

**Ordinance No. 221-2021****By Council Member:** Brancatelli

**An ordinance changing the Use, Area and Height Districts of parcels of land west of the Pennsylvania Railroad and north and south of Harvard Avenue between East 76th Street and the Pennsylvania Railroad (Map Change 2625).**

**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 Broadway Avenue and the centerline of the Newburgh & Southshore Belt Line Railway;

Thence, southwesterly along the centerline of the Newburgh & Southshore Belt Line to the southeasterly prolongation of the southwesterly line of a parcel of land conveyed by deed to Chr So Cleve Welsh Cong as recorded on December 31, 1974 as shown by recorded plat in Book 133, Page 15 of Cuyahoga County Fiscal Records and known more commonly as Permanent Parcel Number (PPN) 133-15-018

Thence, northwesterly along said southwesterly line and its northwesterly prolongation to the centerline of Jones (formerly Prospect) Road;

Thence, southwesterly along the centerline of Jones Road to its intersection with the northwesterly prolongation of the northeasterly line of a parcel of land conveyed by deed to Benjamin Rosolowski as recorded in Book 133, Page 15 of Cuyahoga County Fiscal Records and known more commonly as PPN 133-15-021;

Thence, southeasterly along said line to its intersection with the centerline of the Newburgh & Southshore Beltline Railway;

Thence, southwesterly along the centerline of the Newburgh & Southshore Beltline Railway to its intersection with the easterly line of a parcel of land known as being part of Sublots Nos. 45 and 46 in Gaius Burke's Subdivision of part of Original One Hundred Acre Lots Nos. 315 and 435, as shown by the recorded plat in Volume 2 of Maps, Page 57 of Cuyahoga County Records and more commonly known as PPN 133-15-004;

Thence, southeasterly along said easterly line to its intersection with the centerline of Harvard Avenue;

Thence, easterly along the centerline of Harvard Avenue to its intersection with the southeasterly prolongation of the southwesterly line of a parcel of land known as

being part of Sublots Nos. 61 and 62 in Gaius-Burke Subdivision of part of Original One Hundred Acre Nos 315 and 455, as shown by the recorded plat in Volume 2 of Maps, Page 57 of Cuyahoga County Records (PPN 133-14-001);

Thence, northwesterly along said prolongation to the northerly line thereof;

Thence, northeasterly 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 Harvard Avenue;

Thence, easterly along the centerline of Harvard Avenue to its intersection with the southerly prolongation of the westerly line of a parcel of land known as being part of Sublot Nos. 59 and 60 in Gaius Burke's Subdivision of part of Original One Hundred Acre Lots nos. 315 and 455, as shown by the recorded plat in Volume 2 of Maps, Page 57 of Cuyahoga County Records (PPN 133-14-004);

Thence, northerly along said southerly prolongation to the northerly line thereof;

Thence, northeasterly along said northerly line and its northeasterly prolongation to its intersection with the southwesterly line of a parcel of land conveyed by deed to Elizabeth Ratzel as recorded by Auditor's File Number 00131278 on July 15, 1977 in Book 14494, Page 527 of Cuyahoga County Fiscal Records (PPN 133-15-054);

Thence, northeasterly along said southwesterly line to its intersection with southeasterly line of Sublot No. 175 in the Eastwood Subdivision of part of Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 31 of Maps, Page 27 of Cuyahoga County Records (PPN 113-15-011);

Thence, northeasterly along said southeasterly line and its northeaster prolongation to its intersection with the centerline of Harvard Avenue;

Thence, northwesterly along the centerline of Harvard Avenue to its intersection with the centerline of the Newburgh & Southshore Belt Line Railway;

And as identified on the map shall be changed to 'Semi-Industry', a 'C' Area District and a '2' Height District.

**Section 2.** That the Use District of lands bounded and described as follows:

Beginning at the southeasterly prolongation of the easterly line of a parcel of land conveyed by Penn Central Corp by deed as recorded in AFN 00738640 on December 18, 1981 in Book 15607, Page 263 of Cuyahoga County Fiscal Record and more commonly known as PPN 133-27-006 and the centerline of Harvard (formerly Hamilton) Avenue;

Thence, westerly along the centerline of Harvard Avenue to its intersection with the centerline of Broadway Avenue;

Thence, southeasterly along the centerline of Broadway Avenue to its intersection with the northeasterly prolongation of the northerly line of a parcel of land known as being part of Sublots Nos. 3, 4, 5, 6, 7 and 8 in the Newburgh Village Plat and Survey of part of Original One Hundred Acre Lot No. 464, as shown by the plat recorded in Volume 2 of Maps, page 20 of Cuyahoga County Records and part of Sublot No. 1 in the P.S. Ruggles Subdivision of Sublots No. 9 and 10 in the Original Village of Newburgh as shown by the recorded plat in Volume 2 of Maps, Page 43 of Cuyahoga County Records (PPN 134-06-029);

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

Thence, southwesterly along said southwesterly line to its intersection with the northerly line of PPN 134-06-026;

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

Thence, southwesterly along said westerly line to its intersection with the southwesterly prolongation of the northerly line of PPN 134-06-028;

Thence, southwesterly along said southwesterly prolongation to its intersection with the easterly prolongation of the centerline of Finney Avenue;

Thence, westerly along the centerline of Finney Avenue to its intersection with the easterly line of PPN 134-05-047;

Thence, northerly along said easterly line and its northerly prolongation to its intersection with the southerly line of a parcel of land conveyed by deed to Rose & William Cline as recorded by AFN 00010469 on April 2, 1985 in Book 51978, Page 49 of Cuyahoga County Fiscal Records (PPN 134-05-018);

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

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 known as being the easterly half of Sublot No. 8 in the A. and R. Hitchcock's Allotment of part of Original One Hundred Acre Lot No. 463, as shown by the recorded plat in Volume 3 of Maps, Page 6 of Cuyahoga County Records (PPN 134-05-017);

Thence, northerly along said westerly line and its northerly prolongation to its intersection with the southerly line of a parcel of land conveyed by Henry Bauer via Quit Claim Deed to Robert Royer as recorded by AFN 20121016020 on October 16, 2012 in Cuyahoga County Fiscal Records (PPN 134-05-010);

Thence, westerly along said southerly line and its westerly prolongation to its intersection with the centerline of East 81st Street;

Thence, northerly along the centerline of East 81st Street to its intersection with the easterly prolongation of the southerly line of a parcel of land known as being Sublot Nos. 1 and 2 in Frederick Mull's Subdivision of part of Original One Hundred Acre Lot No. 363, as shown by the recorded plat in Volume 3 of Maps, Page 27 of Cuyahoga County Records (PPN 134-05-009);

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 the easterly 30 feet of Sublot No. 1 in Eben Miles' Subdivision of part of Original One Hundred Acre Lot No. 463, as shown by the recorded plat in Volume 2 of Maps, Page 60 of Cuyahoga County Records (PPN 134-05-004);

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 East 79th Street;

Thence, northerly along the centerline of East 79th Street to its intersection with the easterly prolongation of the southerly line of a parcel of land known as being Sublots Nos. 4 and 5 in Eben Miles Subdivision of part of Original One Hundred Acre Lot No. 463, as shown by the recorded plat in Volume 2 of Maps, Page 60 of Cuyahoga County Records (PPN 134-04-006);

Thence, westerly along the southerly line thereof and its westerly prolongation to its intersection with the easterly line of a parcel of land known as being the Easterly 26.25 feet from front to rear of Sublot No. 6 in Eben Miles Subdivision of part of Original One Hundred Acre Lot No. 463, as shown by the recorded plat in Volume 2 of Maps, Page 60 of Cuyahoga County Records (PPN 134-04-048);

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 conveyed Frances Pasternak by deed to NR Invest Inc as recorded by AFN 00617687 on November 14, 1997 in Book 11798, Page 4 of Cuyahoga County Fiscal Records (PPN 134-04-046);

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

Thence, westerly along said northerly line to its intersection with the centerline of East 78th Street;

Thence, southerly along the centerline of East 78th Street to its intersection with the centerline of Finney Avenue;

Thence, westerly along the centerline of Finney Avenue to its intersection with the northerly prolongation of the westerly line of a parcel of land conveyed by deed to Patricia Furlan as recorded by AFN 199811230514 on November 23, 1998 in Cuyahoga County Fiscal Records (PPN 134-04-033);

Thence, southerly along said northerly prolongation of the westerly line to its intersection with the westerly prolongation of the southerly line Sublot NO. 8 in Walker and Turney's Re-Allotment of part of Lot Nos. 46, 47, 48, 49 and 50 in Eben Miles Subdivision of part of Original One Hundred Acre Lot No. 463 as shown by the recorded plat in Volume 8 of Maps, Page 22 of Cuyahoga County Records (PPN 134-04-049);

Thence, westerly along said westerly prolongation of the southerly line to its intersection with the centerline of East 76th Street;

Thence, northerly along the centerline of East 76th Street to its intersection with the westerly prolongation of the southerly line of a parcel of land conveyed to Joseph Zuberny by deed as recorded in AFN 00939837 on March 5, 1976 and shown by recorded plat in Book 14223, Page 451 of Cuyahoga County Fiscal Records (PN 134-03-025);

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

Thence, northeasterly along said easterly line and its northeasterly prolongation to its intersection with the southerly line of a parcel of land known as being part of Sublot No. 6 and part of Claasen Avenue, S.E., vacated by Ordinance No. 40008 of the City of Cleveland, in the John Reed's Estate Allotment of part of Original One Hundred Acre Lot No. 311, as shown by the recorded plat in Volume 3 of Maps, page 54 of Cuyahoga County Records (PPN 134-03-028);

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

Thence, northerly along said easterly line and its northerly prolongation to its intersection with the northerly line a parcel of land conveyed to Ohio Savings Bank by deed as recorded by AFN 00385188 on April 16, 1987 in Book 72352, Page 59 of Cuyahoga County Fiscal Records (PPN 134-03-035);

Thence, easterly along said northerly line to its intersection with the westerly line of a parcel of land known as being part of Sublot No. 8 in William Edwards' Allotment of part of o Original One Hundred Acre Lots Nos. 311 and 463, as shown by the recorded plat of said Allotment in Volume 2 of Maps, Page 43 of Cuyahoga County Records (PPN 134-03-004);

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

Thence, easterly along the centerline of Harvard Avenue to its intersection with the southeasterly prolongation of the southwesterly line of a parcel of land conveyed to John Edna Reed by deed as recorded by AFN 00332018 on January 6, 1987 in Book 70065, Page 70 of Cuyahoga County Fiscal Records (PPN 133-14-001);

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

Thence, northeasterly along said northwesterly 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 Harvard Avenue;

Thence, easterly along the centerline of Harvard Avenue to its intersection with the southerly prolongation of the westerly line of a parcel of land known as being Sublot Nos. 59 and 60 in Gaius Burke's Subdivision of part of Original One Hundred Acre Lot Nos. 315 and 455, as shown by the recorded plat in Volume 2 Maps, Page 57 of Cuyahoga County Records (PPN 133-14-004);

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

Thence, northeasterly along said northerly line and its northeasterly prolongation to its intersection with the westerly line of PPN 133-15-054;

Thence, northeasterly along said westerly line to its intersection with the southeasterly line of a parcel of land conveyed to HIY Corp by deed as recorded in AFN 00558988 on April 15, 1988 in Book 81613, Page 14 of Cuyahoga County Fiscal Records (PPN 133-15-011);

Thence, northeasterly along said line and its northeasterly prolongation to its intersection with the centerline of Broadway Avenue;

Thence, northwesterly along the centerline of Broadway Avenue to its intersection with the centerline of the Newburgh & Southshore Beltline Railway;

Thence, southwesterly along said centerline to its intersection with the southeasterly prolongation of the southwesterly line of PPN 133-15-019;

Thence, northwesterly along said line and its northwesterly prolongation to its intersection with the centerline of Jones Road;

Thence, northeasterly along the centerline of Jones Road to cross the intersection of the centerline of Broadway Avenue and to continue northeasterly along Jones Street to its intersection with the westerly prolongation of the southerly line of a parcel of land known as being part of lands conveyed to the City of Cleveland by deed recorded in AFN 200502010335 (Parcel #16) of Cuyahoga County Records, of part of Original One Hundred Acre Lot No. 455 (PPN 133-27-003);

Thence, southeasterly along said southerly line to its intersection with the centerline of the Pennsylvania Railroad;

Thence, southerly along said centerline to its intersection with the westerly prolongation of the northerly line of a parcel of land conveyed by deed to Dion Robison and Rich Liuzzo as recorded by AFN 200701040756 of Cuyahoga County Fiscal Records (PPN 133-27-008);

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

Thence, southeasterly along said westerly line to its intersection with the northerly line of PPN 133-27-009;

Thence, westerly along said northerly line to its intersection with the easterly line of a parcel of land conveyed by Penn Central Corp by deed as recorded in AFN 00738640 on December 18, 1981 in Book 15607, Page 263 of Cuyahoga County Fiscal Record and more commonly known as PPN 133-27-006;

Thence, southeasterly along said easterly line and its southeasterly prolongation to its intersection with the centerline of Harvard Avenue and the point of origin;

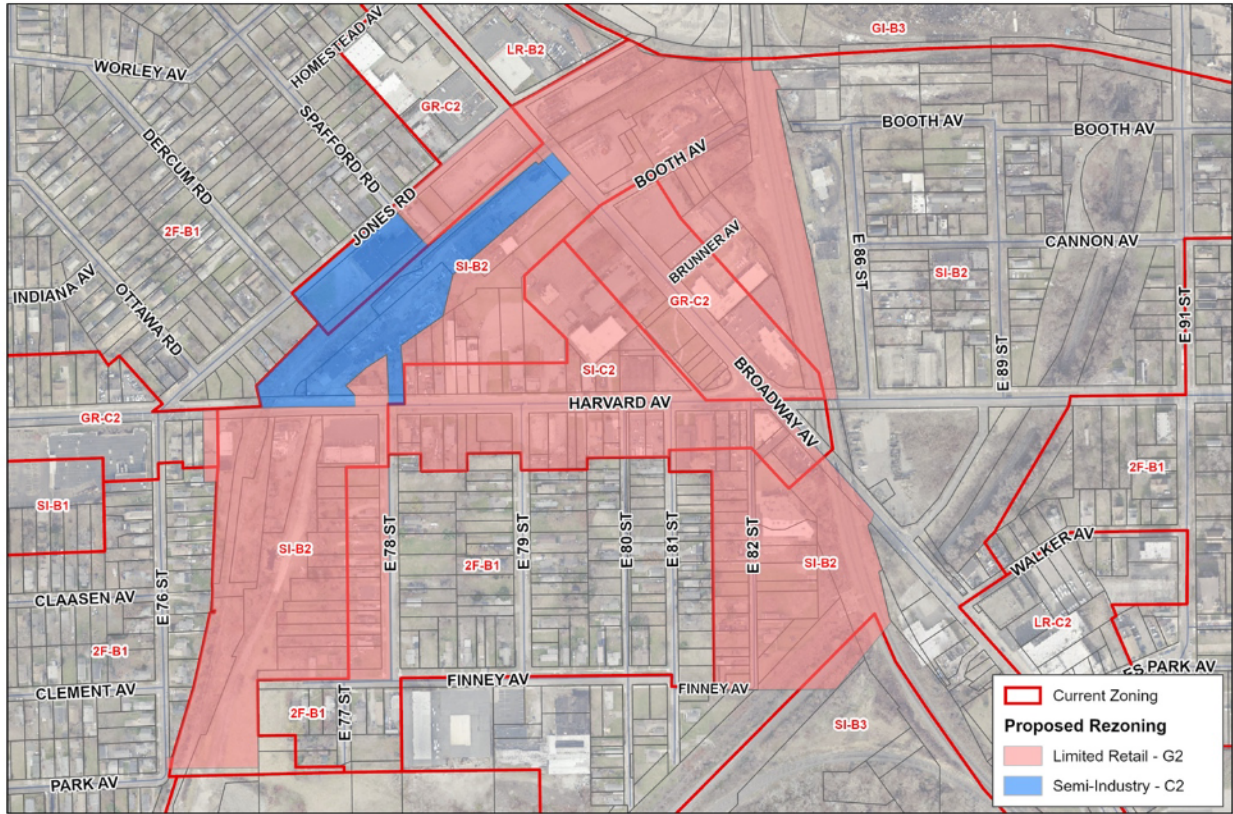
And as identified on the attached map shall be changed to a 'Limited Retail Business' District, a 'G' Area District and a '2' Height District;

**Section 3.** That the change of zoning of lands described in Section 1 through 2 shall be identified as Map Change No. 2625 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 4.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

**Passed May 3, 2021.**

**Effective June 2, 2021.**



**Map Change 2625**

Changing the Use, Area & Height Districts of parcels of land west of the Pennsylvania Rail Road and north and south of Harvard Avenue between East 76th Street and the Pennsylvania Rail Road

200 Feet

