



City of Columbus  
Mayor Michael B. Coleman

# Public Service Department

Henry Guzmán, Director

## REQUEST FOR CONVEYANCE OF CITY OWNED LAND

### By Division of Transportation

Name of Petitioner: **Jim Rost of Nationwide Realty Investors**

File No. **05-39**

**REQUEST IS TO:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Sell excess right-of-way | <input type="checkbox"/> Transfer excess right-of-way at no charge |
| <input type="checkbox"/> Vacate excess right-of-way          | <input type="checkbox"/> Grant a lease                             |
| <input type="checkbox"/> Grant an easement                   | <input type="checkbox"/> Release an easement                       |

**BRIEF DESCRIPTION OF AREA UNDER CONSIDERATION:**

**a 2 feet wide portion of the west side of Neil Avenue, foundation encroachments and aerial encroachments at the northwest corner of Neil Avenue and Spring Street**

**PROPOSED USE OF AREA:**

development of a new building

**ACTION BY DIVISION INITIATING REQUEST:**

(Please CHECK the Correct Answer)

- |   |   |                             |
|---|---|-----------------------------|
| All Departments and Divisions contacted for comments/approval of request: | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| All Utilities contacted for comments/approval of request:                 | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Area Commission/Civic Association contacted for comments:                 | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| All abutting property owners notified of request:                         | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| Petitioner notified of need for survey and metes & bounds description:    | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |

Division Recommendation:  **SELL \***     VACATE     TRANSFER AT NO CHARGE  
 GRANT EASEMENT     GRANT LEASE     RELEASE AN EASEMENT

\*Subject to the approval of drawings showing all utility infrastructure, including traffic signal conduit, pull boxes, signs, light poles, meters, sidewalks, ADA ramps and any other culture within the existing right-of-way and the proposed development.

Signature:       Date: 2/1/06  
Transportation Division Administrator

Estimated Value from County Tax Records:	\$34,317.36(953.26sf@\$36.00)
(per City Attorneys Office Real Estate Division)	+ 500.00 (foundation encroachments)
	<u>500.00 (aerial encroachments)</u>
	<b>\$35,317.36</b>

- |                                      |   |  |
|--------------------------------------|---|--|
| Easements to be retained:            | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |
| Petitioner contacted for comments:   | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| Petitioner agreed to purchase price: | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |

cc: File No. **05-39**

614-645-8290	Director's Office	City Hall/90 West Broad Street, 3rd Floor/Columbus, Ohio 43215-9009	FAX: 645-7805
614-645-7602	Facilities Management Division	City Hall/90 West Broad Street, Rm. B-16/Columbus, Ohio 43215-9001	FAX: 645-7180
614-645-8281	Fleet Management Division	423 Short Street/Columbus, Ohio 43215-5614	FAX: 645-7347
614-645-7620	Refuse Collection Division	2100 Alum Creek Drive, Columbus, Ohio 43207-1714	FAX: 645-3053
614-645-8376	Transportation Division	109 North Front Street, 3rd Floor/Columbus, Ohio 43215-9023	FAX: 645-6938

**DEPARTMENT OF DEVELOPMENT ACTION:**

(Please CHECK the correct answer)

Mitigating Circumstances Identified:  YES  NO

Recommended Action:  DISAPPROVED  TRANSFER AT NO CHARGE  SELL  
 VACATE  GRANT EASEMENT  RELEASE AN EASEMENT

Signature: Mark Barbash Date: 2/10/06  
per Dmyra Hunter

**IDENTIFICATION OF MITIGATING CIRCUMSTANCES  
AND BRIEF EXPLANATION OF EACH**

\_\_\_\_\_ The value of improvements undertaken by purchaser(s) upon property of the City which further the interest and welfare of the public.

\_\_\_\_\_ The value of land donations or other services being made to the City by the petitioner(s)

\_\_\_\_\_ The willingness of the purchaser(s) to absorb the cost of utility relocation from the property being purchased if not discounted in the fair market value of the property.

\_\_\_\_\_ The substantial increase in tax revenue, including but not limited to real property and income taxes, generated by the development of the property to be purchased.

\_\_\_\_\_ The identification of improvements that further the general welfare of the City through significant improvements to the physical environment.

Name of Petitioners: Nationwide Realty Investors  
File No. 05-39

## **English, Mary Lu**

---

**From:** Browning, Lubina C.  
**Sent:** Monday, February 13, 2006 1:20 PM  
**To:** Bush, Dave J.; Sever, Kyle; Diamond, Thomas S.; Klein, John C.; Lorenz, Maureen; 'afalenski@ohioequities.com'; 'bmassa@nationalrsi.com'  
**Cc:** English, Mary Lu; LeVally, Jeffrey C. (Tran Div); Graham, Henry C.  
**Subject:** Land Review Commission Update  
**Importance:** High

FYI - Case File #05-39 will have a mitigating request. I will forward the justification as soon as I receive it otherwise I will hand-out at the meeting that morning and Gina will be present to explain mitigation request.

Thanks,  
Luby

Lubina Browning  
Land Redevelopment Office  
109 N. Front Street, 1st Floor  
Columbus, OH 43215  
(614)645-5263  
FAX: (614) 645-3092

**[lbrowning@columbus.gov](mailto:lbrowning@columbus.gov)**  
**[City of Columbus, Ohio <http://ci.columbus.oh.us/>](http://ci.columbus.oh.us/)**



On Your Side™

February 14, 2006

**VIA HAND DELIVERY**

Ms. Donna Hunter  
Administrator, Office of Land Management  
Department of Development  
109 North Front Street, Ground Floor  
Columbus, Ohio 43215

**RE: Acquisition of right-of-way and encroachment easements for proposed residential building located at 237 Neil Avenue, Columbus, Ohio**

Dear Ms. Hunter:

Pursuant to a letter from the City of Columbus dated February 10, 2006, (a copy of which letter is enclosed) the City has agreed to convey certain right-of-way and grant encroachment easements to Nationwide Realty Investors, Ltd. ("NRI") in connection with a residential building to be rehabilitated at 237 Neil Avenue in exchange for \$35,317.36. NRI intends to rehabilitate the existing building on the above-described property to include a covered parking facility and residential condominiums (the "Project"). The City's objective of zero-setbacks for downtown development will cause the Project to encroach into Neil Avenue and Spring Street. NRI would like to apply for mitigation of the purchase price of the acquisition of the right-of-way and the encroachment easements necessary for the rehabilitation of the Project based on the following mitigating circumstances:

1. The value of improvements undertaken by NRI upon the property of the City, which further the interest and welfare of the public.

The Project consists of rehabilitation of a building that the City considered to be unsafe and a public nuisance (see Agreed Permanent Injunction and Order in the Franklin County Municipal Court, dated November 14, 2000, stipulating that the site was in fact a public nuisance and agreeing that the former owners had abated such nuisance). The Project will improve the appearance and structural integrity of this former nuisance. This area is a part of an overall revitalization effort known as the "Arena District". The Arena District is the home of several new improvements to the area including: office buildings, condominiums, apartments a cinema and a parking facility. The Project along with the Arena District will bring a number of new people to the area as residents of the Project,

helping to revitalize the downtown area and stimulate interest and growth in urban living, one of the Mayor's initiatives for the community.

2. The willingness of NRI to absorb the cost of utility relocation from the property being purchased if not discounted in the fair market value of the property.

In the event relocation of utilities located in the public right of way will be required to accommodate the construction of the Project, NRI will absorb such costs to the extent the purchase price of the encroachment easements is mitigated.

3. The substantial increase in tax revenue, including but not limited to real property and income taxes, generated by the development of the property to be purchased.

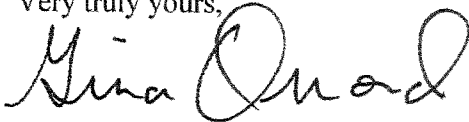
The Project will increase both real property taxes and income taxes generated on the property. The improvements to the real property, including up to 109 residential condominium units, will significantly increase the real property taxes for this area.

4. The identification of improvements that further the general welfare of the City through significant improvements to the physical environment.

The Project represents a continuation of the Arena District development. This development includes substantial improvements to the infrastructure of the area, including new streets, sidewalks, lighting, signage and the overall streetscape of downtown Columbus.

We would like to have this item considered for mitigation at the Land Review Commission on February 16, 2006. Please let me know if that date will work. Likewise, if you have any questions or need additional information, feel free to call me at 614.857.2339. Thank you for your assistance in this matter.

Very truly yours,



Gina Ormond  
Senior Counsel

Encl.

cc: Mary Lu English  
James K. Rost

## MEMORANDUM

TO: Donna Hunter  
Land Management

FROM: Bob McLaughlin  
Downtown Development

DATE: February 13, 2006

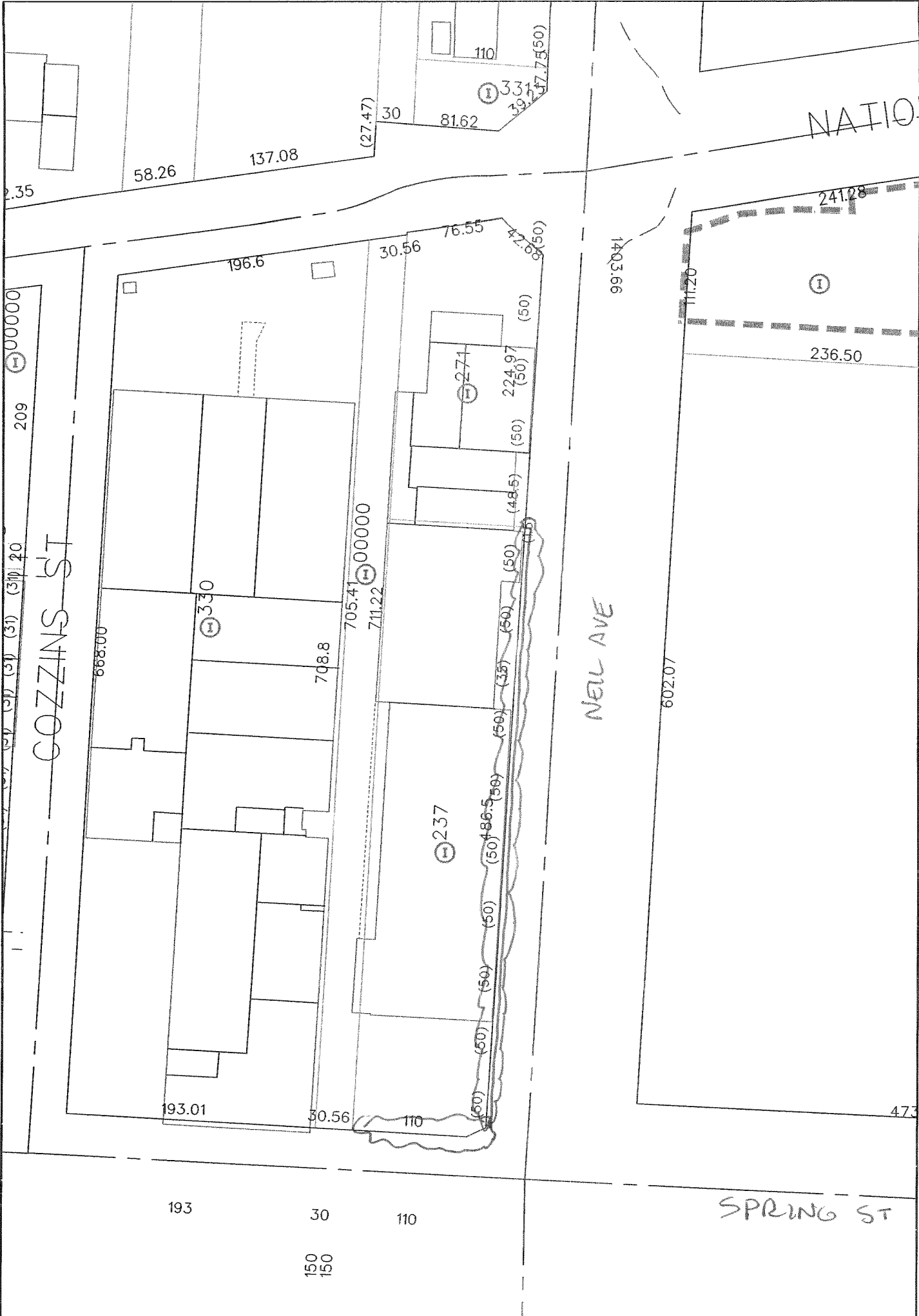
RE: The Condominiums at Northbank (aka Bundy Building)  
237 Neil Avenue

I understand that the Land Review Commission will be considering a request from Nationwide Realty to acquire a section of public right-of-way along the eastern wall of the Bundy Building located at 237 Neil Avenue in Downtown. I am writing to advocate in support of the Land Review Commission's consideration for full mitigation of the purchase price as established by the City, which I understand to be \$35,000.

The transfer of ownership of the section of right-of-way between the existing building façade and the sidewalk along Neil Ave. to Nationwide Realty will facilitate the reuse of this decaying warehouse building as part of an exciting new Downtown housing project. The mitigation of the purchase price will serve as a part of the incentive package to induce the developer to invest an estimated \$50 million in the construction of 109 new residential units in both the existing building as well as an adjacent new build tower. In addition to mitigated purchase of the right-of-way the City will also provide a 100%/10 year tax abatement.

In return for the assistance provided to this project the City will realize an estimated 160 new Downtown residents (109 units x 1.5 people per unit), many of whom will be paying City income taxes, shopping at Downtown stores, eating at the restaurants and patronizing the entertainment. The taxable value of the real property itself will increase significantly as a result of the property's redevelopment and will yield increased tax revenues for many years beyond the initial 10-year abatement period.

I would ask that the Commission give favorable consideration to the request for complete mitigation of the price of this particular parcel of right-of-way. I would be happy to make myself available to answer any questions or to provide any additional information that the Commission may require.



↑  
N  
NO SCALE

MEMORANDUM

TO: John C. Klein, Chief Real Estate Attorney  
Real Estate Division

Attn.: Edmond W. Reese  
Real Estate Negotiator

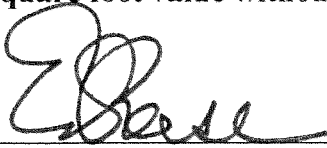
FROM: Jeffrey C. LeVally, P.S.  
Surveyor

SUBJ.: Sale of Right-of-Way  
File # 05-39

DATE: January 23, 2006

The Department of Public Service, Transportation Division, has been asked to sell a 2 feet wide portion of the west side of Neil Avenue, at the northwest corner of Neil Avenue and Spring Street (see attached map). At this time please determine the per square foot value of this right-of-way both with the retention of a general utility easement and without the retention of such an easement then provide this information to me along with copies of the documents used to determine these values.

Thank you for your help in this matter.

Number of square feet to be sold: <u>953.26+/-</u>	
Per square foot value without reserved general utility easement rights. <u>\$36.</u>	
	<u>1-24-06</u>
Edmond W. Reese	Date