

**Columbus Consolidated Government  
Council Meeting Agenda Item**

<b>TO:</b>	Mayor and Councilors
<b>AGENDA SUBJECT:</b>	<b>Uptown Tax Allocation District Fund Grant – Amendment to the High Market Side Mixed-Use Development Initial Request 211 13<sup>th</sup> LLC as Owner and Cotton Development, LLC as Developer</b>
<b>AGENDA SUMMARY:</b>	Approval is requested for an amendment to the agreement with 211 13th, LLC and as Owner and Cotton Development, LLC as Developer to provide Uptown Tax Allocation District (TAD) Funds to provide for infrastructure improvements to develop a mixed-use redevelopment of a blighted area located in the block between 13th and 14th Street and 2nd and 3rd Avenue to be known as High Side Market.
<b>INITIATED BY:</b>	<b>Planning Department</b>

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**Recommendation:** Approve the modification request for additional funding from 211 13th, LLC, as Owner, and Cotton Development, LLC, as Developer, for the use of additional Uptown Tax Allocation District (TAD) Funds to provide for infrastructure improvements to develop a mixed-use redevelopment of a blighted area located in the block between 13th and 14th Street and 2nd and 3rd Avenue to be known as High Side Market.

**Background:** 211 13<sup>th</sup>, LLC and Cotton Development are currently developing the project known as High Side Market which is bordered by 2<sup>nd</sup> and 3<sup>rd</sup> Avenues on west and east, and 13<sup>th</sup> and 14<sup>th</sup> Streets on the south and north.

On June 16, 2021, the Council approved Resolution 180-21 authorizing the City Manager to enter into an agreement with 211 13th, LLC as Owner and Cotton Development, LLC as Developer to use Uptown TAD funds in the amount of \$1,984,269. The resolution authorized the use of Uptown TAD Funds to provide for infrastructure and right of way improvements needed for the redevelopment project, which will include sidewalks, bus stops, outdoor greenspaces, stormwater and drainage, public parking improvements, and a connection to the DragonFly Trail system. The applicants are now requesting an amendment to that initial request *“to account for increased construction and materials costs.”* The modified request is asking for an additional \$472,232 from the Uptown TAD funds for a total of \$2,456,501.

**Analysis:** On November 16, 2021 the Tax Allocation Committee met to review this request and voted 3-2 to approve the request. Those voting against were concerned that the request is approximately 24 percent higher than the original amount which they felt was a drastic increase for this project.

**Financial Considerations:** Under this amended agreement the maximum annual payouts amount would go from \$396,853.80 to \$491,300.20. Funding would come from the Uptown Tax Allocation District Funds.

**Legal Considerations:** Because Council approved the execution of the initial agreement, approval of this resolution is necessary to authorize the City Manager to enter into an the amendment with the applicant to change the amount of funds and the maximum amount of annual disbursal.

**Recommendation/Action:** Approve the modification request for additional funding from 211 13th, LLC, as Owner, and Cotton Development, LLC, as Developer, for the use of additional Uptown Tax Allocation District (TAD) Funds to provide for infrastructure improvements to develop a mixed-use redevelopment of a blighted area located in the block between 13th and 14th Street and 2nd and 3rd Avenue to be known as High Side Market.

**A RESOLUTION**

**NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDMENT FOR THE AGREEMENT WITH 211 13<sup>th</sup>, LLC (OWNER) AND COTTON DEVELOPMENT, LLC (DEVELOPER) FOR THE PURPOSES OF ALLOCATING UPTOWN TAX ALLOCATION DISTRICT FUNDS FOR THE CONSTRUCTION OF CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS TO DEVELOP A MIXED-**

**USE REDEVELOPMENT OF A BLIGHTED AREA LOCATED IN THE BLOCK BETWEEN 13TH AND 14TH STREET AND 2ND AND 3RD AVENUE TO BE KNOWN AS HIGHSIDE MARKET TO INCREASE THE MAXIMUM TOTAL REIMBURSEMENT COSTS AND THE MAXIMUM ANNUAL REQUISITION/INVOICE.**

**WHEREAS**, Columbus is duly authorized to exercise the redevelopment powers granted to cities and counties in the State pursuant to the Redevelopment Powers Law and in accordance with House Bill 773 enacted by the General Assembly in 2006 (2006 GA. LAWS p. 4507, *et seq.*) and approved in a referendum on November 6, 2006; and,

**WHEREAS**, by a Resolution duly adopted Resolution No. 71-16 on March 15, 2016 (the "TAD Resolution"), following a public hearing as required by law, the Columbus Council approved the Uptown Redevelopment Plan and created Tax Allocation District Number 3 - Uptown (the "Uptown TAD"); and,

**WHEREAS**, the Redevelopment Powers Law provides that Columbus may enter into public-private partnerships to effect the redevelopment projects contemplated in the Redevelopment Plan; and,

**WHEREAS**, the TAD Resolution expressed the intent of Columbus, as set forth in the Redevelopment Plan, to provide funds to induce and stimulate redevelopment in the Uptown TAD; and,

**WHEREAS**, the undertakings contemplated by the Redevelopment Plan include, among other renewal activity, redevelopment of portions of the Central Riverfront District and Columbus; and,

**WHEREAS**, in order to induce and further facilitate the successful accomplishment of this portion of the Redevelopment Plan, the Council has indicated its intent to exercise its authority under the Redevelopment Powers Law and in accordance with State law to enter into various development agreements, pursuant to which a portion of the Tax Allocation Increment collected in the Uptown TAD will be used to reimburse developers for certain Redevelopment Costs advanced in connection with approved TAD Projects; and,

**WHEREAS**, 211 13<sup>TH</sup>, LLC is the owner and Cotton Development, LLC is the developer of the Highside Market Tract which is located within the Uptown TAD; and,

**WHEREAS**, on June 15, 2021, this Council adopted Resolution No. 180- 21 authorizing the City Manager to execute an Agreement, with the Owner and Developer to provide a Project Allocation from the Uptown TAD in an amount not to exceed One Million Nine Hundred Eighty-Four Thousand Two Hundred Sixty Nine Dollars (\$1,984,269.00) to provide for infrastructure improvements to develop a mixed-use redevelopment of a blighted area located in the block between 13th and 14th Street and 2nd and 3rd Avenue to be known as Highside Market (hereinafter, "the June 15, 2021 Agreement"); and,

**WHEREAS**, the Owner and Developer, pursuant to the terms of the June 15, 2021 Agreement, have undertaken this critical revitalization in Columbus and developed the Highside Market project consistent with the Downtown Redevelopment Plan; and,

**WHEREAS**, the Developer has petitioned for an amendment to the June 15, 2021 Agreement requesting an increase of the total Project Allocation from \$1,984,269.00 to \$2,456,501.00 and an increase in the maximum annual payment to 211 13th, LLC from \$396,853.80 to \$491,300.20 citing a rise in construction and materials cost as the justification for this request.

**NOW, THEREFORE, THE COUNCIL OF COLUMBUS, GEORGIA HEREBY RESOLVES AS FOLLOWS:**

The City Manager is hereby authorized to enter into an amendment to to the June 15,2021 Agreement in substantially the form attached in order to increase the Project Allocation to an amount not to exceed \$2,456,501.00 and to provide that no annual requisition/invoice shall exceed \$491,300.20. The maximum term of the agreement shall remain fifteen (15) years. Funds to be paid under the amended Agreement will be paid from the Tax Allocation Increment collected in the Uptown TAD and will not be a liability of the General Fund of Columbus, Georgia.

Introduced at a regular meeting of the Council of Columbus, Georgia, held the \_\_\_\_ the day of December, 2021 and adopted at said meeting by the affirmative vote of \_\_\_\_\_ members of said Council.

Councilor Allen	voting _____
Council Barnes	voting _____
Councilor Crabb	voting _____
Councilor Davis	voting _____
Councilor Garrett	voting _____
Councilor House	voting _____
Councilor Huff	voting _____
Councilor Thomas	voting _____
Councilor Thompson	voting _____
Councilor Woodson	voting _____

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**Sandra T Davis**  
Clerk of Council

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**B. H. "Skip" Henderson, III**  
Mayor