



Legislation Text

File #: 2781-2019, **Version:** 1

Background: Metro Development LLC ("Developer") owns or will own approximately +/- 6.3. acres of property located on the east side of Sunbury Road known as 5850 Sunbury Road (the "Developer Property") in the northeast area of Columbus Pay As We Grow (PAWG) program. City Council passed Ordinance No. 0041-2019 on February 13, 2019 that rezoned the Developer Property from L-ARLD, Limited Apartment Residential (Rezoning # Z18-051). This legislation authorizes the Director of the Department of Development to enter into a Memorandum of Understanding (MOU) with the Developer for the fulfillment of PAWG requirements.

In following the City's PAWG policy for the Northeast Area to generate revenue that will pay for regional improvements through per unit payments at \$2,300 per unit.

In following the City's PAWG policy for the Northeast Area, the Developer shall: 1) encumber the Developer Property with a Declaration of Covenants and Restrictions for the Central College Community Development District (the "CCCDD Covenants"), subject to acceptance of the Developer Property within the CCCDD by the Central College Community Development Authority (the "CCCDA"). The CCCDD Covenants shall run with the land and shall require each current and future owner of all or any portion of the Developer Property to pay an annual Community Development Charge, as such term is defined in Section 349.01 of the Ohio Revised Code, to the CCCDA in an amount equal to 0.004 multiplied by the "Assessed Value" of such property for a period of twenty (20) years commencing one (1) year after the date of completion of the construction of the residential structures (as evidenced by a Certificate of Occupancy). Within ninety days of the execution of the MOU, the Developer will take all necessary steps to include the Developer Property in the Central College Community Development Authority, including, without limitation, filing with the Columbus City Council a petition for the inclusion of Developer Property within said Authority on the basis described above.

Emergency action is requested to allow the agreement to be entered into in a timely manner.

Fiscal Impact: No funding is required for this legislation.

To authorize the Director of the Department of Development to enter into a Memorandum of Understanding with Metro Development LLC for fulfillment of the Northeast Pay as We Grow requirements for property located at 5850 Sunbury Road; and to declare an emergency.

WHEREAS, Metro Development LLC (the "Developer") owns or will own approximately +/- 6.3 acres of property located on the east side of Sunbury Road , known 5850 Sunbury Road (the "Developer Property") in the northeast area of Columbus Pay As We Grow (PAWG) program; and

WHEREAS, Columbus City Council passed Ordinance No. 0041-2019 on February 13, 2019 that rezoned the Developer Property from L-ARLD, Limited Apartment Residential (Rezoning # Z18-051); and

WHEREAS, the City and the Developer desire to enter into the attached Memorandum of Understanding ("MOU") for fulfillment of Pay as We Grow requirements; and

WHEREAS, the purpose of the MOU is to align sufficient, satisfactory Regional Improvements with planned and balanced development in the Northeast Pay As We Grow Area; 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 Memorandum of Understanding 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 Memorandum of Understanding with Metro Development LLC (the “Developer”) for fulfillment of Northeast Pay as We Grow (“PAWG”) requirements for property located at 5850 Sunbury Road.

SECTION 2. The Developer will take the necessary steps to place Developer Property within the Central College Community Development District in a timely manner, such that each current and future owner shall be required to pay for a period of twenty (20) years an annual Community Development Charge, as such term is defined in Section 349.01 of the Ohio Revised Code, in an annual amount equal to 0.004 multiplied by the “Assessed Value” of such property.

SECTION 3. 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 to carry out the purposes of 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 passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.