



Legislation Text

File #: 2180-2013, Version: 1

Rezoning Amendment Z90-104B

Ordinance No. 3024-90 (Z90-104), passed on December 10, 1990, rezoned 66.02± acres to the L-AR-12, Limited Apartment Residential, and L-C-2 and L-C-4, Limited Commercial Districts to permit multi-unit residential, office, and retail commercial uses in five sub-areas. That rezoning established use restrictions and specific development standards including parking and building setbacks. The property subject to this amendment is developed with an office building and hotel, and consists of sub-area 11A in the northwest quadrant of Tuttle Crossing Boulevard and Emerald Parkway (formerly Britton Parkway). These arterials are in the process of being improved and widened which has necessitated the acquisition of additional right-of-way. The recent right-of-way acquisitions are compromising existing setbacks thereby creating a non-conforming situation. This ordinance amends the setback restrictions for sub-area 11A in the limitation overlay text established by Ordinance 3024-90 (Z90-104). This amendment makes no other changes to Ordinance 3024-90 (Z90-104). Ordinance No. 1637-2009 was passed by City Council on December 7, 2009, to amend Subarea 11 of Z90-104 on the east side of Emerald Parkway for the same right-of-way acquisition and widening project.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

To amend Ordinance #3024-90, passed January 23, 1990, for property located at **5316 TUTTLE CROSSING BOULEVARD (43220)**, by amending the limitation overlay text in Section 9 as it pertains to building and parking setbacks in Subarea 11A (Z90-104B). **(CORRECTION: Ord. 3024-90 was passed by Council on 12/10/1990. (ES 10/28/2013))**

WHEREAS, Ordinance #3024-90, passed on December 10, 1990 (Z90-104), established the L-AR-12, Limited Apartment Residential, and L-C-2, and L-C-4, Limited Commercial Districts on property located at **5316 TUTTLE CROSSING BOULEVARD (43220)**, being 66.02± acres located at the northeast and northwest corners of Emerald Parkway and Tuttle Crossing Boulevard; and

WHEREAS, it is necessary to amend Ordinance #3024-90 to modify the building and parking setbacks; and,

WHEREAS, all other aspects of the L-C-2 and L-C-4 texts contained in Ordinance #3024-90 are unaffected by this amendment and remain in effect, now, therefore:

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

SECTION 1. That Section 9 of Ordinance #3024-90, passed on January 23, 1990 (Z90-104) be amended to read as follows:

Section 9. That the ~~Regulation Administrator of the Development Regulation Division~~ **Director of the Department of Building and Zoning Services** be, and he is hereby authorized and directed to make the said changes on the said original zoning map ~~in the office of the Development Regulation Division~~ and shall register a copy of each of the following approved district: L--C-4, Limited-Commercial District; L-C-2, Limited-Commercial District; and L-AR-12, Limited-Apartment Residential District and Application among the records of the ~~Development~~ **Department of Building and Zoning Services** as required by Section 3370.03 of the

Columbus City Codes; said plan for all these districts being titled: "TUTTLE CROSSING AT I-270 AND TUTTLE CROSSING BOULEVARD PROPOSED ZONING PLAN (Z90-104)", signed by Jeffrey L. Brown, the attorney for the applicant, The Edwards Company, and dated November 1, 1990, and text titled, "Z90-104 LIMITATION TEXT WEST SIDE OF I-270, NORTH OF TUTTLE CROSSING BOULEVARD", signed by Jeffrey L. Brown, the attorney for the applicant, The Edwards Company, and dated November 1, 1990, **and amended text titled, "LIMITATION TEXT FOR SUBAREA 11A (L-C-4)," and amended site plan titled, "SITE COMPLIANCE PLAN FOR SUB-AREA 11A," signed by Robert S. Ryan, Attorney for the Applicant, dated August 30, 2013,** the amended text for Subarea 11A reading as follows:

Z90-104B

LIMITATION TEXT FOR SUBAREAS ~~11 AND~~ 11A (L-C-4):

PERMITTED USES FOR SUBAREAS ~~11 AND~~ 11A: Those uses contained in Section ~~3355.02~~, **3356.03** C-4 of the Columbus City Code with the following exceptions:

adult book store
adult motion picture
adult-only entertainment
billboard, off-premise graphic
book bindery
bus or truck terminal
frozen food locker (this shall not exclude cold storage which is in association with a permitted use)
garage repair
ice house
plumbing shop
poultry
stables
tinsmith
tire repair (this shall not prohibit a tire, battery and accessories store)

DEVELOPMENT STANDARDS FOR SUBAREAS ~~11 AND~~ 11A: Unless otherwise indicated in the written text or site plan, the applicable development standards are contained in Chapter ~~3355~~ **3356** of the Columbus City Code.

Yard and Setback Requirements: Minimum setback for:

(a) Buildings

I-270 50 feet

Tuttle Crossing Blvd. 50 feet

~~Britton~~ **Emerald** Parkway 50 feet

Other public street 25 feet

(b) Parking and Maneuvering

I-270 25 feet

Tuttle Crossing Blvd. 25 feet

~~Britton~~ **Emerald** Parkway 25 feet

Other public street 25 feet

(c) The above setbacks may be reduced pursuant right-of-way acquisition as shown on the site plan titled "Tuttle Crossing Subarea 11A."

Traffic and Circulation:

1. One right-in/right-out curbcut not less than 200 feet from a public street shall be permitted on Tuttle Crossing Blvd. for Subarea 11. The 200 foot distance is measured from centerline to centerline of each curbcut or street.

2. Curbcuts on ~~Britton~~ **Emerald** Parkway shall have a minimum of 200 foot spacing from other curbcuts or public streets. The proposed curbcuts shall either align with cuts on the other side of ~~Britton~~ **Emerald** Parkway or shall be offset from the other side cuts by at least 100 feet. The alignment and 100 foot offset requirement do not apply to right-in/right-out curbcuts. The 100 and 200 foot distance is measured from centerline to centerline of each curbcut or street.

3. A full access curbcut shall be permitted on Tuttle Crossing Blvd. for Subarea 11A. This curbcut shall split the west property line of Subarea 11A. In addition a right-in/right-out curbcut shall be permitted between the new curbcut for Subarea 13 on Tuttle Crossing Blvd. and the full access curbcut on the west property line of Subarea 11A.

Landscaping:

1. Within the setback area along Tuttle Crossing Blvd. and ~~the Britton~~ **Emerald** Parkway and any other public street within these subareas, a 3 foot average height continuous planting hedge, fence, wall, earth mound or combination hereof shall be installed as well as one tree per 40 feet of frontage or fraction thereof. Trees do not have to be equally spaced, but may be grouped.

Height District:

The height district for ~~Subarea 11 shall be 110 feet and~~ for Subarea 11A **shall be 35 feet.**

SECTION 2. That the existing limitation text for Subarea 11A in Section 9 of Ordinance No. 3024-90, passed on December 10, 1990, is hereby repealed.

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