

# **ORDINANCE NO. 1130-2021**

## **Department of Community Development Hawthorne School Acquire and Convey Executive Summary**

**Ordinance Amount:** \$0

### **Legislative Request:**

To authorize the City to acquire the Hawthorne School property located at 3575 West 130<sup>th</sup> Street for future redevelopment for the Department of Community Development; to convey the property to Hawthorne Elementary Partners (Sustainable Community Associates), or its designee; and to enter into an agreement between the City and the Redeveloper.

### **Purpose:**

The Cleveland Metropolitan School District (CMSD) has 19 former school sites that CMSD no longer needs, where they are seeking opportunities for redevelopment. The sites include 12 with former school buildings, and 7 that are vacant land. The Hawthorne School site is one of the twelve sites with existing school building to be reused in whole or in part.

The City worked with CMSD to issue a Request for Qualifications (RFQ), evaluate and score RFQ proposals, and make awards based on winning proposals. CMSD obtained appraisals for each of the sites to determine fair market value as the price that developers would pay for each respective property in the RFQ, unless another price is negotiated. Seven proposals were received for the Hawthorne School site. The awarded proposal is to Hawthorne Elementary Partners (Sustainable Community Associates). The developer is offering the full-appraised price of \$45,000 for the Hawthorne School property to CMSD.

The proposal is to acquire the former Hawthorne School (3575 West 130<sup>th</sup> Street) property for a mixed-use development with market rate housing in the Bellaire-Puritas neighborhood.

Sustainable Community Associates is a Cleveland-based real estate development firm.

**Ordinance No. 1130-2021**

**By Council Members:** Polensek, Brancatelli and Kelley (by departmental request)

**An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire the Nathaniel Hawthorne School and property located at 3575 West 130th Street for future redevelopment for the Department of Community Development; to convey the property to Hawthorne Elementary Partners, LLC, or its designee; and to enter into an agreement between the City and the Redeveloper.**

**WHEREAS**, Revised Code Section 3313.41(C), permits a board of education to dispose of real property to a municipal corporation; and

**WHEREAS**, the Director of Community Development has requested the acquisition of Nathaniel Hawthorne School from the Cleveland Metropolitan School District (“CMSD”) located at 3575 West 130th Street (“Property”) for purposes of future redevelopment; and

**WHEREAS**, under this ordinance, the Director of Community Development will acquire the Property from CMSD, enter into a development agreement with Hawthorne Elementary Partners, LLC, or its designee (“Redeveloper”), and convey the Property to the Redeveloper; 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 notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire Permanent Parcel No. 018-01-108 from CMSD for purposes of future redevelopment.

**Section 2.** That the Director of Community Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, accept, record, and convey the Property.

**Section 3.** That the consideration to be paid for this Property shall not exceed the appraised value of \$45,000 and shall be borne entirely by the Redeveloper, paid directly to CMSD by the Redeveloper, and shall be at no cost to the City.

**Section 4.** That this Council finds that the Property is no longer needed for public use and that the conveyance to the Redeveloper constitutes a public purpose of redeveloping vacant property.

**Section 5.** That by at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to convey the Property to the Redeveloper, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

**Section 6.** That the conveyance shall be made by official quitclaim 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 restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

**Section 7.** That the Director of Community Development is authorized to enter into an Agreement with the Redeveloper that shall include the terms and considerations of the transaction authorized by this ordinance.

**Section 8.** 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.

**Referred to Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance.**

# Ordinance No. 1130-2021

By Council Members Kazy, Brancatelli and Kelley (by departmental request)

## AN EMERGENCY ORDINANCE

Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire the Nathaniel Hawthorne School and property located at 3575 West 130<sup>th</sup> Street for future redevelopment for the Department of Community Development; to convey the property to Hawthorne Elementary Partners, LLC, or its designee; and to enter into an agreement between the City and the Redeveloper.

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GEP:nl  
11-29-2021  
FOR: Director Wackers

# Ord. No. 1130-2021

REPORT  
after second Reading

By Council Members Kazy, Brancatelli and Kelley  
(by departmental request)

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**READ FIRST TIME on NOVEMBER 29, 2021**  
**and referred to DIRECTORS of Community Development,**  
**City Planning Commission, Finance, Law;**  
**COMMITTEES on Development Planning and Sustainability, Finance**

REPORTS

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CITY CLERK

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READ SECOND TIME

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CITY CLERK

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READ THIRD TIME

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PRESIDENT

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CITY CLERK

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APPROVED

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MAYOR

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
DEVELOPMENT, PLANNING AND  
SUSTAINABILITY

FILED WITH COMMITTEE

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE

FILED WITH COMMITTEE

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