

Ordinance No. 768-2021

By Council Members McCormack, Brancatelli and Kelley (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Skyline Investments Inc., and/or its designee, to fund eligible project costs and project debt for the financing of the Hotel Cleveland Project to be located at 24 Public Square; to provide for payments to the Cleveland Metropolitan School District; and to declare certain improvements to real property to be a public purpose.

WHEREAS, under Section 5709.41 of the Revised Code, improvements to real property may be declared to be a public purpose where fee title to the real property was, at one time, held by the City of Cleveland and the real property is then leased or conveyed by the City; and

WHEREAS, pursuant to Ordinance authority, the City will have duly entered into the chain of title for the Property which is more particularly described in this ordinance (the “Real Property”) pursuant to the requirements of Section 5709.41 of the Revised Code prior to the passage of this ordinance; and

WHEREAS, the Real Property is to be developed in accordance with the Cleveland 2020 Citywide Plan, a copy of which is placed in **File No. 768-2021-A**; and

WHEREAS, under Section 5709.41 of the Revised Code , the improvements declared to be a public purpose may be exempt from real property taxation; and

WHEREAS, under Section 5709.41 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had the improvement not been exempt; and

WHEREAS, under Section 5709.41 of the Revised Code, the exemption may exceed 75% of the improvements for up to 30 years when a portion of the service payments so collected are distributed to the Cleveland Metropolitan School District (“District”) in an amount equal to the amount the District would have received had the improvement not been exempt; and

WHEREAS, the District has been notified of the intent to enter into the agreement authorized by this ordinance in compliance with Sections 5709.41(C)(4) and 5709.83 of the Revised Code; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the improvements to be constructed by Skyline Investments Inc., and/or its designee, (“Redeveloper”), are declared to be a public purpose for purposes of Section 5709.41 of the Revised Code (the “Improvements”). The Real Property is more fully described below and as may subsequently be replatted, re-numbered, or revised:

The Renaissance Hotel Legal Descriptions

101-23-006B
101-23-007
101-23-010
101-23-011B

PARCEL NO. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lots Nos. 81 and 82, and bounded and described as follows:

Beginning at the intersection of the Southeasterly line of Superior Avenue, N.W., with the Southwesterly line of Public Square; thence South 33 degrees 25’ 15” East along said southwesterly line of Public Square, 140 feet; thence South 56 degrees 34’ 25” West parallel with said Southeasterly line of Superior Avenue, N.W., 233.3 feet to the Northeasterly line of West 3rd Street (now vacated); thence South 56 degrees 28’ 40” West at right angles to said Northeasterly line of West 3rd Street, 33 feet to the center line of said West 3rd Street; thence North 33 degrees 31’ 20” West along said center line of West 3rd Street, 40 feet; thence North 56 degrees 28’ 40” East, 33 feet to the most Southerly corner of land leased by Marie M. Ingersoll and Albert Y. Merian to The Sedgewick Land Company by Lease recorded in Volume 72, Page 188 of the Lease Records of Cuyahoga County Records; thence North 56 degrees 34’ 25” East along the Southeasterly line of land leased to The Sedgewick Land Company as aforesaid, 100.320 feet to the most Easterly corner thereof; said most Easterly corner being in the Northeasterly line of said Original Two Acre Lot No. 81; thence Northwesterly along the Northeasterly line of land leased to The Sedgewick Land Company as aforesaid, said Northeasterly line being also the Northeasterly line of said Original Two Acre Lot No. 81, 100 feet to said Southeasterly line of Superior Avenue, N.W.; thence North 56 degrees 34’ 25” East along said Southeasterly line of Superior Avenue, N.W., 133.098 feet to the place of beginning, be the same more or less, but subject to all legal highways.

PARCEL NO. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being that portion of the following described premises designated as Lots “A” and “B”, above the planes referred to in the deed from The Union Trust Company to The Cleveland Terminals Company dated April 20, 1927, filed for record on April 20, 1927 and recorded in Volume 3563, Page 199 of Cuyahoga County Records; said planes being more particularly set forth on a Map attached to said deed as an exhibit thereto (of which map showing said planes, a copy, modified to show (a) the effect of the vacation of West Third Street, (b) certain additional data, and (c) an appropriate legend of identification, was attached to the Mortgage from the Cleveland Sheraton Corporation to The Prudential Insurance Company of America dated May 25, 1962, filed for record May 25, 1962 and recorded in Volume 10778, Page 11 of Cuyahoga County Records (the “Prudential Mortgage” and marked “Exhibit A” thereof); said premises being bounded and described as follows:

Lot A: Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lots Nos. 81 and 82, bounded and described as follows:

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Beginning at a point on a line 140 feet distant Southerly from Superior Avenue, N.W., and parallel therewith, said point being 24.71 feet Westerly from the Westerly line of Public Square; thence from said point of beginning Southerly along a line parallel with the Westerly line of the Public Square and 24.71 feet therefrom a distance of 57 feet; thence Westerly along a line parallel with the Southerly line of Superior Avenue, N.W., and 197 feet distant Southerly at right angles therefrom, 208.489 feet to a point in the Easterly line of West 3rd Street (now vacated); thence Westerly at right angles to said Easterly line of West 3rd Street, 33 feet to the center line of West 3rd Street; thence Northerly along the center line of West 3rd Street, 57 feet; thence Easterly at right angles to the center line of West 3rd Street, 33 feet to a point in the Easterly line of West 3rd Street, 140 feet Southerly (measured along said Easterly line) from the Southerly line of Superior Avenue, N.W.; thence Easterly along a line parallel with Superior Avenue, N.W., and 140 feet distant Southerly at right angles therefrom, 208.59 feet to the point of beginning, be the same more or less, but subject to all legal highways.

Excepting from the above, the following three parts thereof;

First Part: (Storage Parcel)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 82 and also known as all of the premises extending above a plane which coincides with the lower surface of the fireproofing of the building girder at approximate elevation 81.00 feet and below a plane which coincides with the lower surface of the fireproofing of the building girder at approximate elevation 96.00 feet, City of Cleveland Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width; Thence South 33 degrees 25' 15" East along said southwesterly line of Public Square 140.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 65.57 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described; thence South 33 degrees 25' 15" East a distance of 16.21 feet to a point;

Thence South 56 degrees 34' 25" West along the centerline of a wall a distance of 8.25 feet to a point; Thence North 33 degrees 25' 15" West along the centerline of a wall a distance of 4.00 feet to a point;

Thence South 56 degrees 34' 25" West along the centerline of a wall a distance of 14.50 feet to a point;

Thence South 33 degrees 25' 15" East along the centerline of a wall a distance of 2.13 feet to a point;

Thence South 56 degrees 34' 25" West along the centerline of a wall a distance of 5.17 feet to a point;

Thence North 33 degrees 25' 15" West along the centerline of a wall a distance of 14.34 feet to a point which bears South 56 degrees 34' 25" West from the True Place of Beginning;

Thence North 56 degrees 34' 25" East a distance of 27.92 feet to a point which is the True Place of Beginning and containing 0.0088 Acres of land, more or less, as determined in January 1988, by Gary R. Rouse, Registered Surveyor with Giffels, Bergstrom & Fricker, Inc.

Second Part: (Lower Greenbriar)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 82 and also known as all of the premises extending above a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 246.17 feet and below elevation 248.67 feet, City of Cleveland, Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said southwesterly line of Public Square a distance of 140.00 feet to a point;

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Thence South 56 degrees 34' 25" West a distance of 24.71 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence South 33 degrees 25' 15" East a distance of 57.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 24.08 feet to a point;

Thence North 33 degrees 25' 15" West along the centerline of a wall a distance of 57.00 feet to a point bearing South 56 degrees 34' 25" West from the True Place of Beginning;

Thence North 56 degrees 34' 25" East a distance of 24.08 feet to a point which is the True Place of Beginning and containing 0.0315 Acres of land, more or less, as determined in January 1988 by Gary R. Rouse, Registered Surveyor with Giffels, Bergstrom & Fricker, Inc.

Third Part:
(Upper Greenbriar)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No.82 and also known as all of the premises extending above elevation 248.67 feet, City of Cleveland Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said southwesterly line of Public Square a distance of 140.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 21.58 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence continuing South 56 degrees 34' 25" West a distance of 3.13 feet to a point;

Thence South 33 degrees 25' 15" East a distance of 57.00 feet to a point; Thence South 56 degrees 34' 25" West a distance of 24.75 feet to a point;

Thence North 33 degrees 25' 15" West along the outside face of a wall a distance of 58.50 feet to a point; Thence North 56 degrees 34' 25" East along the outside face of a wall a distance of 27.88 feet to a point;

Thence South 33 degrees 25' 15" East along the outside face of a wall a distance of 1.50 feet to a point, which is the True Place of Beginning and containing 0.0334 Acres of land, more or less, as determined in January, 1988 by Gary R. Rouse, Registered surveyor with Giffels, Bergstrom & Fricker, Inc.

Lot B: Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lot Nos. 81 and 82, bounded and described as follows: Beginning at a point in the Northeasterly line of West 3rd Street (now vacated), bearing South 33 degrees 31' 20" East along said Northeasterly line, 197 feet from the Southeasterly line of Superior Avenue, N.W.; thence North 56 degrees 34' 25" East parallel with said Southeasterly line of Superior Avenue, N.W., and distant 197 feet Southeasterly, measured at right angles therefrom, 170.578 feet to an angle in the Westerly line of lands described in a deed to The Cleveland Union Terminals Company, dated December 1, 1926, and recorded in Volume 3563, Page 24 of Cuyahoga County Records, said angle being the intersection of Course No. 14 with Course No. 15 of said lands as described in said deed; thence South 05 degrees 56' 55" West along said Course No. 14, 112.160 feet to a point; thence North 84 degrees 03' 05" West along Course No. 13 of said lands as described in said deed to The Cleveland Union Terminals Company, 42.667 feet to a point; thence south 05 degrees 56' 55" West along Course No. 12 of said lands as described in said deed to The Cleveland Union Terminals Company, 104.365 feet to said Northeasterly line of West 3rd Street; thence South 56 degrees 28' 40" West on a line at right angles to said Northeasterly line of W. 3rd Street to its intersection with the Northerly line of the viaduct for Prospect Avenue, N.W., as shown on the plat recorded in Volume 120 of Maps, Page 37 of Cuyahoga County Records; thence Westerly along the Northerly line of said viaduct to its intersection with the center line of West 3rd Street; thence North 33 degrees 31' 20" West along said center line of West 3rd Street to its intersection with a line drawn South 56 degrees 28' 40" West at right angles to the Northeasterly line of West 3rd Street from the place of beginning; thence North 56 degrees 28' 40" East, 33 feet to the place of beginning, be the same more or less, but subject to all legal highways, but excepting therefrom the following described part thereof:

(Court Parcel)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lots Nos. 81 and 82 and also known as all of the premises extending above a plane

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which coincides with the lower surface of the fireproofing of the building girders at approximately elevation 83.00 feet, City of Cleveland Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said Southwesterly line of Public Square a distance of 140.00 feet to point;

Thence' South 56 degrees 34' 25" West a distance of 65.57 feet to a point;

Thence South 33 degrees 25' 15" East a distance of 57.00 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence North 56 degrees 34' 25" East a distance of 2.95 feet to a point;

Thence South 05 degrees 56' 55" West a distance of 112.16 feet to a point;

Thence North 84 degrees 03' 05" West a distance of 19.50 feet to a point; Thence North 05 degrees 56' 55" East a distance of 96.16 feet to a point;

Thence North 05 degrees 56' 55" East a distance of 96.16 feet to a point;

Thence North 56 degrees 34' 25" East a distance of 22.28 feet to a point which is the True Place of Beginning and containing 0.0466 Acres of land, more or less, as determined in December 1987 by Gary R. Rouse, Registered Surveyor with Giffels, Bergstrom & Fricker, Inc.

PARCEL NO. 3 (Parking and Hall)

That portion of the premises hereinafter described extending upward from and having at its lower boundary, the plane at Elevation 83.0, City of Cleveland Datum: Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lots Nos. 79 and 80 in said City, and bounded and described as follows: Beginning at the intersection of the Southeasterly line of Superior Avenue N.W., with the center line of West 3rd Street (now vacated), which point of intersection bears South 56 degrees 34' 25" West along said Southeasterly line of Superior Avenue, N.W., 266.548 feet from the Southwesterly line of Public Square; thence South 56 degrees 34' 25" West along said Southeasterly line of Superior Avenue, N.W., 84.885 feet; thence South 33 degrees 25' 35" East 61.032 feet to an angle; thence South 5 degrees 56' 55" West 147.419 feet to the Northerly line of the Viaduct for Prospect Avenue, N.W., as shown on plat recorded in Volume 120, Page 37 of the Map Records of Cuyahoga County, Ohio; thence South 84 degrees 03' 05" East along said Northerly line of said Viaduct, 231.491 feet to said center line of West 3rd Street (now vacated); thence North 33 degrees 31' 20" West along said center line of West 3rd Street (now vacated) 321.845 feet to the place of beginning.

PARCEL NO. 4 (Omitted)

PARCEL NO. 5 (French Connection)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 82 and also known as all of the premises extending above a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 97.0 feet and below a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 107.00 feet, City of Cleveland Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said southwesterly line of Public Square a distance of 140.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 24.71 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence continuing South 56 degrees 34' 25" West a distance of 40.86 feet to a point;

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Thence South 33 degrees 25' 15" East a distance of 57.00 feet to a point;

Thence North 56 degrees 34' 25" East a distance of 40.86 feet to a point;

Thence North 33 degrees 25' 15" West a distance of 57.00 feet to a point which is the True Place of Beginning and containing 0.0535 Acres of land, more or less, as determined in January 1988 by Gary R. Rouse, Registered Surveyor with Giffels, Bergstrom & Fricker, Inc.

PARCEL NO. 6 (Airline Space)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 82 and also known as all of premises extending above a finished floor elevation of approximately 85.00 feet and below a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 97.0 feet, City of Cleveland Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said southwesterly line of Public Square a distance of 140.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 19.11 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence South 33 degrees 25' 15" East along the outside face of a structural wall a distance of 12.43 feet to a point;

Thence South 56 degrees 34' 25" West along the outside face of a structural wall a distance of 1.15 feet to a point;

Thence South 33 degrees 25' 15" East along the outside face of a structural wall a distance of 1.02 feet to a point;

Thence South 56 degrees 34' 25" West along the outside face of a structural wall a distance of 2.06 feet to a point;

Thence South 33 degrees 25' 15" East along the outside face of a structural wall a distance of 4.21 feet to a point;

Thence South 56 degrees 34' 25" West along the centerline of a wall a distance of 6.00 feet to a point;

Thence South 33 degrees 25' 15" East along the centerline of a wall a distance of 1.55 feet to a point;

Thence South 56 degrees 34' 25" West along the centerline of a wall a distance of 3.11 feet to a point;

Thence North 78 degrees 25' 35" West along the centerline of a wall a distance of 4.58 feet to a point;

Thence North 33 degrees 25' 15" West along the centerline of a wall a distance of 15.97 feet to a point which bears South 56 degrees 34' 25" West from the True Place of Beginning;

Thence North 56 degrees 34' 25" East a distance of 15.56 feet to a point which is the true Place of Beginning and containing 0.00061 Acres of land, more or less, as determined in January, 1988 by Gary R. Rouse, Registered Surveyor with Giffles, Bergstrom & Fricker, Inc.

PARCEL NO. 7 (Basement Space)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 81 and also known as all of the premises extending above a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 70.40 feet and below a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 81.00 feet, City of Cleveland datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

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Thence South 33 degrees 25' 15" East along said southwesterly line of Public Square 140.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 185.81 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence continuing South 56 degrees 34' 25" West a distance of 47.49 feet to a point on the northeasterly line of West 3rd Street, 66 feet wide (now vacated);

Thence South 56 degrees 28' 40" West a distance of 33.00 feet to a point on the centerline of said vacated West 3rd Street;

Thence South 33 degrees 31' 20" East a distance of 57.00 feet to a point;

Thence North 56 degrees 28' 40" East a distance of 33.00 feet to a point on the northeasterly line of said West 3rd Street;

Thence North 56 degrees 34' 25" East a distance of 47.49 feet to a point;

Thence North 33 degrees 25' 15" West along the centerline of columns a distance of 57.00 feet to a point which is the True Place of Beginning and containing 0.1054 Acres of land, more or less, as determined in December, 1987 by Gary R. Rouse, Registered Surveyor with Giffels, Bergstrom & Fricker, Inc.

EASEMENT PARCEL NO. 8 (Basement Easement)

Non-Exclusive Easement for utility purposes created in the instrument from Terminal Management, Inc., and Tower City Properties to Public Square Hotel Community Urban Redevelopment Corporation, filed for record on September 28, 1988 and recorded in Volume 88- 5030, Page 33 of Cuyahoga County Records, within the following described premises:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Two Acre Lots No. 81 and 82 and also known as all of the premises extending above a plane which coincides with the lower surface of the Fireproofing of the building girders at approximate elevation 70.40 feet and below a plane which coincides with the lower surface of the fireproofing of the building girders at approximate elevation 81.00 feet, City of Cleveland Datum Base Level, and more fully described as follows:

Beginning on the southwesterly line of the Public Square at its intersection with the southeasterly line of Superior Avenue, 132 feet in width;

Thence South 33 degrees 25' 15" East along said southwesterly line of The Public Square 140.00 feet to a point;

Thence South 56 degrees 34' 15" West a distance of 24.71 feet to a point which is the True Place of Beginning (T.P.B.) for the parcel of land herein described;

Thence South 33 degrees 25' 15" East a distance of 57.00 feet to a point;

Thence South 56 degrees 34' 25" West a distance of 161.10 feet to a point;

Thence North 33 degrees 25' 15" West along the centerline of columns a distance of 57.00 feet to a point bearing South 56 degrees 34' 25" West from the True Place of Beginning;

Thence North 56 degrees 34' 25" East a distance of 161.10 feet to a point which is the True Place of Beginning and containing 0.2108 Acres of land, more or less, as determined in December 1987 by Gary R. Rouse, Registered Surveyor with Giffels, Bergstrom & Fricker, Inc.

101-23-008 **101-23-009**

Parcel 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known and described as follows, to-wit:

Being the northerly part of Original Lot No. 81 and bounded as follows: Northerly by Superior Avenue, easterly by the easterly line of said Original Lot No. 81, southerly by line parallel with the southerly line of Superior Avenue and One Hundred (100) feet southerly therefrom, and westerly by the east line of Seneca

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Street, now known as W. Third Street, and being about Ninety-Nine feet Ten Inches front on the southerly side of Superior Avenue and extending back One Hundred (100) feet deep.

Parcel 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lot No. 81 and being further known as part of West 3rd Street vacated by Ordinance No. 86255, passed February 4, 1929, and bounded as follows:

Beginning on the Southeasterly line of Superior Avenue N.W., 132 feet wide, at the Northwesterly corner of said Original Lot No. 81; thence Northeasterly along said Southeasterly line of Superior Avenue N.W., 33.00 feet; thence Southeasterly on a line parallel with the Southwesterly line of said Original Lot No. 81, 100.00 feet; thence Southwesterly at right angles with said last described line, 33.00 feet to the Southwesterly line of said Original Lot No. 81; thence Northwesterly along said Lot line, about 100.00 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Section 2. That one hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of thirty years, effective and commencing the first year the value of the Improvements are reflected on the tax duplicate; and that in no event shall the exemption period extend beyond 2054. The terms of the agreement, which shall not be materially changed without further legislative action by Council, will be as follows:

Project Name:	Hotel Cleveland
Project Address:	24 Public Square, Cleveland, OH 44113
Developer:	Skyline Investments Inc. and/or designee
Project Manager:	Cassie Slansky
Ward/Councilperson:	3-Kerry McCormack
City Assistance:	Non-School TIF

Project Summary and Discussion

Skyline Investments Inc. and/or designee, (“Developer”) is proposing a redevelopment project located at 24 Public Square, Cleveland, OH 44113 (“Project Site”). In order to assist with the project financing, the Developer has requested the City impose a 5709.41, 30-Year, Non-School TIF. The TIF will support debt service related to the project and assist with the building renovations. The project will create and/or cause to create 166 new W-2 jobs at the Project Site with an approximate payroll of \$6,000,000 and retain/cause to retain 69 jobs.

Skyline Investments Inc. is a Toronto, Canada-based company that specializes in real estate investments with a focus on hotels and resorts. Skyline started as one of Ontario’s top Developers in hospitality properties, prior to expanding into the United States, most notably Ohio. They currently own the Hyatt Regency Hotel and Renaissance Hotel, both located in Cleveland.

Skyline purchased the Renaissance Cleveland Hotel in 2015 and has plans to fully renovate and rebrand the Hotel. The 15 story building was built in 1918 and is approximately 870,000 square feet. The building includes 34 conference rooms, a banquet kitchen, lobby/reception, 491 guest rooms, over 13,000 square feet of retail space, and 300 parking spaces. The hotel will be rebranded to the Autograph Collection by Marriot to re-establish the hotel as a destination and increase the usage of the ballroom and event spaces. The project has been awarded federal historic tax credits which will be purchased by Sherwin Williams. The total project investment is expected to exceed \$56 million.

Proposed City Assistance

- This ordinance will authorize the Director of Economic Development to enter into a 30-year non-school Tax Increment Finance (TIF) agreement with Skyline Investments Inc. and/or its designee. The City will have declared certain improvements with respect to the project to be a public purpose and exempt 100% of the improvements from real property taxes.
- The Developer agrees to make certain improvements to the parcel and make payments in lieu of taxes (PILOTs) equal to the taxes that would have been paid for the parcel but for the TIF. A portion of the PILOTs will be paid to the Cleveland Metropolitan School District in the amount the District would have otherwise received but for the TIF by the County (“District Payments”). The balance of the PILOTs will be utilized to fund eligible project costs and project debt. The developer will be responsible for any shortfall of PILOT payments for project costs.

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Economic Impact

- Creation of 166 new full time jobs in the City of Cleveland
- Retention of 69 full time jobs in the City of Cleveland
- Project estimates \$150,000 in new annual City tax revenue generated from residents and new employees

City Requirements

- Subject to Chapter 187: MBE/FBE/CSB requirements
- Subject to Chapter 188: Fannie Lewis Cleveland Residential Employment Law
- Subject to a Workforce Development Agreement for all new jobs
- Subject to a Community Benefits Agreement

Section 3. That, under Section 5709.41 of the Revised Code, Redeveloper, or the owners of the Improvements, shall make service payments for a period of thirty years in lieu of the exempt taxes to the Cuyahoga County Fiscal Officer or Treasurer, or designee; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

Section 4. That a portion of the service payments collected under this ordinance shall be distributed by the Cuyahoga County Fiscal Officer or Treasurer, or designee to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvements not been exempt from taxation.

Section 5. That the Director of Economic Development is authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described in this ordinance, including agreements securing the payments described in this ordinance, which agreement or agreements shall contain those terms contained in this ordinance.

Section 6. That when applicable under Section 5709.43 of the Revised Code, there is established an Urban Redevelopment Tax Increment Equivalent Fund into which shall be deposited Service Payments in Lieu of Taxes (“PILOTS” or “Service Payments”) that shall be used for financing the public purpose Improvements including project debt service, bond payments, and reimbursement of project construction costs, or for other economic development purposes as determined by the Director of Economic Development.

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Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

Section 8. That the contract or contracts authorized by this ordinance shall be prepared by the Director of Law.

Section 9. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected 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 from and after the earliest period allowed by law.

SMA:nl
9-20-2021
FOR: Interim Director Ebersole

**By Council Members McCormack, Brancatelli and Kelley
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Skyline Investments Inc., and/or its designee, to fund eligible project costs and project debt for the Hotel Cleveland Project to be located at 24 Public Square; to provide for payments to the Cleveland Metropolitan School District; and to declare certain improvements to real property to be a public purpose.

READ FIRST TIME on SEPTEMBER 20, 2021

REPORTS

**and referred to DIRECTORS of Economic Development,
City Planning Commission, Finance, Law;
COMMITTEES on Development Planning and Sustainability, Finance**

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

**PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

FILED WITH COMMITTEE

**PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE**

FILED WITH COMMITTEE
