



## COUNCIL UPDATE

February 10, 2021

### MEETINGS & REMINDERS

Please note meetings are being held as webinars and conference calls. Information for residents to participate may be found on the ClevelandHeights.com calendar.

Monday, February 15	-	City Hall offices closed in observance of Presidents' Day		
Tuesday, February 16	-	6:30 p.m.	-	Committee of the Whole
	-	7:00 p.m.	-	Architectural Board of Review
	-	7:30 p.m.	-	City Council Meeting
Wednesday, February 17	-	7:00 p.m.	-	Board of Zoning Appeals
Thursday, February 18	-	9:00 a.m.	-	Civil Service Meeting

### LEGISLATION

- **Codified Ordinances.** An Ordinance to approve current replacement pages to the Cleveland Heights Codified Ordinances;
- **Budget Adjustment.** An Ordinance to amend certain subparagraphs of Ordinance No. 127-2020 (F) and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2021;
- **Community Development Block Grant, *First Reading*.** A Resolution authorizing the City Manager to submit the Community Development Block Grant entitlement application for the year beginning January 1, 2021;
- **Community Development Block Grant, *First Reading*.** A Resolution authorizing the City Manager to submit the Amended Community Development Block Grant (CDBG) entitlement application and plan for the year beginning January 1, 2019;
- **Economic Development Nontax Revenue Bond Anticipation Notes, *First Reading*.** An Ordinance providing for the issuance and sale of not to exceed \$1,500,000 of economic development nontax revenue bond anticipation notes, in anticipation of the issuance of bonds, for the purpose of paying a portion of the costs of the acquisition of a portion of, and redevelopment of the site generally known as "Top of the Hill" located on

approximately four acres of land situated between Euclid Heights Boulevard and Cedar Road at the top of Cedar Hill in the City,

- **Shannon Road Rehabilitation and Waterline Replacement Project.** A Resolution authorizing the City Manager to enter into an agreement with GPD Group for construction administration and residential inspection services associated with the Shannon Road Rehabilitation and Waterline Replacement Project; providing compensation therefor;

## **UPDATES**

### **City Manager**

Please see enclosed in this packet the excellent memos provided by the staff on various pieces of legislation and information:

- Brian Iorio, our CDBG administrator, outlines the basics of the 2 pieces of CDBG legislation both of which have also been reviewed by our CAC citizen advisory group. These pieces are 1- the 2021 CDBG allocations and 2- amendments to the 2019 Annual CDBG action Plan.
- Finance Director Amy Himmeltein has completed the 2020 audit of the City Finances and has done substantial work to ensure that all is in order. Also included on first reading is legislation for refinancing of the City's portion of the Top of the Hill debt.
- Economic Development Director Tim Boland provides a memo that outlines the work done by staff and residents to research the proposals of the Start Right and Liberty Development/Amato Homes so that staff can begin negotiations regarding infill housing North of Mayfield and on DeSota.
- IT/MIS Director Jim Lambdin has prepared a memo outlining the need for a new phone system that will be used in all 10 City facilities. This is a project that must be done and will prepare us going forward.
- Planning Director Eric Zamft has prepared a memo that outlines the process that will be in place going forward with the selection of a developer for the site at Cedar/Lee/Meadowbrook.

In addition, there is legislation regarding the Shannon Road Rehab and Waterline Replacement project and replacement pages for the Codified Ordinances.

Also included are biweekly updates from Director McCrae, Parks and Recreation, Director Zamft Planning, Director Trupo Communications, Director Clinksdale, Public Works and Police Chief Mecklenburg.

Annual Reports have been prepared by the various Departments and these will be included along with the 2020 Envisio update in the packet next week. Staff are building our transition materials from these reports so that there is an overview of what has happened so far and what is projected for the future. This transition report will be completed in mid-March.

Cedar/Meadowbrook/Lee comments will continue to be taken on the City's website. Staff is reviewing the presentations in order to bring a recommendation to Council in March.

These have been difficult days due to the covid restrictions that are impacting every part of our City and our programs. My gratitude to the staff that continues to step up and to adjust to these restrictions. Also, my thanks to our residents for adjusting to the changes with citizen comments that must be submitted online.

### **Communications and Public Engagement**

- Gathering stories for Spring Focus.
- Finalizing 2020 Master Plan update on Envisio.
- Early planning for Cleveland Heights Special Supplement for Cleveland Magazine (will likely be July's 'Best Of' issue).
- Creating a micro-site for CH 100-year anniversary.
- Creating a seal/logo/ribbon.
- Gathering photos throughout the years.

### **Parks and Recreation**

- The Community Center will be closed for the month of February due to the ongoing global pandemic.
- Staff is working on plans to safely provide virtual and outdoor recreational programming beginning April 2021. CDC, State and County safety protocols will apply to all activities.
- The city will not take picnic shelter reservations or room rentals at this time.
- Staff is working on a modified Cain Park summer season. The season may start in July and include smaller shows and audiences due to attendance protocols.
- The Parks and Recreation Department is currently accepting feedback from residents about priority outdoor and virtual program suggestions for Spring and Summer. Staff will utilize the feedback to guide our program activities to the extent possible given limited resources and pandemic constraints.
- The next Recreation Advisory Board is scheduled to meet on Tuesday, February 23 at 6:30pm.

## Police

- On February 6, 2021 at 8:40 pm officers responded to a report of a juvenile shot at 893 Beverly. Upon arrival officers discovered a 14 year old male had sustained a gunshot wound to the shoulder. The juvenile was transported to the hospital for treatment. Officers were initially told that the juvenile and his cousin were victims of a robbery, during which he was shot. However, further investigation revealed that the juvenile and his cousin were playing with a gun belonging to the cousin's mother. They believed that the gun was unloaded, however it was not and the gun went off accidentally. The cousin of the victim will be charged with Negligent Assault through Juvenile Court and the gun was located and confiscated.
- On February 8, 2021 at 2:19 hours officers responded to a report of shots fired at 851 Lecona. Preliminary investigation revealed that a vehicle pulled up to the residence and the passenger exited and walked to the front door. A few seconds later the passenger returns to the vehicle and as the vehicle drives away, five shots are fired at the house. No one was injured in the incident. Detectives are continuing to investigate.
- On February 8, 2021 around 8:20 pm officers responded to 2205 Briarwood on a report of a woman being threatened by three suspects with guns. According to the victim, she was sitting in her car in her driveway and as she exited the car a silver-colored vehicle pulled up and parked at the bottom of her driveway. Three suspects wearing ski masks approached her armed with handguns. One of the suspects said "stop moving." The woman screamed for her boyfriend who was inside the house at which times all three suspects got back into their car and drove away. It is unclear at this time what the intentions were of the suspects. The woman was not injured. Detectives are investigating.

## Public Works

### Sanitary Sewer Evaluation Survey

Requirements		Due
Phase 1 SSES	CCTV - 393,658 LF	Complete
Phase 2 SSES	CCTV - 224,792 LF	30-Jun-21
Phase 1 SSES	1,980 Manhole Inspections	Complete
Phase 2 SSES	1,125 Manhole Inspections	Complete
CMOM	132,000 LF/yr Pipe Cleaned	31-Dec-21
Model	Calibrated Model	Complete

**Completed Through February 4, 2021**

	<u>Completed Thru February 4, 2021 (LF)</u>	<u>Overall Remaining (LF)</u>	<u>Overall Remaining (%)</u>
CCTV Phase 1	395,097	-	-
CCTV Phase 2	164,386	60,406	27%
MHs Phase 1	1,978	-	-
MHs Phase 2	1,115	-	-
Cleaning Total	637,092	-	-
Cleaning (2018) only	173,355	-	-
Cleaning (2019) only	304,188	-	-
Cleaning (2020) only	140,713	-	-
Cleaning (2021) only	18,836	113,164	86%

#### Work Completed by Entity

	<u>City</u>	<u>Contractor</u>	<u>County</u>
CCTV (Phase 1)	19% <b>75,464 LF</b>	54% <b>215,287 LF</b>	27% <b>104,346 LF</b>
CCTV (Phase 2)	12% <b>30,159 LF</b>	26% <b>74,623 LF</b>	23% <b>59,604 LF</b>
Cleaning (2020) only	21% <b>28,086 LF</b>	42% <b>61,437 LF</b>	37% <b>51,190 LF</b>
Cleaning (2021) only	2% <b>2,322 LF</b>	6% <b>8,100 LF</b>	6% <b>8,414 LF</b>
Cleaning Total	29% <b>183,572 LF</b>	44% <b>282,251 LF</b>	27% <b>171,269 LF</b>

#### Model Update

Tasks	% Complete
1. Flow and rainfall Analysis	100%

2. Model Expansion in GIS	100%
3. Model Expansion in Infoworks ICM	100%
4. Delamere - Model Setup	100%
5. Delamere - DWF and WWF calibration	100%
6. Delamere - Capacity evaluation	100%
7. Delamere - Alternative development	100%
8. DWF and WWF Calibration for all flow meters	100%

\*DWF = dry weather flow, WWF = wet weather flow

### **Sewer – Other**

In-house construction crew repairs

- Repaired broken lateral sewer on Euclid Heights Blvd
- Repaired broken lateral sewer on Brunswick
- CWD Street Repairs (*Sewer repairs street openings in the winter while Streets Plow*)
  - 3375 Seaton x 2
  - Seaton and Edgehill
  - 812 Quilliams
  - 3663 Stoneleigh x 2
  - 2777 Edgehill
  - 2234 N. St. James

### **Forestry**

Trees Trimmed YTD = 10

Trees Removed YTD = 5

Stumps Ground YTD = 2

Wood Chips YTD = 17

### **Capital Projects**

#### **#20-01 - 2020 Street Resurfacing & ADA Curb Ramp Replacement Program**

This project is substantially completed. There are some minor remaining punch list items to be addressed by the contractor but due to the weather will not be completed until early spring.

#### **#20-06 – Delamere Drive Basement Flooding Relief**

We are in the process of finalizing the contract documents. We anticipate that work will begin sometime in March.

## Solar Panel Update

After performing system tests there are a few punch list items that are scheduled to be completed in the next week. All three facilities have received their permits to operate from First Energy and are on schedule to be up and running by the end of the month.

## Refuse Automation Update

We currently have the purchase for the 5 aluminum transfer trailers out to bid with the anticipated bid opening date of February 19<sup>th</sup>. We are in the process of finalizing purchases for the 3 replacement semi tractors, and the 6-replacement front load refuse & recycling collection trucks. We are planning to have authorizing legislation ready in March to complete the purchases and put the orders in. This will be necessary in order to keep with our schedule due to equipment manufacturing lead times.

We submitted grant applications to the OEPA, Recycling Partnership and the Cuyahoga County Solid Waste District last week. These grants were previously discussed in the GT Environmental Final Report. This half-page ad will be in the upcoming edition of the Focus Magazine.



# **CLEVELAND HEIGHTS REFUSE & RECYCLING IS GOING AUTOMATED IN 2021**

**This is an Early Notification  
More Information will be provided in the coming months**

## **IMPORTANT INFORMATION**

**Each Residential Unit will be provided with a 96 Gallon Refuse & 65 Gallon Recycling Cart**

**Project Rollout is Expected to be complete by October 2021**

**Senior Households will have an Option to Request a smaller 65 Gallon Refuse Cart**

**Larger Households will have an option to purchase an additional 96 Gallon Refuse Cart**

**More information on Cart options will follow in the coming Months**

**Cedar/Lee/Meadowbrook Development**  
**Framework for Engagement and Development Review (as of 2/10/2021)**

What follows is a general framework for public and developer engagement and the development review process for the Cedar/Lee/Meadowbrook Redevelopment. Should a development team be selected and the project to proceed, the applicable review process will be identified and further detailed steps will be provided.

**Initial Public and Developer Engagement**

1. ***Continued Public Comment (throughout the entire process)***
2. Staff coordination with both development teams on outstanding questions
3. Staff recommendation to Council on preferred developer (anticipated in March 2021); Council direction to proceed with preferred developer (the “Developer”)
4. Preparation of Memorandum of Understanding (MOU) by Economic Development staff and negotiations with Developer
5. Initial engagement with key stakeholders; parking may be one of the topics to discuss
6. Preparation of Developer Agreement by Economic Development staff and negotiations with Developer
7. Developer Agreement finalized and signed by both City (City Manager) and Developer
8. Site located in C2-X Multiple-Use District. Based upon the proposals – specifically the size of the development site, there would be two (2) potential development review processes.

**Development Review Process ‘A’ (this would apply to Flaherty & Collins’ proposal): PDO Planned Development Overlay District to be utilized since the site would be greater than two (2) acres, see Chapter 1147 of the Zoning Code. Under this scenario, a Development Plan to be prepared and conditionally approved by Planning Commission. PDO to be mapped and Development Standards to be established – recommended by Planning Commission, but adopted by City Council.**

- 8A. Developer to prepare submittal materials, including, but not limited to:
  - a. Preliminary Plans and Forms (given the various boards and commissions involved, this should cover all required plans and forms<sup>1</sup>, including Development Plan)

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<sup>1</sup> Planning Commission and Architectural Review Board, as well as City Council; this portion of the City is not in a Historic District and does not contain any listed or local landmarks, therefore, Landmark Commission review would not be necessary; this portion of the City is not within the S-1 Mixed Use District, therefore, Board of Control review is not necessary; it is not anticipated at this time that any variances would be necessary, therefore, Board of Zoning Appeals review would not be necessary.

- b. Parking study, including analysis of shared parking
- c. Traffic analysis
- d. Confirmation of available infrastructural capacity

9A. Developer to submit materials to Planning Department for completeness review at least one (1) month prior to Planning Commission meeting

10A. Planning Department to circulate materials to the following City departments for technical review:

- Public Works with regards to infrastructure, utilities, streets, disposal of solid waste, recreation and parks, traffic and parking review
- Police Department with regards to safety and traffic safety review
- Building Department for initial review against the Building and Fire codes
- Fire Department for initial firematic review, including Fire Department access

11A. Planning Department to provide any Zoning Administrator determinations

12A. Planning Commission meeting(s) for:

- a. PDO initiation, design standards (including but not limited to density, height, bulk and lot regulations, parking, architecture, open space), and Development Plan – recommendations and conditional approval of Development Plan (***additional public comment opportunity***)

13A. City Council meeting(s) for:

- a. PDO designation (Zoning Map Change) and adoption of design standards (***additional public comment opportunity***)

Development Review Process 'B' (this would apply to City Six's proposal): Processing of plan under the C2-X District by the Planning Commission, with likely variances necessary from the Board of Zoning Appeals, since the site is under two (2) acres.

8B. Developer to prepare submittal materials, including, but not limited to:

- a. Preliminary Plans and Forms (given the various boards and commissions involved, this should cover all required plans and forms<sup>2</sup>, including Development Plan)
- b. Parking study, including analysis of shared parking
- c. Traffic analysis
- d. Confirmation of available infrastructural capacity

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<sup>2</sup> Planning Commission and Architectural Review Board, as well as BZA; this portion of the City is not in a Historic District and does not contain any listed or local landmarks, therefore, Landmark Commission review would not be necessary; this portion of the City is not within the S-1 Mixed Use District, therefore, Board of Control review is not necessary; the City Council would not be involved in the review under this scenario.

9B. Developer to submit materials to Planning Department for completeness review at least one (1) month prior to Planning Commission meeting

10B. Planning Department to circulate materials to the following City departments for technical review:

- Public Works with regards to infrastructure, utilities, streets, disposal of solid waste, recreation and parks, traffic and parking review
- Police Department with regards to safety and traffic safety review
- Building Department for initial review against the Building and Fire codes
- Fire Department for initial firematic review, including Fire Department access

11B. Planning Department to provide any Zoning Administrator determinations

12B. Planning Commission meeting to introduce the project

13B. Board of Zoning Appeals meeting(s) for:

- a. Any likely variances (***additional public comment opportunity***)

**Final Steps Applicable to Both Proposals**

14. Planning Commission meeting(s) for:

- a. Conditional Use Permit (***additional public comment opportunity***)

15. Architectural Board of Review meeting(s) for the architecture of the project (***additional public comment opportunity***)

16. Approved plans then provided by the Planning Department to the Building Department for processing of building permits and certificate of occupancy

# Memo

**To:** Susanna Niermann-O'Neil, City Manager

**From:** Amy Himmelein, Finance Director

**Date:** February 8, 2020

**Re:** December 2020/Year End Financial Statements

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Attached are the December 2020 Unencumbered Balances Statement for All Funds and the Review of General Fund Statement. The review below encompasses activity from January through December 2020.

## **Review of General Fund**

In April Finance changed a policy regarding the posting of revenue to be in line with guidance from the Auditor of State. Previously, reimbursement revenue received from 3<sup>rd</sup> parties was often posted to an expenditure line item to decrease current year expenditures. Going forward, only reimbursement from the original payee/vendor will reduce expenditures if it is received in the same fiscal year the expenditure is paid. All other reimbursements will be posted to revenue.

I would like to note that due to the better than expected performance of revenue and the offset of General Fund salaries to the Coronavirus Relief Fund, the General Fund's balance has increased 75% compared to December 2019. The Coronavirus Relief Fund was a one time offset that is not expected to be repeated.

## **Revenue**

- Property Taxes increased 3.6%. The collections for the second half of the year were greater than anticipated despite the delayed collection by the County.
- Municipal Income Tax decreased by 3% as a result of COVID-19. December revenue is from November 2020 collections by RITA. This decrease is significantly smaller than originally expected, especially considering 2019 was a good collection year for the City. Compared to December 2018, 2020 collections have increased 2.3%.
- Intergovernmental Grants & Contracts increased 392% from December 2019 due to the change in Finance's policy of recording reimbursements. A refund of \$3.3 million was received from BWC based on 2018 and 2019 premiums with \$2.2 million being received in December. The refund is higher than expected due to BWC earning higher returns than normal and their policy to refund more to ease contributor's financial burden due to COVID-19.
- Charges for Services decreased 11% as the results of the community center shut-down.
- Fees, Licenses, Permits increased because the City received the fees for building permits related to the Top of the Hill project and construction at the Hebrew Academy. However, the net revenue from the Top of the Hill permit was transferred to the Debt Service Fund to pay for the City's portion of the project.
- Interest Earnings decreased 58% due to the downturn in the economy. The City invests in STAROhio and there is a lag in how the economy affects STAROhio compared to other markets.
- The 26.6% decrease in Fines & Forfeitures is due to the significantly decreased activity of the Court in April and May 2020 as a result of COVID-19. Collections for parking tickets is \$286,000 less than year-to-date in 2019.

- All Other Revenue increased 87.4% due to the transfer in of \$1.2 million from the budget stabilization fund for the 27th pay period. In addition, the General Fund was only able to charge back \$285,000 of the expected \$535,000 in indirect costs. This is because the Parking Fund and Cain Park Fund were unable to meet their costs due to lack of revenue received in 2020.

## **Expenditures**

- Almost all departments Personal Services cost decreased even with the addition of the 27th pay in 2020. This was due to the layoffs of part-time and seasonal employees. Personal Services in Police Administration and Fire Administration decreased 10.9% and 14.3% respectively due to moving first responder salaries to the Coronavirus Relief Fund. A total of \$2.7 million of salaries was moved. It should be noted overtime costs in the Police Administration and Fire Administration departments increased 41.4% and 86.9% respectively mostly as a result of COVID-19 impacts.
- Overall, Parks and Recreation has decreased significantly due to the closure of the community center as a result of COVID-19.
- Police Administration Other decreased because less officers are pursuing reimbursable degrees, there were less officers that needed uniforms and supplies, and the department is only holding serious offenders in the jail due to COVID-19.
- Fire Administration Other increased 29.6% due in part to outfitting the new fire engine, projects that were to be paid with Coronavirus Relief Funds were ineligible and had to be paid from the General Fund, and the purchase of replacement uniforms.
- Expenditures for Joint Dispatch increased 71% because the City paid the 1st quarter 2021 at the end of 2020 as the amount is due prior to the beginning of the quarter. In addition, the cost per quarter increased 6.5% from 2019.
- Building Department Other increased due to services rendered by SafeBuilt. As a reminder, expenses for SafeBuilt are offset by revenues.
- The Vehicle Maintenance department purchased a budgeted \$40,000 vehicle lift system with capital monies which accounts for some of the increase in their Other line item. Expenditures also increased in Outside Maintenance which pays for outside mechanics to perform repairs to City vehicles and equipment.
- General Operations Personal Services increased due to increased unemployment fees from COVID-19 unemployment claims. The federal government is expected to reimburse the City for these costs. In addition, this line was affected by the new policy to record monies from the State as revenue instead of a reduction of expenditures.
- General Operations Other increased due to increased risk management and settlement costs.
- Each month, actual Hospitalization costs are allocated back to all departments across the City based on the number of full-time employees in that department during the month. There were approximately 30 less employees receiving healthcare in 2020 versus 2019 which created savings. Note: The savings of the \$1.5 million “pre-funding” approved by Council in the prior year is reflected in the December report.

## **Review of All Funds**

Overall, the negative unencumbered fund balances mean the City has not received enough revenue to cover the expenditures plus encumbrances currently incurred. These negative balances are related to grants or another revenue source that has yet to be received.

- The Debt Service Fund balance decreased as December 1 principal and interest payments were made.

## Summary of Cash Transfers

Below is a summary of transfers that were approved by Council and the actual transfers that occurred in 2020.

Transfer From Fund	Approved Transfers	Transfer To Fund	Actual Transfer
101-General Fund	100,000.00	215-Cain Park	60,000.00
101-General Fund	17,704.00	230-Street Lighting Fund	-
101-General Fund	27,310.00	231-Forestry Fund	-
101-General Fund	979,366.00	232-Police Pension Fund	975,000.00
101-General Fund	1,198,000.00	233-Fire Pension Fund	1,198,000.00
101-General Fund	780,000.00	234-Earned Benefits Fund	780,000.00
101-General Fund	100,000.00	102-Budget Stabilization Account	100,000.00
101-General Fund	386,988.40	301-General Bond Retirement Fund	386,988.40
101-General Fund	20,000.00	603-Parking Fund	-
101-General Fund	1,500,000.00	701 - Hospitalization Fund	1,500,000.00
102-Budget Stabilization Account	1,200,000.00	101-General Fund	1,200,000.00
207-Drug Enforcement Fund	9,750.00	232-Police Pension Fund	-
214-Local Programming Fund	1,575.00	234-Earned Benefits Fund	-
216-Recreation Facilities/Improvement Fund	27,340.00	301-General Bond Retirement Fund	-
231-Forestry Fund	3,570.00	234-Earned Benefits Fund	-
231-Forestry Fund	22,000.00	301-General Bond Retirement Fund	-
603-Parking Fund	1,000.00	234-Earned Benefits Fund	-
602-Sewer Fund	342,736.00	234-Earned Benefits Fund	-
606-Ambulance Services Fund	370.00	234-Earned Benefits Fund	-
606-Ambulance Services Fund	362,634.00	233-Fire Pension Fund	362,634.00
<b>Total Transfers</b>	<b><u>7,080,343.40</u></b>		<b><u>6,562,622.40</u></b>

- Transfers from the General Fund to the Parking Fund did not occur because the Parking Fund received revenue in December from parking permits that made the fund's cash balance positive.
- Transfers to the Earned Benefits Fund from funds other than the General Fund because the fund either did not have adequate cash reserves to make the transfer or no employees retired from those funds.

**UNENCUMBERED BALANCES FOR ALL FUNDS  
AS OF DECEMBER 31, 2020**

FUND NUMBER	FUND NAME	UNENCUMBERED BALANCE AS OF 1/1/20		YTD EXPENDITURES + ENCUMBRANCES	12/31/2019 ENCUMBRANCES	UNENCUMBERED BALANCE AS OF 12/31/2020
		AS OF 1/1/20	YTD REVENUE			
101	GENERAL	\$10,174,387	\$51,377,055.67	\$43,786,298	\$1,266	\$17,766,410
102	BUDGET STABILIZATION ACCOUNT	\$1,200,000	\$100,000	\$1,200,000	\$0	\$100,000
201	STREET CONSTRUCTION	\$788,694	\$2,283,975	\$1,749,254	\$7,606	\$1,331,020
202	FOUNDATION GRANTS	\$42,036	\$0	\$92,174	\$0	(\$50,138)
203	FIRST SUBURBS CONSORTIUM	\$2,227	\$0	\$0	\$0	\$2,227
204	COMMUNICATION SYSTEMS OPERATION	(\$78,295)	\$0	\$0	\$0	(\$78,295)
205	PUBLIC WORKS FACILITY IMPROVEMENT	\$423	\$0	\$0	\$0	\$423
206	LAW ENFORCEMENT TRUST	\$228,036	\$26,528	\$92,789	\$0	\$161,775
207	DRUG LAW ENFORCEMENT TRUST	(\$85,429)	\$392,454	\$199,450	\$0	\$107,575
208	CDBG RESOURCE	\$675,341	\$345,773	\$1,698,645	\$0	(\$677,531)
210	EPA BROWNFIELD GRANT	\$0	\$0	\$0	\$0	\$0
211	HOME PROGRAM	\$238,959	\$122,863	\$116,730	\$1,260	\$246,352
212	FEMA	\$159,639	\$378,582	\$378,345	\$0	\$159,876
213	POLICE FACILITY IMPROVEMENT	\$45,135	\$5,900	\$32,962	\$0	\$18,073
214	LOCAL TV PROGRAMMING	\$1,077,699	\$505,540	\$591,275	\$0	\$991,965
215	CAIN PARK	(\$16,570)	\$96,135	\$74,485	\$0	\$5,080
216	RECREATION FACILITY IMPROVEMENT	\$289,011	\$585,637	\$425,921	\$0	\$448,727
217	PUBLIC RIGHT OF WAY	\$164,532	\$400	\$0	\$0	\$164,932
221	INDIGENT DUI TREATMENT	\$257,133	\$14,064	\$0	\$0	\$271,196
222	MUNICIPAL COURT COMPUTERIZATION	\$23,279	\$50,282	\$25,956	\$0	\$47,605
223	DUI - ENFORCEMENT/EDUCATION	\$117,002	\$4,430	\$0	\$0	\$121,432
225	MUNI COURT - SPECIAL PROJECTS	\$2,101,884	\$194,747	\$166,096	\$0	\$2,130,535
226	LEAD SAFE PROGRAM - CUYAHOGA CNTY	\$90,241	\$7,404	\$209,465	\$0	(\$111,820)
227	NEIGHBORHOOD STABILIZATION PRGM	\$123,584	\$0	\$0	\$0	\$123,584
228	CDBG-COVID	\$0	\$0	\$165,286	\$0	(\$165,286)
230	STREET LIGHTING	\$1,177,152	\$1,004,030	\$879,779	\$0	\$1,301,403
231	TREE FUND	\$671,929	\$1,073,868	\$1,224,265	\$0	\$521,532
232	POLICE PENSION	\$130,924	\$1,225,979	\$1,213,153	\$0	\$143,750
233	FIRE PENSION	(\$123,128)	\$1,811,613	\$1,644,758	\$0	\$43,727
234	EARNED BENEFITS	(\$165,312)	\$1,102,026	\$461,300	\$0	\$475,414
237	FIRST SUBURBS DEVELOPMENT COUNCIL	\$57,538	\$0	\$0	\$0	\$57,538
238	CORONAVIRUS RELIEF FUND	\$0	\$4,374,843	\$4,230,184	\$0	\$144,659
301	G.O. BOND RETIREMENT	\$94,385	\$14,789,637	\$14,325,294	\$0	\$558,728
402	FINANCED CAPITAL PROJECTS	\$482,749	\$777	\$0	\$0	\$483,526
411	ECONOMIC DEVELOPMENT	\$1,287,706	\$2,008,375	\$2,196,423	\$0	\$1,099,659
412	CITY HALL MAINTENANCE AND REPAIR	\$89,919	\$26,030	\$15,000	\$0	\$100,949
415	SEVERANCE RING ROAD RECONSTRUCTION	\$35,045	\$0	\$0	\$0	\$35,045
601	WATER	\$1,565,573	\$57,912	\$921,094	\$0	\$702,392
602	SEWER	\$3,416,805	\$6,033,993	\$4,512,627	\$73,781	\$5,011,951
603	PARKING	\$344,717	\$604,219	\$775,171	\$0	\$173,765
606	AMBULANCE SERVICES	\$1,846,785	\$951,128	\$1,435,589	\$2,533	\$1,364,857
701	HOSPITALIZATION	\$1,568,362	\$5,494,366	\$5,494,366	\$0	\$1,568,362
703	WORKERS COMPENSATION	\$194,768	\$9,999	\$0	\$0	\$204,767
804	OFFICE ON AGING	\$10,564	\$6,019	\$2,272	\$0	\$14,311
808	YOUTH RECREATION SCHOLARSHIP	\$55,276	\$4,600	\$50	\$0	\$59,826
809	POLICE MEMORIAL TRUST FUND	\$11,808	\$0	\$0	\$0	\$11,808
810	YOUTH ADVISORY COMMISSION	\$71	\$0	\$0	\$0	\$71
811	JUVENILE DIVERSION PROGRAM	\$6,242	\$2,100	\$1,439	\$0	\$6,903
857	SALES TAX	\$355	\$187	\$7	\$0	\$535
858	MISCELLANEOUS AGENCY	\$1,411,302	\$1,353,404	\$743,963	\$0	\$2,020,742
864	NEORSD	\$214	\$0	\$0	\$0	\$214

**CITY OF CLEVELAND HEIGHTS  
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AS OF DECEMBER 31, 2020**

<b>REVENUES:</b>	12/31/2019 Actual	2020 Budget	12/31/2020 Actual	Percentage 2020 Budget	Difference 2020 vs 2019
Property Taxes	\$7,218,598	\$7,175,859	\$7,477,314	104%	\$258,716
Municipal Income Tax	\$29,200,994	\$28,000,000	\$28,322,601	101%	(\$878,393)
Other Local Taxes	\$52,187	\$50,000	\$12,177	24%	(\$40,010)
State Levied/Shared Taxes	\$1,621,129	\$1,554,900	\$1,713,630	110%	\$92,501
Intergovernmental Grants & Contracts	\$959,970	\$910,000	\$4,721,138	519%	\$3,761,169
Charges For Services	\$3,269,524	\$3,100,000	\$2,908,399	94%	(\$361,125)
Fees, Licenses, Permits	\$2,220,372	\$2,295,000	\$2,867,677	125%	\$647,305
Interest Earnings	\$548,426	\$200,000	\$229,868	115%	(\$318,558)
Fines and Forfeitures	\$1,709,548	\$1,720,000	\$1,254,937	73%	(\$454,611)
All Other Revenue	\$988,530	\$786,500	\$1,852,425	236%	\$863,895
Sale of Assets	\$400	\$0	\$16,889	0%	\$16,489
<b>Total Revenues</b>	<b>\$47,789,679</b>	<b>\$45,792,259</b>	<b>\$51,377,056</b>	<b>112%</b>	<b>\$3,587,377</b>

<b>EXPENDITURES:</b>	12/31/2019	12/31/2020			
	Expenditures + Community Services	2020 Expenditures + Encumbrances	2020 Budget Amended	Expenditures + Encumbrances	Percentage 2020 Budget
					Difference 2020 vs 2019

Commission on Aging	\$0	\$250	\$0	0%	\$0
Community Relations Personal Services	\$58,150	\$63,493	\$20,405	32%	(\$37,745)
Community Relations Other	\$13,153	\$12,550	\$9,959	79%	(\$3,194)
Public Relations Personal Services	\$217,884	\$231,310	\$209,317	90%	(\$8,566)
Public Relations Other	\$107,486	\$107,000	\$63,575	59%	(\$43,911)
Community Services Admin Personal Services	\$204,253	\$185,831	\$184,053	99%	(\$20,201)
Community Services Administration Other	\$1,249	\$6,600	\$330	5%	(\$919)
Public Health Administration	\$221,589	\$254,859	\$253,144	99%	\$31,555
<b>Total Community Services</b>	<b>\$823,764</b>	<b>\$861,893</b>	<b>\$740,784</b>	<b>86%</b>	<b>(\$82,981)</b>

**Parks and Recreation**

Parks & Recreation Admin Personal Services	\$236,740	\$250,250	\$250,253	100%	\$13,513
Parks & Recreation Administration Other	\$26,929	\$9,599	\$8,728	91%	(\$18,201)
Swimming Pools Personal Services	\$313,427	\$19,527	\$12,832	66%	(\$300,595)
Swimming Pools Other	\$148,819	\$114,766	\$2,880	3%	(\$145,939)
Cain Park (Transfer)	\$109,129	\$100,000	\$60,000	60%	(\$49,129)
Ice Programs Personal Services	\$217,307	\$227,559	\$130,835	57%	(\$86,471)
Ice Programs Other	\$13,537	\$19,350	\$7,253	37%	(\$6,284)
General Recreation Programs Personal Services	\$75,500	\$135,356	\$63,560	47%	(\$11,940)
General Recreation Programs Other	\$32,049	\$33,700	\$10,237	30%	(\$21,812)
Sports Programs Personal Services	\$114,299	\$121,769	\$30,540	25%	(\$83,759)
Sports Programs Other	\$77,575	\$104,600	\$24,267	23%	(\$53,308)
Community Center Personal Services	\$544,429	\$545,472	\$471,619	86%	(\$72,810)
Community Center Other	\$447,095	\$490,045	\$305,014	62%	(\$142,080)
Office on Aging Personal Services	\$144,295	\$152,665	\$76,093	50%	(\$68,201)
Office on Aging Other	\$26,779	\$34,300	\$8,061	24%	(\$18,718)
<b>Total Parks and Recreation</b>	<b>\$2,527,908</b>	<b>\$2,358,957</b>	<b>\$1,462,174</b>	<b>62%</b>	<b>(\$1,065,734)</b>

**Finance Department**

Finance Department Personal Services	\$350,979	\$396,245	\$393,768	99%	\$42,789
Finance Department Other	\$143,449	\$175,580	\$165,457	94%	\$22,008
Income Tax	\$1,083,114	\$1,059,105	\$1,017,950	96%	(\$65,164)
<b>Total Finance Department</b>	<b>\$1,577,542</b>	<b>\$1,630,930</b>	<b>\$1,577,175</b>	<b>97%</b>	<b>(\$367)</b>

**Planning & Development**

Landmark Commission	\$12,785	\$16,100	\$31	0%	(\$12,754)
Planning Department Personal Services	\$374,025	\$441,956	\$354,811	80%	(\$19,214)
Planning Department Other	\$24,759	\$29,200	\$5,601	19%	(\$19,159)
Planning Commission Personal Services	\$4,396	\$8,138	\$2,616	32%	(\$1,780)
Planning Commission Other	\$2,417	\$3,900	\$878	23%	(\$1,539)
Architectural Board of Review Personal Services	\$6,207	\$6,976	\$5,910	85%	(\$297)
Architectural Board of Review Other	\$190	\$300	\$180	60%	(\$10)
Board of Zoning Appeals Personal Services	\$2,713	\$5,813	\$3,585	62%	\$872
Board of Zoning Appeals Other	\$836	\$3,475	\$950	27%	\$114
<b>Total Planning &amp; Development</b>	<b>\$428,329</b>	<b>\$515,858</b>	<b>\$374,561</b>	<b>73%</b>	<b>(\$53,767)</b>

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**CITY OF CLEVELAND HEIGHTS**  
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<b>Public Safety</b>	12/31/2019 Expenditures + Encumbrances	2020 Budget Amended	12/31/2020 Expenditures + Encumbrances	Percentage 2020 Budget	Difference 2020 vs 2019
Traffic Signs & Signals Personal Services	\$56,533	\$60,295	\$60,548	100%	\$4,015
Traffic Signs & Signals Other	\$144,502	\$156,200	\$151,913	97%	\$7,412
Police Administration Personal Services	\$8,222,934	\$7,995,873	\$7,328,949	92%	(\$893,985)
Police Administration Other	\$485,906	\$613,760	\$368,904	60%	(\$117,002)
Police Academy Personal Services	\$7,760	\$4,500	\$3,869	86%	(\$3,891)
Police Academy Other	\$68,405	\$96,000	\$70,210	73%	\$1,805
Police Vehicle Maintenance Personal Services	\$0	\$0	\$0	0%	\$0
Police Vehicle Maintenance Other	\$219	\$0	\$0	0%	(\$219)
Fire Administration Personal Services	\$6,445,450	\$6,503,114	\$5,522,347	85%	(\$923,103)
Fire Administration Other	\$195,801	\$284,897	\$253,774	89%	\$57,973
Joint Dispatch (Transfer)	\$0	\$0	\$0	0%	\$0
Joint Dispatch	\$842,523	\$1,443,595	\$1,443,594	100%	\$601,072
Fire Prevention Personal Services	\$109,889	\$100,384	\$97,043	97%	(\$12,846)
Fire Prevention Other	\$3,255	\$6,200	\$1,930	31%	(\$1,325)
Building Department Personal Services	\$0	\$0	\$0	0%	\$0
Building Department Other	\$461,882	\$1,461,220	\$1,454,823	100%	\$992,941
Housing Inspections Personal Services	\$485,358	\$537,358	\$417,934	78%	(\$67,425)
Housing Inspections Other	\$59,331	\$74,800	\$67,448	90%	\$8,117
Street Lighting (Transfer)	\$17,061	\$17,704	\$0	0%	(\$17,061)
Animal Control Personal Services	\$73,200	\$78,060	\$77,021	99%	\$3,821
Animal Control Other	\$25,337	\$30,000	\$25,000	83%	(\$337)
<b>Total Public Safety</b>	<b>\$17,705,345</b>	<b>\$19,463,960</b>	<b>\$17,345,308</b>	<b>89%</b>	<b>(\$360,037)</b>

**Public Works**

Service Administration Personal Services	\$228,011	\$320,474	\$221,147	69%	(\$6,864)
Service Administration Other	\$4,422	\$24,075	\$3,296	14%	(\$1,126)
Capital Projects Administration Personal Services	\$0	\$0	\$0	0%	\$0
Capital Projects Administration Other	\$21,019	\$21,000	\$21,000	100%	(\$19)
Refuse Collection Personal Services	\$1,593,724	\$1,651,902	\$1,620,664	98%	\$26,939
Refuse Collection Other	\$625,328	\$679,378	\$664,602	98%	\$39,274
Vehicle Maintenance Personal Services	\$763,132	\$887,988	\$870,056	98%	\$106,924
Vehicle Maintenance Other	\$1,239,816	\$1,366,885	\$1,322,679	97%	\$82,863
Street Maintenance Personal Services	\$1,180,509	\$1,170,106	\$1,156,274	99%	(\$24,235)
Street Maintenance Other	\$127,945	\$383,866	\$344,919	90%	\$216,974
Public Properties & Park Maint Personal Services	\$1,118,470	\$1,136,699	\$1,131,007	99%	\$12,538
Public Properties & Park Maintenance Other	\$1,018,647	\$1,097,782	\$1,063,562	97%	\$44,915
Forestry (Transfer)	\$23,279	\$27,310	\$0	0%	(\$23,279)
<b>Total Public Works</b>	<b>\$7,944,302</b>	<b>\$8,767,464</b>	<b>\$8,419,206</b>	<b>96%</b>	<b>\$474,904</b>

**General Government**

City Council Personal Services	\$71,409	\$77,884	\$68,643	88%	(\$2,766)
City Council Other	\$5,833	\$8,750	\$6,153	70%	\$320
City Manager Personal Services	\$424,074	\$541,970	\$526,294	97%	\$102,221
City Manager Other	\$28,558	\$21,487	\$14,003	65%	(\$14,555)
Civil Service Commission Personal Services	\$587	\$1,744	\$775	44%	\$188
Civil Service Commission Other	\$1,979	\$17,500	\$10,912	62%	\$8,933
General Operations Personal Services	\$237,343	\$978,901	\$822,039	84%	\$584,696
General Operations Other	\$986,743	\$1,071,045	\$1,053,213	98%	\$66,470
Management Information Systems Personal Services	\$276,651	\$338,340	\$293,779	87%	\$17,128
Management Information Systems Other	\$126,678	\$224,450	\$89,953	40%	(\$36,726)
County Fiscal Officer Deductions	\$106,249	\$199,500	\$197,362	99%	\$91,113
Law Department Personal Services	\$530,713	\$542,376	\$538,756	99%	\$8,042
Law Department Other	\$400,919	\$425,100	\$409,191	96%	\$8,273
Special Improvement Districts	\$365,400	\$405,555	\$395,617	98%	\$30,217
Municipal Court Personal Services	\$945,753	\$1,035,588	\$982,781	95%	\$37,028
Municipal Court Other	\$109,337	\$174,425	\$94,054	54%	(\$15,283)
<b>Total General Government</b>	<b>\$4,618,224</b>	<b>\$6,064,613</b>	<b>\$5,503,524</b>	<b>91%</b>	<b>\$885,300</b>

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**CITY OF CLEVELAND HEIGHTS**  
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Other	12/31/2019 Expenditures + Encumbrances	2020 Budget Amended	12/31/2020 Expenditures + Encumbrances	Percentage 2020 Budget	Difference 2020 vs 2019
Transfers & Advances	\$4,976,382	\$4,964,354	\$4,939,988	100%	(\$36,394)
Hospitalization	\$4,454,456	\$3,621,183	\$3,423,578	95%	(\$1,030,878)
<b>Total Other</b>	<b>\$9,430,838</b>	<b>\$8,585,538</b>	<b>\$8,363,566</b>	<b>97%</b>	<b>(\$1,067,271)</b>
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>\$45,056,252</b>	<b>\$48,249,213</b>	<b>\$43,786,298</b>	<b>91%</b>	<b>(\$1,269,953)</b>
Excess Revenue Over/(Under) Expenses	<u>\$2,733,427</u>		<u>\$7,590,757</u>		
Unencumbered Balance Beginning of Year	\$7,330,012		\$10,174,387		
Add: Prior Year Encumbrances	<u>\$110,948</u>		<u>\$1,266</u>		
Estimated Unencumbered Balance	<u><u>\$10,174,387</u></u>		<u><u>\$17,766,410</u></u>		

# MEMO

To: Susanna Nierman O'Neil, City Manager

From: Brian Iorio, CDBG Coordinator

C.C.: Cleveland Heights City Council; Eric Zamft; William Hanna

RE: Resolution 12-2021; Year 47 (2021) CDBG Annual Action Plan

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Resolution 12-2021 is asking City Council to authorize the City Manager to submit to the US Department of Housing and Urban Development the City's Year 47 (FY 2021) Community Development Block Grant (CDBG) Annual Action Plan. This is a required step in the City's allocation of CDBG funds from HUD.

As discussed at the November 16, 2020 Council Committee of the Whole, the allocations listed in Exhibit A of Resolution 12-2021 are being recommended by both the CAC and the City Administration. These recommendations were determined at a series of Public Hearings held on August 4th, August 13th, and October 20th 2020. Public notice for the availability of the Plan for review and the acceptance of public comment was made on December 18, 2020. The CAC reviewed and unanimously approved the plan for recommendation at the January 26, 2021 CAC Public Hearing. The plan can be viewed by visiting this link: [Public Notice - Year 47 \(FY 2021\) Annual Plan](#). This link can also be accessed through the CDBG page on the City's website located at [www.clevelandheights.com/CDBG](http://www.clevelandheights.com/CDBG).

Also included in the Year 47 Annual Action Plan is the submittal of the 2020 Analysis of Impediments to Fair Housing Choice (AI). This document prepared by the Fair Housing Center for Rights and Research is a required analysis that is conducted every 5 years. The AI examines potential barriers to fair housing that can result in disparate treatment and/or disparate impact to current and potential Cleveland Heights residents. This document is used to guide the City over the next 5 years as it seeks to remove or mitigate the impediments identified. The AI can be viewed by visiting this link: [2020 Analysis of Impediments to Fair Housing Choice](#). This link

can also be accessed through the CDBG page on the City's website located at [www.cleveland-heights.com/CDBG](http://www.cleveland-heights.com/CDBG).

As always, please contact me if you have any questions, comments or concerns. I can be reached via email at [biorio@clvhts.com](mailto:biorio@clvhts.com) or by phone at (216) 291-4845.

# MEMO

To: Susanna Nierman O'Neil, City Manager

From: Brian Iorio, CDBG Coordinator

C.C.: Cleveland Heights City Council; Eric Zamft; William Hanna

RE: Resolution 13-2021; CDBG-CV3 Amendment to the 2019 Annual Action Plan

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Resolution 13-2021 is asking City Council to authorize the City Manager to submit to the US Department of Housing and Urban Development an amendment to the City's Year 45 (FY 2019) Community Development Block Grant (CDBG) Annual Action Plan. This request is a necessary result of a substantial amendment that incorporates the third round of CDBG-CV funding.

CDBG-CV funding originates from the CARES Act that was passed by Congress in March of 2020. CDBG-CV funds are required to be used to fund activities designed to prevent, prepare for, and respond to the coronavirus pandemic.

This is the second substantial amendment that is being submitted for the 2019 Annual Action Plan. The first substantial amendment was approved by City Council in May of 2020. This amendment added \$956,215 to the 2019 Annual Action Plan. Of this amount, \$91,215 was allocated for administration, \$550,000 for emergency assistance, \$25,000 for subrecipient support and \$290,000 for small business assistance.

The second substantial amendment, the subject of the agenda item for tonight, adds \$198,729 to the 2019 Annual Action Plan. Of this amount, \$39,746 is being allocated for administration and \$158,983 for emergency assistance. The emergency assistance funds are planned to be utilized for mortgage assistance and for senior assistance through the Office on Aging.

The allocation of these funds were reviewed and recommended for approval by the Citizens Advisory Committee (CAC) at a Public Hearing on October 20, 2020. The Amended 2019 Annual Action Plan was reviewed and approved by the CAC at a Public Hearing on January 26, 2021.

The draft Amended 2019 Annual Action Plan can be viewed by going to this link: [Draft Amended 2019 Annual Action Plan \(CDBG-CV3\)](#) which is located on the CDBG page of the City's website ([www.clevelandheights.com/CDBG](http://www.clevelandheights.com/CDBG)).

As always, please contact me if you have any questions, comments or concerns. I can be reached via email at [biorio@clvhts.com](mailto:biorio@clvhts.com) or by phone at (216) 291-4845.



## MEMORANDUM

**To:** Susanna Niermann O'Neil, City Manager

**From:** Eric Zamft, Planning Director

**Date:** February 12, 2021

**Subject:** Weekly Planning Department Update

## INTRODUCTIONS & PROFESSIONAL COLLABORATION

The Planning Director continues to have a multitude of introductions and conversations with staff, the public, and local and regional stakeholders. This has included Northeast Ohio Areawide Coordinating Agency (NOACA), Heights Library, First Suburbs Consortium, and others. Planning staff have participated in a number of planning-related meetings, including the FutureHeights Planning & Development Committee, NOACA Planning and Programming Committee, and the Ohio Conference of Community Development (OCCD) Winter Meeting.

## HIGHLIGHTS OF PLANNING INITIATIVES

### HISTORIC PRESERVATION DESIGN GUIDELINES

Both the Landmark Commission and Architectural Board of Review (ABR) have desired to have a set of clear design guidelines to utilize as they review applications to properties within the City. In 2019, the City was designated as a Certified Local Government (CLG). This allowed the City, in 2020, to receive a grant from the State of Ohio to prepare historic preservation guidelines. A RFP was issued on February 4, 2021, with a due date of February 24, 2021. The intention is to select a consultant and kick the project off in early March. There will be a number of public and stakeholder meetings as part of the project. Since the project is grant-funded, there is a tight schedule, with close-out in September.

### COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME ADMINISTRATION

Planning CDBG staff administers the CDBG program for the City and Planning staff administers the HOME program and other HUD initiatives. Two specific CDBG items related to the 2021 CDBG Annual Action Plan and CDBG-CV3 Annual Action Plan will be considered by the City Council at the February 16th Council meeting. In addition, Planning CDBG staff is on the board of Maximum Accessible Housing of Ohio, which most recently met on February 9th.

## COORDINATION WITH ECONOMIC DEVELOPMENT DEPARTMENT INITIATIVES

- *Neighborhood Redevelopment Program (NRP)* – Planning staff has participated in the review and interviews for the Neighborhood Redevelopment Program (NRP), Phase 1.
- *Cedar-Lee-Meadowbrook Redevelopment* – Planning staff has coordinated with Economic Development staff on the Cedar-Lee-Meadowbrook Redevelopment RFP review currently before Council
- *Unitarian Church Redevelopment* – Planning staff participated in a meeting with a developer to discuss the potential redevelopment of the Unitarian Church site
- *Upper Blanche Development* – Planning staff participated in a meeting with a developer regarding the development of the Upper Blanche parcels

## BOARDS AND COMMISSIONS

The Department of Planning assists the activities of the Architectural Board of Review (ABR), Board of Control, Board of Zoning Appeals (BZA), Landmark Commission, and Planning Commission, and provides staff assistance to the Citizens Advisory Committee (CAC), Transportation Advisory Committee (TAC), and City Council (when needed). Below are tables of both active and recently approved applications managed by the Department.

### **ARCHITECTURAL BOARD OF REVIEW (ABR) – 1<sup>st</sup> and 3<sup>rd</sup> Tuesday**

At the February 2, 2021 ABR meeting, the following applications were discussed and approved:

Address	Case #	Project Description
3375 Seaton Road	ABR 2021-9	Request to add a wooden deck to the rear of the home
13435 North Park Road	ABR 2021-16	Request to install new windows
1696 Crest Road	ABR 2021-17	Request to install new window
2411 South Taylor Road	ABR 2021-18	Request to build a one-car, detached garage
2258 Coventry Road	ABR 2021-19	Request to install new windows and patio doors
3633 Severn Road	ABR 2021-20	Request to build a second-floor addition over the existing first floor

The next ABR meeting will be held on February 16, 2021. The agenda will be posted shortly.

### **BOARD OF CONTROL (As needed for the S-1 District)**

It is anticipated that the Board of Control will be meeting in March to discuss plans by MetroHealth to expand. The specific date(s) will be provided in a future report.

**BOARD OF ZONING APPEALS (BZA) – 3<sup>rd</sup> Wednesday**

The next BZA meeting will be held on February 17, 2021. The agenda and cases can be accessed here: <https://www.clevelandheights.com/326/Board-of-Zoning-Appeals>

**LANDMARK COMMISSION – 1<sup>st</sup> Tuesday of Odd Numbered Months**

The next Landmark Commission meeting is anticipated to be held on March 2, 2021.

**PLANNING COMMISSION – 2<sup>nd</sup> Wednesday**

No applications were received for the February 2021 Planning Commission meeting. Should applications be received for the March 2021 Planning Commission meeting, the next Planning Commission meeting would be held on March 10, 2021.

**CITIZENS ADVISORY COMMITTEE (CAC) – 3<sup>rd</sup> Tuesday**

The next CAC meeting will be held on February 23, 2021.

**TRANSPORTATION ADVISORY COMMITTEE (TAC) – 3<sup>rd</sup> Wednesday**

The next TAC meeting will be held on February 24, 2021.

# Memorandum

**To:** Susanna Niermann O'Neil, City Manager  
**From:** Jim Lambdin, MIS Director  
**Subject:** Phone System RFP Permission Request for 2/16/21 Council Meeting  
**Date:** February 9, 2021

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As part of the Capital Improvement Program (CIP) for 2021, the purchase and installation of a new phone solution was one of the submissions. Our current on-premise phone solution's lifecycle has been maximized and is over ten years old. Parts are scarce and sometimes unavailable. A particular failure could be extremely detrimental to the City's daily operations.

I am proposing and seeking permission to issue a Request for Proposals for a Hosted VoIP (Voice over Internet Protocol) phone solution. Simply put, this type of phone solution makes calls over the internet and would be hosted at an offsite secure data center. Some benefits of a new phone solution include unified communications, video conferencing, ease of scalability, no long-distance calling charges, ring anywhere, reduced maintenance and reliability.

This is a major project that will affect 10 City facilities. Funding for this project has been made available. I would anticipate releasing the RFP sometime in March.



# CLEVELAND HEIGHTS

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February 10, 2021

**To:** Susanna Niermann O'Neil  
City Manager

**From:** Timothy M. Boland  
Director of Economic Development

**Subject:** Neighborhood Redevelopment Program (NRP) Phase I – Timeline  
City Infill Housing Construction Program

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Please find below a summary of the events and effort that resulted in the City's **Neighborhood Redevelopment Program (NRP)** project:

**June – July 2020:**

Recognizing that **Housing** is a top priority for the City, the Administration's Vacant Properties Committee (Economic Development, Planning, Housing Departments) meet to move forward on infill housing construction on City-owned/controlled vacant lots (177 such lots exist in the City);

Staff researched and identified City-owned/controlled vacant lots located in the City's hardest hit areas from the Great Recession/Foreclosure Crises of 2008, meeting the criteria of streets having a high concentration of such lots and located in areas offering the highest tax abatement incentive – it was felt that lots having these characteristics would result in a package of lots easier to redevelop thus being potentially more attractive to developers – having a higher level of "Developability";

**August 2020:**

Staff prepares **Neighborhood Redevelopment Program (NRP) Phase I** which includes City-owned/controlled vacant lots that could be packaged in a Request for Qualifications & Preliminary Development Proposals (RFQ/RFP) to attract potential developers having infill housing construction experience to submit proposals to construct new single-family / owner-occupied homes in the City.

Staff Identified 42 such vacant lots (24% of the total number of such lots in the City) in the **Noble Neighborhood Area** (23 lots on Nelaview and Greyton Roads, Dresden Road and Hanover Drive) and the **Desota Avenue Area** (19 lots) to be included in NRP Phase I;

**September/October 2020:**

A draft RFQ/RFP is discussed at the Planning & Development Committee of Council meeting held 9/14/2020; a Final Draft is provided to Council for discussion at the 9/21/2020 and 10/5/2020 Council meetings. Staff made modifications to the RFQ/RFP incorporating Council comments resulting in the Final Draft. City Council authorized issuing the **Neighborhood Redevelopment Program (NRP) Phase I RFQ/RFP** as a matter of record during the 10/5/2020 Council meeting;

**October 8, 2020:**

The City issues **Neighborhood Redevelopment Program (NRP) Phase I RFQ/RFP**;



# CLEVELAND HEIGHTS

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## **December 11, 2020:**

The City receives three (3) proposals by the December 11, 2020 deadline:

- 1) **Liberty Development / Amato Homes** – proposal to construct new infill housing on the nineteen (19) vacant City-owned/controlled lots along Desota Avenue;
- 2) **Start Right Community Development Corporation** – proposal to construct nineteen (19) new infill houses in two phases along Greyton Road and Nelaview Road in the Noble Neighborhood area on City-owned/controlled vacant lots;
- 3) **Ozanne Construction Company / Borden Architects** - proposal to install modular infill housing on all forty-two (42) lots in both the Noble Neighborhood area and Desota Avenue.

## **January 2021:**

Staff posts proposals to the Neighborhood Redevelopment Program webpage <https://www.clevelandheights.com/1337/Neighborhood-Redevelopment> and shares proposals with our CDC partner FutureHeights and Noble Neighbors.

Presentations and interviews of the development teams that submitted proposals are held on January 26 & 28; These interviews included staff members from Economic Development, Planning and Housing Departments, as well as representatives of CDC partner FutureHeights and Noble Neighbors; A debriefing session was held on February 4, 2021 that included the participants in the presentations/interviews, and a general consensus was reached on how to proceed with this project.

## **February 2021:**

On February 4, 2021, as a result of staff review of the proposals, as well as significant input from our CDC partners FutureHeights, and from Noble Neighbors, Economic Development Director Boland sent a memo to the City Manager recommending that the City commence negotiations intended to reach agreement on a memorandum of understanding and/or development agreement with **Liberty Development/Amato Homes** for infill housing construction on Desota Avenue, and similar agreements with **Start Right CDC** for infill housing construction on Greyton & Nelaview Roads.

Tim



# CLEVELAND HEIGHTS

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**February 4, 2021**

**To: Susanna Niermann O'Neil**

**City Manager**

**From: Timothy M. Boland**

**Director of Economic Development**

**Subject: Review of Proposals for Neighborhood Redevelopment Program (NRP) Phase I**

The City issued a Request for Qualifications and Preliminary Development Proposals (RFQ/RFP) for the Neighborhood Redevelopment Program (NRP) Phase I infill housing program on October 8, 2020, and received three (3) proposals by the December 11, 2020 deadline:

- 1) **Liberty Development / Amato Homes** – proposal to construct new infill housing on the nineteen (19) vacant City-owned/controlled lots along Desota Avenue;
- 2) **Start Right Community Development Corporation** – proposal to construct nineteen (19) new infill houses in two phases along Greyton Road and Nelaview Road in the Noble Neighborhood area on City-owned/controlled vacant lots;
- 3) **Ozanne Construction Company / Borden Architects** - proposal to install modular infill housing on all forty-two (42) lots in both the Noble Neighborhood area and along Desota Avenue.

As a result of my review of the proposals, and that of our staff, as well as significant input from our CDC partners FutureHeights, and Noble Neighbors, I recommend that the City commence negotiations intended to reach agreement on a memorandum of understanding and/or development agreement with **Liberty Development/Amato Homes** for infill housing construction on Desota Avenue, and similar agreements with **Start Right CDC** for infill housing construction on Greyton & Nelaview Roads. The proposals submitted by these development teams are attached, as well as the original RFQ/RFP.

Please feel free to share this recommendation with City Council as part of our department memo for the February 16, 2021 Council meeting. If you could let me know if any additional action is required at this time by Council prior to staff commencing with negotiations, I would greatly appreciate it.

After so many years of having a large inventory of vacant lots in these areas, I believe the NRP Phase I program provides an excellent opportunity for the City to bring new housing, residents and vibrancy to these neighborhoods. Staff is ready to proceed with negotiations on these MOU's and/or Development Agreements at this time.

I would be happy to discuss or answer any questions. Thank you.

Tim

December 11<sup>th</sup>, 2020

Timothy M. Boland  
Director of Economic Development  
City of Cleveland Heights  
Via e-mail: [nrpphase1@clvhts.com](mailto:nrpphase1@clvhts.com)

RE: Developer Qualifications for the Neighborhood Redevelopment Program – Phase I

Dear Mr. Boland-

Please find included here Liberty Development Company and Amato Home's collaborative proposal and qualifications for the Neighborhood Redevelopment Program (NRP).

As you will see from the outline of our experience, our proposed approach and the concept designs for these homes, we have a market viable and neighborhood appropriate strategy to help lead housing reinvestment in the Desota Avenue neighborhood in 2021.

We appreciate the opportunity to be part of Cleveland Heights' continued residential evolution and look forward to having a chance to discuss a partnership with the City in more detail soon.

Please feel free to contact us if you have any questions or require additional information from our team.

Sincerely,

*Dru Siley*

Dru Siley  
Vice President Development  
Liberty Development Company  
[ds@liberty-development.com](mailto:ds@liberty-development.com)  
216-258-3113

*Frank Amato*

Frank Amato  
President  
Amato Homes  
[franka@myamatohomes.com](mailto:franka@myamatohomes.com)  
330-590-2516



#### **A. Development Team Information**

Liberty Development Company was founded in 1996 is a full-service real estate development, management, and construction company with a diverse portfolio of commercial, retail, residential, industrial, and master land-use projects. As one of Northeast Ohio's most active and respected real estate developers, we've built a reputation for tackling complex issues with experience, creativity and vision, while remaining true to our core values of integrity, honesty, and transparency. In real estate development, we create practical, long-term partnerships founded on shared interests and goals.

The lead team member and development lead for our partnership with Cleveland Heights will be Dru Siley, Liberty's VP of Development. Dru's public-sector development experience blends well with cultivating effective public – private partnerships between our company and the communities where we work.

Amato Homes was founded in 2020 by Frank Amato following on more than 25 years of experience as a home builder in Northeast Ohio. Prior to launching his company, Frank worked for K. Hovnanian Homes for nearly 16 years most recently as the Director of Construction Services. Currently, Amato Homes has projects in Vermillion, Middleburg Heights and has just broken ground on a group of landbank lots in partnership with the City of Euclid.

Frank's attention to detail and commitment to quality is also rooted in his 20 years of service as a Warrant Officer in the United States Army. Working with teams, successfully coordinating the complex logistics of managing home construction and creating value in the communities are the core competencies of Amato Homes.

This partnership will create an LLC to function as the operational entity during development and construction. The proposed homes would be for sale, owner occupied single-family houses.

#### **B. Relevant Development Experience**

As mentioned in the previous section, Amato homes is currently under construction in Vermillion, Middleburg Heights and Euclid creating new single-family homes in those communities. Vermillion and Middleburg Heights are the completion of the last phase of existing subdivisions and Euclid is 3 new homes on City land bank lots.

Liberty Development's currently has four residential projects under construction in the region, Fairlawn, Bay Village, Westlake and Lakewood. All these projects are redevelopment sites, previously occupied by an obsolete use such as a shuttered bank, furniture store or vacant school, and are all for sale townhome projects.

#### **C. Financial Capacity**

Liberty Development and Amato Homes both have the financial capacity to develop and construction the proposed houses. Should we be selected as part of the next round of review we can provide more detailed financial information.

#### **D. Proposed Development Vision**

- We are interested in developing the lots on Desota Avenue.
- Home sizes range from approximately 1,546-2,000 square feet, 3-bedroom, 2.5-bath with option to upgrade to 4 or 5 bedrooms.
- Proposed use is single-family, for sale homes.
- Capital investment = approximately \$140 per sf constructed.
- Development standards would focus on more traditional architectural style, four-sided design, quality, low maintenance and in line with the neighborhood market.
- Ownership target is a direct sale to future homeowner.
- The objective is to create a single-family home that has a sale price in the low-mid \$200k range. Much of the existing housing stock is value between \$125-\$150k. However, we feel that new single-family houses in the suggested price range would successful due to the following factors:
  - Neighborhood compatible design
  - Proximity to neighborhood schools, synagogues, churches and retail.
  - Proximity to Cain Park and open space amenities.
  - 15-year, 100% tax abatement on the improved value.
- Related to parking and traffic, the new homes are replacing previously demolished homes so historic traffic volumes will not be impacted. Each home will have a two-car garage and driveway to accommodate parking needs for these residents.
- The design of the new homes will strive to be compatible with the existing neighborhood with respect to walkability and the allowance for on site yard for the enjoyment of the owners. The new homes will also be energy efficient above and

beyond the adjacent 100-year old homes due to the type of construction, insulation, windows and efficient heating and cooling systems.

- We are proposing to compensate the City \$1.00 per lot with a negotiated split on the transaction costs.
- We would consider developing homes on other City and Land Bank lots beside the Desota lots but would need more context to the specific locations and conditions. For example, are other developers working in the area, does the City have infrastructure investment budget for a certain neighborhood and what are the existing amenities in the suggested neighborhood?
- Please refer to included concept drawings for the proposed homes.

#### **E. Community Engagement**

Our team would spend time in the neighborhood meeting with current owners, tenants and non-profits working in the neighborhood to share our vision for the new homes. We would connect with the adjacent religious and educational institutions to share ideas and receive feedback. Additionally, we would spend time with the local branch real estate offices to better understand the needs and wants of potential buyers.

#### **F. Proposed Process and Timeline**

Total project timeline from award to sale is approximately 9 months.

- Site, market and financial analysis is in progress but would include another 90 days once the specific lots have been committed and awarded.
- Financial commitments would begin in that same 90-day period and be complete prior to executing a development agreement.
- Design development is in the work currently but would be refined based on neighborhood and City feedback – timeline TBD.
- Permitting is typically a 60-day process with the City with variables being approval from the Water Department and the County.
- Construction is approximately 150 days.
- Sales efforts would begin at construction with the expectation that the first home would be committed prior to completion.

#### **G. Economic Impacts**

- Projected capital investment (hard and soft costs) = \$140 sf x 1,800 (avg) sf home x 10 homes = \$2,500,000 approximate investment.
- Proposing 10 residential units, 1546-2,000 sf per unit.

- Projected new employment and payroll would depend on the number of lots awarded and the proximity of those lots. The efficiency created by proximity allows for the same crews to be in place and consistently working allowing the builder to manage overhead.
- In our experience, new residential investment in a neighborhood that has not seen much new construction or significant renovation tends to encourage additional independent investments from adjacent homeowners.

#### **H. Resources Required from the City and Other**

The primary key is the lot price and keeping the acquisition cost low to help us maintain the home pricing targets that we feel fit the market. The City's assistance and commitment to streamlining the review process and advocating expedited review from the City and other agencies will be an important commitment necessary to be successful. We also will need the City to identify a specific staff member who has the authority and time to be a consistent and vocal advocate for our projects. Relief on permit fees and review fees to help maintain budget. Any due diligence information that City can provide such as environmental reports, geotechnical information, documentation of the demolition and backfill and documentation of the condition and location of the utility disconnects.

#### **I. Minority and Female Business Enterprises Inclusion; Prevailing Wage & Local Hiring**

Acknowledged related to making commercially reasonable efforts. These are worthy objectives for the project but being able to deliver quality, sustainable homes for 2021 at the price points we've proposed is the primary goal.

#### **J. Development Agreement**

We've indicated key elements related to price point, product type, timing and support throughout this response. We look forward to learning more about the City's intended deal structure as this process progresses.

## **K. Project Summary**

<b>Company Information</b>	
Founded	LDC 1996, Amato Homes 2020
Employees	LDC 8, Amato Homes 1
Headquarters	LDC in Westlake, Amato Homes, Akron
Development Partners	
<b>Timeline</b>	
Groundbreaking to Completion	150 days
<b>Financing</b>	
Equity Source	Development and Builder Team
Personal guarantee of debt financing from firm's principal(s)	TBD depending on lending partner requirements
Tax Increment Financing required?	NO
Guarantee of Public Infrastructure Financing?	More info required
Tax abatement required?	YES
Development contingent on availability of any county, State and Federal funding sources outside of City control?	NO
<b>MBE and FBE Inclusion</b>	
MBE and FBE inclusion	Commercially reasonable efforts
<b>Project Team</b>	
Development Partner	Liberty Development
Architect	TBD
MBE and FBE participation	TBD
Public Finance	Liberty Development
Construction	Amato Homes



## 1575 RH - Elevation A

### Front & Rear Elevations

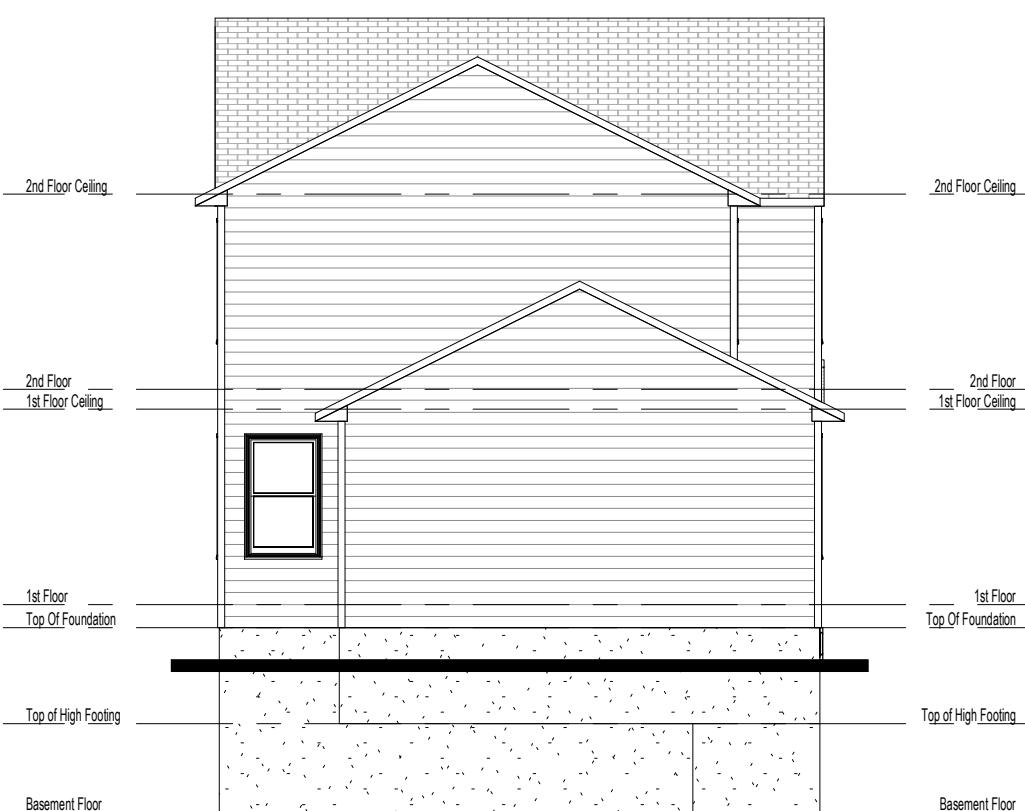


### Elevation A - Sheet List

Sheet Number	Sheet Name
ElevA-Pg1	Front & Rear E elevations
ElevA-Pg2	Side E elevations
ElevA-Pg3	Basement Floor Plan
ElevA-Pg4	1st Floor Plan
ElevA-Pg5	2nd Floor Plan
ElevA-Pg6	Roof Plan
ElevA-Pg7	Electrical & Flooring Plan
Pg8	Optional 2nd Floor Plans
Pg9	Interior E elevations
Pg10	Stair Section
Pg11	Details 1
Pg12	Details 2

**2019 RESIDENTIAL OHIO CODE**  
**ENERGY EFFICIENT COMPLIANCE - OHBA COMPLIANCE PATH #2**  
**(SECTION 1112 - INCLUDING ALL MANDATORY ITEMS)**

- CEILINGS - R 49
- EXTERIOR SIDEWALLS - R 13
- RIM JOISTS - R 13
- FLOOR OVER UNHEATED SPACES - R 30
- FOUNDATION WALLS - R 10 minimum 4 FT. DOWN (ALL WALLS)
- WINDOWS .32 U VALUE



### Area Schedule (Elev A)

Name	Area
<b>Heated</b>	
1st Floor	1082 SF
2nd Floor	493 SF
Basement	703 SF
	2278 SF
<b>Unheated</b>	
Front Porch	64 SF
Garage	249 SF
	313 SF
Under Roof	2591 SF

Lot #:

Address:

Community:

Last Revision Date:

12-9-20

Sheet #:

ElevA-Pg1



CONTRACTOR AND BUILDER SHALL REVIEW ENTIRE PLAN TO VERIFY CONFORMANCE WITH ALL CURRENT APPLICABLE CODES IN EFFECT AT TIME OF CONSTRUCTION. BY USING THESE DRAWINGS FOR CONSTRUCTION IT IS UNDERSTOOD THAT CONFORMANCE WITH ALL APPLICABLE CODES IS THE RESPONSIBILITY OF THE BUILDER AND CONTRACTOR.

## 1575 RH - Elevation A

### Side Elevation



① Right Elevation - Elev A  
1/8" = 1'-0"



② Left Elevation - Elev A  
1/8" = 1'-0"

Lot #:

Job #:

Address:

Community:

Last Revision Date:

12-9-20

Sheet #:

ElevA-Pg2



Wall Stud Size  
— = 2x4  
// = 2x6

**Basement Floor Plan - Elevation A**

1/8" = 1'-0"

25'-0" 20'-0" 5'-0" 12'-0"

13'-9" 59'-0" 40'-1" 59'-0" 41'-10"

5'-2" 2'-8 1/4" 1'-0" 4'-2" 1'-0"

**GARAGE ABOVE**

5'-3 1/2" 14'-8 1/2"

1'-0"

**Unfinished Basement**

8'-6" 10'-3 1/2" 6'-2 1/2"

UP

**PORCH ABOVE**

12'-8"

1

1 Pg 10

1

FLUSH TOP OF WALL

FOOTER SUMP

HVAC FURNACE

Floor Drain

25'-0" 9'-11 1/2" 2'-0"

1

1/8" = 1'-0"

25'-0"

ACTOR AND BUILDER SHALL REVIEW PLAN TO VERIFY CONFORMANCE WITH CURRENT APPLICABLE CODES IN EFFECT AT CONSTRUCTION. BY USING THESE STANDARDS FOR CONSTRUCTION IT IS UNDERSTOOD THAT CONFORMANCE WITH ALL APPLICABLE CODES IS THE RESPONSIBILITY OF BUILDER AND CONTRACTOR.

11 of 11

## Basement Floor Plan

last Revision Date:

2-9-20

neet #:

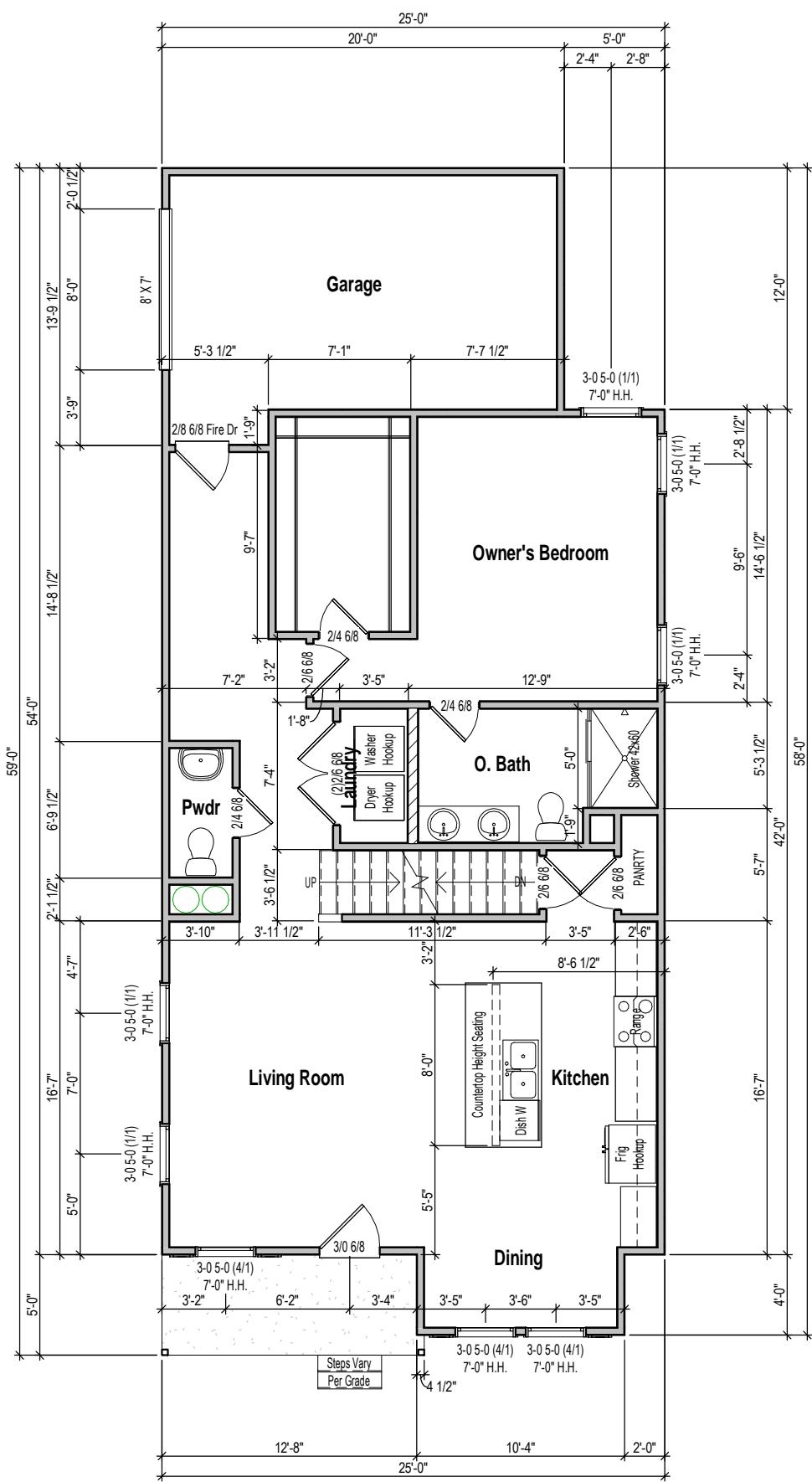
vA-Pg3

Wall Stud Size  
 — = 2x4  
 — = 2x6

TABLE R302.6 Dwelling/Garage Separation	
Separation	Material
From the residence and attics	Not less than $\frac{1}{2}$ -inch gypsum board or equivalent applied to the garage side
From all habitable rooms above the garage	Not less than 5/8-inch Type X gypsum board or equivalent
Structure(s) supporting floor-ceiling assemblies used for separation required by this section	Not less than $\frac{1}{2}$ -inch gypsum board or equivalent



CONTRACTOR AND BUILDER SHALL REVIEW ENTIRE PLAN TO VERIFY CONFORMANCE WITH ALL CURRENT APPLICABLE CODES IN EFFECT AT TIME OF CONSTRUCTION. BY USING THESE DRAWINGS FOR CONSTRUCTION IT IS UNDERSTOOD THAT CONFORMANCE WITH ALL APPLICABLE CODES IS THE RESPONSIBILITY OF THE BUILDER AND CONTRACTOR.



1575 RH - Elevation A

1st Floor Plan

Lot #:

Address:

Community:

Last Revision Date:

12-9-20

Sheet #:

ElevA-Pg4



Wall Stud Size  
===== = 2x4  
===== = 2x6

This architectural floor plan illustrates the layout of a house section, featuring various rooms and structural details. The overall width of the section is 25'-0", and the total depth is 46'-0". Key rooms include Bedroom 3, Bedroom 2, and Bath 2. The plan shows multiple levels, with an 'OPEN TO BELOW' note indicating a connection between levels. Structural details include 'rake wall' and 'kneewall' sections, as well as 'PULL DOWN STARS' and 'Tub-Shower 32 x 60' fixtures. Room dimensions and heights are provided throughout the plan.

**Rooms and Dimensions:**

- Bedroom 3:** 13'-6" wide by 21'-6" deep, with a height of 7'-0" H.H. and a ceiling height of 7'-5".
- Bedroom 2:** 12'-5" wide by 10'-11 1/2" deep, with a height of 7'-0" H.H. and a ceiling height of 7'-0 1/2".
- Bath 2:** 5'-4" wide by 7'-5" deep, with a height of 7'-0" H.H. and a ceiling height of 7'-5".
- Kitchen:** 10'-4" wide by 12'-8" deep, with a height of 7'-0" H.H. and a ceiling height of 7'-5".
- Living Room:** 12'-8" wide by 14'-3 1/2" deep, with a height of 7'-0" H.H. and a ceiling height of 7'-5".

**Structural and Other Features:**

- Stairs:** Located between Bedroom 2 and Bath 2, with a height of 4'-0" and a ceiling height of 2'-6 6/8".
- Windows:** Labeled as (2) 26 6/8".
- Doors:** Labeled as (1) 1 1/2" and (2) 2 5/8".
- Fixtures:** Tub-Shower 32 x 60".
- Walls:** Rake wall (10'-11 1/2"), kneewall (6'-3"), and various height differences (e.g., 3'-10", 3'-11 1/2", 3'-10 1/2", 3'-11").
- Openings:** OPEN TO BELOW between the kitchen and living room areas.
- Dimensions:** Overall width 25'-0", overall depth 46'-0", and various internal wall and ceiling heights.

1 2nd Floor Plan - Elev A  
1/8" = 1'-0"

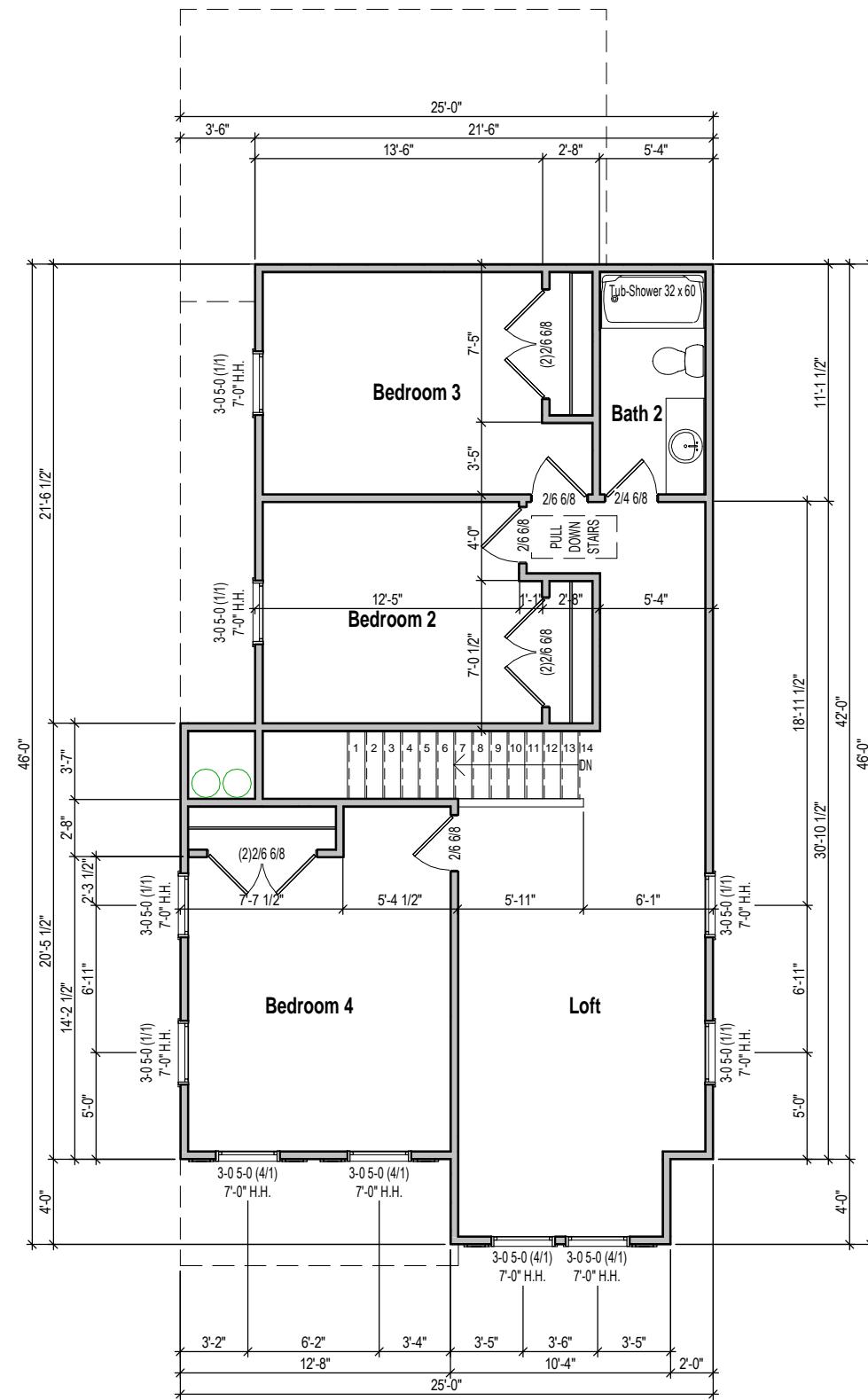
Job #:	Address:	Community:
<b>Last Revision Date:</b>		
<b>12-9-20</b>		
<b>Sheet #:</b>		
<b>ElevA-Pg5</b>		



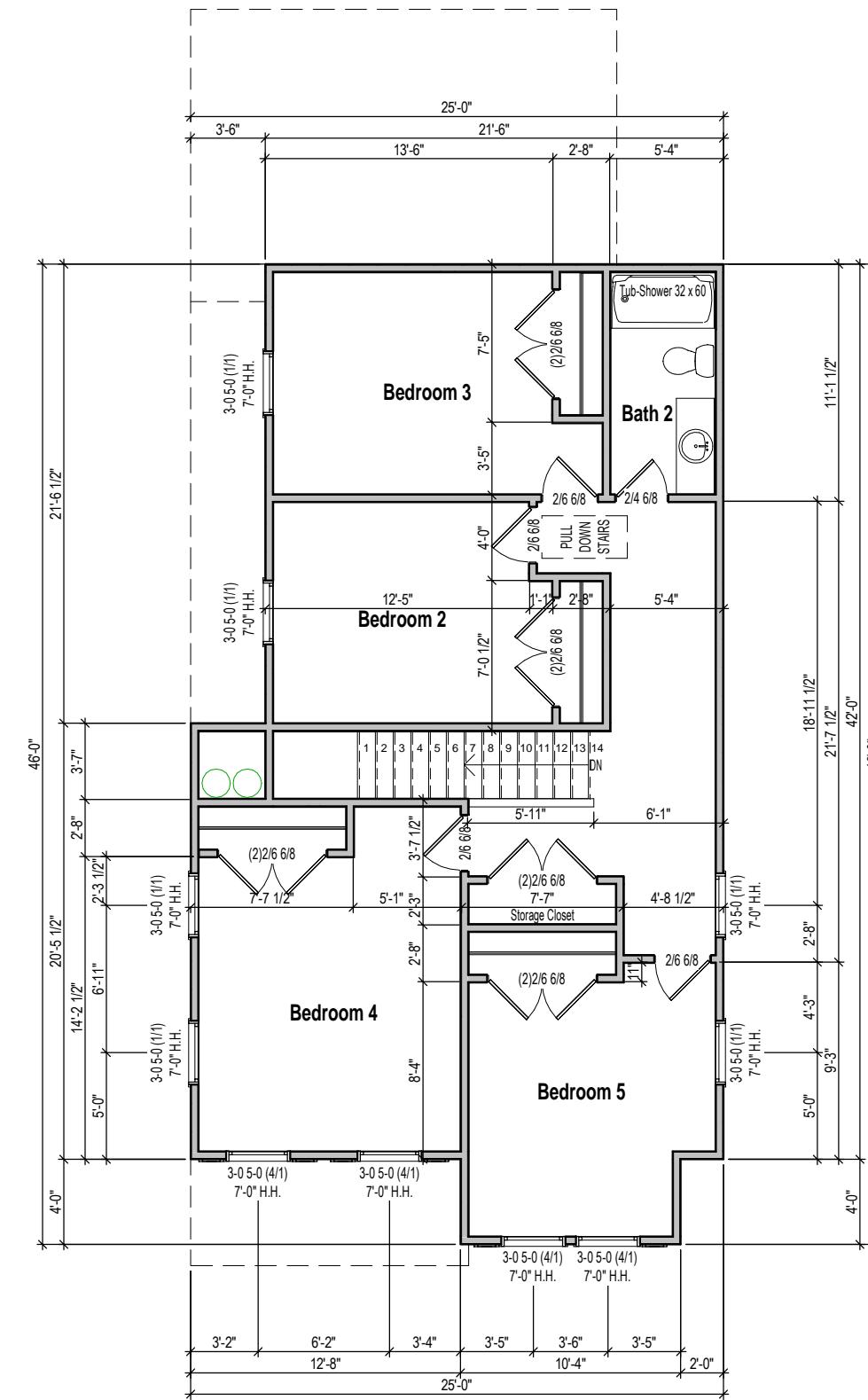
CONTRACTOR AND BUILDER SHALL REVIEW ENTIRE PLAN TO VERIFY CONFORMANCE WITH ALL CURRENT APPLICABLE CODES IN EFFECT AT TIME OF CONSTRUCTION. BY USING THESE DRAWINGS FOR CONSTRUCTION IT IS UNDERSTOOD THAT CONFORMANCE WITH ALL APPLICABLE CODES IS THE RESPONSIBILITY OF THE BUILDER AND CONTRACTOR.

1575 RH - Elevation A & B

## Optional 2nd Floor Plans



1 Opt. 2nd Floor Plan - Bdrm 4 / Loft  
1/8" = 1'-0"



2 Opt. 2nd Floor Plan - Bdrm 4 / Bdrm 5  
1/8" = 1'-0"

Lot #:

Job #:

Last Revision Date:

12-9-20

Sheet #:



Start Right  
Community Development Corporation

December 10, 2020

Timothy M. Boland  
Director of Economic Development  
The City of Cleveland Heights  
40 Severance Circle  
Cleveland Heights, OH 44118

Re:

RFQ/RFP City of Cleveland Heights NRP Phase 1

Dear Mr. Boland:

Start Right Community Development Corporation appreciates the opportunity to submit our response to the City's RFQ/RFP. We agree with the City's desire to develop new construction in-fill housing on vacant lots. We are committed to work with the City to provide meaningful support to make this important initiative a success.

A copy of our response has been emailed as instructed. Enclosed you will find a flash drive containing our response to the RFQ/RFP.

I can be contacted at 216-832-6508 or [startrightcdc@yahoo.com](mailto:startrightcdc@yahoo.com).

Best regards,

Pastor Jimmie Hicks, Jr.



# **Start Right Community Development Corporation (SRCDC)**



**City of Cleveland Heights Neighborhood  
Redevelopment Program (NRP) Sites- Phase 1**

## **RFQ/RFP RESPONSE:**

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### **PREPARED BY:**

Thomas Stone, Stone Enterprise

Jimmie Hicks Jr., Start Right Community Development Corporation

### **ISSUED TO:**

The City of Cleveland Heights

## Development Team Information

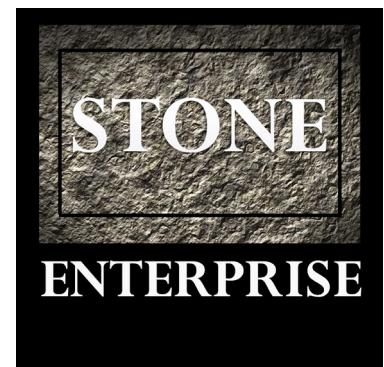
The project ownership entity to be formed is Caledonia Homes 1, LLC (“CH1”). CH1 is a real estate development limited liability company created specifically to develop new construction residential properties on lots identified in the Cleveland Heights NRP. CH1’s ownership consists of Start Right Community Development Corporation as controlling member and the investor group.

Start Right Community Development Corporation was founded in 2008 as a not-for-profit, 501 (c) 3 tax-exempt corporation, incorporated in the state of Ohio. The CDC was established by Jimmie Hicks, Jr., Pastor, Start Right Church. Pastor Hicks serves as Executive Director of SRCDC.

The mission of SRCDC is to improve quality of life conditions for individuals and families living primarily in the Caledonia neighborhood of Cleveland Heights, Ohio. SRCDC achieves its mission by operating a hunger relief program, sponsoring various educational programs, facilitating home purchase training events, and conducting a community beautification program.

In collaboration with the city of Cleveland Heights, SRCDC has established its Good Neighbor Project. The objective of this program is to fully rehabilitate vacant and blighted houses and make them available for home ownership. SRCDC has successfully rehabbed three houses and currently has three houses in process.

SRCDC is pursuing strategies to become more impactful in its efforts to improve quality of life conditions in the City. The City’s NRP is an opportunity for SRCDC to expand its residential redevelopment program to include new construction in-fill housing.



### UBIQUITOUS DESIGN, LIMITED

ARCHITECTURE PLANNING  
INTERIORS

HISTORIC PRESERVATION  
GRAPHICS

## Development Team Members



### **Pastor Jimmie Hicks, Jr.**

*Executive Director, Start Right Community Development Corporation.*

Pastor Hicks represents the controlling member of the ownership entity and has Board Approval to have final authority over all project decisions. Pastor Hicks founded Start Right Community Development Corporation in 2008. Pastor Hicks founded Start Right Church of God in Christ on September 17, 2006 becoming the first Church of God in Christ church located in the City of Cleveland Heights. Prior to becoming a full-time pastor, he owned and operated the Hicks Insurance Agency for 23 years as an affiliate of Nationwide Insurance. He won numerous awards and was recognized as the top homeowner salesman in Ohio. Pastor Hicks is the first African American male elected to the Cleveland Heights City Council where he served the people of that community for 8 years. Pastor Hicks joined the Cleveland Heights Police Department in Dec. 2001 where he was appointed as Chaplin. As Chaplin he teaches a tolerance and diversity seminar at the Police Academy and is available for spiritual guidance and counseling. Pastor Hicks and his wife Lynda have been residents of Cleveland Heights for 47 years.



### **Jimmie Hicks III**

*SRCDC Staff Member*

Mr. Hicks will provide project and administrative support. Mr. Hicks is a graduate of Bowling Green State University. He is currently pursuing a masters degree in Urban Planning from Cleveland State University. Jimmie and his wife were born and raised in Cleveland Heights and have been homeowners for 3 years.



### **Tom Stone**

*Principal and Lead Consultant, Stone Enterprise, [www.stoneenterprisecle.com](http://www.stoneenterprisecle.com).*

Mr. Stone is the principal member to speak for the development team and will handle negotiations of project terms. Mr. Stone will serve as Project Manager from conceptual stage to project completion. Mr. Stone has 22 years of real estate development experience. Mr. Stone served as the Executive Director of Mt. Pleasant NOW Development Corporation in the city of Cleveland. In addition to his community and real estate development experience, Mr. Stone had a 10-year career as a commercial/community development lending officer with a major financial institution. Mr. Stone with his wife Yolanda have been residents of Cleveland Heights for 31 years.

## Development Team Members Cont.



### Michael Anderson

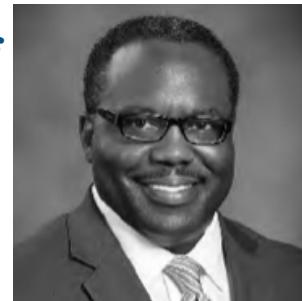
*Owner, Nature Tek, Inc.,*

Mr. Anderson will serve as the primary/lead contractor/builder for the project. Mr. Anderson has operated Nature Tek for six years and has 30 years of home building experience in Greater Cleveland. Nature Tek which means infusing nature with technology. Nature Tek has a focus to become a leader in Federal Green Building Standards in America. Mr. Anderson has taken Construction Management courses and contractor acceleration programs through the City of Cleveland and Turner Construction. He is also a member of the Home Builders Association of Greater Cleveland and has won such awards as Contractor of the Year from the Cleveland Housing Network.

### W. Daniel Bickerstaff

*Architect, Ubiquitous Design LTD.*

Mr. Bickerstaff is founder of Ubiquitous Design, Limited, a full service architectural practice providing professional services from conceptual feasibility through construction administration. Mr. Bickerstaff has over 25 years of architectural design and project management experience.



### Alan Rapoport

*Attorney-at-Law*



Mr. Rapoport will serve as project legal counsel. Mr. Rapoport has over forty years of experience in the practice of law, with special emphasis on issues involving real property, probate, and problems of small business. Mr. Rapoport was a three term Mayor, City of Cleveland Heights, Ohio (1982-1987); former member of National League of Cities; Lecturer on real property issues for Ohio State Bar Association; and former President, Coventry Neighbors, Inc., Cleveland Heights.

### Bradford Cavanaugh

*Realtor, CEO Kings Housing Network*

Mr. Cavanaugh will be responsible for marketing and sale of all units. Mr. Cavanaugh has five years experience in selling houses in the Greater Cleveland market.



The development entity (to be formed) will be a limited liability company (LLC) with SRCDC as the controlling member and the investor/investor group as the limited member. A joint-venture agreement will be established by and between the two members to establish roles and responsibilities, liability, and the distribution of profits.

Ownership entity will be created for the specific purpose of completing the project. The houses in the project will be constructed for sale. Upon completion of construction, sale of houses, and allocation of profits, the ownership entity will be dissolved.

# Relevant Development Experience

## **SRCDC Real Estate Development Experience**

**6** Home rehabilitation projects in Cleveland Heights on Caledonia, Greyton, Nelaview, Noble, Selwyn, and South Taylor

**15** Individuals employed on average per project

**\$191,000** Total investment with **\$95,000** allocated for labor

## **Tom Stone (Principal, Lead Consultant , Stone Enterprise)**

**127** New construction, single-family, scattered-site, low-income housing tax-credit houses

Total community investment value **\$13 million**

**74** New construction, single-family, for-sale houses

Total community investment value **\$11 million**

**30** Apartment units rehabilitated

**48-unit** New construction, senior apartment building.

Total community investment value **\$5 million**

**57,000** Square feet new construction commercial office building.

Total community investment value **\$8 million.**

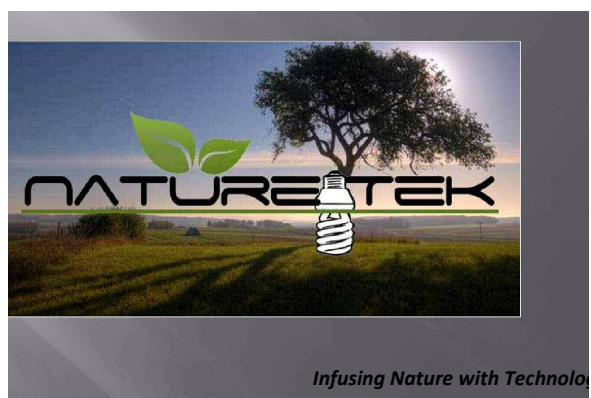
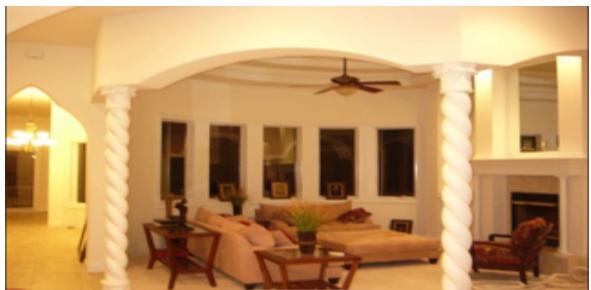
## **Michael Anderson, Contractor/Builder**

Mr. Anderson has worked with Burton, Bell, Carr Development Corporation and has won contracts from Cuyahoga Metropolitan Housing Authority. Mr. Anderson has also worked with the Cuyahoga County Lead Abatement Program, the Cuyahoga County Board-Up Program and the Cuyahoga County Asbestos Program. Mr. Anderson has worked closely with the following cities: Shaker Heights, Maple Heights, University Heights, Cleveland, Bedford, Bedford Heights and Warrensville. Mr. Anderson has built houses ranging in size from 1500 square feet with assistance from the federal government (HUD) in the Woodhill area of Cleveland to 7000 square feet in the township of Richmond in Summit County. For a sample of houses built by Mr. Anderson see Exhibit #1.

## **Daniel Bickerstaff, Architect**

Mr Bickerstaff has worked on a wide variety of projects ranging from historic preservation to medical facilities. Some of his residential projects include West 8th Townhouses, Clarence Townhouses, Allen Estates, and The Woods at Hampton Hills. Mr. Bickerstaff's largest project to date, completed in 2007, was a new Pediatric Health Center construction project totalling approximately **\$3.5 million in construction cost**. A sample of his housing designs can be found in Exhibit #2.

## Exhibit #1



## Exhibit #2



**Tremont Neighborhood**  
2472 Tremont Av.  
Cleveland, OH 44113

**CitiRama I**  
1247 East 101st Street  
Cleveland, OH 44108



**CitiRama II**  
1247 East 101st Street  
Cleveland, OH 44108



**The Starkweathers**  
2491, 2195 & 2501 West 8th Street  
Cleveland, OH 44113



**Clarence Court Phase III**  
905 Fruit Av.  
Cleveland, OH 44113



A1.0

**ALLEN ESTATES**  
**NEW SINGLE FAMILY DWELLINGS**  
LEAGUE PARK DISTRICT  
EAST 65TH STREET

**UBIQUITOUS DESIGN, LIMITED**

ARCHITECTURE PLANNING  
INTERIORS

HISTORIC PRESERVATION  
GRAPHICS

# Financial Capacity



## **Michael McGruder**

### *Project Capital Investor.*

Mr. McGruder is a former NFL player. Over his 12-year career, Mike has played in championship games for the Miami Dolphins, the San Francisco 49ers, and in Super Bowl XXXI with the New England Patriots. Mr. McGruder's business knowledge and success has made him a sought-after speaker for high schools, higher education institutions, and corporate functions. He was a partner with the Trinity Entertainment Group for more than 10 years, which won the Blockbuster Video Franchise Award twice. He was also a partner of Trinity Properties, a Texas real estate management company. Raised in the inner city of Cleveland, Mr. McGruder witnessed the devastating effects the streets can have on our youth. Heavily involved in charity work and passionate about improving the lives of others, Mike founded Platinum Charities (PC) in 2010. Mr. McGruder graduated from Cleveland Heights High School. Mr. McGruder has partnered with Start Right CDC to rehab three homes in Cleveland Heights.

# Proposed Development Vision

SRCDC has identified 10 lots located in the Caledonia neighborhood of Cleveland Heights to build on as a phase 1 of the project. It is the mission of SRCDC to improve quality of life conditions primarily in the Caledonia neighborhood, therefore, these lots have been selected for phase 1. The lots were also selected for the following reasons:

- The lots are located in close proximity to Start Right Church.
- The lots are currently maintained by SRCDC through its vacant lot grass cutting program.
- Several of the lots are either located side-by-side or very close to each other allowing a clustering effect.
- All of the sites are good, buildable lots with surrounding lots/houses in good to fair condition.

SRCDC has also identified an additional 11 lots it would request as a phase 2 project. SRCDC desires that the city hold in reserve the phase 2 lots and allocate them to SRCDC based on success metrics established for phase 1.

Exhibit #3 is a listing of the phase 1 and 2 lots requested. Exhibit #4 is a map showing the lots and other key points of interest.

Phase 1	Address	PP#	Owner(s)	Lot Footage	Lot Depth	Rating
	945 Greyton	681-07-084	CCLRC	40	118	Good
	943 Greyton	681-07083	Cleve. Hts	40	116	Good
	971 Greyton	681-07-091	Cleve. Hts	47	134	Good
	963 Greyton	681-07-089	Cleve. Hts	40	139	Good
	1016 Greyton	681-08-107	Cleve. Hts	40	120	Good
	1014 Greyton	681-08-107	Cleve. Hts	40	120	Good
	931 Nelaview	681-07-117	Cleve. Hts	40	120	Good
	927 Nelaview	681-07-116	CCLRC	40	120	Good
	965 Nelaview	681-07-127	Cleve. Hts	40	120	Good
	961 Nelaview	681-07-126	Cleve. Hts	40	120	Good

## Exhibit #3

Phase 2	Address	PP#	Owner(s)	Lot Footage	Lot Depth	Rating
	945 Greyton	681-07-107	Cleve. Hts	40	121	Fair
	943 Greyton	681-04-019	Cleve. Hts	40	127	Fair
	971 Greyton	681-04-010	Cleve. Hts	40	162	Good
	963 Greyton	681-08-008	CCLRC	40	120	
	1016 Greyton	681-05-041	Cleve. Hts	45	139	Good
	1014 Greyton	681-08-023	Cleve. Hts	40	136	Good
	931 Nelaview	681-06-059	Cleve. Hts	40	120	Good
	927 Nelaview	681-06-065	CLeve. Hts	40	120	Fair
	965 Nelaview	681-06-045	Cleve. Hts	40	120	Fair

## Exhibit #4

### Size of proposed project buildings in square feet with breakdown by use

All of the lots identified are zoned SF-A. The planned use is Single-Family. The units to be constructed will be for-sale between 1400 to 1500 square feet with detached garage.

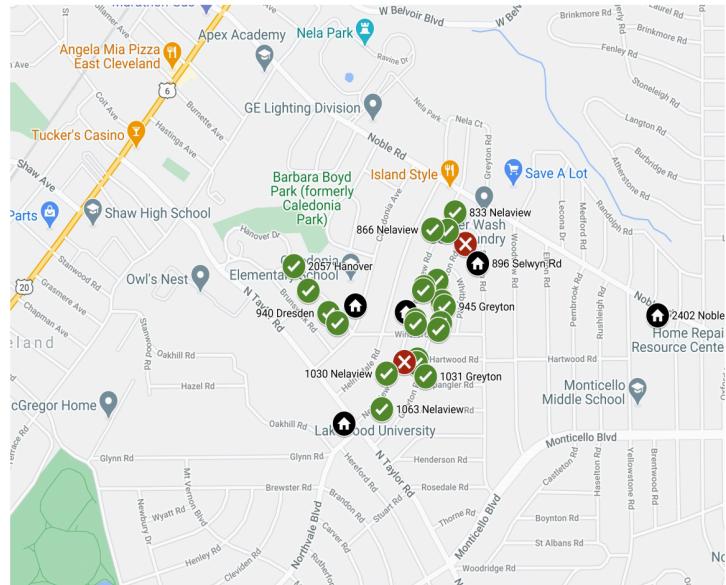
### Estimated capital investment

An initial investment of \$400,000 will be deposited into the LLC capital account by the investor group representing 24% of the total estimated project cost.

### RFP/RFQ Overlay

#### Full Address List

- ✓ 920 Dresden
- ✓ 940 Dresden
- ✓ 1014 Greyton
- ✓ 1016 Greyton
- ✓ 1031 Greyton
- ✗ 869 Greyton
- ✓ 924 Greyton
- ✓ 943 Greyton
- ✓ 945 Greyton
- ✓ 963 Greyton
- ✓ 971 Greyton
- ✓ 927 Nelaview
- ✗ 1013 Nelaview
- ✓ 1030 Nelaview
- ✓ 1063 Nelaview
- ✓ 833 Nelaview
- ✓ 859 Nelaview
- ✓ 866 Nelaview
- ✓ 931 Nelaview
- ✓ 961 Nelaview
- ✓ 965 Nelaview
- ✓ 954 Dresden
- ✓ 2057 Hanover



**Design approach and discussion of its compatibility with surrounding neighborhoods, activities, uses, architecture, and aesthetics**

To be determined with Architect and community engagement process.

**Plan for any new parking and traffic needs created by the redevelopment of these neighborhoods, and the potential impact of the proposed development on the existing and surrounding neighborhoods.**

All of the lots selected are located on streets zoned residential. The use is single-family. There is no new parking or traffic needs.

**Discussion of pedestrian friendliness/walkability, sustainability, greenspace and other elements of the vision(s), including areas to be preserved and your firm's understanding of the significance of these neighborhoods to the City and the adjacent commercial district and residential neighborhoods**

All of the lots selected are located on residential streets nestled in a pedestrian friendly, walkable neighborhood. Within walking distance is Noble road, the commercial district that services the Caledonia neighborhood containing several businesses providing quality and affordable goods and services including a full service grocery store, a laundry mat, dine-in and take out restaurants, and other consumer service establishments. Also in walking distance are community assets including Caledonia Elementary School, Caledonia Community Center, and Barbara Boyd Park.

The residents of the houses to be built on the selected lots will have easy access to two main north/south commercial streets, Noble and North Taylor providing transportation routes to other parts of the City. Each street intersects Euclid avenue providing access to University Circle and further west Downtown Cleveland, the number two and number one employment centers in Cleveland, respectively.

Building new houses on the selected lots will help the City to stabilize the housing stock of the City's most northern neighborhood and gateway.

**Proposed amount/financial consideration the Developer is offering to pay the City to purchase these available lots**

SRCDC is requesting that the City transfer the selected lots to the development entity at a minimal amount not to exceed \$100. Construction costs per square feet are estimated at \$125. To cover all project costs, market sale prices may need to exceed \$230,000. Adding additional cost to the project from land acquisition will further threaten the success of the project. The houses will be sold at a price above market with no immediate area comps. SRCDC estimates that the 15-year tax abatement will be sufficient subsidy to offset any market or appraisal gap.

**Is the Developer open to developing infill housing on other City-owned, Land Bank-owned lots in other areas of the City? If so, to what extent?**

Yes. SRCDC's response to the City's NRP RFQ/RFP identifies lots in the Caledonia neighborhood. This is the primary area of the City that SRCDC plans to impact through its various programs, projects, and services. However, SRCDC programs already assist residents in other parts of the City, specifically the hunger relief and community beautification programs. If the City issues an additional RFP, SRCDC would seek to develop lots that it currently services through its community beautification or vacant lot maintenance program.

# Community Engagement



SRCDC will implement a community engagement process with the objective of gaining advice, counsel, and feedback on the types of housing and designs most appropriate for the neighborhood. In addition to City administration, City Council, other identified stakeholders including residents, business owners, faith based and community leaders. Focus groups and public meetings will be the primary methods utilized to gather input from the identified stakeholders. Given the challenges presented by the Covid-19 virus, web-based and online methods will also be considered. SRCDC will be able to identify individuals from the roster of its program participants. Participants will also be invited to meetings using voter rosters and by dropping flyers on target and surrounding streets.

The community engagement process will be led and facilitated by Tom Stone, Lead Consultant, Stone Enterprise. Mr. Stone has been responsible for implementing and facilitating several community engagement processes during his 22-year tenure as Executive Director of Mt. Pleasant NOW Development Corporation. Through these engagement efforts Mr. Stone has worked with community stakeholders to construct 200 single-family housing units in the Mt. Pleasant neighborhood of Cleveland.

# Proposed Timeline

## Site, Market, financial analysis and/or other due diligence

- The lots requested in the application have been identified based on location within the Caledonia neighborhood, ability to cluster homes on streets, and being good buildable lots. See exhibit #3.
- Market analysis completed pre-application submission.
- Financial analysis including securing project financing commitments in process.
- Capital contributions anticipated within 30 days of gaining project approval from the City.

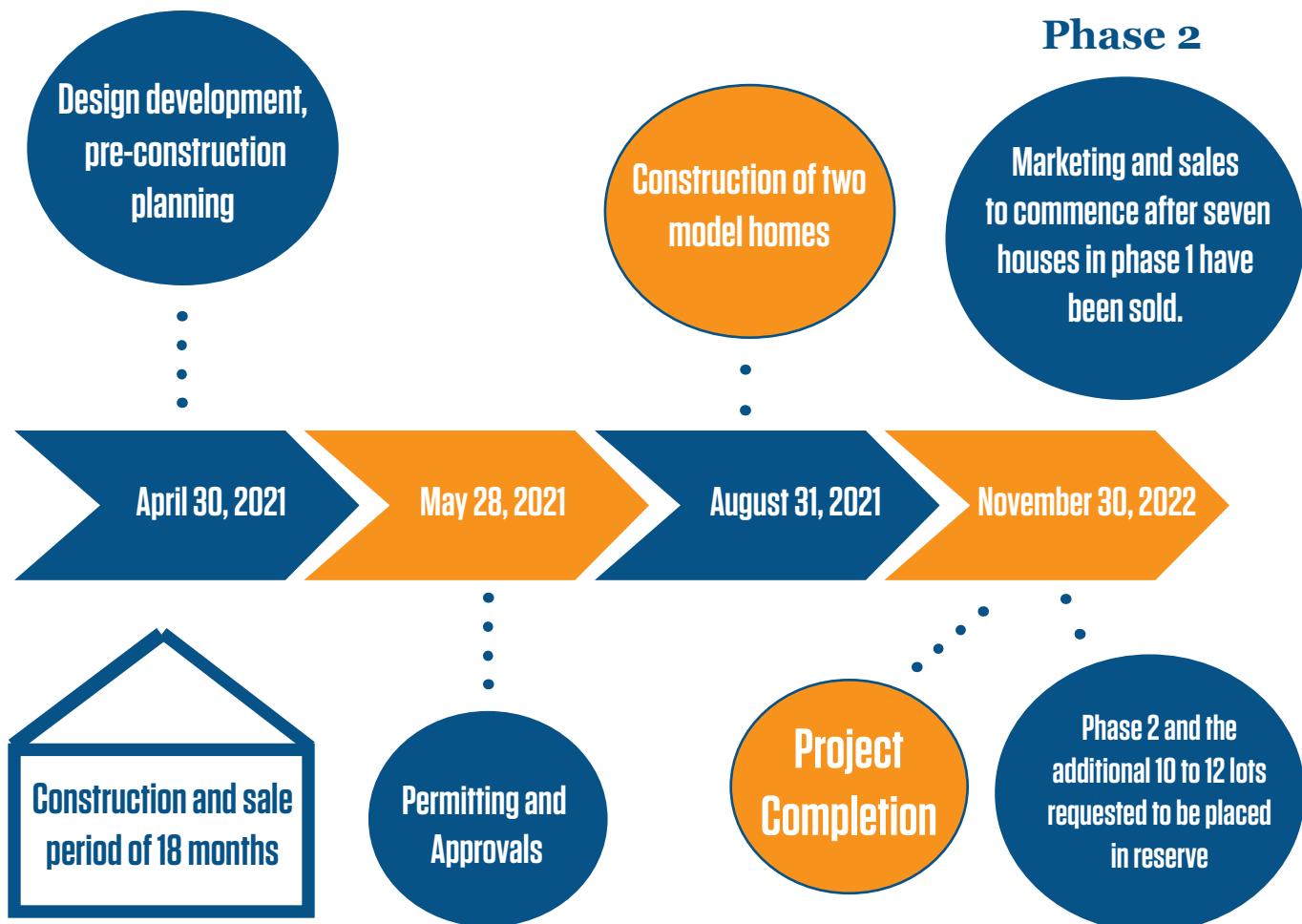
## Design development, pre-construction planning to be completed 60 days after gaining project approval from the City.

Permitting and approvals to be completed 30 days after design development and pre-construction.

The construction of each house is anticipated to be completed between 60-90 days. The project will commence with the construction of two houses to serve as models. Additional houses will be constructed based on purchase orders from approved buyers.

The maximum time period for construction and sale of 10 houses is 18 months.

**The following timeline assumes gaining project approval from the City by February 26, 2021:**



## Economic Impacts

**10 Phase 1**  
Residential Units

**24%**  
Project Capital Invested or  
Maximum of \$400,000

**11 Phase 2**  
Residential Units

**1400**  
Square Feet

**Property Tax on Land** • • • • • • • • • • • • • • • •

**\$5,000**  
Estimated Tax  
Assessed Value of Land

**\$525**  
Annual Tax Per House  
Constructed

**105.111126**  
Effective Tax Rate

**\$7,883**  
15 Year Cumulative Tax

**Post 15 Year Tax Abatement** • • • • • • • • • • • • • • •

**\$73,500**  
Estimated Tax  
Assessed Value

**\$235,000**  
Estimated Market Value

**105.111126**  
Effective Tax Rate

**\$7,725**  
Annual Tax Per House  
Constructed

## Projected Income Taxes • • • • • • • • • • • • • • • • •

<b>2.25%</b> City Income Tax Rate	<b>\$52,500</b> Median Income	<b>120% of AMI or \$63,000</b> Houses Affordable to Family Incomes
<b>\$1,417</b> Minimum Annual City Income Tax per Household (For 10 households in phase 1: \$14,170)		

## Projected new employment and payroll anticipated to result from the project • • • • • • • • • • • • • • •

<b>\$875,000 or 50%</b> Project Construction Budget
--

<b>50</b> Temporary Construction Jobs	<b>\$1.75 Million</b> Project Construction Budget
--	--

## Discussion of how the project could catalyze additional nearby neighborhoods • • • • • • • • • • • • • •

Nearby neighborhoods face similar challenges. There has been no significant residential new construction. The market for new construction housing has not yet been determined and validated. This projects' success will help to establish the new construction housing market in similar nearby neighborhoods. Other developers will follow bringing additional investment into Cleveland Heights and surrounding communities.

## Resources Required from the City and or Others

SRCDC is requesting that the lots are transferred at a nominal price not to exceed \$100. SRCDC will apply for 15-year tax abatement for improvements made on each lot.

SRCDC is also requesting that the City create a deferred payment, zero (0%) interest second mortgage down payment assistance program up to \$15,000. The program would be eligible to individuals with incomes at or below 120% AMI. The program is only available to homes purchase as a part of the City's NRP program. The loans are to be repaid at the time of resale, transfer, or if the property becomes absentee-owned.

SRCDC requests an allocation from the Economic Development Fund in the amount of \$250,000. We understand that this fund provides more flexibility than some of the other financial programs offered by the City, for high impact projects the City wants to support.

We would hope that the City sees this neighborhood redevelopment program as a project it would like to support. We are requesting the funding because:

- SRCDC desires to decrease and or eliminate our current dependence on private sector investors. The private sector investors by design have our redevelopment project focused on the profit margin instead of our goal to provide affordable new homes for our community.
- A partnership with the City through the Economic Development Fund will allow SRCDC to build and sell homes at an affordable price to the community but still positively impact the market value of homes in the neighborhood.
- Based on our financial projections, and our mission to redevelop the community, SRCDC will return the allocated funds to the City for future development at the completion of Phase 1 and will finance future Phases of the RFP with the remaining profits.

## Minority and Female Business Enterprise Inclusion Prevailing Wage & Local Hiring

The project development team is 85% African American. The project contractor/builder is African American. The owner has established a minimum goal of 35% of payroll going to minorities and females. Also the minimum goal for Northeast Ohio residence participation is 65%.

# Project Summary

## Company Information

- **Name**
- **Founded**
- **Headquarters**
- **Development Partner**

Start Right Community Development Corporation  
2008  
977 Caledonia Avenue, Cleveland Heights Ohio 44112  
Michael McGruder

## Timeline

- **Phases**
- **Time from groundbreaking to completion of Phase 1**

Phase 1- 10 houses; Potential Phase 2- 11 houses  
May 31, 2021 through November 30, 2022

## Financing

- **Equity Source**
- **Personal guarantee of debt financing from the firm's principal**
- **Tax Increment Financing required for current concept?**
- **Guarantee of public infrastructure financing**
- **Tax Abatement required?**
- **Development contingent on availability of any County, State, Federal funding**
- **Sources outside City control?**

Michael McGruder net worth  
Yes, if bank financing is pursued and secured  
No  
N/A  
Yes  
No

## MBE FBE Inclusion

- **MBE FBE Inclusion**

Minimum Goal: 35%

## Project Team

- **Developer Partner**
- **Architect**
- **MBE and FBE participation**
- **Public Finance**
- **Construction**

Michael McGruder  
W. Daniel Bickerstaff, Ubiquitous Design LTD.  
See development team members  
N/A  
Michael Anderson, Owner, Nature Tek, Inc.

## Parking

- **Parking study to be completed?**

NA

## Project Examples

- **Examples**

See relevant section



## CLEVELAND HEIGHTS

# Request for Qualifications and Preliminary Development Proposals (RFQ/RFP)

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For the **City of Cleveland Heights Neighborhood Redevelopment  
Program (NRP) Sites – Phase I** in Cleveland Heights, Ohio

- **Nelaview Road/Greyton Road**
- **Dresden Road / Hanover Drive**
- **DeSota Avenue**

RFQ/RFP Issued: **Thursday, October 8, 2020**

Response Deadline: **Friday, December 11, 2020, by 4:00 P.M. (EST)**

*October 8, 2020*

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# I. INTRODUCTION

## A. RFQ/RFP OVERVIEW

The City of Cleveland Heights, Ohio seeks to identify a qualified developer or development team whom the City can work collaboratively with, to redevelop and build in-fill housing on various City and/or Land Bank-owned vacant residential lots in the City.

The lots available for redevelopment are located on Nelaview Road (10 Lots), Greyton Road (9 lots), Dresden Road (3 Lots), Hanover Drive (1 Lot), and Desota Avenue (19 Lots). A listing of all 42 lots available is provided below, with zoning, lot size, and tax abatement incentive levels for each parcel noted.

Location	PPN	Zoning District	Permitted Use	Lot acres	Abatement Levels Available
<u>833 Nelaview</u>	681-06-059	SF-A	Single-Family	0.11	15 years, 100%
<u>859 Nelaview</u>	681-06-065	SF-A	Single-Family	0.11	15 years, 100%
<u>866 Nelaview</u>	681-06-045	SF-A	Single-Family	0.11	15 years, 100%
<u>927 Nelaview</u>	681-07-116	SF-A	Single-Family	0.11	15 years, 100%
<u>931 Nelaview</u>	681-07-117	SF-A	Single-Family	0.11	15 years, 100%
<u>961 Nelaview</u>	681-07-126	SF-A	Single-Family	0.11	15 years, 100%
<u>965 Nelaview</u>	681-07-127	SF-A	Single-Family	0.11	15 years, 100%
<u>1013 Nelaview</u>	681-08-008	SF-A	Single-Family	0.11	15 years, 100%
<u>1030 Nelaview</u>	681-05-041	SF-A	Single-Family	0.14	15 years, 100%
<u>1063 Nelaview</u>	681-08-023	SF-A	Single-Family	0.13	15 years, 100%
<u>869 Greyton</u>	681-06-104	SF-A	Single-Family	0.12	15 years, 100%
<u>924 Greyton</u>	681-07-107	SF-A	Single-Family	0.11	15 years, 100%
<u>943 Greyton</u>	681-07-083	SF-A	Single-Family	0.11	15 years, 100%
<u>945 Greyton</u>	681-07-084	SF-A	Single-Family	0.11	15 years, 100%
<u>963 Greyton</u>	681-07-089	SF-A	Single-Family	0.12	15 years, 100%
<u>971 Greyton</u>	681-07-091	SF-A	Single-Family	0.14	15 years, 100%
<u>1014 Greyton</u>	681-08-107	SF-A	Single-Family	0.11	15 years, 100%
<u>1016 Greyton</u>	681-08-106	SF-A	Single-Family	0.11	15 years, 100%
<u>1031 Greyton</u>	681-08-065	SF-A	Single-Family	0.43	15 years, 100%
<u>920 Dresden</u>	681-04-019	SF-A	Single-Family	0.12	15 years, 100%
<u>940 Dresden</u>	681-04-010	SF-A	Single-Family	0.16	15 years, 100%
<u>954 Dresden</u>	681-04-006	SF-A	Single-Family	0.15	15 years, 100%
<u>2057 Hanover</u>	681-01-007	SF-A	Single-Family	0.23	15 years, 100%

<u>3266 Desota</u>	684-31-039	B	Single-, Two-Family	0.12	15 years, 100%
<u>3286 Desota</u>	684-31-034	B	Single-, Two-Family	0.09	15 years, 100%
<u>3294 Desota</u>	684-31-032	B	Single-, Two-Family	0.09	15 years, 100%
<u>3308 Desota</u>	684-28-099	B	Single-, Two-Family	0.09	15 years, 100%
<u>3317 Desota</u>	684-28-094	B	Single-, Two-Family	0.11	15 years, 100%
<u>3320 Desota</u>	684-28-102	B	Single-, Two-Family	0.10	15 years, 100%
<u>3321 Desota</u>	684-28-092	B	Single-, Two-Family	0.14	15 years, 100%
<u>3324 Desota</u>	684-28-103	B	Single-, Two-Family	0.13	15 years, 100%
<u>3328 Desota*</u>	684-28-104	B	Single-, Two-Family	0.14	15 years, 100%
<u>3332 Desota</u>	684-28-105	B	Single-, Two-Family	0.13	15 years, 100%
<u>3354 Desota</u>	684-28-109	B	Single-, Two-Family	0.16	15 years, 100%
<u>3369 Desota</u>	684-28-082	B	Single-, Two-Family	0.17	15 years, 100%
<u>3380 Desota**</u>	684-29-048	B	Single-, Two-Family	0.17	15 years, 100%
<u>3396 Desota</u>	684-29-051	B	Single-, Two-Family	0.16	15 years, 100%
<u>3413 Desota</u>	684-29-069	B	Single-, Two-Family	0.14	15 years, 100%
<u>3417 Desota</u>	684-29-068	B	Single-, Two-Family	0.14	15 years, 100%
<u>3420 Desota</u>	684-29-056	B	Single-, Two-Family	0.13	15 years, 100%
<u>3421 Desota</u>	684-29-067	B	Single-, Two-Family	0.14	15 years, 100%
<u>3427 Desota</u>	684-29-066	B	Single-, Two-Family	0.10	15 years, 100%

\*The City expects the house currently on this property to be vacant and demolished by the end of the year.

\*\*May be retained for “green space” as part of the Compton Road Greenway Study.

This Request for Qualifications and Preliminary Development Proposals (“RFQ/RFP”) provides details about these lots and the surrounding neighborhoods, establishes the redevelopment goals of the City, and outlines the information required from interested development partners, as well as the process by which a development partner will be selected. **Qualifications and supporting materials must be received no later than Friday, December 11, 2020, by 4:00 pm EST.**

In the interest of efficiency, rather than undertaking separate Request for Qualifications (“RFQ”) and Request for Proposals (“RFP”) processes, the City wishes to use this single process, which is a hybrid between a true RFQ and an RFP, to understand each developer’s or team’s qualifications as well as their proposed vision(s) for in-fill housing and redevelopment potential in the neighborhoods noted above. Through this process, the City seeks to identify and select a developer with whom to work collaboratively with to select housing types and designs, and establish development standards / guidelines, for each street and implement the final redevelopment concept. As input from the City and the public is

crucial to, and expected to shape, the final development plan, the City does not require that conceptual drawings or renderings be submitted at this time. However, such drawings and/or renderings of proposed housing types and designs will be accepted and considered as part of this RFQ/RFP process.

At the conclusion of the evaluation process, the City anticipates entering into a Memorandum of Understanding (MOU) followed by a Development Agreement with the selected development partner that will outline the roles and responsibilities of each party and establish timelines for completing the development of infill housing. Upon commencement of this redevelopment, the City envisions consideration of several site control options such as selling the lots to be redeveloped to the selected developer, entering into a long-term ground lease, or other arrangements to be negotiated with the developer.

## **B. DEVELOPMENT GOALS**

The City seeks to develop the Site in a way which, at a minimum:

1. Results in housing designs and types that complement and are harmonious with the other houses on these streets and the adjacent residential neighborhoods;
2. Creates positive economic and fiscal benefits for the neighborhood and the City;
3. Incorporates greenspace, and/or a strong landscaping plan into the design and construction of the development;
4. Effectively incorporates community feedback into the design;
5. Strongly encourages the use of commercially reasonable efforts to achieve inclusion of minority-owned and female-owned business enterprises in the construction of the development, as well as the use of commercially reasonable efforts to ensure that laborers and mechanics employed on the project shall be paid at a prevailing wage rate to an extent reasonably practicable at an acceptable aggregate level to be negotiated;
6. Developer shall use commercially reasonable efforts to achieve the goal of local worker participation by having a majority of workers participating in the construction of this project being residents of Northeast Ohio;
7. Strives to achieve LEED or similar / comparable rating system certification and, at a minimum, implements sustainability best practices; and
8. The City strongly desires to pursue, and will likely require, the redevelopment of these neighborhoods with new owner-occupied single-family detached dwelling unit infill housing development, subject to the conditions negotiated in a final project development agreement.

### **C. USES**

The City welcomes and encourages highly creative ideas and approaches from the development team regarding the redevelopment of these streets and neighborhoods. The City believes this is an excellent opportunity to create an amenity-filled redevelopment area that will add to the unique character of these neighborhoods and the City.

### **D. SURROUNDING AREA**

Cleveland Heights is a diverse, progressive, inner-ring suburb of Cleveland, Ohio, with approximately 46,000 residents. The City's homes have architectural styles ranging from Craftsman bungalows and front porch Colonial Revival homes to historic mansions, new townhouses and condominiums. The City has a thriving arts community that includes galleries, theatre and dance companies, and Cain Park, a municipally owned arts and entertainment complex. The City is home to eleven (11) commercial districts and over 500 small businesses.

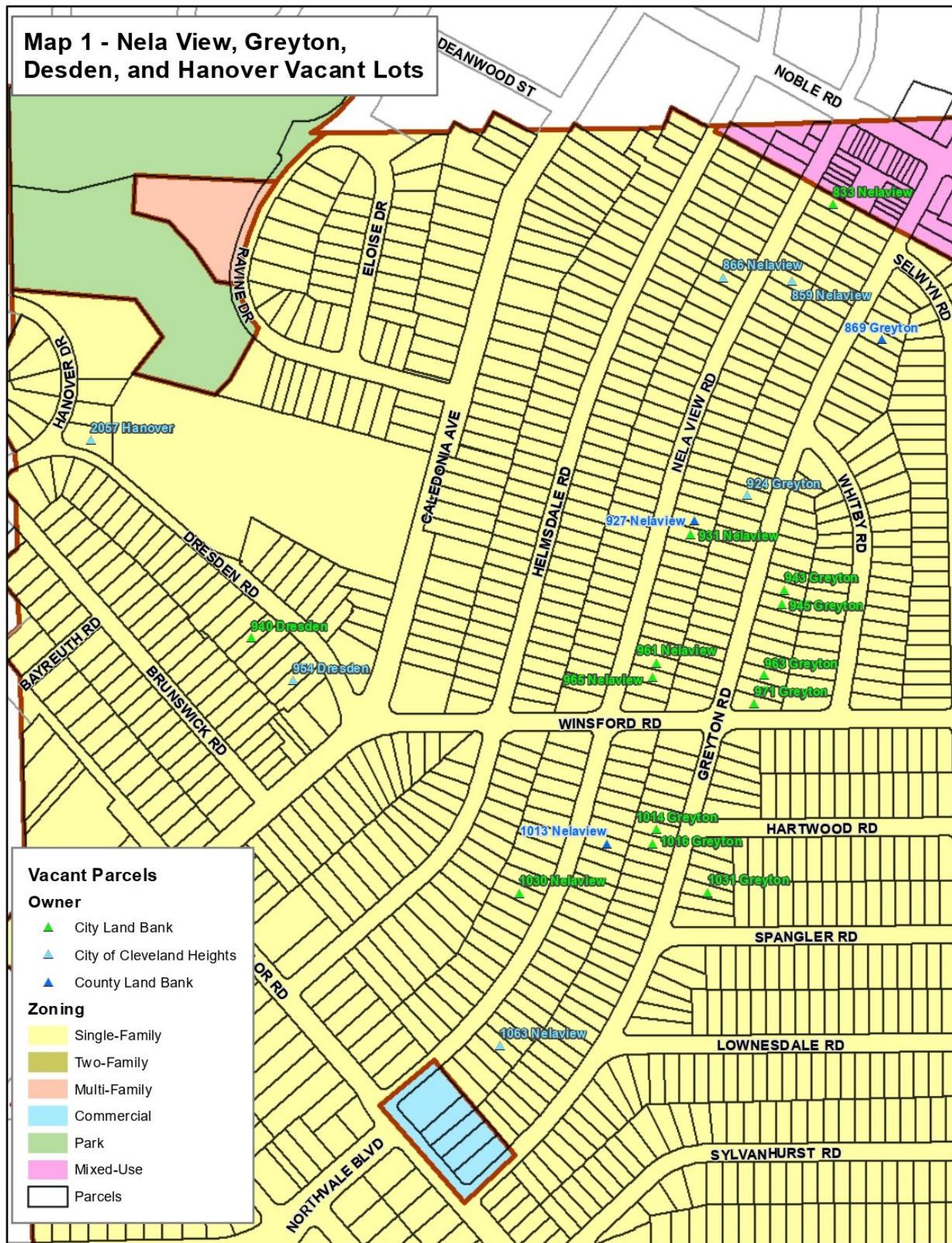
The streets and neighborhoods within this project are located less than three miles from University Circle, a world class center of education, medical, arts and cultural institutions including the Cleveland Clinic, Case Western Reserve University, University Hospitals Case Medical Center, the world-renowned Cleveland Orchestra, the Cleveland Museum of Art, and many more institutions and employers.

## **II. SITE INFORMATION**

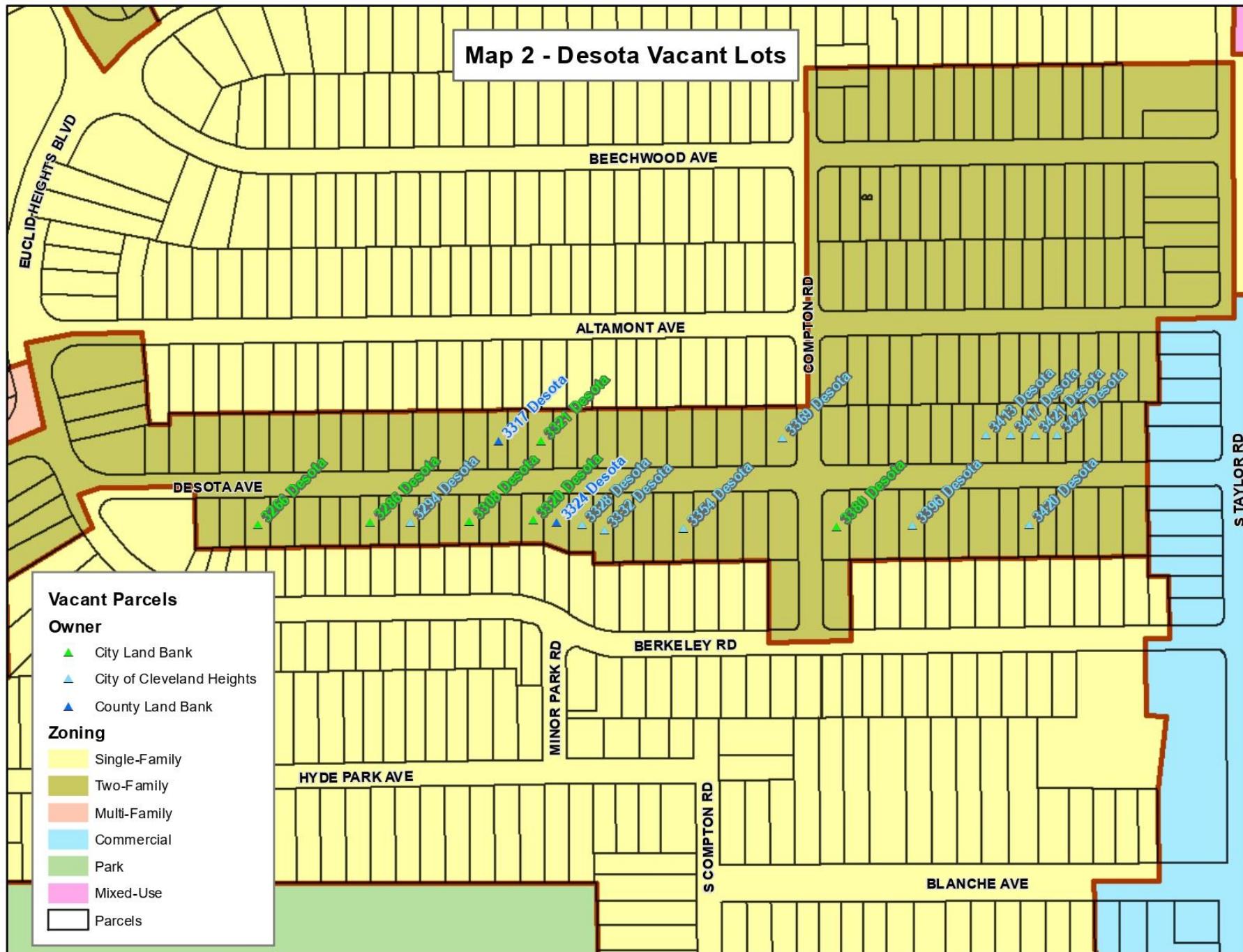
### **A. SITE DESCRIPTION**

The following maps identify the locations of the available lots in these neighborhoods, zoning of the streets and neighborhoods within this project, and the applicable zoning in the immediate vicinity. In addition, recent photographs of the lots on the streets where infill development is to occur and the surrounding areas are also provided below. A link is also provided to a Google Maps image of each property.

**Map 1 - Nela View, Greyton, Dresden, and Hanover Vacant Lots**



## Map 2 - Desota Vacant Lots



## Current Photos of the Nelaview, Greyton, Hanover & Dresden Redevelopment Area:



833 Nelaview



859 Nelaview



866 Nelaview



927 & 931 Nelaview



961 & 965 Nelaview



1013 Nelaview



1030 Nelaview



1063 Nelaview

## Current Photos of the Nelaview, Greyton, Hanover & Dresden Redevelopment Area:



## Current Photos of the Nelaview, Greyton, Hanover & Dresden Redevelopment Area:



940 Dresden



954 Dresden



2057 Hanover

## Current Photos of the Desota Redevelopment Area:



3266 Desota



3286 Desota



3294 Desota



3308 Desota



3317 Desota



3320, 3324, 3328, 3332 Desota



3321 Desota



3354 Desota

## Current Photos of the Desota Redevelopment Area:



3369 Desota



3380 Desota



3396 Desota



3413, 3417, 3421, 3427 Desota



3420 Desota

## **B. ADDITIONAL INFORMATION**

Links to additional information about this project can be found in the **Additional Resources** section at the end of this document. A summary of the additional information that is available follows.

### ***City of Cleveland Heights Master Plan – Land Use Plan:***

The Future Land Use Plan illustrated in the City's Master Plan, calls for the **Nelaview, Greyton, Dresden and Hanover neighborhoods** to be developed with detached single-family land uses (separated single-family residential uses). The Future Land Use Plan illustrated in the City's Master Plan, calls for the **Desota neighborhood** to be developed with detached, attached, or two-family development; single-family residential uses, two-family homes or townhouses would be appropriate redevelopment in this neighborhood.

### ***Zoning:***

The **Nelaview, Greyton, Dresden and Hanover neighborhoods** are currently zoned "A – Single Family District", as outlined in Chapter 1121 of the City of Cleveland Heights zoning code. The "A" District has been established to provide for single-family residential uses on smaller lots having a minimum of 7,500 square feet. The **Desota neighborhood** is currently zoned "B – Two Family District", as outlined in Chapter 1121 of the City of Cleveland Heights zoning code. The "B" District has been established to provide for single-family residential uses on lots having a minimum of 7,500 square feet, and two-family residential uses with a minimum lot size of 10,000 square feet.

The City strongly desires to pursue, and will likely require, the redevelopment of these neighborhoods with new owner-occupied single-family detached dwelling unit infill housing development, subject to the conditions negotiated in a final project development agreement.

### ***Incentives:***

The **Nelaview, Greyton, Dresden, Hanover and Desota neighborhoods** are currently located within an existing tax abatement incentive area, which is the City-wide Community Reinvestment Area (CRA), known as the "Cleveland Heights Grow Program". This incentive allows for an exemption from property taxes on the increased value created by new construction or remodeling of residential or commercial improvements. For new single-family residential building construction of owner-occupied dwelling units, attaining sustainability requirement certification and located in these neighborhoods, tax abatement levels with a term of 15 years and a rate of 100% is available.

In the **Desota neighborhood**, for new two-family residential building construction of dwelling units, attaining sustainability requirement certification, tax abatement levels with a

term of 15 years and a rate of 100% is available. For construction of new residential fee simple, owner-occupied townhome or condominium structures, attaining sustainability requirement certification, and a minimum per unit investment of \$270,000, tax abatement levels with a term of 15 years and a rate of 100% is available.

Additional information on the City's CRA program can be found on the City website at <https://www.clevelandheights.com/1075/Community-Reinvestment-Area-CRA> .

In the past, the City has also provided the opportunity for Tax Increment Financing (TIF), most recently with the Top of the Hill Redevelopment project, to assist City-owned land redevelopment projects. The City recognizes that Tax Increment Financing may be necessary to finance the construction of project improvements, and that this tool has the ability to provide strong and significant school compensation opportunities for our school district partners.

### **III. SUBMISSION REQUIREMENTS**

All proposals submitted for consideration shall include, but not be limited to, the following components. If development teams consist of more than one company, please provide the requested qualifications for all companies.

#### **A. DEVELOPMENT TEAM INFORMATION**

Provide a narrative description of the proposed development team, including the following:

- Brief history and overview of your company and your experience with urban development / infill housing projects having similar characteristics with this proposed project;
- Identification of key members of your development team, their proposed roles for this project, and their qualifications and experience;
- Summary of the team's past experience working together;
- Identification of the principal person who will speak for the development team and any other key participants who will be involved in negotiating the project terms;
- Specification of whether the development entity is or intends to form a corporation, a general or limited partnership, a joint venture, or other type of business association to carry out the proposed development; and
- Your firm's long-term goals related to ownership of the development.

## **B. RELEVANT DEVELOPMENT EXPERIENCE**

Describe at least three recent similar urban development / infill housing projects that your company has successfully completed or that are currently underway. Include a project summary, location, project cost, funding sources, development challenges and solutions, and municipal references. List development team members and their role in each project.

## **C. FINANCIAL CAPACITY**

Present evidence of your company/team's ability to finance the development project including commitments of equity and debt capital and any public (city, county, state, or federal) financial assistance necessary for the project to proceed.

## **D. PROPOSED DEVELOPMENT VISION(S)**

Provide a Development Proposal with narrative description of the proposed development vision(s), including the following:

- Location of the lots to be redeveloped;
- Size of proposed project buildings in square feet with breakdown by use;
- Estimated capital investment;
- Proposed residential housing types and designs to be developed on the site;
- Proposed general development standards / guidelines that would be anticipated to guide redevelopment of these neighborhoods. An indication of the level of quality of the materials to be used and the amenities to be provided in the new housing;
- Proposed ownership structure of new in-fill housing;
- Description and evidence of how the vision(s) addresses existing market conditions;
- Design approach and discussion of its compatibility with surrounding neighborhoods, activities, uses, architecture, and aesthetics;
- Plan for any new parking and traffic needs created by the redevelopment of these neighborhoods, and the potential impact of the proposed development on the existing and surrounding neighborhoods; and
- Discussion of pedestrian friendliness/walkability, sustainability, greenspace and other elements of the vision(s), including areas to be preserved and your firm's understanding of the significance of these neighborhoods to the City and the adjacent commercial district and residential neighborhoods;
- Proposed amount/financial consideration the Developer is offering to pay the City to purchase these available lots;
- Is the Developer open to developing infill housing on other City-owned, Land Bank-owned lots in other areas of the City? If so, to what extent?

As stated previously, the City does not require or request conceptual drawings or renderings at this time. However, such drawings or renderings will be accepted and considered as part of the Team's submission.

#### **E. COMMUNITY ENGAGEMENT**

The development process must be inclusive and involve input not only from the City administration and City Council, but adjacent residents, property and business owners, as well as the greater Cleveland Heights community. Please describe your approach to effective community engagement for this project and your experience successfully navigating this process with previous projects. The City strongly encourages collaboration between the Development Team selected and our City Community Development Corporation FutureHeights on this project.

#### **F. PROPOSED PROCESS AND TIMELINES**

Constructing the infill housing in these neighborhoods as quickly as possible is a primary goal of the City. Please describe the anticipated timelines and critical path for fully developing these lots, specifically identifying dates for commencement and completion of key project activities including, but not limited to:

- Site, market, financial analysis and/or other due diligence;
- Securing financing commitments;
- Design development, pre-construction planning, etc.;
- Permitting and approvals (the City intends to assist, as much as possible, to facilitate approvals);
- Construction;
- Project completion; and
- Sale.

If the proposed project involves phasing, please be specific regarding the above timelines for each phase.

#### **G. ECONOMIC IMPACTS**

At a high level, please describe the anticipated economic and fiscal benefits of the proposed development, including but not limited to:

- Projected capital investment;

- Number of proposed residential units, square footage and related property and income tax creation projected;
- Projected new employment and payroll anticipated to result from the project; and
- Discussion of how the project could catalyze additional nearby neighborhoods.

#### **H. RESOURCES REQUIRED FROM THE CITY AND OR OTHERS**

It is the City's intent to work collaboratively with the chosen developer to refine the concept in a mutually beneficial way that streamlines the process of approvals and ultimately accelerates the timeline for commencing and completing the development. What support or resources will you require from the City to bring your concept to fruition and ensure an effective partnership between your company and the City? To the extent that the proposed development concept would require financial assistance from the City, County, State, or Federal Government, please be specific as to what would be required. What other contingencies exist that must be cleared in order for the development to proceed?

#### **I. MINORITY AND FEMALE BUSINESS ENTERPRISES INCLUSION; PREVAILING WAGE, & LOCAL HIRING**

The City strongly encourages the participation of minority-owned and female-owned business enterprises in the development of the Site. Please describe any efforts you have made on past projects to include minority-owned and female-owned businesses and any steps you intend to take to include minority-owned and female-owned businesses for this project. The City strongly encourages the use of commercially reasonable efforts to achieve inclusion of minority-owned and female-owned business enterprises in the construction of the development, as well as the use of commercially reasonable efforts to ensure that laborers and mechanics employed on the project shall be paid at a prevailing wage rate to an extent reasonably practicable at an acceptable aggregate level to be negotiated;

Developer shall use commercially reasonable efforts to achieve the goal of local worker participation by having a majority of workers participating in the construction of this project being residents of Northeast Ohio. In furtherance of this goal, the Developer will ensure that a suitable number of worker outreach events be held in Cleveland Heights to promote local worker participation in the project. The Developer shall agree to share with the City, and its agents, including but not limited to the Regional Income Tax Authority, all information necessary to facilitate tracking of project construction workers on a monthly basis to assure payment of the appropriate income taxes due to the City from such employment. All reporting requirements associated with the project will be subject to the conditions negotiated in a final project development agreement.

## **J. DEVELOPMENT AND USE AGREEMENT**

At the conclusion of the evaluation process, the City anticipates entering into a non-binding Memorandum of Understanding (MOU) and a subsequent Development Agreement with the selected developer that would outline the roles and responsibilities of the City and developer and establish timelines for completing the development. Broadly identify any development agreement terms that would not be acceptable or that the respondent would require.

## **K. PROJECT SUMMARY**

The following project summary should be completed and included in project submission:

<b>Company Information</b>	
Founded	
Employees	
Headquarters	
Development Partner(s)	
<b>Timeline</b>	
Phases	
Time from groundbreaking to completion	
<b>Financing</b>	
Equity source	
Personal guarantee of debt financing from the firm's principal(s)	
Tax Increment Financing required for current concept?	
Guarantee of public infrastructure financing	
Tax abatement required?	
Development contingent on availability of any County, State, Federal funding sources outside of City control?	
<b>MBE and FBE Inclusion</b>	
MBE and FBE Inclusion	
<b>Project Team</b>	
Development Partner	
Architect	
MBE and FBE participation	
Public finance	
Construction	

Site work	
For-sale housing development partner	
Residential sales	
<b>Parking</b>	
Parking study to be completed?	
<b>Project Examples</b>	
Examples (3)	

## IV. Evaluation Criteria

The goal of this RFQ/RFP process is to identify the development partner or team possessing the vision, experience, and financial resources to carry out a development of this scope and which is best suited to work collaboratively with the City to create and execute a development plan for infill housing in these neighborhoods that accomplishes the goals of the City and its residents.

It is anticipated that submittals will be evaluated by a review team composed primarily, if not entirely, of City staff and based upon, but not limited to, the criteria below. To facilitate review of your company's submission, we suggest that the following items be specifically addressed in your response:

### **Developer Qualifications**

- Recent history of successful, high-impact urban residential / infill housing development projects;
- Access to sufficient equity and debt capital;
- Commitment sale for owner-occupancy, ground lease, or other site control arrangement; and
- Ability to successfully navigate development hurdles.

### **Development Concept**

- Size of the development, number of dwelling units, square footage proposed, and investment levels anticipated;
- Size and type(s) of residential units and proposed amenities to be provided;
- Compatibility with surrounding uses, architecture and aesthetics;
- Architectural style, durability, use of high-quality materials, visual impact, and development standards / guidelines anticipated;
- Impact on parking and traffic conditions, as well as lot ingress and egress;
- Incorporation of greenspace and landscaping into the project;
- Impact on neighborhood economic and demographic diversity;
- Pedestrian friendliness and walkability;
- Potential to catalyze nearby investment;

- Sustainability; and
- Ability for the project to “stand the test of time” and age well in the future.

### **Development Approach**

- Strategy for soliciting and incorporating neighborhood/stakeholder input; and
- Inclusion of minority-owned and female-owned business enterprises.

### **Economic & Fiscal Impact**

- Maximization of the available lots for residential uses;
- New job and payroll creation;
- Capital investment;
- Synergy with neighborhood businesses;
- Benefit to residents, employees and all users of the site (convenience, amenities, accessibility and similar site design considerations);
- Promotion of this development as a unique, high quality residential development;
- Potential to generate City income from income tax and amount the Developer is proposing to pay for each lot to be redeveloped;
- Potential to build property value and generate property and income tax; and
- Generation of other City revenue streams (fees, taxes, and other similar revenue streams).

### **Development Schedule**

#### **Projected timeline / critical path to accomplish the following milestones:**

- Pre-Development activities including Memorandum of Understanding (MOU) and Development Agreement;
- Design and engineering of the project; and
- Commencing and completion of construction.

## **V. EVALUATION PROCESS AND TIMELINE**

It is expected that the developers or development teams whose submissions best meet the evaluation criteria established above will be selected for an interview with the review team.

Following the review team interviews, some or all of the developers or development teams may be invited to present their qualifications and preliminary development proposals to City Council. City Council will make the final selection of a developer. The following is the anticipated schedule for the evaluation and selection of a development team.

Milestone	Date (2020 & 2021)
RFQ/RFP available	October 8, 2020
Deadline for submissions	December 11, 2020
Interviews with selected development teams	January, 2021

City Council presentations by finalists	February, 2021
Begin contract negotiations with selected development team	March, 2021

The City intends to adhere to this selection process, but reserves the right to reject all submissions or deviate from the process, as necessary, to accomplish the goal of selecting the most qualified development partner for this important project and to begin the development process as soon as is possible.

### **Confidentiality**

The City of Cleveland Heights complies with all applicable laws regarding public meetings and public records. The City will endeavor to maintain, but cannot guarantee, the confidentiality during the selection and review process of financial information or disclosures of the developer or prospective users, provided that such confidential information shall be segregated into a separate volume in the original or any subsequent submission and shall be clearly marked "CONFIDENTIAL-TRADE SECRETS."

### **Rights Reserved by the City**

The City of Cleveland Heights reserves the right to reject any and all submittals, to negotiate with parties interested in developing the available lots, to change, without notice, the RFQ/RFP and evaluation process, and to waive any formality in submissions whenever same is in the interest of the City of Cleveland Heights and its development objectives.

## **VI. SUBMISSION INSTRUCTIONS**

To ensure that all potential respondents have access to the same information, all questions regarding this project shall be posed via e-mail to:

**nrpphase1@clvhts.com**

Questions and answers with general relevance will be posted on the following page of the City's website: **<https://www.clevelandheights.com/NeghborhoodRedevelopment>**. Questions and answers will be posted weekly. **Timothy M. Boland, Director of Economic Development**, is the single point of contact for any questions related to this RFQ/RFP. Please do not contact anyone else at the City to discuss this RFQ/RFP.

Development teams shall submit an electronic copy of their submission via email (attachment or file-sharing link) to **nrpphase1@clvhts.com** or have a flash drive containing

the submission delivered to the address below. As part of the review process, development teams may be asked to provide up to 15 hard copies of the submission. Packages must be clearly labeled "**Developer Qualifications for the City of Cleveland Heights Neighborhood Redevelopment Program (NRP) – Phase I.**" Documents containing confidential financial or trade secrets should be submitted in a sealed envelope clearly labeled "CONFIDENTIAL-TRADE SECRETS." The City will endeavor to maintain but cannot guarantee confidentiality of these documents.

Qualifications packages and supporting materials must be received by **Friday, December 11, 2020 by 4:00 pm EST** to be considered. Packages should be addressed to:

**The City of Cleveland Heights**  
**Attn: Timothy M. Boland, Director of Economic Development**  
**40 Severance Circle**  
**Cleveland Heights, OH 44118**

**P 216-291-4857**  
**nrpphase1@clvhts.com**

## **VII. ADDITIONAL RESOURCES**

The following documents provide additional information about the project and surrounding areas and are accessible via the City of Cleveland Heights website:

**[www.clevelandheights.com/NeighborhoodRedevelopment](http://www.clevelandheights.com/NeighborhoodRedevelopment)** .

- **The City's Master Plan**
- **Zoning Code** – Contact the Planning Department with specific questions at 216-291-4878
- Utility Maps – Maps are available upon request from interested parties

### **Relevant Websites**

- **[www.clevelandheights.com](http://www.clevelandheights.com)**

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## CLEVELAND HEIGHTS

### **Committee of the Whole**

**February 16, 2021**

**6:30 p.m.**

**Agenda**

**Online Only**

1. Legislative overview
2. Update on Phase 1 Redevelopment
3. Executive session – to discuss the appointment of a public official and to consider the investigation of complaints about a public employee



## CLEVELAND HEIGHTS

### **AGENDA (tentative) – CLEVELAND HEIGHTS CITY COUNCIL MEETING**

**Tuesday, February 16, 2021** **Online Only**

**Regular Meeting**

**7:30 p.m.**

**<http://www.youtube.com/c/cityofclevelandheights/live>**

- 1) Meeting called to order by Council President**
- 2) Roll Call of Council Members**
- 3) Excuse absent members**
- 4) Personal communications received from citizens (via electronic mail)**
- 5) Report of the City Manager**

Request permission to issue an RFP for a Hosted VoIP (Voice Over Internet Protocol) Phone Solution

#### **Matter of Record**

**Refer to:** Municipal Services Committee

Request authority to proceed with negotiations with Start Right CDC and Liberty Development/Amato Homes concerning the Phase 1 Neighborhood Development /Infill Housing Plan

#### **Matter of Record**

**Refer to:** Planning and Development of Council

- 6) Report of the Chief of Police**
- 7) Report of the Clerk of Council**
- 8) Committee Reports**
  - a.) FINANCE COMMITTEE**

**ORDINANCE NO. 9-2021 (F).** An ordinance to amend certain subparagraphs of Ordinance No. 127-2020 (F) and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2021 and declaring an emergency.

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**ORDINANCE NO. 10-2021 (F), *First Reading*.** An Ordinance providing for the issuance and sale of not to exceed \$1,500,000 of economic development nontax revenue bond anticipation notes, in anticipation of the issuance of bonds, for the purpose of paying a portion of the costs of the acquisition of a portion of, and redevelopment of the site generally known as "Top of the Hill" located on approximately four acres of land situated between Euclid Heights Boulevard and Cedar Road at the top of Cedar Hill in the City, and declaring an emergency.

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**b.) MUNICIPAL SERVICES COMMITTEE**

**RESOLUTION NO. 11-2021 (MS).** A Resolution authorizing the City Manager to enter into an agreement with GPD Group for construction administration and residential inspection services associated with the Shannon Road Rehabilitation and Waterline Replacement Project; providing compensation therefor; and declaring an emergency.

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**c.) PLANNING AND DEVELOPMENT COMMITTEE**

**RESOLUTION NO. 12-2021(PD), *First Reading*.** A Resolution authorizing the City Manager to submit the Community Development Block Grant entitlement application for the year beginning January 1, 2021; and declaring an emergency.

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**RESOLUTION NO. 13-2021(PD), *First Reading*.** A Resolution authorizing the City Manager to submit the Amended Community Development Block Grant (CDBG) entitlement application and plan for the year beginning January 1, 2019; and declaring an emergency.

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_ For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**d.) PUBLIC SAFETY AND HEALTH COMMITTEE**

**e.) ADMINISTRATIVE SERVICES COMMITTEE**

**RESOLUTION 14-2021(AS).** An Ordinance to approve current replacement pages to the Cleveland Heights Codified Ordinances; and declaring an emergency.

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_ For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**f.) COMMUNITY RELATIONS AND RECREATION COMMITTEE**

**9) Council President's Report**

**10) Adjournment**

**NEXT MEETING OF COUNCIL: MONDAY, MARCH 1, 2021**

Proposed: 2/16/2021

ORDINANCE NO. 9-2021 (F)

By Council Member

An ordinance to amend certain subparagraphs of Ordinance No. 127-2020 (F) and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2021 and declaring an emergency.

BE IT ORDAINED by the Council of the City of Cleveland Heights that:

SECTION 1. Certain subparagraphs of Ordinance No. 127-2020 (F) and subsequent amending ordinances all relating to appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2021 be, and the same hereby are increased, decreased and/or transferred in the amounts set forth in Exhibit 1.

SECTION 2. All expenditures of the City of Cleveland Heights within the fiscal year ending December 31, 2021, shall be made within the appropriations herein provided. "Appropriation" as used herein means the total amount appropriated for the individual fund. Notwithstanding the financial detail herein presented within an individual fund, the City Manager is authorized to transfer budgeted amounts within each fund, so long as the total amount appropriated for each individual fund is not exceeded.

SECTION 3. Notice of the passage of this ordinance shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one paper of general circulation in the city of Cleveland Heights.

SECTION 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the ongoing and continuous need to preserve the faith and credit of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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JASON STEIN  
President of the Council

ORDINANCE NO. 9-2021 (F)

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AMY HIMMELEIN  
Clerk of Council

PASSED:

## ORDINANCE NO. 9-2021 (F)

## Exhibit 1

Fund	Department	Object	Reason	Previously Approved Budget	Requested Change	Revised Budget
101 - General	2108 - General Operations	O.T.P.S.	Increase appropriations to pay for administrative fee from risk management consultant.	1,362,895.00	20,000.00	1,382,895.00
214 - Local Programming	2108 - General Operations	O.T.P.S.	Increase appropriations to pay for a penalty from the IRS related to first quarter 2020.	72,300.00	24,671.46	96,971.46
<b>Total</b>				<b>1,435,195.00</b>	<b>44,671.46</b>	<b>1,479,866.46</b>

Proposed: 02/16/2021

ORDINANCE NO. 10-2021 (F), *First Reading*

By Council Member

An Ordinance providing for the issuance and sale of not to exceed \$1,500,000 of economic development nontax revenue bond anticipation notes, in anticipation of the issuance of bonds, for the purpose of paying a portion of the costs of the acquisition of a portion of, and redevelopment of the site generally known as "Top of the Hill" located on approximately four acres of land situated between Euclid Heights Boulevard and Cedar Road at the top of Cedar Hill in the City, and declaring an emergency.

WHEREAS, the City is authorized and empowered by virtue of the laws of the State of Ohio, including, without limitation, Section 13 of Article VIII of the Ohio Constitution and Chapter 165 of the Revised Code, among other things, (i) to issue bond anticipation notes and bonds to acquire, construct, reconstruct, equip, or improve a "project" as defined in Section 165.01 of the Revised Code, comprising an industrial, commercial or research facility, located within the boundaries of the City, for the purpose of creating or preserving jobs and employment opportunities and improving the economic welfare of the people of the City and of the State; (ii) to secure such notes and bonds by a pledge of nontax revenues, as provided herein; and (iii) to pass this Ordinance and enter into related agreements, upon the terms and conditions provided herein; and

WHEREAS, the Cleveland Heights Community Improvement Corporation, as the City's designated community improvement corporation, has previously approved the Project as defined herein as a project in accordance with the plan for the industrial, commercial, distribution and research development of the City confirmed by the City pursuant to Section 1724.10 of the Revised Code; and

WHEREAS, for the purpose of creating or preserving jobs and employment opportunities and improving the economic welfare of the people of the City, pursuant to Ordinance No. 6-2020, passed on February 18, 2020 (the Original Note Ordinance), the City issued its \$1,850,000 Economic Development Nontax Revenue Notes, Series 2020 (Top of the Hill Project) (the Outstanding Notes), in anticipation of the issuance of bonds for the purpose stated in Section 3, which Outstanding Notes mature on April 21, 2021; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, County of Cuyahoga, Ohio, that:

SECTION 1. Definitions. In addition to the words and terms defined elsewhere in this Ordinance or by reference to the Act, unless the context or use clearly indicates another meaning or intent:

ORDINANCE NO. 10-2021, *First Reading*

“Act” means Chapter 165 of the Revised Code, as enacted and amended pursuant to Section 13 of Article VIII of the Ohio Constitution.

“Bonds” means the bonds in anticipation of which the Notes are issued, the estimated terms of which are described in Section 5.

“City Manager” means the City Manager or any person serving in an interim or acting capacity with respect to that office.

“Director of Finance” means the Director of Finance or any person serving in an interim or acting capacity with respect to that office.

“Director of Law” means the Director of Law or the person at the time performing the duties of the chief legal officer of the City.

“Nontax Revenues” means all moneys of the City which are not moneys raised by taxation, to the extent available for the purpose of paying Note service charges, including, but not limited to the following: (a) proceeds from the sale or lease of all or a portion of the Project Site; (b) grants from the United States of America and the State; (c) payments in lieu of taxes now or hereafter authorized by State statute to the extent not pledged to pay debt charges on other City indebtedness; (d) fines and forfeitures which are deposited in the City’s General Fund; (e) fees deposited in the City’s General Fund for services provided and from properly imposed licenses and permits; (f) investment earnings on the City’s General Fund and which are credited to the City’s General Fund; (g) investment earnings on other funds of the City that are credited to the City’s General Fund, including, without limitation, investment earnings on the Project Fund which are paid into the General Fund; (h) proceeds from the sale of assets which are deposited in the City’s General Fund; (i) gifts and donations; (j) all rental payments which are deposited in the City’s General Fund; and (k) any moneys in the Project Fund which are not needed to pay costs of the Project.

“Note Fund” means the Note Fund described in Section 9 of the Original Note Ordinance.

“Note Purchase Agreement” means a note purchase agreement, if any, between the City and the Original Purchaser of the Notes.

“Note service charges” means, for any period of time, the principal of and interest required to be paid by the City on the Notes for such time period.

“Notes” means the Economic Development Nontax Revenue Notes, Series 2021 (Top of the Hill Project), authorized in Section 3.

“Ordinance” means this Ordinance as amended or supplemented from time to time.

“Original Purchaser” means the purchaser to whom the Notes are sold in accordance with Section 7.

“Parity Obligations” means bonds, notes or other obligations of or guaranties by the City

payable from Nontax Revenues on a parity with or prior to the Notes or Bonds.

“Paying Agent” means a bank or trust company designated by the Director of Finance to serve as paying agent for the Notes in the Certificate of Award, or the Director of Finance if agreed to by the Director of Finance and the Original Purchaser.

“Project” means the acquisition of a portion of, and redevelopment by F & C Development, Inc. (together with certain designated affiliates) of, the Project Site, with improvements to include (i) approximately 261 market-rate apartments, (ii) approximately 11,400 square feet of first floor restaurant, retail and commercial space, (iii) a public parking garage resulting in approximately 550 parking spaces, (iv) public gathering and green spaces and (v) all sidewalks, driveways, access ways and utility connections necessary for the improvements described in (i) through (iv) above.

“Project Fund” means the Project Fund described in Section 8 of the Original Note Ordinance.

“Project Site” means the approximately four acres of land situated between Euclid Heights Boulevard and Cedar Road at the top of Cedar Hill in the City.

Any reference herein to the City, to this Council, or to any officer or member of either, includes entities or officials succeeding to their respective functions, duties or responsibilities pursuant to or by operation of law or lawfully performing their functions.

Any reference to a section or provision of the Constitution of the State or the Act or the Revised Code includes that section, provision or chapter as amended, modified, revised, supplemented or superseded from time to time; provided, that no such amendment, modification, revision, supplement or superseding section, provision or chapter shall be applicable solely by reason of this provision if it constitutes in any way an impairment of the rights or obligations of the City or the holder of the Notes under this Ordinance, the Notes or any other instrument or document entered into in connection with any of the foregoing, including, without limitation, any alteration of the obligation to pay the Note service charges in the amount and manner, at the times and from the sources provided in this Ordinance, except as permitted herein.

**SECTION 2. Council Determinations.** This Council determines that (i) the Project is a “project” as defined in the Act and is consistent with the purposes of Section 13 of Article VIII of the Ohio Constitution; (ii) the utilization of the Project is in furtherance of the purposes of the Act and will benefit the people of the City and of the State by creating and preserving jobs and employment opportunities and improving the economic welfare of the people of the City and of the State; and (iii) it is necessary for the City to borrow money, by the issuance and sale of the Notes, as provided herein, to provide funds necessary to pay a portion of the costs of the Project and to retire, together with other funds available to the City, the Outstanding Notes.

**SECTION 3. Authorized Principal Amount of Notes; Dating; Interest Rate; Parity Obligations.** This Council determines it to be necessary to issue, and the City shall, issue, sell and deliver, as provided and authorized herein the Notes, in anticipation of the issuance of Bonds, in an aggregate principal amount not to exceed \$1,500,000 for the purpose of paying a portion of the costs of the Project and to retire, together with other funds available to the City, the Outstanding Notes.

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The Notes shall be designated “Economic Development Nontax Revenue Notes, Series 2021 (Top of the Hill Project)”, or as otherwise designated by the Director of Finance in the Certificate of Award (as defined below).

The Notes shall be dated the date of issuance and shall mature one year from the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date up to one year from the date of issuance by setting forth that maturity date in the certificate signed in accordance with Section 7 (the Certificate of Award). The Notes shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The aggregate principal amount of and rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.

The City may in the future issue Parity Obligations. The Director of Finance may agree in the Certificate of Award to reasonable limits on the future issuance of Parity Obligations, consistent with that officer’s determination of the best interest of and financial advantages to the City; provided, that any limit on the maximum annual aggregate of estimated service charges on the Bonds and required payments on any existing Parity Obligations and proposed Parity Obligations payable from Nontax Revenues shall not be less than 50% of estimated Nontax Revenues for the fiscal year immediately following the issuance of the proposed Parity Obligations.

**SECTION 4. Payment of Debt Charges; Paying Agent; Prepayment.** The Note service charges shall be payable in lawful money of the United States of America, or in Federal Reserve funds of the United States of America, as determined by the Director of Finance in the Certificate of Award, and shall be payable, without deduction for services of the Paying Agent, at the designated office of the Paying Agent.

If agreed to by the Original Purchaser, the Notes shall be prepayable in whole or in part, without penalty or premium, at the option of the City, at any time or at any time following a period of no prepayment agreed to by the Original Purchaser (the Prepayment Date). Prepayment prior to maturity shall be made by deposit with the Paying Agent of the principal amount of the Notes to be prepaid, together with interest accrued thereon to the Prepayment Date. The City’s right of prepayment shall be exercised by mailing a notice of prepayment, stating the principal amount to be prepaid, the Prepayment Date and the name and address of the Paying Agent, by certified or registered mail to the Original Purchaser of the Notes not less than 30 days prior to the Prepayment Date, unless such notice is waived by the Original Purchaser. If money for prepayment is on deposit with the Paying Agent on the Prepayment Date following the giving of that notice, interest on the principal amount prepaid shall cease to accrue on the Prepayment Date. The Director of Finance may request the Original Purchaser of the Notes to use its best efforts to arrange for the delivery of the Notes at the designated office of the Paying Agent for prepayment, surrender and cancellation if the Notes have been prepaid in whole, or for replacement with a Note or Notes in the principal amount then outstanding, if the Notes has been prepaid in part.

**SECTION 5. Estimated Bond Terms.** It is necessary that Bonds be issued in an aggregate principal amount not to exceed \$1,500,000 for the purpose of paying a portion of the costs of the Project, which Bonds are anticipated to be dated approximately February 1, 2022, shall bear interest

at the now estimated rate of 6% per year, payable semiannually until the principal amount is paid; and such Bonds are estimated to mature in 30 annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable are not more than three times the amount of those payments in any other fiscal year. Nothing in this Ordinance shall prevent the City from retiring all or any portion of the Notes with the proceeds of bond anticipation notes, or with the proceeds of Bonds or other obligations containing terms different than those described in this Ordinance.

**SECTION 6. Execution of Notes; Book Entry System.** The Notes shall be signed by the City Manager and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance, provided that no Note shall be issued in a denomination less than \$100,000. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and in this Ordinance:

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes deposited and maintained in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and deposited and maintained in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book

entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

**SECTION 7. Award and Sale of the Notes.**

(a) To the Original Purchaser. The Notes shall be sold at not less than 97% of par at private sale by the Director of Finance in accordance with law and the provisions of this Ordinance. The Director of Finance shall, in accordance with that officer's determination of the best interests of and financial advantages to the City and based on conditions then existing in the financial markets, consistently with the provisions of this Ordinance, establish the aggregate principal amount of and interest rate to be borne by the Notes and their maturity and other terms required in this Ordinance to be set forth in the Certificate of Award, sign the Certificate of Award evidencing that sale to the selected Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price.

A Note Purchase Agreement is approved, and the City Manager and the Director of Finance are authorized to sign and deliver, on behalf of the City, the Note Purchase Agreement with such necessary and customary terms and conditions that are not inconsistent with the provisions of this Ordinance, are not materially adverse to the interests of the City and are approved by the City Manager and the Director of Finance. Such approval by the City Manager and the Director of Finance shall be evidenced conclusively by the signing of the Note Purchase Agreement by the City Manager and the Director of Finance.

The City Manager, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements, paying agent agreement, term sheet, placement agreement and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Application for Rating; Financing Costs. The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 8. Application of Note Proceeds. The proceeds from the sale of the Notes shall be paid into the proper fund and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued.

SECTION 9. Payment and Security of the Notes. The Notes and the Bonds shall be special obligations of the City, and the Note service charges on the Notes and the debt charges on any Bonds issued to retire the Notes shall be payable solely from the Nontax Revenues, and the payment of Note service charges is secured by a pledge of and lien on the Nontax Revenues on deposit in the Note Fund, as described below. The Notes and any Bonds issued to retire the Notes are not and shall not be secured by an obligation or pledge of any money raised by taxation. The Notes and any Bonds issued to retire the Notes do not and shall not represent or constitute a debt or pledge of the faith and credit or taxing power of the City, and the holder or holders thereof have and shall have no right to have taxes levied by the City for the payment of Note service charges on the Notes or debt charges on any Bonds issued to retire the Notes.

The City covenants and agrees that while the Notes are outstanding, it will appropriate and maintain Nontax Revenues at such times and in such amounts as will be sufficient, together with the proceeds of the Bonds or renewal notes issued in anticipation of the Bonds available for the purpose, to pay the Note service charges on the Notes and required payments on Parity Obligations when due and will so restrict the issuance of future Parity Obligations as will ensure the continuing availability for appropriation of sufficient Nontax Revenues to pay Note service charges and required payments on outstanding Parity Obligations when due, which Nontax Revenues are hereby selected by the City pursuant to Section 165.12 of the Revised Code as moneys that are not raised by taxation.

The par value to be received from the sale of any Bonds issued to retire the Notes or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the Note service charges on the Notes at maturity and are pledged for that purpose.

The City has heretofore created the Note Fund into which Nontax Revenues shall be deposited on or prior to the date of maturity of the Notes in an amount sufficient to pay Note service charges.

Nothing herein shall be construed as requiring the City to use or apply to the payment of Note service charges on the Notes any funds or revenues from any source other than Nontax Revenues. Nothing herein, however, shall be deemed to prohibit the City, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Ordinance or of the Notes.

SECTION 10. City Covenants. In addition to other representations and warranties of the City contained in this Ordinance, the City covenants and agrees that:

(a) Payment of Note Service Charges. Except to the extent paid from the proceeds of refunding bond anticipation notes or the Bonds, the City will, solely from the Nontax Revenues, pay or cause to be paid the Note service charges on the dates, at the places and in the manner provided herein and in the Notes. For that purpose, in each year while the Notes are outstanding, this Council, after providing for the payment of debt charges payable on the City's general obligation securities in that year from sources available for that purpose, will appropriate Nontax Revenues required to pay, and for the purpose of paying, the Note service charges due and required payments on Parity Obligations due in that year. Further, this Council will give effect to such appropriations in all ordinances it passes thereafter in that year appropriating money for expenditure and encumbrance and limit the other appropriations of Nontax Revenues in that year to the amount available after deducting the amount required for the payment of debt charges payable on the City's general obligation securities and to pay those Note service charges and required payments on Parity Obligations.

(b) Performance of Covenants and City Actions. The City will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions to be performed on its part under this Ordinance and the Notes and under all proceedings of this Council pertaining thereto. The City represents that (i) it is a municipal corporation, duly organized and existing under and by virtue of the laws of the State; (ii) it is, and upon delivery of the Notes covenants that it will be, duly authorized by the Constitution and laws of the State, to issue the Notes and any Bonds issued to retire the Notes and to provide the security for payment of the Note service charges in the manner and to the extent set forth herein and in the Notes; (iii) all actions on its part for the issuance of the Notes have been or will be taken duly and effectively; and (iv) the Notes will be a valid and enforceable special obligations of the City according to their terms. Each obligation of the City required to be undertaken pursuant to the Ordinance and the Notes is binding upon the City, and upon each officer or employee of the City as may from time to time have the authority under law to take any action on behalf of the City as may be necessary to perform all or any part of such obligation, as a duty of the City and of each of those officers and employees resulting from an office, trust or station within the meaning of Section 2731.01 of the Revised Code, providing for enforcement by writ of mandamus.

(c) Inspection of Project Books. All books and documents in the City's possession relating to the Project and the Nontax Revenues shall be open at all times during the City's regular business hours to inspection by such accountants or other agents of the holder of the Notes as the holder of the Notes may from time to time designate.

(d) Transcript of Proceedings. The Clerk of Council, or another appropriate officer of the City, shall furnish to the Original Purchaser a true transcript of proceedings, certified by that officer, of all proceedings had with reference to the issuance of the Notes along with such information from the records as is necessary to determine the regularity and validity of the issuance of the Notes.

SECTION 11. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as

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may be necessary so that (a) the Notes will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation or treatment of the Notes as "qualified tax-exempt obligations" if such designation or treatment is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Each covenant made in this section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Notes.

SECTION 12. Discharge of Notes and Related Covenants. If the City shall pay or cause to be paid and discharged the Notes, the covenants, agreements and other obligations of the City hereunder and in the Notes shall be discharged and satisfied.

SECTION 13. Payments on Sundays and Legal Holidays. If any date on which Note service charges are due shall be a Sunday or a day on which the holder of the Notes is required, or authorized or not prohibited, by law (including executive orders) to close and is closed, then payment of Note service charges need not be made on that date but may be made on the next succeeding business day on which the holder is open for business with the same force and effect as if made on the due date and no interest shall accrue for the period after that date.

SECTION 14. Notification of Note Issuance. The City Manager is directed to deliver or cause to be delivered the notification required by Section 165.03(D) of the Revised Code to the Director of the Ohio Development Services Agency.

SECTION 15. Satisfaction of Conditions to Issue Notes. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding special obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

SECTION 16. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 17. Severability. Each section of this Ordinance and each subdivision of any section thereof is hereby declared to be independent, and the finding or holding of any section or subdivision of any section thereof to be invalid or void shall not be deemed nor held to affect the validity of any other section or subdivision of this Ordinance.

SECTION 18. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and

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that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

SECTION 19. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

SECTION 20. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to make their proceeds available to enable the City to timely retire the Outstanding Notes and thereby preserve its credit; wherefore, this Ordinance shall be in full force and effect immediately upon its passage, provided it receives the affirmative vote of five members of Council elected thereto; otherwise, it shall be in full force and effect from and after the earliest period allowed by law.

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JASON S. STEIN  
President of Council

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AMY HIMMELEIN  
Clerk of Council

PASSED: \_\_\_\_\_, 2021

Proposed: 2/16/2021

RESOLUTION NO. 11-2021 (MS)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with GPD Group for construction administration and residential inspection services associated with the Shannon Road Rehabilitation and Waterline Replacement Project; providing compensation therefor; and declaring an emergency.

WHEREAS, the City requires professional services of a consultant concerning the Shannon Road Rehabilitation and Waterline Replacement Project; and

WHEREAS, the City Manager has recommended that the services offered by GPD Group best meet the City's needs; and

WHEREAS, such services are professional services for which no bidding is necessary.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City Manager be, and she is hereby, authorized to enter into an agreement with GPD Group for construction administration and residential inspection services associated with the Shannon Road Rehabilitation and Waterline Replacement Project. The contract shall be substantially in accordance with the terms and conditions set forth in the proposed agreement for professional services submitted by GPD Group, a copy of which is on file with the Clerk of Council. Compensation for the services detailed therein shall not exceed Eighty Nine Thousand Three Hundred and Sixty Three Dollars (\$89,363.00). All agreements hereunder shall be approved as to form and subject to the final approval of the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to commence the above-described services and associated public infrastructure improvements at the earliest possible time to protect the safety and welfare of those persons using the public utilities within City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 11-2021 (MS)

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JASON S. STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

Proposed: 2/16/2021

RESOLUTION NO. 12-2021 (PD),  
*First Reading*

By Council Member

A Resolution authorizing the City Manager to submit the Community Development Block Grant entitlement application for the year beginning January 1, 2021; and declaring an emergency.

WHEREAS, the City has participated, and currently participates, in the Community Development Block Grant (CDBG) program; and

WHEREAS, the receipt of CDBG funds has been extremely helpful to this City in accomplishing its goals; and

WHEREAS, the City has conducted hearings and has participated in extensive discussions with the Citizens Advisory Committee and citizens relative to the activities to be accomplished in the forty-seventh year of such program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City Manager be, and she is hereby, authorized to file with the Department of Housing and Urban Development of the United States Government and any required review agencies, for the program year beginning on January 1, 2021, and continuing for a one (1) year period thereafter, the Community Development Block Grant entitlement submittal, copies of which have been reviewed by members of Council. A copy of the forty-seventh year proposed budget, attached hereto as Exhibit A, describes the activities and the proposed amount of expenditures to be approved by this Council for each such activity during the year 2021.

SECTION 2. The City Manager is further authorized and directed to sign any and all forms, applications, or other documents necessary to obtain funding for these described programs and to submit such documents to the proper reviewing agencies within the time permitted by law. Should the City receive more than the amount requested in this proposal, such funds will be made to increase funding for the FY 2021 Strategic Impact Opportunity. Should the City receive less than requested, the City will attempt to reconcile such shortfall by first reducing the FY 2021 Strategic Impact Opportunity, and second by reducing budgeted amounts of the lowest priority programs. Prior to a final decision on any such amendment, the City will consult with the Citizens Advisory Committee.

SECTION 3. The City Manager be, and she is hereby, further authorized to file with HUD and any required reviewing agencies the Annual Action Plan for 2021, a copy of which was made available for review on the City's website and in the Cleveland Heights Planning Department, beginning on December 18, 2020, for at least thirty (30) days.

SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

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SECTION 5. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being to permit immediate filing of the described applications with all appropriate governmental agencies in order to ensure funding prior to the commencement of the program year. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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JASON STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

RESOLUTION NO. 12-2021 (PD), *First Reading*

**EXHIBIT A**  
**COMMUNITY DEVELOPMENT BLOCK GRANT**  
**FY 2021 ALLOCATION**

**Goal I: Improve, Maintain and Expand Affordable Housing**

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$734,000</i>
Housing Preservation Office	
Administration/Program Delivery	\$285,000
Exterior Paint Program	\$ 80,000
Violation Repair Program for Seniors	\$ 20,000
Short Term Deferred Loan (program income)	\$ 3,500
Strategic Home Repair (SIO)	\$ 45,000
Home Repair Resource Center	
Administration/Program Delivery	\$139,000
Assist Incentive Grant	\$ 15,000
Deferred Loan Match (incl. program income)	\$ 6,500
Senior Home Stability Grant	\$ 4,500
Assist 0% Benefit	\$ 500
Home in the Heights (SIO, program income)	\$ 45,000
Start Right CDC – Good Neighbor Program (SIO)	\$ 45,000
FutureHeights – FutureHomes Program (SIO, program income)	\$ 45,000

**Goal II: Revitalize Residential Neighborhoods**

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$426,932</i>
FutureHeights – Cedar Lee Mini-Park	\$ 30,000
Severance Tower LAC – Accessible Garden Phase III	\$ 14,400
Housing Preservation Office	
LMI Code Enforcement	\$ 50,000
Nuisance Abatement (incl. program income)	\$100,000
Public Works Department	
2021 ADA Curb Ramp Replacement Project	\$190,000
Shannon Road Waterline and Road Replacement	\$ 42,532

**Goal III: Provide Needed Public Services**

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$215,000</i>
Office on Aging	\$ 30,000
Heights Emergency Food Center	\$ 28,000
Family Connections	\$ 25,000
Family Connections-Parent Café (SIO)	\$ 5,000
Open Doors-Middle School Program	\$ 15,000
Open Doors-High School Program	\$ 15,000

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Start Right Food Program	\$ 10,000
Gesher	\$ 10,000
Lake Erie Ink	\$ 12,000
Bhutanese Community of Greater Cleveland	\$ 10,000
WAVE Mentoring Program	\$ 10,000
Street Outreach Program	\$ 20,000
HRRC – Housing Counseling	\$25,000

**Goal IV: Increase Economic Opportunities**

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$295,000</i>
Economic Development Department	
Administration/Program Delivery	\$125,000
Storefront Consultants	\$ 25,000
Storefront Renovation Loan (program income)	\$ 20,000
Microenterprise Loan Program	\$ 25,000
Commercial Revolving Loan (program income)	\$ 75,000
FutureHeights – Small Business Outreach Program	\$ 25,000

**Grant Administration, Planning and Fair Housing**

CDBG Administration	\$156,000
Geographic Information Services	\$ 12,000
FutureHeights Community Capacity Building	\$ 50,000
Fair Housing Activities	\$ 34,000
2021 Strategic Impact Opportunity	\$ 298

***TOTAL CDBG PROGRAMS & PROJECTS*** ***\$1,923,230***

YEAR 47 PROJECTED PROGRAM INCOME -	\$ 240,000
REPROGRAMMED PRIOR YEAR FUNDS -	\$ 83,230

Proposed: 2/16/2021

RESOLUTION NO. 13-2021 (PD),  
*First Reading*

By Council Member

A Resolution authorizing the City Manager to submit the Amended Community Development Block Grant (CDBG) entitlement application and plan for the year beginning January 1, 2019; and declaring an emergency.

WHEREAS, the City has participated, and does now participate, in the Community Development Block Grant program (CDBG); and

WHEREAS, the receipt of CDBG funds has been extremely helpful to this City in accomplishing its goals; and

WHEREAS, the City has been awarded additional CDBG funds originating from the Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES Act); and

WHEREAS, the City has notified the Citizens Advisory Committee (CAC) of the intended use of the additional CDBG funds and has been granted waivers from the US Department of Housing and Urban Development (HUD) that allow for an expedited citizen participation process, and has updated its Citizen Participation Plan accordingly.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City Manager be, and she is hereby, authorized to file with the Department of Housing and Urban Development of the United States Government and any required review agencies an Amended Annual Action Plan for 2019, for the program year beginning on January 1, 2019, for the 2019 Community Development Block Grant entitlement submittal, a copy of which was made available for review on the City's website beginning on January 20, 2021, and which has been reviewed by members of Council. A copy of the forty-fifth year amended budget, attached hereto as Exhibit A, describes the programs and the proposed amount of expenditures to be approved by this Council for each such program during grant period.

SECTION 2. The City Manager is further authorized and directed to sign any and all forms, applications, or other documents necessary to obtain funding for these described programs and to submit such documents to the proper reviewing agencies within the time permitted by law.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being to permit immediate filing of the described applications with all appropriate governmental agencies in order to ensure funding prior to the

RESOLUTION NO. 13-2021 (PD), *First Reading*

commencement of the program year. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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JASON STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

**EXHIBIT A****AMENDED COMMUNITY DEVELOPMENT BLOCK GRANT  
FY 2019 ALLOCATION**

**Goal I: Ensure the availability and sustainability of decent housing and a suitable living environment for all Cleveland Heights residents.**

OBJECTIVE A: Preserve and maintain the housing stock and create housing opportunities, especially for low- and moderate-income persons.

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$1,057,931</i>
Housing Preservation Office	
Administration/Program Delivery	\$ 315,000
Code Enforcement	\$ 50,000
Exterior Paint Program	\$ 80,000
Violation Repair Program for Seniors	\$ 20,000
Short Term Deferred Loan*	\$ 2,500
Strategic Home Repair (SIO)	\$ 50,000
Home Repair Resource Center	
Administration/Program Delivery	\$ 117,327
Assist Incentive Grant	\$ 10,000
Deferred Loan Match	\$ 10,000
Senior Home Stability Grant	\$ 8,000
Assist 0% Benefit	\$ 500
Housing Counselor	\$ 25,000
Home in the Heights (SIO)	\$ 45,000
CDBG Administration and Finance	\$ 156,143
GIS (Geographic Information System) Program	\$ 37,500
<b>CDBG-CV</b>	
<b>CDBG Administration (CDBG-CV)</b>	<b>\$ 130,961 (\$39,746 added)</b>

OBJECTIVE B: Encourage the integration of population groups within the community and promote an increase in the diversity and vitality of neighborhoods.

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$ 78,000</i>
Fair Housing Activities	\$ 45,000
FutureHeights	\$ 33,000

OBJECTIVE C: Maximize the independence of targeted population groups by providing services which expand choices.

<i>PROGRAMS &amp; PROJECTS</i>	<i>\$ 43,800</i>
Office on Aging	\$ 25,000
Central Bible Baptist Church-Senior Resource Center	\$ 8,000
Severance Tower LAC	\$ 10,800

RESOLUTION NO. 13-2021 (PD), *First Reading*

OBJECTIVE D: Maintain safe, functional and healthy neighborhoods by providing services which improve the physical environment, especially in LMI areas.

<i>PROGRAMS &amp; PROJECTS</i>	\$ 270,000
Neighborhood Relations Program	\$ 50,000
Nuisance Abatement*	\$ 20,000
Street Improvements	\$ 180,000
Cain Park Village Trailway Planning Study	\$ 20,000

OBJECTIVE E: Provide support services to youth, identifiable LMI persons and special population groups in the community.

<i>PROGRAMS &amp; PROJECTS</i>	\$857,508
Heights Emergency Food Center	\$ 25,510
Family Connections	\$ 20,000
Family Connections Parent Café (SIO)	\$ 5,000
Heights Youth Club	\$ 35,000
Open Doors Academy-Middle School Program	\$ 15,000
Open Doors Academy-High School Program	\$ 10,000
Start Right Food Program	\$ 10,000
Gesher	\$ 8,000
Lake Erie Ink	\$ 12,015
Bhutanese Community of Greater Cleveland	\$ 8,000

<b>CDBG-CV</b>	
Emergency Assistance	\$708,983 (\$158,983 added)
Subrecipient Support	\$ 25,000

**GOAL II: Expand opportunities for persons of low and moderate income.**

OBJECTIVE A: Alleviate physical and economic distress and create viable commercial areas through the prevention of the deterioration of commercial areas.

<i>PROGRAMS &amp; PROJECTS</i>	\$ 20,000
Cedar Taylor Development Assn.	\$ 10,000
FutureHeights-Cedar Lee Mini-Park Placemaking Project	\$ 10,000

OBJECTIVE B: Stimulate private investment to create and retain employment opportunities, especially for low- and moderate-income persons.

<i>PROGRAMS &amp; PROJECTS</i>	\$641,200
Economic Development Administration/Program Delivery	\$130,200
Storefront Consultants	\$ 11,000
Storefront Renovation Loan*	\$110,000
Storefront Renovation Rebate	\$100,000
Commercial Revolving Loan*	(\$20,000)
Microloan Program	\$ 20,000

<b>CDBG-CV</b>	
Small Business Assistance	\$290,000

RESOLUTION NO. 13-2021 (PD), *First Reading*

**STRATEGIC IMPACT OPPORTUNITY**

The City will be seeking requests for funding in 2019 that will address any of the Goals and Objectives set forth in the City's Consolidated Plan. The programs and projects are required to target the neighborhoods adjoining the Noble Road Corridor or the neighborhoods bordered by Mayfield Rd./Ivydale Rd./Euclid Heights Blvd. to the North, South Taylor Rd. to the East, Cedar Road to the South, and Lee Road to the West.

<i>PROGRAMS &amp; PROJECTS</i>	\$ 50,000
2019 Strategic Impact Opportunity	\$ 50,000
<b>TOTAL AMENDED CDBG PROGRAMS &amp; PROJECTS</b>	<b>\$3,018,439</b>

*\*These activities include program income.*

Proposed: 2/16/2021

ORDINANCE NO. 14-2021 (AS)

By Council Member

An Ordinance to approve current replacement pages to the Cleveland Heights Codified Ordinances; and declaring an emergency.

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, certain provisions of Part Three, Traffic Code, and Part Five, General Offenses Code should be amended to conform to changes to comparable State statutes; and

WHEREAS, the City has a contract with the Walter H. Drane Company to update the City's Codified Ordinances to reflect the legislation and amendments recited above.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The following ordinances of the City of Cleveland Heights, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2021 Replacement Pages to the Codified Ordinances, are hereby approved and adopted:

Ordinance <u>Number</u>	<u>Date</u>	Codified Ordinance <u>Section</u>
23-2018	6-1-20	Repeals 107.01 (c)(9)
108-2019	7-6-20	749.03(n), 749.12 (b) to (d), 749.13 (a)
Res.		
20-2020	3-16-20	351.09(c)
24-2020	3-16-20	111.12 to 111.131
50-2020	6-1-20	111.13
51-2020	7-6-20	111.21
54-2020	7-6-20	943.01 to 943.33, 943.99
81-2020	7-6-20	Ch. 155 Ed. Note
124-2020	12-7-20	1345.99, 1351.33, 1351.34
128-2020	11-16-20	935.01, 935.02, 935.99
129-2020	11-16-20	Repeals 143.08(b)
133-2020	12-7-20	Ch. 155 Ed. Note
Res.		
137-2020	12-7-20	351.09

SECTION 2. The following sections and chapters of the Codified Ordinances shall be, and hereby are added, amended or repealed in order to conform with changes in State Law. The complete text of the sections of the Codified Ordinances listed below are set forth in full in the

ORDINANCE NO. 14-2021 (AS)

current 2021 Replacement Pages to the Codified Ordinances. A summary of the amendments is set forth in Exhibit A which is attached to this Ordinance.

Traffic Code

331.42	Wearing Earplugs or Earphones Prohibited. (Amended)
335.09	Display of License Plates or Validation Stickers; Temporary License Placard. (Amended)
335.091	Operating Without Dealer or Manufacturer License Plates. (Added)

General Offenses Code

513.01	Drug Abuse Control Definitions. (Amended)
537.17	Reserved. (Previously "Criminal Child Enticement")

SECTION 3. The aforementioned amendments to the Codified Ordinances, as revised, recodified and consolidated into component codes, titles, chapters and sections within the 2021 Replacement Pages to the Codified Ordinances, are hereby approved and adopted.

SECTION 4. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to distribute current replacement pages to the Codified Ordinances at the earliest time possible. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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JASON S. STEIN  
President of Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

## **EXHIBIT A**

331.42 Wearing Earplugs or Earphones Prohibited. (Expands definitions for earphones and earplugs. Adds exception for hearing protection while operating a motorcycle.)

335.09 Display of License Plates or Validation Stickers; Temporary License Placard. (License plate and temporary license placard to be displayed on the rear of vehicle.)

335.091 Operating Without Dealer or Manufacturer License Plates. (Adds new section regulating operating a manufacturer or dealer vehicle without license plates or placards.)

513.01 Drug Abuse Control Definitions. (Completely rewrites section to comply with ORC 2925.01.)

537.17 Criminal Child Enticement. (Deleted. This section was based on ORC 2905.05. The Ohio Supreme Court held that ORC 2909.05(A) was unconstitutionally overbroad in violation of the First Amendment.)

## Cedar Lee Meadowbrook Comment Form

Reference #	13576422
First Name	Deacon
Last Name	Shupp
Question or Comment	This is great news! It will increase the vibrance of Cedar-Lee.

## Cedar Lee Meadowbrook Comment Form

Reference #	13576476
First Name	John
Last Name	Hubbard
Question or Comment	<p>I can't imagine a worse use of this space. The proposals are copies of copies of outdated trends and will only exacerbate the glut of vacant retail. If this is truly a viable plan, no TIF or abatement will be needed.</p> <p>Please do not accept any clones of Top O' the Hill (or any of the dozen similar developments) until the Top O' the Hill debacle is complete.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13576491
First Name	Adam P. May
Last Name	May
Question or Comment	<p>Whatever the city does with that property, the one thing we do not need is more housing, especially more condos or townhouses like they have littered across the west side. What makes Cleveland Heights so unique is our incredible architectural character.</p> <p>The 1.07 acres on Lee would be an incredible spot for a farmers market, food truck plaza, outdoor dining area, and/or community garden space. There's plenty of retail/commercial space along Lee that is vacant and for lease. It would be amazing to have small, live music events in that area as well. Close both ends of Lee Rd. and have community block party type of events during the warmer months with local artists, deals at bars/restaurants, live music, dancers, etc.. This would only help with our community coming together and unifying. Check out "Last Thursday" on Alberta Street in Portland, Oregon.</p> <p><a href="https://www.youtube.com/watch?v=8E8rCEwWgMA&amp;ab_channel=KOIN6">https://www.youtube.com/watch?v=8E8rCEwWgMA&amp;ab_channel=KOIN6</a></p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13576558
First Name	Ee
Last Name	Durbin
Question or Comment	<p>This project comes rather hot on the heels of the “top of the hill” project and is concerning to me for a few reasons.</p> <p>1) We have not determined the efficacy of this kind of development yet, given that the new Fairmount project isn’t even complete.</p> <p>2) The Lee road business district could benefit from much less drastic measures first. Supporting the businesses that currently operate there and targeting demand beyond current capacity. As-is vacant storefronts remain for some time before new tenants move in.</p> <p>3) GREEN SPACE IN BUSINESS DISTRICTS IS GOOD. The haphazardly placed picnic tables were regularly used during the summer and the scruffy grass that remains after the old parking lot was demolished provides a great outdoor space for the neighborhood.</p> <p>As a resident just down Meadowbrook on Maplewood, I oppose the proposed development and would much rather see the Council invest into the business district and neighborhood rather than opening up to more investors.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13576571
First Name	Brandan
Last Name	Boggs
Question or Comment	Electric vehicle charging stations should be considered.

## Cedar Lee Meadowbrook Comment Form

Reference #	13576607
First Name	Katherine Colbaugh
Last Name	Colbaugh
Question or Comment	<p>CitySix proposal for walkable mixed-use living center. The Flaherty &amp; Collins design will remove the space from the neighborhood and offer only to residents of the complex.</p> <p>I am a recent transplant to Cleveland Heights. My love for this neighborhood comes from the appreciation for old houses, quaint and unique businesses, and strong character. Please foster the charm of the neighborhood and create a safe, usable space for the residents.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13576719
First Name	Jeffrey
Last Name	Szczecinski
Question or Comment	<p>I am very happy to see that this area is up for redevelopment. As a neighbor in the Larchmere area, Cedar-Lee is one of my favorite places to walk or bike to.</p> <p>My only general comment is to make sure this space is on a human scale. Recent redevelopments in the area like Van Aken and Cedar-Fairmount put way too much emphasis on cars and parking. Additionally, planning meetings for the Shaker Square redesign often turned into lengthy discussions about parking as opposed to the merits of project that were being presented. Although I am not familiar with construction codes related to parking, I strongly urge this space to be used for people and businesses. Cleveland Heights is unique in that it is dense and off of the highway. This project should play to those strengths and not let the conversation be distracted by car-loving exurbanites who want to zoom through an otherwise dense and walkable neighborhood.</p> <p>As planners often say, "When you plan space for cars, you get cars. If you plan space for people, you get people."</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13576844
First Name	Evan
Last Name	Guarr
Question or Comment	<p>As a Corydon Rd. resident, I oppose the proposed redevelopment of these spaces. The top of the hill project is not complete yet and we have no data to understand the economic and cultural impact of modern redevelopment in our city.</p> <p>Cleveland Heights needs to support and protect existing businesses, fill vacancies at current storefronts, and target demand for the district beyond current capacity, before allowing additional investors, offering tax abatement and free land to developers, etc.</p> <p>We want green spaces! The covid-19 pandemic highlighted a need for green spaces in business districts. Turning the "park" at Lee-Meadowbrook into an actual PARK will attract more residents and visitors and encourage them to spend more time and money at our existing businesses. I saw so many people eating and being outside at the couple of picnic tables this summer - encourage this! DO something other than scruffy grass in a bare lot.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13576872
First Name	Bill
Last Name	Sluzewski
Question or Comment	<p>How will these proposals impact existing vacant retail in the Cedar Lee area?</p> <p>Why this location over suggesting similar projects in Severance Circle, Cedar-Taylor, Taylor Avenue business district (between Blanche and Superior Ave) or Lee-Mayfield business district?</p>

**Cedar Lee Meadowbrook Comment Form**

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<b>Reference #</b>	13577222
<b>First Name</b>	Catherine
<b>Last Name</b>	Osborn

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## Question or Comment

As a homeowner on Cedarbrook near the Cedar-Lee parking lot (and whose property is visible in many of the site plan figures in both proposals) I would first like to offer my support for development on this site. I believe this project would bring new people and opportunities to our neighborhood. I look forward to having a view of new commercial and residential buildings at the end of my street, rather than an empty field and parking lot.

After reviewing both proposals, my personal interest is the Flaherty and Collins project as it provides a more comprehensive vision of the entire site. I also appreciate that they have maintained some of the green space on the Meadowbrook site and towards the end of my street, Cedarbrook, as these spaces currently seem to exist by default, but offer little in the way of amenities or aesthetic value.

My one request is that current neighbors be included in this process and that Cleveland Heights takes an active role in engaging us. I heard about this meeting from a post on NextDoor made by someone who did not seem to support this project. I did not receive any sort of specific flier etc. inviting those of us who live in the neighborhood to provide any feedback. Again, my house is visible in many of the images included in these proposals. Please reach out to us. Please do not wait for us to find these postings -- that is community engagement in name alone.

I hope this process moves smoothly and that the final product enhances my neighborhood.

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## Cedar Lee Meadowbrook Comment Form

Reference #	13577326
First Name	Octavia
Last Name	Cash
Question or Comment	<p>I truly think the city should use the spaces for more entertainment (fine dining, small shops, non fast food restaurant, art, culture) I currently live in this area and my husband and I are looking to buy a home particularly in this area because of the entertainment/business in the area. I also like the grassy area occupied by the picnic tables. It gives residents a space to eat or hangout during warmer months and a little greenery is always good. I think inviting property investors to use this area for condos or apartments is a great disservice to this area and takes away the charm that I love about this area.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13577359
First Name	Caitlin
Last Name	VerKuilen
Question or Comment	It would be great to maintain some amount of green space. Maybe a dog park.

## Cedar Lee Meadowbrook Comment Form

Reference #	13577590
First Name	Penny
Last Name	Neisen
Question or Comment	<p>I think the Panzica/City6 design would be a better fit for the neighborhood than the Flaherty designs.</p> <p>The Flaherty designs have upscale residential over a parking area used for overflow and right across from the high school football field.</p> <p>Having previously maintained a property with an addition designed and built by Panzica, I would have concerns about their budgeting once the project started and value engineering ideas.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13577612
First Name	Penny
Last Name	Neisen
Question or Comment	<p>I might suggest getting a 3rd quote. Krill is great to work with.</p> <p>I think the Panzica/City6 design would be a better fit for the neighborhood than the Flaherty designs.</p> <p>The Flaherty designs have upscale residential over a parking area used for overflow and right across from the high school football field.</p> <p>Having previously maintained a property with an addition designed and built by Panzica, I would have concerns about their budgeting once the project started and value engineering ideas.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13577704
First Name	Edward
Last Name	Kalafat
Question or Comment	<p>Where are these “development “ firms from? If they are not local then what is the origin of their funding for these projects ie. foreign or domestic?</p> <p>Who profits from these developments? Are local contractors going to be used or are out of state contractors going to be used? Are tax abatement apart of the deal here? Are these more high rent spaces that only large corporate cookie cutter stores can afford.</p> <p>If these are residential in nature are they more cheaply constructed high rent trash like the top of the hill debacle or the cheap trash built in Little Italy and University Circle?</p> <p>Are Union Workers going to be used for the construction or are scabs coming up from “Right to Work” States?</p> <p>Are you catching my drift yet?</p> <p>The infrastructure of this city and Cleveland are outdated, over used and stretched beyond their capacity to handle the loads heaped upon them now.</p> <p>City Sewer is understaffed . Multiple water main leaks and as few as 6 repair people on any given day.</p> <p>How will this old outdated infrastructure be addressed with these new structures being built?</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13577750
First Name	caryn mills
Last Name	mills
Question or Comment	Green space and plant trees, never can have too much of that! No tax abatements.

## Cedar Lee Meadowbrook Comment Form

Reference #	13577754
First Name	James
Last Name	Buie
Question or Comment	<p>Dear City Counsel Members,</p> <p>I'd be interested to hear what real estate tax breaks the competing firms are requesting from the municipality.</p> <p>As a taxpaying resident of the Heights with professional experience in real estate development, I want nothing to do with a payment in lieu of taxes (PILOT) or any other sort of abatement, and neither should you. Developers are vying for our business, not the other way round.</p> <p>Relatedly, will the land be bought outright or will a ground lease be negotiated with the city? If a ground lease, what will the terms be?</p> <p>I'm thrilled to embrace a new development in the area. We just want to be sure that the new development is similarly thrilled to embrace the area. And not just in lip service. We need the money where the mouth is. Private enterprise has no business subsidizing their for-profit developments with the coffers of local taxpayers.</p> <p>Hopefully abatement isn't even on the table and all my consternation is for naught. Apologies if this came off as brash. It was intended to be upfront but not forward.</p> <p>Cheers,</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13577936
First Name	Tyler
Last Name	Boggs
Question or Comment	Would love to see some EV charging stations and a nice greenery space as well (like a local sit down park area).

## Cedar Lee Meadowbrook Comment Form

Reference #	13577993
First Name	Tom
Last Name	Waitzman
Question or Comment	<p>With the high school right across the street from this project, has there been discussion of safety, trash, and adequate lighting in the area? I could see this area becoming a dangerous place to walk through at night.</p> <p>I would like to see more of an open, walkable, and relaxing atmosphere that slows things down and encourages people to gather and enjoy each other. Please include trees and green space and space for families. I hope that the city will maintain this space and that it won't get overrun with trash or a heavy police presence.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13578090
First Name	Alexander
Last Name	Kinney
Question or Comment	<p>Both proposals show they are keeping a small part of the park between Tullamore and Meadowbrook. While I feel the reappropriation of the surface parking lot behind the cedar lee cinema is worthwhile, I as a resident who frequently uses the cedar lee district, does not see the immediate need and benefits of an additional mixed use space for the community. Will the new housing here benefit those in most need of housing in our community?</p> <p>After already handing over top of the hill, to developers I feel the community would better benefit from focusisng on fixing places that, to me, are more in need of renewal such as severance center first instead of compromising what little easily accessible green space the community has remaining.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13578254
First Name	Amy
Last Name	Bee
Question or Comment	I believe this should be left as green space. Beautify the area, put in a small flower garden, add some picnic tables and invite food trucks. We do not need any more developments in Cleveland Heights.

## Cedar Lee Meadowbrook Comment Form

Reference #	13578258
First Name	Tyler A McTigue
Last Name	McTigue
Question or Comment	I would really encourage and push the architects to design the building facades to match some of the historic architecture of the Heights. I think some of the modern mid-rises actually look out of place in places like Tremont, Little Italy and Ohio City. Making it more early century, brick based. To match the newly renovated high school. I think Flaherty & Collins closer represents the correct architecture.

**Cedar Lee Meadowbrook Comment Form**

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<b>Reference #</b>	13578679
<b>First Name</b>	Colleen Kelly
<b>Last Name</b>	Kelly

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### Question or Comment

As a person who moved to Cleveland Heights to enjoy the green neighborhoods and charming, diversely-designed homes, I STRONGLY oppose both of these proposals for the Cedar-Lee-Meadowbrook site. The types of developments proposed can now be found down the street in Uptown, Little Italy, and "Top of the Hill," and I can't imagine why our neighborhood would want to follow this ill-conceived trend. We have an opportunity to be leaders in how we think about developing assets for our community and I see no innovation, thought leadership, or even creativity in either of these proposals. This stands in direct opposition to the imaginative and generative ethos that we have cultivated in the Cedar Lee neighborhood. I urge you to think outside the box and seek a solution that will be exciting for residents already here and attractive to others looking to put down roots in a unique and beautiful community. We will not stand out as a special place to live if what we offer is the same kind of thing found just down the road.

People in this neighborhood are looking for green space, a place to gather (without having to buy something if they can't/don't want to), a place to share, to learn, to discover. Whether it's a park, a co-op, a rotating roster of food trucks (look how great Doug Katz is doing with his pop ups!), a beer garden, a skating rink, etc., there are so many options that could offer really valuable assets to residents and visitors.

Please don't underestimate this community by settling for something we can find in many other neighborhoods.

Thanks,  
Colleen Kelly  
2605 Lee Rd.

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## Cedar Lee Meadowbrook Comment Form

Reference #	13578688
First Name	Chris
Last Name	Jacobs
Question or Comment	<p>There is a lot to like about both proposals, but the Flaherty/City Arch. proposal appears to be more complete. I like the idea of the ground floor space continuing the street wall along Lee Rd. in the Flaherty proposal, and the stepped-back height at the top. (I'd like to see more of that, particularly in the transition toward the single-family homes on Tullamore). I also like the development behind the parking garage, providing a buffer between the single-family homes that formerly had to look at an ugly parking garage.</p> <ol style="list-style-type: none"><li>1. While it might be a good idea to do the construction in phases, City-Six/Panzica did not present a plan for Phase II despite the request for a plan for the full site -- what assurances will this group give/what commitments are they willing to agree to/how can the city ensure that Phase II will happen if this group is chosen?</li><li>2. City-Six/Panzica and Flaherty/City Arch. each propose different building footprints for the Lee-Meadowbrook lot -- how is each group planning to deal with the ATT easement?</li><li>3. This project would be better if the vacant buildings on Cedar could be incorporated into the project. Do the developers have any ideas about how to make that happen? Personally, I think the city should buy those owners out because it would make the project better. 3A -- Could the CIC buy the properties?</li><li>4. How does each developer propose to improve the pedestrian experience on the back side of the existing Lee Rd. buildings to and from the parking garage?</li></ol>

**Cedar Lee Meadowbrook Comment Form**

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<b>Reference #</b>	13578725
<b>First Name</b>	Karyn
<b>Last Name</b>	Katzman

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## Question or Comment

I do not think either option is really good for the neighborhood. There needs to be more green open space for the community. We do not need an additional 20,000 sf of retail space, there are so many vacant storefronts. What does the community/residents get? The project wants 100% tax abatement and to have the city just give the property to them and what are they giving back to the community? This appears to be extremely unbalanced in favor of the developers. We also have many vacant properties that need to be occupied and may need some fixes, money the city is giving for this project could go to help already existing residential properties. The cost of rental in a new development project, such as this one, is too high for a local business to be able to afford and thus back at the large chain retailers which is not a good fit for this community. Also, in regard to high rental cost, the project would be affordable to only higher income people and would leave a large portion of the existing, and potential new, residential base not being able to afford the rent. We have many mod to low income residents in Cleveland Heights as well as seniors on fixed incomes who need affordable housing and students at nearby colleges. Maybe it would need to be mixed income so the average person here can afford to live there. To have new construction on Lee Rd that is five stories does not really fit in and to have "amenities" for residents only is classist. To review: I believe we need more green space, a design that fits better with surrounding structures, less new retail, a commitment that all rentals both commercial and residential be affordable with mixed rate housing to be affordable to a range of incomes and instead of the for resident only amenities larger and more usable...

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... open space for the whole community including use by any other restaurant on the street who would want to use the public space. The city is getting nothing, the residents get nothing other than more high end retail and rentals, the city cannot keep giving away the farm, get something in return for all the giveaways like mixed income and lower cost rental for both business and residential.

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## Cedar Lee Meadowbrook Comment Form

Reference #	13579099
First Name	Joyce Huang
Last Name	Huang
Question or Comment	<p>I'm thrilled to hear about the development proposals for the Meadowbrook site. As a property owner near Cedar Lee, we love the neighborhood and look forward to visiting the new development with our young child.</p> <p>A few questions:</p> <ul style="list-style-type: none"><li>- We are interested in "high density child-friendly neighborhoods". Can you discuss how your property will help retain young families and provide amenities for semi-independent play / pedestrian experience?</li><li>- What are your intended plans for the green space or plaza? Will there be some program (active or passive)?</li><li>- As a way to retain a diverse mix of residents, I'm interested in the unit mix of the proposed developments (studio/1 br/2 br/3 br) and the intended audience of the tenants/renters. (As a side note: remember that millennials are now between the ages of 26-39).</li><li>- What is the intended AMI band that you seek to attract? (Area Median Income) What is the \$/SF?</li><li>- Cedar Lee is home to many Black owned businesses with a near total of 30-40% non-white businesses - how will the developer work with the City, CDC and SID to ensure that the space is culturally relevant to the existing vibe and will not displace any of them?</li><li>- How much do you intend to open the space to the public? How will you help people of color feel welcome?</li></ul>

## Cedar Lee Meadowbrook Comment Form

Reference #	13579135
First Name	KATHERINE G. PETREY
Last Name	PETREY
Question or Comment	<p>I am opposed to any more large multi-family development in Cleveland Heights at this time if the developers and ultimate owners will receive tax abatement or TIF or free land from the City. If the demand for retail and residential development is such that it can't succeed without subsidy, then those projects should not be built. The subsidies only increase the profit for the developers. As often as not, they result in failed projects that are ONLY profitable for the developers and that require significant repairs and replacements in 10 to 20 years because of cheap construction. I also question the timing for this type of development, in the midst of a pandemic and recession,</p> <p>There is already plenty of rental property in the Cedar-Lee area in the form of apartments, duplexes and small houses. I think that the City should be assisting the owners of those properties with modernization or teardowns and replacement. Even more rentals can be found on Taylor, such as the tudor style building. Restoration of that historic building might qualify for historic tax credits, which would be paid for by the federal government rather than the City and residents.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13579258
First Name	John
Last Name	Vitale

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Question or Comment

Dear City Council,

As you prepare to present designs and ideas towards developing and irreversibly changing this historical part of town, please understand that your vision and plans are not shared by everyone in the city or in this neighborhood.

1) Existing buildings present a historical charm to people traveling and living in the area. So putting up new buildings is going to ruin the look of the neighborhood. I've seen the throwback Thursday pictures showing the exact same buildings and design going back 90 years. This is what makes this neighborhood appealing.

2) What is wrong with having green space? Does every single piece of open space need a building or parking lot on it? I understand you aren't going to get tax money for it, but this is completely pointless and reckless to propose development on a patch of green space at the NE corner of Lee and Meadowbrook. If properly maintained and promoted this area can easily become a pleasant park to have picnics and lunches in that is walking distance to a large segment of the population.

3) Proposing development in an area, while there are rumors floating around that council members will be leaving office at the end of their term and also leaving the city smells of a bad plan. I point out the historical reference of Ms. Yasinow and Ms. Briley leaving after Top of the Hill passed City Council.

4) There is already a large amount of empty buildings and underutilized store fronts on Lee Road, why not market that area to people to open businesses or assist with business loans? Do we really need a glut of more retail space, especially...

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... new retail space which will hurt existing property owners whose bottom line can't be stretched enough to put all the new shiny pieces to compete with brand new development?

5)Also while on the subject of competing, how many apartments do you think this city, much less this area can really handle? There are 260 luxury apartments planned at Top of the Hill, yet there is discussion concerning adding 112 high end apartments going in between Meadowbrook and Cedar? Do you think you are going to steal residents from Beachwood or from Downtown to live in your new luxury apartments? Where are all these people going to come from?

6)Giving away property for development is one of the lousiest ideas this city has ever supported. If a developer can't make money with his building, whether retail or residential, they are in the wrong business. Profit margins do not need to be excessive to make money.

7)A resident posted on NextDoor suggested using a part of the property between Meadowbrook and Tullamore for Food Trucks to park and sell food would be very advantageous, especially since Lyndhurst is in the news negatively concerning Food Trucks being forced out of a parking lot at Richmond and Mayfield. To have a single drive from Meadowbrook to Tullamore so that the Food trucks can pull in and later leave, plus adding some picnic tables in the area would do wonders to increasing foot traffic through the area. Food truck have long been on Walnut Avenue downtown for years, why not have a rotating schedule for Food trucks to circulate here. This would allow the city to do a check / screen each Truck and to ...

...allow each truck to have an equal opportunity.

8)How much more tax abatement do you think residents can handle? Dangling a 15 year tax abatement to entice developers to build here forces the burdens of taxes onto existing housing and retail owners. How is this fair? Simply put, it is not. It is gross mismanagement of taxes.

9)Giving away the land means the County will not see any tax revenue. Why can't these companies pay fair market value for the property instead of the City giving it away?

10)Giving away Tax abatements mean the School District will not see any tax revenue. Existing homeowners and property owners will bear the brunt of all current and future tax burdens for the next 15+ years. Perfect plan to screw over existing retirees and Seniors who have made their homes in the Heights for the past 25+ years.

Having looked over the design and plans for both, I can honestly say, they both look like crap.

- a)There is no continuity with existing buildings or neighborhood housing.
- b)There is no distinction between this development or new development structures going in downtown. So what is the attraction to putting this in the heights, in an existing and stable neighborhood? This isn't going to suddenly bring in hundreds or even thousands of people. And if it fails, existing City Council members who supported this haphazard development plan will either be gone or moved on to other areas.
- c)With this plan, you are directly competing with the same businesses and residents for your Top of the Hill project.
- d)Further proof of bad / haphazard design and implementation can be...

... seen at Severance. Aside from Dave's and Home Depot, no one is able to develop anything there. The roads are in constant need of repair, due to bad and cheap design. This has been a continuous problem for over 45 years. If you want to fix a long standing problem, start there.

As a resident of Cleveland Heights and on Meadowbrook for 52 years, I can say that I have a vested interest in how the city addresses the Meadowbrook / Lee road property. The question you need to ask yourselves is this, are you finally going to listen to residents who are long established in this area or will you behave like you did at Top of the Hill whereby final design changes hurt existing and long standing residents all in the pursuit of the Almighty Dollar.

Sincerely,

John Vitale

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## Cedar Lee Meadowbrook Comment Form

Reference #	13579950
First Name	Eve
Last Name	Prikryl
Question or Comment	<p>Pasted from my NextDoor response, forgive the casualness of the comments.</p> <p>Personally, I'd like to have a new Ohio Savings Bank. The original project was supposed to include a new Ohio Savings. The current location at Washington and Lee was supposed to be temporary and doesn't have a drive through. It looks like a Mexican restaurant and smells like the dentist next door. I've been banking there since 1975 when it was "Shaker Savings" and I used to walk up there with my mom to deposit my .25 cents allowance and in exchange for my deposit, they gave me a lollipop. I remember going to the drive through with my mom and our dogs who got milkbone biscuits. I remember being in the line at the drive through when the tornado came up cedar and got a dent in my car from a trash can flying through the air while I deposited my paycheck. This bank is special to Lee rd and they deserve the new nice location they were promised when they got imminent domained out of their building for that farce of "gas tank leak" made up so Peter Rubin could develop the corner. Since that jerk backed out of the project we have been left with nothing but a mural and some grass and a garage too big for our needs. Ok...I, rambling, but let's at least give Ohio Savings a new spot like we promised when we stole the one they were in.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13580114
First Name	Erika
Last Name	Grauzinis
Question or Comment	<p>This city is in great need of a dog park, and Cedar-Lee is greatly lacking in green spaces. In this pandemic summer when indoor dining wasn't allowed/was dangerous, outdoor options were key, and Cedar-Lee didn't have much to offer. In order to support our businesses, a green space for families to gather will improve the district. Plus a dog park brings MANY people to the area, given there aren't any within a 20 min drive. People with dogs swarm to the closest dog park. The one in Lakewood has 20+ owners and their dogs there every time I go. Let's bring more traffic and more families!</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13580208
First Name	Renee Sentilles
Last Name	Sentilles
Question or Comment	The City Six design seems much more in keeping with the spirit of Cedar-Lee. The FC RFP proposal looks like some off-putting futuristic city and looks as if it would dominate an already charming area.

## Cedar Lee Meadowbrook Comment Form

Reference #	13580673
First Name	Michelle
Last Name	Frazier
Question or Comment	As a Cleveland Heights resident who lives off Lee Road, I do not like either proposal. Both proposals will make the area more congested with people and vehicles. I would prefer a much smaller project that is more reflective of the community and character of the Cedar-Lee District. Also, the City does not need more expensive rental housing.

## Cedar Lee Meadowbrook Comment Form

Reference #	13582318
First Name	Shane Martin
Last Name	Martin
Question or Comment	I would like to see this development plan fit in with the architecture of the neighborhood and Cleveland Heights as a whole. Ideally, the first viewing of the building shouldn't be "wow that's new". It should at least take me a moment to register that it's new development. I like the charm of the older buildings and apartment complexes. If I wanted to live in a neighborhood with lofts, I would have moved downtown.

## Cedar Lee Meadowbrook Comment Form

Reference #	13582328
First Name	CJ
Last Name	Nash
Question or Comment	<p>For years now we've been trying to get some sort of support to develop the Noble Rd corridor and are always told there isn't any money. We get a cursory nod and a verbal acknowledgement, but absolutely NO action. We are ignored.</p> <p>There doesn't seem to be any problem at all finding money and support for the central and western parts of Cleveland Heights.</p> <p>This is extremely frustrating.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13582717
First Name	Eileen Beal
Last Name	Beal
Question or Comment	<p>Comment:</p> <p>Given that the housing now being developed at the Top of the Hill project is for wealthy and transient individuals, one would hope that the housing being developed at/within the Cedar/Meadowbrook property would be for moderate-to-low income, NON-TRANSIENT individuals who would like decent and affordable housing.</p> <p>In my informed opinion, that kind of housing would appeal to long-time CH residents who want to remain in their community but not in their two-floor, four bedroom house. It would also make real estate agents happy as it would free up properties for the income earning families that Cleveland Heights desperately needs to provide money for services and students for the (currently overbuilt) school system.</p>

Eileen Beal, 51 year resident of CH

## Cedar Lee Meadowbrook Comment Form

Reference #	13583120
First Name	Beverly
Last Name	Roberts Singh
Question or Comment	<p>As a member of the Cedar-Lee SID and a long time resident of Cleveland Heights, I moved my residence to South Euclid 8 years ago because I no longer wanted to own a big old house. Either project looks great in terms of offering more efficient housing options and I think this is a plus. I may have missed it, but will the housing be rental &amp;/or purchase?</p> <p>I like the look of the City Six project and their desire to do this as a 2 phase project. What commitment would there be to do Phase 2 and what would that timeline be?</p> <p>The Flaherty proposal is big and bold, and the city is currently involved with this company regarding the Top of the Hill project, so I'm guessing that can inform the community regarding their level of commitment and follow through.</p> <p>I would be happy to see either project do something with this space. I own the building at 2317 &amp; 2319 on Lee and have seen several proposals over the years and none have come to fruition. Therefore, I hope the city will determine which proposal will most likely be completed and get on with it.</p>
	Thank you.

## Cedar Lee Meadowbrook Comment Form

Reference #	13583581
First Name	Sam
Last Name	Kienbaum
Question or Comment	<p>While I am sure housing is needed, I think we also need to be sure we are developing the city in a way that will actually attract new residents (and retain existing ones). We can't just build housing without giving people a reason to move here, especially if the existing stock isn't full and other projects like Top of the Hill aren't even complete.</p> <p>I would like a more developed park space, with a dog run to be considered, but I am sure there are other options to make the city more appealing.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13583883
First Name	Susan
Last Name	Atheneos
Question or Comment	<p>I would like to see the 1 acre portion saved as at least a partial green space. Maybe a simple playground with some swings? Something like turtle park? Plant some trees, more picnic tables/benches? It's a great area to spend time with a coffee from stone oven or Phoenix. Or at a picnic table with to go food from one of the restaurants. The community gathers there during the candy crawl around Halloween and after the Homecoming parade. I would love to see it developed more thoughtfully as a park, to be better used for those times as well as others as a way to build community, like the seating area near peace park at Coventry!</p> <p>The larger section maybe be better developed with shops/apartments/better parking</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13583898
First Name	Susan
Last Name	Atheneos
Question or Comment	<p>I think two very important considerations no matter what is done with the spaces are:</p> <p>1. No or very low tax abatement, we need the money in our city and schools (isn't that why we are developing the space?) I wouldn't mind tax abatement for residents to entice them, but for business owners or landlords I don't think it's necessary</p> <p>2. Keep the design consistent with the city that was built in the early 1900s ! Think of all the beautiful old houses, buildings, Cumberland pool. Let's stick with a design that fits in with the beautiful and unique architecture we are surrounded with! (And while we're at it, maybe we can find a local firm to do it!!!)</p>

**Cedar Lee Meadowbrook Comment Form**

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<b>Reference #</b>	13584391
<b>First Name</b>	Paul J Volpe
<b>Last Name</b>	Volpe

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## Question or Comment

For: City Six / Panzica

•Your proposal does not address the city's desire to develop the entire 4.8 acre property. Do you at least have any ideas as to how you might consider developing the balance of the property with uses, density, and/or planning?

•You suggest the future parking lot 'phase(s)' would entail a planning process with the community after Phase 1 is completed. This will take at least 18 months. Why wait?

•Would you incur the costs associated with engaging a planner to engage the community and prepare a master plan for the entire site?

•Your site plan and sketches show a 'V-shaped' apartment building at Meadowbrook and Lee with a 'public plaza' in the middle. This is similar to what your architect proposed with other developers on this site in the past? Do you agree this is the best configuration for the building, and best location for a public space?

•A most recent project of yours is the Baricelli Inn Apartments in the neighboring community of Little Italy. Please describe how the community process went, if there were challenges along the way, and how you handled them?

For: Flaherty and Collins

•The majority of the projects your company showed in your proposal as comparable to ours, were apartment buildings with measurably over 200 units. Your proposal for Cedar Lee / Meadowbrook suggests the development of 'potentially over 200 housing units'. Is 200 the necessary density to make a project of this type viable?

•If the city/community was ...

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...undecided about how they would like the parking lot developed, would you consider doing the Meadowbrook site as a Phase 1 with an option to develop the balance of the 4.8 acre property when ready?

•Since the parking garage already exists and is available for resident usage, what do you anticipate the proposed TIF financing would be used for?

•Your 'Proposed Development Vision' shows a new street connecting Tullamore to Cedar. Please describe how this street, lined with buildings that are primarily private or non-activated as they are today, 'adds to the vitality of the district'?

•The building on the parking lot property utilizes almost all of the site. The majority of the property as shown, is restricted to residents of the apartment building. Is it not possible to dedicate more public activity space to be shared with both residents and other users of the Cedar Lee district?

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## Cedar Lee Meadowbrook Comment Form

Reference #	13584432
First Name	Erin
Last Name	Gyomber
Question or Comment	<p>Does the one proposal only develop the plot on Meadowbrook or am I missing something? If that is true, we only got one real response to the city's RFP and I am not sure what that means or how it plays into council's decision. I do like that one though—I especially like that both kept some clear, green space on the Meadowbrook/Lee corner. I know we "need" this development, but I feel like it would change the character of the whole neighborhood. I see unused and underutilized space around the whole city and while I realize that development has to be a compromise between the city and the developers, it feels like we sometimes over-prioritize the wants of the developer.</p> <p>Also, I have little to no experience reading these and some kind of guide or interpretation or outside opinion/s might have helped me evaluate them or understand them, especially the developer needs section. That the one proposal does not call for tax abatement quite appeals to me, but I am not really sure if I understand that what they require is "better" for the city.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13584603
First Name	Robert N Brown
Last Name	Brown
Question or Comment	<p>Given the uncertain status of the vacant and under-utilized buildings on the Cedar Road frontage of the site, I think it makes sense to focus on the original Lee-Meadowbrook portion of the site at this time, leaving the development near Cedar and attached to the garage to a separate phase of the project, to be designed and developed after the original Lee-Meadowbrook site has been developed. In this respect, I think that the Panzica proposal makes more sense at the present time.</p>

**Cedar Lee Meadowbrook Comment Form**

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<b>Reference #</b>	13584632
<b>First Name</b>	Destiny
<b>Last Name</b>	Burns

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## Question or Comment

I am a resident of the Cedar-Lee district (3251 Meadowbrook Blvd), a business owner in the Cedar-Lee district (2180B Lee Rd, CLE Urban Winery) and the Vice President of the Cedar-Lee Special Improvement District. I have been watching the RFQ/RFP process for the development of the Meadowbrook site with GREAT interest as I believe it has the potential to help transform the neighborhood and help this very special (but aging) commercial and residential district with a long and storied history develop into a modern and inviting community gathering area. This project will not only be good for the city and the residents, but will also help reward and support the significant investments and sacrifices made by the small businesses that dominate Lee Road. These business will help attract a community of residents that will help raise the stature, prestige and engagement of the neighborhood and I personally can hardly wait to see that happen!!

All that being said, I truly believe that the best project to choose is the one being offered by Flaherty & Collins. I say this for several key reasons:

- I think a multi-phase approach is NOT the right course of action. A year of construction in the district will present challenges and disruptions for residences and businesses alike, and especially after the hits we have all taken during the COVID-19 pandemic, extending this project indefinitely into multiple phases of development could really become a major problem. I strongly feel that choosing a proposal that can deliver the entire project within approximately one year of construction commencing is a much better way to go.
- I feel this larger and potentially more ...

...immediate increase in population density that will be enabled by the Flaherty & Collins project will be of much benefit to the residential neighborhoods, schools and to and business district in Cedar-Lee and the larger Cleveland Heights/University Heights region. The other proposal from City Six Development offers only about 1/3 of the residential density in the same amount of development time. To me this is a no brainer!

- The amenities being offered to residents in the Flaherty & Collins development far outweigh those in the competing proposal, in my opinion. I think these amenities and details will be key to attracting the upper income residents that will really help drive the economic recovery and growth of the district and of the city.

- The final and perhaps most compelling reason to select the Flaherty & Collins proposal is that you know these folks well as you are currently working with them on the Top of the Hill project. I see them delivering on the promises they made as the construction has commenced, and I see the care they are taking to move quickly while accommodating the existing residents and businesses. While I am only seeing this from the outside looking in, this tells me that this is a team we can work with who will deliver what they propose. Their compelling and detailed proposal also shows the depth and breadth of their experience and financial resources so I feel further assurance from that information that they can deliver on the vision of this proposal.

I have a lot of personal and professional skin in this game and I look forward to working with the city and the developer to make this the best project it can possibly ...

...be! I strongly recommend selecting the Flaherty & Collins proposal and to move WITHOUT DELAY to get this project started!! This has been a very rough year for the businesses in the district (and beyond) - we have another rough year ahead of us (at least) and we are doing everything we can to hang on. A development of this magnitude would be so immensely helpful and impactful to our recovery and growth - I can't emphasize that strongly enough. These challenging times offer us an opportunity to GO BIG for big results - I encourage you to show the vision and courage to do so with this project.

Please feel free to contact me at 703-489-5919 (mobile #) if you have any questions or if I can be of further assistance.

Sincerely,  
Destiny Burns  
Cleveland Heights/Cedar-Lee district  
homeowner and business owner  
Vice President, Cedar-Lee Special  
Improvement District

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## Cedar Lee Meadowbrook Comment Form

Reference #	13584815
First Name	Michael Knoblauch
Last Name	Knoblauch
Question or Comment	<p>What is the point of such a modest and insignificant development plan? It is time for the city to think BOLD and BIG. Any development must include the all the properties facing Lee from Meadowbrook to Cedar and Lee to at least Kildare if not Goodnor. There is nothing architecturally significant, impressive, or meaningful about the tired and old retail, theater, apartment, and office buildings fronting Lee Rd. and turning the corner onto Cedar. Indeed, I doubt that there is a level floor in the offices above the theater. We are entering a post covid new world, our ideas and perceptions about retail, work and living must change. Cleveland Heights needs leaders that are willing to see into a changed world and embrace that future. Cedar Lee is worn out and used up, what is being offered, is only repeating the prior proposals that were non-starters. This rush to put a shovel into the ground will precipitate a mediocre development at best. Any development must mirror the quality and distinction of the renovated High School building. This is an opportunity to start making Cedar Lee a statement crossroads of Cleveland Heights.</p> <p>What a Cedar Meadowbrook development is or should be, I cannot say, but I can say it is not what is being offered. We need to invest the time and resources to look into this new future, and as a community determine what that development can be. Thinking BOLD and BIG.</p> <p>The residents of Cleveland Heights must take the lead and demand better from their elected leaders.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13585647
First Name	Andrei
Last Name	Leahu

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Question or Comment

----My apologies, English is my 3rd language, I recently submitted a comment but please use this version as I corrected some grammatical mistakes. ----

Good Evening my name is Andrei, resident of 3011 Essex rd.

Questions:

Please provide more data. If we would give the developer 15 years 100% tax abatement and \$10 annual lease just for the land around the garage area:

1. How much tax dollars we would not receive in the total of 15 years considering the total estimate for the new development.
2. What is the total investment by the City in the Cedar Lee area, including the High School, Lee Rd rehab, traffic lights system, grants for Storefronts, multilevel garage, all the investment from tax dollars or grants in the past decade. Please provide at least an estimate.
3. Are we still paying for the Garage? What was the total cost + interest and how much is the remaining balance?
4. What are the terms of the contract between The City and Honda dealership for using more than half of the garage for storing their new car inventory. How many spots out of the total number, how much are they paying, and for how long?
5. What is the annual cost for the maintenance of the garage (repairs, utilities, etc.)
6. Do we have a parking analysis considering the number of units proposed to be built? I know it looks like there is a lot of parking in the area but I've seen many times when all were full, and people would have to park on side streets.
7. I respect all the hard work that was done but - How do we do better than the Top of the Hill Project?

Statement:

I'm all for...

... new development but the current and future decisions have to be data-driven, with a functional process that has to be put in place and agreed upon in a balanced manner by:

- The voice of the Community.
- The City Hall staff, which should represent the community in its best interest.
- And the Developer.

We The People own the land, garage, current, and future debts, and any incentives will be provided, no one else owns any of the City-owned properties or decisions that will be paid by the Residents of this community, not any particular Individual from the City Hall, not Council Members.

Any new or existing development has to work as a mutual agreement. Yes, the developer invests money, but We the People agreeing to this development also will invest and already invested hundreds of millions in this area, so compare to what we've currently invested through the years and future incentives, the investor brings pennies on the dollar.

I still acknowledge the importance of the developer in this partnership and the potential positive impact but We The People review the proposals by the developer and We approve/deny/negotiate reasonably with the help of local professionals and the staff of the City Hall.

Not what happened with the TOH development where the developer dictated most of the aspects of the project by starting with a completely different concept from what is being built right now. Yes, it's a business for them and they are doing their job, and it looks like the developer did a better job in handling themselves than we did, so kudos for them. I hope we...

... learned something? How do we do better?  
The new development is important for this City  
but let's not act desperate. The proposals are  
a start for an open conversation that has to  
have a functional format so it doesn't get  
stretched for 5 years like TOH.

Please if this moves forward, focus on the  
property of almost 4 acres and the purchase of  
the 3 buildings at the Cedar Rd side (not an  
easy task but possible), then prioritizing the 1-  
acre of green space on Meadowbrook area. If  
we would analyze the two sites, I can't imagine  
not seeing the financial and environmental  
impact between the two. Please leave the  
Green Space alone for now.

Thank you for your time

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**Cedar Lee Meadowbrook Comment Form**

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<b>Reference #</b>	13586815
<b>First Name</b>	Shane Hinde
<b>Last Name</b>	Hinde

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## Question or Comment

Hello,

Thank you for opening the RFPs for comment. I'm responding as the Co- President of Phoenix Coffee, a block away from the proposed development site. Overall, I like the timeline, scale and approach of the Flaherty RFP. Higher, population density, within such a close proximity to our businesses is provides large potential benefit. Financially, I see the most upside immediately from this proposal.

That said, I much prefer the streetscape and design presented by the City Six. The Flaherty renderings and comparable projects seemed quite generic and cookie cutter. The City Six proposal for the plot immediately adjacent to Meadowbrook seemed to embrace the uniqueness of that parcel and develop the 1.07 acres into a property that fits the feel of the street and adds more than density and apartments. It might prove the longer term more attractive development.

Lastly, Phoenix operates cafes on the Near west side, Downtown, and Eastside. All three areas are experiencing development of property targeted towards \$100k+ income levels. Not to mention Top of the Hill opens soon. The 2x capacity presented by Flaherty is appeal, but I do question how long it would take to fill all the units given the competition. Phoenix doesn't benefit from empty apartments. I'd love to know more about occupancy statistics of comparable east side apartment buildings as I'd prefer a smaller, more tastefully integrated, 100% occupied development to a half full, larger project.

Thanks for considering my thoughts!  
Shane Hinde  
Phoenix Coffee

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**Cedar Lee Meadowbrook Comment Form**

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<b>Reference #</b>	13586900
<b>First Name</b>	Susan
<b>Last Name</b>	Wolpert

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## Question or Comment

My husband and I live in the Cedar Lee neighborhood and are life long residents of Cleveland Heights. We own a small commercial property across from the mini-park cut through from the current parking lot to Lee Rd.

1. We know from experience that when it rains hard the area radiating out from Tullamore and Lee floods. Water runs on the roads and sewers back up. Our question is, who pays for the infrastructure upgrades that are going to be needed to accommodate this massive new housing and business project? How will this effect the existing infrastructure? I mentioning water here, but there is also issues of electricity.
2. There is a national goal to become carbon neutral. We should require all new construction to be all electric. We need to switch from fossil fuels to renewable energy. What assurances do we have from the developers that they will not be installing gas appliances and heating in this project? Note to council, we should be exploring how to help all Cleveland Heights home owners make the switch to carbon neutral heat and appliances.
3. Personal preference between the two proposals was the Panzica proposal because we felt it fit better in the foot print of our neighborhood. Aesthetically, it is more attractive. The bigger project feels like it will overwhelm the neighborhood.
4. What kind of guideline is city making for the retail offerings in the new complex? We have a culture in our neighborhood of small locally owned businesses. I would hate to see retail spaces created and then filled with an abundance of national chains.

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## Cedar Lee Meadowbrook Comment Form

Reference #	13586973
First Name	Colin
Last Name	Compton
Question or Comment	Will residents have the opportunity to send questions and comments regarding both proposals for public response following the presentations on 2/8/21? Both proposals are lengthy and contain development jargon that an average resident may not understand until after the discussion.

## Cedar Lee Meadowbrook Comment Form

Reference #	13587262
First Name	Eva Ly
Last Name	Ly
Question or Comment	I'd love to see some green space maintained as a small park as well as the retail space developed into something similar to Van Aken district. Younger folks like myself enjoy heading over there for the variety of food and community feel amongst the vendors. I hope the development and blend nicely with the look and feel we have on Lee Rd currently.

## Cedar Lee Meadowbrook Comment Form

Reference #	13587530
First Name	Christopher
Last Name	Feran
Question or Comment	<p>Hi there, one of the co-directors of Phoenix Coffee, a former resident of Cleveland Heights, and a former resident of Ohio City—where other development like this is occurring. While I'm sure it's tempting to look at this as a potential opportunity for growing municipal revenues related to taxation, parking, and permitting, these are both disastrous proposals for the character of the neighborhood and will only serve to create a greater rift in the socioeconomic fabric of the neighborhood by engendering further social stratification.</p> <p>For real: how many more developments targeting individuals making \$100k a year can this city sustain? We're not even at full capacity in The Quarter, Church and State, or any of the other new developments. This is ultimately going to result in a huge correction and crash in the market before the tax credits the city inevitably will reward expire.</p> <p>Don't do this. Put in green space, commons, and encourage new development. There's no shortage of housing stock in Cleveland Heights, nor affordable housing stock. This is development for development's sake. Do better than what's been proposed.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13587575
First Name	Fran
Last Name	Mentch
Question or Comment	<p>An urban park is the best use of this land. Cleveland Heights must protect its reputation as a creative and innovative community. Urban parks generate economic activity. Taxes in Cleveland Heights are very high as compared to surrounding communities—we need more amenities for our money. Link to an article about economic benefits of parks.</p> <p><a href="https://www.americantrails.org/files/pdf/Economic-Benefits-Active.pdf">https://www.americantrails.org/files/pdf/Economic-Benefits-Active.pdf</a></p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13587659
First Name	Amanda
Last Name	Hill
Question or Comment	<p>I certainly prefer the F&amp;C proposal if I had to choose between the 2. I like the idea of a small road behind the theater, running through the existing parking lot. It would feel like E 4th downtown and I believe would draw a lot of people in!</p> <p>That parking lot behind the theater and Boss Dog is certainly an eye sore, so I would be glad to see the space put to better use, but the access to public parking is still key to draw visitors in.</p> <p>No matter what happens, I hate the idea of the existing green space along Lee going away (although it's completely useless right now). This space could be designed to be an actual park with a small stage for events. An 4-6 story building here would completely destroy the feel of the Cedar Lee business district. While the same building BEHIND the theater wouldn't stick out as much.</p>

**Cedar Lee Meadowbrook Comment Form**

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<b>Reference #</b>	13588112
<b>First Name</b>	Gavin Andersen
<b>Last Name</b>	Andersen

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## Question or Comment

This idea to develop luxury apartments strikes me as tone-deaf in the current social, economic, and political environment, in which climate change and inequality are among our biggest challenges. At the local level, these universal challenges manifest as questions about tenants' rights, public transportation, access to education and employment, community safety, vacant lots, zoning codes, and so on.

Public decisions should meet public needs. It's not clear to me what public need this proposal to develop luxury apartments addresses. It's not clear to me what the public benefit is of a five-story luxury apartment building with its own fitness center, co-working areas, aqua lounge, game room, and heated saltwater pool - and which, to quote from the Flaherty and Collins proposal, "caters [...] towards those that are extremely active, social and have a strong desire to be included in the action and constantly entertained... [renters] by choice, [who] will pay a premium to live" in Cleveland Heights.

If the answer is increased revenue through property taxes over time, or to attract people with disposable income to the community, then I would suggest that this is the same tired, short-term thinking that has been responsible, in part, for generations of inequality and the fracturing of community life nationwide.

At this moment in history, especially as we slowly emerge from the pandemic, we need to think about development as a tool for addressing long-term public challenges- which include climate change, inequality, and all of their local manifestations - and for creating conditions under which the community and all of its members can flourish.

If luxury apartments help create these conditions, then I am open to the explanation.

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**Cedar Lee Meadowbrook Comment Form**

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<b>Reference #</b>	13588466
<b>First Name</b>	Joanne
<b>Last Name</b>	Siegel

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## Question or Comment

It is about time to fill the hole in the Cedar-Lee Business District with an exciting, mixed-use development! I have a few suggestions, but in general, I am excited to get this going. We desperately need some help with our very high taxes, and a successful development in this district will help ALL of Cleveland Heights with income that will be generated by such a project.

1. I suggest that the larger (3.73 acres) be developed first, but my general comments can be applied to both or either one. I would like to see a new street behind the businesses on Lee, that could be used for outdoor dining. People around here like art, so local artists can be showcased here. So can local musicians. This needs to be "people oriented," rather than car oriented. This would be a good place for cafes and coffee shops, and some shops.
2. I would like to see mixed use: Upscale apartments, offices, and retail, along with places to eat/drink. (No bars that do not serve food!)
3. I do NOT think we need another new park, but the little park that is already next to Boss Dog can be incorporated into the new design.
4. I would like to see upscale apartments so that we can get more people with money to spend at the shops and restaurants that we already have, in addition to the new places.
5. I believe that a development such as this will increase the property value in the surrounding neighborhood.
6. Please do NOT just leave this land as another park, or park with food trucks that will be "here today and gone tomorrow." We need serious development. We have Cain Park, and a park with TWO playgrounds just down the street at Fairfax ...

...Elementary School. We need tax revenue! I like artists and musicians very much. But we do not need another large park for performances. There has been a park there for a few years. I have rarely seen it even used!

7. Please bargain with the developers. I understand that we need to help with incentives such as tax abatements. But, I think we are giving too much away as it is.

To conclude, please do not let this opportunity slip away, as all of the others have in the recent past. The time is NOW!

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## Cedar Lee Meadowbrook Comment Form

Reference #	13588487
First Name	Pat
Last Name	Hanavan
Question or Comment	As a nearby resident, my preference is for the smaller development by City-Six, which I think suits the neighborhood. My question to the city is whether the developers are required to set aside any units as affordable housing, which is much needed in our community.

## Cedar Lee Meadowbrook Comment Form

Reference #	13588530
First Name	Frances
Last Name	Sennett
Question or Comment	<p>Please do not use either of these proposals. I think they will destroy the character of Lee, which is the reason I bought a house on Fairfax in the first place. I think the area should be used for outdoor community space. At the meeting where we discussed the uptick in gun violence in the city, the main takeaway to combat that was getting to know your neighbors and building up a community. That won't be achieved with those developments. I just spent 10 years living in a small town that excelled in that area. They used their Main Street and green space for community events - Friday night concert and food/drinks, Photos with Santa, movies outdoors in the summer, food trucks, art fairs, etc. All of these activities would encourage more people to support the businesses before and after and would build up the community. Putting in a huge, out of place development that drives no tax support for years, is not what Lee needs. Is this space under utilized? Absolutely, but more can be done with less destruction. People want the community feel. If they wanted over-development, they would live in other communities. Please don't ruin Lee Road with these developments.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13588659
First Name	Walter
Last Name	Thiem
Question or Comment	<p>A few comments on the proposed Cedar-Lee-Meadowbrook development proposals:</p> <ol style="list-style-type: none"><li>1. It's about time. Hopefully, this time the conditions are right for this to happen.</li><li>2. I much prefer the City-Six concept for the Lee-Meadowbrook parcel. I think that the mid-block plaza would be more successful than a park at the corner as in the Faherty-Collins proposal.</li><li>3. I like Flaherty-Collins use of traditional materials (brick &amp; block) on the Lee-Meadowbrook parcel. This would fit in well with the neighborhood and will continue to look good far into the future.</li><li>4. I like the idea of developing the area surrounding the parking garage. It would be a shame to do this without incorporating the Expansion Option.</li><li>5. It would be nice if some street life/businesses could be incorporated into the new street.</li></ol>

## Cedar Lee Meadowbrook Comment Form

Reference #	13588668
First Name	Betsy
Last Name	Sweet
Question or Comment	<p>My main concern with these projects is the parking. Before the time of COVID, on a Friday and/or Saturday evening, the outdoor parking area would be full and several levels of the parking garage would be taken up with customers going to the theatre, breweries, wineries, restaurants and such. The parking garage was also used for valet service for many of the commercial business on our strip of Lee Rd. Having said that, if the outdoor parking is gone and the parking garage is partially used by the new residences from the development, there won't be enough parking and businesses will be hurt. I'm very pro development and excited about these projects I just want it to be smartly done so the businesses don't suffer. Wasn't a parking study suppose to be done? What happened to that and why hasn't it been done?</p> <p>Thanks, Betsy Sweet</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13588800
First Name	Samantha
Last Name	Hodges
Question or Comment	<p>Why do we actually need this? What is wrong with keeping this space Green and using it as a more official park for the neighborhood? Our city has too many spaces that are going unused that could be rehabbed for business other than restaurants or homes that could be worked on for housing. Why doesn't the City invest in some of the homes that need work to provide lower income families a place to live.</p> <p>We do not need more expensive condo/apartments that will sit vacant or where people will get tax abatements and never help pay into the school district.</p> <p>Please I ask that you reconsider trying to build something just because you have an empty green space. We are already getting a horrendous top of the hill monstrosity that no one really wants. Let's not go down that same path here. I live on Meadowbrook and we get pass through traffic and illegal parking enough as it is and this will only exacerbate the problem.</p>
Thank you	

## Cedar Lee Meadowbrook Comment Form

Reference #	13589073
First Name	Suzanne
Last Name	Chilcote
Question or Comment	I like so many of my neighbors are strongly against these proposals for a variety of reasons including how little this will do for the existing community. It will all in all likelihood harm the existing community. Many wonderful ideas to preserve the space as an outdoor space for community use have been floating on the neighborhood app that should be considered.

## Cedar Lee Meadowbrook Comment Form

Reference #	13589360
First Name	Geoffrey
Last Name	Hoffman
Question or Comment	<p>There is historically high demand and historically low supply of "for sale" housing. With a project site of this size, was any attempt made to explore building fee simple townhomes or condos on a portion of the site, especially the smaller section bordering Lee road at Meadowbrook?</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13589828
First Name	Diane
Last Name	Rodio
Question or Comment	My fear is that the proposals are quite similar and that neither captures the essence of Cedar-Lee.

## Cedar Lee Meadowbrook Comment Form

Reference #	13590151
First Name	Alena
Last Name	Bower
Question or Comment	<p>As a resident on Meadowbrook I'm excited about this project and was very excited to see the conceptual renderings by City Architecture as part of the Flaherty and Collins proposal. I'm an architect and am familiar with City Architecture; they do wonderful work and place great emphasis on community engagement (which is a top priority with many CH residents.) I was also happy to see that they are intending to reuse the existing parking garage and are activating that entire block as opposed to only addressing the Meadowbrook site. The street concept also makes a lot of sense when considering the mini park and the Boss Dog patio. I was not overly excited about the City Six proposal due to the limited scope and phasing. I think this site is best addressed holistically and not piecemeal. City Six is missing a big opportunity by not addressing the connection to Cedar. I think we need a bold approach here, and I'd love to see where the Flaherty and Collins + City Arch team takes this effort.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13591354
First Name	sam
Last Name	kohn
Question or Comment	<p>The city and developer should work as hard as possible to make the second Flaherty and Collins vision a reality which incorporates the two commercial properties on Cedar, instead of snaking around them.</p> <p>This will be a much more efficient and aesthetically pleasing development.</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13591721
First Name	Anna Shelow
Last Name	Shelow
Question or Comment	<p>Hello,</p> <p>My name is Anna, and I live nearby the planned site on Cedar Rd. After looking at both presentations, I appreciate the City Six plan to include many studio and one-bedroom apartments that would likely be more affordable. I think that prioritizing spaces for multiple income levels is important.</p> <p>Thank You,</p> <p>Anna Shelow</p>

## Cedar Lee Meadowbrook Comment Form

Reference #	13591851
First Name	Amanda
Last Name	Spencer
Question or Comment	I have worked with City Architecture in the past. Quite a few of their staff live in the Heights! They are great with keeping the areas historical integrity while making it modern and convenient. I am confident they would do an excellent job with this project because they too would be the ones to enjoy it in the future.