



Legislation Text

File #: 3036-2023, **Version:** 1

Background: This ordinance authorizes the Director of the Recreation and Parks Department to issue a Parkland Dedication Ordinance (PDO) park development fee refund to TV Residential, LLC. The refund amount being authorized by this ordinance is \$50,437.00.

The Thurber Village Apartments Project was first proposed in 2021 and, during the preliminary process, the property required a change in use to allow the project to be built. The practice per Columbus City Code Chapter 3318, Parkland Dedication, is to require a Parkland Dedication Ordinance (PDO) park development fee for a development like this proposal. When a land use change of over 1 acre is required to build residential dwelling units, the PDO is triggered to support the fiscal needs of the Columbus Recreation and Parks Department for land acquisition and park development in order to meet the needs of the new residents living in those units. Initially, the Thurber Village plans were reviewed and, through standard rules and regulations, a park development fee instead of land was assessed. A total of \$151,312.00 was paid as required for final engineering approval. Due to subsequent design changes, there was an updated review and, during that time, it was found that additional recreational amenities were intended to be built as part of this project. The inclusion of a swimming pool, fitness center, and pickleball court were found to be adequate in order to receive an exemption for a portion of the park development fee. If these additions to the project had been shown previously, the park development fee would have reflected this. Therefore, \$50,437.00 is requested to be refunded to TV Residential, LLC, recognizing the cost of the construction of the swimming pool, fitness center, and pickleball court. The increased number and variety of recreational amenities being constructed will benefit the entire Thurber Village Community.

Principal Parties:

TV Residential, LLC
250 Civic Center Drive, Suite 500
Columbus, Ohio 43215
Griffin Caldwell, (614) 227-3465
Contract Compliance Number: 047013
Contract Compliance Expiration Date: N/A

Emergency Justification: Emergency action is requested to expedite the reimbursement of overpayment of funds received for the parkland dedication requirement prior to the end of fiscal year 2023.

Benefits to the Public: The increased number and variety of recreational amenities being constructed will benefit the entire Thurber Village Community.

Community Input/Issues: The community has expressed the desire for facilities and amenities through public workshops, social media, and direct contact with City staff.

Area(s) Affected: Victorian Village (46)

Master Plan Relation: This project will support the Recreation and Parks Master Plan by expanding access to a variety of recreational opportunities for all residents.

Fiscal Impact: \$50,437.00 is budgeted and available from within the Recreation and Parks Permanent Improvement Fund 7747 to meet the financial obligations of this refund.

To authorize the Director of the Recreation and Parks Department to issue a Parkland Dedication Ordinance (PDO) park development fee refund to TV Residential, LLC; to authorize the appropriation of \$50,437.00 within the Recreation and Parks Permanent Improvement Fund; to authorize the expenditure of \$50,437.00 from the Recreation and Parks Permanent Improvement Fund; and to declare an emergency. (\$50,437.00)

WHEREAS, it is necessary to authorize the Director of the Recreation and Parks to issue a Parkland Dedication Ordinance (PDO) park development fee refund to TV Residential, LLC; and

WHEREAS, it is necessary to authorize the appropriation of \$50,437.00 within the Recreation and Parks Permanent Improvement Fund 7747; and

WHEREAS, it is necessary to authorize the expenditure of \$50,437.00 from the Recreation and Parks Permanent Improvement Fund 7747; and

WHEREAS, an emergency exists in the usual daily operations of the Recreation and Parks Department in that it is immediately necessary to authorize the Director to issue this refund to expedite the reimbursement of overpayment of funds received for the parkland dedication requirement prior to the end of fiscal year 2023, all for the immediate preservation of 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 the Recreation and Parks Department be and is hereby authorized to issue a Parkland Dedication Ordinance (PDO) park development fee refund to TV Residential, LLC in the amount of \$50,437.00.

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 the appropriation of \$50,437.00 is authorized within the Recreation and Parks Permanent Improvement Fund 7747 per the accounting codes in the attachment to this ordinance.

SECTION 6. That, for the purpose stated in Section 1, the expenditure of \$50,437.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Permanent Improvement Fund 7747 in object class 06 Capital Outlay per the accounting codes in the attachments to this ordinance.

SECTION 7. 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.