



## Legislation Details (With Text)

**File #:** 0799-2010      **Version:** 2

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

**File created:** 5/21/2010      **In control:** Zoning Committee

**On agenda:**      **Final action:** 7/1/2010

**Title:** To rezone 2353 INNIS ROAD (43224), being 3.4± acres located on the south side of Innis Road, 237± feet east of Westerville Road. From: R, Rural and R-1, Residential Districts, To: C-2, Commercial District. (Rezoning # Z10-006) ...and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0799-2010Attachments.pdf, 2. City Council Data Form\_Z10-006.pdf, 3. ORD0799-2010bl.pdf, 4. Notice Of Public Hearing - Council Mtg.pdf

Date	Ver.	Action By	Action	Result
7/1/2010	2	CITY CLERK	Attest	
6/30/2010	2	MAYOR	Signed	
6/28/2010	2	Zoning Committee	Amended to Emergency	Pass
6/28/2010	2	Zoning Committee	Approved	Pass
6/28/2010	2	COUNCIL PRESIDENT	Signed	
6/21/2010	1	Columbus City Council	Defeated	
5/28/2010	1	Building and Zoning Drafter	Sent to Clerk's Office for Council	
5/27/2010	1	Building and Zoning Reviewer	Reviewed and Approved	
5/27/2010	1	Building and Zoning Drafter	Sent for Approval	
5/27/2010	1	BUILDING ZONING DIRECTOR	Reviewed and Approved	
5/21/2010	1	Building and Zoning Drafter	Sent for Approval	

### Rezoning Application Z10-006

**APPLICANT:** Capital Park Family Health Center Corp; c/o David L. Hodge, Atty.; Smith & Hale; 37 West Broad Street, Suite 725; Columbus, OH 43215.

**PROPOSED USE:** C-2 Office development.

**DEVELOPMENT COMMISSION RECOMMENDATION:** Approval (5-0) on May 13, 2010.

**NORTHEAST AREA COMMISSION RECOMMENDATION:** No position.

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The requested C-2, Commercial District would allow office uses consistent with the *Northeast Area Plan (2007)*, the surrounding development and with the established zoning pattern of the area.

To rezone **2353 INNIS ROAD (43224)**, being 3.4± acres located on the south side of Innis Road, 237± feet east of Westerville Road. **From:** R, Rural and R-1, Residential Districts, **To:** C-2, Commercial District. (Rezoning # Z10-006) ...and to declare an emergency.

**WHEREAS**, application #Z10-006 is on file with the Building Services Division of the Department of Development requesting rezoning of 3.4± acres from R, Rural and R-1, Residential Districts, to the C-2, Commercial District; and

**WHEREAS**, the Development Commission recommends approval of said zoning change; and

**WHEREAS**, the Northeast Area Commission has taken no position on said zoning change; and

**WHEREAS**, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; and)

**WHEREAS**, the City Departments recommend approval of said zoning change because the requested C-2, Commercial District would allow office uses consistent with the *Northeast Area Plan (2007)*, the surrounding development and with the established zoning pattern of the area, now, therefore:

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

**Section 1.** That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

**2353 INNIS ROAD (43224)**, being 3.4± acres located on the south side of Innis Road, 237± feet east of Westerville Road, and being more particularly described as follows:

**ZONING OF  
3.44 ACRES**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Quarter Township 2, Township 1, Range 17, United States Military Lands, being part of that 7.714 acre tract conveyed to Columbus Housing Partnership, Inc. by deed of record in Instrument Number 200802210026641 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and described as follows:

Beginning, for reference, at the centerline intersection of Innis Road with Westerville Road (State Route 3);

thence South 86° 50' 52" East, with the centerline of said Innis Road, a distance of 183.25 feet to the northwesterly corner of Parcel Number 17WD-1 conveyed to the State of Ohio by deed of record in Deed Book 3290, Page 36;

thence South 28° 42' 37" West, across the right-of-way of said Innis Road and with the westerly line of said Parcel Number 17WD-1, a distance of 45.08 feet to a point of curvature on the southerly right-of-way line of said Innis Road, the TRUE POINT OF BEGINNING;

thence with said southerly right-of-way line, the following courses and distances:

with the arc of said curve to the right, having a central angle of 02° 11' 15", a radius of 914.93 feet, an arc length of 34.93 feet, a chord bearing and distance of South 87° 56' 55" East, 34.93 feet to a point;

South 86° 50' 52" East, a distance of 301.65 feet to the northeasterly corner of said 7.714 acre tract;

thence South 03° 02' 04" West, with the line common to said 7.714 acre tract and that 6.118 acre tract conveyed to Faith Village II, Limited Partnership by deed of record in Official Record 28904G12, a distance of 254.00 feet to a point;

thence across said 7.714 acre tract, the following courses and distances:

North 86° 58' 03" West, a distance of 104.47 feet to a point of curvature;

with the arc of said curve to the left, having a central angle of 49° 46' 47", a radius of 20.00 feet, an arc length of 17.38 feet, a chord bearing and distance of South 68° 08' 33" West, 16.83 feet to a point;

South 43° 15' 10" West, a distance of 148.34 feet to a point of curvature;

with the arc of said curve to the left, having a central angle of 38° 35' 45", a radius of 50.00 feet, an arc length of 33.68 feet, a chord bearing and distance of South 23° 57' 16" West, 33.05 feet to a point;

thence North 86° 30' 23" West, continuing across said 7.714 acre tract and partly with the line common to said 7.714 acre tract and that 0.892 acre tract conveyed to Raed M. Al-Khasawneh by deed of record in Instrument Number 200606020106581, a distance of 184.18 feet to the southeasterly corner of that 0.528 acre tract conveyed to Robert M. Proffit by deed of record in Official Record 6811E15;

thence North 29° 54' 29" East, with the line common to said 7.714 and 0.526 acre tracts, a distance of 99.52 feet to the northeasterly corner of said 0.526 acre tract;

thence North 85° 22' 07" West, continuing with the line common to said 7.714 and 0.526 acre tracts, a distance of 250.00 feet to a point on the easterly right-of-way line on said Westerville Road;

thence with said easterly right-of-way line, the following courses and distances:

North 28° 42' 37" East, a distance of 22.25 feet to a point;

North 30° 37' 25" East, a distance of 94.77 feet to the common corner of said 7.714 acre tract and that 0.237 acre tract conveyed to Columbus Finance, Inc. by deed of record in Instrument Number 200509270201981;

thence with the line common to said 7.714 and 0.237 acre tract, the following courses and distances:

South 59° 23' 06" East, a distance of 51.00 feet to a point;

North 89° 49' 28" East, a distance of 73.80 feet to the southeasterly corner of said 0.237 acre tract;

thence North 28° 42' 37" East, with the westerly line of said 7.714 acre tract and the easterly line of said 0.237 acre tract and that 0.366 acre tract conveyed to Columbus Finance, Inc. by deed of record in Instrument Number 200509270201981, a distance of 247.93 feet to the TRUE POINT OF BEGINNING and containing 3.44 acre of land, more or less.

**To Rezone From:** R, Rural and R-1, Residential,

**To:** C-2, Commercial District

**Section 2.** That a Height District of thirty-five (35) feet is hereby established on the C-2, Commercial District on this property.

**Section 3.** That the Director of the Department of Building and Zoning Services be, and is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Department of Building and Zoning Services.

**Section 4.** ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **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 10 days after its passage if the Mayor neither approves nor vetoes the same.**

