

DRAFT
MINUTES
CLEVELAND CITY PLANNING COMMISSION
SPECIAL MEETING – MARCH 30, 2007
ROOM 6 - CITY HALL

CALL TO ORDER: 9:07 A.M.

ROLL CALL:

BOWEN_P_CIMPERMAN_P_COYNE_P_KRUMHOLZ_P_KURI_P_LUMPKIN_P_PINKNEY_P_

ZONING MAP AMENDMENTS

1. Ordinance No. 70-07 (Reed/Ward 3): To change the Use District of land on the east and west sides of East 152nd Street north of Kinsman Road from a Two Family Residential District to a Residence Office District.

STAFF REVIEW AND RECOMMENDATION: This Zoning will allow an existing supportive housing development to establish an office use in a building across from the housing use. Staff recommends approval. This legislation was on the Planning Commission's agenda of March 16, 2007, but was not heard.

WITNESSES: Elizabeth Kukla, City Planning Commission
Robert Brown, City Planning Commission
Scott Garson, New Life Community
Zachary Reed, Ward 3 Councilman

TESTIMONY:

Mrs. Kukla provided contextual information about the proposed rezoning. She distributed a paper to the Commission members that included "An Explanation of Ordinance No. 70-07." (Exhibit 1) She said that the mail notifications for the rezoning had not produced any opposition phone calls.

Mr. Brown said that he had spoken with a resident of East 150th Street who did not object to the zoning change.

Mr. Garson said that one unit of the 14 would be converted to office use to serve three additional persons.

Mr. Reed said that he was in full support of the proposed rezoning. He added that New Life Communities was a great partner and neighbor.

PROPOSERS: There were none.

OPPOSERS: There were none.

ACTION: Motion to Approve Ordinance No. 70-07.

BOWEN_1_CIMPERMAN_Y_COYNE_Y_KRUMHOLZ_Y_KURI_Y_LUMPKIN_Y_PINKNEY_2_

APPROVED_X_ APPROVED SUBJECT TO STATED AMENDMENT ___
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2. Ordinance No. 415-07 (Britt/Ward 6): To change the Use District of a parcel of land located on the northeast corner of East 105th Street and Norman Avenue from a Local Retail Business District to a General Retail Business District.

STAFF REVIEW AND RECOMMENDATION: This rezoning is intended to permit business use of a property on the northeast corner of East 105th and Norman Ave. Staff recommends approval.

WITNESSES: Elizabeth Kukla, City Planning Commission
Robert Brown, City Planning Commission
Anita Fuller, Business Owner

TESTIMONY:

Mrs. Kukla provided contextual information about the proposed rezoning. She distributed a paper to the Commission members that included "An Explanation of Ordinance No. 415-07." (Exhibit 2) She said that the rezoning was for the purpose of storing supplies, including carts, for hot dog vendors. She said that she had gotten no opposition calls regarding the proposed zoning change.

Mr. Brown said that the current zoning classification does not permit the proposed use. He said that a zoning variance had been denied to allow the use. He said that Councilwoman Britt supported the measure.

Ms. Fuller said that Councilwoman Britt completely understood the project.

PROPONENTS:

James Dotson spoke in favor of the rezoning.

OPPONENTS: There were none.

ACTION: Motion to Approve Ordinance No. 415-07.

BOWEN_Y_CIMPERMAN_2_COYNE_Y_KRUMHOLZ_Y_KURI_Y_LUMPKIN_1_PINKNEY_Y_

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COMMUNICATIONS TOWERS

1. 4314 Clark Avenue (Sokol Ceska Sin): An application from T Mobile to construct an 80-foot high cellular communications tower/flagpole. (Ward 14)

STAFF REVIEW AND RECOMMENDATION: None was prepared.

WITNESSES: Elizabeth Kukla, City Planning Commission
Robert Brown, City Planning Commission
Ronald Russo, T-Mobile
Councilman Joe Santiago, Ward 14 Councilman

TESTIMONY:

Mrs. Kukla distributed to the Planning Commission information labeled "Public Notice" which gave contextual information and photosimulations depicting the project. (Exhibit 3)

Mr. Brown said that this was an alternative tower, disguised as a flagpole. He said that normally a tower would be between 120' and 250' tall. He said that 80' is the shortest proposal the City had seen.

Mrs. Kukla said that she had not received phone calls in response to the notifications. She said that, because the proposed tower was in a residentially classified zoning district (Two Family), the proposal would also require approval by the Board of Zoning Appeals.

Mr. Russo said that due to a coverage problem, the project would be an infill installation to solve the problem of dropped phone calls. He said that a communications tower disguised as a flagpole was more difficult to maintain than a standard tower and was also more costly. He said that Sokol Ceska would operate the flagpole. He said that no flashing lights were required for a flagpole style tower.

Mr. Santiago said that he supported the proposal. He said that the flagpole solution would be good for the residents.

Chairman Coyne said that he did not like the precedent this would set for a residential neighborhood. He said that the property owner should also be present.

Mr. Brown said that the City Code makes an important distinction in that it allows cell towers in residential zoning districts if to be placed on a site that is non-residential in

use, for example, institutions. He said that there was no precedent on residentially used properties.

Mr. Russo said that the tower would be supporting a non-profit organization.

PROPOSERS: There were none.

OPPONENTS: There were none.

ACTION: Motion to Approve the Proposed communications tower/flagpole at 4314 Clark Avenue with the condition that the applicant will work with the staff to develop final a landscape plan for the project.

BOWEN_2_CIMPERMAN_1_COYNE_N_KRUMHOLZ_Y_KURI_Y_LUMPKIN_Y_PINKNEY_Y_

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DISAPPROVED ___ DISAPPROVED UNLESS AMENDED ___ TABLED ___

2. 18240 Harvard Avenue (St. Henry's): an application from T Mobile to construct an 80-foot high cellular communications tower/flagpole (Ward 1)

STAFF REVIEW AND RECOMMENDATION: None was prepared.

WITNESSES: Elizabeth Kukla, City Planning Commission
Ronald Russo, T-Mobile
Terrell Pruitt, Councilwoman Turner's Office

TESTIMONY:

Mrs. Kukla distributed to the Planning Commission information labeled "Public Notice" which gave contextual information and photosimulations depicting the project. (Exhibit 4) She said that the proposed flag pole/communications tower would be on a very large parcel of land. She said that she received many phone calls in opposition to the tower. She said that she had gotten calls from Edward J. Howard and Ethel Hubbard voicing opposition to the flagpole. She said that they were unable to attend the meeting.

Mr. Russo addressed the health issue relevant to the matter. He said that the pole would emit the harmless energy of a 75-watt light bulb. He said that the pole would actually be 100' tall, not 80'. He said that the Catholic Diocese was the property owner in this instance. He said that the tower's presence would allay a debt by the Diocese. He said that Councilwoman Turner had approved the site.

PROPONENTS: There were none.

OPPONENTS:

Joe Gordon, nearby resident, said that he lived behind the tower location. He said that the pole would be 2' away from the public school. He said that he had thought the pole would be 80' in height.

Sylvia Morely, nearby resident, said that the pole would be on a school playground. She said that in 1995 she was against a tower there. She said that the new tower would emit dangerous radiation levels.

Alphonso Grey, nearby resident, said that the applicant would be able to add on to the pole later on, to the detriment of the neighborhood.

Eunice Niger, nearby resident, said that she wanted to appeal the matter and that the pole would be a health hazard. She said that she spoke for the elderly in the neighborhood who fear the proposal.

Mr. Brown said that because the proposed tower was in a residentially zoned district, the matter would also require Board of Zoning Appeals approval.

Jessie Nighter Austin, nearby resident, said that she was against the proposal.

Evelyn Kind said that the pole was not a good idea at that location.

Lawrence Bowing said that he did not want the tower there.

Bennie Gaines, nearby resident, said that she wanted the pole placed somewhere else.

Mr. Pruitt said that Councilwoman Turner was concerned about the health and aesthetics of placing such a tower. He said that she believed that a flagpole would not take away from the neighborhood.

Commissioner Krumholz said that the Planning Commission had an obligation to listen to the residents in its deliberations.

Chairman Coyne expressed concern about the proximity of the cell tower to homes.

Mr. Brown said that federal law determines that no tower would be allowed to cause negative health effects.

Commissioner Kuri said that she was concerned that these flagpoles would start to be seen all over. She was concerned about the precedent the pole would be setting. She said that flagpoles were an unfair way of disguising something. She also expressed concern over the flag clandestinely being part of a business arrangement.

Mr. Brown said that the proposed pole conforms to City requirements.

Commissioner Krumholz said that the applicant ought to stealth the communication tower somewhere else.

Councilman Cimperman expressed the view that if Councilwoman Turner was for it, that should be respected by the Planning Commission.

ACTION: Motion to Approve as presented the proposed 100-foot flagpole/cell tower at 18240 Harvard Avenue.

[Motion made by Mr. Cimperman, seconded by Mr. Lumpkin.]

BOWEN_N_CIMPERMAN_Y_COYNE_Y_KRUMHOLZ_N_KURI_N_LUMPKIN_Y_PINKNEY_N_

MOTION FAILS, 4 to 3.

SUMMARY CALENDAR

1. Ordinance No. 408-07 (Sweeney/Ward 20): Determining the method of making the public improvement of repairing and maintaining runways, taxiways, ramps, roads, and other concrete surfaces for the various divisions of the Department of Port Control, and authorizing the Director to enter into one or more public improvement requirement contracts for the making of the improvement, for a period up to two years, with two one-year options to renew.

STAFF REVIEW AND RECOMMENDATION: This ordinance authorizes the Department of Port control to contract for routine maintenance and repair of roads, ramps and other concrete surfaces. Staff recommends approval.

2. Ordinance No. 438-07 (Cimperman/Ward 13): Authorizing the Director of Public Service to issue a permit to Cuyahoga Metropolitan Housing Authority to encroach into the public right-of way of Loop Road by installing, using, and maintaining concrete sidewalks, masonry fence piers, ornamental fencing, and concrete fence curbing.

STAFF REVIEW AND RECOMMENDATION: This ordinance permits existing sidewalks, curbs and ornamental fences at Lakeview Terrace to be classified as permitted encroachments into the new street right-of-way being established by the conversion of Loop Road from a private drive to a public Street. Staff recommends approval.

3. Ordinance No. 440-07 (White/Ward 2): Authorizing the Director of Community Development to execute a deed of easement granting to the American Telephone and Telegraph Company certain easement rights in property located at 11816 Miles Avenue and declaring said easement rights not needed for public use.

STAFF REVIEW AND RECOMMENDATION: This ordinance grants an easement to AT&T for underground cable at 11816 Miles Ave. Staff recommends approval.

4. Ordinance No. 448-07 (Turner/Ward 1): Determining the method of making the public improvement of erecting a fence surrounding Johnston Parkway Park Maintenance Station; and authorizing the Director of Parks, Recreation and Properties to enter into one or more public improvement contracts for the making of the improvement.

STAFF REVIEW AND RECOMMENDATION: This ordinance authorizes the Parks Department to erect a fence around a maintenance facility on Johnston Parkway. Staff recommends approval. City staff will review the fence plan.

5. Ordinance No. 449-07 (Brancatelli/Ward 12): An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 55th and Lufkin Avenue to Cleveland Housing Network Inc.

STAFF REVIEW AND RECOMMENDATION: This ordinance transfers a Land Bank parcel to the Cleveland Housing Network as part of a property that will be the site of a 75-unit supportive housing development. Staff recommends approval

6. Ordinance No. 450-07 (Polensek/Ward 11): An emergency ordinance authorizing the sale of real property as part of the land Reutilization Program and located on Alhambra road to Cresthaven Development, Inc.

STAFF REVIEW AND RECOMMENDATION: This ordinance will transfer a parcel to Cresthaven Development or development of a single-family house. Staff recommends approval.

7. Resolution No. 451-07 (Cimperman/Ward 13): Declaring the intent to vacate a portion of Holmden Avenue from West 14th Street to the I-71 Freeway.

STAFF REVIEW AND RECOMMENDATION: This ordinance allows an abutting homeowner to use an unimproved segment of street right-of-way for yard expansion. Staff recommends approval.

ACTION: Motion to Approve the Summary Calendar as presented.

BOWEN_2_CIMPERMAN_Y_COYNE_Y KRUMHOLZ_Y_KURI_Y_LUMPKIN_Y_PINKNEY_1_

APPROVED APPROVED SUBJECT TO STATED AMENDMENT ___
DISAPPROVED ___ DISAPPROVED UNLESS AMENDED ___ TABLED ___

ODOT – LAKEFRONT WEST SHOREWAY PLAN OPTIONS (Wards 17 and 18)

STAFF REVIEW AND RECOMMENDATION: None was prepared.

WITNESSES: Robert Brown, City Planning Commission
Craig Hebebrand, ODOT
Kirsten Bowen, Baker Associates
Max Heckman, Baker Associates
Carla Santoro, Baker Associates
Rob Mavec, Traffic Engineering
Mike Howard, Edgewater Resident
Anita Brindza, Cudell Improvement, Inc.
Jay Westbrook, Ward 18 Councilman
Matt Zone, Ward 17 Councilman
Chris Ronayne, Edgewater Neighborhood

TESTIMONY:

Mr. Brown gave an introductory statement to bring the Planning Commission up to date with regard to this matter.

Mr. Brown: When this project was last seen [February 16, 2007] the Planning Commission took no action, Councilman Westbrook requesting that no action be taken. You saw at that time a presentation that showed that all aspects of the project had been approved unanimously by the Stakeholder's Subcommittee except for one element. That element was the handling of the west end of the West Shoreway Project, which is where Clifton Boulevard and Lake Avenue come together at West Boulevard. A community meeting had held and a subcommittee meeting was held. At the former, ODOT provided an update presentation to the subcommittee regarding traffic patterns at this intersection. The subcommittee voted to select an alternative that provides a pedestrian bridge and retains the freeway ramps. The subcommittee's vote was based upon a presentation that you will see now. A very significant point of discussion of the meeting of the stakeholder group had been the level of traffic congestion with and without the ramps.*

Mr. Hebebrand said that Alternatives D and G were up for review; D would remove the ramps and G would basically retain them.

*Testimony texts attributed to speakers throughout these minutes are not meant to be considered direct quotes.

Mr. Hebebrand: After much debate and additional analysis, the subcommittee did come to consensus on G, which modifies but retains the freeway-style ramps and provides replacement of the tunnel under the mainline with a pedestrian overpass on the ramp.

The consultants will now give the same presentation as to the subcommittee including the traffic operations and the head-to-head comparisons.

Ms. Bowen provided the PowerPoint presentation as found in the compact disk which is Exhibit 5 to these Minutes. At the same time she distributed a handout summarizing distinctions between Options D and G, titled, "Lakefront West: Comparison of Options D and G along upper Edgewater Park." (Exhibit 6) She also distributed an 11"x17" packet titled, "Lakefront West Corridor Alternative." (Exhibit 7)

Mr. Heckman then presented and discussed traffic counts as contained in the exhibit. He provided level of service ratings (grades) for the various scenarios.

Ms. Santoro and Mr. Heckman responded to questions posed by the Commission members.

Mr. Mavec provided clarification on the information given.

Mr. Howard said that the Lakefront Plan speaks to developing unused property. He said that the City was not making the best use of the area if it does not create land for the development of more housing. He said that there were a lot of reasons to develop the area.

Chairman Coyne: Option G is a null alternative. G would cost \$3 million more than option D.

Mr. Brown: I understand that an earlier draft of the Lakefront Plan did show housing on the north side of Lake Avenue if the ramps were removed. But there was neighborhood opposition to that and the final Lakefront Plan showed the land becoming park space once the ramps would be removed.

Commissioner Kuri asked why Option B was no longer being considered..

Mr. Brown: It did not achieve sufficient neighborhood support relative to the other options. The residents expressed concern about the loss of mature trees that that option would cause. It works as well as option D from a traffic standpoint.

Mr. Westbrook spoke in support of Option G.

Mr. Westbrook: The Clifton-Edgewater community has decided what it wants to see in the Shoreway redesign. Option G would at least do no harm and at best enhance the community's marketability. The goals have been to balance the traffic reality with the desire to connect people to the lake and the park, The stakeholders group ended up consolidating to Plan D and G would allow for ramps or parkways. The other plan destroys the connection. The roadway is a failure if residents cannot get in or out of their driveways. All of the versions destroy the community to save the community. Option G is the modified no-build option. We want to complement other traffic calming features, including redesigning Lake Avenue between West 117th Street and West Boulevard. Option G offers an at-grade walkway directly into Edgewater Park from the neighborhood. The underground tunnel needs removal; it is despicable. G was endorsed unanimously by the stakeholders' group.

Ms. Bowen: This group included RTA, City Council members, the local development corporation, ODOT, NOACA, the Northwest Ohio Regional sewer district, and city representatives. The LDC board did not formally vote on this issue.

Mr. Westbrook: The endorsement of G is shared by the stakeholder groups and the specific persons of those groups. I don't believe that the local homeowner's association has taken a position;

Ms. Brindza: One of the major issues, the Lakefront Path takes people from the west and takes them downtown. To expect drivers from Westlake, Rocky River, Lakewood, etc. to use I-90 is unrealistic. Option G will serve the needs of the community. One stolen car, one breakdown, etc. and we will have no way of dealing with that during rush hour. We have community support for option G.

Mr. Zone: Our committee ruled out option B from listening to the community. We desire a roadway and infrastructure. We need to see how the roadway will be treated during the next 100 years. Three most important variables are: to create more green space; to create more developable space; and to create linkage to the water. We are creating a linkage at West 73rd Street. I voted for Option G, but it was a difficult decision; my reservations regarding G were that it is still a network of ramps that throws traffic onto the freeway. If we can figure out techniques for traffic calming to go with G it will be better. The community prefers G; if the CPC chooses G, I want some assurances that we can provide some traffic calming methods.

Mr. Ronayne spoke in support of Option D.

Mr. Ronayne: "Reclaiming our Lakefront" called for getting rid of unnecessary pavement to connect people to the waterfront. All during the Lakefront Plan process the concept was for a boulevard. And this was always a continuous main street to the

downtown, i.e., to continue Clifton Boulevard to the City. The imposition of ramps continues a freeway element. We have a duty to allow citizens to the waterfront. The ramps need to be continued to be studied. Leaving the ramps leaves the project incomplete. It is an interruption. It is an equity issue.

Mr. Howard: The Edgewater residents never had the opportunity to vote formally on an option.

Mr. Westbrook: I urge the Planning Commission to recognize that these are difficult issues. Everyone is for better access to the lake, etc., but we participated in a process that deals with the realities of traffic flow and assumes it is going through the community. It is a gracious assumption that there will be no traffic malfunctions. The citizens have spoken to urge Option G. G will enable people to enjoy and enhance the connection of the lake. I would like to hear concerns regarding this. We have respected the process.

Chairman Coyne: It is always a balancing act, but in this particular case I am concerned about Option G and our overall planning process. [He read from the "Vision Statement" of the Lakefront Plan.] That was our vision and our statement. Cleveland's got to change. We frequently fall back to a no-change-is-better approach. Having a level of service D under Option D is not the end of the world. In many metro areas, they cannot achieve a level C due to various factors. This has to be studied. Taking out park land and green space potential from 9 acres to 3 is a difference between Options D and G. We don't know what will be placed on the new open space. There could and should be uses on that land. On Lake Avenue it's the only access. It is not developable for anything. With the D option you can create frontage and curb cuts directly on to the boulevard. The null alternative (G) is \$3 million more, is less developable acreage, is less than desirable access to the park compared to what is there. It merits further study. I cannot go with Option G; I am troubled by it. Traffic volumes are declining because populations are. In a recent U.S. News magazine an article shows that Germany and Netherlands put in place traffic discouraging measures to enhance bike and other modes of transportation. If Option D fails we can put the ramp back in.

Commissioner Krumholz asked if Director Brown or Traffic Engineer Mavec would opine on Option D versus Option G.

Mr. Brown: I am not going to take a position before the Planning Commission; our goal was to present the facts. The Traffic Engineer said that D was significant failure on Lake Avenue with concern. It minimally works. From the Lakefront plan to the Shoreway plan there have been compromises based on traffic data. The Lakefront Plan does get reality tested through the engineering phase.

Mr. Mavec: We are providing the facts on the levels of service. Complaints will be magnified; we are satisfied with the consultants work; one option works better traffic-wise.

Mr. Brown: We take seriously the comments of the community. The ones who did come out to comment expressed a different point of view from what Chairman Coyne was saying.

Commissioner Kuri: We've allowed a convoluted process to the result that we have two options nobody is satisfied with. The no-build option may not be worth the investment. We shouldn't choose either one of the two before us. There better be a better alternative that can come out of this process or we're in trouble.

Chairman Coyne: Studies show that Cleveland has the least amount of traffic congestion.

Commissioner Cimperman: D and G have a \$3 million budget difference. What about ODOT funding deadlines? Why do they need to be approved or disapproved today?

Mr. Hebebrand: Right now we have funding for fiscal year 2010. To be able to access those funds we need to this spring complete the engineering report and environmental document and start do the detailed design. Any significant delay moves the money. We are \$10 and 20 million short on the project.

Commissioner Cimperman: Would that hold up other aspects of the plan?

Mr. Hebebrand indicated that that was likely.

Commissioner Cimperman: I am prepared to make a motion in support of Councilmen Westbrook's and Zone's view on the matter, that is, in support of Option G.

Commissioner Lumpkin: Regarding the Lakefront Plan: We need to keep in mind that this is just the start of the program; we have to be consistent. Plan D is something I can support. We have to get it right including residential and or commercial continuously along the strip. Those opportunities will bring growth to the City. I hope that option D is selected by the Planning Commission.

Commissioner Bowen also spoke in favor of Option D. He said that it would better meet the City's regional obligation. He said that Option G would provide less green space; less connectivity; reduce opportunity for development, and increase public infrastructure.

[Mr. Cimperman's motion to support Option G failed for the lack of a second.]

Commissioner Krumholz: I am prepared to make a motion for restudy of this issue. It goes against my sense; this commission is badly divided.

Mr. Westbrook: I respect the level of deliberation the Planning Commission is undertaking. At the same time I ask the Planning Commission to respect the six-year process. I agree with Mr. Cimperman that to fixate on one terminus of the Shoreway really destroys the work that's been done. Please allow more time to deliberate; please allow yourselves to understand the degree of evaluation that went into this.

Mr. Brown: It has been a full year of evaluating options.

Close of public hearing.

[Mr. Krumholz's motion to table the matter to April 20 failed by vote, 4 to 3.]

Commissioner Kuri urged the Planning Commission to make a final decision regarding Options D versus G.

ACTION: Motion to Approve Option D of the handling of the west end of the West Shoreway project.

BOWEN_Y_CIMPERMAN_N_COYNE_Y_KRUMHOLZ_N_KURI_Y_LUMPKIN_1_PINKNEY_2_

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DESIGN REVIEW

1. DRC 07-019: 2401 Ontario Street, Jacobs Field, Solar Panels on Upper Concourse, Final Approval (PLPD/Ward 13)

APPROVALS BEING SOUGHT: Final approval of the installation of fifty 200W GE photovoltaic panels to be installed on the Upper Concourse of Jacobs Field above the Club Lounge along Carnegie Avenue.

DOCUMENTS PROVIDED: Received March 20, 2007 from Doty & Miller Architects: Aerial photograph of Jacobs Field indicating general location of panels; Foundation Plan; Floor Plan; Elevations; Typical Section; Upper Concourse Rendering.

PROJECT DESCRIPTION: In anticipation of a National Solar Energy Conference to be held in Cleveland July 2007, the Cleveland Indians propose to install 50 solar panels (each approximately 3 feet by 5 feet) mounted on a new structure independent of the existing ballpark structural system. The self-supporting structure for the solar panels will consist of a 6"x6" steel frame painted white and anchored into twelve concrete ballasts 3 feet in diameter and 3.5 feet tall. The overall height of the new solar array will be approximately 15.5 feet tall and 86 feet long. The solar panels will be mounted a minimum of 8.5 feet above the upper concourse so that southern views of the Cuyahoga River valley are maintained while providing some shade for ballpark visitors.

STAFF RECOMMENDATION: Final approval as presented.

WITNESSES: Jim Folk, Cleveland Indians
Bill Doty, Doty & Miller Architects

TESTIMONY:

Mr. Doty presented the project as described above.

DESIGN REVIEW ADVISORY COMMITTEE REPORT: The Committee recommends final approval as presented, with commendation, of the proposed solar panels at Jacobs Field, 2401 Ontario Street.

ACTION: Motion to Adopt the recommendation of the Design Review Advisory Committee.

BOWEN_2_CIMPERMAN_Y_COYNE_Y_KRUMHOLZ_1_KURI_Y_LUMPKIN_A_PINKNEY_Y_

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2. DRC 07-018: 601 Erieside Ave. Great Lakes Science Center, Solar Project
(PLDP/Ward 13)

APPROVALS BEING SOUGHT: Final approval of the installation of 156 200W GE photovoltaic panels to be installed in two arrays positioned on both sides of the main entrance to the Great Lakes Science Center.

DOCUMENTS PROVIDED: Received March 20, 2007 from Doty & Miller Architects: Site Plan; Typical Plan, Elevation and Sections; two perspective renderings.

PROJECT DESCRIPTION: In anticipation of a National Solar Energy Conference to be held in Cleveland July 2007, the Great Lakes Science Center proposes installation of 156 solar panels (each approximately 3 feet by 5 feet) mounted on two new structures curving along the access drive approximately 110 feet long on each side of the main entrance. The structural system supporting each array of solar panels will be painted white and consist of fourteen 6"x16" tubular steel columns on concrete foundations placed within the existing sidewalk. At approximately 12'-8" above the sidewalk, a 6"x12" steel tube will be welded at an angle to support four horizontal tubes, each 3"x4", to which the solar panels will be mounted.

STAFF RECOMMENDATION: Final approval as presented.

WITNESSES: Blake Andres, Great Lakes Science Center
Bill Doty, Doty + Miller Architects

TESTIMONY:

Mr. Doty presented the project as described above.

DESIGN REVIEW COMMITTEE REPORT: The Committee recommends final approval as presented, with commendation, of the proposed solar panels at the Great Lakes Science Center, 601 Lakeside Avenue.

ACTION: Motion to Adopt the recommendation of the Design Review Advisory Committee.

BOWEN_Y_CIMPERMAN_Y_COYNE_Y_KRUMHOLZ_Y_KURI_1_LUMPKIN_A_PINKNEY_2_

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3. DRC 07-011: 2073 East 9th Street and 917 Huron Road, Cuyahoga County: Demolition of "Prospect Building" and "Huron Building" for new Administrative Complex (seeking action) (PLPD/Ward 13)
[Submittal Date: 2/16/07; agenda placement verified 3/8/07.]

APPROVALS BEING SOUGHT: Approval to demolish 2073 East 9th Street (the Prospect Building), 917 Huron Road (the Huron Building) and three pedestrian bridges connected to these buildings including one over the Prospect Avenue public right-of-way and two over the Barn Court public right-of-way.

DOCUMENTS PROVIDED: Received February 16, 2007 from Barbara B. Shergalis, project manager for the New Administrative Complex for Cuyahoga County Operations, a proposal synopsis, aerial photographs, eleven street level photographs of the proposed administrative complex site and its surrounding context and two site fencing diagrams.

PROJECT DESCRIPTION: In September 2005, the Cuyahoga County Commissioners purchased the former Ameritrust headquarters at East 9th Street and Euclid Avenue and a master plan for the project currently is being prepared to transform this property into a new administrative complex providing contemporary work environments for various public offices now housed in existing buildings on the block bounded by Ontario Street, Lakeside Avenue, the Mall and St. Clair Avenue and in leased office space elsewhere in and near downtown Cleveland.

The site acquired by the County consists of several buildings on numerous parcels including: the Rotunda (900 Euclid Avenue) built in 1908, the 29-story tower (2017 East 9th Street designed by Marcel Breuer and completed in 1971, the 13-story 1010 Euclid Building, the five-story Prospect Building (2073 East 9th Street) and the six-story Huron Building (917 Huron Road). Barn Court passes through the center of the site in an east-west direction between East 9th and East 12th streets and two pedestrian bridges over this public right-of-way provide internal access within the existing complex of buildings. Another pedestrian bridge over the Prospect Avenue public right-of-way links the Prospect Building and a 900-car parking garage also purchased by the County in 2005.

It has been determined that in order to restore the historic Rotunda at the corner of East 9th Street and Euclid Avenue, to minimize future of RTA Rapid Transit Service during its initial operations following the reconstruction of Euclid Avenue and to maintain sufficient traffic flows on East 9th Street during construction of the County Administrative Complex, construction staging for the County project is best accommodated on the sites of the Prospect Building (2073 East 9th Street), the Huron Road Building (917 Huron Road) and the Medical Mutual Plaza upon which these two buildings front along Prospect Avenue between East 9th Street and Huron Road.

STAFF RECOMMENDATION: Final approval of the demolition of the Prospect Building (2073 East 9th Street), the Huron Road Building (917 Huron Road), two pedestrian bridges over Barn Court and one pedestrian bridge over Prospect Avenue and the landscape treatment of Medical Mutual Plaza with the understanding that:

1. No further actions shall be taken by the Planning Commission with regard to the County Administrative Complex until a master plan has been presented for redevelopment of the entire site;
2. The County shall prepare drawings for modifications to the Prospect Avenue façade of the parking garage on the south side of this right-of-way where the pedestrian bridge is removed for approval by City Planning staff, and
3. The County shall dismantle and store the public art work associated with the plaza until it is determined whether these structures can be reused as part of the County Administrative Complex or integrated into the development of another public open space in downtown Cleveland.

WITNESSES: Lee Trotter, Cuyahoga County
Barb Shergalis, Cuyahoga County
Robert Klann, Robert P. Madison International, Inc.
Robert Brown, City Planning Commission

The Oath of Testimony was administered.

TESTIMONY:

Chairman Coyne said that the meeting was not going to be for the purpose of hearing the proposed demolition of the Marcel Breuer-designed tower nor for the 1010 Euclid Avenue Building, but simply for demolition of the two less-distinctive buildings at Huron/Prospect and East 9th Street.

Mr. Trotter introduced the team members present.

Mr. Klann presented the proposed demolitions as described above.

Mr. Trotter said that there was interest by the County in obtaining another property for additional parking, but the County already owned all of the property needed for the new administration complex.

Mr. Brown said that Ann Zollar of ParkWorks, who had to leave the meeting before testifying, had asked him to tell the Planning Commission that ParkWorks is fully in support of the County's proposal and had very satisfactory discussions with the County about how to remove the park's materials.

Commissioner Bowen asked if the County had studied the possibility of deconstruction of the buildings rather than demolition.

Mr. Trotter answered yes and said that the county was looking to obtain LEEDS certification on the project.

Commissioner Krumholz suggested that the Planning Commission should disapprove the demolition of the two subject buildings because he wanted to see the proposed project in its entirety including preservation of the so-called "Breuer Tower."

Mr. Brown reiterated the recommendation of the Design Review Advisory Committee that no further action be taken on this matter until a master plan for site development has been approved. He said that it was the DRAC's conclusion that, regardless of what happens on the site, whether preservation of the Breuer Tower or its demolition for new construction, the Huron and Prospect Buildings would be demolished to provide a needed staging area for the rest of the development.

Commissioner Krumholz: I believe that unless we have an architect's preservation plan for the Breuer Tower, which should be preserved at all costs, we shouldn't demolish ancillary buildings that might be of some future use as part of the preservationist's plan.

Commissioner Kuri: This would set a precedent. We never approve of any demolitions downtown unless there is an approved redevelopment plan. We don't even have a site plan in this case. When have we ever allowed demolition like this?

Mr. Brown: We allowed demolition of the Peterson Nut Building and the adjacent building. The County wants to demolish the two buildings because they are insignificant and that, no matter what plan is presented, in any of those eventualities,

the two buildings would come down. Even the preservationists' plan showed the two buildings coming down.

Commissioner Cimperman advocated the demolition of the two subject buildings with the understanding that the master plan would be presented before any other actions would be taken.

Commissioner Krumholz cautioned that the presentation of the master plan and the site plan should come first before any buildings would be approved for demolition.

Chairman Coyne recited the motions of the Design Review Advisory Committee and suggested several additions that would be incorporated into Planning Commission action. This included a site visit and a review of the unselected firm that did a preservationist approach toward the tower. He said that it was a charter provision of the City that mandates Planning Commission approval of any public buildings demolition or construction. He commented that the City could have done a better job by inviting the County to present to the Planning Commission during its site selection process.

Commissioner Kuri: I want to see a site plan, undertake a site visit, and hear from the preservationist firm before taking any action. I would like more information before taking action.

Mr. Trotter: The County Commissioners voted unanimously to demolish the Prospect and Huron Buildings, but voted two to one to demolish the former Cleveland Trust Tower. The County had unofficial contact with the City regarding negotiations to buy the property. The fact that the County was not referred to the City Planning Commission was not the County's fault. A no-decision by the Planning Commission would send the wrong signal to the County Commissioners regarding City-County cooperation. Floors two and three have been abated for asbestos, but not the tower.

Ms. Shergalis explained the how the timing would work for the abatement of the Prospect and Huron Buildings. She said that it would take four months for the abatement.

Commissioner Cimperman said that the big controversy will be about the Breuer Tower, not about the two subject buildings.

Mr. Brown: Staff recommends approval of the demolition of the Prospect and Huron Buildings because the staff concluded that the County had demonstrated that no matter what alternative was taken for the new administrative complex, the two buildings needed to come down. There was no reason to delay a project that the City Administration has endorsed.

Commissioner Bowen advocated the recommendations of the Design Review Advisory Committee and those offered by Chairman Coyne to supplement those actions.

Mr. Brown said that the definition of "master plan" for the project could include a presentation of alternatives that have been presented to the County Commissioners for preservation of the tower.

DESIGN REVIEW ADVISORY COMMITTEE REPORT: The Committee recommends final approval of the proposed demolition of the Prospect Building (2073 East 9th Street), the Huron Road Building (917 Huron Road), two pedestrian bridges over Barn Court and one pedestrian bridge over Prospect Avenue and the landscape treatment of Medical Mutual Plaza with the understanding that: 5. DRC 07-031: SW Corner of East 101st Street & Chester Avenue, Rite Aid (CCF/Ward 6)

1. No further actions shall be taken by the Planning Commission with regard to the County Administration Complex until a master plan has been presented for redevelopment of the entire site;
2. The County shall prepare drawings for modifications to the Prospect Avenue façade of the parking garage on the south side of this right-of-way where the pedestrian bridge is removed for approval by City Planning staff, and
3. The County shall retain a qualified professional firm to oversee the dismantling and storage of the public art work associated with the plaza until it is determined whether these structures can be reused as part of the County Administration Complex or integrated into the development of another public open space in downtown Cleveland.

ACTION: Motion to Adopt the recommendations of the Design Review Advisory Committee subject to the stated amendment of the addition of the following stipulations:

4. The County shall arrange a site visit and inspection of the tower building by City Planning Commission members.
5. The City, with the County's assistance, shall investigate the possibility of arranging for a presentation to the City Planning Commission by the architecture firm that proposed preserving the tower in response to the County's RFP.
6. The County shall refrain from asbestos abatement of the tower beyond what is necessary for renovation; the County shall not abate to the extent that would render

the building unusable unless and until the City Planning Commission approves the tower's demolition.

BOWEN_2_CIMPERMAN_1_COYNE_Y_KRUMHOLZ_Y_KURI_Y_LUMPKIN_A_PINKNEY_Y_

APPROVED__ APPROVED SUBJECT TO STATED AMENDMENT _X_
DISAPPROVED ___ DISAPPROVED UNLESS AMENDED ___ TABLED___

4. **DRC 07-020:** Detroit Avenue Streetscape Plan, between W. 58th and W. 73rd Streets (Gordon Square Arcade Area) (Public ROW/Ward 17) [Submitted 3/21/07]

Client: Detroit Shoreway Dev. Org. and the City of Cleveland
Urban Designer: City Architecture
Civil Engineer: Michael Benza and Associates

PROJECT DESCRIPTION: Complete reconstruction of the right-of-way, including the roadway and sidewalks, on Detroit Avenue between West 61st and West 69th Streets.

<u>Detroit Avenue –</u>	<u>Existing</u>	<u>Proposed</u>
Right-of-Way:	66'	66'
Cartway:	48'	40'
Driving lanes:	2 @ 12'	2 @ 11'
Parking lanes:	2 @ 12'	2 @ 9'
Sidewalks:	8'-10'	13'

Configuration at West 65th Street Intersection:

Right-of-Way:	66'
Cartway:	40'
Driving lanes:	2 @ 14'
Turning lane:	12'
Sidewalks:	13'

The proposed design will narrow the cartway from 48' to 40' in width, widening the sidewalks to 13'. A continuous drive lane will be provided for east and west-bound traffic, as well as a dedicated parking lane in each direction. At the intersection of West 65th Street a left turn lane will replace the on street parking.

The widening of the sidewalks will allow for the addition of street trees within new planting beds and additional pedestrian amenities such as benches, trash receptacles, and bicycle racks. As a part of the street reconstruction, the existing overhead utilities along Detroit Avenue will be relocated to underground ducts. Irrigation is being provided for all of the tree pits, as well as electrical outlets in each for special displays and seasonal decorations.

Through the City's Percent for Art Program a local artist, Susie Frazier Mueller, has collaborated on the design of many of the streetscape amenities. These include the benches, precast concrete pavers within the sidewalk and a paving pattern for the intersection of West 65th Street and Detroit Avenue. Provisions are also being placed within the design for additional public art pieces to supplement the Arts District in the future."

STAFF RECOMMENDATION: This project was presented to the Mayor's Streetscape Advisory Committee, which recommended approval pending review and approval by the Division of Urban Forestry, the Division of Engineering and Construction, and by the Ohio Department of Transportation. Staff recommends approval if the above conditions are met.

WITNESSES: Matt Zone, Ward 17 Councilman
Paul Volpe, City Architecture, Inc.
Susie Frazier Mueller, Artist
Jeff Ramsey, Detroit-Shoreway Development Organization

The Oath of Testimony was administered.

TESTIMONY:

Mr. Zone voiced support for the project.

Mr. Volpe and Ms. Frazier Mueller presented the project as described above. The latter distributed copies of a detail of her art work in the intersection. (Exhibit 7)

Mr. Ramsey also voiced support for the project as presented.

DESIGN REVIEW ADVISORY COMMITTEE REPORT: The Committee recommends final approval of the proposed streetscape plan for Detroit Avenue, between West 58th Street and West 73rd Street, with the understanding that the sponsors shall present to City staff for its approval all pre-construction details and materials. It is also understood that the sponsors will present to staff the streetscape elements not yet designed, including public art as related to the approved design, bike racks, signage, and lighting. All other aspects of the presented plan are granted final approval.

ACTION: Motion to Adopt the recommendations of the Design Review Advisory Committee with the understanding that this approval is given with commendation to the sponsors for the innovation and quality of the streetscape design and art work.

BOWEN_1_CIMPERMAN_Y_COYNE_Y_KRUMHOLZ_Y_KURI_Y_LUMPKIN_A_PINKNEY_2_

APPROVED_X_ APPROVED SUBJECT TO STATED AMENDMENT ___
DISAPPROVED ___ DISAPPROVED UNLESS AMENDED ___ TABLED___

5. DRC 07-021: Euclid Avenue Planters Locations, by Downtown Cleveland Alliance, Conceptual Review (PLPD/City ROW/Ward 13) [To be submitted]

DRAWINGS: Presented to the Planning Commission: 1) Photosimulation of Planters in the Streetscape; 2) Plan: Public Square to East 3rd Street; 3) Plan: East 3rd Street to Holiday Inn; 4) Plan: Holiday Inn to just past East 9th Street; 5) Plan: Continues just past East 12th Street; 6) Plan: Continues through Playhouse Square; 7) Plan: To end of Downtown Proper.

STAFF REVIEW AND RECOMMENDATION: No submittal provided to Streetscape Committee or City Planning Staff.

WITNESS: Mark Lammon, Downtown Cleveland Alliance

The Oath of Testimony was administered.

TESTIMONY:

Mr. Lammon presented the project according to the document referenced above.

DESIGN REVIEW ADVISORY COMMITTEE REPORT: The Committee recommends conceptual approval as presented of the proposed Lower Euclid Avenue planter program. This is understood to mean that there will be approximately 158 planters in the project, each 5' square in plan and to be placed in the amenity strip, to be between 2' to 5' in height with the heights and design (yet to be presented) having some variation. The sponsor is to return to present final planter design and placements.

ACTION: Motion to Adopt the recommendation of the Design Review Advisory Committee.

BOWEN_Y_CIMPERMAN_Y_COYNE_Y_KRUMHOLZ_1_KURI_2_LUMPKIN_A_PINKNEY_Y_

APPROVED_X_ APPROVED SUBJECT TO STATED AMENDMENT ___
DISAPPROVED ___ DISAPPROVED UNLESS AMENDED ___ TABLED___

MEETING ADJOURNED: 1:40 P.M.