

Ordinance No. 112-2020

Council Member Kazy

AN ORDINANCE

Changing the Use, Area & Height District of parcels of land immediately north and south of Puritas Avenue from West 160th Street to West 137th Street as shown on the attached map (Map Change 2604).

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

Section 1. Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use District of lands bounded and described as follows:

Beginning at the intersection of the centerline of Puritas Avenue (formerly Puritas Springs Avenue S.W.) and the centerline of West 160th Street;

Thence, easterly along the centerline of Puritas Avenue to its intersection with the centerline of West 155th Street:

Thence, northerly along the centerline of West 155th Street to its intersection with the westerly prolongation of the northerly line of Sublot No. 50 in the Bargale Land Co., Inc. Robert Sacks Allotment of part of Original Rockport Township Section No. 9, as shown by the recorded plat in Volume 159 of Maps, Page 8 of Cuyahoga County Records also known as Permanent Parcel Number (PPN) 027-26-034;

Thence, easterly along said northerly line and its easterly prolongation to its intersection with the easterly line of Sublot No. 61 in the Conger-Helper Realty Company's Riverside Drive Subdivision of part of Original Rockport Township Section No. 8, as shown by the recorded Plat in Volume 67 of Maps, Page 17 of Cuyahoga County Records (PPN 027-26-009);

Thence, northerly along said easterly line to its intersection with the southerly line of Sublot No. 8 in the Davis Kinchen Subdivision of part of the Original Rockport Township Section 9, as shown by the recorded plat in Volume 178 of Maps, Page 32 of Cuyahoga County Records (PPN 027-26-046);

Thence, easterly along said southerly line and its easterly prolongation to its intersection with the easterly line of Sublot No. 5 in the Davis-Kinchen Subdivision of part of Original Rockport Township, Section 9, as recorded in Volume 178 of Maps, page 32 of Cuyahoga County Records (PPN 027-26-053);

Thence, southerly along said easterly line and its southerly prolongation to its intersection with the southerly line of a parcel of land conveyed by deed to Molly Musca on December 3, 1976 as recorded by Auditor's File Number (AFN) 00045633 in Book 14417, Page 535 of Cuyahoga County Fiscal Records (PPN 027-26-003);

Thence, easterly along said southerly line to its intersection with the lower westerly line thereof;

Thence, southerly along said westerly line to its intersection with the southerly line thereof;

Thence, easterly along said southerly line to its intersection with the easterly line thereof;

Thence, southerly along said easterly line and its southerly prolongation to its intersection with the westerly prolongation of the northerly line of a parcel of land conveyed by Standard Oil Co. by deed on April 12, 1977 as recorded by AFN 00089196 in Book 14456, Page 927 (PPN 027-26-004) of Cuyahoga County Fiscal Records;

Thence, easterly along said westerly prolongation and its easterly prolongation to its intersection with the centerline of West 150th Street;

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Thence, northerly along said centerline to its intersection with the westerly prolongation of the northerly line of a parcel of land conveyed to Gund Co. by deed dated December 11, 1984 as recorded by AFN 01117217 in Book 45866, Page 47 of Cuyahoga County Fiscal Records (PPN 023-01-020);

Thence, easterly along said northerly line to its intersection with the easterly line thereof;

Thence, southerly along said easterly line and its southerly prolongation to its intersection with the centerline of Puritas Avenue,

Thence, easterly along said centerline to its intersection with the westerly line of a parcel of land conveyed by John & Helen Konkoy to Buckeye PH Inc., dated September 10, 1976 as recorded by AFN 00014174 in Book 14289, Page 533 of Cuyahoga County Fiscal Records (PPN 023-01-005);

Thence, northerly along said westerly line to its intersection with the northerly line thereof;

Thence, easterly along said northerly line to its intersection with the westerly line of a parcel of land conveyed to David Coury on September 29, 1995 as recorded by AFN 00106345 in Book 8284, Page 22 of Cuyahoga County Fiscal Records (PPN 023-01-006);

Thence, northerly along said westerly line to its intersection with the northerly line thereof;

Thence, easterly along said northerly line and its easterly prolongation to its intersection with the westerly line of Sublot No. 91 in Puritas Development Co.'s Puritas Villas Subdivision of part of Original Rockport Township No. 9., as shown by the recorded plat in Volume 107 of Maps, Page 21 of Cuyahoga County Records (PPN 023-04-084);

Thence, southerly along said westerly line and its southerly prolongation to its intersection with the northerly line of a parcel of land known as being Block "C" in the Puritas Villas Subdivision of part of Original Rockport Township No. 9, as shown by the recorded plat in Volume 107 of Maps, Page 21 of Cuyahoga County Records (PPN 023-04-001);

Thence, easterly along said northerly line to its intersection with the centerline of West 146th Street;

Thence, easterly along the westerly prolongation of the northerly line of parcel of land known as being part of Block "B" in the Puritas Development Company's Puritas Villas Subdivision of part of Original Rockport Township Lot No. 9 as shown by recorded plat in Volume 107 of Maps, Page 21 of Cuyahoga County Records (PPN 023-04-002) and continuing along the easterly prolongation of said northerly line to its intersection with the westerly line of a parcel of land conveyed to Joseph J. Burke, Trustee of the Joan Helen Burke Family Trust u/t/a (dated November 15, 2004) dated June 9, 2010 as recorded by AFN 2014006160160 (PPN 023-04-006);

Thence, northerly along said westerly line to its intersection with the northerly line thereof;

Thence, easterly along said northerly line to its intersection with the easterly line thereof;

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Thence, southerly along said easterly line and its southerly prolongation to its intersection with the northerly line of a parcel of land conveyed by deed to Donald, Mary & Robert Bernath dated March 2, 1989 as recorded by AFN 00706211 in Book 91025, Page 27 of Cuyahoga County Fiscal Records (023-04-007);

Thence, easterly along said northerly line to its intersection with the easterly line thereof;

Thence, southerly along said easterly line to its intersection with the northerly line of a parcel of land conveyed to Nazmi Khaleq by deed dated June 8, 1984 as recorded by AFN 01038361 in Book 42516, Page 9 of Cuyahoga County Fiscal Records (PPN 023-04-008);

Thence, easterly along said northerly line and its easterly prolongation to its intersection with the westerly line of a parcel of land conveyed to Billy & Rosa Owens by deed dated August 19, 1977 as recorded by AFN 0014888 in Book 14609, Page 337 of Cuyahoga County Fiscal Records (PPN 023-07-028);

Thence, northerly along said westerly line to its northerly line thereof;

Thence, northeasterly along said northerly line to its intersection with the westerly line of a parcel of land conveyed to Karen Chizmarik by deed dated July 17, 206 as recorded in AFN 200607171288 of Cuyahoga County Fiscal Records (PPN 023-07-030);

Thence, northerly along said westerly line to its intersection with the northerly line thereof;

Thence, easterly along said northerly line to its intersection with the westerly line of a parcel of land conveyed by Quit Claim Deed to Richard Lennon dated December 28, 2016 as recorded by AFN 201612280373 of Cuyahoga County Fiscal Records (PPN 023-07-031);

Thence, northerly along said westerly line and its northerly prolongation to its intersection with the centerline of Driveway;

Thence, easterly and southerly along said driveway to its intersection with the westerly prolongation of the northerly line of PPN 023-07-035;

Thence, easterly along said northerly line to its intersection with the westerly line of a parcel of land also known as Sublot No. 16 and part of Original Rockport Township Lot No. 9 PPN 023-07-051 (Sublot No. 16);

Thence, southerly along said westerly line and its southerly prolongation to its intersection with the northerly line of a parcel of land conveyed by deed to Bishop Edw. Hoban and known as Sublot No. 1 of part of Original Rockport Township Lot No. 9 (PPN 023-07-036)

Thence, easterly along said northerly line and its easterly prolongation to its intersection with the centerline of West 140th Street (formerly West Park)l

Thence, northerly along the centerline of West 140th Street to its intersection with the westerly prolongation of the southerly line of a parcel of land known as being part of Sublot No. 13 in the Acre Land Company's Subdivision of part of the Original Rockport Township Lot. No. 10 (PPN 023-12-074);

Thence, easterly along said westerly prolongation to its intersection with the westerly line of a parcel of land conveyed by Alfred & Frederick Dettorre to Montgomery

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Clark by deed dated June 26, 1990 as recorded by AFN 00920586 in Book 3720, Page 31 of Cuyahoga County Fiscal Records (PPN 023-12-002);

Thence, northerly along said westerly line to its intersection with the northerly line thereof;

Thence, easterly along said northerly line and its easterly prolongation to its intersection with the easterly line of a parcel of land conveyed by Frederick & Alfred Dettorre by deed to Montgomery Clark on June 6, 1990 as recorded by AFN 00911351 in Book 3276, Page 41 of Cuyahoga County Fiscal Records (PPN 023-12-003);

Thence, southerly along said easterly line to its intersection with the southerly line of a parcel of land known as being Sublot No. 4 in the Lovett Company's Subdivision of part of Original Rockport Township Section No. 10, as shown by the recorded plat in Volume 79 of Maps, page 18 of Cuyahoga County Records (PPN 023-12-043);

Thence, easterly along said southerly line and its easterly prolongation to its intersection with the centerline of West 139th Street;

Thence, northerly along said centerline to its intersection with the westerly prolongation of the northerly line of a parcel of land conveyed by Robert Joseph Conte by deed dated May 23, 1983 as recorded by AFN 00885679 in Book 135, Page 979 of Cuyahoga County Fiscal Records (PPN 023-12-022);

Thence, easterly along said prolongation to its intersection with the easterly line thereof;

Thence, southerly along said easterly line and its southerly prolongation to its intersection with the centerline Bellaire Road;

Thence, northeasterly along the centerline of Bellaire Road to its intersection with the northerly prolongation of the easterly line of a parcel of land known as being Sublot No. 41 in Parkview Meadows Re-Subdivision of part of Original Rockport Township, Lot No. 7, as shown by the recorded plat in Volume 222 of Maps, page 44 of Cuyahoga County Records (PPN 023-12-013);

Thence, southerly along said northerly prolongation of said easterly line to its intersection with the centerline of Puritas Avenue;

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Thence, westerly along the centerline of Puritas Avenue to its intersection with the northerly prolongation of the easterly line the southerly one hundred and twenty (120) feet of Sublot No. 42 in the Scott-Hall-Clark Settlement Road Subdivision No. 2, of part of Original Rockport Township Section No. 1, as shown by the recorded plat in Volume 43 of Maps, Page 23 of Cuyahoga County Records (PPN 023-19-010);

Thence, southerly along said northerly prolongation of the easterly line of the aforementioned parcel to its intersection with the southerly line thereof;

Thence, westerly along said southerly line and its westerly prolongation to its intersection with the centerline of West 140th (formerly Belton) Street;

Thence, southerly along said centerline to its intersection with the easterly prolongation of the southerly line of Sublot No. 4 in the Scoyt-Hall-Clark Settlement Road Subdivision No. 2 of part of Original Rockport Township Section No. 4, as shown by the recorded plat in Volume 43 of Maps, page 23 of Cuyahoga County Records and also known as PPN 023-19-069;

Thence, westerly along said prolongation to its intersection with the westerly line thereof;

Thence, northerly along said westerly line and its northerly prolongation to its intersection with the centerline of Puritas Avenue;

Thence, westerly along the centerline of Puritas Avenue to its intersection with the northerly prolongation of the easterly line of a parcel of land conveyed to Mcdonalds Corp by deed dated November 7, 1989 as recorded by AFN 00818854 in Book 96110, Page 56 of Cuyahoga County Fiscal Records (PPN 023-22-001);

Thence, southerly along said easterly line to its intersection with the southerly line thereof;

Thence, westerly along said southerly line and its westerly prolongation to its intersection with the centerline of West Parkway Road;

Thence, northwesterly along the centerline of West Parkway to its intersection with the northeasterly prolongation of the southerly line of a parcel of land known as Sublot No. 13 in Joseph E. Bacon's Puritas-West 143rd Subdivision of part of Original Rockport Township Section No. 2, as shown by the recorded plat in Volume 100 of Maps, Page 4 of Cuyahoga County Records (PPN 023-18-013);

Thence, southwestly along said southerly line and its westerly prolongation to its intersection with the westerly line of a parcel of land known as being Sublot No. 118 and the northerly one (1) foot of Sublot No. 119 in Joseph E. Bacon's Puritas- West 143rd Subdivision of part of Original Rockport Township Section No. 2, as shown by the recorded plat in Volume 100 of Maps, Page 4 of Cuyahoga County Records (PPN 023-18-118);

Thence, southerly along said westerly line to its intersection with the southerly line of a parcel of land known as being part of Sublot No. 521 in the S.H. Kleinman Realty Co's Glenmore Gardens Subdivision, of part of Original Rockport Township Section No. 2, as shown by the recorded plat in Volume 47 of Maps, Page 20 of Cuyahoga County Records (PPN 023-15-001);

Thence, westerly along said southerly line and its westerly prolongation to its intersection with the centerline of West 146th Street;

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Thence, northerly along the centerline of West 146th Street to its intersection with the easterly prolongation of the southerly line of a parcel of land known as being Sublot No. 520 in the aforementioned Subdivision (PPN 023-15-003);

Thence, westerly along said easterly prolongation of said southerly line and continuing along its easterly prolongation to its intersection with the centerline of West 148th Street;

Thence, northerly along said centerline to its intersection with the easterly prolongation of the southerly line of a parcel of land conveyed by Richard & Patricia Hilko by deed dated April 1, 1999 as recorded in AFN 199904010815 of Cuyahoga County Fiscal Records (PPN 023-15-015);

Thence, westerly along said southerly line and its westerly prolongation to its intersection with the centerline of West 150th Street;

Thence, northerly along said centerline to its intersection with the easterly prolongation of the southerly line of a parcel of land known as part of Sublot No's. 1, 2, 3, 4, and 5 in the Forkapa Realty Company's Milan Subdivision, proposed, part of Original Rockport Township, Section No. 2, and being further known as Parcel 1 in the plat of Lot Split for G.G.F., Inc. recorded in Volume 238, Page 11 of Cuyahoga County Map Records (PPN 028-32-011);

Thence, westerly along said southerly line and its westerly prolongation to its intersection with the easterly line of a parcel of land known as being Sublot No. 74 in Fodor Subdivision No. 1 of part of Original Rockport Township Section No. 2, as shown by the recorded plat in Volume 150 of Maps, Page 34 of Cuyahoga County Records (PPN 028-29-055);

Thence, southerly along said easterly line to its intersection with the southerly line thereof;

Thence, westerly along said southerly line to its intersection with the easterly line of a parcel of land known as Sublot No. 71 in Fodor Subdivision No. 1 of part of Original Rockport Township Section No. 2, as shown by the recorded plat in Volume 150, Page 34 of Cuyahoga County Records (PPN 028-29-092);

Thence, northwesterly along said easterly line to its intersection with the northerly line thereof;

Thence, westerly along said northerly line and its westerly prolongation to its intersection with the southeasterly line of a parcel of land conveyed to Nicholas & Loida Castaneda by deed dated July 10, 1998 as recorded in AFN 0080218 in Book 8781, Page 51 of Cuyahoga County Map Records (PPN 028-29-051);

Thence, southwestly along said line to its intersection with the southerly line of a parcel of land conveyed to Advance Data Systems Inc by deed dated June 3, 1977 as recorded by AFN 00111544 in Book 14476, Page 891 of Cuyahoga County Map Records (PPN 028-29-050);

Thence, westerly along said southerly line to its intersection with the easterly line of a parcel of land known as being part of Sublot Nos. 1 & 2 in the S.H. Kleinman Realty Company's Brookline Allotment of part of Original Rockport Township Section No. 2, as shown by the recorded plat in Volume 46 of Maps, Page 29 of Cuyahoga County Records (PPN 028-29-005);

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Thence, southerly along said easterly line to its intersection with the southerly line thereof;

Thence, westerly along said southerly line and its westerly prolongation to its intersection with the easterly line of a parcel of land known as being Sublot No. 4 in the Elworthy-Helwick Company's Lyndhurst Allotment, being a re-subdivision of Blocks F, G, and H in the Daso Subdivision of part of Original Rockport Township Section No. 2, as shown by the recorded plat in Volume 33 of Maps, Page 2, and re-recorded in Volume 101 of Maps, Page 16 of Cuyahoga County Records (PPN 028-28-052);

Thence, northerly along said easterly line to its intersection with the northerly line thereof;

Thence, westerly along said northerly line and its westerly prolongation to its intersection with the easterly line of a parcel of land conveyed by deed to Franchise Realty Interstate Group dated May 9, 1977 as recorded by AFN 00099888 in Book 14455, Page 357 of Cuyahoga County Fiscal Records (PPN 028-28-073);

Thence, northerly along said easterly line to its intersection with the northerly line thereof;

Thence, westerly along said northerly line and its westerly prolongation to its intersection with the centerline of West 160th Street;

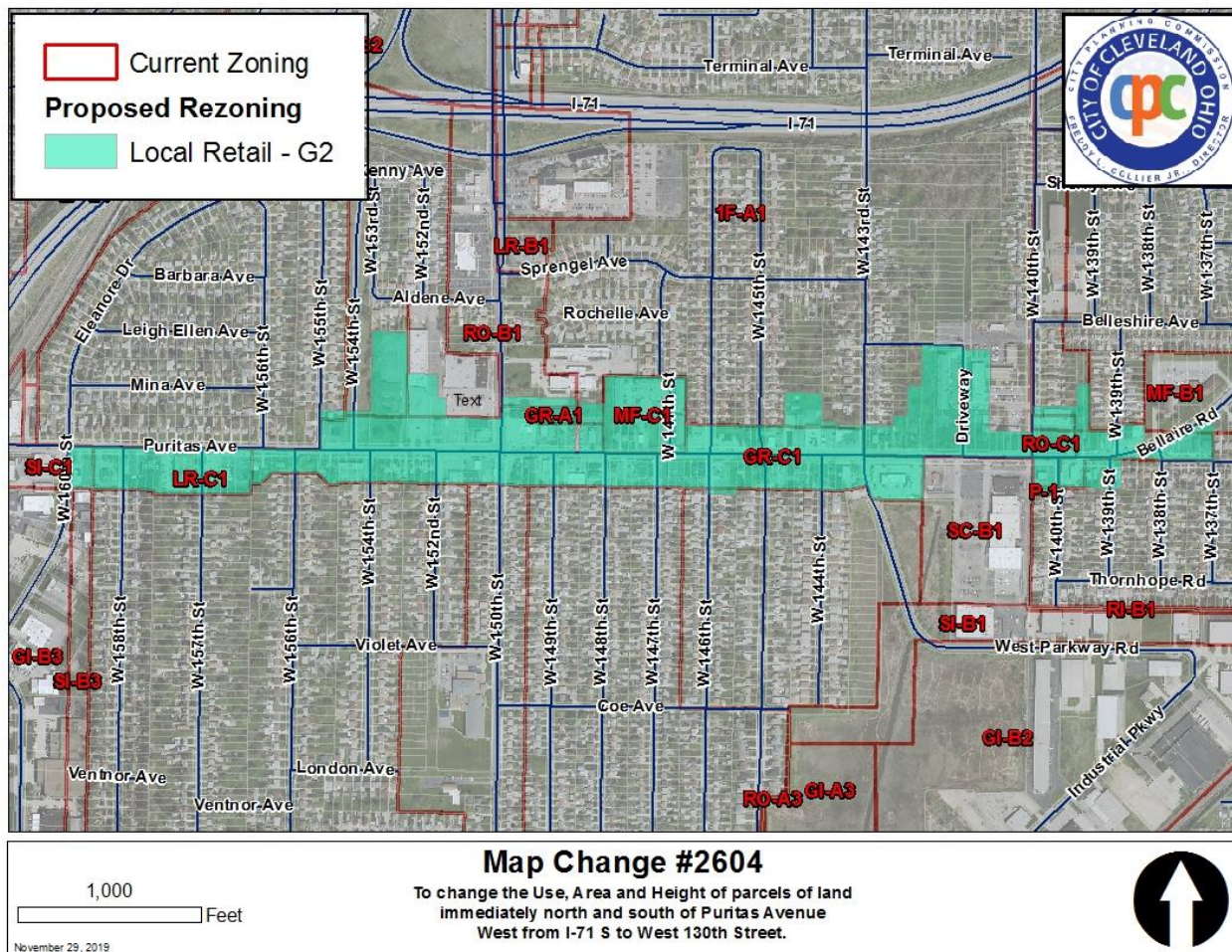
Thence, northerly along the centerline of West 160th Street to its intersection with the centerline of Puritas Avenue and the point of origin;

And as identified on the attached map shall be changed to a 'Local Retail', a 'G' Area District and a '2' Height District.

Section 2. That the change of zoning of lands described in Section 1 shall be identified as Map Change No. 2604, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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MR:mr
1-27-20

FOR: Councilmember Kazy

