

**Ordinance No. 479-2019**

**Council Members:** Griffin, Johnson and Brancatelli (by departmental request)

**An emergency ordinance to authorize the Director of Capital Projects to issue a modification to the permit previously issued to One UC Partners, LLC to encroach into and above the public rights-of-way of University Circle, Euclid Avenue, Stearns Road and Deering Avenue as part of its One University Circle Luxury Apartment project to authorize the Permittee to encroach into the aforementioned public rights-of-way further by also installing, using, and maintaining parking entrance gates, bollards, an island, parking signs and a ticket machine.**

**WHEREAS**, under the authority of Ordinance No. 1356-15, passed December 7, 2015, the Director of Capital Projects issued a permit, on or about February 5, 2016, to One UC Partners, LLC, 25333 Cedar Road, Suite 300, Lyndhurst, Ohio 44124 ("Permittee") to encroach into and above the public rights-of-way of University Circle, Euclid Avenue, Stearns Road and Deering Avenue by installing, using, and maintaining certain building, roadway and streetscape improvements, and a crane pad foundation as part of its One University Circle Luxury Apartment project (the Project"); and

**WHEREAS**, Permittee has requested permission to also install, use and maintain certain additional betterments to the Project which will encroach into the aforementioned public rights-of-way; and

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

**Section 1.** That the Director of Capital Projects is authorized to issue a modification to the permit previously issued under the authority of Ordinance No. 1356-15 to One UC Partners, LLC to encroach into and above the public rights-of-way of University Circle, Euclid Avenue, Stearns Road and Deering Avenue by installing, using, and maintaining certain building, roadway and streetscape improvements and a crane pad foundation as part of its One University Circle Luxury Apartment project. That the modification to the Permit shall permit the Permittee to encroach into the aforementioned public rights-of-way additionally by installing, using, and maintaining parking entrance gates, bollards, an island, parking signs and a ticket machine.

**Section 2.** That the Director of Law shall prepare the modification to the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest.

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it

shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed May 20, 2019.**

**Effective May 21, 2019.**