

CASE 1: 16-0250LC – Sunrise Academy – 5657 Scioto Darby Road

PARCEL NUMBER: 050-003005

APPLICANT: Islamic Society of Greater Columbus c/o Mark Denny, CDI Design Group, 1675 Gateway Circle, Grove City, Ohio 43123.

REQUEST: Review & approval of a conditional use under the provisions of Code Chapter 1123 to permit a 2,678-square-foot building addition and accommodate five parking spaces.

Mr. Talentino presented the staff report with power point slides of the site.

On May 12, 2016, the Planning and Zoning Commission postponed this application until the July 14, 2016 meeting. The applicant has submitted a traffic management plan to help mitigate the negative impacts associated with the dropping off and picking up of students during normal school days and during special events. The following staff report is based on the proposed building addition and the traffic management plan

The site is 3.873 acres located at the southeast corner of Scioto Darby Road and Veterans Memorial Drive. The site consists of a private elementary school and includes three buildings totaling approximately 24,052 square feet. On May 29, 2001, the Board of Zoning Appeals denied a variance request to reduce the minimum building setback from 60 feet to 25 feet from Scioto Darby Road for a 19,200-square-foot building addition. On September 20, 2001, the Board of Zoning Appeals denied a variance request to eliminate the requirement to install public sidewalk along Scioto Darby Road. On August 17, 2006, the Board of Zoning Appeals approved a variance to reduce the minimum number of caliper inches for replacement trees.

The applicant is requesting approval of a conditional use to permit a 2,678-square-foot addition to an existing school building and a vehicular use area expansion to accommodate five parking spaces.

The Commission is to review the proposal for conformance the provisions of Hilliard Code Chapter 1123. The Commission is to review the proposed use and its potential impact on its surroundings.

Staff finds that a traffic impact study was not submitted as required with the original application. Staff finds that the site has experienced regular daily challenges related to the picking up of students which causes significant negative impacts on the through movement of vehicles on Veterans Memorial Drive and Scioto Darby Road. Staff finds that expanding the existing use will cause undue traffic congestion or hazards adjacent to the site along Veterans Memorial Drive and Scioto Darby Road, especially if student enrollment is increased. The City of Hilliard has a public improvement planned for the intersection of Veterans Memorial Drive and Scioto Darby Road (CIP T-21/T-129). Staff finds that the implementation of a traffic management plan for Sunrise Academy may be more likely to result in a means to eliminate negative impacts of the traffic to and from Sunrise Academy than a traffic impact study would provide. Based on these findings, consistent with the provisions of Hilliard Code Chapter 1123, staff recommends that the proposed conditional use be approved with the seven conditions listed in the staff report.

Chairman Lewie asked if there were questions for staff.

Mr. Robertson asked are there any other businesses or schools that have a similar traffic management plan as this?

Mr. Talentino replied I'm not aware of any that we've worked with that have one. There are other places that have similar challenges such as Beacon Elementary School. Some people park on a side street there that hasn't become as big of an issue as this because it's not a street that comes off of an arterial into a recreation center or pool area which gets heavily used.

Mr. Movshin asked does Sunrise Academy follow the same school calendar as Hilliard City Schools?

Mr. Talentino replied I think it's close.

Mr. Movshin stated I only ask that because a lot of this has to do with using the parking lots that are also used for the pool. Typically between Memorial Day and Labor Day, when the pool opens and school is out, that could potentially limit what parking is available when the pool is in heavy use.

Mr. Talentino replied we talked about that internally and with the Parks Department. We can definitely work that out and figure out a solution for that. We think that for the most part the bulk of this can positively be dealt with.

Mr. Muether asked does the city have the ability to control their enrollment?

Mr. Talentino replied no, but one of the conditions is to limit enrollment. A violation of that condition of a conditional use can revoke the conditional use based on the provisions of the Code.

Ms. Bradford stated I think the issue becomes overburdening of the site in terms of whether it's the actual addition or the enrollment. It's not that we say for some arbitrary reason you can't have more than X students but if the enrollment figure reaches a point where it overburdens the site then we can put a reasonable limitation on that.

Mr. Robertson asked how will the traffic management plan be enforced? There was language about the school issuing tickets and Hilliard Police.

Mr. Talentino replied those are the details that we have to work out and I'm not sure that a school employee can issue a ticket on a public street but the Hilliard Police certainly can. It's possible if the area is appropriately signed and then you can be cited with a ticket or situation. If the the school does a presentation at the beginning of the year and reminds parents about parking then it should work out.

Chairman Lewie asked if the applicant would like to speak.

Mr. Mark Denny, CDI Design Group, was present and stated when we were here two months ago we heard the neighbors clearly and understand that they needed some solutions. Dr. Tarazi and I had a meeting after that and developed some ideas implementing a better system to manage parking, picking up, and dropping off of students. The plan that you have was developed and administered to the staff. We were anticipating that with the population of the school that we have that we were going to have a good success. You can get seven buses inside the property and after they leave the parents will come in

and pick up students. We had to implement it quickly because we only had a couple of weeks before the end of the school year. There was a 95 percent success rate. We have yet to know how successful this will be but in terms of where it was I think it's a leaps and bounds improvement. The other thing that was mentioned was the number of students. The population is approximately 380 and Dr. Tarazi hasn't participated in any increase based on economic reasons. It was mentioned to me that 385 was the ideal number and he doesn't want to go to 400 or 500. In terms of the addition, as we mentioned last time, we think it's an appropriate architectural response to be added to the building. It's not anticipated for those rooms to increase population but to give the population that is there the opportunity to the same provisions that other schools have with a library and science and computer labs.

Dr. Mouhamed Tarazi, Sunrise Academy, was present and stated I run three schools. It's not our intention to increase the number of students because it's physically impossible. It's a private school and people pay for their education. It's no way that we can add more than 25 in one of these schools because these schools aren't large. What we're asking here is to improve the services and not to increase enrollment. This school year we have a less number of students than last year. We tested the traffic management plan and it worked very well. We are going to have a location map on the website and in the staff and parent handbooks. We can also post signs telling people what to do and what not to do.

Chairman Lewie asked Mr. Denny have you reviewed the report and do you have any comments on the seven conditions?

Mr. Denny replied for Condition 1, we will meet that depending on your interpret use of the gymnasium. We are proposing a site plan of possibly adding four or five parking spaces if it's necessary. Unfortunately, where the spaces will be added, there are the nicest trees and we may have to take those down if necessary. We are good for Condition 2 and we had talked about adding landscaping along the boundary next to the residences and we would provide a landscape plan in addition to that.

Mr. Talentino stated in terms of the landscaping, some of it may be difficult to meet the strict application of the Code because of the improvement that we're doing on Scioto Darby Road. There's an easement along there as oppose to right-of-way. We still have to work some things out but to the extent it's practicable. We will get additional plantings and make it more compliant with the current Code even though this site was approved under the old Code provisions. There may need to be some variances associated with it in response such as setbacks.

Mayor Schonhardt asked Dr. Tarazi you had mentioned that there was a possibility that enrollment would reduce with the opening of a school on the Eastside. Can you talk about where that stands and the potential for that to happen?

Dr. Tarazi replied we have been discussing to move preschool from this location to reduce the number of students or to have a school on the Eastside. We have close to 150 students coming from that area and it would be more convenient for them to have a school at that location. That's in the works and it's doable but not finalized yet.

Mayor Schonhardt asked what grades are presently being taught at the current location?

Dr. Tarazi replied we have kindergarten through 8th grade plus 34 preschoolers.

Mayor Schonhardt asked are there plans to add 9th or 10th grade?

Dr. Tarazi replied no, we started 9th grade 3 or 4 years ago but it wasn't successful so it's off the table. It's impossible and I'm against it 100 percent. We can't mix high schoolers with the lower grades because it's different and this building is small. I have another school that went from 30,000 square feet to 40,000 square feet in order to accommodate the students and Mr. Denny did the architecture.

Mayor Schonhardt asked does your school receive any state funding?

Dr. Tarazi replied yes because half of our students are on EdChoice.

Chairman Lewie asked for public comments.

Mr. Charles Smith, 5619 Revere Drive, was present and stated I want to reiterate what the residences of the neighborhood said at the last meeting of our concerns. We understand the city is trying to do something with parking on Veterans Memorial but parents are going to come in the other way and through the neighborhood where there's nothing that can be done about the parking. It causes congestion on our road because of that. It's like we're fixing the problem here and pushing it over there. We have no issues with Sunrise being there but enough is enough. They've outgrown the space and maybe it's time to find another space. It's been two months and there have been zero attempts to try and communicate with residences in the neighborhood. He said his current enrollment is 380 but his ideal enrollment is 500. That's not saying that they're going to reduce enrollment. There are all these conditions but what assurance is there that those are going to be met. Once this building is up, it is up. If the conditions aren't met, are they going to have to tear it back down? If they aren't going to be allowed to use it then how is it going to be enforced? Is the city going to send somebody there to verify how it's being used? It seems like a big waste of city resources and time. There have been so many things that have been said on what they're going to do. Maybe this needs to be postponed until there has been some efforts made on what they say they're going to do and not give us the building first and then we're going to do this and that. Let's start seeing some of this start happening such as the landscaping for the residences. There's no guarantee that the enrollment will be reduced by the second facility. Secure the second location so that we do have the assurance that enrollment is going to be reduced at the current location, especially when you make comments on 380 and 500 because that's increasing your enrollment by over 25 percent. Start putting some landscaping in and reach out to the neighbors to try and get the communication going. The spacing to increase the building is going to reduce the kids from going outside.

Chairman Lewie asked for further discussion.

Dr. Tarazi stated I never said the ideal enrollment was 500, I said 385. To give you an idea, last year we realized a school class of \$300,000 was 385 students and was a financially good attentive number of students.

Mr. Denny stated I asked Dr. Tarazi if we would commit to putting some landscaping and he said he would do that.

Mayor Schonhardt replied it's actually a condition of our approval and it's not an option.

Mayor Schonhardt stated to Dr. Tarazi I suggest that you get in touch with my office in the next couple of weeks and we can sit down and make arrangements to meet with the neighbors and listen to their concerns and see how we can address them.

Chairman Lewie stated my concern last meeting was that they have been so successful that they've out built their site and want to continue to build. The traffic and parking situation seems to be a burden on the community and I don't think the traffic plan is adequate for that. I don't think it can be alleviated and I will not be voting for this case tonight.

Mr. Muether and Mr. Robertson stated they were also voting no for CASE 1: 16-0250LC – Sunrise Academy – 5657 Scioto Darby Road because they've outgrown their site.

Chairman Lewie asked for further discussion, hearing none he called for a motion.

MOTION: Mr. Movshin made a motion to approve CASE 1: 16-0250LC – Sunrise Academy – 5657 Scioto Darby Road for a conditional use under the provisions of Code Chapter 1123 to permit a 2,678-square-foot building addition and accommodate five parking spaces with the following eight conditions:

- 1) That the plans are revised to show floor plans for each building, to specify the minimum parking requirements per Code, and to show the minimum number of required off-street spaces on the site, subject to staff approval;
- 2) That the plans are revised to demonstrate conformance to the provisions of the Code concerning perimeter and interior landscaping for vehicular use area, subject to staff approval;
- 3) That the school is limited to a maximum enrollment not to exceed the number of students enrolled at the beginning of the 2015-2016 school year;
- 4) That the provisions of the Hilliard Storm Water Design Manual are met;
- 5) That the proposed traffic management plan is revised, subject to staff approval;
- 6) That the approved traffic management plan is strictly enforced;
- 7) That the conditional use shall be revoked with a violation of any condition imposed by the Planning and Zoning Commission consistent with the provisions of Hilliard Code Section 1123.06; and
- 8) That the applicant agrees to add a landscape buffer between the existing buildings and the property that adjoins the residential community directly adjacent to the property, subject to staff approval.

Ms. Nixon seconded the motion.

VOTE: Ms. Nixon, Yes; Mr. Muether, No; Mr. Movshin, Yes; Chairman Lewie, No; Mr. Robertson, No; Mayor Schonhardt, Yes.

STATUS: The motion failed 3-3 and CASE 1: 16-0250LC – Sunrise Academy – 5657 Scioto Darby Road was denied a conditional use under the provisions of Code Chapter 1123 to permit a 2,678-square-foot building addition and accommodate five parking spaces.