

Beachwood Special City Council Meeting Agenda
Thursday, September 24, 2020, 7:30 PM

*Please note, this meeting will be held by video conference via Zoom and
livestreamed on the City of Beachwood website at www.beachwoodohio.com and can be viewed on Spectrum Channel 1020
and AT&T U-Verse Channel 99.*

*This Special City Council Meeting has been duly noticed and is being held in accordance
with Ohio Revised Code Section 121.22 specific to recent Amendments made in light of the
current COVID-19 declared emergency.*

Agenda Items

1. Roll Call

2. Mayor's Report

3. Economic Development Committee
Ordinance No. 2020-113 An Ordinance amending Ordinance No. 2018-36 which implemented Sections 3735.65 through 3735.70 of the Ohio Revised Code, to Establish and Describe the Expanded Boundaries of the Commerce Park Community Reinvestment Area in the City of Beachwood, Ohio

4. Economic Development Committee
Ordinance No. 2020-114 An Ordinance authorizing the Mayor to Enter into a Community Reinvestment Area Compensation Agreement with the Board of Education of the Beachwood City School District; and declaring this to be an urgent measure

Any other matters coming before City Council

Adjournment

INTRODUCED BY:

ORDINANCE NO. 2020-113

AN ORDINANCE AMENDING ORDINANCE NO. 2018-36 WHICH IMPLEMENTED SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, TO ESTABLISH AND DESCRIBE THE EXPANDED BOUNDARIES OF THE COMMERCE PARK COMMUNITY REINVESTMENT AREA IN THE CITY OF BEACHWOOD, OHIO

WHEREAS, pursuant to Ordinance No. 2018-36 the Council of the City Beachwood established the Community Reinvestment Area; and

WHEREAS, the area designated as the “Commerce Park Community Reinvestment Area” constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been discouraged; and

WHEREAS, the Council of the City of Beachwood now desires to expand the designated Community Reinvestment Area.

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

Section 1: Pursuant to ORC Section 3735.66, the Commerce Park Community Reinvestment Area and Ordinance 2018-36 is hereby amended to include the expanded area described and depicted in Exhibit “A”, a copy of which is attached hereto and incorporated herein. Only residential, commercial and/or industrial properties consistent with the applicable zoning regulations within the designated Expanded Community Reinvestment Area will be eligible for exemptions under this Program.

Section 2: All properties identified in Exhibit “A” as being within the designated Expanded Community Reinvestment Area are eligible for this incentive. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the City of Beachwood intends to undertake supporting public improvements in the designated area.

Section 3: Section 4 of Ordinance 2018-36 shall be amended to read as follows:

Within the Expanded Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the term of those exemptions shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring according to the rules outlined in the ORC Section 3735.67. The results of the negotiation as approved by this Council will be set forth in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671. For residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in ORC Section 3735.67 shall be granted upon application by the property owner and certification thereof by the designated Housing Officer for the following periods.

Ten (10) years for the remodeling of every residential dwelling unit containing not more than two (2) housing units with a minimum investment of Twenty-Five Thousand Dollars and No/Cents (\$25,000.00), and with such exemption being fifty percent (50%) for each of the ten (10) years.

Ten (10) years, for the construction of dwellings containing not more than two (2) housing units with such exemption being fifty percent (50%) for each of the ten (10) years.

Up to, and including, ten (10) years, and up to, and including, fifty percent (50%) for the remodeling of existing commercial and industrial facilities, with a minimum investment of Two Hundred Fifty Thousand Dollars and No/Cents (\$250,000.00) ~~Fifty Thousand Dollars and No/Cents (\$50,000.00)~~ for commercial and Five Hundred Thousand Dollars and No/Cents (\$500,000.00) ~~One Hundred Thousand Dollars and No/Cents (\$100,000.00)~~ for industrial with the term and percentage of which shall be negotiated on a case-by-case basis in advance of remodeling occurring.

For the purposes of the above described Expanded Community Reinvestment Area, structures exclusively used for residential purposes and composed of two (2) and fewer units shall be classified as residential structures (two (2) units or more shall be considered as commercial).

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption, the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

Section 4: All other provisions of Ordinance 2018-36 not specifically amended herein shall remain in full force and effect.

Section 5: The Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

Section 6: This Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon confirmation by the Director of the Ohio Development Services Agency of the findings in this Ordinance.

Section 7: The Mayor is hereby directed and authorized to petition the Director of the Ohio Development Services Agency to confirm the findings contained within this Ordinance.

WHEREFORE, this Ordinance shall be in full force and effect from and after the earliest period permitted by law.

Attest: I hereby certify this legislation was duly adopted on the day of October, 2020 and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the day of October, 2020.

Clerk

Approval: I have approved this legislation this day of October, 2020, and filed it with the Clerk.

Mayor

CITY OF Beachwood

MARTIN S. HORWITZ, MAYOR

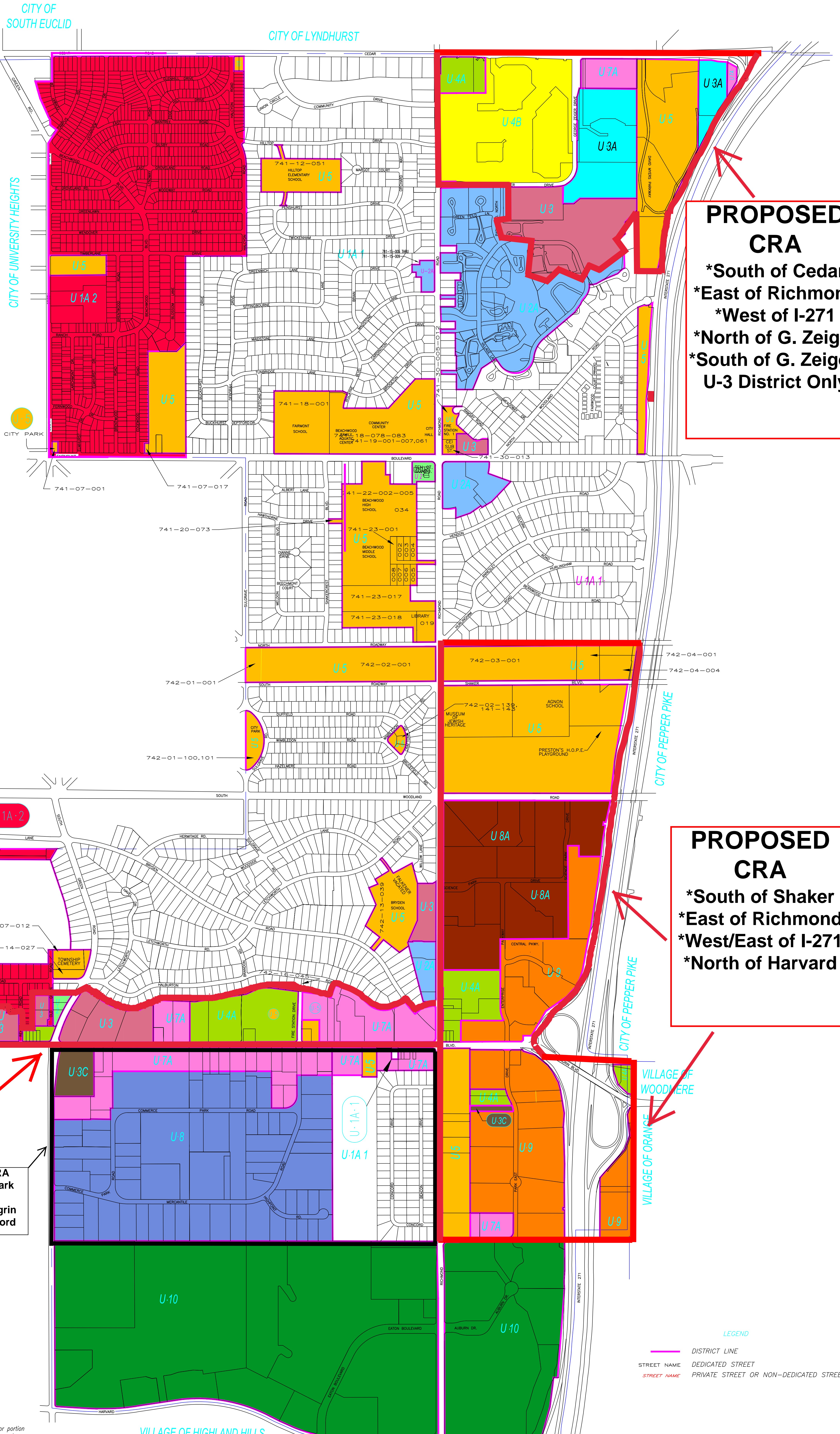
ZONING MAP

SHOWING ALL AMENDMENTS TO AND INCLUDING ORDINANCE No. 2002-187 ADOPTED BY THE COUNCIL OF THE CITY OF BEACHWOOD, OHIO.

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BEACHWOOD, OHIO.
MAP UPDATE OCTOBER 28, 2004.

MAP REVISED APRIL 2018

CLASS USE / AREA	DISTRICT	MINIMUM LOT AREA/FAMILY SQ. FT.	SETBACK FT.	MAXIMUM % COVERAGE	MAXIMUM HEIGHT FT.	PARKING
U-1A1	SINGLE FAMILY	18,000	SEE NOTES ON MAP		35	
U-1A2	SINGLE FAMILY	8,000	SEE NOTES ON MAP		35	
U-3	MULTIPLE FAMILY	VARIES	75	25	25	2/UNIT
U-2A	ATTACHED SINGLE FAMILY	10 ACRES	50	50%	25	3/UNIT
U-7	APARTMENT HOUSE	VARIES	50	35	35	2/UNIT
U-3A	HIGH RISE APARTMENT	7 ACRES	80 MIN.	20%	100	2/UNIT
U-3B	SENIOR APARTMENT & LONG TERM CARE DISTRICT	10 ACRES	160,000 (ON RICHMOND)	20%	40	VARIES
U-4A	INTEGRATED BUSINESS	5 ACRES	100	25%	25	VARIES
U-4B	SHOPPING CENTER	300	20%	2 STORES	1/50 SALES AREA	
U-5	PUBLIC AND INSTITUTIONAL	3 ACRES	75	25%	40	VARIES
U-7A	GENERAL OFFICE (MEDICAL OFFICES REFER TO ORDINANCE)	1 ACRE	75	20%	35	VARIES
U-8	STORAGE AND MANUFACTURING	1 ACRE	2-ACRES-100 1-ACRES-75	40%	35	VARIES
U-8A	OFFICE BUILDING AND RESEARCH	2 ACRES	100,000 (ON RICHMOND)	35% - 35%	35 OR 3 STORES	VARIES
U-9	MOTOR SERVICE	VARIES	VARIES	VARIES	60	VARIES
U-10	PLANNED MIXED USE DEVELOPMENT DISTRICT	SEE NOTES ON MAP				
U-3C	PLANNED MULTI-FAMILY RESIDENTIAL DISTRICT	7 ACRES	40	60%	65	1.5/UNIT



PROPOSED CRA
 *South of Cedar
 *East of Richmond
 *West of I-271
 *North of G. Zeiger
 *South of G. Zeiger- U-3 District Only

PROPOSED CRA
 *South of Shaker
 *East of Richmond
 *West/East of I-271
 *North of Harvard

PROPOSED CRA
 *North of Chagrin to Richmond

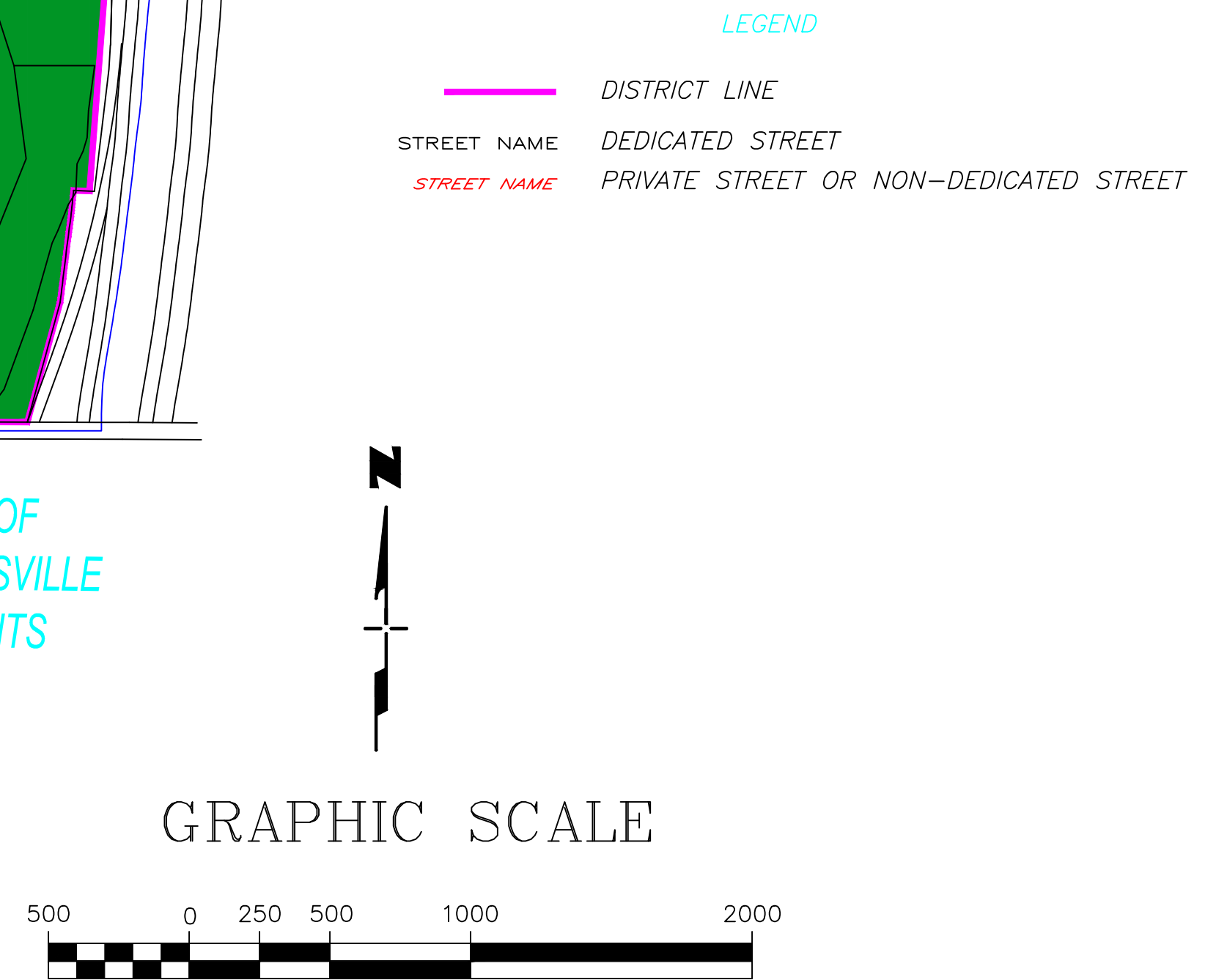
EXISTING CRA
 *Commerce Park
 *Mercantile
 *South of Chagrin
 *Beacon/Concord

U-1A1 1113.04 LOCATION OF BUILDING LINE.
 On a street frontage in a Class U-1 District the location of the building line shall be as follows:
 (a) On a street frontage other than the side line of a corner lot, the distance of the building line back from the street right-of-way line shall be twenty percent (20%) of the average depth of the lot or thirty-five (35) feet, whichever is greater.
 (b) In a Class U-1 District along the side line of a corner lot, the distance of the building back from the street right-of-way line shall be twenty percent (20%) of the average width of such lot or twenty (20) feet, whichever is greater.

U-1A2 1113.04 FRONT YARDS; BUILDING LINES.
 Between the building line and the street no building or portion of a building extending above the established grade may be erected. On a corner lot between the building line and the street line, and within the triangular space included between the street line, for a distance of twenty-five feet from their point of intersection, no fence or other structure more than three feet in height above the plane of the established grade shall hereafter be erected, and no shrubs or foliage shall be maintained that, in the judgment of the Building Commissioner, will materially obstruct the view of a driver of a vehicle approaching the intersection and within seventy-five feet of the center of such intersection, of approaching cross traffic which is within seventy-five feet of the center of such intersection.

U-10 Permitted uses in this U-10 District shall include the following uses with the standards set forth in this chapter or incorporated by reference:
 (1) Class P-1 (U-4A Retail).
 (2) Class P-2 (U-7A Office Building).
 (3) Class P-3 (U-8A "Flex" Space).
 (4) Class P-4 (U-9 Hotel, Gas Station or restaurant).
 (5) Class P-5.
 (6) Class P-6.

Not more than the greater of seven acres of land or 100,000 square feet of gross leasable area shall be permitted in the PUO, excluding accessory space in office buildings.
 Not more than twenty percent of the PUO District shall be Class U-8A. A U-8A use shall be occupied by not less than ten percent of office use for each building.
 Hotel (not less than four stories and forty feet in height).
 Municipal and public utility service uses.
 Park land. Prior to designation of the use P-1 through P-6, District by the owner and approved by the planning and zoning commission per section 1122.08, all land shall be designated as park land.



AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA COMPENSATION AGREEMENT WITH THE BOARD OF EDUCATION OF THE BEACHWOOD CITY SCHOOL DISTRICT; AND DECLARING THIS TO BE AN URGENT MEASURE

WHEREAS, the Ohio Community Reinvestment Area Program, pursuant to Sections 3735.65 through 3735.70 of the Revised Code, authorizes municipalities to grant real property tax exemptions on eligible new investments; and

WHEREAS, the City, by Ordinance 2018-36, adopted April 2, 2018, designated an area within the municipality as the Commerce Park Community Reinvestment Area; and

WHEREAS, effective May 23, 2018, the Director of the Ohio Development Services Agency determined the area designated by the municipality within Ordinance No. 2018-36 contained the characteristics set forth in Section 3735.66 of the Ohio Revised Code and certified the area as a Community Reinvestment Area; and

WHEREAS, within the Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the term of those exemptions is negotiated on a case-by-case basis in advance of construction or remodeling occurring according to the rules outlined in Section 3735.67 of the Ohio Revised Code. The results of the negotiation are formalized in an Agreement between the City and the property owner and when approved by Council are set forth in writing in a Community Reinvestment Area Agreement in accordance with Section 3735.671 of the Ohio Revised Code; and

WHEREAS, the City by Ordinance 2018-36 limited the real property tax exemptions for commercial and industrial property as follows:

- Up to, and including, ten (10) years, and up to, and including, fifty percent (50%) for the remodeling of existing commercial and industrial facilities, with a minimum investment of Fifty Thousand Dollars and No/Cents (\$50,000.00) for commercial and One Hundred Thousand Dollars and No/Cents (\$100,000.00) for industrial with the term and percentage of which shall be negotiated on a case-by-case basis in advance of remodeling occurring.
- Ordinance 2020-113 will increase the minimum investment to Two Hundred Fifty Thousand Dollars and No/Cents (\$250,000.00) for commercial remodeling and to Five Hundred and Thousand Dollars and No/Cents (\$500,000.00) for industrial remodeling.
- Up to, and including, ten (10) years, and up to, and including, fifty percent (50%) for the construction of new commercial or industrial facilities, the term and percentage of which shall be negotiated on a case-by-case basis in advance of construction occurring.

WHEREAS, for residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in Section 3735.67 of the Ohio Revised Code shall be granted upon application by the property owner and certification thereof by the designated Housing Officer for the following periods:

- Ten (10) years for the remodeling of every residential dwelling unit containing not more than two housing units with a minimum investment of Twenty-Five Thousand Dollars and No/Cents (\$25,000.00), and with such exemption being fifty percent (50%) for each of the ten (10) years.
- Ten (10) years, for the construction of dwellings containing not more than two (2) housing units with such exemption being fifty percent (50%) for each of the ten (10) years.
- For the purposes of the above described Community Reinvestment Area, structures exclusively used for residential purposes and composed of two (2) and fewer units shall be classified as residential structures (more than two (2) units shall be classified as commercial); and

WHEREAS, the City has provided notice to the Board of Education of the Beachwood City School District (“School Board”) of the intention of Council to amend Ordinance 2018-36, through Ordinance 2020-113, to expand the Community Reinvestment Area; and

WHEREAS, the City and the School Board, pursuant to Section 5709.82 of the Ohio Revised Code wish to enter into a Compensation Agreement concerning the benefits related to the City’s Expanded Community Reinvestment Area.

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

Section 1: The Mayor is hereby authorized and directed to enter into a Community Reinvestment Area Compensation Agreement with the School Board in a form substantially similar to that attached hereto and incorporated herein as Exhibit “A”.

Section 2: It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public where required by Chapter 105 of the Codified Ordinances of the City.

Section 3: This Ordinance is declared to be an urgent measure immediately necessary for the public peace, health or safety or the efficient operation of the City, and for the further reason that it is necessary to enter into this contract at the earliest time in order to facility economic development in the City, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

WHEREFORE, this Ordinance shall take effect and be in force from and after the earliest date permitted by law.

Attest: I hereby certify this legislation was duly adopted on the ___ day of October, 2020, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the ___ day of October, 2020.

Clerk

Approval: I have approved this legislation this ___ day of October, 2020, and filed it with the Clerk.

Mayor