



Legislation Text

File #: 1585-2020, **Version:** 1

Background: Pursuant to Ordinance Nos. 0193-2017 and 3181-2019, the City leased to Scioto Peninsula Holdings, Ltd. (hereinafter “SPH”), a subsidiary of Columbus Downtown Development Corporation (“CDDC”), the real property which has the general boundaries of West Broad Street to the north, Belle Street to the east, West Town Street to the south, and the Norfolk Southern right of way west of Starling Street to the west (the “Scioto Peninsula Land”) for a term of 99 years, renewable forever, as recorded in Instrument Nos. 201707200099614, 202001090003812 and 202001160007289, Franklin County Recorder’s Office. After conducting a competitive process, SPH has identified a team of well recognized developers interested in redeveloping the Scioto Peninsula Land: The Daimler Group, Rockbridge Capital, and Flaherty & Collins. The three developers have proposed to construct approximately 240,000 square feet of office space, 330 apartment units, and 197 hotel rooms as part of the first phase of redevelopment. To support the redevelopment project, SPH has proposed the inclusion of a new street running north to south from West Capital Street and West Chapel Street, on Reservations A, B, and C of the Scioto Peninsula Subdivisions, recorded in Plat Book 127, Page 91, Franklin County Recorder’s Office, (the three reservations, collectively, the “Property”) to provide enhanced pedestrian and vehicular connectivity to the development in addition to the existing public streets and alleys. SPH and this Council have also taken steps pursuant to Resolution 0324X-2019 and 0106X-2020, to create the Scioto Peninsula New Community Authority which will, among other roles, finance and own this new street.

The following legislation authorizes the Director of Finance and Management to release the Property from the 99-year lease, as amended, and to execute a quit claim deed to the Scioto Peninsula New Community Authority conveying title to the Property; to execute joinders and consents to utility, encroachment, maintenance, temporary construction easements necessary for the redevelopment; and to execute other pertinent documents. It is in the City's best interest to waive the requirements of Chapter 329.32 of Columbus City Code relating to the sale of city-owned real property.

Fiscal Impact: No expenditure of funds by the City is required.

Emergency Justification: Emergency legislation is requested to expedite the redevelopment of the Scioto Peninsula.

To authorize the Director of Finance and Management to execute a partial release of the 99 year lease, as amended, with Scioto Peninsula Holdings, Ltd.; to execute a quit claim deed generally providing for the transfer of all of the City’s interest in Reservations, A, B, and C of the Scioto Peninsula Subdivision, reserving necessary easements for utilities, signs, or other improvements and subject to other restrictions of record, to the Scioto Peninsula New Community Authority, to enter into and execute other documents pertinent to such conveyance; to the extent applicable, to waive the requirements of Chapter 329.32 of the Columbus City Codes relating to the sale of city-owned real property; and to declare an emergency. (\$0.00)

WHEREAS, the City owns fee interest of that real property identified as Reservations A, B, and C of the Scioto Peninsula Subdivision, recorded in Plat Book 127, Page 91, Franklin County Recorder’s Office, (the three Reservations, collectively, the “Property”), and has previously leased this real property to Scioto Peninsula Holdings, Ltd. (hereinafter “SPH”) for a term of 99 years, renewable forever; and

WHEREAS, to facilitate the development of a street on the Property, the City desires to release the Property from the operation of the lease to SPH and convey the City’s fee interest in the Property to the Scioto Peninsula New Community Authority, subject to the reservation of easements for utilities, signs, or other improvements and subject to other

restrictions of record; and

WHEREAS, it is in the City's best interest to waive City Code Chapter 329.32 relating to the sale of City-owned real property; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management in that is immediately necessary to authorize the Director to execute such documents in order to expedite the release of the Property from the lease and transfer the Property to the Scioto Peninsula New Community Authority to allow redevelopment to occur as soon as possible, all for the immediate 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 Director of Finance and Management be, and hereby is, authorized to execute a partial release of the 99 year lease with Scioto Peninsula Holdings, Ltd. for a portion of the leased premises identified as Reservations A, B, and C of the Scioto Peninsula Subdivision, of record as Plat Book 127, Page 91, Franklin County Recorder's Office, and any other agreement or document between Scioto Peninsula Holdings, Ltd. or others that may be required or helpful in clearing title, including amendment(s) to the Memorandum of Lease, as approved by the Department of Law, Real Estate Division.

SECTION 2. That the Director of Finance and Management be and hereby is authorized to execute a quit claim deed and other necessary documents, as approved by the Department of Law, Real Estate Division, and providing generally for the transfer of the City's fee interest in the real property identified as Reservation A, Reservation B, and Reservation C of the Scioto Peninsula Subdivision, of record as Plat Book 127, Page 91, Franklin County Recorder's Office, to the Scioto Peninsula New Community Authority, subject to the reservation of easements for utilities, signs, or other improvements and other restrictions of record.

SECTION 3. That the Director of Finance and Management be and hereby is authorized to execute those easement agreements, as approved by the Director and the Department of Law, Real Estate Division, and providing generally for consent to utility, encroachment, maintenance, and temporary construction easements as necessary to facilitate the construction of the Scioto Peninsula redevelopment project.

SECTION 4. That this Council has determined that it is in the best interest of the City to waive, and does hereby waive, the requirements of Columbus City Code Chapter 329.32 relating to the sale of City-owned real property to the extent that they may apply to this transaction and this Ordinance only.

SECTION 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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.