

August 15, 2019

Oliver Damschroder, LEED AP  
Project Manager, Civil Dept.  
American Structurepoint, Inc.  
2550 Corporate Exchange Drive, Suite 300  
Columbus, Ohio 43231

RE: Stormwater Drainage Manual (SWDM) Type III Variance Request – Wendler Commons

Mr. Damschroder:

This letter is in response to the subject variance request to SWDM Section 1.3 Stream Corridor Protection Zone. The developer proposes to enclose 281 ft. of an existing unnamed stream into a storm sewer, which will also impact 0.35 ft. of its Stream Corridor Protection Zone (SCPZ), including 0.012 acres of the existing wetland.

The SWDM Variance Type III Request was submitted to the City on July 18, 2019. The Variance Review Committee met and reviewed the subject Variance Request on August 8, 2019.

As part of the Variance review process, the subject Variance request was posted on the City website on July 18, 2019 to solicit public comments. No comments have been received by the due date of August 1, 2019.

The submitted 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 existing site presents limited development possibilities due to a significant portion of it being within the FEMA 100-year floodplain and also crossed by two streams with their associated SCPZ, including a 0.012 acre wetland. Additionally, presence of poor quality soils with low bearing capacity further limited the available footprint for the proposed development.

The Preferred Alternative consists of a 2-building, 62-unit development on 3.47 acres of the total site acreage of 11.23 acres. The Preferred Alternative requires a direct stream and its SCPZ impact as described above. The impacted stream is an OEPA Class I ephemeral stream with an HHEI score of 39. Class I streams have a “fair” habitat quality and little or no aquatic life potential or possibility of achieving higher stream functions. The applicant has obtained an Army Corps of Engineers’ Nationwide Permit 29 eligibility verification on 12/21/2018 for the proposed 0.012 acre wetland and 0.02 acre stream impact.

The Minimal Impact Alternative equals to the Preferred Alternative, as it is the minimal feasible development option.

The No Impact Alternative is a no-development option for the above reason.



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 applicant proposes to create a new stream on the project site originating at the existing stormwater outlet. The proposed stream would be 317 ft. long with the SCPZ of 0.36 acres, thus exceeding the required 1:1 mitigation ratio for both stream length and the SCPZ area. It is estimated that the proposed stream's HHEI score would be 54 or greater, significantly exceeding the impacted stream's score of 39. Trees are proposed to be planted in its SCPZ reflective of the existing neighboring forested areas' tree species makeup.

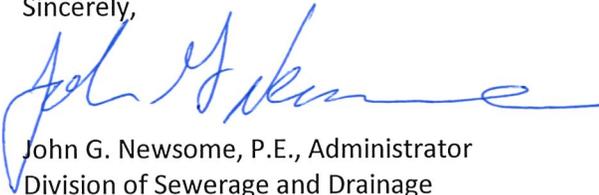
Upon reviewing and discussing the application and other supportive documentation submitted by the applicant's consultant, the Variance Review Committee accepts the argument that the existing site conditions make the Preferred Alternative the only feasible alternative for developing this site due to its topographic and geotechnical limitations.

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 in a CC-Plan format upon the finalization of the proposed mitigation plan. The proposed mitigation plan is to include a conservation easement encompassing the proposed stream and its 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,

A handwritten signature in blue ink, appearing to read "John G. Newsome", is written over a blue circular stamp or seal.

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

pc: Variance Review Committee  
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