

Exhibit A

CONDITIONAL USE PERMIT AND CONDITIONS

TO

CINCINNATI COMMUNITY KOLLEL
BOARD OF ZONING AND APPEALS HEARING APRIL 3, 2024

The Conditional Use Permit (“CUP” or “Permit”) granted to Cincinnati Community Kollel (hereinafter “Applicants”) is hereby issued to Applicants upon, and subject to, the following conditions:

1. This permit is issued for the real property located at 6701 Elbrook Avenue, Amberley Village, Ohio, being approximately 3-acres in size.
2. This permit shall run with the land and bind all successors and assigns.
3. All uses and development standards will be in accordance with the submitted drawings by the Applicants to the Village Board of Zoning Appeals: Conditional Use Permit Application submitted March 11, 2024, as modified by a supplemental Application submitted March 14, 2024, and additional elevations shared on April 3, 2024 (all collectively, the “Plan Materials”) and the attachments to each, which include a request for one variance, narratives, site survey, zoning, location, landscape, building elevations, grading, utility, and lighting plans; except, however, should there be a conflict between any of the other conditions herein and the Plan Materials, these conditions shall prevail. Any material deviation from the plans or the permit constitutes grounds for revocation of the Permit without BZA approval.
4. A detailed site plan which addresses all the CUP conditions, development requirements, storm water management, water quality, and design standards must be approved by the Village Engineer and/or Village Manager prior to commencing construction.
5. All structures on site must be of a compatible style, design, elevation, and materials to blend in with the surrounding properties and maintain the residential quality of the neighborhood. The proposed building shall be situated in a location similar to that proposed in the application and shall be substantially similar to the renderings submitted to the Village, including but not limited to the height, elevation, size, area, footprint, layout, location, and color scheme, such as set forth in the Plan Materials
6. The total enclosed building footprint of the proposed Kollel building is not to exceed approximately 11,322 square feet as detailed in drawings submitted before

the Board of Zoning Appeals.

7. The building's maximum height is not to exceed 35 feet from the building's front east property line at grade to the top of the roof.
8. There shall be at least 80 parking spaces provided on site. Five of the 80 parking spots must be ADA compliant handicap parking. The parking lot will be 67.7' from the front east lot line. The parking lot along the south property line will be greater than 20' from the south property lot line. The number of vehicles permitted on the property (not including delivery or service vehicles) at any time is limited to the number of parking spaces on site.
9. No, buses vans, or vehicles will be parked on the property for more than seventy two (72) continuous hours.
10. The Kollel building shall be set back 100 feet from the front east property line, and 50 feet from the side north property line.
11. The operating hours of the Kollel shall be 06:00 a.m. to 10:30 p.m., with the exception of reasonable overruns or extensions related to prayer and/or the observance of religious practices or holidays recognized in the Orthodox Jewish faith, which may occur outside the general hours of operation. At all times, the Kollel shall comply with all applicable regulations relating to noise control, assemblage, parking, and any other regulations under the Amberley Code of Ordinances.
12. All uses of the subject property, whether by the Congregation or its guests or invitees, must abide by the restrictions and conditions herein.
13. The property may not be used at any time for bazaars, fetes, or other such outdoor activities. The property may not be used for commercial activity.
14. No amplified sound may be used outdoors unless approved by the Village Manager.
15. Applicants, at their cost, and prior to the issuance of a Certificate of Occupancy, are to design and construct the improvements (including but not limited to sidewalk, crosswalk, thermoplastic pavement markings and signage) to Elbrook Avenue. All roadway improvements are to be designed and constructed to meet the standards of Amberley Village.
16. The owner must provide a 20' wide apron from Elbrook Avenue entering the Kollel to provide sufficient room for emergency vehicles to gain access. The entrance from Elbrook shall align with the south Meadowridge Lane intersection.

17. All mechanical equipment must be screened, insulated, and located at least 50 feet from the nearest residential structure.
18. Site lighting shall be installed to maintain a residential feel and look to the property, and to avoid adverse impacts to adjoining properties. Parking lot pole lights as submitted on the plans shall not be permitted. Prior to construction, the owner shall submit to Village staff review and approval a detailed lighting plan showing the location, style, brightness, and illumination of all exterior lighting. All lighting shall exhibit zero-foot candles at adjoining lot lines, be equipped with full cutoffs, and direct light down towards the ground and not horizontally away from the fixture. All lighting shall be low level and exhibit no spillage or glare to adjacent residential properties. The proposed parking lot lighting is not acceptable.. Security lighting shall be confined to an area as needed for that purpose only, and shall be set on timers. Interior lighting shall be controlled by timers to shut down lighting when the building is not in use. When the building is unoccupied the only lighting to be illuminated should be emergency night lighted and egress lighting required by the State of Ohio Building and Fire Code.
19. The Metropolitan Sewer District and the Cincinnati Water Works design approvals are to be obtained and submitted to Amberley Village before the Applicant receives approval of a Zoning Certificate.
20. Electric, phone, natural gas, water, sanitary lines, and cable TV service shall be underground from Elbrook Avenue to the building. Approvals are to be obtained and submitted to Amberley Village before the Applicant receives approval of a Zoning Certificate.
21. The owner must comply with all storm water detention and water quality provisions that apply to the subject property, including the off-site water retention pond system to address storm water run-off. The owner shall employ "best practices" in its storm water management efforts to reduce runoff of water into public waterways, and to encourage the preservation of natural resources. Any stormwater management retention off-site from the Community Kollel shall be maintained by the Kollel property owner. The Village may, in its discretion, require Owner to provide documentation and/or other verification of any arrangement for off-site stormwater retention, as well as documentation verifying Owner's legal obligation to construct and maintain any off-site stormwater retention facilities in accordance with all applicable codes and the standards of Amberley Village. A Zoning Certificate shall not be approved by the Village until receipt of an adequate storm water management plan has been approved by the Village Engineer.
22. Applicants are to provide a buffer consisting of a mounded landscaping design. All buffer deciduous trees shall be a minimum 2.5" caliper, and evergreens shall be a minimum 6 feet in height. All areas not covered by building, parking, walks or drives must be landscaped with a variety of deciduous shade trees, flowering

trees, coniferous evergreen trees, deciduous shrubs, broadleaf evergreen shrubs, flowerbeds with seasonal plants along with an abundance of turf to completely cover the remaining site. Such landscaping and buffering shall be at least of the quantity, quality, and location as depicted in the application submitted by the applicant. All approved landscaping must be installed prior to occupancy of the new building. The primary goal of the landscaping is to provide an attractive buffer between the new building and the parking lot from adjoining properties year-round. As such, there is a strong preference for evergreens or similar landscaping that provides screening during all seasons.

23. During site development and construction if additional variances are necessary to accommodate the proposed use the applicant must schedule a hearing before the BZA for a modification to the decision made by the BZA on April 3, 2024.
24. The owner must comply with all applicable federal, state, and local laws and regulations, including but not limited to the Ohio State Fire Code and local Building Code.
25. A fire hydrant must be located at the entrance to the Kollel from Elbrook Avenue on the northwest corner.
26. Any signage to be located on the building will either conform to the Amberley Zoning Code or be approved by the Board of Zoning Appeals.
27. Applicant shall maintain and keep the property and improvements located thereon in good condition and repair as well as in full compliance with all applicable laws, ordinances, rules and regulations and the conditions outlined in this document and attachments.
28. Dumpster/Refuse: All dumpsters or trash handling areas shall be located within the same minimum setbacks as the main building, shall be screened from the view of any abutting properties on at least three sides, at least by the east, by a fence, wall, or landscaping approved by the Village.
29. Outdoor sales, display, and storage are prohibited.
30. The Grant of the Conditional Use Permit is subject to the following:
 - A) In the event that the project is not started or completed, the Conditional Use Permit will become void. This CUP is effective from the date of issuance by the Village and shall expire after 24 months unless, prior to its expiration, all appropriate approvals and building permits have been issued and construction has commenced. The CUP will expire three years from the date construction begins if construction is not completed within that period.

B) This Conditional Use Permit is granted to Applicants named herein and is not transferable without application to, and approval by, the Amberley Village Board of Zoning Appeals. The application granted is for a Community Kollel only. Any changes in use or occupancy must be approved by the Amberley Village Board of Zoning and Appeals.

C) In consideration of the issuance of CUP, the owner agrees that it is bound by, and will conform to, these conditions.

In consideration of the granting of the Conditional Use Permit, the Applicants, individually and collectively, agree that they are bound by, and they will conform to, these Conditions.

APPLICANTS:

Cincinnati Community Kollel

By: _____
PRESIDENT 5/20/24
Position & Date Signed

By: _____

Position & Date Signed

By: _____

Position & Date Signed