

Ordinance No. 1244-2024

By Council Members Conwell, Hairston and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Community Development to enter into a development agreement with Ryte 2 Development Corp., LLC, or its designee, for the sale and redevelopment of City-owned parcels which are currently in the Land Reutilization Program and located on Superior Avenue near East 105th Street for the Glen H.A.V.E.N, development project; and authorizing the Mayor and the Commissioner of Purchases and Supplies to sell City-owned properties no longer needed for public use to Ryte 2 Development Corp., LLC, or its designee.

WHEREAS, the Director of Community Development has requested the sale of City-owned parcels no longer needed for public use to Ryte 2 Development Corp., LLC, or its designee (the “Redeveloper”) and to enter into a development agreement with Redeveloper to redevelop the City-owned parcels that are currently in the Land Reutilization Program and located on Superior Avenue near East 105th Street for the Glen H.A.V.E.N, development project; and

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, as such, the parcels can be sold under Section 5722.07 of the Revised Code for not less than fair market value under the policies of the Land Reutilization Program subject to such restrictions and covenants as appropriate to assure the land’s effective reutilization; 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 any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Community Development and the Commissioner of Purchases and Supplies are authorized to enter into a development agreement with the Redeveloper, to be prepared by the Director of Law, for the acquisition, disposition, and private redevelopment of the following City-owned parcels located on Superior Avenue near East 105th Street for the Glen H.A.V.E.N, development project, Permanent Parcel Nos. 109-18-019, 109-18-020, 109-18-021, 109-

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18-022,109-18-023, 109-18-024, 109-18-026, 109-18-027, 109-18-028, and 109-18-029, which are more fully depicted on the map placed in **File No. 1244-2024-A**. The development agreement will include such restrictions and covenants as the Director of Community Development deems necessary or appropriate to assure the land's effective reutilization.

Section 2. That a copy of the executive summary has been placed in the above mentioned file.

Section 3. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the properties described in this ordinance are no longer needed for public use.

Section 4. That by and at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to sell the above-described properties under the development agreement 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 placed by the City of Cleveland in the deeds of conveyance.

Section 5. That the conveyances shall be made by official deeds prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases Supplies on behalf of the City of Cleveland. The deeds 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 project-related identification signs.

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.

GP:nl
11-18-2024
FOR: Director Hernandez

