



Legislation Details (With Text)

File #: 2522-2012 **Version:** 1

Type: Ordinance **Status:** Passed

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On agenda: 11/19/2012 **Final action:** 11/21/2012

Title: To authorize the Director of Development to amend the Enterprise Zone Agreement with Gideon Development Partners, LLC & King Lincoln Gateway, LLC, to remove Gideon Development Partners, LLC as a party to the Agreement and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/21/2012	1	CITY CLERK	Attest	
11/20/2012	1	ACTING MAYOR	Signed	
11/19/2012	1	COUNCIL PRESIDENT	Signed	
11/19/2012	1	Columbus City Council	Approved	Pass

BACKGROUND: Columbus City Council, by Ordinance 1399-2004, passed December 15, 2004, authorized the City of Columbus to enter into an Enterprise Zone Agreement (the Agreement) with Gideon Development Partners, LLC for a tax abatement of seventy-five percent (75%) for a period of ten (10) years in consideration of a proposed total investment of approximately \$6,235,000 and the creation of 3 new full-time positions with an associated annual payroll of approximately \$62,400 related to the construction of a new 56,000 square foot commercial building at the gateway to the King Lincoln District at 738 East Long Street, Columbus, Ohio 43203, parcel number 010-275673, within the City of Columbus Enterprise Zone (Zone #023) and within the Columbus City School District. The Agreement was made and entered into to be effective October 21, 2005 (EZA #023-05-10).

This Agreement was subsequently authorized by Council to be amended for the first time to add King Lincoln Gateway, LLC as a party to the Agreement by Ordinance 1600-2006, passed October 4, 2006; and that this Agreement was subsequently authorized by Council to again be amended to remove any and all language pertaining to personal property investment and tax abatements related to this personal property investment from the Agreement by Ordinance 0614-2009, passed May 11, 2009.

A letter from King Lincoln Gateway, LLC dated November 1, 2012 and received by the City on November 5, 2012, indicated that Gideon Development Partners, LLC will no longer be part of the project and requested that Gideon Development Partners, LLC be removed as a party to the Agreement.

This legislation to again amend the Agreement is requested to be considered as an emergency in order to remove Gideon Development Partners, LLC as a party to the Agreement, leaving King Lincoln Gateway, LLC as a party to the Agreement so that the amendment might be fully executed prior to the end of calendar year 2012 and all reporting agencies be notified before the start of the annual reporting cycle for Report Year 2012.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the Director of Development to amend the Enterprise Zone Agreement with Gideon Development Partners, LLC & King Lincoln Gateway, LLC, to remove Gideon Development Partners, LLC as a party to the Agreement and to declare an emergency.

WHEREAS, the City of Columbus entered into an Enterprise Zone Agreement (the "EZA") with Gideon Development Partners, LLC, approved by Columbus City Council on December 15, 2004 by Ordinance 1399-2004; and

WHEREAS, the EZA granted a 75%/10-Year abatement on real property improvements and personal property investment; and

WHEREAS, the EZA committed Gideon Development Partners, LLC to an investment of approximately \$6,235,000 and the creation of 3 new full-time positions with an associated payroll of approximately \$62,400 related to the construction of a new 56,000 square foot commercial building located at 738 East Long Street, in Columbus, Ohio and within the City of Columbus Enterprise Zone; and

WHEREAS, the EZA was subsequently authorized by Council to be amended for the first time to add King Lincoln Gateway, LLC as a party to the Agreement by Ordinance 1600-2006, passed October 4, 2006; and

WHEREAS, the EZA was subsequently authorized by Council to again be amended to remove any and all language pertaining to personal property investment and tax abatements related to this personal property investment from the Agreement by Ordinance 0614-2009, passed May 11, 2009; and

WHEREAS, a letter from King Lincoln Gateway, LLC dated November 1, 2012 and received by the City on November 5, 2012, indicated that Gideon Development Partners, LLC will no longer be part of the project and requested that Gideon Development Partners, LLC be removed as a party to the EZA; and

WHEREAS, an amendment is needed to remove Gideon Development Partners, LLC as a party to the EZA; and

WHEREAS, an emergency exists in the usual daily operation of the Columbus Department of Development in that it is immediately necessary to seek an amendment to the Enterprise Zone Agreement with Gideon Development Partners, LLC & King Lincoln Gateway, LLC for the purpose of removing Gideon Development Partners, LLC as a party to the Enterprise Zone Agreement; thereby preserving the public health, peace, property and safety, **NOW, THEREFORE**,

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

Section 1. That the Director of Development is hereby authorized to amend the Enterprise Zone Agreement with Gideon Development Partners, LLC & King Lincoln Gateway, LLC, to remove Gideon Development Partners, LLC as a party to the Agreement.

Section 2. That the amendment to the City of Columbus Enterprise Zone Agreement be signed by King Lincoln Gateway, LLC within ninety (90) days of passage of this ordinance, or this ordinance and the incentive authorized herein shall be null and void.

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