



Legislation Text

File #: 1561-2021, **Version:** 1

BACKGROUND: The need exists to amend Ordinance 2511-2020, approved by Columbus City Council on November 23, 2020, which authorized the Director of the Department of Development to enter into a City of Columbus Enterprise Zone Agreement (the “**AGREEMENT**”) with Marble Cliff Canyon, LLC (“**MCC**”). An amendment is now required to revise the 180-day window needed to execute the City of Columbus Enterprise Zone Agreement.

The ordinance authorized the Director of the Department of Development to enter into an Enterprise Zone Agreement of seventy-five percent (75%) for a period of ten (10) consecutive years in consideration of the company’s proposed total project cost of approximately \$10,845,000, which includes \$9,200,000 in real property improvements, \$145,000 in acquisition cost, and \$1,500,000 in furniture and fixtures to construct a new 3-story speculative commercial office structure consisting of approximately 43,000 square feet on roughly 70 +/- acres of undeveloped land (the “**Project**”), located 2130 Quarry Trails, Columbus, Ohio 43204 (the “**Project Site**”). Additionally, the company has committed to create 5 net new full-time permanent positions with an estimated annual payroll of approximately \$175,000 at the **Project Site**.

During the application process, it was ascertained that the proposed **Project Site** is not located in an Enterprise Zone; therefore, an expansion of the existing City of Columbus Enterprise Zone was required to include the **Project Site**. On February 22, 2021, Columbus City Council approved Ordinance No. 0279-2021 that authorized the Director of the Department of Development to petition the Director of the Ohio Development Services Agency (“**ODSA**”) for an amendment to the certification of the existing urban jobs and enterprise zone within the City of Columbus known as the Columbus Enterprise Zone. On May 21, 2021, the Department of Development received a written notification from ODSA that as of May 20, 2021, the expansion to the City of Columbus Enterprise Zone was certified, and now includes the proposed **Project Site**.

This legislation is requested to be considered as an emergency in order to revise the 180-day period needed to execute the City of Columbus Enterprise Zone Agreement to 180 days after passage from this ordinance in order to allow Marble Cliff Canyon, LLC to execute the **AGREEMENT**, to begin investing and creating jobs as quickly as possible.

FISCAL IMPACT:

No funding is required for this legislation.

To amend Ordinance 2511-2020, passed by Columbus City Council on November 23, 2020, for the purposes of revising the 180-day period needed to execute the City of Columbus Enterprise Zone Agreement to 180 days after passage from this ordinance; and to declare an emergency.

WHEREAS, the need exists to amend Ordinance No. 2511-2020, which was approved by Columbus City Council on November 23, 2020; and

WHEREAS, the ordinance authorized the Director of the Department of Development to enter into an Enterprise Zone Agreement of seventy-five percent (75%) for a period of ten (10) consecutive years in consideration of the company’s proposed total project cost of approximately \$10,845,000, which includes \$9,200,000 in real property improvements, \$145,000 in acquisition cost, and \$1,500,000 in furniture and fixtures to construct a new 3-story speculative commercial office structure consisting of approximately 43,000 square feet on roughly 70 +/- acres of undeveloped land (the “**Project**”), located 2130 Quarry Trails, Columbus, Ohio 43204 (the “**Project Site**”); and

WHEREAS, the company has committed to create 5 net new full-time permanent positions with an estimated annual payroll of approximately \$175,000 at the **Project Site**; and

WHEREAS, during the application process it was ascertained that the proposed **Project Site** is not located in an Enterprise Zone; therefore, an expansion of the existing City of Columbus Enterprise Zone is required to include the **Project Site**. On February 22, 2021, Columbus City Council Approved Ordinance No. 0279-2021 that authorized the Director of the Department of Development to petition the Director of the Ohio Development Services Agency (“ODSA”) for an amendment to the certification of the existing urban jobs and enterprise zone within the City of Columbus known as the Columbus Enterprise Zone. On May 21, 2021, the Department of Development received a written notification from ODSA that as of May 20, 2021, the expansion to the City of Columbus Enterprise Zone was certified, and now includes the proposed **Project Site**.

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 from Columbus City Council for Ordinance 2511-2020 to revise the 180-day period needed to execute the City of Columbus Enterprise Zone Agreement to 180 days after passage from this ordinance, 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 Section 3 of Ordinance No. 2511-2020 is hereby amended to revise the 180-day window needed to execute the Enterprise Zone Agreement to 180 days after the passage of this proposed ordinance.

Section 2. That the City of Columbus Enterprise Zone Agreement be signed by Marble Cliff Canyon, LLC within 180 days of passage of this ordinance, or this ordinance and the credit herein shall be null and void. Except as otherwise amended by this ordinance, the Prior Ordinance remains in full force and effect without modification or change.

Section 3. For this reason stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is 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 (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.