



Legislation Text

File #: 1647-2013, **Version:** 1

1. BACKGROUND:

The City of Columbus, Department of Public Service, received a request from Columbus City Schools asking that the City vacate the rights-of-way between the south right-of-way line of Allegheny Avenue and the north right-of-way line of Ruhl Avenue, identified as Virginialee Road, Virginialee Road West, Virginialee Road East and Chesterfield Road. Vacation of these rights-of-way will allow for the development of property surrounding these rights-of-way and the construction of a new educational facility on the Woodland Meadows site, formerly known as Beverley Manor, owned by Columbus City Schools. After investigation by the Division of Planning and Operations staff, it was determined that the vacation of these rights-of-way will enhance the development of the site. It was also determined that, subject to a general utility easement for facilities located within said rights-of-way, the City will not be adversely affected by the vacation of these rights-of-way.

2. EMERGENCY JUSTIFICATION:

Emergency action is requested to allow this vacation to occur as soon as possible, thereby allowing Columbus City Schools to proceed with construction plans without further delay in order to avoid incurring additional costs that would place strain on the project budget.

To vacate the rights-of-way between the south right-of-way line of Allegheny Avenue and the north right-of-way line of Ruhl Avenue, identified as Virginialee Road, Virginialee Road West, Virginialee Road East and Chesterfield Road; to the extent they may apply, to waive the Land Review Commission requirements of Columbus City Codes; and to declare an emergency. (\$0.00)

WHEREAS, as a part of Columbus City Schools plan to redevelop the Woodland Meadows site, formerly known as Beverley Manor, the City of Columbus, Department of Public Service desires to vacate the rights-of-way between the south right-of-way line of Allegheny Avenue and the north right-of-way line of Ruhl Avenue, identified as Virginialee Road, Virginialee Road West, Virginialee Road East and Chesterfield Road; and

WHEREAS, vacation of these rights-of-way will allow Columbus City Schools to develop the Woodland Meadows site, adjacent to the above mentioned rights-of-way, and to proceed with the construction of a new educational facility on property owned by Columbus City Schools; and

WHEREAS, after investigation by Division of Planning and Operations staff, it was determined that, subject to the retention of a general utility easement for those utilities currently located within these rights-of-way, the City will not be adversely affected by the vacation of these rights-of-way; and

WHEREAS, the Division of Planning and Operations, Department of Public Service agreed to recommend that the above referenced rights-of-way be vacated; and now therefore

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to vacate the rights-of-way between the south right-of-way line of Allegheny Avenue and the north right-of-way line of Ruhl Avenue, identified as Virginialee Road, Virginialee Road West, Virginialee Road East and Chesterfield Road, thereby allowing proposed construction by Columbus City Schools to proceed without delay and 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 rights-of-way within the Woodland Meadows site, formerly known as Beverley Manor, between the south right-of-way line of Allegheny Avenue and the north right-of-way line of Ruhl Avenue, identified as Virginialee Road, Virginialee Road West, Virginialee Road East and Chesterfield Road, be and hereby are vacated.

Section 2. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be vacated without requiring a recommendation from Land Review Commission and hereby waives the Land Review Commission provision of Columbus City Codes (1959) Revised, Section 328.01 with regards to the vacation of these rights-of-way.

Section 3. That a general utility easement in, on, over, across and through the above described rights-of-way shall be and hereby is retained unto the City of Columbus for those utilities located within said rights-of-way.

Section 4. That upon notification and verification of the relocation of all utilities located within the retained general utility easement area the Director of the Department of Public Service is hereby authorized to execute those documents necessary to release the retained general utility easement with no additional compensation due to the City and with no further legislative action required by the City.

Section 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, these 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.