



Legislation Details (With Text)

File #: 2184-2013 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 9/9/2013 **In control:** Public Service & Transportation Committee
On agenda: 9/23/2013 **Final action:** 9/26/2013

Title: To authorize the Director of the Department of Public Service to execute those documents required to transfer those portions of Wall Street from Russell Street to Millay Alley to Pizzuti Short North LLC; to waive the Land Review Commission provisions of Columbus City Code; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
9/26/2013	1	CITY CLERK	Attest	
9/24/2013	1	MAYOR	Signed	
9/23/2013	1	COUNCIL PRESIDENT	Signed	
9/23/2013	1	Columbus City Council	Approved	Pass

BACKGROUND: Columbus City Council, by Ordinance 1883-2012 and 0175-2013 authorized the City of Columbus to enter into an Enterprise Zone Agreement (Agreement) with Pizzuti Short North LLC (Enterprise) to help in the creation of 217 new full-time permanent jobs and also related to the construction of a speculative 60,000 square foot facility housing 55,000 square feet of Class A office space and 5,000 square feet of retail space, to add a public parking garage consisting of approximately 313 spaces and a boutique hotel (known as the Pizzuti Short North project).

The project site is located on parcels number 010-002258 and parcel number 010-052208 and the portion of Wall Street between Russell Street and Millay Alley, as that latter property is combined and/or split to form the parcel on which the garage will be constructed. The development of the Pizzuti Short North LLC project began over four years ago with the vision of bringing a boutique hotel experience to the Columbus region. Over the course of the project's development, additional property became available adjacent to the original project site. This land was acquired and the site design refocused to install a one-of-a-kind mixed-use development within the district.

Pizzuti Short North LLC has requested the City waive the Land Review Commission requirements of Columbus City Code with respect to the transfer of the above referenced portions of Wall Street from the City to Pizzuti Short North LLC and that City Council consider approving the transfer of these rights of way as an emergency matter so that construction of the project can continue without delay. This legislation is to authorize the Director of the Public Service Department to execute those documents required to complete the transfer of the above mentioned rights-of-way to Pizzuti Short North LLC.

2. FISCAL IMPACT:

N/A

3. EMERGENCY JUSTIFICATION:

Emergency action is requested to allow this transfer to occur as soon as possible, thereby allowing the Pizzuti Short North LLC to resolve any title issues without further delay.

To authorize the Director of the Department of Public Service to execute those documents required to transfer those portions of Wall Street from Russell Street to Millay Alley to Pizzuti Short North LLC; to waive the Land Review Commission provisions of Columbus City Code; and to declare an emergency.

WHEREAS, Pizzuti Short North LLC is engaged in the construction of a new development, on that property bounded by High Street on the east, Millay Alley on the south, Park Street on the west and West Russell street on the north; and

WHEREAS, plans for this development indicate those portions of existing Wall Street between Russell Street and Millay Alley will be located beneath the building; and

WHEREAS, Pizzuti Short North LLC has requested the City transfer these existing rights of way to them to accommodate construction of the development; and

WHEREAS, Pizzuti Short North LLC and the Department of Public Service request that Council waive the Land Review Commission provisions of Columbus City Code; and

WHEREAS, per current Department of Public Service practice, comments were solicited from interested parties, including City departments, private utilities and applicable area commissions; and

WHEREAS, it was determined there are utilities located within these rights of way, however, Pizzuti Short North LLC is working with the individual utility companies to relocate existing facilities and to provide new easements for the relocated utilities; and

WHEREAS, an emergency exists in the usual daily operation of the City in that it is immediately necessary to authorize the Director of the Department of Public Service to execute those documents necessary to transfer the above referenced Wall Street rights of way to the Pizzuti Short North LLC so construction of the new development can proceed as currently scheduled for the preservation of the public health, peace, property, safety and welfare; now, therefore

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

Section 1. That the City is hereby authorized to waive the Land Review Commission provisions of Columbus City Code.

Section 2. That the Director of the Department of Public Service be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described rights of way to the Pizzuti Short North LLC.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the mayor, or ten days after passage if the mayor neither approves nor vetoes the same.