

ORDINANCE NO. 2018 - 9

AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF THE MIXED-USE COMMUNITY REINVESTMENT AREA IN THE VILLAGE OF SOUTH LEBANON.

WHEREAS, this Council of the Village of South Lebanon, Ohio (the “Village”), desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in the Village, which has suffered from a lack reinvestment from remodeling or new construction; and

WHEREAS, pursuant to Section 3735.66 of the Ohio Revised Code, a survey of housing has been prepared with respect to the proposed Village of South Lebanon Mixed-Use Community Reinvestment Area (the “Mixed-Use CRA”) and is set forth in *Exhibit B*, attached hereto and incorporated herein; and

WHEREAS, the maintenance of existing and construction of new structures in the Mixed-Use CRA would serve to encourage economic stability, maintain real property values, and generate new employment opportunities in the Village; and

WHEREAS, the remodeling of existing structures or the construction of new structures in the Mixed-Use CRA constitutes a public purpose for which real property exemptions may be granted;

NOW, THEREFORE, BE IT ORDAINED BY COUNCIL OF THE VILLAGE OF SOUTH LEBANON, WARREN COUNTY, OHIO, A MAJORITY OF THE MEMBERS ELECTED THERETO CONCURRING:

SECTION 1. The area designated as the Mixed-Use CRA (as defined in the preambles hereto) is 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.

SECTION 2. Pursuant to Section 3735.66 of the Ohio Revised Code, the Mixed-Use CRA is hereby established in the following described area:

The boundaries of the Mixed-Use CRA are approximately as depicted on the map attached hereto as *Exhibit A* and incorporated herein by reference.

Only properties consistent with the applicable zoning regulations and variances thereto within the Mixed-Use CRA will be eligible for exemptions.

SECTION 3. All properties identified in red on *Exhibit A* as being within the Mixed-Use CRA are eligible for real property tax exemptions.

SECTION 4. Within the Mixed-Use CRA, 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 Section 3735.67 of the Ohio Revised Code. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in Section 3735.671 of the Ohio Revised Code. 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:

- (a) Fifteen (15) years, for the remodeling of every residential dwelling containing more than two housing units, and upon which the cost of remodeling is at least \$5,000, as described in Section 3735.67 of the Ohio Revised Code, and with such exemption being one hundred percent (100%) for each of the fifteen (15) years;
- (b) Fifteen (15) years, for the construction of every new residential dwelling, including dwellings containing multiple housing units, as described in Section 3735.67 of the Ohio Revised Code, and with such exemption being one hundred percent (100%) for each of the fifteen (15) years;
- (c) Up to fifteen (15) years, and up to fifty percent (50%), for the remodeling of every commercial or industrial structure, and upon which the cost of remodeling is at least \$5,000, as described in Section 3735.67 of the Ohio Revised Code, the term and percentage of which shall be negotiated on a case-by-case basis in advance of remodeling occurring.
- (d) Up to fifteen (15) years, and up to fifty percent (50%), for the construction of every new commercial or industrial structure, the term and percentage of which shall be negotiated on a case-by-case basis in advance of construction occurring.

For the purposes of Sections 3735.65 through 3735.70 of the Ohio Revised Code, rental housing within the Mixed-Use CRA, including without limitation rental housing located in a structure containing multiple residential housing units, is classified as residential and is eligible for the exemptions described in subsections (a)-(b) of this Section 4.

The foregoing dwellings, housing and structures may be included in part of a larger structure containing other uses. Abatements may be claimed for, and will apply to, any portion of a structure meeting the required criteria; the entire structure does not need to be abated or qualify for abatement in order for the abatement to apply to the qualifying portions of the structure.

SECTION 5. All commercial and industrial projects are required to comply with the state application fee requirements of Section 3735.672(C) of the Ohio Revised Code and the local annual monitoring fee of one percent (1%) of the amount of taxes exempted under the agreement, such amount being a minimum of \$500 up to a maximum of \$2,500 annually, unless waived.

SECTION 6. To administer and implement the provisions of this Ordinance, the Village Administrator or the Village Administrator's designee is designated as the Housing Officer, as described in Sections 3735.65 through 3735.70 of the Ohio Revised Code.

SECTION 7. Pursuant to Section 3735.69 of the Ohio Revised Code, there is hereby established the Mixed-Use CRA Housing Council (the "Housing Council"), consisting of two members appointed by the Mayor, two members appointed by this Council and one member appointed by the Planning Commission. The majority of the members shall then appoint two additional members who shall be residents of the Village. Terms of the members of the Housing Council shall be for three (3) years. An unexpired term resulting from a vacancy in the Housing Council shall be filled in the same manner as the initial appointment was made. The Housing Council shall make an annual inspection of the properties within the Mixed-Use CRA for which an exemption has been granted under Section 3735.67 of the Ohio Revised Code. The Housing Council shall also hear appeals under Section 3735.70 of the Ohio Revised Code.

SECTION 8. In order to comply with the provisions of Section 5709.85 of the Ohio Revised Code, the Village has previously established a Tax Incentive Review Council in connection with the granting of other tax incentives authorized under the Ohio Revised Code. The Tax Incentive Review Council shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvements under Section 3735.671 of the Ohio Revised Code within the Mixed-Use CRA, and make written recommendations to this Council as to continuing, modifying or terminating any such agreement based upon the performance thereof. The Tax Incentive Review Council shall also undertake any additional duties and responsibilities set forth in Section 5709.85 of the Ohio Revised Code.

SECTION 9. This Council reserves the right to re-evaluate the designation of the Mixed-Use CRA after December 31, 2018, at which time the Council may direct the Housing Officer not to accept any new applications for exemptions as described in Section 3735.67 of the Ohio Revised Code.

SECTION 10. That the Village Administrator is hereby directed and authorized to petition the Director of the Ohio Development Services Agency to confirm the findings in this Ordinance.

SECTION 11. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees

that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 12. The Mayor of the Village is hereby directed and authorized to petition the Director of the Ohio Department of Development to confirm the findings contained within this Ordinance.

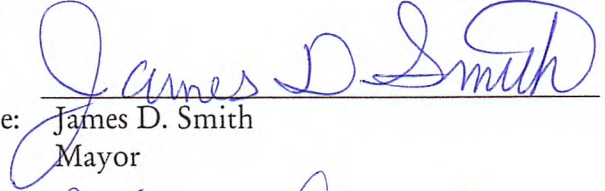
SECTION 13. The Fiscal Officer of the Village is hereby directed to cause a summary of this Ordinance to be published.

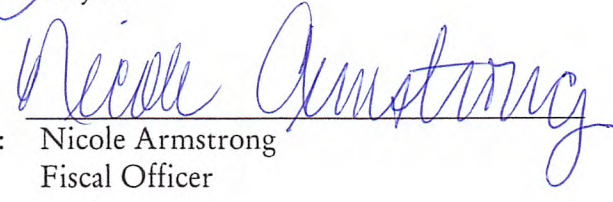
SECTION 14. That this Ordinance shall take effect and be in full force when passed and approved according to law, subject to confirmation by the Director of the Ohio Development Services Agency of the findings in this Ordinance.

ADOPTED: [June 28], 2018.

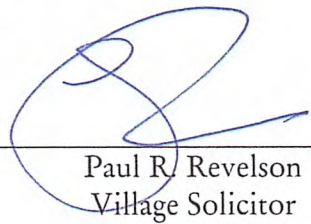
First Reading 6/7/18
Second Reading 6/21/18
Third Reading 6/28/18
vote: 6 Yeas

CERTIFIED:

Signature: 
Printed Name: James D. Smith
Title: Mayor

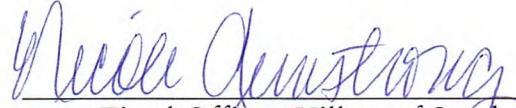
Signature: 
Printed Name: Nicole Armstrong
Title: Fiscal Officer

Approved as to form only:

Signature: 
Printed Name: Paul R. Revelson
Title: Village Solicitor

CERTIFICATE

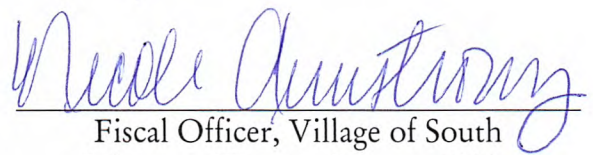
The undersigned hereby certifies that the foregoing is a true and correct copy of Ordinance No. 2018-9.



Fiscal Officer, Village of South
Lebanon, Warren County, Ohio

CERTIFICATE

The undersigned hereby certifies that a copy of the foregoing Ordinance was certified this day to the Director of the Ohio Development Services Agency.



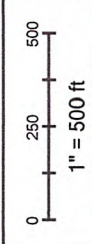
Fiscal Officer, Village of South
Lebanon, Warren County, Ohio

Dated: June 28, 2018

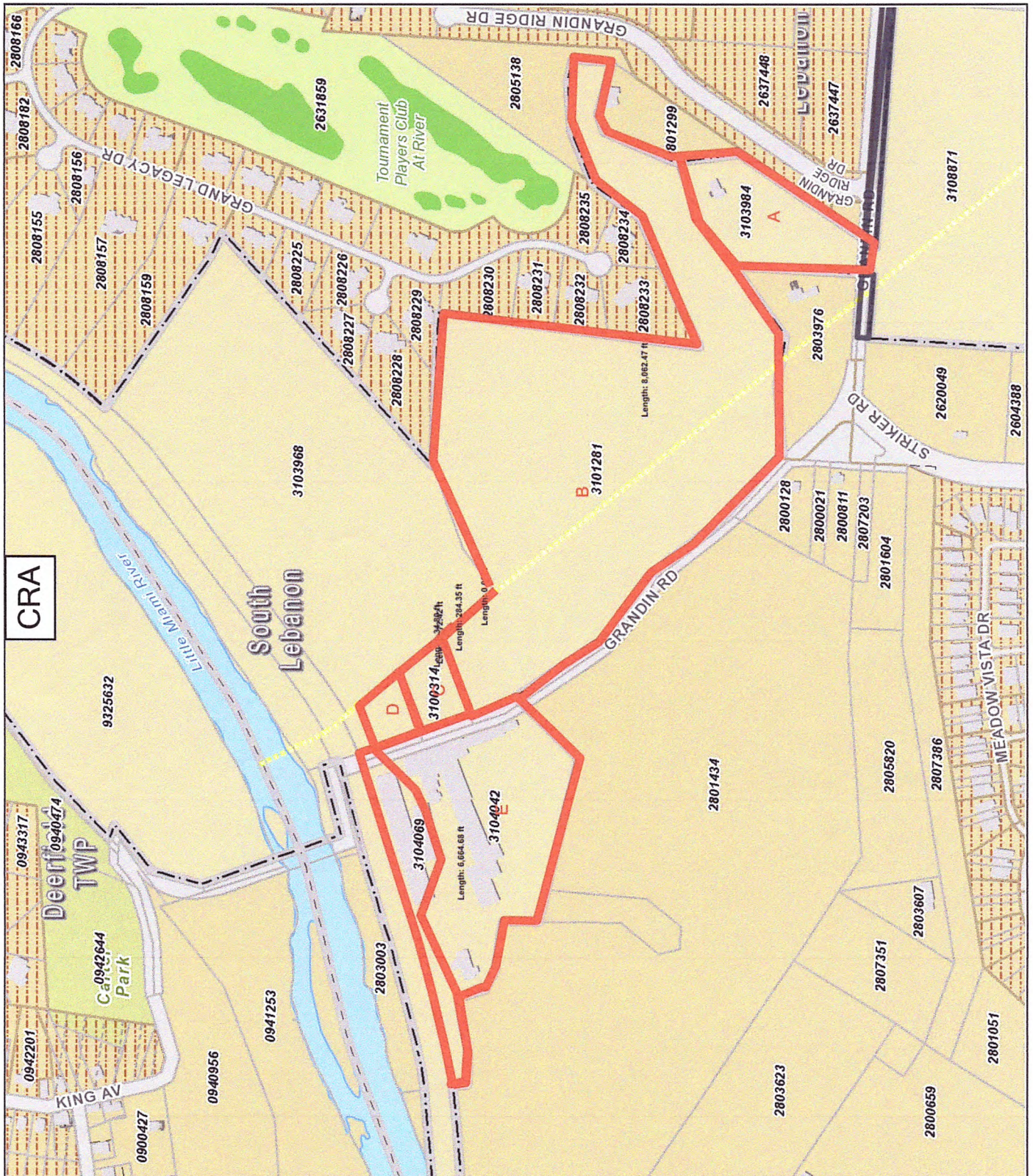
EXHIBIT A
PROPOSED MIXED-USE CRA BOUNDARIES

Warren County Legend

- Interstate
- US Route
- State Route
- Local Road
- County Boundary
- Auditors Tract Line
- Civil Township Line
- Corporate Line
- Overpass Line
- Parcel Line
- ROW Unknown Width
- Road ROW
- School Line
- Section Line
- Subdivision Limit
- Subdivision Lot Line
- Township & Range
- Tract Line
- VMS Line
- Vacated Road Line



This is a product of the Warren County GIS Department. The data depicted here has been developed with extensive cooperation from other county departments as well as other federal state and local government agencies. Warren County expressly disclaims responsibility for damages or liability that may arise from the use of this map. Any resale of this information is prohibited, except in accordance with a licensing agreement.
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Map ID	Parcel ID	Address	Owner
"A"	16112300040	834 GRANDIN RD MAINEVILLE OH 45039	HAMER DEBORAH L. FKA
"B"	16124000090	0 GRANDIN RD MAINEVILLE OH 45039	STATE OF OHIO DEPT. N/R
"C"	16124000120	0 GRANDIN RD MAINEVILLE OH 45039	PETER'S CARTRIDGE *
"D"	16124530040	1415 GRANDIN RDMAINEVILLE OH 45039	PETER'S CARTRIDGE *
"E"	16124530050	1409 GRANDIN RDMAINEVILLE OH 45039	PETER'S CARTRIDGE *

EXHIBIT B
HOUSING SURVEY

Exhibit B – Housing Study for Creation of Community Reinvestment Area

Peters Cartridge Company

The purpose of this housing study is to demonstrate that the area to be designated as a CRA is one in which new housing construction and repair of existing structures are discouraged and the Area contains structures of historical significance.

This housing survey provides evidence of an area in South Lebanon Village, Warren County, Ohio that has experienced limited new housing construction or redevelopment. This study includes 2010 Census tract information, U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates as well as photographic evidence of homes in need of redevelopment. While the Area being considered is a small portion of the Census tract, that Census tract data will be used throughout this housing survey.

The housing stock in the proposed CRA zone reflects characteristics of the Census tract housing stock for this Area of South Lebanon Village, Warren, Ohio. Thirty-Three percent (33%) of homes in this census tract are over 25 years old.

According to the U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates, South Lebanon Village which contains the proposed CRA district has a 2010 median household income of \$61,957, compared to \$76,200 for Warren County as a whole. This income number would take into account the large number of high end single-family residential subdivision developments located in other parts of Warren County, that were developed since early 2000. The proposed CRA Area did not experience the household income growth during those boom years.

Year Housing Built	Percentage of Housing	
Built 1939 or earlier	162	2.24%
Built 1940 to 1949	9	0.12%
Built 1950 to 1959	120	1.66%
Built 1960 to 1969	220	3.05%
Built 1970 to 1979	228	3.16%
Built 1980 to 1989	170	2.35%
Built 1990 to 1999	1,491	20.65%
Built 2000 to 2009	4,175	57.83%
Built 2010 to 2013	575	7.97%
Built 2014 or later	69	0.96%
Total:	7,219	

Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

The proposed CRA will include up to 130 high-end loft-style apartments, some with indoor parking. The seven-story shot tower, more than 100 years old, will be preserved and serve as the foundation for a three-story luxury penthouse with an elevator and views of the river and surrounding landscape. The plans include a large lobby, meeting and banquet space, a workout center, and a bicycle storage facility, along with a commercial area on the ground floor with restaurants, a bar, and other retail shops.

As outlined in this housing survey, the creation of a Community Reinvestment Area in this part of South Lebanon Village, Warren County would preserve historical sites and structures and assist in the redevelopment of this targeted Area. The CRA Area will serve the Village and surrounding area's young professional population with housing, shopping and entertainment options that are close to work and non-work-related activities. As mentioned previously, this area did not experience the growth and construction activity that other parts of the County experienced in the early to mid-2000s.

Proximity Employers & Schools

Kings Mills Army Reserve Center

The 16-acre Kings Mills Army Reserve Center is located just 0.4 miles from Peters Cartridge at 6195 Striker Road, Maineville, Ohio, 45039. The center is bordered by Diversified Products to the south / southwest. was formerly part of the 100-acre Kings Mills Ordinance Plaintiff. Owned and operated by the United States Army Reserve, the center.

Kings Schools

Kings Local School district consists of three K-4 elementary schools, one 5-6 intermediate school, one 7-8 junior high school, and one 9-12 high school, totaling approximately 4,700 students. The district also has a preschool / childcare also offering before and after school childcare.

With a student to teacher ratio of 18:1 and an average classroom size of 23, Kings is nationally ranked in academics, and was named a "Best Community for Music Education" by the National Association of Music Merchants in 2014. The district offers advanced placement programs, a comprehensive technology program, and athletics. Several of its schools are Ohio Hall of Fame Schools and National Blue-Ribbon Award winners. Kings High School was named the top 3% in the United States by Newsweek, U.S. News and World Report.

School	Miles from Cartridge	Address	Student Population
Kings High School	1.3 miles	5500 Columbia Road, Kings Mills, Ohio 45034	1,227 students
Kings Junior High School	1.5 miles	5620 Columbia Road, Kings Mills, Ohio 45034	664 students
Columbia Intermediate School	1.5 miles	8263 Columbia Road, Maineville, Ohio 45034	650 students
J.F. Burns Elementary School	5.7 miles	8471 Columbia Road, Maineville, Ohio 45034	578 students
Kings Mills Elementary School	0.9 miles	1780 King Avenue, Kings Mills, Ohio 45034	531 students
S. Lebanon Elementary School	1.7 miles	50 Ridgeview Lane Maineville, Ohio 45039	441 students
Kings Preschool / Kings Kids Childcare	0.9 miles	1797 King Avenue Kings Mills, Ohio 45034	

The Beach At Adventure Landing

The Beach at Adventure Landing, still commonly referred by many by its previous name, “The Beach Waterpark,” is located approximately two miles from Peters Cartridge at 2590 Waterpark Drive, Mason, Ohio, 45040, in Warren County. Known as the largest tropical beach in Ohio, and for its innovative ideas for the entire family, the park is situated on just over 35 acres of rolling wooden terrain. Formerly known as “The Beach Waterpark,” it first opened its doors in 1985, and was originally developed by Bunnell Hill Development Company, Inc. The park temporarily closed its doors in 2012 due to the bad economy and low attendance. National Retail Properties, LP, an affiliate of the Florida based park chain, Adventure Holdings, LLC purchased the park in July of 2012 for \$3 million and began a \$5 million renovation project, which was completed before the park’s reopening in May of 2013 with its new name, “The Beach at Adventure Landing.” The park is just one of the 18 family entertainment centers Adventure Holdings, LLC properties, operates across the United States.

The Beach at Adventure Landing has undergone renovations totaling \$6.5 million since 2014, which included the entire waterpark, new ‘kiddie’ areas, like “Big Creek Bench,” featuring a 600-gallon dump bucket, and a family arcade. The park now features 22 slides and entertainment attractions, including: Kokomo Lazy River stretching 1,200 feet; Big Surf Wave Pool heated to 86 degrees Fahrenheit with authentic ocean waves crashing; 2,600 tons of white beach sand, 150 live palm trees, and more than 2 million galls of water adventure. The park employs 500 seasonal positions and a local full-time management team with more than 50 years of waterpark experience. Aquatics International Magazine recognized the park as being the best privately owned water park in 2010.

Kings Island

Kings Island, known as the largest amusement and waterpark in the Midwest, is a 364-acre amusement park located approximately three miles from Peters Cartridge at 6300 Kings Island Drive, Mason, Ohio, 45040, in Warren County. The park first opened its doors in 1972 and is now owned and operated by Cedar Fair Entertainment Company, which owns a total of 11 amusement parks, including Cedar Point in Sandusky, Ohio, three outdoor water parks, one indoor water park and five hotels. It was originally created to move Coney Island, since it was along the Ohio River and prone to flooding. It has acquired more than \$275 million in capital investments, and now includes over 80 rides (15 roller coasters) and attractions, shows and attractions, and a 33-acre water park, referred to as "Soak City." The park employs more than 150 full-time employee positions and is currently seeking to fill more than 5,000 positions for the 2018 season, beginning in April.

The park is divided into three themed sections, including: seasonal amusement park (early spring through Labor Day); Halloween themed events, referred to as, "Halloween Haunt" (weekends in the fall); and holiday themed events, referred to as, "WinterFest" (Thanksgiving through New Year's). Winter is the offseason for park guests; however, it is the busiest for maintenance crews and ride technicians.

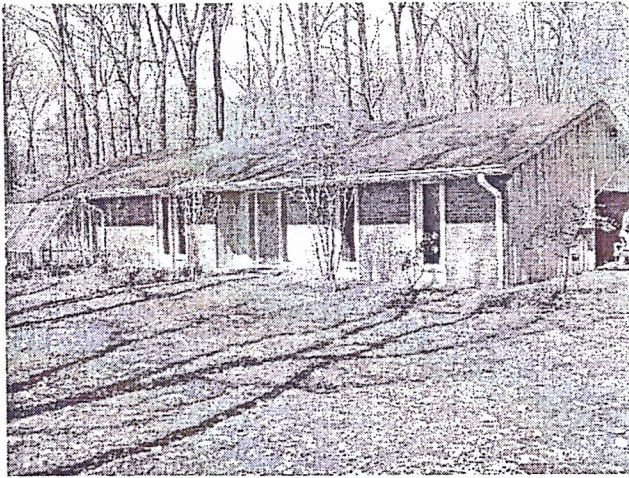
Kings Island reported an estimated 3.3 million visitors for 2016, was the second most visited park in the Midwest behind Cedar Point and was the third overall most visited park in all North America, led by Canada's Wonderland. Kings Island contributed to Cedar Fair Entertainment Company's 2015 revenue of \$1.24 billion, reported by President and Chief Executive Officer, Matt Ouimet.

Two of Kings Island's rides, the Beast and Banshee still hold world records. The park has been recognized for having the "Best Kid's Area" for 17 consecutive years (2001-2017), earning *Amusement Today's* Golden Ticket award. The park has hosted several notable events and notable people, including filming episodes of *The Partridge Family* (1972) and *The Brady Bunch* (1973).

Residential Structures

In addition to the 15 +/- acres of the historical site, there are 2 residential structures located in the proposed CRA district.

A wood sided ranch House located at 834 Grandin Rd. This structure was built in 1972.



A brick two-story House located at 727 Grandin Rd. This structure was built in 1825



EXTRACT FROM MINUTES OF MEETING

The Council of the Village of South Lebanon, Ohio, met in regular session, at 6:30 pm, on the 28th day of June, 2018, at 99 High Street, South Lebanon, Ohio 45065, with the following members present:

Linda Allen, James Boerio, Linda Burke, Bryan Corcoran, Bill Madison, and Rolin Spicer

There was presented and read to Council Ordinance No. 2018-9, entitled:

AN ORDINANCE IMPLEMENTING SECTIONS 3735.65 THROUGH 3735.70 OF THE OHIO REVISED CODE, ESTABLISHING AND DESCRIBING THE BOUNDARIES OF THE MIXED-USE COMMUNITY REINVESTMENT AREA IN THE VILLAGE OF SOUTH LEBANON.

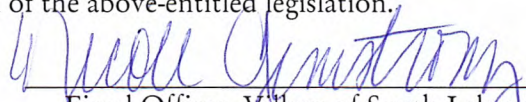
Madison moved that Ordinance No. 2018-9 be adopted. Spicer seconded the motion and, the roll being called upon the question, the vote resulted as follows:

6 – yeas

The Ordinance was declared adopted June 28, 2018.

CERTIFICATE

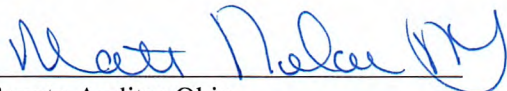
The undersigned, Fiscal Officer of the Village of South Lebanon, Ohio, hereby certifies that the foregoing is a true and correct extract from the minutes of a meeting of the Council of the Village of South Lebanon, Ohio, held on the 28th day of June, 2018, to the extent pertinent to consideration and adoption of the above-entitled legislation.



Fiscal Officer, Village of South Lebanon,
Warren County, Ohio

RECEIPT

The undersigned County Auditor of the County of Warren, Ohio, hereby acknowledges that there was filed with him on this 29th day of June, 2018, by the Fiscal Officer of the Village of South Lebanon, Ohio (the "Village"), a certified copy of Ordinance No. 2018-9 of the Village.



County Auditor Ohio
County of Warren