

September 7, 2021

Heather Dardinger  
Senior Environmental Scientist  
EMH&T, Inc.  
5500 New Albany Road  
Columbus, Ohio 43054

RE: Stormwater Drainage Manual (SWDM) Type III Variance Request – KIPP Columbus West Campus Extension

Ms. Dardinger:

This letter is in response to the subject variance request to the SWDM Sections 1.3.2 *Permanent Protection of the Stream Corridor* and 1.3.3 *Prohibited Uses in the Stream Corridor Protection Zone*. More specifically, SWDM Section 1.3.2 provides for permanent protection of the Stream Corridor Protection Zone (SCPZ), and Section 1.3.3 lists specific activities and facilities prohibited within the SCPZ, which include commercial business activities, filling, excavation and other changes in topography within the SCPZ. A variance is requested to allow construction of a KIPP Columbus West Campus 30-acre expansion which will include two new school buildings, recreation areas, future assembly and community buildings, and associated roadways and parking lots. The proposed expansion project will require removal of two unnamed ephemeral streams crossing the site.

The request was submitted to the City on June 29, 2021. The Variance Review Committee met and reviewed the subject Variance Request on July 26, 2021. As part of the Variance review process, the subject Variance request was posted on the City website on July 6, 2021 to solicit public comments. No public comments were received by the due date of July 20, 2021.

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

Three alternatives were considered within the application for the requested Section 1.3 variance - Full Compliance, Minimal Impact and the Preferred Alternative.

- Preferred Alternative – A 30-acre campus expansion will be built on approximately 40 acres of land west of the existing campus. The proposed expansion consists of two new school buildings and also reserves sufficient viable space for future Assembly and Community buildings. The proposed layout achieves the desired expansion program goals and objectives. 845 lf of the existing streams along with 0.99 acres of SCPZ would be affected under this Alternative by unpermitted impacts.
- Minimal Impact Alternative – Reduced size proposed Primary School Building, resulting in the loss of 44,300 sf of building space. Elementary School Building would be located approx. 400 ft. from the



playground area. Primary School size reduction would restrict the size of the kindergarten and first grade programs which will put it out of balance with the later grades. Minimizing SCPZ impacts will also result in significantly increased overall project costs due to more extensive grading work. Additionally, safety issues would arise due to presence of wooded corridors crossing the campus. Due to these factors, this Alternative is viewed as non-viable. 422 lf of the existing ephemeral streams would be affected by unpermitted impacts along with 0.49 acres of SCPZ.

- Full Compliance Alternative – The proposed Primary School Building will be reduced in size, the Assembly Building will be eliminated, resulting in the loss of 87,090 sf of building space. Elementary School Building would be located approx. 400 ft. from the playground area. Resulting reduction of the K-1 program and functional issues with the revised layout make this Alternative non-viable. No existing streams would be affected.

The applicant proposes to mitigate the proposed under the Preferred Alternative impact by establishment of 975 lf of new stream habitat between the existing stormwater management wetland basin east of the KIPP High School and west of Alum Creek. The newly established 0.99 acres of the 56-foot wide SCPZ protecting the new stream will be enhanced with planting of native trees and shrubs. The vegetated benches and riparian buffer will provide stability and improved ecological function to the stream. The expected HHEI score of the new stream was evaluated to be 56, vs. 18 and 33 of the existing streams. This represents a significant improvement in ecological quality and value vs. the impacted streams. The proposed mitigation plan also exceeds the SWDM-required 1:1 mitigation ratio for on-site mitigation, and would also go above and beyond of meeting the equivalency requirement.

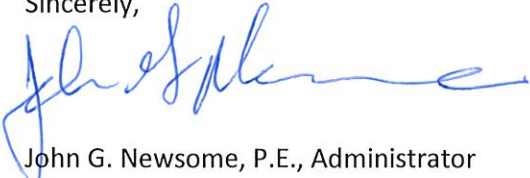
Upon reviewing and discussing the application submitted by the applicant, the Variance Review Committee agreed with the applicant that the Preferred Alternative with the proposed SCPZ mitigation plan represents the development team's good faith effort to comply with the SWDM stream protection requirements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

In light of the above, the subject Variance Request (Type III SWDM Section 1.3), Preferred Alternative is conditionally approved contingent upon the following stipulations:

- Storm CC-Plan and Stormwater Management Report must be submitted and approved by the City of Columbus. The plans shall include an SCPZ mitigation plan as conceptually described above and in the variance application.
- The proposed new stream and its SCPZ as well as the remaining existing streams and their SCPZ will require conservation easements to protect these areas in perpetuity.
- As part of CC-plan preparation, the applicant must demonstrate that the proposed mitigation scope provides reforestation and revegetation plan consistent with the appropriate City requirements as stated in the SWDM and City Tree Policy. Such reforestation/revegetation plan will also account for permitted stream/SCPZ impacts as required by the SWDM.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "John G. Newsome". The signature is fluid and cursive, with a long horizontal stroke at the end.

John G. Newsome, P.E., Administrator  
Division of Sewerage and Drainage

pc: Variance Review Committee  
File