

DETAILED DESCRIPTION: GENERAL STANDARDS FOR CONDITIONAL USES

When reviewing and application for a conditional use permit, the Planning Commission must determine that the proposed conditional use satisfies the standards listed on this form, as well as any use-specific standards that may apply to the proposal. It is the applicant's responsibility to address all general and specific standards for a conditional use. (See Title Seven – Conditional Use Regulations at:

https://codelibrary.amlegal.com/codes/clevelandhts/latest/clevelandhts_oh/0-0-0-13983#JD_Part11T.7

1. Provide a brief narrative describing your use, including detail 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.

"The Pinnacle " is a 4-story, 52-unit multifamily project located at 2228 Noble Rd., Cleveland Heights, OH. This is an affordable housing project that was granted tax credits from the Ohio Housing and Finance Agency in order to build. The building has a mix of one, two, and three bedroom units. The interior of the building will also have an internet café solely for residents, a community room solely for residents, and an approximately 1000 sf retail/commercial space on the first floor facing Noble Rd. This will be the first LIHTC new construction project ever developed in the City of Cleveland Heights. The project will create approximately 200 temporary jobs during construction, and two permanent jobs once the project is built. Those two jobs will be a full time property manager and full time maintenance technician. Once the retail space is occupied, this will create approximately 15-20 jobs based on use of the space. The number of residents in the building will be a minimum of 89 and a maximum of 178 per the occupancy of OHFA.

2. The conditional the use will be in general accord with the purpose, intent, and basic planning objectives of the Zoning Code, and with objectives for the district in which it would be located. Describe how your use would be viewed by each of the following general standards for conditional uses (a through j).

- a. 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.

Only using part of the first floor, rather than the entire first floor as commercial will not be detrimental for the general welfare of the community, but rather will be beneficial to both the project and the surrounding neighborhood. This site is small and irregularly shaped. While its frontage faces Noble, a major road, every other side of the building faces either commercial or residential. If the entire first floor of the building was commercial, it would cause significantly more noise and traffic. In addition, the only portion of the building where you can actually market your business is being on the frontage of Noble. If your business was on the sides or the back of the building, it would be extremely difficult for people to determine your business even existed there.

- b. 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.

The site will be designed, constructed, and operated in a way that it will not change the character of the area. Noble is the main thoroughfare in this area, while the adjacent roads of Selwyn and Woodview are primarily residential. It would only make sense that if commercial is included in the building, it should be on the side of Noble, because that is really the only commercial portion of the neighborhood. Abutting commercial up to residential would be detrimental to the neighborhood as it does not create harmony between uses.

- c. 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.

Noble Rd. has a significant amount of commercial uses on it, and the neighborhood intends for that to only grow. Immediately behind the building becomes primarily residential. Allowing this conditional use permit will actually benefit, rather than injure the use and enjoyment of other property. Single family homes adjacent and on the south end of the building could be detrimentally affected by having commercial use next to them, which might affect property values. Noble Rd. should remain the focus of the commercial component.

- d. 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 conditional use will not impede the normal and orderly development of surrounding property uses. This site is currently vacant. We are requesting there to be only commercial fronting Noble, so the intent would actually be to maintain normal and orderly development. This is the current intent of the zoning code and future land use as well.

- e. Adequate utilities, access roads, drainage, and necessary facilities have been or are being provided.

All utilities are available to the site. TWG has developed a bioswale on site that will provide for drainage, and be done so in an attractive manner.

- f. Adequate measures have been or will be taken to provide ingress and egress designed as to minimize traffic congestion in the public streets.

The property was redesigned from its initial state to provide an improved opportunity for ingress and egress. There are two points of entry, with one being off Noble Rd. and the other being off Woodview Rd., which will minimize congestion on public streets by having two points of access.

- g. The establishment of the conditional use will 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.

Allowing this conditional use will not provide any cost for public facilities. Rather, this conditional use will benefit the facilities of Cleveland Heights by adding to the tax base.

- h. 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.

There will be no future hardship caused by the conditional use permit. Causing commercial space to border single family residential uses is incompatible with the neighborhood. Commercial use against Noble, and Noble only, is compatible.

- i. 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 of the Zoning Code.

This conditional use will conform to these regulations in all other respects.

- j. That the conditional use shall, in all other aspects, 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 of the Zoning Code.

The conditional use will conform to these regulations in all other respects.