



ALTA 3.0 & 3.1 ZONING DUE DILIGENCE

Planning & Zoning Report

Zoning classification, permitted uses, dimensional standards, parking, nonconforming status and conformance, certified to the parties you name.

PROPERTY

Euclid Avenue Mixed-Use Building
11470 Euclid Ave., Suite 402, Cleveland, Ohio
44106

PARCEL NUMBER

See Section 3.0

REPORT DATE

October 17, 2013

PREPARED FOR

**XYZ Lending and ABC LLP, To Be Formed
LLC**

REPORT NUMBER

ZW-1001

PREPARED BY

Jane Doe, AICP

ALTA 3.0 & 3.1 compliant

Accepted by Fannie Mae & Freddie Mac

\$3,000,000 GL & E&O

PREPARED BY

Jane Doe, AICP

Planning and Zoning Analyst

QUESTIONS OR REVISIONS

Contact your planning and zoning analyst

JaneDoe@zoningworx.com
(405) 928-9679 ext. 101

CONTENTS

1.0 Summary of Zoning Requirements

- 1.1 Property Address & Jurisdiction Information
- 1.2 Zoning Classification & Permitted Uses
- 1.3 Zoning & Building Violations
- 1.4 Special Permitting, Conditions, Variances & Ordinances
- 1.5 Existing Requirements and Conditions
- 1.6 Legal Conformance Statement
- 1.7 Property Condemnation
- 1.8 Historic Designation
- 1.9 Future Planning / Takings
- 1.10 Architectural Code Conformance (if available)
- 1.11 Sign Code Conformance (if available)
- 1.12 Environmental Setbacks (if available)
- 1.13 Landscaping Requirements (if available)
- 1.14 Final Conclusions
- 1.15 Property Zoning Summary & Comments
- 1.16 Sources

2.0 Reliance Letter / Rebuild Statement

3.0 Legal Description

4.0 Municipal Documents

5.0 Certificates of Occupancy

6.0 Zoning Ordinance / Land Development Code

7.0 Applicable Zoning District

8.0 Off-Street Parking Requirements

9.0 Provisions for Non-Compliance / Non-Conformities

10.0 Definitions

11.0 Zoning Map

12.0 Neighborhood Plan

SECTION 1.0

Summary of Zoning Requirements

Findings from the municipality, the county and the survey of record.

1.1 Property Address & Jurisdiction Information

PROPERTY ADDRESS	11470 Euclid Ave., Suite 402, Cleveland, Ohio 44106
PROPERTY SIZE	2,628 Sq. Ft. / 0.060 Acres
COUNTY	Cuyahoga County, OH
JURISDICTION	City of Cleveland, OH (Incorporated)

SOURCE Mr. Micah Stryker, AICP, Planner, Cuyahoga County Planning Commission & Mr. Freddy Collier, Director, City of Cleveland Planning Commission

1.2 Zoning Classification & Permitted Uses

ZONING CODE TYPE	Euclidean Zoning
CURRENT USE	Mixed Use: Office / Apartments / Retail PERMITTED
ZONING CLASSIFICATION	GR-K4 (General Retail Business)
FUTURE USE OF PROPERTY	N/A; the property is remaining mixed use: Office / Apartments / Retail

ADJACENT PROPERTY ZONING CLASSIFICATION

NORTH	GR-E3 (General Retail Business)
EAST	GR-K4 (General Retail Business)
SOUTH	GR-K4 (General Retail Business)
WEST	GR-K5 (General Retail Business)

SOURCE Mr. Micah Stryker, AICP, Planner, Cuyahoga County Planning Commission & Mr. Freddy Collier, Director, City of Cleveland Planning Commission

1.3 Zoning & Building Violations

There are currently no open code violations for this property.

1.4 Special Permitting, Conditions, Variances & Ordinances

There are no special permits, conditions, variances or ordinances for this property.

SOURCE Mr. Micah Stryker, AICP, Planner, Cuyahoga County Planning Commission & Mr. Freddy Collier, Director, City of Cleveland Planning Commission

1.5 Existing Requirements and Conditions

STANDARD	EXISTING MUNICIPAL REQUIREMENTS	EXISTING PROPERTY CONDITIONS
BUILDING SETBACKS		
Front	10 Ft.	10 Ft.
Side(s)	0 Ft.	5 Ft.
Rear	0 Ft.	2 Ft.
LOT DIMENSIONS		
Minimum lot size	N/A; none required	2,628 Sq. Ft. / 0.060 Acres
Density	950 Sq. Ft. minimum floor area on every floor	1,489.38 Sq. Ft. per floor
Building height	260 Ft. (above grade)	50 Ft. / 5 stories
Parking	1 space per 500 Sq. Ft. 74,496 Sq. Ft. / 500 Sq. Ft. = 148.9, or 149 spaces	120 parking spaces
Landscaping	N/A; none required	10 Ft. buffer
Signs	25 Ft. maximum	15 Ft.
Accessory buildings	N/A; none required	N/A; none
Additional setbacks or requirements	10 Ft. front setback for retail patios	N/A; the property has no storefront patios

SOURCE Mr. Micah Stryker, AICP, Planner, Cuyahoga County Planning Commission & Mr. Freddy Collier, Director, City of Cleveland Planning Commission

1.6 Legal Conformance Statement

CONFORMANCE STATUS	Legal, pre-existing, non-conforming
NON-CONFORMING CHARACTERISTICS	The subject property does not meet current parking requirements. The property was built in 2008 and the current code was established in 2010, so the property is pre-existing and non-conforming to the current zoning code.

1.7 Property Condemnation

Currently, there are no plans for road construction that would result in condemnation or taking of the right-of-way from the subject property.

SOURCE Mr. Micah Stryker, AICP, Planner, Cuyahoga County Planning Commission & Mr. Freddy Collier, Director, City of Cleveland Planning Commission

1.8 Historic Designation

The property is not located in a historic district.

1.9 Future Planning / Takings

At this time, the municipality, county and state are not planning any road takings. The city plans to update its neighborhood plan in 2016. The new plan will be based on a form-based zoning code and will go into effect in 2020.

1.10 Architectural Code Conformance (if available)

The subject property is in current conformance with the city's architectural codes.

1.11 Sign Code Conformance (if available)

The current signs and monuments are in conformance with the municipal code.

1.12 Environmental Setbacks (if available)

The current site requires a 15 Ft. riparian setback. The subject property currently sits 12 Ft. from its riparian zone.

1.13 Landscaping Requirements (if available)

The subject property requires 2 trees and 3 shrubs in the front yard. The subject property does not currently meet these requirements.

SOURCE Mr. Micah Stryker, AICP, Planner, Cuyahoga County Planning Commission & Mr. Freddy Collier, Director, City of Cleveland Planning Commission

1.14 Final Conclusions

CONFORMANCE STATUS	Legal, pre-existing, non-conforming
NON-CONFORMANCE CHARACTERISTICS	The subject property does not meet the off-street parking, riparian setback and landscaping requirements.
RECOMMENDED ACTION	Restripe the parking lot to provide the required number of parking spaces.

REBUILDABILITY CLAUSE

If more than 50% of the property is destroyed by an act of God, it could be rebuilt to the pre-existing requirements. No additions or physical building alterations are allowed.

1.15 Property Zoning Summary & Comments

The subject property is located at 11470 Euclid Ave. in Cleveland, OH. The structure on site was built within the last 10 years. The subject property does not conform with the current regulations; however, it does conform with the prior regulations and requirements. Therefore, the subject property can continue to exist in its current state in this zoning district. We recommend a new zoning analysis after the new zoning code goes into effect in 2020.

1.16 Sources

MUNICIPAL AND GOVERNMENT JURISDICTIONAL SOURCES	ATTACHMENT SOURCES
Mr. Micah Stryker, AICP, Planner Cuyahoga County Planning Commission (216) 443-3700	Survey from Surveyworx, LLC 140-18 Burden Crescent, Suite 405 Briarwood, NY 11435
Mr. Freddy Collier, Director City of Cleveland Planning Commission (216) 664-2210	Job #1001-02 Surveyor: Joe Smith Date of survey: June 1, 2013

For purposes of this report, ZoningWorx has relied on information provided by the above sources.

This report was prepared by Jane Doe, AICP. If you have any questions, please contact Jane Doe directly at (405) 928-9679 ext. 101 or JaneDoe@zoningworx.com.

SECTION 2.0

Reliance Letter / Rebuild Statement

REFERENCE NUMBER #12345

October 17, 2013

XYZ Lending Corporation, as Administrative Agent
c/o ZoningWorx
11470 Euclid Ave.
Cleveland, OH 44106

RE: 11470 Euclid Ave., Cleveland, OH 44106

To whom it may concern:

This letter confirms that the property referenced above is zoned GR-K4 (General Retail Business). This zoning designation permits the use of the property as Mixed Use: Office / Apartments / Retail (Zoning Ordinance 53-12-03-1986). Permitted uses for the property are: drug stores, banks, gas stations, local retail, shopping centers, restaurants, offices and apartment dwellings.

Attached hereto are copies of the applicable zoning laws, ordinances, variances, resolutions, permits and regulations reflecting this designation. The property and the improvements located thereon, and the use thereof, comply with all prior such laws, ordinances, variances, resolutions and regulations, including without limitation those applicable to use, density, setbacks and parking. The subject property, however, does not conform to the riparian setback requirements, current landscaping requirements and parking requirements.

In the event of casualty, the property can be reconstructed to its current location, configuration and size.

Sincerely,

Jane Doe, AICP
Professional Certified Planner

If you have any questions at any time regarding this reliance letter, please contact us 24 hours a day at (405) 928-9679 or by email at help@zoningworx.com.



SECTION 3.0

Legal Description

The legal description of the subject property, from the survey or title commitment.

ATTACHMENT FOLLOWS



SECTION 4.0

Municipal Documents

Zoning verification, permits, approvals and other records obtained from the municipality.

ATTACHMENT FOLLOWS



SECTION 5.0

Certificates of Occupancy

Certificates of occupancy on file for the subject property.

ATTACHMENT FOLLOWS



SECTION 6.0

Zoning Ordinance / Land Development Code

Relevant excerpts of the jurisdiction's zoning ordinance or land development code.

ATTACHMENT FOLLOWS



SECTION 7.0

Applicable Zoning District

District regulations for the property's zoning classification.

ATTACHMENT FOLLOWS



SECTION 8.0

Off-Street Parking Requirements

Parking and loading regulations applied in this report.

ATTACHMENT FOLLOWS



SECTION 9.0

Provisions for Non-Compliance / Non-Conformities

Code provisions governing nonconforming uses, structures and lots.

ATTACHMENT FOLLOWS



SECTION 10.0

Definitions

Code definitions for the terms used in this report.

ATTACHMENT FOLLOWS



SECTION 11.0

Zoning Map

Zoning map showing the subject property and surrounding districts.

ATTACHMENT FOLLOWS



SECTION 12.0

Neighborhood Plan

Comprehensive or neighborhood plan excerpts covering the subject property.

ATTACHMENT FOLLOWS