



## Legislation Details (With Text)

**File #:** 0337-2013      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/30/2013      **In control:** Public Service & Transportation Committee  
**On agenda:** 2/25/2013      **Final action:** 2/27/2013

**Title:** To authorize the Director of Public Service to enter into agreement with Lifestyle Communities, Ltd.; and to accept funds for public improvements, including the design and construction of an eastbound left-turn lane on Morse Road located approximately 650 feet east of the intersection of Morse Road/Trellis Lane/Underwood Farms Boulevard for the Department's Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements project ; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
2/27/2013	1	CITY CLERK	Attest	
2/27/2013	1	MAYOR	Signed	
2/25/2013	1	COUNCIL PRESIDENT	Signed	
2/25/2013	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

Lifestyle Communities, Ltd. has committed to provide funding to the Department of Public Service for a public improvement project, which includes the design and construction of an eastbound left-turn lane on Morse Road to its proposed residential development located approximately 650 feet east of the intersection of Morse Road/Trellis Lane/Underwood Farms Boulevard, as necessitated by commitments contained in rezoning application Z08-011.

Rezoning application Z08-011 permitted access to Lifestyle Communities, Ltd.'s proposed residential development located on Morse Road (approximately 650 feet east of the intersection of Morse Road/Trellis Lane/Underwood Farms Boulevard) via a drive shared with the adjacent development to the east. The shared drive to the east of Lifestyle Communities, Ltd.'s proposed residential development is no longer a viable option and the Department of Public Service is supportive of creating an alternate access point for the proposed development with an eastbound left-turn lane on Morse Road. The need for the eastbound left-turn lane on Morse Road is based on anticipated traffic volumes for the proposed residential development and the existing traffic volumes on Morse Road.

The Department of Public Service is designing and constructing a public improvement project in the area (Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements project) in which the turn lane is required by rezoning application Z08-011. In an effort to lessen impact on the traveling public, the Department of Public Service has agreed to design and construct Lifestyles Communities, Ltd.'s required turn lane as part of the Department's project. Lifestyles Communities, Ltd. shall contribute \$70,000.00 towards this project.

This legislation authorizes the Director of Public Service to enter into an agreement for the Department to design and construct the required turn lane and accept funding from Lifestyle Communities, Ltd.

### 2. FISCAL IMPACTS

Lifestyle Communities, Ltd. has agreed to provide funding to the Department of Public Service through a lump sum payment of \$70,000.00 for the Department to add an eastbound left-turn lane on Morse Road (approximately 650 feet east of the intersection of Morse Road/Trellis Lane/Underwood Farms Boulevard) to the Department's Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements project.

### **3. EMERGENCY DESIGNATION**

To authorize the Director of Public Service to enter into agreement with Lifestyle Communities, Ltd.; and to accept funds for public improvements, including the design and construction of an eastbound left-turn lane on Morse Road located approximately 650 feet east of the intersection of Morse Road/Trellis Lane/Underwood Farms Boulevard; and to declare an emergency.

The Department of Public Service is requesting this ordinance to be considered an emergency measure in order to allow for immediate execution of this contribution agreement, which is necessary to facilitate the inclusion of the design and construction of these improvements into the Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements project, to maintain the project schedule and meet community commitments; thereby immediately preserving the public health, peace, property, safety and welfare.

To authorize the Director of Public Service to enter into agreement with Lifestyle Communities, Ltd.; and to accept funds for public improvements, including the design and construction of an eastbound left-turn lane on Morse Road located approximately 650 feet east of the intersection of Morse Road/Trellis Lane/Underwood Farms Boulevard for the Department's Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements project ; and to declare an emergency. (\$0.00)

**WHEREAS**, rezoning application Z08-011 permitted access to Lifestyle Communities, Ltd.'s proposed residential development located approximately 650 feet east of the intersection of Morse Road/Trellis Lane/Underwood Farms Boulevard; and

**WHEREAS**, Lifestyle Communities, Ltd. has committed to provide funding for an eastbound left-turn lane into its proposed residential development located approximately 650 feet east of the intersection of Morse Road/Trellis Lane/Underwood Farms Boulevard

**WHEREAS**, the City is undertaking the design and construction of the Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements project; and

**WHEREAS**, the location of an eastbound left-turn lane into Lifestyle Communities, Ltd.'s proposed residential development on Morse Road is located within the project limits of the Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements project; and

**WHEREAS**, Lifestyle Communities, Ltd. has agreed to make a monetary contribution toward public improvements; and

**WHEREAS**, this ordinance authorizes the Director of Public Service to enter into agreement with Lifestyle Communities, Ltd. and accept funding for a public improvement project, which includes the design and construction of an eastbound left-turn lane on Morse Road located approximately 650 feet east of the Morse Road/Trellis Lane/Underwood Farms intersection; and

**WHEREAS**, an emergency exists within the Department of Public Service to use funds to facilitate the inclusion of the design and construction of these improvements into the Arterial Street Rehabilitation - Morse Road - Preserve TIF Improvements project, to maintain the project schedule and meet community commitments; thereby immediately preserving the public health, peace, property, safety and welfare.

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

**SECTION 1.** That the Director of Public Service is authorized to enter into agreement with Lifestyle Communities, Ltd., 230 West Street, Columbus, Ohio 43215, allowing the Department of Public Service to accept funding for a public improvement project, which includes the design and construction of an eastbound left-turn lane on Morse Road approximately 650 feet east of the intersection of Morse Road/Trellis Lane/Underwood Farms Boulevard, as delineated in the access requirements of rezoning application Z08-011.

**SECTION 2.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 3.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 4.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

**SECTION 5.** 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 its passage and approval by the mayor, or ten days after passage if the mayor neither approves nor vetoes the same.