



## Legislation Text

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**File #:** 2933-2019, **Version:** 1

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**Background:** Ciminello Incorporated an Ohio Corporation (“Developer”), Romanelli & Hughes Corporate Office & Design Center (“Developer”), and PulteGroup Home Construction Company (“Developer”) owns approximately 55± acres of property to be redeveloped at 6450 Ulry Road (the “Developer Property”) in the northeast area of Columbus Pay as We Grow (PAWG) program. City Council passed Ordinance 0741-2018 on March 29<sup>th</sup> 2018, thereby rezoning the Developer Property PUD-4 for Planned Unit Development District (Rezoning #Z17-048).

This legislation authorizes the Director of the Department of Development to enter into a Pay as We Grow Agreement (“Agreement”) with the Developer for the fulfillment of PAWG requirements.

The City and Developers agree that in lieu of the Developers making 163 residential unit Pay as We Grow payments to Columbus at the standard Northeast area rate of \$2,300 per unit, Ciminello shall construct the Regional Improvements. Ciminello Incorporated will widen Ulry Road to three lane section instead of a turn lane.

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 Pay as We Grow Agreement, 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 an agreement with Ciminello Incorporated, Romanelli & Hughes Corporate Office & Design Center, and PulteGroup Home Construction Company for fulfillment of the Northeast Pay as We Grow requirements for property located at 6450 Ulry Road; and to declare an emergency.

**WHEREAS**, Ciminello Incorporated an Ohio Corporation (“Developer”), Romanelli & Hughes Corporate Office & Design Center (“Developer”) and PulteGroup Home Construction Company (“Developer”) owns approximately 55± acres of property to be redeveloped at 6450 Ulry Road (the “Developer Property”) and

**WHEREAS**, Columbus City Council passed Ordinance 0741-2018 on March 29<sup>th</sup> 2018, thereby rezoning the Developer Property PUD-4 for Planned Unit Development District ((Rezoning #Z17-048); and

**WHEREAS**, the City and the Developer desire to enter into the attached Pay As We Grow Agreement ( “Agreement”) for fulfillment of Pay as We Grow requirements; and

**WHEREAS**, the purpose of the Agreement is to align sufficient, satisfactory Public 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 Pay As We Grow 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 Agreement with Ciminello Incorporated an Ohio Corporation (“Developer”), Romanelli & Hughes Corporate Office & Design Center (“Developer”), and PulteGroup Home Construction Company (“Developer”) owners of approximately 55± acres of property to be redeveloped at 6450 Ulry Road.

**SECTION 2.** 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.