

Ordinance No. 949-2020

By Council Members **B. Jones, Brancatelli and Kelley (by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Community Development to enter into a development agreement with Frontline Development Group, LLC, or their designee, for the sale and redevelopment of City-owned properties currently in the City's Land Reutilization Program which are located in The Allen Estates Development site plan; and authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use.

WHEREAS, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

WHEREAS, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

WHEREAS, the Director of Community Development has requested the sale of City-owned properties currently in the City's Land Reutilization Program to Frontline Development Group, LLC, or their designee (the "Redeveloper"), no longer needed for public use and located in The Allen Estates Development site plan for the purpose of developing single family and multi-family residential units, townhouse units, apartment units, and retail space; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of Community Development is authorized to enter into a development agreement with the Redeveloper for the sale and private redevelopment of City-owned properties currently in the Land Reutilization Program which are located in The Allen Estates Development site plan.

Section 2. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described properties are no longer needed for public use: Permanent Parcel Nos. 106-08-001 to 106-08-006, 106-08-008 to 106-08-019, 106-08-

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032, 106-08-033, 106-08-123, 106-12-001, 106-12-003, 106-12-004, 106-12-042, 106-12-043, 106-12-044, 106-08-045, 106-12-047, 106-12-048, 106-08-049, 106-08-050, 106-08-052, 106-08-053, 106-08-058, 106-08-074, 106-08-075, and 106-12-040.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described properties to the Redeveloper at a price not less than fair market value as determined by the Board of Control, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deeds of conveyance.

Section 4. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including the development agreement, and restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the City's interests and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 5. That the Director of Community Development is authorized to enter into any related agreements or execute any documents necessary to effectuate this ordinance.

Section 6. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

GEP:nl
12-2-2020
FOR: Interim Director Wackers

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REPORT
after second Reading

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READ FIRST TIME on DECEMBER 2, 2020

REPORTS

and referred to DIRECTORS of Community Development,
City Planning Commission, Finance, Law;
COMMITTEES on Development Planning and Sustainability, Finance

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
FINANCE

FILED WITH COMMITTEE

