



Legislation Text

File #: 2459-2020, **Version:** 1

1. BACKGROUND

The City of Columbus, Department of Public Service, received a request from the property owner, Scioto Peninsula Holding, LTD, asking that the City allow multiple foundations to encroach into the public right-of-way for their project located along the north and south side of State Street near the intersection with Starling Street. This project is a new parking garage consisting of two buildings and the proposed encroachments will consist of foundation along the north and south side of State Street that will protrude into the public right-of-way as described below and shown on the attached exhibits. This ordinance authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant the encroachments to legally allow these items to extend into the public right-of-way. Installation of these building elements will enhance the building and fit into the architectural desire. A value of \$500.00 for the encroachment easements was established.

2. FISCAL IMPACT

The City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, for granting the requested encroachments.

3. EMERGENCY JUSTIFICATION

Emergency action is requested to allow development of this property to proceed as currently scheduled.

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements to Scioto Peninsula Holding for parking garages on State Street near Starling Street; and to declare an emergency.

WHEREAS, the City of Columbus, Department of Public Service, received a request from the property owner, Scioto Peninsula Holding, LTD, asking that the City allow multiple foundations to encroach into the public right-of-way for their project located along the north and south side of State Street near the intersection with Starling Street; and

WHEREAS, this project is a new parking garage consisting of two buildings and the proposed encroachments will consist of foundation along the north and south side of State Street that will protrude into the public right-of-way as described below and shown on the attached exhibits; and

WHEREAS, this ordinance authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant the encroachments to legally allow these items to extend into the public right-of-way; and

WHEREAS, a value of \$500.00 for the encroachment easements was established, to be deposited in Fund 7748, Project P537650, for granting the requested encroachments; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service to execute those documents necessary to grant encroachment easements to Scioto Peninsula Holding, LTD, to allow development of this property to proceed as currently scheduled, 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. The Director of the Department of Public Service is authorized to execute those documents necessary for the City to grant encroachment easements to Scioto Peninsula Holding for parking garages on State Street near Starling

Street to legally allow these items to extend into the public right-of-way; to-wit:

**FOUNDATION ENCROACHMENT EASEMENT
BETWEEN THE ELEVATIONS OF 703.90 FEET AND 708.33 FEET
18 SQUARE FEET
PLAN NO. 20345-174**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military District Survey Number 1393, being a strip of land on, over, and across State Street (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way line of Starling Street (50 feet) and the northerly right-of-way line of State Street (66 feet), the southeasterly corner of Lot 2 of "Scioto Peninsula Subdivision", a subdivision of record in Plat Book 127, Page 91;

Thence South $81^{\circ} 50' 30''$ West, with said northerly right-of-way line, a distance of 9.65 feet to the **TRUE POINT OF BEGINNING**;

Thence across said State Street, the following courses and distances:

South $08^{\circ} 10' 14''$ East, a distance of 1.50 feet to a point;

South $81^{\circ} 49' 46''$ West, a distance of 12.00 feet to a point; and

North $08^{\circ} 10' 14''$ West, a distance of 1.50 feet to a point in said northerly right-of-way line;

Thence North $81^{\circ} 50' 30''$ East, with said northerly right-of-way line, a distance of 12.00 feet to the **TRUE POINT OF BEGINNING**, containing 18 square feet, more or less.

Elevations stated above are based upon NAVD 88, utilizing a Franklin County Survey benchmark designated "Broad" with a published elevation of 733.940 feet.

Bearings are based on those shown on "Scioto Peninsula Subdivision", a subdivision of record in Plat Book 127, Page 91, Recorder's Office, Franklin County, Ohio.

**FOUNDATION ENCROACHMENT EASEMENT
BETWEEN THE ELEVATIONS OF 703.90 AND 708.33 FEET
28 SQUARE FEET
PLAN NO. 20345-174**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military District Survey Number 1393, being a strip of land on, over, and across State Street (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way line of Starling Street (50 feet) and the southerly right-of-way line of State Street (66 feet), the northeasterly corner of Lot 7 of "Scioto Peninsula Subdivision", a subdivision of record in Plat Book 127, Page 91;

Thence South $81^{\circ} 50' 30''$ West, with said southerly right-of-way line, a distance of 10.40 feet to the **TRUE POINT OF BEGINNING**;

Thence South $81^{\circ} 50' 30''$ West, continuing with said southerly right-of-way line, a distance of 10.50 feet to a point;

Thence across said State Street, the following courses and distances:

North $08^{\circ} 04' 10''$ West, a distance of 2.68 feet to a point;

North $81^{\circ} 49' 01''$ East, a distance of 10.50 feet to a point; and

South $08^{\circ} 04' 10''$ East, a distance of 2.68 feet to the **TRUE POINT OF BEGINNING**, containing 28 square feet, more or less.

Elevations stated above are based upon NAVD 88, utilizing a Franklin County Survey benchmark designated "Broad"

with a published elevation of 733.940 feet.

Bearings are based on those shown on "Scioto Peninsula Subdivision", a subdivision of record in Plat Book 127, Page 91, Recorder's Office, Franklin County, Ohio.

**FOUNDATION ENCROACHMENT EASEMENT
BETWEEN THE ELEVATIONS OF 703.90 FEET AND 708.33 FEET
61 SQUARE FEET
PLAN NO. 20345-174**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military District Survey Number 1393, being a strip of land on, over, and across State Street (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way line of Starling Street (50 feet) and the southerly right-of-way line of State Street (66 feet), the northeasterly corner of Lot 7 of "Scioto Peninsula Subdivision", a subdivision of record in Plat Book 127, Page 91;

Thence South $81^{\circ} 50' 30''$ West, with said southerly right-of-way line, a distance of 53.24 feet to the **TRUE POINT OF BEGINNING**;

Thence South $81^{\circ} 50' 30''$ West, continuing with said southerly right-of-way line a distance of 20.50 feet to a point;

Thence across said State Street, the following courses and distances:

North $08^{\circ} 04' 10''$ West, a distance of 3.00 feet to a point;

North $81^{\circ} 50' 30''$ East, a distance of 20.50 feet to a point; and

South $08^{\circ} 03' 19''$ East, a distance of 3.00 feet to the **TRUE POINT OF BEGINNING**, containing 61 square feet, more or less.

Elevations stated above are based upon NAVD 88, utilizing a Franklin County Survey benchmark designated "Broad" with a published elevation of 733.940 feet.

Bearings are based on those shown on "Scioto Peninsula Subdivision", a subdivision of record in Plat Book 127, Page 91, Recorder's Office, Franklin County, Ohio.

**FOUNDATION ENCROACHMENT EASEMENT
BETWEEN THE ELEVATIONS OF 703.90 FEET AND 708.33 FEET
18 SQUARE FEET
PLAN NO. 20345-174**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military District Survey Number 1393, being a strip of land on, over, and across State Street (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way line of Starling Street (50 feet wide), and the northerly right-of-way line of State Street (66 feet wide), the southeasterly corner of Lot 2 of "Scioto Peninsula Subdivision", a subdivision of record in Plat Book 127, Page 91;

Thence South $81^{\circ} 50' 30''$ West, with said northerly right-of-way line, a distance of 98.98 feet to the **TRUE POINT OF BEGINNING**;

Thence across said State Street, the following courses and distances:

South $08^{\circ} 08' 17''$ East, a distance of 1.52 feet to a point;

South $81^{\circ} 51' 43''$ West, a distance of 12.00 feet to a point; and

North $08^{\circ} 08' 17''$ West, a distance of 1.52 feet to a point in said northerly right-of-way line;

Thence North 81° 50' 30" East, with said northerly right-of-way line, a distance of 12.00 feet to the **TRUE POINT OF BEGINNING**, containing 18 square feet, more or less.

Elevations stated above are based upon NAVD 88, utilizing a Franklin County Survey benchmark designated "Broad" with a published elevation of 733.940 feet.

Bearings are based on those shown on "Scioto Peninsula Subdivision", a subdivision of record in Plat Book 127, Page 91, Recorder's Office, Franklin County, Ohio.

**FOUNDATION ENCROACHMENT EASEMENT
BETWEEN THE ELEVATIONS OF 703.90 AND 708.33 FEET
29 SQUARE FEET
PLAN NO. 20345-174**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military District Survey Number 1393, being a strip of land on, over, and across State Street (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way line of Starling Street (50 feet) and the southerly right-of-way line of State Street (66 feet), the northeasterly corner of Lot 7 of "Scioto Peninsula Subdivision", a subdivision of record in Plat Book 127, Page 91;

Thence South 81° 50' 30" West, with said southerly right-of-way line, a distance of 102.35 feet to the **TRUE POINT OF BEGINNING**;

Thence South 81° 50' 30" West, continuing with said southerly right-of-way line, a distance of 10.50 feet to a point;

Thence across said State Street, the following courses and distances:

North 08° 10' 05" West, a distance of 2.82 feet to a point;

North 81° 49' 55" East, a distance of 10.50 feet to a point; and

South 08° 09' 30" East, a distance of 2.82 feet to the **TRUE POINT OF BEGINNING**, containing 29 square feet, more or less.

Elevations stated above are based upon NAVD 88, utilizing a Franklin County Survey benchmark designated "Broad" with a published elevation of 733.940 feet.

Bearings are based on those shown on "Scioto Peninsula Subdivision", a subdivision of record in Plat Book 127, Page 91, Recorder's Office, Franklin County, Ohio.

**FOUNDATION ENCROACHMENT EASEMENT
BETWEEN THE ELEVATIONS OF 703.90 FEET AND 708.33 FEET
48 SQUARE FEET
PLAN NO. 20345-174**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Virginia Military District Survey Number 1393, being a strip of land on, over, and across State Street (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way line of Starling Street (50 feet wide) and the northerly right-of-way line of State Street (66 feet wide), the southeasterly corner of Lot 2 of "Scioto Peninsula Subdivision", a subdivision of record in Plat Book 127, Page 91;

Thence South 81° 50' 30" West, with said northerly right-of-way line, a distance of 55.48 feet to the **TRUE POINT OF BEGINNING**;

Thence across said State Street, the following courses and distances:

South 08° 10' 21" East, a distance of 3.00 feet to a point;

South 81° 50' 30" West, a distance of 16.00 feet to a point; and

North 08° 10' 21" West, a distance of 3.00 feet to a point in said northerly right-of-way line;

Thence North 81° 50' 30" East, with said northerly right-of-way line, a distance of 16.00 feet to the **TRUE POINT OF BEGINNING**, containing 48 square feet, more or less.

Elevations stated above are based upon NAVD 88, utilizing a Franklin County Survey benchmark designated "Broad" with a published elevation of 733.940 feet.

Bearings are based on those shown on "Scioto Peninsula Subdivision", a subdivision of record in Plat Book 127, Page 91, Recorder's Office, Franklin County, Ohio.

SECTION 2. The City is to receive \$500.00 for granting the encroachment easements, to be deposited in Fund 7748, Project P537650.

SECTION 3. 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.