

July 10, 2025

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

RE: Stormwater Drainage Manual (SWDM) Type III Variance Request – Project Enzo Expansion

Dear Heather 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 buildings/structures, parking lots, fences, removal of native trees, filling, excavation, and other changes in topography within the SCPZ. A variance is requested to allow an expansion of the existing Mars Petcare Fisher Road Plant. The goal of the project is to allow an additional expansion of the plant's processing/packaging facilities and distribution space space, and includes construction of a new 200,000 square foot warehouse distribution building with office space, a maintenance shop, storage/loading space, paved entrance roads and parking areas as well as the associated stormwater management infrastructure.

The variance application was submitted to the City on June 11, 2025. As part of the Variance review process, the subject Variance request was posted on the City website on June 12, 2025 to solicit public comments. No public comments were received in response to the posting. The Variance Review Committee has met and reviewed the subject Variance application on July 9, 2025.

The submitted variance application 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 (No Impact), Minimal Impact and the Full Impact Alternative.

- Full Impact Alternative – This alternative fulfills the overall project purpose and need by providing an economically and functionally feasible plan for the proposed facility expansion. The stream impacts of this alternative include a direct non-permitted impact to 417 lf of the regulated stream crossing the site, and also to 1.20 acres of its Stream Corridor Protection Zone (SCPZ). These impacts are associated with the proposed



enclosure of a section of the stream into a storm sewer under the proposed expansion's parking lot and storage/loading space.

- Minimal Impact Alternative – This alternative would reroute the existing stream around the proposed parking lot and storage/loading space by constructing a storm sewer west and southwest of the proposed expansion, and then outletting it into a new constructed stream along the southern site boundary/railroad property. 417 lf of non-permitted direct stream impact and 0.92 acres of SCPZ impact is proposed under this alternative. Additionally, 0.28 acres of the SCPZ would be temporarily impacted and then restored by the project. Similar to the Full Impact Alternative, this alternative also fulfills the overall project purpose and need by providing an economically and functionally feasible plan for the proposed facility expansion.
- Full Compliance (no Impact) Alternative was found to be not feasible due to the location of the stream on the property, the required size and dimensions of the proposed expansion. This alternative would require downsizing of the proposed expansion to almost half of the needed size, and also substantially reducing the proposed parking lot and storage/loading space. The required expansion reduction to avoid impacting the stream was found to impact the functionality and economical viability of the proposed facility to the extent of making the project no longer feasible.

As mitigation for the proposed direct stream and SCPZ impacts, the following conceptual plan has been proposed on-site for the Minimal Impact Alternative:

a. Direct stream impact mitigation:

Establishment of 673 lf of new stream channel along the southern property line/adjacent railroad property. The new channel is proposed to incorporate a low flow pilot channel and coarse substrate (gravel and cobbles). It is expected that the quality of aquatic and riparian habitat would significantly improve, and the relocated stream is expected to achieve a QHEI score of 63.5 vs. 61 for the existing stream. The proposed mitigation ratio is approximately 1.6 to 1, fulfilling and exceeding the SWDM requirements.

b. SCPZ Impact mitigation:

Invasive species removal and native plantings over 1.79 acres of the proposed SCPZ. The SCPZ restoration plan proposes planting approximately 2,875 live willow stakes, bare root trees and shrubs at the density of 300 stems per acre, native 15-gallon trees at the density of 125 stems per acre, and native understory shrubs at the density of 150 stems per acre based on the 10-20-30 rule as detailed on Exhibit 5 of the application. The proposed mitigation ratio is nearly 2:1, fulfilling and exceeding the SWDM requirements.

Upon reviewing and discussing the application submitted by the applicant, the Variance Review Committee agreed with the applicant that the Minimal Impact Alternative with the proposed direct stream and SCPZ mitigation plan represents the applicant'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 the Full Compliance Alternative would impact functional and economic viability of the proposed facility expansion project to the point of making it infeasible.



In light of the above, the subject Variance Request (Type III SWDM Section 1.3), the Minimal Impact 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/stream impact mitigation plan as conceptually described above and in the subject variance application.
- The proposed SCPZ mitigation site as well as the remaining on-site SCPZ will be protected by a permanent conservation easement, and SCPZ signs will need to be installed per SWDM requirements to demarcate the SCPZ/conservation easement.

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,



Robert S. Priestas, P.E., Administrator
Division of Water Reclamation

pc: Variance Review Committee
File

