



Legislation Text

File #: 0843-2017, **Version:** 1

BACKGROUND: This legislation authorizes the Director of the Department of Development to enter into an Amended and Restated Economic Development Agreement with Riverside Sunshine, LLC and EF Garage, LLC (collectively, the “Developer”) to outline the mutual commitments and obligations of both parties to the redevelopment of the former Riverside Bradley public housing development in East Franklinton (the “Site”) (the “Agreement”). The Agreement will replace the Economic Development Agreement between the City and CWKSS Franklinton Developer, LLC (the “Original Developer”) dated October 6, 2015, pursuant to Ordinance No. 1804-2015 (the “Original Agreement”). Riverside Sunshine, LLC and EF Garage, LLC are entities formed by CWKSS Franklinton Developer, LLC and the Columbus Metropolitan Housing Authority (“CMHA”) to redevelop the Site.

Since the Original Agreement was executed, redevelopment of the Site has been expanded for a higher density mix of uses. The Developer is proposing to invest \$50 million into the Site for the construction of approximately 230 residential units; up to 28,000 square feet of ground floor commercial space; and a 292 space structured parking garage (the “Project”). Public improvements for the Project include extending Lucas Street (from Rich Street to Cherry Street) and Cherry Street (from McDowell Street to Lucas Street), and streetscape improvements to the adjacent sections of Rich and McDowell Streets.

As part of the Agreement, the Developer will commit a minimum of 50 residential units to workforce housing for individuals and families earning 80%-120% of the Area Median Income (AMI) and 74 residential units will be affordable at 120% of the AMI. The Developer will also commit 200 spaces in the parking garage to public parking through a Declaration of Public Parking Garage Covenants for a period of 30 years and will make annual revenue sharing payments to the City during that same period. The Developer will fund the design of the public improvements. The Department of Development will, over time, submit for City Council consideration all necessary legislation to authorize: 1) contributions of \$10,000 for each public parking space in a total amount not-to-exceed \$2 million; and 2) a \$2 million contribution toward construction of the public improvements in support of the Project. In addition, the Department is contributing \$1 million for the workforce housing commitment as part of the Housing Works Program and under the authority of Ordinance No. 3085-2015.

FISCAL IMPACT: No funding is required for this legislation.

EMERGENCY JUSTIFICATION: This legislation is submitted as an emergency measure in order to enable the Director of the Department of Development to enter into the Amended and Restated Agreement with the Developer to allow the Developer to commence the Project.

To authorize the Director of the Department of Development to enter into an Amended and Restated Economic Development Agreement on behalf of the City with Riverside Sunshine, LLC and EF Garage, LLC to outline the plans and certain commitments of the parties relating to the redevelopment of the former Riverside-Bradley public housing site at 230 West Rich Street; and to declare an emergency.

WHEREAS, the City entered into an Economic Development Agreement with CWKSS Franklinton Developer, LLC (the “Original Developer”) pursuant to Ordinance No. 1804-2015 on October 6, 2015 (the “Original Agreement”), concerning redevelopment of the former Riverside-Bradley public housing development in East Franklinton (the “Site”); and

WHEREAS, the Original Developer and the Columbus Metropolitan Housing Authority (CMHA) have formed the Riverside Sunshine, LLC and EF Garage, LLC (collectively, the “Developer”) entities to redevelop the Site; and

WHEREAS, redevelopment of the Site as contemplated in the Original Agreement has been expanded to include a higher density mix of uses; and

WHEREAS, the Developer is proposing to invest \$50 million into the Site to construct 230 residential units; up to 28,000 square feet of ground floor commercial space; and up to a 292 space structured parking garage that will include a minimum of 200 public parking spaces (the “Project”); and

WHEREAS, the Project is being undertaken as a Public-Private Partnership (3P) with the City; and

WHEREAS, the City desires to enter into an Amended and Restated Economic Development Agreement with Riverside Sunshine, LLC and EF Garage, LLC in substitution for CWKSS Franklinton Developer, LLC for the purposes of outlining the mutual commitments and obligations of both parties for the Project; and

WHEREAS, the Amended and Restated Economic Development Agreement will supersede the Original Agreement; and

WHEREAS, the City, Riverside Sunshine, LLC, and EF Garage, LLC desire to memorialize their understanding and agreements with respect to such cooperation; and

WHEREAS, the City’s agreement to provide financial assistance as set forth herein is contingent upon authorization pursuant to subsequent passage of appropriate legislation by this Council; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to enter into the Amended and Restated Economic Development Agreement to maintain the project schedule and to coincide with the established development timeline, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

SECTION 1. That the Director of the Department of Development is hereby authorized to enter into an Amended and Restated Economic Development Agreement on behalf of the City with Riverside Sunshine, LLC, with its mailing address at 250 Civic Center Drive, Suite 500, Columbus, Ohio 43215, and EF Garage, LLC, with its mailing address at 250 Civic Center Drive, Suite 500, Columbus, Ohio 43215, to outline the plans and certain commitments of the parties relating to the proposed redevelopment of the former Riverside-Bradley public housing development at 230 West Rich Street in East Franklinton.

SECTION 2. That for 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.