



Prior to the applicant presenting the request, Mr. Russell summarized the timeline and uses of the property. The conditional use for truck rentals from the location was granted by the Board of Zoning Appeals in 1986, and the site was operating as a gas station at the same time. As of the current date, both uses were not allowed to be operating at the same site. The property was sold in 1992; both uses continued to operate with no issue. In 1996, Lakewood City Council passed legislation banning the storing of rental trucks at a gas station. In 1998, the property sold, and there was no issue. About 2005 (no specific date on record), the operation as a gas station ceased which ended the non-conforming use. In 2013, the property was sold to the current owners which now required the granting of a conditional use.

At this time, Mr. Metzger joined the meeting.

Julie Fetchik, property owner and her brother, Mark Rajko were present to explain the request. She felt the gas station location would benefit the community. The vehicle repair bays were being converted to use as a store, and the gas pumps had been updated to State standards. Interior repairs had been done, and she planned to add landscaping planters. Hours of operation would be 6:00 a.m. to midnight. She hoped to have 6 to 8 full-time employees. With the purchase of the property, back taxes were paid and foreclosure was prevented. This was the third gas station she purchased.

The Commission said the issue was the ordinance passed in 1996. Ms. Fetchik said that prior to the purchase of the property she was led to believe it was all right to operate as both a retail gas station and truck rental. Concern about storage of the rental trucks, she said there was room at the rear of the property to park them. Mr. Russell said that Lakewood City Council would have to approve the storage of the trucks.

Mr. Russell advised the Commission that the applicant was working with the Division of Housing and Building ("H&B") to resolve some issues, and the applicant would have to appear before the Architectural Board of Review ("ABR") for approval of a site plan and signage. He continued that City administration did not support the project for use as a gas station at this location.

Ms. Cierebiej closed public comment as there was no one present to address the issue.

The Commission discussed its past use as a gas station, environmental issues such as storm water, and ABR's role. The Commission wondered why the owners had invested as much money as they had into the project without verifying things with the City. Mr. Rajko said they relied on the items that were on the property already such as the operating gas pumps. Mr. Russell clarified the gasoline was used to fuel the rental trucks and had not been sold to the public. Improvements to the building were done without issuance of permits from the H&B, nor did they appear before ABR for approval. The City objected to an operating retail gas station located so close to a two-family structure, and the business did not fit with the character of the neighborhood. Ms. Fetchik owned gas stations in Brooklyn and Kirtland and stated she worked with their City governments. The Commission was troubled that the applicant had not consulted with the City prior to investing and relied on verbal information from the prior owner.

A motion was made by Mr. Gaydos, seconded by Mr. Stockman to **GRANT** the request with the following stipulation:

- The applicant receives approval by the Architectural Board of Review.

Ms. Cierebiej, Mr. Gaydos, Mr. McMahon, and Mr. Stockman voting yea, and Ms. Belsito, Mr. Metzger and Mr. Papke voting nay, the motion passed.

## OLD BUSINESS

### ORDINANCE REVIEW

5. Docket No. 3-2-07

Zone Code Chapter 1134

Historic Preservation Districts and Historic Properties

At its meeting in May 2013 Planning Commission reviewed and discussed potential edits to Chapter 1134, Historic Preservation Districts and Historic Properties. The Commission requested that edits be made to the ordinance and presented again for review. This item was deferred from the meeting of January 2, 2014 (Page 6)

Mr. Butler led this portion of the meeting. Line change documentation had been distributed to all concerned parties, and he welcomed comments from the Commission members, Lakewood Heritage Advisory Board members ("LHAB"), and the public.

Ms. Cierebiej stated the Commission's concerns voiced at last month's meeting had been addressed. Mr. Stockman thought the definitions of Historic Properties and Historic Preservation District should be split and not be in the same definition (page 3). Then referring to (i) on page 7, he thought an item that was struck ("~~However, written approval is not required for the properties to be determined as within and HPD.~~") should be reinserted and to read that an "attempt had been made" in lieu of "not required". Mr. Butler's rationale was he felt the statement was superfluous, but he had no objection to its inclusion. Referring to 1134.06, Ms. Belsito offered the opinion that there needed to be distinctions defined between interior and exterior. Mr. McMahon stated it was an ordinance written in legislative language, that definitions would be helpful, and that LHAB was instrumental in the education component. As further discussion ensued to the re-wording, Mr. Butler typed them into the draft.

Richard Sicha, LHAB Chair thanked all those who helped with this project. He asked for clarification about the Historic Designation, item (i) page 6. Mr. Butler said his intent was for LHAB to be included in the process but did not expect LHAB volunteers to solicit signatures. Mr. Sicha stated LHAB had a form already.

Ms. Cierebiej closed public comment as there was no one else to speak on the matter.

A motion was made by Mr. Gaydos, seconded by Mr. Stockman to **GRANT the Planning Commission's amended contingent upon acceptance of this evening's changes and RECOMMEND to City Council.** All if the members voting yea, the motion passed.

### COMMUNICATION

6. Docket No. 02-04-14

Update to the Planning Commission by Jason Russell, Planning and Development, Regarding Community Vision

In April 2013, the Commission recommended our current Community Vision for adoption to City Council. As a part of that recommendation, the Commission has asked the Department of Planning and Development to provide annual updates to many of the key indicators of our community's health provided within the Community Vision. (Page 7)

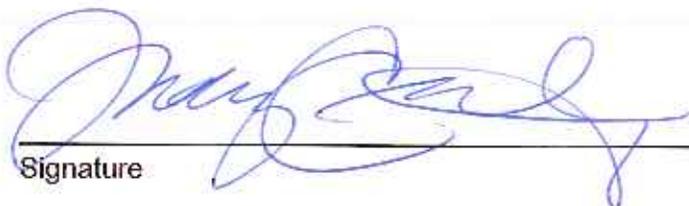
Jason Russell explained provided and explained the updates on the draft of the Community Vision Data Points (made part of record). Spreadsheets had been created and would be updated annually.

Reports would be expanded to include things such as overtime paid to the public employees, the conditions of and expenditures for the City's roads, and all other items of interest to the public and administration.

A motion was made by Mr. Gaydos, seconded by Mr. Stockman to **RECEIVE and FILE** the update as presented. All of the members voting yea, the motion passed.

7. **ADJOURN**

A motion was made by Mr. Gaydos, seconded by Mr. Stockman, to **ADJOURN** the meeting at 8:17 p.m. All of the members voting yea, the motion passed.

  
Signature

3-6-14  
Date



### Oath

I, the undersigned, hereby agree that the testimony I give at this proceeding will be the truth, the whole truth and nothing but the truth:

PRINT NAME:

1. Julie Fetchik
2. MARK AAJKO
3. RICK SICHA
4. Inso Russell
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_

SIGN NAME:

1. Julie Fetchik
2. Mark AAJKO
3. Rick Sicha
4. Inso Russell
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_

Prepared by: The City of Lakewood Law Department, 12650 Detroit Ave., Lakewood, Ohio 44107

FOR CITY USE ONLY

Lakewood Administrative Procedure:  ABR/BBS/Sign  Citizens Advisory  Civil Service  Dangerous Dog  
 Income Tax Appeals  Loan Approval  Nuisance Abatement Appeals  Planning  Zoning Appeals  Other:

Date of Proceeding: Thursday, February 6, 2014

13100 Madison Avenue, Lakewood

Submitted by  
Applicant

APPLYING FOR CONDITIONAL OCCUPANCY FOR RETAIL GASOLINE STATION AND MINI MART

Presented by:

Julie Rajko Fetchik, Property Owner

216-402-1758, [jrafr99@aol.com](mailto:jrafr99@aol.com)

12155 Arborwood Way Chardon, Ohio 44024

Ibrahim, Fekieh, Tenant

216-501-0152, [afekieh@yahoo.com](mailto:afekieh@yahoo.com)

5581 Quail Run, North Olmsted, Ohio 44070

We are applying for a conditional occupancy permit for a retail gas station and mini mart. It will be an asset to the community for the following reasons:

- Prior to our purchase the property was entering foreclosure due to nonpayment of \$73,800 in delinquent Cuyahoga County property taxes.
- Previous owner operated an automotive repair business and had numerous nonworking automobiles in the parking lot. The repair facility has been eliminated which will free the property of unsightly cars and debris.
- The property was previously an eye-sore to the community by having nonworking gasoline pumps in plain view and repair vehicles in the parking lot. Affordable gasoline will now be available to the citizens of Lakewood.
- The property now has drastically improved appearance making the property appealing and welcoming.
- Landscaping (planters, and designated areas) will add beauty and a green presence will be maintained.
- A mini mart will offer affordable snacks, baked goods, basic home goods (milk, bread), drinks, and other items at a convenient location for the neighborhood and recreation center across the street.
- The previous owner was entering foreclosure; by restoring the pumps, property, and building, we will assist our neighborhood by increasing property values.
- While convenience of gasoline and store will be brought to the neighborhood; we currently expect to offer respectable hours of operation from 6AM – 12AM.
- The property was originally built and approved as a gasoline station. Although it hasn't pumped fuel in a few years, the foundation and concept were still in place. We took it to the next level, cleaned the site and improved upon it. Project to date, we've spent approximately \$75,000 improving the lines, tanks, and pumps in accordance with current EPA requirements for the operation of a retail gasoline station.
- The Ohio Bustr and Pustr Organizations with the state of Ohio still recognized the property as an active site (Although it had violations which we've already corrected). We updated and complied with all standards of operation to make the facility compliant and functioning. The State already awarded a certificate of approval to sell gasoline.
- It will be a welcoming family owned business that will support the local community.
- It will employ approximately 6-8 new full time employees for the city (where previously it only had one) that will provide additional income and sales tax to Lakewood.
- Through our purchase of the property, as indicated above, approximately \$73,800 in delinquent property taxes were paid to Cuyahoga County and the city of Lakewood. This otherwise would not have happened.
- The existing canopy, pumps, and sign are all being updated within the specified codes of the city and state.
- Owner and tenant are working in tandem to ensure success and an enduring prosperous business for the community. We are looking forward to a good working relationships with our neighbors and the city.

#### OWNER'S BACKGROUND

- In business since 1995, affiliated with Willoughby Hills Development & Distribution Petroleum Company, and owner of 2 additional gasoline/service stations.
- Consistently maintained current property, RITA and city, state, and federal taxes for all businesses and properties owned.
- Reliable and has worked diligently with the Lakewood Building Department to accommodate any requests.
- Additionally, my family owns 20 stations located in Ashtabula, Lake, Geauga, and Cuyahoga Counties and have been in the petroleum business since 1968. Our stations have been noted in many communities as a distinct businesses.

in summary, we would have never negotiated to purchase this blighted property if there was any question that we could not operate a retail gasoline station and mini mart facility. Accordingly, based on the facts and circumstances noted above, we believe that we have made sufficient progress on the facility and are asking to move forward with our plans.

Respectfully Submitted,

Julie Rajko Fetchik and Ibrahim Fekieh

**CHAPTER 1134**  
**Historic Preservation Districts (HPD) and Historic Properties (HP)**

- 1134.01 Purpose.
- 1134.02 Definitions.
- 1134.03 Procedures for identification, ~~review~~nomination, and designation ~~nomination~~designation of an HPD or HP ~~or landmarks~~.
- 1134.04 Location of an HPD or HP.
- 1134.05 Permitted accessory uses.
- 1134.06 Procedures for the review of proposed alterations, demolition and new construction and for issuance of approval to proceed with work (~~Certificate~~ certificate of ~~Appropriateness~~appropriateness).
- 1134.07 Hardship; application request filed after denial of a ~~certificate~~ Certificate of ~~Appropriateness~~appropriateness.
- 1134.08 Demolition or removal of structures in an HPD or an HP.
- 1134.09 Rescission of a ~~designation nomination~~ or ~~determination~~designation.
- 1134.10 Exclusions.
- 1134.11 Fees.
- 1134.12 Affirmative maintenance.
- 1134.13 ~~Penalty~~Severability.
- 1134.9944 ~~Severability~~Penalty.

**Comment [KB1]:** Here and in this chapter, I've lowercased capitalized defined terms, as is more customary throughout the code (with certain exceptions such as City and Commission), and to make lowercasing of defined terms consistent throughout the chapter.

**1134.01 PURPOSE.**

(a) The purpose of this ~~Chapter~~ chapter is to promote the health, safety and welfare of the citizens of the City by providing for the identification, protection, enhancement, perpetuation and use of areas, places, buildings, public interior portions of buildings, structures, works of art and other objects having a special historical, community or aesthetic interest or value, so that the following objectives are reached:

(1) To maintain and enhance the distinctive and/or aesthetic character, diversity and interest of the City.

(2) To safeguard the architectural integrity of the City's designated ~~Historic~~ historic ~~Preservation~~ preservation ~~Districts~~ districts (HPD) and ~~Historic~~ historic ~~Properties~~ properties (HP).

(3) To safeguard the heritage of the City by preserving places, sites, buildings and structures, which reflect elements of the City's cultural, social, economic, political, architectural or archaeological heritage.

(4) To seek alternatives to demolition or incompatible alterations in the HPD and to HPs before such acts are performed.

(5) To afford the widest possible scope of continuing vitality through private renewal and architectural creativity within appropriate controls and standards.

(b) The purpose of the HPD or HIP ~~designation nomination and determination~~ designation provided for in this ~~Chapter~~ chapter is to contribute to the economic, recreational, cultural and educational development of the City by:

- (1) Fostering a sense of community identification and civic pride by preserving areas, places, buildings, public interior portions of buildings, structures, works of art and other objects which reflect periods, events in history, notable accomplishments of the past and significant persons of the community and its region;
- (2) Protecting and enhancing the City's attributes for residents, prospective residents, visitors and tourists;
- (3) Strengthening the economy of the City;
- (4) Stabilizing and improving property values;
- (5) Facilitating the reinvestment in and revitalization of certain districts and neighborhoods;
- (6) Promoting use and preservation of historic sites and structures for the education and general welfare of residents of the City.

#### 1134.02 DEFINITIONS.

(a) ALTER or ALTERATION, for the purposes of this ~~Chapter~~ chapter, shall include: (1) a change in design, material color, texture, material, interior architectural feature, or exterior architectural feature; (2) any additions to existing areas, places, buildings, structures, works of art or other objects; and (3) material change to a part of a public interior portion of a building. The correction of any deterioration or damage to an area, place, building, structure, work of art or other object and restoration to its condition prior to such deterioration or damage is excluded from the definition of alteration, provided such work does not involve a change in design, material color, texture material or exterior architectural feature.

(b) CERTIFICATE OF APPROPRIATENESS means a certificate issued ~~either~~ by the Architectural Board of Review indicating that proposed design plans for alteration, or by the Commission for demolition of a property within the HPD or the HIP, ~~is~~ are in accordance with the provisions of this ~~Chapter~~ chapter.

~~(c) DESIGNATION NOMINATION and DETERMINATION DESIGNATION means respectively the initial process by the Commission to identify appropriate districts and properties for implementation of this Chapter and the actual outcome of an application process to implement and make effective this Chapter for any specific district or property.~~

Comment [KMB2]: To stay in alphabetical order, I moved the definition of "designation" to subsection (d).

(~~d~~c) DEMOLISH or DEMOLITION means the razing or removal, in whole or in part, of any area, place, building, public interior portion of a building, structure, work of art or other object.

(d) **DESIGNATION** means the decision by the Commission, pursuant to the provisions of this chapter, to declare a nominated district or property as historic.

Comment [KB3]: I split the definitions of "designation" and "nomination."

(e) **EXTERIOR ARCHITECTURAL FEATURE(S)** means the architectural style, general design and general arrangement of the exterior of a building or structure including, but not limited to, windows, doors, porches, cornices, exterior wall materials, decorative trim, chimneys, roof structure and roof materials, and other fixtures appurtenant to the exterior of the building or structure.

(f) **HISTORIC PROPERTY** or **HP** is any area, place, building, public interior portion of a building, structure, work of art or other object that has been designated historic pursuant to this chapter. **HISTORIC PRESERVATION DISTRICT** or **HPD** is a district containing any area, place, building, public interior portion of a building, structure, work of art or other object, which district has been designated historic pursuant to this chapter.

Comment [KB4]: I added these two definitions in light of the fact that they seem to beg for definition throughout the chapter.

(fg) **INTERIOR ARCHITECTURAL FEATURE(S)** means the architectural style, design, general arrangement and components of an interior, including but not limited to the kind, color and texture of a building material and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to such interior.

(gh) **MATERIAL COLOR** means the color inherent to a material such as brick or stone. It shall not be construed to refer to exterior painting.

(i) **NOMINATION** means the initial identification by the Commission of appropriate districts and properties as eligible for historic designation by this chapter.

(hj) **PRESERVATION** means the act or process of applying measures to sustain the existing form, integrity and material of an area, place, building, public interior portion of a building, structure, work of art or other object.

(ik) **PUBLIC INTERIOR PORTION** means the interior portion of a building or structure together with its interior architectural features, that is, or was, designed to be customarily open or accessible to the public, including by invitation. Public interior portion does not include an interior portion of a building or structure that was customarily open or accessible to the public if the interior portion has been significantly altered such that a substantial portion of the features reflecting design for public use no longer remain. Terminating the use of an interior portion of a building by the public shall not in and of itself constitute the conversion of the design of such interior portion. Public interior portion does not include the interior portions of a building, which portions were designed to be, and are still, used exclusively as non-public spaces.

(jl) **SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION** means the United States Secretary of the Interior's Standards For Rehabilitation codified at 36 CFR 67 of the Code of Federal Regulations, as the same may be amended from time to time, and associated guidelines established by the Commission, that form the criteria used by the Architectural Board of Review when considering an application for a **Certificate** ~~certificate~~ of **Appropriateness** ~~appropriateness~~ in an HPD or for an HP.

(km) **SUBSTANTIAL HARDSHIP STATEMENT** means a statement attested to by an owner or other authorized agent owning and/or using an area, place, building, public interior portion of a building, structure, work of art or other object that is subject to ~~designation, designation or~~ approval of a Certificate of Appropriateness, that such ~~designation or proposed action designation or~~ denial of a Certificate of Appropriateness by the City would impose a substantial hardship or burden.

Comment [KB5]: This draft limits the applicability of substantial hardship statements to the approval and denial of certificates of appropriateness only.

Comment [KB6]: John Pyke's comments on this: "My view is that substantial hardship should not be considered at the nomination or designation phase. It is not one of the criteria for nomination listed in 1134.03 (c). "Substantial hardship" comes into play when a property owner's application for a Certificate of Appropriateness for an alteration or demolition has been denied; a finding of substantial hardship is a "safety valve" for a property owner who can demonstrate that he/she meets one or more of the criteria set forth in 1134.07 (b)."

(ln) **UNIQUE HISTORIC GUIDELINES** means any specific guidelines adopted by the Commission, either at the time of ~~designation nomination or designation of~~ an HPD or HP, or upon subsequent revision and review, to govern any such designated HPD or HP.

**1134.03 PROCEDURES FOR IDENTIFICATION, REVIEW, NOMINATION AND DESIGNATION, NOMINATION, DESIGNATION OF AN HPD OR HP OR LANDMARKS.**

(a) **Relationship to Base Districts:** The HPD or HP is the ~~designation designation nomination of~~ an additionally restricted zone, or specific property restrictions for an historic property, within any zone, which may be applied to existing zoning districts as described herein. When such a district or property is established, the HPD or HP shall be shown as an indication to the underlying districts by the ~~designation nomination designation of~~ HPD for Historic Preservation District, or HP for Historic Properties, on the zoning map.

An HPD or HP may cross or transit several base districts, however, the uses permitted in each base district are limited to the boundaries of that base district, except as otherwise provided herein.

(b) **Initial Designation Nomination Procedure:** The ~~Heritage Advisory Board Commission~~ may propose ~~to the Commission designation nominations of~~ any area, place, building, public interior portion of a building, structure, work of art or other object as an HPD or HP. ~~In the case of an HP, if the Heritage Advisory Board does not propose a nomination, the owner of the proposed HP may directly propose to the Commission such nomination. In the case of an HPD, if the Heritage Advisory Board does not propose a nomination, the owners of a majority of the properties within the proposed HPD, as measured by the foot frontage of all properties within the proposed HPD, may directly propose to the Commission such nomination. The signature on such proposal of any owner of a parcel of property proposed for nomination as an HP or within an HPD shall constitute the consent of all owners of such parcel of property. on its own initiative or upon the recommendation of the Heritage Advisory Board or upon a request by an owner of the property to be nominated as an HP or of a property within an HPD to be nominated. Proposals for designation nomination must be accompanied by information with respect to the special historical, community or aesthetic interest or value of the HPD or HP on one or more standard forms prepared by the Heritage Advisory Board. The nomination of an HPD or HP shall not constitute nomination of any public interior portion of such area, place, building or structure unless the public interior portion is specifically identified as part of the proposal for nomination. A proposal for nomination shall specify which specific site improvements are included in the proposal for nomination, and any improvements not specified shall be deemed not to have been nominated.~~

Comment [KB7]: John Pyke and I thought "initial" was superfluous, since "nomination" is a defined term.

Comment [KB8]: Here begins the new language making UHAB the gatekeeper of all proposed nominations, with only limited opportunities to skirt UHAB's gatekeeping function.

Comment [KB9]: This sentence was recommended by the Commission.

(c) The Commission may establish from time to time such procedures and policies with respect to ~~designationnominations~~ and other matters described in this ~~Chapterchapter~~. Moreover, the Commission ~~shallmay~~, where appropriate, issue specific ~~Uynique Hh~~ ~~Historic G~~ guidelines to govern any such designated HPD or HP. The purpose of such guidelines are to assist the Architectural Board of Review to limit its judgment and review procedures to design and engineering issues, rather than its own independent view of historic appropriateness, which are hereby expressly left in the province of the Commission with the advice of the Heritage Advisory Board. ~~The designationnomination of an HPD or HP shall not constitute designationnomination of any public interior portion of such area, place, building or structure unless the public interior portion is specifically identified as part of the designationnomination. A nomination shall specify which specific site improvements are included in the nomination, and any improvements not specified shall be deemed not to have been nominated.~~

Comment [KB10]: These two sentences were moved to the end of 1134.03(b).

(ed) Considerations for ~~DesignationNomination~~: In considering the ~~designationnomination~~ of any area, place, building, public interior portion of a building, structure, work of art or other object in the City as an HPD or HP, the Commission shall apply the following criteria with respect to each property. One (1) or more of the following must apply:

- (1) The character, interest or value as part of the heritage of the City, the region, State of Ohio or the United States;
- (2) The location as a site of a significant historic event;
- (3) The identification with a person or persons who significantly contributed to the historic development of the City;
- (4) An HPD's or HP's exemplification of the cultural, economic, social, archeological, or historic heritage of the City;
- (5) The portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style;
- (6) The embodiment of distinguishing historical characteristics of a group of people in an era of history characterized by a distinctive architectural style;
- (7) HPD's or HP's identification as the work of an architect or master builder whose individual work has influenced the development of the City;
- (8) HPD's or HP's embodiment of elements of architectural design, detail, materials or craftsmanship which represent a significant architectural or technological innovation;
- (9) HPD's or HP's unique location or singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the City, itself at large;

(10) HPD's or HP's having yielded or its likelihood of yielding information important to the understanding of pre-history or history.

(dc) Additional Considerations for an HPD: In addition to meeting at least one (1) of the above criteria, a proposed HPD must also meet the following criteria in order to be designated an HPD:

(1) The area within the proposed boundaries must have a high degree of historic integrity, without excessive loss of architectural or historic character.

(2) The area within the proposed boundaries must have an internal historic cohesiveness in the sense of a shared common history of its inhabitants, historical development according to the Vision, a shared architectural style or design, or a body of architecture illustrating the evolution of architectural styles over a period of time.

(e) Additional Considerations for an HP: In addition to meeting at least one (1) of the criteria listed in subsection (c) above, a proposed HP must also meet the following criteria in order to be designated an HP:

(1) The proposed HP must have a high degree of historic integrity, without excessive loss of architectural or historic character.

(2) The proposed HP must have an internal historic cohesiveness in the sense of a shared common history of its inhabitants, historical development according to the Vision, a shared architectural style or design, or a body of architecture illustrating the evolution of architectural styles over a period of time.

(fg) Designation Nomination by the Commission: ~~The~~ After a hearing, the Commission after obtaining advice from the Heritage Advisory Board may designate ~~nominate~~ certain areas, places, sites, buildings, public interior portions of buildings, structures, works of art and other objects as eligible to ~~become~~ be designated as either an HPD or an HP.

(gh) Designation Nomination Not Self-Executing: Once the Commission has approved a ~~proposed designation nomination~~ of any certain areas, places, sites, buildings, public interior portions of buildings, structures and works of art and other objects as eligible to ~~become~~ be designated either an HPD or an HP, ~~an individual or group may apply to the Commission for official status as an HPD or HP~~ the secretary of the Commission shall schedule a public hearing on the designation of the HPD or HP. The rules of this ~~Chapter~~ chapter, or the ~~Unique-unique~~ Historic guidelines adopted by the Commission for any HPD or HP, are not effective until the following application and approval process is additionally ~~completed~~ HP or HPD is designated by the Commission.

Comment [K011]: I thought "proposed" was superfluous here.

(hi) Application for Consent for Historic Status Determination Designation: ~~The~~ Prior to the hearing on designation of the nominated property or district, the person(s) who submitted the proposed nomination to the Commission applicant(s) shall attempt to secure the written consent, on a form prepared by the Heritage Advisory Board, of the affected property owner(s) for the

Comment [K012]: Here are the revised consent provisions.

~~determination/designation of a property or district as an HP or HPD. The signature on such form of any owner of a parcel of property proposed for nomination as an HP or within an HPD shall constitute the consent of all owners of such parcel of property. However, written approval is not required for the property to be determined/designated as an HP. In the event that such owner refuses or declines to or otherwise does not give written consent to the proposed determination/designation as an HP, upon the applicant's application request. The Commission shall schedule/proceed to the public hearing on the question of the proposed determination/designation and may defer action in its discretion while consent is being solicited. In regards to an HPD, the applicant(s) shall attempt to secure the written approval of owner(s) within the proposed boundaries. These signatures shall be presented on a form prepared by the Commission. However, written approval is not required for the properties to be determined as within an HPD. In the event that such owner(s) refuses or declines to or otherwise does not give written consent to the proposed determination/designation as an HPD, upon the applicant(s)'s application request the Commission shall schedule/proceed to the public hearing on the question of the proposed determination/designation.~~

~~(i) Notice Procedures for Public Hearing:~~

~~(1) Notice of the any public hearing called under this Chapter shall be made in accordance with Lakewood Codified Ordinances no less than seven (7) days before the hearing; said notice shall state the time, place and purpose of the hearing in accordance with Chapter 107 (Publication of Legal Notices) of the Ordinances.~~

~~(2) No less than seven (7) days prior to a public hearing, the Commission additionally shall give written notice of a public hearing, stating the time, place and purpose to all owners and residents of property in and within two hundred (200) feet of the property for which either an HPD or an HP designation/nomination or designation is requested/proposed.~~

~~(j) The application for designation and all accompanying submissions shall be reviewed and studied by the Commission prior to its decision. The Commission shall give due consideration to the advice of the Heritage Advisory Board, such consents to determination/designation and comments as have been filed with it, and the views as may have been expressed by persons participating in the hearing before the Commission, as well as any other relevant information brought before the Commission, in making its decision with respect to the proposed determination/designation of each HPD or HP by a majority vote of its members. The Commission shall consider any substantial hardship statement submitted by a property owner or an agent objecting to a designation or designation.~~

Comment [K613]: See my prior comment on our limitation of substantial hardship statements, in this draft, to certificates of appropriateness only.

~~(k) The application for historic determination/designation and all accompanying submissions shall be reviewed and studied by the Commission prior to its recommendation. The Commission shall determine by majority vote whether said area, place, site, building(s), public interior portions of a building, structure(s), works of art and other objects, ~~as~~ shall be designated as an HPD or HP. In the event the owner of a property nominated as an HP, or each owner within a district nominated as an HPD, does not consent to designation, the Commission may only designate an HP or HPD by a vote of at least five of its members, or otherwise the Commission may designate an HP or HPD by a majority vote of a quorum of its members. Regardless of any~~

Comment [KMB14]: Here is the heightened voting standard advocated chiefly by Lou McMahon at the last Commission meeting.

current National Register of Historic Places status, an HPD or HP must be locally determined by the Commission for this ~~Chapter~~ chapter to apply.

(l) The Commission may approve by majority vote ~~specific architectural~~ Unique Historic ~~guidelines~~ guidelines for a created district or a specific historic property. The Commission shall schedule a public hearing on the question of ~~proposed design~~ such guidelines, which may be a separate hearing or which may coincide with a hearing for nomination or designation. If specific architectural guidelines are not created, the Secretary of the Interior's Standards for Rehabilitation shall apply to an HPD or HP for Architectural Board of Review purposes.

(m) Applications, for nomination and designation which have been denied by the Commission, may be resubmitted by the original applicant within ten (10) days from the date of ruling, if a request is made in writing by the applicant, setting forth the grounds thereof. If the Commission determines by vote that valid grounds have been submitted, a rehearing shall be granted. If the request is not made within ten (10) days from date of ruling, no application on the same appeal proposed HPD or HP may be made to the Commission by any party for a period of six (6) months from the date the original application was denied. The filing of an application for a rehearing shall not be deemed to extend the time permitted by law for the filing of an appeal to the Courts.

(n) Notice Procedures for Public Hearing on Nomination or Designation:

**Comment [KMB15]:** I simply moved this subsection (n) to the end of the section, to clarify its applicability to both nomination and designation.

(1) Notice of any public hearing called under this chapter shall be made in accordance with Lakewood Codified Ordinances no less than seven (7) days before the hearing; said notice shall state the time, place and purpose of the hearing in accordance with Chapter 107 (Publication of Legal Notices) of the ordinances.

(2) No less than seven (7) days prior to a public hearing, the Commission additionally shall give written notice of a public hearing, stating the time, place and purpose to all owners and residents of property in and within two hundred (200) feet of the property for which either an HPD or an HP nomination or designation is proposed.

**1134.04 LOCATION OF AN HPD OR HP.**

Location of an HPD or HP is limited to the C1 Commercial Office, C2 Commercial Retail, C3 Commercial General Business, C4 Commercial Public School Districts, RH Single-Family, high density, R1M Single-Family, medium density, R1L Single-Family, low density, R2 Single-Family and Two-Family, I, I Lagoon, MH Multiple-Family, high density and ML Multiple-Family, low density, Residential Districts.

**1134.05 PERMITTED ACCESSORY USES.**

Permitted accessory uses in an HPD shall be those uses listed as accessory in the underlying base zone.

**1134.06 PROCEDURES FOR THE REVIEW OF PROPOSED ALTERATIONS, DEMOLITION AND NEW CONSTRUCTION AND FOR ISSUANCE OF APPROVAL TO PROCEED WITH WORK (CERTIFICATE OF APPROPRIATENESS).**

(a) No person shall make any alteration or demolition with respect to any property designated historic that is situated in a determined HPD or has been determined an HPD unless a ~~Certificate~~ certificate of ~~Appropriateness~~ appropriateness has been previously issued with respect to such property. With respect to any such alteration or demolition, the owner of ~~the property to be altered or demolished~~ property shall first apply for and secure a ~~Certificate~~ certificate of ~~Appropriateness~~ appropriateness from the Architectural Board of Review. In addition, any improvements or changes undertaken within public rights-of-way within an HPD also require a ~~Certificate~~ certificate of ~~Appropriateness~~ appropriateness from the Architectural Board of Review.

(b) Unless the Commission has previously approved ~~Unique~~ unique ~~Historic~~ historic Guidelines when considering an application for a ~~Certificate of Appropriateness~~, the Architectural Board of Review when considering an application for a ~~Certificate of Appropriateness~~ shall determine whether the proposed construction, reconstruction, alteration or demolition is appropriate or ~~whether it has an adverse effect upon the purposes of this Chapter~~ and shall refer to the Secretary of the Interior's Standards for Rehabilitation, as amended from time to time, and which on the date of the adoption of this ~~Chapter~~ chapter are as follows:

(1) A property shall be used for its historic purpose or placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

(3) Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

(4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize an HPD shall be preserved.

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

(7) Chemical or physical treatments, such as sandblasting, that cause damage to the historic materials and structures, if appropriate, shall be undertaken using the gentlest means possible.

(8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and environment would be unimpaired.

(c) In the case of archeological properties, the Architectural Board of Review shall refer to the Advisory Council on Historic Preservation's Treatment of Archeological Properties: A Handbook or successor publication(s).

(d) Approval Not Self-executing Where the Commission has Issued Unique Historic Guidelines: When ~~Unique-unique Historic-historic Guidelines-guidelines~~ have been established, if the proposed construction, reconstruction, alteration or demolition is determined by the Architectural Board of Review to have ~~no adverse effect on the HPD or the HPbc appropriate~~, and does not ~~violate the spirit and purpose of these preservation regulations~~, then the Architectural Board of Review shall approve the ~~Certificate-certificate of Appropriatenessappropriateness~~, subject to a final additional review by the Commission.

(e) Denial: If the Architectural Board of Review determines that the proposed construction, reconstruction, alteration or demolition ~~will have an adverse effect on the HPD or HP and does violate the spirit and purpose of these preservation regulationsis inappropriate~~, then the Architectural Review Board shall deny the ~~Certificate-certificate of Appropriatenessappropriateness~~.

(f) Notice of Denial to Applicant: In the event that the Architectural Board of Review denies an application for a ~~Certificate-certificate of Appropriatenessappropriateness~~, the ~~Secretary secretary~~ of the Architectural Board of Review shall forthwith notify the applicant ~~of such determinationdesignation~~ in writing and transmit to him/her a copy of the reasons for denial and recommendations, if any, of the Architectural Board of Review.

(g) Effect of Denial: Upon denying an application for a ~~Certificate-certificate of Appropriatenessappropriateness~~, the Architectural Board of Review shall impose a waiting period to not exceed thirty (30) days from the date of disapproval during which the applicant may develop a compromise proposal. With respect to an application involving a demolition, the Architectural Board of Review may, at its discretion, extend the aforementioned waiting period a maximum of one (1) year from the date of disapproval. If both parties accept a compromise proposal, the Architectural Board of Review may henceforth approve a final ~~Certificate certificate of Appropriatenessappropriateness~~, unless ~~Unique-unique Historic-historic Guidelines guidelines~~ have been adopted by the Commission and pertain, in which case any compromise must also be approved by the Commission.

(h) Negotiations During Waiting Period for Demolition: In the case of a denial of an application for a ~~Certificate~~ certificate of Appropriateness-appropriateness for demolition:

(1) The Architectural Board of Review, along with the Director, Commissioner, members of the Heritage Advisory Board, and other officials of the City as needed, may participate in negotiations with the owner or owners and any other interested party in an effort to find a means of preserving the property. If the aforementioned do not agree on a means of preserving the property at the initial meeting then they may continue to undertake meaningful and continuing discussion with the purpose of finding a method of preserving the property.

(2) If the applicant fails to meet with the aforementioned in good faith, in the time specified, then the Architectural Board of Review's denial of the application will stand.

(3) If, after holding such good-faith meetings in the waiting period as specified above, and after reviewing a Substantial Hardship Statement filed by an applicant, the Director determines in writing that failure to approve an application for a ~~Certificate~~ certificate of Appropriateness-appropriateness will create a substantial hardship to the applicant and that such ~~certificate~~ certificate of Appropriateness may be approved without substantial detriment to the public welfare and without substantial derogation from the purposes of this ~~Chapter~~ chapter, then the Architectural Board of Review shall approve a ~~Certificate~~ certificate of Appropriateness-appropriateness for such proposed demolition. ~~The Architectural Board of Review shall consider any Substantial Hardship Statement filed by an applicant.~~

(i) Negotiations During Waiting Period for Alteration: In the case of denial of an application for a ~~Certificate~~ certificate of Appropriateness-appropriateness for construction, reconstruction or alteration:

(1) The Architectural Board of Review, along with the Director, Commissioner, members of the Heritage Advisory Board, and other officials of the City as needed, may participate in negotiations with the owner or owners and any other interested party in an effort to find a means of preserving the historic integrity of the property. The aforementioned shall investigate the feasibility of all means of preserving the historic integrity of the designated property. If the aforementioned do not agree on a means of preserving the historic integrity of the property at the initial meeting, then they may continue to undertake meaningful and continuing discussion of the purpose of finding a method of saving the historic integrity of the property.

(2) If the applicant fails to meet with the aforementioned in good faith, in the time specified, then the Architectural Board of Review's denial of the application will stand.

(3) If, after holding such good faith meetings in the waiting period, and after reviewing a Substantial Hardship Statement filed by the applicant, the Director determines in writing that failure to approve an application for a ~~Certificate~~ certificate of Appropriateness-appropriateness will create a substantial hardship or burden to the applicant and that such ~~certificate~~ certificate of Appropriateness may be approved without substantial detriment to the public welfare and without substantial derogation from the purposes of this ~~Chapter~~ chapter, then the Architectural Board of Review can approve a ~~Certificate~~ certificate of Appropriateness-appropriateness for

such proposed alteration. ~~The Architectural Board of Review shall consider any Substantial Hardship Statement filed by an applicant.~~

(j) Alternative Summary Procedures Not Requiring Board or Commission Action: The Director, or his/her designee, may administratively approve an application for a Certificate certificate of Appropriateness appropriateness for the following activities:

(1) Repair or replacement of gutters and downspouts, provided there is no change in material or location.

(2) Exterior wall insulation provided the exterior holes are repaired with a matching material. For vinyl or aluminum siding, the necessary siding shall be removed prior to the work and then reinstalled. Insulation work that requires venting of any type that appears on the exterior of a structure requires a Certificate certificate of Appropriateness appropriateness.

(3) Re-roofing, only with like material and if the original style and shape of the roof is not altered.

(4) Storm windows and storm doors, provided that the item(s) installed:

- A. Does/do not significantly alter the visual effect of the opening;
- B. Is/are compatible with the character of the building;
- C. Does/do not require the removal of original windows and/or doors.

(5) Repair of the surface of driveways, parking or loading areas or walkways with like material.

(k) Summary Procedures Report: The Director shall provide to the Architectural Board of Review a summary of the Certificates-certificates of Appropriateness appropriateness for each administrative approval issued.

(l) As long as the following activities do not result in alteration to the HPD or HP, they are approved:

(1) Exterior and interior painting; and

(2) Landscaping improvements, referring only to the planting or arrangement of trees, shrubs, flowers and plants.

(m) If no action has been taken by the Architectural Review Board or the Director, or his/her designee, on an application for a Certificate certificate of Appropriateness appropriateness within sixty (60) days after such application has been received by the Architectural Review Board, the Certificate certificate of Appropriateness appropriateness shall be deemed issued.

**1134.07 HARDSHIP; APPLICATION REQUEST FILED AFTER DENIAL OF A CERTIFICATE OF APPROPRIATENESS.**

(a) An applicant who has been denied a ~~Certificate~~ certificate of Appropriateness ~~appropriateness~~ may, within thirty (30) days of the denial, ~~request a finding of substantial hardship and apply for a finding of hardship~~ submit a ~~Substantial Hardship Statement~~ based on economic impact or other substantial burden. Such an ~~application request~~ shall be made on a ~~form prepared by the Commission~~ and include a sworn statement or affidavit in support. The Commission may hold a public hearing on the ~~hardship application~~ ~~Substantial Hardship Statement~~.

(b) All of the following criteria shall be considered to determine the existence of a substantial hardship:

(1) Denial of a ~~Certificate~~ certificate will result in a substantial reduction in the economic value of the property.

(2) Denial of a ~~Certificate~~ certificate will result in a substantial economic burden on the applicant because the applicant cannot reasonably maintain the property in its current form.

(3) No reasonable alternative exists consistent with the architectural standards and guidelines for the property.

(4) The owner has been unable to sell the property utilizing best efforts.

(5) Previous alterations have interfered with the architectural character of the HPD or HP and the character-defining features to illustrate the style or type are lost, and to return the HPD or HP to its original character is not reasonable.

(6) If the owner is a not-for-profit organization, and it is financially or physically infeasible to achieve its charitable purpose while conforming to the pertinent architectural standards and guidelines.

(7) A court of competent jurisdiction has required the owner to abate any violation of these ordinances within a time frame that does not comport with the requirements of this

~~Chapter~~ chapter.

(8) Denial will result in a substantial burden as set forth in the applicant's sworn statement or affidavit in support.

(c) In considering an ~~application for a finding of a~~ ~~Substantial~~ ~~Hardship~~ ~~Statement~~, the Commission may solicit expert testimony or request that the ~~applicant requesting party~~ submit evidence concerning property value, cost estimates, income expenses, and/or any other information that the Commission deems necessary to determine whether the denial of the ~~application request~~ constitutes a substantial hardship. The level of documentation required may vary as is appropriate to each case. The ~~applicant requesting party~~ may submit any personal or

proprietary information to the staff of the City for a confidential review, and such information shall be returned to the applicantrequesting party, and a summary or evaluation of the information shall be provided to the Commission without disclosure of the specific personal or proprietary information.

(d) The Commission shall act upon an application a request for a finding of a substantial hardship within a period not to exceed six (6) months from the original date of the denial of a Certificate certificate of Appropriateness appropriateness or two (2) months from the date the Commission receives all requested supporting material, whichever is later. If no action has been taken by the Commission within this period, the application request shall be deemed granted, unless the time is extended upon by mutual agreement. Upon the denial of an application request, the applicantrequesting party shall be notified by mail.

#### **1134.08 DEMOLITION OR REMOVAL OF STRUCTURES IN AN HPD OR AN HP.**

(a) Demolition or removal of a principal structure on a commercial property(s) in a designated HPD or HP shall comply with the regulations set forth within this Chapter chapter and those in Section 1133.08.

(b) Demolition or removal of a principal structure on a residential property(s) in a designated HPD or HP shall comply with the regulations set forth within this Chapter chapter and those in Section 1133.09.

#### **1134.09 RESCISSION OF A DESIGNATIONNOMINATION OR DETERMINATIONDESIGNATION.**

Notwithstanding any provision of this Chapter chapter to the contrary, the Commission may rescind the designationnomination or determinationdesignation of any area, place, building, public interior portion of a building, or structure, work of art or other object as an HPD or HP by majority vote by finding of one or more of the following: (a) that the nominated or designated HPD or HD does not meet the designationnomination criteria or to protect the public interest in response to changed circumstances since the designationnomination or designationdecision was made; (b) prejudicial procedural error in the designationnomination or designation process; or (c) professional or clerical error in the designationnomination or designation. This rescission act of the Commission shall relieve the owner of such property from any duties or penalties prescribed by this Chapter.

#### **1134.10 EXCLUSIONS.**

(a) If the forthwith demolition of a structure is required by an action authorized by the Public Safety Director of the City to protect the public health or safety, said action shall take precedence over the provisions of this Chapterchapter.

(b) Nothing in this Chapter chapter shall be construed to prevent the correction of any deterioration or damage to an area, place, building, public interior portion of a building,

structure, work of art or other object and restoration to its condition prior to such deterioration or damage.

#### 1134.11 FEES.

The fees for an HPD or HP application for a ~~Certificate~~ certificate of Appropriateness appropriateness shall be pursuant to Section 1173.06.

#### 1134.12 AFFIRMATIVE MAINTENANCE.

Every owner, operator, or agent of any property which has been determined HPD or HP shall keep in good repair all of the exterior portions and all interior portions thereof which, if not so maintained, may cause or tend to cause the exterior portion or public interior portion of such area, place, building, or structure, work of art or other object to deteriorate, decay or become damaged or otherwise fall into a state of disrepair. Every owner, operator or agent of any property which has been determined HPD or HP shall further keep in good repair all portions of any area, place, building, public interior portion of a building, structure, work of art or other object which, if not so maintained, may cause or tend to cause such portions to deteriorate, decay, or become damaged or otherwise fall into a state of disrepair. The repair and maintenance required by this section includes, without limitation:

(a) ~~Developing and implementing a maintenance and monitoring plan for protecting each portion of any area, place, building, public interior portion of a building, or structure, work of art or other object. Adhering to the minimum standards of compliance with Part Thirteen of the Codified Ordinances; and~~

(b) Structurally stabilizing each building or structure by taking all steps necessary to ensure:

- (1) The roof is watertight;
- (2) Gutters are properly pitched and cleared of debris;
- (3) Downspout joints are intact;
- (4) Drains are unobstructed;
- (5) Windows and door frames and wood siding are in good condition;
- (6) Masonry walls are properly tuck-pointed to keep out moisture;
- (7) The property is graded for proper water run-off;
- (8) Vegetation is cleared from around each property; and

(9) Trash, debris and hazardous materials such as inflammable liquids, poisons and paints are removed from the interior of each one (1) of any area, place, building, public interior portion of any building, structure, work of art or other object on a continuous basis.

(c) Exterminating or controlling pests, including termites and rodents.

(d) Protecting of any area, place, building, public interior portion of a building, structure, work of art or other object from moisture penetration.

(e) Securing each vacant area, place, building, public interior portion of a building, structure, work of art or other object from vandalism and break-ins including, without limitation:

(1) First floor windows and doors must be secured;

(2) Plywood must be painted black or if the structure is composed of brick, a color compatible with the color of the brick;

(3) The method used to install the plywood may not result in the destruction of the opening covered and all sashes, doors and frames must be protected or stored for future use;

(4) Battery-operated intrusion alarms must be installed on the first floor of each portion of any area, place, building, public interior portion of a building, structure, work of art or other object;

(5) Battery-operated smoke alarms must be installed on all floors of any area, place, building, public interior portion of a building, structure, work of art or other object;

(6) Adequate security lighting or fencing must be installed on each portion of any area, place, building, structure, work of art or other object where deemed necessary by the Commissioner.

(f) Providing adequate ventilation to the interior of each vacant portion of any area, place, building, public interior portion of a building, structure, work of art or other object.

(g) Securing or modifying utilities and mechanical systems for each portion of any area, place, building, public interior portion of a building, structure, work of art or other object.

(h) Taking such other steps deemed necessary by the Commissioner.

**~~1134.13 PENALTY.~~**

~~Any person violating the provisions of this Chapter shall be fined not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) for each offense, and a separate offense is deemed committed each day during which an offense continues.~~

**~~1134.134 SEVERABILITY.~~**

Should any provision of this ~~Chapter~~ chapter be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this ~~Chapter~~ chapter as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

**1134.99 PENALTY.**

Whoever refuses, neglects or fails to comply with any provision of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five dollars (\$25.00) dollars nor more than one thousand dollars (\$1,000) for a first offense, and for a second or subsequent offense shall be guilty of a misdemeanor of the first degree. Each day such violation occurs or continues shall constitute a separate offense.

**COMMERCIAL DEVELOPMENT**

INDUSTRY (ACS)	2012		2013		2014		2015		2016		2017		2018		2019	
	Estimate	Percent														
Civilian employed population 15 years and over	30,022	100%	28,296	100%												
1 Agriculture, forestry, fishing and hunting, and mining	79	0.30%	104	0.37%												
2 Construction	1,238	4.10%	915	3.28%												
3 Manufacturing	2,876	9.60%	2,298	8.13%												
4 Wholesale trade	858	2.80%	773	2.73%												
5 Retail trade	9,058	30.20%	9,758	34.50%												
6 Transportation and warehousing and utilities	1,020	3.40%	1,179	4.17%												
7 Information	1,013	3.40%	788	2.78%												
8 Finance and insurance, and real estate and rental and leasing	2,740	9.10%	1,805	6.39%												
9 Professional, scientific, and management, and administrative and waste management services	3,587	11.90%	3,246	11.47%												
10 Educational services, and health care and social assistance	7,386	24.60%	7,343	25.95%												
11 Arts, entertainment, and recreation, and accommodation and food services	3,630	12.10%	3,645	12.86%												
12 Other services, except public administration	1,675	5.60%	1,616	5.71%												
13 Public administration	781	2.60%	876	3.10%												
<b>Labor Force (ACS)</b>																
14 Population 15 years and over	48,578	160%	42,626	100.00%												
15 in labor force	32,724	75.10%	31,278	73.38%												
16 Civilian labor force	32,590	75.00%	31,236	73.35%												
17 Employed	30,022	68.00%	28,296	66.34%												
18 Unemployed	2,608	6.10%	2,970	6.97%												
19 Armed forces	94	0.10%	12	0.03%												
<b>OCCUPATION (ACS)</b>																
Civilian employed population 15 years and over	30,022	100%	28,296	100.00%												
20 Management, business, science, and arts occupations	11,951	39.80%	12,235	43.27%												
21 Service occupations	5,767	19.20%	5,239	18.50%												
22 Sales and office occupations	7,884	26.30%	7,915	27.95%												
23 Natural resources, construction, and maintenance occupations	1,529	5.10%	1,855	6.56%												
24 Production, transportation, and material moving occupations	2,601	8.67%	2,257	7.98%												
<b>OTHER</b>																
25 Vacancy on Madison Avenue	(X)	(X)	(X)	(X)												
26 Vacancy on Detroit Avenue	(X)	(X)	(X)	(X)												
27 Private Investment (Millen)	(X)	(X)	(X)	(X)												
28 Number of Starbucks grants	(X)	(X)	(X)	(X)												

\* - Not Collected

# COMMUNITY WELLNESS

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
<b>Recycling</b>														
1. Residential Waste Recycled	48.38%	50.01%												
2. County Ranking*	12th	(X)												
3. County Waste Reduction*	44%	(X)												
<b>Water System</b>														
4. Treatment Capacity	60 million	40 million												
5. Monitored System Overflows	130													
6. Storm Overflows	9													
<b>Food Access</b>														
Community Meals served at														
7. Lakewood Community Services	220	240												
8. Church Summer Lunchs (Do not track after 2012)	2	(X)												
9. Grocery Stores	6	6												
10. Farmer's Market	2	1												
<b>Recreation Programs</b>														
11. Number of Summer Camps through Recreation Department	22													

	2012		2013		2014		2015		2016	
	Ohio Percent Uninsured	Cuyahoga County Percent Uninsured	Ohio Percent Uninsured	Cuyahoga County Percent Uninsured	Ohio Percent Uninsured	Lakewood Percent Uninsured	Ohio Percent Uninsured	Lakewood Percent Uninsured	Ohio Percent Uninsured	Cuyahoga County Percent Uninsured
12. Total civilian, non-institutionalized population	11.80%	11.80%	14.70%							
13. BY AGE										
14. Under 18 years	6.30%	4.20%	4.00%							
15. 18 to 64 years	15.40%	17.40%	19.70%							
16. 65 years and older	0.50%	0.60%	0.70%							

# EDUCATION AND CULTURE

	Base Year	2013	2014	2015	2016	2017	2018
<b>Lakewood City Schools</b>							
1 Public Schools	10	11					
2 Graduation Rate - 4 Year*	83.5%	81.5%					
3 Graduation Rate - 5 Year	(X)	86.1%					
4 Average Daily Student Enrollment**	5,667	5,426					
<b>St. Edwards High School</b>							
5 Number of Students	830	924					
6 Student/Teacher Ratio	17:1	12:1					
7 Blue Ribbon School of Excellence	Yes	Yes					
<b>Lakewood Catholic Academy</b>							
8 Number of Students	(X)	606					
9 Student/Teacher Ratio	(X)	22:1					
<b>Performing Arts</b>							
10 Beck Center for the Arts - People Served	50,000	50,000					
11 Concert Series	2	9					
12 Friday Night Flicks	5	5					
13 Summer Festivals	8	9					

\*Base year is 2009

\*\*Data gathered from [http://www.publicschoolreview.com/agency\\_schools/leaid/3904419](http://www.publicschoolreview.com/agency_schools/leaid/3904419)

# HOUSING

	Base Year	2013	2014	2015	2016	2017	2018	2019
1 Total Housing Units*	32,000	28,498						
2 Total One and Two Family Homes	(X)	12,662						
3 Single Family Homes	9,300	9,336						
4 Two Family Homes	3,400	3,326						
5 Percent Owner Occupied*	54	44						
6 Mean Age of Homes	94	90						
7 Average Home Value*	143,500	131,500						
<b>Exterior Conditions Survey</b>								
8 Percentage Rated 1 or 2	85	94						
9 Percentage Rated 3 or 4	14	6						
10 Vacant Residential Properties	260							
11 Active Bank Foreclosures	182	259						
<b>Building Permit Applications</b>								
12 April 1 - June 18	324	377						

\*Data in base year was generalized and rounded. Methodology and data from sources begins in 2013

# MOBILITY

	2012		2013		2014		2015		2016	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1	<b>Commuting to Work</b>									
1	Workers 16 years and over	29,416	100%	27,847	100.00%					
2	Car, truck, or van -- drove alone	22,637	77.00%	21,771	78.20%					
3	Car, truck, or van -- carpooled	2,616	8.90%	2,230	8.00%					
4	Public transportation (excluding taxicab)	2,303	7.80%	1,851	6.60%					
5	Walked	760	2.60%	756	2.70%					
6	Other means	279	0.90%	429	1.50%					
7	Worked at home	821	2.80%	810	2.90%					
8	Mean travel time to work (minutes)	24	(X)	24.7	(X)					
	<b>Vehicles Available</b>									
9	Occupied housing units	24,800	100%	24,362	100%					
10	No vehicles available	3,402	13.70%	3,284	13.5%					
11	1 vehicle available	10,741	43.30%	10,794	44.3%					
12	2 vehicles available	8,201	33.10%	8,195	33.6%					
13	3 or more vehicles available	2,456	9.90%	2,089	8.6%					
	<b>Parking</b>									
14	Total Bike Racks - Detroit	16	(X)	60	(X)					
15	Total Bike Racks - Madison	(X)	(X)	18	(X)					
16	Miles of Bike Lanes	(X)	(X)	1.62	(X)					
17	Miles of Sharrows	(X)	(X)	3.2	(X)					

# SAFETY

	2011	2012	2013	2014	2015	2016
<b>Neighborhood Block Clubs<sup>1</sup></b>						
Block Clubs	61	68	77			
Block Club Coordinator	1	1	1			
<b>Public Works<sup>2</sup></b>						
Tons of Refuse and Recycling Collected (million)	(X)	28.0	62.38			
Gallons of Storm Water (billion)	(X)	2.3				
Gallons of Sewage Treated (billion)	(X)	1.5				
<b>Housing and Building<sup>3</sup></b>						
Permits Issued	(X)	2,473	2,414			
No. of Inspectors	(X)	10	11			
Correction Notices Issued	(X)	(X)	1,216			
<b>Fire Department<sup>4</sup></b>						
Total Members	87	87	87			
Paramedics	12	12	12			
Firefighter/Paramedics	33	40	39			
Firefighter/EMT	10	10	11			
Firefighter	32	25	25			
Fire Calls	1,387	2,047	1,828			
Emergency Medical Calls	5,399	5,193	5,321			
Large-Loss Fires	20		\$ 1,355,473			
<b>Police<sup>5</sup></b>						
Total Officers	94	97	99			
Phone Dispatches	27,000					
Arrests	15,042	14,033	11,699			
Response Time	3:20					
<b>Safety Statistics<sup>6</sup></b>						
Murder/Attempted Murder	3	3	2			
Rape	9	3	6			
Burglary	182	39	59			
Auto Theft	89	13	6			
Arson	3	1	5			
Robbery	34	32	30			
Felonious Assault	20	16	6			
Breaking and Entering	75	16	9			

**When using American Community Survey**

Always use the most reliable time frame (e.g. 1 year, 3 year or 5 year) - <http://www.census.gov/acs/www/gu>

When we source ACS, we adopt its methodology - <http://www.census.gov/acs/www/methodology/methodo>

**When using Case Western Reserve Neighborhood Stabilization (NST) Web App**

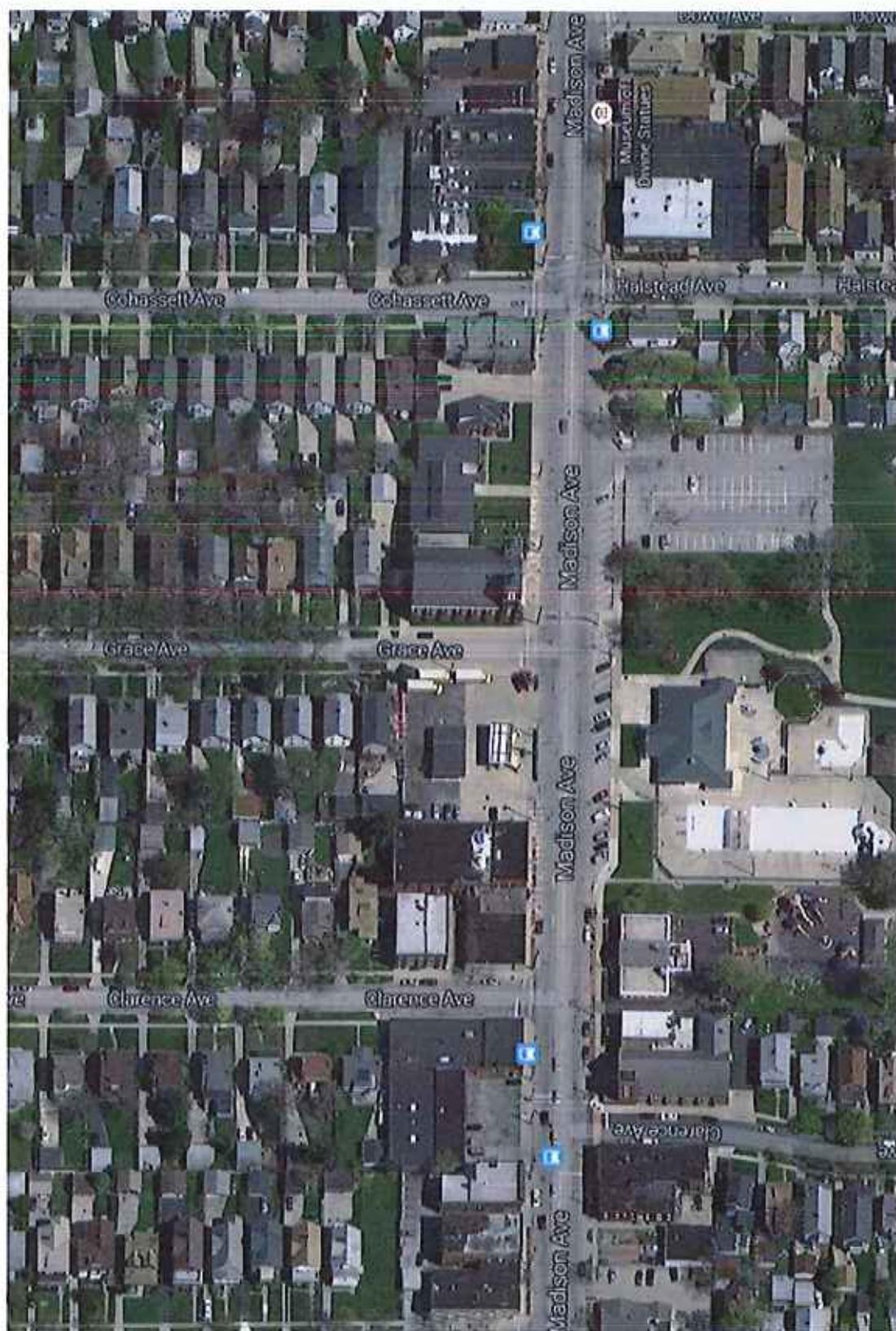
Log on to NST here - <http://neocando.case.edu/nst/>

Download needed data into a spreadsheet and analyze

# Planning Commission

February 2014





Planning Commission  
February 2014



# 13100 Madison Avenue



Planning Commission  
February 2014



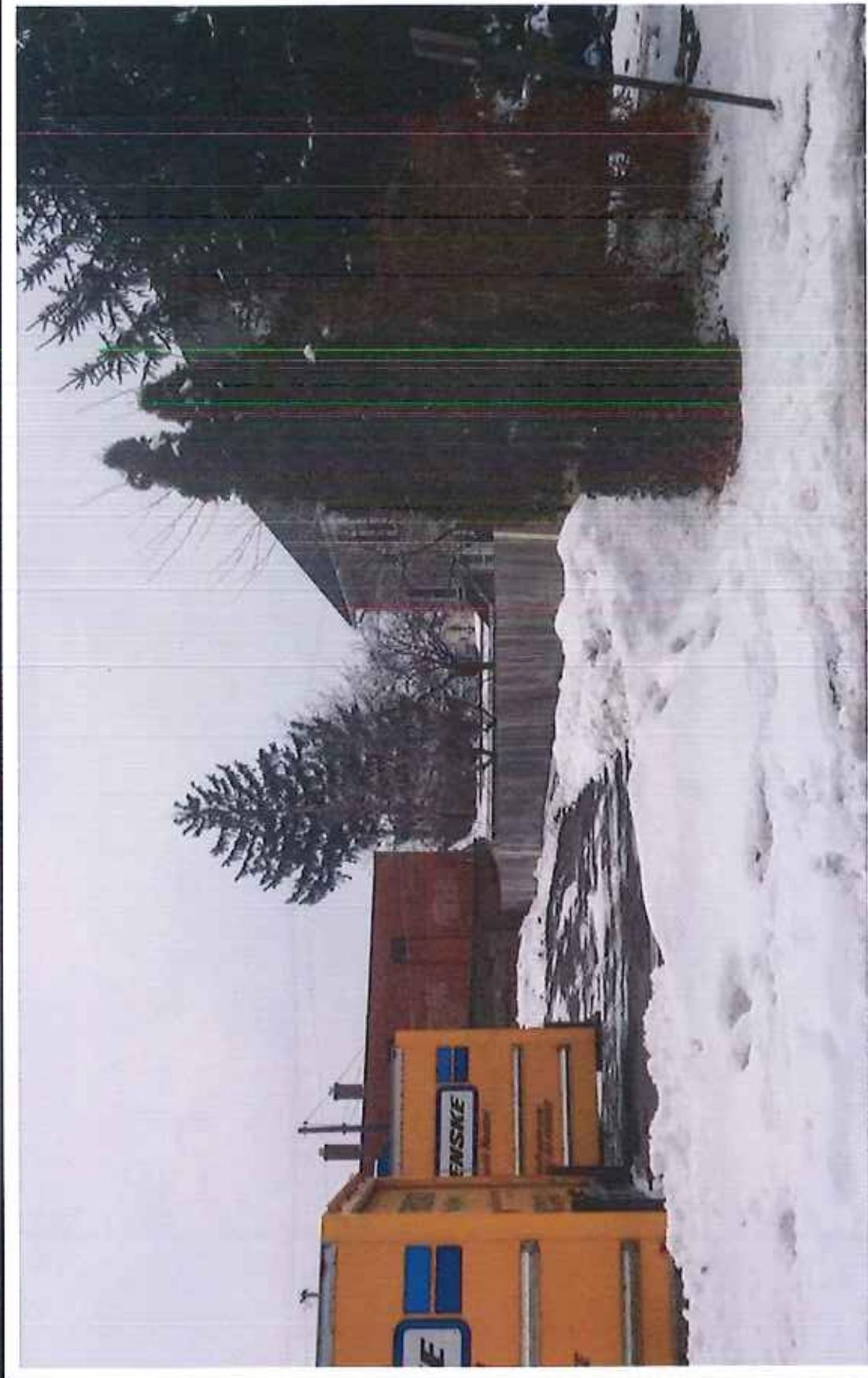
# 13100 Madison Avenue



13100 Madison Avenue

Planning Commission  
February, 2014





13100 Madison Avenue

Planning Commission  
February 2014





Planning Commission  
February 2014

13100 Madison Avenue

13100 Madison



Board of Zoning Appeals issues variance for truck rental

Property Sold

City Council passes legislation to ban truck rental storage and retail gasoline combination

Property Sold

Retail Gasoline Operations Ceased

1986

1992

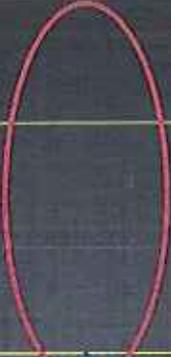
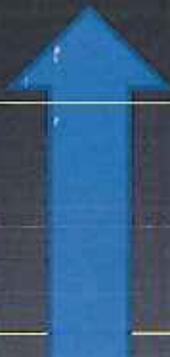
1996

1998

2005

2013

Property Sold



# 1129.09 – Supplemental Regulations for a Gasoline Stations

- (c) - A landscaped area at least five (5) feet wide shall be provided on private property adjacent to the public sidewalk areas, except where interrupted by driveways.
- (f) - The location, display or storage of rental trailers, automobiles, trucks or other rental equipment on the premises is not permitted.
- (k) - Locations where such use abuts a residential district or use shall provide landscaping and screening, approved by the Architectural Board of Review pursuant to Chapter 1141; said landscaped area shall be not less than ten (10) feet wide.

# Chapter 1134

Historic Designation



# Community Vision Update



# Community Vision Update 2013 in Review

City of Lakewood  
Department of  
Planning and Development



February 6, 2014

# Overview

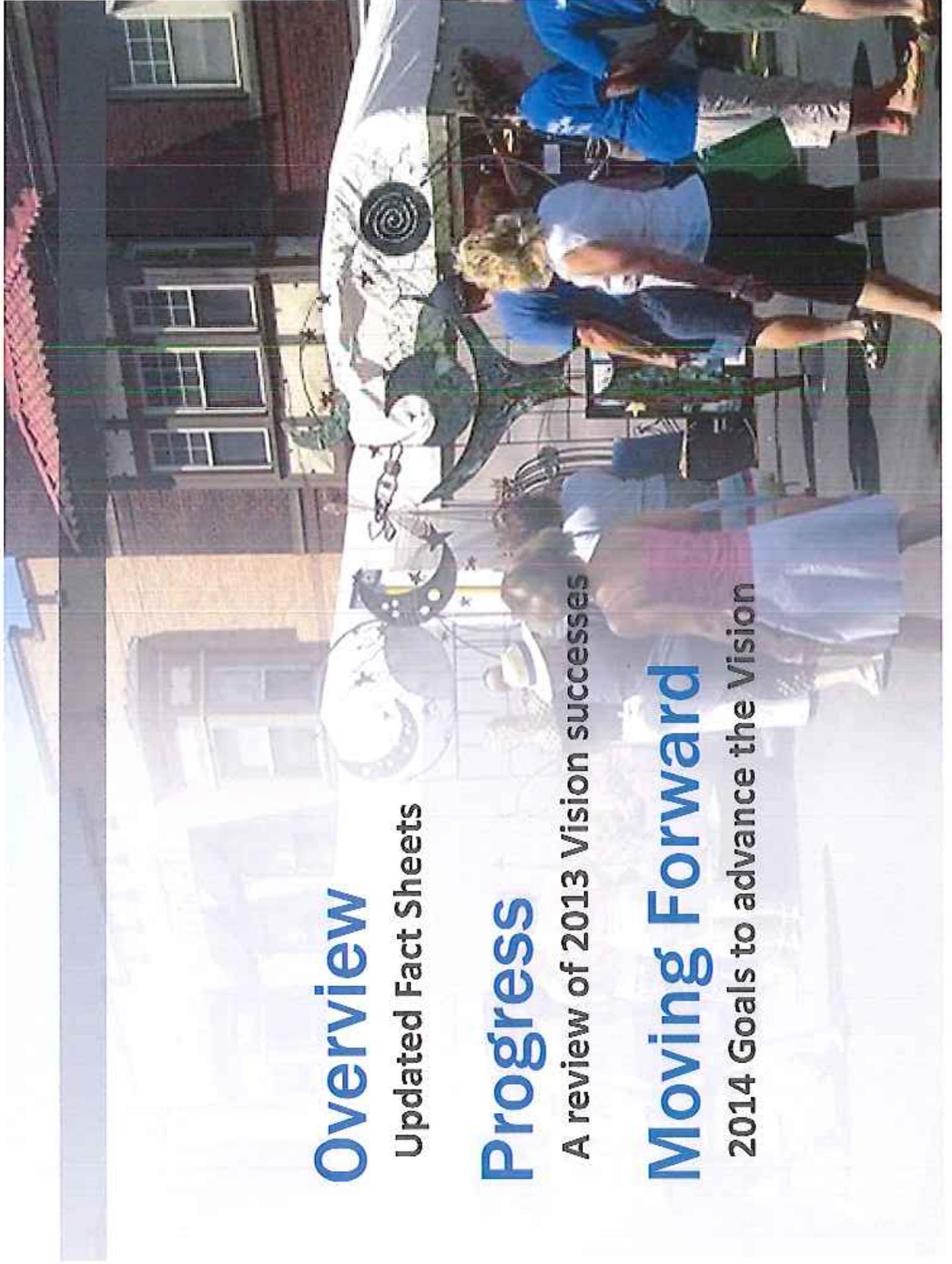
Updated Fact Sheets

# Progress

A review of 2013 Vision successes

# Moving Forward

2014 Goals to advance the Vision





# Overview

## THE PURPOSE OF THE COMMUNITY VISION

The Lakewood Community Vision is a living document designed to be used and updated frequently by all members of our community including residents, government, non-profits, and businesses.

This update is a draft of what future updates could look like. We have obtained 2013 data from a variety of sources and standardized our collection method for future updates.

## OVERVIEW OF FACT SHEETS

COMMERCIAL DEVELOPMENT	2012	2013
Employed Workers	30,022	28,296
Private Investment <sup>1</sup>	(X)	\$24,000,000
Storefront Renovation Grants	(X)	18
Madison Avenue Vacancy	(X)	13.8%

COMMUNITY WELLNESS	2012	2013
Residential Waste Recycled	49.38%	50.1%
Community Meals Served	220	260
Uninsured Residents	14.70%	15.10%
Monitored Combined Sewer Overflow <sup>2</sup>	(X)	9

1 – Physical Investment on Residential and Commercial Properties

2 – Monitored Combined Sewer Overflow into Lake Erie

## OVERVIEW OF FACT SHEETS

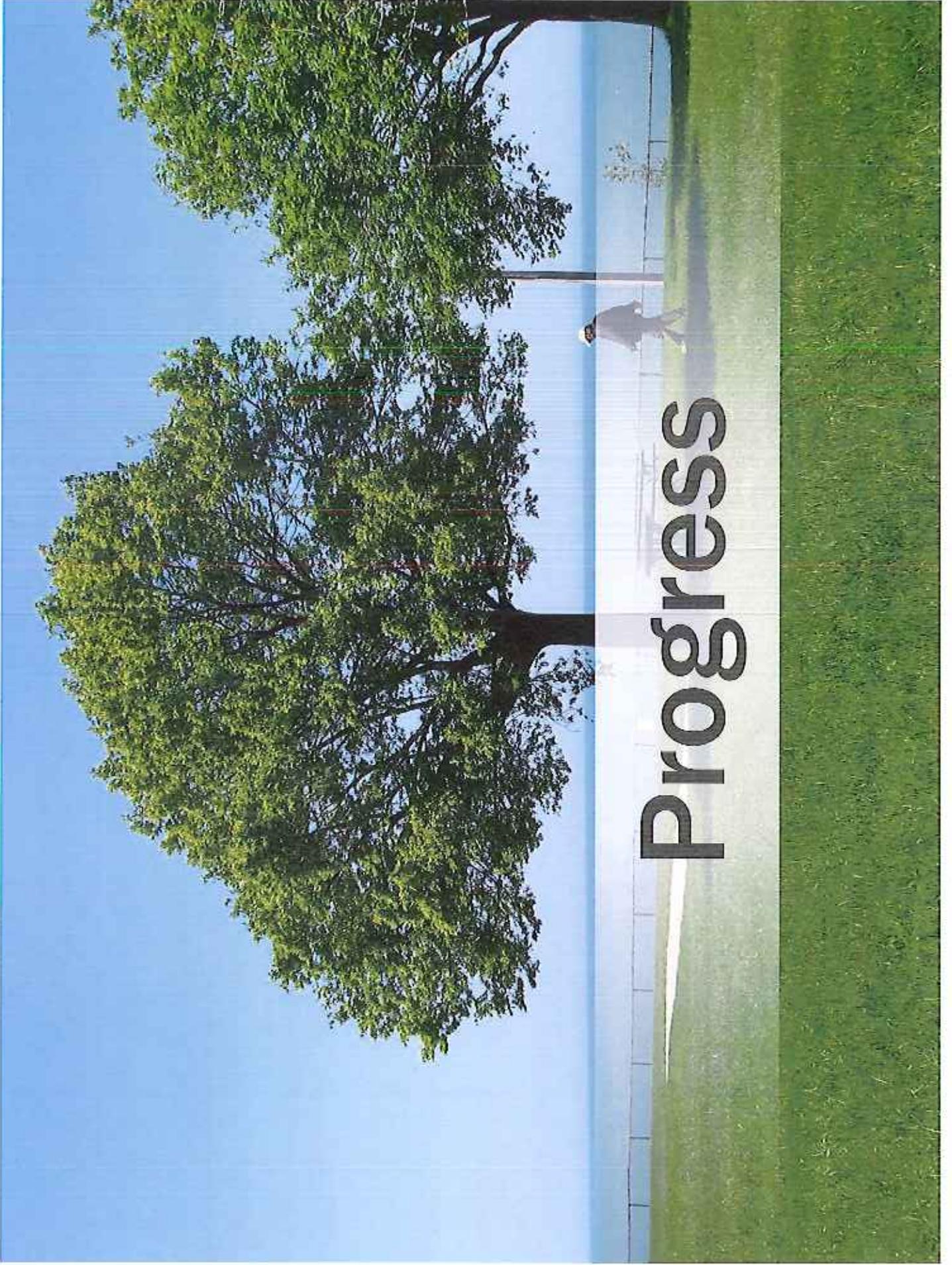
EDUCATION AND CULTURE	2012	2013
Avg. Daily Student Enrollment	5,667	5,426
4 year Graduation Rate	83.5%	81.5%
Summer Concert Series	2	9
Summer Festivals	8	9

HOUSING	2012	2013
Total Housing Units	32,000	28,498
Owner Occupied	54%	44%
Percentage Rated 1 or 2	85%	94%
Building Permit Applications	324	377

## OVERVIEW OF FACT SHEETS

MOBILITY	2012	2013
Commute: Car Alone	77.0%	78.2%
Commute: Public Transit	7.8%	6.6%
Commute: Other Means	0.9%	1.5%
Total Public Bike Racks	16	78

SAFETY	2012	2013
Number of Block Clubs	68	77
Fire Calls	2,047	1,828
Police Arrests	14,033	11,699
Total Public Safety Responders	184	186



# Progress



## Mixed Use Overlay

Provides the opportunity to repurpose unique structures with creative uses that can exist harmoniously with adjacent uses.

### Commercial Development Objectives:

- Promote mixed uses on upper floors of commercial buildings
- Repurpose obsolete first floor retail space

## League of American Cyclists Bronze Designation

The City of Lakewood has been designated a Bronze community for its commitment to cycling infrastructure, advocacy and education.

### **Mobility Objective:**

- Obtain bronze medal designation from League of American Cyclists
- Enhance and expand bike routes citywide
- Educate motorists and cyclists on rules of the road



## Clifton Pointe

Phase 1 and Phase 2 of Clifton Pointe provides contemporarily designed housing options to attract new Lakewood residents.

### Housing Objective:

- Provide a variety of housing types that meet the needs of the whole community including seniors, low-moderate income families, and special needs households
- Encourage new and infill development which is complementary to the scale and character of surrounding residential uses



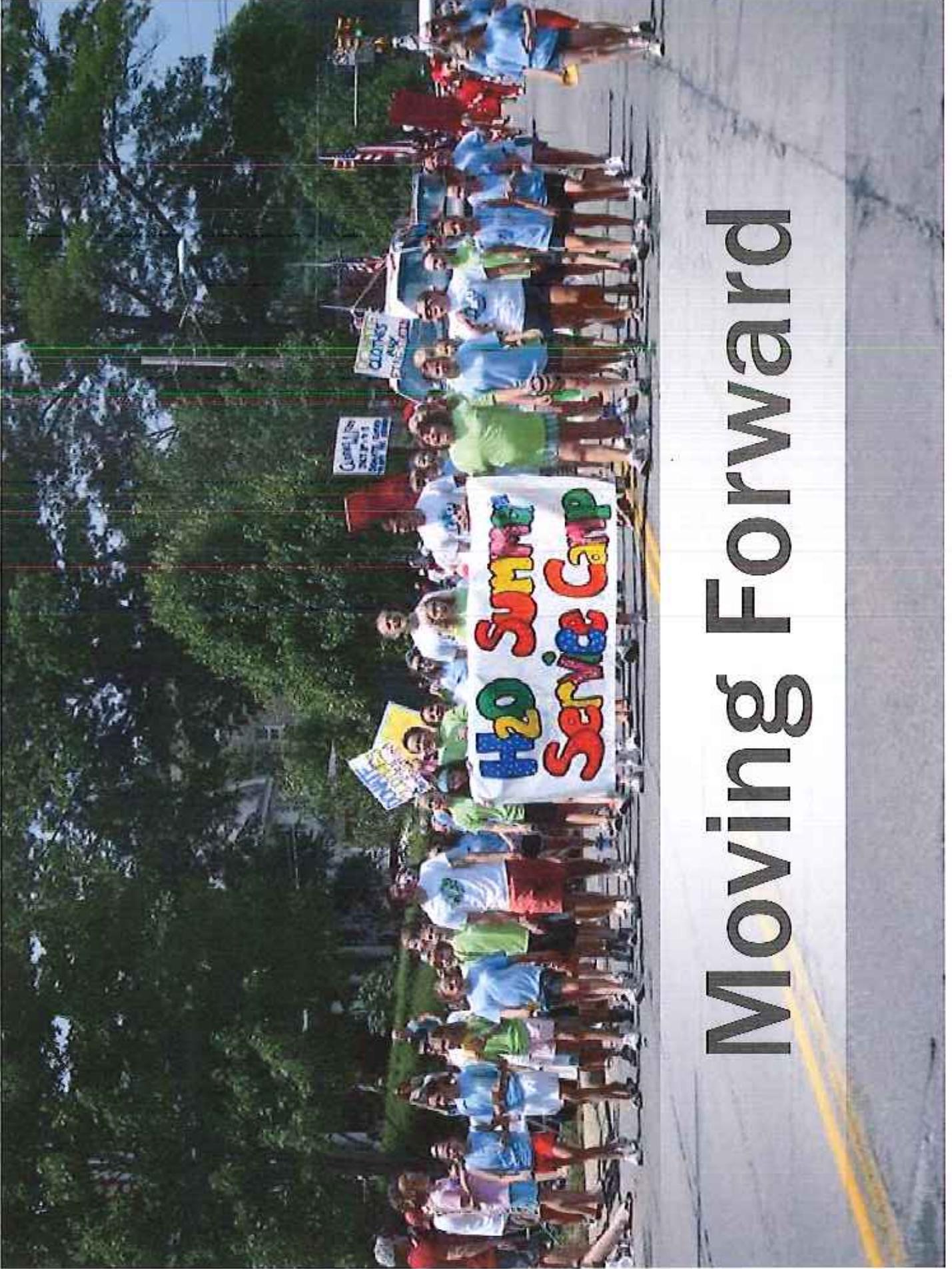
## Arthur Avenue Lighting Project

Arthur Avenue residents came together to enhance the aesthetics and safety of their neighborhood.

### **Safety Objectives:**

- Develop opportunities for neighbors to connect
- Improve lighting in the neighborhoods, parks and business districts





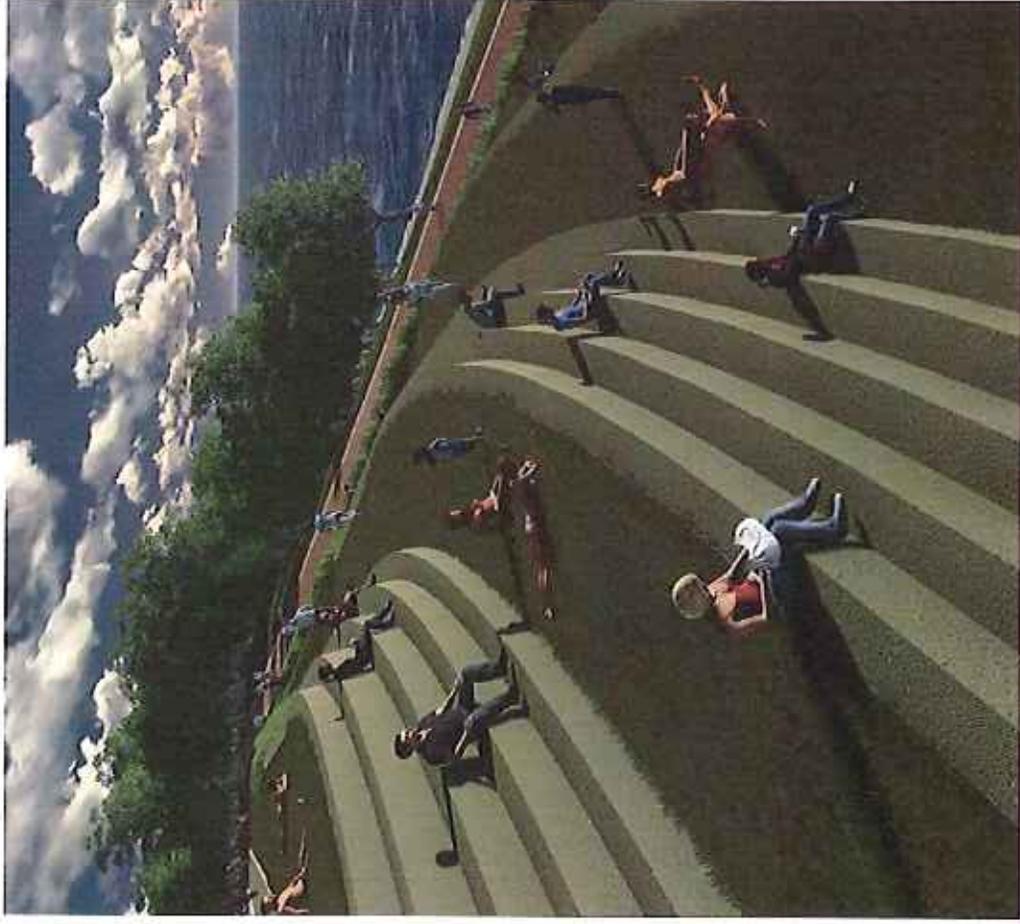
# Moving Forward

## Park Construction

- Lakewood Park Waterfront Improvements
- Madison Park Skatehouse Improvements
- Kauffman Park Walking Path

### Community Wellness Objective:

- Expand available green space
- Enhance infrastructure to support active lifestyles including sidewalks, bikeways, open space, and parks



## Zoning Code Modifications

- Chapter 1129 – Hotels
- Parking Code
- Residential Setbacks
- Chapter 1134 – Historic Designations
- Birdtown Zoning District



### **Commercial Development Objectives:**

- Preserve and respect historic context in commercial development projects
- Design and develop commercial districts to provide for a safe and inviting pedestrian experience

## Madison Avenue

- Street Resurfacing
- Traffic Light Installation
- Storefront Grant Focus

### Commercial Development Objectives:

- Market Lakewood effectively to attract high quality development projects
- Strengthen economic development efforts to further support Madison Avenue



## McKinley School Redevelopment

The redevelopment of McKinley School would an ideal residential infill project for the city.

### **Housing Objective:**

- Provide a variety of housing types that meet the needs of the whole community including seniors, low-moderate income families, and special needs households
- Encourage new and infill development which is complementary to the scale and character of surrounding residential uses



## New Reporting Categories

After reviewing the current fact sheets, we have identified other categories worth tracking over the years.

- Miles of Bike Lanes
- Miles of Sharrows
- Number of Storefront Revitalization Grants
- Total Private Investment
- Vacancy on Detroit Avenue
- Vacancy on Madison Avenue
- Urban Forestry Progress
- Park Investment
- Acres of Park Space
- Downspout Disconnects



# Community Vision in 2014

The Community Vision would become it's own website in the coming months, to allow all members of the Lakewood community access this important document and view updated information.

RFP for website design to be issued in Spring 2014.



# Community Vision Update 2013 in Review

City of Lakewood  
Department of  
Planning and Development



# Planning Commission

February 2014

