

Ordinance No. 973-2021

By Council Member McCormack

AN EMERGENCY ORDINANCE

Approving the application of the Ohio City Legacy, LLC to establish the Ohio City Community Entertainment District; and to amend Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 620-15, passed June 8, 2015, related to Community Entertainment Districts defined.

WHEREAS, Ohio City Legacy, LLC has submitted an application dated September 24, 2021, to the Mayor's Office requesting the establishment of the Ohio City Community Entertainment District; and

WHEREAS, the application meets all requirements under Ohio Revised Code Section 4301.80 and Section 699A.02 of the Codified Ordinances of the City of Cleveland, Ohio, 1976; and

WHEREAS, the application is accompanied by a map identifying the boundaries of the proposed Ohio City Community Entertainment District; and

WHEREAS, Mayor Jackson has recommended, within the required 30 days, the acceptance of the application for the establishment of the Ohio City Community Entertainment District; and

WHEREAS, a copy of the application is placed in **File No. 973-2021-A**; and

WHEREAS, existing Section 699A.011 should be amended to reflect the establishment of the Ohio City Community Entertainment District; and

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

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

Section 1. That based upon the information and data contained in File No. 973-2021-A, this Council approves the application of Ohio City Legacy, LLC, dated September 24, 2021, to establish the Ohio City Community Entertainment District.

Section 2. That Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 620-15, passed June 8, 2015, is hereby amended to read as follows:

Section 699A.011 Districts Defined

Community Entertainments Districts are limited to the following defined areas of the City of Cleveland and meet all the requirements of Section 699A.01 of this chapter:

(a) *Playhouse Square District.* An area more fully described in Ordinance File No. 1222-13-A.

(b) *Waterloo District.* An area centered on Waterloo Avenue, east of East 156th Street, more fully described in Ordinance File No. 620-15-A.

(c) Cleveland Hopkins International Airport, Cleveland Airport System, 5300 Riverside Drive, Cleveland, Ohio 44181-0009, particularly the Main Terminal and Concourses A, B, C, and D.

(d) *Uptown District.* An area centered on the intersection of Euclid Avenue and Mayfield Road, containing approximately 98 acres, more fully described in Ordinance File No. 759-12-A.

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(1) There is established an Uptown Community Entertainment District Committee (the "UCED Committee"), whose primary purpose and function is to review each applicant for one of the D-5(j) liquor permits authorized by the establishment of the Uptown Community Entertainment District in meetings that are open to the public and make recommendations to the City Council. The UCED Committee shall also serve to make recommendations to the City Council with regard to applications for the issuance, transfer, or renewal of any liquor permit in the District.

(2) The UCED Committee shall be composed of four (4) members: AJAPPJR Uptown LLC, University Circle Incorporated, Case Western Reserve University, and the UCED Community Representative. AJAPPJR Uptown LLC, University Circle Incorporated, and Case Western Reserve University shall each appoint a single member to the UCED Committee. The UCED Community Representative shall be appointed by the Committee from nominations made by the City Council members representing wards that are located in whole or in part within the boundaries of the District.

(3) Three (3) of the four (4) members of the UCED Committee shall constitute a quorum to transact business and to issue any recommendation or advisory opinion.

(4) The UCED Committee may promulgate its own internal rules of procedure and review.

(e) *Flats East Bank District.* An area designated by the permanent parcel numbers that are set forth and more fully described in Ordinance File No. 759-12-A.

(f) *Gordon Square District.* An area more fully described in Ordinance File No. 59-14-A.

(g) Ohio City District. An area designated by the permanent parcel numbers that are set forth and more fully described in Ordinance File No. 973-2021-A.

Section 3. That existing Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 620-15, passed June 8, 2015, is hereby repealed.

Section 4. That this ordinance is hereby 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.

/jho
November 8, 2021
For: Councilman McCormack

