



Legislation Text

File #: 0496-2017, Version: 2

The goal of a Community Reinvestment Area (CRA) is neighborhood revitalization and stabilization. This ordinance amends ordinance 0709-2014 to expand the boundaries and eligible properties of the Easton Square Place CRA. This ordinance authorizes a 10-year, 100% property tax abatement for **new construction and renovation of two or fewer units that are residential and new commercial (non-retail business or industrial) structures and a 12 year 100% property tax abatement for renovation of more than two units that are residential** parcels within the Easton Square Place CRA. For purposes of the residential tax abatement, any improvement primarily comprised of dwelling units shall be considered a residential use eligible for the tax abatement, including, without limitation, attached and detached single family residences, residential condominiums, multi-family apartments, and other multiple-unit structures. A housing survey for the Easton Square Place CRA has been conducted and the findings of the housing survey are attached hereto as Exhibit B

FISCAL IMPACT: No funding is required for this legislation.

To expand the Easton Square Place Community Reinvestment Area, to authorize real property tax exemptions as established in Section 3735.65 to 3735.70 of the Ohio Revised Code.

WHEREAS, this Council, on August 3, 1978, adopted Ordinance No. 1698-78, authorizing the Department of Development to implement a Community Reinvestment Area Program pursuant to Ohio Revised Code Sections 3735.65 *et seq.* and approved certain administrative procedures for the program; and

WHEREAS, this Council by Ordinance 0110X-2007, adopted on July 16, 2007 (the “2007 CRA Ordinance”), created the Easton Square Place Community Reinvestment Area, number 049-18000-15 (the “Original Easton Square Place CRA”), to offer certain incentives for the purposes stated therein; and

WHEREAS, this Council, on March 31, 2014, adopted Ordinance No. 0709-2014 (the “2014 CRA Ordinance” and together with the 2007 CRA Ordinance, the “CRA Ordinance”), which expanded the geographic boundaries of the Original Easton Square Place CRA (such expanded area, the “2014 Easton Square Place CRA”);

WHEREAS, this Council desires to encourage new housing construction and the repair of existing facilities or structures by further modifying the geographic boundaries of and the terms related to the 2014 Easton Square Place CRA; and

WHEREAS, as required by the Ohio Revised Code Section 3735.66, a survey of housing was prepared for the expanded area Easton Square Place CRA, which Housing Survey is incorporated herein and attached hereto as Exhibit B; and

WHEREAS, the Housing Survey finds and determines that the area to be incorporated into the Easton Square Place CRA has housing facilities or structures of historical significance and that new housing construction and repair of existing facilities or structures is discouraged within such area; **NOW THEREFORE**,

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

Section 1. For the purposes of fulfilling the requirements set forth under Ohio Revised Code Sections 3735.65 to 3735.70, this Council adopts the findings of the Housing Survey for Expansion of Easton Square Place Community Reinvestment Area depicted in Exhibit B and reestablishes Easton Square Place Community Reinvestment Area. The findings of the Housing Survey are hereby incorporated into this Ordinance.

Section 2. This Council finds that the area included within Easton Square Place Community Reinvestment Area as shown on Exhibit A hereto is one in which housing facilities or structures of historical significance are located and new housing construction and repair of existing facilities or structures are discouraged. Pursuant to ORC Section 3735.66, the

Easton Square Community Reinvestment Area boundary is hereby amended in the following described area:

Easton Square Place CRA Boundary

Situated in the State of Ohio, County of Franklin, City of Columbus, primarily located southwest of the interchange at I-270 and Morse Road, being more particularly described as follows:

Beginning, for reference, at the southwest corner of Parcel 025-006747 and the north Right-of-Way of McCutcheon Road; then west along the north Right-of-Way until Parcel 520-184234; then around the east, north and west boundaries of Parcel 520-184234 until the north Right-of-Way of McCutcheon Road; then west to the east Right-of-Way of Steltzer Road; **010-146538:**

Then North along the east Right-of-Way of Steltzer Road to the southwest corner of Parcel 520-250980; then west to the southeast corner of Parcel 010-241752; then south along the west Right-Of-Way of Steltzer Road to the north boundary of Parcel 010-146619; east west Right-Of-Way of Steltzer Road to the north boundary of Parcel 010-146619; southwest corner of Parcel 010-146541; then north to the northwest corner of Parcel 010-146541; then east to the northeast corner of Parcel 010-146541; then south along the west Right-of-Way of Steltzer Road to the southeast corner of Parcel 010-146538; **boundary of** west along the south boundary of Parcel 010-146538; then south along the east boundary of Parcel 010-294116; then west along the south boundary of Parcel 010-294116 and Parcel 010-294117; then south along Parcel 010-294117 to the centerline of McCutcheon Road; then west to the intersection of the centerline of McCutcheon Road and Parcel 010-294117; then north, west and north along the boundary of Parcel 010-294117 until the intersection with Parcel 010-296090;

Then west, south and east along the outer boundary of the Brunswick Estates subdivision to the southwest corner of Parcel 010-146541; then north to the northwest corner of Parcel 010-146541; then east to the northeast corner of Parcel 010-146541; then south along the west Right-of-Way of Steltzer Road to the southeast corner of Parcel 010-146538;

boundary of west along the south boundary of Parcel 010-146538; then south along the east boundary of Parcel 010-294116; then west along the south boundary of Parcel 010-294116 and Parcel 010-294117; then south along Parcel 010-294117 to the centerline of McCutcheon Road; then west to the intersection of the centerline of McCutcheon Road and Parcel 010-294117; then north, west and north along the boundary of Parcel 010-294117 until the intersection with Parcel 010-296090;

Then west along the south boundary of Parcel 010-296090; then west, north, and west along the boundary of Parcel 010-295705; then west, north and west along the boundary of Parcel 010-294812 until the northwest corner of Parcel 010-200908 and the intersection with the east Right-of-way of Oak Spring Street; then north along the east Right-of-Way of Oak Spring Street until the **northwest corner of Parcel 010-294812**~~north Right-of-Way of Patriot Blvd;~~

Then ~~northwest east,~~ **south** and west east along the north **boundary of Parcel 010-294812 until the intersection with the west Right-of-Way line of Easton Square Place; then north along the west Right-of-Way line of Easton Square Place until the north Right-of-Way line of Morse Crossing at northwest corner of the intersection of Easton Square Place and Morse Crossing; then east along the north Right-of-Way line of Morse Crossing to the southeast corner of Parcel 010-274068;**

Then **north along the east boundary of Parcel 010-274068 to the south Right-of-Way Line of Easton Commons; then north to the north Right-of-Way Line of Easton Commons at the northeast corner of the intersection of Easton Commons and Chagrin Drive; then north along the east Right-of-Way line of Chagrin Drive to the south Right-of-Way line of Easton Way; then west along the south Right-of-Way line of Easton Way to the east Right-of-Way line of Easton Loop West; then south along the east Right-of- Way line of Easton Loop West to the southwest corner of Parcel 010-266483;**

Then east along the south boundaries of Parcels 010-266483, 010-247181, 010-247180, and 010-266484 to the intersection with the west Right-of-Way line of Chagrin Drive; then south to the south Right-of-Way line of Easton Commons; then west along the south Right-of-Way line of Easton Commons to the east Right-of-Way line of Easton Square Place; then south along the east Right-of-Way line of Easton Square Place until a point directly east of the southeast corner of Parcel 010-281337; then west across Easton Square Place to the southeast corner of Parcel 010-281337; then west along the south boundary of Parcel 010-281337, then southwest across Morse Crossing to the west Right-of-Way line of Morse Crossing;

Then north along the west Right-of-Way line of Morse Crossing to the centerline of Vision Drive; then west to Parcel 010-231155; then south and west along the boundary of Parcel 010-231155 to the northeast corner of Parcel 010-233779; then south along the east boundary of Parcel 010-233779 to the north Right of Way of Patriot Blvd; then west along the north Right-of-Way to Patriot Blvd to the east Right-of-Way of Sunbury Road;

Then north along the east Right-of-Way of Sunbury Road to the north Right-of-Way of Easton Way; then east along the north Right-of-Way of Easton Way to the southeast corner of Parcel 010-261446; then north along the east boundary of Parcel 010-261446; then west along the north boundary of Parcel 010-261446 to the east Right-of-Way line of Morse Crossing; then across Morse Crossing to the west Right of-Way line; then north along the west Right-of-Way line of Morse Crossing to the southeast corner of Parcel 010-251636; then east across Morse Crossing to the north Right-of-Way line of Gramercy Street; then east along the north Right-of-Way line of Gramercy Street to the southeast corner of Parcel 010-285172;

Then north along the east boundary of Parcel 010-285172; then west along the north boundary of Parcel 010-285172 to the west Right-of-Way line of Morse Crossing; then north along the west Right of-Way line of Morse Crossing to the northeast corner of Parcel 010-245175; then east across Morse Crossing to the east Right-of-Way line; then east along the north Right-of-Way line of New Bond Street; then north and east along the west Right-of-Way line of Easton Loop West; then north along the west Right-of-Way line of Easton Loop; then west along the south Right-of-Way line of Morse Road until the east Right-of-Way line of Sunbury Road; then south along the east Right-of-Way line of Sunbury Road until the intersection of the northwest corner of Parcel 010-238844;

Then north across Sunbury Road to the intersection of the southeast corner of Parcel 010-213832 and the west Right-of-Way of Sunbury Road; then west along the south boundary of Parcel 010 213832 to the southeast corner of Parcel 190-004417;

Then north along the east boundary of Parcel 190-004417 to the south Right-of-Way of Morse Road; then west along the south Right-of-Way of Morse Road to the northwest corner of Parcel 190-002219; then south along the west boundary of Parcel 190-002219 and Parcel 190-003498; then southwest along the southeast boundary of Parcels 010-004328 and Parcel 010-104567; then west along the south boundary of Parcel 010-104567, the adjacent residential parcels and the south boundary of the Easton Park Townhomes (Parcel 010-102591); then west along the south boundary of the First Free Methodist Church on Parcel 010-104577 to the east Right-of-Way of Westerville Road;

Then north along the east Right-of-Way of Westerville Road to the approximate midpoint of Parcel 010-004597; then west across Westerville Road to the intersection of the west Right-of-Way line and Parcel 010-013434; then west across the south boundary of the adjacent parcels to the southeast corner of Parcel 190-001934; then north along the east boundary of Parcel 190-001934 to the south Right-of-Way of Morse Road; then west along the south Right-of-Way of Morse Road to the northwest corner of Parcel 190-003146; then south along the west boundary of Parcels 190-003146 and 190-002127; then east along the south boundary of Parcel 190-002127 to the west boundary Parcel 190-001934; then south to the southwest corner intersection of Parcels 190-002392, 010-147249 and 010-147248;

Then east to the northeast corner of Parcel 010-147242; then south to the southwest corner of Parcel 190-000086; then

east along the south boundary of Parcel 190-000086 to the west Right-of-Way of Westerville Road; then southwest along the west Right-of-Way of Westerville Road to the northeast boundary of Parcel 190-002308;

Then northwest along parcel 190-002308; then southwest along Parcel 190-002308; then southeast along Parcel 190-002308 to Parcel 190-004971; then southwest and then east along the boundary of Parcel 190-004971 to the west Right-of-Way of Westerville Road;

Then southwest along the west Right-of-Way of Westerville Road to the southeast corner of Parcel 010-147303; then northwest along the adjacent parcels until the intersection of the south boundary of Parcel 010-152311 and Parcel 190-004085; then North along the east boundary of Parcel 190-004085; then west along the north boundary of Parcel 190-004085; then west along the south boundary of Parcel 010-152294; then west to the west boundary of the Historic Railroad Trail or Parcel 010-087437;

Then northeast along the west boundary of the Historic Railroad Trail or Parcel 010-087437 to the southeast corner of Parcel 010-087485; then west along the south boundary of Parcel 010-087485 to the east Right-of-Way of Cleveland Avenue;

Then north along the east Right-of-Way of Cleveland Avenue to the north Right-of-Way of Morse Road; then east along the north Right-of-Way of Morse Road to the approximate midpoint of the south boundary of Parcel 010-237654; then south to the south Right-of-Way of Morse Road and the north boundary of Parcel 010-146556; then south along the west Right-of-Way of Easton Loop to the north Right-of-Way of Easton Loop West; then east to the east Right-of-Way of Easton Loop; then north to the south Right-of-Way of Morse Road; then east along the north boundary of Parcel 010-146555 to the northwest corner of Parcel 010-204695; then north across Morse Road to the north Right-of-Way of Morse Road;

Then east along the north Right-of-Way of Morse Road to the intersection of the I-270 Right-of-Way and Parcel 600-113625; then northwest along the east Right-of-Way of I-270 to the northwest corner of Parcel 600-204043; then east along the north boundary line of Parcel 600-204043 and Parcel 600-210656 to the west Right-of-Way of Appian Way; then south along the west Right-of-Way of Appian Way to the south Right-of-Way of Morse Road;

~~Then~~ The west along the south Right-of-Way of Morse Road until the intersection of the south Right-of-Way of Morse Road with Parcel 010-147168; then southeast and south along the boundary of Parcel 010-147168, Parcel 010-147204 and Parcel 520-105164 until the north Right-of-Way of Easton Way;

Then west along the north Right-of-Way of Easton Way to the intersection with ~~Stelzer Steltzer~~ Road; then south to the south Right-of-Way of Easton Way; then ~~west to east along the west~~ south Right-of-Way of Easton Way to the I-270 ~~Stelzer Road~~; then south along the west Right-of-way of Stelzer Road to the north boundary of Parcel 010-146619;

Then west, south and east along the outer boundary of the Brunswick Estates subdivision to the **southwest corner of Parcel 010-146541**; then north to the northwest corner of Parcel 010-146541; then east to the northeast corner of Parcel 010-146541 ~~Way~~; then south along the west Right-of-Way of ~~Stelzer Road I-270~~ to the southeast ~~northeast~~ corner of Parcel 010-146541 ~~025-006747~~; then east across Stelzer Road to west along the east north boundary of Parcel 025-006747; then south along the west boundary of Parcel 025-006747 until the north Right-of- Way line; then south along the east Right-of-Way line of Stelzer Road to a point directly east of the southeast corner of Parcel 010-146538; then west across Stelzer Road to the southeast corner of Parcel 010-146538 ~~Way of McCutcheon Road~~ or the Point of Beginning.

The Community Reinvestment Area is approximately depicted as the area on map marked Exhibit B; on the list of parcel number marked Exhibit C and by this reference incorporated herein. Only properties consistent with the applicable zoning regulations and variances thereto within the designated Community Reinvestment Area will be eligible for

~~exemptions under this Program.~~

Section 3. That Section 32 of the Ordinance ~~0709-2017~~ **0110X-2007** is amended and restated in its entirety as follows:

A tax exemption on the increase in the assessed valuation, resulting from improvements as described herein, shall be granted upon proper application by the property owner and approval by the designated Housing Officer.

Abatement terms and percentages are as follows:

(a) One hundred percent (100%) for ten (10) years for the remodeling of:

- owner-occupied dwellings containing not more than two housing units and upon which the remodeling cost is at least twenty percent (20%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement and upon which the cost of remodeling is at least \$2500.00, as described in ORC Section 3735.67;
- existing rental housing, containing not more than two housing units, upon which the remodeling cost is at least fifty percent (50%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement and upon which the cost of remodeling is at least \$2500.00, as described in ORC Section 3735.67;
- conversion of rental housing to owner-occupied housing, containing not more than two units, upon which the remodeling cost is at least fifty percent (50%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement;
- conversion of existing commercial property containing not more than two units, to owner-occupied housing units upon which the remodeling cost is at least fifty percent (50%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement.

b) One hundred percent (100%) for Twelve (12) years for the remodeling of:

- owner-occupied dwellings containing more than two housing units and upon which the remodeling cost is at least twenty percent (20%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement and upon which the cost of remodeling is at least \$5000.00 as described in ORC Section 3735.67;
- existing rental housing, containing more than two housing units, upon which the remodeling cost is at least fifty percent (50%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement and upon which the cost of remodeling is at least \$5000.00 as described in ORC Section 3735.67;
- conversion of rental housing to owner-occupied housing, containing more than two units, upon which the remodeling cost is at least fifty percent (50%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement.
- conversion of existing commercial property containing more than two units, to owner-occupied housing units upon which the remodeling cost is at least fifty percent (50%) of the current assessed value of the existing structure (excluding land) as determined by the County Auditor for the tax year prior to the improvement.

(c) One hundred percent (100%) for ten (10) years for:

- construction of new owner-occupied dwellings.
- construction of new owner-occupied dwellings containing more than two housing units.
- construction of new rental housing

(d) Up to One hundred percent (100%) for up to ten (10) years for:

- construction of new commercial structures **(non-retail business or industrial)** ~~(including, without limitation, retail structures and parking garages).~~

The foregoing dwellings, housing and structures may be included in part of a larger structure containing other uses. Abatements may be claimed for, and will apply to, any portion of a structure meeting the required criteria; the entire structure does not need to be abated or qualify for abatement in order for the abatement to apply to the qualifying portions of the structure. **For purposes of the residential tax abatement, any improvement primarily comprised of dwelling units shall be considered a residential use eligible for the tax abatement, including, without limitation, attached and detached single family residences, residential condominiums, multi-family apartments, and other multiple-unit structures.**

The abatements provided for in this ordinance take precedence over the tax increment financing exemptions provided for in Ordinance No. 1704-1996, Ordinance No. 0709-2003 , Ordinance No. 0180-2004 , Ordinance No. 1028-2008, Ordinance No. 2262-2012, Ordinance No. 2257-2014 , Ordinance No. 2895-2014.

For residential properties A pre-application may be required to insure the compatibility with neighborhood plans and to insure the maintenance of existing streetscape lines, style, scale setbacks and landscaping features compatible with neighborhood. For residential properties, an application fee of up to \$1,000 per application may be assessed. The application fee can be waived for those properties that are owned by individual homeowners with incomes at or below 80% AMI or rental properties which qualify under Internal Revenue Code Section 42(g) (A) or (B).

A CRA Agreement meeting the requirements of Section 3735.671 of the Ohio Revised Code is required for any abatement of new commercial structures. City Council approval is required for any such agreement. That approval is in the sole discretion of City Council.

Section 4. That a Community Reinvestment Area Housing Council shall be created, consisting of two members appointed by the Mayor of the City of Columbus, two members appointed by the Council of the City of Columbus and one member appointed by the Development Commission of Columbus. The majority of those members shall then appoint two additional members who shall be residents within the area. Terms of the members of the Council shall be for three years. An un-expired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made for the remainder of the term of the vacated seat.

Section 5. The Community Reinvestment Area Housing Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.66 of the ORC. The council shall also hear appeals under 3735.70, of the ORC

Section 6. That the Director of the Department of Development (the “*Director*”) and other appropriate officers of the City are hereby authorized and directed to publish or deliver all required notices, submit all required petitions, and take all other actions reasonably necessary to implement this Ordinance. All previous actions taken by the Director and such other officers are hereby ratified.

Section 7. The terms and provisions of the CRA Ordinance are hereby amended and superseded in accordance with the terms and provisions of this Ordinance; provided that all terms and provisions of the CRA Ordinance not amended or superseded hereby shall remain in full force and effect. Prior to December 31, 2028, this Council shall not modify the CRA Ordinance, as amended hereby, in any form that would reduce the percentage amount of the tax exemptions authorized by the CRA Ordinance; reduce the effective time period of the tax exemptions authorized by the CRA Ordinance; reduce the scope of dwellings, structures, or improvements qualifying for the tax exemptions authorized by the CRA Ordinance; or otherwise limit or impair tax exemptions authorized by the CRA Ordinance. Notwithstanding any modification by City Council, the tax exemptions authorized by the CRA Ordinance shall continue to apply to any building for which an initial abatement application was received and approved by the Housing Officer prior to the effective date of the City Council ordinance or resolution limiting such tax exemptions.

Section 8. To administer and implement the provisions of this Ordinance, the Administrator of the Department of Development's Housing Division is designated as the Housing Officer as described in Sections 3735.65 through 3735.70 of the Ohio Revised Code.

Section 9. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.