



Legislation Details (With Text)

File #: 1676-2022 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/6/2022 **In control:** Zoning Committee

On agenda: 6/27/2022 **Final action:** 6/30/2022

Title: To rezone 2973 MCCUTCHEON RD. (43219), being 0.49± acres located at the southeast corner of McCutcheon Road and Stelzer Road, From: R-1, Residential District, To: C-4, Commercial District (Rezoning #Z21-097).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD1676-2022_Attachments, 2. ORD1676-2022_Labels

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------|-----------------------|--------|
| 6/30/2022 | 1 | CITY CLERK | Attest | |
| 6/29/2022 | 1 | MAYOR | Signed | |
| 6/27/2022 | 1 | COUNCIL PRESIDENT | Signed | |
| 6/27/2022 | 1 | Zoning Committee | Waive the 2nd Reading | Pass |
| 6/27/2022 | 1 | Zoning Committee | Approved | Pass |

Rezoning Application Z21-097

APPLICANT: Create Collaborative; c/o Kim Mikanik, Agent; 1116 West Second Avenue; Columbus, OH 43212.

PROPOSED USE: Regional scale commercial uses.

DEVELOPMENT COMMISSION RECOMMENDATION: Approval (5-0) on February 10, 2020.

NORTHEAST AREA COMMISSION RECOMMENDATION: Approval.

CITY DEPARTMENTS' RECOMMENDATION: Approval. The site consists of one undeveloped parcel zoned in both the R-1, Residential and C-4, Commercial districts. The applicant requests the C-4, Commercial District to permit regional scale commercial uses at this location. The requested C-4 district is consistent with the zoning and development pattern at the intersection of Stelzer and McCutcheon roads, and with the *Northeast Area Plan* (2007), which recommends "Commercial" land uses at this location. The request will not add incompatible land uses to the area.

To rezone **2973 MCCUTCHEON RD. (43219)**, being 0.49± acres located at the southeast corner of McCutcheon Road and Stelzer Road, **From:** R-1, Residential District, **To:** C-4, Commercial District (Rezoning #Z21-097).

WHEREAS, application #Z21-097 is on file with the Department of Building and Zoning Services requesting rezoning of 0.49± acres from R-1, Residential 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 because the proposed C-4, Commercial District is consistent with both the *Northeast Area Plan*'s recommendation for "Commercial" land uses at this location and the surrounding commercial zoning and development at Stelzer and McCutcheon roads, and will not add incompatible uses to 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:

2973 MCCUTCHEON RD. (43219), being 0.49± acres located at the southeast corner of McCutcheon Road and Stelzer Road, and being more particularly described as follows:

Situated in the City of Columbus, County of Franklin, and State of Ohio:

Being part of Quarter Township 1, Township 1, Range 17, United States Military Lands and being part of the 6.25 acre tract conveyed to Robert E. Grosse and Mary E. Grosse by deed as the same is shown of record in Deed Book 1921, Page 225 the foregoing deed being of record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at a point of intersection of the center line of Mccutcheon Road with the center line of Stelzer Road, said point being the northwest corner of the above mentioned tract conveyed to Robert H. Grosse and Mary E. Grosse; thence EAST, along the center line of Mccutcheon Road, being also the north line of the aforementioned Grosse tract, a distance of 175.0 feet to a point; thence S. 1' 24' 30" W. parallel to the center line of Stelzer Road, across the forementioned Grosse Tract, a distance of 233.56 feet to an iron pin, passing an iron pin in the south line of Mccutcheon Road at 30 feet; thence WEST and along a line parallel to the center line of McCutcheon Road, a distance of 175.0 feet to a point in the center line of Stelzer Road passing an iron pin in the EAST line of Stelzer Road at 150.0 feet; thence N. 1' 24' 30" E. along the center line of Stelzer Road, being also the west line of the aforementioned Grosse tract, a distance of 233.56 feet to the place of beginning, containing 40,861 square feet, more or less, subject to all legal highways.

EXCEPTING THEREFROM THE FOLLOWING, a 0.4481 acre tract conveyed by United Bacon Sales, Inc. to the City of Columbus by Official Record 31431 B03:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 1, Township 1, Range 17, United States Military Lands and being 0.4481 acre of that 0.938 acre tract as conveyed to United Bacon Sales, Inc. by deed of record in Official Record 17271C03, all references being to those of record in the Recorder's Office, Franklin County, Ohio, said 0.4481 acre being more particularly bounded and described as follows:

Beginning at Franklin County Monument Box #7778 marking the point of where the centerline of existing Stelzer Road intersects the centerline of Mccutcheon Road, said monument box also marks the northwesterly corner of said United Bacon Sales, Inc. tract;

Thence South 87' 09' 22" East, along the centerline of Mccutcheon Road, a distance of 175.00 feet to the point marking the northeasterly corner of said 0.938 acre tract;

Thence leaving said centerline, South 3' 57' 33" West, along the easterly property line of said tract, a distance of 35.00 feet to a point;

Thence North 87' 09' 22" West, a distance of 50.33 feet to a point of curvature to the left;

Thence southwesterly along the arc of said curve (Radius= 60.00 feet, Delta = 86' 31' 20"), a chord bearing and distance of South 49' 34' 57" West, 82.24 feet to the point of tangency;

Thence South 6° 19' 19" West, a distance of 142.42 feet to a point in the southerly property line of said United Bacon Sales, Inc. tract;

Thence North 87' 09' 22" West, along said southerly property line, a distance of 60.00 feet to the point in the centerline of Stelzer Road marking the southwesterly corner of said United Bacon Sales, Inc. tract;

Thence North 3' 57' 33" East, along said centerline, a distance of 233.56 feet to the place of beginning and containing 0.4481 acre, of which existing right of ways occupy 0.2373 acre, leaving a net area of 0.2108 acre, more or less.

Permanent Parcel Number: 520-146508

Property more commonly known as: 2973 McCutcheon Rd. Columbus, OH 43219.

To Rezone From: R-1, Residential 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.