



City of Columbus

Office of City Clerk
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columbuscitycouncil.org

Legislation Text

File #: 1690-2020, **Version:** 1

Background: The following legislation authorizes the Director of the Department of Finance and Management to enter into two lease amendments necessary to formally abate rent due from two City Tenants operating restaurant businesses and to declare an emergency. Subway Real Estate, LLC (Subway), located at 1410 Cleveland Avenue, and KA Restaurant Concepts, LLC (Milestone 229), located at 229 Civic Center Drive, were forced to close their businesses by a Public Health Order issued by the State of Ohio due to the 2020 COVID-19 pandemic.

Fiscal Impact: Subway's rent for 2020 will be abated in the amount of \$5,400 and the rent for Milestone 229 will be abated by \$31,334.52 for 2020.

Emergency Action: This legislation is presented as emergency in order to immediately grant abatement of rent to Subway Real Estate, LLC and KA Restaurant Concepts, LLC for the term of the closure of their businesses due to the COVID-19 pandemic.

To authorize the Director of the Department of Finance and Management to enter into two lease amendments necessary to formally abate rent due to the 2020 COVID-19 pandemic; and to declare an emergency.

WHEREAS, the City is the owner of certain real property located on 1410 Cleveland Avenue and 229 Civic Center Drive; and

WHEREAS, the City leases the property located at 1410 Cleveland Avenue to Subway Real Estate, LLC and the property located at 229 Civic Center Drive to KA Restaurant Concepts,; and

WHEREAS, Subway Real Estate, LLC and KA Restaurant Concepts, LLC, by order of the State of Ohio, were forced to close their restaurant businesses due to the 2020 COVID-19; and

WHEREAS, it has been determined that it is in the best interest of the City, due to the State mandated closure of the business operations of both Tenants, to abate rent for Subway Real Estate, LLC and KA Restaurant Concepts, LLC for the months of April, May and June 2020; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize the Director to enter into Lease Amendments by and between the City of Columbus and Subway Real Estate, LLC and the City of Columbus and KA Restaurant Concepts, LLC to immediately abate rent due to the COVID-19 pandemic thereby preserving 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 the Department of Finance and Management be, and hereby is, authorized to execute those documents as prepared and approved by the Department of Law, Division of Real Estate, necessary to amend the leases to abate rent for Subway Real Estate, LLC at 1410 Cleveland Avenue and KA Restaurant Concepts, LLC at 229 Civic Center Drive for the period April, May, and June 2020.

SECTION 2. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

