“The Banks Project” – Redevelopment of Ohio’s Southern Gateway

Jan 16, 2019

Categories:

Experience

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We currently serve as Special Project Counsel to Hamilton County, Ohio, regarding various aspects of the public-private redevelopment of Cincinnati’s Central Riverfront, which is one of the largest P3 Projects in the Midwest and upon completion will exceed $2.5 billion in public and private investments. Our representation has involved such projects as the Great American Ball Park, Paul Brown Stadium, Fort Washington Way transportation and infrastructure improvements, National Underground Railroad Freedom Center, demolition of Cinergy Field, the Banks Intermodal Transit Facility and all related street grid and major public infrastructure improvements. (Collectively referred to as “The Banks Project.”) View The Banks Project website.

The Banks Project – one of the largest P3s undertaken in the Midwest – leveraged regional public transportation and infrastructure improvements to yield an estimated $800 million in private development over a ten-year period. All public-private agreements were developed to be fully compliant with Ohio law prior to the enactment of Ohio’s P3 legislation in 2011.

Since 1997, one of our key team members has led all of the drafting and negotiation efforts on behalf of Hamilton County with respect to multiple city-county funding, financing, design and construction agreements that govern the redevelopment efforts for Ohio’s new Southern Gateway. These agreements, along with various subsequent memoranda of understanding between the city and the county, served as the structural framework for all ongoing Central Riverfront redevelopment, including property acquisition and eminent domain for the Great American Ball Park, Paul Brown Stadium, infrastructure, utility and street grid construction, the Fort Washington Way reconstruction and future development of The Banks. Negotiations with the city also included facility cost allocations, infrastructure improvements and development rights in the Central Riverfront, as well as the timing, phasing and sequencing

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of various central riverfront projects.

Our work for the public entities has also included:

- Negotiation and drafting of a series of comprehensive P3 development agreements with the master developer that established the requirements, obligations and remedies for the private and public parties, including public and private funding and financing; economic development grants; public party financial participation; development design controls; commencement contingencies; private development; ownership entities; phase requirements; property conveyances; public infrastructure construction; master developer parking rights; and costs for project development.
- Negotiation of multiple complex transactions regarding acquisition (and potential eminent domain) of real property necessary for development and construction.
- Negotiation, drafting and coordination of multiple funding, finance and project development agreements with public and private entities such as:
    - Federal Highway Administration
    - Federal Transit Administration
    - Federal Economic Development Administration
    - US Army Corps of Engineers
    - State of Ohio
    - Ohio Department of Transportation
    - Ohio Department of Development
    - Ohio Arts and Sports Facilities Commission
    - City of Cincinnati
    - The Cincinnati Reds
    - The Cincinnati Bengals
    - The National Underground Railroad Freedom Center
    - US Bank Arena
    - Duke Energy
    - Banks Master Developer

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- Ohio Department of Natural Resources

- Negotiation and management of multiple agreements pertaining to design, procurement and construction of the Cincinnati Reds Great American Ball Park, intermodal transit facilities and related infrastructure improvements.

As Project Counsel, we led the development and coordination of a complex series of agreements required for the successful redevelopment of Ohio's Southern Gateway.

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