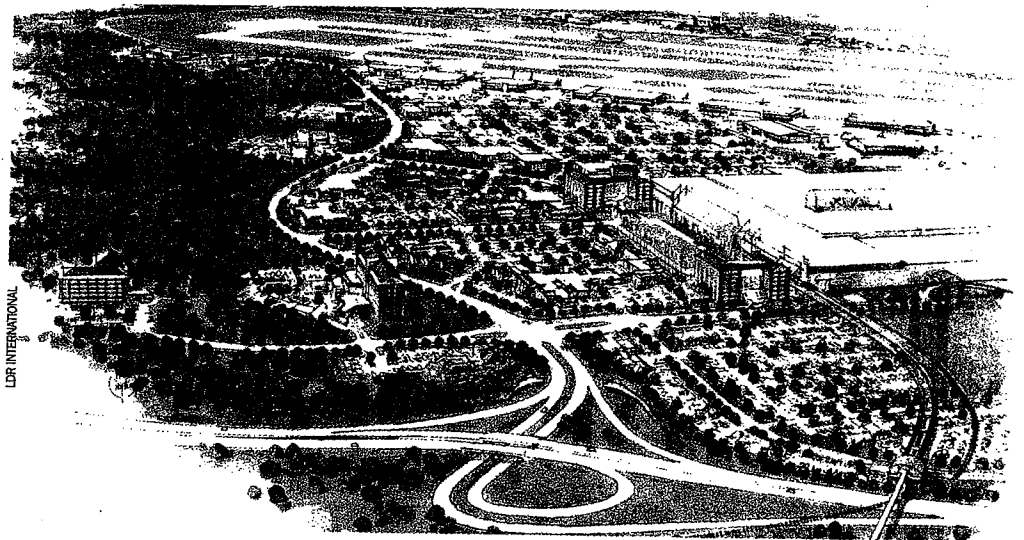


# Sharing the Wealth from Airport Expansions

**W**henever a major airport seeks to expand, the surrounding community becomes embroiled in a heated debate over quality-of-life issues, particularly noise, traffic, and safety. Today, this debate is quickly broadening. Cash-strapped communities are beginning to recognize what airport operators have known for years: airports offer extraordinary economic opportunities, both for airport operators and for their neighbors. Armed with that knowl-

community needs, the cities recognized that they could agree on an airport expansion plan that met most of Cleveland's airport goals while allowing Brook Park to realize tremendous economic and community development opportunities.

CLE is a hub for Continental Airlines and the 34th-busiest airport in the United States. In 1992, Cleveland announced plans to expand the airport to meet anticipated demand for the next 20 years and to allow for direct international flights. Cleveland's original plan would



**Long-term development options for the area surrounding Brook Park, Ohio's International Exposition Center, a 2.5 million-square-foot exhibition and conference facility immediately adjacent to Cleveland-Hopkins International Airport, include additional commercial, industrial, and R&D space.**

edge, communities debating airport expansions not only are seeking assurances regarding traditional quality-of-life concerns. They also are working to protect and expand their economic development opportunities.

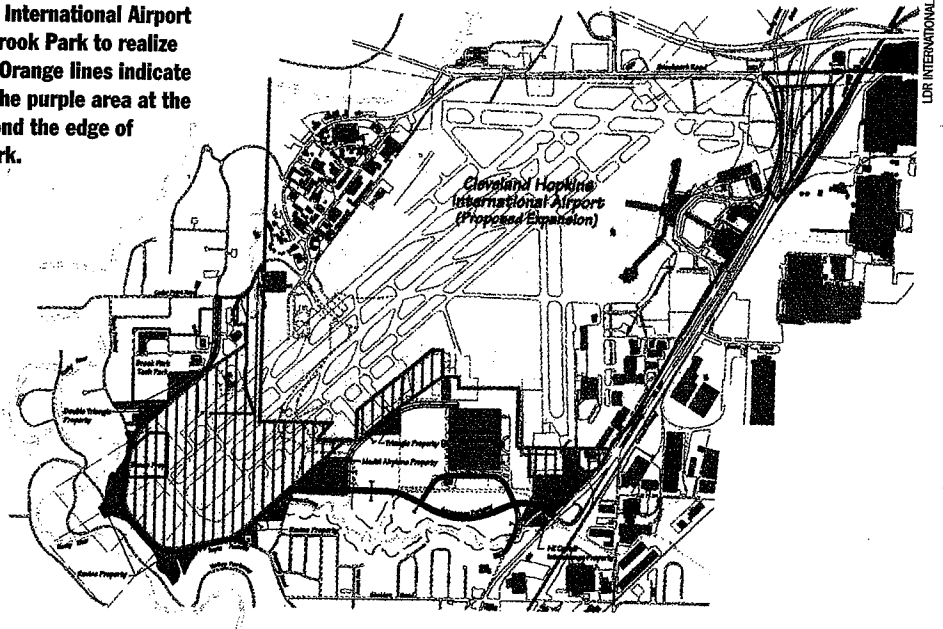
The recent unprecedented agreement between the cities of Cleveland and Brook Park, Ohio, concerning the expansion of Cleveland-Hopkins International Airport (CLE) shows how these debates can be transformed into productive partnerships between an airport and its neighbors. After years of heated litigation over airport expansion and com-

have destroyed residential communities and eliminated economic development potential for Brook Park, a city of 30,000 immediately adjacent to the airport. Brook Park is home to the International Exposition Center (I-X Center), a 2.5 million-square-foot facility that is one of the largest exhibition and conference facilities in the country and a major economic generator for the region. For more than 15 years, Brook Park has been pursuing an economic development strategy that takes advantage of the I-X Center and the city's proximity to the airport and the adjacent NASA

**A recent agreement between the cities of Cleveland and Brook Park changed city boundaries to allow Cleveland-Hopkins International Airport to meet most of its expansion goals and to enable Brook Park to realize many economic and community development goals. Orange lines indicate land to be conveyed from Brook Park to Cleveland; the purple area at the top right (which extends along Brookpark Road beyond the edge of this plan) will be conveyed by Cleveland to Brook Park.**

Lewis Research Center. The city provided tax incentives to the I-X Center and created an Aerospace Technology Office Park catering to NASA contractors. It also started planning for Aerospace Parkway, which would provide a direct highway link between the area's key economic assets—NASA, Aerospace Technology Park, the I-X Center, and the airport—and the regional highway system.

Cleveland's early airport expansion proposals would have extended airport runways into Brook Park. The plan not only would have produced serious noise and safety problems for Brook Park residents but also would have required the condemnation of the I-X Center, eliminated major portions of NASA and Aerospace Technology Park, and scuttled prospects for Aerospace Parkway.



With the goal of preventing Cleveland's expansion plans, Brook Park passed zoning ordinances that precluded use of the affected property for airport purposes. Cleveland challenged those ordinances in federal court, arguing that it was exempt from local zoning be-

cause such ordinances were preempted by federal law. The federal court upheld the ordinances, determining that Cleveland must abide by all applicable Brook Park ordinances.

Faced with the implications of that court decision, in 1995 Cleveland and Brook Park

began an extended series of negotiations to resolve their dispute. After almost two years of intense negotiations, the cities agreed on a settlement that was formally approved last spring. Brook Park and Cleveland recently wrapped up the complex details required to complete the settlement deal, including obtaining preliminary environmental site assessments, surveys and titles, and federal and state approvals.

The settlement agreement is extraordinary both in its complexity and in its approach to economic development problems. Among the highlights:

One of Cleveland's objectives was to increase capacity and accommodate nonstop flights to Europe. Under the deal, Cleveland can expand the airport by extending an existing runway to 12,000 feet and constructing a parallel, 10,000-foot runway, providing

more than enough runway length for international flights.

Before the settlement agreement was finalized, the cities' municipal boundary ran down the middle of a two-mile business corridor called Brookpark Road, which is home to a concentration of adult-oriented businesses and low-end industrial and commercial uses. Brook Park's long-term economic development objective has been to redevelop the corridor to take advantage of its location near the airport. Under the deal, Brook Park obtained jurisdiction of both sides of Brookpark Road, facilitating the area's comprehensive redevelopment.

Following its loss in federal court, Cleveland was concerned that its airport planning could be stymied forever by Brook Park's ordinances. Under the deal, the cities changed

their municipal boundary so that an agreed-upon "airport envelope" will lie entirely within Cleveland; in exchange, Cleveland conveyed to Brook Park approximately 85 acres of vacant Cleveland-owned property, making more land available for commercial, industrial, and R&D uses and expediting construction of Aerospace Parkway.

Brook Park residents were concerned about various quality-of-life issues, especially those related to airport noise. Under the deal, Cleveland will seek federal funds to soundproof approximately 250 homes in Brook Park within a five-year period.

In anticipation of the settlement closing, Brook Park has been preparing comprehensive redevelopment plans. First, the city recently approved a new zoning district to foster redevelopment on both sides of the

Brookpark Road corridor. The new zoning is the first step in implementing a redevelopment strategy for the corridor that was presented to the city council in 1996.

Second, because the municipal boundary change will bring 12 new adult-oriented businesses into Brook Park, the city council has adopted comprehensive new regulations for their control. The regulations were carefully crafted to meet First Amendment standards while reducing the well-documented negative effects of adult-oriented businesses.

Third, the city is beginning design and environmental work for Aerospace Parkway in coordination with planning for development of the newly acquired industrial property adjacent to the airport and the center. Before the hostility over airport expansion broke out, Brook Park already had obtained \$14 million in federal ISTEA funds for the project.

Finally, the city is working with the I-X Center owner on options for the enhancement of activities near the center. One of Brook Park's first priorities is to promote development of a first-class hotel, an amenity that would increase the attractiveness of I-X for large expositions and conventions.

The Brook Park/Cleveland deal was possible because both cities put aside their longstanding differences to find a structure for community enhancement and economic development that worked for both of them. Through creative lawyering and planning—and patient negotiating—the cities were able to look beyond traditional mitigation and recognize that economic development opportunities could partially compensate for negative airport-related effects. They recognized that both cities—and the region—would benefit from preserving and building upon their respective economic assets, rather than fighting each other's economic progress.—Sarah M. Rockwell and Peter J. Kirsch

---

*Sarah M. Rockwell and Peter J. Kirsch, both partners in the law firm of Cutler & Stanfield, L.L.P., negotiated the settlement agreement on behalf of the city of Brook Park. They were assisted in this effort by the land use planning firm of LDR International.*

Reprinted from *Urban Land*, published by ULI—the Urban Land Institute, 1025 Thomas Jefferson St., N.W., Suite 500 West, Washington, DC 20007.