Office of City Clerk
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City of Columbus

Legislation Text

File #: 0284X-2019, **Version:** 1

Background: Wagenbrenner Development and the City have entered into an Economic Development Agreement for its Marble Cliff Quarry project that will redevelop property located at the northeast corner of Dublin Road and Trabue Road. The City committed in the Economic Development Agreement to form a new community authority pursuant to ORC Chapter 349 to support that redevelopment. On August 26, 2019, a Petition for the Organization of the Marble Cliff Quarry Community Authority was submitted to City Council. City Council, by Resolution No. 0268X-2019, passed October 7, 2019, determined the sufficiency of the Petition and set a public hearing date on the Petition, which was held on October 10, 2019. This resolution officially creates the proposed new community authority and makes the City's initial appointments to the authority's board of trustees.

Emergency Justification: Emergency action is requested in order to facilitate the development of this project in a timely manner.

Fiscal Impact: No funding is required for this legislation.

To declare the Marble Cliff Quarry Community Authority to be organized and a body politic and corporate; to define the boundary of the Authority's new community district; to provide the method of selecting the board of trustees of the Authority and fix the surety for their bonds; and to declare an emergency.

WHEREAS, Wagenbrenner Development (the "Developer") has proposed to redevelop property located at the northeast corner of Dublin and Trabue Road by constructing a mixed use commercial and residential development known as the Quarry Project consisting of approximately 40,000 square feet of Class A office space, up to 600 apartment units with up to 440 single family homes and condominiums and up to 50,000 square feet of retail uses, together with green space and bikeways; and

WHEREAS, a Petition for the Organization of the Marble Cliff Quarry Community Authority (the "Authority") under ORC Chapter 349 (the "Petition") has been submitted to this Council; and

WHEREAS, the Authority's new community district, as described in the Petition, is located entirely within the municipal corporate boundaries of the City, and this Council, as the legislative authority of the City, is therefore the organizational board of commissioners for purposes of the Petition; and

WHEREAS, on October 7, 2019, this Council adopted its Resolution No. 0268X-2019, in which this Council resolution determined that the Petition is sufficient and complies with the requirements of ORC Section 349.03 in form and substance; and

WHEREAS, this Council held a public hearing on the Petition on October 10, 2019, notice of which was published as required in ORC Section 349.03, and the date of which hearing is not more than thirty nor more than forty-five days after the filing date of the Petition; and

WHEREAS, this Council has determined that the Petition will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the development of a new community; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to organize the Authority in order to facilitate the redevelopment of this project site and for the preservation of

the public health, peace, property, safety, and welfare; now, therefore,

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

Section 1.   That the Petition is hereby accepted and shall be recorded, along with this resolution, in the journal of this Council as the organizational board of commissioners for the purpose of Revised Code Chapter 349. Council hereby determines that the Authority and its new community district, as defined in ORC Section 349.01(C), will be conducive to the public health, safety, convenience, and welfare, and is intended to result in the development of a new community, as defined in ORC Section 349.01(A). The Authority is hereby organized as a body politic and corporate with the corporate name designated in the Petition (such name being the "Marble Cliff Quarry Community Authority"), and the boundaries of the Authority's new community district are as set forth in the Petition.

Section 2.   That the Board of Trustees of the Authority shall be comprised of seven (7) members selected and appointed as provided in the Petition. There shall be posted for each member of the Board of Trustees a bond in the amount of $10,000 for the faithful performance of his or her duties. The bond shall be with a company authorized to conduct business within the State of Ohio as a surety. The initial appointees of the City to the Board of Trustees shall be as follows:

(i) Steven Brooks is hereby appointed, as a citizen member, to a one-year term, such term beginning on the effective date of this resolution and expiring on October 21, 2021;

(ii) Brian Willson is hereby appointed, as a citizen member, to a one-year term, such term beginning on the effective date of this resolution and expiring on October, 21, 2021; and

(iii) Hassan Zahran is hereby appointed, as a citizen member, to a two-year term, such term beginning on the effective date of this resolution and expiring on October, 21, 2020; and

(iv) Mark Lundine is hereby appointed, as a member to serve as a representative of local government, to a two-year term, such term beginning on the effective date of this resolution and expiring on October 21, 2020.

This Council hereby adopts an alternative form of selecting successor members pursuant to ORC Section 349.04 and declares that replacement trustees shall be appointed from time to time by this Council and the Developer in the same manner as the initial appointments. No elections shall be held for successor trustees.

Section 3.   That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is hereby declared an emergency measure and shall take effect and be in force from and immediately after its passage and approval by the Mayor, or 10 days after passage if the Mayor neither approves nor vetoes the same.