

2  
3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. 15 -2022

6  
7  
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF  
9 COMMUNITY DEVELOPMENT TO AMEND THE  
10 COMMUNITY REINVESTMENT AREA TAX EXEMPTION  
11 AGREEMENT WITH HARBOR CASTINGS, INC., TO  
12 REFLECT THE TITLE OF LAND TRANSFER TO CL  
13 PARTNERS, LLC., AND DECLARING AN EMERGENCY.  
14

15 WHEREAS, pursuant to Ordinance No. 95-2004, passed June 28, 2004, this Council  
16 established and designated the boundaries of the Cuyahoga River Community  
17 Reinvestment Area ("CRA") pursuant to Ohio Revised Code §3735.65 et seq. to  
18 encourage the development of real property within the CRA; and  
19

20 WHEREAS, the State of Ohio Director of Development has made a determination  
21 that the findings contained in Ordinance No. 95-2004 are valid, and that the  
22 classification of structures and/or remodeling eligible exemption under the Ordinance  
23 is consistent with zoning restrictions applicable to the CRA; and  
24

25 WHEREAS, with the receipt of the Director's positive determination, the City is  
26 enabled to abate certain taxes on real property located in the CRA, in order to provide  
27 an incentive for the creation and retention of jobs and investment within the CRA; and  
28

29 WHEREAS, pursuant to Ordinance No. 30-2021, passed May 10, 2021, this Council  
30 approved a Community Reinvestment Area tax exemption on behalf of Harbor Castings,  
31 Inc., in connection with its development of a new youth basketball training facility to be  
32 leased to David Lane Basketball, LLC at parcel number 02-12833, mailing address of  
33 2470 Bailey Road, Cuyahoga Falls, Ohio 44221; and  
34

35 WHEREAS, on June 22, 2021, Harbor Castings, Inc. transferred title to parcel  
36 number 02-12833, mailing address of 2470 Bailey Road, to CL Partners, LLC, and said  
37 transfer requires an amendment to the prior CRA Agreement and re-filing with the State  
38 of Ohio Development Services Agency.  
39

40 NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Cuyahoga Falls,  
41 County of Summit, State of Ohio, that:  
42

43 Section 1. The Director of Community Development is hereby authorized to amend  
44 the Community Reinvestment Area tax exemption agreement in accordance with Ohio  
45 Revised Code §§3735.67 and 3735.671, along with Ordinance No. 95-2004, with Harbor  
46 Castings, Inc. to reflect the new owner of parcel number 02-12833, mailing address of  
47 2470 Bailey Road, being CL Partners, LLC, and the terms set forth in the amended  
48 application attached hereto as Exhibit A, to provide the Project with an exemption from  
49 real property tax at the same percentage and for the same duration as previously  
50 approved by Ordinance 30-2021.

51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89

Section 2. This Council further authorizes the Mayor, Director of Finance, Director of Community Development, Director of Law, and any other public officials, individually and/or collectively as may be appropriate, to prepare and execute such other documents and do other actions as are necessary or incidental to carrying out the requirements of this legislation consistent with the terms of the attached amended application.


Section 3. Any ordinance or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 4. 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 Chapter 107 of the Codified Ordinances.

Section 5. This ordinance is hereby declared to be an emergency measure necessary of the preservation of the public peace, health, safety, convenience, and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of two thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: 2-14-2022

  
\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Clerk of Council

Approved: 2-15-2022

  
\_\_\_\_\_  
Mayor

AMENDED APPLICATION DUE TO LOT SPLIT AND NEW PROPERTY OWNER



City of Cuyahoga Falls  
APPLICATION FOR COMMUNITY REINVESTMENT AREA TAX INCENTIVES

PROPOSED AGREEMENT for Community Reinvestment Area Tax Incentives between the City of Cuyahoga Falls located in the County of Summit and:

CL Partners, LLC

(Company Name)

1. a. Name of property owner, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

CL Partners, LLC

Chuck Lane

Enterprise Name

Contact Person

2470 E. Bailey Road, Cuyahoga Falls, OH 442211  
(Original Application: 2508 Bailey Road)

330-499-7178

Address

Telephone Number

lanechuck@msn.com

Contact Email

**Project site:**

2470 E. Bailey Road, Cuyahoga Falls, OH 44221

02-12833

Address

Parcel Number

Chuck Lane

330-606-7727

Contact Person

Telephone Number

lanechuck@msn.com

Contact Email

2. a. Nature of commercial/industrial activity (manufacturing, warehousing, wholesale or retail stores, or other) to be conducted at the site. Please be specific with details.

The site will host kids' basketball camps, leagues, and training sessions. The site will also host men's leagues. The site will host strength and conditioning trainings. The site will also provide a therapy room to help keep the clients in the best physical shape.

- b. List primary 6 digit North American Industry Classification System (NAICS) #  
Business may list other relevant SIC numbers.

██████████

- c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred):

N/A

- d. Form of business of enterprise:

Corporation  Partnership  Proprietorship  Other

3. Name of principal owner(s) or officers of the business.

David Lane Basketball, LLC

4. a. State the enterprise's current employment level at the proposed project site:

Full Time: 0 Part Time: 0  
(To be considered full time the individual must work at least 35 hours per week)

b. Will the project involve the relocation of employment positions or assets from one Ohio location to another?  Yes  No

c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):

	Permanent	Temporary
Full Time	0	0
Part Time	0	0

(To be considered full time the individual must work at least 35 hours per week)

e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets:

N/A  
\_\_\_\_\_  
\_\_\_\_\_

f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated?

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Does the Property Owner Currently Owe:

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?

Yes  No

b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State?  Yes  No

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not?

Yes  No

d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers.

N/A

---

---

---

---

---

---

6. Project Description (Be as detailed as possible):

The site will host a performance center and will create an atmosphere that allows kids and the working adult to train like a professional athlete. We will run men's and kids' basketball leagues, as well as, camps and personalized development. We will also provide a recovery room for the client to take proper care of their body.

---

---

7.

Project will begin on 5/30/21 and be completed by 11/30/21 provided a tax exemption is provided.

- 8. a. Estimate the number of new employees the property owner will cause to be created at the facility that is the project site (job creation projection must be itemized by the name of the employer, full and part-time and permanent and temporary):

	Permanent	Temporary
Full Time	2	0
Part Time	4	0

(To be considered full time the individual must work at least 35 hours per week.)

b. State the time frame of this projected hiring: 6 months.

c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary employees):

We look to hire one full-time employee by September, 2021, one full-time employee by November, 2021 and four part-time employees in December, 2021.

---

9.

- a. Estimate the amount of annual payroll such new employees will add (New annual payroll must be itemized by full and part-time and permanent and temporary new employees).

	Permanent		Temporary	
Full-time	\$	87,000	\$	
Part-time	\$	40,000	\$	
<b>TOTAL:</b>	\$	<b>127,000</b>	\$	

(To be considered full time the individual must work at least 35 hours per week.)

b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$ 0.

10. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

A. Acquisition of Land/Buildings	\$ 50,000
B. Additions/New Construction	\$ 1,200,000
C. Improvements to Existing Buildings	\$ 0
D. Machinery & Equipment	\$ 100,000
E. Furniture & Fixtures	\$ 50,000
F. Inventory	\$ 0
<b>Total New Project Investment</b>	<b>\$ 1,400,000</b>

11.

a. Business requests the following tax exemption incentives: 50 %  
for 10 years covering the real property improvements as described above.

b. Business' reasons for requesting tax incentives (Be quantitatively specific as possible):

The facility will be very beneficial to the community, especially the youth.  
It is a small first-time business, so any help would be tremendously  
helpful.

Submission of this application expressly authorizes the City of Cuyahoga Falls to contact the Ohio Environmental Protection Agency to confirm statements contained within this application, including item # 5, and to review applicable confidential records.

As part of this application, the property owner may also be required to directly request from the Ohio Department of Taxation, or complete a waiver form allowing the Department of Taxation, to release specific tax records to the local jurisdiction considering the request.

**Applicant acknowledges an understanding of the following:**

- If approved by City Council, there is a \$750 application fee payable to the Ohio Development Services Agency;
- All abatements are only on the improved value of the property;
- Property valuations are determined by the County of Summit Fiscal Office; and
- The investment amounts noted in item # 10 may not be fully reflected in the final appraised value of the property as determined by the County of Summit Fiscal Office.

**Receipt of an abatement also requires the following:**


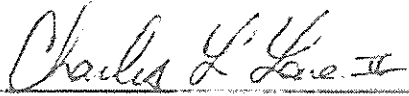
- Annual reporting each year of the abatement, including, but not limited to the project investment, payroll and job creation levels identified in this application; copy of W-3 Transmittals; and other items as determined by the State of Ohio Development Services Agency;



- Commitment by applicant and/or any commercial tenant to provide a scholarship in the amount of \$1,000.00 per year and three (3) internships to the Cuyahoga Falls School District for the entire period of the abatement, being [10] years;
- Commitment by applicant and/or any commercial tenant to provide public art in and/or around the new development pursuant to the newly adopted Master Public Arts Plan for Cuyahoga Falls;
- Commitment by applicant AND any commercial tenant to join the Downtown Cuyahoga Falls Partnership.; and
- Payment to the City of Cuyahoga Falls of an annual fee in the amount of 1% of the incentives offered, but no less than \$500 and no greater than \$2,500.

**The Applicant agrees to supply additional information upon request.**

The Applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C)(1) and 2921.13(D)(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefits as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

CHARLES L LANE II	 Name of Property Owner	Owner Title
	 Signature	11/2/2021 Date

*Please note that copies of this proposal must be included in the finalized Community Reinvestment Area Agreement and be forwarded to the Ohio Department of Development of Taxation and the Ohio Development Services Agency within fifteen (15) days of final approval.*