



Legislation Details (With Text)

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File created: 3/4/2005 **In control:** Jobs and Economic Development Committee

On agenda: 3/21/2005 **Final action:** 3/23/2005

Title: To amend Columbus City Council Ordinance No. 2067-2004 to authorize and direct the Director of the Columbus Department of Development to apply to the Ohio Department of Development, Clean Ohio Revitalization Fund for grant funding in an amount of up to \$3,000,000.00 for asbestos removal and other eligible costs within the former Seneca Hotel Site situated at 361 E. Broad Street in Downtown Columbus; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
3/23/2005	1	ACTING CITY CLERK	Attest	
3/22/2005	1	MAYOR	Signed	
3/21/2005	1	Columbus City Council	Approved	Pass
3/21/2005	1	COUNCIL PRESIDENT	Signed	
3/9/2005	1	Dev Drafter	Sent for Approval	
3/9/2005	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	
3/9/2005	1	Dev Drafter	Sent for Approval	
3/9/2005	1	CITY ATTORNEY	Reviewed and Approved	
3/9/2005	1	Dev Drafter	Sent to Clerk's Office for Council	

BACKGROUND: The need exists to amend Ordinance Number 2067-2004, passed by Columbus City Council on November 22, 2004.

Ordinance Number 2067-2004 authorized the Director of the Columbus Department of Development to apply to the Ohio Department of Development, Clean Ohio Assistance Fund for a grant of up to \$750,000.00 for asbestos removal and other eligible costs within the former Seneca Hotel site at 361 East Broad Street in Downtown Columbus.

At the time of the legislation passed on November 22, 2004, based on a 1989 asbestos survey, it was believed the interior plaster did not contain asbestos. Based on that finding, it was believed that the asbestos abatement cost and other eligible costs would not exceed the \$750,000.00 potentially available from the Clean Ohio Assistance Fund. However, as a result of a recently completed asbestos survey, which extensively sampled the building, it was confirmed that the vast majority of the interior plaster does contain asbestos. It is now clear that the cost for asbestos abatement and other eligible costs are likely to exceed \$2,500,000.00, which is far in excess of what can be provided by the Clean Ohio Assistance Fund.

Based on this new information and its significant financial impact on the project, Campus Apartments, the project developer, and the Development Director requests authorization from Columbus City Council to apply for a grant from the Clean Ohio Revitalization Fund of up to \$3,000,000.00 (the maximum allowable under this program). The change from the Clean Ohio Assistance Fund to the Clean Ohio Revitalization Fund will not require any additional expense on the part of the City of Columbus. Moreover, the importance of this project to the revitalization of the Discovery District and of Downtown Columbus warrants the increased financial

support that is available from the State of Ohio through the City's sponsorship of the requested grant from the Clean Ohio Revitalization Fund.

The legislation and the associated grant application does not subject the City to liability for any site contamination, which may exist at or near the former Seneca Hotel Site.

EMERGENCY

JUSTIFICATION: This legislation is submitted as an emergency to commence the Clean Ohio revitalization grant application immediately.

FISCAL IMPACT: There are no costs to the City of Columbus associated with applying for Clean Ohio revitalization grant funding. If the application is approved by the State, the City of Columbus will receive up to \$3,000,000.00 for asbestos removal and other eligible costs for work within the former Seneca Hotel Site.

To amend Columbus City Council Ordinance No. 2067-2004 to authorize and direct the Director of the Columbus Department of Development to apply to the Ohio Department of Development, Clean Ohio Revitalization Fund for grant funding in an amount of up to \$3,000,000.00 for asbestos removal and other eligible costs within the former Seneca Hotel Site situated at 361 E. Broad Street in Downtown Columbus; and to declare an emergency.

WHEREAS, the State of Ohio Clean Ohio Program will award \$40 million per year, for five years to communities throughout Ohio for the purpose of clean-up and redevelopment of contaminated or abandoned properties known as "brownfields"; and

WHEREAS, the City of Columbus contains brownfield properties which may qualify for Clean Ohio clean-up and redevelopment grant funding; and

WHEREAS, the Columbus Department of Development has been involved with brownfield redevelopment since 1999 through its administration of the Columbus Brownfield Redevelopment Program and its associated task force; and

WHEREAS, Clean Ohio grant funding will greatly complement the efforts of the Columbus Department of Development in helping to clean-up and redevelop brownfield properties in Columbus; and

WHEREAS, the Columbus Department of Development has identified the former Seneca Hotel Site as a brownfield property, which may be eligible for the Clean Ohio revitalization grant assistance fund where asbestos removal, demolition and other eligible costs will be required to prepare for site redevelopment; and

WHEREAS, Campus Apartments, owner of the former Seneca Hotel Site, will be undertaking an investment of over \$12 million to reconstruct 93 apartment units with 10-12,000 square feet of new retail space; and

WHEREAS, the discovery of additional asbestos at the former Seneca Hotel site has caused clean up costs to increase necessitating an amendment to Ordinance No. 2067-2004; thereby increasing the amount requested for a clean Ohio grant from \$750,000.00 to \$3,000,000.00; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus in that it is immediately necessary to authorize the Director of the Columbus Department of Development to apply to the Ohio Department of Development, Clean Ohio Council, for redevelopment funding, all for the preservation of public health, peace, property, safety and welfare; **now, therefore,**

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

Section 1. That Ordinance No. 2067-2004 is amended and that the Director of the Columbus Department of Development is authorized to apply to the Ohio Department of Development, Clean Ohio Revitalization Fund for grant funding in the amount of up to \$3,000,000.00 for asbestos removal and other eligible costs for the former Seneca Hotel Site project.

Section 2. That for reasons stated in the preamble hereto, which is hereby made a part hereof, the 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.