

August 9, 2021

**PERSONAL DELIVERY**

City of Cleveland Heights  
Department of Planning and Development  
40 Severance Circle  
Cleveland Heights, Ohio 44118  
Attention: Karen Knittel, Assistant Planning Director

Re: Application for Transfer and/or Issuance of Conditional Use Permit (the "Permit"),  
OHH1 LLC, 2953 Mayfield Road, Cleveland Heights, Ohio 44118 ("Property")

Ladies and Gentlemen:

**Application**

Pursuant to the Codified Ordinances ("Code") of Cleveland Heights, Ohio ("City"), we are submitting this application for transfer and/or issuance of the Permit on behalf of our client, OHH1, LLC ("Honda"). We are requesting to be placed upon the City Planning Commission calendar for the August 19, 2021 meeting to have Honda's application considered for approval.

In support of Honda's application, enclosed please find the following items:

- Application Form (15 copies)- Attachment A
- Description of the use at the Property (15 copies)- Attachment B
- Scale Drawings (15 copies)- Attachment C
- Proof of control of Property (15 Copies)- Attachment D
- Application fee in the amount of \$150.00

**Transactions**

In further support of the application, below is a brief description of the transactions occurring in connection with this application:

- Honda will purchase the operating assets of FA OH HND, LLC d/b/a Foundation Automotive Corp. (the current operator at the Property). After the closing, Honda will operate the Honda dealership at the Property under the "Honda of Cleveland Heights" name

in a similar manner as it is currently being operated. Honda will retain the current employees and continue to operate as it has been done historically.

- An affiliate of Honda, OHH1 RE LLC will purchase the underlying real estate from Mayfield HND Properties, LLC, the property owner.
- Honda will operate the Honda dealership on the Property after closing.

**Request**

In accordance with your request, we are submitting a complete application and otherwise complying with the procedures and requirements set forth in the Code for a new conditional use permit.

Thank you for the consideration of this request on behalf of Honda. Please contact the undersigned at 216-795-4117 to discuss any questions or issues.

Very truly yours,

**CHILCOTE & WRIGHT LLP**, an Ohio limited liability partnership

By: \_\_\_\_\_

  
Lee A. Chilcote, Managing Partner

cc. William R. Hanna, Esq., Law Director



## PLANNING COMMISSION CONDITIONAL USE PERMIT

**PROJECT NO. 19-18**  
**FA OH HND, LLC**  
**2953 Mayfield Road**  
**Cleveland Heights, OH 44118**

A Conditional Use Permit is hereby issued to FA OH HND, LLC, 2953 Mayfield Road, located in a "C-3" General Commercial district, to operate the existing Honda dealership for auto sales (new & used) & auto service (major & minor) per Code chapters 1111, 1115, 1131, 1151, 1153, 1161, 1163 and 1166, and approved by the Planning Commission on Wednesday, September 11, 2019.

This permit is issued under the authority of Sections 1111.06 and 1115.08 of the Zoning Code and is subject to compliance by the applicant with all pertinent provisions of the Zoning Code and with any other applicable ordinances of the City, with the conditions that:

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 installed by November 1, 2019, and 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;
8. Applicant shall comply with the February 10, 2016, Planning Commission-approved site plan (dated 1-11-2016 by Cornachione & Wallace Architects, Inc.), comply with any easements, and shall assure that cars are moved into the service bay areas in a timely fashion to prevent back up onto Superior Road or blocking City service vehicles from entering and exiting the site. Cars may not be parked to the north of the building/flex post line, except where parking spaces are shown on the site plan; and
9. All required construction and installation of the use shall be completed by November 1, 2019.

Should the holder of this permit at any time fail to comply with said provisions and limitations, and such failure continue beyond the time fixed by the Zoning Administrator or Commissioner of Building in a written notice to remedy such failure, then this permit may be deemed terminated.

This permit is not transferable without the written consent of the Planning Commission

Kara Hamley O'Donnell, Secretary for Planning Commission

THIS PERMIT REPRESENTS ZONING APPROVAL ONLY. OTHER CITY APPROVALS MAY BE REQUIRED INCLUDING, BUT NOT LIMITED TO, BUILDING, FIRE AND/OR STORMWATER PERMITS.



**PLANNING COMMISSION  
CONDITIONAL USE PERMIT**

FOR: Motorcars Honda  
2953 Mayfield Road  
Cleveland Hts. OH 44118

**PROJECT NO. 16 - 06**

A Conditional Use Permit is hereby issued to Motorcars Honda, at 2953 Mayfield Road, in a C3 General Commercial district, for a showroom addition per code chapters 1111, 1115, 1131, 1151, 1153, 1165 and 1166 and approved by the Planning Commission on February 10, 2016.

This permit is issued under the authority of Sections 1111.06 and 1115.08 of the Zoning Code and is subject to compliance by the applicant with all pertinent provisions of the Zoning Code and with any other applicable ordinances of the City, with the conditions that:

1. *Approval of the Architectural Board of Review;*
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. *Landscape plan dated 12-17-12 by Cornachione & Wallace Architects (approved as part of Project No. 13-2) shall be included as part of this approval; and all required construction and installation of the use shall be completed within 9 months of Planning Commission approval.*

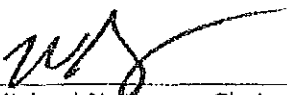
Should the holder of this permit at any time fail to comply with said provisions and limitations, and such failure continue beyond the time fixed by the Commissioner of Building in a written notice to remedy such failure, and then this permit may be deemed terminated.

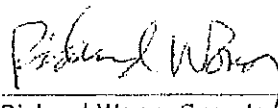
This permit is not transferable without the written consent of the Planning Commission.

GRANTED BY THE PLANNING COMMISSION

Effective Date: February 10, 2016

PLANNING COMMISSION

  
Michael N. Ungar, Chairperson

  
Richard Wong, Secretary

/kc

This permit represents Zoning approval only. A Building Permit may still be required.

CLEVELAND  
HEIGHTS   
SPECIAL PERMIT  
BOARD OF ZONING APPEALS

FOR: 2953 MAYFIELD ROAD  
CALENDAR NO. 2208

This special permit\* is hereby granted to vary the requirements of the Zoning Code in order to allow the applicant to: 1) construct two (2) parking pods coming to within 4.5 feet of the front Mayfield Road property line and within 4.5 feet of the side Superior Road property line instead of providing a 15-foot front yard and 10-foot side yard, as required by Codified Ordinance 1135.05; 2) park cars on two building pod extensions into the front yard instead of being prohibited from parking in a required front yard, as set forth in Codified Ordinance 1171.03(a); and 3) provide 17 landscaping trees instead of providing 20 landscaping trees as required by Codified Ordinance 1171.04(b) in a "C-3" Commercial zoning district, all in accordance with the site plan submitted to the Board of Zoning Appeals on June 22, 1990 (as amended by the site plan approved by the Architectural Board of Review on April 7, 1992.)

This permit is issued under authority of Section 1107.07(b)(1) of the Zoning Code and is subject to compliance by the applicant with all pertinent provisions of the Zoning Code and with any other applicable ordinances of the City with the following additional conditions:


- 1) The applicant must work with the Planning Department staff to develop a landscaping plan; and
- 2) All construction is to be completed within 18 months from the effective date of this permit.

Should the holder of this permit at any time fail to comply with said provisions and limitations, and such failure continue beyond the time fixed by the Commissioner of Building in a written notice to remedy such failure, then this permit may be deemed terminated.

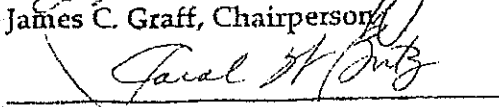
Granted by the Board of Zoning Appeals

BOARD OF ZONING APPEALS

Effective Date: March 4, 1991

  
James C. Graff, Chairperson

(Note: Construction completion date is extended to September 4, 1992, by motion approved by the Board of Zoning Appeals on April 15, 1992.)

  
Carol W. Butz, Zoning Administrator

\*This special permit represents zoning code approval only.  
Building permits are still required.

CLEVELAND  
HEIGHTS   
SPECIAL PERMIT  
BOARD OF ZONING APPEALS

FOR: 2953 MAYFIELD ROAD

CALENDAR NO: 2880

A special permit is hereby issued to permit variance of the requirements of the Zoning Code in order to permit the placement of a 5'5"x 5'5" freestanding monument sign where one is not permitted, as required by Code Section 1163.01, in a "C-3" general commercial district, and in accordance with the plan and conditions approved by the Board of Zoning Appeals on November 15, 2000.

This permit is issued under authority of Sections 1109.06 and 1115.07 of the Zoning Code and is subject to compliance by the applicant with all pertinent provisions of the Zoning Code and with any other applicable ordinances of the City with the following conditions:



- 1) That there will be no permanent building or wall signs;
- 2) The monument sign shall not be located within the sight triangle, as defined in Section 1165.03(e); and
- 3) All work shall be completed within 90 days of the effective date of this permit.

Should the holder of this permit at any time fail to comply with said provisions and limitations, and such failure continue beyond the time fixed by the Commissioner of Building in a written notice to remedy such failure, then this permit may be deemed terminated.

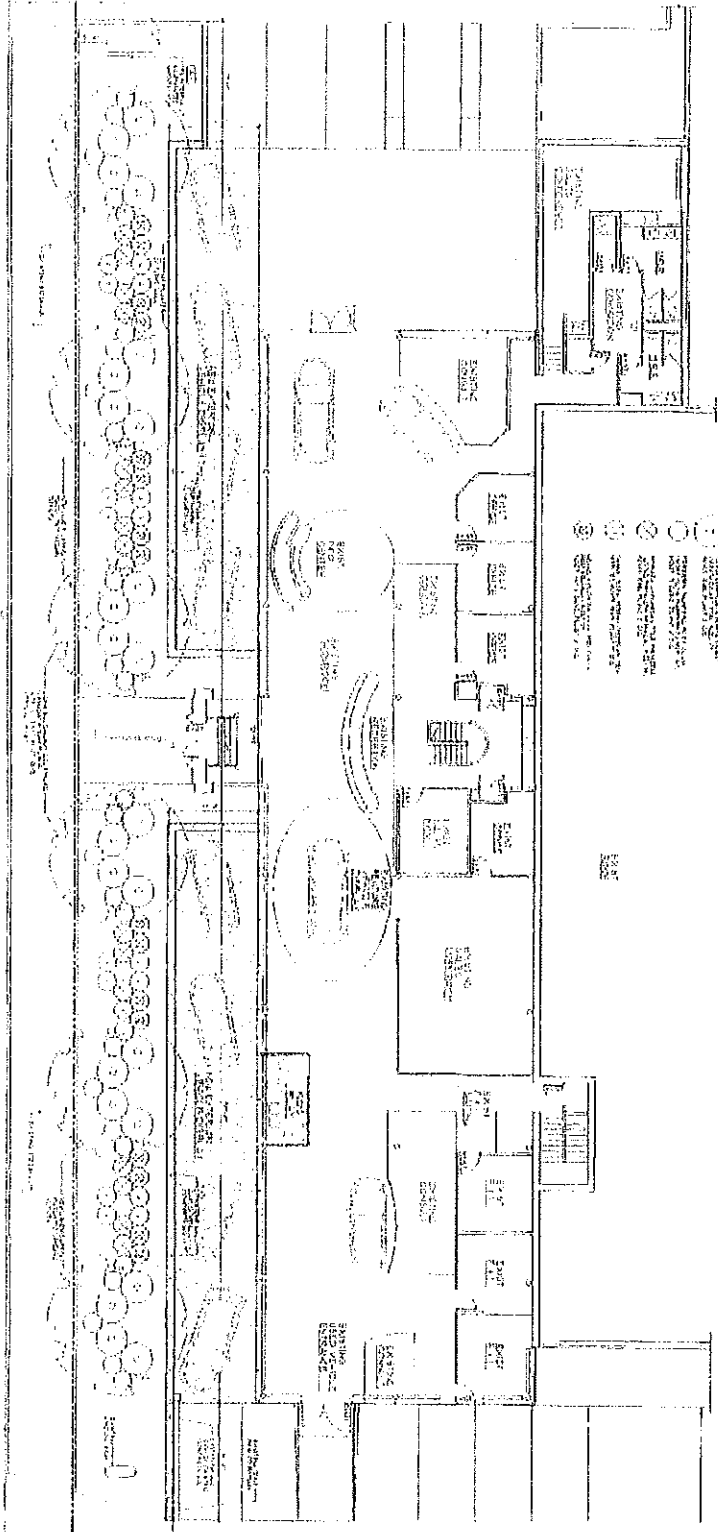
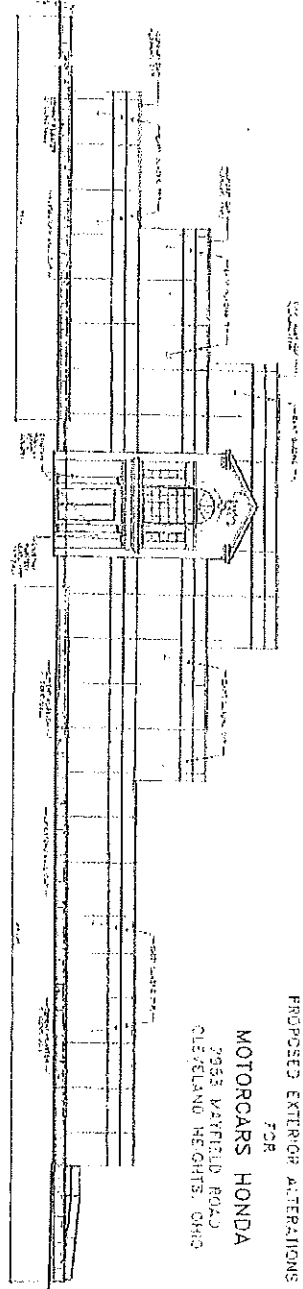
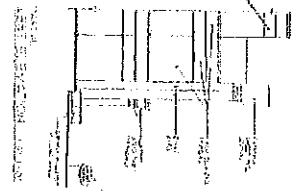
GRANTED BY THE BOARD OF ZONING APPEALS

Effective Date: November 20, 2000

BOARD OF ZONING APPEALS

  
\_\_\_\_\_  
F. David Gill, Chairperson  
\_\_\_\_\_  
Jevon Hull, City Planner





WYFIELD ROAD

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1 OF 5

PRELIMINARY - NOT FOR CONSTRUCTION

MOTORCARS FLORIDA  
2003 MAINT. ROAD  
CLEVELAND HEIGHTS, OHIO



**Lebensleistungen & Wohnen**  
 425 West Main Avenue, Portland, OR 97207  
 In: 503-255-0100 Fax: 503-255-0101  
 e-mail: [SALES@lsc.com](mailto:SALES@lsc.com)  
**THE LSC FINCO**

PROJECT NO. 13

**NEW YORK, N.Y.**



