BACKGROUND: Columbus City Council (**"COUNCIL"**), by Ordinance No. 2950-2021, passed May 9, 2022, authorized the City of Columbus (**"CITY"**) to enter into an Enterprise Zone Agreement (the **"AGREEMENT"**) with Pinchal & Company LLC (**"ENTERPRISE"**), for a real property tax abatement of seventy-five percent (75%) for a period of ten (10) consecutive years in consideration of a proposed total capital investment of approximately $53,664,206.00, which included approximately $2,911,406.00 in acquisition costs, $2,872,800.00 in leasehold improvements and $47,880,000.00 in real property improvements to construct a proactive industrial distribution and warehouse facility consisting of approximately 957,600 square-feet on undeveloped land containing approximately 182 +/- acres south of State Route 317 on Lockbourne Road, Columbus, Ohio 43137, Parcel Number 495-263119 (the " **ORIGINAL PARCEL**"), building #6, legislated as Pinchal & Company LLC Building 3 within the City of Columbus and within the City of Columbus Enterprise Zone (the **"PROJECT SITE"**). Additionally, the **ENTERPRISE** committed to create one-hundred and nineteen (119) net new full-time permanent positions with an associated annual payroll of approximately $3,712,800.00 at the **PROJECT SITE.** The **AGREEMENT** was made and entered into effective August 15, 2022 with the **PROJECT** expected to begin approximately June 2023, with all real property improvements expected to be completed by approximately December 2024 and with the abatement to commence no later than 2025 nor extend beyond 2034 (Agreement No. 023-22-20).

As of this date, there has not been a filing of the DTE-24 with the Franklin County Auditor, no Final Determination from the Ohio Department of Taxation, and so no forgone tax benefit has yet been received.

Paragraph fourteen within Section 8 (Program Compliance) of the **AGREEMENT** states that the "**AGREEMENT** is not transferable or assignable without the express, written, approval of the CITY" and paragraph fifteen of that same section states that "any requested amendment…to any of the terms of the **AGREEMENT**…shall require the payment to the **CITY** by the **ENTERPRISE** of an AMENDMENT FEE in the amount of five-hundred dollars ($500.00)."

In a letter from 6780 Schieser Farms, LLC on behalf of the **ENTERPRISE** dated April 30, 2025, received by the **CITY** and through ensuing correspondence, 6780 Schieser Farms, LLC confirmed that they had acquired ownership of a portion of the **PROJECT SITE** following an assignment of the purchase and sale agreement for the **PROJECT SITE** from **ENTERPRISE** to its affiliate, Prushing Farms Partners, LLC on May 18, 2022, recorded August 22, 2022 in Franklin County, Ohio records, which subsequently conveyed the **PROJECT SITE** to its wholly owned subsidiary 6780 Schieser Farms, LLC on April 28, 2025, with the transfer having been recorded at the County Recorder's Office on May 21, 2025. In addition, the **PROJECT SITE** has been revised to be Parcel Number 495-345881 (split from the **ORIGINAL PARCEL**) containing approximately 54.396 +/- acres of undeveloped land with the current street address of 6780 Schieser Farms Road, Columbus, Ohio 43137. This street address may or may not change upon **PROJECT** completion.

Due diligence has been undertaken by the **CITY** in that 6780 Schieser Farms, LLC has agreed to fully assume the terms and commitments of the **ENTERPRISE** pursuant to the **AGREEMENT**, has submitted an updated Economic Development Incentive Application, the five-hundred dollars ($500.00) Amendment Fee and that this application and all other pertinent information has been reviewed and vetted.

This legislation is to authorize the Director of the Department of Development to amend the **AGREEMENT** for the first time for Assignment & Assumption to (1) remove Pinchal & Company LLC as **ENTERPRISE** and party to the **AGREEMENT** and to be replaced with 6780 Schieser Farms, LLC as **ENTERPRISE** and party to the **AGREEMENT**, whereby 6780 Schieser Farms, LLC will assume the terms and commitments of the **AGREEMENT,** (2) revise the description of the **PROJECT SITE**, (3) to revise the **PROJECT's** expected start and completion date in Section 1 of the

AGREEMENT, (4) to revise the exemption window in Section 3 of the **AGREEMENT**, and (5) revise the notice information related to **ENTERPRISE** within Section 8 of the **AGREEMENT**.

This legislation is presented as 30-day legislation.

FISCAL IMPACT: No funding is required for this legislation.

To authorize the Director of the Department of Development to amend the Enterprise Zone Agreement for the first time for Assignment & Assumption with 6780 Schieser Farms, LLC, to remove Pinchal & Company LLC as Enterprise and party to the Agreement and to be replaced with 6780 Schieser Farms, LLC as Enterprise and party to the Agreement, to redefine the Project Site, revise the Project's expected begin and completion date, revise the exemption window, and to revise the notification information. ($0.00)

WHEREAS, the City of Columbus (**"CITY"**) entered into an Enterprise Zone Agreement (the **"AGREEMENT"**) with Pinchal & Company LLC (**"ENTERPRISE"**), approved by Columbus City Council (**"COUNCIL"**) by Ordinance No. 2950-2021, passed May 9, 2022, with this **AGREEMENT** made and entered into effective August 15, 2022; and

WHEREAS, the **AGREEMENT** granted a 75%/10-Year abatement on real property improvements; and

WHEREAS, the incentive was granted in consideration of a proposed total capital investment of approximately $53,664,206.00, which included approximately $2,911,406.00 in acquisition costs, $2,872,800.00 in leasehold improvements and $47,880,000 in real property improvements to construct a proactive industrial distribution and warehouse facility consisting of approximately 957,600 square-feet on an undeveloped land containing approximately 182 +/- acres south of State Route 317 on Lockbourne Road, Columbus, Ohio 43137, Parcel Number 495-263119 (the " **ORIGINAL PARCEL**"), building #6, legislated as Pinchal & Company LLC Building 3 within the City of Columbus and within the City of Columbus Enterprise Zone (the **"PROJECT SITE"**). Additionally, the **ENTERPRISE** committed to create one-hundred nineteen (119) net new full-time permanent positions with an associated annual payroll of approximately $3,712,800.00 at the **PROJECT SITE.** The **AGREEMENT** was made and entered into effective August 15, 2022 with the **PROJECT** expected to begin approximately June 2023, with all real property improvements expected to be completed by approximately December 2024 and with the abatement to commence no later than 2025 nor extend beyond 2034 (Agreement No. 023-22-20); and

WHEREAS, paragraph fourteen within Section 8 (Program Compliance) of the **AGREEMENT** states that the " **AGREEMENT** is not transferable or assignable without the express, written, approval of the CITY" and paragraph fifteen of that same section states that "any requested amendment…to any of the terms of the **AGREEMENT**…shall require the payment to the **CITY** by the **ENTERPRISE** of an AMENDMENT FEE in the amount of five-hundred dollars ($500.00);" and

WHEREAS, in a letter from 6780 Schieser Farms, LLC on behalf of the **ENTERPRISE** dated April 30, 2025, received by the **CITY** and through ensuing correspondence, 6780 Schieser Farms, LLC confirmed that they had acquired ownership of a portion of the **PROJECT SITE** following an assignment of the purchase and sale agreement for the **PROJECT SITE** from **ENTERPRISE** to its affiliate, Prushing Farms Partners, LLC on May 18, 2022, which subsequently conveyed the **PROJECT SITE** to its wholly owned subsidiary 6780 Schieser Farms, LLC on April 28, 2025, with the transfer having been recorded at the County Recorder's Office on May 21, 2025. In addition, the **PROJECT SITE** has been revised to be Parcel Number 495-345881 (split from the **ORIGINAL PARCEL**) containing approximately 54.396 +/- acres of undeveloped land with the current street address of 6780 Schieser Farms Road, Columbus, Ohio, 43137. This street address may or may not change upon **PROJECT** completion; and

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WHEREAS, due diligence has been undertaken by the **CITY** in that 6780 Schieser Farms, LLC has agreed to fully assume the terms and commitments of the **ENTERPRISE** pursuant to the **AGREEMENT**, has submitted an updated Economic Development Incentive Application, the five-hundred dollars ($500.00) Amendment Fee and that this application and all other pertinent information has been reviewed and vetted; and

WHEREAS, a First Amendment to the **AGREEMENT** is now needed for Assignment & Assumption to remove Pinchal & Company LLC as **ENTERPRISE** and party to the **AGREEMENT** and to be replaced with 6780 Schieser Farms, LLC as **ENTERPRISE** and party to the **AGREEMENT**, and revise the description of the **PROJECT SITE**, and revise the notice information related to **ENTERPRISE** within Section 8 of the **AGREEMENT**; and

WHEREAS, the Director of the Department of Development of the **CITY** has investigated the Economic Development Application of 6780 Schieser Farms, LLC and concurs with the Columbus City Council on the basis that 6780 Schieser Farms, LLC, is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Columbus Enterprise Zone and improve the economic climate of the **CITY**; and

WHEREAS, an amendment for Assignment & Assumption to the **AGREEMENT** with Pinchal & Company LLC to (1) remove Pinchal & Company LLC as **ENTERPRISE** and to be replaced by 6780 Schieser Farms, LLC as **ENTERPRISE** and party to the **AGREEMENT**, 6780 Schieser Farms, LLC will assume the terms and commitments of the **AGREEMENT** as **ENTERPRISE**, (2) revise the description of the **PROJECT SITE**, (3) to revise the **PROJECT's** expected start and completion date in Section 1 of the **AGREEMENT**, (4) to revise the exemption window in Section 3 of the **AGREEMENT**, and (5) revise the notice information; and **NOW THEREFORE,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Council of Columbus finds that 6780 Schieser Farms, LLC is qualified by financial responsibility and business experience to create and preserve employment opportunities in the zone and improve the economic climate of the municipal corporation.

SECTION 2. That the Director of the Department of Development is hereby authorized to amend the City of Columbus Enterprise Zone Agreement with Pinchal & Company LLC (the **"AGREEMENT"**) to remove Pinchal & Company LLC as **ENTERPRISE** to be replaced with 6780 Schieser Farms, LLC as **ENTERPRISE** whereby 6780 Schieser Farms, LLC will assume the terms and commitments of the **AGREEMENT** as **ENTERPRISE**.

SECTION 3. That the Director of the Department of Development is hereby authorized to amend Section 1 (Establishment by Corporation) of the **AGREEMENT** to state that the **PROJECT SITE** is revised to be Parcel Number 495-345881 (split from the **ORIGINAL PARCEL**), containing approximately 54.396 +/- acres of undeveloped land with the current street address of 6780 Schieser Farms Road, Columbus, Ohio 43137, but this street address may or may not change upon **PROJECT** completion.

SECTION 4. That the Director of the Department of Development is hereby authorized to amend Section 1 (Establishment by Corporation) of the **AGREEMENT** to change "the **PROJECT** is expected to begin June 2023 with all real property improvements are expected to be completed by December 2024" to "the **PROJECT** is expected to begin July 2025 with all real property improvements are expected to completed by December 2026."

SECTION 5. That the Director of the Department of Development is hereby authorized to amend Section 3 (Tax Incentive) of the **AGREEMENT** to change that "No real property exemption shall commence after 2025 nor extend beyond 2034" to "No real property exemption shall commence after 2027 nor extend beyond 2036."

SECTION 6. That the Director of the Department of Development is hereby authorized to amend within Section 8 (Program Compliance) of the **AGREEMENT**, the "if to the **ENTERPRISE**" section regarding written communication from Pinchal & Company LLC to 6780 Schieser Farms, LLC C/O Brian W. McMackin, 4400 Post Oak Parkway, Suite 2350, Houston, Texas, 77027.

SECTION 7. That this **FIRST AMENDMENT** for Assignment & Assumption to the City of Columbus Enterprise Zone Agreement be signed by 6780 Schieser Farms, LLC within ninety (90) days of passage of this ordinance, or this

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ordinance and the incentive authorized herein shall be null and void.

SECTION 6. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

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