

April 9, 2026

Mason Malcom, PE
Group Leader, Central Ohio Development
The Kleingers Group
350 Worthington Road, Suite H
Westerville, Ohio 43082

RE: Stormwater Drainage Manual (SWDM) Type II Variance Request – Chingle 1930 McKinley LLC

Mr. Malcom:

This letter is in response to the subject variance request Type II (Non-Stream) to the SWDM Section 3.1 *Stormwater Control Practices - General Criteria*. More specifically, exemption is being sought from the SWDM Section 3.1 requirements prohibiting placement of Stormwater Control Practices (quantity) within the FEMA-designated 100-year floodplain.

The request was submitted to the City on February 4, 2026. As part of the Variance review process, the subject Variance request was posted on the City website on March 6, 2026 to solicit public comments. No public comments were received by the posted due date.

The Variance Review Committee has met and reviewed the initial submittal of the subject Variance Request on April 8, 2025.

The submitted Variance Request was found by the Variance Review Committee to be in general compliance with the SWDM Non-Stream Protection Type II Variance application requirements.

Three alternatives were considered within the application - Full Compliance, Minimal Impact and the Preferred Alternative.

- Full Compliance Alternative – install an underground SCP on the south side of the parcel, outside of the floodplain. Stormwater collection system would deliver stormwater runoff to this underground SCP, and then the discharge piping would have to bring it back to the outlet point in the north. This Alternative has been found to be not viable due to economic hardship and technical challenges.
- Minimal Impact Alternative – install an underground SCP in the north part of the site and partially within the floodplain. This alternative would reduce the amount of the required piping due to not needing to collect stormwater runoff in the south before sending it north. This alternative would not require an upfront investment at the levels of the Full Compliance Alternative, but would still create significant financial hardship for the owner due to having to utilize an underground SCP, while still requiring a Type II variance. For these reasons, this alternative was also found infeasible.



- Preferred Alternative – install a surface detention SCP entirely within the floodplain limits, supplemented by pipe storage underground. The detention SCP will have its above ground embankment 12 inches above the BFE, with a backwater valve at the outlet.

Upon reviewing and discussing the application submitted by the applicant, the Variance Review Committee agreed with the applicant that the Preferred Alternative represents a viable development plan showing the development team's good faith effort to comply with the applicable SWDM requirements. The Committee further agreed with the applicant's argument that both the Full Compliance and the Minimal Impact Alternatives would impact functional and economic viability of the proposed project to a point of making it infeasible.

After considering pros and cons of the above alternatives, and based on the recommendation of the Variance Review Committee, the Preferred Alternative is conditionally approved contingent upon the following stipulations:

- CC- plan and the corresponding Stormwater Management Report must be submitted and approved by the City of Columbus.
- The proposed detention basin top of bank elevation to be 12 inches above the BFE, with a backwater prevention device at the basin's outlet.
- The volume of the basin between the OHWM (Ordinary High Water Mark) and BFE above the existing grade, including its embankment, will require compensatory storage.

No approval contained herein relieves or absolves the applicant of any provisions of applicable state or federal laws. Please contact PR/SRM Section Manager Greg Fedner, P.E. at 614-645-8072 with any questions.

Sincerely,

Rob Priestas by:



Robert S. Priestas, P.E., Administrator
Division of Sewerage and Drainage

ec: Variance Review Committee
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