic congestion in the public streets.

alter driveways, sidewalks, or designated parking and loading areas. Parking lot circulation has been reviewed to ensure safe and efficient vehicle movement, with no bottlenecks or blind spots. Signage, striping, and designated pedestrian paths will remain clear and visible, ensuring a safe flow of both vehicle and foot traffic. Peak traffic generated by patio use will largely align with normal restaurant operating hours and is not expected to coincide with local traffic peaks.

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.

The patio expansion is a low-impact improvement that does not require any new infrastructure or expansion of public services. It does not involve residential development, and therefore places no demand on local schools. The property remains within the current service boundaries for police and fire protection, with adequate access for emergency response already in place. There is no anticipated increase in calls for service related to this use, as the restaurant's operations and hours will remain largely unchanged. By enhancing an existing business, the project is expected to contribute positively to the local economy through increased sales tax revenue and employment without adding any measurable strain on public resources.

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.

The restaurant and patio are located in a commercial district where surrounding land uses—both current and anticipated—are largely compatible, such as retail, dining, and service-based businesses. The patio is designed with flexibility and durability to operate successfully alongside a variety of adjacent land uses permitted in the district. Should future developments arise, the site design (including fencing, landscaping, and strategic placement of seating areas) helps buffer the restaurant's operations from any potentially less-compatible uses. The expansion supports a vibrant, walkable commercial corridor and aligns with the district's long-term planning goals.

J. That the conditional use shall address the sustainability guideline of Section 1165.06.

Adaptive Reuse of Existing Structures: The expansion utilizes the existing building footprint, minimizing the need for new construction and preserving the character of the neighborhood. Sustainable Design and Architecture: The design incorporates energy-efficient lighting and materials sourced locally to reduce environmental impact. Passive Solar Design: The patio layout maximizes natural sunlight during cooler months and provides shading during warmer months, reducing energy consumption for heating and cooling. Recycling and Reuse of Materials: Construction will prioritize the use of recycled and reclaimed materials where feasible, reducing waste and promoting sustainability. Public Safety Initiatives: The design includes clear sightlines and adequate lighting to enhance safety, aligning with Crime Prevention Through Environmental Design (CPTED) principles.codelibrary.amlegal.com
Preservation of Natural Features: Existing trees and landscaping will be preserved and integrated into the patio design, maintaining the site's natural aesthetics. Stormwater Management: Permeable paving materials will

be used to reduce runoff and promote groundwater recharge, exceeding standard stormwater management requirements. Community Amenities: The patio will serve as a communal space for residents and visitors, fostering social interaction and community engagement.

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.

The patio space is going to be under exclusive control of Abundance Culinary Restaurant and is on the same property. Our patio is around 75 feet from public easements so it wouldn't interfere with walkways or public traffic. We have friendly relations with neighboring businesses to where there would be no undue parking shortages. We have temporary stanchions delineating to customers where our patio begins and ends.

width overview

