

Project 16-23: K & R Hicks, dba Heights Room to Grow Preschool, LLC, prospective tenant at Imani Temple, 2463 N. Taylor, "A" single-fam, request Conditional Use permit for 170-child day care, school-age before- and after-school care, and full-day programs on holidays and summer per Code chapters 1111, 1115, 1121, 1131, 1151, 1153, and 1161.

Approved, 6-0, with the following additional conditions:

- 1. Two parking spaces shall be designated for child-care pick-up and drop-off only;*
- 2. If proposed, receipt of Planning Director approval of landscaping and/or fencing plan;*
- 3. Applicant shall return to the Planning Commission for approval of any significant alteration or expansion of their operations;*
- 4. Hours of child care operation shall be limited to Monday - Friday 6:30 a.m. - 6:30 p.m.;*
- 5. That the use will not be injurious to the use and enjoyment of other property in the immediate vicinity or create a nuisance for adjacent residential properties;*
- 6. Applicant shall work with staff to resolve any neighbor complaints;*
- 7. Applicant shall adhere to all Building Code and State child care requirements; and*
- 8. All required construction and installation of the use shall be completed within 18 months of Planning Commission approval.*

Project 16-24: C. Armington, dba Tavern Co., 2299 Lee, C2X Multiple Use, requests Conditional Use permit for 60-seat outdoor dining area at rear (east) of building per Code Chapters 1111, 1115, 1131, 1151, 1153 and 1161.

Approved, 6-0, with the following additional conditions:

- 1. Hours of operation shall be limited to 11 a.m. until 2:30 a.m.;*
- 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 applicant shall work with staff to resolve complaints from neighbors, which, if necessary, could result in reduced outdoor dining hours;*
- 4. Landscaping and fencing at the south end of the patio shall be maintained in accordance with a Planning Director-approved site plan and Architectural Board of Review-approved fence design;*
- 5. Live music shall not be permitted outdoors; television and radio broadcasts and recorded music shall not cause a nuisance to neighbors;*
- 6. Applicant shall return to the Planning Commission for approval of any significant alteration or expansion of their operations;*
- 7. All required construction and installation of the use shall be completed within 18 months of Planning Commission approval.*

Project 16-20: Naturally Gifted Fitness Center, 1633-35 Lee, continued, C3 Gen Comm, requests Conditional Use permit for expansion of existing lower level fitness center/health club (4747 s.f.) with additional 5,960 s.f. on 2nd floor, including 3694 s.f. group exercise room and 675 s.f. boxing room w/ required 24 parking spaces located w/in 300' of building at The Civic, 3130 Mayfield Road, per Code chapters 1111, 1115, 1131, 1151, 1153 and 1161.

Approved, 6-0, with the following additional conditions:

1. *That the use, including sound, will not be injurious to the use and enjoyment of other property in the immediate vicinity or create a nuisance for nearby businesses;*
2. *The applicant shall work with staff to resolve any complaints from neighbors;*
3. *Building occupancy shall not exceed allowable occupancy as determined by applicant's design professional based on the 2011 Ohio Building Code (OBC) and approved by the Cleveland Heights Building Official. Maximum allowable occupancy for each exercise room shall be posted and observed at all times;*
4. *An occupancy permit shall be obtained for the expansion by November 1, 2016;*
5. *Applicant shall maintain parking agreement for 24 parking spaces within 300' of the building in a form approved by the Director of Law;*
6. *Applicant shall include information on allowable parking in every membership contract and will post parking rules;*
7. *Applicant shall provide staff parking monitor at the front door for all group fitness classes for 20 minutes prior and 15 minutes after class start time;*
8. *Daily, applicant shall circulate neighborhood and pick up trash;*
9. *Hours of operation shall be between the hours of 6 a.m. and 8 p.m., however, classes in the large first floor exercise space shall be limited to the hours of 8 a.m. and 8 p.m.; and*
10. *Failure to meet condition #4 by the established deadline will result in immediate voidance of this Conditional Use Permit.*

Project 15-33: Troutman, dba Horizon Health Services, 13001 Cedar Road, request for 6 month extension to completion date for condition #8:

"Applicant shall submit a landscaping and fencing plan that includes additional parking lot perimeter landscape screening, buffer yard (side yard) screening and dumpster screening per Code sections 1166.06, 1166.07 and 1166.10. The plan shall address fencing along the rear (north) property line and screening along the side (east and west) property lines shall be approved by the Planning Director with input from the abutting neighbors and shall be completed within 1 year of Planning Commission approval." [approved October 14, 2015]

Approved, 6-0, extension to condition #8 compliance date until April 14, 2017.