



SHAKER HEIGHTS

Board of Zoning Appeals & City Planning Commission Agenda City Hall Council Chambers Tuesday, March 3, 2026, 7:00 p.m.

Join the Zoom meeting from a PC, Mac, iPad, iPhone or Android device. Join online to listen and watch at <https://zoom.us/j/99656786876?pwd=OU53V016QnNpeVFYR1k0aHQxc0pMQT09>, Password: 33553400; or join by phone to listen at 833-548-0282 (toll free); Webinar ID: 996 5678 6876, Password: 33553400.

Closed captioning is available but Zoom attendees [must turn on this feature](#) in their Zoom settings.

Public comment will be taken during the meeting and residents may submit comments/questions regarding items on the agenda at least 6 hours in advance of the meeting by emailing Daniel Feinstein at daniel.feinstein@shakerheightsoh.gov; or by calling (216) 491-1435. Any comments or questions received before the meeting will be entered into the record at the meeting. The audio of the meeting will be available on the City's [website](#).

This meeting will be held in-person at City Hall, Council Chambers, with an option to attend virtually, pursuant to Chapters 113 and 115 of the Codified Ordinances and Resolution 22-29.

1. Roll Call.
2. Approval of Minutes from the February 3, 2026 meeting.

ZON26-000005. ELITE HOME HEALTH ADULT DAY SUPPORT – 3649 LEE ROAD:

Public Hearing on the request of Amy Williams, Elite Home Health Services LLC, 3649 Lee Road, to the City Planning Commission for a conditional use permit for an adult day care center. The applicant proposes to establish an adult day support facility in the first floor of this building on Lee Road. They propose to add the adult day services as wrap around services as part of their existing home health care business. The adult day services would use 1,460 square feet of first floor space for up to 20 senior adults daily, from 8:00 a.m. to 2:30 p.m. Monday through Friday. Six staff members will operate the facility, which will provide pick-up and drop-off service using two vans. Council confirmation is required for a conditional use permit.

Documents:

[ZON26-000005 3649 LEE - ADULT DAY CARE APPLICATION DOCUMENTS.PDF](#)

ZONING ORDINANCE AMENDMENTS – I INSTITUTIONAL ZONING DISTRICT TEXT:

Public Hearing on the request of the City of Shaker Heights, 3400 Lee Road, to the City Planning Commission for amendments to the zoning ordinance text. Proposed amendments include text changes to regulations for school outdoor recreation facilities.

Changes are proposed to Chapter 1211 Definitions, Chapter 1240 Institutional zoning district, and to Chapter 1263 Conditional Uses. It is proposed that a conditional use permit be required for a school outdoor recreational facility in Chapter 1240 Institutional zoning district. Related development standards are proposed in Chapter 1263 Conditional Uses including not allowing outdoor lighting. Council action is required for amendments to the Zoning Ordinances.

Documents:

[OUTDOOR RECREATION FACILITIES - ZONING AMENDMENTS.PDF](#)

**ZONING ORDINANCE AMENDMENTS – CM COMMERCIAL MIXED USE DISTRICT
TEXT:**

Public Hearing on the request of the City of Shaker Heights, 3400 Lee Road, to the City Planning Commission for amendments to the zoning ordinance text. Proposed amendments include changes to regulations for building lot coverage. Changes are proposed to Chapter 1234.06 CM-1 Commercial Mixed-Use, Chapter 1235.05 CM-2 Commercial Mixed-Use; and Chapter 1236.05 CM-3 Commercial Mixed-Use. The proposed building lot coverage is a minimum 25 percent in the CM Commercial Mixed-Use zoning districts. Council action is required for amendments to the Zoning Ordinances.

Documents:

[LOT COVERAGE CM - ZONING AMENDMENT.PDF](#)

To request an accommodation for a person with disability, call the City's ADA Coordinator at 216-491-1440, or Ohio Relay Service at 711 for TTY users.



Add-on services to existing business

Elite Home Health Services LLC – Conditional Use – Adult Day Support (ADS)

3649 Lee Road
Shaker Heights, Ohio 44120
Parcel: 73527006

Applicant:
Amy Williams MBA

Business Plan of Operation

1. Use Description

Elite Home Health Services LLC proposes to operate an Adult Day Support (ADS) program serving individuals with Developmental Disabilities. The program is designed to promote independence, enhance daily living skills, encourage social interaction, and improve overall quality of life while offering families peace of mind during daytime hours.

2. Days and Hours of Operation

- **Days:** Monday through Friday
- **Hours:** 8:00 AM to 2:30 PM
- **Drop-Off Window:** 7:30 AM -8:15 AM
- **Pick-Up Window:** 2:00 PM -2:30 PM

3. Staffing and Clients

- **Employees:** 6 staff (including a Director, 1 Direct Support Professional (DSP) Lead, 4 Direct Support Professionals)
- **Clients:** Up to 20 individuals at full capacity, with staggered attendance based on the Individuals Service Plan (ISP) scheduling

4. Transportation and Safety

- Transportation will be provided by agency operated vans, compliant with all Non-Medical Transportation (NMT) requirements.



- A dedicated **drop-off/van parking zone** will ensure separation of pedestrian and vehicular traffic and support safe client transition.

5. Pick-up and Drop-off Procedures

- Vans and parent vehicles will enter from Lee Road and pull into a parking space. A staff member will assist with escorting the client into the building.
 - Clients will never be left unsupervised during arrival and departure.
-

Site Plan and Floor Plan

Exterior Site Plan

- Property Address: 3649 Lee Road Down Shaker Heights, OH 44120
- Zoned C3 Business Commercial District (permitted with conditional use)
- Proposed layout includes:
 - 8 standard parking spots
 - Van designated drop-off location
 - Exterior lighting for evening safety

Interior Floor Plan Square Footage

- First floor – 1,460 sq ft
- Second Floor – 1,460 sq ft
- Basement – 1, 460 sq ft

The first floor will be utilized for the Adult Day Support (ADS). The space will include:

- Activity Room
- Quiet Room/Meeting Room (when applicable)
- Full ADA compliant restroom
- Storage closet

Elite Home Health Services LLC

3649 Lee Road
Shaker Heights, Ohio 44120

February 16, 2026

To: Zoning Administrator
City of Shaker Heights
Planning and Development Department
3400 Lee Road
Shaker Heights, OH 44120

Subject: Add-on services to existing business (Adult Day Support)

Dear Zoning Administrator,

Elite Home Health Services LLC respectfully submits this request to add-on services to the existing business Elite Home Health Services LLC. We would like to operate an Adult Day Support (ADS) center at 3649 Lee Road, located within the C3 Business Commercial District. Elite Home Health Services LLC has been in business for several years, and within the last year we obtained our certification to become a certified provider with the Department of Developmental Disabilities (DODD). We are proud to provide dependable, community-based services that empower and support individuals with developmental disabilities. Being able to provide services in the community where I was born and raised is near and dear to my heart. I have two brothers who are developmentally disabled and one of them was the first to attend Mercer Elementary when the special needs program was first implemented in the Shaker School District. I have firsthand experience in working with individuals with developmental disabilities and I want to continue to build a community that is inclusive of supporting and helping individuals that want to be included.

Proposed Summary

Elite Home Health Services LLC is expanding its services to provide day supports to individuals with developmentally disabled. This add-on will allow individuals with developmental disabilities to feel included in a structured, supervised environment as well as out in the community. Having two brothers who are developmentally disabled, I know and understand what is needed to assist them with their day to day living needs and helping families have a peace of mind while they are away for the day.

Services provided will include life skills training, recreational engagement, and transportation to and from the facility. This site plan includes ADA-compliant access, appropriate drop-off zones, and safe transitions for both pedestrians and vehicles. All programming will be operational from 8:00 AM to 2:30 PM, under the supervision of certified staff.

Parking Variance

The parking variance has previously been approved for Superior Academy Training Center LLC. The vans used for dropping off and picking up will use the rear entrance of the building and park in the allotted spot(s) in the rear of the building. The building has eight (8) parking spaces allotted. Four in the rear of the building, and four in the front of the building. There is a public lot, south of our building that can be used for additional parking if necessary. We have also received approval from the owner of Kolorz Nail Salon located at 3669 Lee Road, stating that we can utilize some of their parking spaces if needed. The staff members that drive will park at the rear of the building or in the designated city lot. The front parking area will be designated for visitors. Some staff may choose to ride share or use public transportation to and from the building.

We believe that the parking arrangement will meet the operational needs of Elite Home Health Services LLC and the Adult Day Support.

How This Proposal Meets Conditional Use Standards (Section 1213.05.H)

1.Land Use Policy

The ADS center supports the City's vision for inclusive, community-centered services for individuals with disabilities. The proposed use supports Shaker Heights' land-use objectives by enhancing accessible, socially responsible programming within an existing commercial district.

2.Ordinance Purposes

The development is fully consistent with the spirit and intent of the zoning ordinance, as it promotes general welfare, provides safe and supervised environments for vulnerable populations, and maintains the commercial character of the district.

3. No Nuisance

The facility will not generate noise, smoke, odor, or lighting that constitutes a public nuisance. Transportation is coordinated to avoid congestion, and all outdoor areas will be appropriately screened.

4.No Undue Adverse Impact

We anticipate no negative impacts on adjacent properties.

5.No Interference with Surrounding Development

The site design ensures safety for vehicles and pedestrians. Parking and drop-off procedures are structured to maintain existing patterns.

6.Adequate Public Facilities

The site has access to all necessary utilities and public services and is easily accessible by emergency vehicles.

7.No Traffic Congestion

Drop-off and pick-up procedures will use designated spaces, and staff will be trained to ensure safe, efficient transitions. Client transportation will occur only during scheduled windows, minimizing traffic impacts on the roadway.

8.No Destruction of Significant Features

No new construction, or major renovations are planned. The property will remain in its current condition.

9.Compliance with Standards

The proposal strictly adheres to all state licensing requirements and City zoning regulations, including Section 263.07 for Adult Day Care Centers and Section 1233.13 for site planning in C3 districts.

We're thrilled to expand our services and bring high-quality, person-centered programming to Shaker Heights – promoting community inclusion and empowering individuals with developmental disabilities.

Thank you for your time and consideration. Please feel free to contact me for any additional information or questions.

Respectfully,

Amy Williams, MBA
Owner
Elite Home Health Services LLC

 An official website of the Cuyahoga County government. Here's how you know



CUYAHOGA COUNTY, *Ohio*
MyPlace

Search

City Shaker Heights

Search By



Owner



Parcel



Address

73527006



Search Results

PROPERTY DATA

General Information

Transfers

Values

Land

Building Information

Building Sketch

Other Improvements

Permits

Property Summary Report

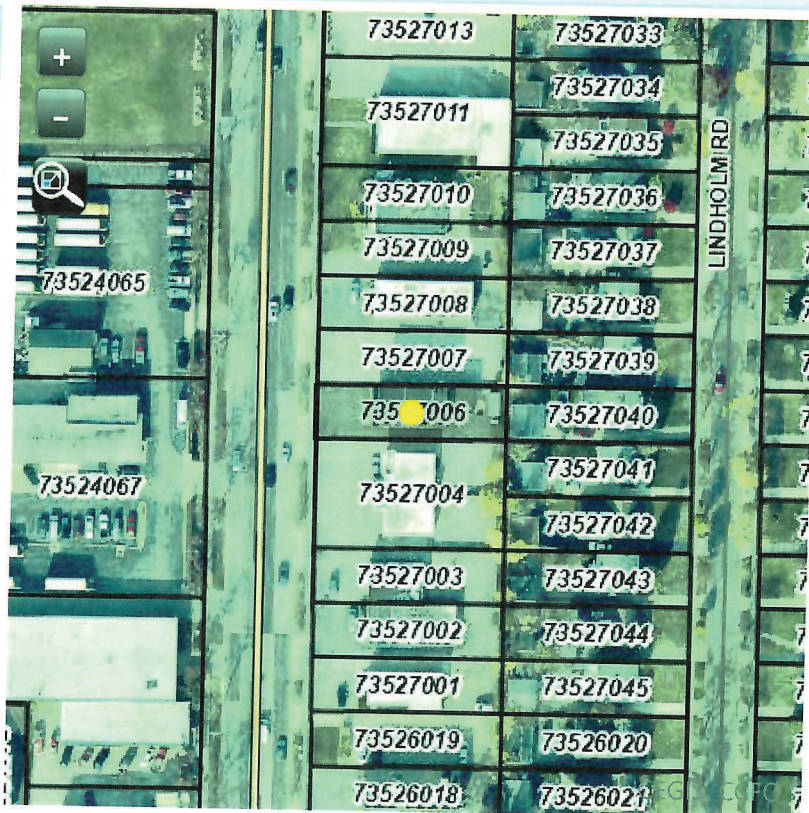
TAXES

Tax By Year

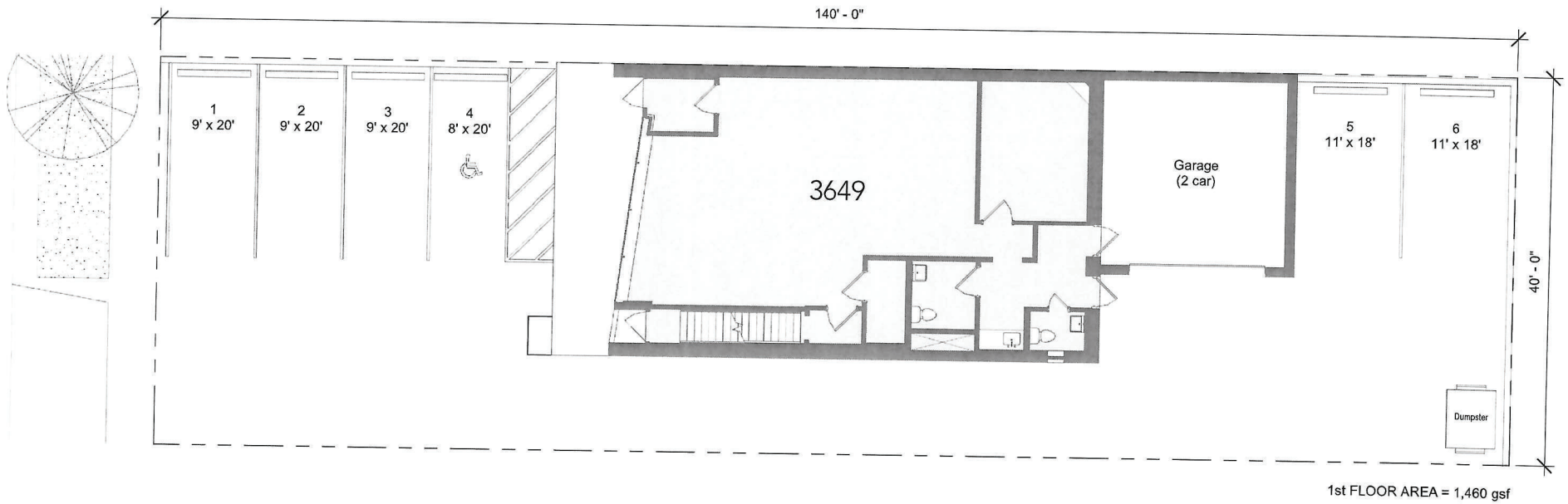
Pay Your Taxes Online

LEGAL RECORDINGS

Get a Document List



LEE ROAD



1st FLOOR AREA = 1,460 gsf

Elitus Property Holdings

CONCEPT DESIGN

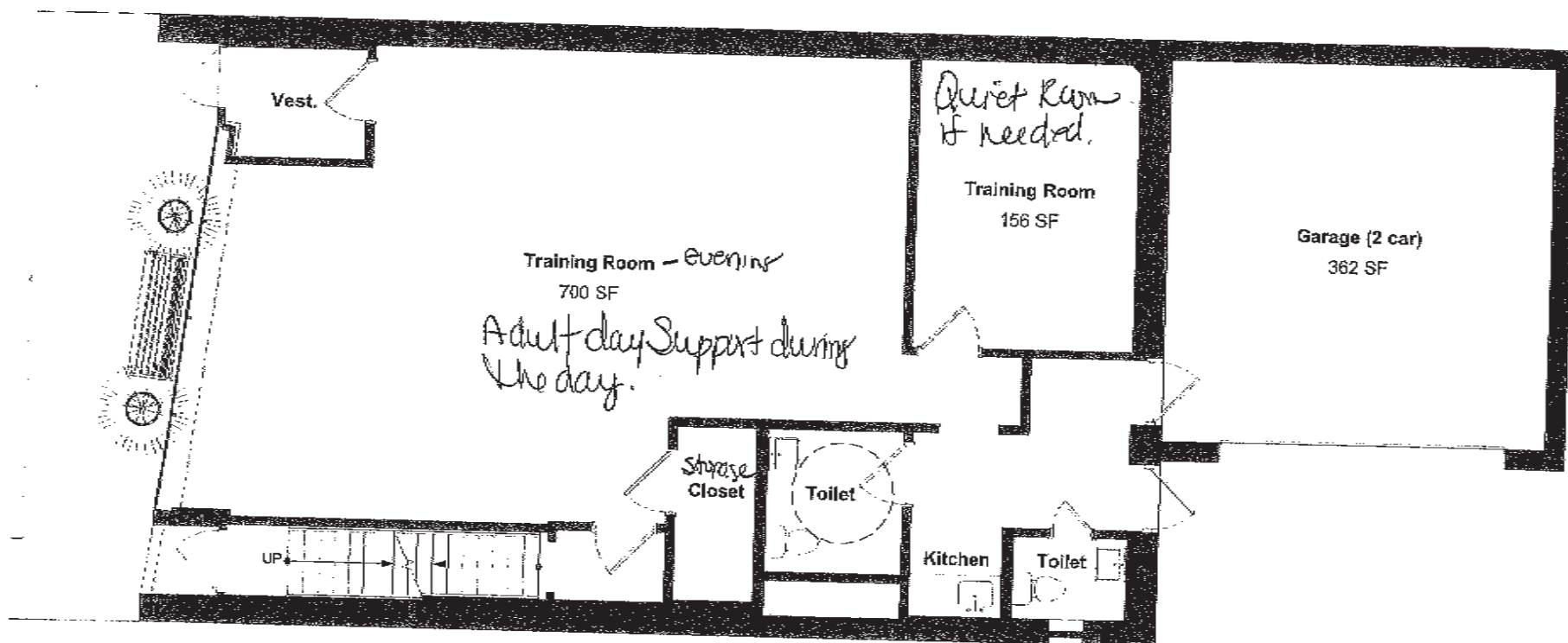
3649 Lee Road, Shaker Heights, OH

Site Plan

SCALE: 3/32" = 1'-0"

DS5 | Feb. 11, 2025
© 2025 GIBBON ARCHITECTURE





Elitus Property Holdings
CONCEPT DESIGN

419 Lee Road, Shaker Heights, OH

First Floor Plan

SCALE: 3/16" = 1'-0"

DS4 | Feb. 11, 2025
© 2025 GIBBON ARCHITECTURE

GIBBON
ARCHITECTURE



Google

Kirk Franklin Radio - Now X | Inbox (10) - amyllynne69@gmail.com X | (216) Roundcube Webmail: X | 3649 lee rd, shaker heights, oh X | 3649 Lee Rd, Shaker Heights, OH X +

homes.com/property/3649-lee-rd-shaker-heights-oh/e5j8w8rp1139n/

3649 Lee Rd
\$235,893 • 0 Bed • 0 Bath • 3,000 Sq Ft

Map Street View

City Parking Lot

1 2 4 5

Google

Search

Keyboard shortcuts © 2025 Google Terms Report a problem

29°F Cloudy 2:12 PM



PROPOSED AMENDMENTS TO ZONING CODE – SCHOOL OUTDOOR RECREATION FACILITIES

1211.02 DEFINITIONS.

Athletic Fields An outdoor area designed, constructed, and maintained for organized or informal athletic, physical education, or recreational activities, including but not limited to soccer, football, baseball, softball, lacrosse, track and field, and similar uses, which may include natural or synthetic turf, associated drainage and grading improvements, and accessory features customarily incidental to the use, such as goals, backstops, bleachers, scoreboards, and fencing, subject to applicable zoning standards.

Courts, Outdoor Outdoor, improved playing surfaces specifically designed and dimensioned for court-based recreational or athletic activities, including but not limited to basketball, tennis, pickleball, volleyball, and similar uses. Outdoor Courts may include paving or surfacing, striping, nets, goals, fencing, lighting, seating, and related appurtenances customarily incidental to the use.

Organized or Scheduled Sports or Recreational Activities Sports or recreational activities that are planned, scheduled, supervised, or coordinated in advance, including practices, games, leagues, tournaments, classes, or similar events, whether or not a fee is charged, and whether conducted by a school, governmental entity, nonprofit organization, or private party.

Outdoor Amenities, Incidental Outdoor features and improvements that are accessory to and customarily incidental to a principal use, intended to serve occupants or users of the site, and not designed or intended as a primary recreational, assembly, or event space. Incidental Outdoor Amenities may include, but are not limited to, seating areas, picnic tables, patios, courtyards, plazas, walkways, bicycle racks, landscaping features, shade structures, and similar site furnishings, but do not include athletic fields, playgrounds, recess areas, or other facilities designed for organized or intensive outdoor activity.

Outdoor Recreation Facilities Outdoor areas or improvements designed, constructed, or equipped for recreational or athletic activities conducted outdoors, including athletic fields, tracks, outdoor courts, playgrounds, recess areas, and similar facilities, whether used for organized or informal activities; which may include seating, fencing, surfacing, restrooms, and other accessory features customarily incidental to the use if permitted herein; but not including School Outdoor Recreation Facilities.

Playground An outdoor area designed and equipped primarily for informal play and physical activity, typically intended for children, and featuring fixed or semi-permanent play equipment, such as slides, swings, climbing structures, and similar apparatus, which may include protective surfacing, seating, shade structures, and fencing customarily incidental to the use.

Recess Area An outdoor area located on a school site and used primarily for unstructured, non-organized play by students during the school day, which may include open lawn areas, paved play surfaces, playground equipment, and similar features, but does not include athletic fields, courts, or facilities designed for organized competitive sports.

School Outdoor Recreation Facilities Outdoor athletic fields, outdoor courts, tracks, and similar facilities operated by or in connection with a public or private school and designed for organized or scheduled sports or recreational activities, including practices, competitions, and events, but not including playgrounds, recess areas, or incidental outdoor amenities not intended for organized athletic use.

1240.04 CONDITIONAL USES.

Conditional Uses are those uses having some special impact or uniqueness that require a careful review of their location, design, configuration, and special impact to determine the desirability of permitting their establishment on any given site. Permits for Conditional Uses may be granted pursuant to the requirements of Section 1213.05, Conditional Uses. General standards for conditional use permits are found in Section 1213.05.H, Standards for Conditional Use Permits. Standards for specific conditional uses may be found in Chapter 1263, Conditional Uses, or elsewhere as referenced herein.

A. In order to promote preservation and reuse, the following may be permitted only as Conditional Uses in existing buildings and grounds in the I Institutional District. Modifications and alterations of existing buildings in preparation for their reuse shall require review by the City Planning Commission pursuant to Section 1240.02, Reuse of Buildings.

1. Assembly Halls.
2. Assisted Living Facilities, pursuant to Section 1263.03.
3. Colleges and universities.
4. Convalescent, Nursing or Rest Homes, pursuant to Section 1263.04.
5. Day Care Centers, Adult, pursuant to Section 1263.06.
6. Day Care Centers, Child, pursuant to Section 1263.07.
7. Day care centers and schools operated as a part of a Place of Worship, pursuant to Section 1263.09.
8. Dwelling units, multiple-family of three (3) or more.
9. Government buildings, and administrative offices.
10. Planned Unit Developments, pursuant to Section 1213.09, Planned Development Review and Chapter 1242, Planned Unit Development Overlay District.
11. Offices.
12. School Outdoor Recreation Facilities, pursuant to Section 1263.21.
- ~~13.~~ Shelters, emergency.
- ~~143.~~ Similar uses approved by the City Planning Commission and the City Council, pursuant to Section 1213.05.D.2.
- ~~154.~~ Theatres.

B. Recognizing that some uses may not fit into the existing structures or may require additions, alterations or new construction but may be compatible with the surrounding neighborhood, the following uses may be permitted as a conditional use. These uses require stringent review by the City Planning Commission and City Council. Only after thorough review will building adaptations or new construction be considered.

1. Band Shells and amphitheaters, pursuant to Section 1263.05.
2. Fire and police stations, pursuant to Section 1263.11.
3. Recreational facilities, indoor or outdoor, public or private.
4. Similar uses approved by the City Planning Commission and the City Council, pursuant to Section 1213.05.D.2.

PROPOSED AMENDMENTS TO ZONING CODE – SCHOOL OUTDOOR RECREATION FACILITIES

1263.19 SCHOOLS, PRIMARY AND SECONDARY, PRIVATE.

A. General Requirements. The following conditions shall apply to Private Primary or Secondary Schools:

1. A master plan for long-range development shall be submitted.
2. Any proposed addition or new construction shall conform to the development standards required for principal uses within the district.

B. Accessory Uses and Structures.

1. Recreational structures.
2. Community recreational and meeting facilities.
3. Day care centers operated by the school, pursuant to Section 1263.08, Child Day Care Centers.

C. Hours of Operation.

1. Outdoor group activities shall not be allowed after ten (10) p.m.
2. The facility may not be used as a regular overnight domicile or shelter. This provision does not limit the school from being used for overnight retreats or events for school members and guests.
3. No lighted outdoor recreation facilities shall be allowed unless approved as a conditional use in accordance with Section 1263.21.

D. Minimum Lot Area. The minimum lot area for Private Schools shall be one (1) acre.

E. Minimum Lot Width. The minimum lot width requirement for Private Schools shall be one hundred and twenty (120) feet.

F. Minimum Yards.

1. **Front Yards.** The minimum front yard for Private Schools shall be regulated by the setback building line established by the zoning map.
2. **Side and Rear Yards.** Side and rear landscaped yards of no less than twenty-five (25) feet shall be provided. Where abutting residential districts, such uses shall be buffered with landscaping pursuant to Section 1253.09, Landscape Buffers and Screening , as applicable.

G. Parking. Off-street parking for Private Schools shall be located either in the side or rear yard behind the required building setback line, and shall be landscaped pursuant to Chapter 1253, Landscape and Screening Requirements.

1263.20 SCHOOLS, SPECIALIZED INSTRUCTIONAL.

Specialized Instructional Schools include but are not limited to places for the teaching of art, music, and dance lessons technical or vocational schools, and facilities which hold lessons for athletic pursuits such as swimming or riding.

A. Hours of Operation.

1. Outdoor group activities shall not be allowed after ten (10) p.m.
2. The facility may not be used as a regular overnight domicile or shelter. This provision does not limit the school from being used for overnight retreats or events for school members and guests.
3. No lighted school outdoor recreation facilities shall be allowed unless approved as a conditional use in accordance with Section 1263.21.

- B. **Schools with Outdoor Facilities.** Schools with outdoor facilities shall conform to the following:
1. **Minimum Lot Area.** The minimum lot area for Specialized Instructional Schools shall be one (1) acre.
 2. **Minimum Lot Width.** The minimum lot width requirement for Specialized Instructional Schools shall be one hundred and twenty (120) feet.
 3. **Minimum Yards.**
 - a. **Front Yards.** The minimum front yard for Specialized Instructional Schools shall be regulated by the setback building line established by the zoning map.
 - b. **Side and Rear Yards.** Side and Rear landscaped yards of no less than twenty-five (25) feet shall be provided.

1263.21 SCHOOL OUTDOOR RECREATION FACILITIES.

School Outdoor Recreation Facilities may be granted a Conditional Use Permit only in the I Institutional District when determined to be in compliance with all of the following:

- A. No activities shall take place before 8:00 a.m. or after 10:00 p.m. each day seven days per week.
- B. A traffic and parking plan shall be submitted demonstrating that on-site and off-site impacts will be adequately addressed and traffic adequately and safely accommodated.
- C. A landscape, buffer, and screening plan shall be submitted and approved to mitigate visual, and noise impacts on adjacent properties.
- D. No lighted School Outdoor Recreational Facilities shall be allowed.

~~1263.21~~ **1263.22 SELF STORAGE FACILITY.**

Self Storage Facilities may be granted a Conditional Use Permit only in the C3 District when found to be in compliance with the following:

- A. The minimum area of a zoning lot shall be three (3) acres and the minimum lot width at the right-of-way line of the principal street shall be a minimum of 170 feet.
- B. The total maximum surface coverage of all above grade structures on a lot shall not exceed sixty-five (65) percent of the lot area.
- C. No door openings shall face any residential zoning district unless screened by an additional building or a masonry wall.
- D. In lieu of the required minimum six (6) ft. high masonry wall required by Section 1233.07B.3., buildings that are equal to or less than twelve (12) feet in height may be placed no closer than ten (10) feet from a residential district property line, and may be placed on a property line adjacent to a non-residential zoning district, provided that:
 1. The wall facing the adjacent property line is a solid wall made of a material approved by the Planning Commission and Architectural Board of Review, as applicable;
 2. No equipment of any kind is placed on the roof;
 3. The roof and therefore related drainage slopes away from the adjacent property line;
 4. New landscaping is placed on the outside of the wall as approved by the Planning Commission.
- E. The following uses are prohibited and shall be included in leases for all self-storage units:
 1. The storage of flammable liquids or radioactive, highly combustible, explosive or hazardous materials.

PROPOSED AMENDMENTS TO ZONING CODE – SCHOOL OUTDOOR RECREATION FACILITIES

2. The use of property for such activities as the sale, repair, fabrication, or servicing of goods, motor vehicles, appliances, equipment, or materials stored in or brought to the self-storage units.
3. No one shall be permitted to reside in storage areas or inside storage units.

F. The Fire Department shall be provided with 24-hour access to the grounds. A knox box shall be provided for its use.

G. The maximum size of individual storage compartments shall be 600 square feet.

H. Outside storage is strictly prohibited, and all storage shall be within a completely enclosed building.

I. The parking requirement for Self Storage Facilities shall be equal to no more than 1 parking space per 15,000 square feet of gross floor area of self-storage, and shall otherwise be in compliance with all other design standards for parking spaces as required in the Code, including standards for any retail space included in the use.

J. Accessory uses of Self Storage Facilities may include the following in addition to the accessory uses in Section 1233.04: (1) sell merchandise ancillary to their business (such as moving supplies, locks, etc.), (2) to rent or lease moving trucks and (3) establish satellite United States Postal Services or other consumer mail shipping/receiving services (UPS, Fed-Ex, etc.) within such facilities.

K. A demonstrated means of security and management shall be provided.

L. No nuisance shall be created in terms of their smell, noise, or any other reason, and shall comply with the applicable Codes of the City of Shaker Heights, and shall be further regulated pursuant to Section 1260.06, Environmental Performance Standards, of this Zoning Ordinance.

1263.221263.23 SMALL LOT INFILL DEVELOPMENTS.

A Small Lot Infill Development may be granted a Conditional Use Permit in a TF Two-Family District where a Small Lot Infill Development Overlay District has been established, pursuant to Chapter 1244, Small Lot Infill Development Overlay District, and Section 1213.09, Planned Development Review.

1263.231263.24 SMOKE SHOPS.

The following conditions shall apply to smoke shops when approved as a conditional use:

A. No smoke shop shall be located within 1,500 feet of another smoke shop, measured in a straight line from property line to property line.

B. No smoke shop shall be located within 500 feet of a school, university, child day care, library, or a place of worship.

1263.241263.25 STUDENT HOUSING, OFF-CAMPUS.

Student housing represents a unique residential type differing in essential characteristics from the City's residential classifications, districts and residential regulations.

A. General Requirements. The following conditions shall apply to off-campus student housing.

1. The property shall be owned or leased by a college or university that conducts a full-time program of

primarily in-person educational instruction, or by an entity affiliated with such institution.

2. The college or university associated with the off-campus student housing shall submit a campus master plan (CMP) for review by the City Planning Commission.
3. The Commission shall review the CMP and other documentation submitted by the institution as part of the Commission's determination of the applicant institution's compliance with the requirements for off-campus student housing set forth in this Section. As part of that determination, the Commission shall consider the location and occupancy of off-campus housing owned and/or operated by the institution, the demand for off-campus housing and parking, the measures the institution will take to ensure that off-campus housing construction and/or conversion maintains the character of the surrounding neighborhood, and the measures the institution will take to assist affected residents.

B. Occupancy and Duration of Occupancy.

1. Occupancy in an off-campus student housing facility shall be limited to students and a student's immediate family members, and persons employed by the associated college or university.
2. If it complies with the minimum area per dwelling unit required pursuant to Section 1225.05.B., A Apartment District, Minimum Area Per Dwelling Unit, then it may be occupied by persons other than students and their dependents and college/university employees.

C. Location. An off-campus student housing facility shall be located on a lot not more than 500 feet from the boundary of the campus of the college or university to which it is associated. For purposes of this section, the distance measurement shall be taken between the nearest boundaries of the parcel on which the off-campus student housing facility is proposed and the nearest boundary of the parcel on which the campus is located.

D. Minimum Lot Requirements.

1. The minimum lot area for off-campus student housing shall be one (1) acre.
2. The minimum lot width requirement for off-campus student housing shall be one hundred (100) feet.

E. Minimum Unit Requirements.

1. The minimum gross floor area of a student housing unit, including closets, bathrooms, and like areas, shall be 400 square feet, but not less than 150 square feet per occupant. A maximum of four sleeping rooms shall be provided in a student housing unit.
2. Each student housing unit shall be provided with a minimum of one bathroom for every four beds.
3. The number of sleeping rooms, the number of beds, the square feet per sleeping room, and the square feet per student housing unit shall be depicted on a floor plan.
4. No unit in a building approved for off-campus student

PROPOSED AMENDMENTS TO ZONING CODE – SCHOOL OUTDOOR RECREATION FACILITIES

housing shall be advertised as a market-rate apartment and/or occupied or intended to be occupied by persons other than students, faculty or residential assistants unless the unit complies with the minimum area per dwelling unit required pursuant to Section 1225.05.B, A Apartment District, Minimum Area Per Dwelling Unit.

F. Site Design.

1. The location and configuration of, and manner of operating off-street parking areas, service areas, circulation systems, entrances, exits, lighting, or similar areas shall be designed to avoid adverse effects on residential uses adjoining the development.
2. Exterior site plans shall include adequate lighting, sidewalks, and drop-off zones and shall provide for the separation of vehicular and pedestrian traffic and otherwise comply with other standards for site plan review and zoning district standards.

G. No Nuisance. Such uses shall not create a nuisance in terms of their smell, noise, or any other reason, shall comply with the applicable Codes of the City of Shaker Heights, and shall be further regulated pursuant to Section 1260.06, Environmental Performance Standards, of this Zoning Ordinance.

H. Required Documentation. No conditional use permit shall be issued to create an off-campus student housing facility unless documentation indicating proof of ownership or control has been submitted to the City, and copies of documents demonstrating that the owner or lessee of the building is an educational institution that provides a course of study that meets the requirements of A.1. of this section, or is an entity affiliated with such institution.

I. Effect on Other Codes. The designation of a building or a part of a building as off-campus student housing shall not by itself be determinative as to the occupancy, construction, or multiple dwelling classifications as determined pursuant to the Building Code, Housing Code or other codes of the City.

~~1263.25~~**1263.26** WINE BARS, BREW PUBS, AND COCKTAIL BARS.

Wine bars, brew pubs, and cocktail bars may be approved as a condition use in the CM-1, District. The following conditions shall apply to wine bars, brew pubs, and cocktail bars when approved as a conditional use:

- A. A security plan shall be established and complied with at all times.
- B. Remain free from a pattern of criminal activity or other public nuisance, including but not limited to charges under the Criminal Activity Ordinance Chapter 109.

~~1263.26~~**1263.27** WORK/LIVE UNITS.

The following conditions shall apply to work/live units in a commercial building when approved as a conditional use.

- A. The exterior appearance of the commercial structure shall be compatible with adjacent nonresidential uses.
- B. Work/live units located on the first floor of a commercial

building are subject to the development standards for first floor establishments as provided in this Zoning Ordinance.

C. When a work/live unit is located on the first floor of a commercial building, a minimum of 80% of the linear first floor façade of the work/live unit shall be occupied by the nonresidential use.

D. For new construction, where work/live units are permitted on the first floor, the first floor space shall have a minimum floor to floor height of 10 feet.

E. Parking for work/live units of less than 2,000 square feet may be approved at one space per unit.

Chapter 1234 CM-1 Commercial Mixed Use

1234.06 LOT AND DENSITY REGULATIONS.

A. Minimum Lot Area. The minimum lot area shall be eight thousand five hundred (8,500) square feet.

B. Minimum Lot Width. The minimum lot width shall be fifty (50) feet.

C. Minimum Area Per Dwelling Unit. The minimum area per dwelling unit shall be regulated pursuant to Section 1225.05, A Apartment District, minimum area per dwelling unit.

D. Minimum Lot Coverage. A lot shall be developed with a minimum lot coverage of twenty-five percent (25%).

Chapter 1235 CM-2 Commercial Mixed Use

1235.05 LOT AND DENSITY REGULATIONS.

A. Minimum Lot Area. None.

B. Minimum Lot Width. The minimum lot width shall be forty (40) feet.

C. Minimum Lot Coverage. A lot shall be developed with a minimum lot coverage of twenty-five percent (25%).

Chapter 1236 CM-3 Commercial Mixed Use

1236.05 LOT AND DENSITY REGULATIONS.

A. Minimum Lot Area. 43,560 square feet.

B. Minimum Lot Width. The minimum lot width shall be one hundred (100) feet.

C. Minimum Lot Coverage. A lot shall be developed with a minimum lot coverage of twenty-five percent (25%).