



## Legislation Details (With Text)

**File #:** 1271-2019      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/1/2019      **In control:** Housing Committee

**On agenda:** 5/13/2019      **Final action:** 5/16/2019

**Title:** To authorize the Director of the Department of Development to quit-claim grant a temporary drainage easement of approximately 0.307 acres on 116 N. Wheatland Ave. (010-267201), and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
5/16/2019	1	CITY CLERK	Attest	
5/14/2019	1	ACTING MAYOR	Signed	
5/13/2019	1	COUNCIL PRESIDENT	Signed	
5/13/2019	1	Columbus City Council	Approved	Pass

**BACKGROUND:** Ordinance 0333-2018 authorized the Director of the Department of Development to transfer approximately 3.50+/- acres of land, located on the east side of Wheatland Ave to Wheatland Crossing II Limited Partnership, a subsidiary of the Woda Group. The Woda Group received Low Income Housing Tax Credits (LIHTC) to construct Wheatland Crossing II, a 51-unit housing complex on the site, for families at a mix of income levels. This project is a second phase to a 42-unit senior housing complex finished in 2018. This Ordinance will authorize the Director of Development to execute a temporary easement on the residual City owned land to allow the developer to install a drainage swale to meet storm water requirements. The swale will be installed along the northern boundary of the residual City land, maintained by the developer, be approximately 30' in width, and will be removed as the remainder of the site is developed.

**FISCAL IMPACT:** No fiscal impact.

**EMERGENCY JUSTIFICATION:** Emergency action is requested to enable the City to immediately grant the easement to allow the project to receive the necessary permits.

To authorize the Director of the Department of Development to quit-claim grant a temporary drainage easement of approximately 0.307 acres on 116 N. Wheatland Ave. (010-267201), and to declare an emergency.

**WHEREAS,** by Ordinance 1940-2002, Council Authorized the Director of the Department of Development to acquire 22.5+ located on the east of Wheatland Avenue and north of West Broad Street for \$450,000 for future redevelopment; and

**WHEREAS,** by Ordinance 0147-2015, Council Authorized the Director of the Department of Development to sell and transfer approximately 4.1+/- acres of land, located on the east side of Wheatland Ave, at the terminus of Glenview Boulevard to Wheatland Crossing Limited Partnership, as subsidiary of the Woda Group, to construct a 42-unit senior housing development. The project received a 2016 allocation of 4% Housing Credits from the Ohio Housing Finance Agency; and

**WHEREAS**, by Ordinance 0333-2018, Council Authorized the Director of the Department of Development to sell and transfer an additional +/- 3.5 acres to the Woda Group to develop a next phase consisting of 51-units of mixed income housing for \$300,000. The project received a 2018 allocation of Housing Credits from Ohio Housing Finance Agency; and

**WHEREAS**, Ordinance 0147-2015 also authorized the Director of Development to grant a temporary drainage easement to capture storm water flowing off of the residual City-owned property toward a ravine that lies to the north. This temporary drainage easement will be moved to the south of the second phase of the development and located on the northern boundary of the remaining City land. The new easement will be in place until the rest of the site is developed; and

**WHEREAS**, in order to move the drainage easement, authorization is requested to allow the Director of Development to execute a new easement; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Development, Land Redevelopment Division in that it is immediately necessary enable the City to enter into the necessary agreements allowing the buyer to obtain the permits required to complete the development of the housing project on the property, all for the immediate preservation of the public health, peace, property, safety and welfare; and **now therefore**,

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

**Section 1.** That the Director of the Department of Development is hereby authorized to execute those documents on behalf of the City of Columbus, as approved by the Department of Law, Division of Real Estate, necessary to grant a 0.307 quit-claim easement to Wheatland Crossing II Limited Partnership, described as follows:

Situated in the City of Columbus, County of Franklin, State of Ohio; also being a part of Virginia Military Survey No. 2668; also being a part of a 16.000 acre tract, the residual of a 20.098 acre tract as conveyed to City of Columbus as described in Instrument No. 200307020202150 Parcel 1 Tract 1; being more particularly described as follows:

Commencing at the northwesterly corner of said 16.000 acre tract, said point also being along the easterly right-of-way line of Wheatland Avenue (40' right-of-way); thence,

Along a portion of the westerly line of said 16.000 acre tract and along the easterly right of-way line of Wheatland Avenue, South 08° 23' 37" East for a distance of 442.24' to a point; thence,

Along a line perpendicular of the easterly right of way line of Wheatland Avenue and through said 16.000 acre tract, South 81° 36' 23" West for a distance of 46.29' to a point; said point being the TRUE POINT OF BEGINNING, and from said beginning point running thence,

Along a line through said 16.000 acre tract, North 81° 36' 23" East for a distance of 445.12' to a point, said point being on a easterly line of said 16.000 acre tract; thence,

Along a portion of a easterly line of said 16.000 acre tract, South 08° 23' 37" East for a distance of 30.00' to a point; thence the remaining courses through said 16.000 acre tract,

South 81° 36' 23" West for a distance of 445.12' to a point; thence,

North 08° 23' 37" West for a distance of 30.00' to the point of beginning, containing 0.307 acres of land, more or less.

Basis of bearing is the State Plane Coordinate System, Ohio South Zone (NAD83).

**SECTION 2.** For the property stated in Section 1, that the Director of Development is hereby authorized to execute any agreement, deed restriction, or mortgage to ensure compliance with land bank program rules and the submitted application and to release such restriction or mortgage upon compliance.

**SECTION 3.** That for good cause shown, the provisions of City Code Chapter 329 relating to the sale of city-owned realty are hereby waived.

**SECTION 4.** That Council hereby finds that the selection process utilized in this matter is in accordance with the Land Bank Disposition Process created pursuant to the City's Land Reutilization Program and hereby approves the same.

**SECTION 5.** 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.