



## Legislation Details (With Text)

**File #:** 2089-2024      **Version:** 1

**Type:** Ordinance      **Status:** Second Reading

**File created:** 7/8/2024      **In control:** Zoning Committee

**On agenda:** 7/22/2024      **Final action:**

**Title:** To grant a Variance from the provisions of Sections 3333.04, Permitted uses in AR-O apartment office district; 3312.25, Maneuvering; 3321.01(A), Dumpster area; and 3333.255, Perimeter yard; of the Columbus City Codes; for the property located at 3755 RIDGE MILL DR. (43026), to allow commercial vehicular access, dumpsters, and loading and reduced development standards for an apartment complex in the AR-O, Apartment Office District (Council Variance #CV24-033).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD#2089-2024.Attachments, 2. ORD#2089-2024.Labels

Date	Ver.	Action By	Action	Result
7/15/2024	1	Columbus City Council		

**Council Variance Application: CV24-033**

**APPLICANT:** The Dune Companies, c/o David Hodge, Atty.; 8000 Walton Parkway, Suite 260; New Albany, OH 43054.

**PROPOSED USE:** Apartment complex.

**WEST SCIOTO AREA COMMISSION RECOMMENDATION:** Approval

**CITY DEPARTMENTS' RECOMMENDATION:** Approval. The applicant has received a recommendation of approval from Staff and the Development Commission for a concurrent rezoning (Ordinance #2088-2024; Z24-012) to the AR-O, Apartment Office District. The proposal includes an apartment complex with a total of 120 units, and includes variances to allow vehicular access, dumpsters, and loading for adjacent commercial property on the subject site, and to reduce required maneuvering area, dumpster screening, and perimeter yard standards. The request includes commitments to a site plan and conceptual building elevations that are consistent with *Columbus Citywide Planning Policies (C2P2) Design Guidelines (2018)*. The development standards reductions are reflective of mixed-use developments proposed within former commercial areas.

To grant a Variance from the provisions of Sections 3333.04, Permitted uses in AR-O apartment office district; 3312.25, Maneuvering; 3321.01(A), Dumpster area; and 3333.255, Perimeter yard; of the Columbus City Codes; for the property located at **3755 RIDGE MILL DR. (43026)**, to allow commercial vehicular access, dumpsters, and loading and reduced development standards for an apartment complex in the AR-O, Apartment Office District (Council Variance #CV24-033).

**WHEREAS**, by application #CV24-033, the owner of the property at **3755 RIDGE MILL DR. (43026)**, is requesting a Council variance to allow onsite vehicular access, dumpsters, and loading for adjacent commercial property and reduced development standards for an apartment complex in the AR-O, Apartment Office District; and

**WHEREAS**, Section 3333.04, Permitted uses in AR-O apartment office district, does not allow commercial access through a residential site, while the applicant proposes access to adjacent commercial properties through this residential district and to allow select commercial uses for adjacent commercial properties, such as dumpsters and loading, within this residential district; and

**WHEREAS**, Section 3312.25, Maneuvering, requires parking spaces to have sufficient access and maneuvering area on the lot where the parking spaces are located, while the applicant proposes to maintain maneuvering to cross parcels lines, but with all provided parking spaces having the total code required maneuvering area, as shown on the submitted site plan; and

**WHEREAS**, Section 3321.01(A), Dumpster area, requires a dumpster to be screened from view on all sides, while the applicant proposes no dumpster screening; and

**WHEREAS**, Section 3333.255, Perimeter yard, requires a perimeter yard of 25 feet for an apartment complex, while the applicant proposes a reduced perimeter yard of zero feet, as shown on the submitted site plan; and

**WHEREAS**, the West Scioto Area Commission recommends approval; and

**WHEREAS**, the City Departments recommend approval because the variances will allow an apartment complex that is consistent with mixed-use development design features, is compatible with adjacent residential uses, and includes site design consistent with C2P2 design guidelines; and

**WHEREAS**, said ordinance requires separate submission for all applicable permits and a Certificate of Occupancy for the proposed development; and

**WHEREAS**, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

**WHEREAS**, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

**WHEREAS**, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at **3755 RIDGE MILL DR. (43026)**, in using said property as desired; and

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

**SECTION 1.** That a variance from the provisions of Sections 3333.04, Permitted uses in AR-O apartment office district; 3312.25, Maneuvering; 3321.01(A), Dumpster area; and 3333.255, Perimeter yard; of the Columbus City Codes, is hereby granted for the property located at **3755 RIDGE MILL DR. (43026)**, insofar as said sections prohibit vehicular access, dumpsters, and loading for adjacent commercial property in the AR-O, Apartment Office District, with a maneuvering area that crosses parcel lines; a dumpster area with no screening; and a reduced perimeter yard from 25 feet to zero feet, said property being more particularly described as follows:

**3755 RIDGE MILL DR. (43026)**, being 5.20± acres located on the southwest side of Ridge Mill Drive, 600± feet east of Fishinger Boulevard, and being more particularly described as follows:

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

Being known as Unit "B" in THE MARKET AT MILL RUN COMMERCIAL CONDOMINIUM, as described in the Declaration of Condominium Ownership and Bylaws for The Market at Mill Run Commercial Condominium, recorded in Instrument 201412310173000, and the Drawings thereof recorded in Condominium Plat Book 242, Page 66; together with an undivided percentage interest in the common Areas and Facilities as described in said Declaration, as amended of

record, of the county records.

Parcel Number: 560-294238

Property Address: 3755 Ridge Mill Drive, Columbus, Ohio 43026

**SECTION 2.** That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for an apartment complex containing up to 120 dwelling units, and/or those uses permitted in the AR-O, Apartment Office District.

**SECTION 3.** That this ordinance is further conditioned on the Subject Site being developed in general conformance with the site plans titled, "**ZONING PLAN SHEETS 1 THROUGH 3,**" and building elevations titled, "**CONCEPTUAL RENDERINGS,**" all dated June 17, 2024, and signed by Eric Zartman, Attorney for the Applicant. The plans may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and when engineering and architectural drawings are completed. Any slight adjustments to the plans shall be subject to review and approval by the Director of the Department Building and Zoning Services, or a designee, upon submission of the appropriate data regarding the proposed adjustment.

**SECTION 4.** That this ordinance is further conditioned on the applicant constructing sidewalk to the north and west along the south side of Ridge Mill Drive to connect between the site and the terminus of the existing sidewalk along the south side of Ridge Mill Drive approximately 200 feet east of Fishinger Boulevard unless otherwise determined by the Department of Public Service pursuant to CCC 4309.08(D).

**SECTION 5.** That this ordinance is further conditioned upon the applicant obtaining all applicable permits and a Certificate of Occupancy for the proposed development.

**SECTION 6.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.