



Legislation Text

File #: 0976-2008, **Version:** 1

BACKGROUND: This ordinance authorizes the City Clerk to execute and sign a petition to initiate the creation of The Central College Community Development Authority to govern the Central College Community Development District. The petition is required in order to create a new community authority as provided under Chapter 349 of the Ohio Revised Code.

The Central College Community Development District encompasses portions of the northeast side of Columbus generally located east of the intersection of Lee Road and Central College Road and is to be developed as part of an area characterized by well-balanced and diversified land use patterns to provide facilities for the conduct of commercial, residential, cultural, educational and recreational activities. The City of Columbus, M/I Homes of Central Ohio, LLC, Dominion Homes, Inc. and Homewood Corporation have entered into a Memorandum of Understanding dated February 23, 2006, that provides for the creation of the Central College Community Development Authority.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the City Clerk to execute and sign, on behalf of the City of Columbus and the Columbus City Council, the Petition for the creation of The Central College Community Development Authority; and to declare an emergency.

WHEREAS, in 2004, the City of Columbus (the "*City*") became aware of significant development interest in the northeast area of Columbus, including portions generally located east of the intersection of Lee Road and Central College Road as shown on Exhibit A to this Ordinance (the "*District*"); and

WHEREAS, based on this interest, the City engaged in a cooperative dialogue with the development community to develop a "Pay As We Grow" plan for that area of the City in order to effectively manage development and secure the participation of local developers in developing infrastructure that will benefit the entire northeast quadrant of Franklin County; and

WHEREAS, as a result of that dialogue, M/I Homes of Central Ohio, LLC, Dominion Homes, Inc., Homewood Corporation (together, the "*Developers*"), and the City reached an agreement on a Pay As We Grow plan whereby the Developers committed to provide funding for and participate in the development of needed infrastructure and public services for that area; and

WHEREAS, the City and the Developers affirmed this commitment in a Memorandum of Understanding (the "*MOU*") approved by Columbus City Council in Ordinance No. 2153-2005 on December 12, 2005, and dated February 23, 2006; and

WHEREAS, under the terms of the MOU, the City required the Developers to petition to create a new community authority, to be called The Central College Community Development Authority (the "*Authority*"), encompassing the District pursuant to Chapter 349 of the Ohio Revised Code; and

WHEREAS, the Developers have performed the necessary analysis to produce a viable, market-based development program for the District as required by Chapter 349 of the Ohio Revised Code; and

WHEREAS, the Developers are each a "developer" within the meaning of Section 349.01(E) of the Ohio Revised Code and will carry out a "new community development program" for the District within the meaning of Section 349.01(B) of the Ohio Revised Code; and

WHEREAS, a proposed petition (the "*Petition*") to create the Authority is presently on file with the City Clerk; and

WHEREAS, an emergency exists in that it is immediately necessary to authorize the City Clerk to execute and sign the aforementioned Petition so that the Authority may proceed to creation expeditiously in order to facilitate the development of the City's northeast quadrant and to affirm financing commitments for infrastructure improvements and public services based upon the Pay As We Grow initiative, said immediate action being in the interest of the City in order to preserve, enhance and protect public health, peace, property and safety; **NOW THEREFORE**,

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

Section 1. The Clerk of Council is hereby directed and authorized to sign the Petition in the form presented to this Council, with such changes thereto not inconsistent with this ordinance and not substantially adverse to the City. The approval of such changes by the Clerk of Council and that such changes are not substantially adverse to the City shall be conclusively evidenced by the execution of the Petition by the Clerk of Council. The Clerk's signature on that Petition shall indicate the approval of that Petition by the "proximate city" (within the meaning of Section 349.01(M) of the Ohio Revised Code).

Section 2. That for the reasons 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 days after passage if the Mayor neither approves nor vetoes this Ordinance.