



City of Columbus

Office of City Clerk
90 West Broad Street
Columbus OH 43215-9015
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Legislation Text

File #: 0527-2016, **Version:** 1

Rezoning Application Z15-041

APPLICANT: Myong H. Kim; c/o Dave Perry; David Perry Company, Inc.; 145 East Rich Street, 3rd Floor; Columbus, OH 43215; and Donald Plank, Atty.; Plank Law Firm; 145 East Rich Street, 3rd Floor; Columbus, OH 43215.

PROPOSED USE: Unspecified commercial development.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (6-0) on February 11, 2016.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site is comprised of two parcels zoned in the R, Rural District as the result of a recent annexation from Mifflin Township that became effective January 6, 2016. Currently, the western parcel contains a vacant residential structure, while the eastern parcel is undeveloped. The proposed C-4, Commercial District is comparable to the CS, Community Service zoning designation of this site when under the jurisdiction of Mifflin Township. The site is located within the *Northeast Area Plan (2007)*, which recommends office, commercial, and light industrial uses for this location. Staff recognizes that the requested C-4, Commercial District compliments both the site's location at the intersection of two arterial streets and the existing development pattern on the adjacent corners of Innis and Westerville Roads.

To rezone **2270 INNIS ROAD (43224)**, being 1.39± acres located at the northwest corner of Innis and Westerville Roads, **From:** R, Rural District, **To:** C-4, Commercial District (Rezoning # Z15-041).

WHEREAS, application No. Z15-041 is on file with the Department of Building and Zoning Services requesting rezoning of 1.39± acres from R, Rural District, to the C-4, Commercial District; and

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

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested C-4, Commercial District will allow for commercial development along the intersection of two arterial streets and match the existing development pattern at the intersection of Innis and Westerville roads; 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:

2270 INNIS ROAD (43224), being 1.39± acres located at the northwest corner of Innis and Westerville Roads, and being more particularly described as follows:

Situated in the Township of Mifflin, County of Franklin, State of Ohio; also being a part of the Quarter Township 2, Township 1 North, Range 17 West, United States Military Lands; also being a 1.202 acre tract as conveyed to Myong Hui Kim as described in Instrument No. 200501260016031 (Parcel ID 190-000456) and a 0.174 acre tract as conveyed to Myong Hui Kim as described in Instrument No. 200501260016030 Parcel Number 3 (Parcel ID 190-000043); being more particularly described as follows:

Beginning at the intersection of the northerly right-of-way line of Innis Road (variable right-of-way) and the westerly right-of-way line of Westerville Road (State Route 3, 90' right-of-way), said point being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along a southerly line of said 0.174 acre tract, also being along the northerly right-of-way line of Innis Road, **North 86° 44' 53" West, for a distance of 112.49'** to a point; thence,

Along a portion of the easterly line of said 1.202 acre tract, also being along the northerly right-of-way line of Innis Road, **South 04° 20' 33" West, for a distance of 29.90'** to a point; thence,

Along a southerly line of said 1.202 acre tract, also being the northerly right-of-way line of Innis Road, **South 83° 25' 55" West, for a distance of 119.16'** to a point of curvature; thence,

Along a southerly line of said 1.202 acre tract, also being the northerly right-of-way line of Innis Road, following a curve to the right having an **arc length of 85.69', a radius of 1,392.55', a central angle of 003° 31' 33"**, and a chord that bears **South 85° 11' 38" West for a distance of 85.68'**, said point being the southwesterly corner of said 1.202 acre tract, said point also being the southeasterly corner of a 0.417 acre tract as conveyed to Charles E. Blackburn, Jr. as described in Instrument Nos. 200707190126702 and 200802200025362; thence,

Along the westerly line of said 1.202 acre tract, also being along the easterly line of said 0.417 acre tract and then along a portion of an easterly line of a 5.106 acre tract as conveyed to United States Postal Service as described in Official Record 10994 I-11 and being along the division line between City of Columbus and Township of Mifflin as established by Ordinance No. 1373-71, **North 04° 47' 29" East, for a distance of 294.72'** to a point; thence,

Along the northerly line of said 1.202 acre tract, also being along the southerly line of a 1.575 acre tract as conveyed to Shazan Holding LP as described in Instrument No. 201212120190411 and along the division line between City of Columbus and Township of Mifflin, **South 76° 51' 18" East, for a distance of 199.03'** to a point; thence,

Along a portion of the easterly line of said 1.202 acre tract, also being along the westerly line of a 0.391 acre tract as conveyed to Myong Hui Kim as described in Instrument No. 200501260016030 Parcel numbers 1 and 2, and along the division line between City of Columbus and Township of Mifflin, **South 03° 51' 07" West, for a distance of 132.20'** to a point; thence,

Along the northerly line of said 0.174 acre tract, also being along the southerly line of said 0.391 acre tract and along the division line between City of Columbus and Township of Mifflin, **South 86° 45' 09" East, for a distance of 144.99'** to a point; thence,

Along the easterly line of said 0.174 acre tract, also being along the westerly right-of-way line of Westerville Road, **South 29° 19' 00" West, for a distance of 73.47'** to the point of beginning, containing 1.394 acres of land, more or less.

Basis of bearings for the herein-described courses is a portion of the centerline of Westerville Road Being North 29° 19' 00" East, as shown on plans entitled "FRA-3(20.84)(22.58)(25.00)" as prepared by Burgess & Niple, Limited.

The herein-described courses are based solely on record documents; an actual survey was not performed.

To Rezone From: R, Rural District.

To: C-4, Commercial District.

SECTION 2. That a Height District of thirty-five (35) feet is hereby established on the C-4, 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.