

To Codified? Y / N 1st Read 2nd Read _____ 3rd Read _____ Under Suspension N

ORDINANCE NO. 2021-86

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN EMERGENCY ORDINANCE DETERMINING THE
PERIOD OF TAX EXEMPTION FOR AN IMPROVEMENT
TO REAL PROPERTY OWNED BY T HAWTHORNE VALLEY OH,
LOCATED IN OAKWOOD COMMUNITY
REINVESTMENT AREA NO. 1**

WHEREAS, The Mayor, as Housing Officer, certifies that the improvement to the commercial property in Oakwood Community Reinvestment Area No. 1 owned by T Hawthorne Valley OH, LLC. qualifies for real property tax exemption under Ordinance 1991-72 as amended by Ordinances 1996-61 and 2001-22; and

WHEREAS, Council must determine the period of such exemption:

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The T Hawthorne Valley OH intends to mostly remodel in the grocery area and a fenced enclosure on the exterior to house refrigeration Weatherpacks for the added refrigeration. The interior sales floor will have a new Shop-in-Dairy/Produce Cooler. This is a nationwide program that Sam’s Club has been rolling out starting in 2020. Several of the old outdated meat and dairy cases are being replaced with similar cases. In order to refrigerate the new cooler, the store will need Weatherpack cooling units on steel framing on the left side of the store. There is an existing concrete slab there now that will be expanded about 5 ft to the left. The cost is estimated at \$ 1.2 Million.

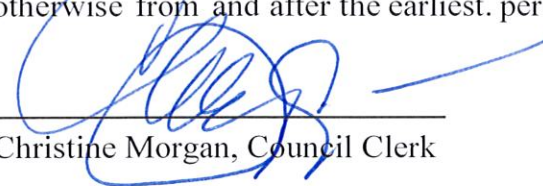
SECTION 2. To the extent that the improvements to the real properties located at 23300 Broadway Avenue, also known as Permanent Parcel Number 795-05-003, which is within the Village of Oakwood and within Oakwood Community Reinvestment Area No. 1, and owned by T Hawthorne Valley OH. or its successor(s) in interest, increase the market value of the real property improvements, such amount shall be and hereby is, exempt from real property taxation pursuant to Ordinance 1991-72, as amended by Ordinances 1996-61 and 2001-22, and Section 3735.67(D)(3) of the Ohio Revised Code for a period of fifteen (15) years, beginning in the year following the calendar year of certification of the above to the County Auditor by the Village Housing Officer after the completion of each building. Said exemption shall cover forty nine percent (49%) of the dollar amount by which the improvements increase the market values of the real property improvements. Any additional development on the balance of Permanent Parcel Number 795-05-003, similar in nature to that presently proposed, will be granted similar incentives provided such development occurs within five (5) years of the adoption of this Ordinance. In addition, all tap-in, permit and review fees as well as the abatement application fee shall be waived for the construction of these facilities and items related thereto as and for additional economic incentive to T Hawthorne Valley OH for its project within the Village of Oakwood, Ohio.


SECTION 3. The period of said exemption shall terminate before the end of fifteen (15) years or at any time after the first year of exemption if the Housing Officer finds and certifies delinquency in a payment of property taxes for the subject property or that the subject property has not been maintained or repaired due to the negligence of the owner.

SECTION 4. In the event T Hawthorne Valley OH or its successor(s) in interest, fail to renovate the building and yard indicated in Section 1, within eighteen months of the date of this Ordinance this exemption shall become null and void. If T Hawthorne Valley OH or its successor(s) in interest shall, for any reason, cease operation of the building contemplated hereunder, it shall reimburse to the County Auditor for proper distribution an amount equal to 100% of the tax incentive dollars it has saved as a result of this Ordinance to the point operations have ceased.

SECTION 5. In the event the real property tax, as it is presently constituted, is eliminated by the State of Ohio and if a new tax, in whatever form, replaces said real property tax and in the further event abatement from the payment of the new tax is permitted by applicable law, the Village of Oakwood agrees to allow for the substitution of this abatement for an abatement of the new tax in the same proportion and for the remaining duration of the existing abatement provided such substitution is approved by any governmental entity having jurisdiction over such matters including, but not limited to, the local School Board.

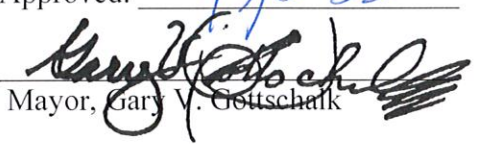
SECTION 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same relates to the daily operation of a municipal department and the provision of economic development and opportunities beneficial to the citizens of the Village of Oakwood, therefore, provided it receives two-thirds (2 / 3) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.


Christine Morgan, Council Clerk


Johnnie A. Warren, President of Council

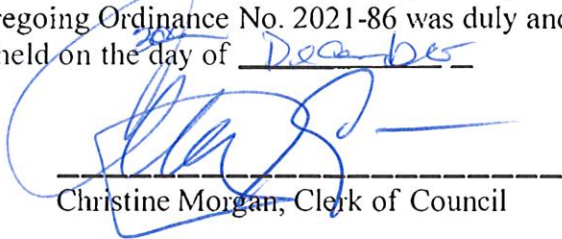
Presented to the Mayor 1/3/2022

Approved: 1/3/2022


Mayor, Gary V. Gottschalk

Passed: 12/30/2021

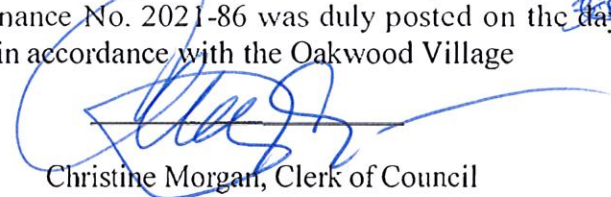
I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2021-86 was duly and regularly passed by this Council at the meeting held on the day of December, 2021.



Christine Morgan, Clerk of Council

POSTING CERTIFICATE

I, Christine Morgan, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2021-86 was duly posted on the day of December 2021 and will remain posted in accordance with the Oakwood Village



Christine Morgan, Clerk of Council

DATED: 12/30/2021

VILLAGE OF OAKWOOD
Application for the
Community Reinvestment Area Program

