



## Legislation Text

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**File #:** 1186-2021, **Version:** 1

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**Background:** This ordinance authorizes the Director of Recreation and Parks to sign as a holder of an Environmental Covenant and accept the donation of a tract of property along North Hamilton Road in the far northeast side of the city. The natural area contained within the covenant will be split from a larger parcel to be privately developed into multi-family units. The donated parcel will expand the Hamilton Wetlands & Heron Rookery Nature Preserve.

The Department owns and manages the 72 acre Hamilton Wetlands Nature Preserve on the city's far northeast side. A new multi-family development will be constructed along the eastern boundary of the nature preserve. The private owner will impact certain surface water features located on the Owner's Property, and the approvals for the development requires that the owner obtain a water quality certification pursuant to Section 401 of the Clean Water Act, United States Code Title 33, Section 1341 from the Ohio Environmental Protection Agency (OEPA) and Nationwide Permit (NWP) coverage from the Army Corps of Engineers. As part of this permit, the OEPA requires that the Owner mitigate the construction impacts by protecting and donating a 1.75 acre high quality wetland located on the property to the Recreation and Parks Department for permanent preservation. This wetland is adjacent to the Nature Preserve.

A visual description of the tract of real property is attached to this ordinance, its boundaries indicated by the site plan measurements.

Upon recording the environmental covenant, the Owner will donate the title to the tract to the Recreation and Parks Department. The Department agrees to accept the donation, and become the perpetual owner and holder of the environmental covenant restrictions.

**Principal Parties:**

Casto Development, Inc.  
250 Civic Center Drive, Columbus, OH 43215  
Charlie Fraas, (614) 227-3485

**Emergency Justification:** Emergency action is requested as there is an urgency to convey ownership of this tract to record the environmental restrictions to be reserved, which is tied to the related pending multi-family development project.

**Benefits to the Public:** This 1.75 acre parcel will protect a very high quality wetland and expand one of the city's largest nature preserves. The preserve protects one of the region's largest heron rookeries and this parcel will add key habitat protection value.

**Community Input/Issues:** Significant public input during the past 6 years has occurred in the ongoing development of the Hamilton Road Corridor. The surrounding community placed the highest priority on permanent protection of woodlands, habitat, and water quality.

**Area(s) Affected:** Rocky-Fork-Blacklick (33)

**Master Plan Relation:** This project will support the Recreation and Parks Master Plan by protecting water quality, wetlands, and preservation of critical watershed corridors.

**Fiscal Impact:** No fiscal action is required at this time.

To authorize the Director of Recreation and Parks to sign as a holder of an Environmental Covenant and accept the donation of a tract of real property along North Hamilton Road; and to declare an emergency. (\$0.00)

**WHEREAS**, it is necessary to authorize the Director of the Recreation and Parks to sign as a holder of an Environmental Covenant and accept the donation of a tract of real property along North Hamilton Road; and

**WHEREAS**, an emergency exists in the usual daily operations of the Recreation and Parks Department in that it is immediately necessary to authorize the Director enter into this agreement as there is an urgency to convey ownership of this tract to record the environmental restrictions to be reserved, which is tied to the related pending multi-family development project, 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 the Director of Recreation and Parks is hereby authorized to sign as a holder of an Environmental Covenant and accept the donation of a tract of real property along North Hamilton Road. This Council hereby supports this action.

**SECTION 2.** 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.