



Legislation Details (With Text)

File #: 0382-2008 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 2/22/2008 **In control:** Development Committee

On agenda: 3/17/2008 **Final action:** 3/19/2008

Title: To authorize and direct the City Clerk to execute and sign a petition to create the One Neighborhood New Community Authority, on behalf of the City of Columbus and the Columbus City Council, as the "proximate city" under Ohio Revised Code Chapter 349; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0382-2008 Petition.pdf, 2. Final version COLUMBUS-#503998-v6-Edwards_NCA_PetitionWITHSIGNATURE1.pdf

Date	Ver.	Action By	Action	Result
3/19/2008	1	CITY CLERK	Attest	
3/18/2008	1	MAYOR	Signed	
3/17/2008	1	Columbus City Council	Approved	Pass
3/17/2008	1	Columbus City Council	Taken from the Table	Pass
3/17/2008	1	COUNCIL PRESIDENT PRO-TEM	Signed	
3/10/2008	1	Columbus City Council	Tabled to Certain Date	Pass
2/25/2008	1	Dev Drafter	Sent for Approval	
2/25/2008	1	CITY ATTORNEY	Reviewed and Approved	
2/25/2008	1	Dev Drafter	Sent to Clerk's Office for Council	
2/22/2008	1	Dev Drafter	Sent for Approval	
2/22/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	

BACKGROUND: This ordinance authorizes the City Clerk to execute and sign a petition to initiate the creation of the One Neighborhood New Community Authority. The petition is required in order to create a new community authority as provided under Chapter 349 of the Ohio Revised Code.

The One Neighborhood district encompasses portions of nine city blocks located in the Columbus downtown area north of Gay Street, west of Grant Avenue, south of Long Street and east of Fourth Street.

Emergency action is requested to allow the One New Neighborhood Community Authority to be created in a timely manner.

FISCAL IMPACT: No funding is required for this legislation.

To authorize and direct the City Clerk to execute and sign a petition to create the One Neighborhood New Community Authority, on behalf of the City of Columbus and the Columbus City Council, as the "proximate city" under Ohio Revised Code Chapter 349; and to declare an emergency.

WHEREAS, Gay Street Condominium, LLC, as the owner or entity in control of approximately 5.912± acres in Columbus, Franklin County, Ohio (the "Developer"), has requested that the City of Columbus, Ohio, as the "proximate city" under Ohio Revised Code Chapter 349, sign a petition (the "Petition") to create a new community authority under the provisions of Ohio Revised Code Chapter 349 in Franklin County and the City of Columbus, and to be known as the One Neighborhood New Community Authority; and

WHEREAS, in preparation for the creation of the new community authority under Ohio Revised Code Chapter 349, the Developer intends to file with the Franklin County Recorder a declaration of covenants and restrictions for the One Neighborhood New Community Authority which will set forth real estate covenants, restrictions, community development charges and other plans regarding the development, fees and obligations; and

WHEREAS, the proposed Petition has been delivered to the City of Columbus and is on file with the City Clerk, and an explanation of the proposed new community authority has been made to City officers; and

WHEREAS, an emergency exists in that is immediately necessary to authorize the City Clerk to execute and sign the aforementioned Petition so that the new community authority may proceed to creation expeditiously in order to permit continuation of the construction of improvements on the site and provide financing therefore, all to serve the new community authority and its future residents, said immediate approval being in the interest of the City and future residents of the new community authority who will be residents of the City in order to preserve, enhance and protect the public health, peace, property and safety, **now therefore**;

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

Section 1. That the City Clerk be and hereby is authorized to execute and sign on behalf of the City of Columbus and the Columbus City Council the Petition of the Developer to create the One Neighborhood New Community Authority in the City of Columbus in Franklin County. The City Clerk's signature shall indicate the approval of the Petition by the "proximate city" (within the meaning of Ohio Revised Code Section 349.01(M)). The Petition signed by the City Clerk shall be substantially in the form of the proposed draft copy on file with the City Clerk at the time of passage of this ordinance, with such changes therein or amendments thereto as are not inconsistent with this ordinance and not substantially adverse to the City and that are approved by the City Clerk on behalf of the City, after approval of any such changes or amendments by the City Attorney, all of which shall be conclusively evidenced by the signing of the petition or amendments thereto by the City Clerk.

Section 2. That this ordinance has been passed, and all formal actions and deliberations taken, in a meeting open to the public.

Section 3. That for the reasons stated in the preamble hereto which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.