



Legislation Text

File #: 0281X-2019, Version: 1

Background:

The City of Columbus has entered into an Economic Development Agreement with the Gravity Project 2 LLC and Columbus Housing Partnership, Inc., dba Homeport for the Gravity 2 development project that will redevelop property generally bounded by West Broad Street to the North, McDowell Street to the West, CSX Transportation railroad tracks to the East and West State Street to the South. The City committed in the Economic Development Agreement to form a new community authority pursuant to ORC Chapter 349 to support that redevelopment. On November 11, 2019, a Petition for the Organization of the Gravity II Community Authority was submitted to City Council. City Council, as the organization board of commissioners, is now required by ORC Chapter 349 to determine the sufficiency of the Petition and set a public hearing date on the Petition.

Emergency Justification: Emergency action is requested in order to comply with statutory notice and hearing requirements and to facilitate the development of this project in a timely manner.

Fiscal Impact: No funding is required for this legislation.

To determine that a petition to establish the Gravity II New Community Authority and District is sufficient and complies with the requirements of Ohio Revised Code Section 349.03 in form and substance; to set the time and place for a hearing on the petition; to authorize the notice by publication of such hearing; and to declare an emergency.

WHEREAS, the Gravity Project 2 LLC (also known as The Gravity Project 2, LLC, and together, the “Developer”) plans to facilitate the redevelopment of approximately 5.34 acres of real property located within the municipal corporate boundaries of the City of Columbus, Ohio (the “City”), as a mixed-use development consisting of new retail, residential, commercial, and structured parking facilities and other complementary uses, as described in R.C. Chapter 349; and

WHEREAS, on November 11, 2019 the Developer, in its capacity as the “developer” within the meaning of Ohio Revised Code (“R.C.”) Section 349.01(E), submitted to the City Council of the City (the “Council”), pursuant to R.C. Section 349.03, a Petition for Establishment of the Gravity II New Community Authority under R.C. Chapter 349 (the “Petition”), a copy of which Petition is on file with the Clerk of Council; and

WHEREAS, the Gravity II New Community District (the “District”), as described in the Petition, is located entirely within the municipal corporate boundaries of the City, and this Council, as the legislative authority of the City, is therefore the organizational board of Commissioners for purposes of the Petition; and

WHEREAS, this Council has reviewed the Petition, and by this Ordinance desires to legislatively determine, pursuant to R.C. Section 349.03, that the Petition complies with the requirements of that section as to form and substance; pursuant to R.C. Section 349.03, to set the time and place of a hearing on the Petition; and further pursuant to R.C. Section 349.03, authorize the notice by publication of the hearing on the Petition.

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to make the legislative determinations regarding the sufficiency of the Petition in order to facilitate the redevelopment of the project site and for the preservation of the public health, peace, property, safety, and welfare; NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Columbus that:

Section 1. Organizational Board of Commissioners. This Council hereby acknowledges and determines that, pursuant to R.C. Section 349.01(F)(3), it is the “organizational board of Commissioners” of the Gravity II New Community Authority

for all purposes of R.C. Chapter 349.

Section 2. Petition's Sufficiency and Compliance with R.C. Section 349.03. This Council has examined the Petition and finds and determines that the Petition is sufficient and complies with the requirements of R.C. Section 349.03 in form and substance .

Section 3. Time and Place of Hearing. Pursuant to R.C. Section 349.03, this Council hereby determines to hold a hearing on the Petition on Monday, December 16, 2019 at 111 N. Front Street, 8th Floor, Columbus, Ohio 43215, at 1:00 p.m., and this Council hereby authorizes the Clerk of Council to cause notice of the hearing to be published once a week for three consecutive weeks, or as provided in R.C. Section 7.16, in a newspaper of general circulation within Franklin County, Ohio, pursuant to R.C. Section 349.03(A).

Section 4. This resolution 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 the passage if the Mayor neither approves nor vetoes the same.