

SEVERANCE OVERLAY ZONE: COMMENTS, QUESTIONS, AND CONCERNS

COMMENTS AND RESPONSES AS OF DECEMBER 4, 2025

NO.	SOURCE	LOCATION	FEEDBACK	RESPONSE
NEW COMMENTS				
1	RESIDENT PUBLIC COMMENT	PAGE 3-4 CHAPTER 11491.11 B (5) DISTRICT STANDARDS MAP	<p>The NW traffic diamond is inefficient; MPACT is open to replacing it with a traditional roundabout, which is safer and more cost-effective. This change should be incorporated.</p> <p>The SW intersection by Home Depot would also function better and be safer as a roundabout, though this intersection is not described in the zoning plan.</p>	MPACT has redesigned this intersection to reflect what is often referred to a peanut roundabout. This accomplishes both the desire for the functionality and traffic calming of a roundabout while also aligning intersections efficiently.
2		PAGE 3 CHAPTER 1491.11B DISTRICT STANDARDS LEGEND AND MAP	<p>The "Buffer Area" should be rebranded as a "Conservation Area". This states the intent that this area will not be developed.</p>	MPACT has agreed to rebrand and use the term "Conservation Area".
3	PLANNING COMMISSION	PAGE 4 CHAPTER 11491.11 B (5) DISTRICT STANDARDS MAP	<p>I'd like to see an overlay of the standards map on top of the existing buildings. It's imperative that we have some sort of image that shows what these blocks cover. This is somewhat shown on the page on page 4 of the Severance overlay zone</p>	MPACT has placed the District Standards map on an aerial of Severance Town Center for review.

			packet, but it's very hard to tell what is what. The underlay actually needs to be a bit darker. And the SO zones need to be delineated, not just the streets.	
4	TRANSPORTATION AND MOBILITY COMMITTEE	PAGE 4-5 CHAPTER 1149.11 C & D STREET TYPES MAP & TABLE	The community would benefit from both pedestrian and cyclist access on the Crest Road Connector and the Staunton Road Extension neighborhood connectors. Members of the committee are requesting that they be designated as roadway type D-4 rather than P , which would allow bicycle access and still permit emergency vehicle passage, while disallowing private vehicle traffic.	MPACT has agreed to this change - this was the intention of Planning Commission
5	PLANNING COMMISSION	PAGE 5 CHAPTER 1149.11 (D) STREET NAMES	Are the street names indicated on the map final? I'd like to propose that streets remain unnamed and then the City could do a street naming contest or consider culturally relevant names to reflect the heritage and history of our city in this important area.	MPACT has stated that the street names are for convenience and NOT the final names.
6	PLANNING COMMISSION	PAGE 5 CHAPTER 1149.11 (D) STREET NAMES	I want to make sure that we designated the Staunton Extension as a D4 street. It's D3 now which allows cars and I know we said we wanted that and the Crest Road access to be pedestrian only but I see there's a difference between a Pedestrian Path	MPACT has agreed to this change.

			and D4, so I want to confirm how we communicated that to Council.	
7	STAFF COMMENTS	PAGE 6 CHAPTER 1149.12 STREET AND PUBLIC FRONTAGE STANDARDS	There should be flexibility built into the regulations for the Build-To-Line so that in the future (after initial development) if the street is reconfigured the existing buildings would not become nonconforming.	MPACT is reviewing this.
8	PLANNING COMMISSION	PAGES 6-9 CHAPTER 1149.12 STREET AND PUBLIC FRONTGAE STANDARDS	Is staff comfortable with the public frontage and build-to-line standards? I would like confirmation that the Planning staff is comfortable with the standards as articulated on pages 6-9.	Staff is comfortable with public frontage and build-to-line standards
9	PLANNING COMMISSION	PAGE 10 CHAPTER 1149.13 CIVIC SPACE STANDARDS	I'm concerned about the fact that "Green" civic space is not explicitly delineated and is instead going to be left up to the developers and then it's not necessarily assured because they can purchase a reduction. I'm happy to talk to Ryan about this, but I'd like staff's recommendation for how we can incorporate a defined green space that will be on the part of the site that is not going to be occupied by a current building. There is a small green space where Dave's is if I'm relating to the map correctly but I	MPACT is adjusting the Civic space requirements to ensure that a minimum of 20% of all civic space must include softscape or grass.

don't think that conveys any reassurance that the rest of the site will actually have a community green space. Furthermore, I think a playground on this green space or a natural play area is essential. Leaving this up to piecemeal developers where the only playgrounds in this part of the neighborhood is a very diminished play area at Millikin and then none until Noble Elementary is a mistake. This is supposed to be a place where the community of CH converges and I don't see that communal space here. I appreciate that there's green space near City Hall and I'd like to understand from staff how we can utilize that in the redevelopment, but we need more centralized green space on the site and that's absent here. If we moved Block 12 to the green space between Block 16 and 17, poof, you have a green center. Even better - to run on blocks 7 and 12 that lead out from City Hall and that gives the city a space much like the National Mall (obviously much smaller and less grand!) but a public green space fronting a main government building is where democracy congregates and we need that. I feel strongly about this so let's talk quickly about how we can get to yes on this.

10	PLANNING COMMISSION	PAGE 11 CHAPTER 1149.13 F CIVIC SPACE REQUIREMENT AND FEE-IN-LIEU	<p>Are you comfortable with the fee-in-lieu set up? I think I would be more comfortable with it if we can create the green space I've discussed in the commentary on civic space standards.</p>	<p>Staff is comfortable with the fee-in-lieu of as this provides revenue that can be applied to creating civic/green space in the SOZ.</p>
11	PLANNING COMMISSION	PAGE 11 CHAPTER 1149.13 F CIVIC SPACE REQUIREMENT AND FEE-IN-LIEU	<p>The Fee-in-lieu of parking payments - I've heard conversations that we are looking for funds to repair all our city parking lots because we have made all parking free. I'd like your thoughts on directing the fee in lieu payments towards a general municipal parking maintenance fund instead of specifically for Severance. Thoughts?</p>	<p>This is not legally possible. Any fee-in-lieu of benefit/spending would need to remain within the SOZ district.</p>
12	PLANNING COMMISSION	PAGE 12 CHAPTER 1149.21 A TABLE OF PERMITTED USES	<p>Permitted uses - I've thought through this again and I'd like to make Catering Hall/Event Space a CU in SO-3. We have a huge church currently there and that, right off S. Taylor, could easily be an event hall or event space that could serve the entire community. I see no reason to not permit such a use, particularly if we are making it conditional on Planning Commission approval. The north side of the city is significantly lacking event or gathering spaces and we need to facilitate the</p>	<p>The concern is the conflict between the intensity of use of a catering facility and the desire to have SO-3 (new development) be a lower density lower intense transition to the single family neighborhoods. This is a push and pull but we believe there is plenty of developable space in SO-1 and SO-2 and the focus of that intense a use should remain there. Obviously this does not impact existing users and or development under the S-1 as an option.</p>

			development of more in this part of the city.	
13	STAFF COMMENT	Page 11 CHAPTER 1149.21A TABLE OF PERMITTED USES	<p>Research and Development should be Conditionally Permitted in the SO-3</p> <p>Nursing/Assisted Living is similar to Residential Care Facility, both should be Conditionally Permitted in the SO-3</p> <p>Hospital should be Conditionally Permitted in SO-3</p>	MPACT agrees with these changes
14	RESIDENT PUBLIC COMMENT	PAGE 11 CHAPTER 1149.21 A TABLE OF PERMITTED USES	<p>Several uses are banned outright in zone SO-3. This would likely be appropriate for the Millikin site, but is inappropriate for the other SO-3 zoned areas around Severance Circle, which are separated from single-family residential by a substantial permanent wooded buffer zone.</p> <p><i>To wit: several uses that currently exist in SO-3 (blocks 38 and 39, pg. 3) are banned in this manner.</i></p> <p>Retail / Wholesale: While it would not be appropriate at Millikin, in other currently paved parts of the</p>	<p>Under review but some changes have been made to the SO-3 uses including:</p> <p>Religious/Charity - CU</p> <p>See comment 13 responses</p>

Severance
Site a wholesaler could be appropriate.

Proposal: Change from X to CU in SO-3.

Office / R&D: While it would likely not be appropriate at Millikin, in other paved parts of the inner Severance Site a small R&D facility could be appropriate.

Proposal: Change from X to CU in SO-3.

Residential / Multifamily, Dormitory, Assisted Living: Low-rise uses similar to those in the Park Synagogue plans – especially low-traffic options like Assisted Living – could fit well in **SO-3**. The height cap in **SO-3** is similar, so permitting them by conditional review would allow future development consistent with recent Planning Commission approvals.

Proposal: Change from X to CU in SO-3.

			<p>Institutional/Religious, Hospital: While it would likely not be appropriate at Millikin, both religious buildings and a hospital already exist in the proposed SO-3 district. Banning an existing land use seems unnecessarily restrictive and counter to the intention of this code. This seems like an oversight and should be fixed.</p> <p><i>Proposal: Change from X to CU in SO-3.</i></p>	
15	STAFF COMMENT	PAGE 12 CHAPTER 1149.21B PROGRAM THRESHOLD	Statement explaining thresholds and how they impact development need to be added as well as a statement on how multiple applications for the same use would be processed	MPACT has agreed to add language clarifying that any project can utilize density in Threshold 1 and Threshold 2 as long as the Threshold 1 requirements have been met and that applications should be processed on a first come first served basis.
16	RESIDENT PUBLIC COMMENT	PAGE 13 CHAPTER 1149.22 SITE DEVELOPMENT STANDARDS AND INCENTIVES	<p>Several existing SO-3 buildings already exceed two stories, including the northeast townhomes, the Cleveland Clinic building, and the MetroHealth complex.</p> <p>A two-story cap is inconsistent with current development patterns.</p>	MPACT believes this is the appropriate transect for transition to the single-family neighborhood.

			The city should consider allowing up to 3 stories / 42' in SO-3 districts.	
17	PLANNING COMMISSION	PAGE 13 CHAPTER 1149.22 SITE DEVELOPMENT STANDARDS AND INCENTIVES	Development Standards - I'm concerned about the max elevations in SO-1 that allow up to 8 stories for Development Standard 3 and then 6 stories. We already have very tall apartment buildings on the outside of Severance and I'm concerned that such allowable elevations will create this up down up horizon on the size AND incent developers to just build high-density apartment buildings with retail on the first floor which I'm not convinced we need more of given the vacancies at the Ascent and on Lee Road currently. Thoughts on this?	This comment is under review
18	PLANNING COMMISSION	PAGE 20 CHAPTER 1149.26 PARKING	Parking - I'd like Ryan to provide some visual assistance so we can see what parking could look like on the site given the district parking standards and placement. 1149.26A(3) says there shall be no open or enclosed parking at the sidewalk level within 16 feet of the Build To Line. But what does that actually look like? I also don't see a specific prohibition on parking garages or surface lots fronting the sidewalk (unless the provision I just cited means that). I'd like Ryan to go through this on the 10th and assure	

			us that the streets won't be lined with parking. Instead I'd like to see it much like Crocker Park where the parking is on the street or hidden behind the main thoroughfares.	
19	RESIDENT PUBLIC COMMENT	PAGE 20 CHAPTER 1149.26 PARKING	<p>Bundling parking with multifamily units distorts both housing and transportation markets, but is often used as a marketing tool for developers. It has the following negative impacts: Raises housing costs by forcing every household to pay for parking, whether they own a car or not; places a disproportionate burden on vulnerable residents – including low-income households, seniors, and people with disabilities – who are least likely to own cars yet still subsidize parking; encourages higher car ownership and traffic because “free” bundled parking hides the true cost of driving; and undermines walkability and transit goals by steering development toward auto-oriented designs instead of compact, people-first neighborhoods.</p> <p>The city should seriously consider adding the following as 1149.26A (5): <i>“Off-street parking spaces provided in conjunction with multi-family dwelling units shall not be included in the rental or sales agreement for the</i></p>	<p>This comment is under review</p>

			<i>dwelling unit. Parking spaces shall be offered for rent or sale through a separate, independent agreement at a fair market price. All prospective tenants or purchasers must be provided with a clear and transparent disclosure of the availability, location, and cost of all available parking spaces, and they shall have the option to lease or purchase a space separately."</i>	
20	RESIDENT PUBLIC COMMENT	PAGE 20 CHAPTER 1149.26 A (3) (b) DISTRICT PARKING STANDARDS & PLACEMENT	<p>Counting on-street parking toward minimums creates perverse incentives, encouraging curb clutter, subsidizing developers at public expense, and diverting street space from safer, more productive uses.</p> <p>This practice distorts transportation choices by favoring car use, undermining the city's inclusive mobility and sustainability goals.</p> <p>Section (3)(b) should be removed; on-street parking should not count toward parking minimums.</p> <p>Parking minimums should be moderately reduced overall to offset the removal of this credit and avoid creating an oversupply.</p>	<p>This comment is under Review</p>

21	RESIDENT PUBLIC COMMENT	<p>PAGE 21</p> <p>CHAPTER 1149.25 B SCHEDULE OF DISTRICT PARKING & LOADING STANDARDS</p> <p>Two parking minimums seem to have been missed during revisions, and are inconsistent with each other.</p> <p>Office > Research & Development <i>Issue:</i> The parking minimums for type Office > R&D are too high. R&D buildings generally have fewer employees per square foot than generic office buildings, and mix office settings with light machinery and R&D equipment.</p> <p><i>Solution:</i> Parking minimum should be between Office (1sp/600sf) and Light Industrial (1sp/1,000sf). Suggest revising current number (1sp/400sf) to (1sp/800sf) or greater.</p> <p>Office > Professional Service <i>Issue:</i> The parking minimums for type Office > Professional Service are too high. These types of offices generally have combined parking needs similar to or less intense than those of medical offices.</p> <p><i>Solution:</i> Parking minimum should not exceed the minimum for Medical Office (1sp/450sf). Suggest revising current number (1sp/400sf) to (1sp/450sf) or greater.</p>	MPACT agrees that this change should be made for consistency.
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22	PLANNING COMMISSION	PAGE 21 CHAPTER 1149.26 B SCHEDULE OF DISTRICT PARKING & LOADING STANDARDS	<p>Parking - the schedule in 1149.26B has to be updated to remove the Data Information Center. And the new permitted uses we are allowing need to be added in their respective categories.</p>	<p>MPACT will update</p>
23	RESIDENT PUBLIC COMMENT	PAGE 23 CHAPTER 1149.26 D (5) DISTRICT PARKING STANDARDS	<p>Maximum parking reduction is currently capped at 50% in CH code, but the draft lowers it to 30%, unnecessarily limiting Planning Commission discretion.</p> <p>After discussing with Ryan, we agree the cap should be restored to 50% to align with existing city code and maintain needed flexibility.</p>	<p>MPACT agrees that this change should be made for consistency.</p>
24	PLANNING COMMISSION	PAGE 24 CHAPTER 1149.31 (A) SITE PLAN SUBMISSION REQUIREMENTS	<p>1149.31(A) only says that the Commission can approve or deny the plan. Can the Commission revise the plan? If so, then we should add that language in to ensure that authority is appropriately granted.</p>	<p>As is the case with other zoning in the City an as of right development should be approved and can have certain conditions. We are setting up clear rules upfront to encourage investment to occur with transparency of outcomes being available.</p>
25	PLANNING COMMISSION	PAGE 24 CHAPTER 1149.31 (B)	<p>I don't see anything in this section about requiring a civic space description or any information about how the applicant has either</p>	<p>MPACT will take another look at clarifying language.</p>

		SITE PLAN SUBMISSION REQUIREMENTS	addressed the civic space requirement or decided to pay for a reduction. I think this needs to be added unless you have a strong rationale for why not.	
26	PLANNING COMMISSION	PAGE 25 CHAPTER 1149.36 SITE PLAN AMENDMENTS	Site Plan Amendments - are there definitions of "major amendments" and "minor amendments" - if not, I'd like outside counsel's opinion on definitions of this and I'd like to require that these decisions are also approved by either the Planning Commission chair or the Chair of the Council's Planning and Development Committee. There's a decision point here that I'm not comfortable leaving just to the Zoning Administrator although I understand the need for flexibility.	MPACT agrees to add clarifying standards between major and minor amendments.
27	PLANNING COMMISSION	PAGE 25 CHAPTER 1149.33 OFFICIAL PLAN SUBMISSION REVIEW	I'd like to consider a notice requirement in 1149.33 that would require citywide notice via electronic channels of the plan submission. Alternatively, I'd be ok with a notice requirement in 1149.31 as (D) as a public notice that the Planning Commission is hearing the plan. Although that is probably too late to do anything with public comment unless the Planning Commission is able to revise a submitted plan as part of the review.	Notice requirement should be uniform across the Zoning Code. Notice requirements for all Planning Commission cases will be reviewed as part of the 2026 zoning review.

28	PLANNING COMMISSION	PAGE 29-32 CHAPTER 1149.43 B STREETS A-1, A-2, & B-1	<p>I'm concerned about the narrowing of the A-1 and A-3 street type. These are all currently at least two lanes in and out and it seems that if we are trying to build a vibrant city center we want to make it easy to get in and out of all the main roads to the site. Thoughts on this? Maybe we need to discuss this in a meeting just us so I can understand the rationale here. Same with the B-1 designation for what looks like the center street.</p>	<p>The goal is to create a more walkable pedestrian friendly environment. The roads and entrances as designed are materially larger than needed even at buildout. MPACT strongly believes that calming these roads is essential to creating that sense of place and to pedestrian and multi modal safety.</p>
29	RESIDENT PUBLIC COMMENT	PAGES 29-43 CHAPTER 1149.43 A STREETS	<p>Bike Lanes: Several streets have buffered bike lanes (A-1, A-2, B-2). These streets need (BL: Min 6') added to align with the visual provided and national recommendations from NACTO.</p> <p>Drive Lane Widths: Several streets have drive lane widths wider than recommended in commercial/ residential areas (10'). This will lead to speeding and increased danger for road users. Since the roadway gutter is included in the "DL" category throughout this document, the width of the following streets should be modified to read: "(DL: Max 11')"</p>	<p>This comment is under review</p>

A-3, B-1, C-1, C-2, C-3, C-4, D-1

B-1, "Phase 2 Main Street" Issues:

Excessive parking, 2x what is present in any other CH business district, detracts from a sense of place and crowds out other street uses.

Excessive lane width (14') encourages speeding; insufficient planting zone (4' ornamental tree pots, similar to Cedar-Fairmount) will not grow to full-size shade trees, very small for a road this wide (Recommend 10' planting zones for full-size shade trees); dangerous lack of protected bike lanes in a busy district (NACTO recommends bike lanes anywhere with "high curbside activity.)

TMC has specifically requested protected bike lanes; Minimal public sidewalk space (**PF**) limits possibilities for outdoor dining. See *attachment for updated visualization.*

C-4, "Phase 1 Main Boulevard"

Issues: Same overparking, lane width, small planting zone, bike lane, and PF issues as **B-1**. See *attachment for visualization.* TMC requests changes.

30	PLANNING COMMISSION	PAGE 25 SEVERANCE ZONING ORDINANCE EXHIBIT A	<p>On page 25 of Zoning Ordinance Exhibit A (the code redline) - it has the Council approving a development plan in an S-1 District or S-2 or the Severance Overlay District. Is that right? I thought we were reverting that all to the Planning Commission. I see later on that it also requires Council approval. Explain the rationale for this please? I thought we are trying to expedite? Or are we trying to have more community input? Either way - none of that will actually make any difference if Council and the Commission can't actually revise the plan.</p>	<p>The S-1 District development plan is Council approved "Severance Preliminary Land Use Plan" The SOZ development plan is SOZ District Standards Map.</p> <p>MPACT intent is that the planning commission have the site plan approval responsibility.</p>
31	PLANNING COMMISSION	PAGE 25 SEVERANCE ZONING ORDINANCE EXHIBIT A	<p>On page 25 in 1115.09 - it says that application for a development "within any Special District shall first require the submission and approval of a development plan". The term "Special District" is not defined in the code definitions. Is it somewhere else? What does this actually mean?</p>	<p>The term "Special District" is being defined in an updated Exhibit A , Title V Special Districts</p>
32	PLANNING COMMISSION	GENERAL SEVERANCE ZONING ORDINANCE EXHIBIT A	<p>There is no definition of civic space in the zoning code redline. This is an important term and I think we need to define that in the code and not just rely on the extensive descriptions in the overlay zone packet. Can you please ask outside counsel to draft a</p>	<p>A definition of civic space will be incorporated into the redline.</p>

			definition and have staff and Ryan review and approve before the meeting on the 10th?	
33	MAYOR	GENERAL	Request for the survey of the infrastructure we discussed (and how it comports with the zoning overlay)	We did not do a formal engineering survey of the infrastructure. We did field observations, GIS review, meetings with City departments, meetings with NEO Sewers etc. we can produce a simple overlay of our assumptions for discussion. Please keep in mind that while streets are set in place to start 1. The City can always make changes to the zoning hopefully in collaboration with our team and the NCA board I am looking to set up, 2. The Zoning Admin has the authority to adjust street locations during the review process if needed and 3. For SAG's concerns we are adding language to the zoning that allows civic spaces (parks) to re-align the street grid. There is nothing in the code that prevents Larry from getting his central park if that is proven to be the right thing and it can be financed.
34	MAYOR	GENERAL	Request for the balance between commercial and residential in your zoning proposal (%)	Assuming around 900 sf per unit the following is the % breakdown. For context this is a very typical split (approx 80/20) to any revitalization effort for a walkable downtown. It was also largely based upon the

housing market study the City commissioned which I have attached for convenience (Appendix B). Below is also a retail table showing estimated demand for new retail based upon existing city demand and the potential new residents of Severance. There is a very consistent theme in real estate that has proven true for most projects which is "Retail follows Rooftops".

In fact in an area like Cleveland Heights it can take approximately 300 households to support 1000 SF of new retail space. We look at the combo of existing and new households. The remainder of the uses other than hotel will primarily not be spec built and will need specifically identified users. I'd be happy to go through this math in more detail with you. Please also remember these are code max densities not exactly what will be built.

Use Category & % of Total Program SF

Residential: 77.30%

Hotel/Hospitality: 7.70%

				<p>Retail/Restaurant/Entertainment: 6.00%</p> <p>Office/Professional/Medical: 2.90%</p> <p>Arts & Culture: 1.70%</p> <p>Institutional/Civic /Educational: 2.60%</p> <p>Light Industrial/Artisan Production: 1.70%</p> <p>Details attached: Appendix A</p>
35	MAYOR	GENERAL	Request for the balance between owner-occupied residential and rental property in your zoning proposal (%)	The Zoning does not control homeownership vs rental. Zoning can regulate the form and use of buildings, but it cannot typically regulate who owns them—rental vs. ownership is a financing and market choice, not a zoning category. I don't believe your current code does either. To be clear I am going to pursue both and many typologies of both. The market study outlines these demand parameters for both.
36	MAYOR	GENERAL	Request for the reasoning behind a zoning administrator replacing the Severance Board of Control in your zoning proposal	I just got a similar question from Council President Larson. I would imagine this is coming from Ms. Winterer. As for the Board of Control my understanding is that it is an antiquated process that was not very functional. I am sure Eric can speak further on this but I believe the staff

				is simply using this opportunity to remove that layer from the underlying zoning having nothing to do with our new zoning. My perspective is that there is no logical connection between a board for the underlying S-1 zoning and our zoning. We are proposing a new code that is entirely different. We are proposing a new process that is largely different. Why would the process for the zoning we are getting away from dictate the new code? In conclusion we are not usurping the Board of Control as it is a process requirement for the underlying zoning not ours and staff is recommended removing it from the underlying having nothing to do with my proposal.
37	RESIDENT PUBLIC COMMENT	GENERAL	The new chapter pretty much eliminates the review and approval function of the city	<p>This is fully incorrect. The SOZ has a detailed outline review, with multiple layers of oversight. We have also been very clear from day 1 that we are trying to create an expedited as of right condition.</p> <p>Facts:</p> <ul style="list-style-type: none"> • The SOZ is 100% optional. All underlying zoning review procedures remain in full force. Developers can only use SOZ standards if they voluntarily opt in.

- SOZ 1149.03(A)-(C) explicitly states this.
- Site Plan Review is still required. Every project using the SOZ must go through Zoning Administrator review + Architectural Review Board (ARB) (Commenting) + Planning Commission approval (all explicitly retained in 1149.3 "Administration").
- The SOZ adds new forms of review:
 - Build-to-line compliance
 - Frontage standards
 - Active edge retail/entryway spacing
 - Civic space compliance
 - Street wall/street type requirements
 - Stepback requirements

These regulate building form and street quality in

				<p>ways the current code never has.</p> <p>Bottom line:</p> <p>The testimony presents an inaccurate impression that oversight disappears – in reality, the SOZ has layers of review and more objective standards than the current code has ever provided. It does create an as of right scenario which is very standard in zoning codes and I believe exists in other existing portions of the CH zoning.</p>
38	RESIDENT PUBLIC COMMENT	GENERAL	<p>The proposed zoning does not call for creation of a comprehensive plan.</p>	<p>The SOZ is itself a regulating plan – not a single master plan submitted by a developer that will inevitably be obsolete as markets shift.</p> <p>The current code requires a one-time, static “detailed development plan” by a single developer. The zoning proposal took into account the City’s existing Master Plan goals.</p> <p>The SOZ replaces the failed models of the past with:</p> <ul style="list-style-type: none"> • A District Standards Map that lays out: <ul style="list-style-type: none"> - Street network - Civic spaces - Required frontage types

				<ul style="list-style-type: none"> - Block structure (See 1149.11B(5)) <p>This is the comprehensive plan – it is simply delivered as form-based zoning standards, which is the modern national best practice.</p> <p>It allows incremental development by multiple builders while preserving a cohesive plan under specific rules.</p>
39	RESIDENT PUBLIC COMMENT	GENERAL	Developers have the right to build what they want with minimal city oversight.	<p>The SOZ introduces more constraints than the current code, not fewer.</p> <p>Under the current code:</p> <ul style="list-style-type: none"> • There are no frontage occupancy requirements • No build-to-lines • No active edge requirements • No glazing transparency requirements • No stepbacks • No maximum street wall heights • No civic space standards • No minimum floor heights for storefronts • No street type standards • No district buffer protections

				<p>Under the SOZ, all of these become mandatory.</p> <p>Developers have far less freedom under the SOZ than they do today.</p>
40	RESIDENT PUBLIC COMMENT	GENERAL	<p>The only real development limitation will be the street and block layout.</p>	<p>The testimony ignores entire sections of the code.</p> <p>Here are 9 categories of mandatory limitations:</p> <ol style="list-style-type: none"> 1. Permitted use restrictions – 1149.21 2. Height minimums and maximums – 1149.22B(2) 3. Stepbacks – 1149.23E 4. Private frontage types – 1149.23A-C 5. Active frontage/entryway spacing – 1149.23G 6. Glazing % requirements – 1149.23H 7. Street wall requirements – 1149.23D 8. Civic space mandates – 1149.13 9. Side/rear yard buffers protecting neighborhoods – 1149.22B(2)

				It is objectively incorrect to claim the block layout is the only control.
41	RESIDENT PUBLIC COMMENT	GENERAL	We will only get a few green spaces; the code removes green space.	<p>The SOZ requires green space for the first time in Severance's history.</p> <ul style="list-style-type: none"> • 10% civic space requirement on every development site – 1149.13F(1) • Civic spaces designated on the District Standards Map that must be built – 1149.11B(5) • Adjacent-site contribution requirement if a site borders a designated civic space – 1149.13F(2) <p>The fee-in-lieu is not the default. We have outlined nearly 3 acres of green space before the 10% requirement and while people can reduce that requirement it will still create multiples on what other developments in Northeast Ohio have created. By way of example Crocker park only has 1 ¾ acre green space and about ½ acre of hard scape space. Van Aken has virtually no green space and about 10,000 SF of hardscape and about 6,000 SF of turf.</p>

				<p>**The current zoning has zero requirement for parks or civic space. The SOZ is the first code to ever mandate green space at Severance.**</p>
42	RESIDENT PUBLIC COMMENT	GENERAL	<p>The fee-in-lieu amount is too low; it only produces \$152,460 per acre for civic space.</p>	<p>I am not sure what it is "too low" for. This was never intended to pay for everything. Does the commenter have backup for the costs? There seems to be a misunderstanding.</p> <ul style="list-style-type: none"> • The fee is not intended to purchase raw land • It is intended as kickstarter funds for improvements. SAG has claimed they can finance a park before any of our proposed fees were even on the table so it seems we are only helping. • If the fee is too high there will be 0 buy out and thus no funds to help finance improvements • The fee also scales: large sites cannot buy out more than 50% of their obligation for the first 100,000 sq ft. <p>In short the likely path is:</p>

				<ul style="list-style-type: none"> • Land = created by subdivision and dedication. • Fee = funds improvements. <p>This dramatically expands the City's funding for public realm improvements compared to the current code, which has no public space requirement or funding mechanism at all.</p>
43	RESIDENT PUBLIC COMMENT	GENERAL	Use limits are restrictive and prevent institutions or major employers from locating at Severance.	<p>The testimony misquotes the code and omits key facts. Can the commenter provide a suggested MAX amount of these uses and reasons for them. We suggested these uses based on our 20 years of experience with healthy mixes for thriving walkable districts.</p> <ul style="list-style-type: none"> • Institutional uses (e.g., education, medical, government, community facilities) are permitted in SO-1 and SO-2 (the main redevelopment districts). <ul style="list-style-type: none"> – See 1149.21A (Institutional) • Major research, medical office, and professional office uses are fully permitted. • The thresholds are sitewide caps, not per-tenant caps. They ensure balanced mixed

				<p>use, which is exactly what the City's Master Plan and market studies say is needed.</p> <p>Also:</p> <ul style="list-style-type: none"> • The code does allow data centers, artisan production, and renewable energy uses. • Claims that the code "bans institutions" are simply factually false.
44	RESIDENT PUBLIC COMMENT	GENERAL	<p>The code calls for 2,500 units and 175,000 SF of retail, which is unrealistic.</p>	<p>The SOZ does not require these numbers – they are maximum caps, not mandates.</p> <p>The code does NOT:</p> <ul style="list-style-type: none"> • Force 2,500 units to be built...IT IS A MAX • Require 175,000 SF of retail <p>The thresholds are simply the maximum allowable across 30+ years of phased redevelopment so that:</p> <ul style="list-style-type: none"> • Data-driven market checks and • Infrastructure capacity checks can occur as growth proceeds. • The market study only projected for a limited

				<p>period of time approximately 10 years and the full buildout of 60+ acres will take longer than that. I remind everyone that Croker park took approximately 20 years to reach full buildout.</p> <p>The testimony conflates:</p> <ul style="list-style-type: none"> • Absorption projections with • Zoning capacity ranges <p>If the code capped development at 837 units (today's absorption), growth would be mathematically impossible in the future.</p>
45	RESIDENT PUBLIC COMMENT	GENERAL	Mandating ground-floor retail is unwise and we see vacancies at Top of the Hill.	<p>The SOZ does not mandate ground-floor retail across the entire site.</p> <p>It only requires active frontage in very specific locations:</p> <ul style="list-style-type: none"> • Along B-type streets (future "main street") • At key corners • On designated pedestrian corridors <ul style="list-style-type: none"> - See 1149.23G • Where retail or office is required we did very specific projections at average retail and office

				<p>depths to calculate retail numbers that are in line with our market analysis which called for about 95k SF of retail absorption at full buildout. That table is published in the RAP from Jan</p> <p>And importantly:</p> <ul style="list-style-type: none"> • Office use can substitute for retail in required retail areas. • Active frontage does not mean "storefront retail" – it can be office, lobbies, fitness centers, co-working, etc. <p>The testimony is misreading the table.</p> <p>This is a modern approach: require street activation where needed but allow flexibility.</p>
46	RESIDENT PUBLIC COMMENT	GENERAL	The SOZ distracts from important issues by focusing on minutiae like street widths and corners.	<p>These standards are the important issues – they are the foundation of all functioning walkable districts.</p> <p>The current zoning code never addressed:</p> <ul style="list-style-type: none"> • Block size • Street wall

- Stepbacks
- Sidewalk zones
- Transit frontage
- Corner treatments
- Pedestrian paths
- Active frontage
- Street type hierarchy
- These “details” are exactly what determine:
 - Walkability
 - Retail success
 - Safety
 - Aesthetics
 - Property values

Cities from Cincinnati (OTR) to Columbus (Short North) to Lakewood, Boulder, and Arlington use precisely these regulations.

This is how modern zoning enables development rather than obstructs it.

COMMENTS DISCUSSED AT NOVEMBER PLANNING COMMISSION MEETING

	SOURCE	LOCATION	FEEDBACK	RESPONSE
47	PLANNING STAFF	GLOBAL WITHIN CHAPTER 1149	Capitalize Zoning Administrator	MPACT will change
48	CITY LEGAL COUNSEL	PAGE 1 CHAPTER 1149.02	<p>A revision to the following sentence might be considered: <i>"The language of the Severance Overlay Zone and its defined district(s) shall be in alignment with the City of Cleveland Heights' adopted Master Plan"</i>. Use of the word "shall" means mandatory alignment with the Master Plan. Master Plans are meant to be a guide to zoning regulations and not a mandate to be strictly followed.</p> <p>Proposed new sentence: <i>"The language of the Severance Overlay Zone and its defined district(s) may be in alignment with the City of Cleveland Heights' adopted Master Plan."</i></p>	MPACT will change
49	PLANNING STAFF	PAGE 1 CHAPTER 1149.03	E. says "The option to develop under Chapter 1149 is deinfed" - should say "defined" instead	MPACT will change
50	PLANNING STAFF	PAGE 1 CHAPTER 1149.03	<p>The first sentence may be confusing to the reader.</p> <p>Proposed new sentence: <i>"The</i></p>	MPACT will change

			<p>Severance Overlay Zone and the defined district(s) within it do not replace the underlying zoning rules and regulations that currently exist in Cleveland Heights except where an application to proceed with development under Chapter 1149 is approved by the Planning Commission.</p>	
51	PLANNING STAFF	PAGE 1 CHAPTER 1149.03	Proposed insertion: add at the end of that sentence, "...and the application is approved pursuant to Chapter 1149."	MPACT will change
52	PLANNING STAFF	PAGE 3 CHAPTER 1149.11 B(1)	Format so it is clear that the District Standards Legend is 1149B (1) and the additional statements above the District Standards Map are 1149B(2), 1149B(3), and 1149B(4)	MPACT will change
53	PLANNING STAFF	PAGE 3 CHAPTER 1149.11 B DISTRICT STANDARDS MAP	<p>Format to make the District Standards Map more readable by having the Map and the Legend symbols and colors match:</p> <p>The colors for the Severance Overlay Zone Boundary and Retail or Office Required</p> <p>The size of the dashes for Pedestrian Path Required</p> <p>The color and symbology for Protected Area</p>	MPACT will change

			<p>The shades of purple for SO-1 and SO-2 are very close and could become an accessibility issue if printed in black and white; change the colors</p> <p>The shades of purple for SO-1 and SO-2 are very close and could become an accessibility issue if printed in black and white</p>	
54	PLANNING STAFF	PAGE 4 CHAPTER 1149.11 C (2) STREET TYPES MAP	Change the roadway types for the Staunton Road Extension and connector to Crest Road to a P Street (Pedestrian Path) ; rename roadways accordingly	MPACT will change
55	PLANNING STAFF	PAGE 7 CHAPTER 1149.12 B	In the Public and Private Frontage Standards table, Street Types, Add a statement making it clear that the Street Type A standards applies to all A streets, A1, A2, A3 and A4 ; and that the Street Type C standards applies to all C streets C1, C2, C3 and C4 ; and that Street Type D standards applies to all D streets D1, D2 D3 and D4 " and that the Street Type P standards apply to all P streets P1, P2, and P3 .	MPACT will change
56	PLANNING STAFF	PAGE 11 CHAPTER 1149.21 A TABLE OF	<p>Under Office change Research and Development from a P (Permitted Use) to CU (Conditionally Permitted Use) in the SO-1/SO-2 districts</p> <p>Under Residential add Single-</p>	MPACT will change and for the single family allowability in SO-3 we will utilize the B-2 existing single family zoning.

		PERMITTED USES	<p>family/detached and Two Family in SO-3 as CU (Conditionally Permitted) (MPACT to develop standards before next Planning Commission Meeting)</p> <p>Under Residential add Community Room as A (Accessory Use) in SO-1/SO-2 and SO-3</p> <p>Under Arts & Culture change Museum and Art Gallery from a P (Permitted Use) to CU (Conditionally Permitted Use)</p> <p>Under Institutional change Religious/Charity from X (Not Allowed) to CU (Conditionally Permitted) in the SO-3 District; change it from CU to P in the SO-1 and SO-2 Districts to be consistent with other Institutional Uses</p> <p>Under Light Industrial remove Data Information Center (not to be allowed in any of the districts)</p>	
57	PLANNING COMMISSION	PAGE 11 CHAPTER 1149.21 A TABLE OF PERMITTED USES	<p>There is already a church located in the SO-3 district, so religious/charity institutional uses should be conditionally permitted in the SO-3 district.</p>	MPACT will change

58	PLANNING STAFF	PAGE 12, 14 CHAPTER 1149.21 B	<p>It is not immediately clear that this table is referring to affordable housing requirements until page 14. A statement referring to 1149.22 should be added.</p> <p>The program thresholds section states that residential development is governed by cumulative unit thresholds. The threshold numbers should be updated to be cumulative.</p>	MPACT will change
59	PLANNING COMMISSION	PAGE 11 CHAPTER 1149.21 A TABLE OF PERMITTED USES	<p>Single-family residences should be permitted in the SO-3 district.</p>	MPACT will change
60	PLANNING STAFF	PAGE 20 CHAPTER 1149.26 A (3) (b) DISTRICT PARKING STANDARDS & PLACEMENT	<p><i>"On-Street parking spaces along the frontage of a lot, shall count towards satisfying total parking demand for a site."</i></p> <p>Add "for non-residential uses" to this sentence.</p>	MPACT will change
61	PLANNING STAFF	PAGE 22 CHAPTER 1149.26 D(4)	<p><i>"The following parking space reductions from the total requirements may be granted by the Planning Commission (not Zoning Administrator)...."</i></p>	MPACT will change

62	PLANNING COMMISSION	PAGE 24 CHAPTER 1149.26 D (4)	<p>Add B.(12) "<i>Encroachments into the Public Right-of Way. If a site plan includes any amenity, structure, use, feature or similar such items that would encroach into the public right-of-way, a license agreement between the property owner and the City of Cleveland Heights in a form provided by the City shall be included in the site plan application. Such license agreement shall be required to be executed by the parties upon the site plan receiving final approval.</i>"</p> <p>Revise C to read: "<i>The Zoning Administrator may waive certain submission requirements that are not applicable to the proposed development.</i>"</p>	MPACT will change
63	PLANNING STAFF	PAGE 24 CHAPTER 1149.32 PRELIMINARY APPLICATION PROCESS	<p>Add the definition of TAC should to Section 1103.03(b) [Exhibit A]</p> <p>Add composition of the TAC:</p> <p><i>"The TAC will consist of: the Zoning Administrator, the Public Works Director, the Fire Chief, the Police Chief, the Chair of the Planning Commission, Council Planning and Development Committee Chair, and the Chair of the Architectural Board of Review. TAC members may elect to send a representative in their place."</i></p>	MPACT will change

64	PLANNING STAFF	PAGE 25 CHAPTER 1149.33	<p>Section C states that the ABR provides written comments and recommendations to the Planning Commission. The Planning Commission should be allowed to impose design review conditions based on comments from the ABR.</p> <p>Add this power for the Planning Commission in Section 1111.06(b)(12).</p>	MPACT will change to the planning commission can carry forward ABR design suggestions but cannot deny plans that adhere to the as of right code.
65	PLANNING STAFF	PAGE 25 CHAPTER 1149.33	<p>Section D states that the Planning Commission shall render a decision to approve, approve with procedural conditions, or deny the Site Plan with forty-five days.</p> <p>Revise D to read <i>"Planning Commission Decision. The Planning Commission shall render a decision to approve, approve with conditions, or deny the Site Plan within sixty (60) days of the later of..."</i></p>	MPACT will change
66	PLANNING STAFF	PAGE 26 CHAPTER 1149.35	Chapter amendments should follow the established Zoning Code Amendment process, Chapter 1119.	MPACT will change
67	PLANNING STAFF	PAGE 29 CHAPTER 1149.43 A STREET A-1	There should be a dimension on the bike lane (BL) in the graphic. The standards call out a dimension for PB . The graphic and the dimensions should be consistent.	MPACT will change

68	PLANNING STAFF	PAGE 37-49 CHAPTER 1149.43 A - 1149.43M STREET A-2	Recommend Drive Lane (DL) should have maximum width of 10 feet. <i>(diagram is Appendix B)</i>	MPACT will change
69	PLANNING STAFF	PAGE 51 CHAPTER 1149.45 B PEDESTRIAN CLEARWAY DESIGN STANDARDS	Remove Note (3) stating "Pavement materials shall be approved by the Architectural Board of Review."	MPACT will change
70	PLANNING STAFF	PAGE 66 CHAPTER 1149.48 I EDGING ELEMENT DESIGN STANDARDS	Correct numbering: Landscape Edge should be EE-5.88	MPACT will change

APPENDIX

Appendix A:

CATEGORY	EXISTING DEMAND	EXISTING SALES	SALES LEAKAGE	CAPTURE RATE	DEMAND FROM NEW RESIDENTS	CAPTURE RATE	DEMAND CAPTURE	SALES PER SF	SF
Food and Beverage Retailers	\$110,629,054	\$39,165,000	\$71,464,054	20%	\$4,268,845	40%	\$16,000,349	\$500	32,001
Furniture, Home Furnishings, Electronics, and Appliance Retailers	\$15,040,491	\$69,302,000	\$ (54,261,509)	20%	\$562,993	40%	\$225,197	\$300	751
General Merchandise Retailers	\$9,672,923	\$5,751,000	\$3,921,923	20%	\$370,993	40%	\$932,782	\$300	3,109
Health and Personal Care Retailers	\$15,526,644	\$41,170,000	\$(25,643,356)	20%	\$615,208	40%	\$246,083	\$300	820
Clothing, Clothing Accessories, Shoe, and Jewelry Retailers	\$32,984,398	\$14,313,000	\$18,671,398	20%	\$1,288,805	40%	\$4,249,801	\$300	14,166

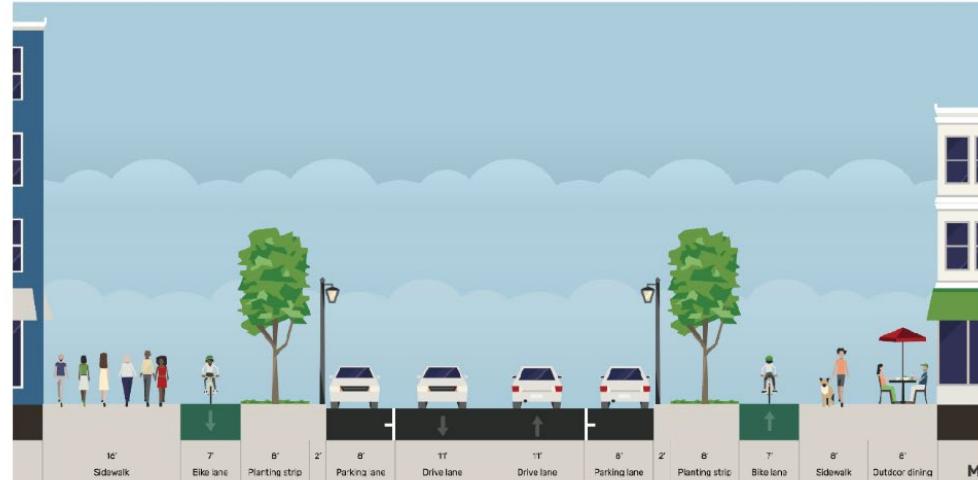
Appendix B:

Severance B-1 Design Comparison

MPACT Proposed Design

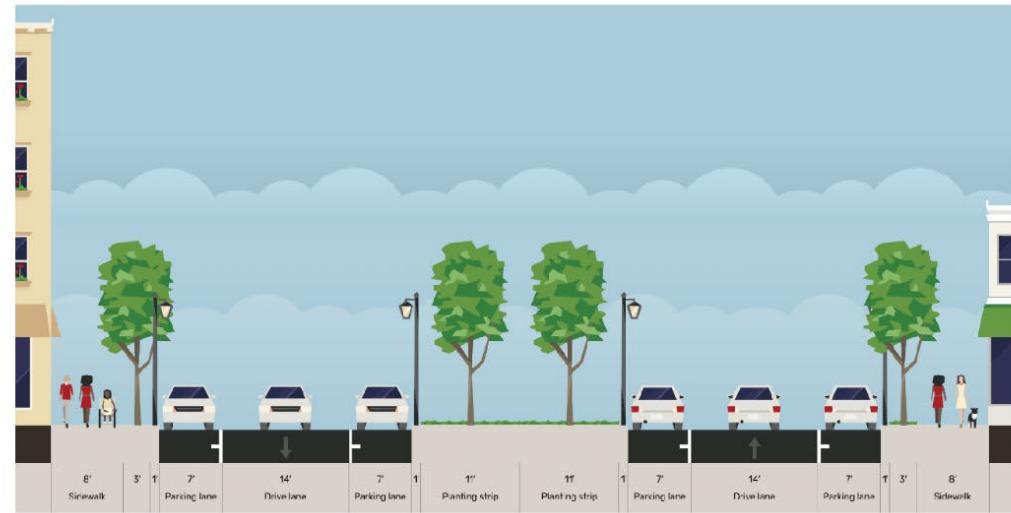


TMC Proposed Design



Severance C-4 Design Comparison

MPACT Proposed Design



TMC Proposed Design

