



Legislation Text

File #: 1520-2019, **Version:** 1

Background: Metro Development (“Developer”) is the owner of approximately 23.5± acres of property in the northeast portion of the 61.23± acres of property at 5830 Ulry Road (the “Developer Property”). The Developer Property is located in the Northeast Area of the Columbus Pay as We Grow (“PAWG”) program. City Council passed Ordinance No. 0958-2016 on October 3, 2016 rezoned the property as PUD-6, Planned Unit Development District (Rezoning # Z14-059). This legislation authorizes the Director of the Department of Development to enter into a Pay As We Grow and Grow with a Plan Agreement (the “Agreement”) with the Developer for the fulfillment of PAWG requirements.

In following the City's PAWG policy for the Northeast Area, is a ratified agreement with the Developer and the City of Columbus that they will make a total contribution in the form of electronic wired payments to Columbus in the amount of \$2,300.00 multiplied by the number of residential units constructed on the Developer Property, which is 180 single family units or less.

In a deviation from the City’s PAWG policy for the Northeast Area, the City and Developer agree that due to an overlap in the timing of processing the Agreement and the development of the Developer Property, that requiring the Developer to encumber the Developer Property with a Declaration of Covenants and Restrictions for the Central College Community Development District (the “CCCDD”) is not viable. The City and the Developer also agree that due to the same circumstances, it is not viable for the Developer to file a petition with Columbus City Council to join the CCCDD.

Emergency action is requested in order to allow planning and other project actions to begin without delay.

Fiscal Impact: There is no financial impact for this legislation. No funding is required.

To authorize the Director of the Department of Development to enter into a Pay As We Grow and Grow with a Plan Agreement with Metro Development for fulfillment of Northeast Pay as We Grow requirements for property located at the northeast portion of a property located at the southeast corner of Ulry Road and Warner Road, known as 5830 Ulry Road; and to declare an emergency.

WHEREAS, Metro Development (“Developer”) is the owner of approximately 23.5± acres of property located at the southeast corner of Ulry Road and Warner Road, known as 5830 Ulry Road (the “Developer Property”) in the Northeast Area of the Columbus Pay as We Grow (“PAWG”) program and

WHEREAS, Columbus City Council passed Ordinance No. 0958-2016 on October 3, 2016 rezoned the property as PUD -6, Planned Unit Development District (Rezoning # Z14-059) and

WHEREAS, the City and the Developer desire to enter into the attached Pay As We Grow and Grow with a Plan Agreement for fulfillment of Pay as We Grow requirements; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to authorize the Director to enter into the Pay As We Grow and Grow with a Plan Agreement without delay so that planning and other actions can begin, 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. The Director of Development is hereby authorized to execute a Pay As We Grow and Grow with a Plan

Agreement with Metro Development (the “Developer”) for fulfillment of Northeast Pay as We Grow (“PAWG”) requirements for property located at the northeast portion of a property located at the southeast corner of Ulry Road and Warner Road, known as 5830 Ulry Road.

SECTION 2. That, as provided by the Agreement, the Developer will make a total contribution in the form of electronic wired payments to Columbus in the amount of \$2,300.00 multiplied by the number of residential units constructed on the Developer Property, which is 180 single family units or less.

SECTION 3. That, as provided by the Agreement, the City and Developer agree that due to an overlap in the timing of processing the Agreement and the development of the Developer Property that requiring the Developer to encumber the Developer Property with a Declaration of Covenants and Restriction for the Central College Community Development District and to submit a petition to join the NCA is not viable.

SECTION 4. That, as this Council further hereby approves and directs the Mayor, the Director of Development and the City Attorney, and other appropriate officers of the City, to sign those instruments and make those arrangements as are necessary carry out the purposes of this Ordinance.

SECTION 5. 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 passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.