



Legislation Text

File #: 2791-2014, **Version:** 1

Background: The purpose of this ordinance is to give the Director of the Department of Development the authority to enter into an Economic Development Agreement and to give the Director of Finance and Management the authority to enter into a Real Estate Purchase Contract with BPI Associates, LLC and Ruscilli Construction Company, Inc. generally providing for the sale of the City's interest in that portion of that real property, identified by survey and legal description as approved by the City, to be split from Franklin County Tax Parcel 010-008300.

The development project (the "Project"), a proposed \$25 million investment, has been undertaken in cooperation/partnership with the City of Columbus as a signature project for the West Nationwide Boulevard Arena District Area. The Project will at a minimum retain eighty-eight (88) jobs within the City and bring seventy-seven (77) new, full-time, permanent jobs to the City at an annual combined payroll of approximately \$11 million. The Project also will include residential apartments.

The Economic Development Agreement will outline the plans and certain commitments of the parties relating to the proposed mixed-use commercial and residential development on a portion of that City-owned property on the north side of West Nationwide Boulevard near its western terminus, commonly known as 640-650 Nationwide Boulevard. The plans and proposals remain subject to authorization pursuant to the adoption of any further necessary legislation by Columbus City Council.

Under the Economic Development Agreement, the Department of Development will submit to City Council for consideration, all necessary legislation to provide a Community Reinvestment Area real property tax abatement of 100% for a term of fifteen (15) years for the Project to the Development Team for that portion of the property to be split from Franklin County Tax Parcel 010-008300. Also under the Economic Development Agreement, the Department of Development will submit for City Council consideration all necessary legislation to authorize a five-year, fifty (50) percent Downtown Office Incentive for the new jobs generated by Ruscilli Construction Company, Inc. and BPI Associates, LLC.

The Real Estate Purchase Contract for the sale will transfer fee title to the BPI Associates, LLC by quit claim deed to the real property, situated at 640-650 West Nationwide Boulevard to be split from Franklin County Tax Parcel 010-008300, at a purchase price of \$1,089,000 per acre as established by the appraisal prepared for the City by Nash-Wilson Associates, Inc., dated April 19, 2012. The Economic Development Agreement and Real Estate Purchase Contract shall contain terms as agreed upon by the City and the Development Team and as approved by the City Attorney.

Emergency action is requested in order to be able to close the transaction before the end of the calendar year.

Fiscal Impact: No funding is required for this legislation. Any proceeds from the sale of real property shall be deposited in the General Permanent Improvement Fund.

To authorize the Director of the Department of Development to enter into an Economic Development Agreement and to authorize the Director of Finance and Management to enter into a Real Estate Purchase Contract with BPI Associates, LLC, and Ruscilli Construction Company, Inc. and to the extent applicable, to waive the Land Review Commission requirements of the Columbus City Code; and to declare an emergency.

WHEREAS, the Development Team is proposing a mixed-use commercial and residential development for construction on a portion of the property commonly known as 640-650 West Nationwide Boulevard near the western terminus of West Nationwide Boulevard in the Arena District area of Downtown Columbus; and

WHEREAS, the Development Team is proposing to invest approximately \$25 million in mixed-use improvements to the project site; and

WHEREAS, the Development Team is proposing both residential and commercial improvements to the site, including an office building to house the corporate headquarters of both partners of the Development Team and other businesses; and

WHEREAS, the Project will at a minimum retain eighty-eight (88) jobs within the City and bring seventy-seven (77) new, full-time, permanent jobs to the City at an annual combined payroll of approximately \$11 million; and

WHEREAS, the City is the owner of that real property situated at 640-650 West Nationwide Boulevard, identified as Franklin County Tax Parcel 010-008300; and

WHEREAS, in order to develop the project, the Development Team and the City must enter into a real estate purchase contract to transfer fee title to the Development Team by quit claim deed to that portion of real property identified by survey and legal description, as approved by City, to be split from Franklin County Tax Parcel 010-008300; and

WHEREAS, the City desires to enter into an Economic Development Agreement with the Development Team to outline the framework for many of the major terms of cooperation for the development of the Project; and

WHEREAS, the City and the Development Team 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 Columbus City Council; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to enter into said agreements to provide the flexibility to be able to close the transaction before the end of the calendar year, thereby immediately 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 be and is hereby authorized to enter an Economic Development Agreement on behalf of the City with BPI Associates, LLC and Ruscilli Construction Company, Inc. to outline the plans and certain commitments of the parties relating to the proposed mixed-use Residential and Commercial Development near the western terminus of West Nationwide Boulevard in the Arena West area of Downtown Columbus.

SECTION 2. That the Director of the Department of Finance and Management be and is hereby authorized to enter a real estate purchase contract with BPI Associates, LLC, to execute a quit claim deed to convey fee title, and to enter into and execute other documents pertinent to such conveyance, prepared and approved by the Department of Law, Division of Real Estate, necessary to convey fee title to the Development Team to that portion of real property, identified by survey and new legal description as approved by the City, to be split from Franklin County Tax Parcel 010-008300.

SECTION 3. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive the requirements of the Columbus City Code, Section 328.01 (*Land Review Commission*) to the extent that

it may apply to this transaction with regards to this ordinance.

SECTION 4. 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.