



Legislation Text

File #: 2842-2016, **Version:** 1

Background: City Council passed Ordinance No. 2117-2005 on December 12, 2005 (the “TIF Ordinance”) establishing tax increment financing areas (Dublin-Granville North, Dublin-Granville South and Preserve Incentive Districts, known as the “TIF Areas”) benefiting parcels in the northeast area of the city pursuant to Section 5709.40 of the Ohio Revised Code. The attached Ordinance approves and authorizes a tax increment financing agreement between the City of Columbus and Hamilton Crossing, LLC, to provide for the construction and financing of certain improvements to the parcels.

The City has entered into an Economic Development Agreement with Hamilton Crossing, LLC, Casto AP Residential, LLC, The New Albany Company LLC, and Center State Enterprises LLC pursuant to ordinance number 1802-2015 for purposes of funding public improvements in the area adjacent to N. Hamilton Road and State Route 161.

An emergency exists in the usual daily operation of the Department of Development in that this Ordinance is required to be immediately effective in order to facilitate the continuing development of the TIF Areas.

Fiscal Impact: No City funding is required for this legislation.

Emergency Justification: Emergency legislation is required to allow for immediate execution of the tax increment financing agreement, which is necessary to facilitate the construction of public improvements to maintain the project schedule and to coincide with the established development timeline.

To authorize the Director of the Department of Development, on behalf of the City, to enter into a tax increment financing agreement with Hamilton Crossing, LLC, to provide for the construction and financing of public infrastructure improvements within and around the tax increment financing areas created by Ordinance 2117-2005 (Dublin Granville North, Dublin Granville South and Preserve Incentive Districts); and to declare an emergency. **AMENDED BY ORD. 0507-2018 PASSED; 2/26/2018.**

WHEREAS, Sections 5709.40, 5709.42 and 5709.43 of the Ohio Revised Code authorize this Council, by ordinance, to declare the improvement to certain parcels of real property located within the corporate boundaries of the City of Columbus, Ohio (the “City”), to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels; and

WHEREAS, the City of Columbus entered into an Economic Development Agreement with Hamilton Crossing, LLC, Casto AP Residential, LLC, The New Albany Company LLC, and Center State Enterprises LLC pursuant to ordinance number 1802-2015 for purposes of funding public improvements in the area adjacent to N. Hamilton Road and State Route 161; and

WHEREAS, Hamilton Crossing, LLC, has commenced making or causing to be made private improvements within the TIF Area (collectively, the “Private Improvements”); and

WHEREAS, the City has determined that it is in the best interest of the City and its residents that certain public infrastructure improvements be made in support of those Private Improvements, which public infrastructure improvements were included in the description of Public Infrastructure Improvements in the TIF Ordinance are necessary and appropriate in connection with the development of the TIF Area and will directly benefit the TIF Area; and;

WHEREAS, the City desires Hamilton Crossing, LLC, to construct or cause to be constructed the Public Infrastructure Improvements; and

WHEREAS, the City intends to enter into a Tax Increment Financing Agreement with Hamilton Crossing, LLC, (the “TIF Agreement”) to provide for, among other things the design and construction of the Public Infrastructure Improvements and disbursement of monies on deposit in the TIF Fund which constitute available TIF Funds (Dublin Granville North, Dublin Granville South and Preserve Incentive Districts) as defined in the TIF Agreement, to pay Hamilton Crossing, LLC, for the design and construction costs of the Public Infrastructure Improvements; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, in that it is immediately necessary to apply for and accept the roadwork development grant 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 Development (the Director), for and in the name of the City, is hereby authorized to execute the Tax Increment Financing Agreement (the TIF Agreement) between the City and Hamilton Crossing, LLC, that is presently on file with the Director along with any changes or amendments thereto not inconsistent with this Ordinance and not substantially adverse to the City and which shall be approved by the Director and the City Attorney.

SECTION 2. That the service payments made in lieu of real property taxes and deposited in the Dublin-Granville North, Dublin-Granville South and Preserve Public Improvement Tax Increment Equivalent Funds, as established by Ordinance No. 2117-2005 (Fund Numbers 7440, 7439 and 7438), which constitute available TIF Funds as defined in the TIF Agreement, shall be deemed appropriated for the purposes set forth in the Agreement and the City Auditor is hereby authorized to make payments to the Developer upon receipt of invoices submitted in accordance with the Agreement and approved by the Director.

SECTION 3. 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.