



CITY OF CLEVELAND
Mayor Justin M. Bibb

Burke – Developing Cleveland's Lakefront

January 2026



Agenda

- Overview
- Meeting purpose
- History of Burke land
- Regulatory and Legal Considerations
- Utilities
- Port of Cleveland Operations



Overview

- Redevelopment of Burke Lakefront Airport is feasible and a once-in-a-generation opportunity
- Burke offers the rare opportunity to access a large, assembled lakefront site with no fragmented private ownership, reducing acquisition risk and allowing master-planned development at a scale not possible elsewhere on the lakefront.
- Site is somewhat complicated due to its status as submerged lakefront land.
- Burke has few “unknowns” and significant diligence work has been completed on the site in the past 40 years
- Burke Lakefront property includes multiple Confined Disposal Facilities (CDFs) used for dredging materials from Cuyahoga River



Purpose

To provide Cleveland City Council and the public with a clear, fact-based understanding of the legal, financial, operational, and market realities associated with Burke Lakefront Airport—so that any future decision regarding its closure or continued operation is informed, transparent, fiscally responsible, and aligned with the long-term interests of Cleveland taxpayers.

Future City Council meetings about Burke:

- *Burke in the Budget (February 4)*
- *How to Close an Airport (April 1)*
- *Redevelopment Opportunities (April 15)*



What is Burke?

- Much of the Burke site was created through landfill and dredge material extending the shoreline outward beyond Cleveland's original natural shoreline.
- Early 1900s:



1940s-1960s



Today



Regulatory and Legal Considerations – Selling Lakefront Property

- Two primary regulatory barriers to **selling** our lakefront land
 - Ohio Public Trust doctrine
 - Cleveland’s City Charter Section 45, Alienation of Waterfront Lands
- Options consistent with Charter include:
 - Short-term licenses, permits, or easements that do not convey ownership or long-term exclusive control and preserve public access and City oversight;
 - Long-term ground leases, which must be structured to avoid functioning as de facto sales; and
 - Transfers to other public or quasi-public entities, such as the Port Authority or the State, that continue to serve public trust purposes



Regulatory and Legal Considerations – Public Trust Doctrine

- Ohio law considers the Burke site as former lakebed or “filled” lakefront.
 - The State of Ohio and, by extension, the City, holds the waters of Lake Erie and the lands beneath them in trust for the public and retains regulatory authority over these areas through the ODNR
 - Land can be developed for uses that preserve public ownership, maintain public access, and serve navigation, recreation, environmental protection, or infrastructure needs.
 - Private uses allowed, typically through long-term ground leases with public ownership retained, continued public access, and clear public-benefit findings (such as park concessions or marina services).



Regulatory and Legal Considerations - Submerged Land Lease

- Submerged Lands are “Lands presently underlying the waters of Lake Erie and the lands formerly underlying the waters of Lake Erie and now artificially filled, between the natural shoreline and the international boundary line with Canada.” ORC § 506.11(A)
- The Department of Port Control has submerged land lease SUB 0070 CU with ODNR for Burke.
 - Original term expires on May 31, 2113 with two additional 50-year options to extend
 - Approved uses included airport operations, CDF activities and uses consistent with the City’s Lakefront Master Plan as modified over time. Changes in land use must be reported to ONDR
 - Any assignment, sublease or mortgage of the City's lease requires written consent of the director of ODNR
 - Annual Rent is \$1.00 per year; however, a change in land use involving the subleasing for private development may trigger an increase in rent of up to \$.04 per square foot



Regulatory and Legal Considerations - Littoral Rights

- Littoral Rights are property rights for land bordering large, non-flowing bodies of water (lakes, oceans, seas), granting owners use of the shore and water for activities like boating, fishing, and building docks
- The City owns the majority of the upland natural shoreline south of Burke, limiting third-party claims.



Developing on Submerged Land

- City may sublease submerged land lease
- A Developer is able to collaterally assign its lease to secure amounts borrowed for the project after the consent to sublease is approved by the State.
- Submerged land lease structures are financeable in debt and equity markets. Local examples include Nuevo and apartments near Voinovich Park, Rock Hall, Science Center
- Developer has the right to sublease without City and State approval as long as they remain primarily liable for the property
- Developing on submerged land is not unusual
 - Battery Park in NYC
 - Northwestern University in Illinois



Building on Burke - Overview

- Unlike many Cleveland development sites, Burke has few “unknowns” and significant diligence work has been completed on the site in the past 40 years
- **Environmental, utility capacity, and geotechnical needs will always be contingent on the specific proposed use**
 - Low-density buildings and shelters, and a combination of both active and passive recreation uses is feasible without unusual high costs from infrastructure or remediation work
- Airport runways require a high level of soil compaction so planes can land safely – this existing soil compaction can benefit any future construction
- Additional environmental reviews are underway, but initial findings indicate Burke will not require significant environmental remediation, depending on use, compared to other sites that have been recently developed in Cleveland (Scranton Peninsula, Gordon Square, Battery Park, etc.)



Environmental Findings at Burke

- Studies are ongoing, but initial findings suggest that “clean” dirt was imported for the construction of the airport and runway expansion.
 - *For the eastern portion of Burke, the dirt is most likely sediment and dredge without significant environmental contaminants.*
- BUSTR report is being requested to determine if any underground storage tanks still exist, but were most likely all removed prior to 2007
- Next step is to conduct a health risk assessment to confirm that there are no health risks outside of regulatory approvals for development



Utilities at Burke

- Burke's current electrical service is provided by CPP and an existing electrical duct bank is located within N Marginal Road.
- An existing 12" water main, owned and operated by Cleveland Water, exists along the northern side of North Marginal Road, immediately to the south of the Burke property.
 - The existing buildings on the airport site have water service connections that could be repurposed should they align with the proposed redevelopment plans.
- Existing fire hydrants are also located along the northern side of North Marginal Road and a few are located near the existing buildings within the airport property.
- Enbridge serves Burke
- Currently Burke site has three sanitary sewer pump stations that send materials under the Shoreway and into existing combined sewer infrastructure at E 20th and E 40th.





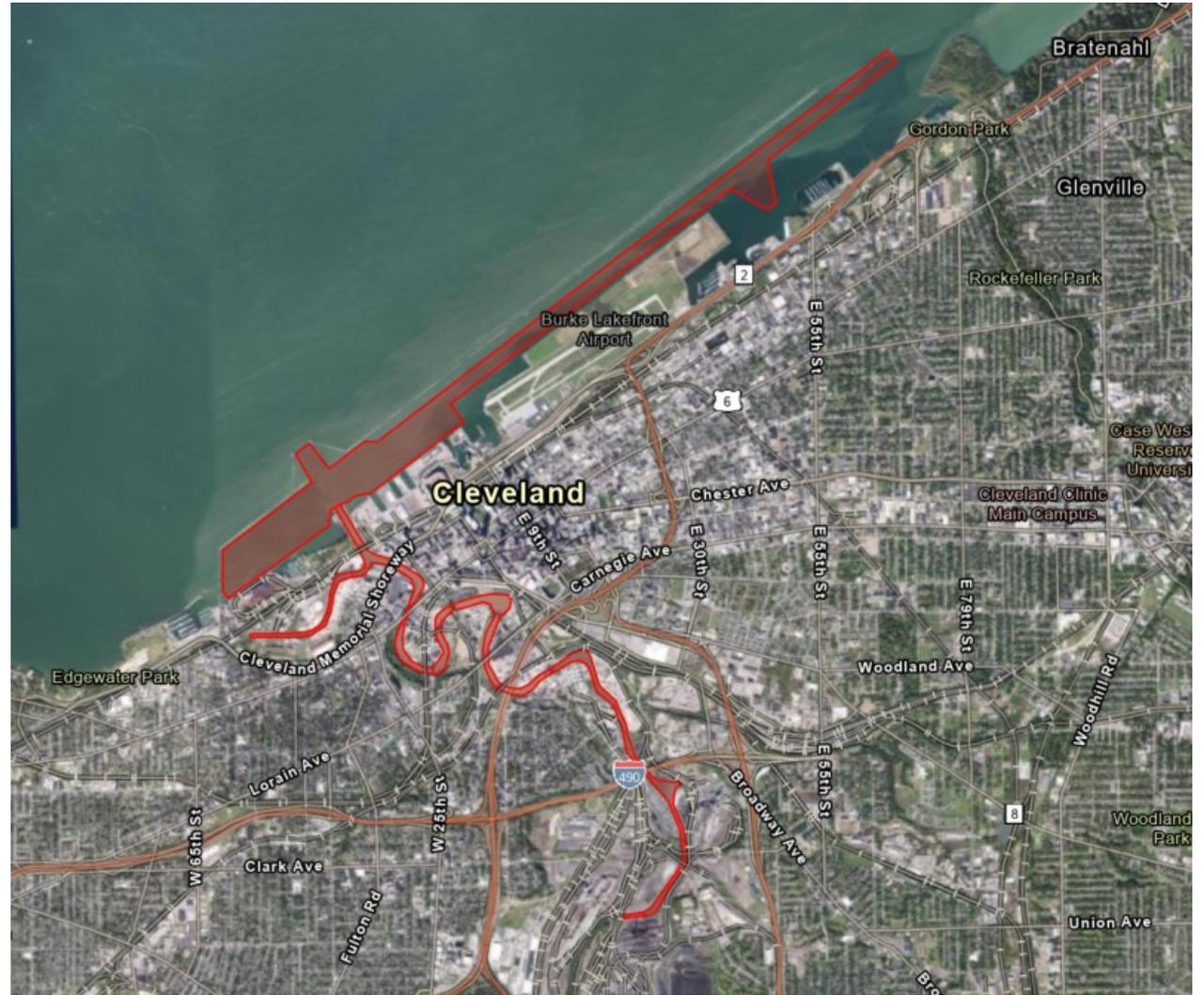
Global Reach. Local Benefits.

Cleveland Harbor Dredging & Burke Lakefront Airport

January 21, 2026

CLEVELAND HARBOR

- 23,000+ Jobs
- \$7.07B Economic Activity
- 13 Million Tons of Cargo Annually
- Congressionally Authorized 6+ Miles Protected Breakwater & 5.9 Mile Navigation Channel
- USACE Maintains Breakwater & Performs Maintenance Dredging



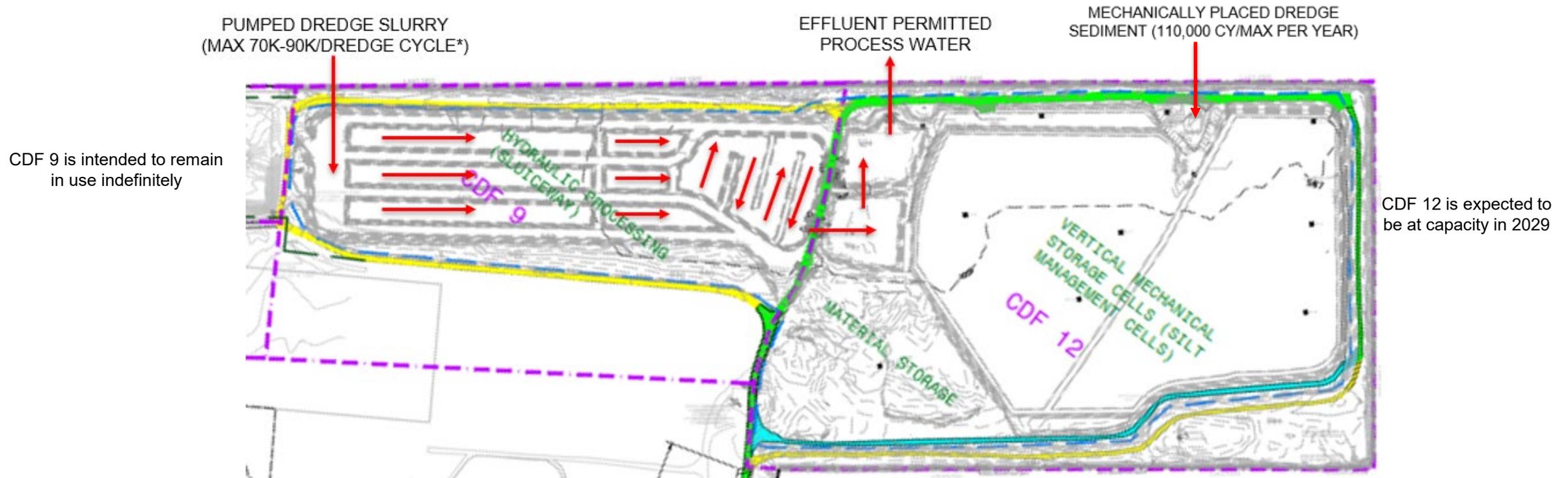
Confined Disposal Facilities





CDF 9 Dredge
placement occurs 3-5
weeks spring and fall

PORT OF CLEVELAND'S SEDIMENT PROCESSING & MANAGEMENT FACILITY OPERATIONS





Beneficial Use in Partnership with Kurtz Bros.

- Able to capture and beneficially use up to ~160,000 CY annually
- Current beneficial uses:
 - Roadway embankment & general purpose backfill
 - Construction aggregate
 - Blending for landscape applications
 - Brownfield reclamation, Cuyahoga County Land Bank
 - Cleveland Lakefront Nature Preserve



CDF 10B & 12

- 10B not a lot of capacity left
- If Burke closes, USACE could use remaining capacity and close
- CDF 12 capacity is anticipated to be reached in 2029
- Operations and maintenance manual requirements
- Authorization needed from USACE to change use

Fairport Harbor Example

- Active CDF with a lake front trail
- Educational signage



Summary

- Dredging is necessary to protect our local economy
- It is critical for 40-acre area of beneficial reuse operations to remain for the management of dredge material to protect navigation on the Cuyahoga river
- Building a new CDF is very expensive
- Close to 75% could be closed and used for recreational activities in the next 5 years
- Lakefront access can be provided with CDF 9 still in use
- The Port is supportive of Burke closing
- Will need to work together to ensure the beneficial use facility stays operational



CHEERS



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Questions?

