

November 26, 2019

Steve Fox, PE, CPESC  
The Mannik & Smith Group, Inc.  
1160 Dublin Road, Suite 100  
Columbus, Ohio 43215

RE: Stormwater Drainage Manual (SWDM) Type III Variance Request – Hyatt Place, 2006 Polaris Parkway

Mr. Fox:

This letter is in response to the subject variance request to SWDM Section 1.3 Stream Corridor Protection Zone. The developer proposes to build a new 7-story hotel and a new 5,700 sq. ft. restaurant/retail building with associated parking. The proposed development will directly impact (remove) 67 l.f. of an existing ephemeral stream, and permanently impact 0.14 acres of the existing perennial and ephemeral streams' Stream Corridor Protection Zone (SCPZ).

The SWDM Variance Type III Request was initially submitted to the City on May 29, 2018, and posted on the City website on June 6, 2018. The Variance Review Committee met and reviewed the subject Variance Request on June 13, 2018. Public comments from Sierra Club were received on June 20, 2018. A request for additional information was forwarded to the applicant on July 3, 2018. Additional information was received on October 9, 2018, and posted on the website on November 6, 2018. Sierra Club commented on the revised application on November 21, 2018. A revised Variance Request was received by the City on August 13, 2019, and posted on the website the same day. No public comments were received by the due date of August 27, 2019. The Variance Review Committee met and reviewed the revised Request on September 3, 2019. Additional information and revisions to the application were requested and discussed with the applicant. Subsequently, the requested information and revised application were received on November 6, 2019.

The submitted revised Variance Request was found to be in compliance with the SWDM Stream Protection Type III Variance Application requirements. Three alternatives were considered within the application – Full Compliance (no impact), Minimal Impact and the Preferred Alternative.

The Preferred Alternative will provide 212 parking spaces for both proposed businesses, and will directly impact 67 l.f. of an existing ephemeral stream and also 0.14 acres of the existing ephemeral and perennial streams' SCPZ.

The Minimal Impact Alternative will provide 193 parking spaces (minimum zoning requirement), and will directly impact 67 l.f. of an existing ephemeral stream and also 0.12 acres of the existing ephemeral and perennial streams' SCPZ.

The Full Compliance/No Impact Alternative will provide 158 parking spaces and will render no impact to the existing streams and their SCPZ.



The applicant submitted additional information from the corporate offices of the proposed development's end users which justified the number of parking spaces provided by the Preferred Alternative based on their current business models.

The applicant has also submitted a proposed mitigation plan within the Variance request. All proposed direct stream channel and its SCPZ impacts are proposed to be mitigated on-site. The proposed mitigation measures include:

1. Ephemeral stream:

The ephemeral stream restoration plan consists of a system of step pools comprised of a sequence of five rock weirs each followed by a scour pool and a rock control structure. The elevations of sequential weirs will be 1.5 feet below the elevation of the preceding weir. 18-inch anchor rocks on the ends of each rock weir and each rock control structure serve to contain the stream within the stream bed. Angular rocks are proposed to be used for the weirs so they can be fitted close together for interlocking stability. Stabilization along the ephemeral channel should also involve re-vegetating the stream banks using native species and invasive species removal. Live stake plantings will also be planted at or near the base flow elevation.

The applicant is also proposing to remediate an existing significant headcut at the point of streams' confluence by providing grade control structures within the ephemeral stream.

2. Intermittent stream:

The intermittent stream mitigation plan includes removal of invasive species throughout the intermittent stream's SCPZ (approximately 1 acre), planting of approximately 540 trees of native species, live stake plantings at or near the base flow elevation along the entire stretch of the intermittent stream within the property, creation of a pollinator habitat along the southern edge of the intermittent stream's SCPZ.

Additionally, the entire mitigation area will be protected in perpetuity with a conservation easement.

In summary, the total proposed direct ephemeral stream impact under the Preferred Alternative is 67 l.f.; proposed stream mitigation length is 65 ft, but includes several mitigation measures as well as the existing headcut repair and, therefore, was found to be adequate for compliance with the required 1:1 ratio of on-site mitigation by the Variance Review Committee. The total permanent SCPZ impact is 0.14 acres; the proposed additional SCPZ is also 0.14 acres, fulfilling the 1:1 requirement for on-site mitigation.

Upon reviewing and discussing the application and other supportive documentation submitted by the applicant's consultant, the Variance Review Committee concluded that the proposed mitigation plan adequately addresses the SWDM requirements.

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

- Mitigation construction plans will need to be submitted to the City within the proposed development's storm CC-Plans. The proposed mitigation plan is to include a conservation easement encompassing the entire post-development SCPZ.
- Storm CC-Plans and Stormwater Management Report to be submitted and approved by the City.

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,



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

pc: Variance Review Committee  
File