

# Ordinance No. 205-2019

Council Member Polensek

## AN ORDINANCE

Changing the Use, Area & Height Districts of parcels of land along East 140th Street south of Lakeshore Boulevard to Aspinwall Avenue and establishing an Urban Form Overlay District along East 140<sup>th</sup> Street (Map Change 2595).

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

**Section 1.** Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of Darley Avenue North East and the northerly prolongation of the easterly line of a parcel of land also known as Sublot No. 204 in the Henry C. Wick Subdivision of part of the Original One Hundred (100) Acre Lot No. 351, commonly known as Permanent Parcel Number (PPN) 112-03-018 as shown by recorded plat in Volume 28, Page 16 of Cuyahoga County Map Records;

Thence, southerly along said prolongation of said easterly line continuing through the intersection of the centerline of Kelso Avenue and continuing southerly through the intersection of the centerline of Argus Avenue N.E. to its intersection with the centerline of Eaglesmere Avenue (formerly Quinby Avenue N.E.);

Thence, easterly along the centerline of Eaglesmere Avenue to its intersection with the northerly prolongation of the easterly line of Sublot No. 16 in H.C. Wick's Subdivision as recorded in Volume 87 of Maps, Page 25 of Cuyahoga County Map Records and more commonly known as PPN 112-03-128;

Thence, southerly along said easterly line and its southerly prolongation to its intersection with the southerly line of a parcel of land conveyed by deed to the City of Cleveland Land Reutilization Program on November 16, 2012 also known as Sublot No. 52 in the H.C. Wick Subdivision Annex of part of the Original One Hundred (100) Acre Lot No. 351 as shown by recorded AFN 201207250293 and commonly known as PPN 112-03-160 in Cuyahoga County Map Records;

Thence, westerly along said southerly line and its westerly prolongation to its intersection with the southerly prolongation of East 136<sup>th</sup> Street;

Thence, northerly along said prolongation to its intersection with the centerline of Kuhlman Avenue N.E.;

Thence, westerly along the centerline of Kuhlman Avenue to its intersection with the centerline of E. 133<sup>rd</sup> Street;

Thence, southerly along the southerly prolongation of East 133<sup>rd</sup> Street to its intersection with the northerly line of a parcel of land conveyed to Cleveland Public Power as a perpetual easement and right of way by Northeast Ohio Regional Sewer District and commonly known as PPN 112-06-006, as shown by recorded plat in Volume 365, Page 31 of Cuyahoga County Map Records;

Thence, westerly along said northerly line to its intersection with the westerly line of a parcel of land conveyed by Sunrise Development Corporation by deed to the Northeast Ohio Regional Sewer District as recorded by AFN 200709280013 and commonly known as PPN 112-02-046 as recorded in Cuyahoga County Map Records;

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Thence, northerly along said westerly line and its northerly prolongation to its intersection with the I-90 East to Lake Shore Boulevard Ramp;

Thence, northeasterly along the centerline of the I-90 East to Lake Shore Boulevard Ramp to its intersection with the westerly prolongation of the centerline of Darley Avenue N.E.;

Thence, easterly along the centerline of Darley Avenue to its intersection with the northerly prolongation of the easterly line of the aforementioned Sublot No. 204, more commonly known as PPN 112-03-018 and the point of origin;

And;

Beginning at the intersection of the centerline of East 146<sup>th</sup> Street and the centerline of Darwin Avenue (formerly Fulton Avenue);

Thence, southerly along the centerline of East 146<sup>th</sup> Street to its intersection with the centerline of Darley Avenue;

Thence, westerly along the centerline of Darley Avenue to its intersection with the southerly prolongation of the westerly line of PPN 112-26-092 also known as Sublot No. 104 of the Quinby & Brooks Subdivision of part of the Original Euclid Township Tract No. 16 as shown by recorded plat in Volume 10 of Maps, Page 16 of Cuyahoga County Map Records;

Thence, northerly along said southerly prolongation of the westerly line and its northerly prolongation to its intersection with the centerline of Jenne Avenue;

Thence, westerly along the centerline of Jenne Avenue to its intersection with the southerly prolongation of the westerly line of a parcel of land conveyed to the City of Cleveland Land Reutilization Program by foreclosure on May 23, 1997 as referenced in Book 5059, Page 39 of Cuyahoga County Map Records and commonly known as PPN 112-26-034;

Thence, northerly along said southerly prolongation of the westerly line to its intersection with the centerline of South Waterloo Road;

Thence, northeasterly along the centerline of South Waterloo Road to its intersection with the centerline of Darwin Avenue;

Thence, easterly along the centerline of Darwin Avenue to its intersection with the centerline of East 146<sup>th</sup> Street and the point of origin;

**And as identified on the attached map shall be changed to a 'Two Family Residential' District, a 'D' Area District and a '1' Height District;**

**Section 2.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of East 140<sup>th</sup> Street and the centerline of Diana Avenue (formerly Kenneth Avenue N.E.);

Thence southerly along the centerline of East 140<sup>th</sup> Street to its intersection with the centerline of Darley Avenue N.E.;

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Thence, westerly along the centerline of Darley Avenue to its intersection with the centerline of I-90 East to Lake Shore Boulevard Ramp;

Thence, northerly and easterly along the I-90 East to Lake Shore Boulevard Ramp to its intersection with the centerline of Diana Avenue;

Thence, easterly along the centerline of Diana Avenue to its intersection with the centerline of East 140<sup>th</sup> Street and the point of origin;

**And as identified on the attached map shall be changed to a 'Multi-Family' District, a 'G' Area District and a '2' Height District;**

**Section 3.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of the South Waterloo Road Ramp and the northerly prolongation of the easterly line of a parcel of land conveyed to the City of Cleveland by deed on January 1, 1975 and commonly known as PPN 112-26-031;

Thence, southerly along said easterly line and its southerly prolongation to its intersection with the centerline of Jenne Avenue;

Thence, easterly along the centerline of Jenne Avenue to its intersection with the northerly prolongation of the easterly line of Sublot No. 106 in Quinby & Brooks Subdivision of part of the Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 10 of Maps, Page 16 of Cuyahoga County Map Records and commonly known as PPN 112-26-086 or 633 East 140<sup>th</sup> Street;

Thence, southerly along said easterly line and continuing along its southerly prolongation to its intersection with the centerline of Darley Avenue (formerly Montgomery Avenue N.E.);

Thence, westerly along the centerline of Darley Avenue to its intersection with the centerline of East 140<sup>th</sup> Street;

Thence, northerly along the centerline of East 140<sup>th</sup> Street to its intersection with the centerline of Diana Avenue (formerly Kenneth Avenue N.E.),

Thence, westerly along the centerline of Diana Avenue to its intersection with the southerly prolongation of the westerly line of a parcel of land conveyed by deed to Bobbie C. Laster on March 28, 2000 and known as Sublots Nos. 127 & 128 in Henry C. Wick's Subdivision of part of Original East Cleveland Township One Hundred (100) Acre Lot No. 351 as shown by recorded plat in Volume 28 of Maps, Page 16 of Cuyahoga County Map Records (commonly known as PPN 112-01-123);

Thence, northerly along the southerly prolongation of said westerly line to its intersection with the northerly line of said parcel;

Thence, easterly along said northerly line to its intersection with the westerly line of a parcel of land conveyed by the Cuyahoga County Land Reutilization Corporation to the City of Cleveland Land Reutilization Program by deed on May 8, 2018 and more commonly known as PPN 112-01-089 as recorded by AFN 201805090346 in Cuyahoga County Records;

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Thence, northerly along said westerly line and its northerly prolongation to its intersection with the centerline of I-90 East to East 140<sup>th</sup> Street Ramp;

Thence, northwesterly along said centerline and continuing along the centerline of South Waterloo Road to its intersection with the northerly prolongation of the easterly line of PPN 112-26-031 and the point of origin;

And;

Beginning at the intersection of the centerline of Darley Avenue and the centerline of East 140<sup>th</sup> Street;

Thence, southerly along the centerline of East 140<sup>th</sup> Street to its intersection with the easterly prolongation of the southerly line of a parcel of land conveyed by deed to Intermodal Facilities Group, LLC on June 23, 2016 and known as Sublots Nos. 53 & 54 in H.C. Wick's Subdivision of part of Original One Hundred (100) Acre Lot No. 351 as shown by recorded plat in Volume 87 of Maps, Page 25 of Cuyahoga County Map Records and more commonly known as PPN 112-03-161;

Thence, westerly along said easterly prolongation to its intersection with the westerly line of said parcel;

Thence, northerly along said westerly line and its northerly prolongation to its intersection with the centerline of Eaglesmere Avenue (formerly Quinby Avenue N.E.);

Thence, westerly along the centerline of Eaglesmere Avenue to its intersection with the southerly prolongation of the easterly line of Sublot No. 295 in the aforementioned Subdivision as shown by recorded plat in Volume 28 of Maps, Page 16 of Cuyahoga County Records and also known as PPN 112-03-091;

Thence, northerly along said easterly line and its northerly prolongation through the intersection of the centerlines of Argus Avenue and continuing northerly along said prolongation through the centerline of Kelso Avenue and continuing to its intersection with the centerline of Darley Avenue;

Thence, easterly along the centerline of Darley Avenue to its intersection with the centerline of East 140<sup>th</sup> Street and the point of origin;

And;

Beginning at the intersection of the centerline of East 140<sup>th</sup> Street and the westerly prolongation of the centerline of Cobalt Avenue (formerly Parker Avenue N.E.);

Thence, northeasterly along said prolongation to its intersection with the centerline of East 143<sup>rd</sup> Street,

Thence, southerly along the centerline of East 143<sup>rd</sup> Street to its intersection with the centerline of Aspinwall Avenue (formerly Manchester Avenue);

Thence, westerly along the centerline of Aspinwall Avenue continuing across the centerline of East 140<sup>th</sup> Street to its intersection with the southeasterly prolongation of the south westerly line of a parcel of land conveyed by deed to Anthony Brigandi on January 19, 1995 and known as being parts of Sublots Nos. 7 & 8 in the Original One Hundred (100) Acre Lot No. 354 in the H.C. McDowell, Brayton, et. Al., Subdivision

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shown by recorded plat in Volume 10 of Maps, Page 23 of Cuyahoga County Records (commonly known as PPN 112-07-002);

Thence, northwesterly along said southeasterly prolongation to its intersection with the northerly line of a parcel of land conveyed by deed to the City of Cleveland on January 1, 1975 and also known as the former site of the Cleveland Municipal Light & Power Plant -- Collinwood Station or more commonly known as PPN 112-07-001;

Thence, northeasterly along said northerly line and its northeasterly prolongation to its intersection with the centerline of East 140<sup>th</sup> Street;

Thence, southerly along the centerline of East 140<sup>th</sup> Street to its intersection with the southwestwesterly prolongation of the centerline of Cobalt Avenue and the point of origin;

**And as identified on the attached map shall be changed to a 'Local Retail' Use District, a 'G' Area District and a '2' Height District;**

**Section 4.** That the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of Darwin Avenue and the centerline of East 152<sup>nd</sup> Street;

Thence, southerly along the centerline of East 152<sup>nd</sup> Street to its intersection with the northeasterly prolongation of the southerly line of a parcel of land conveyed by deed to New York Central Lines LLC on August 14, 2002 and known as part of Original Euclid Township Tracts 1 & 16, and being a portion of the former New York Central Railroad Company as recorded in Cuyahoga County Map Records (more commonly known as PPN 112-27-003);

Thence, southwestwesterly along said northeasterly prolongation of said southerly line continuing to its intersection with the centerline of East 143<sup>rd</sup> Street;

Thence, northerly along the centerline of East 143<sup>rd</sup> Street to its intersection with the centerline of Cobalt Avenue (formerly Parker Avenue N.E.);

Thence, southwestwesterly along the centerline of Cobalt Avenue to its intersection with the centerline of East 140<sup>th</sup> Street;

Thence, northerly along the centerline of East 140<sup>th</sup> Street to its intersection with the centerline of Darley Avenue;

Thence, easterly along the centerline of Darley Avenue to its intersection with the centerline of East 146<sup>th</sup> Street;

Thence, northerly along the centerline of East 146<sup>th</sup> Street to its intersection with the centerline of Darwin Avenue (formerly Fulton Avenue N.E.);

Thence, easterly along the centerline of Darwin Avenue to its intersection with the centerline of East 152<sup>nd</sup> Street and the point of origin;

And;

Beginning at the intersection of the centerline of East 140<sup>th</sup> Street and the easterly prolongation of the northerly line of a parcel of land conveyed to Cleveland

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Public Power as a perpetual easement and right of way by Northeast Ohio Regional Sewer District, and commonly known as PPN 112-06-006, as shown by recorded plat in Volume 365, Page 31 of Cuyahoga County Map Records;

Thence, southerly along the centerline of East 140<sup>th</sup> Street to its intersection with the northeasterly prolongation of the northerly line of a parcel of land conveyed by deed to the City of Cleveland on January 1, 1975 and the former site of Cleveland Municipal Light and Power Plant -- Collinwood Station or more commonly known as PPN 112-07-001;

Thence, southwesterly along said northerly line to its intersection with the westerly line of said parcel;

Thence, southeasterly along said westerly line and its southeasterly prolongation to its intersection with the centerline of Aspinwall (formerly Kirby Avenue N.E.) Avenue;

Thence, southwesterly along the centerline of Aspinwall Avenue to its intersection with the centerline of East 136<sup>th</sup> Street;

Thence, southerly along the centerline of the now vacated East 136<sup>th</sup> Street to its intersection with the westerly prolongation of the centerline of Maxwell Avenue N.E.;

Thence, westerly along said prolongation to its intersection with the centerline of the New York Central Lines Rail Road (R.R.) or the southerly prolongation of the westerly line of a parcel of land conveyed by deed to Northerly Lakes Management Company on January 6, 1995, as recorded in Volume 94-00103, Page 8 of Cuyahoga County Records and commonly known as PPN 112-06-003;

Thence, northerly along said prolongation of the westerly line of said parcel to its intersection with the northerly line of the aforementioned Cleveland Public Power easement also known as PPN 112-06-006;

Thence, easterly along said northerly line to its intersection with the southerly prolongation of the centerline of East 133<sup>rd</sup> Street;

Thence, northerly along the centerline of East 133<sup>rd</sup> Street to its intersection with the centerline of Kuhlman Avenue N.E.;

Thence, easterly along the centerline of Kuhlman Avenue N.E. to its intersection with the southerly prolongation of the centerline of East 136<sup>th</sup> Street;

Thence, southerly along the southerly prolongation of the centerline of East 136<sup>th</sup> Street to its intersection with the westerly prolongation of the southerly line of a parcel of land conveyed by deed to Edgar Pike on September 17, 1998 and known as Sublot No. 37 in H.C. Wick's Subdivision Annex of part of Original One Hundred (100) Acre Lot No. 351, as shown by recorded plat in Volume 87 of Maps, Page 25 of Cuyahoga County Map Records and commonly known as PPN 112-03-145;

Thence, easterly along said southerly line and its easterly prolongation continuing to its intersection with the centerline of East 140<sup>th</sup> Street and the point of origin;

**And as identified on the attached map shall be changed to a "Semi-Industry Use District", a "K" Area District and a '1' Height District.**

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**Section 5.** That the street frontages described as follows:

The eastern side of East 140<sup>th</sup> Street between Lakeshore Boulevard and Aspinwall Avenue;

And;

The western side of East 140<sup>th</sup> Street between Lakeshore Boulevard and Westropp Avenue;

And;

The western side of East 140<sup>th</sup> Street between the northerly line of a parcel of land conveyed by deed from Victoria Richardson to Rodney Jaspar on March 31, 2003 and commonly known as PPN 112-01-142 as recorded in Volume 92-11466, Page 45 of Cuyahoga County Records and Aspinwall Avenue;

And;

The northern side of Aspinwall Avenue between the western line of a parcel of land conveyed to the City of Cleveland on January 1, 1975 and the former site of Cleveland Municipal Light and Power Plant -- Collinwood Station or more commonly known as PPN 112-07-001 and the centerline of East 143<sup>rd</sup> Street;

**And as identified on the attached map shall be established as 'Urban Form Overlay District'**

**Section 6.** That a Mapped Building Setback of seven (7) feet shall be established along the southerly side of Diana Avenue between East 140<sup>th</sup> Street and East 136<sup>th</sup> Street, on the northerly side of Darley Avenue between East 140<sup>th</sup> Street and the westerly line of a parcel of land conveyed to John Stabler by deed on November 29, 1976 as recorded as Permanent Parcel Number 112-02-167 in Cuyahoga County Records, and on the easterly and westerly side of East 136<sup>th</sup> Street between Diana Avenue and Darley Avenue as shown on the attached map.

**Section 7.** That the change of zoning of lands described in Section 1 through 6 shall be identified as Map Change No. 2595, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

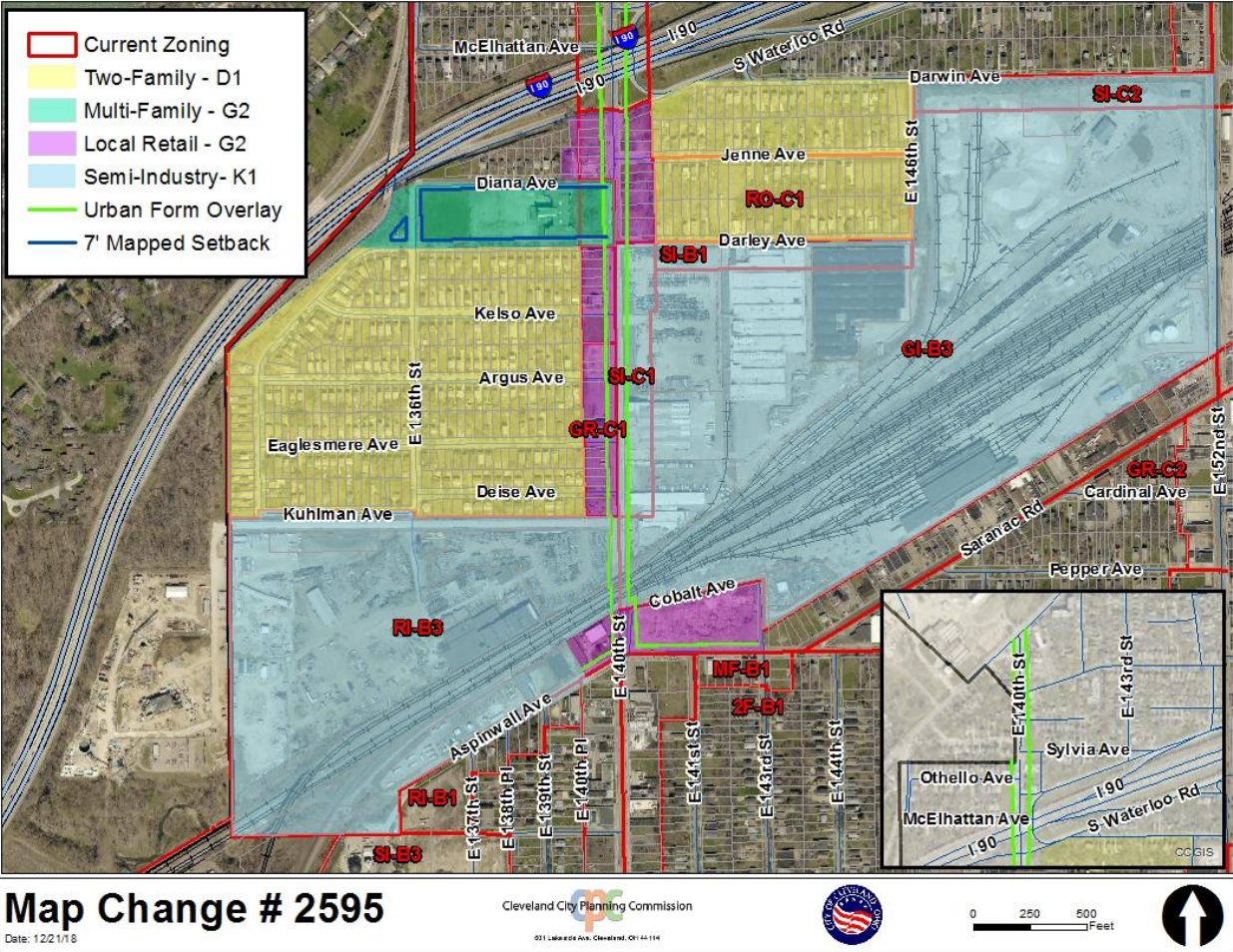
**Section 8.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

FC:mr  
2-11-19

FOR: Council Member Polensek



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Changing the Use, Area & Height Districts of parcels of land along East 140th Street south of Lakeshore Boulevard to Aspinwall Avenue and establishing an Urban Form Overlay District along East 140<sup>th</sup> Street (Map Change 2595).

The inset in the lower right corner depicts the Urban Form Overlay continuing northerly along East 140<sup>th</sup> Street to Lakeshore Boulevard.



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**AN ORDINANCE**

Changing the Use, Area & Height Districts of parcels of land along East 140th Street south of Lakeshore Boulevard to Aspinwall Avenue and establishing an Urban Form Overlay District along East 140<sup>th</sup> Street (Map Change 2595).

**READ FIRST TIME on FEBRUARY 11, 2019**  
and referred to **DIRECTORS** of City Planning Commission, Law;  
**COMMITTEE** on Development Planning and Sustainability

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

REPORT  
after second Reading

	<b>PASSAGE RECOMMENDED BY COMMITTEE ON DEVELOPMENT, PLANNING AND SUSTAINABILITY</b>
FILED WITH COMMITTEE	