

**CITY OF HIGHLAND HEIGHTS  
PUBLIC HEARING OF THE PLANNING AND ZONING COMMISSION  
HELD: FEBRUARY 23, 2004**

PRESENT: Commissioners Kerr, Knezevic, Mastrangelo, Murphy, Silbiger;  
Recording Clerk Olson; Building Commissioner Jamieson

ABSENT: None

**SUBJECT: DISTEFANO'S DELI & RESTAURANT, 5600 HIGHLAND ROAD  
PZ03038      CONDITIONAL USE PERMIT TO SERVE ALCOHOLIC BEVERAGES**

Public Hearing was called to order at 8:02 p.m. Notices of this Public Hearing were mailed in accordance with Section 1113.04. The following legal notice appeared in The Sun Messenger on February 12<sup>th</sup> and 19, 2004:

The City of Highland Heights Planning and Zoning Commission will conduct a Public Hearing on Monday, February 23, 2004 at 8:00 p.m. in the Council Chambers of the Highland Heights City Hall, 5827 Highland Road, Highland Heights, Ohio 44143, concerning an application submitted by DiStefano's Delicatessen and Restaurant on property located at 5600 Highland Road, for a Conditional Use Permit for the reconstruction of the restaurant/bar and associated liquor license to be attached adjacent to the existing delicatessen, under provisions of part Eleven, Planning and Zoning Code of the City of Highland Heights.

John DiStefano, representing DiStefano's Deli & Restaurant, 5600 Highland Road, appeared before the Commission to obtain a Conditional Use Permit per Section 1109.03(e) for serving alcoholic beverages for use on premises at the restaurant/bar to be located at 5600 Highland Road.

Chairman Mastrangelo advised the applicant of his right to be represented by an attorney. The applicant waived that right.

Mr. DiStefano distributed copies to the Commissioners of a detailed deck plan, parking plan, and building elevations for the proposed restaurant/bar. He said that he added a customer walkway along the western edge of the deck to allow access from the rear parking area to the front of the building, per the recommendation of Chairman Mastrangelo. He said that an iron fence will surround the deck. He said that partial, lighted awnings will cover the exterior of the windows and will light the building and walkways.

Mrs. Murphy and Mr. Knezevic commended the applicant on the plans that will improve the corner.

In response to Chairman Mastrangelo's inquiry if a restaurant booth will be eliminated to provide a second exit from the restaurant as discussed in a previous meeting, Building

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Commissioner Jamieson replied that the restaurant must have two (2) exits and that this issue will be resolved in the final plans.

Mr. Knezevic informed the applicant that Code requires that Conditional Use Permits be renewed every (2) years and that the applicant must reapply for the permit as necessary.

Building Commissioner Jamieson stated that he will remind the applicant when it is necessary to renew the permit.

Chairman Mastrangelo requested that a contingency be established that the Conditional Use Permit become valid once the occupancy permit is issued. The Commissioners agreed.

Mrs. Murphy requested that the applicant advise the audience of the proposed hours of operation. Mr. DiStefano stated that the deck will be cleared by 11:00 p.m. at which time the restaurant/bar will be closed.

Public Hearing opened to the public. No one spoke.

Public Hearing closed at 8:12 p.m.

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Susan M. Olson, Recording Clerk

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Robert J. Mastrangelo, Chairman