



Legislation Text

File #: 1557-2020, **Version:** 1

Background: Harmony Development Group, LLC and Pulte Homes of Ohio, LLC (collectively, “Developers”), will prospectively own 369.2 acres of property to be developed along Alton Darby Creek Road and Renner Road and generally located at 1980 Alton Darby Creek Road (“Developers’ Property”). The Development Commission approved the Developers’ application to rezone the property (Rezoning #Z18-058) in May 2019. The Developers’ Property is located in the Big Darby Watershed and is subject to the requirements of the Big Darby Revenue Program pursuant to Resolution 0216X-2008 adopted by Columbus City Council on April 20, 2019.

This legislation authorizes the Director of the Department of Development to enter into an Agreement (“Agreement”) with the Developers for the fulfillment of Big Darby Revenue Program requirements.

In following the City's Big Darby Revenue Program for the Big Darby Watershed, the Developers shall encumber the Developers' Property with a Declaration of Covenants and Restrictions for a New Community Development District (the "District Covenants"), to be created pursuant to program requirements. The District Covenants shall run with the land and shall require each current and future owner of all or any portion of the Developers’ Property to pay an annual Community Development Charge, as such term is defined in Section 349.01 of the Ohio Revised Code, to the New Community Development Authority in an amount equal to 0.0065 multiplied by the "Assessed Value" of such property for a period of thirty (30) 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 closing on the Developers’ Property, the City and Developers will commence to establish the New Community Development Authority in accordance with Chapter 349 of the Ohio Revised Code. In lieu of making one-time per unit contributions at a rate of \$2,500 per unit for up to the maximum number of 1,108 units constructed, 0.0015 of the Community Development Charge will be allocated toward fulfilling this requirement. The Developers will support the inclusion of the Developers’ Property within two or more Tax Increment Financing (TIF) Incentive Districts to be established by the City in accordance with Ohio Revised Code 5709.40.

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 Harmony Development Group, LLC and Pulte Homes of Ohio, LLC for fulfillment of the Big Darby Revenue Program requirements for property located at 1980 Alton Darby Creek Road and subject to rezoning application #Z018-058; and to declare an emergency.

WHEREAS, Harmony Development Group, LLC and Pulte Homes of Ohio, LLC (collectively, “Developers”), will prospectively own 369.2 acres of property to be developed along Alton Darby Creek Road and Renner Road and generally located at 1980 Alton Darby Creek Road (“Developers’ Property”); and

WHEREAS, the Development Commission approved the Developers’ application for rezoning the property (Rezoning #Z-18-058) in May 2019; and

WHEREAS, the Developers' Property is located in the Big Darby Watershed and is subject to the Big Darby Revenue Program pursuant to Resolution 0216X-2008 adopted by Columbus City Council on April 20, 2019; and

WHEREAS, in accordance with the Big Darby Revenue Program, the Developers and the City will enter into an agreement outlining terms and mutual commitments toward fulfillment of the program’s revenue 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 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 an agreement with Harmony Development Group, LLC and Pulte Homes of Ohio, LLC (collectively, “Developers”) for fulfillment of Big Darby Revenue Program requirements for property located at 1980 Alton Darby Creek Road.

SECTION 2. That the Director of the Department of Development and other appropriate officers of the City are authorized to modify the list of projects identified in the agreement via administrative revisions to the agreement, as future development requirements change.

SECTION 3. 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.