

**ORD-16-009**

AN ORDINANCE TO AUTHORIZE THE MAYOR OF THE CITY OF CANAL WINCHESTER TO MAKE APPLICATION TO THE STATE OF OHIO IN ACCORDANCE WITH THE OHIO REVISED CODE SECTION 4301.80 TO ESTABLISH A COMMUNITY ENTERTAINMENT DISTRICT WITHIN THE CITY OF CANAL WINCHESTER, OHIO KNOWN AS THE GENDER/ THIRTY-THREE COMMUNITY ENTERTAINMENT DISTRICT.

**WHEREAS**, the City of Canal Winchester desires to establish a Gender/Thirty-Three district bound by the areas generally surrounding the intersection of US 33 and Gender Road and specifically shown in the map attached hereto as Exhibit A and made part hereof; and

**WHEREAS**, Ohio Revised Code Section 4301.80 provides the guidelines for the City of Canal Winchester to establish a Community Entertainment District; and

**WHEREAS**, the creation of a Community Entertainment District with the City of Canal Winchester in the Gender/Thirty-Three area will provide the city with another tool for economic development, and business revitalization; and

**WHEREAS**, the Gender/Thirty-Three Community Entertainment District contains no less than 20 acres in accordance with 4301.80;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, OHIO:**

**Section 1.** That the Council of the City of Canal Winchester finds and determines that it is in the best interest of the city to establish a Community Entertainment District to be called the Gender/Thirty-Three Community Entertainment District to improve and provide entertainment, retail, education, sporting, cultural, and arts opportunities for the City of Canal Winchester.

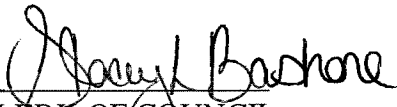
**Section 2.** That this Council hereby authorizes the Mayor to file an application and all necessary paperwork to establish the Community Entertainment District pursuant to Section 4301.80 of the Ohio Revised Code and to file all necessary paperwork for the area comprising the Community Entertainment District as is more fully described in “Exhibit A and Exhibit B”, consisting of a parcel map and a list of parcel numbers, attached to this ordinance and incorporated herein.


**Section 3.** That the Council of the City of Canal Winchester hereby establishes the boundaries of the Gender/Thirty-Three Community Entertainment District as attached hereto and incorporated herein as “Exhibit A”.

**Section 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

DATE PASSED April 4, 2016

  
PRESIDENT OF COUNCIL

ATTEST   
CLERK OF COUNCIL

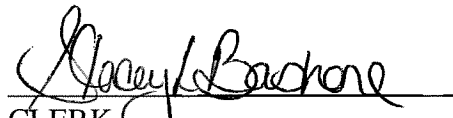
  
MAYOR

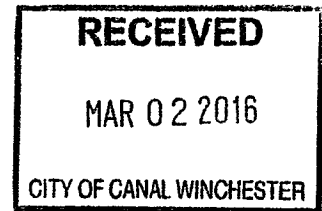
DATE APPROVED 4-5-16

APPROVED AS TO FORM:

  
LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

  
CLERK



**March 2, 2016**

**1. Applicant name and address:**

City of Canal Winchester (a property owner within the proposed district)  
36 South High Street  
Canal Winchester, OH 43110

**2. A map or survey of the proposed Community Entertainment District (CED), and property owned by the applicant within the proposed CED:**

Exhibit A shall serve as the map identifying the boundaries of the proposed Gender/Thirty-Three Community Entertainment District, comprising approximately 375 acres, inclusive of privately owned land and public rights-of-way. The City of Canal Winchester owns the parcel denoted with a star. Although not a legal description, the boundaries of the proposed CED are generally depicted in Exhibit A and all parcels within the proposed CED are listed by parcel identification number on Exhibit B, attached hereto.

**3. A general statement of the nature and types of establishments described in Ohio Revised Code Section 4301.80 (A) that are or will be located within the CED and any other establishments not described:**

(A) As used in this section "community entertainment district" means a bounded area that includes or will include a combination of entertainment, retail, educational, sporting, social, cultural, or arts establishments within close proximity to some or all of the following types of establishments with the district, or other types of establishments similar to these:

1. Hotels;
2. Restaurants;
3. Retail sales establishments;
4. Enclosed shopping centers;
5. Museums;
6. Performing arts theaters;
7. Motion picture theaters;
8. Night clubs;
9. Convention facilities;
10. Sports facilities;
11. Entertainment facilities or complexes;
12. Any combination of establishments described in division (A)(1) to (11) of this section that provide similar services to the community.

uses permitted with a community entertainment designation would fit into the zoning and comprehensive plan for the community.

6. **A certificate from a surveyor or engineer licensed under Chapter 4733 of the Revised Code indicating that the area encompassed the the proposed community entertainment district contains no less than twenty contiguous acres:**

Please see the attached Exhibit D for the certificate.

7. **A handling and processing fee to accompany the application , payable to applicable municipal corporation or township, in an amount determined by that municipal corporation or township:**

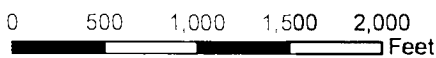
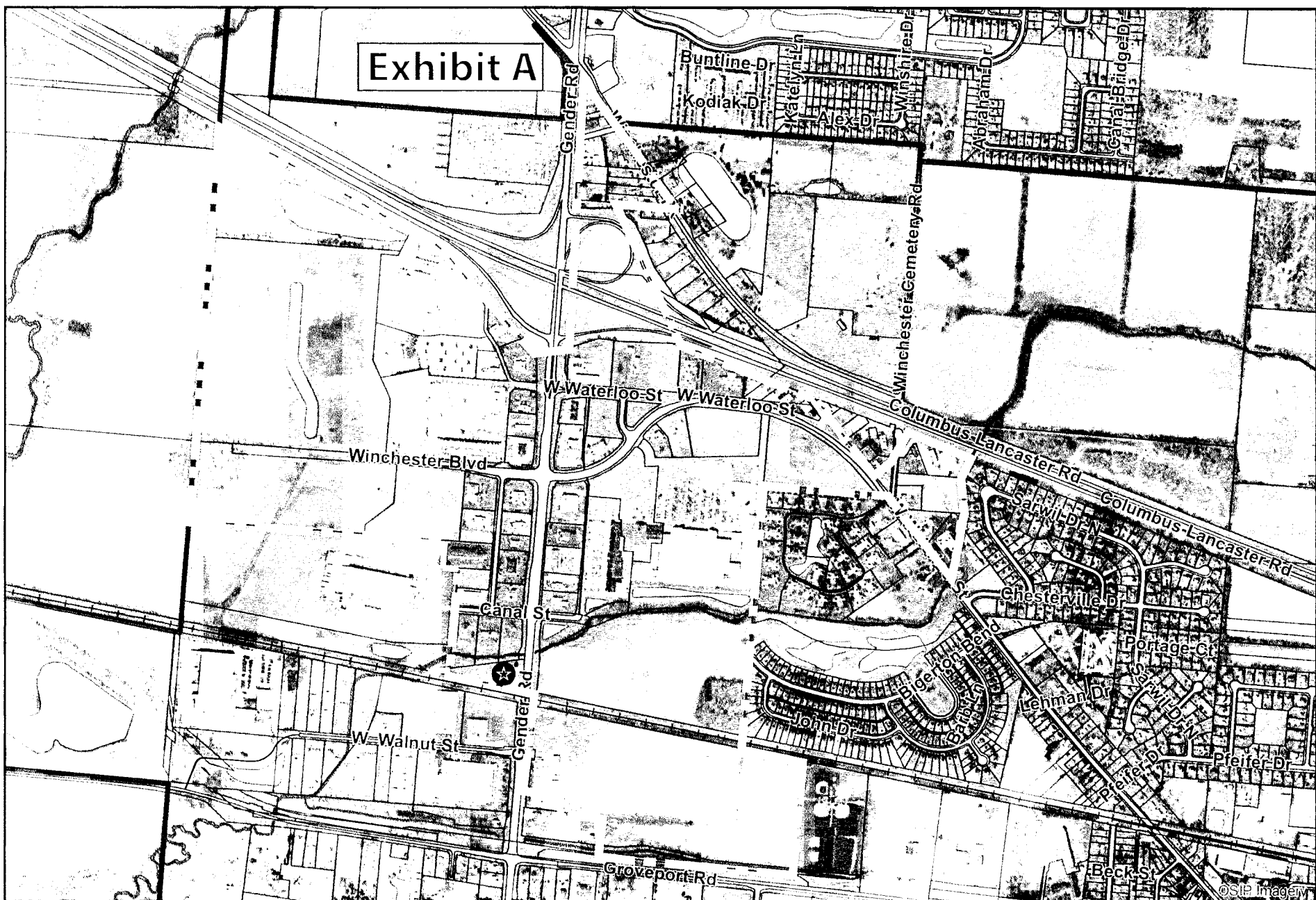
As a municipal corporation seeking to create a Community Entertainment District, there exists no fees associated with this application.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lucas M. Haire".

Lucas Haire,  
Development Director  
City of Canal Winchester

Exhibit A



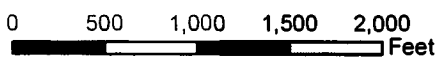
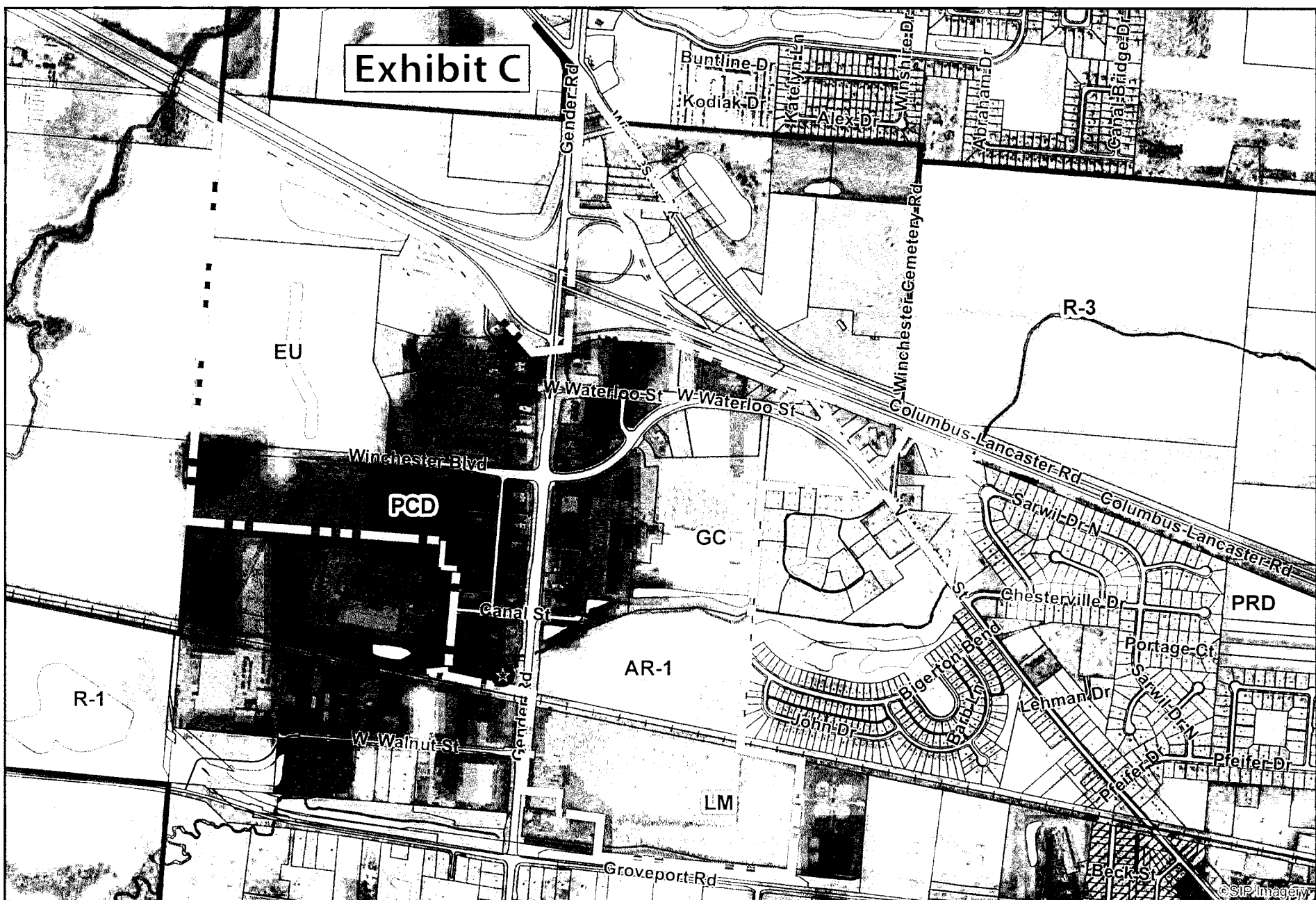
# Gender Road / 33

Community Entertainment District CED

— CED Boundary  
— City Limits



# Exhibit C



## Gender Road / 33 Community Entertainment District CED

— CED Boundary  
— City Limits





December 23, 2015

Mayor Michael Ebert  
City of Canal Winchester  
36 S. High Street  
Canal Winchester, OH 43110

Proposed Gender / Thirty-Three Community Entertainment District

Mayor Ebert,

Please be advised that the proposed Gender / Thirty Three Community Entertainment District for which boundaries are defined on the attached map (Exhibit A) contains no less than 20 contiguous acres as required in Ohio Revised Code 4301.80 (B) (6).

Respectfully,

A handwritten signature in black ink, appearing to read "Andrew A. Gardner".

Andrew A. Gardner, P.E., LEED-AP, CPESC  
Vice President, Private Development Services  
Bird & Bull Engineering

