

#### ORD #2968-2023; CV23-020; Page 1 of 11



## THE CITY OF ANDREW J. GINTHER, MAYOR

AND ZONING SERVICES

## **Council Variance Application**

111 N Front Street, Columbus, Ohio 43215 DEPARTMENT OF BUILDING Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

#### STATEMENT OF HARDSHIP

Application No. CV23-\_020

Columbus City Code Section 3307.10 - Variances by City Council.

City council may grant the following zoning variances:

- A. Permit a variation in the yard, height or parking requirements of any district only in conjunction with a change in zoning or a use variance and only where there are unusual and practical difficulties in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- B. Permit a use of the property not permitted by the zoning district established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the comprehensive plan.

Before authorizing any variance from the Zoning Code in a specific case, city council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

In granting a variance pursuant to this section, council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare.

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are not included, a new application (and applicable fees) will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners, and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

See Exhibit B

	nable all Com	XXC Pery, Aprt Date 2/20/2023
Signature of Applicant	by Den B	Pery, Agent Date 2/20/2023
Signature of Attorney	121	Date 2/20/2023

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## Exhibit B

### **Statement of Hardship**

### CV23-020, 2400 Old Dublin Road

The 12.07 +/- acre site consists of the following parcels: parcels PID: 560-318506, 560-239130 and 560-298031 (part), totaling 12.33 +/- acres. PID 560-318506 was part of Z21-011 (Area F) and CV21-016. Z21-011 established AR-3 zoning on Area F with maximum of 500 dwelling units. PID 560-239130 (Z95-056A) is zoned L-AR-12. Applicant proposes to develop the 12.07 +/- acres with a total of 436 dwelling units, which is less than is presently permitted (500). By application Z23-014, applicant proposes the AR-2 district in conjunction with this variance application. Applicant proposes comparable variances as are presently permitted for the Quarry Trails development. Quarry Trails is a large, unique mixed-use development on former quarry property and includes private streets and extensive area for what is now Quarry Trails Metro Park. This variance request will not impair an adequate supply of light and air to adjacent properties, unreasonably increase congestion on public streets, increase the risk of fire, nor endanger the public health, safety or welfare of the inhabitants of the City of Columbus. The uses are appropriate given the location and master plan for the Quarry site, as well as existing zoning and net reduction in dwelling units.

The site will be developed as depicted on the site plan titled "Zoning Plan: Quarry Trails North" dated October 10, 2023, and signed by David B. Perry, Agent for Applicant, and Charles Campisano, Attorney for applicant. The site is divided into Subarea A and Subarea B. Subarea A will be a separate parcel for multi-family development. Subarea B will be a separate parcel for Old Dublin Road (30', highway easement) and parking.

Applicant requests the following variances:

#### Subarea A

1). Section 3312.49, Minimum Number of Parking Spaces Required, to reduce parking for 436 dwelling units from 654 spaces to 560 spaces (1+ / bedroom).

2). Section 3333.16, Fronting, to permit apartment buildings to not front on a public street with each building having access from/to Old Dublin Road located on Subarea B.

3), Section 3333.255, Perimeter Yard, to reduce perimeter yard from 25 feet to a range of 2' to 20', as depicted on the Site Plan.

#### <u>Subarea B</u>.

1). Section 3333.025, AR-2, Apartment Residential District Use, to permit a parcel for vehicular access and parking (Subarea B) as depicted on the Site Plan.

1 of 3, CV23-020, 2400 Old Dublin Road, 10-10-2023

2). Section 3312.21(B)(3), Landscaping and Screening, to not provide parking lot screening in Subarea B.

The following are traffic replated conditions of approval of Z23-014 and CV23-020 and shall be included in the CV23-020 ordinance:

- 1. At the intersection of Dublin Road and Quarry Site Drive 4, the developer shall install a westbound left turn lane with a length of 235 feet (inclusive of diverging taper length of 60 feet) and an eastbound right turn lane with a length of 225 feet (inclusive of diverging taper length of 50 feet).
- 2. The developer shall be responsible for a contribution of \$450,000 to the Department of Public Service to be applied toward future roadway improvements at the intersection of Dublin Road and Dunlavin Glen Road/Scioto Darby Creek Road.
- 3. At the intersection of Dublin Road and Roberts Road/Quarry Site Drive 3, the developer shall install an eastbound left turn lane with a length of 475 feet (inclusive of diverging taper length of 60 feet) and a westbound left turn lane with a length of 225 feet (inclusive of diverging taper length of 60 feet).
- 4. At the intersection of Dublin Road and Old Dublin Road, the developer shall install a traffic signal at this intersection, as approved by the Department of Public Service.
- 5. At the intersection of Trabue Road and North Hague Avenue/Mapleway Drive, the developer is responsible to enter into an agreement with the Franklin County Transportation Improvement District (FCTID) to contribute towards the Franklin County Engineer's Office future project at this intersection. This contribution will be based on a cost estimate and schematic, as approved by the Franklin County Engineer. The developer will be responsible for their 10.1% site percentage through the intersection. The developer shall provide a letter of credit within 60 days of City Council approval for a not to exceed amount of \$404,000 (10.1% of \$4,000,000). After the final FCTID contribution amount is approved by the Franklin County Engineer's Office, the letter of credit can be adjusted to that amount.
- 6. The developer shall be responsible for a contribution of \$3,859,655.44 to the Department of Public Service to be applied toward the Dublin Road River Crossing to Riverside Drive and the Dublin Road & Builders Place/Dublin Road Realignment or other regional improvements defined within the limits east of North Hague Avenue in the Renner Road-Trabue Road-McKinley Avenue Corridor (RTMC) Mobility Study.

- 7. The developer shall be responsible for a contribution of \$210,300 to the Department of Public Service to be applied toward future roadway improvements at the intersection of McKinley Avenue and West Fifth Avenue.
- 8. At the intersection of Trabue Road and Lake Shore Drive/Quarry Trails Drive, the developer shall be responsible for the installation of a westbound right turn lane with the maximum length feasible or an approximate length of 175 feet (inclusive of diverging taper length of 50 feet).
- 9. The developer shall be responsible for the construction of a second eastbound left turn lane and a westbound left turn lane at the intersection of Riverside Drive and Trabue Road/Cambridge Boulevard, as approved by the City of Upper Arlington.
- 10. Developer commitments identified in Item 2, Item 6 and Item 7 to particular contribution amounts and the required developer improvements shall only be required once a determination has been made by the Department of Public Service that a particular improvement is necessary based on the Renner Road-Trabue Road-McKinley Avenue Corridor (RTMC) Mobility Study. Further, developer monetary contributions are an "up to" maximum. For improvement commitments in Item 2 and Item 7, the developer contribution shall be reduced if the identified contribution amount is greater than fifteen percent (15%) of the actual costs for improvements. For improvement commitments in Item 6, the developer contribution amount is greater than 7.7125 percent (7.7125%) of the actual costs for improvements.
- 11. With regards to Items 1 through 4 and Items 6 through 8 above, these requirements may be modified or amended with the approval of the Director of the Department of Public Service without requiring City Council approval.



CV23-020 2400 Old Dublin Rd. Approximately 12.32 acres



Trabue Roberts Area Plan (2011)

Quarries should be located in existing locations. Reuse of quarry should be restored in a manner that is

CV23-020 2400 Old Dublin Rd. Approximately 12.32 acres



CV23-020 2400 Old Dublin Rd. Approximately 12.32 acres



# Standardized Recommendation; Fage 10 of 11

DEPARTMENT OF BUILDING AND ZONING SERVICES 111 N Front Street, Columbus, Ohio 43215 Phone: 614-645-4522 • ZoningInfo@columbus.gov • www.columbus.gov/bzs

# FOR USE BY: AREA COMMISSION / NEIGHBORHOOD GROUP (PLEASE PRINT)

Case Number	Z23-014 / CV23-020		
Address	2400 OLD DUBLIN ROAD		
Group Name	WEST SCIOTO AREA COMMISSION		
Meeting Date	June 15, 2023		
Specify Case Type	<ul> <li>BZA Variance / Special Permit</li> <li>Council Variance</li> <li>Rezoning</li> <li>Graphics Variance / Plan / Special Permit</li> </ul>		

#### LIST BASIS FOR RECOMMENDATION:

The application was approved by a vote of 6-2-0. There was a concern over adequate parking.

Vote	6-2-0		
Signature of Authorized Representative	Kristen E. McKinley	Digitally signed by Kristen E. McKinley Date: 2023.06.19 10:48:54 -04'00'	
Recommending Group Title	WSAC		
Daytime Phone Number	614-404-9220		

Please **e-mail** this form to **the assigned planner within 48 hours of meeting day**; OR **FAX** to Zoning at (614) 645-2463; OR **MAIL** to: Zoning, City of Columbus, Department of Building & Zoning Services, 111 N Front Street, Columbus, Ohio 43215.

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DEPARTMENT OF BUILDING AND ZONING SERVICES

THE CITY OF COLUMB

ANDREW J. GINTHER, MAYOR

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#### PROJECT DISCLOSURE STATEMENT

APPLICATION #: CV23-020

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

#### STATE OF OHIO COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Charles Campisano

of (COMPLETE ADDRESS) 842 North 4th Street, Suite 200, Columbus, OH 43215 deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:

> Name of Business or individual (including contact name and number) Business or individual's address; City, State, Zip Code Number of Columbus-based employees (Limited to 3 lines per box)

1. Marble Cliff Canyon, LLC; 842 N 4th St, Ste 200, Columbus, OH 43215; # Cols-based emps: Zero (0) Contact: Charles Campisano, (614) 496-8275	<ul> <li>2. River Oaks Apartment Mgmt, LLC; c/o The Connor Group; 10510 Springboro Pike, Miamisburg, OH 45342</li> <li># Cols-based emps: Zero (0)</li> <li>Contact: Kevin Hyland, (937) 350-3451</li> </ul>
3.	4
Check here if listing additional parties on a separate page.	

Zrd

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Sworn to before me and signed in my presence this

SIGNATURE OF NOTARY PUB

**Commission Expires** 

Notary Seal Here

623



Kellie L Banyay Notary Public, State of Ohio My Commission Expires 07/06/26

This Project Disclosure Statement expires six (6) months after date of notarization.

\_day of () cto)

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