

# Friday, June 16, 2023

# **\*\*PLEASE MUTE YOUR MICROPHONE\*\***

Lillian Kuri, Commission Chair

Joyce Pan Huang, Director

Michael Bosak, Administrator

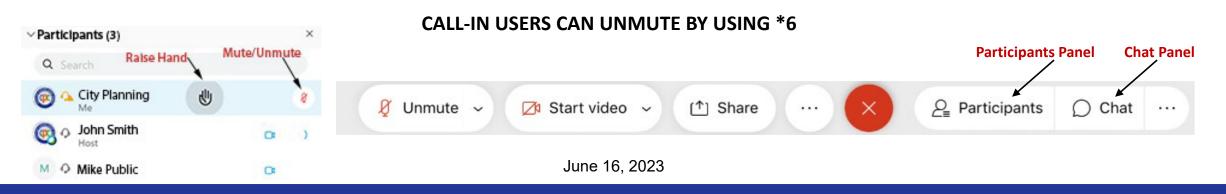
Preamble

IN COMPLIANCE WITH NOTIFICATION REQUIREMENTS OF OHIO'S OPEN MEETING LAW AND SECTION 101.021 OF THE CODIFIED ORDINANCES OF CLEVELAND, OHIO, 1976, NOTICE OF THIS MEETING HAS BEEN PUBLICLY POSTED.

ALL BOARDS AND COMMISSIONS UNDER THE PURVIEW OF THE CITY PLANNING DEPARTMENT CONDUCTS ITS MEETINGS ACCORDING TO ROBERT'S RULES OF ORDER. ACTIONS DURING THE MEETING WILL BE TAKEN BY VOICE VOTE. RECUSALS FROM ANY VOTE DUE TO A CONFLICT OF INTEREST SHOULD BE STATED FOR THE RECORD PRIOR TO THE TAKING OF ANY VOTE.

IN ORDER TO ENSURE THAT EVERYONE PARTICIPATING IN THE MEETING HAS THE OPPORTUNITY TO BE HEARD, WE ASK THAT YOU USE THE RAISE HAND FEATURE BEFORE ASKING A QUESTION OR MAKING A COMMENT. THE RAISE HAND FEATURE CAN BE FOUND IN THE PARTICIPANTS PANEL ON THE DESKTOP AND MOBILE VERSION AND ACTIVATED BY CLICKING THE HAND ICON. PLEASE WAIT FOR THE CHAIR OR FACILITATOR TO RECOGNIZE YOU AND BE SURE TO SELECT UNMUTE AND ANNOUNCE YOURSELF BEFORE YOU SPEAK. WHEN FINISHED SPEAKING, PLEASE LOWER YOUR HAND BY CLICKING ON THE RAISE HAND ICON AGAIN AND MUTE YOUR MICROPHONE.

WE WILL ALSO BE UTILIZING THE CHAT FEATURE TO COMMUNICATE WITH PARTICIPANTS. THE CHAT FEATURE CAN BE ACTIVATED BY CLICKING THE CHAT BUTTON LOCATED ON THE BOTTOM OF THE WEBEX SCREEN.



### Preamble

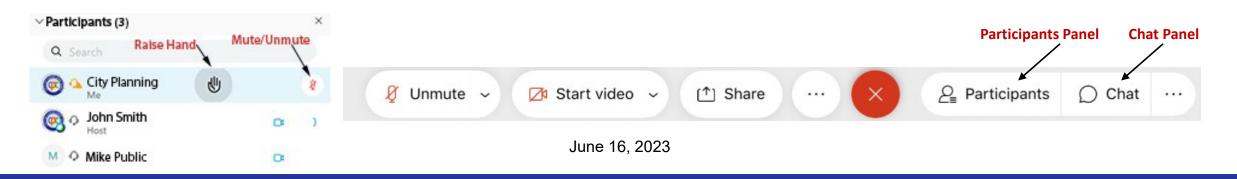
ALL MEETING ACTIVITY IS BEING RECORDED VIA THE WebEx PLATFORM. THESE PROCEEDINGS ARE ALSO BEING LIVE STREAMED VIA YouTube.

### ALL REQUESTS TO SPEAK ON A PARTICULAR MATTER SUBMITTED THROUGH PROPER CHANELLS HAVE BEEN CONSIDERED. WE HAVE ALSO RECEIVED EMAILS FROM THOSE WHO HAVE PROVIDED WRITTEN COMMENT ON A PARTICULAR MATTER. PROPER CHANNELS FOR COMMENTS ARE LISTED BELOW.

COMMUNICATION WITH MEMBERS OF THIS BODY MUST FOLLOW PROPER CHANNELS FOR CONSIDERATION. ANY COMMENTS RECEIVED BY THE STATED DEADLINE ARE COLLECTED BY CITY PLANNING STAFF AND DISSEMINATED TO THE COMMISSION MEMBERS PRIOR TO ANY SCHEDULED MEETING.

### Proper channels for public comment:

- Sending an e-mail to the <u>cityplanning@clevelandohio.gov</u> address with a comment or a letter
- Calling and/or leaving a message at 216-664-2210
- Sending a letter or dropping off comments at City Hall (601 Lakeside Avenue, Suite 501, Cleveland, OH 44114)



# **Call to Order and Roll Call**



# **Approval of Minutes from Previous Meeting**



# **Lot Consolidation / Splits**



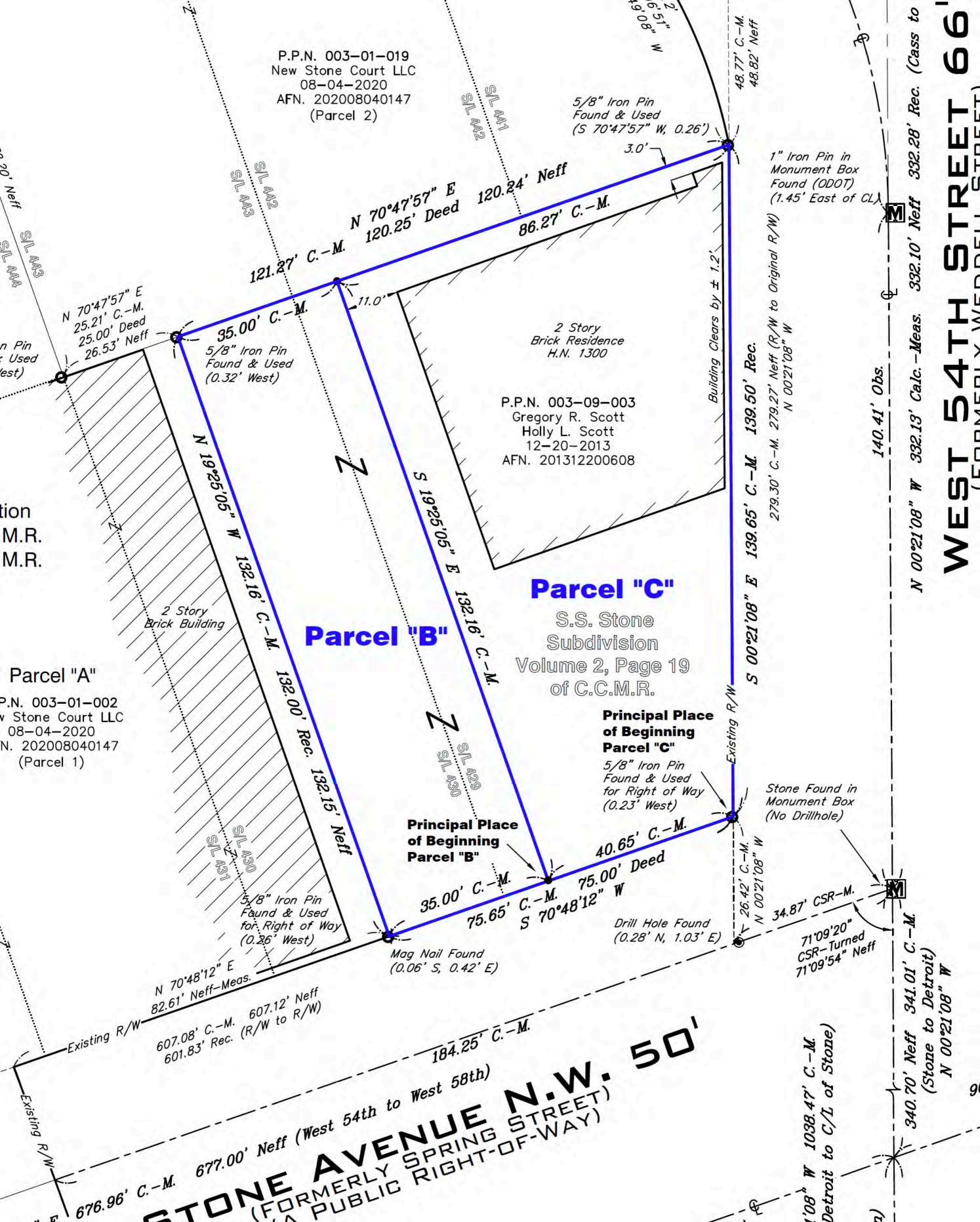
June 16, 2023



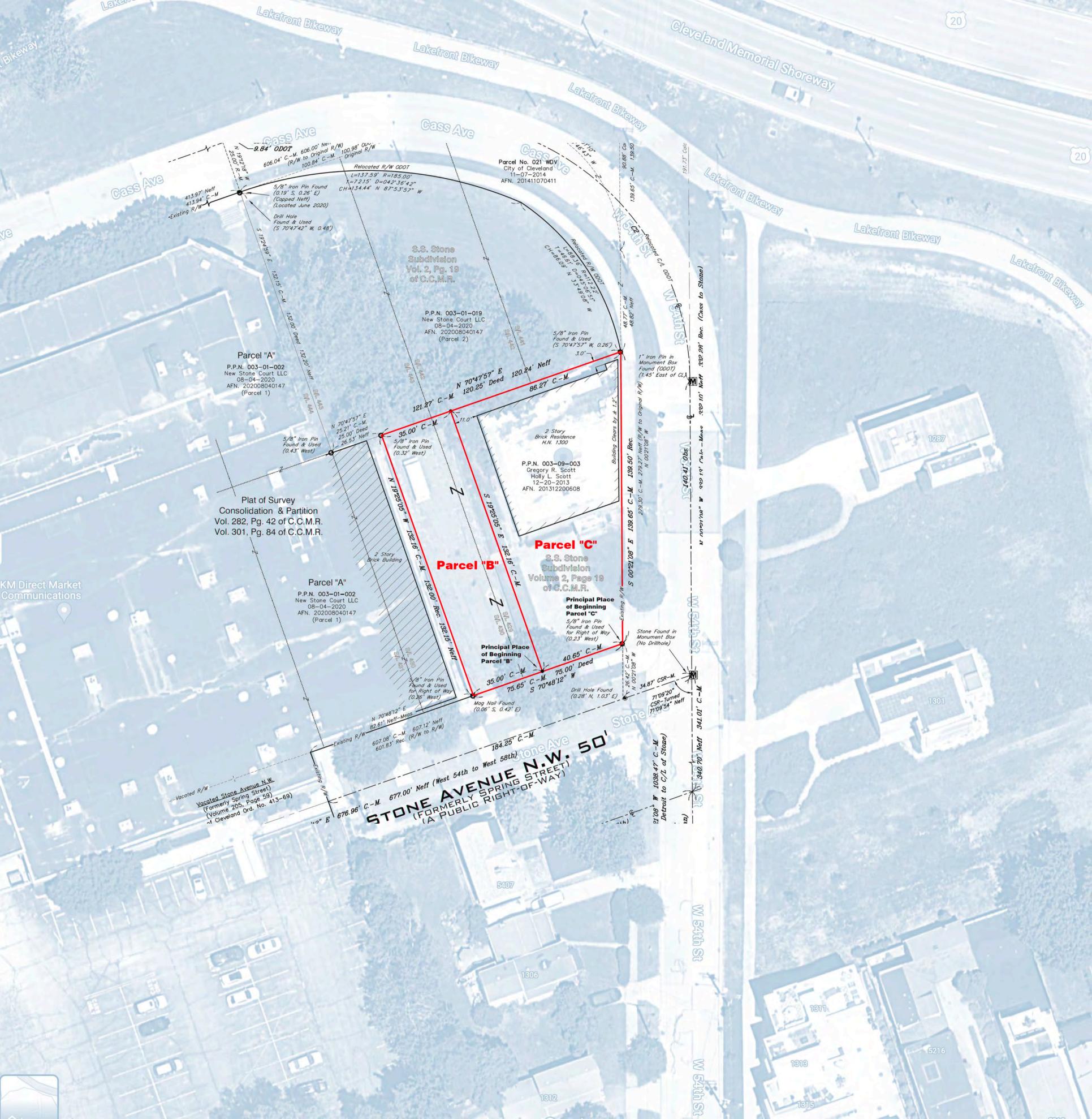
June 16, 2023

For PPN# 003-09-003 Location: 1300 West 54<sup>th</sup> Street Representative: Greg Scott, Property Owner

# **1300 W 54th st** proposed lot split















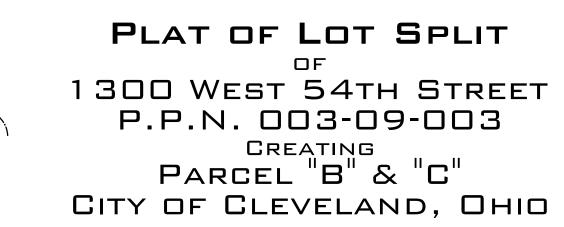


### **REFERENCE SURVEYS**

- 1.) S.S. Stone Subdivision, Volume 2, Page 19 of Cuyahoga County Map Records. (Rec.)
- 2.) Plat of Survey Consolidation and Partition, Volume 282, Page 42 and Volume 301, Page 84 of Cuyahoga County Map Records. (Neff)
- 3.) Consolidation Plat for City Life Development Inc., Volume 331, Page 12 of Cuyahoga County Map Records. (McSteen)

### Curve # Length Radius Tan Delta Chord Bearing 200.00' 036° 35' 35' S 89° 05' 29" W C1 127.73' C.-M. 127.79' ODOT *66.13'* 125.57' 072° 10' 26' 158.72' C.-M. 159.06' ODOT 126.00' C2*91.84* ' 148.43' N 36° 07' 43" W

RELOCATED C/L CURVE TABLE (ODOT)



71°08'50" Ca

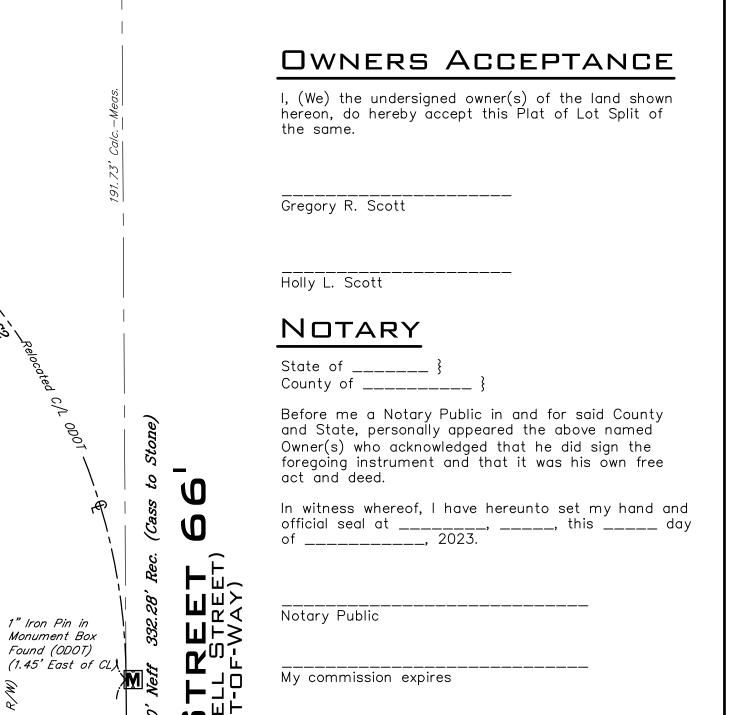
71°10'29" Neff

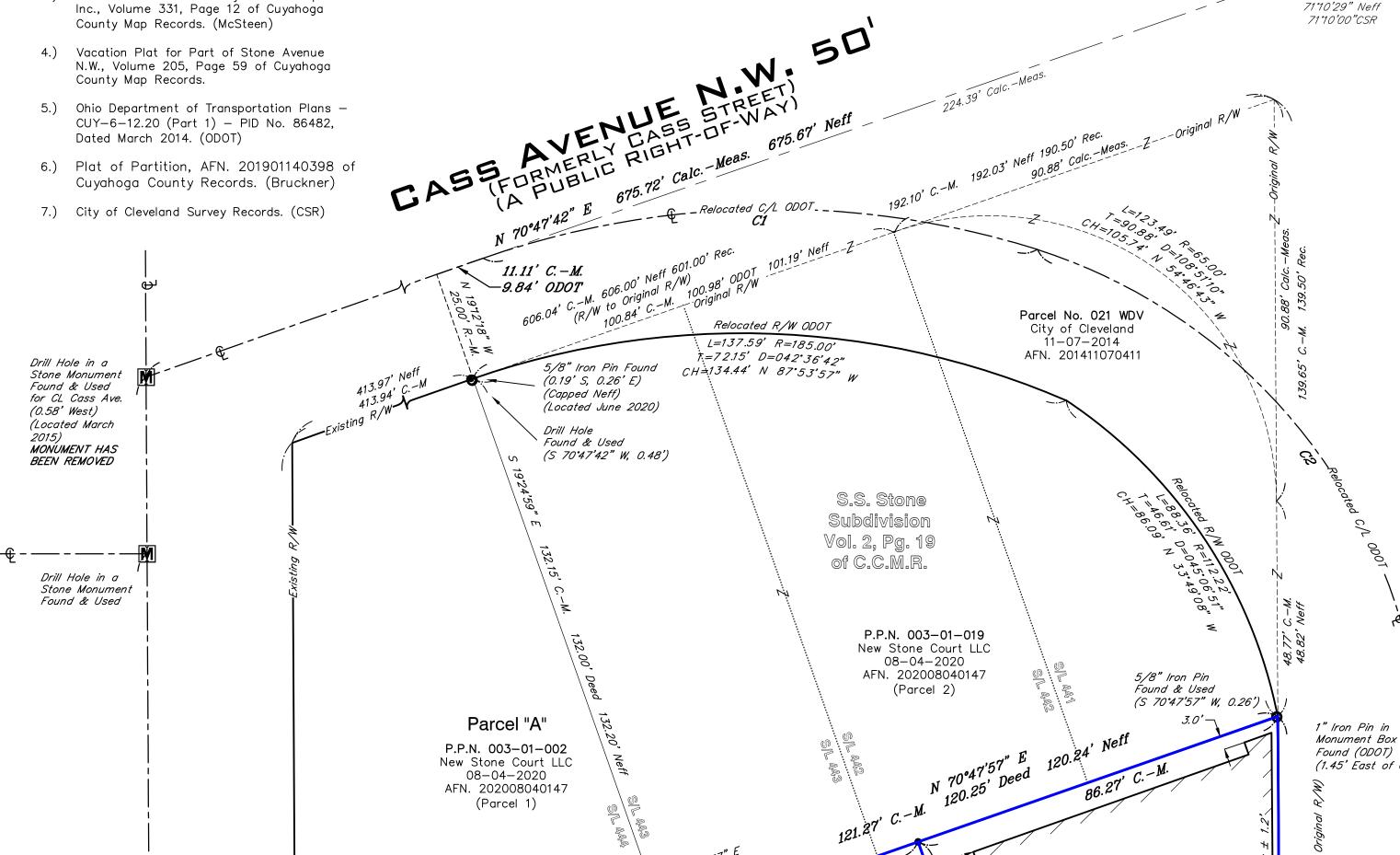
71°10'00"CSR

0

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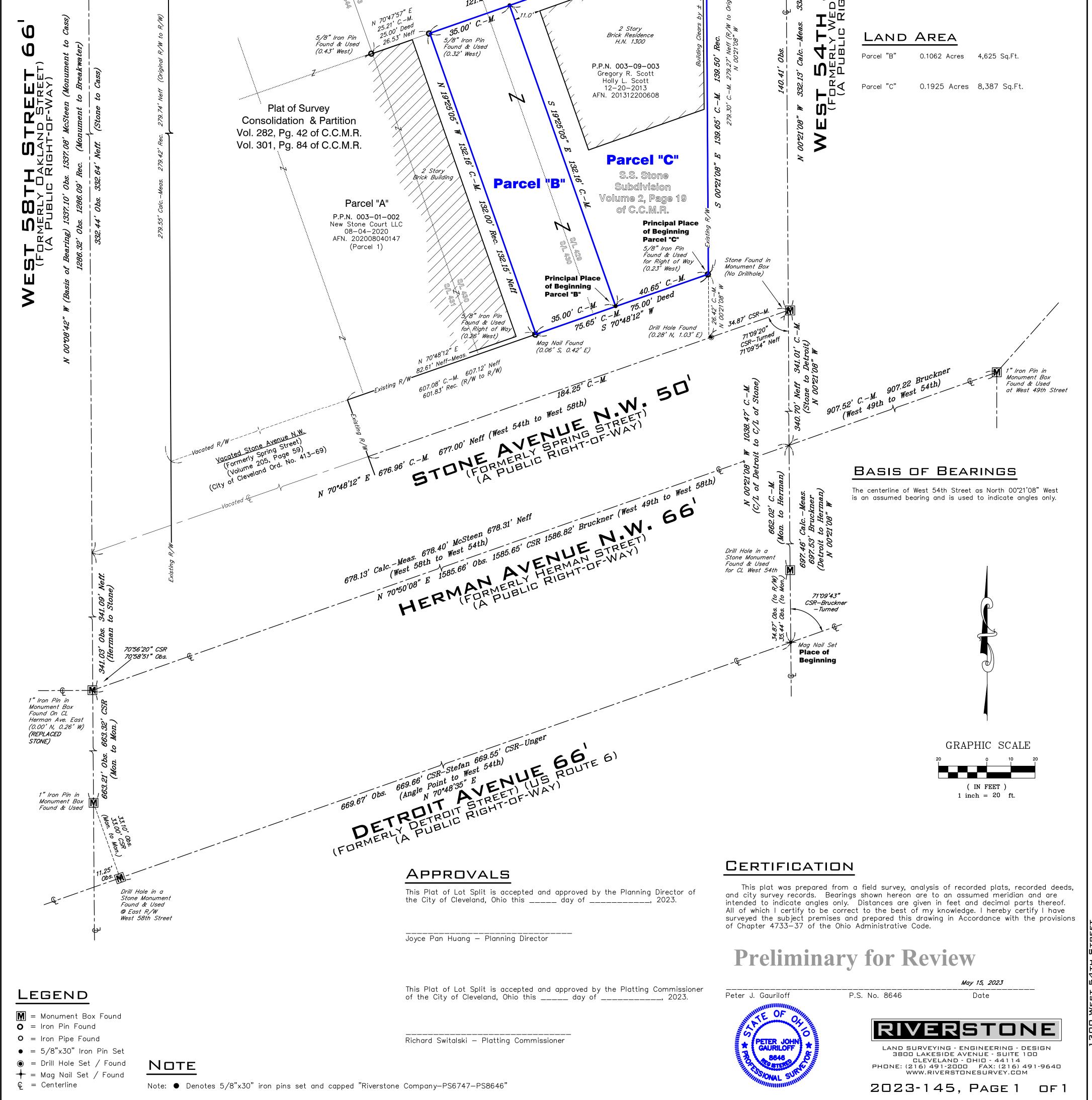
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot No. 429 and part of Sublot Nos. 430 in the S.S. Stone Subdivision of part of the Original Brooklyn Township Lot No. 59, as shown by the plat recorded in Volume 2, Page 19 of Cuyahoga County Map Records.





New Stone Court LLC 08-04-2020

AFN. 202008040147 (Parcel 1)



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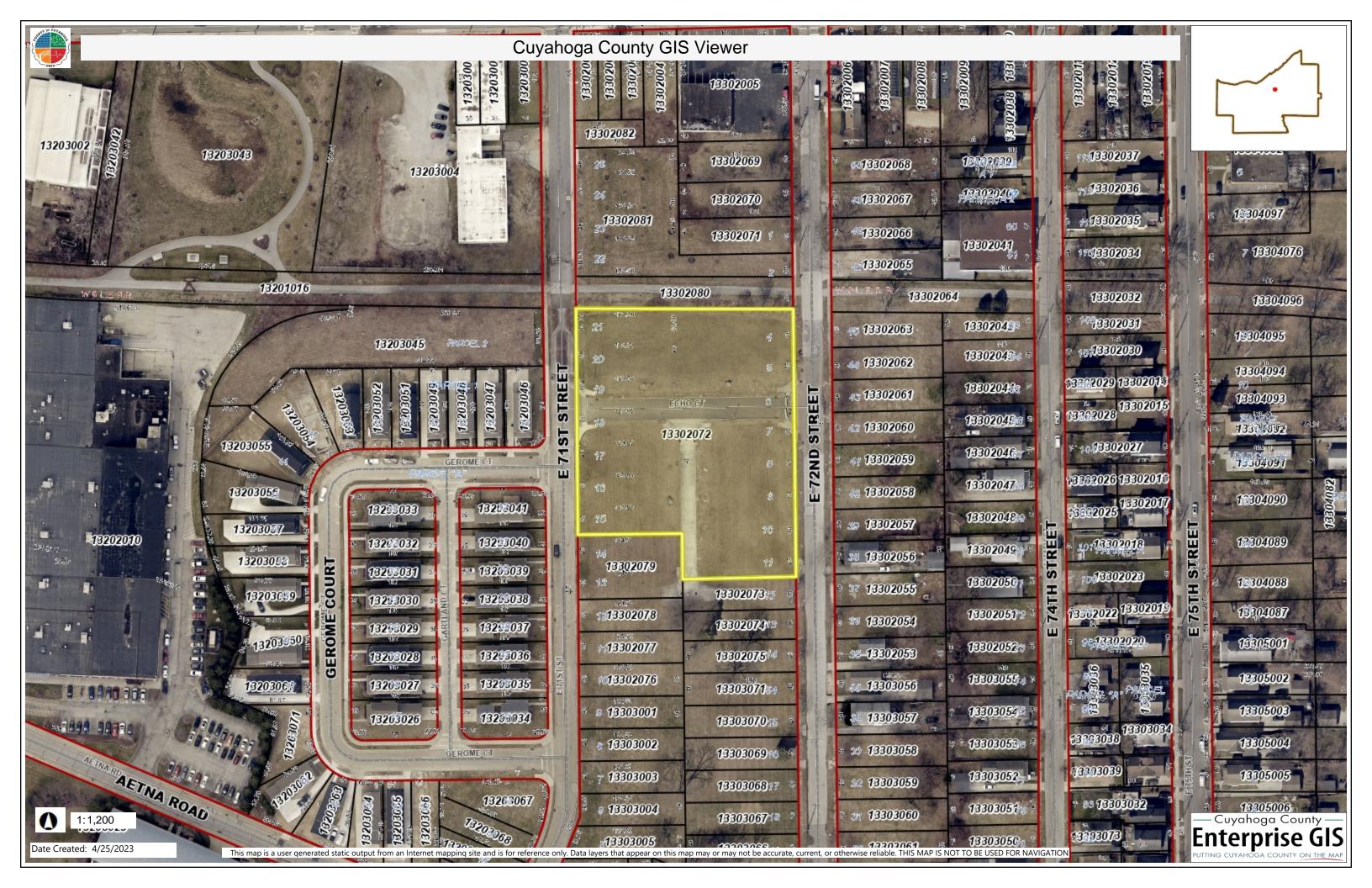
June 16, 2023

# For PPN# 133-02-072 Location: 3540 East 72<sup>nd</sup> Street

Representative: Hanna Cohan Plessner, BR Knez Contracting

# TRAILSIDE DEVELOPMENT PHASE 7 | LOT SPLIT

PPN 133-02-072



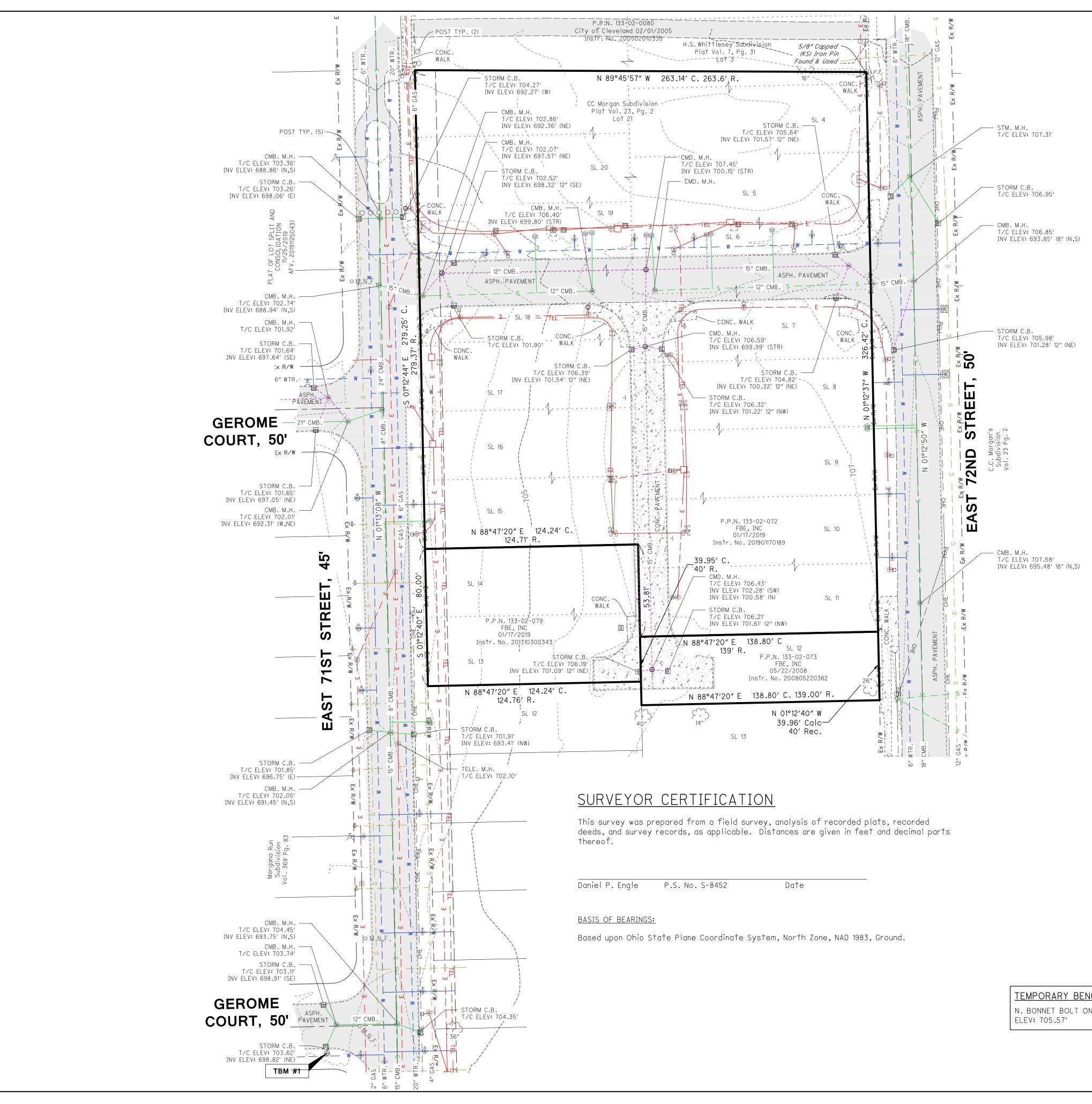




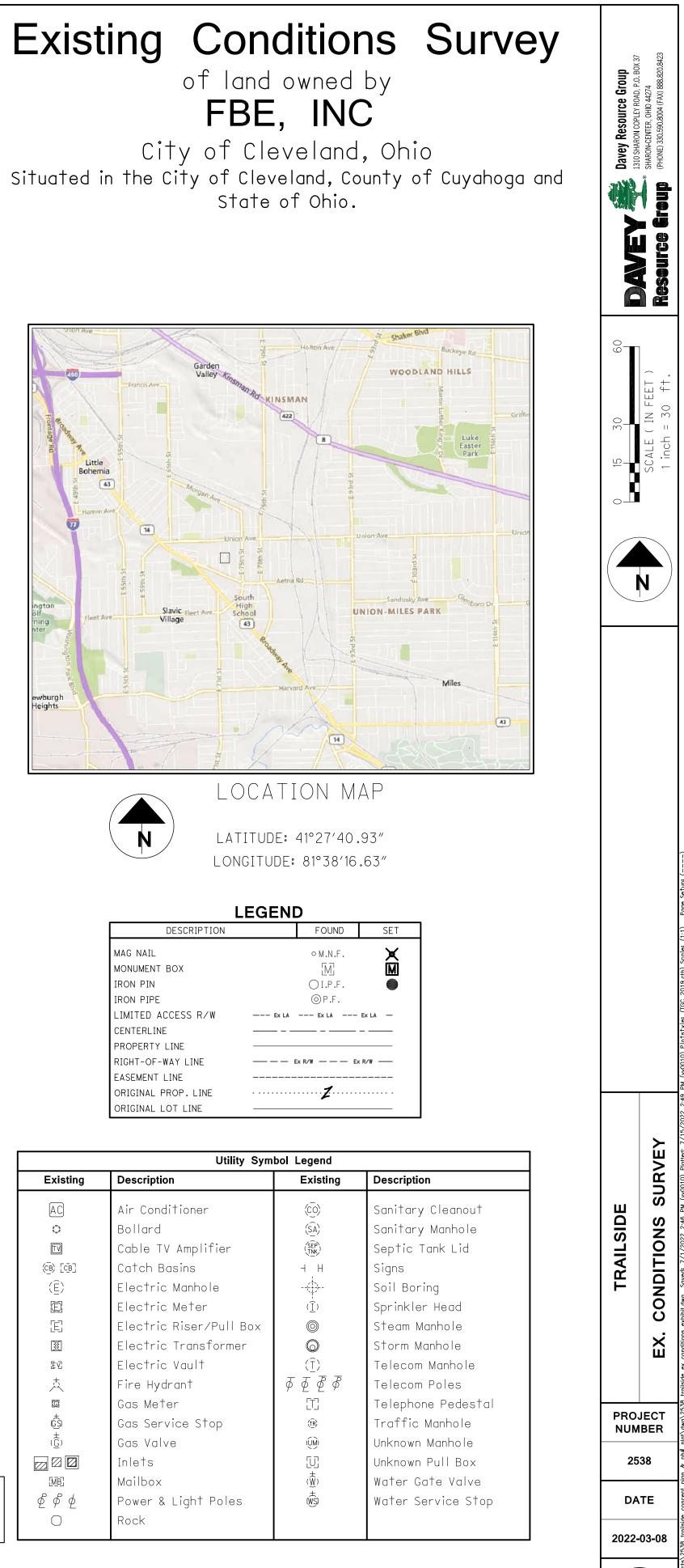


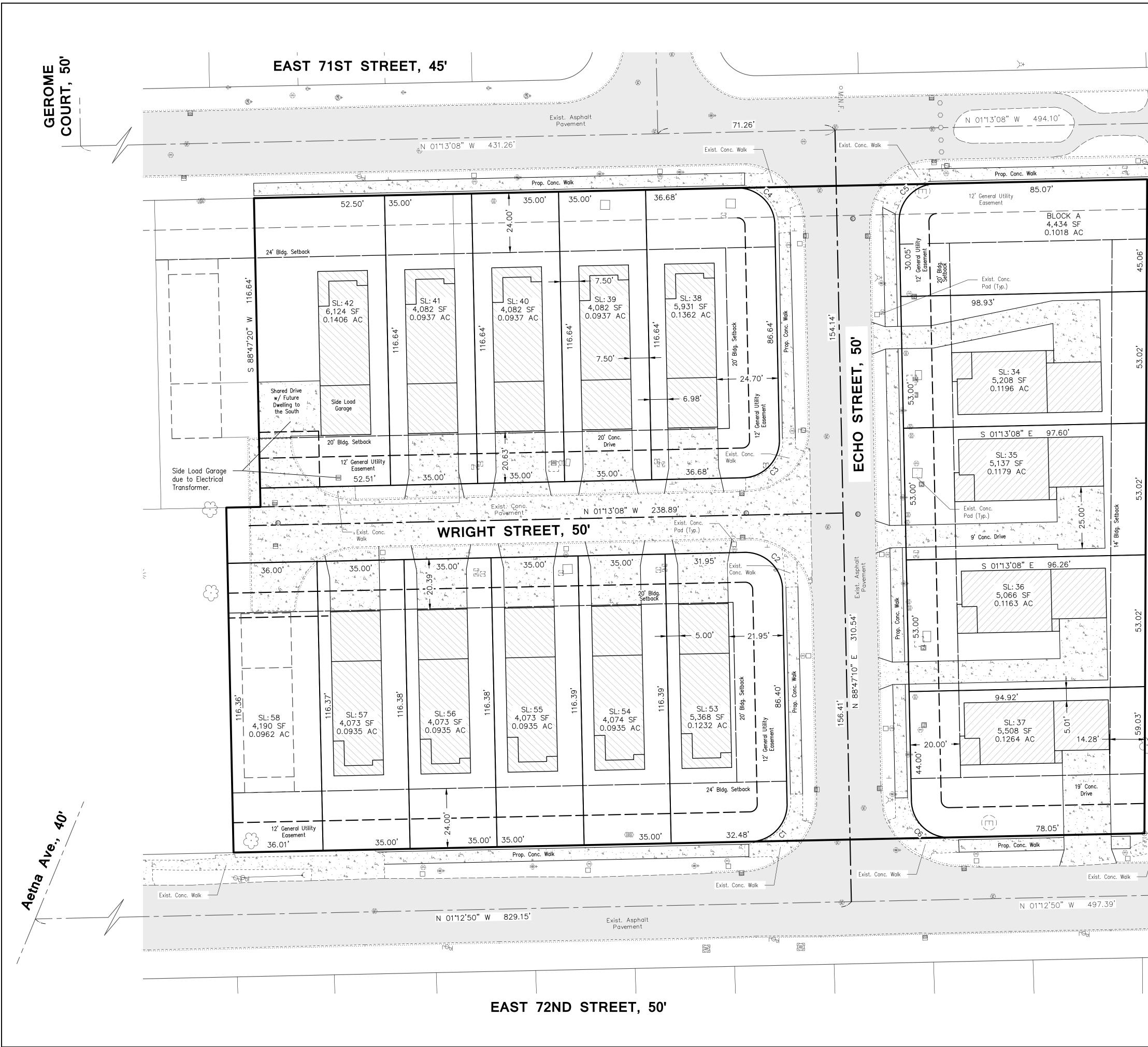
# PRIOR PHASES

# EXISTING TRAILSIDE DEVELOPMENT



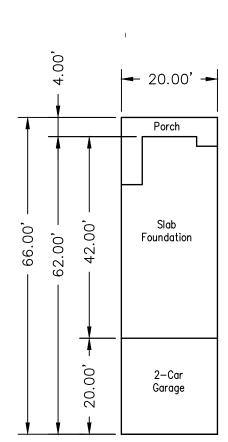
TEMPORARY BENCH MARK #1 N. BONNET BOLT ON HYD





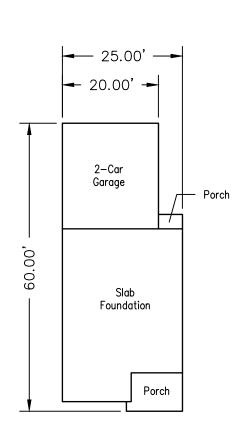
	DRAWN BY:	VVV	2023-02-17	37
	CHECKED BY:	TGC	2023-02-17	n box 3
Concept Pl Trailside Pha of land owned b	se 7	,		Davey Resource Group I 310 SHARON COPLEY ROAD, P.O. BOX 37 SHARON-CENTER, OHIO 44274 SHARON-CENTER, OHIO 44274
FBE, INC City of Cleveland, Situated in the City of Clevelan Cuyahoga and State of Ohio. Morgana Public Unit Developme (Ord.838-11)	Ohio d, County Part of th	е		0 10 20 40 Scale ( IN FEET )

GENERAL CURVE TABLE								
SEGMENT	LENGTH	RADIUS	CHORD	CHORD BEARING	DELTA			
C1	23.04'	15.00'	20.84'	S 47°13'01.87" E	87°59'36"			
C2	23.56'	15.00'	21.21'	N 43°47'01.23" E	90°00'18"			
C3	23.56'	15.00'	21.21'	S 46°12'58.77" E	89°59'42"			
C4	23.56'	15.00'	21.21'	N 43°47'01.23" E	90°00'18"			
C5	23.56'	15.00'	21.21'	N 46°12'58.77" W	89°59'42"			
C6	23.93'	15.00'	21.47'	S 43°04'50.70" W	91°24'39"			

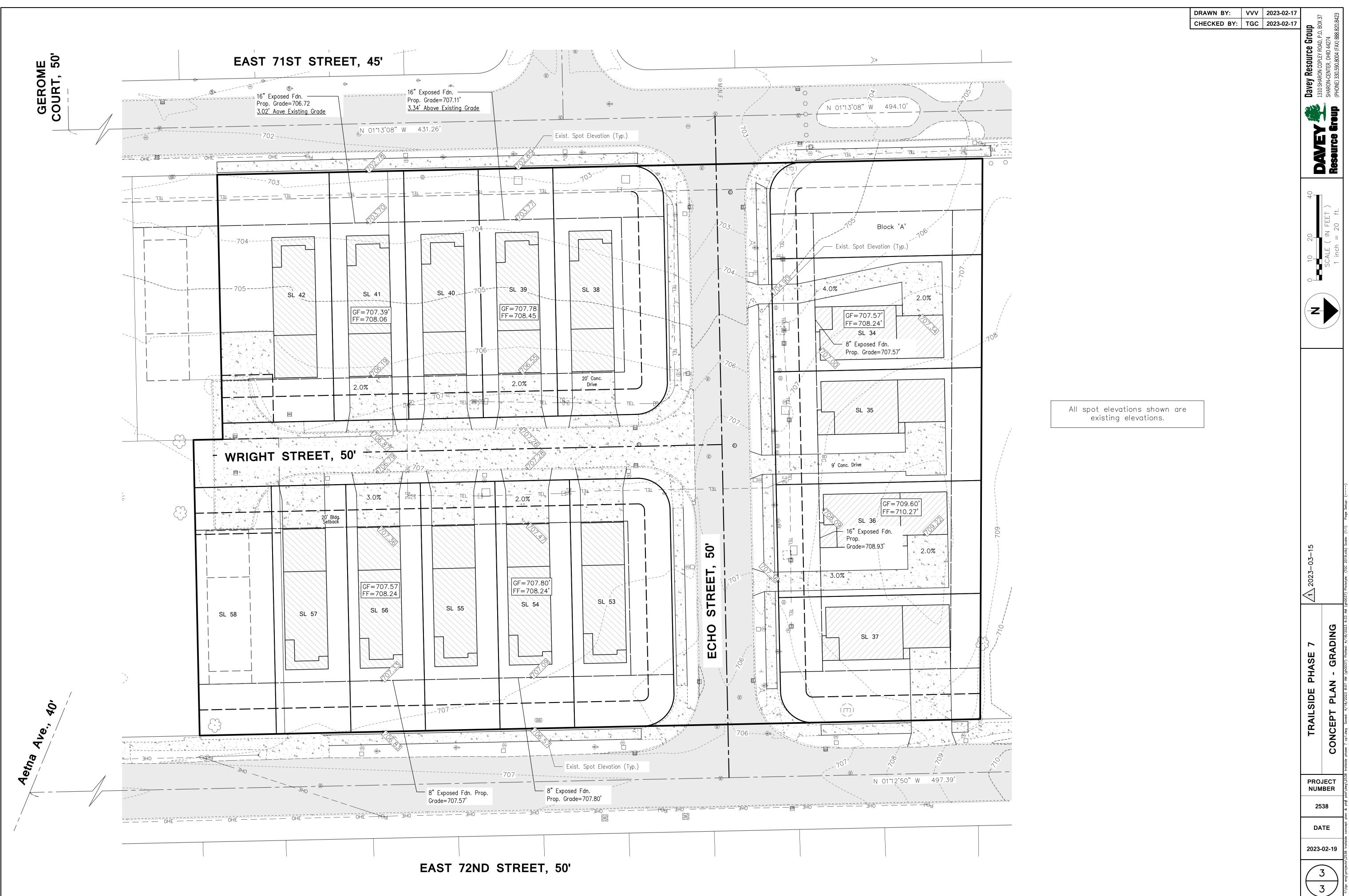


· 4.4

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	DRAWN BY: VVV 2023-02-17 CHECKED BY: TGC 2023-02-17	Davey Resource Group	SHARON-CENTER, OHIO 44274 (PHONE) 330.590.8004 (FAX) 888.820.8423
			source Group
		0 10 20 40	SCALE ( IN FEET ) 1 inch = 20 ft.
	Sanitary Lateral shown based on Lake County Sewer locations and Field Evidence Found         Storm Lateral         No Field Evidence Found         Location based on provided Improvement Plans         Storm Lateral shown based on Lake County Sewer locations and Field Evidence Found         Water Lateral         No Field Evidence Found         Location based on provided Improvement Plans         Water Lateral         No Field Evidence Found         Location based on provided Improvement Plans         Water Lateral         No Field Evidence Found         Location based on provided Improvement Plans         Water Lateral         No Field Evidence Found         Location based on provided Improvement Plans	Z	
	<ul> <li>SANITARY, STORM, &amp; WATER LATERAL COMMENTS</li> <li>Lot 34 Field evidence was found for possible Sanitary, Storm, and Water laterals.</li> <li>Lot 35 Field evidence was found for possible Sanitary, Storm, and Water laterals.</li> <li>Lot 36 Field evidence was found for possible Sanitary and Water laterals.</li> <li>Lot 37 Field evidence was found for sanitary and Water laterals.</li> <li>Lot 38 No field evidence was found for Sanitary or Storm.</li> <li>Field evidence was found for a possible Water lateral.</li> <li>Lot 39 No field evidence was found for Sanitary or Storm.</li> <li>Field evidence was found for a possible Water lateral.</li> <li>Lot 40 Field evidence was found for a possible Water lateral.</li> <li>Lot 41 No field evidence was found for Sanitary or Storm, or Water.</li> <li>Lot 42 No field evidence was found for Sanitary, Storm, or Water.</li> <li>Lot 43 No field evidence was found for Sanitary or Storm laterals. Field evidence was found for Sanitary or Storm or Water.</li> <li>Lot 44 No field evidence was found for Sanitary or Storm laterals. Field evidence was found for Sanitary or Storm laterals.</li> <li>Lot 53 No field evidence was found for Sanitary or Storm laterals. Field evidence was found for a possible Water lateral.</li> <li>Lot 54 No field evidence was found for Sanitary or Storm laterals. Field evidence was found for a possible Water lateral.</li> <li>Lot 55 No field evidence was found for Sanitary or Storm laterals. Field evidence was found for a possible Water lateral.</li> <li>Lot 56 No field evidence was found for Sanitary or Storm laterals. Field evidence was found for a possible Water lateral.</li> <li>Lot 57 No field evidence was found for Sanitary or Storm laterals. Field evidence was found for a possible Water lateral.</li> <li>Lot 58 No field evidence was found for Sanitary or Storm laterals. Field evidence was found for a possible Water lateral.</li> <li>Lot 57 No field evidence was found for Sanitary or Storm laterals. Field evidence was found for Sanitary or St</li></ul>		2 2023-04-18
G 		TRAILSIDE PHASE 7	CONCEPT PLAN-UTILITES

# **Conditional Use Permit**





June 16, 2023

## For PPN# 006-16-013 Address: 5412 Clark Avenue

Per Section 343.23(e)(2) C. Residential, institutional and non-retail office uses D. Any building-enclosed use that does not have a public pedestrian entrance from the Pedestrian Retail Street Frontage

Presenter: Shannan Leonard, Staff Planner

# 5412 Clark Ave: CMSD Reconstruction

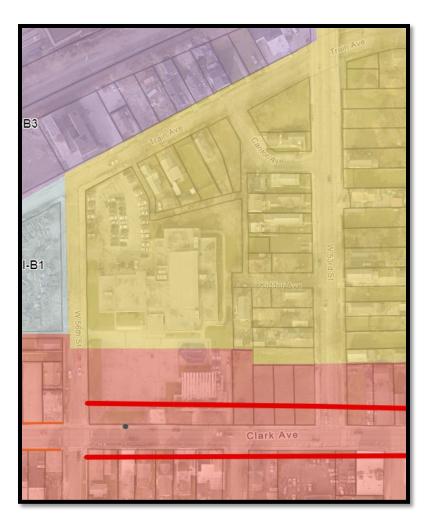
# **City Planning Commission Hearing**

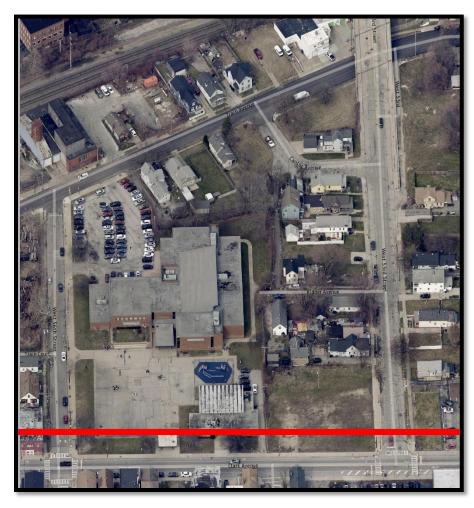
June 16,2023





# **Existing Conditions**





# **Proposal**



# **Proposal**

• Clark Elementary School







Cleveland Metropolitan School District New Clark PK-8 School Building Elevations–June 2023



Under §343.23 (d)(4) in Definitions, an *"Institutional Use"* is defined as a school, day care center, place of worship, *place of assembly*, nursing home, residential treatment facility, hospital or similar use.

# **Proposal**

# § 343.23 (e) (2)

D. Any building-enclosed use that does not have a public pedestrian entrance from the Pedestrian Retail Street Frontage, <u>one or</u> <u>BOTH conditions apply:</u>

- The proposed use will occupy an existing building that lacks such pedestrian entrance, and the ADDITION of such conforming pedestrian entrance is made INFEASIBLE by the configuration of the interior space or other factors related to the design and placement of the building
- Placement of the pedestrian entrance in a location other than on the Pedestrian Retail Street Frontage will result in a more suitable pedestrian access.





Cleveland Metropolitan School District New Clark PK-8 School Clark Avenue –June 2023





# Pedestrian Retail Overlay Conditional Uses

# C.) Institutional, and Non-Retail Office Uses

# D.)Any building-enclosed use that does not have a public pedestrian entrance from the Pedestrian Retail Street Frontage

343.23 (e)(2)[C &D]

# **Design Review Cases**





June 16, 2023

# NW2022-027 – Clark Elementary School New Construction: Seeking Schematic Design Approval Project Address: 5412 Clark Avenue Project Representative: Sarah Klann, Robert P. Madison International Note: the Planning Commission granted this item Conceptual Approval on August 19, 2022.

# **Clark PK-8 School**

Schematic Design Review June 2023





#### New Clark PreK-8 School

The proposed new CMSD Clark PK-8 school, at 5550 Clark Ave., is a three story masonry building, with frontage on Clark Ave, W. 53<sup>rd</sup> St., W. 56<sup>th</sup> St., and Train Ave. The building is 87,800 SF and designed for 675 students and 80 staff. The project is a \$30,800,000 investment.

The new school site, at 4.6 acres, is slightly larger than the existing site due to the acquisition of three lots on Train Ave. and two on W. 53<sup>rd</sup>. The building is set back from the sidewalk 12', at City of Cleveland request, to provide space for a future multi-purpose trail connecting to the Clark Recreation Center. Site elements include two playgrounds, a large play area, an outdoor learning area, bike racks, staff and visitor parking for 95, and bus parking. The site also includes queuing space for student drop off and pick up in the north lot to alleviate traffic on surrounding streets. There will be below ground stormwater management at the southeast parking area, and a surface stormwater management basin north of the north parking lot.

Interior building elements include a three story classroom wing, a Project Lab, Art Room, Dance Room, Media Center, and Gym and Student Dining which will be available for Community use. A scratch cooking kitchen and fruit and vegie bars are included to provide healthy food options for students.

Incorporating security, both inside and out, is an important aspect of the project. Windows include a security film application, entry vestibules are designed so visitors enter into the controlled reception area before they gain access into the building, and the two wings of the building have a secure separation to control access.

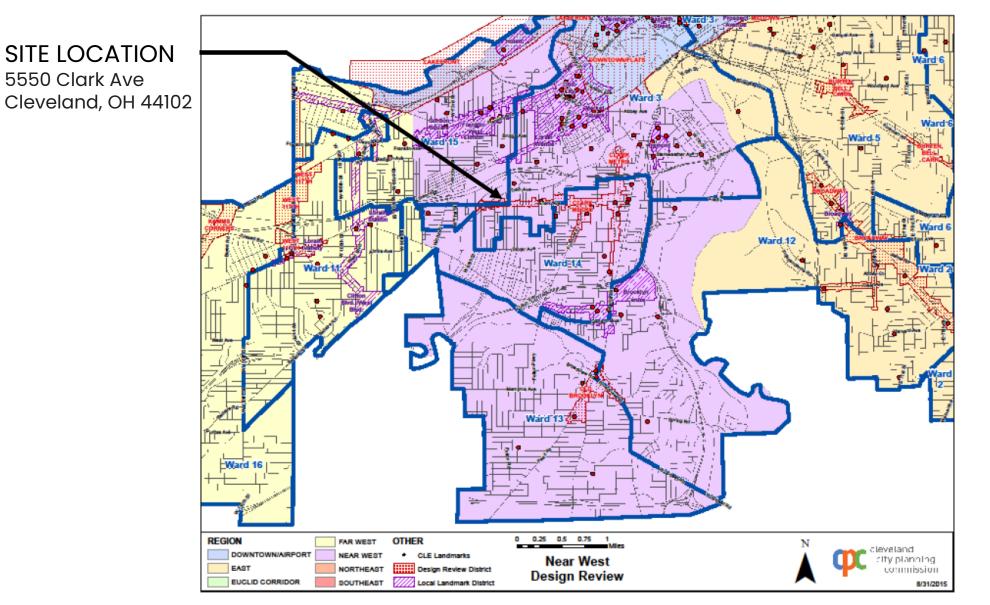
Sustainable design elements are also incorporated into the project. As noted, storm water will be managed to control release to the storm system. Conduit will be run to parking areas, and electrical panels have been sized, to support future EV charging stations. An area of the roof is designed structurally to support future solar panels with electrical conduit included. Low water use plumbing fixtures and LED lights are standard throughout.

Construction of the new building necessitates the demolition of the existing Clark School and annex. Two houses will also be demolished on Train Ave.



Cleveland Metropolitan School District Clark PK-8 School Written Project Summary–June 2023

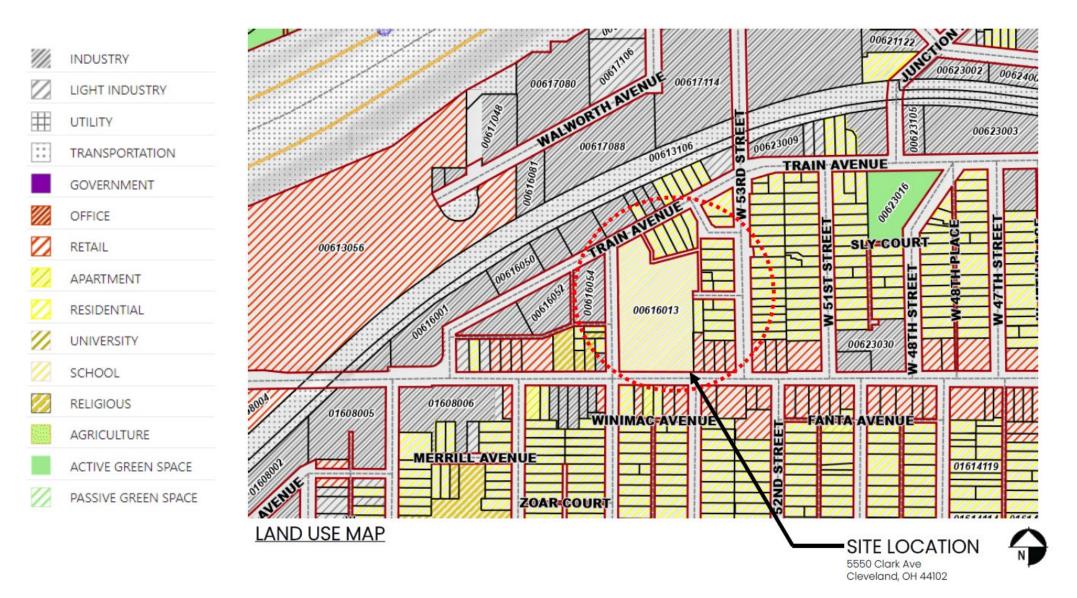






Cleveland Metropolitan School District Clark PK-8 School District Map–June 2023



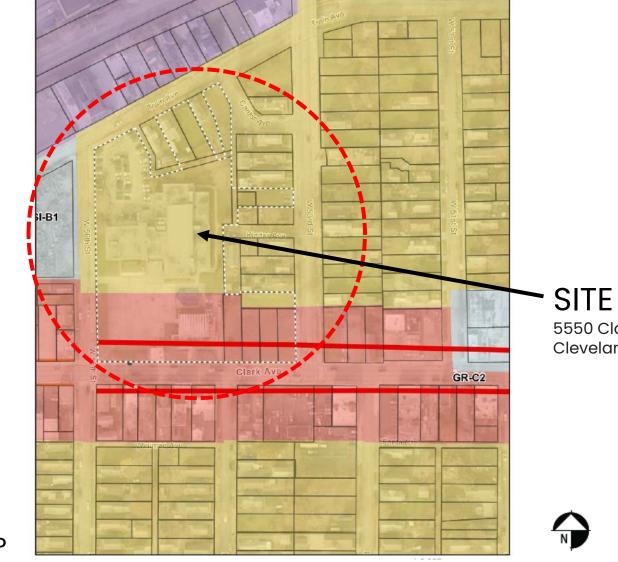




Cleveland Metropolitan School District Clark PK-8 School Existing Site and Land Use–June 2023







#### · SITE LOCATION

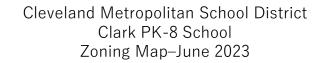
5550 Clark Ave Cleveland, OH 44102



CLEVELAND

METROPOLITAN

CHOOL DISTRICT





#### <u>New Clark PreK-8 School – Zoning Narrative</u>

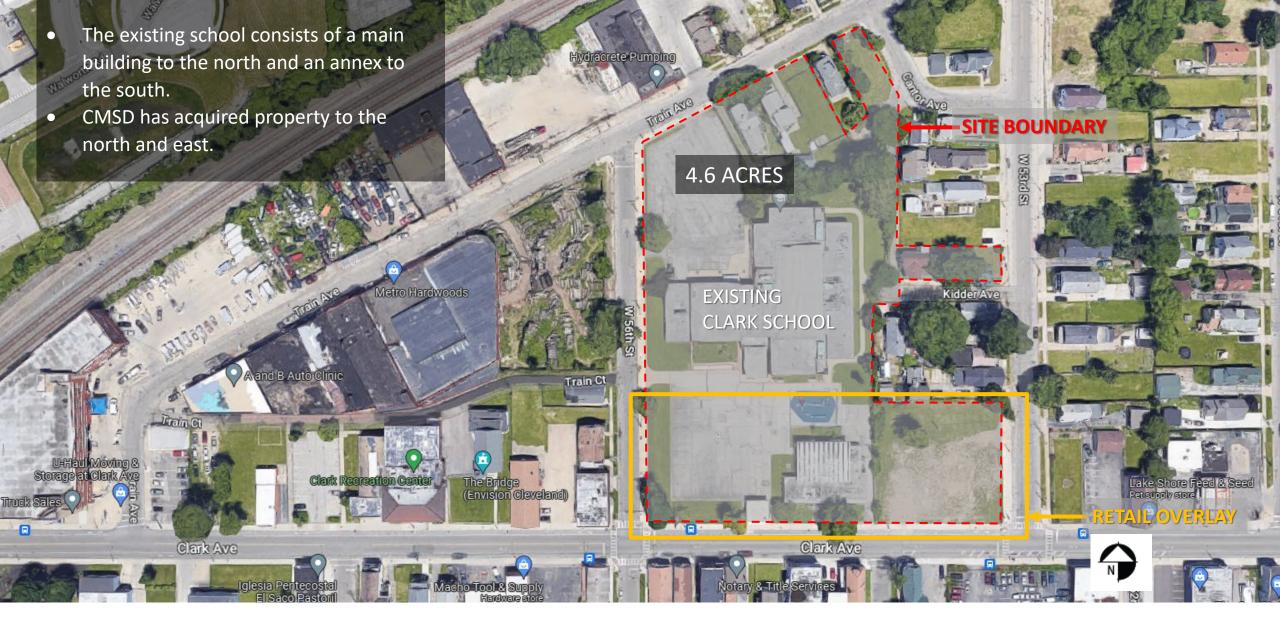
The project site falls under two zoning categories. The north side is zoned "2F-B1" Two Family, Area District B, Height District 1 (1D or not to exceed 35'). The south end of the property, along Clark Avenue, is zoned "GR-C2" General Retail Business, Area District C, Height District 2 (2D or not to exceed 60'). The new building heights comply with these requirements. The Pedestrian Retail Overlay Frontage along Clark Avenue requires the new school to front Clark Avenue. The project is planning to seek variances for the following reasons:

- The maximum setback along Clark Avenue allowed by the PRO is 5' from the right of way. The city has requested width be held for a future multi-purpose trail, so the new school is currently 12' from the right of way.
- The PRO requires a higher percentage of glass along the street edge than is safe to provide for school functions.
- A variance may be required for the main entry placement, as it faces away from Clark Avenue to address parent pickup/drop-off locations, and staff/visitor parking. It is however visible from Clark Avenue.
- Conditional Use will need to be sought as a school is an institutional use. A school has been on this site since at least1881.



Cleveland Metropolitan School District Clark PK-8 School Zoning Narrative–June 2023







Cleveland Metropolitan School District Clark PK-8 School Existing Site Layout–June 2023

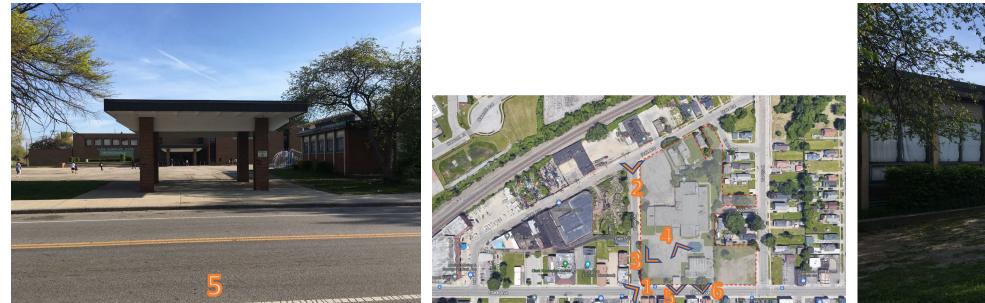
















Cleveland Metropolitan School District Clark PK-8 School Context Exterior–June 2023

















Cleveland Metropolitan School District Clark PK-8 School Context Exterior–June 2023

















Cleveland Metropolitan School District Clark PK-8 School Context Exterior–June 2023



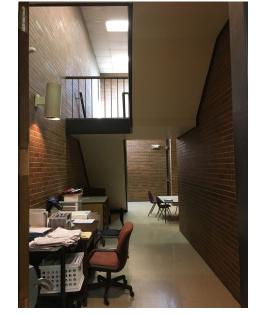












Cleveland Metropolitan School District Clark PK-8 School Context Interior–June 2023





#### **Conceptual Sit Plan**





Cleveland Metropolitan School District Clark PK-8 School Conceptual Site Plan In-Context–June 2023



#### **Conceptual Rendering**





Cleveland Metropolitan School District Clark PK-8 School Conceptual Rendering –June 2023



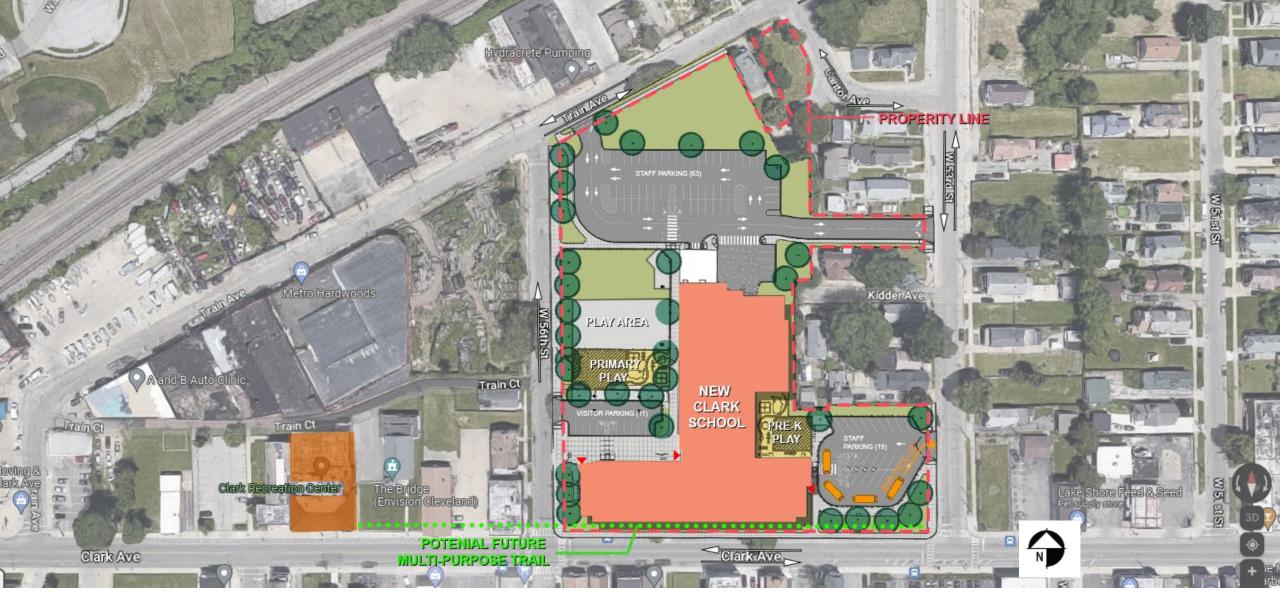
#### **Conceptual Rendering**





Cleveland Metropolitan School District Clark PK-8 School Conceptual Rendering –June 2023







Cleveland Metropolitan School District Clark PK-8 School Site Plan In-Context–June 2023



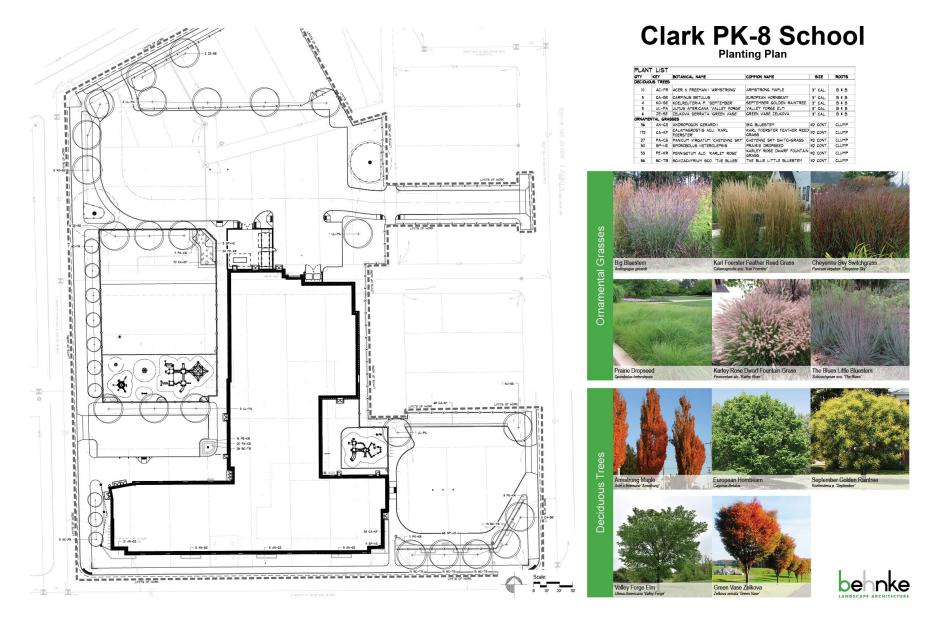


-x - x - x - x - 6' tall vinyl coated chain link fence



Cleveland Metropolitan School District Clark PK-8 School Graphic Plan–June 2023







Cleveland Metropolitan School District Clark PK-8 School Planting Plan–June 2023









Cleveland Metropolitan School District Clark PK-8 School Ornamental Grasses List–June 2023







Cleveland Metropolitan School District Clark PK-8 School Deciduous Trees List-June 2023



# Bike Racks Benches Trash Receptacles Ornamental Fence Image: Comparison of the second of the second





Genetime Cleveland Municipal School District - Clark School District





Cleveland Metropolitan School District Clark PK-8 School Site Features–June 2023



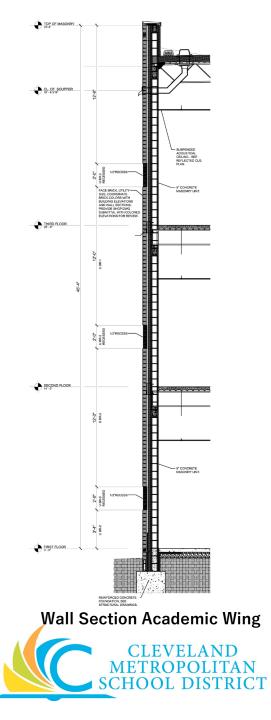






Cleveland Metropolitan School District New Clark PK-8 School Building Elevations–June 2023



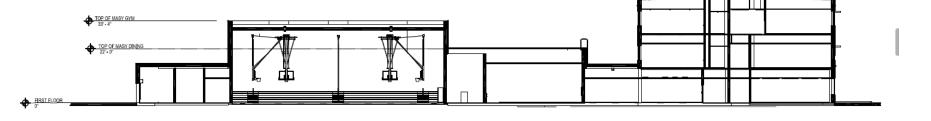


Cleveland Metropolitan School District New Clark PK-8 School Building and Wall Sections–June 2023

**Building Section** 



TOP OF MASONRY

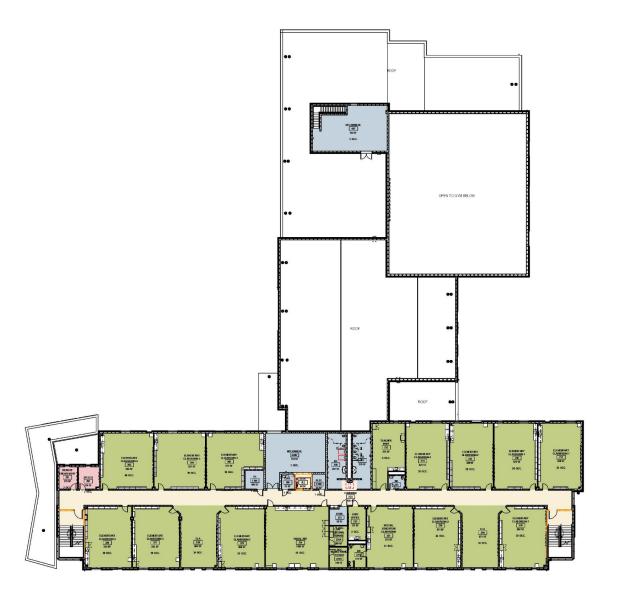






Cleveland Metropolitan School District Clark PK-8 School Floor Plan Level 1–June 2023







Cleveland Metropolitan School District Clark PK-8 School Floor Plan Level 2–June 2023







Cleveland Metropolitan School District Clark PK-8 School Floor Plan Level 3–June 2023







Cleveland Metropolitan School District New Clark PK-8 School Clark Avenue –June 2023







Cleveland Metropolitan School District New Clark PK-8 School Main Entrance–June 2023







Cleveland Metropolitan School District New Clark PK-8 School East Side–June 2023







Cleveland Metropolitan School District New Clark PK-8 School West Side–June 2023





**South Elevation** 



#### **North Elevation**



Cleveland Metropolitan School District Clark PK-8 School Signage–June 2023



2'-0"

# CLARK Prek-8 School]2-0"



thick.

2'-9"

Cast aluminum letters and numbers 1"

1'-0"



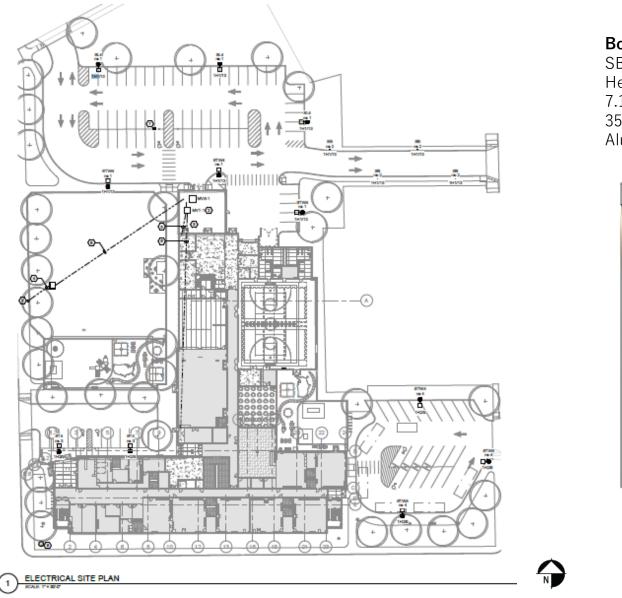


Clear anodized finish.

1 ½" offset spacer mounting.

29'-1"

ARK PreK-8 Schoo



#### **Bollard Lights**

SB Hess 7.1" Diam. 35.4" High Aluminum Finish

#### Parking Lights

SL4/STW4 McGraw-Edison 22"x22"x4"D 30' High Pole Bronze Finish





**Building Lights** 

McGraw-Edison

18"Wx9"Dx7"H

Bronze Finish

SLW

#### ROBERT P. MADISON **INTERNATIONAL. INC** RCHITECTURI



Cleveland Metropolitan School District Clark PK-8 School Site and Building Lighting–June 2023

#### **Brick Colors**



UBR-1 UBR-2 Belden Belden Concord Clear Nevada Blend

Laminators

Slate Grey

#### Metal Panel/Canopy Colors



UBR-3 Belden 141-145 Vertical



UBR-4
Belden
Buckingham Clear



UBR-5 Belden Cranberry Glaze

Clear Anodized Aluminum Storefront and Windows





Laminators

Slate Blue

Cleveland Metropolitan School District Clark PK-8 School Building Materials–June 2023

Laminators

Teal



### **Cleveland City Planning Commission**

## **Staff Report**



#### **Committee Recommendation:**

motion to approve schematic, taking in consideration, adding glass
and glazing on first level; further articulate Clark Ave. frontage; possibly adjusting parapet and
adjusting spandrel glass;



June 16, 2023



June 16, 2023

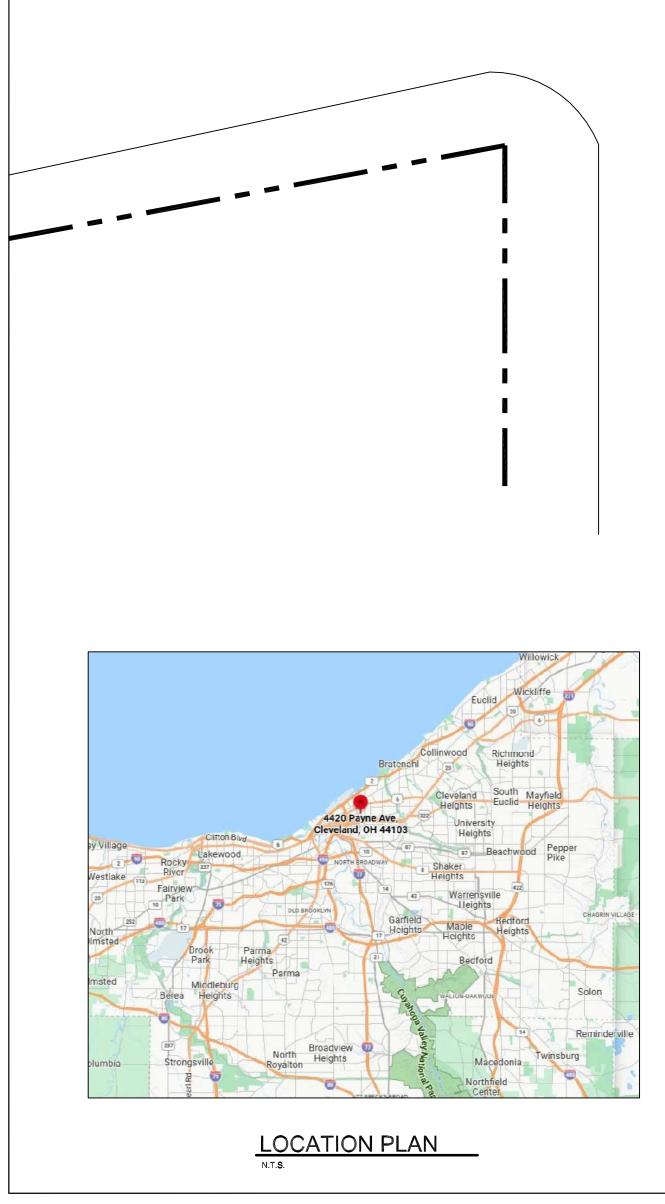
EC2023-011 – The Company Inc. New Construction:
Seeking Schematic Design Approval
Project Address: 4420 Payne Avenue
Project Representative: Leon Sampat, LS Architects

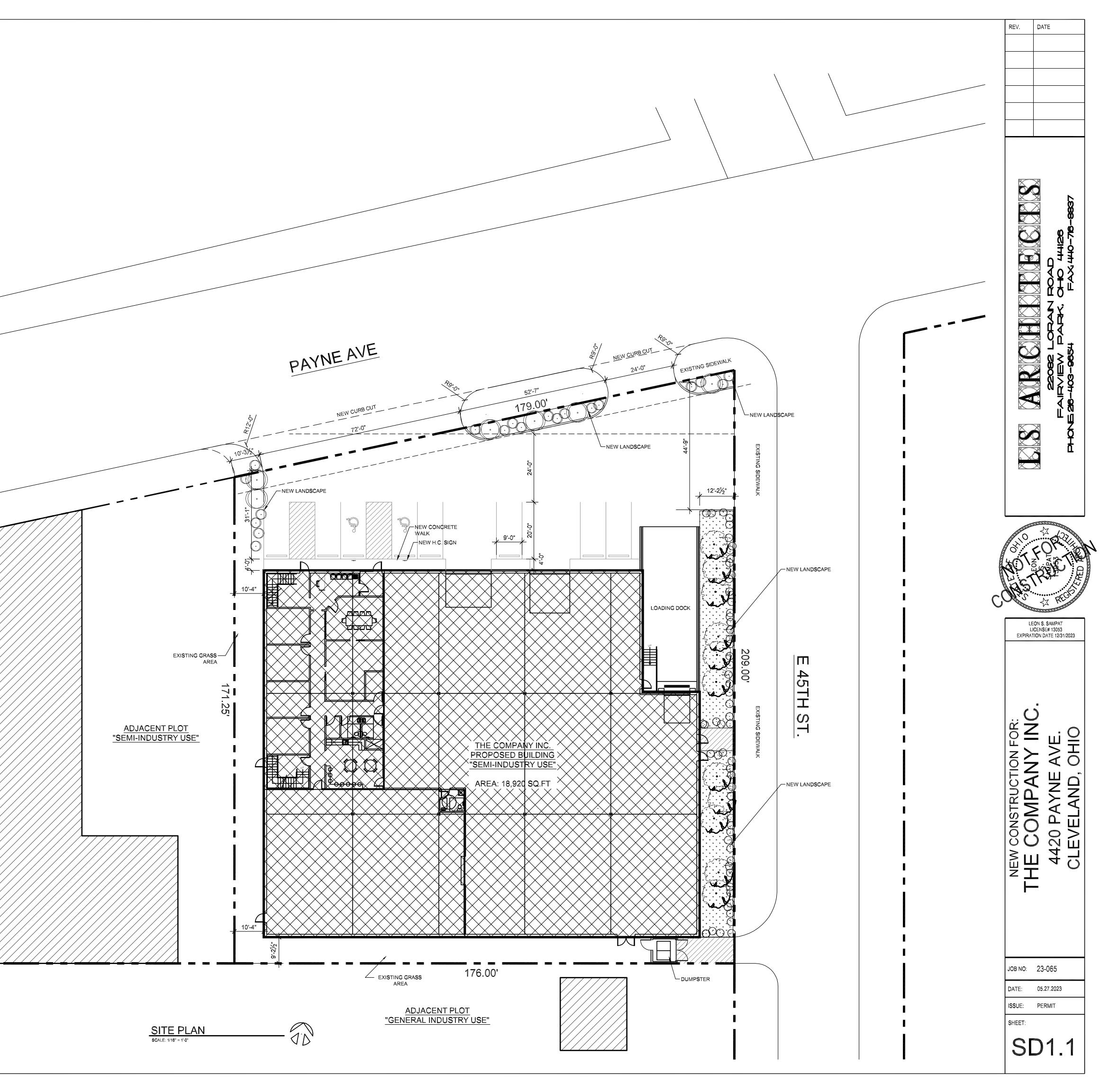


EXISTING ADJACENT STRUCTURES (EAST)



EXISTING ADJACENT STRUCTURES (NORTH)

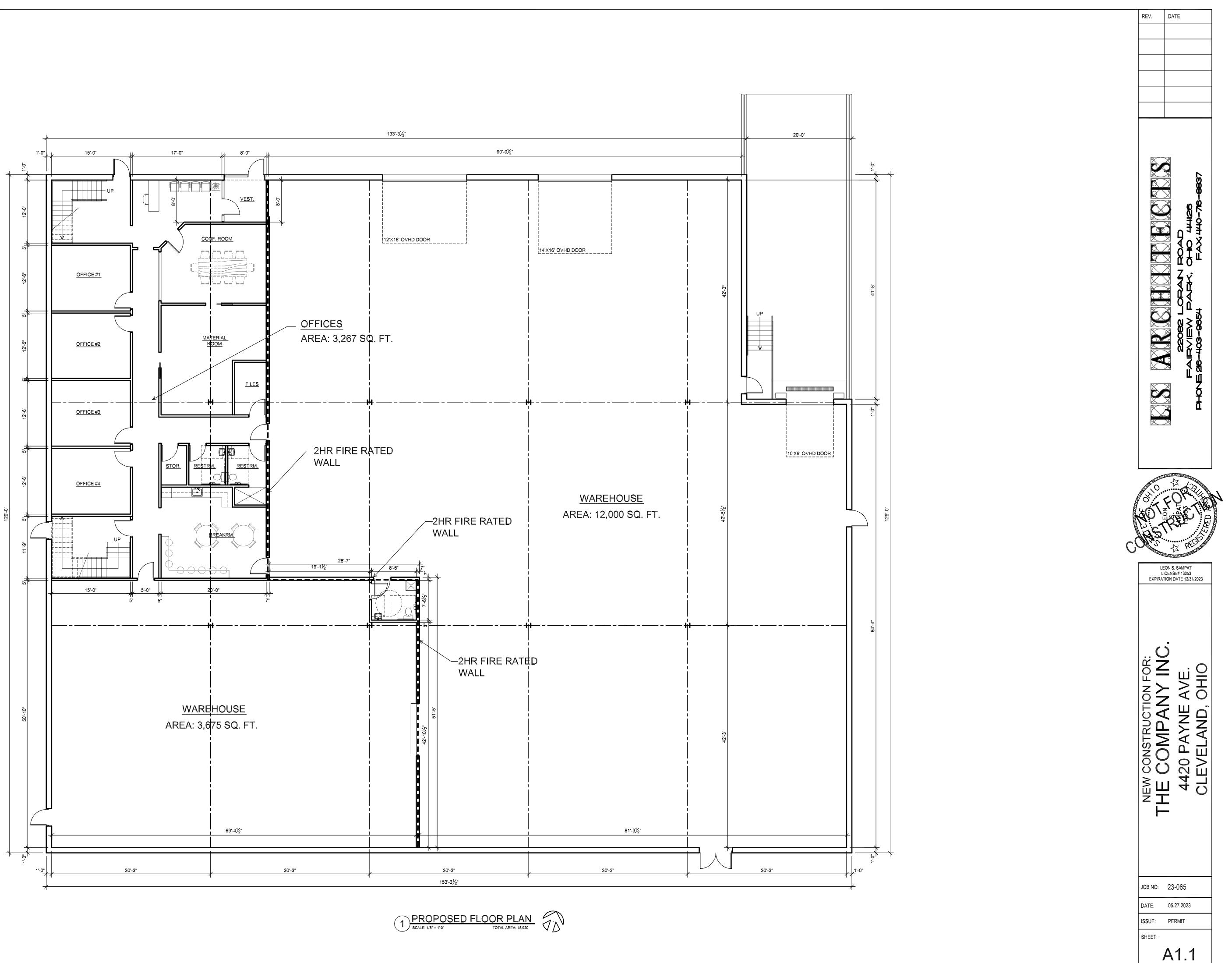








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	LE U	ion S. Cens		G. A
	LE U		SAMPAT	G. A
	EV CONSTRUCTION FOR:		A420 PAYNE AVE.	LAND, OH
	THE CONSTRUCTION FOR:		A420 PAYNE AVE.	LAND, OH
	NEW CONSTRUCTION FOR:		SAMPAT AVE AVE.	LAND, OH





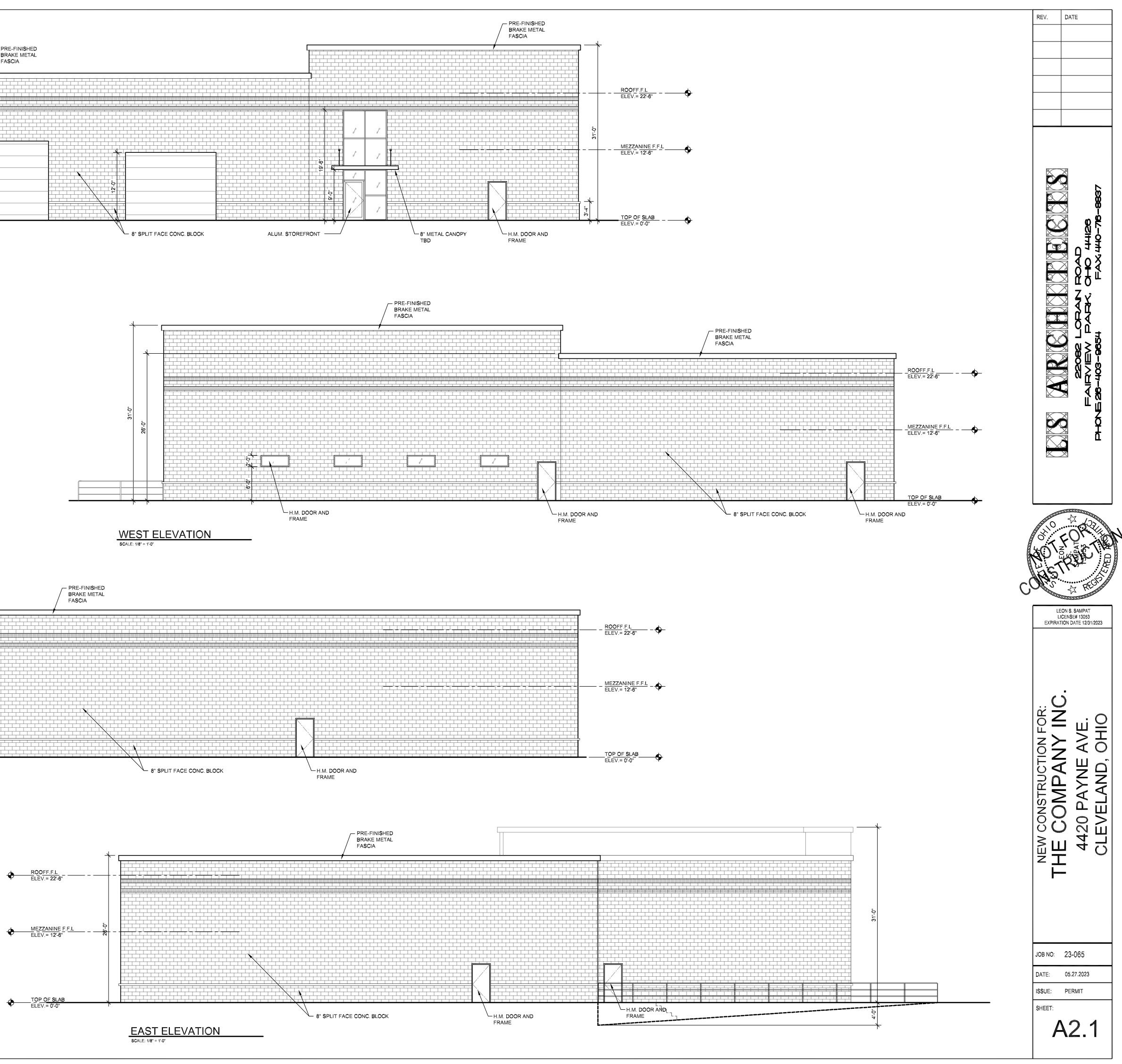
J		PRE-FINISHED BRAKE METAL FASCIA
26'-0"		
-4 -0-		
L.		

SCALE: 1/8" = 1'-0"

5'-0"																																										
																																										<u> </u>
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SOUTH ELEVATION SCALE: 1/8" = 1'-0"

TOP OF SLAB ELEV.= 0'-0"



## **Cleveland City Planning Commission**

# **Staff Report**



#### **Committee Recommendation:** Approved with **Conditions**:

- 1- Eliminate 2 parking spaces at west side of parking lot that effectively reuce width of driveway apron
- 2- Extend or continue landscape bed along E 45th Street to corner
- 3- Additional study of elevations to delineate second floor that would introduce material or color to help reduce the scale of overall massing
- 4- Study potential windows including clearstory for additional interior light





June 16, 2023

**EC2023-013** – Proposed Demolition of a 2 ½-Story Residential Structure: Seeking Final Approval per §341.08 of the Cleveland Codified Ordinances **Project Address: 11333 Bellflower Avenue** Project Representative: Joanne Brown, CWRU

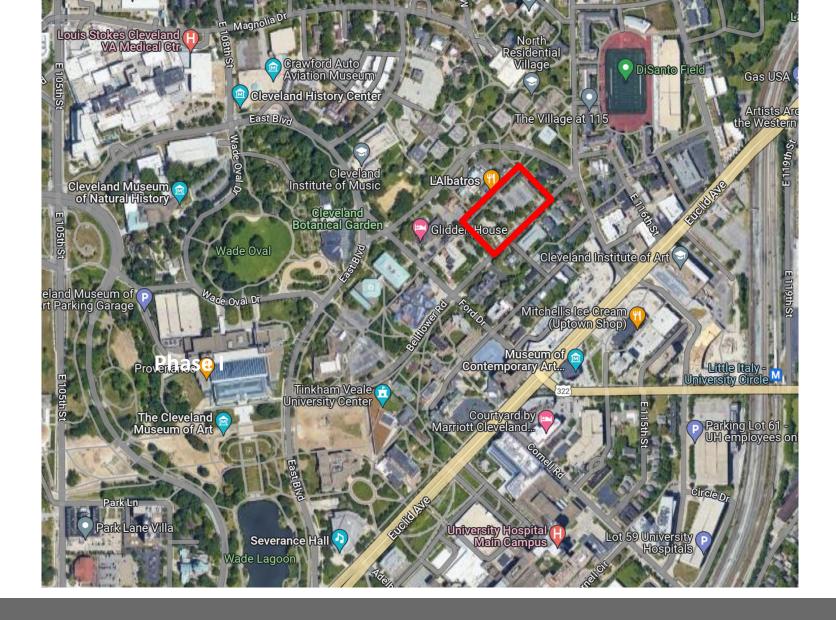
## **CWRU – 11333 Bellflower Road** Former Delta Sigma Delta Building Demolition & Parking Lot Expansion

June 15, 2023 Euclid Corridor Design Review



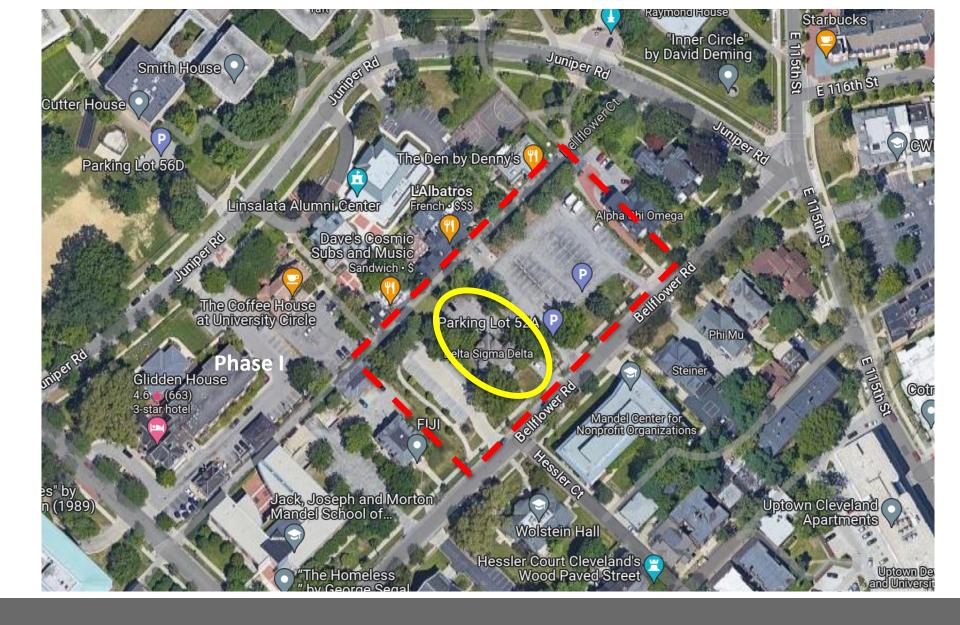
# **CWRU – 11333 Bellflower Road** Former Delta Sigma Delta Building Demolition













#### **EXISTING SITE AERIAL**











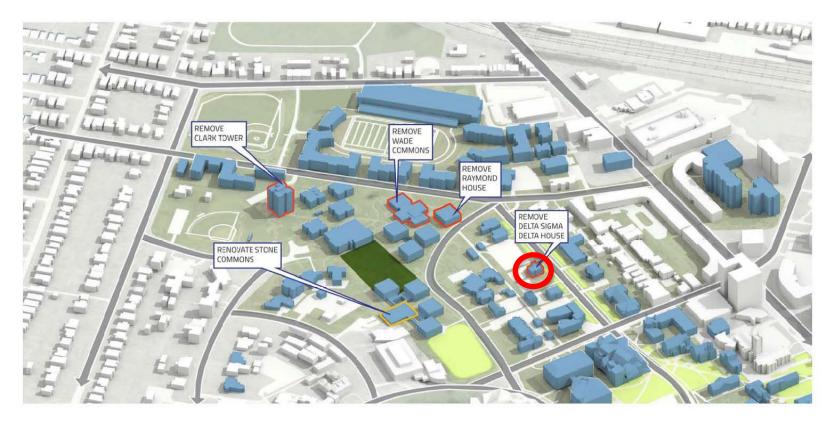
DELTA SIGMA DELTA BUILDING EXISTING EXTERIOR ELEVATIONS





DELTA SIGMA DELTA BUILDING EXISTING INTERIOR ELEVATIONS

#### **BELLFLOWER/NRV: CURRENT**





think beyond the possible"

For Reference Only - 2015 Master Plan

#### **BELLFLOWER/NRV: CATALYTIC PROJECTS**



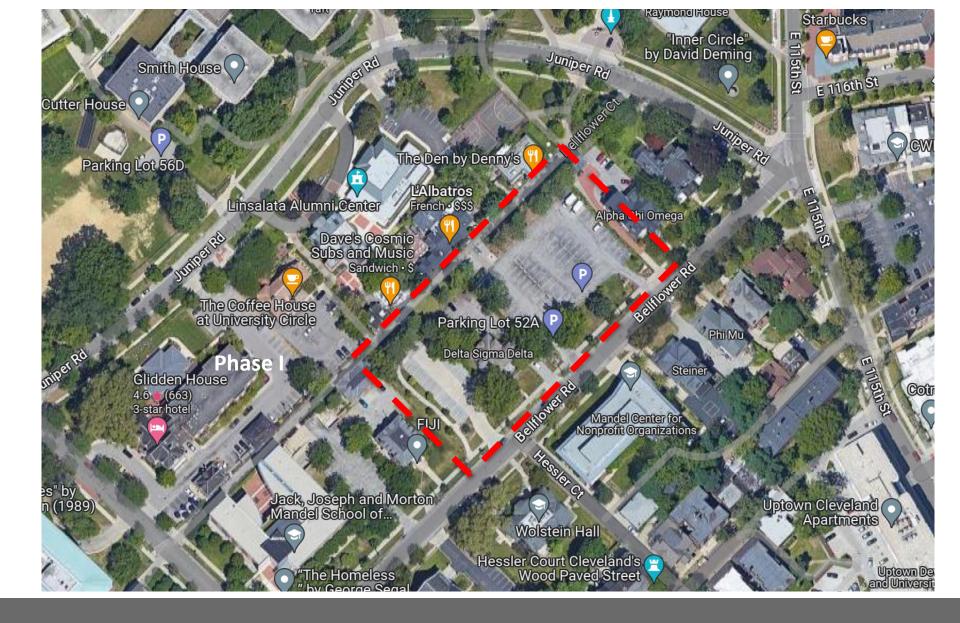


think beyond the possible"

For Reference Only - 2015 Master Plan

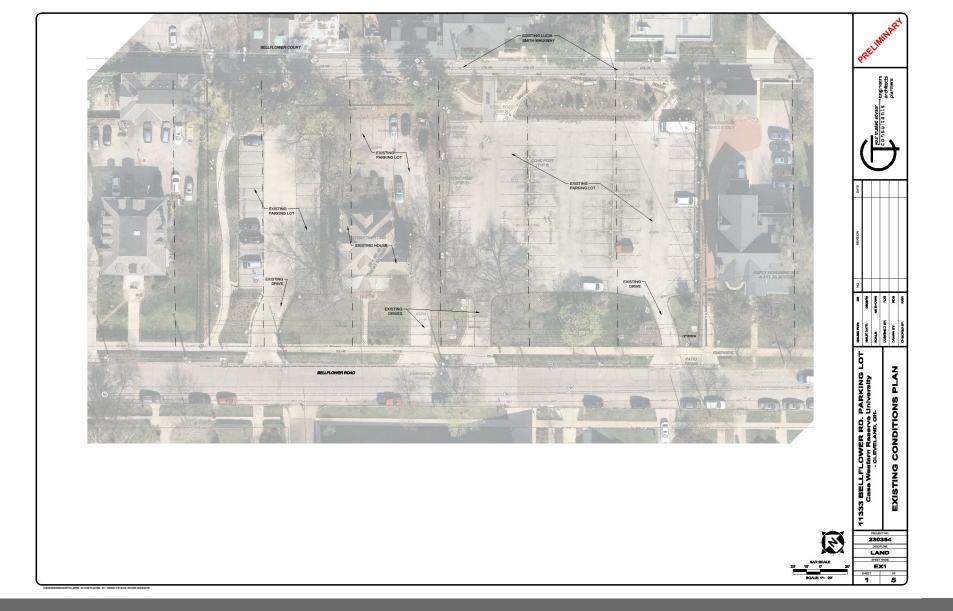
## **CWRU – 11333 Bellflower Road** Parking Lot Expansion







#### **EXISTING SITE AERIAL**





#### **Existing Site Conditions**



EXISTING WEST LOT



FRATERNITY HOUSE TO BE DEMOLISHED



HOUSE DRIVEWAY AND EAST PARKING LOT DRIVEWAY

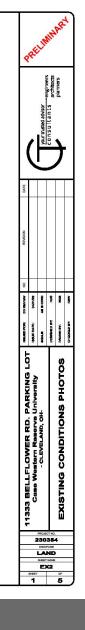


EAST PARKING LOT EAST DRIVEWAY LOOKING SOUTH



EAST PARKING LOT LOOKINGNORTH







EAST PARKING LOT LOOKING WEST



EAST PARKING LOT LOOKING WEST





EAST PARKING LOT LOOKING EAST

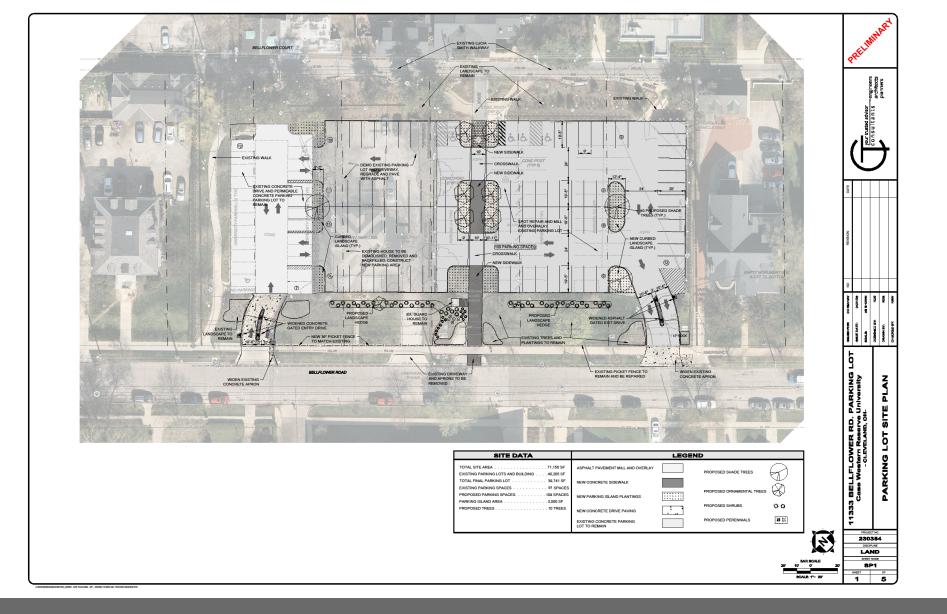


FRATERNITY HOUSE AND PARKING LOT



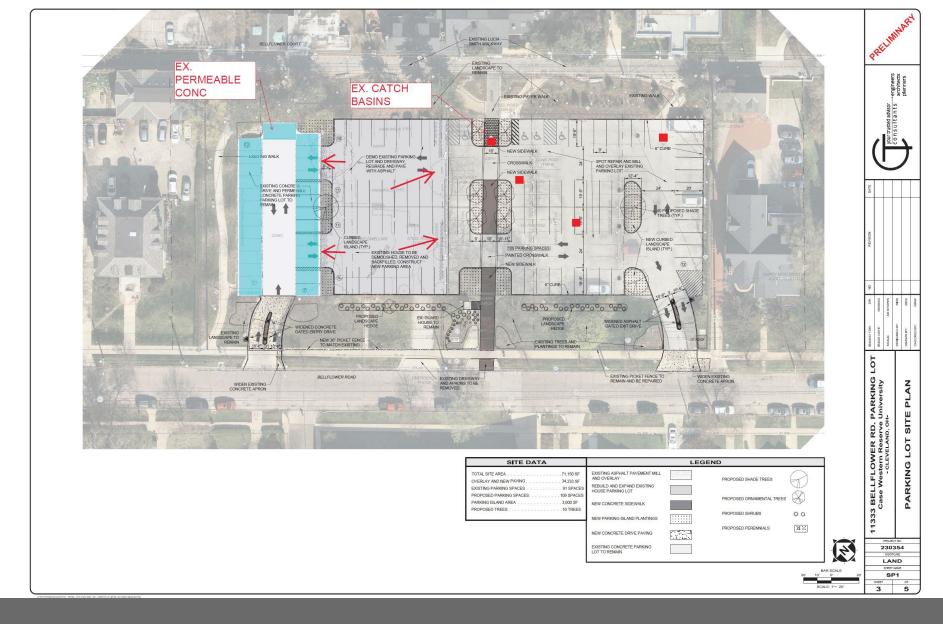
Existing Site Photographs





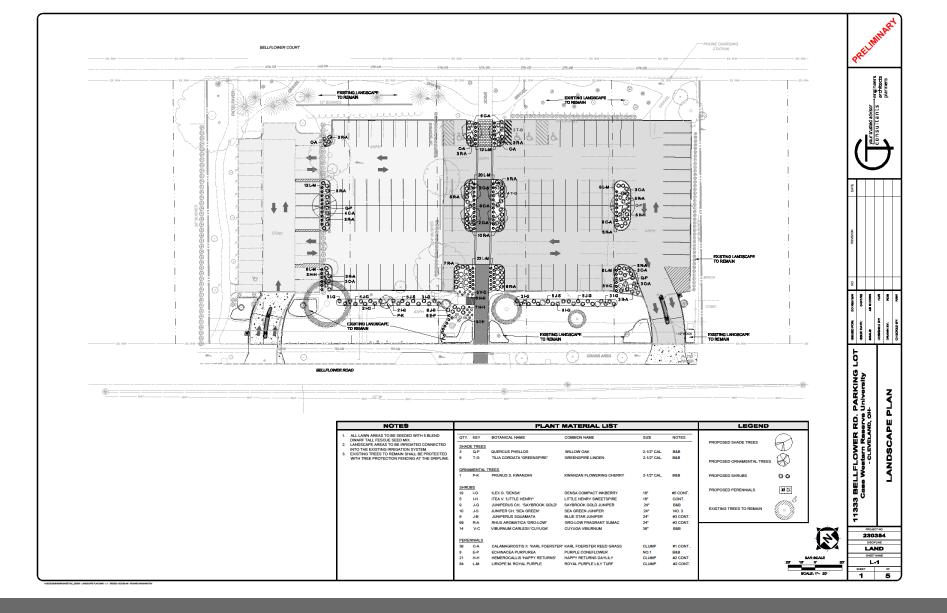


Proposed Site Plan – Enlarged Parking Lot



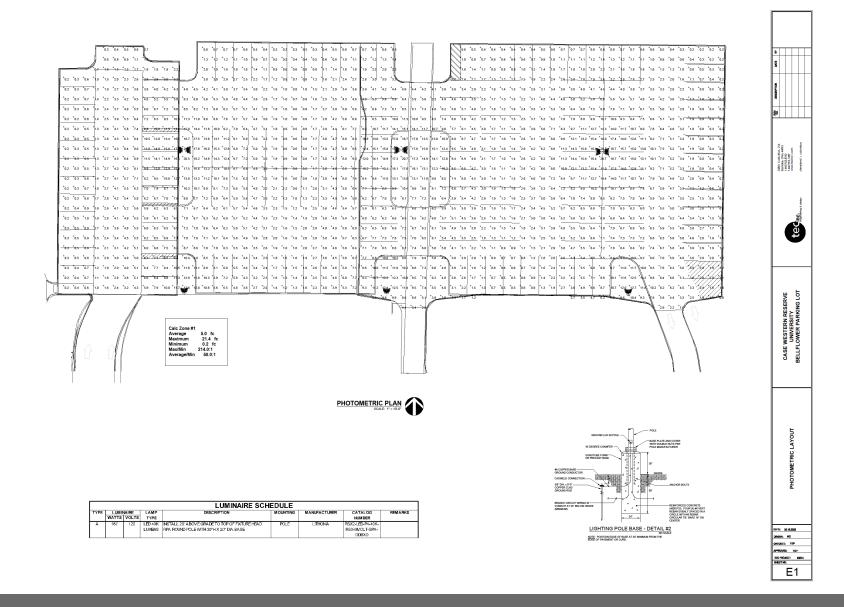


Proposed Site Drainage Plan





Proposed Landscape Plan





**Proposed Site Lighting** 





Aerial Rendering of Expanded Parking Lot







Modified Entrance & Exit Renderings







Bellflower Sidewalk & Access Walk to Restaurant



View looking North



View looking South







Aerial Rendering of Expanded Parking Lot

## **Cleveland City Planning Commission**

# **Staff Report**





June 16, 2023

**Committee Recommendation:** Disapproved

## **Cleveland City Planning Commission**

# **Mandatory Referrals**





June 16, 2023

#### Ordinance No. 704-2023

(Introduced by Councilmembers Bishop and Griffin (by departmental request): To amend Section 505.07 and various sections of Chapter 513 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, relating to patios and parklets; and to change the name of Chapter 513.

# Ordinance 704-2023 – Proposed Patio and Parklet Codification Changes

Amend Sections 505.07 and 513

JUNE 16, 2023



## **MEETING AGENDA**

- Brief History of Patios and Parklets
- Review Changes to 513
- Review Changes to 505.07
- Questions



## **Brief History of Patios and Parklets**

- Temporary Occupancy of Outdoor Restaurants (TOOR Permit) initialized in 2001
  - Currently Sidewalk only
  - Had over 60 applications last year
  - Inspected annually as part of renewal
- Temporary Expansion Area (TEA) Permits
  - Established in early 2021 in response to COVID Pandemic
  - Temporary program that includes parklets as outdoor restaurants and/or restaurant seating
  - Ended November 1, 2022
  - Various businesses have requested parklets
  - Permanent program to be established Spring 2023
  - Reduce jersey barriers being utilized.





## Section 513

- Temporary Right-of-Way Occupancy of Outdoor Patios and Parklets (TROOPs)
  - Combines TEA into TOORS
    - Utilized by businesses for patios and / or parklets
  - Will be a 1-year permit
    - Will not have to be removed every year
  - Spaces used for Food/Beverage consumption, Public seating, or Bicycle Corals



## Section 513

- Public Outdoor Parklets (POPs)
  - Utilized by CDCs
  - CDCs have more resources than businesses
    - Larger area can be made into a parklet
    - More consistent curb line
      - Part of TROOPs permit is that business let CDCs know that they have been approved
    - Pre-approved parklet designs via Cleveland Neighborhood Progress
    - Maintain public accessibility



### 513 – ISSUANCE OF TEMPORARY PUBLIC RIGHT-OF-WAY OCCUPANCY PERMITS FOR OUTDOOR RESTAURANTS

- Changed name of section to ISSUANCE OF TEMPORARY PUBLIC RIGHT-OF-WAY OCCUPANCY PERMITS FOR OUTDOOR PATIOS AND PARKLETS
- Patios and Parklets used for more than just restaurants
- Parklets can be utilized for casual seating, dining/drinking, or bike corrals



## 513.01 Definitions - Changes

(a) "Community Development Corporation" or "CDC" means a non-profit, community-focused entity whose mission is to support its affiliated City neighborhood with a range of programs, services, and activities.

<u>(c)</u>(b) "Outdoor <u>Patio</u> <del>Restaurant</del>" means a portion of a public sidewalk, court, alley, street, or other public right of way</del> that is used by a business establishment <u>for its current business operations</u>. to serve food and <u>/or</u> beverage.

(d) <u>"Parklet" means an area within an existing curb lane on a street where parking is permitted that may</u> be used by a business establishment for its current business operations, bicycle parking, or any other purpose deemed appropriate by the Director or by a CDC for food and/or beverage consumption, bicycle parking, or any other purpose deemed appropriate by the Director.

- The biggest change to 513 is the allowance of parklets to be utilized, where before only patios on sidewalks were allowed
- Another major change will be that CDC's will be allowed to sponsor parklets.
- Outdoor patios / parklets will not only be for restaurants. Any business may have one if they desire



### 513.02 Temporary Public Right-of-Way Occupancy Permits for Outdoor Patios and Parklets- Changes

- Parklets will only be allowed on streets, not courts or alleys
- Encroachment permit is not required for parklets
- Will need a permit to occupy and utilize a patio or parklet



## **513.03 Application for Permits - Changes**

- For a parklet, we can request any information needed to determine if the protective barrier is adequate
  - There are many different types of pre-built parklets. It was decided to have businesses submit what they are looking for and have various staff review to approve.
- The application needs a signed statement that the applicant is an officer of the business or CDC applying for permit
- A parklet or patio can be extended beyond frontage of business if they receive a signed statement of approval from adjacent property owner
- Require a \$10,000 bond to remove patio/parklet items if business is no longer in existence.



## **513.04 Permit Fee, Issuance, and Duration - Changes**

- Fees will now be established by Board of Control. This makes it easier to adjust fees every 3-5 years or as needed
- Removed 90 day window where applicant receives refund of fees
- Permit is now a strict 12 month permit. Previously it was April 1 March 31<sup>st</sup>.
  - During the TEA era, parklets had to be removed Nov 1 March 1.
    - Businesses are more likely to utilize parklet permit and spend money on pre-built parklets if they know they don't have to remove and store for four months
- If permitee sells or leases business, new business owner has 60 days to submit amended application.



## **513.05 Permitted Locations - Changes**

- Changed term "Outdoor Restaurant" to "Outdoor Patio"
- Parklets cannot be within 50' of an intersection
- Parklets must have a protective barrier



## **513.07 Requirements and Conditions of Permit - Changes**

- A parklet must have signage stating hours of operation, public or private use, and permittees business name
- When a business permits a parklet, they must inform CDC so that the CDC can create additional parklets to have a more continuous curb line
- Seating for patios / parklets must be accounted for in determining restroom capacity



## **513.08 Permit Suspension and Revocation - Changes**

- Appeals go before Board of Sidewalk Appeals first, then Board of Zoning Appeals
  - Ordinance 505.07 needs to be changed to allow this
- Director of Capital Projects may revoke permit if permittee suspends operations permanently



## 513.09 Removal of Tables, Chairs and Other Associated Equipment - Changes

- The City may seize or remove outdoor patio / parklet items in the case of an emergency
- The City may seize or remove outdoor patio / parklet items after giving a 30 day notice for an public or private utility work
- Upon termination or revocation of permit, all patio / parklet items must be removed immediately unless new business files for amended permit within 60 days.
- In case of City needing to remove equipment for patio/parklet, the City may enforce an impound fee



## 513.99 Penalty - Changes

- Penalties of \$100 per day may be enforced by Administrative Manager of Engineering and Construction for non compliance of 513
- Civil penalties does not limit any criminal offense or the ability to suspend or revoke permit



## 505.07 Board of Sidewalk Appeals - Changes

- Currently, any issues dealing with Patios go directly to BOZA (Board of Zoning Appeals).
- Board of Sidewalk Appeals currently deals with all issues with sidewalks except for Patios.
  - Will reduce impact on Board of Zoning Appeals.
- If an applicant appeals Board of Sidewalk Appeals, they will be heard at Board of Zoning Appeals



## **Questions & Discussion**



CITY OF CLEVELAND Mayor Justin M. Bibb

601 Lakeside Avenue • Cleveland, Ohio, 44114

216.664.2000 | mayor.clevelandohio.gov

## **Cleveland City Planning Commission**

## **Administrative Approvals**



#### Ordinance No. 690-2023

(Introduced by Councilmembers Kazy, Hairston and Griffin – by departmental request): Authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Hawthorne Elementary Partners, LLC, and/or its designee, to assist with the financing of the Hawthorne Elementary School Project to be located at 3575 West 130<sup>th</sup> Street; to provide for payments to the Cleveland Metropolitan School District; and to declare certain improvements to real property to be a public purpose.

June 16, 2023



# LUNING DUED

June 16, 2023

#### Ordinance No. 705-2023

(Introduced by Councilmembers Spencer, Bishop and Griffin – by departmental request): Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to construct the Ramp Safety Improvement Project at West Boulevard and Interstate 90; and authorizing agreements.

# THUNK O DIRECT

#### June 16, 2023

#### Ward 3 – Councilmember McCormak | SPA: Downtown

#### Ordinance No. 707-2023

(Introduced by Councilmembers McCormack, Bishop and Griffin – by departmental request): Authorizing the Director of Capital Projects to lease certain property located at 1302 Euclid Avenue to the Playhouse Square Foundation, for a term of five years with one option to renew for an additional five year period, exercisable by the Director of Capital Projects.

## **Cleveland City Planning Commission**

## **Special Presentations**



June 16, 2023



#### Form-Based Code Update: Informational Purposes Only

Presenter: Shannan Leonard, Staff Planner

Ward 15/Councilmember Spencer; Ward 7/Councilmember Howse; Ward 6/Councilmember Griffin; Ward 5/Councilmember Starr; Ward 4/Councilmember GraySPA: Goodrich-Kirtland Park

SPAs: Detroit Shoreway; Cudell; Hough; Kinsman; Buckeye-Woodhill; Fairfax; University

## **Cleveland City Planning Commission**

## **DRAC New Member Nominations**





Khrystalynn Shefton, Planner



Stephanie Strawbridge, Community Rep



Dawn Mayes, Designer



Anthony Winfield, Engineer



David Wilson, Landscape Architect



Julian Kahn, Community Rep

## **Cleveland City Planning Commission**

## **Director's Report**





#### **Design Review Committee Changes**

Southeast Design Review Region has been split between the East Region and the Euclid Corridor Region.

- Projects in Lee Harvard, Lee Seville, and Union Miles will now go the East Region Committee
- Projects in Mt Pleasant, Buckeye Shaker Square, and Buckeye Woodhill will now go the Euclid Corridor Region Committee

We have also tweaked the names of the two committees to be more inclusive of the other neighborhoods. The name of the East Committee is changing to <u>Central Southeast</u> and Euclid Corridor will change to <u>Euclid</u> <u>Corridor Buckeye</u>.



## **Staffing Updates**

- Major Transportation Projects Coordinator David Bass; start date 6/26/23
- Principal Planner, Public Realm and Major Projects two finalist. We hope to interview and make a selection by the week of July 10<sup>th</sup>
- Senior Active Transportation posting closed
- City Planner for the Far West Neighborhoods posting closed
- Strategic Planning Analyst Job post closes today

## **Cleveland City Planning Commission**

## Adjournment

