



## Legislation Text

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**File #:** 2194-2020, **Version:** 1

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**BACKGROUND:** By Ordinance 3103-2019 Columbus City Council authorized the rezoning of 3051 S. High St. for an affordable multi-family development funded in part with Low Income Housing Tax Credits. The developer, Herman and Kittle, requests the City grant an access easement on the adjacent land bank parcel located at 000 S. High St. (010-112265) to allow fire access into the development. The access will be used by the development only in emergencies and will be used by the City or subsequent owner as the main access to the City owned property. This Ordinance will authorize the Director of the Department of Development to execute any and all easements necessary to comply with this request.

**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 meet requirements of Department of Public Safety, a condition to obtain a Certificate of Occupancy.

To authorize the Director of the Department of Development to quit-claim grant one or more easements on 0000 S. High St. (010-112265), and to declare an emergency.

**WHEREAS,** by Ordinance 3103-2019 Columbus City Council authorized the rezoning of 3051 S. High St. for an affordable multi-family development funded in part with Low Income Housing Tax Credits; and

**WHEREAS,** While obtaining approvals for the project, the Columbus Division of Fire required the establishment of an easement on the adjacent City property to allow access for emergency equipment and requires this easement in place prior to the Certificate of Occupancy; 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 a Certificate of Occupancy on the adjacent 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 one or more easements on 0000 S. High St. (010-112265) to Windmill Pointe Apartments, L.P for the development located on the adjacent property.

**SECTION 2.** 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 3.** 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.