



Legislation Details (With Text)

File #: 2594-2015 **Version:** 3

Type: Ordinance **Status:** Passed

File created: 10/8/2015 **In control:** Zoning Committee

On agenda: 10/26/2015 **Final action:** 10/29/2015

Title: To rezone 1192 CLEVELAND AVENUE (43201), being 1.16± acres located on the east side of Cleveland Avenue, 225± feet north of Shoemaker Avenue, From: C-4, Commercial and R-4, Residential Districts, To: C-3, Commercial District and to declare an emergency (Rezoning # Z15-024).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD2594-2015AttachmentsAmended, 2. 2594-2015 ORD Attachments, 3. Notice Of Public Hearing - Council Mtg20151026

Date	Ver.	Action By	Action	Result
10/29/2015	3	CITY CLERK	Attest	
10/28/2015	3	MAYOR	Signed	
10/26/2015	3	COUNCIL PRESIDENT	Signed	
10/26/2015	1	Zoning Committee	Amended as submitted to the Clerk	Pass
10/26/2015	1	Zoning Committee	Amended to Emergency	Pass
10/26/2015	1	Zoning Committee	Approved as Amended	Pass
10/19/2015	1	Columbus City Council	Read for the First Time	

Rezoning Application Z15-024

APPLICANT: CGL Holdings, LLC; c/o Keith B Keplinger; 6790 Charles Road; Westerville, Ohio 43082.

PROPOSED USE: Commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on August 13, 2015.

MILO GROGAN AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is currently in a neglected state with vacant commercial structures and is zoned C-4, Commercial and R-4, Residential Districts. The proposed C-3, Commercial District will allow redevelopment of the site with a video and film production and equipment rental facility. The site is within the boundaries of the *Milo-Grogan Neighborhood Plan* (2007), which recommends commercial uses for this location. Staff supports the proposed use and other C-3 uses which are appropriate and consistent with the zoning and development pattern in the area, and with the land use recommendations of the *Milo-Grogan Neighborhood Plan*.

To rezone **1192 CLEVELAND AVENUE (43201)**, being 1.16± acres located on the east side of Cleveland Avenue, 225± feet north of Shoemaker Avenue, **From:** C-4, Commercial and R-4, Residential Districts, **To:** C-3, Commercial

District **and to declare an emergency** (Rezoning # Z15-024).

WHEREAS, application # Z15-024 is on file with the Department of Building and Zoning Services requesting rezoning of 1.16± acres from C-4, Commercial and R-4, Residential Districts, to the C-3, Commercial District; and

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

WHEREAS, the Milo Grogan Area Commission recommends approval of said zoning change; and

WHEREAS, the City Departments recommend approval of said zoning change because C-3 commercial uses are appropriate and consistent with the zoning and development pattern in the area, and with the land use recommendations of the *Milo-Grogan Neighborhood Plan*; 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; 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:

1192 CLEVELAND AVENUE (43201), being 1.16± acres located on the east side of Cleveland Avenue, 225± feet north of Shoemaker Avenue, and being more particularly described as follows:

Description of 1.162 acres

Situated in the State of Ohio, County of Franklin, City of Columbus and being a part of Lot 3 of Stevenson's Heirs Partition of Quarter Township 4, Township 1, Range 18, United States Military Lands, and being parts of Lots 35, 36, 37, 38, 39, 40, two vacated alleys and vacated Williams Street (aka Lockwin Avenue), vacated by City of Columbus Ordinance number 1272-69, and being a 0.019 acre tract and a 0.066 acre tract as conveyed to CGL Holdings, LLC as recorded in Instrument No. 201506150079409, and parts of an 1.0 acre and 1.52 acre tract, all original parcels are shown and delineated upon the plat "Sarah A. Shoemaker's Heirs Subdivision" as recorded in Plat Book 6, page 17A, as conveyed to CGL Holdings, LLC, as recorded in Instrument No. 201504130047119, and as conveyed to CGL Holdings, LLC as recorded in Instrument No. 201504130047120, and as conveyed to CGL Holdings, LLC, as recorded in Instrument No. 201504230052071 Recorder's Office, Franklin County, Ohio, containing 1.162 acres and being further described as follows:

Beginning for reference at a found 1" iron pin in a monument box located at the intersection of the centerlines of Cleveland Ave. (55' wide) and Lockwin Avenue (50' wide);

Thence N 37°44'00" E, 79.58', along the centerline of said Cleveland Ave., to a point;

Thence S 52°16'00" E, 30.00', crossing said Cleveland Ave., to an iron pin set, said iron pin being the northwest corner of said Lot 35 and being the southwest corner of Lot 34 of said Sarah A. Shoemaker's subdivision as conveyed to L&N-Up Alum Creek, LLC as recorded in Instrument Number 201107250091710, said iron pin being the True Place of Beginning for the herein described 1.162 acre tract;

Thence S 52°41'17"E, 101.00', along the north line of said Lot 35, being the south line of said Lot 34, to a point on the west line of the Limited Access right of way of Interstate Route 71 as shown on the right of way plans for the Columbus Expressway System, North Freeway, FRA. 3-18.36, FRA I-(23.72)-(23.88), said point being the northwest corner of Parcel 193-LA as held in fee by the City of Columbus as recorded in D.V. 2217, Pg. 658;

Thence S 07°08'38"W, 19.52', (passing a found gear spike at 1.79') crossing said Lot 35, along the west line of said Interstate Route 71, being the west line of said Parcel 193-LA, to an iron pin set;

Thence S 04°26'13"W, 84.26', along the west line of said Interstate Route 71, being the west line of Parcel 192-LA, (0.285 ac.) as conveyed to the State of Ohio as recorded in Instrument No. 20150423005270, crossing said Lots 39 and 40 and said vacated Williams St., to an iron pin set;

Thence S 09°16'16"W, 47.85', crossing said Williams St., and said 1.0 acre tract, along the west line of said Interstate Route 71, being the west line of Parcel 172-LA being an Easement for Highway purposes as recorded in Journal Entry 206549, Court of Common Pleas, (D.V. 2267, Pg. 120) as held in fee by the City of Columbus as recorded in D.V. 2207, Pg. 173, and being the west line of a Parcel 171-LA, being an Easement for Highway purposes as recorded in Journal Entry 206549, Court of Common Pleas, as held in fee by Madalin Macomber as recorded in D.V. 1486, Pg. 288, an iron pin set;

Thence S 20°45'00"W, 109.38', crossing said 1.0 acre tract, along the west line of said Interstate Route 71, being the west line of said Parcel 172-LA, to an iron pin set;

Description of 1.162 acres continued

Thence N 68°24'38"W, 59.69', along the south line of said 1.0 acre tract, being the north line of said 1.52 acre tract, to an iron pin set at an angle point in the south line of said 0.019 acre tract;

Thence S 22°21'12"W, 33.38', along the east line of said 0.019 acre tract, to an iron pin set;

Thence N 67°36'51"W, 169.51', along a new north line of a 15' Alley (D.V. 624, Pg. 252), being the south line of said 0.019 acre tract, crossing said 1.52 acre tract, along the north line of a 0.625 acre tract as conveyed to Gordon L. & Kevin A. Roberts as recorded in Official Record Volume 08013, H10, to an iron pin set in the east line of said Cleveland Ave.;

Thence N 37°44'00"E, 326.82', along the east line of said Cleveland Ave., being the west line of said 1.52 acre tract, the west line of said 1.0 acre tract & the west line of said Lots 35-38, to the true place of beginning, containing 50,606 square feet, 1.162 acres, more or less, subject tract all easements and right of ways of record.

Being all of Auditor's Parcel Numbers, 010-055419 (0.121 Ac.), 010-046423 (0.924 Ac.), 010-015239 (0.066 Ac.), 010-055370 (0.032 Ac.) and being a total of 0.019 Acres out of existing 15' wide Alleys.

Bearings are based on the east line of Cleveland Ave. as being N 37°44'00" W as shown in O.R. 28734, D05. All iron pins set are 5/8" rebar, 30" long with yellow plastic cap stamped "J & J Surveying". All references to documents are recorded in the Franklin County Recorder's Office. This description is based on an actual field survey performed by J & J Surveying under the direction of John W. Wetherill, P.S. 7811, in January 2015.

To Rezone From: C-4, Commercial and R-4, Residential Districts

To: C-3, Commercial District

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the C-3, 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.