



Legislation Details (With Text)

**File #:** O-001-23      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Approved

**File created:** 11/21/2022      **In control:** Economic Development Department

**On agenda:** 1/10/2023      **Final action:** 1/10/2023

**Title:** (O-625-22) Approving an Enterprise Zone real property tax exemption for Secor Senior Lofts II, LLC for the construction of a 50-unit affordable senior independent living facility within the Toledo Enterprise Zone; making certain findings and determinations in connection therewith; approving and authorizing the execution of an agreement and other documents, which grant real property tax exemptions; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Enterprise Zone Agreement

Date	Ver.	Action By	Action	Result
1/10/2023	1	City Council	Emergency	Pass
1/10/2023	1	City Council	Passage	Pass
12/6/2022	1	City Council		

Enterprise Zone for Secor Senior Lofts II Project  
 Department of Economic Development  
 B. Sehlhorst (x1692) / C. Watkins (x1154)  
 Revised

**Approving an Enterprise Zone real property tax exemption for Secor Senior Lofts II, LLC for the construction of a 50-unit affordable senior independent living facility within the Toledo Enterprise Zone; making certain findings and determinations in connection therewith; approving and authorizing the execution of an agreement and other documents, which grant real property tax exemptions; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

Secor Senior Lofts II, LLC (“Applicant”) is proposing to construct a 50,000 square foot affordable senior independent-living facility on a 2.8-acre parcel located at 3839 (0) Secor Road (“Project”). The Project will provide an affordable housing option to seniors seeking to age in place in an area of the City that is currently underserved with senior housing. The \$9,750,000 Project will create two (2) new part-time job positions. Currently, there are zero (0) existing full-and-part-time jobs at the site. This Project follows the recently completed 58-unit Secor Senior Lofts project that is located immediately adjacent to Secor Senior Loft II’s proposed site.

The city of Toledo has reviewed the Applicant’s application and has determined the enterprise zone real property tax exemption is necessary for the project to move forward. Therefore, the City is proposing to grant a one hundred percent (100%) real property tax exemption for fifteen (15) years on the increase in the assessed valuation of the Project after it is complete. The Applicant will enter into a Service Payment Agreement with

the Washington Local School District ("District") in an amount equal to one hundred percent (100%) of what the District would have received if not for the real property tax exemption. The Enterprise Zone Agreement will only be executed by the City upon execution of the Service Payment Agreement, to include a waiver and release by the Washington Local Board of Education of any and all rights it may have pursuant to Ohio Revised Code section 5709.82 or otherwise to share in the increased income tax revenue collected by the City of Toledo and resulting from the Project.

This project is in conformance with the Toledo's Enterprise Zone Tax Exemption Policy as established by Ord. 94-95 and Ohio Revised Code section 5709.62.

On Wednesday, October 26 the Incentive Advisory Committee unanimously recommended approval of Secor Senior Lofts II, LLC's application for an Enterprise Zone tax abatement.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That based upon the investigation of the Applicant's Project, supporting information, and recommendations, this Council hereby finds and approves an enterprise zone tax exemption for the new investments in real property created by Secor Senior Lofts II, LLC at their Toledo property located in the City of Toledo.

SECTION 2. That pursuant to Ordinance No. 94-95, passed February 28, 1995, by Ordinance No. 326-85, passed May 7, 1985, by Resolution No. 250-87, adopted Nov. 10, 1987, and by Resolution 160-91, passed December 31, 1991, the city of Toledo designated an area described therein as an "Urban Jobs and Enterprise Zone" under Chapter 5709 of the Ohio Revised Code (herein called the "Toledo Enterprise Zone"), declared that incentives for business will enhance efforts to promote the viable and diverse economic activity necessary for the rejuvenation of the Toledo Enterprise Zone, and declared a policy relative to eligibility for tax incentives in connection therewith. For the purpose defining a facility under Ohio Revised Code section 5709.61, the city of Toledo is designated as an impacted city under Ohio Revised Code section 1729.01. The city of Toledo Enterprise Zone Policy was amended by Ordinance No. 735-96, passed October 22, 1996, Ordinance No. 87-01, passed January 23, 2001, Ordinance No. 794-01, passed October 2, 2001, by Ordinance No. 307-03, passed April 29, 2003, and by Ordinance No. 57-06, passed January 31, 2006.

SECTION 3. That Council specifically approves a tax exemption for real property pursuant to Section 5709.62(D) of the Ohio Revised Code, as further set forth in the Agreement, which Agreement is marked with the same number as this Ordinance and is on file in the Office of the Clerk of Council, and that, as specified in the Agreement, said exemption shall consist of a one hundred percent (100%) tax exemption for fifteen (15) years of the increase in the assessed valuation of the Project real property after completion.

SECTION 4. That Council specifically approves the form and content of the Agreement, which Agreement is incorporated herein by reference and made a part hereof as if fully rewritten herein, and the mayor is authorized to execute the aforesaid Agreement on behalf of the city with Applicant.

SECTION 5. That the Mayor, Director of Economic Development, Director of Law, and other appropriate city officials are authorized to execute such other agreements, instruments, documents, and certifications, and to take such other actions as may be necessary or appropriate in connection with the full implementation of the Proposal and the Agreement in order to further evidence the approvals and consents of the city of Toledo to the various matters and actions approved and authorized herein.

SECTION 6. That it is found and determined that all formal actions of Council concerning and relating

to the passage of this Ordinance were taken in an open meeting of Council, and that all deliberations of Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including those of Section 121.11 of the Ohio Revised Code.

SECTION 7. That this Ordinance is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety, and property, and for the further reason that the Ordinance must be immediately effective in order to enable the City to expedite the redevelopment of the Toledo Enterprise Zone, and to eliminate and prevent the recurrence of blighted conditions therein.

Vote on emergency clause: yeas 12, nays 0.

Passed: January 10, 2023 as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

January 10, 2023  
Wade Kapszukiewicz  
Mayor