

AKRON CITY PLANNING COMMISSION
MEETING OF JULY 10, 2026 - 9:00 A.M.
COUNCIL CHAMBERS, THIRD FLOOR, MUNICIPAL BUILDING, 166 S. HIGH STREET

(1) **CORRECTION** and **APPROVAL** of Minutes of June 15, 2026

(2) **PUBLIC HEARINGS:**

A. Approval of sales of property and/or development plans in Urban Renewal and Community Development projects and assorted matters necessary to promote the Urban Renewal and Community Development Plans.

(1) **No new business**

B. **PC-2026-27-T** – Text changes to amend the Zoning Code to define and regulate data centers

C. **PC-2026-18-CU** – Petition of Balbir Singh for a Conditional Use to establish an automobile service station at 944 Brown Street

D. **PC-2026-22-CU** – Petition of Gregory Jackson for a Conditional Use to maintain and store more than five vehicles at 1167 Eastland Avenue

E. **PC-2026-24-CU** – Petition of Speedway LLC for a Conditional Use to rebuild a gas station and convenience store at 2129 S. Main Street

(3) **UNFINISHED BUSINESS:**

A. **PC-2026-15-CU** – Petition of Ridha Taktouk for a Conditional Use to establish a locksmith and used auto sales business at the southwest corner of E. Tallmadge Avenue and Redstone Avenue

B. **PC-2026-20-T** – Text changes to regulate residential lot sizes and development standards

(4) **RENEWALS**

KJ/emd

MEMORANDUM

TO: AKRON CITY PLANNING COMMISSION **ITEM # 2B**
PC-2026-27-T

FROM: DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT

DATE: JULY 10, 2026

SUBJECT: PC-2026-27-T – Text changes to amend the Zoning Code to define and regulate data centers

COMMENTS:

The City of Akron is proposing to amend the Zoning Code to regulate “Data Centers” by defining and adding data centers to the list of uses requiring conditional use approval with specific development requirements.

Data centers have emerged as a key land use concern in many communities. Data centers can present unique challenges with potentially significant impacts on the electric grid, demand for public water, and high noise levels. However, the City recognizes that many businesses and institutions that are key to our local economy are also becoming increasingly reliant on off-site data storage and processing.

As is the case in many cities, Akron’s zoning code currently does not explicitly define or account for data centers. Up to now, data centers have been approved as industrial uses. However, it has become clear that the range of considerations and challenges that accompany the growth of data centers requires a more deliberate approach.

There are currently four data centers operating in the City of Akron. One of these data centers, in South Akron, has submitted plans for expansion of its existing facility. Those plans have received zoning certification because they were submitted prior to adoption of this text change. The developer has provided information on noise levels, water consumption, and electric consumption, similar to what would be required with this text change.

The proposed amendments to the zoning code would define Data Centers and add them to the list of uses requiring Conditional Use Approval. Additionally, any applicant requesting conditional use approval to construct a new data center, change the use of an existing property to a data center, or modify or expand an existing data center would be required to provide specific information that would allow the Planning Department, Planning Commission, and City Council to fully evaluate the proposal and any potential negative impacts that it may create.

The required information includes a study from the electric utility on projected electricity demand, projected water consumption, projected wastewater discharge to the City’s sewers, and a noise study. The Planning Department would also be able to engage a consultant at the applicant’s expense to assist with the evaluation of the proposal or any of the technical information submitted,

if necessary. This option to engage a consultant mirrors the existing zoning code's treatment of cell towers.

The proposal specifies additional criteria that the evaluation of any proposal for a data center should focus on. These include any negative impacts on the surrounding area, conformity of the proposal with the underlying zoning of the district where it would be located, conformity of the proposal with the City's comprehensive plan and other plans adopted by Council, impacts of the proposed data center on existing electricity customers, and impacts on public utilities.

Adopting these text changes will facilitate a thorough review of any future data center proposal, allow for the public to be informed about and comment on future proposals, and for specific measures to mitigate any negative impacts to be incorporated into a development proposal.

However, this text change is the beginning of this process of creating appropriate evaluation processes and regulations for data centers. Over the next six months, Planning and other departments will continue to examine this issue, how other municipalities are responding to data centers, and the best way to account for them within our zoning code and other approval processes. This ongoing process will allow us to bring further refinements of the zoning code to Planning Commission and Council that will incorporate best practices from around the country.

This future revision will ensure that we are accounting for the full range of impacts that data centers may have on our community and that we are gathering the appropriate information for any proposed data center in our city. This will also allow us to incorporate the right mitigation measures for data centers of different sizes and capacities. These could include specific development standards and landscaping requirements for data centers, noise thresholds, buffering from residences and other sensitive uses, limiting data centers to specific districts based on size or other factors, and energy and water efficiency requirements. This revision will also establish specific thresholds based on size of a proposed facility, electricity demand, and water consumption, and data centers that exceed those thresholds would not be permitted.

The Zoning Code is continuously updated to reflect new development practices and novel land uses and to promote public health, safety, comfort, convenience, prosperity, and general welfare. The Planning staff is of the option that the current proposed text change will ensure that data centers receive a higher level of scrutiny that is appropriate due to their potential negative effects on the community. Future text changes will incorporate additional mitigation measures and evaluation criteria, providing strong protections for the community.

Therefore, the following text changes to the Zoning Code are proposed:

The following will be added to 153.140 "Definitions," with all definitions renumbered accordingly:

34. "Data center." A facility used to house computer systems, servers, storage equipment, networking hardware, and related components, including electrical substations and backup power supplies, that support large-scale data processing, storage, management, or distribution , including buildings or structures designed or used primarily for digital information storage or processing, cloud computing operations, cryptocurrency mining

operations, artificial intelligence processing clusters, or similar high-intensity computing activities. A data processing and storage facility that is incidental and subordinate to a permitted principal use located on the same lot and used solely to support the principal use shall be considered an accessory use to that principal use.

Data centers will be added to 153.464 "Uses Permitted as conditional uses."

AA. Data centers.

The following will be added to 153.476 "Special standards applicable to specific conditional uses":

G. Data centers.

1. The following information shall be included with any application for conditional zoning to construct a new data center; alter, modify or expand an existing data center; change the use of a property to a data center; or make improvements to a site with a data center.
 - a. Detailed Load Study Report provided by the electric utility;
 - b. A Water Consumption and Quality Report signed and sealed by a third-party professional engineer. For water consumption, the Report shall include: proposed water source identification, including any municipal potable water supply, surface water withdrawals, reclaimed or recycled water, and any supplemental or emergency water sources; estimated average daily water demand; estimated peak daily water demand; estimated annual water consumption; seasonal variability in water use; and any water use efficiency measures. For water quality, the Report shall include: identification and description of stormwater capture and reuse plans and specifications; identification and description of leak detection, monitoring, and automated controls; blowdown volumes and frequency; temperature and quality characteristics of wastewater discharged to the City's sewers; and estimated average daily and peak daily volume of wastewater discharged to the City's sewers;
 - c. Detailed noise study performed by a third-party acoustic engineer showing the amount of noise to be produced by normal operations of the data center and when utilizing or testing backup power supply equipment;
 - d. Detailed description of backup power supply equipment, including proposed locations of the equipment, frequency of equipment testing, and air quality impacts;
 - e. Distances to nearby residential uses, districts that allow residential uses, or other sensitive uses, and any measures to mitigate impacts on these uses.

2. In addition to the general standards applicable to all conditional uses under Section 153.474, the Planning Staff, the City Planning Commission and City Council, when studying a petition for a conditional use, should focus on the following criteria:
 - a. Any negative impacts of the proposed use on the general welfare of the surrounding area;
 - b. Conformity of the proposed use with the underlying zoning regulations of the district in which it is located;
 - c. Conformity of the proposed use with the Land Use and Development Guide Plan or other plans adopted by Council;
 - d. Impacts of the proposed use on existing electricity customers;
 - e. Impacts of the proposed use on public utilities.
3. The City may hire any consultant and/or expert the City deems necessary to assist the City in reviewing and evaluating a petition for conditional use for any data center, including review prior to acceptance of a petition for conditional use to determine completeness of a proposed petition, and to review the construction and modification of the site, once permitted, and any site inspections.
 - a. In addition to the fee required by Section 153.468(H) of this zoning code, the petitioner shall deposit escrow funds with the City sufficient to reimburse the City for all costs of the City's consultant(s) and expert(s) in providing expert evaluation and consultation to the City in connection with the review of any petition for a data center submitted under this chapter. Such costs may include the pre-acceptance evaluation, the review of the petition, and the review of the construction and modification of the site, once permitted. The initial deposit shall be eight thousand five hundred dollars (\$8,500.00). If the petition is for a modification of an existing conditional use that does not include a substantial change to an existing conditional use as determined by the Director of Planning and Urban Development, the initial deposit shall be five thousand dollars (\$5,000.00). The placement of the funds with the City shall precede the City's acceptance of the petition. The City may make payments from the escrowed funds to the City's consultant(s) and/or expert(s) as services are provided and invoiced. If at any time during the process the balance of escrowed funds is less than two thousand five hundred dollars (\$2,500.00), the petitioner shall immediately, upon notification by the City, replenish said escrowed funds so that the escrow has a balance of at least five thousand dollars (\$5,000.00). Such additional escrow funds shall be deposited with the City before any further action or consideration is taken on the petition.

- b. In the event that the amount held in escrow by the City exceeds the actual cost of the City's consultant(s) and/or expert(s) at the conclusion of the project, the remaining balance excluding interest, if any, shall be refunded to the petitioner.
- c. The total amount of the funds required as set forth in subsection (a) of this section may vary with the scope and complexity of the project, the completeness of the petition and other information as may be needed to complete the necessary review, analysis and inspection of any construction or modification.

RECOMMENDATION:

The Planning Staff recommends **APPROVAL** of a text change to add data centers to the list of uses requiring conditional use approval, and to require submission of specific information with any request for conditional use approval to construct a new data center or improve an existing one.

KJ/emd

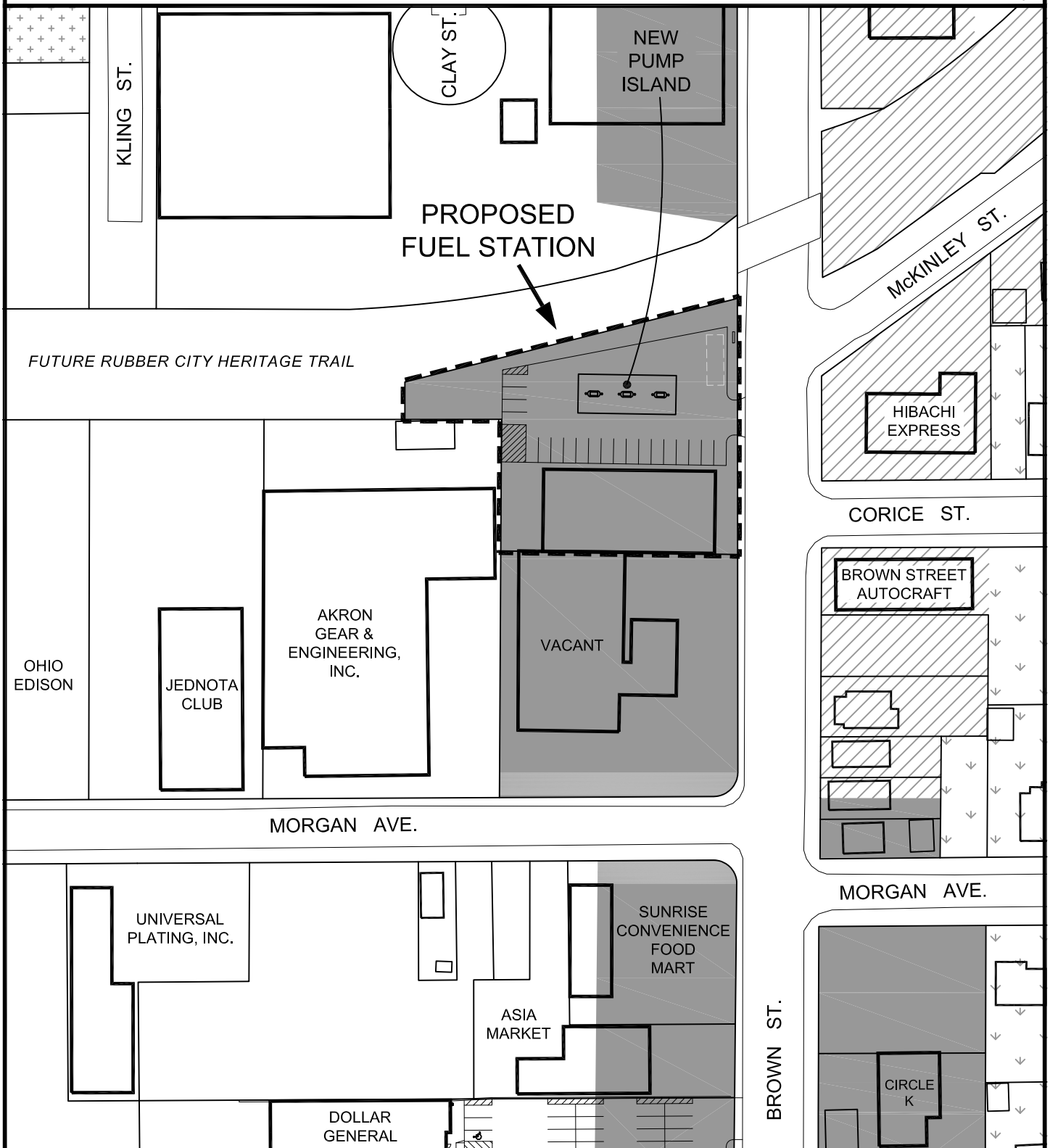
PC-2026-18-CU

Petition of Balbir Singh for a
Conditional Use to establish
an automobile service station
at 944 Brown Street

- | | |
|--|--|
|  U1 Single Family Residential |  U4 Commercial |
|  U1 Two Family Residential |  U5 Ordinary Industry |
|  U3 Retail Business | |



0 100'
Created 06/25/2026 jwh
Revised 06/25/2026 jwh



MEMORANDUM

TO: AKRON CITY PLANNING COMMISSION **ITEM # 2C**
FROM: DEPARTMENT OF PLANNING AND **PC-2026-18-CU**
 URBAN DEVELOPMENT
DATE: JULY 10, 2026 **WARD: 5**
 COUNCILPERSON: Hannah
SUBJECT: PC-2026-18-CU – Petition of Balbir Singh for a Conditional Use to establish an
 automobile service station at 944 Brown Street

GENERAL LOCATION: West side of Brown Street, north of Morgan Avenue

LAND USE OF THIS PROPERTY: Retail

LAND USE IN THE SURROUNDING AREA:

NORTH: Retail
SOUTH: Commercial
EAST: Retail and Commercial
WEST: Commercial

ZONED: Retail Business Use District (U3, H1, A2)

SIZE & AREA OF LOT: Approximately 170 feet by 170 feet = 30,825 square feet

COMMENTS:

Balbir Singh is the owner of a laundromat and retail convenience store at 944 Brown Street, on the west side of Brown Street, north of Morgan Avenue. The property measures approximately 170 feet in width by 170 feet in depth for 30,825 square feet of area. Land uses in the surrounding area include retail to the north, a vacant commercial structure to the south, retail and commercial to the east, and a commercial structure to the west. The property is zoned Retail Business Use District (U3, H1, A2). The Land Use and Development Guide Plan recommends Industrial uses in this location.

The Petitioner is requesting permission to add a gas station to the existing uses on the lot. Since a gas station is first permitted in an A3 Retail Business District and the project site is located in an A2 Retail Business District, Conditional Use approval is needed.

The Petitioner proposes to install three gasoline pump islands (six fueling stations) on the north side of the existing convenience store and laundromat building. The existing 25-foot-wide curb cut will be retained. Approximately 18 parking spaces will be provided north of the building. An existing trash dumpster is located behind the existing building on the west side. The underground fuel tanks will be located at the northeast corner of the site. The Petitioner states that fuel trucks

will enter the site northbound on Brown Street and will exit the site by backing out onto Brown Street. Fuel deliveries will be made by smaller 30-foot tanker trucks rather than by a full-size semi-truck tanker. Improvements to the existing building include enlarging the windows on the east side of the building facing Brown Street from their current 3-foot height to a height of 5 feet 4 inches. Two windows, each measuring 8 feet wide by 5 feet 4 inches high, will be added to the north side of the building facing the parking and pump island. A bike rack will be added at the entrance to the convenience store facing Brown Street. The existing entrance to the laundromat facing the parking lot and pump island will remain. Building and site signage will be reviewed under a separate application and are anticipated to meet zoning regulations. The Petitioner states that the goals for the development are to encourage growth in the neighborhood and to improve the exterior appearance of the facility. He also states that the addition of the gasoline pumps to the existing convenience store and laundromat is needed to increase foot and vehicle traffic to this retail location.

The Retail A2 Area District limits the types of uses on this site to those that serve neighborhood needs, such as local retail stores, laundromats, and restaurants. In general, gas stations are not an appropriate use in an A2 Retail Business District. The City is working to support and encourage pedestrian activity on Brown Street. The Rubber City Heritage Trail, serving cyclists and pedestrians, is planned to pass directly north of this property. The addition of gasoline pumps will add an automobile-oriented use to a site that currently provides local neighborhood services.

Also, the project site does not allow for enough maneuvering room for fuel delivery trucks to pull through the site. Thus, fuel trucks will have to back into the traffic lanes on Brown Street when exiting. The Traffic Engineering Department reviewed the proposed fuel delivery arrangement and concluded that it would be unsafe and undesirable. There is already an existing gas station located one and a half blocks south of this site at the corner of Brown Street and Lovers Lane that adequately serves the needs of the immediate neighborhood.

A similar project at this location was previously submitted for a Conditional Use six years ago (PC-2020-40-CU) and was disapproved by Planning Commission and City Council. While the current proposal has a revised site layout, the Planning Staff still holds that a gas station is not an appropriate use in an A2 Area Retail Business District. As such, the Planning Staff cannot support this request.

RECOMMENDATION:

The Planning Staff finds the requested Conditional Use is not consistent with the standards found in Section 153.474 (A thru H) of the Zoning Code and recommends **DISAPPROVAL** of the petition of Balbir Singh for a Conditional Use to establish an automobile service station at 944 Brown Street.

DD/emd

PC-2026-22-CU

Petition of Gregory Jackson for a Conditional Use
to maintain and store more than five vehicles at
1167 Eastland Avenue.

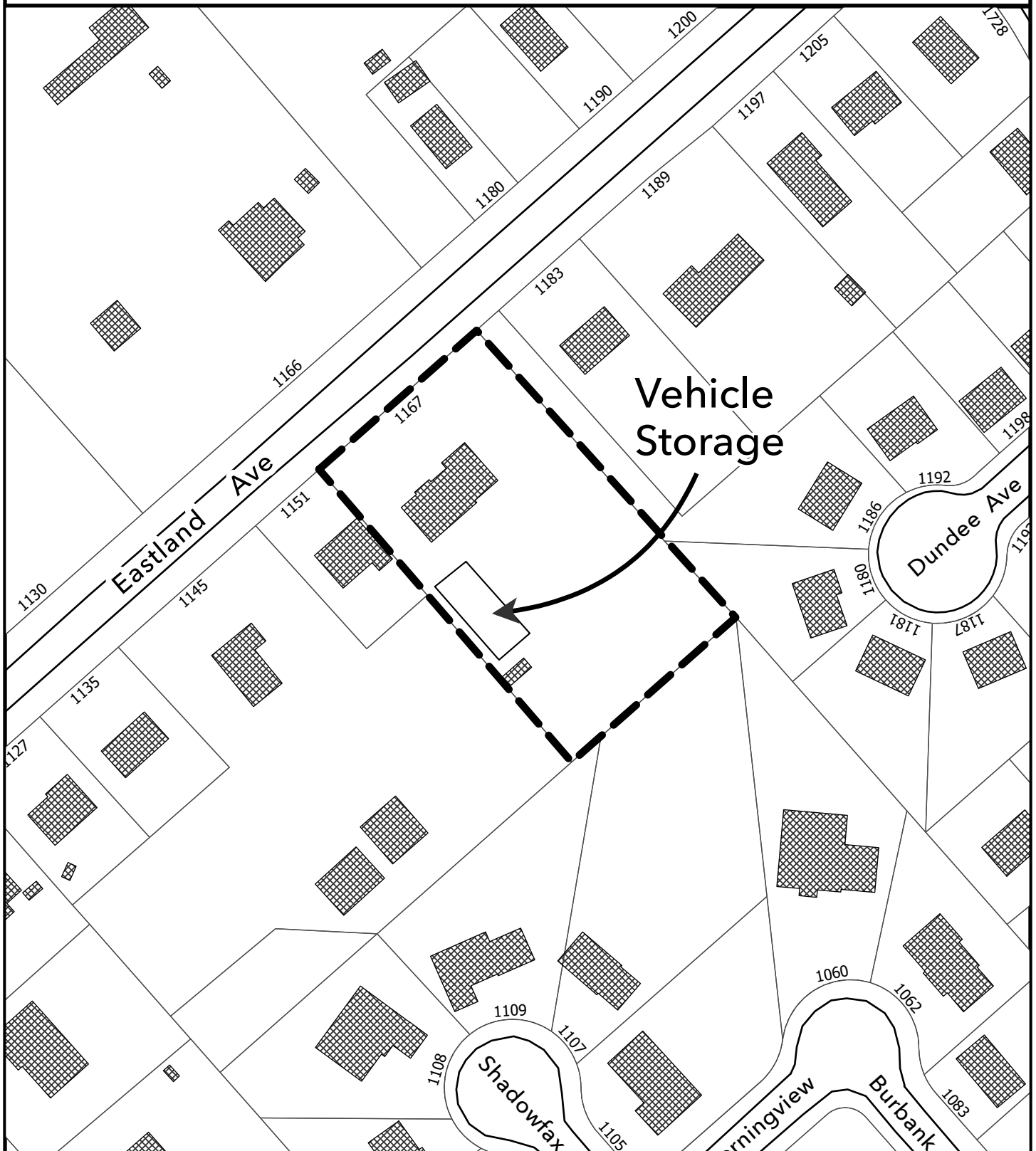
 U1 Single Family Residential



0 100'

Created 6/25/2026 mrm

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MEMORANDUM

TO: AKRON CITY PLANNING COMMISSION

ITEM # 2D
PC-2026-22-CU

**FROM: DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT**

DATE: JULY 10, 2026

WARD: 2
COUNCILPERSON: Lombardo

SUBJECT: PC-2026-22-CU – Petition of Gregory Jackson for a Conditional Use to store and maintain more than five vehicles at 1167 Eastland Avenue.

GENERAL LOCATION: Southeast side of Eastland Avenue, north of Nutwood Road

LAND USE OF THIS PROPERTY: Single-Family

LAND USE IN THE SURROUNDING AREA: All sides residential

ZONED: Single Family Residence Use (U1, H1, A1)

SIZE OF LOT & AREA: One acre

COMMENTS:

Gregory Jackson is the owner of a single-family dwelling on the southeast side of Eastland Avenue, north of Nutwood Road, addressed as 1167 Eastland Avenue. The parcel contains an acre of area. Surrounding uses are all single family residential. The property is zoned Single-Family Residence Use (U1, H1, A1) District in accordance with the Land Use and Development Guide Plan (LUDGP).

The Petitioner is requesting permission to retain and maintain more than five vehicles at the property. Since the Zoning Code only allows up to five off-street vehicles per single-family residence and auto repair is classified as a Commercial (U4) use, Conditional Use approval is necessary.

A junk motor vehicle complaint was received by the City of Akron on May 5, 2026. An inspection by the Department of Neighborhood Assistance was conducted on May 7, 2026, and revealed 14 motor vehicles and one open trailer on the property. Photos from the inspection showed three vehicles and a motorcycle in the front drive and one vehicle inside the attached garage. Two vehicles were parked on the east side of the dwelling, with seven vehicles parked on a paved surface in front of a shed in the rear yard, with an open trailer parked to the side. Three of the vehicles in the rear were in a state of repair. The photos also showed that the rear of the property contains chain link fencing while white vinyl solid fencing extends from the west side of the dwelling towards the property line. The abutting properties also have solid fencing that encloses their rear yards. After the inspection, Garrett Jackson (Petitioner's son) came to the Zoning office the next day to discuss the issue and to obtain a Planning Commission application.

The Petitioner has stated that the repairing, restoring, and storage of vehicles is a hobby for his son, and that as of June 25th the property only contained 8 licensed vehicles. One goal of the LUDGP is to preserve and protect residential neighborhoods. As such, residential development requirements of the Zoning Code limit the number of vehicles kept on a lot devoted to a single-family dwelling to five in order to prevent overcrowding and visual blight. Additionally, the repair and restoration of vehicles is classified by the Zoning Code as a Commercial (U4) Use and is not permitted as an accessory use in a residential use district because it can be disruptive to neighboring properties. As such, the Planning Staff cannot support this request.

RECOMMENDATION:

The Planning Staff finds the requested Conditional Use is not consistent with the standards found in Section 153.474 (A thru H) and the Land Use and Development Guide Plan and recommends **DISAPPROVAL** of the petition of Gregory Jackson for a Conditional Use to store and maintain more than five vehicles at 1167 Eastland Avenue.

KEP/emd

PC-2026-24-CU

Petition of Speedway LLC for
a Conditional Use to rebuild a
gas station and convenience
store at 2129 S. Main Street

★ Conditional Use



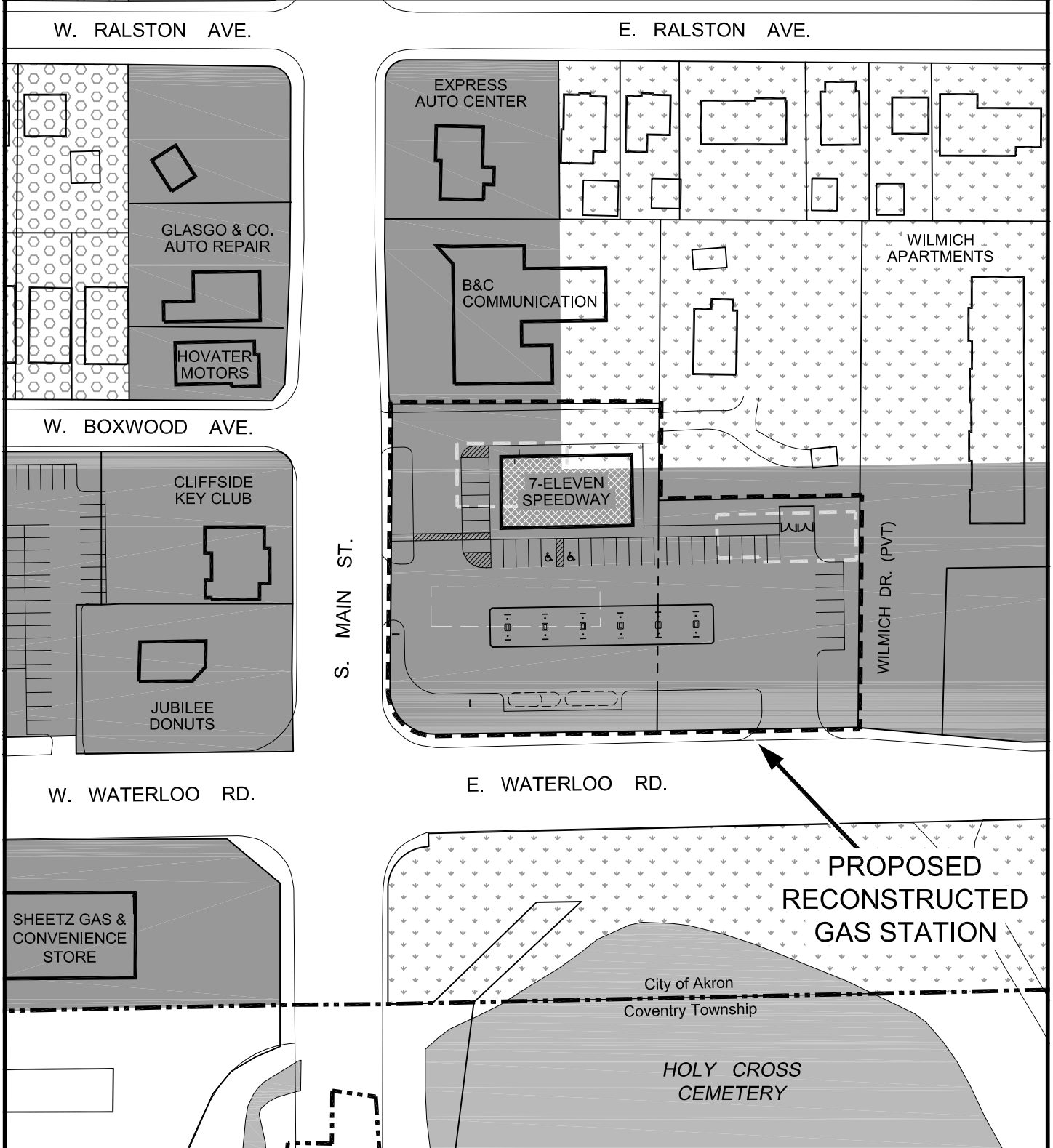
U1 Single Family
Residential
U1 Two Family
Residential



U3 Retail Business
Coventry Township



0 100'
Created 08/05/2021 jwh
Revised 06/26/2026 jwh



MEMORANDUM

TO: AKRON CITY PLANNING COMMISSION

ITEM # 2E
PC-2026-24-CU

**FROM: DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT**

DATE: JULY 10, 2026

WARD: 7

COUNCILPERSON: Kammer

SUBJECT: PC-2026-24-CU – Petition of Speedway LLC for a Conditional Use to rebuild a gas station and convenience store at 2129 S. Main Street

GENERAL LOCATION: Northeast corner of the intersection of S. Main Street and E. Waterloo Road

LAND USE OF THIS PROPERTY: Retail

LAND USE IN THE SURROUNDING AREA:

NORTH SIDE: Retail and residential

SOUTH SIDE: Cemetery

EAST SIDE: Retail and apartments

WEST SIDE: Retail

ZONED: Retail Business Use District (U3, H1, A3 and U3, H2, A3);
Single Family Residence Use District (U1, H1, A1)

SIZE OF LOT & AREA: L-shaped, containing 1.58 acres of land

COMMENTS:

Speedway LLC is the owner of three parcels of land containing a Speedway gas station at the northeast corner of the intersection of S. Main Street and E. Waterloo Road, addressed as 2129 S. Main Street. The L-shaped configuration contains 1.58 acres of land. Surrounding uses include retail and residential to the north, Holy Cross Cemetery to the south, retail and apartments to the east, and retail to the west. The bulk of the property is zoned Retail Business Use District (U3, H1, A3), while the northwest corner is zoned Retail Business Use District (U3, H2, A3) and the northeast corner is zoned Single Family Residence Use District (U1, H1, A1). The established zoning conforms to the recommendations of the Land Use and Development Guide Plan. The property is also with the Firestone Park Redevelopment Area.

The Petitioner is seeking approval to reconstruct an automobile service station and convenience store. Conditional Use approval is necessary because a small portion of the development (at the northeast corner of the lot) is within a Single-Family Residence Use District (U1, H1, A1). Additionally, the Petitioner is seeking to vary a number of standard development requirements pertaining to signage, landscaping, and access drives.

The Petitioner has acquired the adjacent property to the east, a former auto repair shop on E. Waterloo Road. That structure, as well as the current Speedway store, would be razed in order to redevelop the lot with a new, modern gasoline station and convenience store under the 7-Eleven banner. The store would be situated in the same general vicinity on the lot, meeting all setback requirements. The current canopy with five pump islands would be replaced with a wider canopy covering six islands. A total of 36 single-row parking spaces would be provided, and a crosswalk extending from the southwest corner of the building would provide pedestrian access to S. Main Street. Wall material will consist of fiber cement board panels with three textures: simulated wood panels, simulated brick panels, and ribbed panels.

The current four curb cuts on E. Waterloo Road would be replaced with a single 40 feet in width access drive at the east end of the property. The three current access points on S. Main Street would be replaced with a 40-foot in width drive between the store and canopy and a secondary 25 foot drive north of the store. This northern drive also serves as a driveway for a landlocked dwelling located behind the adjacent business to the north. The zoning code limits the width of access drives for businesses to 25 feet in width. As a result, a variance of 15 feet is required for the primary access drive from S. Main Street, as well as the single access drive on E. Waterloo Road.

Freestanding signage would include one double-column pole sign, 30' in height, along E. Waterloo Road near the southwest corner of the property and one 10' tall monument sign to be placed approximately 2'4" from the S. Main Street right-of-way. The pole sign would feature the 7-Eleven logo atop two lines of electronic changeable copy (26-inch characters) for fuel pricing. Total clearance below the sign would be 18'4". Variances are required for the height of the digital pricing (limited to 14-inch characters; 12-inch variance) and for the placement of the 10-foot monument sign 2'4" from the S. Main Street right-of-way. The wall sign package would include identification signage on the building on the south, east, and west sides of the canopy; and a changeable copy reader board wall sign on the store facade. The total 207.83 square feet of wall signage is just over the 204.6 square feet allowed by the zoning code.

The proposed landscaping on the property includes low shrubs along the street frontages, an evergreen shrub bed at the base of the pole sign, earth mounding along the east and north property lines, evergreen trees to screen the use from the dwelling to the northeast, and deciduous trees along the east side of the property, with a large deciduous tree at the southwest corner of the property.

An objective of the Land Use and Development Guide Plan is to promote good design standards for buildings, signage, and parking areas. As a whole, the proposed redevelopment of this 7-Eleven service station and convenience store will be an attractive addition to the Firestone Park neighborhood. The reduction in the number of curb cuts and their relocation further from the intersection should increase safety and reduce congestion. The Planning Staff recognizes that gas stations are frequently serviced by large tank trucks which benefit from wider access drives, and it is not uncommon to approve wider drives in such instances. The increase in size of the requested digital pricing is acceptable at this busy intersection and would increase readability. Because of the presence of overhead utility lines and the proposed signage, deciduous trees would likely lead to maintenance and visibility issues in the future. The Planning Staff

recommends eliminating the deciduous trees from the landscaping along the street frontages. The configuration of the new 7-Eleven store would provide better circulation to, from, and within the property.

RECOMMENDATION:

The Planning Staff finds the requested Conditional Use is consistent with the standards found in Section 153.474 (A thru H) and the Land Use and Development Guide Plan and recommends **APPROVAL** of the petition of Speedway LLC for a Conditional Use to rebuild a gas station and convenience store at 2129 S. Main Street, in accordance with the submitted plans dated 2026-06-11, and subject to the following conditions:

- (1) That a landscape planting plan which conforms to the "Akron Development Guide" as referred to in Section 153.300-.310 of the Zoning Code be submitted to the Department of Planning and Urban Development for its review of compliance with said guide, and that the landscaping be installed and maintained as shown on the approved plan.
- (2) That the Petitioner submit a storm water management plan to control the run-off, siltation and sedimentation during construction and to control the run-off after the development is completed. This plan is to be consistent with all the requirements of Section 192.101-.114 of the Code of Ordinances and is to be subject to the approval of the Bureau of Engineering and submitted prior to the issuance of any building permits.
- (3) That the location and sizes of points of ingress and egress be subject to the approval of the Traffic Engineer.
- (4) That all walkways, driveways, and parking areas be hardsurfaced and curbed to Bureau of Engineering specifications.
- (5) That the Petitioner, at his total expense, install, restore and repair curbing, sidewalks, abandoned driveway cuts and approaches along South Main Street and East Waterloo Road and comply with Section 98.21 of the Code of Ordinances.
- (6) That the Petitioner provide adequately dustproofed off-street parking for construction workers and off-street storage space for materials and equipment during construction.
- (7) That the structures and layout of the development conform substantially to the approved plans; however, minor changes may be approved by the Department of Planning and Urban Development.
- (8) That all exterior building facade, wall and other surfaces at the property shall be kept in good repair, in a safe condition, and, if constructed of a non-weatherproof material, or if currently coated by stucco, paint or other treatment, or if required to be coated by the Building Code, shall be protected against decay from the elements, and shall be uniformly coated by paint or other treatment, free of chips, cracks, flaking, chalking, peeling or

exposed underlying surfaces, and shall be free of holes, cracks, or broken, loose or decaying materials.

- (9) That the construction material of the exterior walls of the structures shall be of brick or decorative block and subject to the approval of the Department of Planning and Urban Development.
- (10) That any projections above the roof line of the structure, excepting parapets or chimneys, be adequately screened to the satisfaction of the Department of Planning and Urban Development.
- (11) That the outside display of merchandise be prohibited, except as allowed by Code.
- (12) That all public utility services be installed underground and their locations suitably marked for safety.
- (13) That the area be kept free of trash and litter.
- (14) That the dumpster enclosure shall be constructed of masonry and its location subject to the approval of the Department of Planning and Urban Development.
- (15) That all exterior lighting on the Petitioner's property, if any, be installed so as not to impair in any way the safe movement of traffic on any street or highway or so as not to intrude on the surrounding properties.
- (16) That the number, size, and location of all exterior signs shall be subject to the approval of the Department of Planning and Urban Development, and these signs shall conform to Section 153.345-.375 of the Zoning Code or conditions as specified by the Planning Commission.
- (17) That to ensure development as shown on the approved plans, a Performance Bond be placed with the Department of Planning and Urban Development at 100% of the estimated cost of the following:
 - (a) Landscaping installation as referred to in Item (1) above.
 - (b) Hardsurfacing installation as referred to in Item (4) above.
- (18) That as a prerequisite to the issuance of any building or grading permit incident hereto, the following be submitted to the City:
 - (a) Bond as referred to in Item (16) above.
 - (b) Landscape plan as referred to in Item (1) above.
 - (c) Storm water management plan as referred to in Item (2) above.