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*(space above this line reserved for county engineer, county auditor and county recorder)*

**DEED OF TRUSTEE**

**JAMES I. MALIN, Trustee of the SHEILA A. MALIN REVOCABLE TRUST, U/A/D 07/10/2015** ("Grantors"), of Delaware County, for valuable consideration paid, grant, with general fiduciary covenants, to **N OLD STATE LLC, an Ohio limited liability company** ("Grantee"), whose tax mailing address is PO Box 3049, Lexington, OH 44904, the following real property:

**Please see attached Exhibit "A"**

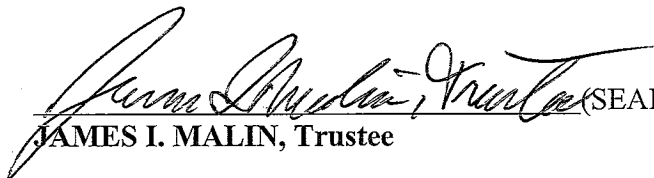
Prior Instrument Reference: Book 1422, Page 1449, Book 1376, Page 2413 and  
Book 1376 Page 2411  
Parcel No.: 418-120-01-012-002 & Parent Parcel: 418-120-01-009-000  
Property Address: N. Old State Rd., Delaware, OH 43015 & 5887 Greasmar,  
Delaware, OH 43015



IN WITNESS WHEREOF, the said Grantor, **JAMES I. MALIN, Trustee of the SHEILA A. MALIN REVOCABLE TRUST, U/A/D 07/10/2015**, has hereunto set his hand this 28<sup>th</sup> day of March, 2017, as authorized by the Trust Agreement and/or any amendments thereto.

Signed and Acknowledged by:


**JAMES I. MALIN, Trustee of the SHEILA A. MALIN REVOCABLE TRUST, U/A/D July 10th, 2015**

 (SEAL)  
**JAMES I. MALIN, Trustee**

<sup>685</sup>  
STATE OF ~~OHIO~~ Arizona } ss  
COUNTY OF Maricopa

BE IT REMEMBERED, That on this 28<sup>th</sup> day of March, 2017, before me, the subscriber, personally came the above-named, **JAMES I. MALIN, Trustee of the SHEILA A. MALIN REVOCABLE TRUST U/A/D 07/10/2015**, the Grantor in the foregoing deed, and acknowledged the signing thereof to be his voluntary act and deed as authorized by the Trust Agreement and/or any amendment thereto.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on the day and year last aforesaid.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 03/10/2020

This instrument prepared by:  
The Wietelmann Law Firm, LLC  
c/o LandSel Title Agency, Inc.  
961 N. Hamilton Road, Suite 100  
Gahanna, Ohio 43230  
Phone: 614-266-8165



File No. GH-31945

### Exhibit A

#### PARCEL 1:

Situated in the State of Ohio, in the County of Delaware, and Township of Berlin, and bounded and described as follows:

Being a part of Farm Lot 13, Section 1, Township 4, Range 18, United States Military Lands, and being more particularly described as follows:

Commencing at a railroad spike found at the intersection of the old centerline of U.S. Highway 36, and County Road 10 (North Old State Road);

Thence along the centerline of said County Road 10 (North Old State Road), North 04° 11' 23" East (passing over a P.K. nail found in the intersection of said County Road 10 and the existing centerline of survey of U.S. Hwy 36 at 38.75 feet) a total distance of 998.23 feet, to a railroad spike set at the true place of beginning of the following described 15.520 acre tract of land:

Thence continuing along the centerline of said County Road 10, North 04° 11' 23" East a distance of 702.31 feet to railroad spike found at the southwest corner of a 7.442 acre tract of land now or formerly owned by James E. and Carol A. McConnell as described in Deed Book 435, Page 59;

Thence along the southerly line of said 7.442 acre tract, South 86° 30' 40" East (passing over an iron pin found at 30.00 feet) a total distance of 1103.33 feet to a U.S.A. iron pin found at the southeast corner of said 7.442 acre tract at the northwest corner of the 55.44 acre tract of land acquired by the United States of America by deed recorded in Deed Book 371, Page 504;

Thence along the westerly line of said U.S.A. lands (Alum Creek Lake) South 25° 54' 53" West a distance of 759.71 feet to a U.S.A. iron pin found at the southwest corner of said 55.44 acre tract, being on the north line of the Margaret L. Parkard Farm as described in Deed Book 417, Page 16;

Thence along the northerly line of said Margaret L. Parkard Farm, North 86° 30' 40" West (passing over an iron pin set at 792.10 feet) a total distance of 822.10 feet to the true place of beginning;

Containing 15.520 acres, more or less, subject to an easement for gas transmission line across the northeast corner of the above described tract as shown in Deed Book 242, page 311; and subject to all other easements, restrictions, and rights of way of record.

All iron pins set are 5/8" solid iron pins with yellow plastic caps stamped STULTS & ASSOC., bearing system based on centerline bearing of U.S. Highway 36 (North 68° 31' 10" West) taken from State Highway plans Del-36-13-26.

#### PARCEL 2:

Situated in the Township of Berlin, County of Delaware, State of Ohio, being part of Farm Lot 13 in Section 1, Township 4, Range 18 of the United States Military Lands and being more particularly described as follows:

Commencing at an iron bar found at the intersection of the centerline of County Road 10 (North Old State Road) and the south line of said Farm Lot 13;

Thence North 04 deg. 10' 00" East, along the said centerline of County Road 10, a distance of 661.41 to a railroad spike set, being the northwest corner of a 1.01 acre tract now or formerly owned by Eugene Garrabrant, as described in Deed Book 244, page 495, said point also being the TRUE POINT OF BEGINNING of the following described tract;

Thence North 04 deg. 10' 00" East, continuing along the said centerline of County Road 10, a distance of 492.80 to a P.K. nail found, being a corner of a 33.52 acre tract now or formerly owned by Betty J. Jones;

Thence South 86 deg. 31' 16" East, along a southern line of the said 33.52 acre tract, a distance of 822.57 feet to an iron bar found with a plastic cap marked "USA", being a corner of a 47.57 acre tract now or formerly owned by The United States of America, as described in Deed Book 369, page 200;

Thence South 08 deg. 43' 09" West, along a west line of the said 47.57 acre tract, a distance of 591.37 feet to an iron bar found with a plastic cap marked "USA";

Thence South 08 deg. 31' 44" West, continuing along a west line of the said 47.57 acre tract, a distance of 307.64 feet to an iron bar found with a plastic cap marked "USA";

Thence South 83 deg. 11' 35" East, along a south line of the said 47.57 acre tract, a distance of 881.85 feet to an iron bar found with a plastic cap marked "USA";

Thence South 26 deg. 30' 00" East, along a west line of the said 47.57 acre tract, a distance of 238.17 feet to a railroad spike found, being in the old centerline of U.S. Route 36;

Thence North 85 deg. 33' 48" West, along the said old centerline of U.S. Route 36, a distance of 306.15 feet to a railroad spike found;

Thence South 46 deg. 30' 00" West, a distance of 36.78 feet to an iron pipe found, being on the said south line of Farm Lot 13;

Thence North 85 deg. 29' 05" West, along the said south line of Farm Lot 13, a distance of 458.99 feet to an iron pipe set, all iron pipes set are set with a plastic cap marked "SLSS RS 6612", said point being on the north right-of-way of the relocated U.S. Route 36 – State Route 37;

Thence along the said north right-of-way of relocated U.S. Route 36 State Route 37, the following three courses and distances; thence

North 62 deg. 07' 38" West, a distance of 264.50 feet to an iron pipe set; thence North 66 deg. 01' 48" West, a distance of 230.22 feet to an iron pipe set; thence

North 76 deg. 35' 20" West, a distance of 284.95 feet to an iron pipe set, being on the east line of a 0.737 acre tract now or formerly owned by Alexandra Pifer, as described in Deed Book 472, page 515;

Thence North 04 deg. 10' 00" East, along the east line of the said 0.737 acre tract and the east line of the said 1.01 acre tract, a distance of 435.26 feet to an iron pipe set, being the northeast corner of the said 1.01 acre tract;

Thence North 86 deg. 43' 00" West, along the north line of the said 1.01 acre tract, a distance of 224.66 feet to the TRUE POINT OF BEGINNING;

CONTAINING 20.165 ACRES, more or less, being part of an original 72.5 acre tract as described in Deed Book 417, page 16, Recorder's Office, Delaware County, Ohio.

EXCEPTING THEREFROM 5.044 ACRES:

Legal Description  
5.044 acres

The following described tract of land is situated in the State of Ohio, Delaware County, Berlin Township, Range 18, Township 4, Section 1, Farm Lot 13, USML, being part of Sheila A. and James I. Malin, Co-Trustee's 20.165 acre tract described in Official Record 1376, page 2413, and being more particularly described as follows:

Commencing at a 3/4" iron pipe found marking the intersection of the centerline of North Old State Road (C.R.10) and the south line of Farm Lot 13;

Thence South 86°24'28" East 313.26 feet, following the south line of Farm Lot 13, to an iron pin set;

Thence South 85°28'32" East 650.19 feet, following the south line of Farm Lot 13, to a point in the north line of U.S. Route 36 (State Route 37), the south line of said 20.165 acre tract and the northwest corner of Jason Hatfield Automotive, LLC's 0.582 acre tract (O.R. 1270, page 1135), and being the **point of beginning**, said point of beginning being North 85°28'32" West 1.27 feet from a 5/8" iron pin found;

Thence North 62°00'21" West 263.57 feet, following the north line of U.S. Route 36 and the south line of said 20.165 acre tract, to a 3/4" iron pipe found;

Thence North 14°37'04" East 164.81 feet, crossing said 20.165 acre tract to a 5/8" iron pin found marking a corner of United States of America's 47.57 acre tract (D.V. 369, page 200);

Thence South 83°11'00" West 881.82 feet, following the north line of said 20.165 acre tract and the south line of said 47.57 acre tract, to a 5/8" iron pin found;

Thence South 26°30'29" East 237.94 feet, following the east line of said 20.165 acre tract and the west line of said 47.57 acre tract, to a railroad spike found in the north line of United States of America's 50.66 acre tract (D.V. 373, page 395) and marking the end of the south line of Greasmar Drive (private drive);

Thence North 85°36'53" West 306.10 feet, following the south line of said 20.165 acre tract, the north line of said 50.66 acre tract and the south line of Greasmar Drive, to a railroad spike found;

Thence South 46°39'24" West 36.86 feet, following a south line of said 20.165 acre tract, a north line of said 50.66 acre tract and the south line of Greasmar Drive, to a 5/8" iron pin found in the south line of Farm Lot 13 and marking the northeast corner of said 0.582 acre tract;

Thence North 85°28'32" West 460.07 feet, following the south line of said 20.165 acre tract, the south line of Farm Lot 13, the north line of said 0.580 acre tract and the south line of Greasmar Drive, passing at 458.80 feet a 5/8" iron pin found, to the **point of beginning**, containing **5.044 acres**, more or less and subject to all valid easements and restrictions of record.

I, Timothy L. Guider, hereby certify that this description was prepared from an actual field survey made by me during the month of July 2016 and that monuments were set or found as indicated herein. Iron pins set are 5/8" x 30" reinforcing rods with caps marked "GUIDER S 7752". Basis of Bearing: Grid North.

*Timothy L. Guider*  
Timothy L. Guider R.S. #1152  
Guider Surveying, Inc.  
19550 Delaware County Line Rd.  
Marysville, Ohio 43040  
(740)666-8902



Date: 7/28/16  
Job#: 16129 revised

DESCRIPTION FOR CLOSING ONLY	
<input type="checkbox"/>	RPC Approval Required
<input type="checkbox"/>	Municipal Approval Required
Delaware County Engineer	

8-24-16



3271 Cheshire Rd  
Delaware, OH 43015  
740-548-6350  
www.berlintwp.us

Application # \_\_\_\_\_

Date received \_\_\_\_\_

Township Fee\* \$ \_\_\_\_\_

Make Check Payable to Berlin Township

\*Fee is \$3,000 plus \$150 per acre (500 acre max). Additional fees may be required to cover actual cost as per section 15.06(G) and 19.06(G)

**Application for Berlin Business Park/Circle one: Article 15 (BCO) - Article 19 (BIO)**

Name of applicant N Old State, LLC (Brent and Jordan Yates)

Address of applicant 3216 S 3B's and K Rd

City Galena State OH Zip 43021

Phone 334-714-7451 Email Jordan.Yates@mopipeline.us

Name of Property owner N Old State, LLC

Address of property owner 3216 S 3B's and K Rd

City Galena State OH Zip 43021

Phone 334-714-7451 Email Jordan.Yates@mopipeline.us

Location/address of property to be rezoned N. Old State Rd, Delaware OH 43015. Three parcels to the east of N. Old State Rd and North of US 36/SR 37

Parcel number(s) 418-120-01-009-002, 418-120-01-012-002, 418-120-01-011-000

Current zoning BCO/R-10 Current use 102,502, 511 Total acres 31.683

NCAIS Code No. \_\_\_\_\_ Proposed Use Multi-Family Residential Development Acres to rezone 31.683

The applicant(s) shall hold pre-application meetings with the Berlin Township Zoning Inspector and provide three (3) draft copies for consideration.

Once the Zoning Inspector confirms completeness, the applicant shall prepare and submit **twenty (20) copies of this application, the Development Plan, and all attachments, along with one PDF copy and all applicable fees** to the Berlin Township Zoning Inspector. The application shall be signed by the applicant and all owners of property included in the application. The Berlin Township Zoning Inspector will provide the copies to the Architectural Review Board upon receiving a fully completed application.

The undersigned hereby certify that the information contained in this application and its supplements are true, correct, and complete. The undersigned agree to be bound by the provisions of the Berlin Township Zoning, and also gives Berlin Township permission to place signage on the subject property to announce hearings.

Property Owner: Jordan Yates Date: 5/11/23

Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant: Jordan Yates Date: 5/11/23

The application must be accompanied by a development plan, which must *clearly address by way of header and summary in sequence*, the following supporting information and documentation in text and map form: Article 15 - 15.06 (B-C); Article 19 - 19.06 (B-C). (Please see template for example)

- I) A survey plat and legal description by a registered Ohio surveyor showing the size and location of the proposed development.
- II) A finished grading plan drawn at a scale of 1"=100' or other scale acceptable to the Zoning
- III) An exhibit demonstrating environmentally-sensitive areas such as the 100-year floodplain, wetlands, and slopes grater than 20%
- IV) A Development Plan drawn to a scale of at least 1"=100' or other scale acceptable to the Zoning Inspector demonstrating the details listed therein.

**The Development Plan Contents shall include in text and map form the following proposed features:**

- A.** The general development character and all permitted uses, identified by NAICS code, and accessory uses to be located on the tract including the limitations or controls to be placed on all uses, with proposed lot sizes, and minimum setback requirements. Other development features, including landscaping, entrance features, signage, pathways, sidewalks, recreational facilities, common open space areas, and all commonly owned structures shall be shown in detail identifying the quantity and type and typical section of each.
- B.** Architectural design criteria including materials, colors and elevations for all structures and criteria for proposed signs that comply with the architectural requirements of this resolution.
- C.** Building heights and dimensions.
- D.** Off-street parking.
- E.** Landscape Plan identifying each plant, shrub, or tree by name, its size at planting, and rendering of how that area of the development would look in elevation.
- F.** Signage plan, showing all proposed signage and dimensions.
- G.** Exterior Lighting Plan to show how exterior lighting fixtures will be shaded whenever necessary to avoid casting direct light upon any adjoining property.
- H.** The proposed provisions for water, fire hydrants, sanitary sewer, and surface drainage with engineering feasibility studies or other evidence of reasonableness. Line sizes and locations, detention basins and drainage structures shall be drawn. A copy of letters from the **County Engineer** and **Sanitary Engineer** stating general feasibility road geometries, surface drainage, and the provision of sewer shall be included.
- I.** A Traffic Impact Analysis by a competent traffic engineer, based upon new trip generation as estimated by the **Delaware County Engineer's standards** and showing the proposed traffic patterns, public and private streets, and other transportation facilities, including their relationship to existing conditions, topographical and otherwise. An **internal traffic flow diagram** showing the vehicle movements and circulations internal to the site (including any private roads) shall also be submitted.

**J.** The relationship of the proposed development to existing and probable uses of surrounding areas during the development timetable.

**K.** Location of all uses within the site and the location of schools, parks and other public facility sites within or adjacent to the site.

**L.** The proposed time schedule for development of the site including streets, buildings, utilities, and other facilities.

**M.** If the proposed timetable for development includes developing the land (including open space) in phases, **all phases** developed after the first, which in no event shall be less than five (5) acres or the whole tract (whichever is smaller), shall be fully described in textual form in a manner calculated to give Township Officials definitive guidelines for approval of future phases. This schedule shall include a detailed list of all items to be constructed in each phase of the development, including but not limited to any amenities such as fountains, tot lots, etc. This information must also include a set of documents for establishing any proposed Homeowners' Association including the proposed time frames for turning said association over to the residents. The phasing plan must also include information to clearly indicate that the requirements of Section 15.05(A)(5)(b) are being met.

**N.** The ability of the applicant to carry forth this plan by control of the land and the engineering feasibility of the plan.

**O.** Evidence of the applicant's ability to post a bond or an irrevocable letter of credit if the plan is approved assuring completion of public service facilities to be constructed within the project by the developer.

**P.** All drawings that are a part of the Development Plan shall respectively bear the seals of the preparing architect, landscape architect, and/or professional engineer. The respective professional attaching his or her seal to the drawings must be licensed to practice in the state of Ohio.

**Q.** The manner and method to be utilized in order to achieve and maintain compliance with the general criteria for the respective district.

**R.** The manner in which the applicant will mitigate any nuisance effects of the proposed uses such as, but not limited to: a) Fire and Explosion Hazards; b) Air Pollution; c) Glare, Heat and Exterior Lighting; d) Dust and Erosion; e) Liquid or Solid Wastes; f) Vibration and Noise; g) Odors.

**S.** The proposed locations of any proposed cluster **mailbox** units, associated off-street parking spaces, and proposed methods for maintaining said units and parking spaces.

**T.** Letters required include: Delaware County Regional Planning Commission (DCRPC), Berlin Township Fire, Delaware County Engineer (see above); Delaware General Health District and/or Ohio EPA (for On-site Water and/or Wastewater System); Delaware Soil and Water; Any other applicable Federal, State, and/or local agencies.

**U.** The Township Zoning Commission and Board of Township Trustees may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed. This includes but is not limited to landscaping, development, improvement, and maintenance of common open space as well as any other pertinent development characteristics.



## **Basis of Approval**

Basis of Approval. In determining whether or not to approve an Application and Development Plan, the reviewing authorities shall consider the following:

### **Article 15 (BCO) - Section 15.06(E)**

1. That the proposed development is consistent in all aspects with the purpose, criteria, intent, and standards of this Zoning Resolution.
2. That the proposed development meets all applicable requirements of this Article and Zoning Resolution.
3. That the proposed development is in conformity with the comprehensive plan as adopted or concurrently amended or portion thereof as it may apply.
4. That the proposed development promotes the health, safety, and general public welfare of the township and the immediate vicinity.
5. That the proposed plan meets all of the design features required in this Resolution.
6. That the proposed development will be compatible in appearance with surrounding existing or proposed land uses.
7. That the development promotes the efficient use of land and resources, promotes greater efficiency in providing public utility services and encouraging innovation in the planning and building of all types of development.
8. That the proposed development is in the interest of public health, safety, welfare and morals of the township.

### **Article 19 (BIO) - Section 19.06(E)**

1. That the proposed development is consistent in all aspects with the intent, and general standards of this zoning resolution.
2. That the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.
3. That the proposed development advances the health, safety and morals of the township and the immediate vicinity.
4. That the proposed development is in keeping with the existing land use character and physical development potential of the area.
5. That the proposed development will be compatible in appearance with the remainder of the district.
6. That the minimum open space as required herein has been provided.
7. That the proposed development is in the interest of public health, safety, welfare and morals of the township.



investments | trust | banking

Key Private Bank  
Joyce Salizzoni, CFP®  
88 E. Broad Street, 2<sup>nd</sup> Fl  
Columbus, OH 43215  
(614) 365-3363  
joyce\_e\_salizzoni@keybank.com

May 12, 2023

Delaware County

To whom it may concern,

The Yates family has the financial wherewithal to finance the 250-unit project known as The Elysian at Alum Creek, on North Old State Road, Delaware, Oh. Brent and Jordan Yates have been KeyBank clients for many years. We have worked with them in various capacities for both business and personal needs during this period.

This letter is not a commitment to lend. Rather, it is an expression of our interest in reviewing this transaction for a potential development loan, subject to normal underwriting criteria of KeyBank.

Should you need verbal confirmation or further details please don't hesitate to reach out to me directly.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joyce", written in a cursive style.

Joyce Salizzoni, CFP®  
Sr. Relationship Manager  
Sr. Vice President

**The Elysian at Alum Creek**  
**N. Old State Multi-Family Development Plan**  
**6.5.23**

The following maps, at minimum are required:

- I) **A survey plat and legal description by a registered Ohio surveyor showing the size and location of the proposed development.**  
See Exhibits B-1 & B-2.
- II) **A finished grading plan drawn at a scale of 1"=100' or other scale acceptable to the Zoning**  
See Exhibit E-2.
- III) **An exhibit demonstrating environmentally sensitive areas such as the 100-year floodplain, wetlands, and slopes greater than 20%**  
See Exhibit C-3.
- IV) **A Development Plan drawn to a scale of at least 1"=100' or other scale acceptable to the Zoning Inspector demonstrating the details listed therein.**  
See Exhibit C-4.

The Development Plan Contents shall include in text and map form the following proposed features:

- A. **The general development character and all permitted uses, identified by NAICS code, and accessory uses to be located on the tract including the limitations or controls to be placed on all uses, with proposed lot sizes, and minimum setback requirements. Other development features, including landscaping, entrance features, signage, pathways, sidewalks, recreational facilities, common open space areas, and all commonly owned structures shall be shown in detail identifying the quantity and type and typical section of each.**

Development use is R-10 Multi-Family Residential. Buildings have a minimum of 4 residential units.

Per Section 15.05 Development and Design Standards:

- 1. Right of way Setbacks:

- a. Along US 36/SR 37:

A minimum setback of eighty (80) feet. Maximum building setback of one hundred (100) feet. A ten (10) foot right of way landscape zone is provided within the setback.

- b. Along N. Old State:

A maximum setback of one hundred (100) feet. A ten (10) foot right of way landscape zone is provided within the setback. Parking within this setback has an eight (8) foot sidewalk parallel to the parking and building, and there is an eight (8) foot building landscape zone located between the sidewalk and the building.

2. Minimum Side and Rear Yards:

a. Minimum side yard equal to one-third (1/3) the sum of the height and depth of the structure. This equates to:

- i. Building Type A requires a minimum 36.47' setback.  $((65' + 45')/3 = 36.67')$
- ii. Building Type B requires a minimum of 36.11' setback.  $((63' + 44'7'')/3 = 35.86')$
- iii. Building Type C requires a minimum of 36.83' setback.  $((66' + 44'1'')/3 = 36.69')$
- iv. Building Type D requires a minimum of 28.83' setback.  $((48'11'' + 36'10'')/3 = 28.58')$
- v. Clubhouse requires a minimum of 30.25' setback.  $((67' + 22'10'')/3 = 29.94')$

Setbacks have been set at the following:

- vi. East border = 37.53'
- vii. Southern border abutting non-residential property = 36.92'
- viii. Western border abutting non-residential property = 37.53'
- ix. Northern border = 250' from parcel with existing residential use.

**B. Architectural design criteria including materials, colors and elevations for all structures and criteria for proposed signs that comply with the architectural requirements of this resolution.**

Exterior elevations shall consist of:

Siding: EIFS 3031L Cavern Color (Parex USA); EIFS 3072L Moondance Color (Parex USA)

Stone: Craft Peak Ledge Stone, Color GreyPearl (Creative Mines)

Trim: Black Vinyl Windows. On Clubhouse- Aluminum Storefront Window/Dorr System Color Black.

Roofing: Asphalt Shingle Roofing- Weathered Wood Color

See Exhibits F-1 for location and images of materials and colored elevations.

A Divergence is being requested to allow for the use of Hardie plank (or other fiber cement board) as an Alternate Exterior Material to EIFS. This material is permitted in the commercial and industrial standard.

**C. Building heights and dimensions.**

Building type A: +/- 232' L x 65' W x 45' H

Building type B: +/- 165' L x 63' W x 45' H

Building type C: +/- 175' L x 66' W x 44' H

Building type D: +/- 93' L x 49' W x 37' H

Clubhouse: +/- 134' L x 67' W x 23' H

See Exhibit F-1 for dimensioned architectural elevations and floor plans.

**D. Off-street parking.**

The development includes 392 surface parking spaces and 60 garage spaces for a total of 452 off-street parking spaces. 11 of the surface spaces provided are in accordance with ADA requirements. This results in a 1.8 space per unit ratio. Each space is a minimum of nine (9) feet in width and twenty (20) feet in length with a minimum twenty-six (26) foot drive aisle. There is a maximum of 12 spaces in a row which are separated by a landscaped island.

See Exhibit C-1 for location of off-street parking.

**E. Landscape Plan identifying each plant, shrub, or tree by name, its size at planting, and rendering of how that area of the development would look in elevation.**

Landscape Materials shall meet the requirements of 15.05 C.4.a, b, c.

Thirty- Seven (37) Street trees, spaced at thirty (30) feet on center, provided along N. Old State Rd. Fourteen (14) street trees, spaced at thirty (30) feet on center, provided along SR 37E.

A ten (10) foot wide landscape zone provided along N. Old State Rd right-of-way frontage. This zone contains forty-two (42) deciduous trees and seventy (70) shrubs.

A ten (10) foot wide landscape zone provided along SR 37E right-of-way frontage. This zone contains sixteen (16) deciduous trees and twenty-six (26) shrubs.

All Vehicular Use areas are screened as per Section 15.05 C.4.8 with a three (3) foot average height continuous planted hedge, fence, or 6' wall.

There are forty-six (46) landscaped parking islands. Each island has a minimum of one shade tree of a minimum 2" caliper and a minimum of fifty (50) square feet of other plant material.

An eight (8) foot building landscape zone is provided along N. Old State between the parking area/sidewalk and the clubhouse. A minimum of twenty-seven (27) medium shrubs are provided for 134 linear feet.

Service structures (compactor) are screened with continuous wall, minimum of one (1) foot above the structure.

All Vehicle Use Areas visible from the public right-of-way are screened with a three (3) foot average height continuous hedge.

A continuous hedge and six (6) foot height fence is used to screen the abutting non-residential lot on the southwest and southeast of the property.

A one hundred and ninety-eight (198) lineal foot, eight (8) foot high mound is provided within the two hundred and fifty (250) foot northeastern residential buffer area. The

mound placement considers the jurisdictional wetland and treed area occupying the buffer area. The mound is landscaped with ten (10) deciduous trees, ten (10) coniferous trees, and fifty (50) medium shrubs.

See Exhibit D-1 for Landscape Requirements Plan

See Exhibits D-3 to D-3.7 for location, identification, and size of all plant material.

See Exhibit D-4 for landscape elevations.

**F. Signage plan, showing all proposed signage and dimensions.**

Primary entry shall have a monument style sign. The dimensions of this monument wall and columns shall be a total of approx.. 8' in height, 17'-5" in length, and 3'-4" in width.

The graphic area of the sign will be double sided with 23 sf per side for a total of 46 sf.

The signage shall be halo illuminated (backlight)

See Exhibit D-7.3 for Monument Sign detail.

Entrance columns (2 total) with signage panels on one side, shall be located by the entrance gates. The dimensions of the entry columns shall be approximately 8' height and 4' in width, and each shall contain a 2' x 3' sign panel, for a total of 6 sf each, or a total of 12square feet of signage area for the entrance columns.

The signage shall be halo illuminated (backlight)

See Exhibit D-7.4 for column detail.

There shall be a signage panel on the clubhouse. This sign panel shall be 6' x 6' in size for a total of 36 square footage.

The signage shall be halo illuminated (backlight)

See exhibit F-1 for details

Additional signs include: unit signage, office signage, and typical internal signage. For dimensions and visual appearance please see Exhibit D-5 signage plan.

**G. Exterior Lighting Plan to show how exterior lighting fixtures will be shaded whenever necessary to avoid casting direct light upon any adjoining property.**

Pole light fixtures are full cut-off type. In parking areas the fixture height will not exceed twenty (20) feet and no lighting will exceed the height of the proposed buildings.

See Exhibit D-6 for lighting plan and fixture details.

**H. The proposed provisions for water, fire hydrants, sanitary sewer, and surface drainage with engineering feasibility studies or other evidence of reasonableness. Line sizes and locations, detention basins and drainage structures shall be drawn. A copy of letters from the County Engineer and Sanitary Engineer stating general feasibility road geometries, surface drainage, and the provision of sewer shall be included.**

All engineering and utilities will be consistent with Delaware County Engineering standards.

See Exhibit E-1 for Composite Utility Plan.

See Exhibit E-3 for Engineering Feasibility Letter

See Exhibit E-4 for Sewer Availability Letter

- I. A Traffic Impact Analysis by a competent traffic engineer, based upon new trip generation as estimated by the Delaware County Engineer's standards and showing the proposed traffic patterns, public and private streets, and other transportation facilities, including their relationship to existing conditions, topographical and otherwise. An internal traffic flow diagram showing the vehicle movements and circulations internal to the site (including any private roads) shall also be submitted.**

See Exhibit G-1 for Traffic Access Study

- J. The relationship of the proposed development to existing and probable uses of surrounding areas during the development timetable.**

The west of the site is bordered by N. Old State Rd, across which includes parcels zoned for farm residential and a retail store for farm equipment.

To the southwest is a retail store for furniture.

To the south the site is fronted by US 36/ SR 37, across which is a recreational vehicle dealership.

The abutting east parcels include Alum Creek State Park as well as a small farm wedding venue.

The north of the site is bordered by farm residential.

See Exhibit C-2 for existing conditions of the surrounding area.

- K. Location of all uses within the site and the location of schools, parks, and other public facility sites within or adjacent to the site.**

There are no schools, parks, or other public facilities within or adjacent to this site.

See Exhibit C-2 for existing conditions.

- L. The proposed time schedule for development of the site including streets, buildings, utilities, and other facilities.**

The applicant shall apply for building permits once approved by Berlin Township-

Construction will take approximately 18 months to complete after permits are received, and should be started in Winter 2023/24.

- M. If the proposed timetable for development includes developing the land (including open space) in phases, all phases developed after the first, which in no event shall be less than five (5) acres or the whole tract (whichever is smaller), shall be fully described in textual form in a manner calculated to give Township Officials definitive**

**guidelines for approval of future phases. This schedule shall include a detailed list of all items to be constructed in each phase of the development, including but not limited to any amenities such as fountains, tot lots, etc. This information must also include a set of documents for establishing any proposed Homeowners' Association including the proposed time frames for turning said association over to the residents. The phasing plan must also include information to clearly indicate that the requirements of Section 15.05(A)(5)(b) are being met.**

This development will be constructed as one phase.

Development use is multi-family residential with a single owner. HOA is not applicable to this development.

**N. The ability of the applicant to carry forth this plan by control of the land and the engineering feasibility of the plan.**

The applicant has ownership of this parcel. See Parcel Warranty Deed.

See Exhibit E-3 for engineering feasibility letter.

**O. Evidence of the applicant's ability to post a bond or an irrevocable letter of credit if the plan is approved assuring completion of public service facilities to be constructed within the project by the developer.**

See N Old State LLC Operating Agreement and bank letter

**P. All drawings that are a part of the Development Plan shall respectively bear the seals of the preparing architect, landscape architect, and/or professional engineer. The respective professional attaching his or her seal to the drawings must be licensed to practice in the state of Ohio.**

All drawings are sealed by the respective professional licensed to practice in the state of Ohio.

**Q. The manner and method to be utilized in order to achieve and maintain compliance with the general criteria for the respective district.**

The plans have been developed in accordance with the BCO guidelines, and adherence to these standards shall be maintained during construction and with continued operation of property.

**R. The manner in which the applicant will mitigate any nuisance effects of the proposed uses such as, but not limited to: a) Fire and Explosion Hazards; b) Air Pollution; c) Glare, Heat and Exterior Lighting; d) Dust and Erosion; e) Liquid or Solid Wastes; f) Vibration and Noise; g) Odors.**

The proposed uses of this site are not anticipated to create any of these listed nuisance effects.



- S. The proposed locations of any proposed cluster mailbox units, associated off-street parking spaces, and proposed methods for maintaining said units and parking spaces.**  
Mail units will be within the clubhouse . Off-street parking is located directly next to the clubhouse. These will be maintained with the remainder of the property.
- T. Letters required include: Delaware County Regional Planning Commission (DCRPC), Berlin Township Fire, Delaware County Engineer (see above); Delaware General Health District and/or Ohio EPA (for On-site Water and/or Wastewater System): Delaware Soil and Water; Any other applicable Federal, State, and/or local agencies.**  
See Exhibit E-3 for Delaware County Engineer letter.  
See Exhibit E-4 for Delaware County Regional Sewer Letter  
See Exhibit E-6 for Berlin Township Fire Department Letter  
Delaware Soil and Water does not provide letters and relies on Delaware County Engineer to evaluate.  
See Exhibit G-2 for Wetland Delineation Report
- U. The Township Zoning Commission and Board of Township Trustees may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed. This includes but is not limited to landscaping, development, improvement, and maintenance of common open space as well as any other pertinent development characteristics.**

# **OPERATING AGREEMENT**

**OF**

**N OLD STATE LLC**

**March 27, 2017**

THE INTERESTS CREATED BY THIS AGREEMENT HAVE NOT BEEN AND WILL NOT BE REGISTERED WITH THE SECURITIES AND EXCHANGE COMMISSION UNDER THE SECURITIES ACT OF 1933, AS AMENDED (THE "SECURITIES ACT"), OR WITH THE SECURITIES AUTHORITIES OF ANY STATE UNDER ANY STATE SECURITIES LAWS. AS A CONSEQUENCE, THE INTERESTS MAY NOT BE SOLD, ASSIGNED, CONVEYED, PLEDGED, HYPOTHECATED, OR OTHERWISE TRANSFERRED BY A HOLDER THEREOF EXCEPT: (1) PURSUANT TO AN EFFECTIVE REGISTRATION STATEMENT REGISTERING THE INTERESTS UNDER THE SECURITIES ACT AND/OR UNDER APPLICABLE STATE SECURITIES LAWS OR (2) PURSUANT TO AN OPINION OF COUNSEL WHICH HAS BEEN OBTAINED BY SUCH HOLDER AND WHICH IS SATISFACTORY TO THE MANAGERS OR PURSUANT TO SUCH OTHER EVIDENCE WHICH HAS BEEN OBTAINED BY THE HOLDER AND WHICH IS SATISFACTORY TO THE MANAGERS THAT SUCH REGISTRATION UNDER THE SECURITIES ACT AND/OR UNDER APPLICABLE STATE SECURITIES LAWS IS NOT REQUIRED FOR SUCH HOLDER TO LAWFULLY EFFECT SUCH SUBSEQUENT SALE, ASSIGNMENT, CONVEYANCE, PLEDGE, HYPOTHECATION, OR OTHER TRANSFER. INVESTORS SHOULD BE AWARE THAT THEY MAY BE REQUIRED TO BEAR THE FINANCIAL RISKS OF THIS INVESTMENT FOR AN INDEFINITE PERIOD OF TIME.

IN MAKING AN INVESTMENT DECISION, INVESTORS MUST RELY ON THEIR OWN EXAMINATION OF THE COMPANY AND THE TERMS OF THE OFFERING, INCLUDING THE MERITS AND RISKS INVOLVED. THESE SECURITIES HAVE NOT BEEN RECOMMENDED BY ANY FEDERAL OR STATE SECURITIES COMMISSION OR REGULATORY AUTHORITY. FURTHERMORE, THE FOREGOING AUTHORITIES HAVE NOT CONFIRMED THE ACCURACY OR DETERMINED THE ADEQUACY OF THIS DOCUMENT. ANY REPRESENTATION TO THE CONTRARY IS A CRIMINAL OFFENSE.

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**OPERATING AGREEMENT  
OF  
N OLD STATE LLC**

This Operating Agreement (“Agreement”) of N Old State LLC, an Ohio limited liability company (“Company”), is made and entered into as of this **27th day of March, 2017** by and among the Company, and the Persons executing this Agreement as Members (each a “Member” and collectively “Members”), pertaining to the operation of Company, pursuant to Chapter 1705 of the Ohio Revised Code, as amended (the “Act”), on the following terms and conditions:

**Section 1. THE COMPANY**

**1.1 Formation.** The Members organized the Company by having Matthew T. Cull, as the authorized representative of the Company, file Articles of Organization for the Company with the Secretary of State of the State of Ohio on March 27, 2017, pursuant to, in accordance with, and for purposes of, the provisions of the Act. The Members hereby ratify, confirm, and reconfirm all actions taken by Matthew T. Cull, as authorized representative of the Company, in connection with such filing.

**1.2 Name.** The name of the Company shall be “N Old State LLC” and all business of the Company shall be conducted in such name and such other trade names as the Company shall elect.

**1.3 Statutory Agent and Principal Place of Business.** The statutory agent of the Company in the State of Ohio shall initially be Matthew Cull, Attorney, Kephart Fisher, LLC., 207 North Fourth Street, Columbus, Ohio 43215, provided that the Members may, from time to time, replace such statutory agent by appointing another statutory agent who accepts such appointment. The principal place of business of the Company shall be located at 4244 State Route 546, Lexington OH, or at such other place within or without the State of Ohio as may be determined by the Members.

**1.4 Purpose.** The Company has been formed for the purpose of purchasing, owning managing, developing, leasing and selling real property and for any other purpose as permitted under the Act.

**1.5 Purposes Limited.** The Company shall exist only for the purpose or purposes specified in Section 1.4 hereof. Except as otherwise provided in this Agreement, the Company shall not engage in any other activity or business, and neither any of the Managers nor any of the Members shall have any authority to hold himself or herself out as a general agent of another Member in any other business or activity.

**1.6 No Payment of Individual Obligations.** The Manager(s) and the Members shall use the Company’s credit and assets solely for the benefit of the Company. No asset of the Company shall be transferred or encumbered for or in payment of any individual obligation of any Manager or Member.

**1.7 Statutory Compliance.** The Company shall exist under and be governed by, and this Agreement shall be construed in accordance with, the applicable laws of the State of Ohio. The Manager(s) shall make, or cause the Company's duly authorized representative(s) to make, all filings and disclosures required by, and shall otherwise comply with, all those laws. The Managers shall execute and file, or cause the Company's duly authorized representative(s) to execute and file, in the appropriate records any certificates required by law to be filed in connection with the formation of the Company and shall execute and file, or cause the Company's duly authorized representative(s) to execute and file, other documents and instruments as may be necessary or appropriate with respect to the formation of and conduct of business by the Company.

**1.8 Title to Property.** All real and personal property owned by the Company shall be owned by the Company as an entity and, insofar as permitted by applicable law, neither any Manager, nor any of the Members shall have any ownership interest in such property in his or her individual name or right, and each Member's interest in the Company shall be personal property for all purposes.

**1.9 Term.** The term of the Company commenced upon the filing of the Articles of Organization for the Company with the Secretary of State of the State of Ohio, and the existence of the Company shall be perpetual until otherwise terminated pursuant to any provision of this Agreement or by law.

**1.10 Independent Activities.** Except as otherwise provided for in this Agreement, each Manager and each Member may engage in whatever activities such Manager or such Member may choose, whether the same are competitive with the Company or otherwise, without having or incurring any obligation to offer any interest in such activities to the Company, any Manager, or any Member. Neither this Agreement nor any activity undertaken pursuant hereto shall prevent any Manager or any Member from permitting the Company, any Manager, or any Member from participating in any such activities, and as a material part of the consideration for the execution of this Agreement by each Manager and each Member, each Manager and each Member hereby waives, relinquishes, and renounces any such right or claim of participation against any Manager or any Member.

**1.11 Definitions.** In addition to the capitalized words and phrases defined elsewhere herein, which for all purposes hereof shall have the definitions assigned to such capitalized words and phrases, the following capitalized words and phrases used in this Agreement have the following meanings:

- (a) "Act" means Chapter 1705 of the Ohio Revised Code, as amended from time to time (or any corresponding provisions of succeeding law).
- (b) "Adjusted Capital Account Deficit" means the deficit balance, if any, in a Member's Capital Account at the time in question, after (i) reducing the amount of such deficit by the amount, if any, of such Member's Restoration Obligation, and (ii) increasing the amount of such deficit by the amount, if any, of the items described in paragraphs (4), (5) and (6) of Section 1.704-1(b)(2)(ii)(d) of the Regulations. The determination of a Member's Adjusted Capital Account Deficit



is made for purposes of Section 1.704-1(b)(2)(ii)(d) of the Regulations and shall be made consistently therewith.

- (c) “Adjusted Capital Contribution” means, with respect to each Member, an amount equal to the Capital Contributions made by such Member, minus all capital returned to a Member as a consequence of a capital transaction.
- (d) “Affiliate” means, with respect to any Person, (i) any Person directly or indirectly controlling, controlled by, or under common control with such Person, (ii) any Person owning or controlling ten percent (10%) or more of the outstanding voting securities of such Person, (iii) any officer, director or general partner of such Person, or (iv) any Person who is an officer, director, general partner, trustee or holder of ten percent or more of the voting securities of any Person described in clauses (i) through (iii) of this sentence.
- (e) “Agreement” means this Operating Agreement, as amended from time to time. Words such as “herein,” “hereinafter,” “hereof,” “hereto,” and “hereunder,” refer to this Agreement as a whole, unless the context otherwise requires.
- (f) “Assignee” means a Person who has acquired an Economic Interest in the Company but who has not been admitted as a Substitute Member hereunder.
- (g) “Capital Account” means, with respect to any Member, the Capital Account maintained for such Person in accordance with the following provisions:
  - (i). To each Person’s Capital Account there shall be credited the Person’s Capital Contributions, the Person’s distributive share of Profits and any items in the nature of income or gain which are specially allocated pursuant to Section 4.4 hereof, and the amount of any Company liabilities assumed by the Person or which are secured by any Property distributed to the Person;
  - (ii). To each Person’s Capital Account there shall be debited the amount of cash and the Gross Asset Value of any Property distributed to the Person pursuant to any provision of this Agreement, the Person’s distributive share of Losses and any items in the nature of expenses or losses which are specially allocated pursuant to Section 4.4 hereof, and the amount of any liabilities of the Person assumed by the Company or which are secured by any Property contributed by the Person to the Company;
  - (iii). In the event any interest in the Company is transferred in accordance with the terms of this Agreement, the transferee shall succeed to the Capital Account of the transferor to the extent that it relates to the transferred interest; and
  - (iv). In determining the amount of any liability for purposes of Section 1.11(f)(i) and 1.11(f)(ii) hereof, there shall be taken into account Code Section 752(c) and any other applicable provisions of the Code and Regulations.

The foregoing provisions and the other provisions of this Agreement relating to



the maintenance of Capital Accounts are intended to comply with Regulations Section 1.704-1(b), and shall be interpreted and applied in a manner consistent with such Regulations. In the event the Managers determine that it is prudent to modify the manner in which the Capital Accounts, or any debits or credits thereto (including, without limitation, debits or credits relating to liabilities which are secured by contributed or distributed property or which are assumed by the Company or the Members), are computed in order to comply with the Regulations, the Managers may make the modification, provided that it is not likely to have a material effect on the amounts distributable to any Member pursuant to Section 12 hereof upon the dissolution of the Company. The Managers also shall make any appropriate modifications in the event unanticipated events might otherwise cause this Agreement not to comply with Regulations Section 1.704-1(b), provided that such modifications are not likely to have a material effect on the amounts distributable to any Member pursuant to Section 12 hereof upon the dissolution of the Company.

- (h) “Capital Contributions” means, with respect to any Member, the amount of money (including fees and costs paid on behalf of the Company) and the initial Gross Asset Value of any property (other than money) contributed to the Company from time to time with respect to the Company interest held by the Member pursuant to the terms of this Agreement.
- (i) “Code” means the Internal Revenue Code of 1986, as amended from time to time (or any corresponding provisions of succeeding law).
- (j) “Company” means the limited liability company governed by this Agreement and the company continuing the business of this Company in the event of dissolution as herein provided.
- (k) “Depreciation” means, for each fiscal year or other period, an amount equal to the depreciation, amortization or other cost recovery deduction allowable with respect to any asset for such year or other period, except that if the Gross Asset Value of an asset differs from its adjusted basis for federal income tax purposes at the beginning of such year or other period, Depreciation shall be an amount which bears the same ratio to such beginning Gross Asset Value as the federal income tax depreciation, amortization, or other cost recovery deduction for such year or other period bears to such beginning adjusted tax basis; provided, however, that if the federal income tax depreciation, amortization, or other cost recovery deduction for such year is zero, depreciation shall be determined with reference to that beginning Gross Asset Value using any reasonable method selected by the Managers.
- (l) “Economic Interest” means a Member’s or Assignee’s right to receive distributions from the Company and to share in the income, gains, losses, deductions, credits, or similar items of the Company pursuant to this Agreement and the Act, but shall not include any other rights of a Member, including without limitation the right to vote or participate in the management of the Company, or,

except as provided in the Act, any right of an Assignee to information concerning the business and affairs of the Company.

- (m) “Gross Asset Value” means, with respect to any asset, the asset’s adjusted basis for federal income tax purposes except as follows:
  - (i). The initial Gross Asset Value of any asset contributed by a Member to the Company shall be the gross fair market value of such asset, as determined by the contributing Member and the Managers.
  - (ii). The Gross Asset Values of all Company assets shall be adjusted to equal their respective gross fair market values, as determined by the Managers, as of the following times: (a) the acquisition of an additional interest in the Company by any new or existing Member in exchange for more than a de minimis Capital Contribution; (b) the distribution by the Company to a Member of more than a de minimis amount of Property as consideration for an interest in the Company if the Managers reasonably determine that such adjustment is necessary or appropriate to reflect the relative economic interests of the Members in the Company; and (c) the liquidation of the Company within the meaning of Regulations Section 1.704 1(b)(2)(ii)(g);
  - (iii). The Gross Asset Value of any Company asset distributed to any Member shall be the gross fair market value of such asset on the date of distribution; and
  - (iv). The Gross Asset Values of Company assets shall be increased (or decreased) to reflect any adjustments to the adjusted basis of such assets pursuant to Code Section 734(b) or Code Section 743(b), but only to the extent that such adjustments are taken into account in determining Capital Accounts pursuant to Regulation Section 1.704 1(b)(2)(iv)(m); provided, however, that Gross Asset Values shall not be adjusted pursuant to this Section 1.11(k)(iv) to the extent the Managers determine that an adjustment pursuant to Section 1.11(k)(ii) is necessary or appropriate in connection with a transaction that would otherwise result in an adjustment pursuant to this Section 1.11(k)(iv).

If the Gross Asset Value of an asset has been determined or adjusted pursuant to Section 1.11(k)(i), 1.11(k)(ii) or 1.11(k)(iv) hereof, such Gross Asset Value shall thereafter be adjusted by the Depreciation taken into account with respect to such asset for purposes of computing Profits and Losses.

- (n) “Manager” or “Managers” means the Person or Persons executing this Agreement as a Manager and identified as a Manager in Section 7 of this Agreement, together with any party that becomes a replacement Manager of the Company pursuant to the terms hereof. The Manager(s) shall be the “manager” of the Company for all purposes of the Act, including, but not limited to, Section 1705.25(B) of the Act.



- (o) “Member” or “Members” means the persons executing this Agreement, and “Member” means any one of the Members, subject to the further provisions of Section 2 hereof.
- (p) “Membership Interest” means a Member’s rights in the Company, including the Member’s Economic Interest, the right to vote on certain matters as provided in this Agreement, and any right to information concerning the business and affairs of the Company provided by this Agreement or the Act.
- (q) “Net Cash” means the gross cash proceeds from Company operations, less the portion thereof used to pay, or establish reserves for, all Company expenses, debt payments, capital expenditures, replacements, and contingencies, all as determined by the Managers. “Net Cash” shall not be reduced by depreciation, amortization, cost recovery deductions, or similar allowances.
- (r) “Percentage Interest” means, with respect to any Member, the Percentage Interest set forth opposite the Member’s name in Section 3.1 hereof, subject to adjustments pursuant to Section 3.2 hereof.
- (s) “Person” means any individual, partnership, limited liability company, corporation, trust, or other entity.
- (t) “Profits” and “Losses” means, for each fiscal year or other period, an amount equal to the Company’s taxable income or loss for such year or period, determined in accordance with Code Section 703(a) (for this purpose, all items of income, gain, loss or deduction required to be stated separately pursuant to Code Section 703(a)(1) shall be included in taxable income or loss), with the following adjustments:
  - (i). Any income of the Company that is exempt from federal income tax and not otherwise taken into account in computing Profits or Losses pursuant to this Section 1.11(r) shall be added to such taxable income or loss;
  - (ii). Any expenditures of the Company described in Code Section 705(a)(2)(B) or treated as Code Section 705(a)(2)(B) expenditures pursuant to Regulations Section 1.704-1(b)(2)(iv)(i), and not otherwise taken into account in computing Profits or Losses pursuant to this Section 1.11(r) shall be subtracted from such taxable income or loss;
  - (iii). In the event the Gross Asset Value of any Company asset is adjusted pursuant to Section 1.11(k)(ii) or Section 1.11(k)(iii) hereof, the amount of such adjustment shall be taken into account as gain or loss from the disposition of such asset for purposes of computing Profits or Losses;
  - (iv). Gain or loss resulting from any disposition of Property with respect to which gain or loss is recognized for federal income tax purposes shall be computed by reference to the Gross Asset Value of the Property disposed

of, notwithstanding that the adjusted tax basis of such Property differs from its Gross Asset Value;

- (v). In lieu of the depreciation, amortization, and other cost recovery deductions taken into account in computing such taxable income or loss, there shall be taken into account Depreciation for such fiscal year or other period, computed in accordance with Section 1.11(j) hereof; and
- (vi). Notwithstanding any other provision of this Section 1.11(r), any items which are specially allocated pursuant to Section 4.4 hereof shall not be taken into account in computing Profits or Losses.
- (u) “Property” means all real and personal property acquired by the Company and any improvements thereto, and shall include both tangible and intangible property.
- (v) “Regulations” means the Income Tax Regulations promulgated under the Code from time to time.
- (w) “Restoration Obligation” means, with respect to any Member, the amount of any deficit balance in such Member’s Capital Account which such Member is treated as obligated to restore pursuant to (i) Section 1.704-1(b)(2)(ii)(c) of the Regulations and (ii) the penultimate sentences of Sections 1.704-2(g)(1) and 1.704-2(i)(5) of the Regulations. Computation of the amount of a Member’s Restoration Obligation, and any determinations related thereto, shall be made in accordance with the Regulations.
- (x) “Substitute Member” means a Person who has succeeded to the Economic Interest of a Member hereunder and who has been accepted as a Member of the Company pursuant to the terms of this Agreement.

**1.12 Limited Liability of Managers and Members.** Except as otherwise provided herein, the Managers and the Members shall have no personal liability in connection with the Company, to the full extent provided by Section 1705.48 of the Act.

**1.13 Taxation as a Partnership.** The Members intend that the Company shall be treated as a partnership for tax purposes only, and in connection therewith, the Members covenant and agree to take all actions necessary to accomplish such tax treatment and to refrain from taking any actions to the contrary.

## **Section 2. MEMBERS; AFFILIATES**

**2.1 Original Members; New and Substitute Members.** The Members of the Company are the parties who have executed this Agreement as Members. Except as otherwise provided in Section 9 hereof, additional or Substitute Members may be admitted only upon the unanimous written consent of the Members and Manager(s), which consent may be withheld in the absolute and sole discretion of each Member or Manager.



**2.2     Resignation of Member.** A Member has no right to resign from the Company.

**2.3     Membership Contingent Upon Initial Capital Contribution.** Notwithstanding anything herein to the contrary, membership in the Company is expressly contingent upon each Member making the initial Capital Contribution set forth in Section 3.1 hereof. The membership in the Company of any Member may be terminated by the Managers upon failure to make such initial Capital Contribution.

### **Section 3. CAPITAL CONTRIBUTIONS**

**3.1     Members; Initial Capital Contribution; Percentage Interests.** Set forth in Exhibit A, attached hereto, are the names, addresses, initial Capital Contributions, and Percentage Interests of each Member.

On or before the date of execution and delivery hereof, each of the Members shall contribute cash or the real property agreed to be contributed for the benefit of the Company as initial Capital Contributions in the amounts set forth above.

A separate capital account shall be maintained for each Member in accordance with Code Section 704(b) and applicable Regulations.

**3.2     Additional Capital Contributions.** In addition to the initial Capital Contributions required by Section 3.1 hereof and subject to the further provisions of Section 7.3 hereof, additional Capital Contributions may be called for by the Managers from time to time with fifteen (15) days advance written notice to the Members for any purpose deemed appropriate by the Managers in connection with the capital needs of the Company. All such Capital Contributions shall be payable in proportion to the Original Percentage Interests of the Members set forth in Section 3.1 hereof. In the event any Member fails to timely honor the Managers' call for additional Capital Contributions (a "Capital Default"), such Member (a "Defaulting Member") shall be in default of its obligations hereunder and during the continuance of a Capital Default, such Defaulting Member shall forfeit all voting and approval rights hereunder. Upon the occurrence of a Capital Default, the non-defaulting Members (the "Non-Defaulting Members") shall have the option to extend a demand loan to the Defaulting Member in the amount of such Capital Default (a "Capital Default Loan"), which Capital Default Loan shall bear interest at one percent (1%) per annum and be repaid at the earliest possible time through the payment to the Non-Defaulting Members of all distributions hereunder otherwise due the Defaulting Member.

No third party or creditor of the Company shall be a beneficiary of this Section 3.2 or entitled to rely hereon or require additional Capital Contributions by virtue of this Section 3.2.

**3.3     General.**

- (a) Except as otherwise provided in this Agreement, no Member shall withdraw any Capital Contributions without the consent of the Managers. Under circumstances requiring a return of any Capital Contributions, no Member shall have the right to receive property other than cash except as may be specifically provided herein.

- (b) No Member shall receive any interest, salary, or draw with respect to its Capital Contributions or its Capital Account or for services rendered on behalf of the Company or otherwise in its capacity as Member, except as otherwise provided in this Agreement.

#### **Section 4. ALLOCATIONS**

**4.1 Profits.** Except as provided in Section 4.4 hereof, Profits for any fiscal year shall be allocated first to Members who have previously been allocated Losses and thereafter among the Members in proportion to their Percentage Interests.

**4.2 Losses.**

- (a) Except as provided in Section 4.4 hereof and subject to Section 4.2(b), Losses for any fiscal year shall be allocated among the Members in proportion to their Percentage Interests.
- (b) The Losses allocated pursuant to Section 4.2(a) hereof shall not create (or increase) an Adjusted Capital Account Deficit for any Member. All Losses in excess of this limitation shall be allocated to the other Member(s) to the extent that such allocation does not create (or increase) an Adjusted Capital Account Deficit for such other Member(s).

**4.3 General.**

- (a) Except as otherwise provided in this Agreement, all items of Company income, gain, loss, deduction, and any other allocations not otherwise provided for shall be divided among the Members in the same proportions as they share Profits or Losses, as the case may be, for the year.
- (b) The Members are aware of the income tax consequences of the allocations made by this Section 4 and hereby agree to be bound by the provisions of this Section 4 in reporting their shares of Company income and loss for income tax purposes.
- (c) For purposes of determining the Profits, Losses, or any other items allocable to any period, Profits, Losses, and any such other items shall be determined on a daily, monthly, or other basis, as determined by the Managers using any permissible method under Code Section 706 and the Regulations thereunder.
- (d) In the event of a dissolution of the Company, if Members have Adjusted Capital Account Deficits after allocations of income or loss pursuant to Section 4.1, 4.2, and 4.4 hereof, items of gross income shall be allocated to Members in proportion to their Adjusted Capital Account Deficits until all such deficits are eliminated.

**4.4 Other Allocation Rules.**

- (a) To the extent an adjustment to the adjusted tax basis of any Company asset pursuant to Code Section 734(b) or Code Section 743(b) is required, pursuant to



Regulations Section 1.704-1(b)(2)(iv)(m), to be taken into account in determining Capital Accounts, such adjustment shall be treated as an item of gain (if the adjustment increases the basis of the asset) or loss (if the adjustment decreases such basis) and such gain or loss shall be specially allocated to the Members in a manner consistent with the manner in which their Capital Accounts are required to be adjusted pursuant to such section of the Regulations.

- (b) Any “partner nonrecourse deductions” (as defined in the Regulations) for any calendar year shall be specially allocated to the Member who bears the economic risk of loss with respect to the “partner nonrecourse debt” (as defined in the Regulations) to which such partner nonrecourse deductions are attributable in accordance with the Regulations. Such Members shall be specially allocated items of Company income and gain as are required by the “chargeback of partner nonrecourse debt minimum gain” requirements of the Regulations.
- (c) Any “nonrecourse deductions” (as defined in the Regulations) for any calendar year shall be specially allocated to the Members in proportion to their respective Percentage Interests. Such Members shall be specially allocated items of Company income and gain as are required by the “minimum gain chargeback” requirements of the Regulations.
- (d) In the event any Member’s unexpected receipt of any adjustments, allocations, or distributions described in Section 1.704-1(b)(2)(ii)(d)(4), Section 1.704-1(b)(2)(ii)(d)(5), or Section 1.704-1(b)(2)(ii)(d)(6) of the Regulations causes such Member to have (or increases) an Adjusted Capital Account Deficit, items of Company income and gain shall be specially allocated to each such Member in an amount and manner sufficient to eliminate, to the extent required by the Regulations, the Adjusted Capital Account Deficit of such Member as quickly as possible, provided that an allocation pursuant to this Section 4.4(d) shall be made only if and to the extent that such Member would have an Adjusted Capital Account Deficit after all other allocations provided for in this Section 4 have been tentatively made as if this Section 4.4(d) were not in this Agreement.
- (e) Notwithstanding the provisions of Sections 4.1 and 4.2(a) hereof, allocations pursuant to Sections 4.2(b) and 4.4(a) through (d) hereof shall be taken into account in allocating other Profits, Losses, and items of income, gain, loss, and deduction among the Members so that, to the extent possible, the net amount of such allocations of other Profits, Losses, and other items and the allocations pursuant to Sections 4.2(b) and 4.4(a) through (d) hereof to each Member shall be equal to the net amount that would have been allocated to each such Member if the allocations pursuant to Sections 4.2(b) and 4.4(a) through (d) hereof had not occurred.

**4.5 Tax Allocations: Code Section 704(c).** In accordance with Code Section 704(c) and the Regulations thereunder, income, gain, loss, and deduction with respect to any property contributed to the capital of the Company shall, solely for tax purposes, be allocated among the Members so as to take account of any variation between the adjusted basis of such property to

the Company for federal income tax purposes and its initial Gross Asset Value (computed in accordance with Section 1.11(k)(i) hereof).

In the event the Gross Asset Value of any Company asset is adjusted pursuant to Section 1.11(k)(ii) hereof, subsequent allocations of income, gain, loss, and deduction with respect to such asset shall take account of any variation between the adjusted basis of such asset for federal income tax purposes and its Gross Asset Value in the same manner as under Code Section 704(c) and the Regulations thereunder.

Any elections or other decisions relating to such allocations shall be made by the Managers in any manner that reasonably reflects the purpose and intention of this Agreement. Allocations pursuant to this Section 4.5 are solely for purposes of federal, state, and local taxes and shall not affect, or in any way be taken into account in computing, any Person's Capital Account or share of Profits, Losses, other items, or distributions pursuant to any provisions of this Agreement.

## **Section 5. DISTRIBUTIONS**

**5.1 Distributions.** Except as provided in Section 11 hereof relating to the dissolution of the Company, Net Cash shall be determined by the Managers from time to time, and the amount so determined shall be promptly distributed to the Members. Net Cash shall be distributed in proportion to the Percentage Interests of the Members and, so long as cash is available, shall be at least in an amount sufficient to cover the Members' estimated tax liabilities relating to their interests in the Company.

**5.2 Amounts Withheld.** All amounts withheld pursuant to the Code or any provisions of any state or local tax law with respect to any payment or distribution to the Company or the Members shall be treated as amounts distributed to the Members pursuant to this Section 5 for all purposes under this Agreement. The Members may allocate any such amounts among the Members in any manner that is in accordance with applicable law.

## **Section 6. ACCOUNTING AND RECORDS**

**6.1 Books and Records.** Separate books of account for the Company shall be kept and maintained by the Managers at all times at the Company's principal office. The books of account shall show a true and accurate record of all costs and expenses incurred, all charges made, all credits made and received and all income derived in connection with the operation of the Company business in accordance with a method of accounting consistently applied. The Company shall use the cash basis method or accrual basis method of accounting, at the election of the Managers (except as otherwise may be required), for tax purposes and shall keep its books accordingly. The expenses chargeable to the Company shall include only those which are reasonable and necessary for the ordinary and efficient operation of the Company business and the performance of the obligations of the Company under any agreements or contracts relating to the business of the Company. Each Member shall, at its sole expense, have the right, at any time without notice to the others, to examine, copy, and audit the Company's books and records during normal business hours.



**6.2 Tax Returns.** The Managers shall cause to be prepared, at the cost of the Company, all income and other tax returns of the Company and shall cause the same to be filed in a timely manner. The Managers shall cause to be furnished to each Member a copy of each such return, together with any schedules or other information which each Member may require in connection with such Member's own tax affairs.

**6.3 Special Basis Adjustment.** In connection with any assignment or transfer of a Company interest permitted by the terms of this Agreement, at the written request of the transferor or the transferee, at the time and in the manner provided in Regulations Section 1.754-1(b), the Company shall make an election to adjust the basis of the Company's property in the manner provided in Sections 734(b) and 743(b) of the Code, and such transferee shall pay all costs incurred by the Company in connection therewith, including, without limitation, reasonable attorneys' and accountants' fees.

**6.4 Tax Matters Partner.** Jordan Yates shall be the party designated to receive all notices from the Internal Revenue Service which pertain to the tax affairs of the Company and shall be the "Tax Matters Partner" pursuant to the Code.

**6.5 Fiscal Year.** The fiscal year of the Company shall be the calendar year. As used in this Agreement, a fiscal year shall include any partial fiscal year at the beginning and end of the Company term.

**6.6 Bank Accounts.** The Managers shall have fiduciary responsibility for the safekeeping and use of all funds and assets of the Company, whether or not in his immediate possession or control. The funds of the Company shall not be commingled with the funds of any other person, and the Managers shall not employ, or permit any other person to employ, such funds in any manner except for the benefit of the Company. The bank accounts of the Company shall be maintained in such banking institutions as are approved by the Managers and withdrawals shall be made only in the regular course of Company business and as otherwise authorized in this Agreement on such signature or signatures as the Managers may determine.

**6.7 Costs and Expenses.** All costs and expenses incurred by the Company shall be paid by the Company.

## **Section 7. MANAGEMENT AND OPERATIONS**

**7.1 Appointment of Initial Managers.** The initial Managers of the Company are **Brent Yates**, an individual and **Jordan Yates**, an individual.

**7.2 Authority Generally.** Subject to the limitations contained in Section 7.3 hereof, the management of the Company is generally reserved and vested in the Managers pursuant to Section 1705.25(B) of the Act; provided that notwithstanding Section 1705.25(B)(3) of the Act, the Members authorize the Manager to: (i) confess a judgment against the Company solely in connection with executing and delivering cognovit promissory notes on behalf of the Company if required by the Company's commercial lenders; and (ii) submit claims or liabilities of the Company to arbitration or reference.

**7.3 Matters Requiring Consent of Members.** The following matters shall require the vote or consent of all Members, subject to the provisions of Section 3.2 hereof:

- (a) Dissolution of the Company pursuant to Section 12.1(a) hereof;
- (b) The sale, transfer or other disposition of all or substantially all of the assets of the Company;
- (c) Any call for additional Capital Contributions in excess of \$1,000 in the aggregate, unless pursuant to a business plan or strategy previously approved by all Members;
- (d) Any loans to the Company in excess of \$1,000; and
- (e) Any capital expenditures in excess of \$750,000.

**7.4 Manner of Acting.** The unanimous agreement of all Managers shall be necessary for all decisions affecting the Company, and individual Managers shall have no power as such.

**7.5 Replacement of Manager(s).** Upon the death, permanent disability, or resignation of one of the Managers, the remaining Manager shall be the sole Manager unless and until the Members unanimously elect to appoint another Manager. Upon the death, permanent disability, or resignation of both Managers, the Members may unanimously appoint a new Manager or Managers. In the event that no Managers are appointed, the business of the Company shall be under the exclusive management of the Members, and in such case the unanimous agreement of all Members shall be necessary for all decisions affecting the Company.

**7.6 Indemnification.** The Members and the Managers shall be indemnified and the Company's employees, offices and agents may be indemnified, to the fullest extent possible under the Agreement.

## **Section 8. REPRESENTATIONS OF MEMBERS**

**8.1 Investment Representations.** Each Member represents to the Managers, the other Members and the Company that:

- (a) The Member is acquiring the Member's Percentage Interest as a principal, in good faith, solely for the Member's own account, for investment purposes only and not with a view to divide, resell, or distribute all or any portion thereof;
- (b) The Member understands and acknowledges that the Percentage Interests have not been registered under the Securities Act of 1933, as amended, or any state securities laws, and cannot be offered for sale, sold, or otherwise transferred unless subsequently registered under the Securities Act of 1933, as amended, and under applicable state "Blue Sky" laws, or unless an opinion of counsel is obtained, if requested by the Managers, that registration is not required and that the transfer will not affect the Company's classification as a partnership for Federal income tax purposes; and



- (c) (i) The Member has been given access to all information concerning the Company, and the terms and conditions of the Percentage Interest the Member is purchasing hereby; (ii) the Member and the Member's separate legal counsel have had the opportunity to fully negotiate the terms and conditions of this Agreement; (iii) the Member understands and acknowledges that the Percentage Interest the Member is purchasing or acquiring hereby is a speculative security and involves a high degree of risk and that no federal or state agency has made any finding or determination as to the fairness for public or private investment in, nor any recommendations or endorsement of, such Percentage Interest as an investment; (iv) the Member has the knowledge and experience in business and financial matters that the Member is capable of evaluating the merits and risks of an investment in the Percentage Interest; and (v) the Member's financial situation is such that the Member can afford the risks of an investment in the Percentage Interest.
- (d) The representations, warranties, and covenants set forth in this Agreement shall survive the execution and delivery of this Agreement.

## **Section 9. TRANSFERS OF COMPANY INTERESTS**

**9.1 Limitations on Transfer of Member Interest.** Except as otherwise provided in Section 9.6 hereof and except for transfers to another Member of the Company with the prior written consent of the Manager(s), no Member may, without the approval of the Manager(s), which approval may be withheld in the Managing Member's absolute discretion, (a) withdraw or resign from the Company; (b) terminate its interest in the Company; (c) transfer its interest in the Company; (d) substitute an Assignee in its place or (e) cause an Assignee of the whole or any portion of the Member's interest in the Company to become a Substitute Member in its place.

**9.2 Nonrecognition of Certain Transfers.** Notwithstanding any other provision of this Agreement, the Company may elect not to recognize or treat as effective any transfer, sale, alienation, assignment, encumbrance or other disposition in contravention of any of the provisions of this Section 10, and any such transfer, sale, alienation, assignment, encumbrance or other disposition shall be void abinitio and ineffective and shall not bind or be recognized by the Company if the Company so elects.

**9.3 Substitute or Additional Members; Amendment of Agreement.** Upon the admission of a Substitute Member or additional Member, this Agreement shall be amended to reflect such admission and the elimination or reduction of the transferor Member's interest in the Company. A Substitute Member shall succeed to the Capital Account of the transferor Member, or the portion thereof transferred.

**9.4 Allocation of Net Profits and Net Losses Upon Transfers.** If a transfer or assignment of an interest in the Company occurs during any Fiscal Year, Profits and Losses, each item thereof, and all other items attributable to such interest for such Fiscal Year shall be divided and allocated between the transferor and the transferee by taking into account their varying interests during the Fiscal Year in accordance with Section 706(d) of the Code, using any conventions permitted by law and selected by the Manager(s). The Managers and the

Company shall incur no liability for making allocations and distributions pursuant to this Section 10.4, whether or not the Manager(s) or the Company have knowledge of any transfer or assignment of ownership of any interest in the Company.

**9.5 Waiver of Partition.** No Member shall, either directly or indirectly, take any action to require partition or appraisal of the Company or of any of its assets or properties or cause the sale of any Company property, and notwithstanding any provisions of applicable law to the contrary, each Member (and its successors or assigns) hereby irrevocably waives any and all right to maintain any action for partition or to compel any sale with respect to that Member's Company interest, or with respect to any assets or properties of the Company, except as expressly provided in this Agreement.

**9.6 Transfers for Estate Planning Purposes or Upon Death.** Transfers undertaken by a Member in connection with bona fide estate planning or by devise and distribution upon the death of a Member shall be permitted hereunder.

## **Section 10. AMENDMENTS**

**10.1 Amendments.** This Agreement may be amended from time to time by a written agreement executed by all of the Members and the Manager(s).

## **Section 11. DISSOLUTION AND WINDING UP**

**11.1 Dissolution.** Notwithstanding anything herein to the contrary, the Company shall be dissolved upon the occurrence of any of the following:

- (a) The election of the Members; or
- (b) The sale, transfer, or other disposition of all or substantially all of the assets of the Company.

**11.2 Winding Up.** Upon dissolution of the Company, the Managers shall take full account of the Company's liabilities and Property, and the Property shall be liquidated as promptly as is consistent with obtaining the fair market value thereof, and the proceeds therefrom, to the extent sufficient therefor, shall be applied and distributed in the following order:

- (a) To the payment and discharge of all of the Company's debts and liabilities, including the establishment of any necessary reserves;
- (b) To the return of any Adjusted Capital Contributions in proportion to each Member's Adjusted Capital Contribution as a portion of all Adjusted Capital Contributions, until each Member's Adjusted Capital Contribution has been reduced to \$0.



- (c) The balance, if any, to the Members in accordance with their Percentage Interests, after giving effect to all contributions, distributions and allocations for all periods, as provided for in this Agreement.

**11.3 No Requirement to Restore Deficit in Capital Account.** Nothing contained in this Agreement shall be construed to require any Member to restore any deficit in that Member's Capital Account.

**11.4 Rights of Members.** Except as otherwise provided in this Agreement, each Member shall look solely to the assets of the Company for the return of its Capital Contributions and shall have no right or power to demand, or receive property other than cash from the Company. No Member shall have priority over any other Member as to the return of such Member's Capital Contributions, distributions, or allocations unless otherwise provided in this Agreement.

## **Section 12. MISCELLANEOUS**

**12.1 Notices.** Any notice, payment, demand or communication required or permitted to be given by any provision of this Agreement shall be in writing and shall be deemed to have been delivered, given, and received for all purposes (i) if delivered personally to the Managers, the Member or to an officer of the Member to whom the same is directed or (ii) if sent by registered or certified mail, return receipt requested, postage and charges prepaid, addressed as follows: if to the Company, or the Managers at the principal place of business of the Company set forth in Section 1.3 hereof, or to such other address as the Managers or the Company may from time to time specify by notice to the Members; if to a Member, to such Member at the address set forth in Section 3.1 hereof, or to such other address as such Member may from time to time specify by notice to the Company. Any such notice shall be deemed to be delivered, given, and received as of the date so delivered, if delivered personally, or as of the date on which the same was deposited in a regularly maintained receptacle for the deposit of United States mail, addressed and sent as aforesaid; unless returned undelivered.

**12.2 Construction.** Every covenant, term, and provision of this Agreement shall be construed simply according to its fair meaning and not strictly for or against any Member.

**12.3 Time.** Time is of the essence with respect to this Agreement.

**12.4 Headings.** Section and other headings contained in this Agreement are for reference purposes only and are not intended to describe, interpret, define, or limit the scope, extent, or intent of this Agreement or any provision hereof.

**12.5 Severability.** Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity or legality of the remainder of this Agreement.

**12.6 Incorporation by Reference.** Every exhibit, schedule, and other appendix attached to this Agreement and referred to herein is hereby incorporated in this Agreement by reference.

**12.7 Additional Documents.** Each Member agrees to perform all further acts and execute, acknowledge, and deliver any documents which may be reasonably necessary, appropriate, or desirable to carry out the provisions of this Agreement.

**12.8 Variation of Pronouns.** All pronouns and any variations thereof shall be deemed to refer to masculine, feminine, or neuter, singular or plural, as the identity of the Person or Persons may require.

**12.9 Counterpart Execution.** This Agreement may be executed in any number of counterparts with the same effect as if all of the Managers and all the Members had signed the same document. All counterparts shall be construed together and shall constitute one agreement.

**12.10 Loans.** Any Member may, with the approval of the Members, lend or advance money to the Company. If any Member shall make any loan or loans to the Company or advance money on its behalf, the amount of any such loan or advance shall not be treated as a contribution to the capital of the Company but shall be a debt due from the Company. The amount of any such loan or advance by a lending Member shall be repayable out of the Company's cash, shall bear interest at the rate agreed between the Company and the lending Member and shall amortize on a schedule agreed between the Company and the lending Member. None of the Members shall be obligated to make any loan or advance to the Company.

**12.11 Arbitration.** Any and all disputes among the Managers and/or the Members arising out of this Agreement shall be settled and finally determined by arbitration in accordance with the Rules of the American Arbitration Association, or its successor. Any arbitration shall take place in Columbus, Ohio, and the judgment upon the award rendered therein may be entered in any court having jurisdiction thereof. The Managers and the Members agree that, in the event of arbitration, there shall be confidentiality of process and discovery shall be limited to items relevant to the dispute which is the subject of the arbitration. One arbitrator shall be chosen to resolve any dispute, and the arbitrator so chosen shall apply Ohio law, including any applicable burdens of proof. The decision of the arbitrator shall prevail, and any award granted by the arbitrator shall specify a legal and factual basis for such award. Any arbitration award may be entered by court order.

Notwithstanding the foregoing, nothing herein shall prevent a Manager or a Member from seeking equitable relief in a court of competent jurisdiction.

IN WITNESS WHEREOF, the undersigned Managers and Members have entered into this Operating Agreement as of the day first above set forth.

**MEMBERS:**

A handwritten signature in dark ink, appearing to read "Brent Yates", written over a horizontal line.

Brent Yates

A handwritten signature in dark ink, appearing to read "Jordan Yates", written over a horizontal line.

Jordan Yates

**MANAGERS:**

A handwritten signature in dark ink, appearing to read "Brent Yates", written over a horizontal line.

Brent Yates

A handwritten signature in dark ink, appearing to read "Jordan Yates", written over a horizontal line.

Jordan Yates

**EXHIBIT A**

**INITIAL CAPITAL CONTRIBUTIONS OF MEMBERS**

<u>Members and Addresses</u>	<u>Initial Capital Contribution</u>	<u>Percentage Interest</u>
Brent Yates PO Box 3049 Lexington, OH 44904	\$616,735.68	90%
Jordan Yates PO Box 3049 Lexington, OH 44904	\$68,526.19	10%
Totals	\$685,261.87	100%



# MAGNUSON & BARONE

## ATTORNEYS AT LAW

JAMES A. MAGNUSON  
JOSEPH J. BARONE

Of Counsel: Jeffrey A. Auker  
Matthew J. Roda

May 21, 2019

Jordan A. Yates  
N Old State LLC  
P.O. Box 3030  
Mansfield, Ohio 44904

*RE: General Warranty Deed  
Grantor: Jordan A. Yates  
Grantee: N Old State  
Property Address: 68 North Old State Road, Delaware, Ohio 43015*

Dear Mr. Yates:

Enclosed is the original, recorded General Warranty Deed from you to the LLC. It would be prudent to save this original with the rest of your documents related to your home.

If you have any questions, please do not hesitate to contact me.

Once again, thank you for allowing us the opportunity to serve your needs.

Very truly yours,



Matthew J. Roda  
[mroda@talontitle.net](mailto:mroda@talontitle.net)

Enclosure

---

570 POLARIS PARKWAY, SUITE 140  
WESTERVILLE, OH 43082

Phone 614.901.5700  
Fax 614.901.5800

[jbarone@talontitle.net](mailto:jbarone@talontitle.net)  
[jauker@talontitle.net](mailto:jauker@talontitle.net)

TALON TITLE AGENCY (BOX)  
570 POLARIS PKWY STE 140  
WESTERVILLE, OH 43082

Delaware County  
The Grantor Has Complied With  
Section 319.202 Of The R.C.  
DATE 4/11/19 Transfer Tax Paid 0  
~~TRANSFERRED OR TRANSFER NOT NECESSARY~~  
Delaware County Auditor By TJS



Doc ID: 012883420002 Type: OFF  
Kind: DEED  
Recorded: 04/12/2019 at 08:59:29 AM  
Fee Amt: \$28.00 Page 1 of 2  
Workflow# 0000180657-0001  
Delaware County, OH  
Melissa Jordan County Recorder  
File# 2019-00008449

BK **1629** PG **1571-1572**

DESCRIPTION APPROVED  
FOR TRANSFER  
Chris Bauserman  
Delaware County Engineer

*[Handwritten signature]*  
4/11/19

Order Number:

TALON TITLE AGENCY

M&B: mjr

## GENERAL WARRANTY DEED

**Jordan A. Yates**, unmarried, Grantor, of Delaware County, Ohio, for valuable consideration paid, grants, with general warranty covenants to **N Old State LLC**, an Ohio limited liability company, whose tax mailing address is P.O. Box 3030, Mansfield, Ohio 44904, the following real property:

Situated in the State of Ohio, County of Delaware, and in the Township of Berlin as described as follows:

In Range 18, Section 1, Township 4, and a part of Lot 13; from a point of beginning, being in the center of the Worthington-New Haven Road (County Road #10), N. 1° 58' E. 462 feet along the road from the South line of Lot 13 and approximately N. 1° 58' E. 308.1 feet along the road from the intersection of the Delaware Sunbury Road with the Worthington-New Haven Road; thence N. 1° 58' E. 200.00 feet along the centerline of the Worthington-New Haven Road to a point; thence S. 88° 55' E. 220.9 feet to a steel pipe, passing a steel pipe in the East fence line of the road; thence S. 1° 58' W. 200.0 feet to a steel pipe; thence N. 88° 55' W. 200.9 feet to a point of beginning, passing a steel pipe in the East fence line of the road, containing 1.01 acres, more or less.

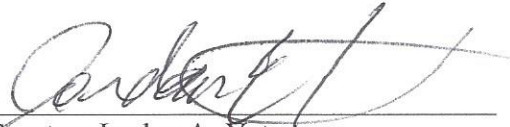
Parcel Number: 418-120-01-011-000

Property Address: 68 North Old State Road, Delaware, Ohio 43015

Except for the following and subject to all of which this conveyance is made: legal highways; zoning ordinances; real estate taxes and assessments which are now or may hereafter become a lien on said premises; covenants, conditions, restrictions and easements of record; and all coal, oil, gas, and other mineral rights and interests previously transferred or reserved of record.

Prior Instrument Reference: Official Records Book 1543, page 441, Recorder's Office, Delaware County, Ohio.

Executed this 2<sup>ND</sup> day of April, 2019.

  
Grantor: Jordan A. Yates

State of Ohio

County of ~~Delaware~~ ss:  
RICHMOND

**Be It Remembered**, that on this 2<sup>ND</sup> day of April, 2019, before me, a Notary Public in and for said State, personally appeared the above named Jordan A. Yates, the Grantor in the foregoing deed, and acknowledged the signing thereof to be his voluntary act and deed.

**In Testimony Thereof**, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



EMILY K.  
KEINATH  
NOTARY PUBLIC.  
STATE OF OHIO  
My Commission  
Expires  
March 1, 2023

  
Notary Public

This instrument prepared, without performing a title search, by:  
Magnuson & Barone, Attorneys at Law  
570 Polaris Parkway, Suite 140  
Westerville, Ohio 43082

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#### **Tab 2**

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#### **Tab 3**

- EX. C-1 : Illustrative Site Plan
- EX. C-2 : Development and Open Space Plan
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- EX. G-1 : Traffic Impact Analysis
- EX. G-2 : Wetland Delineation Report

Exhibit "A-1" – Surrounding Property Owners

Exhibits "B-1 & B-2" – Legal Description and Boundary Survey

Exhibits "C-1 through C-5" – Illustrative Plan, Development Plan and Open Space Plan, Existing  
Conditions Plan, Net Developable Plan and Site Dimensions Plan

Exhibits "D-1 through D-7.5" – Landscape Plans, Signage Plans, Lighting Plan and Landscape Site  
Details



Exhibits "E-1 through E-6" – Utility Plan, Grading Plan, Engineering Feasibility, Sewer Availability Letter, Utility Letters, and Fire Letter

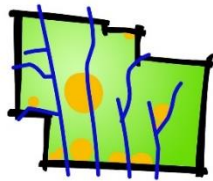
Exhibit "F-1" – Architectural Elevations, Materials and Floor Plans

Exhibits "G-1 & G-2" – Traffic Impact Analysis & Wetland Delineation Report

# THE ELYSIAN AT ALUM CREEK

Berlin Business District  
N. Old State Road and US 36 / SR 37  
Berlin Township, Ohio  
June 5, 2023





## Delaware County Regional Planning Commission

109 North Sandusky Street  
P.O. Box 8006, Delaware, Ohio 43015  
740-833-2260 www.dcrpc.org  
Scott B. Sanders, AICP Executive Director



May 30, 2023

Claudia Smith, Fiscal Officer  
Berlin Township  
3271 Cheshire Road  
Delaware, Ohio 43015

The Regional Planning Commission, at its May 25, 2023, reviewed the following zoning request and made recommendations within the report:

### RPC File # 15-23 ZON

**Request by:** N. Old State LLC  
**To rezone:** 31.683 acres  
**Located:** east side of North Old State Rd., north of SR 36/37  
**From:** FR-1  
**To:** BCO Art. 15  
**Units or lots:** 250  
**To allow:** The Elysian at Alum Creek

Please remind your trustees and zoning commission that our office needs written notification of the results of the vote by each body, following each of their respective rezoning hearings. *If the application is a planned residential zoning, please include the total number of units approved.*

If you have any questions, please contact our office.

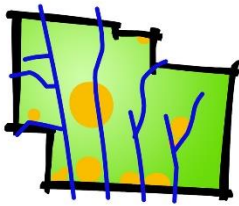
Respectfully,

*Stephanie Matlack*

Stephanie Matlack  
Executive Administrative Assistant

Encl.: 05/25/23 RPC minutes excerpt

Copy: applicant  
Zoning Clerk  
Zoning Officer  
File



# Delaware County Regional Planning Commission

109 North Sandusky Street  
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## *\*MINUTES\**

Thursday, May 25, 2023 at 6:00 PM

Frank B. Willis Building, 2079 US 23 North, Conference Room,  
Delaware, Ohio 43015

### ADMINISTRATIVE BUSINESS

- Call to order
- Roll Call
- Approval of April 27, 2023 RPC Minutes
- Executive Committee Minutes of May 17, 2023
- Statement of Policy

### CONSENT AGENDA (Final Plats)

		Township	Lots/Acres
25-22	Mulberry Estates	Genoa	6 lots / 15.544 acres
20-14.4	Olentangy Falls East, Section 4	Liberty	32 lots / 32.736 acres
14-21	Ravine Run	Orange	14 lots / 15.738 acres

### ZONING MAP/TEXT AMENDMENTS

13-23 ZON	Harlem Twp. Zoning Commission – Zoning Code amendments (Articles XXXII, XXXIII)		
14-23 ZON	DoG Distilling Co. – Orange Twp. – 3.282 acres - PC to PC		
15-23 ZON	N. Old State, LLC. – Berlin Twp. – 31.683 acres – BCO Art. 15 – Elysian at Alum Creek		

### SUBDIVISION PROJECTS

#### Preliminary

		Township	Lots/Acres
08-23	Hyatts Plaza	Berlin	1 lot / 3.25 acres
09-23 T	Beechwood Estates	Brown	17 lots / 70.633 acres

#### Preliminary / Final

07-23	Evans Farm Marketplace, Lots 8885 and 8886, Div. #1	Orange	6 lots / 8.712 acres
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### EXTENSIONS

17-21	Hidden Creek Estates, Sections 2-4	Berkshire	88 lots / 69.528 acres
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T=Table

### OTHER BUSINESS

- By-Laws amendment discussion

## ADMINISTRATIVE BUSINESS

- **Call to Order**

Chairman Stites called the meeting to order at 6:00 p.m.

- **Roll Call**

*Representatives:* Jim Nelson, Meghan Raehll, Steve Lisano, Ric Irvine, Duane Matlack, Sarah Holt, Mike Cannon, Dave Stites, Staci Hood, Jeffrey Warner, Michele Boni, James Hatten, Dan Boysel, Herb Ligocki, Mike Datillo. *Alternates:* Tyler Lane, Glynnis Dunfee, Brad Stanton, Mike Love, Susan Dorsch and Barry Bennett. *Staff:* Scott Sanders, Brad Fisher, Da-Wei Liou and Stephanie Matlack.

- **Approval of the April 27, 2023 RPC Minutes**

*Mrs. Holt made a motion to Approve the minutes from the last meeting. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

- **May 17, 2023 Executive Committee Minutes**

1. **Call to order**

Chairman Stites called the meeting to order at 8:30 a.m. Present: Dave Stites, Tiffany Maag, Joe Shafer, Michele Boni and Gary Merrell. Staff: Scott Sanders and Stephanie Matlack.

2. **Appointment of Officers**

- *Mrs. Maag made a motion to re-elect Dave Stites, Chair, Michele Boni, Vice-Chair, and Joe Shafer as 2<sup>nd</sup> Vice-Chair. Mr. Shafer seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried. Mrs. Maag to remain Member-At-Large.*

3. **Approval of Executive Committee Minutes from April 19, 2023**

*Mr. Shafer made a motion to Approve the minutes from the April 19<sup>th</sup> meeting. Mrs. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

4. **New Business**

- Financial / Activity Reports for April

REGIONAL PLANNING RECEIPTS		MARCH	YTD TOTAL
General Fees (Lot Split)	(4201)	\$4,715.00	\$8,710.00
Fees A (Site Review)	(4202)	\$600.00	\$1,500.00
Insp. Fees (Lot Line Transfer)	(4203)	\$900.00	\$1,300.00
Membership Fees	(4204)	\$32,732.00	\$210,376.00
Planning Surcharge (Twp. Plan. Assist.)	(4205)		\$292.91
Assoc. Membership	(4206)		
General Sales	(4220)	\$230.00	\$230.00
Charges for Serv. A (Prel. Appl.)	(4230)		\$47,852.10
Charges for Serv. B (Final. Appl.)	(4231)	\$1,700.00	\$15,700.00

Charges for Serv. C (Ext. Fee)	(4232)	\$600.00	\$1,200.00
Charges for Serv. D (Table Fee)	(4233)	\$200.00	\$200.00
Charges for Serv. E (Appeal/Var.)	(4234)	\$600.00	\$900.00
Charges for Serv. F (Planned District Zoning)	(4235)	\$300.00	\$900.00
OTHER DEPT. RECEIPTS			
Health Dept. Fees	(4242)	\$100.00	\$6,780.00
Soil & Water Fees	(4243)	\$250.00	\$1,550.00
Commissioner's fees	(4244)	\$21.00	\$405.00
MISCELLANEOUS REVENUE			
Other Reimbursements	(4720)		
Other Reimbursements A	(4721)		
Other Misc. Revenue (GIS maps)	(4730)		\$116.62
Misc. Non-Revenue Receipts	(4733)		
Sale of Fixed Assets	(4804)		
<b>TOTAL RECEIPTS</b>		<b>\$42,948.00</b>	<b>\$298,012.63</b>

Balance after receipts	\$1,249,948.50
Expenditures	<u>- \$ 38,800.80</u>
End of April balance (carry forward)	\$1,211,147.70

*Miss Boni made a motion to Approve the Financial reports as presented, subject to Audit. Mrs. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried*

- RPC Preliminary Agenda
- SKETCH PLANS
 

	<u>Township</u>	<u>Lots/Acres</u>
• Aldeia	Orange	5 lots / 39.44 acres
- ZONING MAP/TEXT AMENDMENTS
  - 13-23 ZON – Harlem Twp. Zoning Commission – zoning code update
  - 14-23 ZON – DoG Distilling Co. – Orange Twp. – 3.282 acres – PC to PC
  - 15-23 ZON – N Old State, LLC. – Berlin Twp. – 31.683 acres – BCO Art. 15
- SUBDIVISION PROJECTS
 

	<u>Township</u>	<u>Lots/Acres</u>
Preliminary		
• Hyatts Plaza	Berlin	1 lot / 3.25 acres
• Beechwood Estates	Brown	17 lots / 70.633 acres
Preliminary / Final		
• Evans Farm Marketplace, Lots 8885-8886, Division #1	Orange	6 lots / 8.712 acres



Final

- |                                   |         |                        |
|-----------------------------------|---------|------------------------|
| • Mulberry Estates                | Genoa   | 6 lots / 15.544 acres  |
| • Olentangy Falls East, Section 4 | Liberty | 32 lots / 32.736 acres |
| • Ravine Run                      | Orange  | 14 lots / 15.738 acres |

Extension

- |                                      |           |                        |
|--------------------------------------|-----------|------------------------|
| • Hidden Creek Estates, Sections 2-4 | Berkshire | 88 lots / 69.528 acres |
|--------------------------------------|-----------|------------------------|

- Director's Report

Meetings hosted or attended:

- Intel Working Group (host - Econ Dev) – 4/24;
- Delaware County Commissioners - State of the County – Brad and Scott on 4/25;
- Delaware Safety Action Plan (Active Transportation through MORPC) – Brad on 4/26;
- Health Behaviors Collaborative (Health District) – Brad on 5/9;
- Housing Land Use and Zoning subcommittee (Affordable Housing) – virtually on 5/1;
- Affordable Housing Task Force main group – attended 5/2;
- MORPC Transportation Advisory Committee – 5/3;
- SMART Columbus Digital Inclusion Engagement meeting – Brad on 5/10; and
- Leadership Delaware final luncheon – Brad and Scott on 5/16.

Project updates

- Harlem Township Zoning Resolution – amendment meeting on 5/8;
- Village of Ostrander Comprehensive Plan – 4/11 - Brad continuing to present material;
- Liberty Township Comp Plan – met on 4/20, continuing to work on recommendations;
- Kingston Township Comp Plan – created final document, uploaded to website;
- Berlin Township Comp Plan – received additional Trustee changes, updated and sent back to Zoning Commission;
- Village of Galena – continuing layout of their Comp Plan background chapters.

5. Old Business

- By-Laws amendments: Discussion of potential changes to the By-Laws regarding the officer election process. More discussion to take place at the May RPC meeting.

6. Adjourn

*Having no further business, Mr. Merrell made a motion to adjourn the meeting at 9:45 a.m. Mrs. Maag seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

The next regular Executive Committee meeting will be Wednesday, June 21, 2023 at 8:45 a.m. at 109 North Sandusky Street, Delaware, Ohio, 43015.

- **Statement of Policy**

As is the adopted policy of the Regional Planning Commission, all applicants will be granted an opportunity to make their formal presentation. The audience will then be granted an opportunity to comment followed by questions from the Commission. This policy was adopted by the Regional Planning Commission to provide for the orderly discussion of business scheduled for consideration. The Chairperson may limit repetitive debate.

## **CONSENT AGENDA (Final Plats)**

**25-22                      Mulberry Estates – Genoa Twp. - 6 lots / 15.544 acres**

### **Conditions**

**Applicant:** Mark Inks / **Engineer:** CEC

**Subdivision Type:** Single Family Residential

**Location:** North side of Big Walnut Rd., west of S. Old 3 C Hwy.

**Zoned:** Rural Residential (RR) / **Preliminary Approval:** 08/25/22

**Utilities:** Del-Co Water, private on-lot treatment systems / **School District:** Big Walnut

### **Staff Comments**

Mulberry Estates Preliminary Plan was approved on August 25, 2022 as a residential subdivision with 6 single-family lots, no open space, and a path connection to McNamara Park. The applicant is now requesting Final Plat approval.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

### **Staff Recommendation**

Staff recommends *Final Approval* of **Mulberry Estates** to the DCRPC.

### **Commission / Public Comments**

**Mr. Matlack made a motion for Final Approval of Mulberry Estates. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.**

=====

20-14.4                    Olentangy Falls East, Section 4 – Liberty Twp. - 32 lots / 32.736 acres

**Conditions**

**Applicant:** Rockford Homes / **Engineer:** CEC

**Subdivision Type:** Single Family Planned Residential

**Location:** South side of Hyatts Rd., east of Benton Lane

**Zoned:** Planned Residential (PR) / **Preliminary Approval:** 09/25/14

**Utilities:** Del-Co Water, central sanitary sewer / **School District:** Olentangy

**Staff Comments**

Olentangy Falls East Preliminary Plan was approved on September 25, 2014 as a residential subdivision with 150 single-family lots. Section 4 is the final section to be completed, and includes 32 buildable lots, one large reserve, and makes a connection to two existing subdivision streets. The applicant is now requesting Final Plat approval.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

**Staff Recommendation**

Staff recommends *Final Approval* of Olentangy Falls East, Section 4 to the DCRPC.

**Commission / Public Comments**

*Mr. Matlack made a motion for Final Approval of Olentangy Falls East, Section 4. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

14-21                    Ravine Run – Orange Twp. - 14 lots / 15.738 acres

**Conditions**

**Applicant:** Cugini & Capoccia / **Engineer:** EMH & T

**Subdivision Type:** Single Family Residential

**Location:** northern extension of Meacham Court, north of Riverbend Ave.

**Zoned:** Single Family Planned Residential (SFPRD) / **Preliminary Approval:** 04/29/21

**Utilities:** Del-Co Water, central sanitary sewer / **School District:** Olentangy

**Staff Comments**

Ravine Run Preliminary Plan was approved on April 29, 2021 as a residential subdivision with 14 single-family lots, one reserve, a CAD, and a private drive extending off of Meacham Court. Ravine Run, while not part of the original plan for River Bend, acts as an extension of the subdivision. The applicant is now requesting Final Plat approval.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

### Staff Recommendation

Staff recommends *Final Approval* of **Ravine Run** to the DCRPC.

### Commission / Public Comments

*Mr. Matlack made a motion for Final Approval of Ravine Run. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

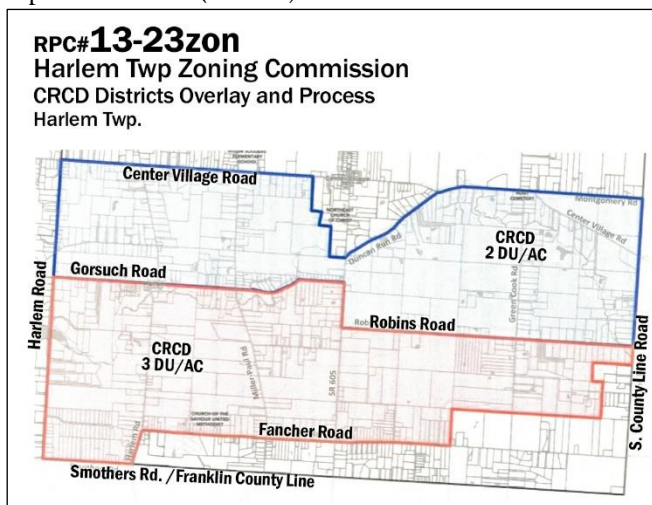
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## ZONING MAP/TEXT AMENDMENTS

13-23 ZON      Harlem Twp. Zoning Commission – Zoning Code amendments (Articles XXXII, XXXIII)

### Request

Harlem Township has forwarded proposed changes for the RPC to consider and provide recommendations. The Township is proposing a Cluster Residential Conservation District (CRCD) that will serve as an overlay to specific properties in the southern portion of Harlem Township; areas identified as sub-area A ‘2 DU/AC’ and sub-area B, ‘3 DU/AC’. The Township has also developed the CRCD overlay district procedures in a separate article (XXXII).



### Staff Comments

Clustered Residential Conservation District (CRCD) sub-area A encompasses roughly 3,500 acres of land that is bound by Center Village Rd. and Montgomery Rd. to the north, S. County Line Rd. to the east, Robins Rd. and Gorsuch Rd. to the south, and Red Bank Rd. to the west. Much of this land area is undeveloped and noted as “2 DU/AC” above.

Clustered Residential Conservation District (CRCD) sub-area B encompasses roughly 3,500 acres of land south of sub-area A and north of the Delaware/Franklin County line. Much of this land area is also undeveloped and noted as “3 DU/AC” above.

Given that growth pressures continue to come north from the Columbus and New Albany areas, the City of Columbus has initiated the planning and construction of a tunnel which will bring sewer service to this part of Delaware County, and the recent announcement that Intel is making significant investments in Licking County just to the east, Harlem Township is taking a proactive step in updating its zoning code. Sewer will most likely be necessary to allow for the minimum permitted lot sizes ranging from 7,500 sq. ft. in sub-area B and 10,000 sq. ft. in sub-area A.

The proposed overlay in this location will help preserve the rural, residential character of the area and protect vast amounts of open space within the Township. The recently reviewed Mixed Use Overlay is located just south of sub-area B, which will buffer the CRCD area from any future development in Franklin County. Examples of Permitted Uses include single-family detached dwellings, common wall single-family attached dwellings, and accessory buildings. The max dwelling units per NDA is 2 units in area A and 3 units in area B. For a property to be considered for the MU overlay the following standards must be met (but not limited to): Min 25-acre tract in both subareas, min 7,500 sq. ft. lots in sub-area B and 10,000 sq. ft. lots in sub-area A, 50% open space, 200-foot woodland buffer, protection of drainage paths, streams and floodplain, historic and archaeological sites, and provide pedestrian circulation and connections to other developments. Standards for building design, lighting, landscaping, parking, and signage is also identified in the CRCD overlay.

Central sanitary sewer is not required for the utilization of this overlay. However, if sanitary sewer is proposed the DCSE office must verify sewer service and capacity needs can be met. The Zoning Commission may grant divergences from any standard or requirement in this Section with the exception of density, permitted uses and the percentage of required open space. The following are comments and suggestions:

#### **Article XXXII (CRCD Overlay – Procedures)**

1. 31.03: Recommend moving the detailed “Fees” section into a General Regulations article and applying it to all zoning districts (professional consultation fees would only apply to Planned or Overlay districts). This could be a deterrent for any property owner or developer to choose to apply. Has the Township considered using County staff (RPC, DCEO, DCSE, DSWCD, etc.) to complete the Development Plan review as with other case types (rezoning, variance, conditional use, etc.)?

This Fee text is very similar to the PUD text, and it appears no PUD has been successfully applied. If the Fee text is left as written, Staff recommends breaking up this single paragraph.

2. 32.02(B) & (C): As noted in the prior review, consult with DCEO on the benefit of seeking third-party review of the traffic analysis and any conflict this may cause with DCEO recommendations. Also, consider language that allows the Zoning Commission and Trustees to require additional road connectivity or other features that are of concern.
3. 32.05: Reword first sentence in second paragraph to “Upon receipt of said application, the Harlem Township Board of Trustees shall...”. Currently, “shall” is in the sentence twice.



### Article XXXIII (CRDC – Overlay)

1. Add “Red Bank Road” and “Hughes Road” to the Boundary Map to clearly delineate the boundary to the west.
2. Delete “Mixed -Use and” from the title of the Proposed Boundaries Map. This article does not reference the Mixed-Use Overlay. The Definition of certain words is referenced but not included in the information received. Staff recommends adding those words in the main Definitions section of the Resolution, rather than within the overlay Section as some amendments have done.
3. 33.03: third paragraph references “this article” for the approval procedure, but should reference the procedure in the other proposed Article (XXXII). Check other language within this section to ensure the references to procedure go back to XXXII.
4. 33.04(C): “Open Space” is a permitted use. These details are repeated in Section 33.07(B). Staff recommends referencing Section 33.07(B) for details.
5. 33.07(K): Requiring walking or bike paths to meander through developments may conflict with existing sidewalk requirements. Staff recommends using the words “may” or “should” to allow for flexibility.
6. 33.07(Q(5(i))): Staff supports the preservation of existing trees. However, the 200' woodland buffer from ROW is excessive, particularly with parking required behind or beside a building. Is there a setback from a private drive, or will that be determined by the applicant? Probably okay, but should provide some guidance.
7. 33.08: “Ownership and Maintenance of Common Open Space.” This is another section with a lot of detail that may be duplicated in the existing Conservation overlay and could be located in a general section. It could then be referenced by all the Conservation overlays and possibly the PRD as well.

### Staff Recommendation

Staff recommends **Conditional Approval** of the text amendments to the Harlem Twp. Zoning Resolution to the DCRPC, Harlem Twp. Trustees and Harlem Twp. Zoning Commission, *subject to considering the recommendations within the report.*

### Commission / Public Comments

***Mr. Matlack made a motion to recommend Conditional Approval of the text amendments to the Harlem Twp. Zoning Resolution, subject to considering staff recommendations. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.***

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**14-23 ZON      DoG Distilling Co. – Orange Twp. – 3.282 acres - PC to PC**

**Request**

The applicant, DoG Distilling Company, is requesting a 3.282-acre rezoning from PC to PC to allow the operation of a distillery including a tasting room and bar.

**Conditions**

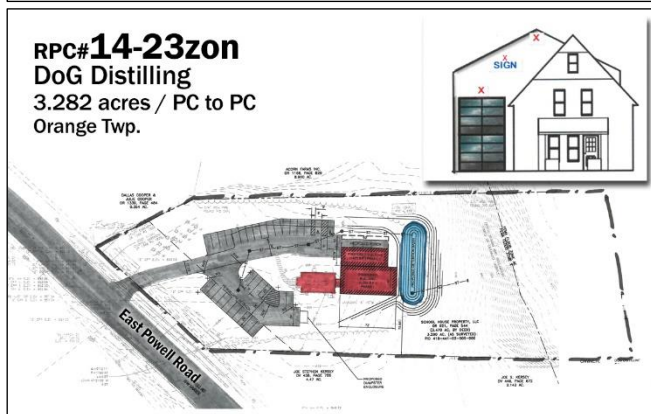
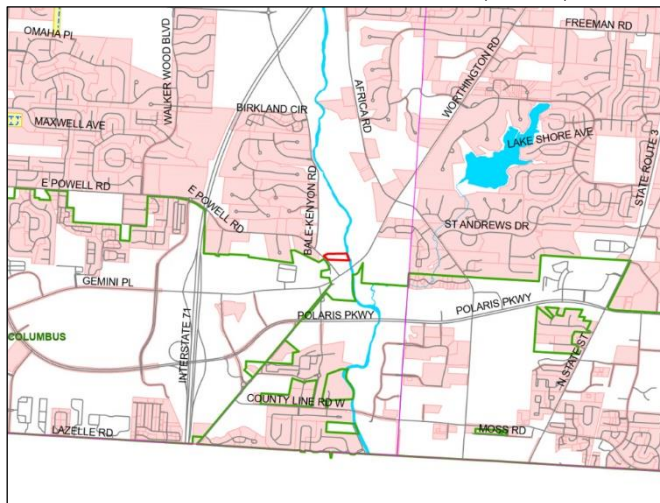
**Location:** 3773 E. Powell Rd., Lewis Center

**Present Zoning:** Planned Commercial & Office (PC) / **Proposed Zoning:** Planned Commercial & Office (PC)

**Present Use(s):** Christmas, pottery store / **Proposed Use(s):** Distillery, bar

**School District:** Olentangy / **Utilities Available:** Del-Co Water and central sanitary sewer

**Critical Resources:** none / **Soils:** CaB, AmF, CaC2



**Introduction**

The request is to rezone the 3.282-acre property from Planned Commercial to Planned Commercial to allow for a distillery, tasting room and bar. The site is located on the east side of E. Powell Rd, just north of the Worthington Rd in Orange Township. The site and existing main structure originally served as a school house dating back to the 1870s and is currently zoned PC, allowing for a single-family residence and an art and pottery shop. The proposed development will include a tasting room inside the old school building, two service buildings, 31 parking spaces, a detention basin, and landscaped open space.

### **Comprehensive Plan**

Orange Township's 2018 Comprehensive Plan shows this property in Subarea 7 – Lower Alum Creek Valley and identifies it as zoned PC. Recommendations include preserving the deep ravines as common open space as part of planned developments and not allowing development within the floodplain. Staff notes the proposal is supported by the plan as no development is proposed within the steep slope areas or floodplain.

### **Issues**

**Permitted Uses:** Commercial and Office

**Proposed:** Commercial (tasting room & food service) and Manufacturing (distillery)

The Township should determine if a variance is required to allow for manufacturing of alcoholic liquors by distillation (SIC code 2085/NAICS code 312130) as this is not a commercial or office use.

### **Traffic and access**

A single point of access is proposed, utilizing the existing driveway with access from E. Powell Road. The portion of Powell Road from Bale-Kenyon to Worthington Road was recently improved to a two-lane west-bound/one-lane east-bound/continuous turn lane section. Driveways in that area are minimal, so access in and out of the site should not require any improvements.

### **Drainage**

The site is generally flat near E. Powell Road, sloping gently toward the east before a steep slope drops 32 feet into the basin and floodplain of Alum Creek. Approximately two-fifths of the site is in the floodplain. The Site Plan identifies storm sewers throughout the site, draining to a proposed detention basin and finally to Alum Creek.

### **Building and Site Design**

Max permitted height: 50 ft.

Proposed: 21 ft., 2 inches

Min Side yard setback required: 100 ft. Proposed: 40 ft. to the north, 75 ft. to the south

Staff notes that the adjacent properties to the north and south that could be impacted are vacant and the property owner to the north provided a letter in support of the reduced setback.

Parking location: Not more than 40 percent of parking may be located forward of the main structure. Based on the angle of ROW, 22 spaces, or 67 percent of spaces are forward of the main structure. A divergence may be required to exceed this requirement by 27 percent. Additionally, 60 percent of the area forward of the main structure shall be green space adjacent to E. Powell Road frontage. Staff notes that this calculation must be included under the Site Data table on the Site Plan.

The distillation building (production facility) will be constructed with steel siding and roof and include white block with black trim. The school building/tasting room will also be white with black trim, with a breezeway connecting these two buildings.

Four existing street lamps are located in the parking lot. These will remain and be painted black. Two path lights will be installed along the sidewalk, one in front and one in rear of the school house/tasting room. Additional parking lot lighting will be added as needed once parking lot size and location is confirmed.

## Open Space / Health

Required Open Space: 25% (0.867-acres)      Proposed: 85% (2.95-acres)

These numbers are based on the 3.47-acres identified on the Site Plan Site Data Table and not on the 3.282-acres listed on the application and in the Development Text. Staff notes that the application materials state the site is 3.282-acres. However, the Development Plan states the total acreage is 3.470, and the open space calculation is based on the larger acreage.

## Divergences

Five divergences are requested:

1. Sec. 14.06(e): Plat Required – No use shall be established or changed and no structure shall be constructed or altered until any required subdivision plat has been prepared and recorded in accordance with Subdivision Regulations for Delaware County.

*Staff Comment:* The applicant stated that they will not be splitting the current parcel, or recording any major easements for access or utilities.

2. Sec. 21.01(e): Required off-street Parking Spaces – Undetermined based on uses; production of liquor, tasting room, retail shop, and bar with food options.

*Staff Comment:* The Development Text submitted indicates 31 parking spaces will be provided, 2 of which are ADA compliant. Additional spaces may be provided in the future based on building expansions. However, the divergence request is to allow for a minimum of 17 parking spaces and the Zoning Site Plan submitted indicates 33 spaces will be provided.

3. Sec. 21.10 – Setback Requirements for Non-Residential Uses Abutting Residential District: Nonresidential buildings or Uses except parking shall not be located nor conducted closer than 100 feet to any lot line of a residential district.

*Staff Comment:* The applicant stated the entire width of the property is less than the combined setbacks from each side. Current structures on property are built within allowed setbacks of 58 feet from the north side for garage and 75 feet from the south side for school house. Setbacks proposed are 40 feet from the north side to accommodate a patio with overhang which is planned for phase 2 of building.

4. Sec. 21.12(e) – Max Height Requirements: The total height of exterior lighting fixtures shall not exceed a maximum height of 20 feet measured from the finished grade established not closer than 15 feet to the lighting fixture.

*Staff Comment:* Lighting fixtures are proposed at the peak of the production building at 25-28 ft. No lighting plan was submitted. However, a lighting plan will be completed at a future date TBD.

5. Sec. 22.03(c) – Commercial or Industrial Display Signs: All display signs shall be mounted on the building which houses the business establishment advertised by such signs, except as otherwise specifically authorized by the Zoning Resolution; no more than 15 feet above finished grade on main building, 12 feet above grade on wall of extension of main building, but may not be located on both buildings (main and extension).

**Staff Comment:** Sign to be located on the production building above the large glass garage door, 25 feet high.

### **Staff Recommendations**

Staff recommends **Conditional Approval** of the rezoning request by DoG Distillery from PC to PC to the DCRPC, Orange Twp. Zoning Commission and Orange Twp. Trustees, *subject to:*

- 1.) Lights must be cut-off type and no light trespass onto neighboring properties is permitted;
- 2.) An Open Space plan clearly delineating open space areas must be submitted and update this acreage and percentage under the Site Data table on the Development Plan if necessary;
- 3.) Ensure site acreage is accurate and consistent on all plan sheets and in the Development Text. Update Site Data table numbers if acreage changes; and
- 4.) A lighting plan must be submitted.

### **Commission / Public Comments**

Representatives from DoG Distillery were present. They explained they are two couples with day jobs looking to open the distillery as a destination place and asset to the community. They stated that the parking space numbers will be worked out prior to Township review. Regarding the setback variance, currently the garage is at a 58' setback from the north side and 75' from the schoolhouse to the southside. Their request for 40' setback was submitted due to not having a builder / design finalized yet.

Mrs. Raehl expressed concern with the request for divergences regarding drainage, signage and lighting. A DoG Representative stated that the distiller will be right behind the large glass doors and they thought that would be a good place for the sign to be which required a divergence for it to be above the door due to the height of the door.

Mr. Matlack questioned if the flood plain was looked at with the 2022 map that is out now. He explained that that corridor of Alum Creek was expanded. Mr. Fisher stated he would double check that.

Mr. Love stated that this project would need to go through the commercial engineering plan review process.

***Mr. Lane made a motion to recommend Conditional Approval of the rezoning request by DoG Distillery from PC to PC, subject to staff recommendations #1-4. Mr. Boysel seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.***

---



### Request

## Conditions

**Critical Resources:** none / **Soils:** AmE, CaB, BeB, CaC2, AmD2, BoB, BoA



### **Introduction**

The applicant seeks to apply the Berlin Commercial Overlay (BCO) standards to the property to allow for a 250-unit, apartment complex on 31.683-acres. The BCO was created by Berlin Township in 2020 as an optional overlay for specific properties that are identified on the BCO Zoning District Map. The subject site is located in the R-10 area and includes three properties. Provided the development plan is approved, this will be the first BCO property applied in Berlin Township.

The subject site is located on the north side of US 36/SR 37, with frontage on N. Old State Road, and is undeveloped. The site is proposed to be developed with 10 3-story apartment buildings, 6 detached parking buildings with 452 total parking spaces, 392 surface spaces and 60 garage spaces, swimming pool, club house, dog park, mail kiosk, and sidewalks. If approved, the development is expected to be constructed within 18 months. There is one adjacent property to the southwest that is zoned PID and used as a furniture manufacturer/retailer. The property to the north is zoned FR-1 and developed with a single-family home. Most of the property to the east is wooded USA lands and Alum Creek, with one property zoned FR-1 at the southeast corner that is developed with a single-family home and farm that serves as a wedding and event venue.

### **Comprehensive Plan**

Berlin Township's 2010 Comprehensive Plan includes general recommendations that include encouraging development of parks and leisure trails as part of new developments, usable open space, conservation of natural resources (steep slopes, woodlands, wooded ravines, etc.), and provide multiple entrances. The 2023 version of the Comprehensive Plan has not been adopted yet. However, it acknowledges the 36/37 Corridor Planning Area within BCO overlays and recommends multifamily at 10 units per NDA.

The proposal would fully comply with the Plan recommendations if trails were provided throughout the open space, if feasible based on slopes, streams, and existing woods. However, there are sidewalks located along the entire N. Old State Road frontage and throughout the development site.

### **Issues**

**Density:** The areas recommended for R-10 allows "apartment-style" buildings with more than four dwelling units per building, provided the overall density does not exceed 10 dwelling units per net developable acreage.

#### **Traffic and access:**

One access point to N. Old State Road and one emergency access drive off of N. Old State Road. The access point has been located after review by DCEO.

#### **Drainage: (Drainage plan provided)**

Storm sewers are located throughout the site, draining to a large stormwater pond in the northeast corner of the site, and finally draining to Alum Creek through a stream on site.

#### **Signage: (Signage plan provided)**

One wall sign on the clubhouse, one monument sign at the entrance, and two entrance columns with signage on one side.

#### **Lighting: (Lighting plan provided)**

Cut-off type, pole light fixtures will be located throughout the site.

### **Sanitary Treatment:**

A sewer capacity letter from the DCRSD was included with the submission indicating that sewer capacity is available to serve the site. The nearest sanitary sewer is at Africa Road and US-36/37.

### **Open Space / Health:**

Min Required: 25% (7.92-acres)                      Proposed: 54.46 % (17.35-acres) *Storm ponds not included.*

Minimum Required Central Green Open Space: 15% (4.75-acres)                      Proposed: 18.7% (5.94-acres)

Staff notes that it is unclear where the 18.7% of central (usable) green space is located. The central green space that is surrounded by parking is only 1 +/- acres in size.

### **Parking:**

Min Required: 250                      Max Permitted: 750                      Proposed: 452

### **Reviewing Agency Comments**

#### **DCEO**

- Verify that there are adequate drainage outlets that exist for the site.
- Erosion and sedimentation control (DESC) requirements will be required.

### **Del-Co Water Company**

The site can be served by an existing 6-inch waterline. However, due to system restraints fire flow is not available to the site.

### **Divergences**

One divergence is requested:

1. Sec. 15.05: R-10 Uses Building Material: The exterior cladding material for all R-10 uses shall be wood, EIFS, and native or cultured stone to keep consistent with the Artisan Design theme of the Berlin Business Park.

***Staff Comment:** The applicant stated that “A Divergence is being requested to allow for the use of Hardie plank (or other fiber cement board) as an Alternate Exterior Material to EIFS. This material is permitted in the commercial and industrial standard.” Staff is in support of this request based on the elevations provided.*

### **Staff Recommendations**

Staff recommends **Conditional Approval** of the rezoning request by N. Old State, LLC to BCO/R-10 to the DCRPC, Berlin Twp. Zoning Commission and Berlin Twp. Trustees, *subject to:*

- 1.) *Provide trails/paths throughout the open space area if feasible;*
- 2.) *Continue to work with the Del-Co Water Company and the Berlin Township Fire Department to ensure the require fire flow or service will be provided; and*
- 3.) *A graphic showing all central green open space must be submitted.*

### **Commission / Public Comments**

Mr. Todd Faris, Faris Planning and Design along with Mr. Jordan Yates, with N Old State LLC, were present to represent the project. Mr. Faris explained that the developer would be bringing a larger water line to the site to

satisfy the fire department. They are currently finalizing the agreement. He explained that they would work with the Township Trail Committee. The open space graphic will be clarified with the Township submittal.

No Commission action was required.

## SUBDIVISION PROJECTS

### Preliminary

08-23 Hyatts Plaza – Berlin Twp. - 1 lot / 3.25 acres

### Conditions

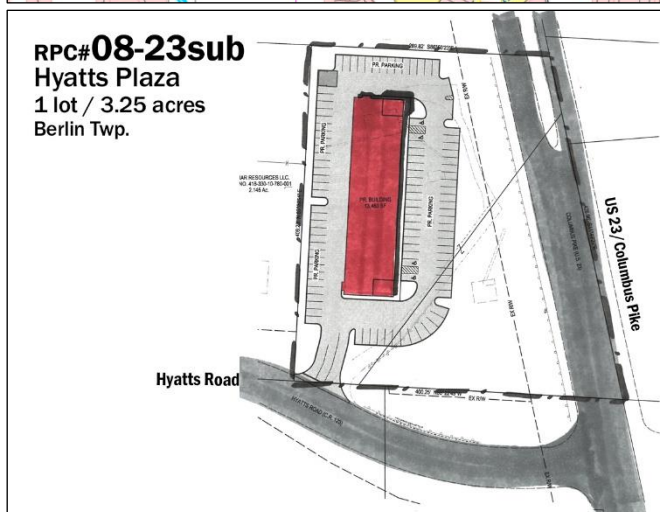
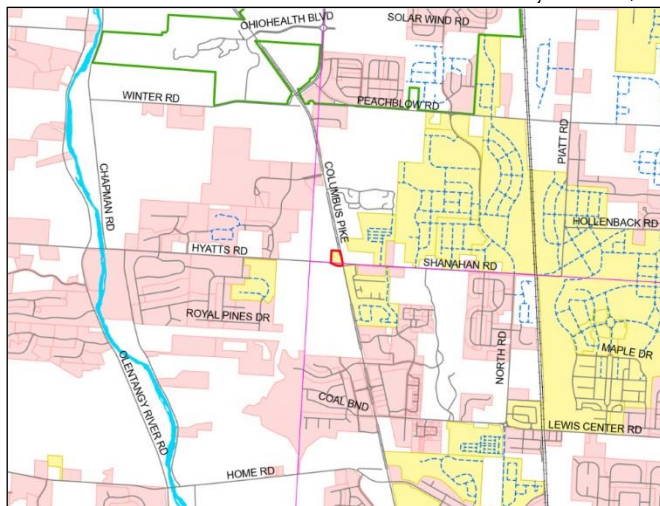
**Applicant:** Archall – John Oney / **Engineer:** ADR

**Subdivision Type:** Commercial

**Location:** West side of US 23, north of Hyatts Rd. / **Current Land Use:** Vacant

**Zoned:** Planned Commercial & Office (PCD) / **Zoning Approval:** July 8, 2019

**Utilities:** Del-Co water and central sanitary sewer / **School District:** Olentangy



### **Staff Comments**

Hyatts Plaza is a commercial subdivision that will include a 13,460 sq. foot building with multiple tenant spaces. The site is located at the northwest corner of US-23 and Hyatts Road. There is one main point of ingress/egress to Hyatts Road, 100 surface parking spaces surround the building, surface water will be drained through and existing 108" culvert below US-23, and there is a powerline easement that bisects the entire frontage of the site (east to west). The property to the north is zoned PID and developed with the Terra Nova Community Church. The property to the west is zoned PCD, currently developed with two single-family homes, and approved to allow for an animal clinic and book store. A Delaware County sanitary lift station is under construction at the southeast corner of the PCD lot.

The site data table indicates that 102 parking spaces are required and only 100 are provided. A divergence to this standard is not noted on the cover sheet with other divergences, therefore the required number of parking spaces must be provided to the township.

### **Reviewing Agency Comments**

#### **Del-Co Water Company**

- Construction cannot begin until Del-Co Water has received Ohio EPA approval. It is the developer's responsibility to make the required submittals and obtain Ohio EPA approval.
- Obtain written approval from the fire department that has jurisdiction over this development.

*A technical review was held on May 17, 2023, after which the applicant has addressed all of the required changes.*

### **Staff Recommendation**

Staff recommends **Conditional Preliminary Approval** of Hyatts Plaza to the DCRPC, subject to:

1. Two parcels that make up the development site must be combined as part of the Final Plat process.

### **Commission / Public Comments**

Mr. John Oney with Archall was present to answer questions from the Commission. He stated they think they can get 102 parking spaces without any additional changes but will continue to work out those details.

*Miss Boni made a motion for Conditional Preliminary Approval of Hyatts Plaza, subject to staff recommendation. Mr. Boysel seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Berlin Twp.). Motion carried.*

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09-23 T Beechwood Estates – Brown Twp. - 17 lots / 70.633 acres

**Conditions**

**Applicant:** Robert Johnson / **Engineer:** GHG Civil

**Staff Comments**

The applicant is requesting a 30-day Tabling in order to address road design.

**Staff Recommendation**

Staff recommends Approval of a 30-day Tabling of **Beechwood Estates** to the DCRPC.

**Commission / Public Comments**

*Mrs. Holt made a motion for Approval of a 30-day Tabling of Beechwood Estates. Mrs. Raehl seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

---

**Preliminary/Final**

07-23 Evans Farm Marketplace, Lots 8885 & 8886, Div. #1 – Orange Twp. - 6 lots / 8.712 acres

**Conditions**

**Applicant:** BZ Evans LLC / **Engineer:** Kimley-Horn

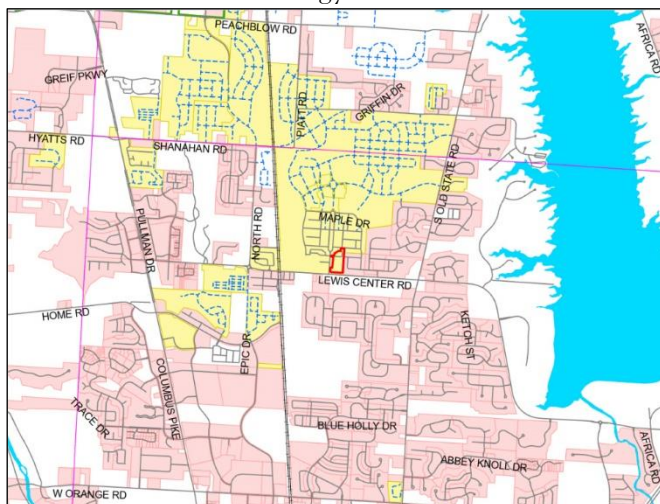
**Subdivision Type:** Planned Residential Community

**Location:** east side of Evans Farm Dr., south of Red Oak St.

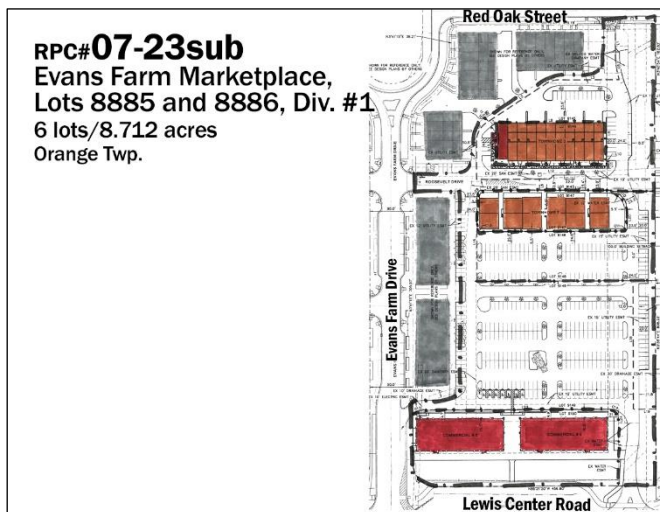
**Zoned:** Planned Commercial (PCD)

**Utilities:** Del-Co Water, central sanitary sewer

**School District:** Olentangy







### Staff Comments

The applicant is requesting a combined Preliminary Plan and Final Plat approval for Evans Farm Marketplace, located east of Evans Farm Drive, between Lewis Center Road and Red Oak Street. Two access points are provided from Evans Farm Drive and one from Red Oak Street. The proposed commercial area is currently undeveloped and the apartments/residential areas are currently paved as parking areas.

The proposal is to reconfigure the commercial lot to the south, which is currently lot 8885, into a slightly different shape. The remainder of the site, Lot 8886, will be subdivided so that the townhomes will be on a parcel, apartments will be on a separate parcel, and the parking area will be separated for multiple ownership.

The property is being developed with 11 townhomes north of Roosevelt Drive, 38 units south of Roosevelt Drive, two commercial buildings just north of Lewis Center Road, and surface parking between the commercial buildings and townhomes. An access drive travels along the east side of the development, connecting Lewis Center Road and Red Oak Street.

The applicant has presented to the RPC Office a Final Plat (mylar) signed by the various County agencies, a requirement for Final approval.

### Staff Recommendation

Staff recommends Preliminary and Final Approval of Evans Farm Marketplace, Lots 8885 & 8886, Div. #1 to the DCRPC.

### Commission / Public Comments

Mr. Kevin Kershner with Kimley Horn was present to represent the applicant.

*Mr. Matlack made a motion for Preliminary and Final Approval of Evans Farm Marketplace, Lots 8885 & 8886, Div. #1. Mr. Irvine seconded the motion. VOTE: Majority For, 0 Opposed, 1 Abstained (Orange Twp.). Motion carried.*

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## EXTENSIONS

17-21                    Hidden Creek Estates, Sections 2-4 – Berkshire Twp. - 88 lots / 69.528 acres

**Applicant:** Homewood Corp. / **Engineer:** Hockaden

**Preliminary approval:** 05/27/21

### Staff Comments

The applicant is requesting a 1-year extension for Hidden Creek Estates, Sections 2-4 subdivision.

### Staff Recommendation

Staff recommends Approval of a 12-month Extension for Hidden Creek Estates, Sections 2-4 to the RPC.

### Commission / Public Comments

*Mr. Lane made a motion for Approval of a 12-month Extension for Hidden Creek Estates, Sections 2-4. Mrs. Dorsch seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

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## OTHER BUSINESS

- By-Laws amendment discussion

Chairman Stites explained that the Executive Committee is continuing to work on the election procedure for Executive Committee members and asked if any members had comments or suggestions as to how the process should work to please contact Scott Sanders, Director or himself.

*Having no further business, Mr. Boysel made a motion to adjourn the meeting at 6:40 p.m. Mr. Irvine seconded the motion. VOTE: Unanimously For, 0 Opposed. Motion carried.*

*The next meeting of the Delaware County Regional Planning Commission will be Thursday, June 29, 2023, 6:00 PM at the Frank B. Willis Building, 2079 US 23 North, Conference Room, Delaware, Ohio 43015.*

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Dave Stites, Chairman

---

Stephanie Matlack, Executive Administrative Assistant

MCCONNELL JAMES & CAROL  
350 OLD STATE RD  
DELAWARE OH 43015

THREE B'S MANAGEMENT LLC  
5750 SR 37 E  
DELAWARE OH 43015

SAVKO PROPERTIES LLC  
5565 STATE ROUTE 37  
DELAWARE OH 43015

ALEXANDRA PIFER  
5605 STATE ROUTE 37  
DELAWARE OH 43015

N OLD STATE LLC  
3216 S 3 B'S & K RD  
GALENA OH 43021

FOSTER JOHN & AMEE  
321 OLD STATE RD  
DELAWARE OH 43015

U S A  
3305 S OLD STATE RD  
DELAWARE OH 43015

MCCLURG PROPERTIES LLC  
5887 GREASMAR DR  
DELAWARE OH 43015

**Parcel Description ~ 31.683 Acre  
East of N. Old State Road (C.R. 10)  
North of U.S. Route 36**

**-1-**

Situated in the State of Ohio, County of Delaware, Township of Berlin, being part of Farm Lot 13, Section 1, Township 4, Range 18, United Military District and containing 31.683 acres of land, more or less, said 31.683 acres being all of that 1.01 acre tract of land as conveyed to N Old State LLC of record in Official Record 1629, Page 1571, all of the remainder of that Original 20.165 acre tract described as Parcel 2 and all of that 15.520 acre tract of land described as Parcel 1 both as conveyed to N Old State LLC of record in Official Record 1495, Pages 1412-1418, said 31.683 acres more particularly described as follows:

**Beginning, for Reference,** at a P.K. nail set at the centerline intersection of U.S. Route 36 (DEL-36-13.26) and N. Old State Road (C.R. 10)(60' R/W);

Thence along the centerline of said N. Old State Road (C.R. 10)(60' R/W), the following two (2) courses and distances:

**N 04° 00' 55" E, 215.44 feet to a P.K. nail set at an angle point;**

**N 04° 18' 41" E, 90.41 feet to a P.K. nail set at the southwesterly corner of said 1.01 acre tract, the True Point of Beginning;**

Thence **N 04° 18' 41" E**, with westerly line of said 1.01 acre tract and an easterly line of that 8.680 acre tract of land as conveyed to Savko Bros. Properties 36 LLC of record in Official Record 1604, Page 293, **199.36 feet** to a P.K. nail set at the northwesterly corner of said 1.01 acre tract and southwesterly corner of said Parcel 2;

Thence **N 04° 18' 41" E**, continuing with an easterly line of said 8.680 acre tract and with a westerly line of said Parcel 2, **493.03 feet** to a P.K. nail found at the northwesterly corner of said Parcel 2, the southwesterly corner of said Parcel 1, the northeasterly corner of said 8.680 acre tract, the southeasterly corner of that 8.283 acre tract of land as conveyed to N Old State LLC of record in Official Record 1889, Page 391 and at an angle point in the centerline of said N. Old State Road (C.R. 10)(60' R/W);

Thence **N 04° 12' 56" E**, with a westerly line of said Parcel 1, an easterly line of said 8.283 acre tract and along the centerline of said N. Old State Road (C.R. 10)(60' R/W), **702.14 feet** to a P.K. nail set at the northwesterly corner of said Parcel 1, a northeasterly corner of said 8.283 acre tract, a southwesterly corner of that 10.988 acre tract of land as conveyed to James E. McConnell and Carol Anne McConnell of record in Official Record 1007, page 1650 and the southeasterly corner of LaMoreaux Subdivision of record in Plat Book 11, Page 114;

Thence **S 86° 29' 56" E**, with the northerly line of said Parcel 1 and the southerly line of said 10.988 acre tract, **1102.96 feet** to a 3/4" iron pin found stamped "U.S.A. 849-1" at a common corner thereof, said corner also being a westerly corner of those lands conveyed to the United States of America of record in Deed Book 369, Page 200;

Thence **S 25° 54' 09" W**, with the easterly line of said Parcel 1 and the westerly line of said U.S.A. Lands, **759.46 feet** to a 3/4" iron pin found stamped "U.S.A. 809-1" at a common corner thereof, said corner also being northeasterly corner of said Parcel 2;

Thence with common lines of said Parcel 2 and said U.S.A. Lands, the following two (2) courses and distances:

**S 08° 42' 41" W, 590.79 feet** to a 3/4" iron pin found stamped "U.S.A. 816-4" at an angle point thereof;

**S 08° 38' 14" W, 308.19 feet** (passing a 3/4" iron pin found stamped "Guilder 7752" at 188.58') to a southwesterly corner of said U.S.A Lands, also being a northwesterly corner of that 5.044 acre tract of land as conveyed to N Old State LLC of record in Official Record 1495, Pages 1412-1418, witness a 3/4" iron pin found stamped "U.S.A. 816-3" 0.19' east;

Thence **S 14° 27' 28" W**, with an easterly line of said Parcel 2 and a westerly line of said 5.044 acre tract, **164.76 feet** to a common corner thereof (witness a 1/2" iron pipe found 0.26' northwest of corner), said corner also being in the northerly right-of-way line of said U.S. Route 36 (DEL-36-13.26);

**Parcel Description ~ 31.683 Acre  
East of N. Old State Road (C.R. 10)  
North of U.S. Route 36**

-2-

Thence with southerly lines of said Parcel 2 and along said northerly right-of-way line, the following two (2) courses and distances:

N 66° 01' 48" W, 230.22 feet to an iron pin set at an angle point;

N 76° 33' 08" W, 286.26 feet to a 1/2" iron pipe found stamped "U.S.A." at a common corner thereof, said corner also being in the easterly line of that 0.737 acre tract of land described as Parcel I and conveyed to Alexandra J. Pifer of record in Deed Volume 472, Page 514;

Thence N 04° 18' 41" E, with the westerly line of said Parcel 2 and the easterly line of said 0.737 acre tract, 235.79 feet to an iron pin set at a common corner thereof, also being the southeasterly corner of said 1.01 acre tract;

Thence N 86° 44' 06" W, with the northerly line of said 0.737 acre tract and the southerly line of said 1.01 acre tract, 225.22 feet to the **True Point of Beginning**. Containing 31.683 acres, more or less, inclusive of the present right-of-way of N. Old State Road which occupies 0.960 acres, more or less, with an acreage breakdown of the following:

P.I.D. 41812001011000	1.030 Ac.	(0.137 Ac. P.R.O.)
P.I.D. 41812001009002	15.137 Ac.	(0.339 Ac. P.R.O.)
P.I.D. 41812001012002	15.516 Ac.	(0.484 Ac. P.R.O.)
<b>TOTAL</b>	<b>31.683 Ac.</b>	<b>(0.960 Ac. P.R.O.)</b>

The above description was prepared by Advanced Civil Design Inc. on November 16, 2022 and is based on information obtained from the Delaware County Auditor's and the Delaware County Recorder's Office and an actual field survey completed in January of 2021.

Iron pins set are 5/8" diameter rebar, 30" in length with a plastic cap in top inscribed "Advanced 7661".

The basis of bearings used for this exhibit are based on the NAD83 Ohio State Plane Coordinate System, South Zone (NSRS 2007) which determines the bearing for a portion of the centerline of U.S. 36 just west of C.R. 10 to be S68°31'10"E.

All references used in this description can be found at the Recorder's Office, Delaware County, Ohio.

ADVANCED CIVIL DESIGN, INC.

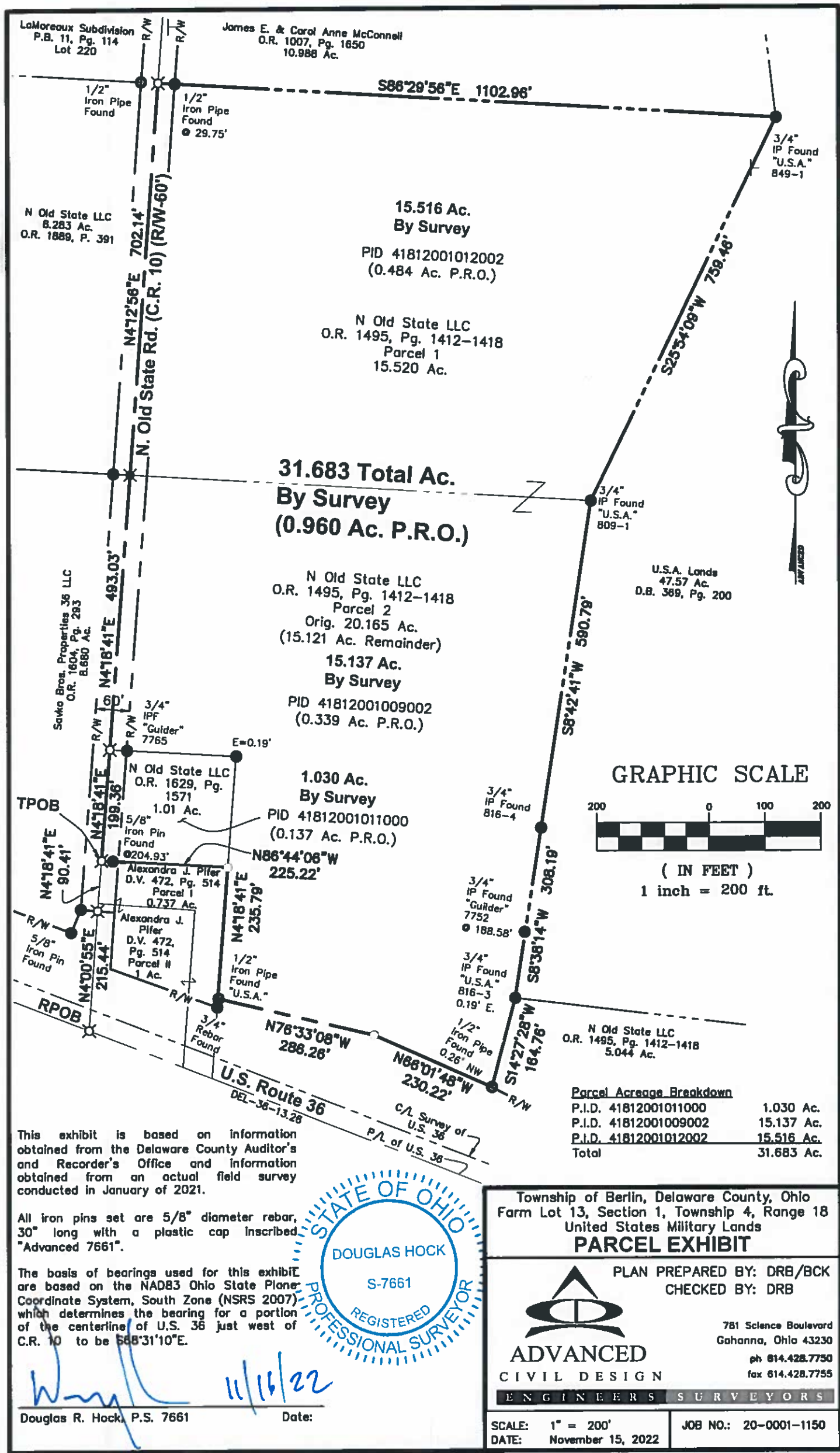
Douglas R. Hock, P.S. 7661

Date:

Z:20-0001-1150-128\Survey\31.683 ac parcel desc.doc



Z:\20-0001-1150\DWG\PRODUCTION DRAWINGS\SURVEY\20-0001-1150 parcel exhibit.dwg page 1 Nov 16, 2022 - 10:56:33am bkarshner







BUILDING DATA

A - 36 UNITS	BUILDINGS 1, 3, 4, & 6
B - 24 UNITS	BUILDINGS 2 & 7
C - 24 UNITS	BUILDINGS 5 & 9
D - 5 UNITS	BUILDINGS 8 & 10

SITE DATA - MULTI FAMILY

TOTAL UNITS	250 UNITS
TOTAL PARKING SPACES	452 (±1.8 SP/UNIT)
SURFACE PARKING	392
GARAGE PARKING	60

SITE DATA - PARCEL

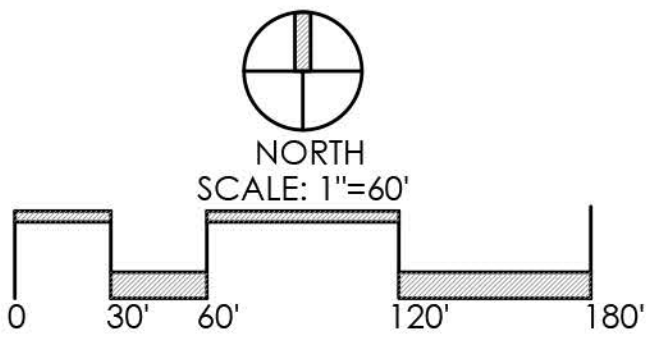
TOTAL ACREAGE	± 31.683 ACRES
EXISTING WATER BODIES	± 0.00 ACRES
EXISTING WETLANDS	± 0.52 ACRES
20% GREATER SLOPES	± 1.27 ACRES
NET ACREAGE (AC x .85 - WL, POND AND SLOPES)	± 25.14055 ACRES
MINIMUM OPEN SPACE REQUIRED	25%= 7.92 AC REQ
OPEN SPACE PROVIDED (DETENTION, RETENTION PONDS NOT INCLUDED)	54.76%= ± 17.35 AC
CENTRAL GREEN REQUIRED	15% MINIMUM = 4.75 ACRES
CENTRAL GREEN PROVIDED	± 5.94 ACRES

ILLUSTRATIVE PLAN

EXHIBIT C-1

THE ELYSIAN AT ALUM CREEK

PREPARED FOR: D.C. BUILDING COMPANY, LLC.  
DATE: 05.15.23



Faris Planning & Design

LAND PLANNING LANDSCAPE ARCHITECTURE  
4876 Cemetery Road Hilliard, OH 43026  
p (614) 487-1964 www.farisplanninganddesign.com



BUILDING DATA

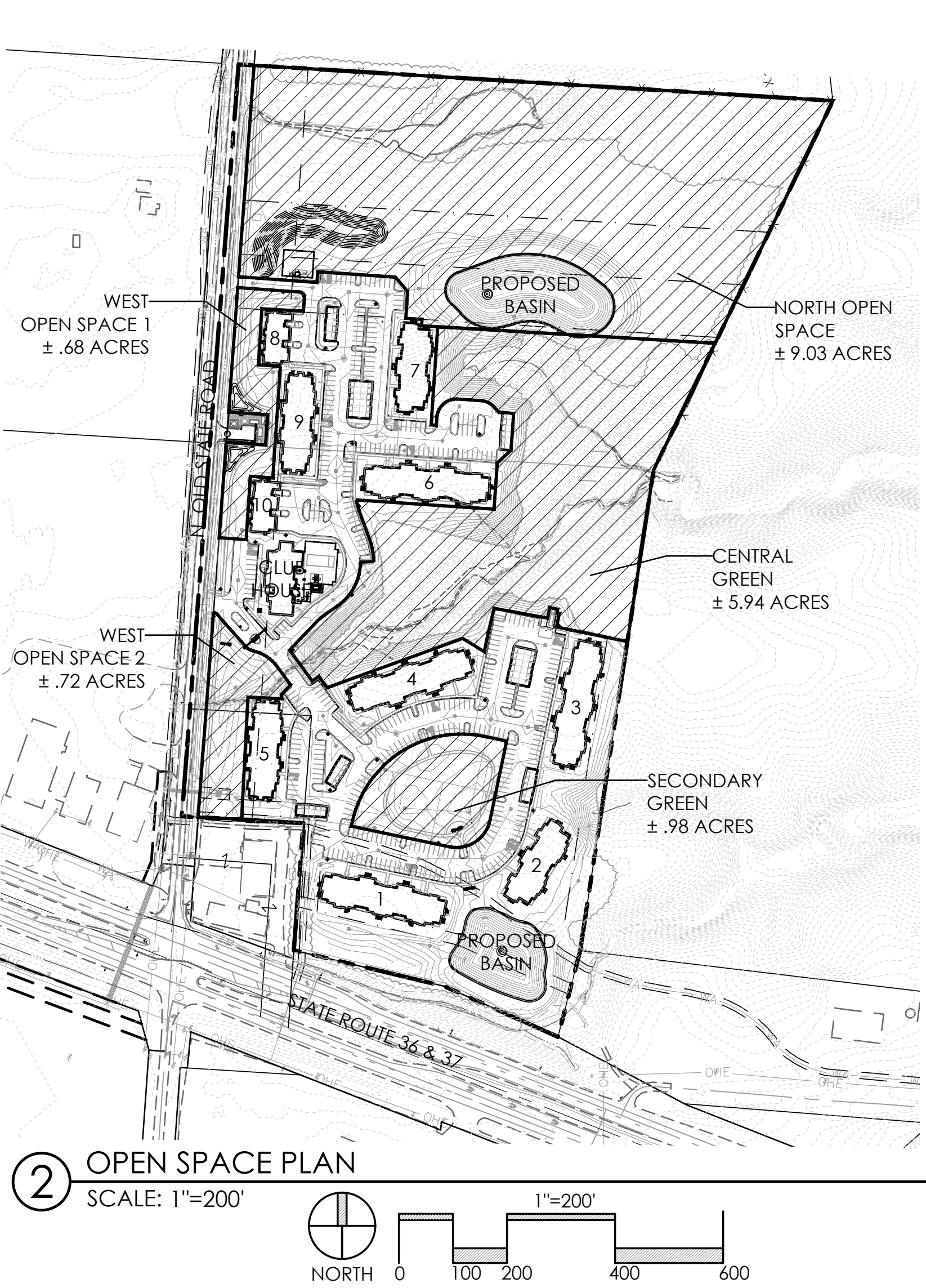
A - 36 UNITS	BUILDINGS 1, 3, 4, & 6
B -24 UNITS	BUILDINGS 2 & 7
C - 24 UNITS	BUILDINGS 5 & 9
D - 5 UNITS	BUILDINGS 8 & 10

SITE DATA - MULTI FAMILY

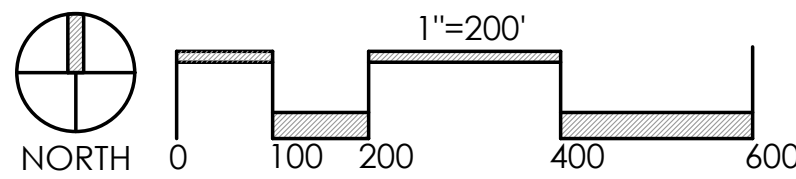
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SURFACE PARKING	392
GARAGE PARKING	60

SITE DATA - PARCEL

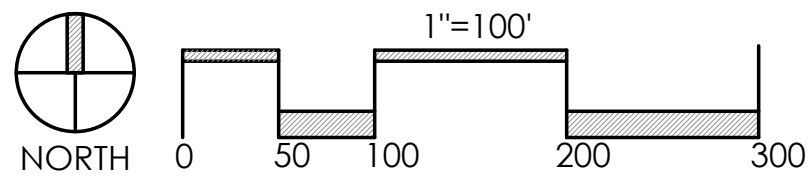
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CENTRAL GREEN REQUIRED	15% MINIMUM = 4.75 ACRES
CENTRAL GREEN PROVIDED	± 5.94 ACRES



2 OPEN SPACE PLAN  
SCALE: 1"=200'



1 DEVELOPMENT PLAN  
SCALE: 1"=100'



REVISIONS	

DEVELOPMENT &  
OPEN SPACE  
PLANS

THE ELYSIAN AT  
ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

Paris Planning & Design  
LAND PLANNING LANDSCAPE ARCHITECTURE  
4876 Cemetery Road  
Dublin, OH 43026  
P (614) 487-1964  
www.parisplanninganddesign.com

DATE	05/15/23
PROJECT	20132
SHEET	



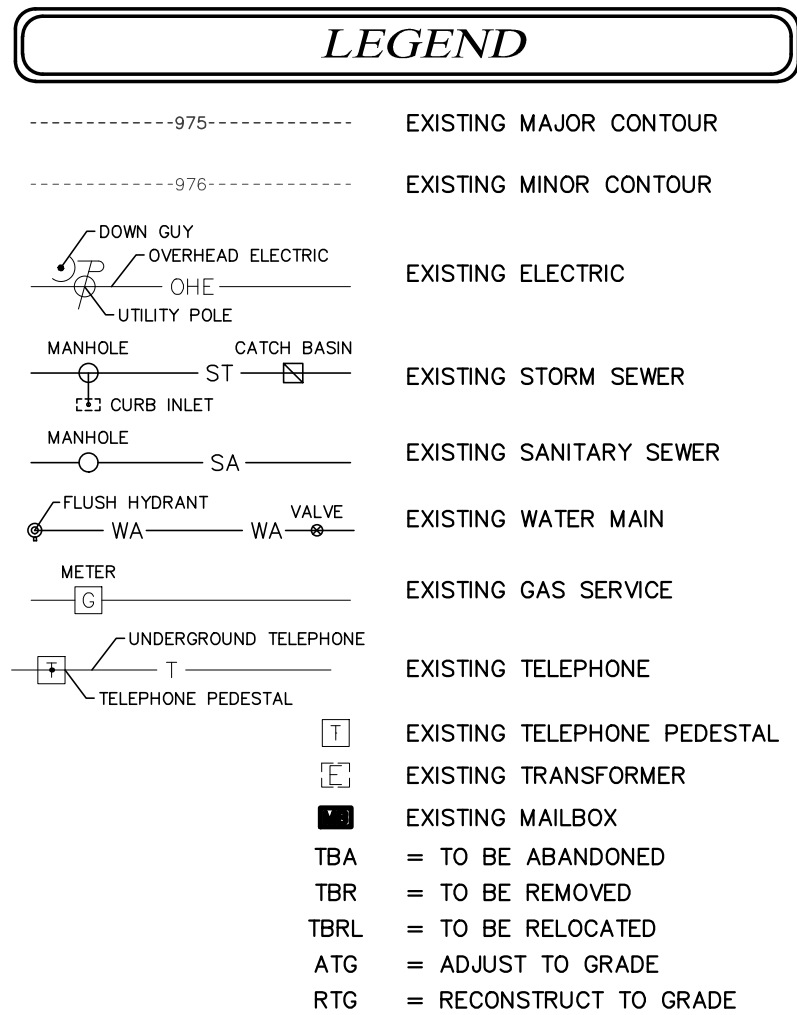
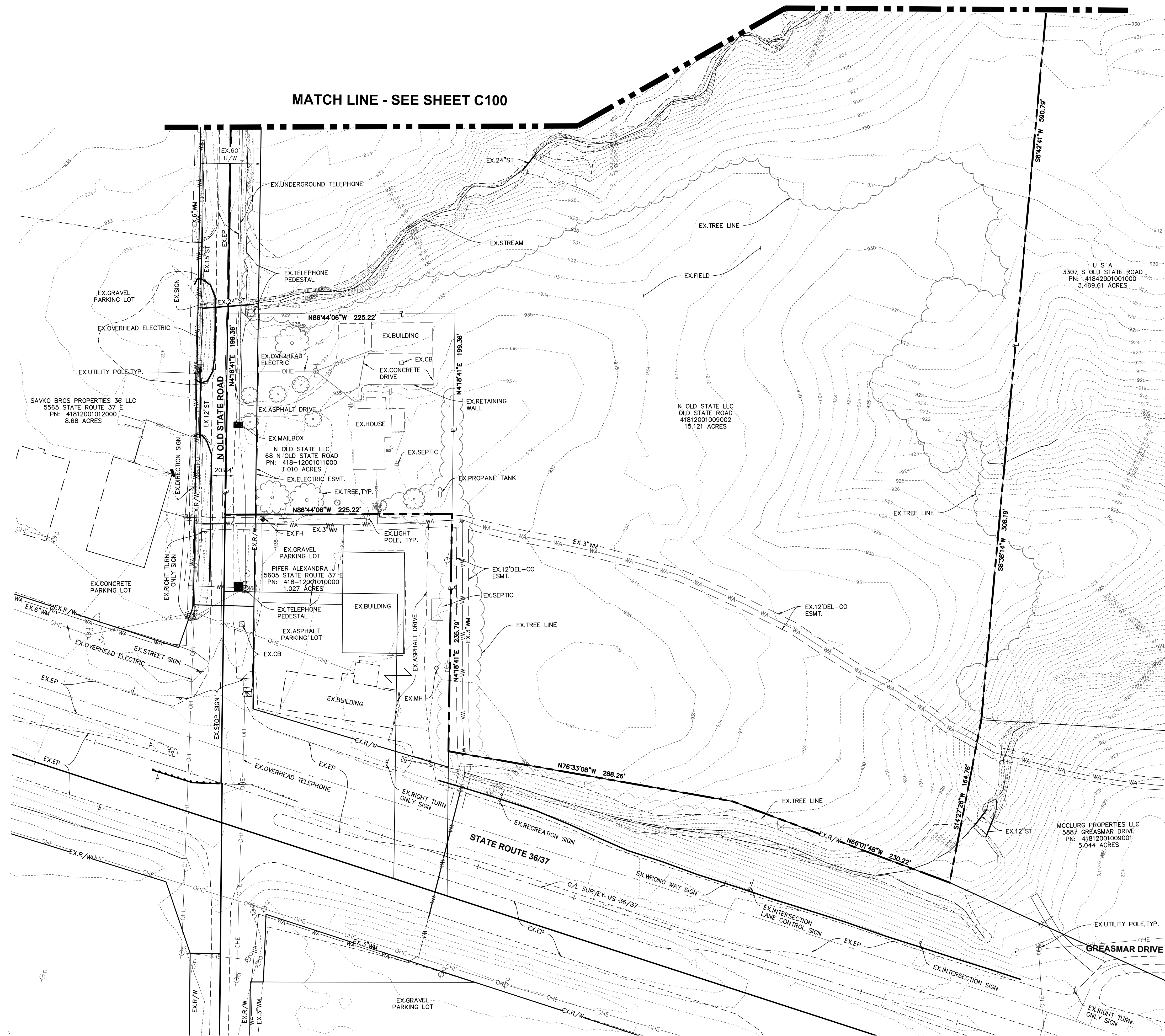


EXHIBIT C3





**MATCH LINE - SEE SHEET C100**

**GRAPHIC SCALE**

0 25 50 100

1 inch = 50 feet



## FLOODPLAIN

THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) SHOWS THAT THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA DESIGNATED AS ZONE X. ZONE X IS DEFINED AS: AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAPS (FIRM); DELAWARE COUNTY, OHIO, PANEL 0150, MAP 39014C, SUFFIX K, EFFECTIVE DATE (APRIL 16, 2009).

### LEGEND

-----G75-----

-----G76-----

DOWN GUY  
OVERHEAD ELECTRIC  
OHE  
UTILITY POLE

MANHOLE ST CATCH BASIN

CURB INLET

MANHOLE SA

FLUSH HYDRANT WA VALVE

METER

C

UNDERGROUND TELEPHONE  
T  
TELEPHONE PEDESTAL

EXISTING MAJOR CONTOUR

EXISTING MINOR CONTOUR

EXISTING ELECTRIC

EXISTING STORM SEWER

EXISTING SANITARY SEWER

EXISTING WATER MAIN

EXISTING GAS SERVICE

EXISTING TELEPHONE

EXISTING TELEPHONE PEDESTAL

EXISTING TRANSFORMER

EXISTING MAILBOX

TBA  
= TO BE ABANDONED

TBR  
= TO BE REMOVED

TBRL  
= TO BE RELOCATED

ATG  
= ADJUST TO GRADE

RTG  
= RECONSTRUCT TO GRADE

**Issue Dates:**

**Date:** 05/15/2023  
**Scale:** 1" = 50'

Drawn By: JPG	Checked By: DDD
------------------	--------------------

Project Number:  
20-0001-1150

Drawing Number:

**C101**

**PLAN PREPARED BY:**

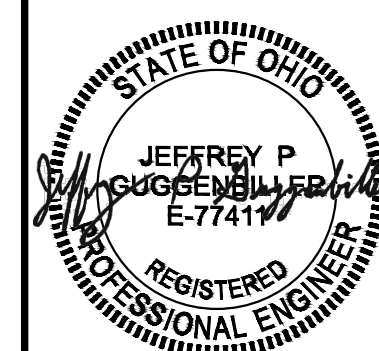
PLAN PREPARED FOR:  
DC BUILDING COMPANY, LLC  
485 METRO PLACE S. SUITE 350  
DUBLIN, OH 43017

REBIN TOWNSHIP DEL AWARE COUNTY OHIO

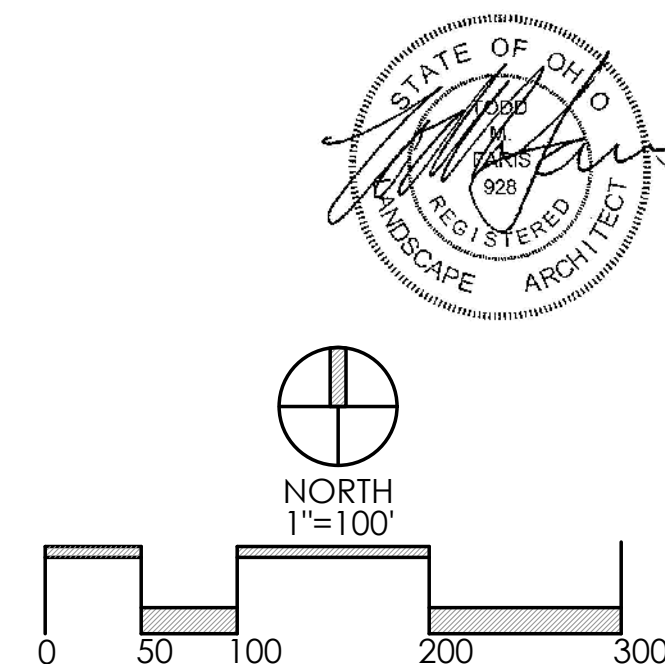
## DEVELOPMENT PLAN

FOR  
THE ELYSIAN AT ALUM CREEK

## EXISTING CONDITIONS PLAN



TOTAL ACREAGE	± 31.683 ACRES
EXISTING WATER BODIES	± 0.00 ACRES
EXISTING WETLANDS	± 0.52 ACRES
20% GREATER SLOPES	± 1.27 ACRES
NET ACREAGE (AC x .85 - WL, POND AND SLOPES)	± 25.14055 ACRES



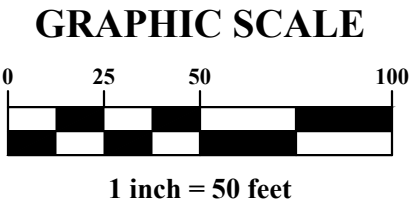
C-4



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FOSTER AMEE J & JOHN C  
321 N OLD STATE ROAD  
PN: 41812001013000

MCCONNELL JAMES E & CAROL ANNE  
350 N OLD STATE ROAD  
PN: 41812001008000



N OLD STATE LLC  
OLD STATE ROAD  
PN: 41812001012001  
8.283 ACRES

SANKO BROS PROPERTIES 36 LLC  
5565 STATE ROUTE 37 E  
PN: 41812001012000  
8.68 ACRES

N OLD STATE LLC  
OLD STATE ROAD  
PN: 41812001012002  
15.520 ACRES

U S A  
3307 S OLD STATE ROAD  
PN: 41842001001000  
3,469.61 ACRES

N OLD STATE LLC  
OLD STATE ROAD  
41812001009002  
15.121 ACRES

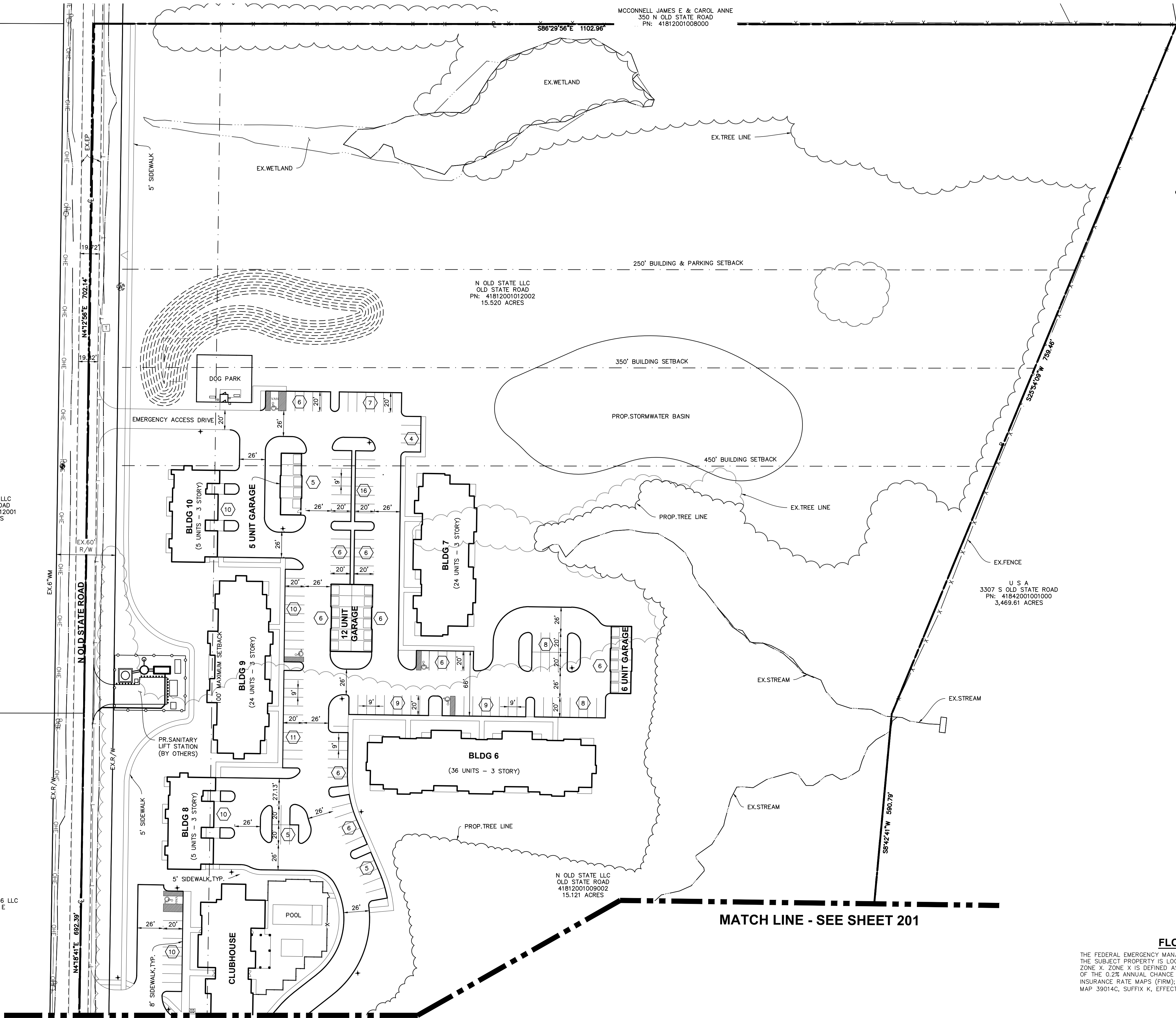


EXHIBIT C5

FLOODPLAIN

THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) SHOWS THAT THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA DESIGNATED AS ZONE X. ZONE X IS DEFINED AS: AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAPS (FIRM); DELAWARE COUNTY, OHIO, PANEL 0150, MAP 39014C, SUFFIX K, EFFECTIVE DATE (APRIL 16, 2009).

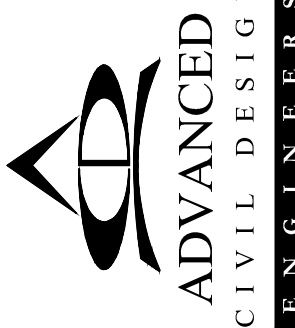
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO

DEVELOPMENT PLAN  
FOR  
THE ELYSIAN AT ALUM CREEK

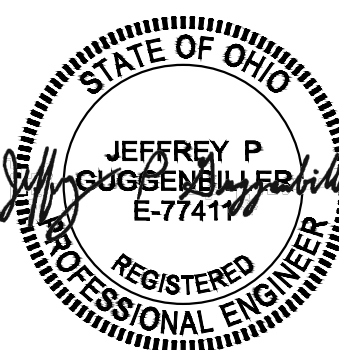
DEVELOPMENT PLAN

PLAN PREPARED FOR:  
DC BUILDING COMPANY, LLC  
485 METRO PLACE S, SUITE 350  
DUBLIN, OH 43017

PLAN PREPARED BY:



781 Science Boulevard, Suite 100  
Gahanna, Ohio 43230  
ph 614.428.7750  
fax 614.428.7755



Issue Dates:

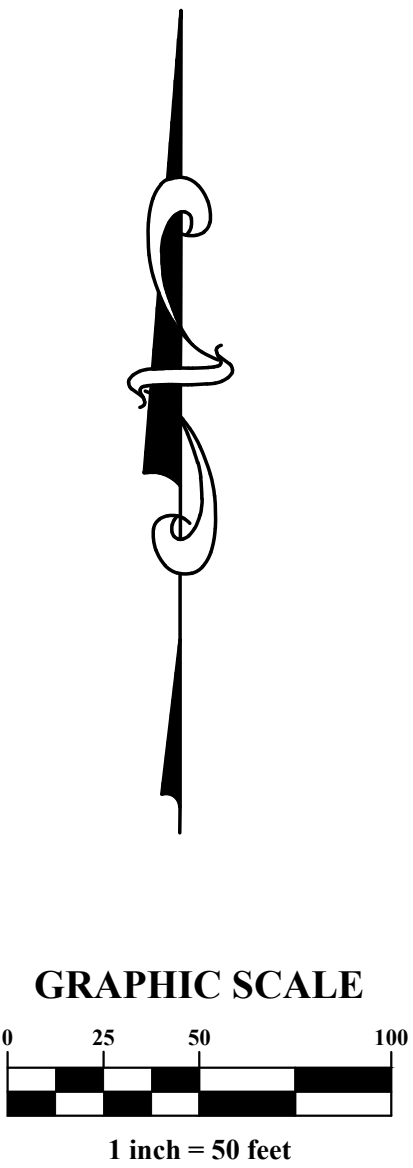
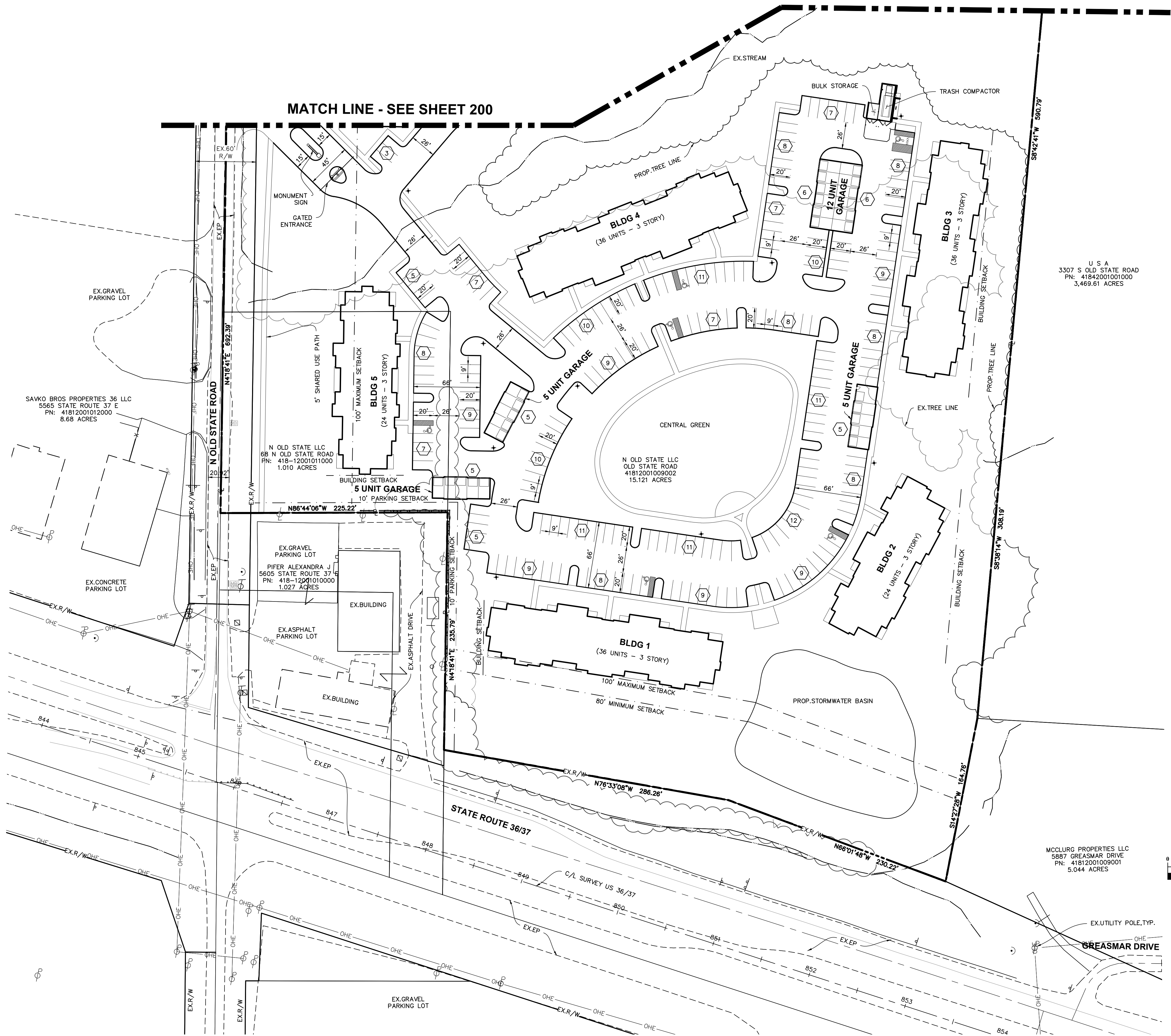
Date: 05/15/2023  
Scale: 1" = 50'

Drawn By: JPG  
Checked By: DDD

Project Number:  
20-0001-1150

Drawing Number:  
C200

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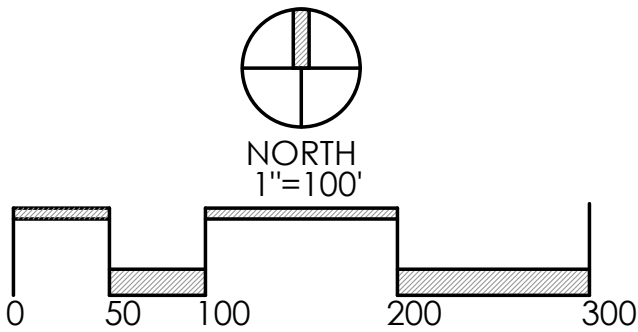
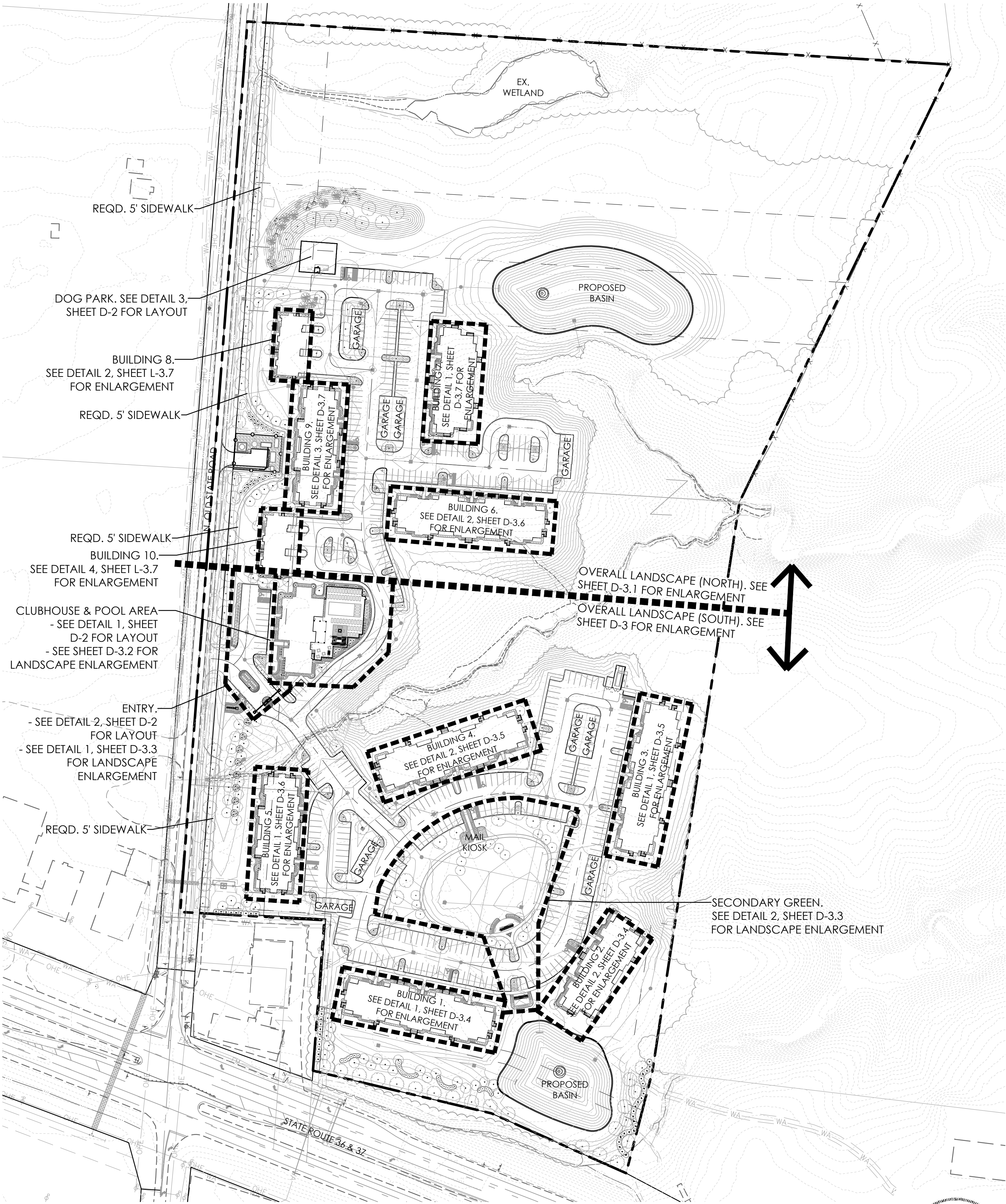
**FLOODPLAIN**  
THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) SHOWS THAT THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA DESIGNATED AS ZONE X. ZONE X IS DEFINED AS: AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAPS (FIRM); DELAWARE COUNTY, OHIO, PANEL 0150, MAP 39014C, SUFFIX K, EFFECTIVE DATE (APRIL 16, 2009).

PLAN PREPARED FOR: <b>DC BUILDING COMPANY, LLC</b> 485 METRO PLACE S, SUITE 350 DUBLIN, OH 43017		PLAN PREPARED BY: <b>ADVANCED CIVIL DESIGN</b> ENGINEERS & SURVEYORS 781 Science Boulevard, Suite 100 Gahanna, Ohio 43230 ph 614.428.7750 fax 614.428.7755	
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO		STATE OF OHIO JEFFREY P. GUGGENBILBER E-77417 REGISTERED PROFESSIONAL ENGINEER	
DEVELOPMENT PLAN FOR <b>THE ELYSIAN AT ALUM CREEK</b>		Issue Dates:	
<b>DEVELOPMENT PLAN</b>		Date: 05/15/2023 Scale: 1" = 50'	
Project Number: 20-0001-1150		Drawn By: JPG Checked By: DDD	
Drawing Number: <b>C201</b>			



GENERAL LAYOUT NOTES

1. BOUNDARY, TOPOGRAPHIC AND UTILITY SURVEY WAS PREPARED BY : ADVANCED CIVIL DESIGN; 781 SCIENCE BOULEVARD, SUITE 100 GAHANNA, OH 43230; (614) 944-5084
2. ALL DIMENSIONS ARE TAKEN TO FACE OF CURB OR BUILDING WHERE APPLICABLE UNLESS OTHERWISE NOTED.
3. CONTRACTOR SHALL LAYOUT AND ADJUST AS REQUIRED FOR APPROVAL BY LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION.
4. CONTRACTOR SHALL VERIFY DIMENSIONS AND NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
5. BROOM FINISH ON CONCRETE SHALL BE PERPENDICULAR TO TRAFFIC FLOW.
6. USE DIMENSIONAL INFORMATION GIVEN. DO NOT SCALE DRAWINGS.
7. CONTRACTOR SHALL REFER QUESTIONS ON MATERIALS, FINISHES, LABOR, AND/OR PERFORMANCE STANDARDS NOT SPECIFIED HEREIN TO THE LANDSCAPE ARCHITECT.
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REVISIONS	
OVERALL SITE PLAN	
THE ELYSIAN AT ALUM CREEK PREPARED FOR D.C. BUILDING COMPANY, LLC. 485 METRO PLACE SOUTH DUBLIN, OH 43017	
Paris Planning & Design LAND PLANNING • LANDSCAPE ARCHITECTURE 4876 Cemetery Road Dublin, OH 43017 P (614) 487-1944 www.parisplanninganddesign.com	
DATE	05/15/23
PROJECT	20132
SHEET	
D-1.1	



LANDSCAPE REQUIREMENTS

N. OLD STATE	REQUIRED	PROVIDED
STREET TREES	DECIDUOUS TREES ADJACENT TO PUBLIC ROW SPACED AT 30' FT ON CENTER	(37) DECIDUOUS TREES ADJACENT TO N. OLD STATE ROW SPACE 30' OC (14) DECIDUOUS TREES ADJACENT TO SR 37E ROW SPACE 30' OC.
RIGHT-OF-WAY LANDSCAPE ZONE	MIN 10' WIDE ZONE WITH 3 DECIDUOUS TREES AND 5 MEDIUM SHRUBS EVERY 100 LINEAR FEET ALONG PUBLIC ROW  - N. OLD STATE 1,395 LINEAR FEET = 42 DECIDUOUS TREES AND 70 MEDIUM SHRUBS  - SR 37: 517 LINEAR FEET = 16 DECIDUOUS TREES AND 26 MEDIUM SHRUBS	N. OLD STATE ROW: 10' WIDE ZONE, (42) DECIDUOUS TREES AND 70 SHRUBS  SR 37E: 10' WIDE ZONE, (16) DECIDUOUS TREES AND (26) SHRUBS
VUA ISLAND	LANDSCAPE ISLAND (SINGLE LOADED) MIN AREA OF 162 SF AND MIN WIDTH OF 9'. EACH ISLAND CONTAIN MIN (1) SHADE TREE OF MIN 2" CAL AND MIN OF 50 SF OTHER PLANT MATERIAL. REMAINING AREA GRASS. NO MULCH.	46 LANDSCAPED PARKING ISLANDS WITH MIN AREA OF 162 SF, MIN WIDTH OF 9'. 46 SHADE TREES AND 2,300 SF OF OTHER PLANT MATERIAL.
BUILDING LANDSCAPE ZONE	IF PARKING AREA ALONG PUBLIC ROW A LANDSCAPE ZONE REQUIRED- 8' SIDEWALK ADJACENT TO PARKING AND MIN 8' WIDTH LANDSCAPE AREA ADJACENT TO BUILDING CONTAINING ONE MEDIUM SHRUB EVERY FIVE (5) LINEAR FEET CLUB HOUSE = 134' = 27 SHRUBS	CLUB HOUSE: 27 SHRUBS

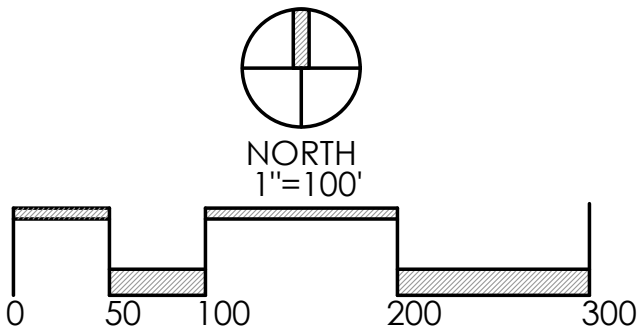
SCREENING REQUIREMENTS

N. OLD STATE	REQUIRED	PROVIDED
SERVICE STRUCTURE SCREENING	CONTINUOUS PLANTING, HEDGE, FENCE, EARTH WALL WITH AVERAGE 1' HEIGHT MORE THAN ENCLOSED STRUCTURE. TO HAVE 90% YEAR-ROUND OPACITY)	CONTINUOUS FENCING AROUND TRASH COMPACTOR, MIN 1' HEIGHT ABOVE COMPACTOR
VUA SCREENING	3' AVERAGE HEIGHT CONTINUOUS PLANTING, HEDGE, FENCE, WALL OR EARTH MOUND IN 4' WIDE AREA AROUND VUA	3' CONTINUOUS HEDGE ALONG EDGES OF VUA VISIBLE FROM PUBLIC ROW
BETWEEN USE SCREENING	15' BUFFER WITH CONTINUOUS PLANTING HEDGE AND TREE COMBO BETWEEN NON-RESIDENTIAL AND ABUTTING RESIDENTIAL USE. MIN HEIGHT OF 3' AT PLANTING. MOUNDING AND FENCING CAN BE INCORPORATED TO ACHIEVE HEIGHT AND PROVIDE ADDITIONAL SCREENING.	CONTINUOUS HEDGE AND 6' HGT. FENCING ALONG LOT ABUTTING THE NON-RESIDENTIAL LOTS ON THE SOUTHWEST AND SOUTHEAST
PERIMETER AREA	NORTHWEST CORNER: NO BUILDINGS OR PARKING WITHIN 250' OF LOT LINE OF EXISTING RESIDENTIAL PARCEL. BUFFER INCLUDES MIN 8' TALL MOUND PARALLEL TO LOT LINE ABUTTING EXISTING RESIDENTIAL USE. MIN 10' WIDE CREST. (EXISTING TREES, STREAMS AND OTHER NATURAL RESOURCES SHALL BE PRESERVED AND TAKEN INTO CONSIDERATION WITH MOUND PLACEMENT) MOUND CREST SHOULD BE WITHIN 50' FROM LOT LINE. MOUND LANDSCAPED WITH FIVE (5) DECIDUOUS TREES, FIVE (5) CONIFEROUS TREES AND TWENTY-FIVE (25) MEDIUM SHRUBS PER ONE HUNDRED (100) LINEAL FEET	8' MOUND WITHIN THE 250' NORTHEASTERN RESIDENTIAL BUFFER AREA. MOUND PLACEMENT CONSIDERS JURISDICTIONAL WETLAND AND TREED AREA WITHIN THE SAME AREA.  198' LINEAL FEET LANDSCAPED WITH 10 DECIDUOUS TREES, 10 CONIFEROUS TREES AND 50 MEDIUM SHRUBS.

GENERAL REQUIREMENTS

MIN. SIZE AT TIME OF PLANTING: - DECIDUOUS TREES - 2" CALIPER - CONIFEROUS TREES - 5' HEIGHT - SHRUBS (MEDIUM) - 3' HEIGHT
LANDSCAPE MATERIAL INSTALLED TO PROVIDE 50% WINTER OPACITY AND 70% SUMMER OPACITY

LEGEND	
	STREET TREE (TYP.)
	LANDSCAPE ZONE R/W TREE (TYP.)
	LANDSCAPE ZONE R/W SHRUB (TYP.)
	VUA ISLAND TREE AND 50 SF OF OTHER PLANT MATERIAL (TYP.)
	BUILDING LANDSCAPE ZONE (TYP.)
	VUA SCREENING (TYP.)
	BETWEEN USE SCREENING (TYP.)
	PERIMETER AREA SCREENING (TYP.)



REVISIONS	

LANDSCAPE REQUIREMENTS PLAN

THE ELYSIAN AT ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

Paris Planning & Design  
LAND PLANNING LANDSCAPE ARCHITECTURE  
4876 Cemetery Road  
DUBLIN, OH 43026  
P (614) 487-1944  
www.parisplanninganddesign.com

DATE	05/15/23
PROJECT	20132
SHEET	

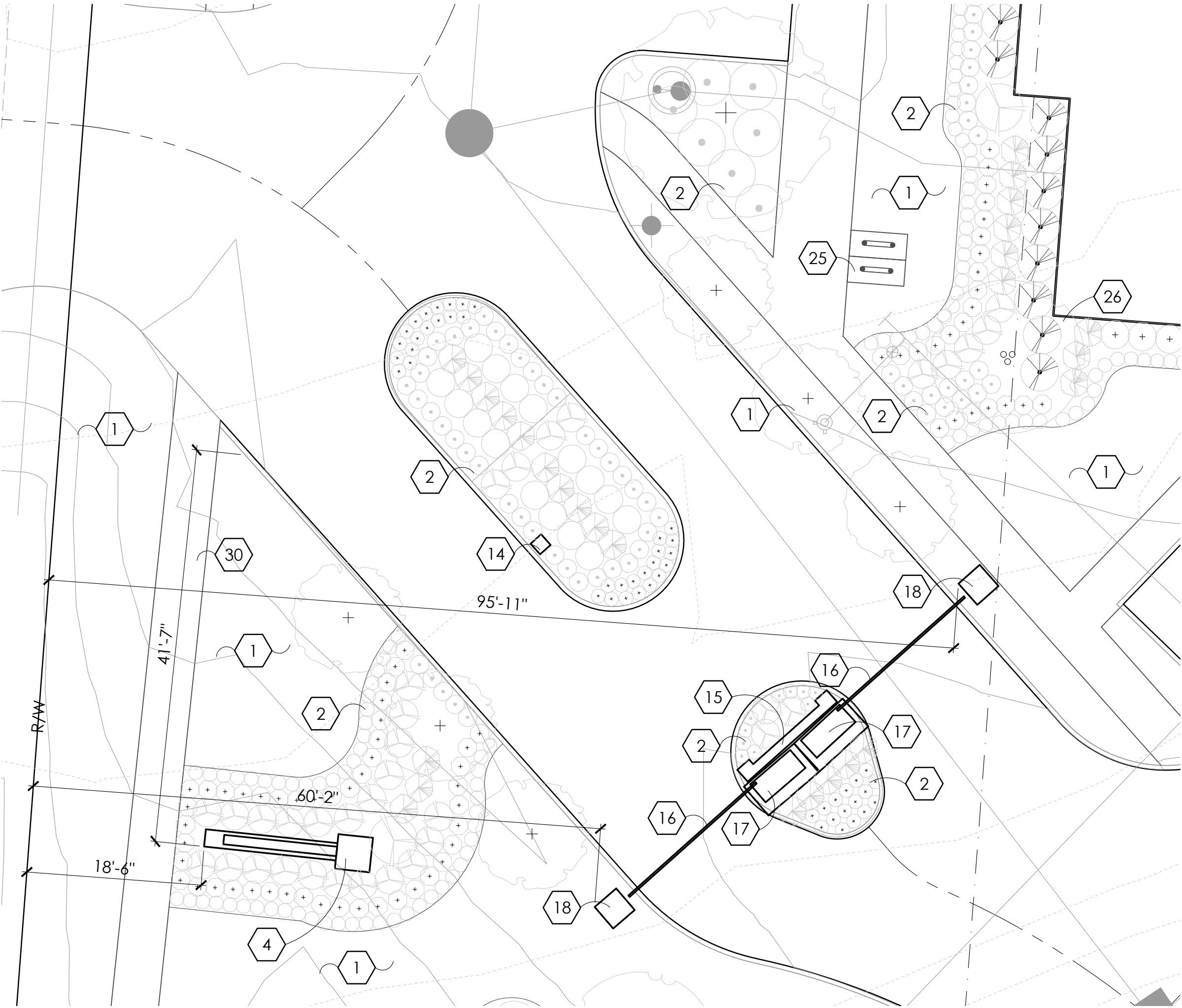


GENERAL LAYOUT NOTES

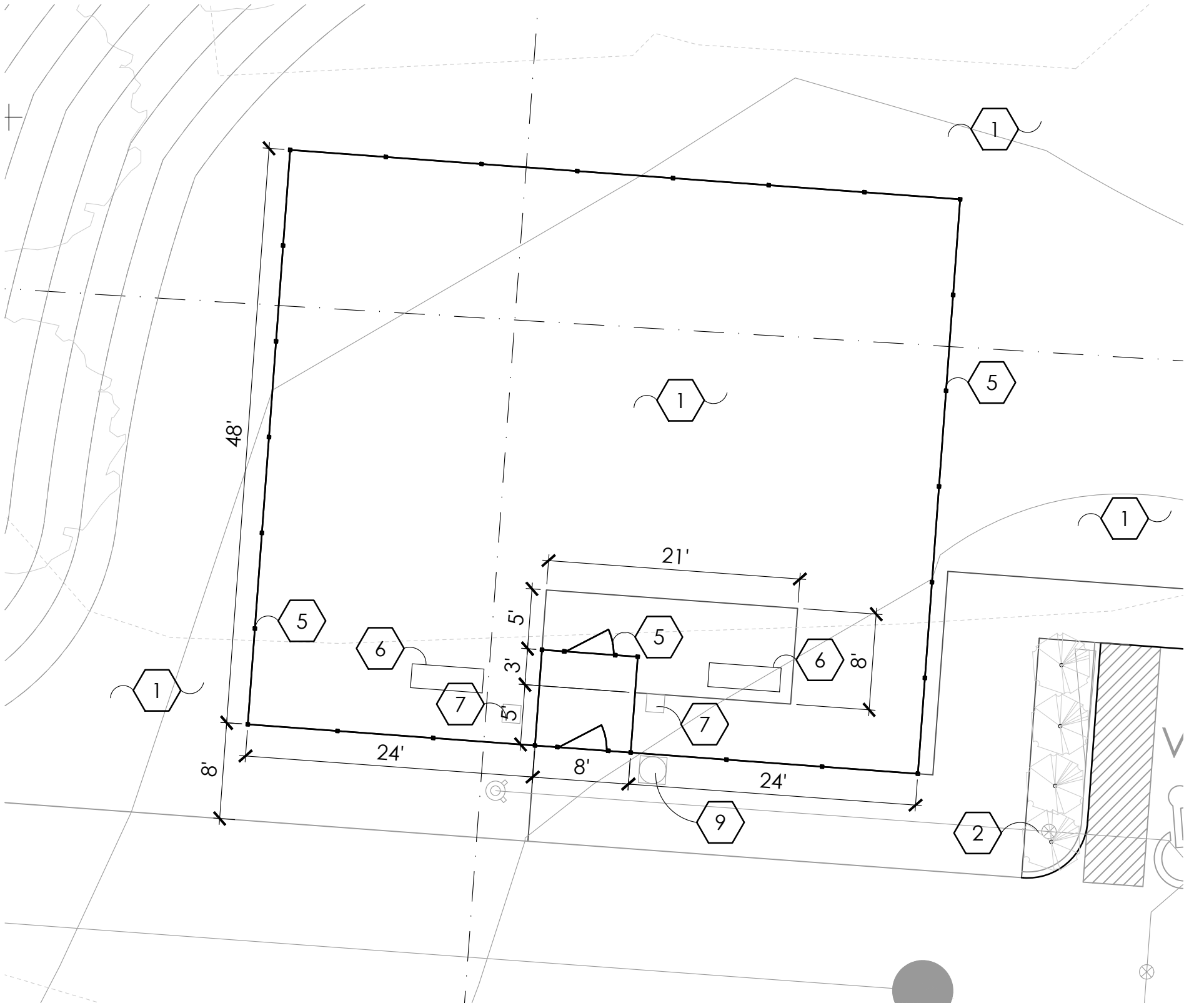
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CONSTRUCTION NOTES

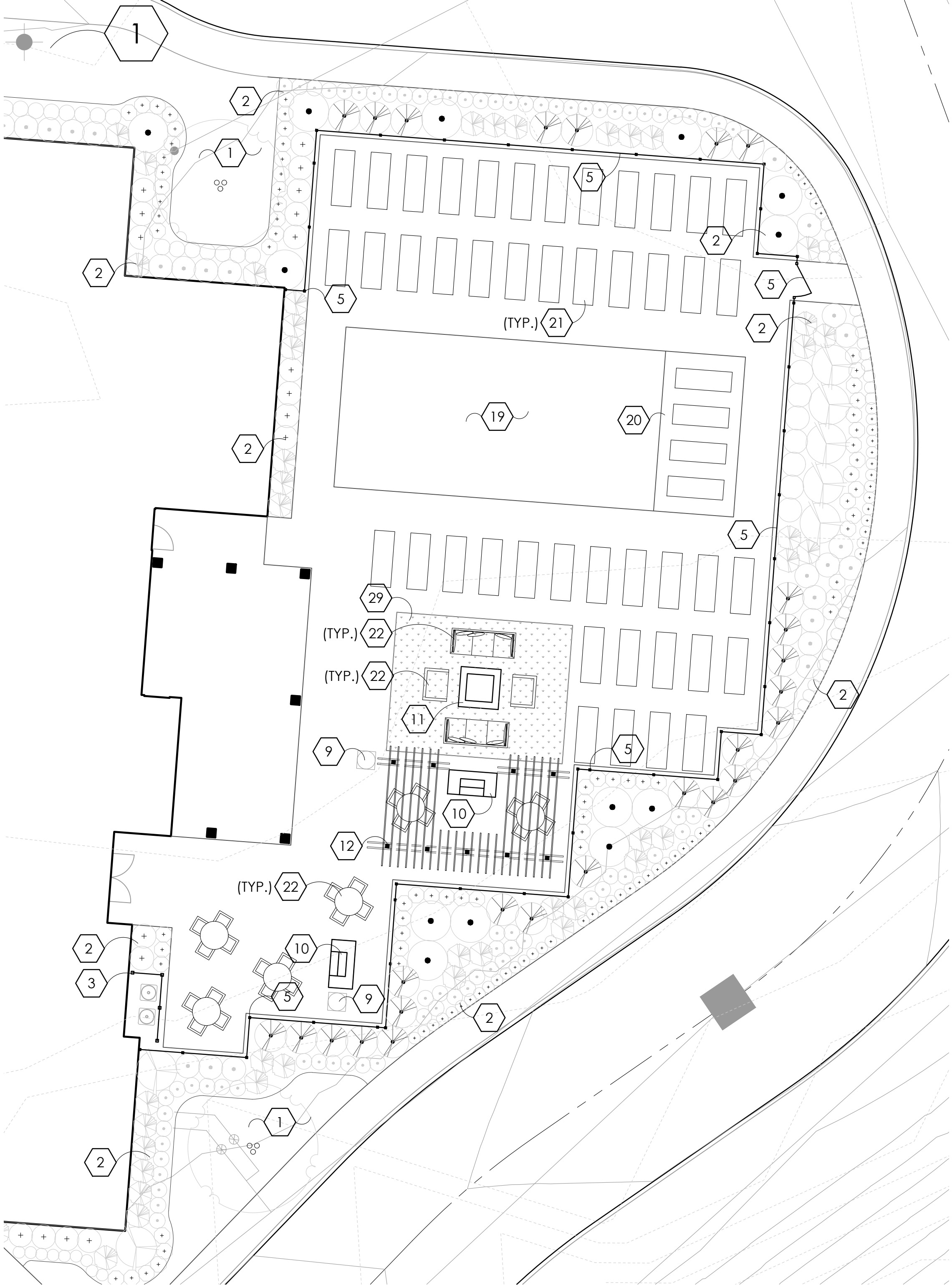
- 1 LAWN AREA. PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 2 LANDSCAPE AREA. PROVIDE 3" DEPTH HARDWOOD MULCH. POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 3 A/C CONDENSER FENCE. SEE DETAIL 4, SHEET D-7 FOR MORE INFORMATION.
- 4 ENTRY SIGN. SEE DETAIL 1, SHEET D-7.3 FOR MORE INFORMATION.
- 5 POOL AND DOG PARK FENCE. SEE DETAIL 1, SHEET D-7.1 FOR MORE INFORMATION.
- 6 6' LONG METAL BENCH. NORTHGATE PARK BENCH, TBN-15; BLACK, OR OWNER APPROVED EQUAL. AVAILABLE FROM TREETOP PRODUCTS. SEE DETAIL 6, SHEET D-7 FOR MORE INFORMATION.
- 7 PET WASTE STATION. TERRABOUND ELITE DOG WASTE STATION, OR OWNER APPROVED EQUAL. AVAILABLE FROM TERRABOUND SOLUTIONS. SEE DETAIL 5, SHEET D-7 FOR MORE INFORMATION.
- 9 TRASH RECEPTACLES. NORTHGATE RECEPTACLES, MODEL TBR-15, BLACK, OR OWNER APPROVED EQUAL. AVAILABLE FROM TREETOP PRODUCTS. SEE DETAIL 7, SHEET D-7 FOR MORE INFORMATION.
- 10 GRILL STATION. SEE DETAIL 2, SHEET D-7.1 FOR MORE INFORMATION.
- 11 FIRE PIT. SEE DETAIL 8, SHEET D-7 FOR MORE INFORMATION.
- 12 PERGOLA. SEE DETAIL 1, SHEET D-7.5 FOR MORE INFORMATION.
- 14 CALL BOX. FINAL STYLE AND LOCATION BY OWNER.
- 15 SCREEN WALL. SEE DETAIL 2, SHEET D-7.4 FOR MORE INFORMATION.
- 16 VERTICAL LIFT GATE - OHIOAN STYLE GATE BY AUTOGATE OR OWNER APPROVED EQUAL.
- 17 VERTICAL LIFT GATE OPERATOR BOX - BY AUTOGATE OR OWNER APPROVED EQUAL.
- 18 ENTRY COLUMN - SEE DETAIL 1, SHEET D-7.4.
- 19 POOL BY POOL CONTRACTOR.
- 20 SUN LEDGE AND STEPS BY POOL CONTRACTOR.
- 21 CHAISE LOUNGE CHAIRS. FINAL LOCATION AND STYLE BY OWNER. (TYP. OF 48)
- 22 SITE FURNITURE. FINAL LOCATION AND STYLE BY OWNER.
- 25 BIKE RACK. SEE DETAIL 3, SHEET D-7.2 FOR MORE INFORMATION.
- 29 ARTIFICIAL TURF WITH NAILER BOARD. SEE DETAIL 9, SHEET D-7 FOR MORE INFORMATION.
- 30 5' WIDE SIDEWALK. SEE ENGINEERING PLANS FOR MORE INFORMATION.



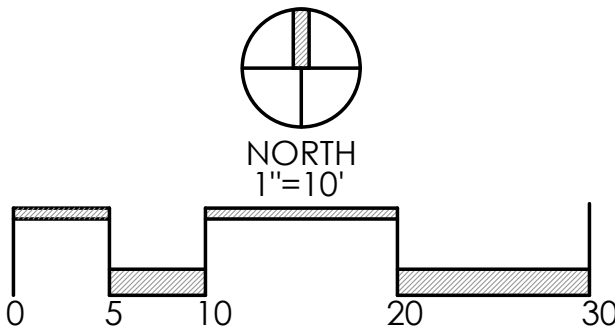
2 ENTRY LAYOUT PLAN  
SCALE: 1"=10'



3 DOG PARK LAYOUT PLAN  
SCALE: 1"=10'



1 POOL LAYOUT PLAN  
SCALE: 1"=10'



REVISIONS	

LAYOUT PLANS I  
(POOL, ENTRY &  
DOG PARK)

THE ELYSIAN AT  
ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

Paris Planning & Design

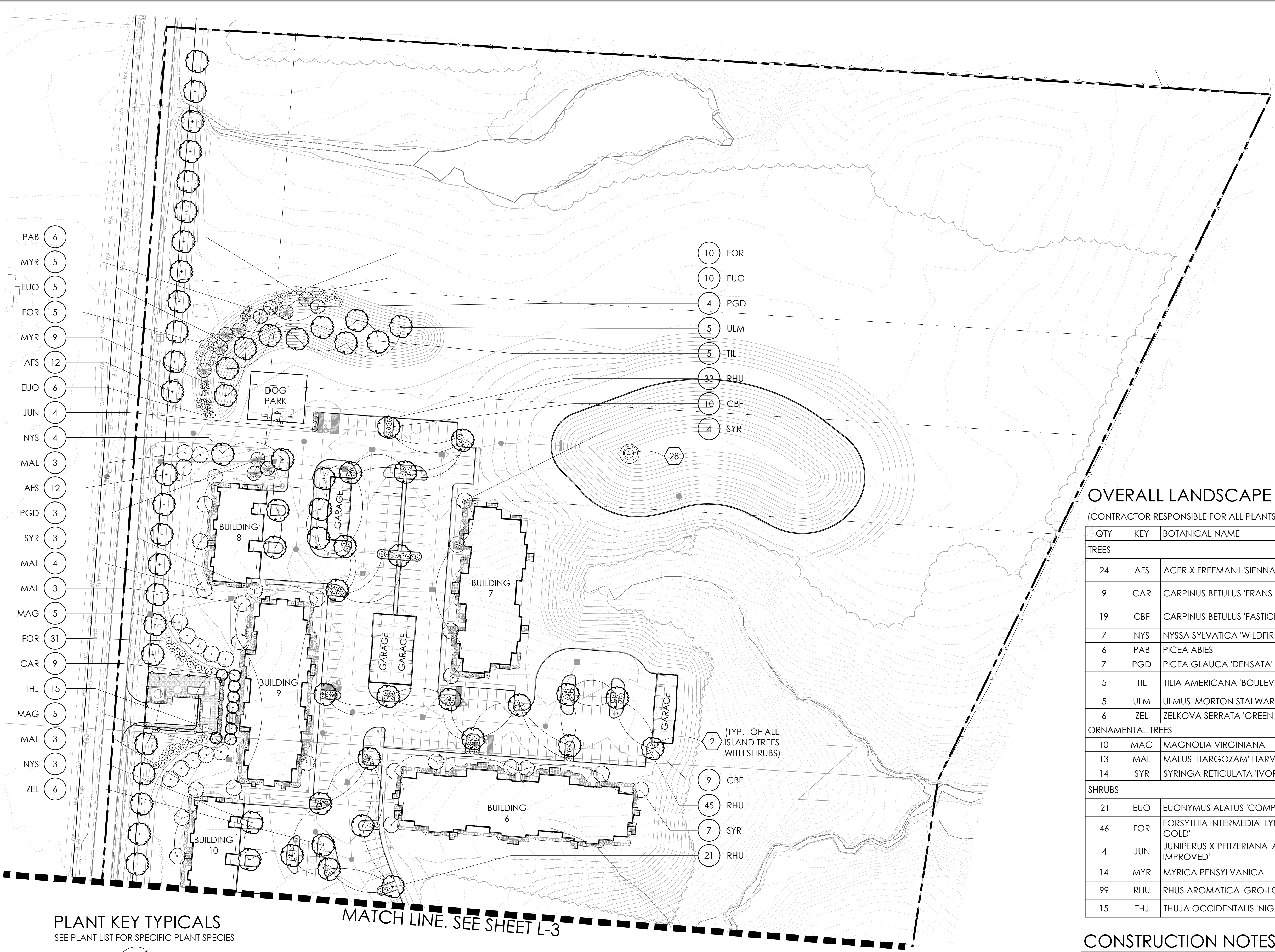
LAND PLANNING

LANDSCAPE ARCHITECTURE

487 1/2 Cemetery Road  
Dublin, OH 43017  
P (614) 487-1944  
www.parisplanninganddesign.com

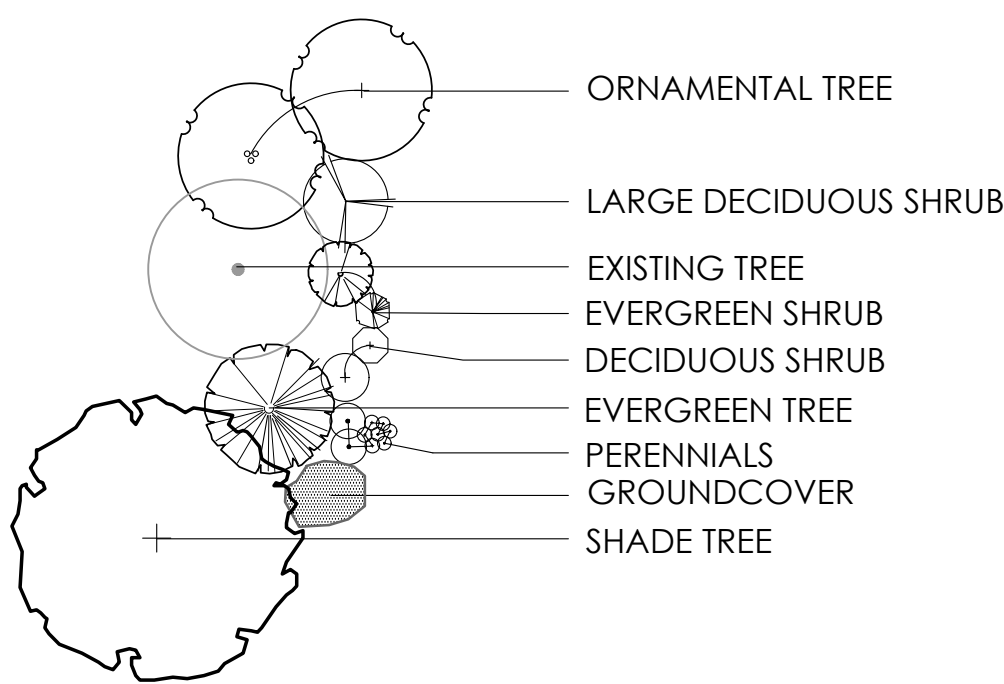
DATE	05/15/23
PROJECT	20132
SHEET	





PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



GENERAL PLANTING NOTES:

- 1. ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE USA STANDARD FOR NURSERY STOCK.
- 2. ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.
- 3. PLANT LOCATIONS AND BEDS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- 4. PLANTING BEDS SHALL HAVE A MINIMUM 3" DEEP SHREDDED HARDWOOD BARK MULCH. MULCH HEDGES IN A CONTINUOUS BED.
- 5. ALL PLANTING BEDS TO BE TILLED TO A MINIMUM DEPTH OF 12".
- 6. ALL PLANTING BEDS TO BE FERTILIZED WITH 10-10-10 OR APPROVED EQUAL.
- 7. SODDING / SEEDING BY LANDSCAPE CONTRACTOR.
- 8. THE LOCATION OF THE EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
- 9. ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE RESTORED, FINE GRADED AND SEEDED/ SODDED.
- 10. ALL EXISTING PLANT MATERIAL SHOWN ON THIS PLAN IS TO BE PRESERVED UNLESS SPECIFICALLY NOTED OTHERWISE.

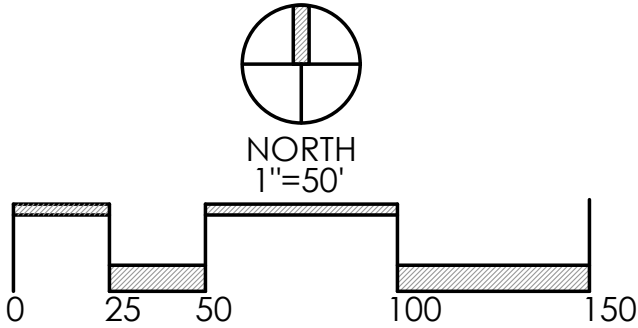
OVERALL LANDSCAPE PLANT LIST (NORTH)

(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	REMARKS
TREES						
24	AFS	ACER X FREEMANII 'SIENNA'	SIENNA GLEN FREEMAN MAPLE	2" CAL.	B&B	
9	CAR	CARPINUS BETULUS 'FRANS FONTAINE'	FRANS FONTAINE COLUMNAR EUROPEAN HORNBEAM	2" CAL.	B&B	
19	CBF	CARPINUS BETULUS 'FASTIGIATA'	UPRIGHT EUROPEAN HORNBEAM	2" CAL.	B&B	
7	NYS	NYSSA SYLVATICA 'WILDFIRE'	WILDFIRE TUPELO BLACKGUM	2" CAL.	B&B	
6	PAB	PICEA ABIES	NORWAY SPRUCE	5-6' HGT.	B&B	
7	PGD	PICEA GLAUCA 'DENSATA'	BLACK HILLS SPRUCE	5-6' HGT.	B&B	
5	TIL	TILIA AMERICANA 'BOULEVARD'	BOULEVARD AMERICAN LINDEN	2" CAL.	B&B	
5	ULM	ULMUS 'MORTON STALWART'	COMMENDATION ELM	2" CAL.	B&B	
6	ZEL	ZELKOVA SERRATA 'GREEN VASE'	GREEN VASE ZELKOVA	2" CAL.	B&B	
ORNAMENTAL TREES						
10	MAG	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA	2" CAL.	B&B	SINGLE STEM
13	MAL	MALUS 'HARGOZAM' HARVEST GOLD	HARVEST GOLD CRABAPPLE	2" CAL.	B&B	
14	SYR	SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK TREE LILAC	2" CAL.	B&B	
SHRUBS						
21	EUO	EUONYMUS ALATUS 'COMPACTUS'	COMPACT BURNING BUSH	36" HGT.	CONT.	
46	FOR	FORSYTHIA INTERMEDIA 'LYNWOOD GOLD'	LYNWOOD GOLD FORSYTHIA	36" HGT.	CONT.	
4	JUN	JUNIPERUS X PFITZERIANA 'AUREA IMPROVED'	GOLD COAST JUNIPER	36" HGT.	CONT.	
14	MYR	MYRICA PENSYLVANICA	NORTHERN BAYBERRY	36" HGT.	CONT.	
99	RHU	RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	18" SPRD.	CONT.	
15	THJ	THUJA OCCIDENTALIS 'NIGRA'	DARK GREEN ARBORVITAE	5-6' HGT.	B&B	

CONSTRUCTION NOTES

- 1 LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 2 LANDSCAPE AREA, PROVIDE 3" DEPTH HARDWOOD MULCH. POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 28 FOUNTAIN GEYSER 1/2 HP, 240 V. 1 PHASE FOUNTAIN BY AQUAMASTER; MODEL #M5402-ESC, OR OWNER APPROVED EQUAL.



REVISIONS

OVERALL LANDSCAPE PLAN (NORTH)

THE ELYSIAN AT ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

Paris Planning & Design  
LAND PLANNING LANDSCAPE ARCHITECTURE  
487 1/2 Cemetery Road  
Dublin, OH 43017  
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DATE 05/15/23

PROJECT 20132

SHEET

D-3.1

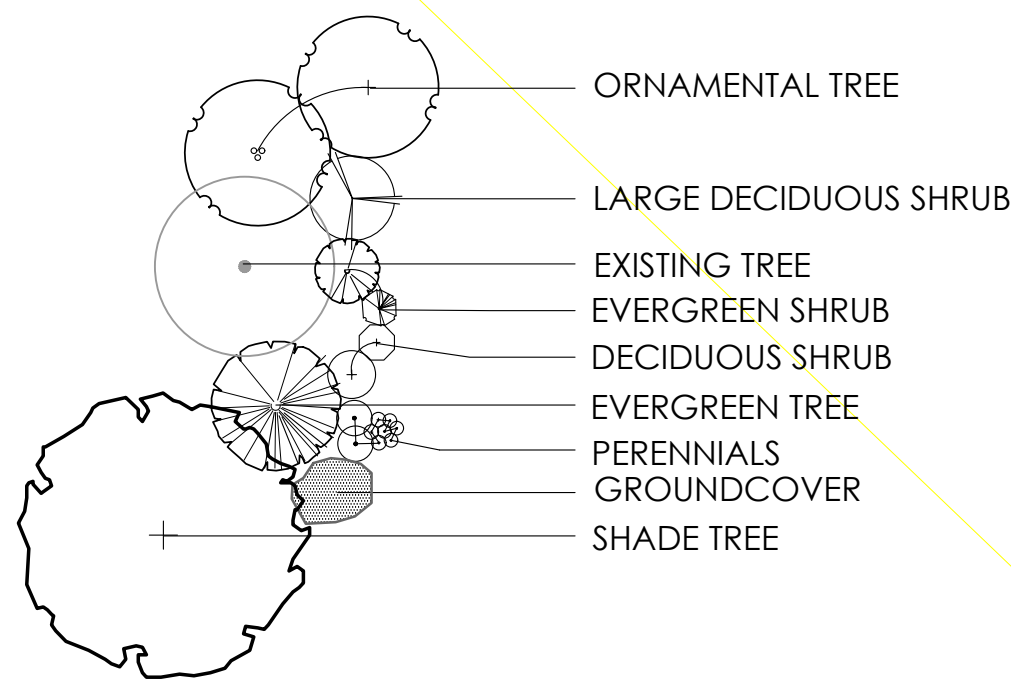


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- SODDING / SEEDING BY LANDSCAPE CONTRACTOR.
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- ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE RESTORED, FINE GRADED AND SEEDED/ SODDED.
- ALL EXISTING PLANT MATERIAL SHOWN ON THIS PLAN IS TO BE PRESERVED UNLESS SPECIFICALLY NOTED OTHERWISE.

PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



CONSTRUCTION NOTES

- LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
- LANDSCAPE AREA, PROVIDE 3" DEPTH HARDWOOD MULCH. POSITIVE DRAINAGE ACROSS ALL SURFACES.
- A/C CONDENSER FENCE. SEE DETAIL 4, SHEET D-7 FOR MORE INFORMATION.

CLUBHOUSE & POOL AREA PLANT LIST

(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.
SHRUBS					
70	BUX	BUXUS X 'GREEN GEM'	GREEN GEM BOXWOOD	24" HGT.	B&B
6	CAL	CALYCANTHUS 'APHRODITE'	SWEETSHRUB	24" HGT.	B&B
12	COR	CORNUS STOLONIFERA 'FARROW' ARCTIC FIRE	ARCTIC FIRE RED-OSIER COMPACT RED TWIG DOGWOOD	24" HGT.	B&B
38	HYD	HYDRANGEA PANICULATA 'JANE'	LITTLE LIME HYDRANGEA	24" HGT.	B&B
10	HYQ	HYDRANGEA QUERCIFOLIA 'PEE WEE'	PEE WEE OAKLEAF HYDRANGEA	24" HGT.	B&B
5	PHY	PHYSOCARPUS OPULIFOLIUS 'SEWARD'	SUMMER WINE@ NINEBARK	36" HGT.	B&B
6	ROS	ROSA 'RADTKOPINK'	KNOCK OUT@ PINK DOUBLE SHRUB ROSE	24" HGT.	B&B
30	SPI	SPIRAEA X 'TRACY'	DOUBLE PLAY@ BIG BANG@ SPIREA	18" SPRD.	B&B
6	SYR	SYRINGA MEYERI 'PALIBIN'	DWARF KOREAN LILAC	36" HGT.	B&B
11	VBM	VIBURNUM CARLESII 'CAYUGA'	CAYUGA KOREANSPICE VIBURNUM	36" HGT.	B&B
5	WEI	WEIGELA FLORIDA 'BOKRASPIWI'	SPILLED WINE@ WEIGELA	18" SPRD.	B&B
PERENNIALS/ORNAMENTAL GRASSES					
123	HEM	HEMEROCALLIS 'BIG TIME HAPPY'	BIG TIME HAPPY DAYLILY	NO. 1	CONT.
18	HEU	HEUCHERA X 'CARAMEL'	CARAMEL CORAL BELLS	NO. 1	CONT.
213	LIR	LIRIOPE MUSCARI 'VARIEGATA'	VARIEGATED LILYTURF	NO. 1	CONT.
3	NEP	NEPETA 'JUNIOR WALKER'	JUNIOR WALKER CATMINT	NO. 1	CONT.
41	PER	PEROVSKIA ATRIPLICIFOLIA 'LITTLE SPIRE'	LITTLE SPIRE RUSSIAN SAGE	NO. 1	CONT.
8	RUD	RUDBECKIA FULGIDA VAR. SULLIVANTII 'GOLDSTURM'	GOLDSTURM BLACKEYED SUSAN	NO. 1	CONT.
98	SED	SEDUM SPECTABILIS 'AUTUMN JOY'	AUTUMN JOY STONECROP	NO. 1	CONT.

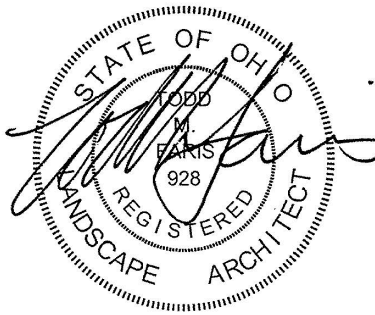
REVISIONS


THE ELYSIAN AT  
ALUM CREEK

PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

Paris Planning & Design

LANDSCAPE ARCHITECTURE



DATE 05/15/23

PROJECT 20132

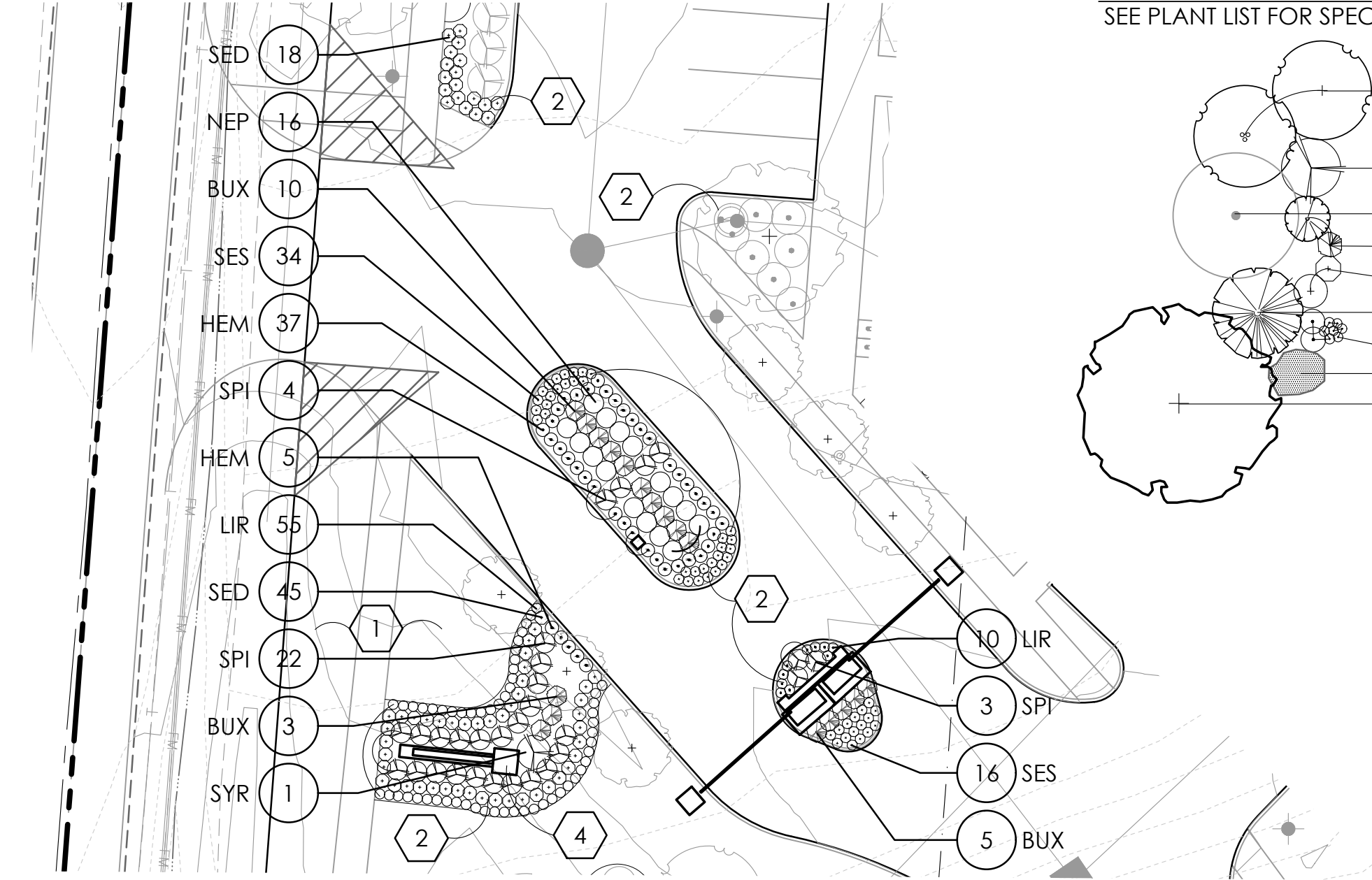




2 SECONDARY GREEN LANDSCAPE ENLARGEMENT  
SCALE: 1"=20'

CONSTRUCTION NOTES

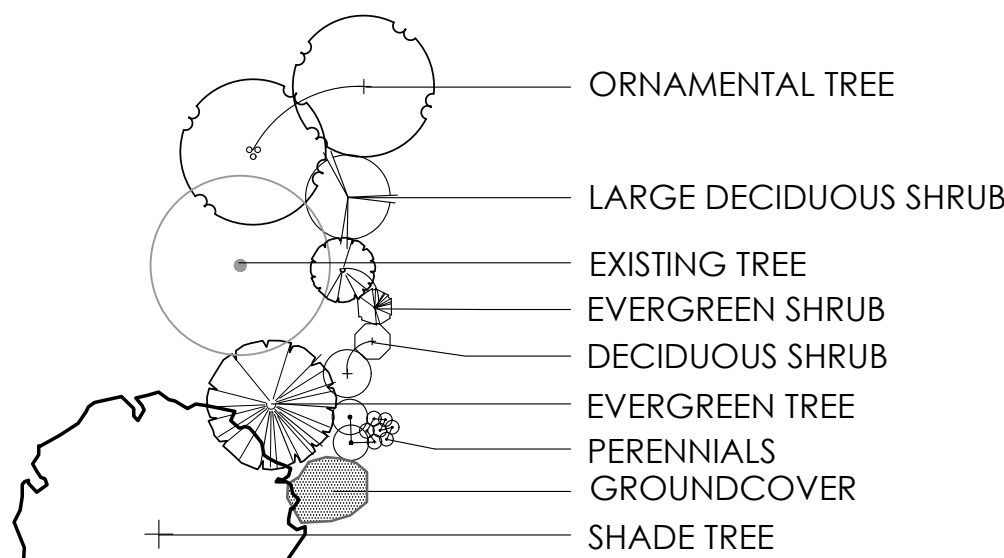
- 1 LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 2 LANDSCAPE AREA. PROVIDE 3" DEPTH HARDWOOD MULCH. POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 4 ENTRY SIGN. SEE DETAIL 1, SHEET D-7.3 FOR MORE INFORMATION.
- 6 6' LONG METAL BENCH. NORTHGATE PARK BENCH, TBN-15; BLACK, OR OWNER APPROVED EQUAL. AVAILABLE FROM TREETOP PRODUCTS. SEE DETAIL 6, SHEET D-7 FOR MORE INFORMATION.
- 7 PET WASTE STATION. TERRABOUND ELITE DOG WASTE STATION, OR OWNER APPROVED EQUAL. AVAILABLE FROM TERRABOUND SOLUTIONS. SEE DETAIL 5, SHEET D-7 FOR MORE INFORMATION.
- 13 ARBOR. SEE DETAIL 1, SHEET D-7.2 FOR MORE INFORMATION.



1 ENTRY LANDSCAPE ENLARGEMENT  
SCALE: 1"=20'

PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



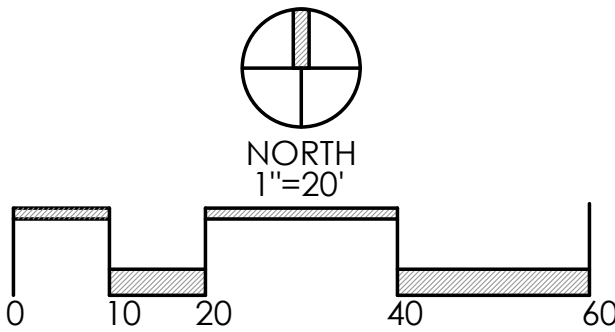
GENERAL PLANTING NOTES:

- ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE USA STANDARD FOR NURSERY STOCK.
- ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.
- PLANT LOCATIONS AND BEDS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- PLANTING BEDS SHALL HAVE A MINIMUM 3" DEEP SHREDDDED HARDWOOD BARK MULCH. MULCH HEDGES IN A CONTINUOUS BED.
- ALL PLANTING BEDS TO BE TILLED TO A MINIMUM DEPTH OF 12".
- ALL PLANTING BEDS TO BE FERTILIZED WITH 10-10-10 OR APPROVED EQUAL.
- SODDING / SEEDING BY LANDSCAPE CONTRACTOR.
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- ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE RESTORED, FINE GRADED AND SEEDED/ SODDED.
- ALL EXISTING PLANT MATERIAL SHOWN ON THIS PLAN IS TO BE PRESERVED UNLESS SPECIFICALLY NOTED OTHERWISE.

ENTRY & SECONDARY GREEN PLANT LIST

(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.
SHRUBS					
46	BUX	BUXUS X 'GREEN GEM'	GREEN GEM BOXWOOD	24" HGT.	B&B
7	COR	CORNUS STOLONIFERA 'FARROW' ARCTIC FIRE	ARCTIC FIRE RED-OSIER COMPACT RED TWIG DOGWOOD	24" HGT.	B&B
10	ROS	ROSA 'RADTKOPINK'	KNOCK OUT® PINK DOUBLE SHRUB ROSE	24" HGT.	B&B
29	SPI	SPIRAEA X 'TRACY'	DOUBLE PLAY® BIG BANG® SPIREA	18" SPRD.	B&B
1	SYR	SYRINGA MEYERI 'PALIBIN'	DWARF KOREAN LILAC	36" HGT.	B&B
6	THU	THUJA OCCIDENTALIS 'GOLDEN GLOBE'	GOLDEN GLOBE ARBORVITAE	24" HGT.	B&B
2	VBM	VIBURNUM CARLESII 'CAYUGA'	CAYUGA KOREANSPICE VIBURNUM	36" HGT.	B&B
20	WEI	WEIGELA FLORIDA 'BOKRASPIWI'	SPILLED WINE® WEIGELA	18" SPRD.	B&B
PERENNIALS/ORNAMENTAL GRASSES					
111	HEM	HEMEROCALLIS 'BIG TIME HAPPY'	BIG TIME HAPPY DAYLILY	NO. 1	CONT.
96	LIR	LIRIOPE MUSCARI 'VARIEGATA'	VARIEGATED LILYTURF	NO. 1	CONT.
36	NEP	NEPETA 'JUNIOR WALKER'	JUNIOR WALKER CATMINT	NO. 1	CONT.
25	PER	PEROVSKIA ATRIPLICIFOLIA 'LITTLE SPIRE'	LITTLE SPIRE RUSSIAN SAGE	NO. 1	CONT.
119	SED	SEDUM SPECTABILIS 'AUTUMN JOY'	AUTUMN JOY STONECROP	NO. 1	CONT.
50	SES	SEDUM SPURIUM 'DRAGONS BLOOD'	DRAGONS BLOOD STONECROP	NO. 1	CONT.



REVISIONS

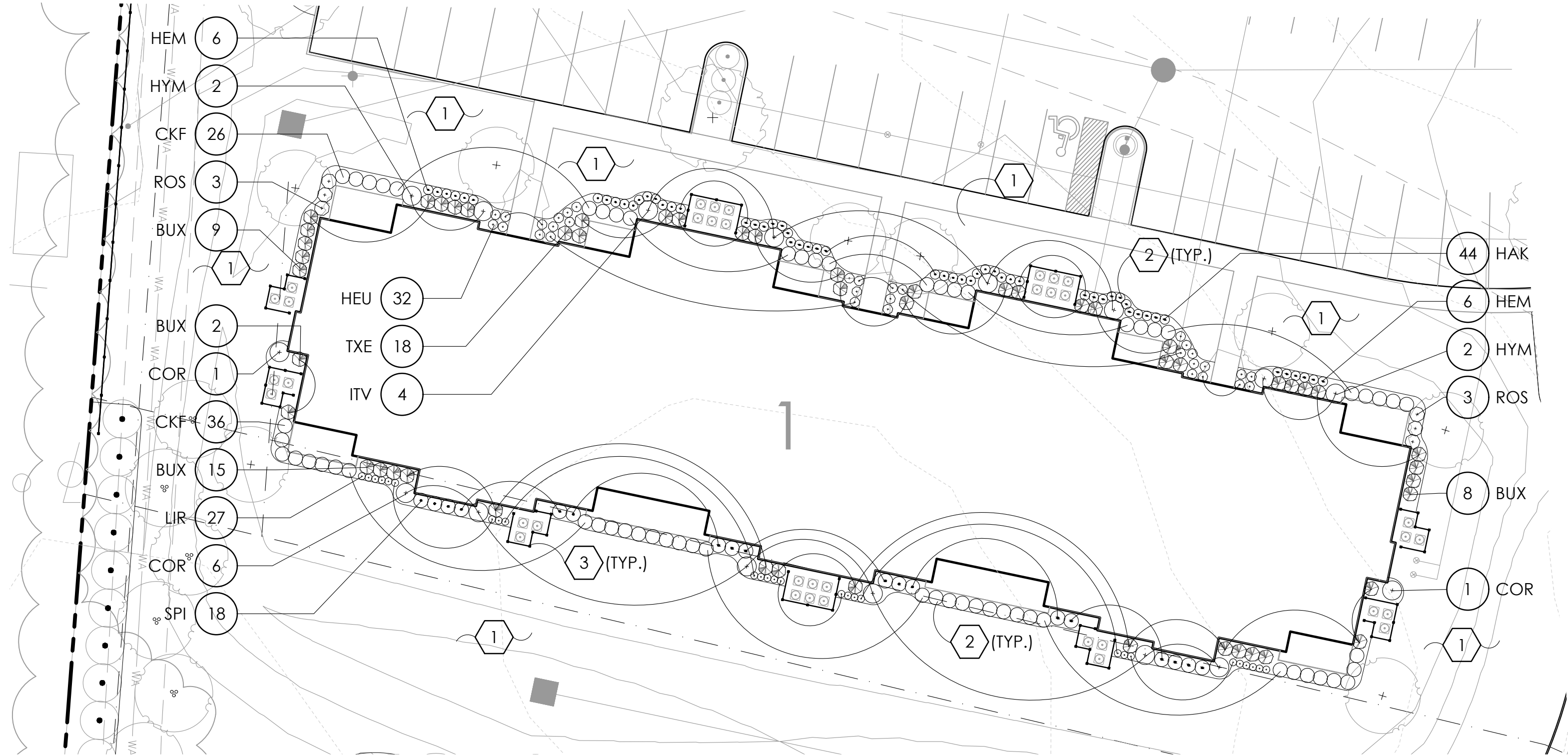
MAIN ENTRY &  
CENTRAL GREEN  
LANDSCAPE  
ENLARGEMENT

THE ELYSIAN AT  
ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

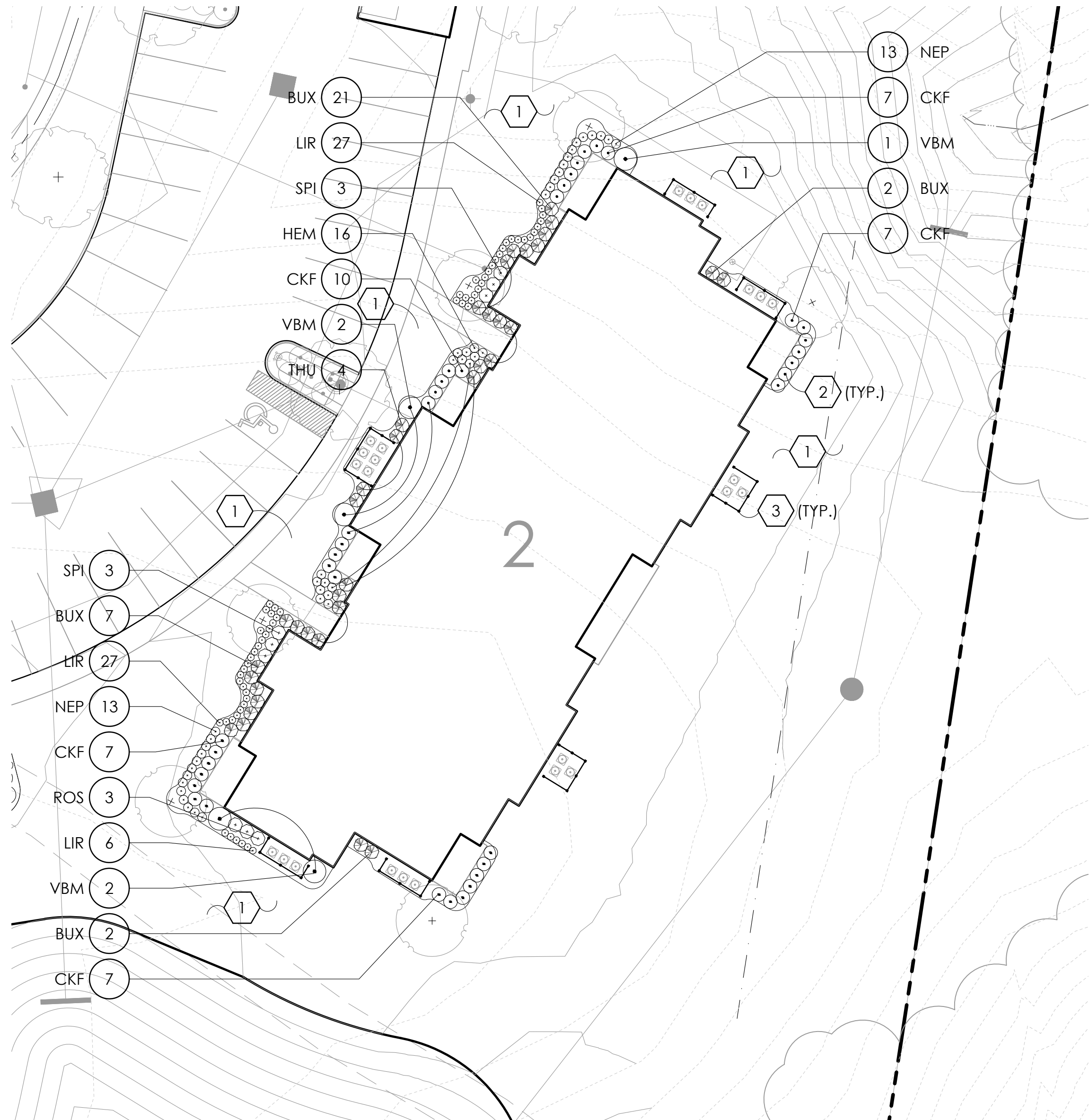
Paris Planning & Design  
LAND PLANNING LANDSCAPE ARCHITECTURE  
487 1/2 Cemetery Road  
Hilliard, OH 43026  
P (614) 487-1944  
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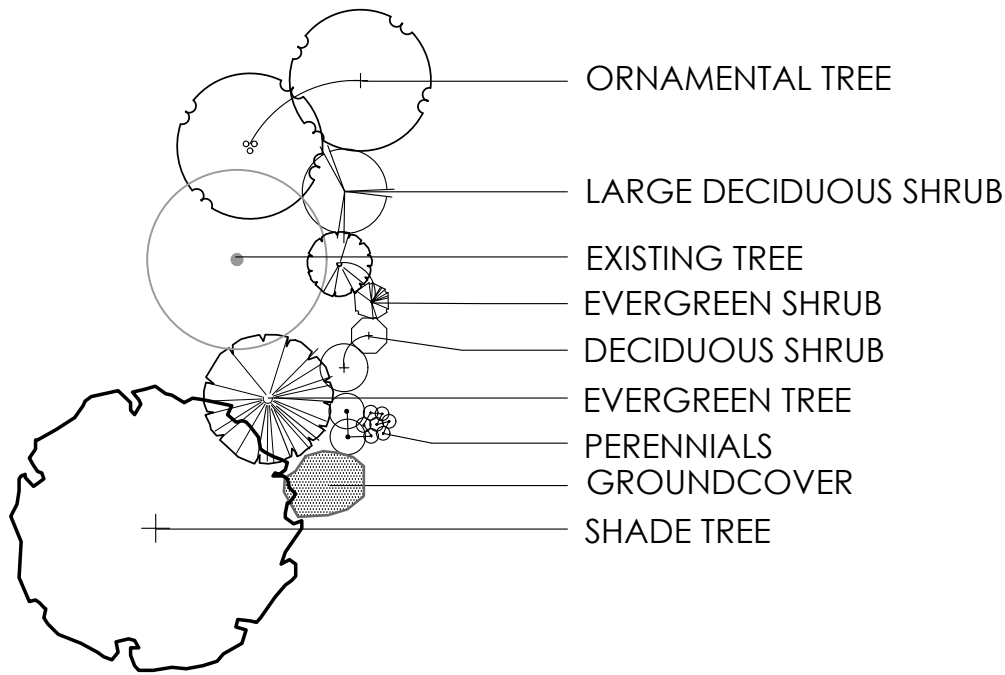
**1** BUILDING '1' LANDSCAPE ENLARGEMENT  
SCALE: 1"=20'



**2** BUILDING '2' LANDSCAPE ENLARGEMENT  
SCALE: 1"=20'

- GENERAL PLANTING NOTES:**
1. ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE USA STANDARD FOR NURSERY STOCK.
  2. ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.
  3. PLANT LOCATIONS AND BEDS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
  4. PLANTING BEDS SHALL HAVE A MINIMUM 3" DEEP SHREDDED HARDWOOD BARK MULCH. MULCH HEDGES IN A CONTINUOUS BED.
  5. ALL PLANTING BEDS TO BE TILLED TO A MINIMUM DEPTH OF 12".
  6. ALL PLANTING BEDS TO BE FERTILIZED WITH 10-10-10 OR APPROVED EQUAL.
  7. SODDING / SEEDING BY LANDSCAPE CONTRACTOR.
  8. THE LOCATION OF THE EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
  9. ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE RESTORED, FINE GRADED AND SEEDED/ SODDED.
  10. ALL EXISTING PLANT MATERIAL SHOWN ON THIS PLAN IS TO BE PRESERVED UNLESS SPECIFICALLY NOTED OTHERWISE.

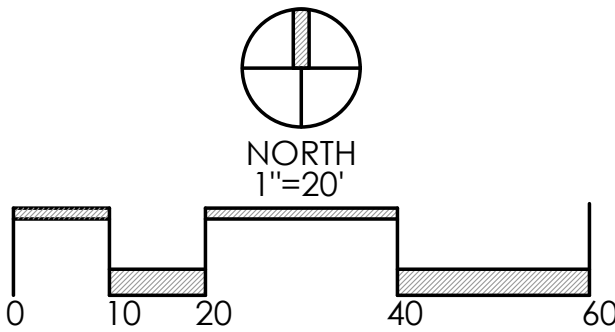
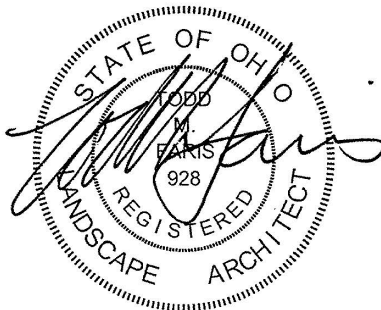
**PLANT KEY TYPICALS**  
SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



- CONSTRUCTION NOTES**
1. LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
  2. LANDSCAPE AREA. PROVIDE 3" DEPTH HARDWOOD MULCH. POSITIVE DRAINAGE ACROSS ALL SURFACES.
  3. A/C CONDENSER FENCE. SEE DETAIL 4, SHEET D-7 FOR MORE INFORMATION.

**BUILDINGS '1' & '2' PLANT LIST**  
(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.
SHRUBS					
66	BUX	BUXUS X 'GREEN GEM'	GREEN GEM BOXWOOD	24" HGT.	B&B
8	COR	CORNUS STOLONIFERA 'FARROW' ARCTIC FIRE	ARCTIC FIRE RED-OSIER COMPACT RED TWIG DOGWOOD	24" HGT.	B&B
4	HYM	HYDRANGEA QUERCIFOLIA 'MUNCHKIN'	MUNCHKIN OAKLEAF HYDRANGEA	24" HGT.	B&B
4	ITV	ITEA VIRGINICA 'HENRY'S GARNET'	HENRYS GARNET SWEETSPIRE	24" HGT.	B&B
9	ROS	ROSA 'RADTKOPINK'	KNOCK OUT® PINK DOUBLE SHRUB ROSE	24" HGT.	B&B
24	SPI	SPIRAEA X 'TRACY'	DOUBLE PLAY® BIG BANG® SPIREA	18" SPRD.	B&B
4	THU	THUJA OCCIDENTALIS 'GOLDEN GLOBE'	GOLDEN GLOBE ARBORVITAE	24" HGT.	B&B
18	TXE	TAXUS X MEDIA 'EVERLOW'	EVERLOW YEW	18" SPRD.	B&B
5	VBM	VIBURNUM CARLESII 'CAYUGA'	CAYUGA KOREANSPICE VIBURNUM	36" HGT.	B&B
PERENNIALS/ORNAMENTAL GRASSES					
100	CKF	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	NO. 2	CONT.
44	HAK	HAKONECHLOA MACRA 'AUREOLA'	AUREOLA JAPANESE FOREST GRASS	NO. 2	CONT.
28	HEM	HEMEROCALLIS 'BIG TIME HAPPY'	BIG TIME HAPPY DAYLILY	NO. 1	CONT.
32	HEU	HEUCHERA X 'CAMEL'	CAMEL CORAL BELLS	NO. 1	CONT.
87	LIR	LIRIOPE MUSCARI 'VARIEGATA'	VARIEGATED LILYTURF	NO. 1	CONT.
26	NEP	NEPETA 'JUNIOR WALKER'	JUNIOR WALKER CATMINT	NO. 1	CONT.



REVISIONS

BUILDINGS '1' & '2'

LANDSCAPE

ENLARGEMENTS

THE ELYSIAN AT

ALUM CREEK

PREPARED FOR

D.C. BUILDING COMPANY, LLC.

485 METRO PLACE SOUTH

DUBLIN, OH 43017

Paris Planning & Design

LAND PLANNING

LANDSCAPE ARCHITECTURE

487 1/2 Cemetery Road

Hilliard, OH 43026

P (614) 487-1964

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2 BUILDING '4' LANDSCAPE ENLARGEMENT  
SCALE: 1"=20'

### BUILDINGS '3' & '4' PLANT LIST

(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.
SHRUBS					
54	BUX	BUXUS X 'GREEN GEM'	GREEN GEM BOXWOOD	24" HGT.	B&B
6	COR	CORNUS STOLONIFERA 'FARROW' ARCTIC FIRE	ARCTIC FIRE RED-OSIER COMPACT RED TWIG DOGWOOD	24" HGT.	B&B
8	HYD	HYDRANGEA PANICULATA 'JANE'	LITTLE LIME HYDRANGEA	24" HGT.	B&B
12	ROS	ROSA 'RADTKOPINK'	KNOCK OUT® PINK DOUBLE SHRUB ROSE	24" HGT.	B&B
16	THU	THUJA OCCIDENTALIS 'GOLDEN GLOBE'	GOLDEN GLOBE ARBORVITAE	24" HGT.	B&B
8	VBM	VIBURNUM CARLESII 'CAYUGA'	CAYUGA KOREANSPICE VIBURNUM	36" HGT.	B&B
PERENNIALS/ORNAMENTAL GRASSES					
76	CKF	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	NO. 2	CONT.
24	HEM	HEMEROCALLIS 'BIG TIME HAPPY'	BIG TIME HAPPY DAYLILY	NO. 1	CONT.
64	NEP	NEPETA 'JUNIOR WALKER'	JUNIOR WALKER CATMINT	NO. 1	CONT.
88	SED	SEDUM SPECTABILIS 'AUTUMN JOY'	AUTUMN JOY STONECROP	NO. 1	CONT.

### CONSTRUCTION NOTES

- 1 LAWN AREA. PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 2 LANDSCAPE AREA. PROVIDE 3" DEPTH HARDWOOD MULCH. POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 3 A/C CONDENSER FENCE. SEE DETAIL 4, SHEET D-7 FOR MORE INFORMATION.



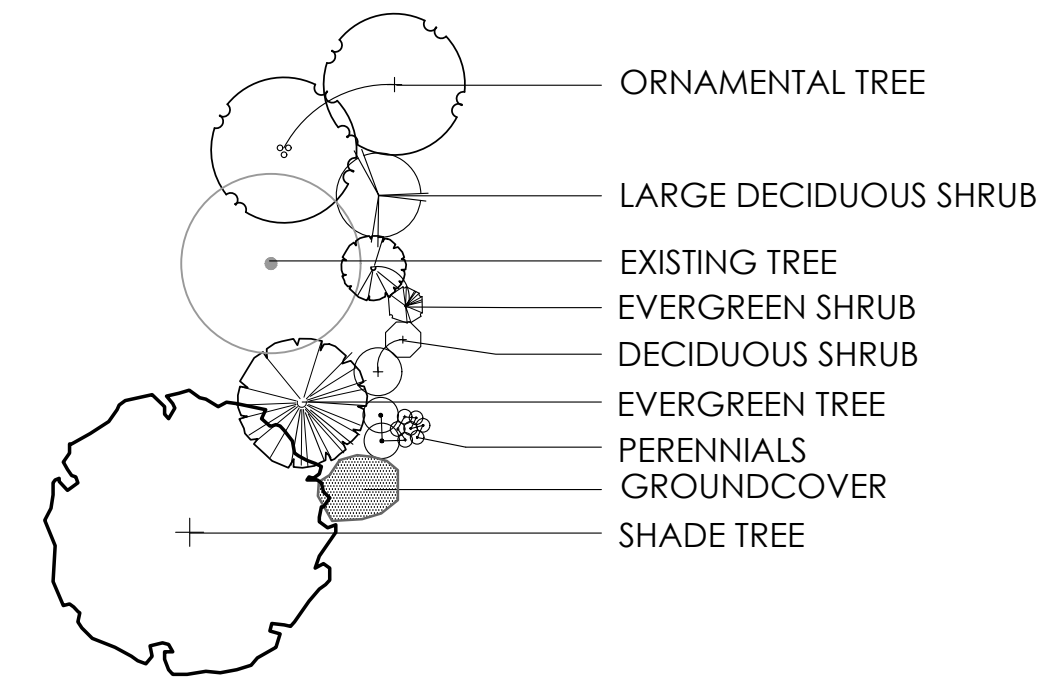
1 BUILDING '3' LANDSCAPE ENLARGEMENT  
SCALE: 1"=20'

### GENERAL PLANTING NOTES:

1. ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE USA STANDARD FOR NURSERY STOCK.
2. ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.
3. PLANT LOCATIONS AND BEDS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
4. PLANTING BEDS SHALL HAVE A MINIMUM 3" DEEP SHREDDED HARDWOOD BARK MULCH. MULCH HEDGES IN A CONTINUOUS BED.
5. ALL PLANTING BEDS TO BE TILLED TO A MINIMUM DEPTH OF 12".
6. ALL PLANTING BEDS TO BE FERTILIZED WITH 10-10-10 OR APPROVED EQUAL.
7. SODDING / SEEDING BY LANDSCAPE CONTRACTOR.
8. THE LOCATION OF THE EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
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### PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



### REVISIONS

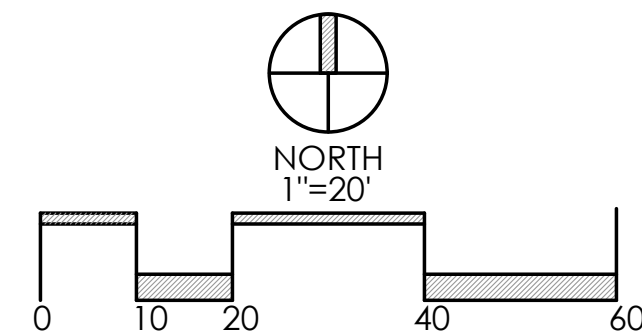

### BUILDINGS '3' & '4' LANDSCAPE ENLARGEMENTS

THE ELYSIAN AT  
ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

Paris Planning & Design  
LAND PLANNING LANDSCAPE ARCHITECTURE  
487 1/2 Cemetery Road  
Dublin, OH 43017  
P (614) 487-1944  
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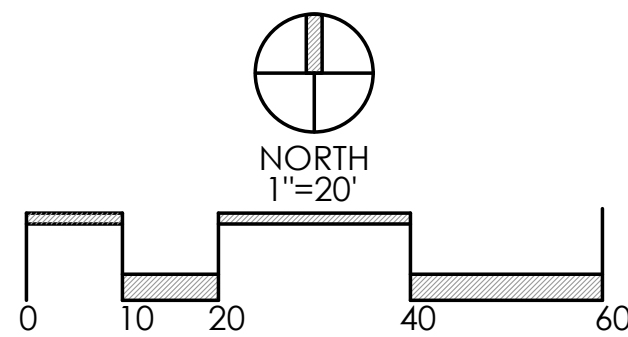
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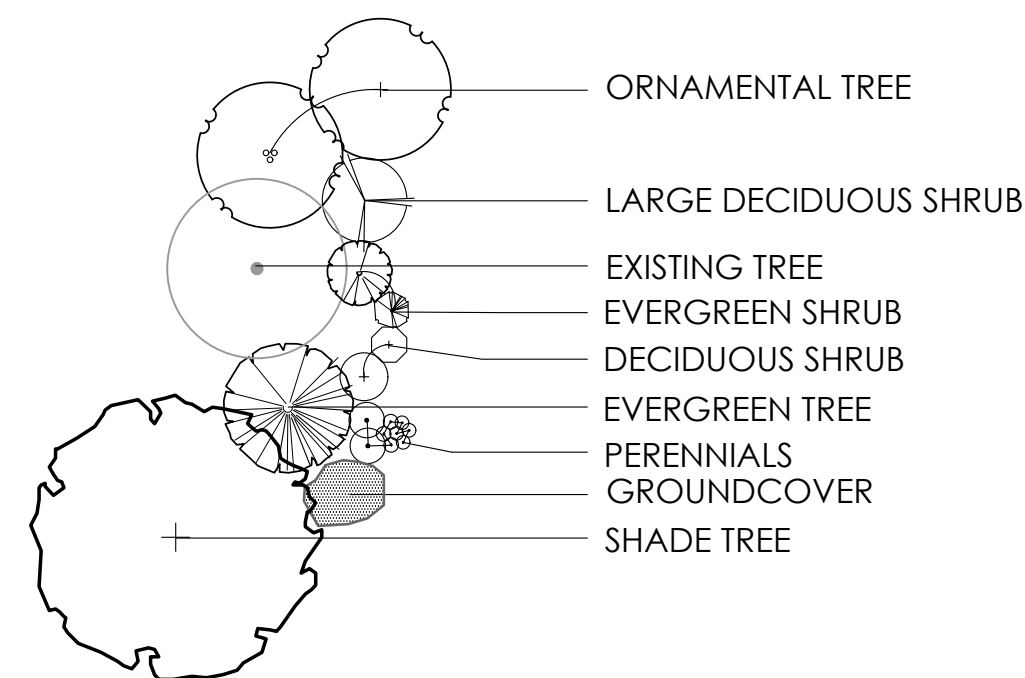


(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)



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## SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



- 1 LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 2 LANDSCAPE AREA, PROVIDE 3" DEPTH HARDWOOD MULCH. POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 3 A/C CONDENSER FENCE. SEE DETAIL 4, SHEET D-7 FOR MORE INFORMATION.

**Paris Planning & Design**

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LAND PLANNING      LANDSCAPE ARCHITECTURE

4876 Cemetery Road  
 P.O. Box 164  
 Hilliard, OH 43026  
 Tel. (614) 487-1764  
 www.parisplanninganddesign.com

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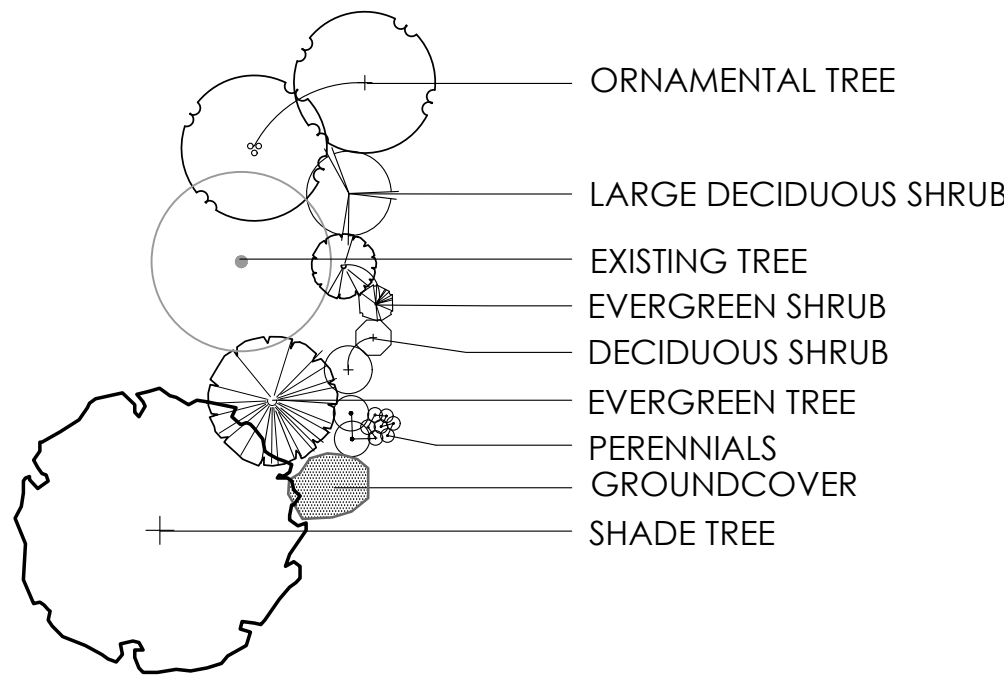


GENERAL PLANTING NOTES:

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PLANT KEY TYPICALS

SEE PLANT LIST FOR SPECIFIC PLANT SPECIES



CONSTRUCTION NOTES

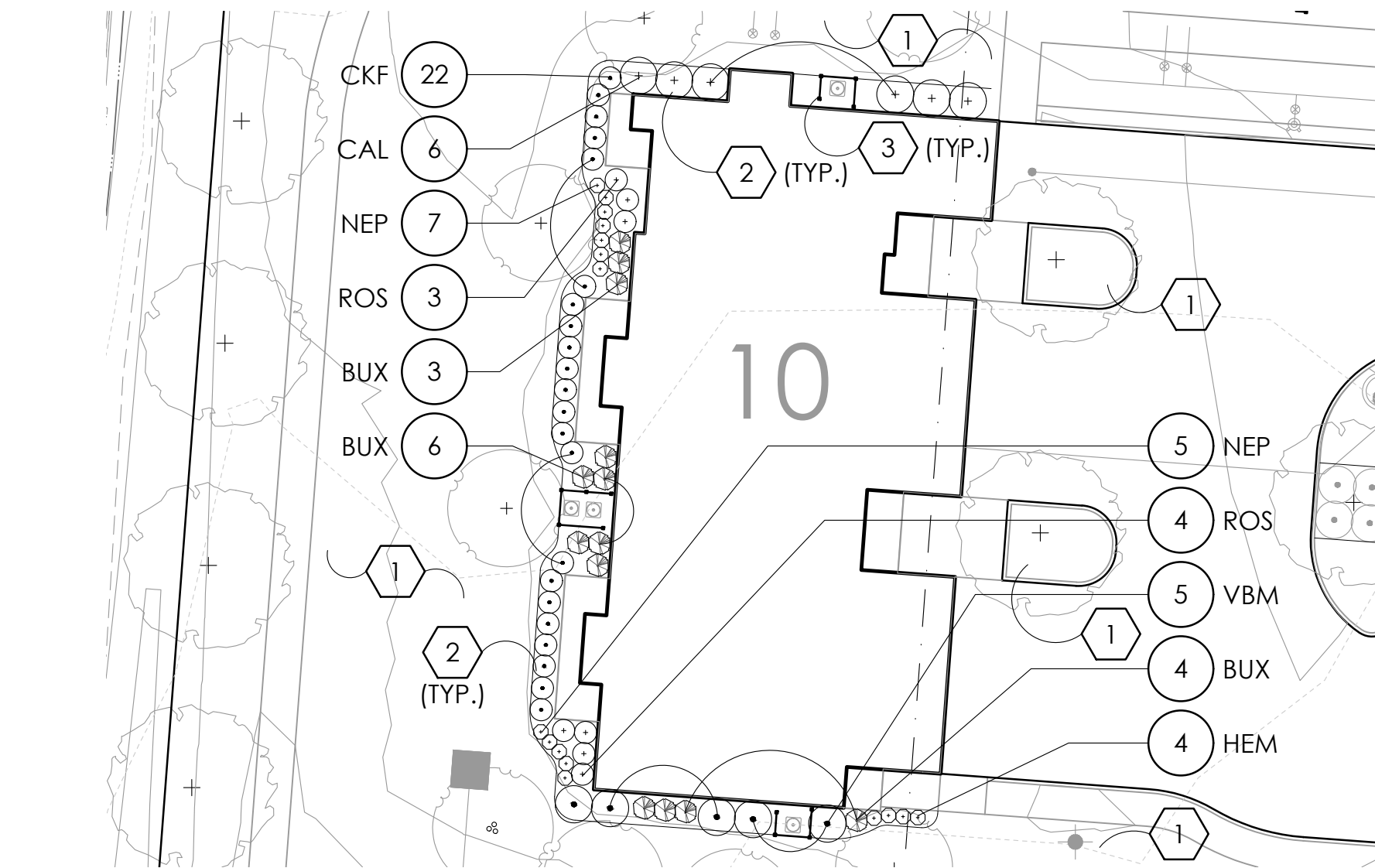
- 1 LAWN AREA. PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 2 LANDSCAPE AREA. PROVIDE 3" DEPTH HARDWOOD MULCH. POSITIVE DRAINAGE ACROSS ALL SURFACES.
- 3 A/C CONDENSER FENCE. SEE DETAIL 4, SHEET D-7 FOR MORE INFORMATION.

BUILDINGS '7', '8', '9', & '10' PLANT LIST

(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

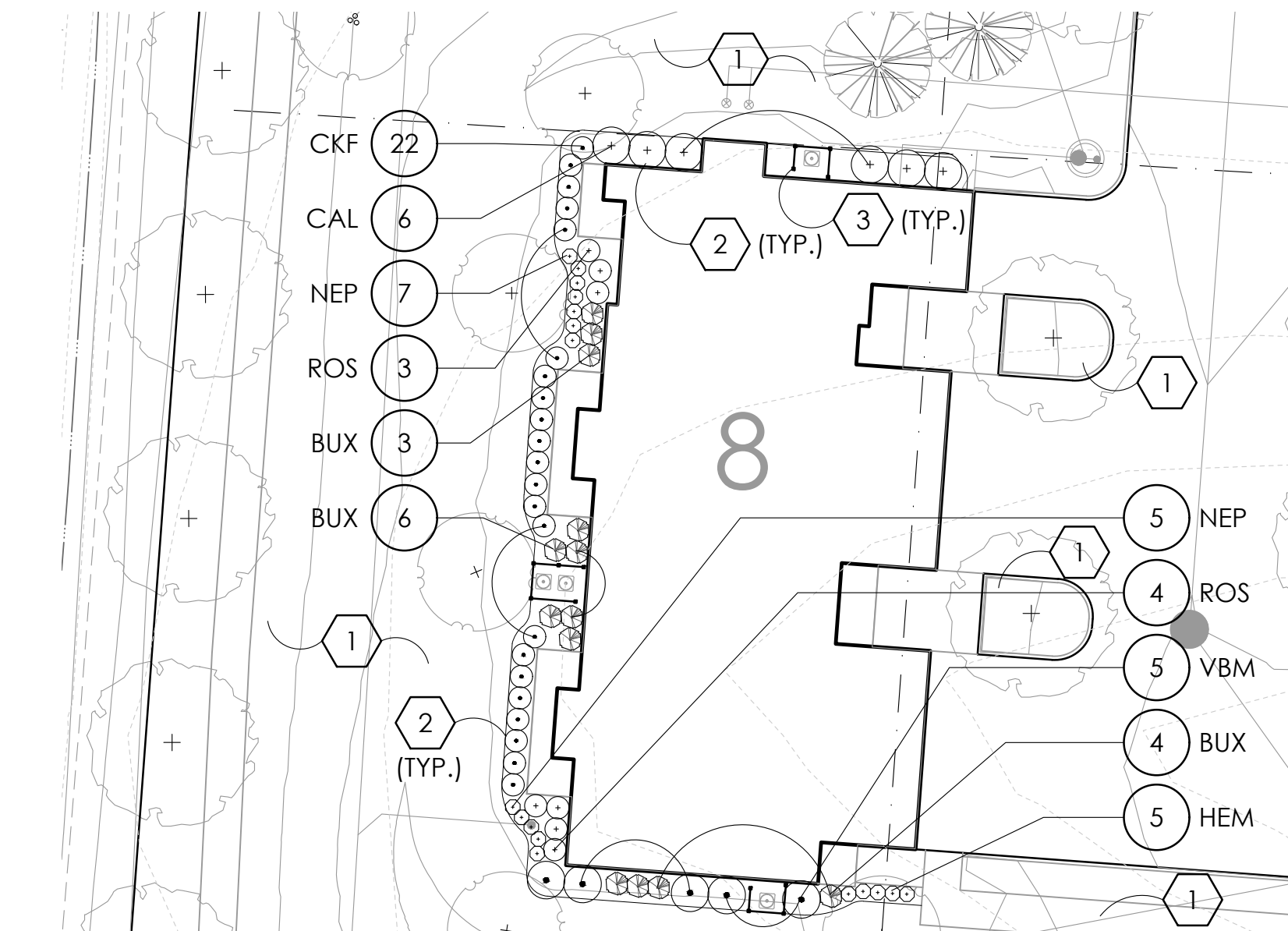
QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.
SHRUBS					
96	BUX	BUXUS X 'GREEN GEM'	GREEN GEM BOXWOOD	24" HGT.	B&B
14	CAL	CALYCANTHUS 'APHRODITE'	SWEETSHRUB	24" HGT.	B&B
14	COR	CORNUS STOLONIFERA 'FARROW' ARCTIC FIRE	ARCTIC FIRE RED-OSIER COMPACT RED TWIG DOGWOOD	24" HGT.	B&B
6	HYD	HYDRANGEA PANICULATA 'JANE'	LITTLE LIME HYDRANGEA	24" HGT.	B&B
6	ITV	ITEA VIRGINICA 'HENRY'S GARNET'	HENRY'S GARNET SWEETSPIRE	24" HGT.	B&B
29	ROS	ROSA 'RADTKOPINK'	KNOCK OUT® PINK DOUBLE SHRUB ROSE	24" HGT.	B&B
12	SPI	SPIRAEA X 'TRACY'	DOUBLE PLAY® BIG BANG® SPIREA	18" SPRD.	B&B
4	THU	THUJA OCCIDENTALIS 'GOLDEN GLOBE'	GOLDEN GLOBE ARBORVITAE	24" HGT.	B&B
19	VBM	VIBURNUM CARLESII 'CAYUGA'	CAYUGA KOREANSPICE VIBURNUM	36" HGT.	B&B
6	WEI	WEIGELA FLORIDA 'BOKRASPIWI'	SPILED WINE® WEIGELA	18" SPRD.	B&B
PERENNIALS/ORNAMENTAL GRASSES					
113	CKF	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	NO. 2	CONT.
67	HEM	HEMEROCALLIS 'BIG TIME HAPPY'	BIG TIME HAPPY DAYLILY	NO. 1	CONT.
88	LIR	LIRIOPE MUSCARI 'VARIEGATA'	VARIEGATED LILYTURF	NO. 1	CONT.
118	NEP	NEPETA 'JUNIOR WALKER'	JUNIOR WALKER CATMINT	NO. 1	CONT.
8	SED	SEDUM SPECTABILIS 'AUTUMN JOY'	AUTUMN JOY STONECROP	NO. 1	CONT.

3 BUILDING '9' LANDSCAPE ENLARGEMENT  
SCALE: 1"=20'

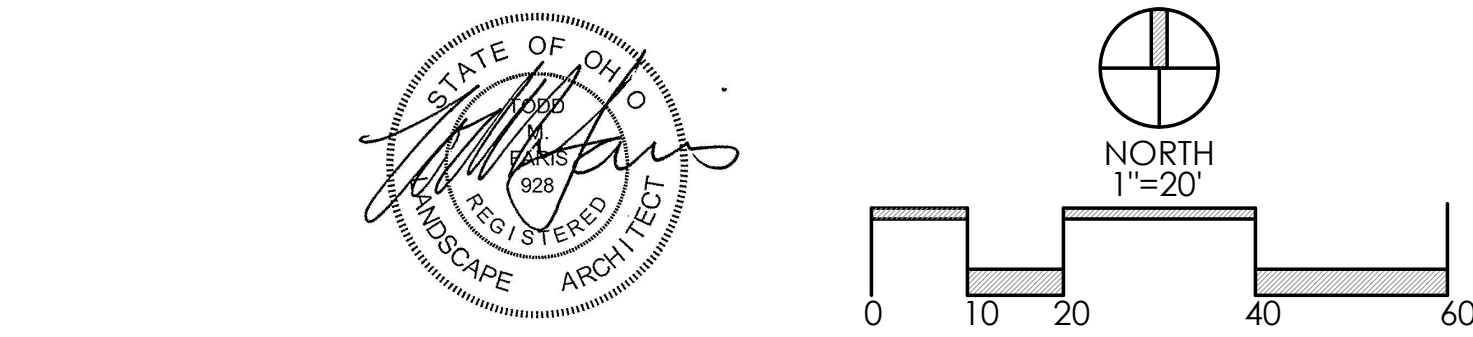


4 BUILDING '10' LANDSCAPE ENLARGEMENT  
SCALE: 1"=20'

1 BUILDING '7' LANDSCAPE ENLARGEMENT  
SCALE: 1"=20'



2 BUILDING '8' LANDSCAPE ENLARGEMENT  
SCALE: 1"=20'



REVISIONS


BUILDINGS '7', '8',  
'9', & '10'  
LANDSCAPE  
ENLARGEMENTS

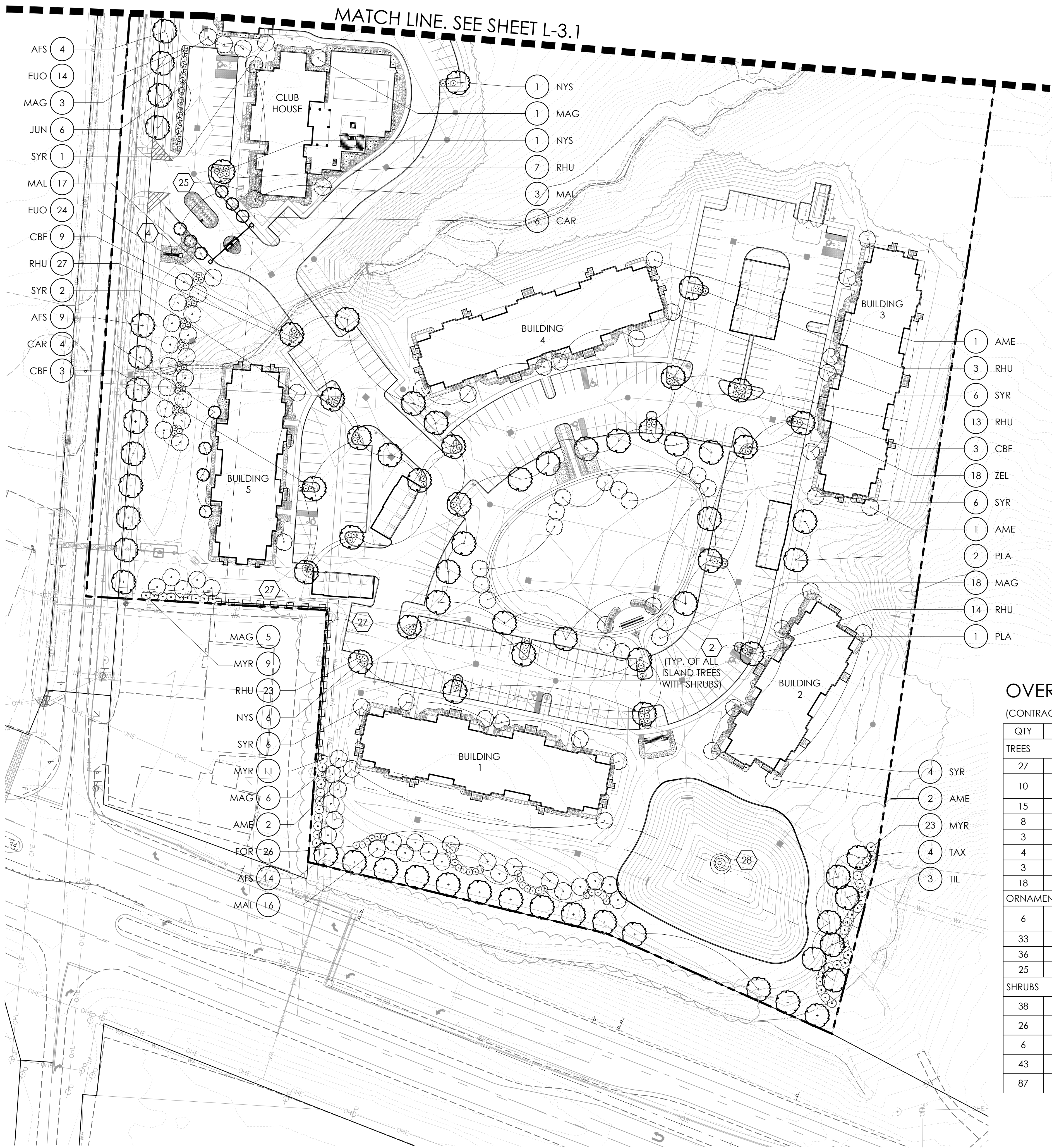
THE ELYSIAN AT  
ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

Paris Planning & Design  
LAND PLANNING LANDSCAPE ARCHITECTURE  
487 1/2 Cemetery Road  
Hilliard, OH 43026  
p (614) 487-1944  
www.parisplanninganddesign.com

DATE	05/15/23
PROJECT	20132
SHEET	

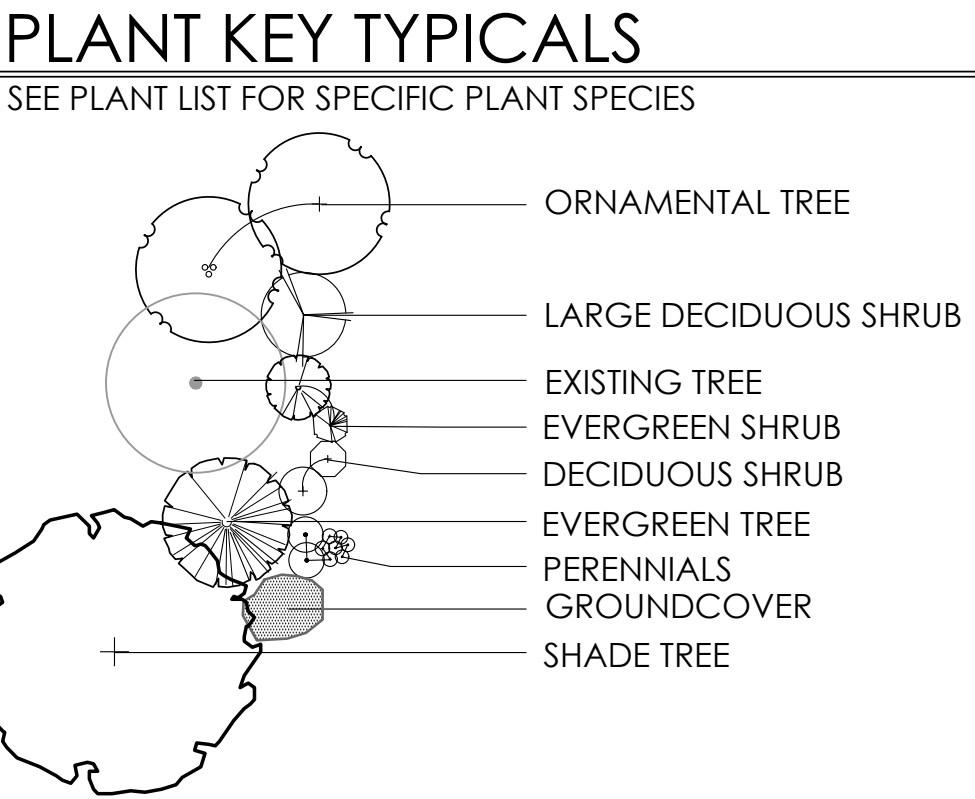
D-3.7





- GENERAL PLANTING NOTES:
- 1. ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE USA STANDARD FOR NURSERY STOCK.
  - 2. ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.
  - 3. PLANT LOCATIONS AND BEDS SHALL BE LOCATED BY CONTRACTOR AND APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
  - 4. PLANTING BEDS SHALL HAVE A MINIMUM 3" DEEP SHREDDED HARDWOOD BARK MULCH. MULCH HEDGES IN A CONTINUOUS BED.
  - 5. ALL PLANTING BEDS TO BE TILLED TO A MINIMUM DEPTH OF 12".
  - 6. ALL PLANTING BEDS TO BE FERTILIZED WITH 10-10-10 OR APPROVED EQUAL.
  - 7. SODDING / SEEDING BY LANDSCAPE CONTRACTOR.
  - 8. THE LOCATION OF THE EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
  - 9. ALL AREAS DISTURBED BY CONSTRUCTION ARE TO BE RESTORED, FINE GRADED AND SEEDED/ SODDED.
  - 10. ALL EXISTING PLANT MATERIAL SHOWN ON THIS PLAN IS TO BE PRESERVED UNLESS SPECIFICALLY NOTED OTHERWISE.

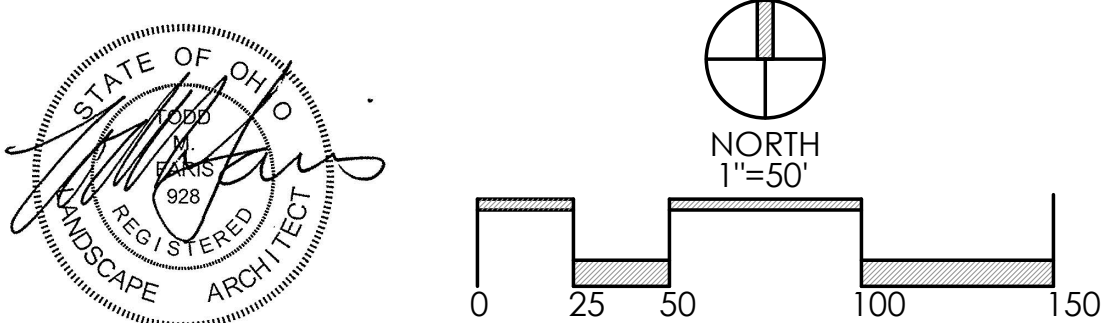
- CONSTRUCTION NOTES
- 1 LAWN AREA, PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
  - 2 LANDSCAPE AREA, PROVIDE 3" DEPTH HARDWOOD MULCH. POSITIVE DRAINAGE ACROSS ALL SURFACES.
  - 4 ENTRY SIGN. SEE DETAIL 1, SHEET D-7.3 FOR MORE INFORMATION.
  - 25 BIKE RACK. SEE DETAIL 3, SHEET D-7.2 FOR MORE INFORMATION.
  - 27 6' HGT. WOODEN FENCE. SEE DETAIL 2, SHEET D-7.2 FOR MORE INFORMATION.
  - 28 FOUNTAIN GEYSER 1/2 HP 240 V. 1 PHASE FOUNTAIN BY AQUAMASTER; MODEL #M5402-ESC, OR OWNER APPROVED EQUAL.



OVERALL LANDSCAPE PLANT LIST (SOUTH)

(CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN)

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	REMARKS
TREES						
27	AFS	ACER X FREEMANII 'SIENNA'	SIENNA GLEN FREEMAN MAPLE	2" CAL.	B&B	
10	CAR	CARPINUS BETULUS 'FRANS FONTAINE'	FRANS FONTAINE COLUMNAR EUROPEAN HORNBEAM	2" CAL.	B&B	
15	CBF	CARPINUS BETULUS 'FASTIGIATA'	UPRIGHT EUROPEAN HORNBEAM	2" CAL.	B&B	
8	NYS	NYSSA SYLVATICA 'WILDFIRE'	WILDFIRE TUPELO BLACKGUM	2" CAL.	B&B	
3	PLA	PLATANUS X ACERIFOLIA 'MORTON CIRCLE' EXCLAMATION!	EXCLAMATION™ LONDON PLANETREE	2" CAL.	B&B	
4	TAX	TAXODIUM DISTICHUM	COMMON BALDCYPRESS	2" CAL.	B&B	
3	TIL	TILIA AMERICANA 'BOULEVARD'	BOULEVARD AMERICAN LINDEN	2" CAL.	B&B	
18	ZEL	ZELKOVA SERRATA 'GREEN VASE'	GREEN VASE ZELKOVA	2" CAL.	B&B	
ORNAMENTAL TREES						
6	AME	AMELANCHIER CANADENSIS 'GLENN FORM'	GLENFORM RAINBOW PILLAR SERVICEBERRY	7-8' HGT.	B&B	3 STEM MIN.
33	MAG	MAGNOLIA VIRGINIANA	SWEETBAY MAGNOLIA	2" CAL.	B&B	SINGLE STEM
36	MAL	MALUS 'HARGOZAM' HARVEST GOLD	HARVEST GOLD CRABAPPLE	2" CAL.	B&B	
25	SYR	SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK TREE LILAC	2" CAL.	B&B	
SHRUBS						
38	EUO	EUONYMUS ALATUS 'COMPACTUS'	COMPACT BURNING BUSH	36" HGT.	CONT.	
26	FOR	FORSYTHIA INTERMEDIA 'LYNWOOD GOLD'	LYNWOOD GOLD FORSYTHIA	36" HGT.	CONT.	
6	JUN	JUNIPERUS X PFITZERIANA 'AUREA IMPROVED'	GOLD COAST JUNIPER	36" HGT.	CONT.	
43	MYR	MYRICA PENSYLVANICA	NORTHERN BAYBERRY	36" HGT.	CONT.	
87	RHU	RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	18" SPRD.	CONT.	



REVISIONS

OVERALL LANDSCAPE PLAN (SOUTH)

THE ELYSIAN AT ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

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4876 Cemetery Road  
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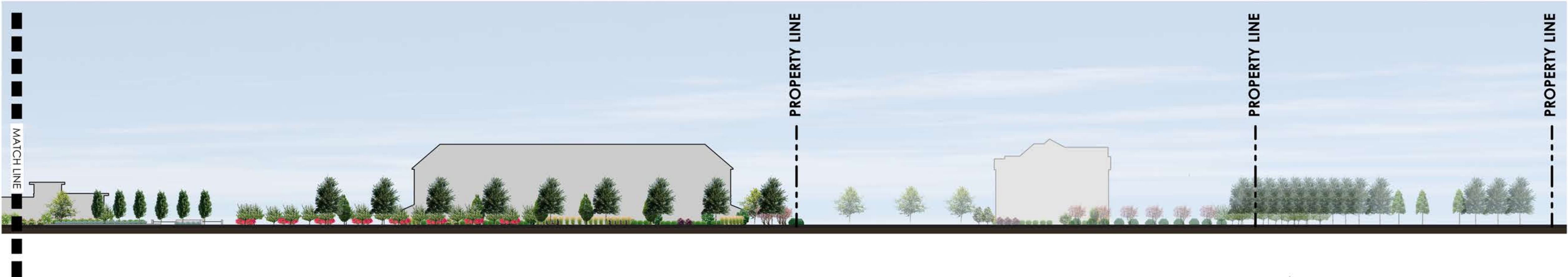
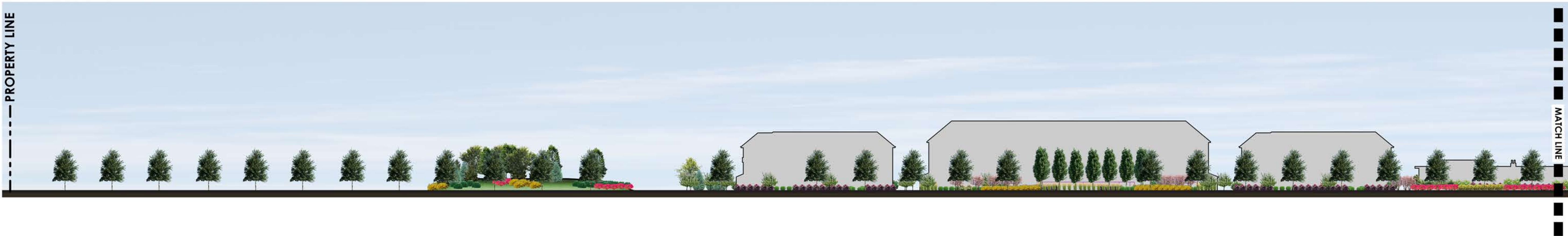
DATE 05/15/23

PROJECT 20132

SHEET

D-3

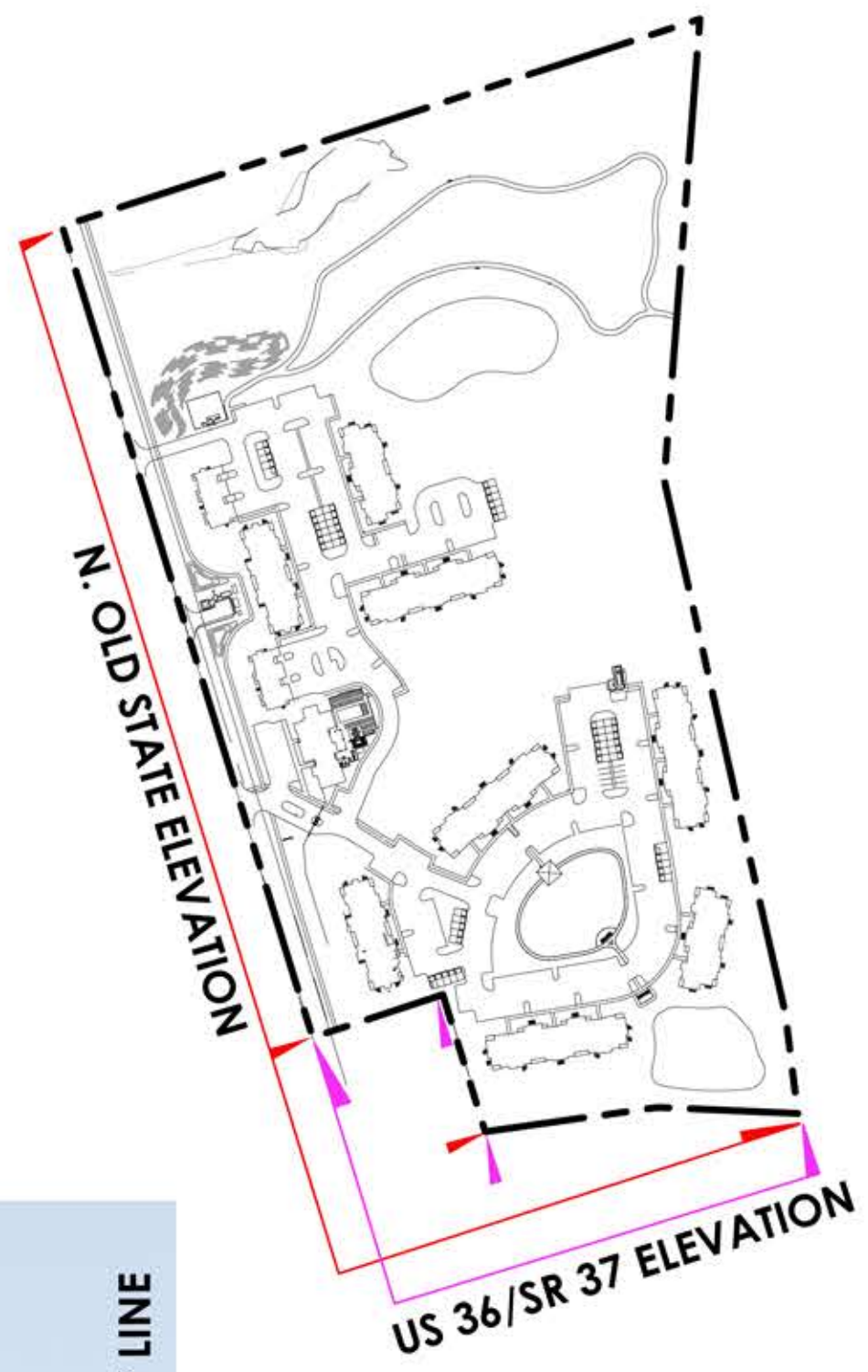




1 N. OLD STATE ELEVATION  
SCALE: N.T.S.



1 US 36-SR 37 ELEVATION  
SCALE: N.T.S.



REVISIONS	

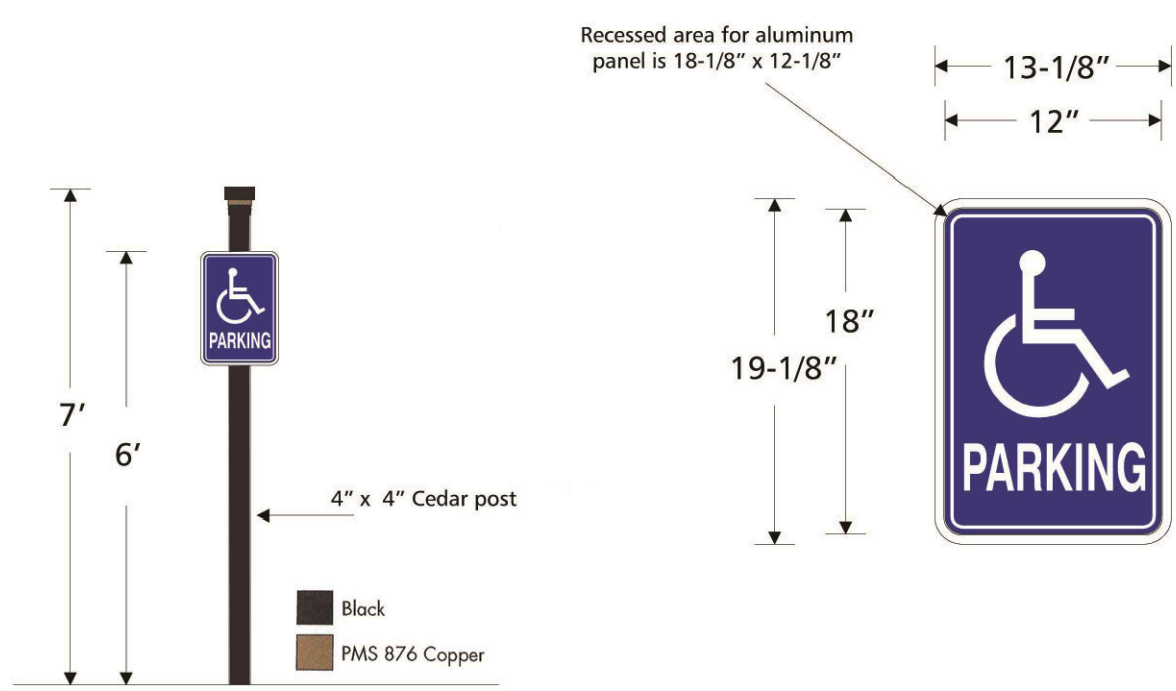
LANDSCAPE  
ELEVATIONS

THE ELYSIAN AT ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
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DUBLIN, OH 43017

**Paris Planning & Design**  
LANDSCAPE ARCHITECTURE  
Hilliard, OH 43026  
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DATE	05/15/23
PROJECT	20132
SHEET	





**SPECIFICATIONS:**  
- 19" X 13" 3/4" PVC W/ 1/4" FRAME PAINTED WHITE.  
- HANDICAPPED PARKING SIGN IS .063 ALUMINUM WITH REFLECTIVE VINYL GRAPHICS.  
- SIGN MOUNTS TO 4" X 4" CEDAR POST PAINTED BLACK  
- FINAL ORIENTATION AND PLACEMENT OF HANDICAP SIGNS TO BE VERIFIED BY INSTALLER.

**8 HANDICAPPED SIGN DETAIL**  
NTS

**ESTIMATE OF SIGN QUANTITIES FOR SITE**

SIGN TYPE:	QUANTITIES:
MONUMENT SIGN (SEE DETAIL 1, SHEET D-7.3)	1
DOUBLE-BLADE STREET SIGN (SEE DETAIL 1, THIS SHEET)	8
STOP SIGN (SEE DETAIL 2, THIS SHEET)	5
UNIT ADDRESS PLAQUE (LOCATED AT EACH UNIT DOOR) (SEE DETAIL 3, THIS SHEET)	250
UNIT NUMBERS FOR FD (ATTACHED TO BUILDING ON RIGHT SIDE OF BREEZEWAYS) (SEE DETAIL 4, THIS SHEET)	26
BUILDING NUMBER SIGN (LOCATED AT EACH BUILDING) (SEE DETAIL 5, THIS SHEET)	10
GARAGE ADDRESS ID (LOCATED ON EACH GARAGE BAY) (SEE DETAIL 6, THIS SHEET)	9
CLUBHOUSE ADA DOOR PLAQUE (SEE DETAIL 7, THIS SHEET)	4
CLUBHOUSE SIGN (SEE ARCHITECTURAL PLANS)	1
HANDICAP SIGN (SEE DETAIL 8, THIS SHEET)	11
PET WASTE STATION (SEE DETAIL 5, SHEET D-7)	7
TRASH RECEPTACLE (SEE DETAIL 7, SHEET D-7)	3

NOTE: CONTRACTOR RESPONSIBLE FOR QUANTITY & FINAL PLACEMENT OF ALL SIGNS & FURNISHINGS SHOWN ON PLAN.

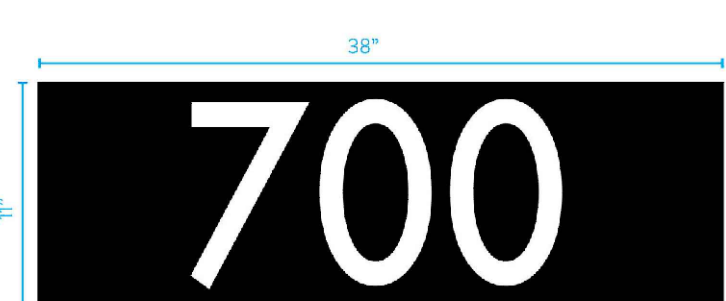
**Unit Numbers for FD**  
17" high by 14" wide  
Each sign is a 12 mil black pvc  
Each sign will attach to the right side of the breezeway.  
These signs identify the unit numbers with the building for EMS.  
Each number is 6" tall.  
Numbers can be vinyl, printed or dimensional.  
Attached by screws



\*NOTE: FINAL ORIENTATION AND PLACEMENT OF ADDRESS PLAQUES TO BE VERIFIED BY INSTALLER  
-FINAL BUILDING & UNIT ADDRESSING WILL BE DETERMINED BY CITY AT A LATER TIME.

**4 UNIT NUMBERS FOR FD**  
NTS

**Large Building Numbers**  
17" high by 88" wide  
Each sign is a 12 mil black pvc  
White dimensional numbers centered on substrate with printed vinyl doors adhered to the left and right side.  
Counter sink screw hold under the numbers



\*NOTE: FINAL ORIENTATION AND PLACEMENT OF ADDRESS PLAQUES TO BE VERIFIED BY INSTALLER  
-FINAL BUILDING & UNIT ADDRESSING WILL BE DETERMINED BY CITY AT A LATER TIME.

**5 BUILDING NUMBER SIGN**  
NTS

**Garage Address ID**  
4" high by 9" wide  
Each sign is a 1/4" mil black pvc  
1/32" Raised copy  
Counter sink screw hold under the numbers

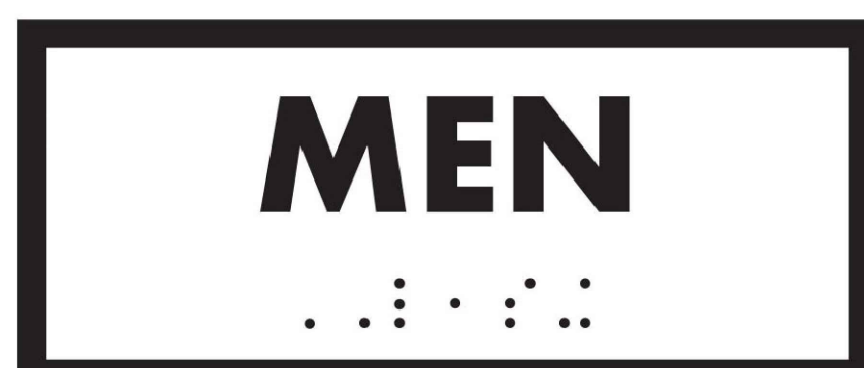


\*NOTE: FINAL ORIENTATION AND PLACEMENT OF ADDRESS PLAQUES TO BE VERIFIED BY INSTALLER  
-FINAL BUILDING & UNIT ADDRESSING WILL BE DETERMINED BY CITY AT A LATER TIME.

**6 GARAGE ADDRESS ID**  
NTS

**Clubhouse ADA Door Signage**

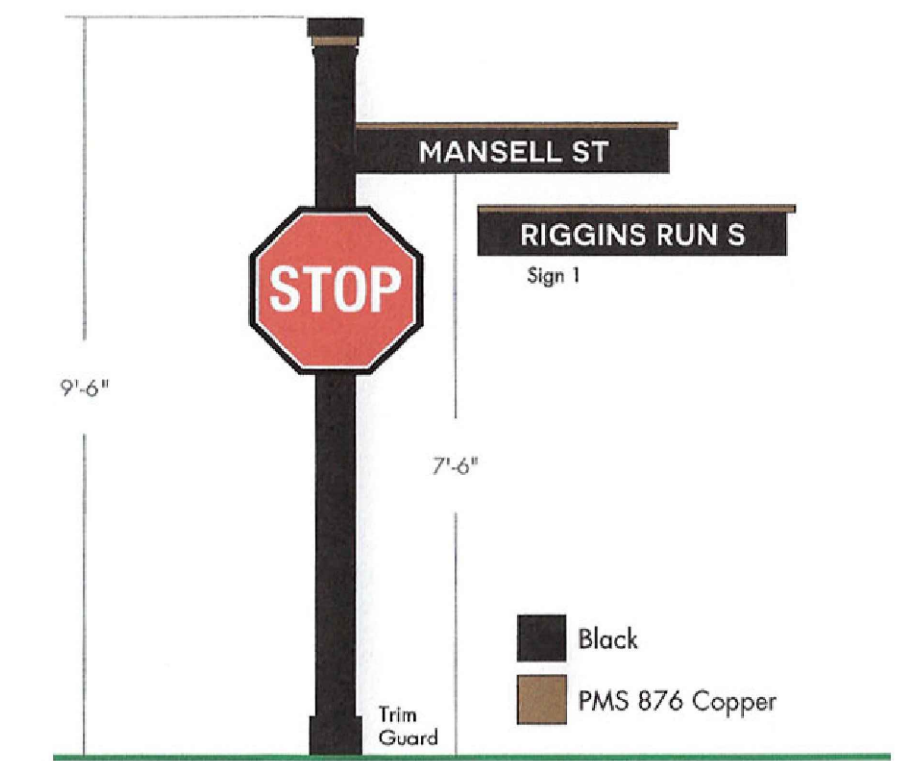
3" x 7" Direct print to 12ml pvc with Braille  
Applied to wall next to door with ADA regulations



\*NOTE: FINAL ORIENTATION AND PLACEMENT OF PLAQUES TO BE VERIFIED BY INSTALLER

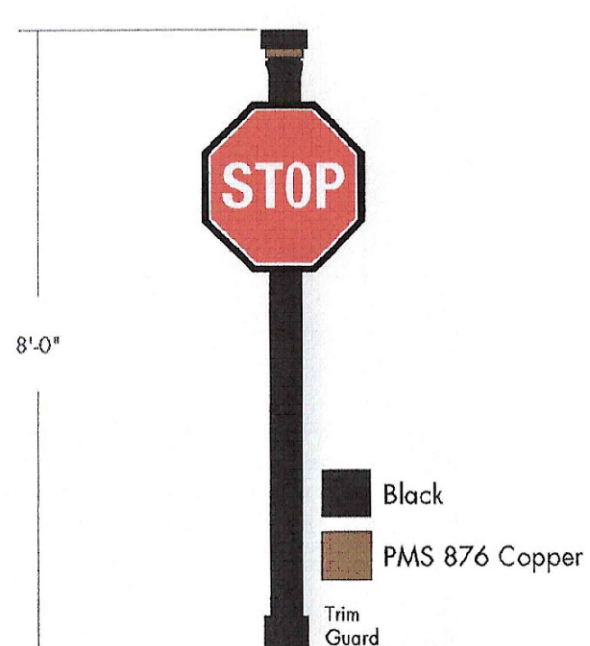
**7 CLUBHOUSE ADA DOOR SIGNAGE**  
NTS

FOR BIDDING PURPOSES ONLY:  
SIGN VENDOR TO ADHERE TO ALL  
APPROPRIATE BUILDING CODES AND  
MUNICIPAL ORDINANCES.



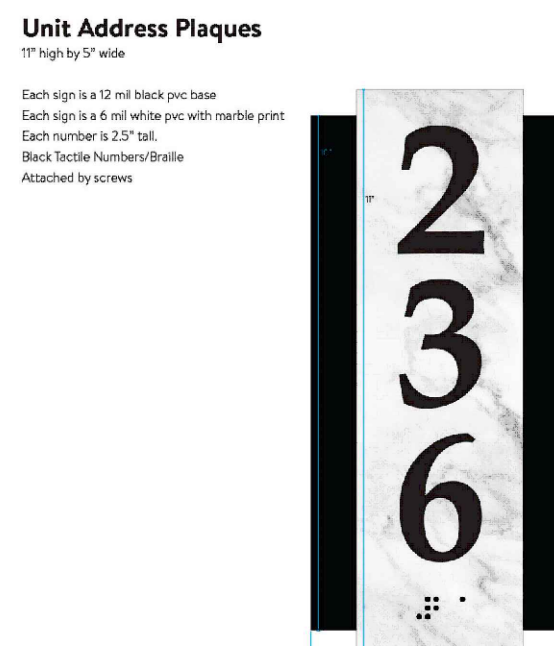
**SPECIFICATIONS:**  
- 7" X 47-3/4" 1" ROUTED PVC W/ REFLECTIVE VINYL GRAPHICS  
- STOP SIGN 2' ON 26" POLYMETAL BACKER PANEL  
- STREET BLADES MOUNTED IN 6" X 6" CEDAR POSTS  
- FINAL ORIENTATION AND PLACEMENT OF STREET SIGNS TO BE VERIFIED BY INSTALLER.  
- SINGLE AND DOUBLE BLADE TO HAVE STOP SIGNS

**1 STREET SIGN DETAIL WITH STOP SIGN**  
NTS



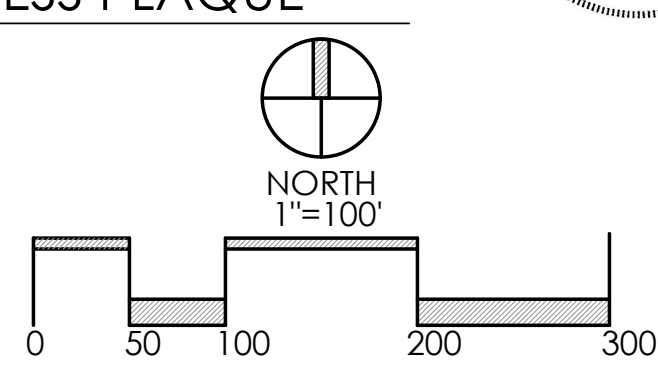
**SPECIFICATIONS:**  
- 26-1/4" X 26-1/4" 3/4" PVC W/ 1/4" FRAME PAINTED BLACK  
- STOP IS .063 ALUMINUM W/ REFLECTIVE VINYL GRAPHICS  
- SIGN MOUNTS TO 4" X 4" CEDAR POST PAINTED BLACK  
- FINAL ORIENTATION AND PLACEMENT OF STOP SIGNS TO BE VERIFIED BY INSTALLER

**2 STOP SIGN DETAIL**  
NTS



\*NOTE: FINAL ORIENTATION AND PLACEMENT OF ADDRESS PLAQUES TO BE VERIFIED BY INSTALLER  
-FINAL BUILDING & UNIT ADDRESSING WILL BE DETERMINED BY CITY AT A LATER TIME.

**3 UNIT ADDRESS PLAQUE**  
NTS



REVISIONS	

**TYPICAL INTERNAL  
SIGNAGE PLAN**

**THE ELYSIAN AT  
ALUM CREEK**  
PREPARED FOR  
**D.C. BUILDING COMPANY, LLC.**  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

**Paris Planning & Design**  
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4876 Cemetery Road  
DUBLIN, OH 43026  
P (614) 487-1944  
www.parisplanninganddesign.com

DATE	05/15/23
PROJECT	20132
SHEET	



PROJECT: Northstar Apartment Community Clubhouse & Acc Heads & Poles  
MANUFACTURER: LEDALUX DIV MULE LIGHTING INC  
MODEL: MAL04-70W-27V-40K-D-SQ-T3

February 08 2023  
TYPE: P2

LEDALUX MAL04 - Area Light

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
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Medium Size: 150W/200W  
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Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

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Medium Size: 150W/200W  
Large Size: 350W/300W

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Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

PROJECT: Northstar Apartment Community Clubhouse & Acc Heads & Poles  
MANUFACTURER: ABL-Lithonia Lighting  
MODEL: SSS 20 4C DM19 DOBXD

February 08 2023  
TYPE: P2/P4/P5 POLE

LITHONIA LIGHTING

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

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Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W

Small Size: 40W / 70W/100W  
Medium Size: 150W/200W  
Large Size: 350W/300W



## CONSTRUCTION NOTES

8 LIGHT POST - SEE DETAIL 1, THIS SHEET FOR MORE INFORMATION.

REVISIONS	

## LIGHTING PLAN

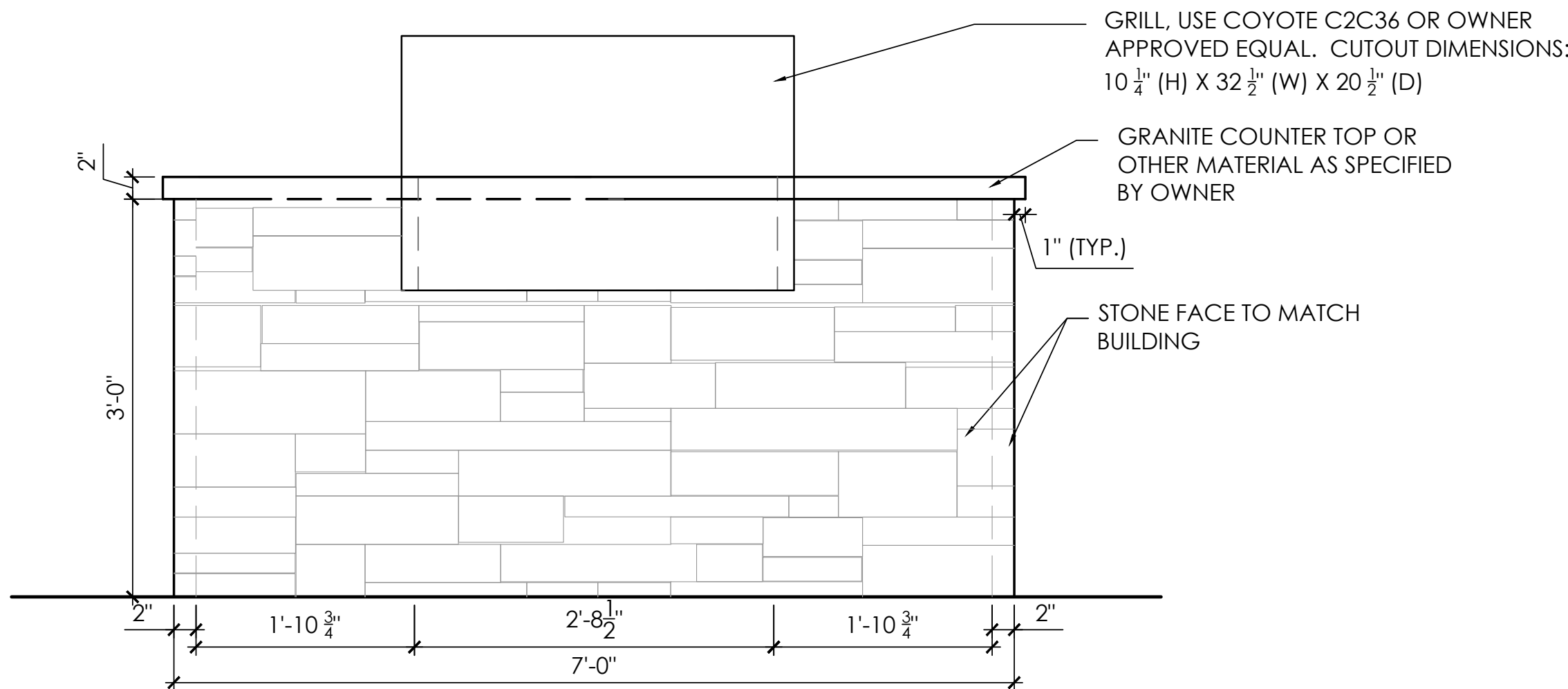
THE ELYSIAN AT  
ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

Paris Planning & Design  
LAND PLANNING  
LANDSCAPE ARCHITECTURE  
4876 Cemetery Road  
Hilliard, OH 43026  
p (614) 487-1944  
www.parisplanninganddesign.com

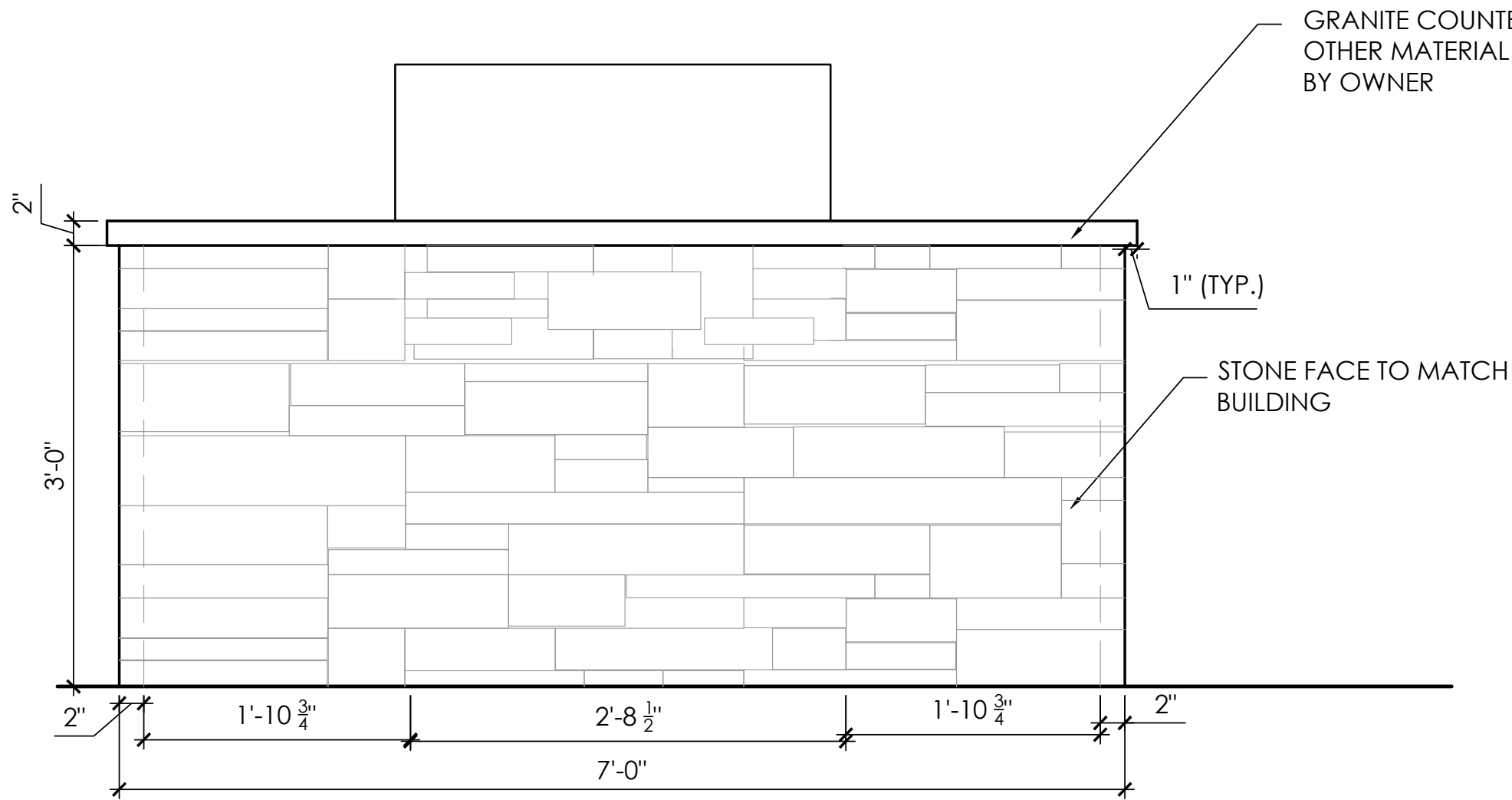
DATE	05/15/23
PROJECT	20132
SHEET	

D-6

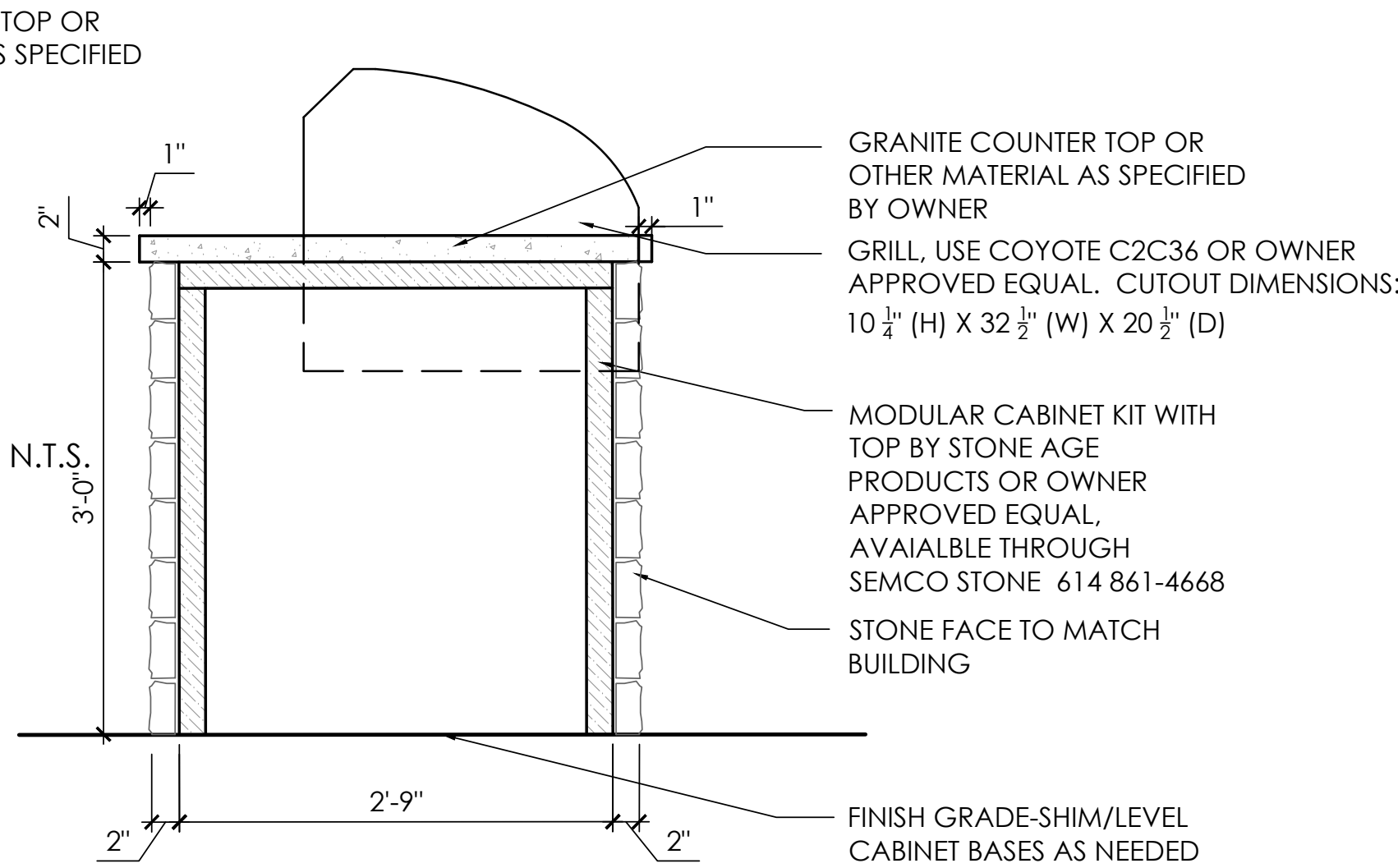




GRILL FRONT SIDE ELEVATION



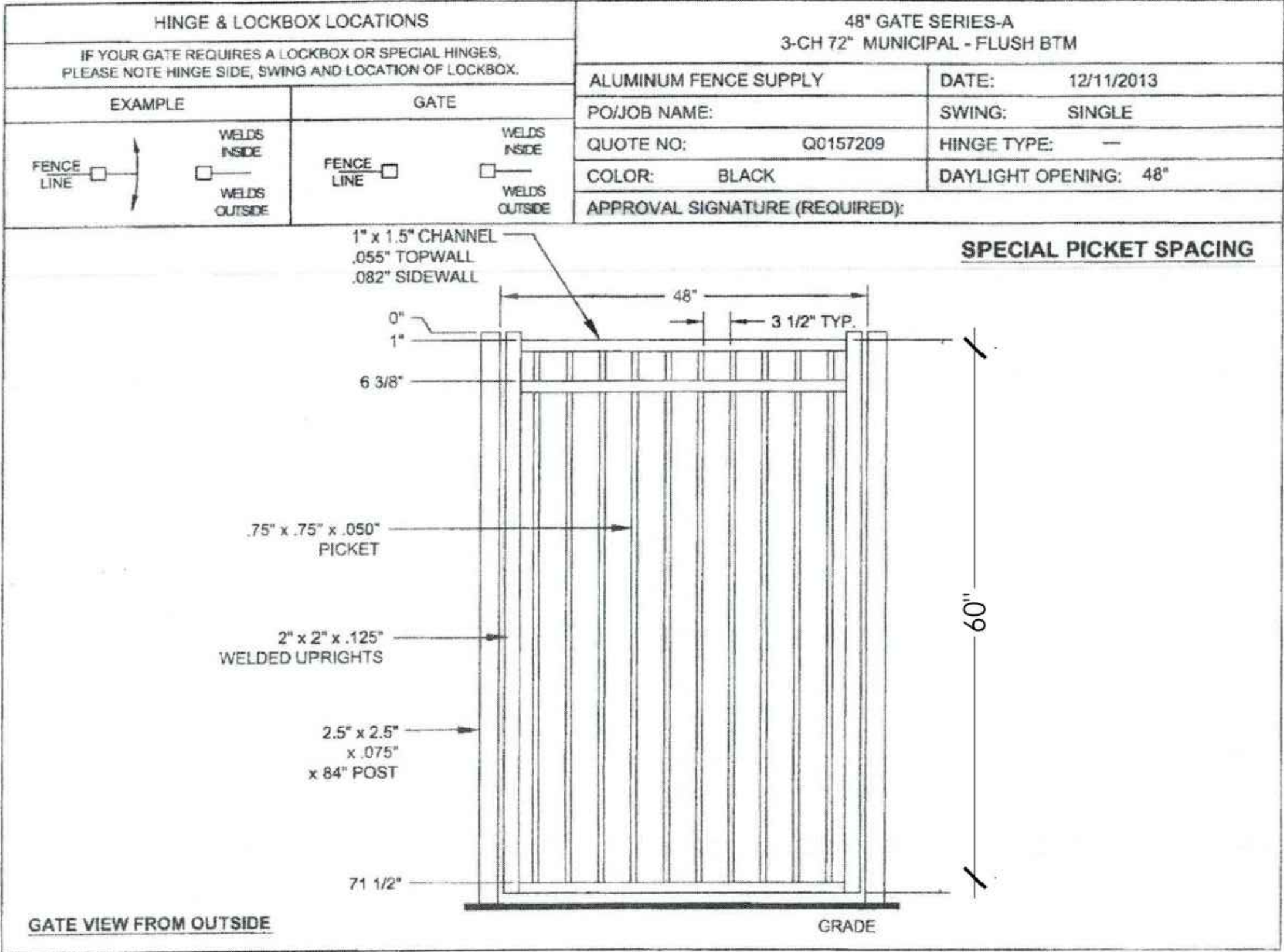
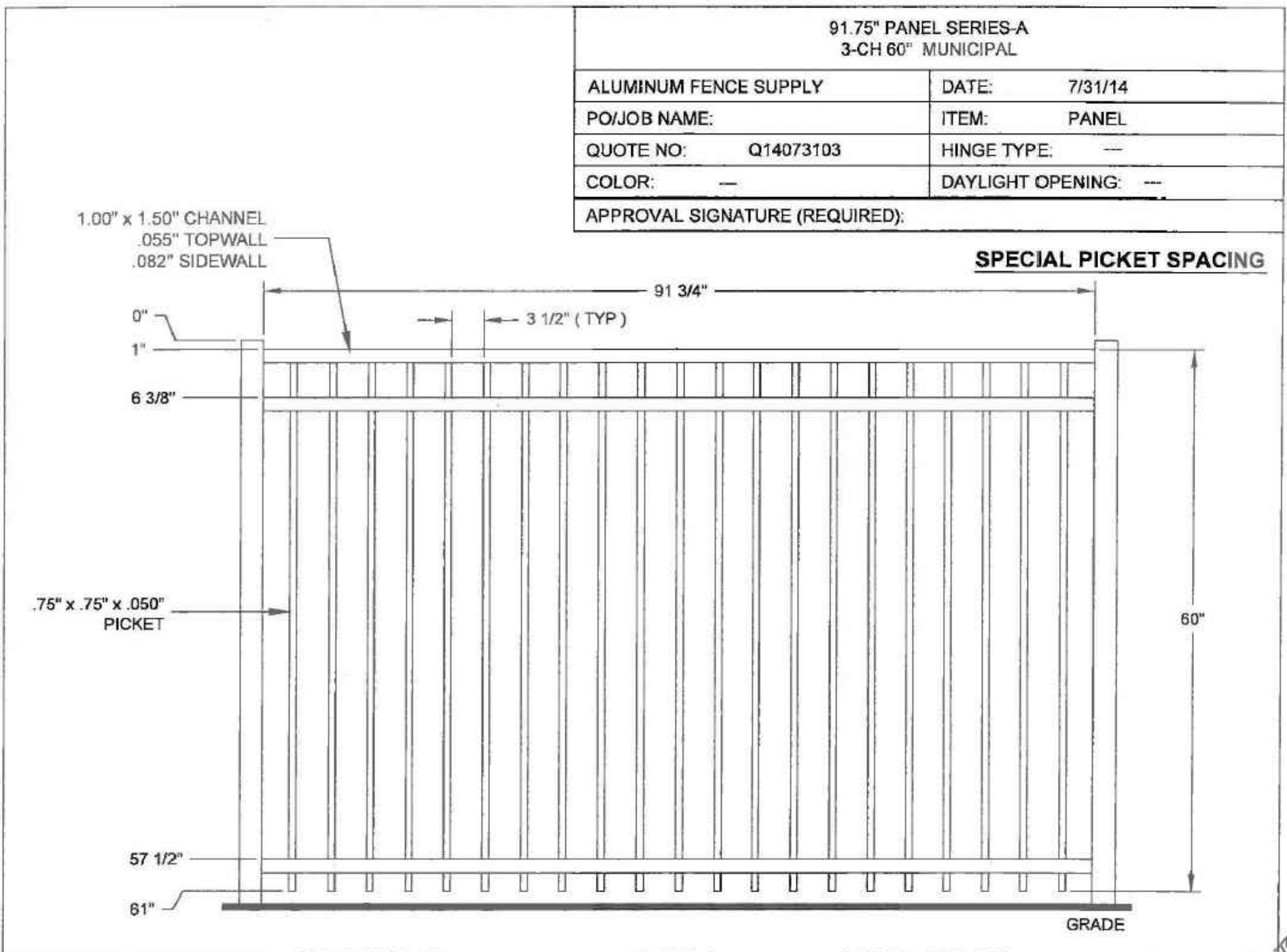
GRILL BACK SIDE ELEVATION



GRILL SECTION

2 DETAIL NAME  
N.T.S.

NOTES:  
- CONTRACTOR TO ADD VENTS. VENT LOCATIONS AND SIZES TO BE IN ACCORDANCE WITH LOCAL AND NATIONAL CODES.



1 POOL & DOG PARK FENCE DETAIL  
SCALE:

- NOTES:
- GATE TO BE SELF-CLOSING.
  - USE MANUFACTURER'S SPECIFIED GATE.
  - LATCH AND ACCESS HARDWARE TO BE INSTALLED PER MANUFACTURER SPECIFICATIONS, AND TO CONFORM TO ADA. GATE LATCH TO BE LOKKLATCH MAGNETIC FROM D&D TECHNOLOGIES.  
- AVAILABLE THROUGH: HD SUPPLY, 2350 INTERNATIONAL STREET, COLUMBUS, OH 43228 (614) 771-7435. WWW.HDSUPPLY.COM



REVISIONS

SITE DETAILS II

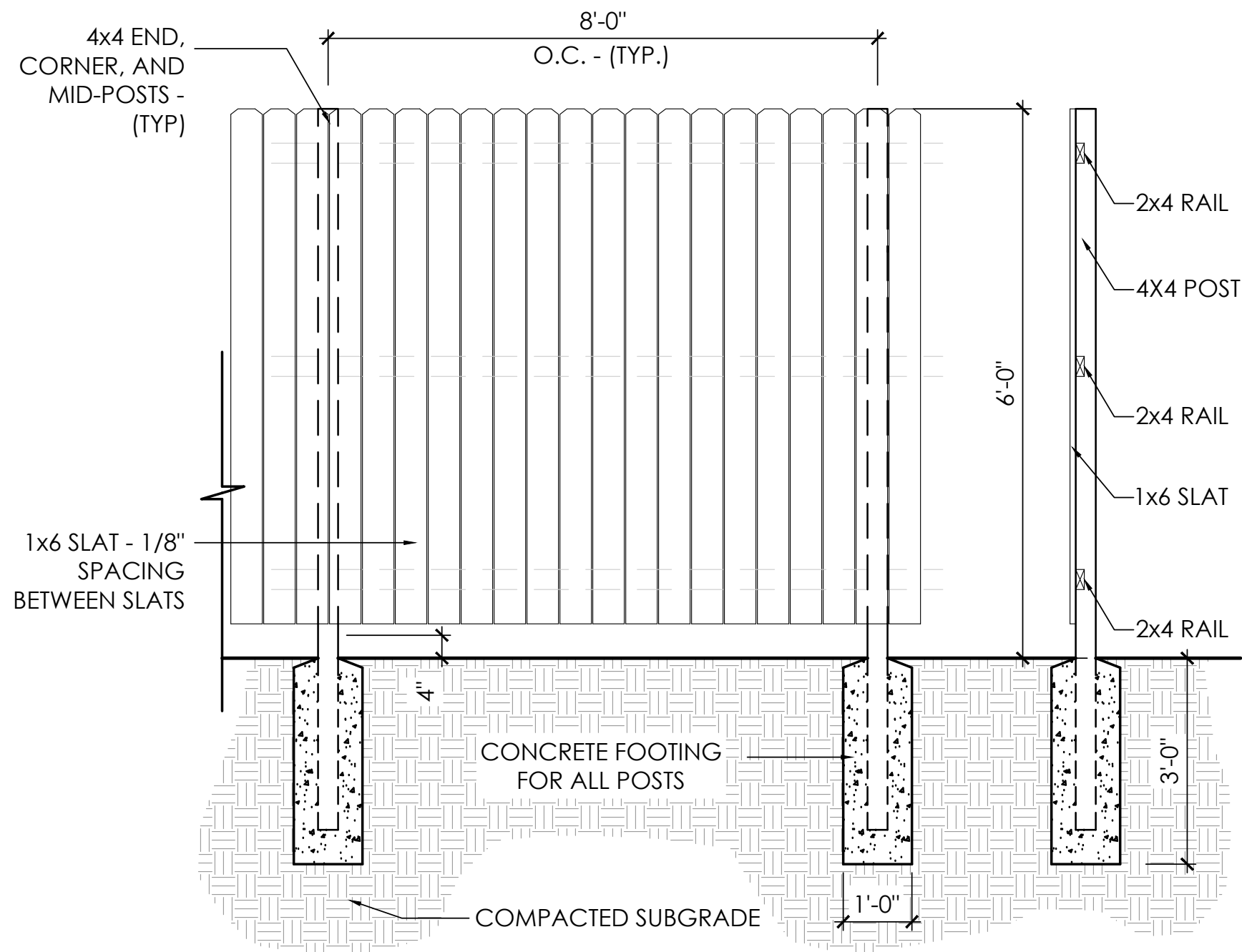
THE ELYSIAN AT  
ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

Paris Planning & Design  
LAND PLANNING LANDSCAPE ARCHITECTURE  
487 1/2 Cemetery Road  
Hilliard, OH 43026  
P (614) 487-1944  
www.parisplanninganddesign.com

DATE 05/15/23  
PROJECT 20132  
SHEET

D-7.1

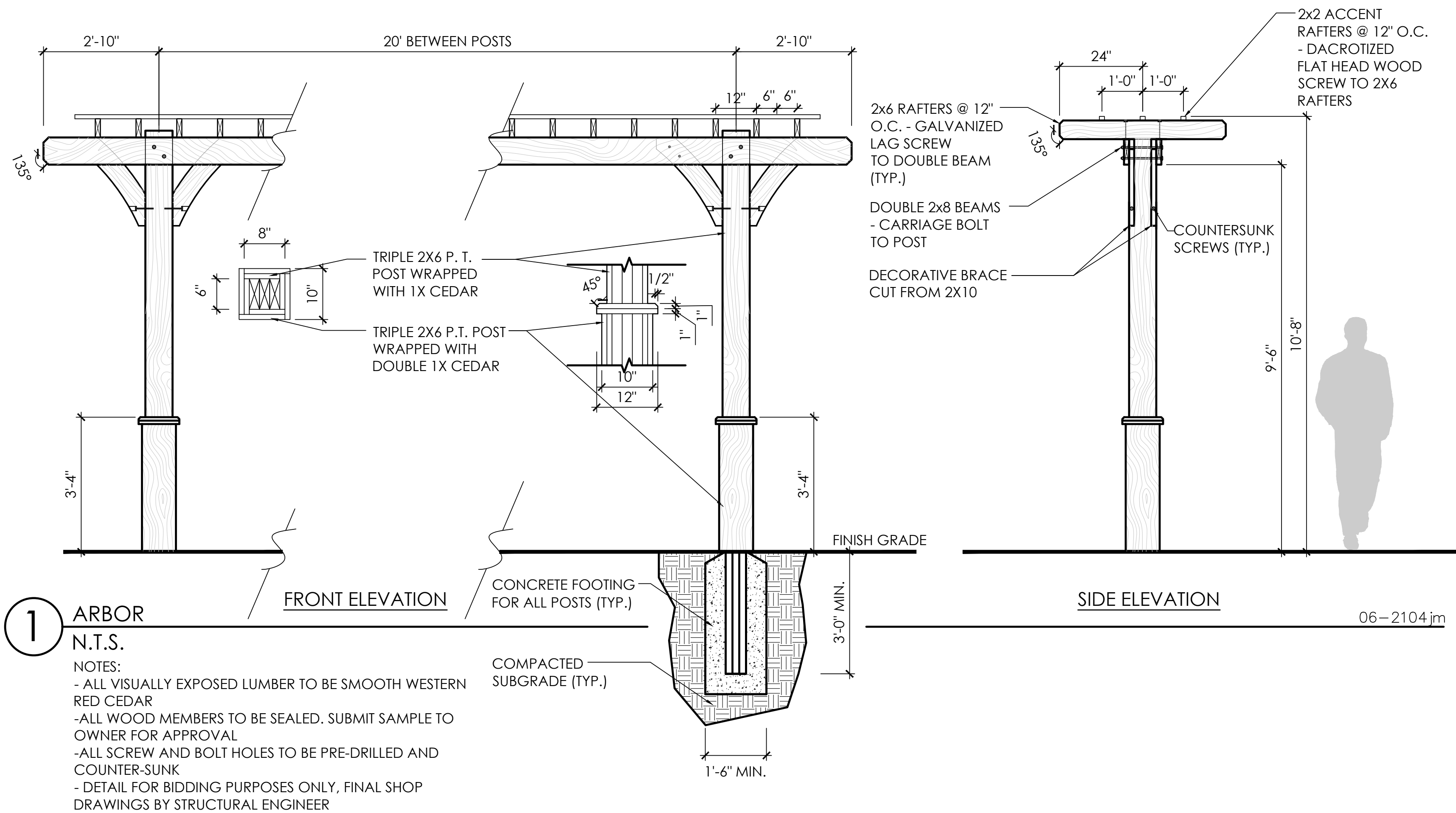




**2** 6' WOOD PRIVACY FENCE  
N.T.S.  
NOTE:  
-ALL WOOD TO BE PRESSURE TREATED OR WESTERN RED CEDAR AS APPROVED BY OWNER  
-WOOD SCREWS TO BE FLAT HEAD WEATHER MASTER DACROTIZED STEEL COARSE, THREAD 12x2 MANUFACTURED BY TEXTRON INC. OR OWNER APPROVED EQUAL.



**3** BIKE RACK DETAIL  
N.T.S.  
NOTE:  
- PARK-IT (2) BIKE RACK. AVAILABLE THROUGH WWW.TREETOPPRODUCTS.COM  
- SKU: TBR-15



REVISIONS	

SITE DETAILS III

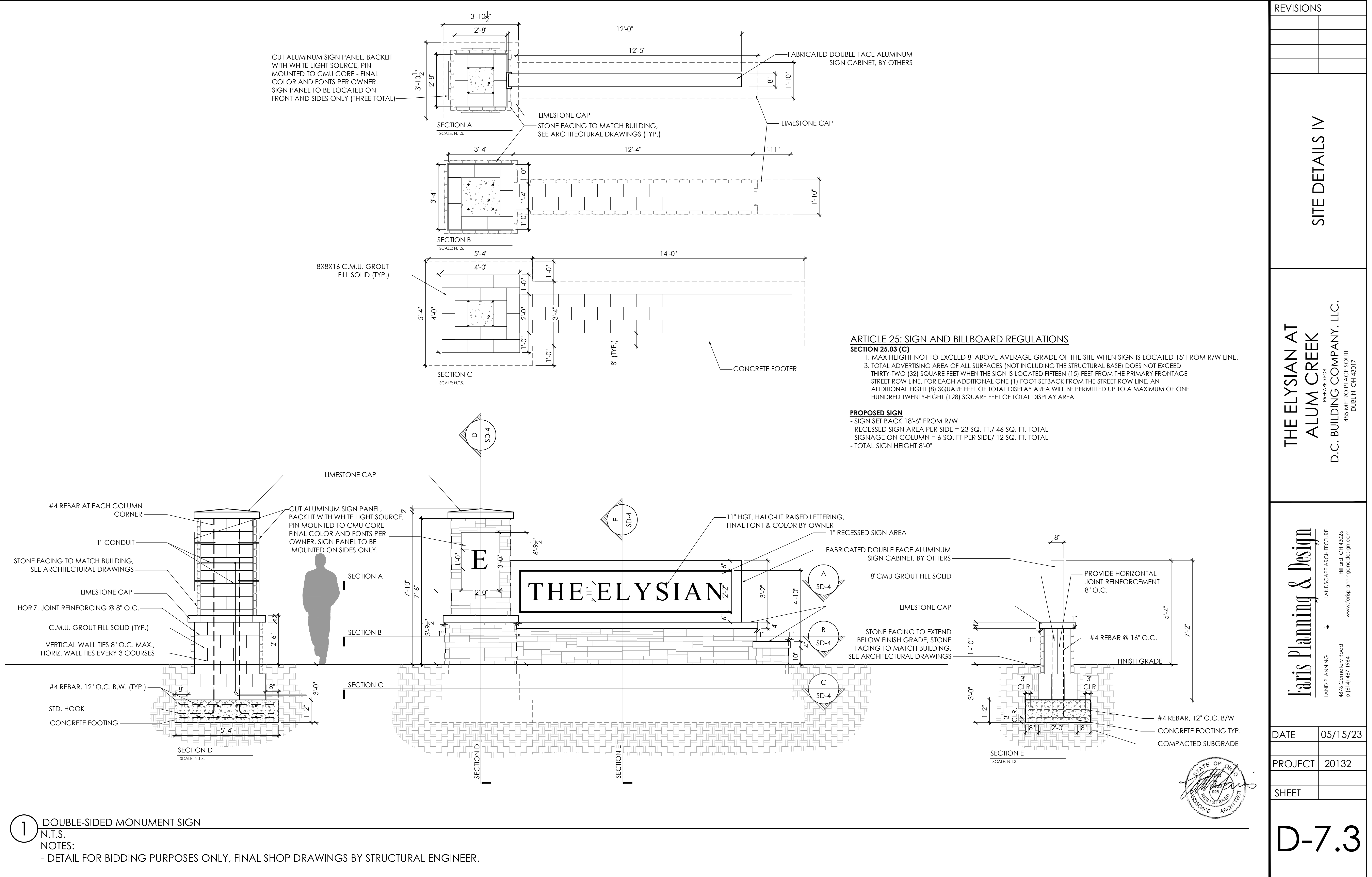
THE ELYSIAN AT  
ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

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4876 Cemetery Road  
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PROJECT	20132
SHEET	



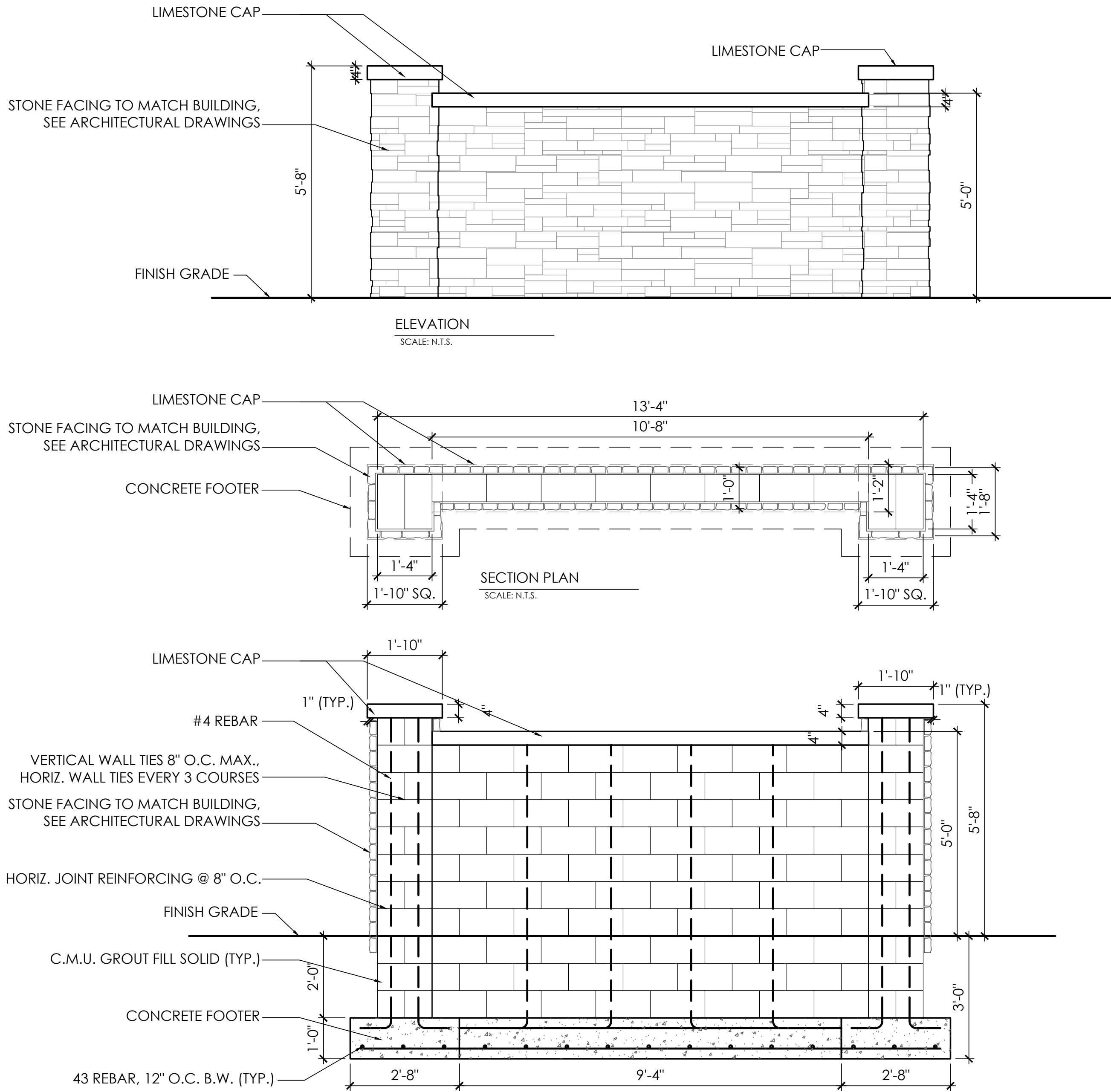
D-7.2



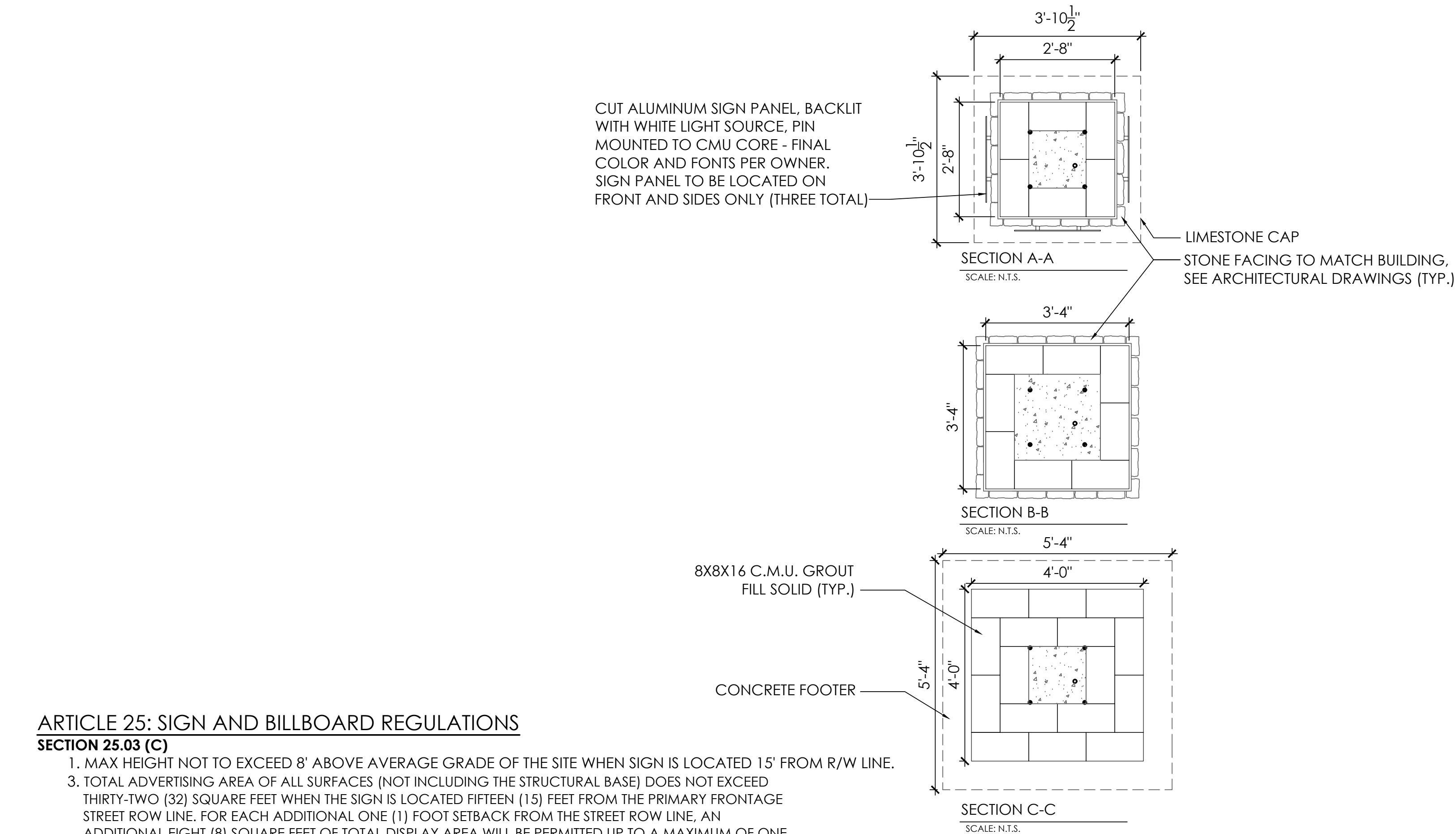
**1** DOUBLE-SIDED MONUMENT SIGN  
N.T.S.  
NOTES:  
- DETAIL FOR BIDDING PURPOSES ONLY, FINAL SHOP DRAWINGS BY STRUCTURAL ENGINEER.

REVISIONS	
SITE DETAILS IV	
THE ELYSIAN AT ALUM CREEK PREPARED FOR D.C. BUILDING COMPANY, LLC. 485 METRO PLACE SOUTH DUBLIN, OH 43017	
Paris Planning & Design LAND PLANNING LANDSCAPE ARCHITECTURE 4876 Cemetery Road Hilliard, OH 43026 P (614) 487-1944 www.parisplanninganddesign.com	
DATE	05/15/23
PROJECT	20132
SHEET	
D-7.3	





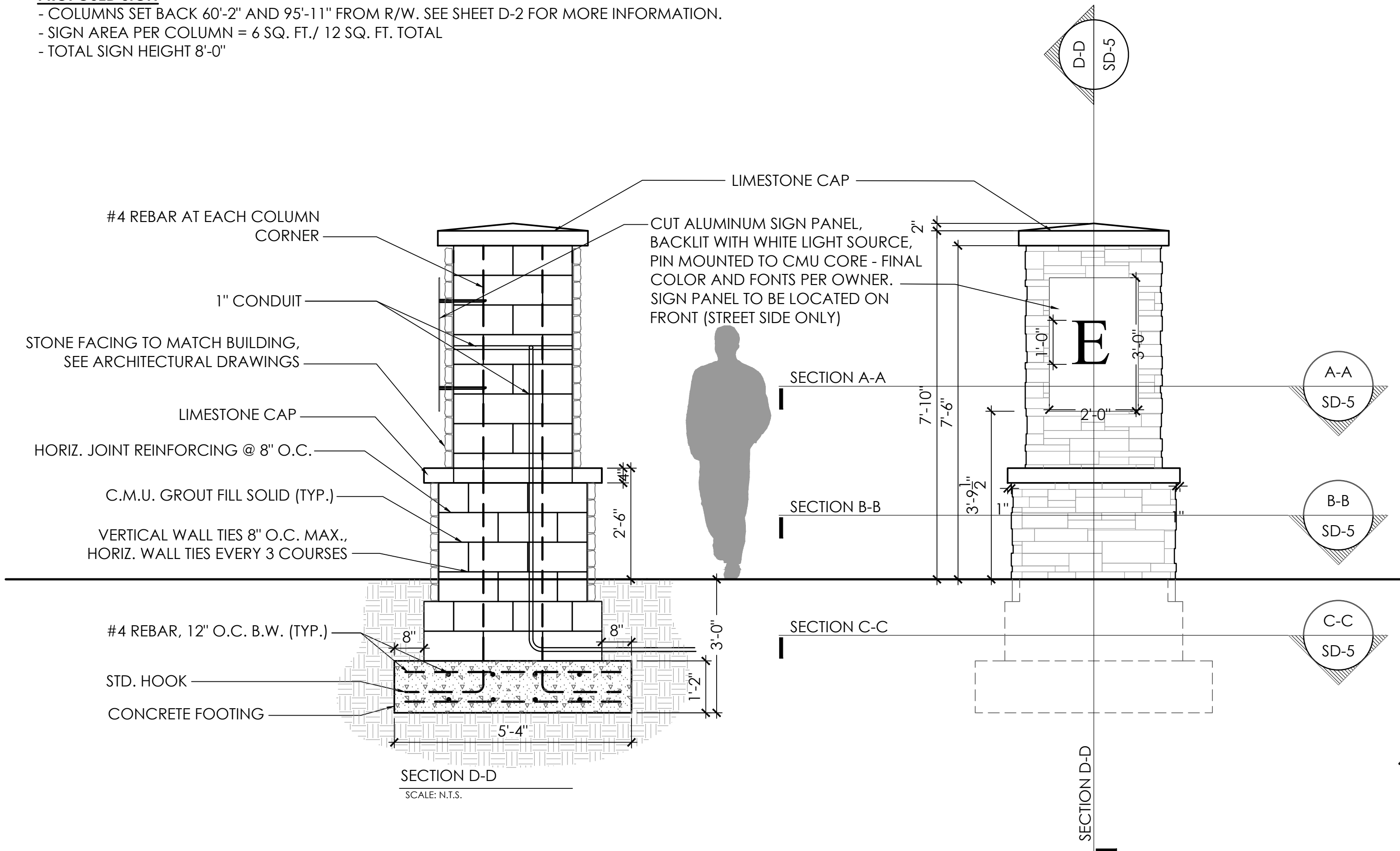
2 VGL OPERATOR SCREEN WALL  
N.T.S.



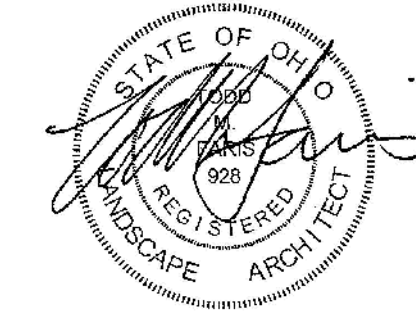
ARTICLE 25: SIGN AND BILLBOARD REGULATIONS  
SECTION 25.03 (C)

1. MAX HEIGHT NOT TO EXCEED 8' ABOVE AVERAGE GRADE OF THE SITE WHEN SIGN IS LOCATED 15' FROM R/W LINE.
3. TOTAL ADVERTISING AREA OF ALL SURFACES (NOT INCLUDING THE STRUCTURAL BASE) DOES NOT EXCEED THIRTY-TWO (32) SQUARE FEET WHEN THE SIGN IS LOCATED FIFTEEN (15) FEET FROM THE PRIMARY FRONTAGE STREET ROW LINE. FOR EACH ADDITIONAL ONE (1) FOOT SETBACK FROM THE STREET ROW LINE, AN ADDITIONAL EIGHT (8) SQUARE FEET OF TOTAL DISPLAY AREA WILL BE PERMITTED UP TO A MAXIMUM OF ONE HUNDRED TWENTY-EIGHT (128) SQUARE FEET OF TOTAL DISPLAY AREA

- PROPOSED SIGN**
- COLUMNS SET BACK 60'-2" AND 95'-11" FROM R/W. SEE SHEET D-2 FOR MORE INFORMATION.
  - SIGN AREA PER COLUMN = 6 SQ. FT./ 12 SQ. FT. TOTAL
  - TOTAL SIGN HEIGHT 8'-0"



1 ENTRY COLUMN  
N.T.S.



REVISIONS	

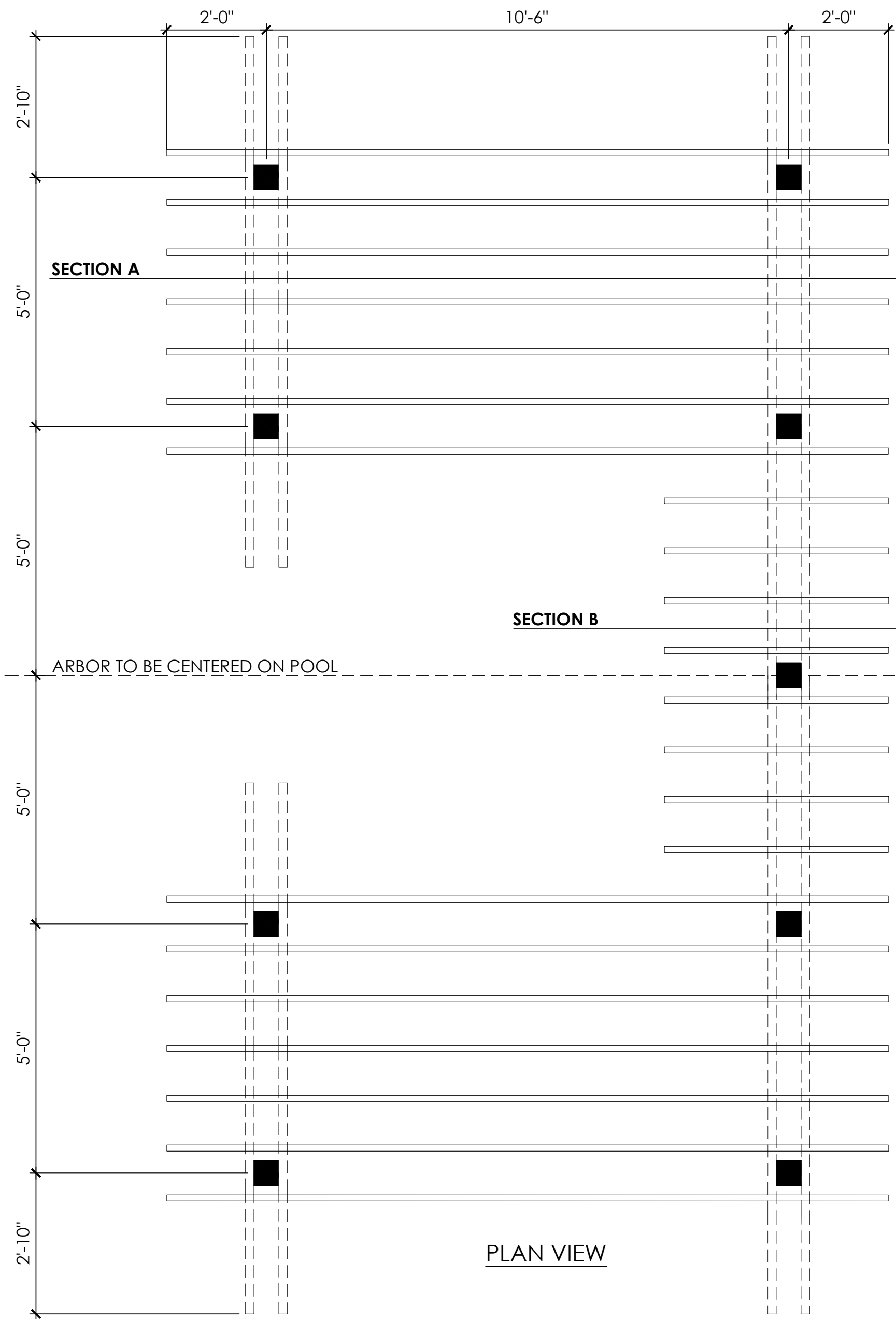
SITE DETAILS V

THE ELYSIAN AT  
ALUM CREEK  
PREPARED FOR  
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485 METRO PLACE SOUTH  
DUBLIN, OH 43017

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DATE	05/15/23
PROJECT	20132
SHEET	

D-7.4



PLAN VIEW

2x6 RAFTERS @ 12" O.C. - GALVANIZED LAG SCREW TO DOUBLE BEAM (TYP.)  
2x2 ACCENT RAFTERS @ 12" O.C. - DACROTIZED FLAT HEAD WOOD SCREW TO 2X6 RAFTERS

2x6 RAFTERS @ 12" O.C. - GALVANIZED LAG SCREW TO DOUBLE BEAM (TYP.)

DOUBLE 2x8 BEAMS - CARRIAGE BOLT TO POST

DECORATIVE BRACE CUT FROM 2X10

COUNTERSUNK SCREWS (TYP.)

DOUBLE 2x8 BEAMS - CARRIAGE BOLT TO POST

DECORATIVE BRACE CUT FROM 2X10

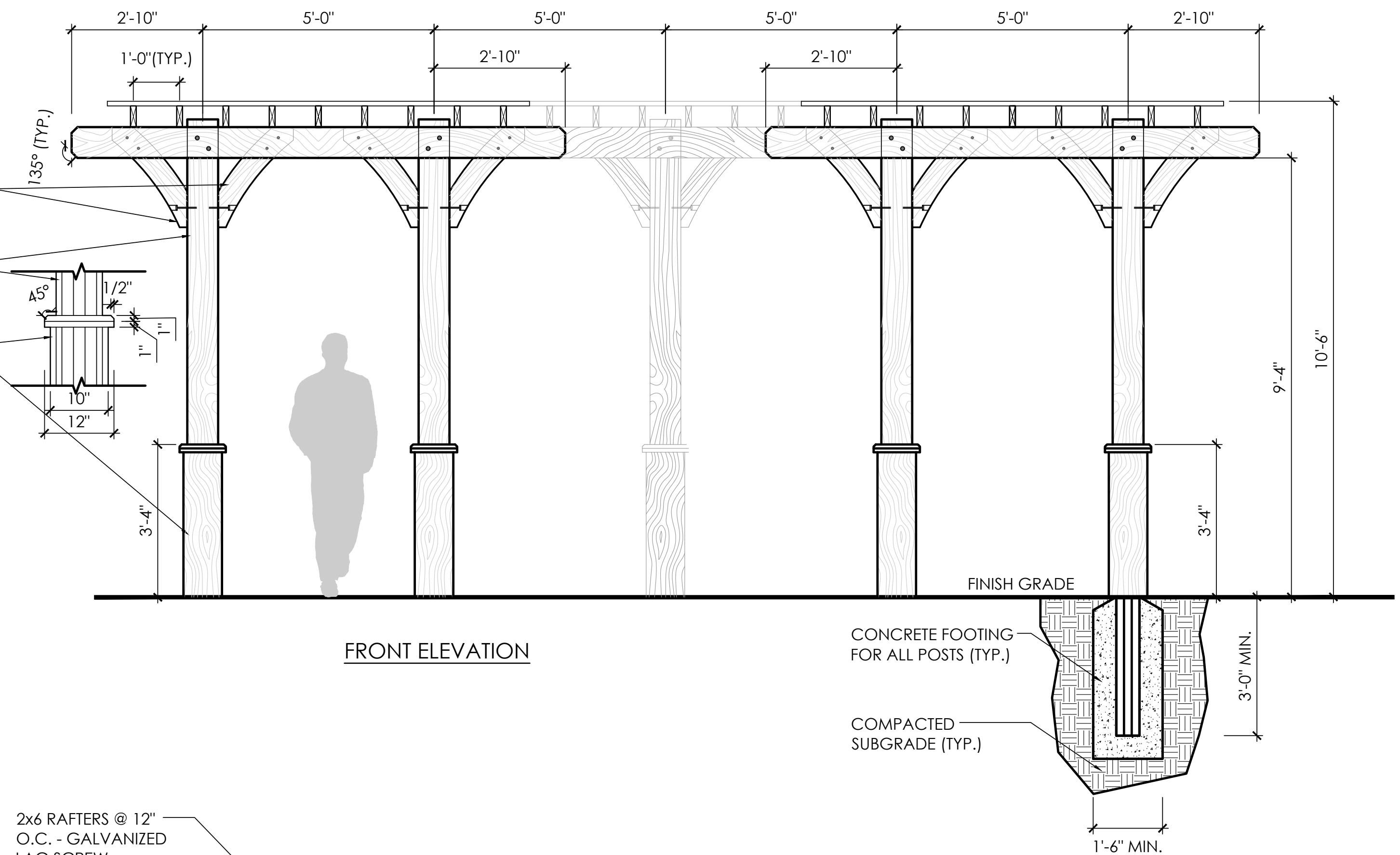
SECTION A

DECORATIVE BRACE CUT FROM 2X10

TRIPLE 2X6 P.T. POST WRAPPED WITH 1X CEDAR

TRIPLE 2X6 P.T. POST WRAPPED WITH DOUBLE 1X CEDAR

NOTES:  
- ALL VISUALLY EXPOSED LUMBER TO BE SMOOTH WESTERN RED CEDAR  
- ALL WOOD MEMBERS TO BE PAINTED/ STAINED OPAQUE WHITE. SUBMIT SAMPLE TO OWNER FOR APPROVAL  
- ALL SCREW AND BOLT HOLES TO BE PRE-DRILLED AND COUNTER-SUNK  
- **DETAIL FOR BIDDING PURPOSES ONLY. FINAL SHOP DRAWINGS BY STRUCTURAL ENGINEER.**



FRONT ELEVATION

2x6 RAFTERS @ 12" O.C. - GALVANIZED LAG SCREW TO DOUBLE BEAM (TYP.)

2x2 ACCENT RAFTERS @ 12" O.C. - DACROTIZED FLAT HEAD WOOD SCREW TO 2X6 RAFTERS

2x6 RAFTERS @ 12" O.C. - GALVANIZED LAG SCREW TO DOUBLE BEAM (TYP.)

DOUBLE 2x8 BEAMS - CARRIAGE BOLT TO POST

DECORATIVE BRACE CUT FROM 2X10

COUNTERSUNK SCREWS (TYP.)

SECTION B



REVISIONS	

SITE DETAILS VI

THE ELYSIAN AT  
ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

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LAND PLANNING  
4876 Cemetery Road  
Dublin, OH 43026  
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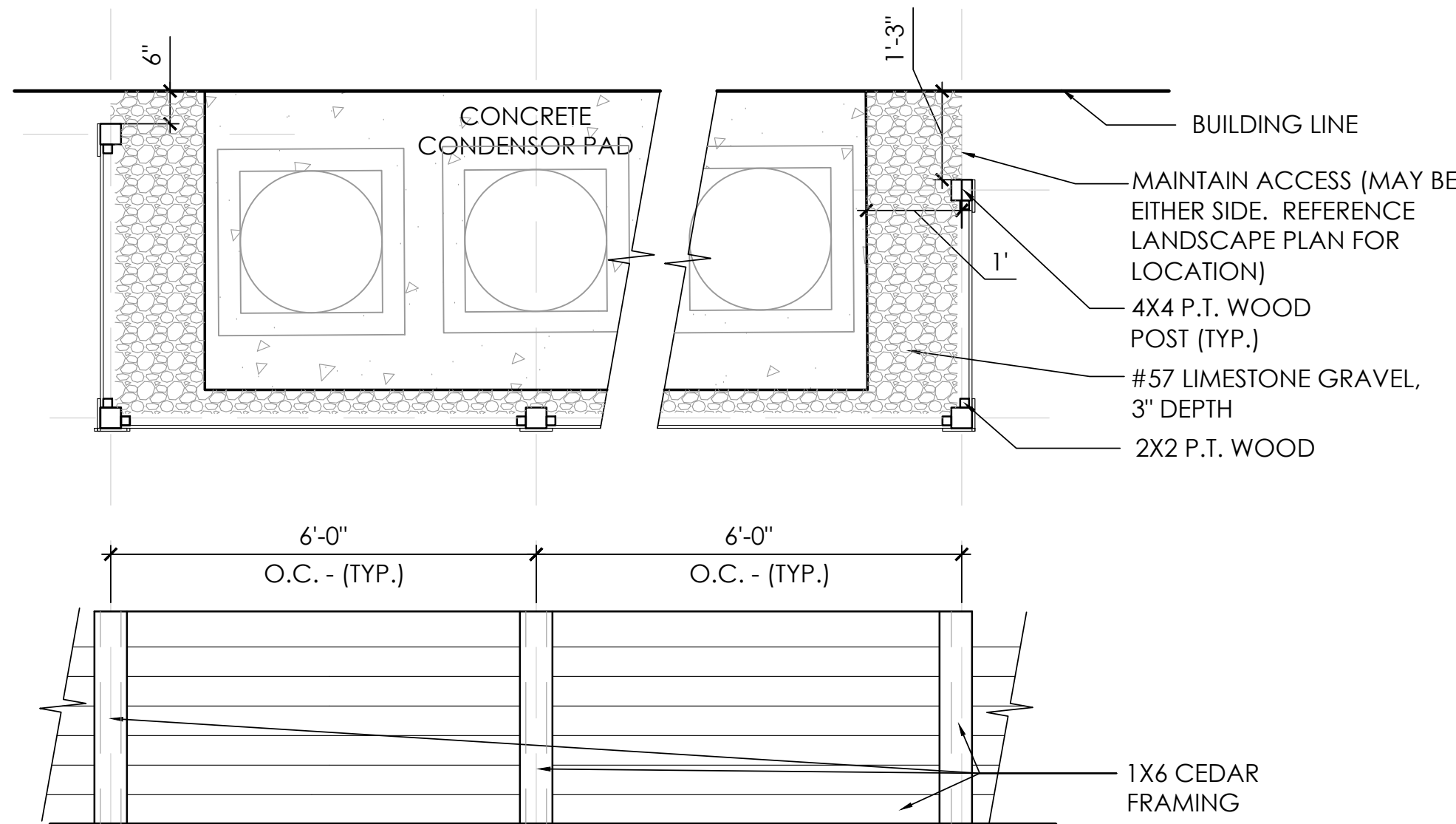
DATE	05/15/23
PROJECT	20132
SHEET	

D-7.5

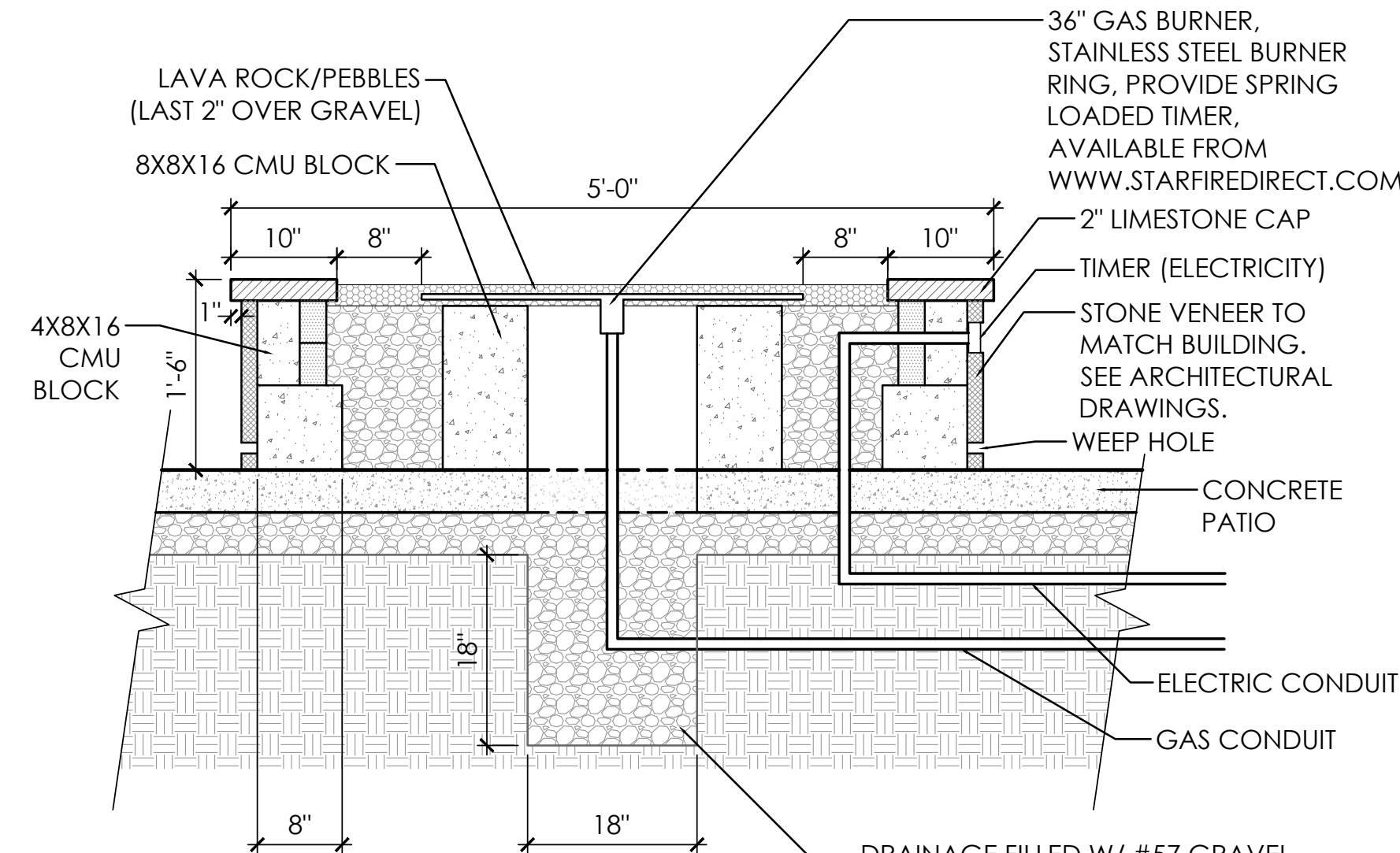




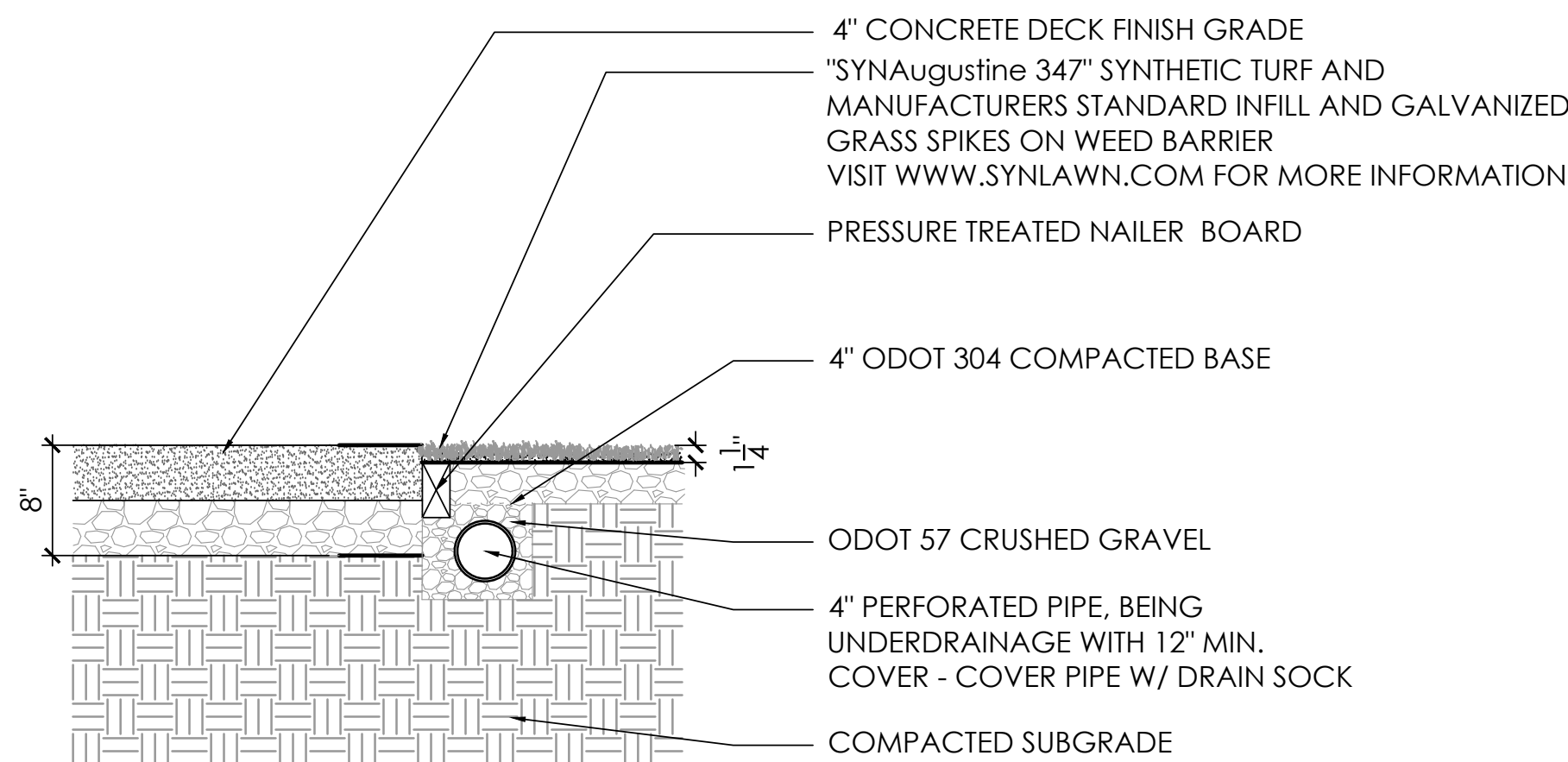
7 TRASH RECEPTACLE DETAIL  
SCALE: N.T.S.  
MANUFACTURER: TREETOPPRODUCTS.COM  
MODEL: NORTHGATE RECEPTACLES (SKU: TWR-15)



4 A/C CONDENSOR SCREENING FENCE  
N.T.S.  
NOTE: FENCE SHALL BE PAINTED TO MATCH HANDRAILS AT BALCONIES OF ITS ASSOCIATED BUILDING.



8 FIRE PIT DETAIL  
N.T.S. 04-3000b



- GENERAL NOTES
1. GRASS MUST BE INSTALLED AND SEAMED WITH ADJACENT PIECES RUNNING IN THE SAME DIRECTION
  2. SEAMS SHOULD BE SEWN OR GLUED IN ACCORDANCE TO MANUFACTURERS SPECIFICATIONS
  3. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS AND BY FACTORY AUTHORIZED INSTALLERS

9 SYNTHETIC TURF WITH NAILER BOARD  
N.T.S.

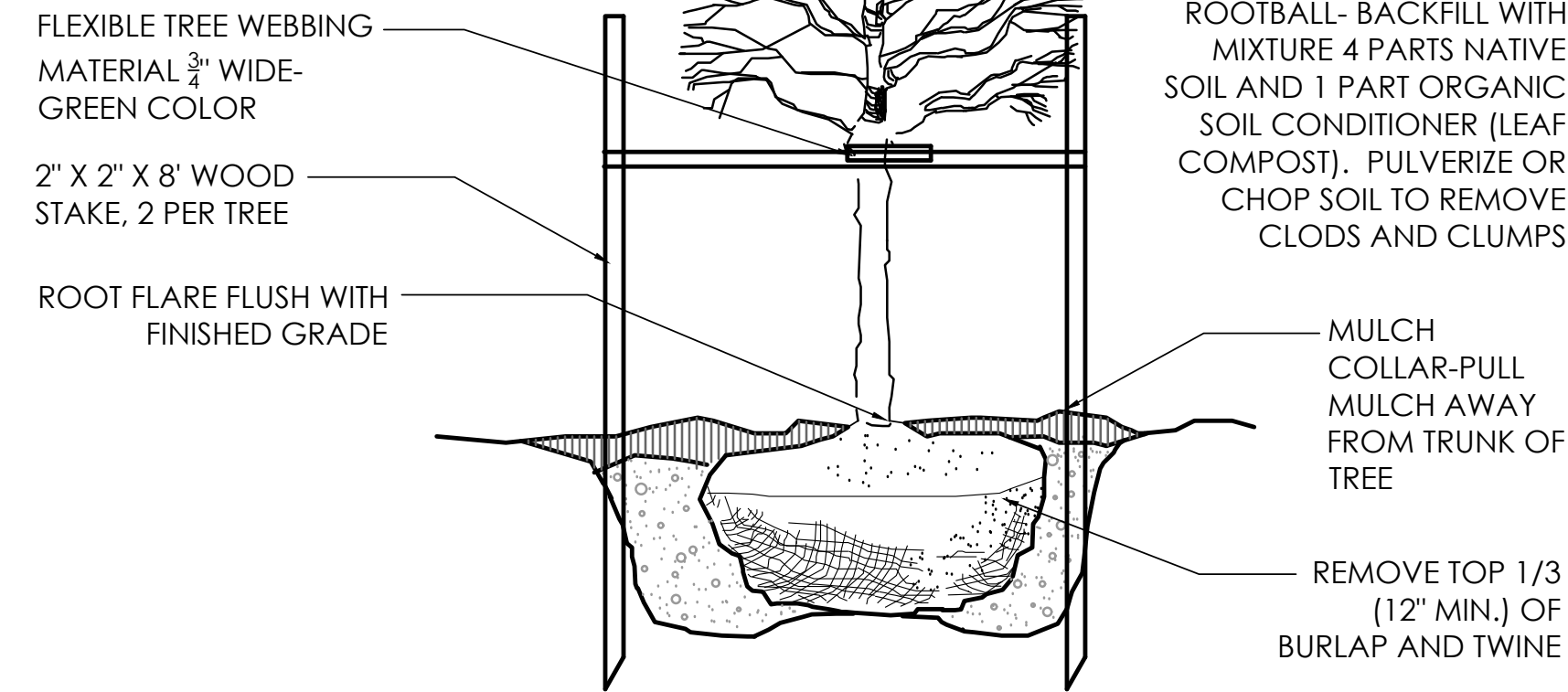


5 PET WASTE STATION DETAIL  
SCALE: N.T.S.  
MANUFACTURER: TERRA BOUND SOLUTIONS  
MODEL: ELITE DOG WASTE STATION (SKU: 44-ELITESTATION)

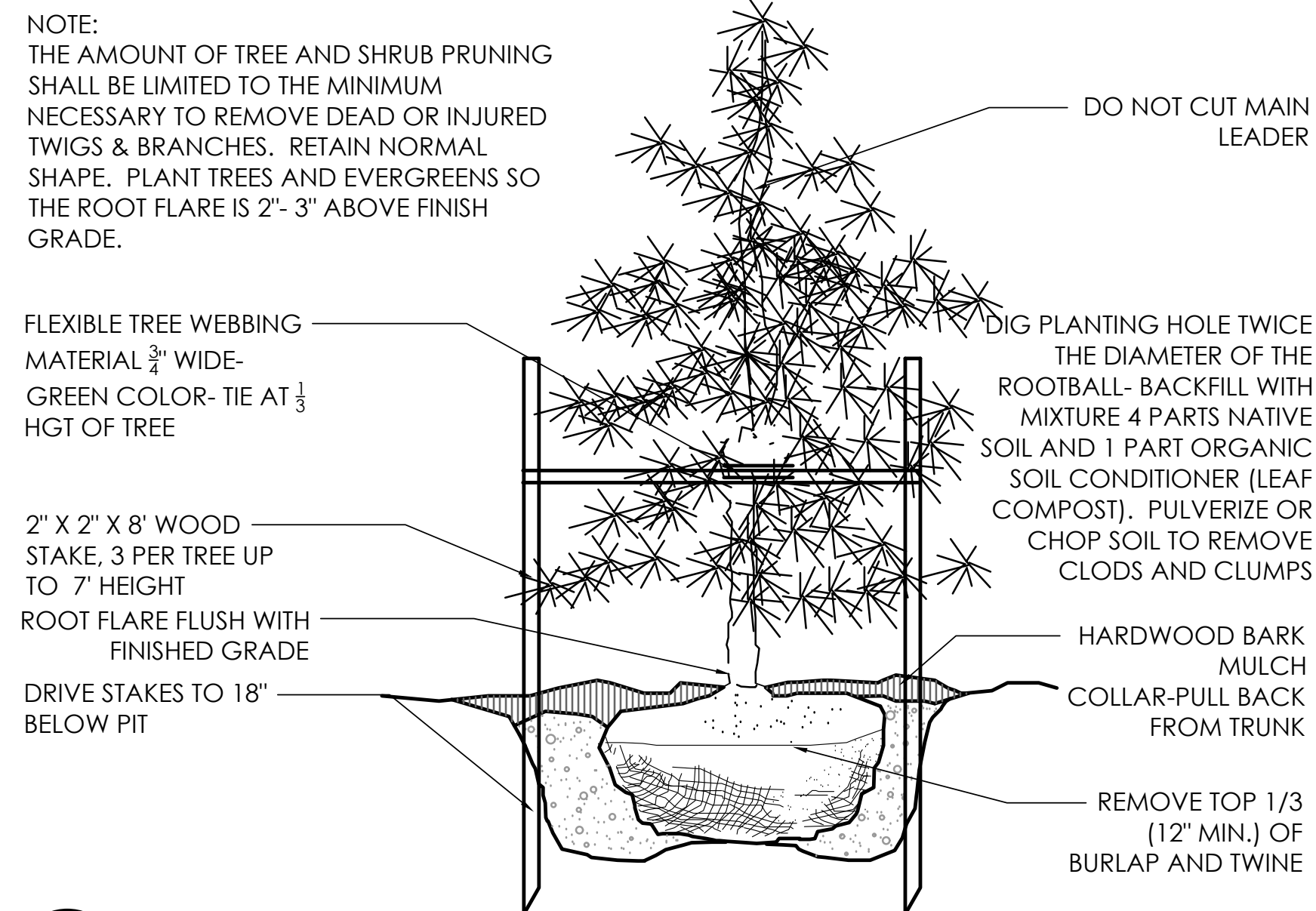


6 METAL BENCH DETAIL  
SCALE: N.T.S.  
MANUFACTURER: TREETOPPRODUCTS.COM  
MODEL: NORTHGATE PARK BENCH (SKU: TBN-15)

NOTE:  
THE AMOUNT OF TREE AND SHRUB PRUNING SHALL BE LIMITED TO THE MINIMUM NECESSARY TO REMOVE DEAD OR INJURED TWIGS & BRANCHES. RETAIN NORMAL SHAPE. PLANT TREES AND EVERGREENS SO THE ROOT FLARE IS 2'-3" ABOVE FINISH GRADE

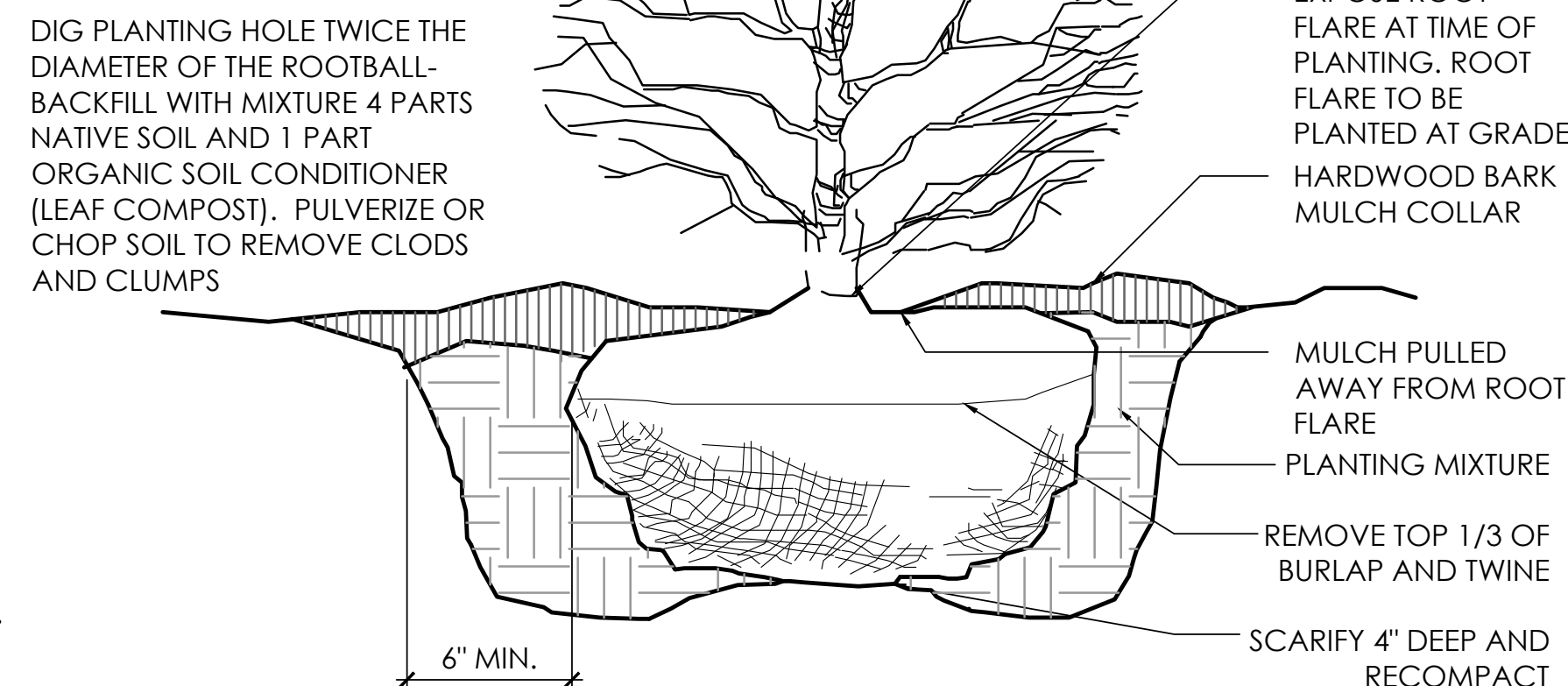


1 DECIDUOUS TREE  
N.T.S. 01-1001



2 EVERGREEN TREE UNDER 7' HGT.  
N.T.S. 01-1100

NOTE:  
THE AMOUNT OF TREE AND SHRUB PRUNING SHALL BE LIMITED TO THE MINIMUM NECESSARY TO REMOVE DEAD OR INJURED TWIGS & BRANCHES. RETAIN NORMAL SHAPE. REMOVE EXCESS SOIL FROM THE TOP OF ROOT MASS. PLANT SHRUBS WITH TOP OF ROOT MASS AT FINISH GRADE.



3 SHRUB PLANTING DETAIL  
N.T.S. 01-1300

REVISIONS	

SITE DETAILS I

THE ELYSIAN AT  
ALUM CREEK  
PREPARED FOR  
D.C. BUILDING COMPANY, LLC.  
485 METRO PLACE SOUTH  
DUBLIN, OH 43017

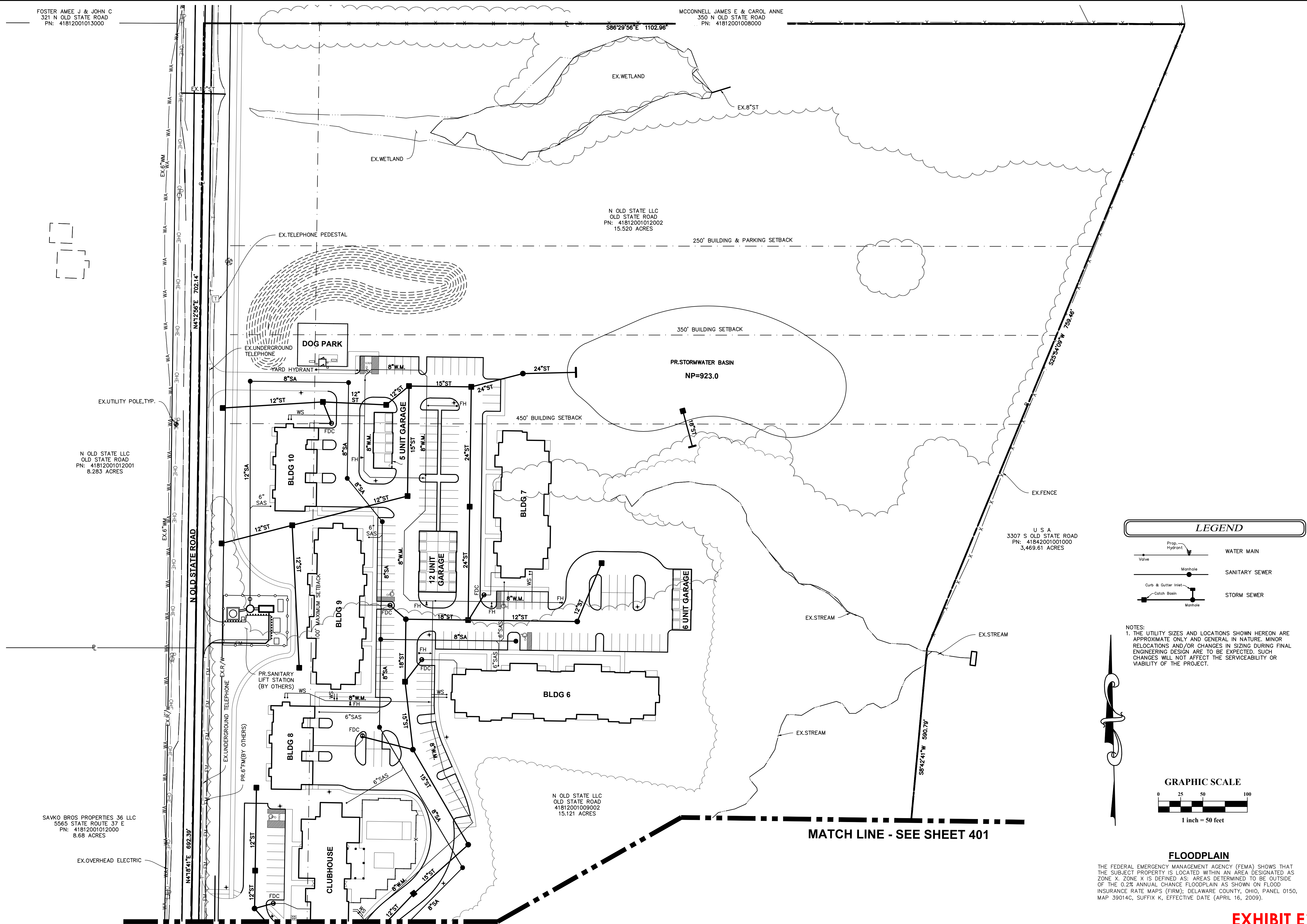
Paris Planning & Design  
LAND PLANNING LANDSCAPE ARCHITECTURE  
4876 Cemetery Road  
Hilliard, OH 43026  
P (614) 487-1944  
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DATE	05/15/23
PROJECT	20132
SHEET	

D-7



MCCONNELL JAMES E & CAROL ANNE  
350 N OLD STATE ROAD  
PN: 41812001008000

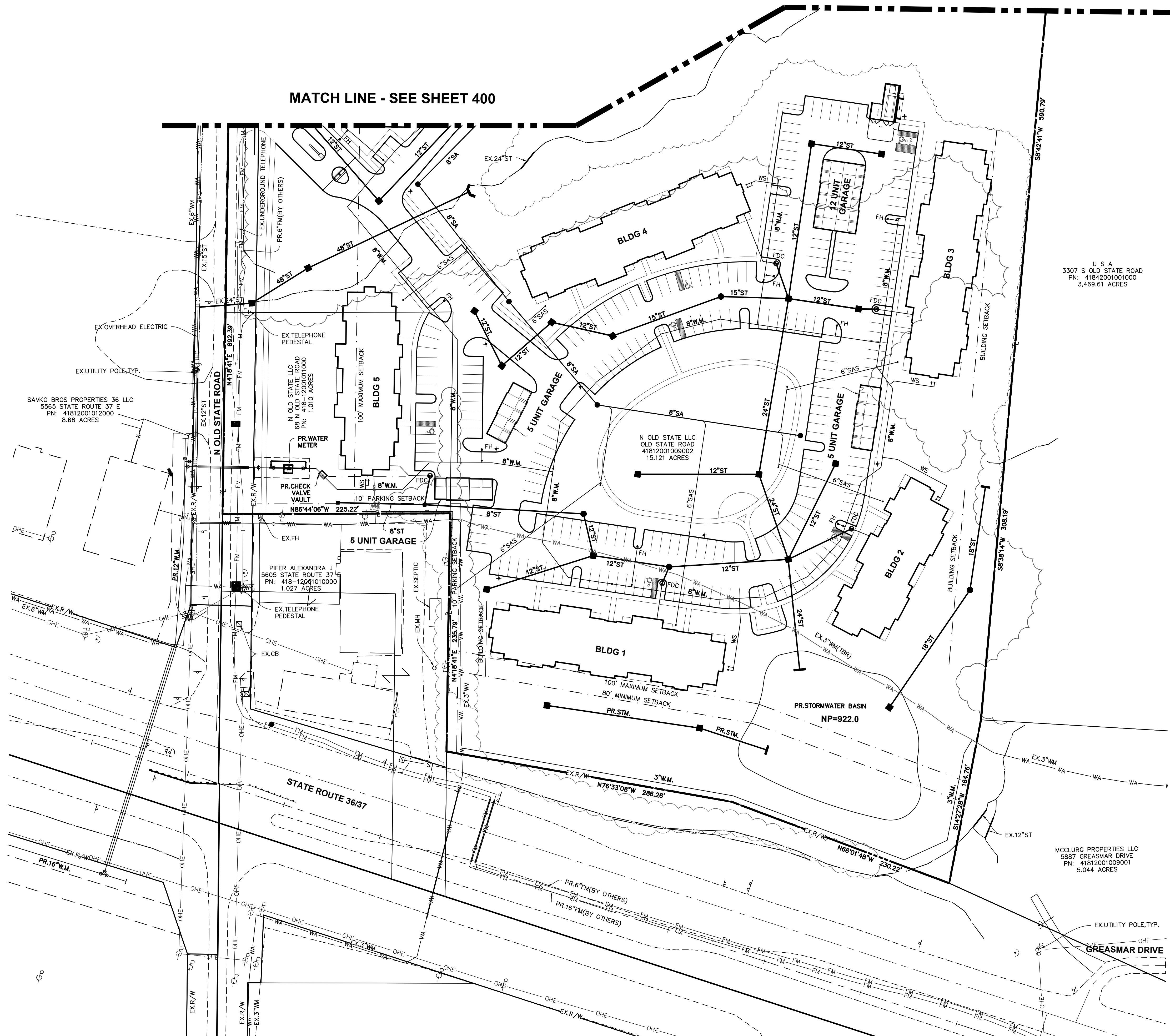


THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) SHOWS THAT THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA DESIGNATED AS ZONE X. ZONE X IS DEFINED AS: AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAPS (FIRM); DELAWARE COUNTY, OHIO, PANEL 0150, MAP 39014C, SUFFIX K, EFFECTIVE DATE (APRIL 16, 2009).

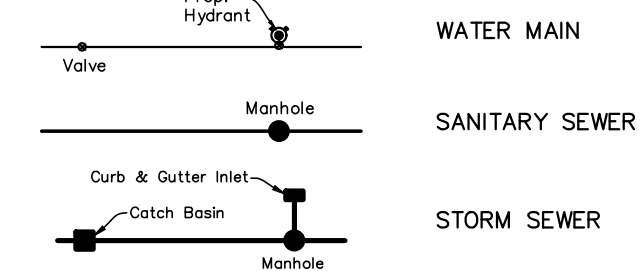
## EXHIBIT E1



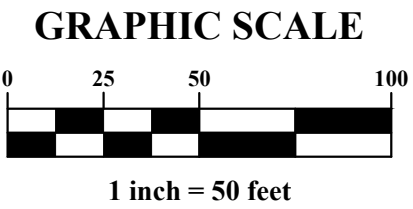
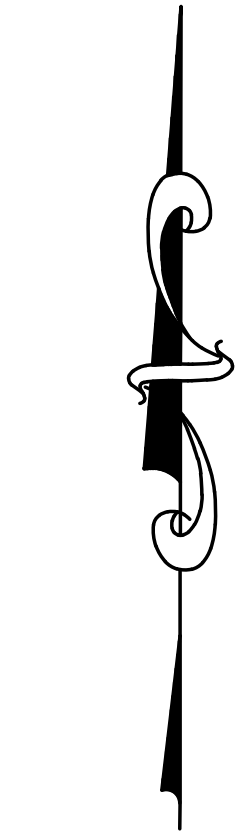
Z:\20-0001-1150\DWG\PRODUCTION DRAWINGS\PRE DEVELOPMENT PLAN\PDF - Utility Plan South May 12, 2023 - 3:27:09pm jgugentiller



LEGEND



NOTES:  
1. THE UTILITY SIZES AND LOCATIONS SHOWN HEREON ARE APPROXIMATE ONLY AND GENERAL IN NATURE. MINOR RELOCATIONS AND/OR CHANGES IN SIZING DURING FINAL ENGINEERING DESIGN ARE TO BE EXPECTED. SUCH CHANGES WILL NOT AFFECT THE SERVICEABILITY OR VIABILITY OF THE PROJECT.

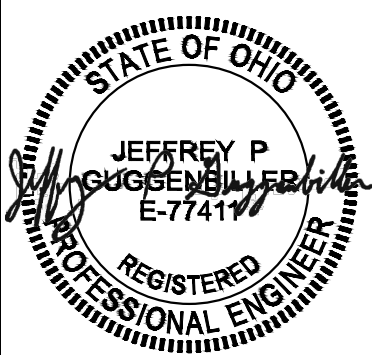


FLOODPLAIN

THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) SHOWS THAT THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA DESIGNATED AS ZONE X. ZONE X IS DEFINED AS: AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FLOOD INSURANCE RATE MAPS (FIRM); DELAWARE COUNTY, OHIO, PANEL 0150, MAP 39014C, SUFFIX K, EFFECTIVE DATE (APRIL 16, 2009).

BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO

DEVELOPMENT PLAN  
FOR  
THE ELYSIAN AT ALUM CREEK  
PRELIMINARY UTILITY PLAN



Issue Dates:

Date:	05/15/2023
Scale:	1" = 50'
Drawn By:	JPG
Checked By:	DDD
Project Number:	20-0001-1150
Drawing Number:	C401

PLAN PREPARED BY:

DC BUILDING COMPANY, LLC  
485 METRO PLACE S, SUITE 350  
DUBLIN, OH 43007

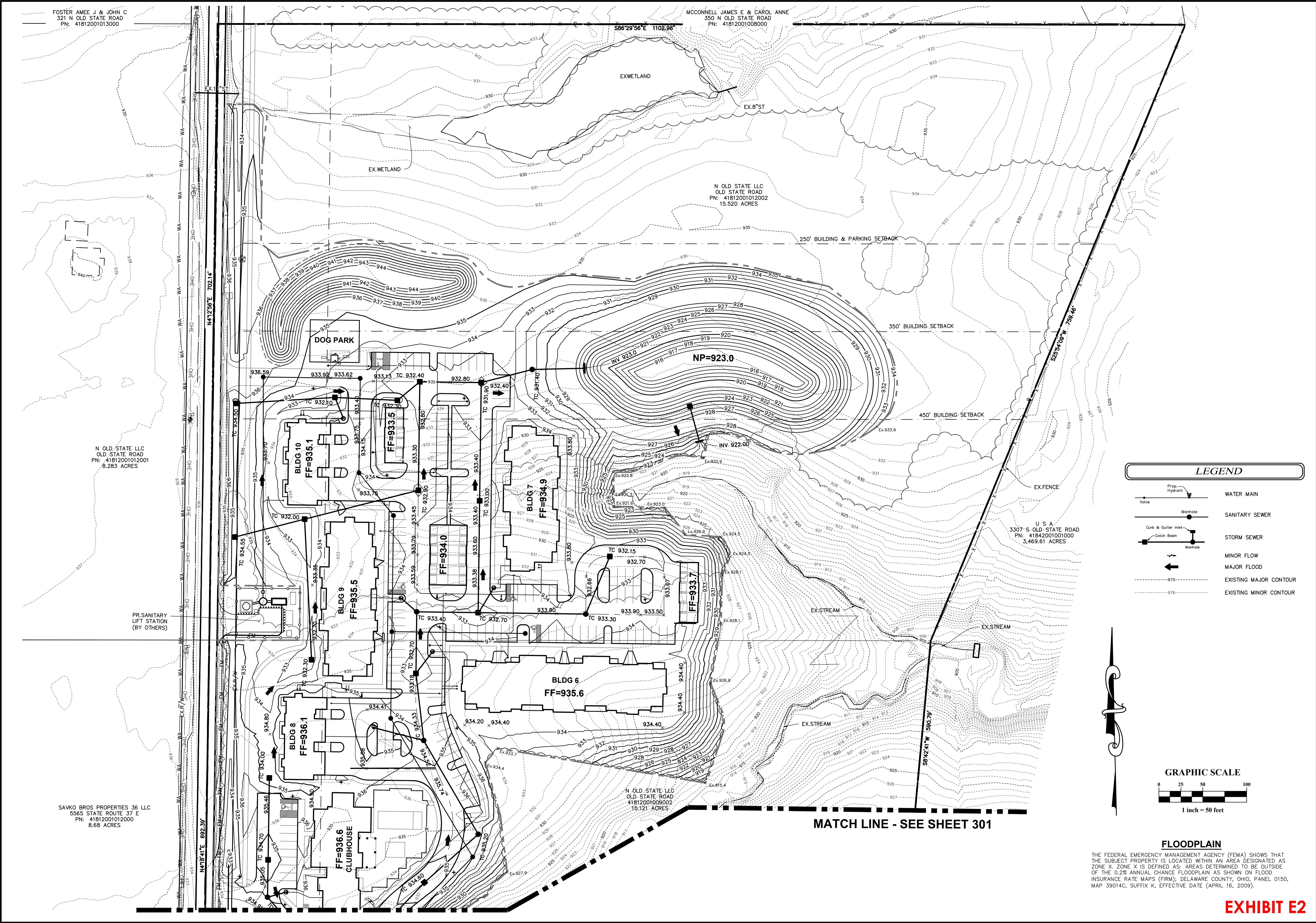
PLAN PREPARED FOR:

PLAN PREPARED FOR:

ADVANCED  
CIVIL DESIGN  
ENGINEERS & SURVEYORS  
781 Science Boulevard, Suite 100  
Gahanna, Ohio 43230  
ph 614.428.7750  
fax 614.428.7755



Z:\20-0001-1150\DWG\PRODUCTION DRAWINGS\PRE DEVELOPMENT PLAN\PDF - Grading Plan.dwg 1 Grading Plan North May 12, 2023 - 3:20:30pm jguganbiller



PLAN PREPARED BY:  
DC BUILDING COMPANY, LLC  
485 METRO PLACE S, SUITE 350  
DUBLIN, OH 43017

BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
DEVELOPMENT PLAN  
FOR  
THE ELYSIAN AT ALUM CREEK  
PRELIMINARY GRADING PLAN

Issue Dates:

Date:	05/15/2023
Scale:	1" = 50'
Drawn By:	JPG
Checked By:	DDD
Project Number:	20-0001-1150
Drawing Number:	C300

ADVANCED  
CIVIL DESIGN  
ENGINEERS & SURVEYORS  
781 Science Boulevard, Suite 100  
Gahanna, Ohio 43230  
ph 614.428.7750  
fax 614.428.7755

EXHIBIT E2







# Delaware County Engineer

Chris Bauserman, P.E., P.S.

April 18<sup>th</sup>, 2023

Jacob Bon  
Zoning Inspector  
Berlin Township  
3271 Cheshire Road  
Delaware Ohio 43015

**Re: North Old State Apartments**

Dear Jacob:

The Delaware County Engineer's Office (DCEO) has reviewed the proposed conceptual layout submitted to our office April 5<sup>th</sup>, 2023 for the North Old State Apartments. Storm water management will be required to conform to current Delaware County Standards and is expected to be analyzed in more detail during the final engineering phase.

We recommend the following modifications to the site plan be incorporated prior to final zoning approval.

- 1) Provide sight distance exhibit in Final Engineering.
- 2) A traffic study was submitted and approved July 2022.
- 3) Verify that there are adequate drainage outlets that exist for the site.
- 4) Drainage maintenance will be determined in Final Engineering
- 5) Variances will be determined in Final Engineering
- 6) Erosion and sedimentation control (DESC) requirements will be required.

Please note that the reviewed plans are preliminary in nature and, therefore, only address the conceptual layout. Final engineering plans will need to be submitted that comply with the current edition of the Delaware County Engineer's Design, Construction and Surveying Standards Manual.

Thank you for the opportunity to comment on this proposal. Subject to the Township's approval, we will review the detailed engineering plans for this site.

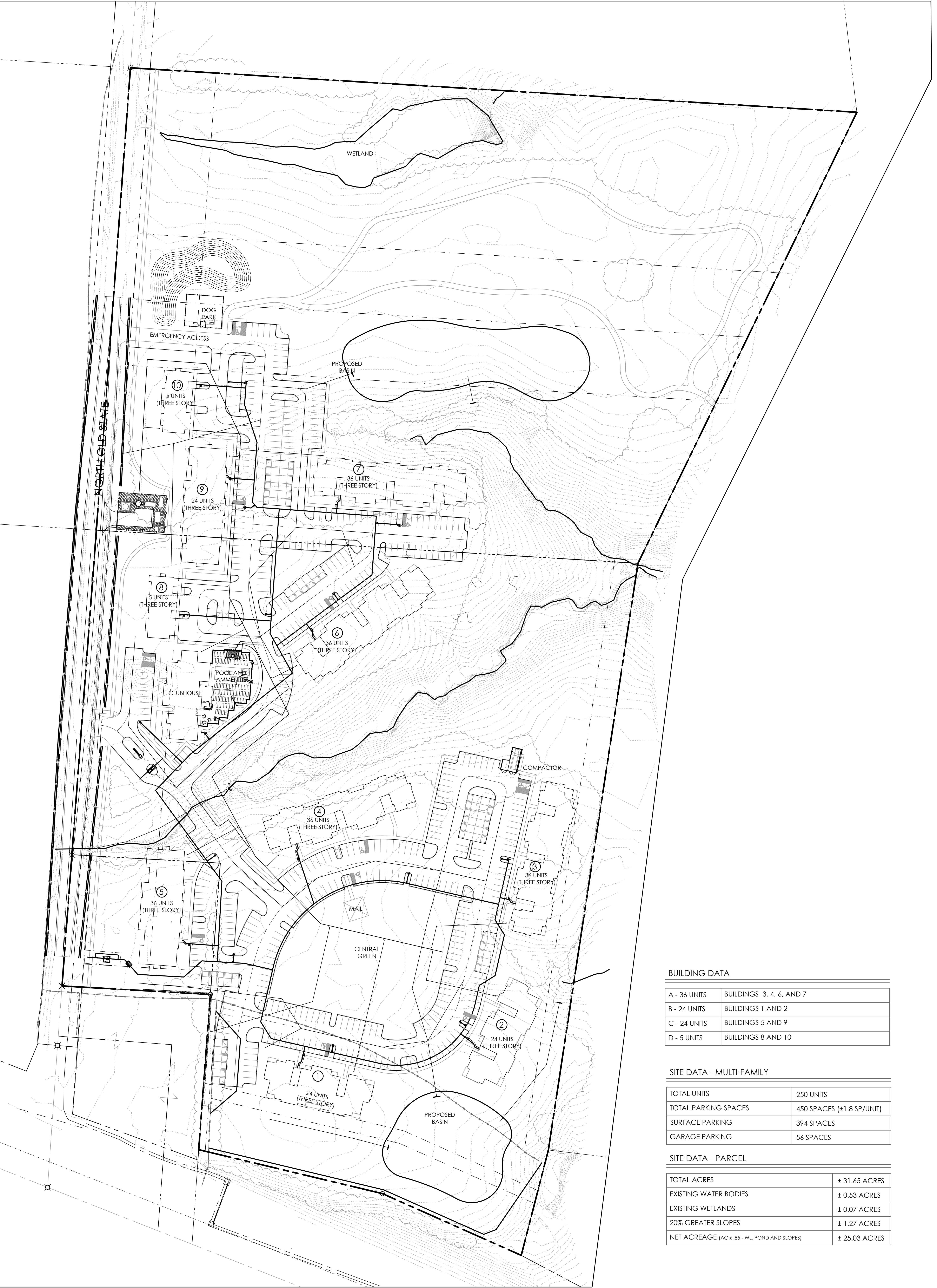
Sincerely,

Michael A. Love, P.E., PTOE  
Deputy Development Engineer

cc: Scott Sanders AICP, DCRPC  
Jeffrey Guggenbiller PE, Advanced Civil Design

**EXHIBIT E3**





BUILDING DATA	
A - 36 UNITS	BUILDINGS 3, 4, 6, AND 7
B - 24 UNITS	BUILDINGS 1 AND 2
C - 24 UNITS	BUILDINGS 5 AND 9
D - 5 UNITS	BUILDINGS 8 AND 10

SITE DATA - MULTI-FAMILY	
TOTAL UNITS	250 UNITS
TOTAL PARKING SPACES	450 SPACES (±1.8 SP/UNIT)
SURFACE PARKING	394 SPACES
GARAGE PARKING	56 SPACES

SITE DATA - PARCEL	
TOTAL ACRES	± 31.65 ACRES
EXISTING WATER BODIES	± 0.53 ACRES
EXISTING WETLANDS	± 0.07 ACRES
20% GREATER SLOPES	± 1.27 ACRES
NET ACREAGE (AC x .85 - WL, POND AND SLOPES)	± 25.03 ACRES

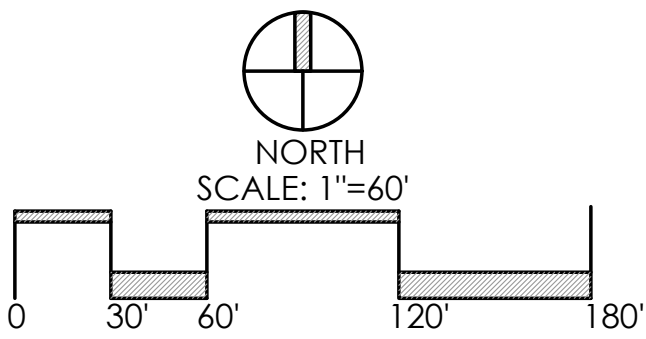
DEVELOPMENT PLAN

EXHIBIT C-1

US 36/37 AND N. OLD STATE

PREPARED FOR ADVANCED CIVIL DESIGN

DATE: 4.4.23



Faris Planning & Design

LAND PLANNING LANDSCAPE ARCHITECTURE  
4876 Cemetery Hilliard, OH 43026  
p (614) 487-1964 www.farisplanninganddesign.com



# Delaware County

## Regional Sewer District

Director/Sanitary Engineer  
Tiffany M. Maag, P.E.

May 12, 2023

DC Building Company, LLC  
Attn: David Ruma  
485 Metro Place S. Suite 350  
Dublin, OH 43017

sent via email: [jguggenbiller@advancedcivildesign.com](mailto:jguggenbiller@advancedcivildesign.com)

Re: **Request for Sewer Capacity**  
N Old State, Berlin Township  
Parcels: 41812001012002, 41812001009002 & 41812001011000

Dear Mr. Guggenbiller:

The Delaware County Regional Sewer District (the "County") has considered your request for approval to discharge sanitary sewage into the Delaware County Sanitary Sewer System from the above referenced location, representing a maximum 250 Equivalent Residential Unit(s) (ERU).

Capacity is available to serve the proposed development. The nearest sanitary sewer is on the east side of Africa Road, south of SR 36/37. Extensions from the existing sewer will be necessary to provide service to the proposed development.

The current assessment of capacity availability is subject to periodic reevaluation by the County and shall not be valid after 18 months from the date of this letter.

If you have any questions, please feel free to contact me.

Sincerely,


Kelly Thiel  
Staff Engineer III  
Delaware County Regional Sewer District

**EXHIBIT E4**

cc: Correspondence File





A Touchstone Energy<sup>®</sup>  
Cooperative 

Consolidated. Light up your life.

Date: May 9, 2023

DC Building Company, LLC  
Attn: David Ruma  
485 Metro Place S. Suite 350  
Dublin, OH 43017

RE: Parcels: PID:41812001012002, 41812001009002 & 41812001011000  
Consolidated Cooperative Service Availability for Prospective Project

Mr. Ruma,

**Service Availability**

Consolidated Cooperative provides electric service to the above referenced parcels located within Berlin Township, Delaware County, Ohio.

It has been determined that service is available for 250 residential units on approx. 15.137 acres on the above referenced parcel.

Electric service originates at our Zeigler Substation located on Curve Road, Berlin Township less than 3.25 miles from the site. There is three-phase service at the adjoining road.

**Charges/fees related to service connections**

Your fees will depend on the type of service you are requesting; will you be primary metering the project or individually metering each unit?

**Application Requirements**

The easiest method of application is to call Heidi Knouff, Senior Service Specialist at 419.949.2922 or [hknouff@consolidated.coop](mailto:hknouff@consolidated.coop). Heidi will be able to get you signed up for the proper service.

**Timelines to Design**

Our design time is short, and we can meet your timeline for service to the site.

If you have further questions or concerns, please contact Dan Boysel at [dboysel@consolidated.coop](mailto:dboysel@consolidated.coop) or 740.815.2453 or Brad Ebersole at [bebersole@consolidated.coop](mailto:bebersole@consolidated.coop), cell 419-768-1557.

With Best Regards,

A handwritten signature in black ink that reads 'Dan Boysel'.

Dan Boysel  
VP Community and Government Relations

**EXHIBIT E5**

Electric | Fiber | Gas

[consolidated.coop](http://consolidated.coop) | Toll Free 800-421-5863

**Mount Gilead Office** PO Box 111, 5255 State Route 95 | Mount Gilead, Ohio 43338 | 419-947-3055

**Delaware Office** 4993 State Route 521 | Delaware, Ohio 43015 | 740-363-2641

# SUBURBAN NATURAL GAS COMPANY

ESTABLISHED 1882

211 FRONT STREET, P.O. BOX 130  
CYGNET, OHIO 43413-0130

(419) 655-2345

FAX: (419) 655-2274

2626 LEWIS CENTER ROAD  
LEWIS CENTER, OHIO 43035-9206

(740) 548-2450

FAX: (740) 549-4939

May 10, 2023

Jeffrey P. Guggenbiller, P.E.  
Advanced Civil Design, Inc  
781 Science Boulevard, Suite 100  
Gahanna, OH 43230  
VIA EMAIL: [jguggenbiller@advancedcivildesign.com](mailto:jguggenbiller@advancedcivildesign.com)

RE: North Old State Development

Dear Jeff,

Suburban Natural Gas Company would be happy to supply a letter of serviceability for the site on North Old State Road. We would need, in writing, a commitment that states the entire project will use natural gas.

We look forward to working on this project with your developer. If you have any questions, feel free to contact me directly.

Cordially,



Aaron Roll  
Vice President  
System Development

AR/hc

cc: D. Joseph Pemberton

**EXHIBIT E5**



P.O. Box 2553  
Columbus, Ohio 43216  
Tel. (614) 481-5263  
Fax (614) 255-6428



May 11, 2023

DC Building Company, LLC  
Attn: Terry Andrews  
485 Metro Place S. Suite 350  
Dublin, OH 43017

RE: North Old State MDU, three (3) parcels (PID: 41812001012002, 41812001009002 & 41812001011000) located in Berlin Township, Delaware County, OH

Dear Mr. Andrews:

This letter is to confirm that Charter Communications has the capacity and ability to provide advanced cable, high speed internet and digital phone services to the proposed North Old State MDU, three (3) parcels (PID: 41812001012002, 41812001009002 & 41812001011000) located in Berlin Township, Delaware County, OH project.

If you have any questions give me a call at 614-481-5263 and I will be happy to discuss this project with you.

Thank You!

A handwritten signature in black ink, appearing to read "Kevin D. Rich", written in a cursive style.

Kevin D. Rich  
Construction Manager  
kevin.rich1@charter.com

**EXHIBIT E5**

*Officers*

**DAVID A. BENDER**  
*President*  
**BRIAN P. COGHLAN**  
*Vice President*  
**ROBERT W. JENKINS**  
*Secretary*  
**G. MICHAEL DICKEY**  
*Treasurer*  
**GLENN MARZLUF**  
*General Manager/CEO*  
**SHANE CLARK**  
*Deputy General Manager*



6658 OLENTANGY RIVER ROAD

DELAWARE, OHIO 43015

[www.delcowater.org](http://www.delcowater.org)

Phone (740) 548-7746 • (800) 521-6779

*Directors*

**BRUCE A. BLACKSTON**  
  
**DOUGLAS D. DAWSON**  
  
**PAMALA L. HAWK**  
  
**TIMOTHY D. MCNAMARA**  
  
**PERRY K. TUDOR**

May 12, 2022

Thomas M. Warner  
Advanced Civil Design, Inc.  
721 Science Boulevard, Suite 100  
Gahanna, Ohio 43230

Via Email: [tmann@advancedcivildesign.com](mailto:tmann@advancedcivildesign.com)

RE: Water Availability – 36/37 & N. Old State Road

Dear Mr. Warner:

Please know that Del-Co Water can provide water service to the site described below upon plan approval and payment of the required fees:

Development: 36/37 & N. Old State Road  
Proposed Land Use: ±250 Multi-family homes  
Location: Northeast corner of US 36 and N. Old State Road  
Land Size: ±31.65 acres

This site can be served from an existing 6-inch waterline located on N. Old State Road.

Please be aware that due to system restraints, fire flow is not available to this site.

This letter of water availability is valid for a period of one year from the date of this letter. Del-Co makes no guarantee of water availability beyond this period. Contact our Engineering Department if you have any questions on the plan review process, or our Customer Service Department for information on tap fees.

Sincerely,  
DEL-CO WATER COMPANY, INC.

Shane F. Clark, P.E.  
Deputy General Manager

**EXHIBIT E5**





**Berlin Township Fire Department**  
**Fire Prevention Bureau**  
2708 Lackey Old State Road  
Delaware, Ohio 43015  
(740) 548-6031

**Fire Chief AJ Miller**  
**Lt. Craig A. Hall, Fire Prevention**

---

April 18, 2023

DC Building Company, LLC  
Attn: David Ruma  
485 Metro Place S. Suite 350  
Dublin, Oh. 43017

I am writing in response to your request regarding the proposed land use development known as PID 41812001012002, 41812001009002 & 4181200101100. This Section of land is located in Berlin Township and Berlin Township Fire Department does provide fire protection for this area.

We appreciate the opportunity to work with you in the future and thank you for your interest in Berlin Township. If we can be of any further assistance please do not hesitate to call or visit our 2708 Lackey Old State location.

Respectfully,

Lt. Craig A. Hall, CFSI

**EXHIBIT E6**

The Elysian at Alum Creek

North Old State Road, Delaware, OH

The Elysian at Alum Creek - 2021-015

5/12/2023

BUILDING BREAKDOWN											
					Residential	Circulation &			Total Net	Total	
Building Type	Proposed Quantity	Building No.	Total Apartment Units/ Bldg	Total Beds Bldg	Net Leasable Area (1)	Utility Area/ Bldg. (2)	Total Apartment Units on Site	Total Beds on Site	Leasable Area per Building Type (1)	Circulation & Utility Area per Building Type (2)	Total Gross Area/ Site
Clubhouse	1										6,400
Building A	4	3, 4, 6, 7	36	54	32,994	3,358	144	216	131,976	13,432	145,408
Building B	2	1, 2	24	42	23,340	2,109	48	84	46,680	4,218	50,898
Building C	2	5, 9	24	48	25,098	3,069	48	96	50,196	6,138	56,334
Building D	2	8, 10	5	15	7,690	1,452	10	30	15,380	2,904	18,284
SubTotals:	11		89	159	89,122	9,988	250	426	244,232	26,692	277,324

(1) Residential Net Area measured to outside face of conditioned apartment space only  
(2) Includes breezeways, utility closets, and attached garage space

BUILDING BREAKDOWN												
Building Type A												
Bedroom Type	Unit Type				Unit Area Sq. Ft.	No. of Units/Bldg.	No. of Beds/Bldg.	Total Unit Area	1st Floor	2nd Floor	3rd Floor	
1 Bedroom	G1-B				800	6	6	4,800	2	2	2	
	G1-C				800	12	12	9,600	4	4	4	
TOTAL 1 BEDROOM GARDEN						18	18	14,400	6	6	6	
2 Bedroom	G2-B				1,035	6	12	6,210	2	2	2	
	G2-C				1,032	12	24	12,384	4	4	4	
TOTAL 2 BEDROOM GARDEN						18	36	18,594	6	6	6	
UNIT TOTALS						36	54	32,994	12	12	12	
Average Unit Area =								917				

Building Type B												
Bedroom Type		Unit Type			Unit Area Sq. Ft.	No. of Units/Bldg.	No. of Beds/Bldg.	Total Unit Area	1st Floor	2nd Floor	3rd Floor	
1 Bedroom					800	6	6	4,800	2	2	2	
G1-C												
TOTAL 1 BEDROOM GARDEN						6	6	4,800	2	2	2	
2 Bedroom												
G2-B1					1,026	6	12	6,156	2	2	2	
G2-C					1,032	12	24	12,384	4	4	4	
TOTAL 2 BEDROOM GARDEN						18	36	18,540	6	6	6	
UNIT TOTALS						24	42	23,340	8	8	8	
Average Unit Area =								973				

Building Type C												
Bedroom Type		Unit Type			Unit Area Sq. Ft.	No. of Units/Bldg.	No. of Beds/Bldg.	Total Unit Area	1st Floor	2nd Floor	3rd Floor	
2 Bedroom												
	G2-B1				1,026	6	12	6,156	2	2	2	
	G2-C				1,032	12	24	12,384	4	4	4	
	G2-D				1,093	6	12	6,558	2	2	2	
TOTAL 2 BEDROOM GARDEN						24	48	25,098	8	8	8	
UNIT TOTALS						24	48	25,098	8	8	8	
Average Unit Area =								1,046				

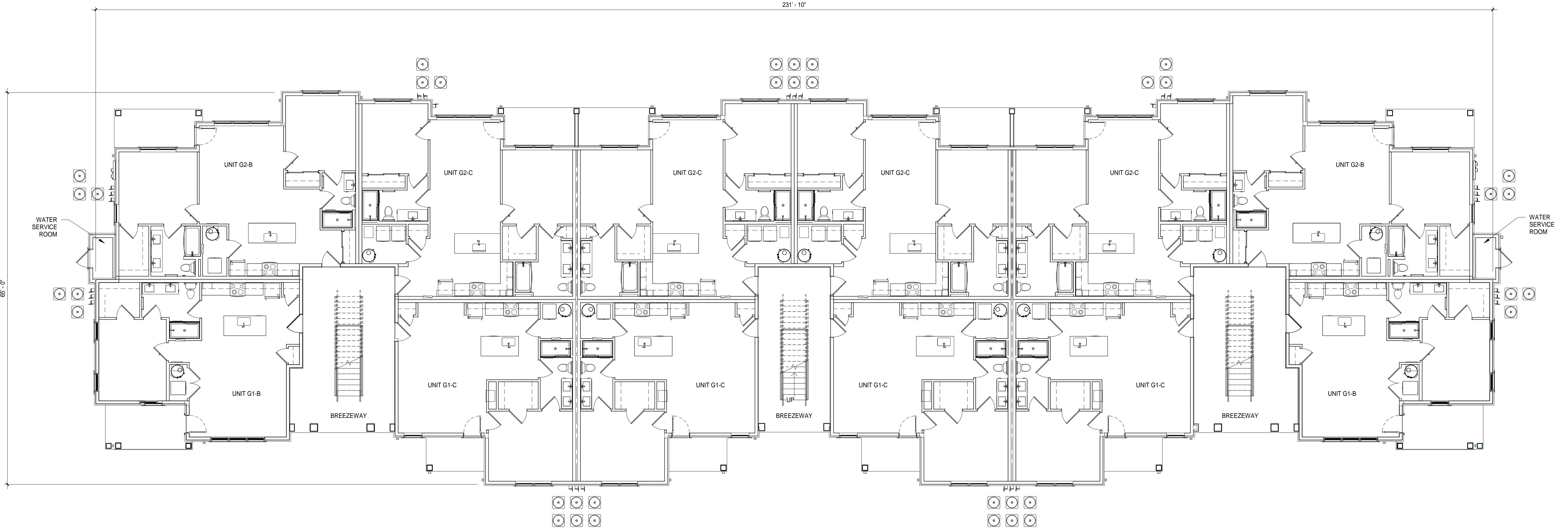
Building Type D											
Bedroom Type		Unit Type			Unit Area Sq. Ft.	No. of Units/Bldg.	No. of Beds/Bldg.	Total Unit Area	1st Floor		
3 Bedroom		T3-B			1,538	4	12	6,152	4		
		T3-B1			1,538	1	3	1,538	1		
TOTAL 3 BEDROOM TOWNHOUSE						5	15	7,690	5		
UNIT TOTALS						5	15	7,690	5		
Average Unit Area =								1,538			

APARTMENT UNIT BREAKDOWN							
Bedroom Type	Unit Type		Unit Area		Units/ Site	Percent	Total Unit Area
1 Bedroom	*G1-A		800		0	0.00%	0
	G1-B		800		24	9.60%	19,200
	G1-C		800		60	24.00%	48,000
2 Bedroom	*G2-A		1,032		0	0.00%	0
	G2-B		1,035		24	9.60%	24,840
	G2-B1		1,026		24	9.60%	24,624
	G2-C		1,032		96	38.40%	99,072
	G2-D		1,093		12	4.80%	13,116
3 Bedroom	T3-B		1,538		8	3.20%	12,304
	T3-B1		1,538		2	0.80%	3,076
					250	100%	244,232

*Accessible Units (2% of total units Type A units Required)	
Type A units Provided	
G1-A	2
G2-A	3
	5



The Elysian at Alum Creek  
North Old State Road, Delaware, OH

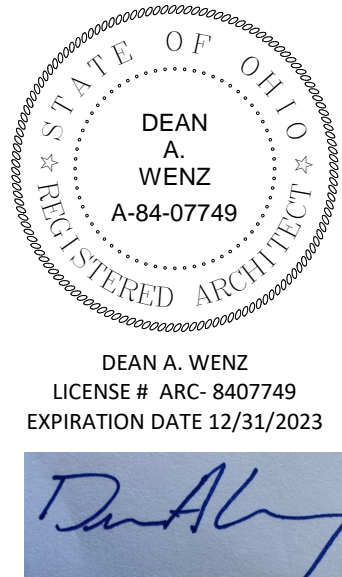


1 Typical Floor Plan  
1/8" = 1'-0"

Building Type A - 36 Units

- (18) - 1 Bedroom Units
- (18) - 2 Bedroom Units

DEAN A. WENZ  
ARCHITECTS





The Elysian at Alum Creek  
North Old State Road, Delaware, OH



DEAN A. WENZ

A R C H I T E C T S

2463 East Main Street

Bexley, Ohio 43209

Phone (614) 239-6868

[www.wenz-architects.com](http://www.wenz-architects.com)



The Elysian at Alum Creek

North Old State Road, Delaware, OH



① SD - West  
1/8" = 1'-0"



② SD - East  
1/8" = 1'-0"

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# The Elysian at Alum Creek

## North Old State Road, Delaware, OH



① Front Perspective

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The Elysian at Alum Creek  
North Old State Road, Delaware, OH



① Rear Perspective

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2463 East Main Street

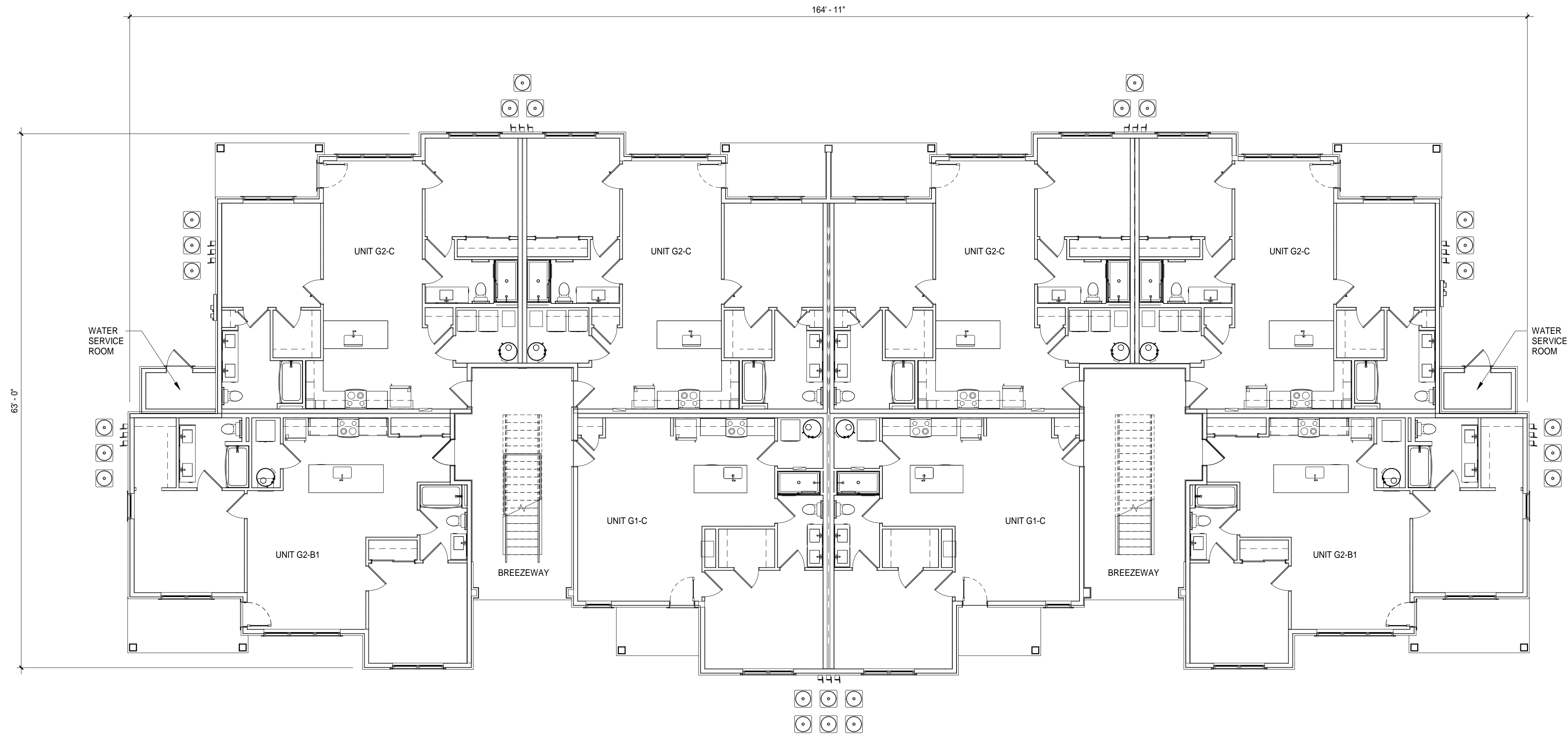
Bexley, Ohio 43209

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The Elysian at Alum Creek  
North Old State Road, Delaware, OH



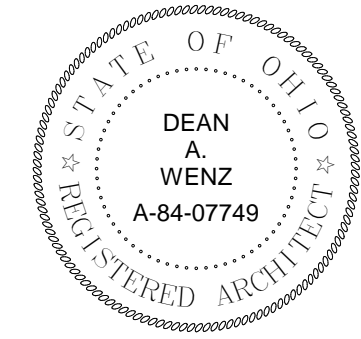
1 Typical Floor Plan  
1/8" = 1'-0"

Building Type B - 24 Units

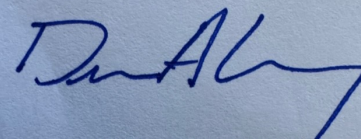
- (6) - 1 Bedroom Units
- (18) - 2 Bedroom Units

DEAN A. WENZ  
ARCHITECTS

2463 East Main Street    Bexley, Ohio 43209    Phone (614) 239-6868    www.wenz-architects.com



DEAN A. WENZ  
LICENSE # ARC-8407749  
EXPIRATION DATE 12/31/2023





The Elysian at Alum Creek  
North Old State Road, Delaware, OH



① North  
1/8" = 1'-0"



③ East  
1/8" = 1'-0"



② South  
1/8" = 1'-0"



④ West  
1/8" = 1'-0"

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The Elysian at Alum Creek  
North Old State Road, Delaware, OH



① Front Perspective

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Phone (614) 239-6868

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The Elysian at Alum Creek  
North Old State Road, Delaware, OH



① Rear Perspective

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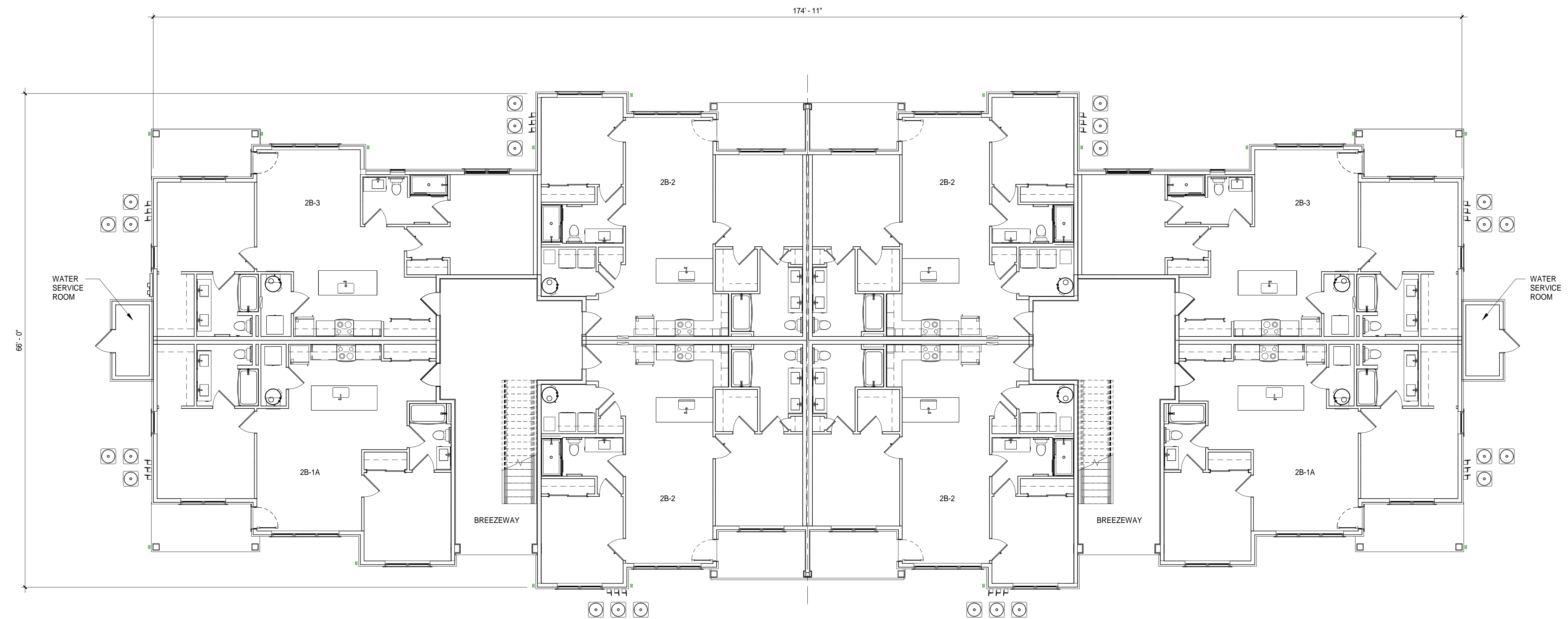
Bexley, Ohio 43209

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The Elysian at Alum Creek  
North Old State Road, Delaware, OH



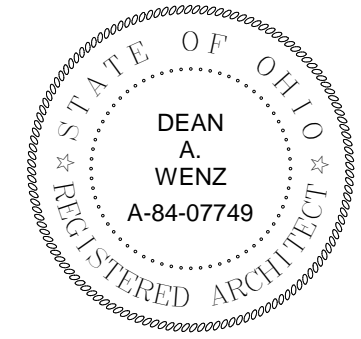
1 Typical Floor Plan  
1/8" = 1'-0"

Building Type C - 24 Units

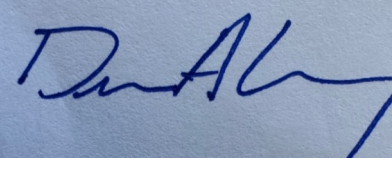
- (6) - 1 Bedroom Units
- (18) - 2 Bedroom Units

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EXPIRATION DATE 12/31/2023





The Elysian at Alum Creek  
North Old State Road, Delaware, OH



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# The Elysian at Alum Creek

## North Old State Road, Delaware, OH



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The Elysian at Alum Creek  
North Old State Road, Delaware, OH



① Front Perspective

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The Elysian at Alum Creek  
North Old State Road, Delaware, OH



① Rear Perspective

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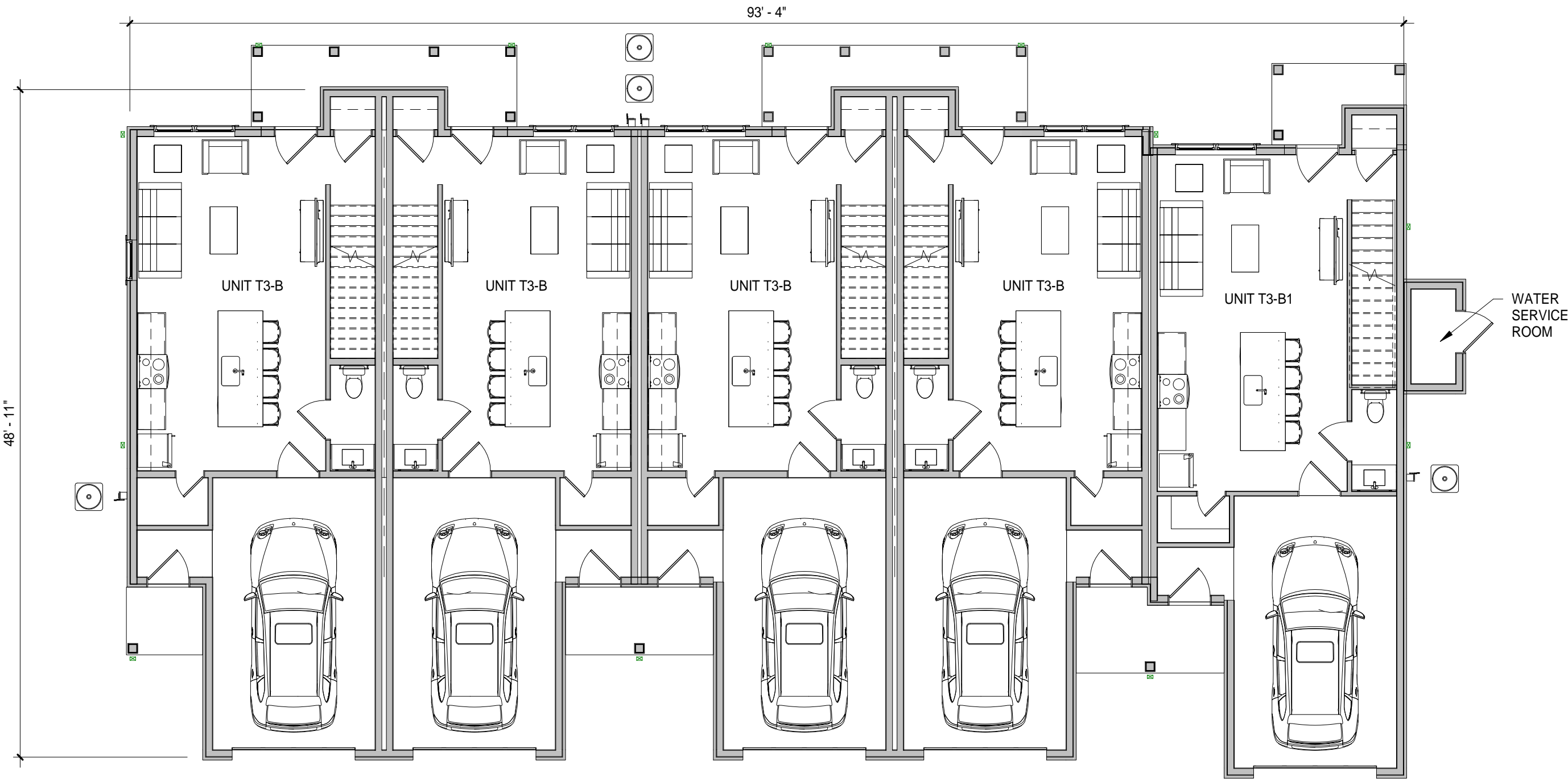
Bexley, Ohio 43209

Phone (614) 239-6868

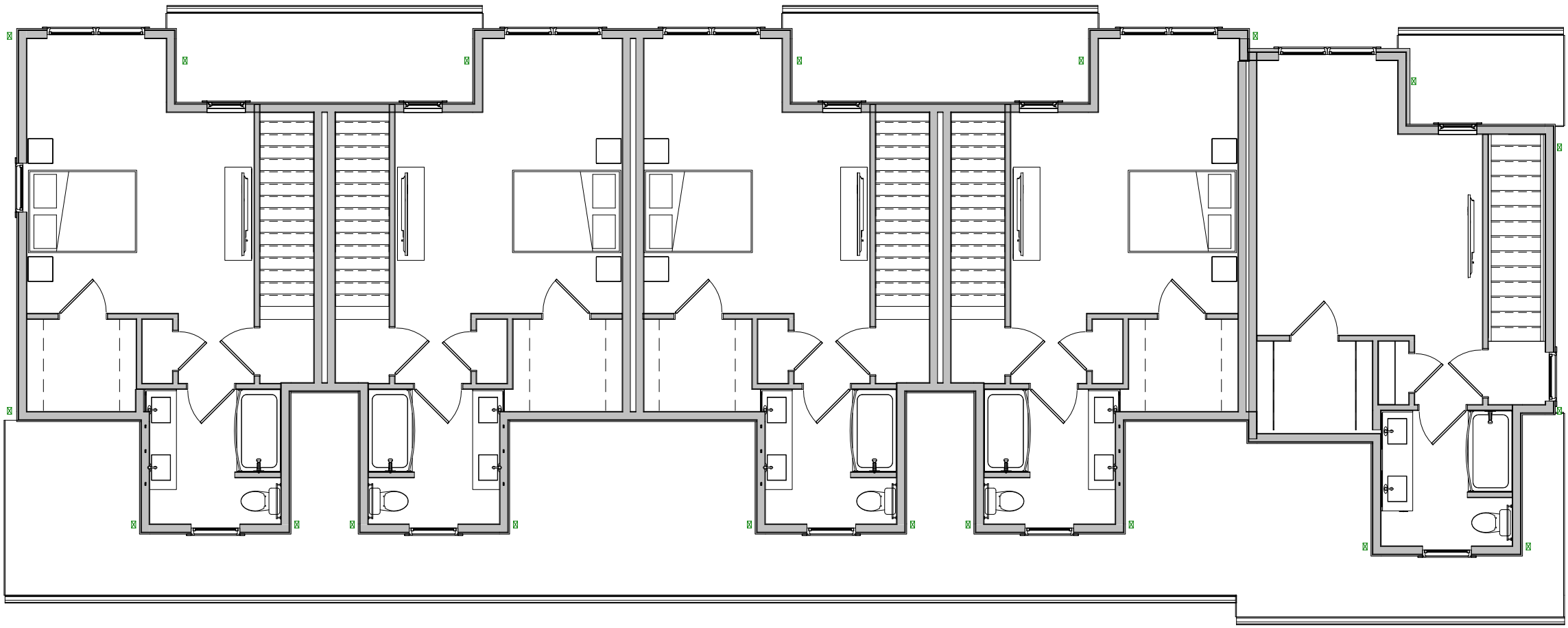
[www.wenz-architects.com](http://www.wenz-architects.com)



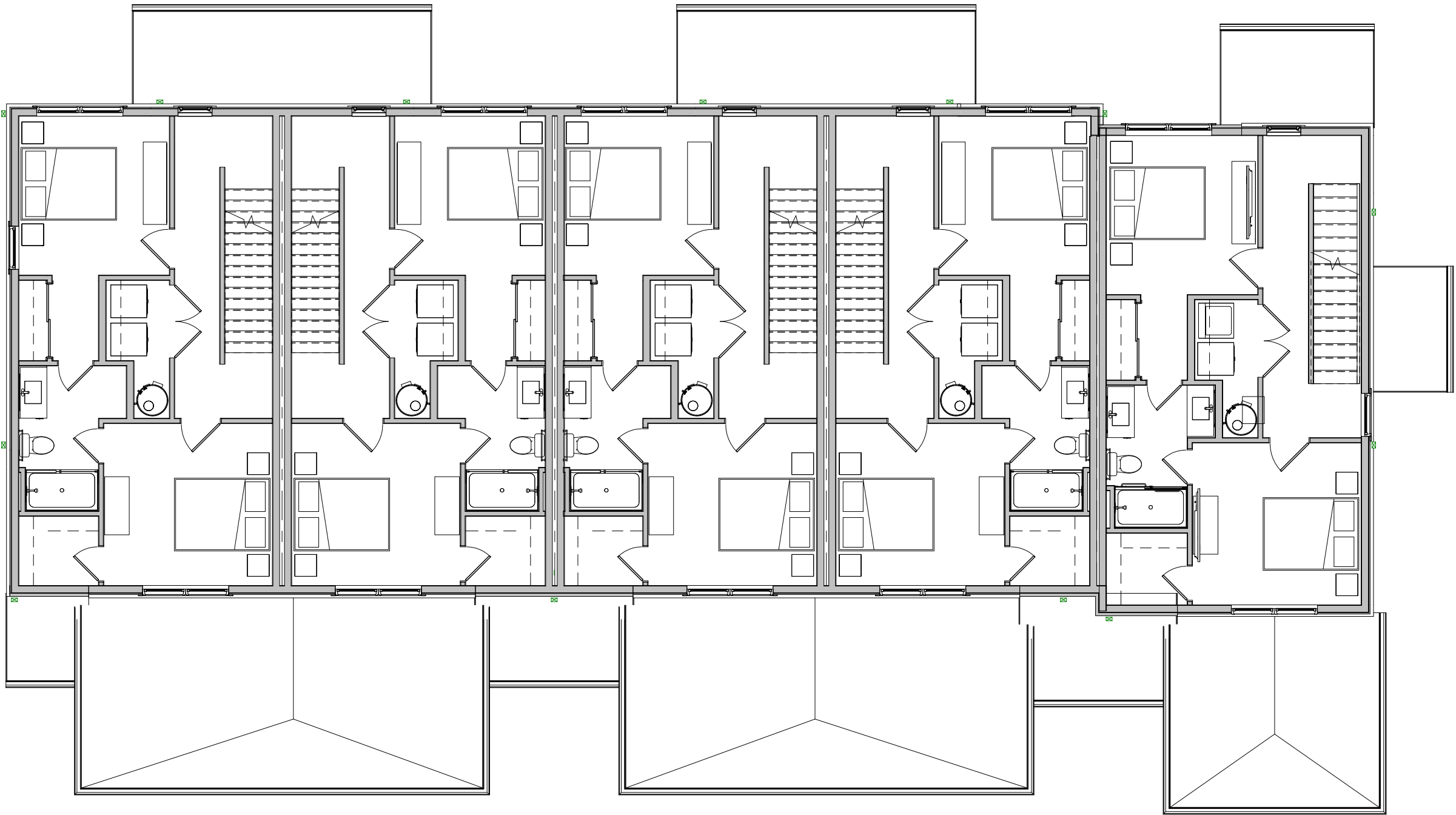
The Elysian at Alum Creek  
North Old State Road, Delaware, OH



① First Floor Plan  
1/8" = 1'-0"

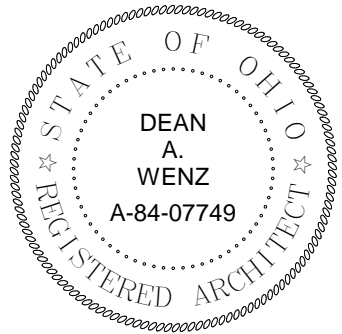


③ Third Floor Plan  
1/8" = 1'-0"



② Second Floor Plan  
1/8" = 1'-0"

Building Type D - 5 Units  
(5) - 3 Bedroom Units



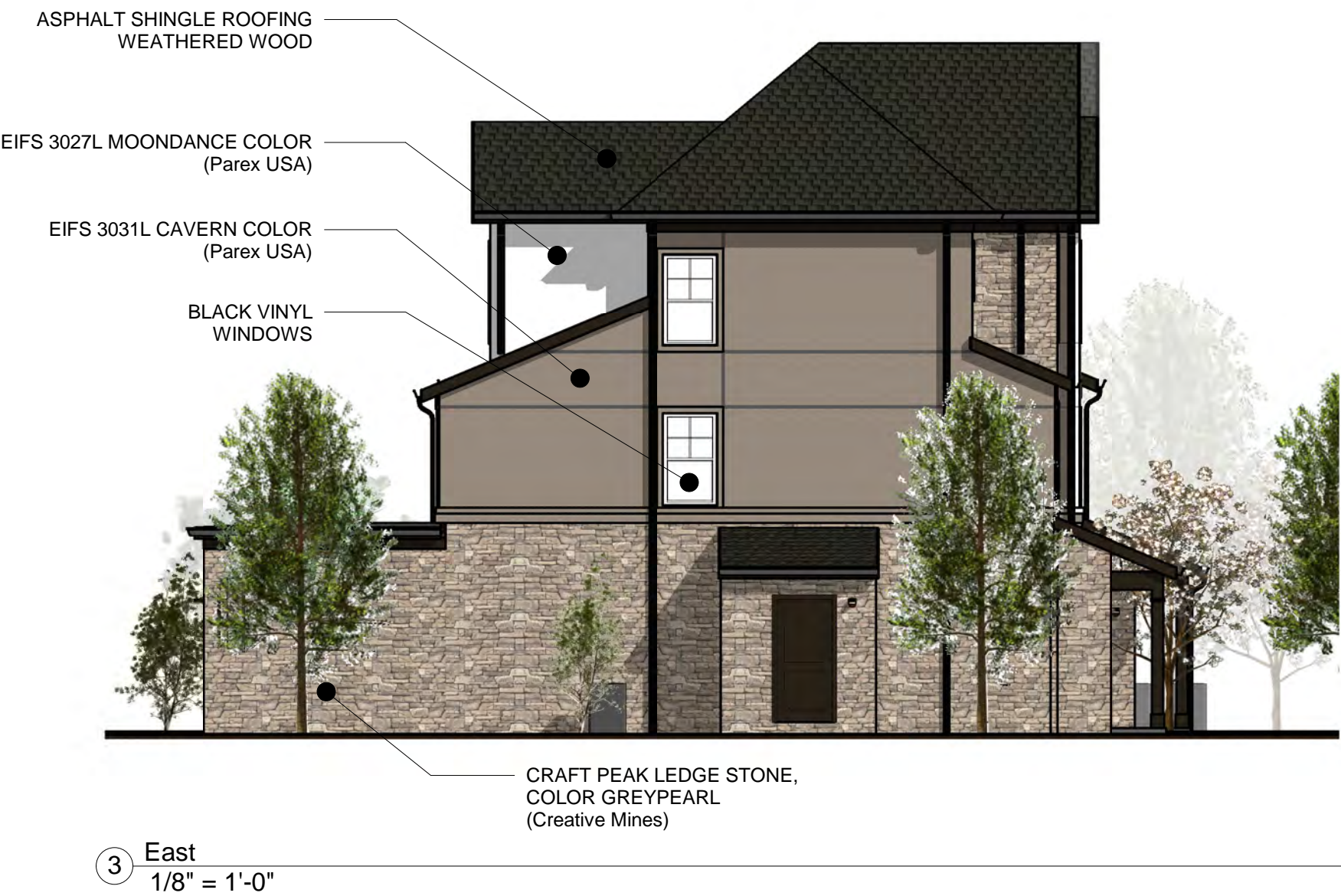
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LICENSE # ARC-8407749  
EXPIRATION DATE 12/31/2023

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The Elysian at Alum Creek

North Old State Road, Delaware, OH



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The Elysian at Alum Creek  
North Old State Road, Delaware, OH



① Front Perspective

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The Elysian at Alum Creek  
North Old State Road, Delaware, OH



① Rear Perspective

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The Elysian at Alum Creek

Unit G1-B Plans



800 SQ FT

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The Elysian at Alum Creek

Unit G1-C Plan



800 SQ. FT.

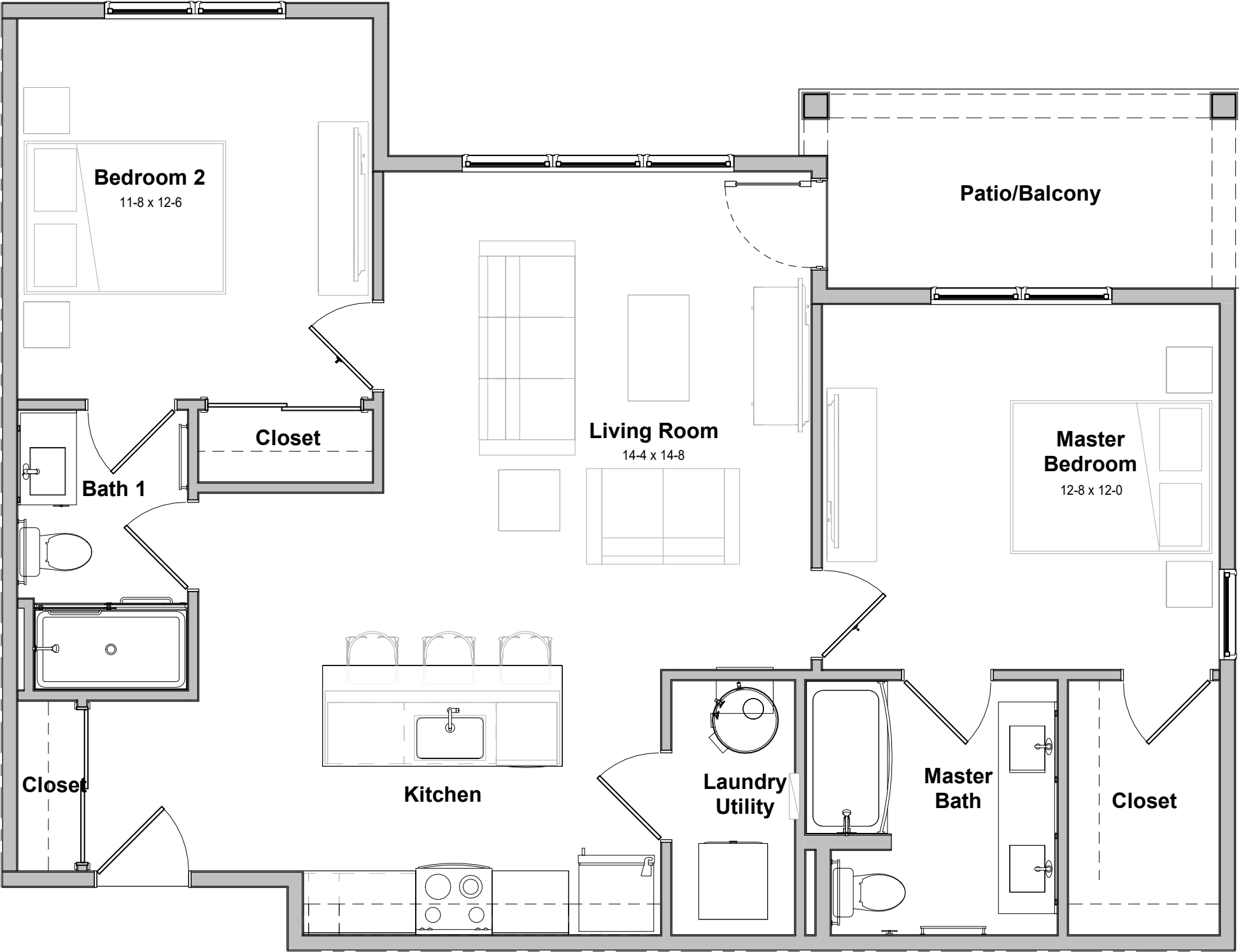
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The Elysian at Alum Creek

Unit G2-B Plan



1,035 SQ. FT.

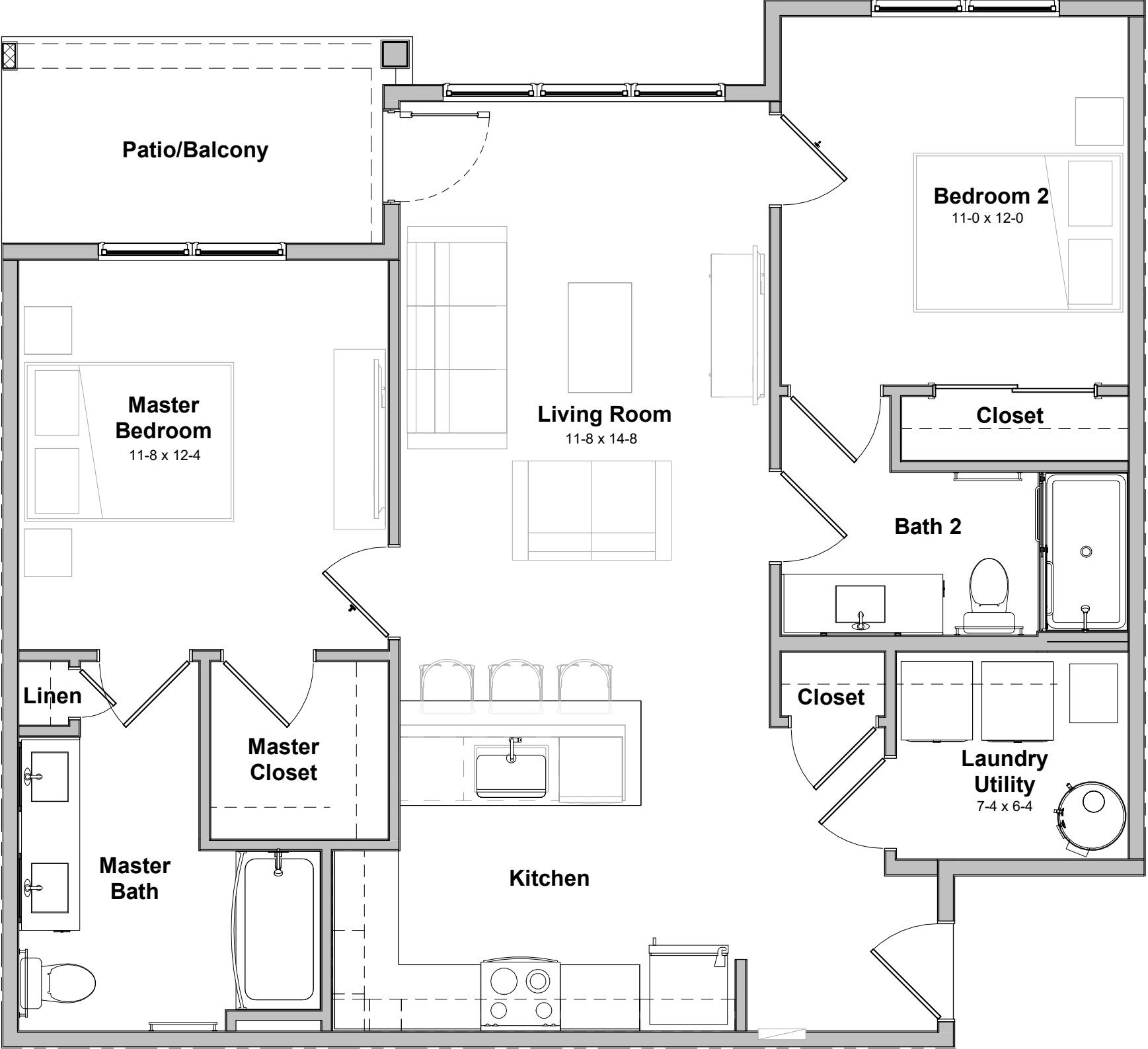
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The Elysian at Alum Creek

Unit G2-C Plan



DEAN A. WENZ

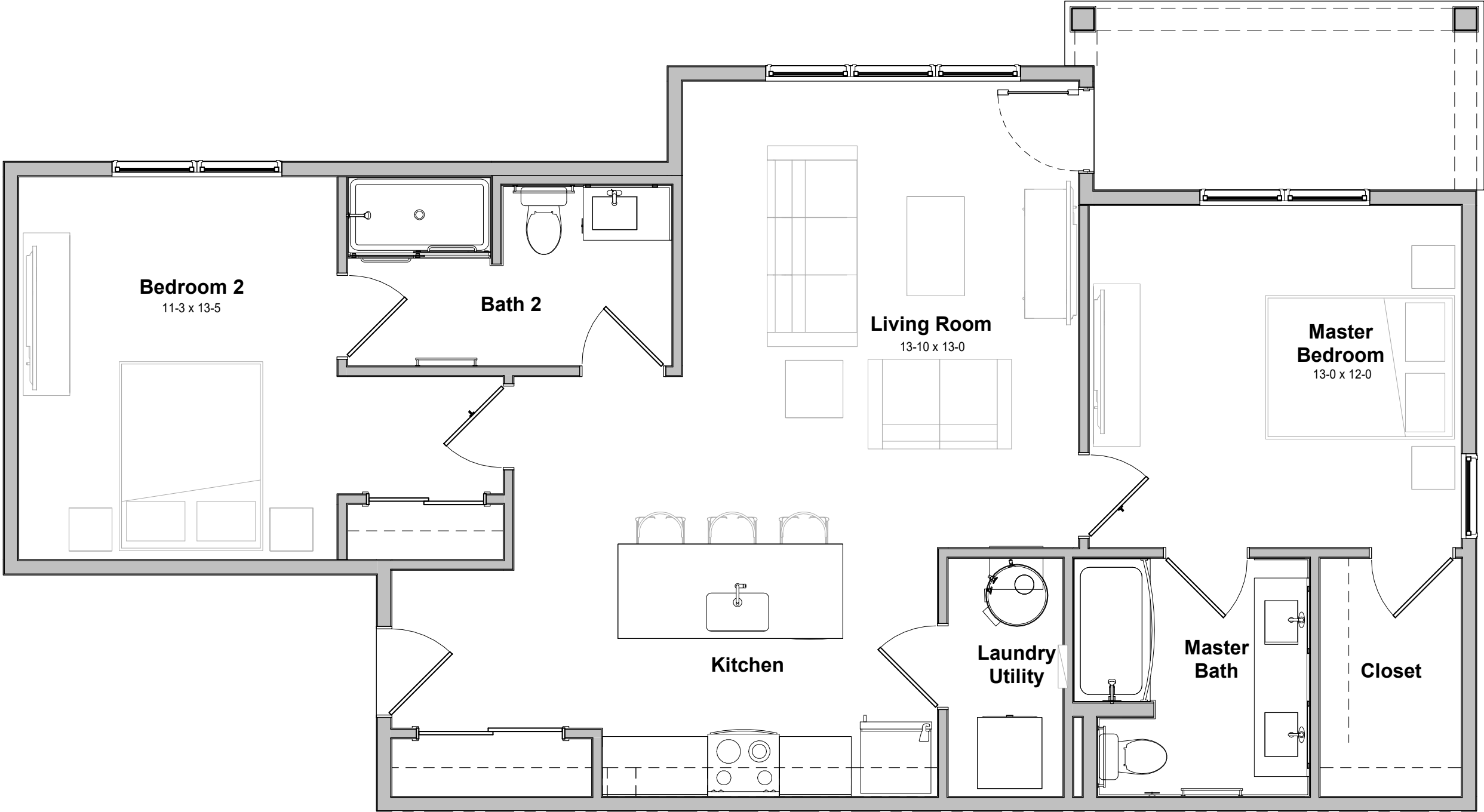
ARCHITECTS

1,032 SQ. FT.



The Elysian at Alum Creek

Unit G2-D Plan



DEAN A. WENZ

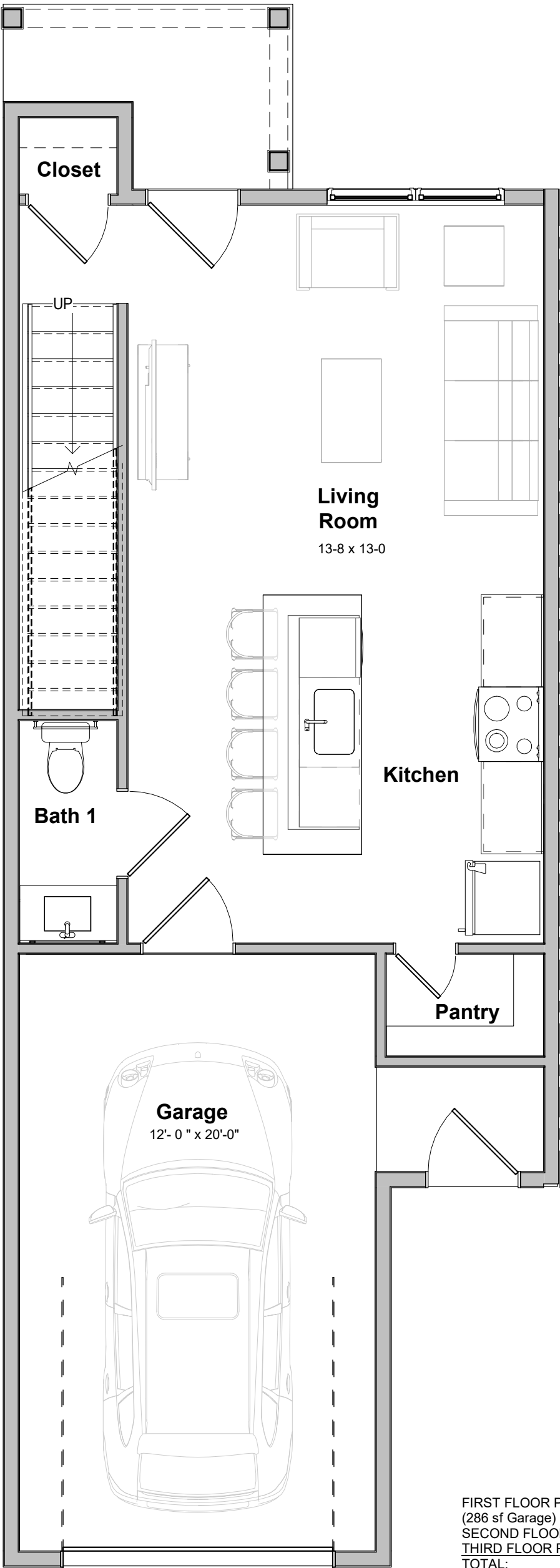
ARCHITECTS

1,093 SQ. FT.



The Elysian at Alum Creek

Unit T3-B1 Plans

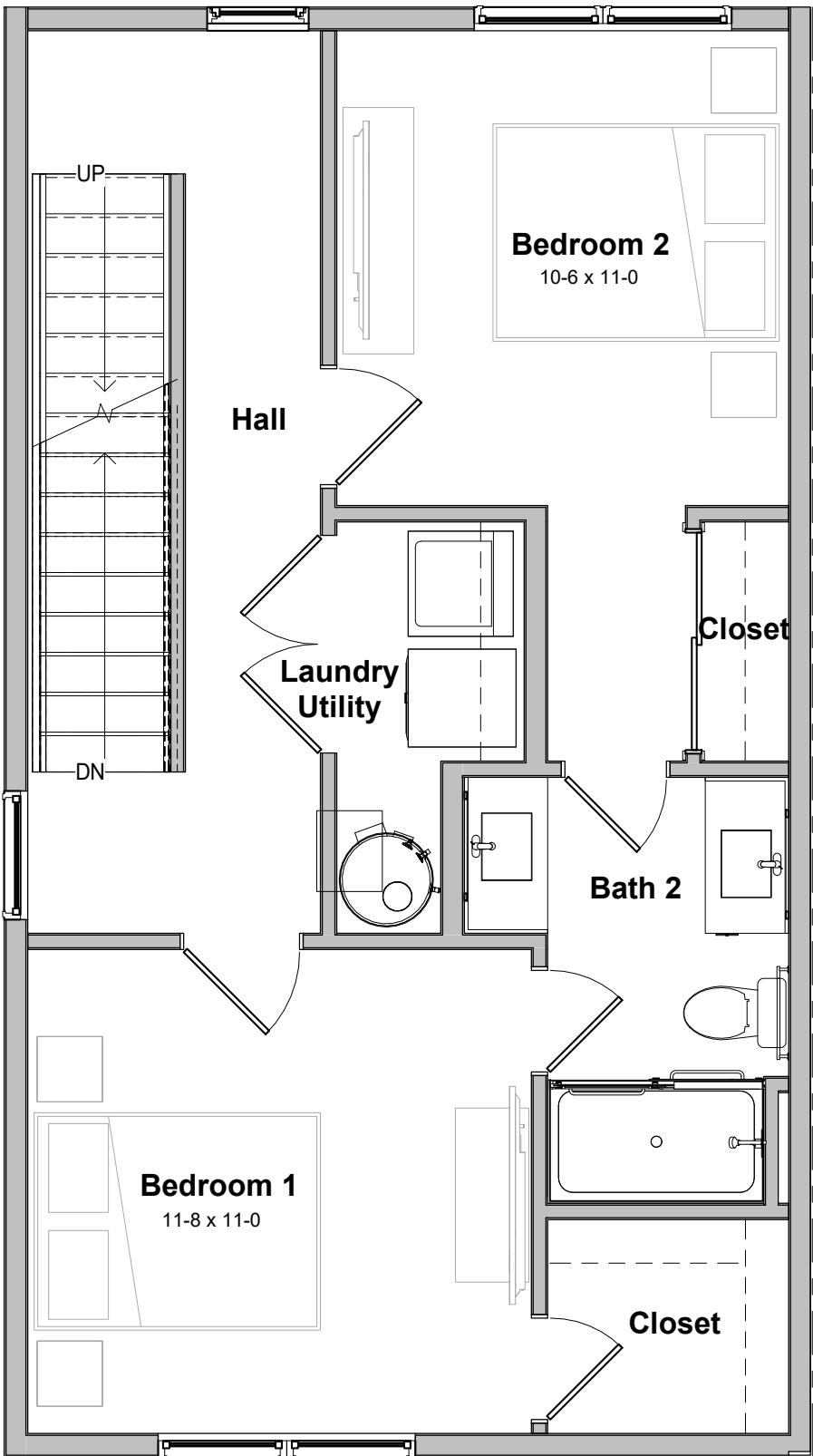


FIRST FLOOR PLAN	511 sf
(286 sf Garage)	
SECOND FLOOR PLAN	619 sf
THIRD FLOOR PLAN	408 sf
TOTAL:	1,538 sf



The Elysian at Alum Creek

Unit T3-B1 Plans

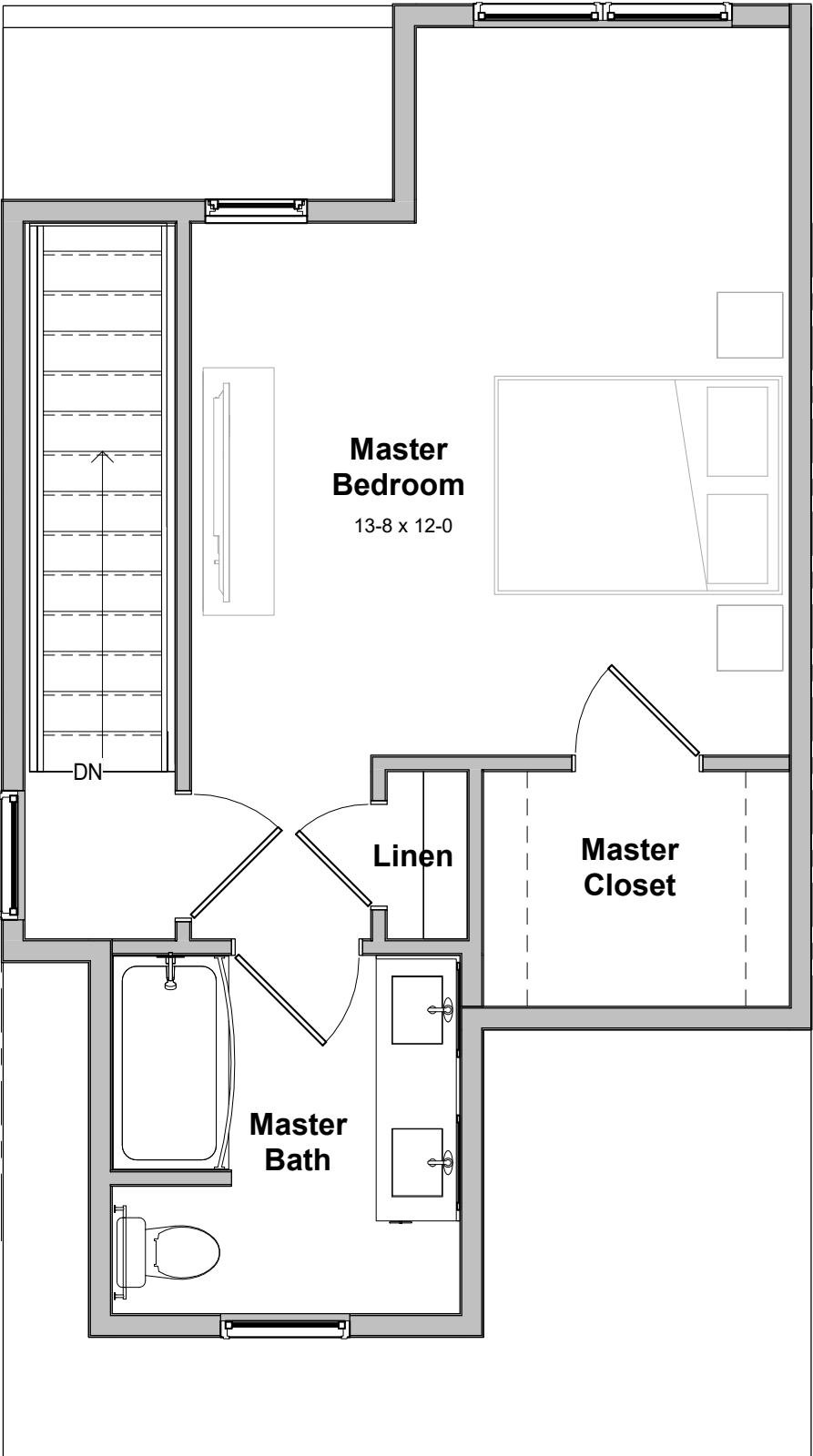


SECOND FLOOR PLAN 619 sf



The Elysian at Alum Creek

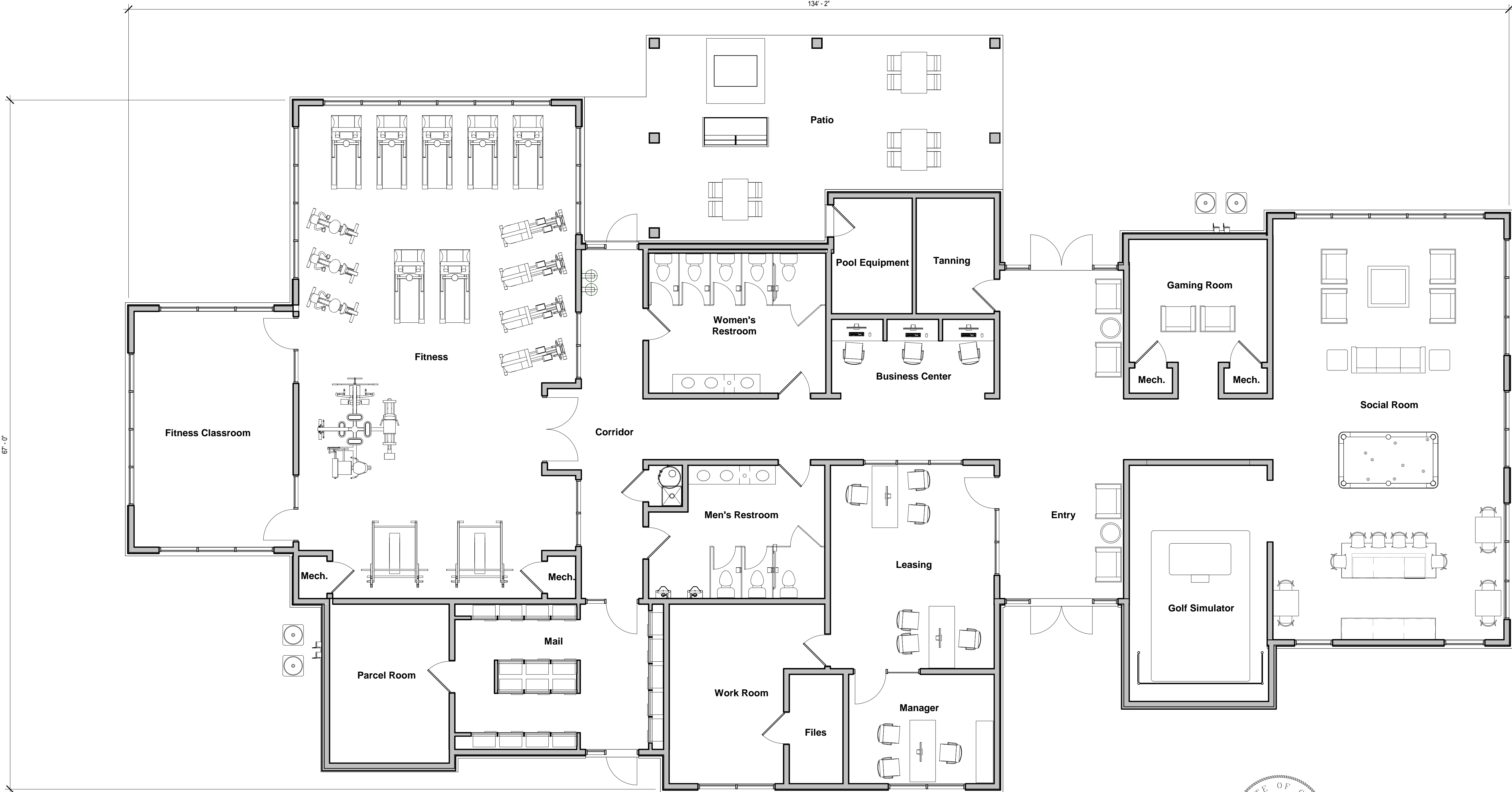
Unit T3-B1 Plans



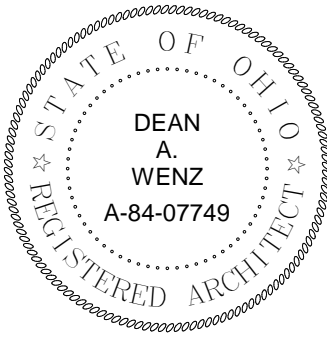
THIRD FLOOR PLAN 443 sf



The Elysian at Alum Creek  
N Old State Road Delaware, Ohio



① Clubhouse - First Floor Plan 6,400 SF  
3/16" = 1'-0"



DEAN A. WENZ  
LICENSE # ARC-8407749  
EXPIRATION DATE 12/31/2023

DEAN A. WENZ  
ARCHITECTS



The Elysian at Alum Creek  
N Old State Road Delaware, Ohio



① South Elevation - Presentation  
3/16" = 1'-0"

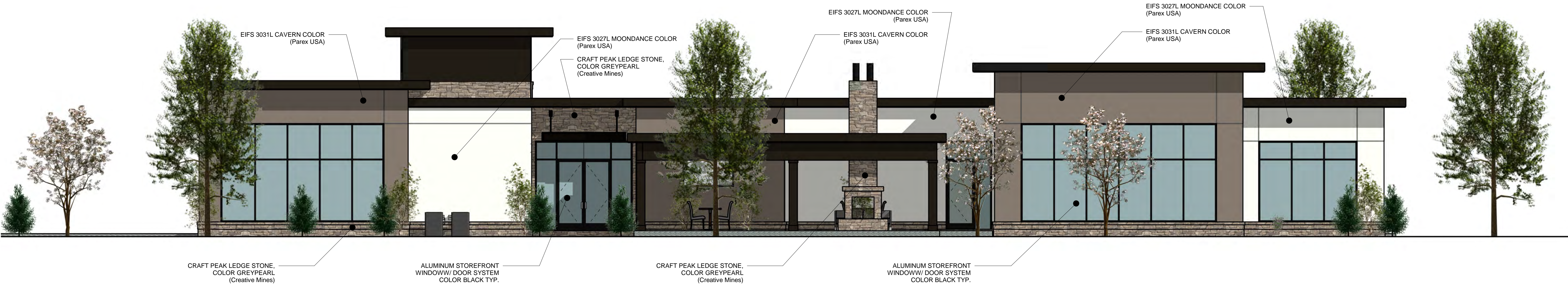


② East Elevation - Presentation  
3/16" = 1'-0"

DEAN A. WENZ  
ARCHITECTS



The Elysian at Alum Creek  
N Old State Road Delaware, Ohio



① North Elevation - Presentation  
3/16" = 1'-0"



② West Elevation - Presentation  
3/16" = 1'-0"

DEAN A. WENZ  
ARCHITECTS



The Elysian at Alum Creek  
N Old State Road Delaware, Ohio



① Front Perspective

DEAN A. WENZ  
ARCHITECTS

2463 East Main Street

Bexley, Ohio 43209

Phone (614) 239-6868

[www.wenz-architects.com](http://www.wenz-architects.com)



The Elysian at Alum Creek  
N Old State Road Delaware, Ohio



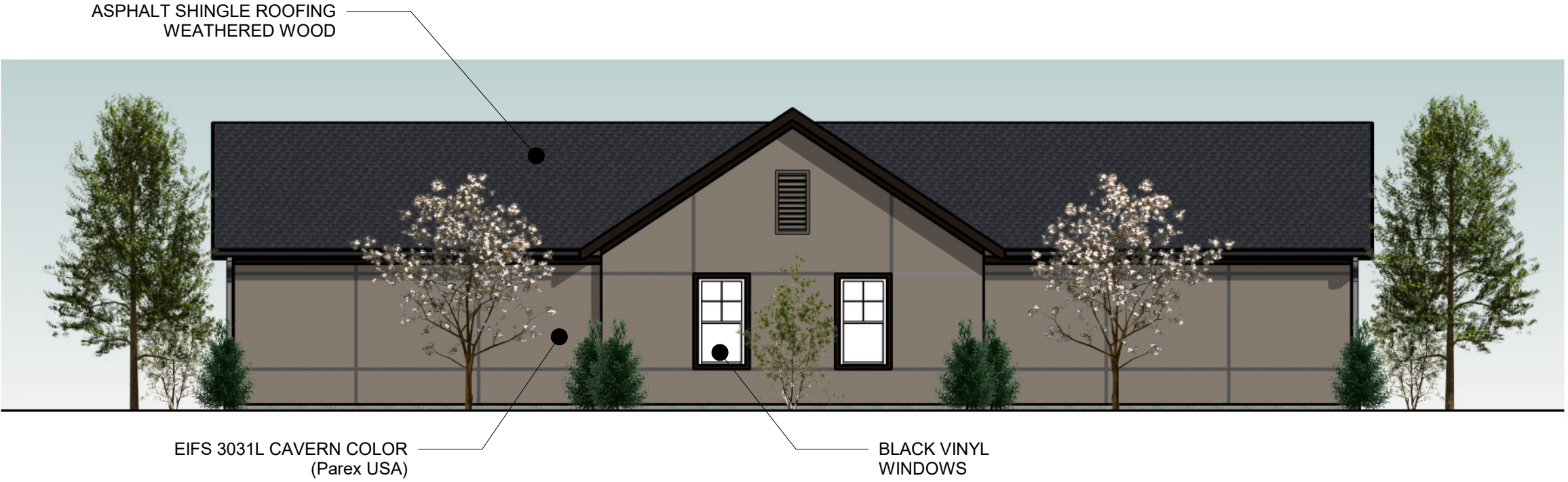
② Rear Perspective

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ARCHITECTS

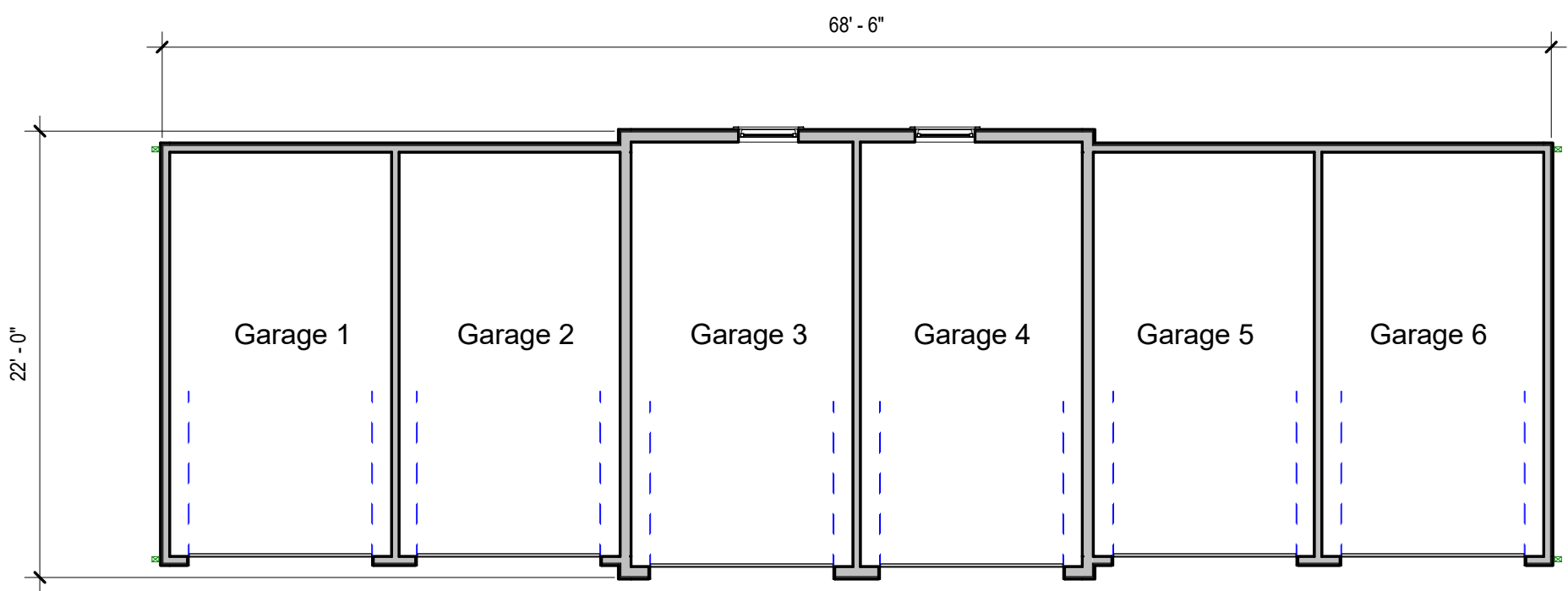


# The Elysian at Alum Creek

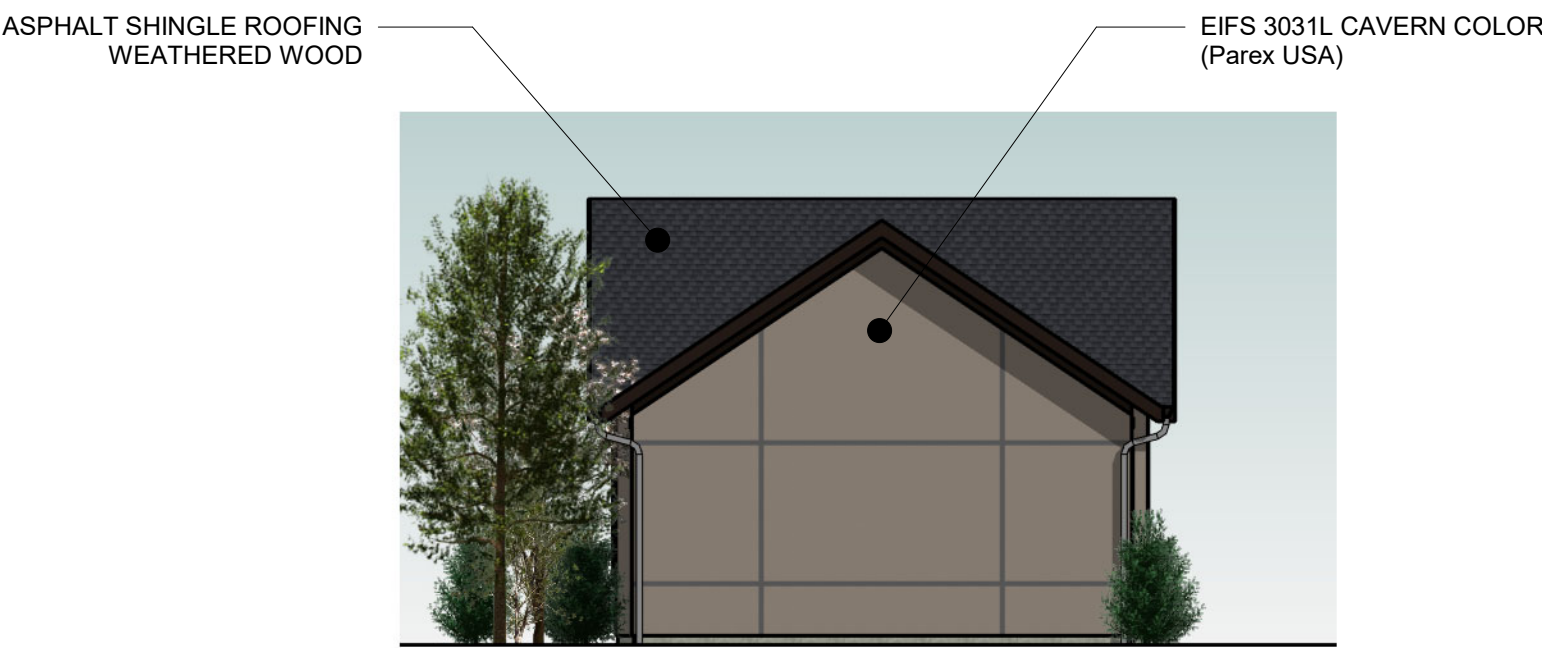
## North Old State Road, Delaware, OH



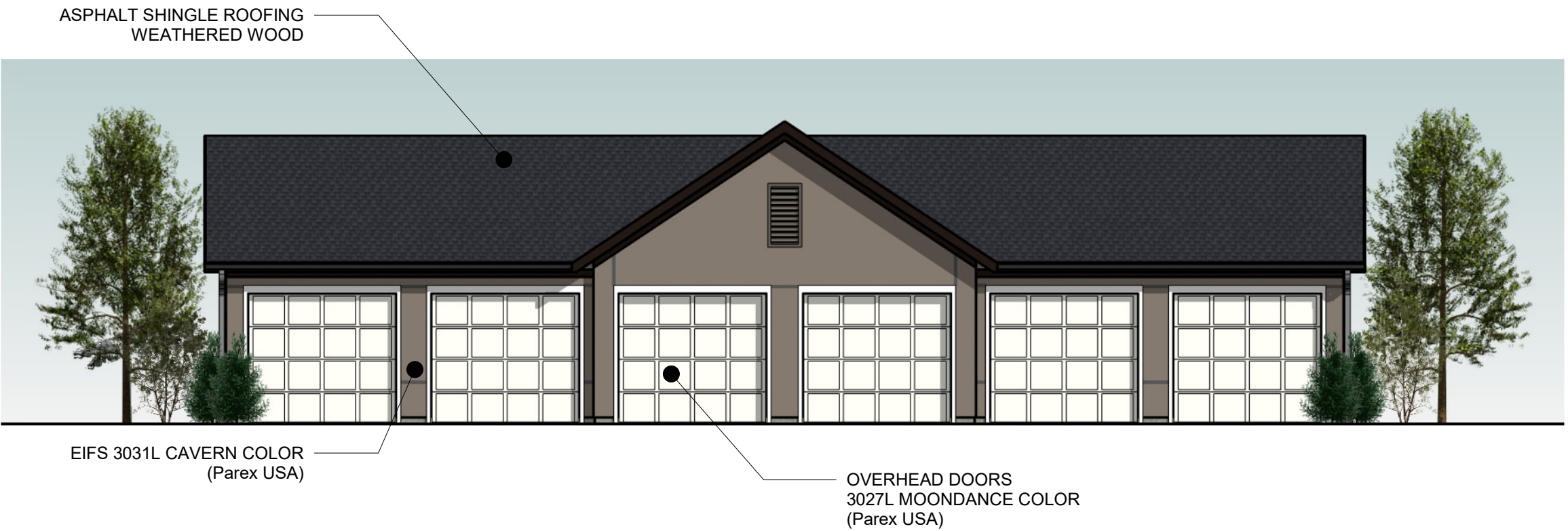
③ Rear Elevation  
1/8" = 1'-0"



① Floor Plan  
1/8" = 1'-0"



④ Side Elevation  
1/8" = 1'-0"



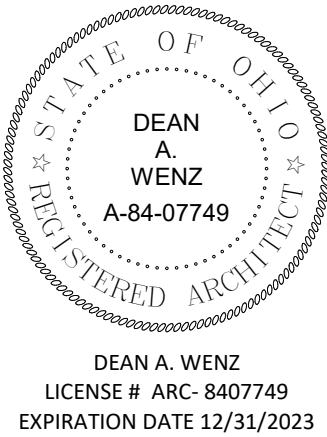
② Front Elevation  
1/8" = 1'-0"

Typical 6 Bay Garage Building

Building Maximum Height ~ 18'-10"

DEAN A. WENZ  
ARCHITECTS

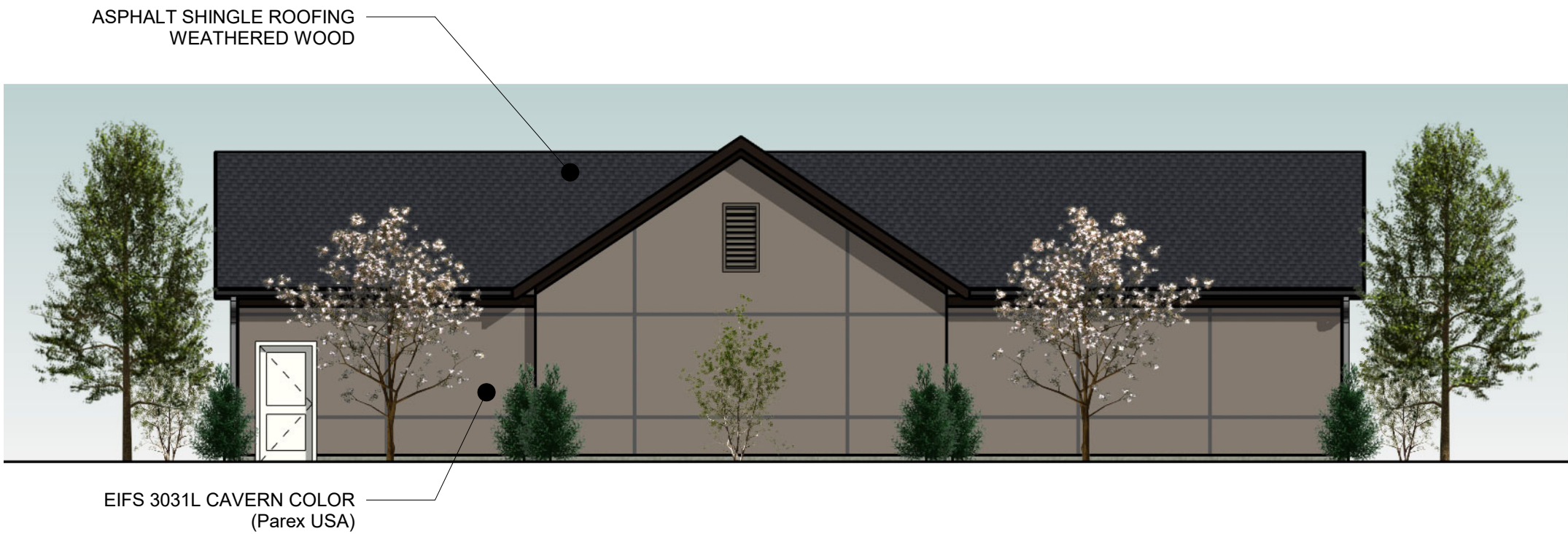
2463 East Main Street    Bexley, Ohio 43209    Phone (614) 239-6868    www.wenz-architecture.com



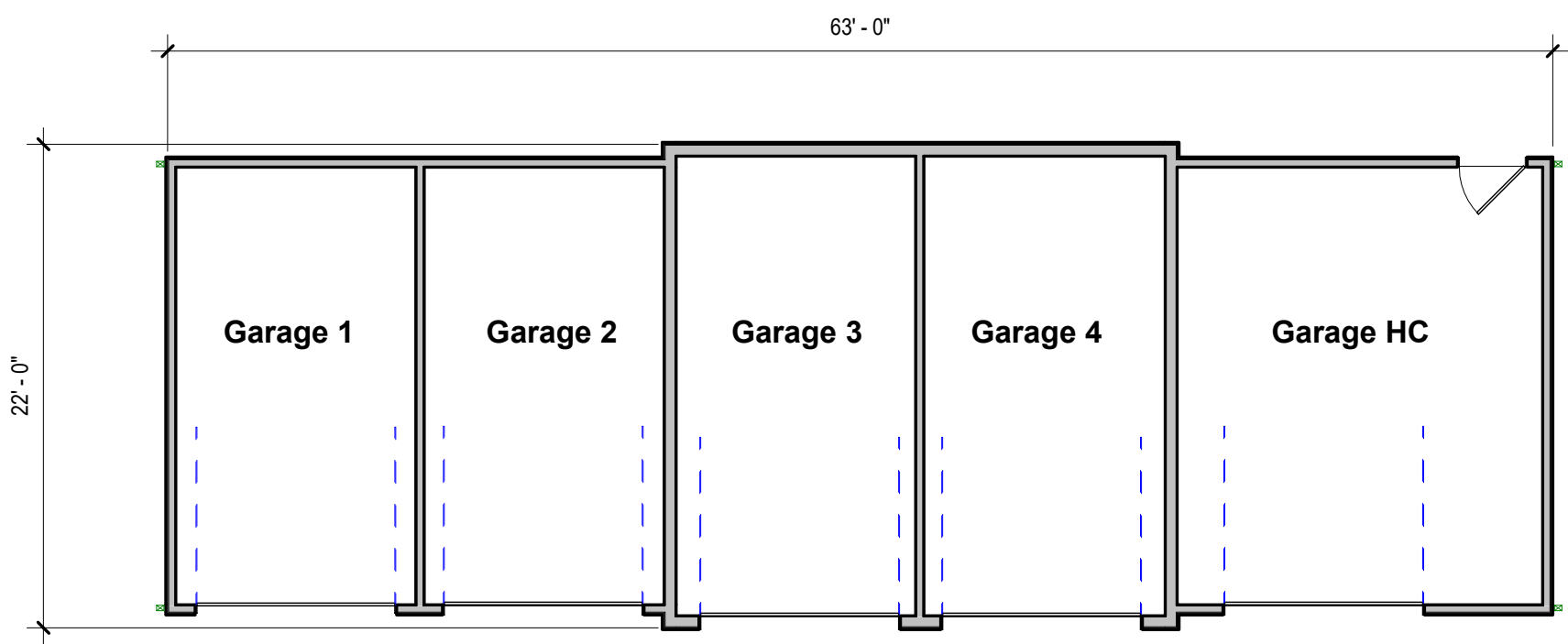


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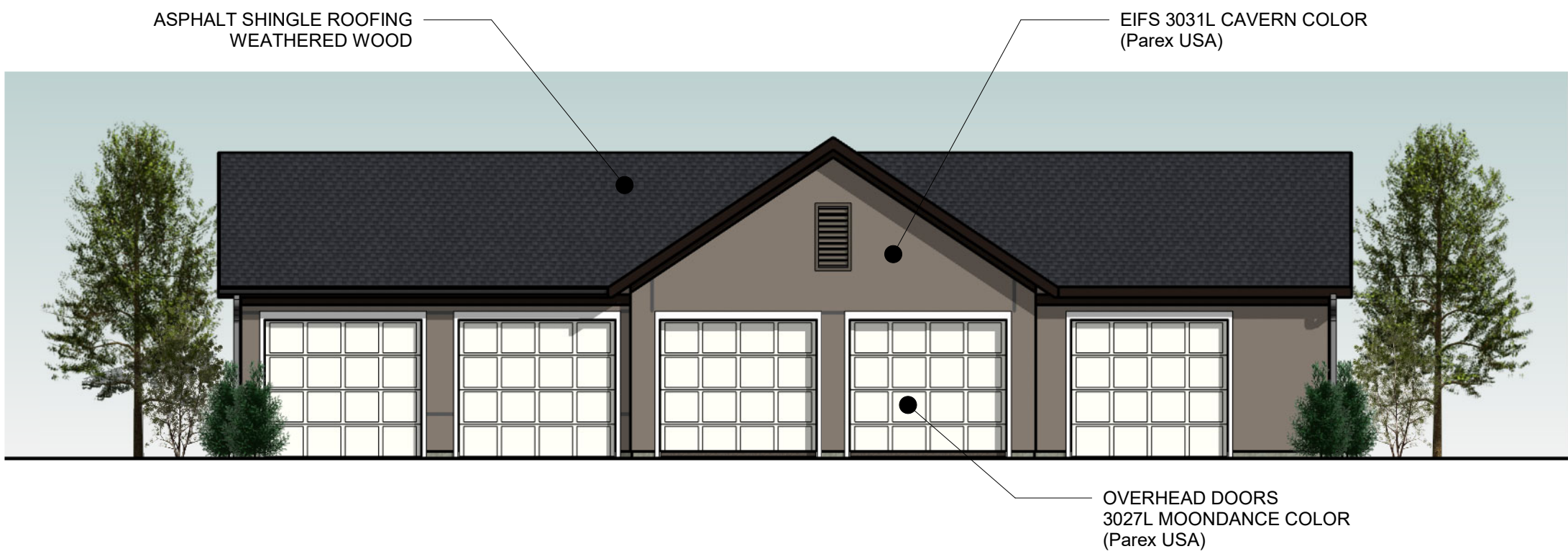
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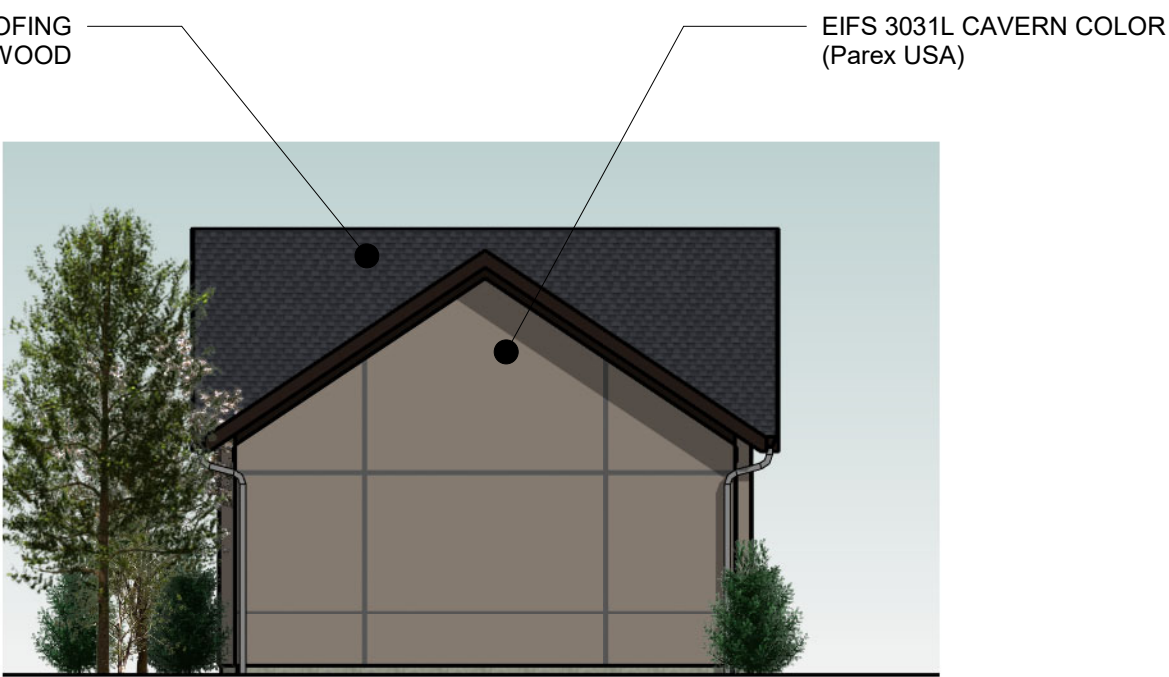
③ Rear Elevation  
1/8" = 1'-0"



① Floor Plan  
1/8" = 1'-0"



② Front Elevation  
1/8" = 1'-0"



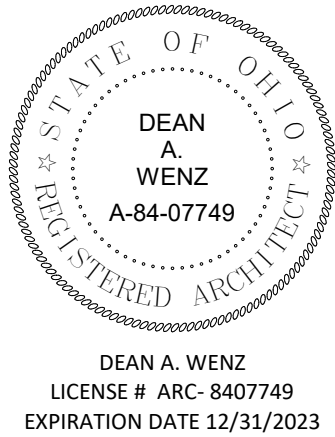
④ Side Elevation  
1/8" = 1'-0"

Typical 5 Bay Garage Building

Building Maximum Height ~ 18'-10"

DEAN A. WENZ  
ARCHITECTS

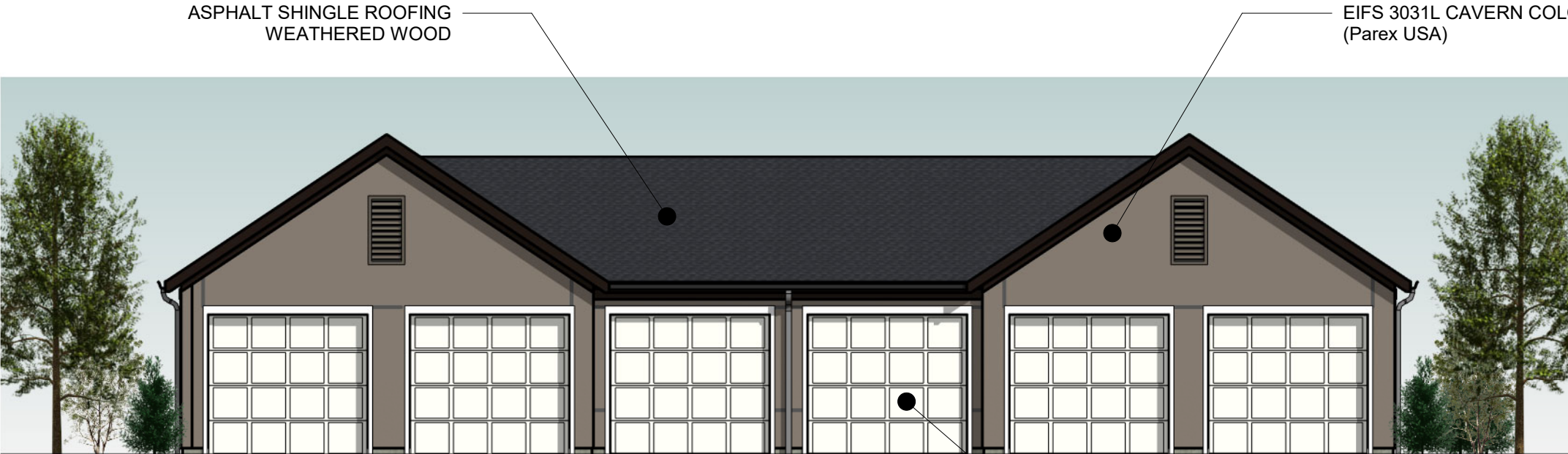
2463 East Main Street    Bexley, Ohio 43209    Phone (614) 239-6868    www.wenz-architecture.com



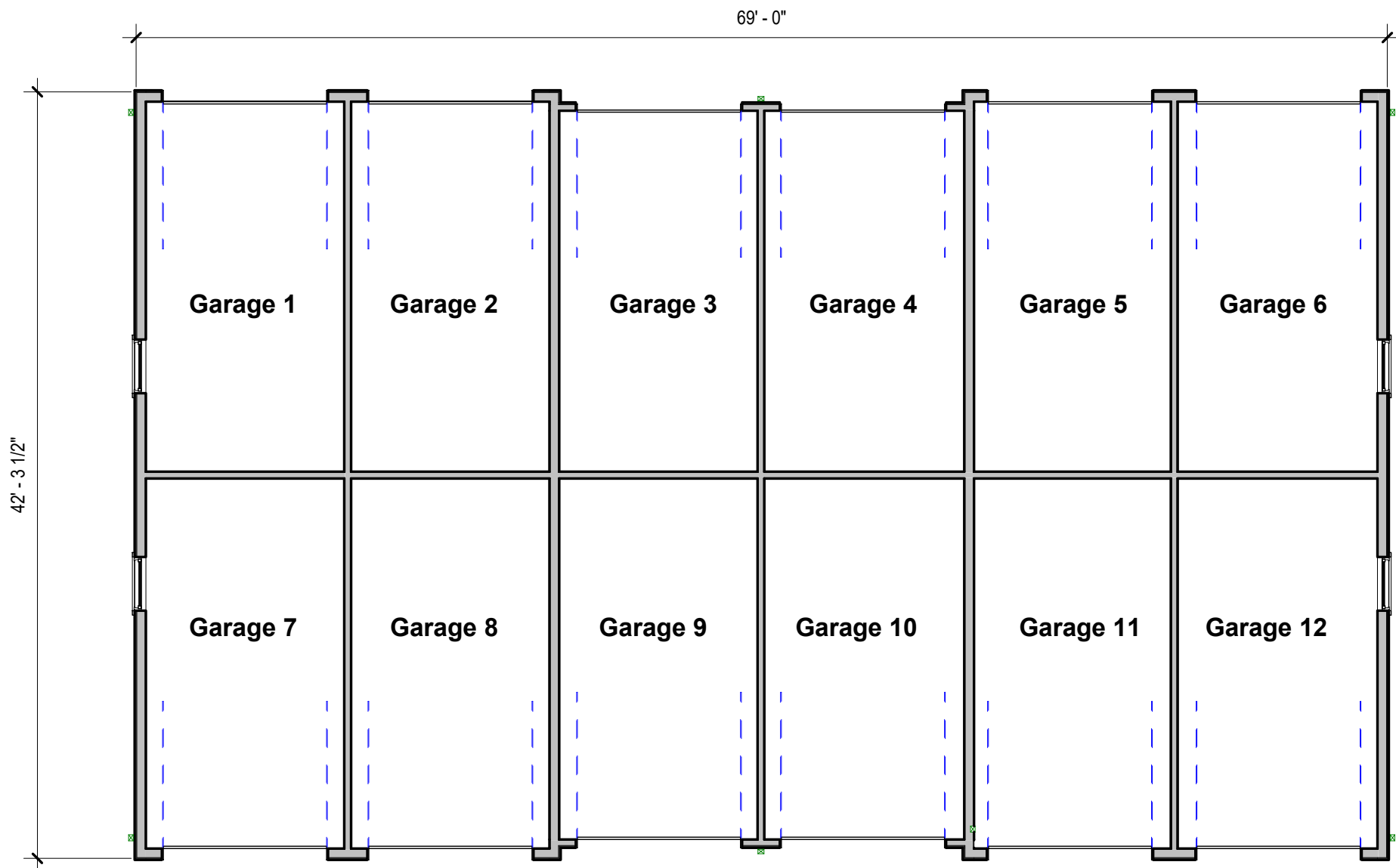


# The Elysian at Alum Creek

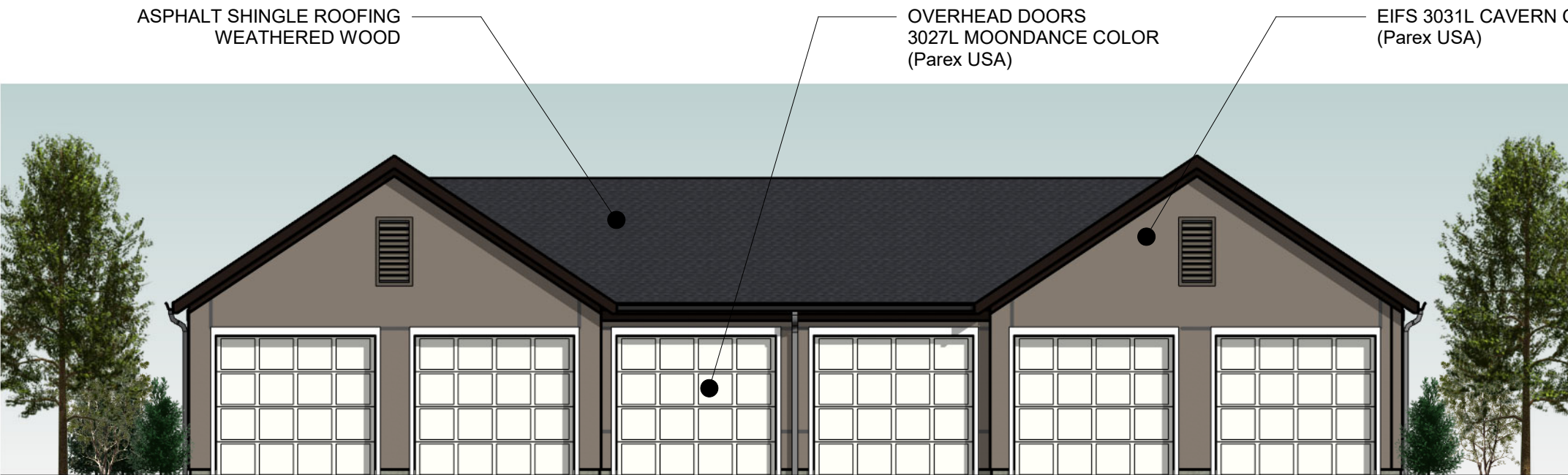
## North Old State Road, Delaware, OH



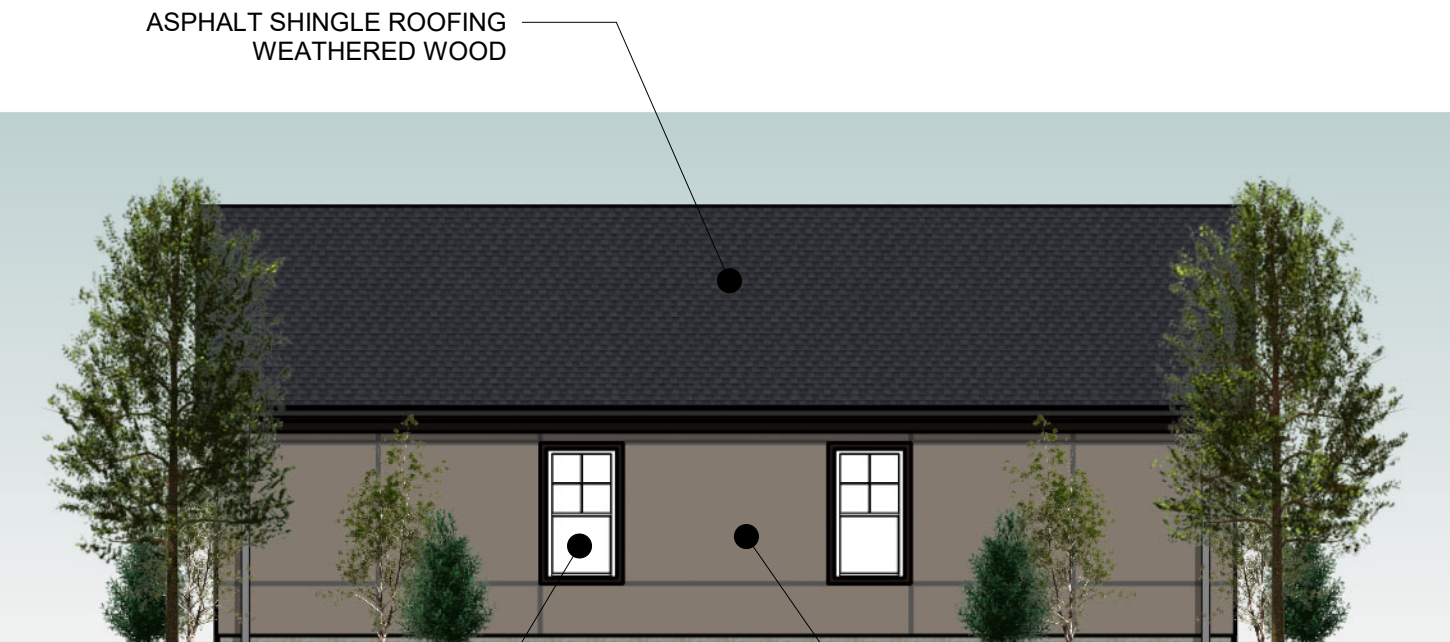
② Rear Elevation  
1/8" = 1'-0"



① Floor Plan  
1/8" = 1'-0"



③ Front Elevation  
1/8" = 1'-0"

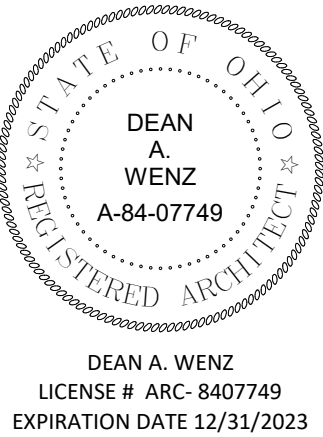


④ Side Elevation  
1/8" = 1'-0"

Typical 12 Bay Garage Building

Building Maximum Height ~ 18'-10"

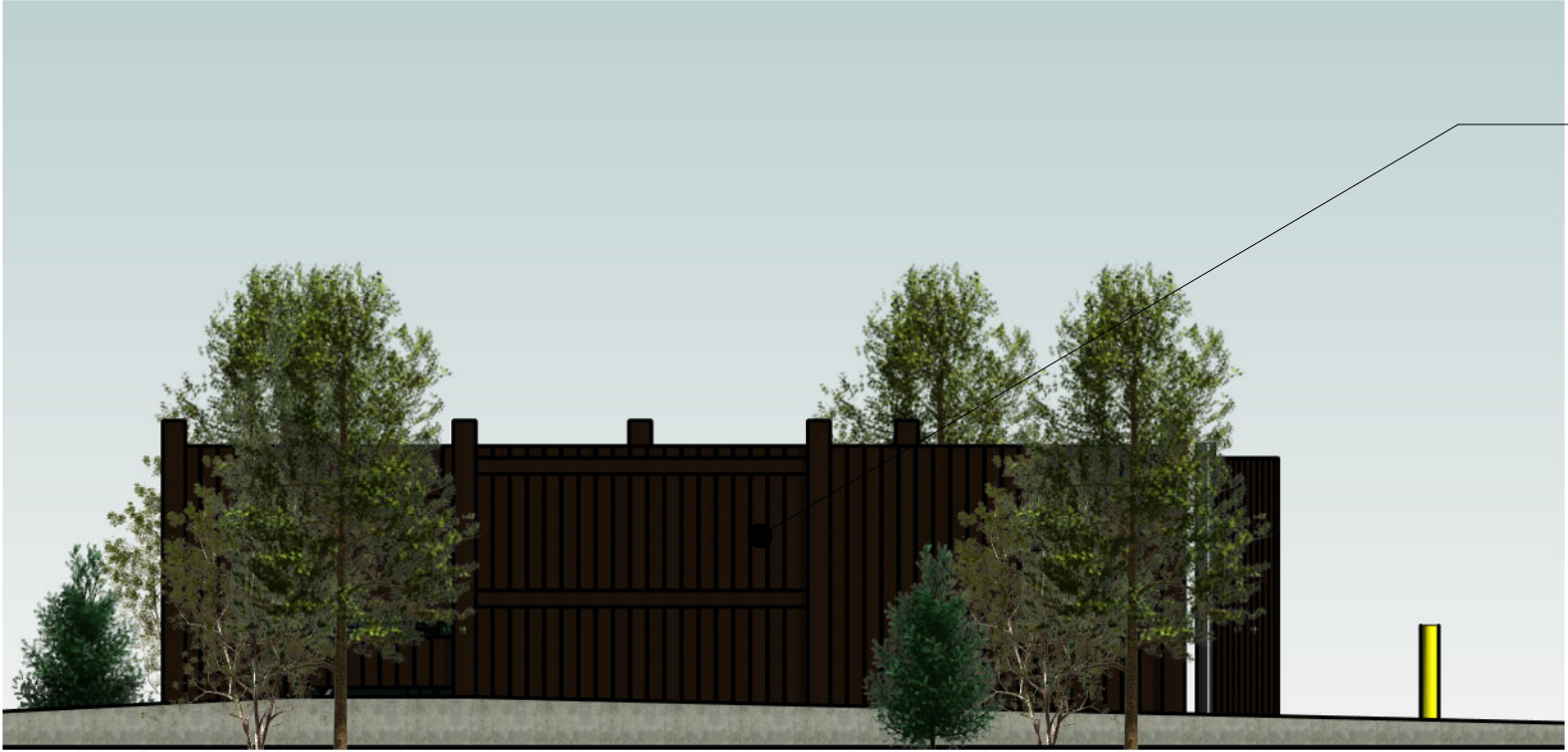
DEAN A. WENZ  
ARCHITECTS



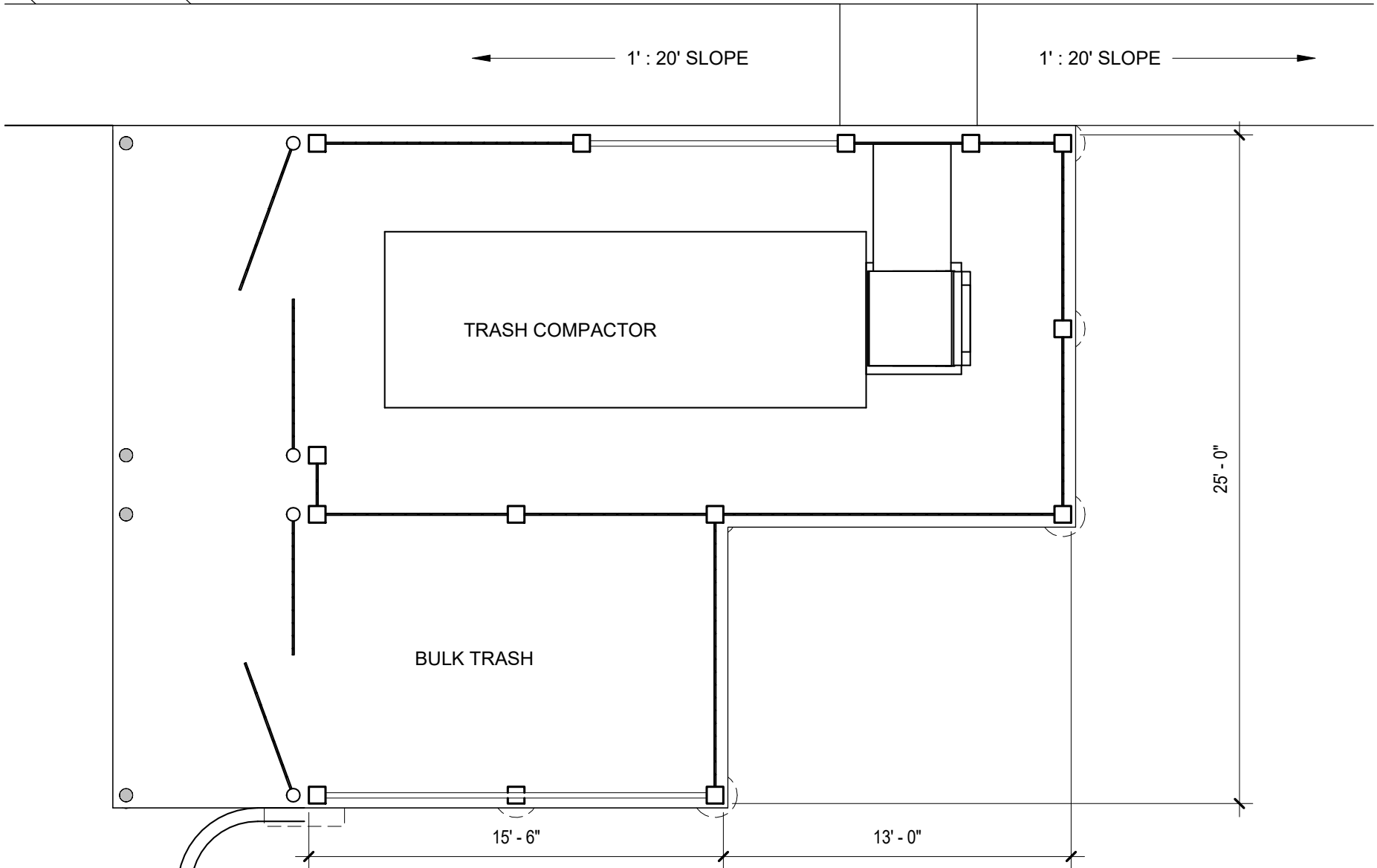


# The Elysian at Alum Creek

## North Old State Road, Delaware, OH



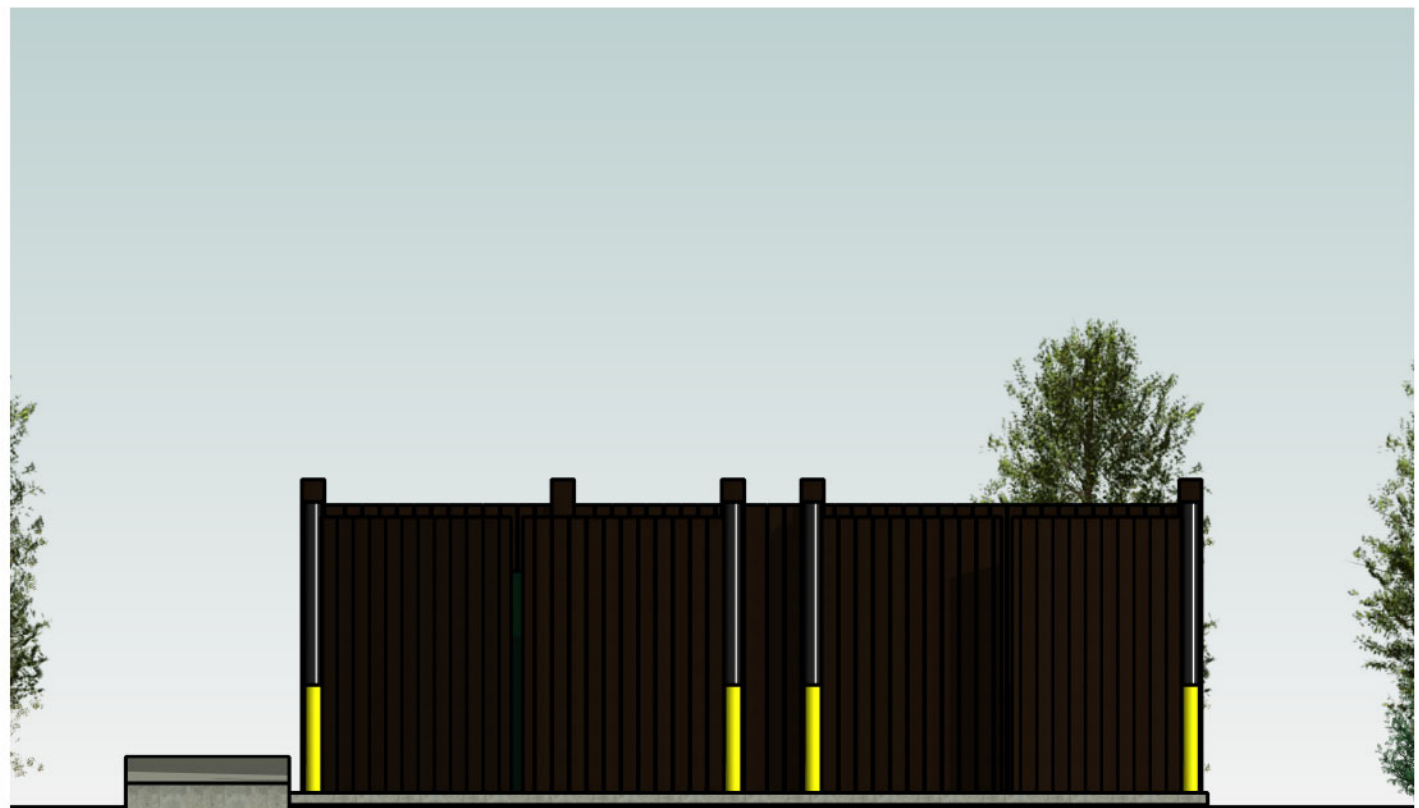
② Rear Elevation  
3/16" = 1'-0"



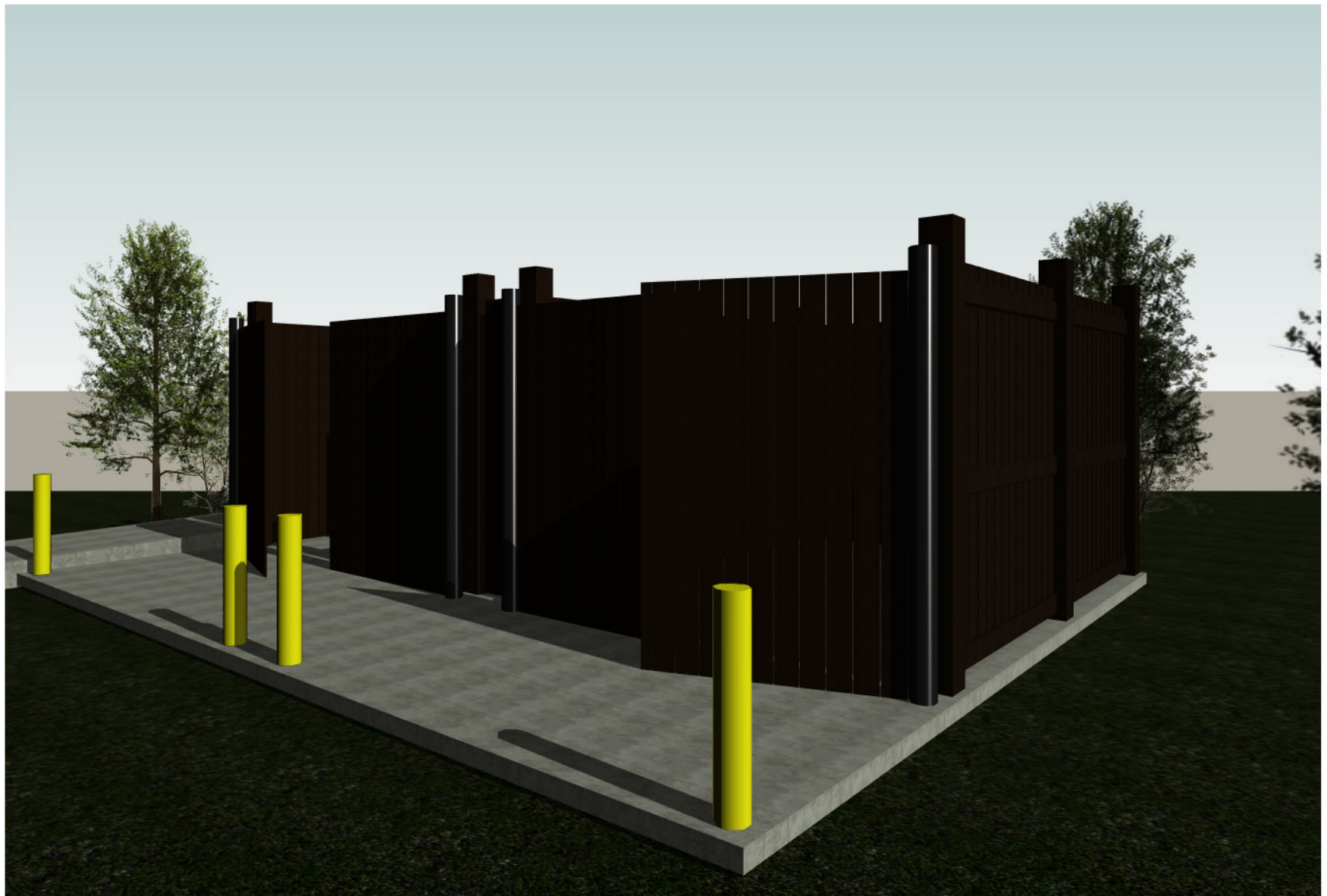
① Trash Compactor  
3/16" = 1'-0"



⑤ East Elevation  
3/16" = 1'-0"



③ West Elevation  
3/16" = 1'-0"



⑥ Front Perspective



④ Front Elevation  
3/16" = 1'-0"

DEAN A. WENZ

ARCHITECTS



**APPROVED** AS NOTED  
*By mlove at 7:02 am, Jul 08, 2022*

# OH-36/37 & N. Old State Rd

## Traffic Access Study

Prepared for  
Delaware County Engineer's Office

- Agree with the turn lane warrant analysis  
- Location of driveway will be determined in final engineering. There is a planned backage road west of N Old State so we need to coordinate the location of this driveway location.

By



**ADVANCED**  
CIVIL DESIGN

**Advanced Civil Design, Inc.**

**781 Science Blvd, Suite 100, Gahanna Ohio 43230**

**(614) 428-7750**

---

Mark I. Mann, P.E.  
Director – Transportation Services

Ethan Billisits, E.I.  
Project Engineer

May 2, 2022

**EXHIBIT G1**



## Table of Contents

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## Introduction

The North Old State Road Apartment Community is a proposed 31.65-acre multifamily development by N Old State LLC. This development will consist of a 250 units. The development is located in the northeast quadrant of the OH-36/37 & N Old State Rd / Dunham Rd intersection (See site plan).

There will be one primary point of access to the development, located on North Old State Road, about 600' north of the OH-36/37 & N Old State Rd / Dunham Rd intersection.

The scope of this study was developed from email correspondence with the Delaware County Engineer's Office. The following will be studied and evaluated as part of this study:

- Left turn lane warrant at the Proposed access point
- Right turn lane warrant at the Proposed access point
- Level of Service (LOS) at the proposed access point

The proposed access point to the multifamily development will be evaluated for the Opening Year of 2023 and the Design Year of 2033. The "Build" condition will be evaluated, and the background traffic will have a growth factor applied as provided by an ODOT study (see appendices).

## Existing Conditions

North Old State Road is a two-lane roadway in the area of the proposed development. North Old State Road is the only segment to provide direct access to the proposed development and therefore is the only part of the access study. The posted speed limit on North Old State Road is 55MPH.

## Traffic Volumes and Trip Generation

Traffic volume data comes from a 2017 ODOT study at the OH-36/37 & North Old State Rd / Dunham Rd intersection. The data shows 2019 and 2039 traffic volumes. For this study the opening year, 2023, and design year, 2033, background traffic data was extrapolated from ODOT's numbers.

At the OH-36/37 & N Old State Rd / Dunham Rd intersection there are no southbound or northbound thru or left turn movements allowed. These movements use the U-turn after making a right turn movement. In the volumes exhibits all southbound and northbound thru and left turn movements were added to the right turn movement.

Traffic volumes for the multifamily development (LUC 220) were developed using the latest edition of the ITE Trip Generation Manual (see Appendices). The proposed multifamily development design shows 250 units.

The distribution of traffic was based on the existing traffic volumes on North Old State Road based off the 2017 ODOT study. Roughly 4/5<sup>th</sup> of the volume comes from the north and 1/5<sup>th</sup> comes from the south during the AM Peak. For the PM Peak 2/3<sup>rd</sup>s comes from the south and 1/3<sup>rd</sup> from the north.



## **Build Conditions**

### **Turn Lane Warrants & Storage Lengths**

The Ohio Department of Transportation has a warrant process for the determination of right turn lanes at un-signalized intersections. These warrants are based on the number of lanes on the roadways, the speed limits, and the volume of traffic. Delaware County Engineer's Office (DCEO) has requirements for left turn lanes at un-signalized intersections (See Appendix). Both will be used to determine improvements at the proposed site access point.

Figure 1 shows the current site plan, the roadway improvements that go along with the site plan can be found in the appendix.

### **2023 & 2033 Traffic**

A 10-year horizon is required for this traffic study. Opening day is assumed to be in 2023, therefore the design year is 2033. The ODOT study provided data for 2019 and 2039, to find the volumes for 2023 and 2033 a linear growth rate is assumed, and the volumes were extrapolated (See appendices for excel sheet calculations).

Figures 2-6 show Build and No build volumes of the 2023 opening year and 2033 design year traffic.





BUILDING DATA	
A - 36 UNITS	BUILDINGS 3, 4, 5 AND 7
B - 24 UNITS	BUILDINGS 1 AND 2
C - 24 UNITS	BUILDINGS 6 AND 9
D - 5 UNITS	BUILDINGS 8 AND 10

SITE DATA - MULTI-FAMILY	
TOTAL UNITS	250 UNITS
TOTAL PARKING SPACES	522 SPACES (±2.08 SP/UNIT)
SURFACE PARKING	474 SPACES
GARAGE PARKING	48 SPACES

SITE DATA - PARCEL	
TOTAL ACRES	± 31.65 ACRES
EXISTING WATER BODIES	± 0.53 ACRES
EXISTING WETLANDS	± 0.07 ACRES
20% GREATER SLOPES	± 1.27 ACRES
NET ACREAGE (AC x .85 - WL, POND AND SLOPES)	± 25.03 ACRES

\*33' SETBACK SUBJECT TO CHANGE BASED ON PROPOSED BUILDING SIZE

SITE PLAN

ROADWAY SHIFT 600' 4.8.22

36/37 & N. OLD STATE RD

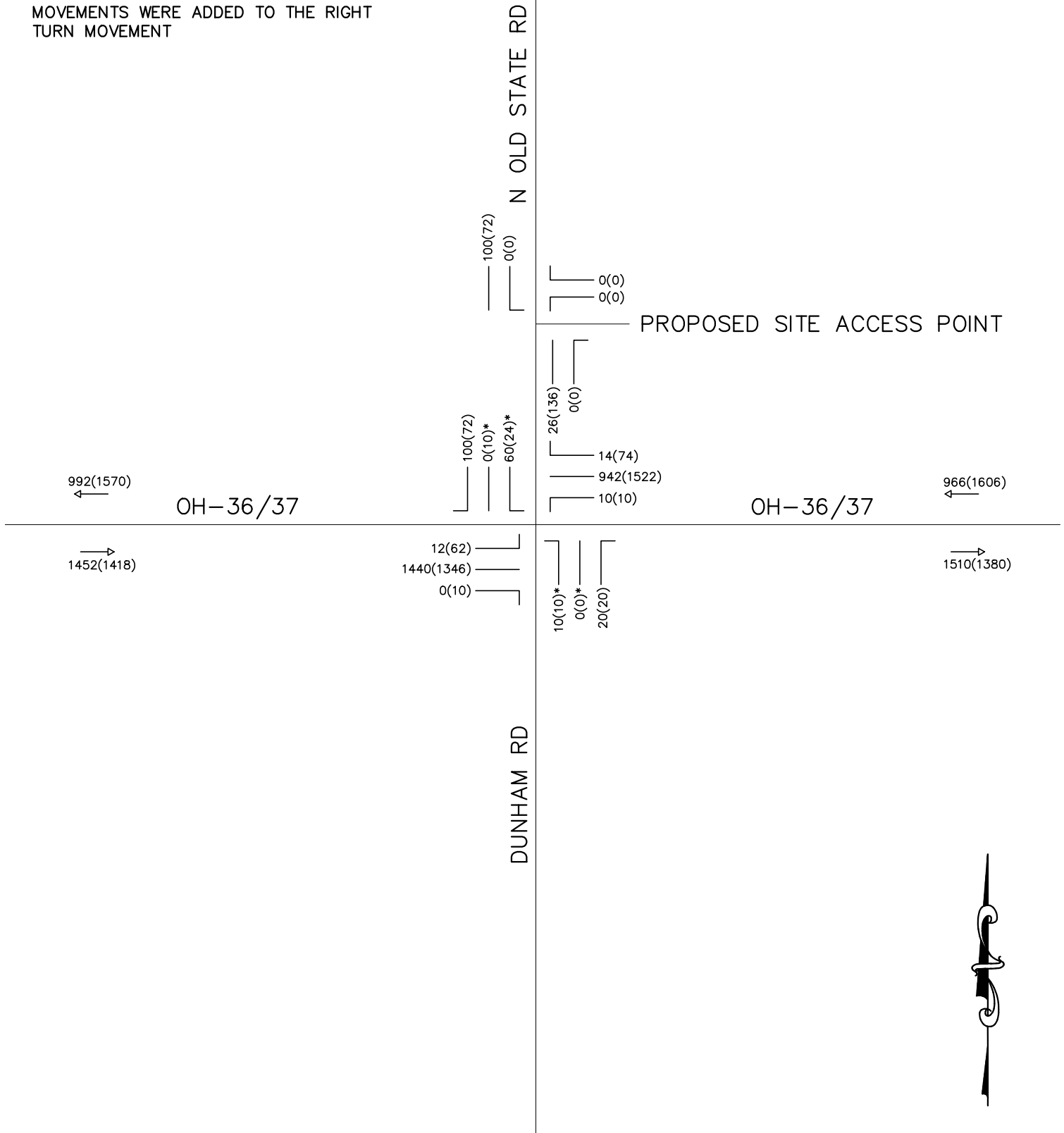
PREPARED FOR ADVANCED CIVIL AND DESIGN

DATE: 12/9/21



# NOTE

\*NO THRU OR LEFT TURN MOVEMENTS  
ARE PERMITTED AT THE OH-36/37 & N  
OLD STATE RD INTERSECTION. THESE  
MOVEMENTS WERE ADDED TO THE RIGHT  
TURN MOVEMENT



SCALE: NTS  
DATE: APRIL 29, 2022

DELAWARE COUNTY, OHIO

TRAFFIC STUDY

FOR

36/37 & N. OLD STATE RD TAS  
2023 NO BUILD - AM(PM) PEAK



ADVANCED  
CIVIL DESIGN  
ENGINEERS SURVEYORS

PLAN PREPARED BY:

781 Science Blvd, Suite 100  
Gahanna, Ohio 43230  
ph: 614.428.7750  
fax: 614.428.7755

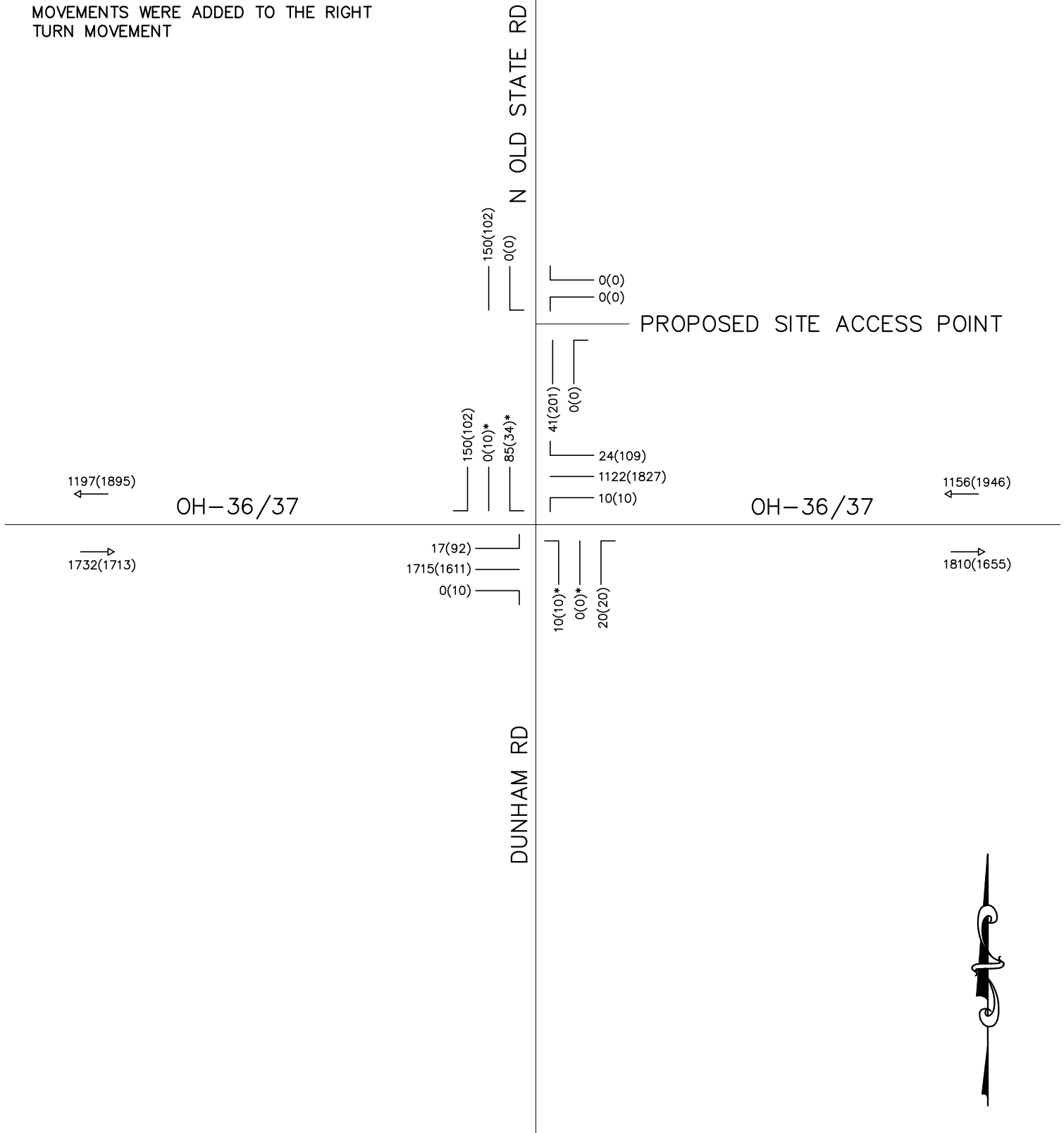
SHEET 1 / 5





# NOTE

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ARE PERMITTED AT THE OH-36/37 & N  
OLD STATE RD INTERSECTION. THESE  
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TURN MOVEMENT



SCALE: NTS  
DATE: APRIL 29, 2022

DELAWARE COUNTY, OHIO

TRAFFIC STUDY

FOR

36/37 & N. OLD STATE RD TAS  
2033 NO BUILD - AM(PM) PEAK



ADVANCED  
CIVIL DESIGN

ENGINEERS SURVEYORS

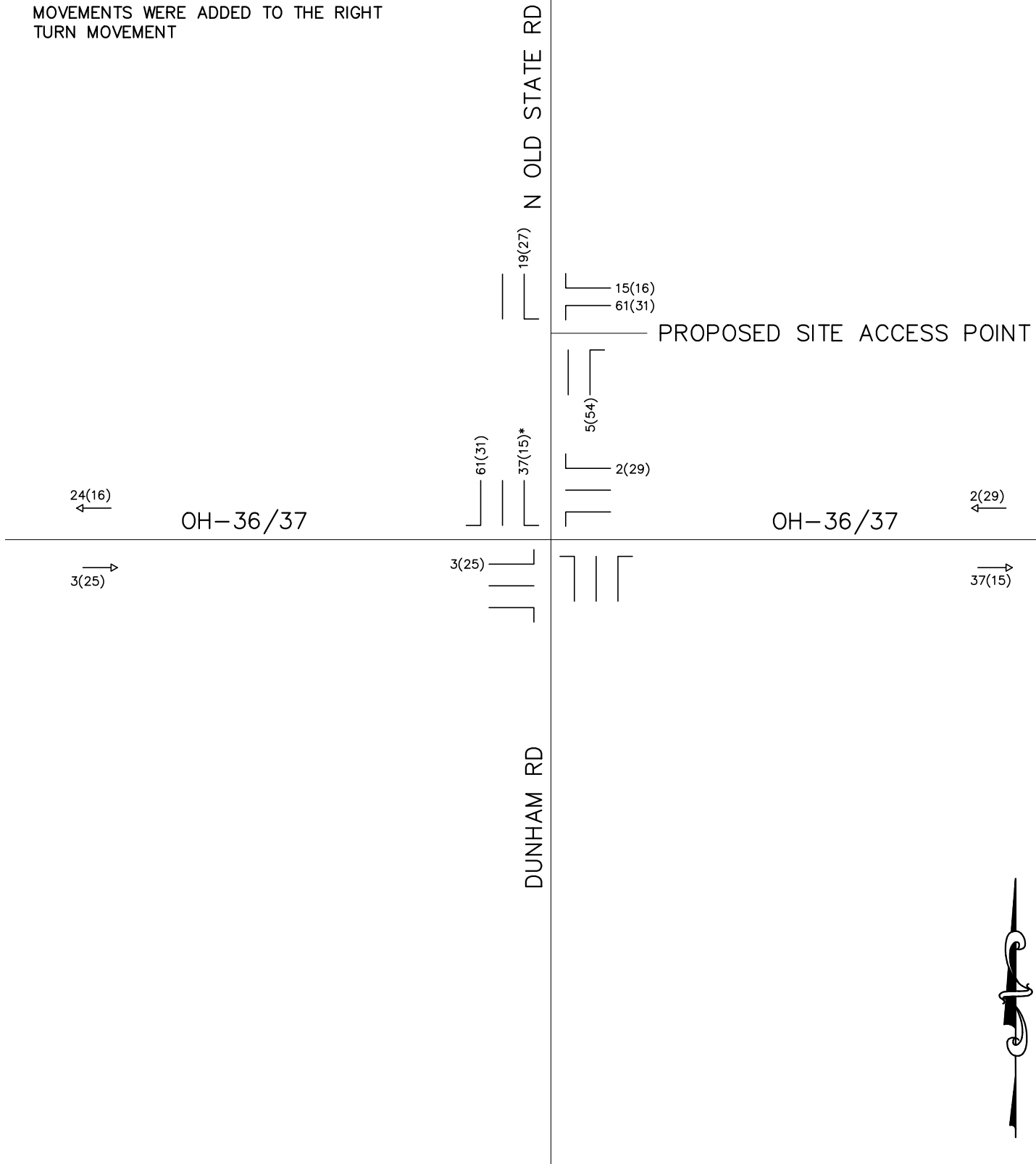
PLAN PREPARED BY:

781 Science Blvd, Suite 100  
Gahanna, Ohio 43230  
ph: 614.428.7750  
fax: 614.428.7755



## NOTE

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OLD STATE RD INTERSECTION. THESE  
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TURN MOVEMENT



SCALE: NTS  
DATE: APRIL 29, 2022

SHEET 3 / 5

DELAWARE COUNTY, OHIO  
TRAFFIC STUDY  
FOR

**36/37 & N. OLD STATE RD TAS**  
**TRIP GENERATION - AM(PM) PEAK**



**ADVANCED**  
CIVIL DESIGN  
ENGINEERS SURVEYORS

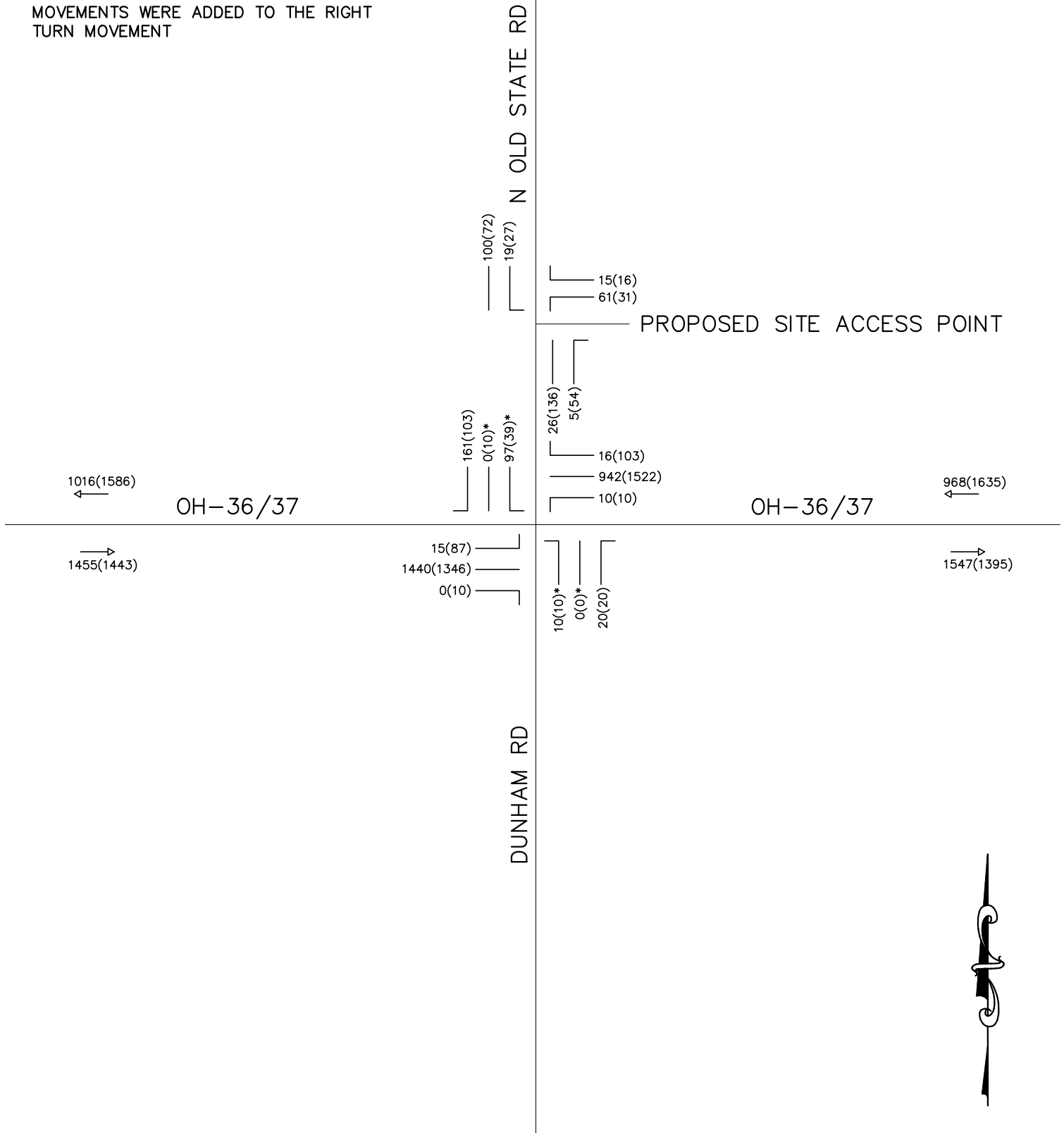
PLAN PREPARED BY:

781 Science Blvd, Suite 100  
Gahanna, Ohio 43230  
ph 614.428.7750  
fax 614.428.7755



# NOTE

\*NO THRU OR LEFT TURN MOVEMENTS  
ARE PERMITTED AT THE OH-36/37 & N  
OLD STATE RD INTERSECTION. THESE  
MOVEMENTS WERE ADDED TO THE RIGHT  
TURN MOVEMENT



SCALE: NTS  
DATE: APRIL 29, 2022

SHEET 4 / 5

DELAWARE COUNTY, OHIO

TRAFFIC STUDY

FOR

36/37 & N. OLD STATE RD TAS  
2023 BUILD - AM(PM) PEAK



ADVANCED  
CIVIL DESIGN

ENGINEERS SURVEYORS

PLAN PREPARED BY:

781 Science Blvd, Suite 100  
Gahanna, Ohio 43230

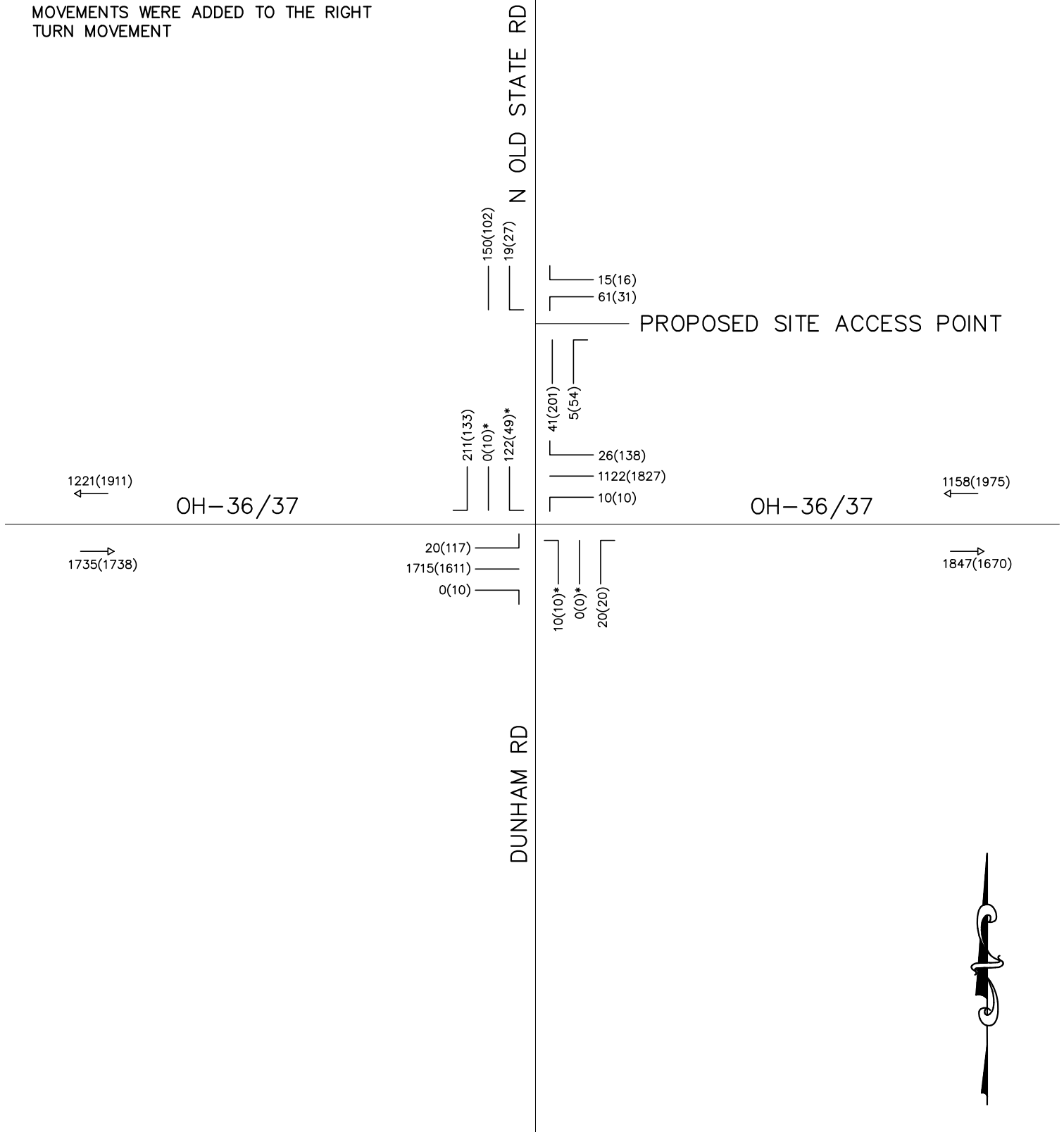
ph: 614.428.7750  
fax: 614.428.7755





# NOTE

\*NO THRU OR LEFT TURN MOVEMENTS  
ARE PERMITTED AT THE OH-36/37 & N  
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MOVEMENTS WERE ADDED TO THE RIGHT  
TURN MOVEMENT



SCALE: NTS  
DATE: APRIL 29, 2022

SHEET 5 / 5

DELAWARE COUNTY, OHIO

TRAFFIC STUDY

FOR

36/37 & N. OLD STATE RD TAS  
2033 BUILD - AM(PM) PEAK



ADVANCED  
CIVIL DESIGN

ENGINEERS SURVEYORS

PLAN PREPARED BY:

781 Science Blvd, Suite 100  
Gahanna, Ohio 43230  
ph: 614.428.7750  
fax: 614.428.7755



## Traffic Analysis

The procedure to determine whether left turn lanes are warranted is according to Delaware County Engineer's Office (DCEO) Turn Lane Requirements. The procedure to determine whether right turn lanes are warranted is according to the ODOT Access Management Manual Section 4.5.4. The posted speed limit of 55 MPH was used for the analysis. The results are shown in the table below:

<b>Movement</b>	<b>2023 'Opening Year'</b>	<b>2033 'Design Year'</b>
N. Old State Road SB LT at Prop. Site Access	Warranted	Warranted
N. Old State Road NB RT at Prop. Site Access	Not Warranted	Not Warranted

## Conclusions and Recommendations

Based on the study results summarized above, a SB left turn lane is required based in DCEO standards (See Appendix). ODOT L&D Manual Vol. 1 Section 401-9 provides design criteria for the calculation of storage lengths of warranted right and left turn lanes. Based on these criteria, and, the Design hour volumes, the turn lane length was calculated. The results show a 295 feet long southbound left turn lane including a 60 feet taper. An exhibit of the roadway improvements can be found in the appendix.

The analysis shows that the advancing volumes for N. Old state Road at the proposed access point in the 2023 and 2033 design year with the current lane configuration of a two-lane road does not warrant a right turn lane based off section 401.6.3 in ODOT's Location and Design Manual as shown in the Appendix.

The proposed Two-way stop-controlled intersection of N. Old State Rd & Proposed Site Access Point under all scenarios for NB and SB have a LOS A. WB has LOS A for 2023 AM peak, WB has LOS B for the other 3 scenarios, 2023 PM Peak and 2033 AM and PM Peak. These LOS levels are satisfactory in all scenarios. The synchro outputs can be found in the appendix.



## **Appendices**



## Site Plan



Z:\20-0001-1150\DWG\PRODUCTION DRAWINGS\EXHIBIT\TAS roadway improvements Exhibit.dwg page 1 Apr 29, 2022 - 3:40:17pm eblilists



Township of Berlin, Delaware County, Ohio  
Farm Lot 13, Section 1, Township 4, Range 18  
United States Military Lands

**N. OLD STATE ROAD  
ROADWAY IMPROVEMENTS**

PLAN PREPARED BY: EEB  
CHECKED BY: MM

**ADVANCED  
CIVIL DESIGN**  
ENGINEERS SURVEYORS

781 Science Boulevard  
Gahanna, Ohio 43230  
ph 614.428.7760  
fax 614.428.7755

SCALE: 1" = 30'  
DATE: April 29, 2022

SHEET 1 / 1  
JOB NO.: 20-0001-1150



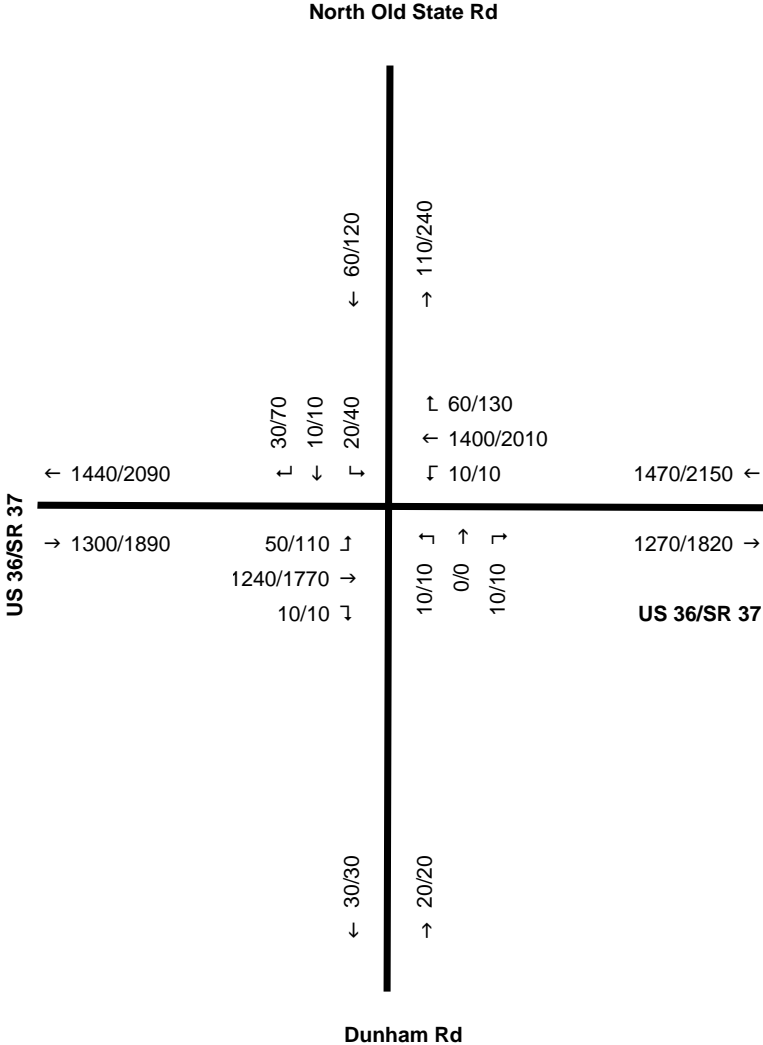
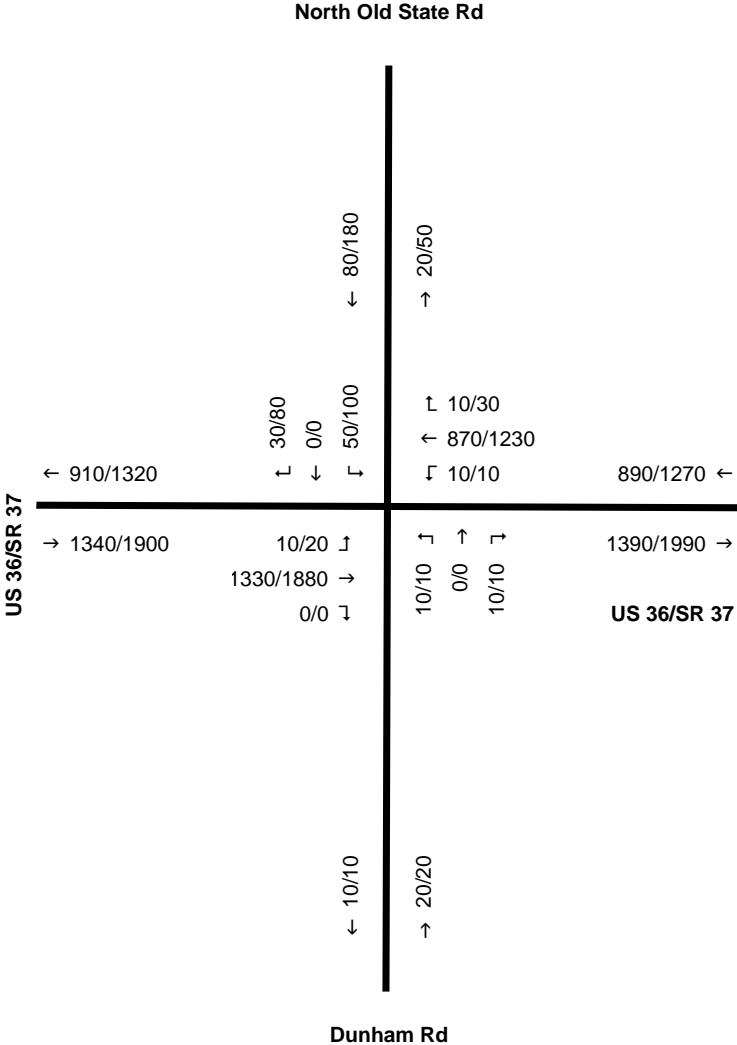
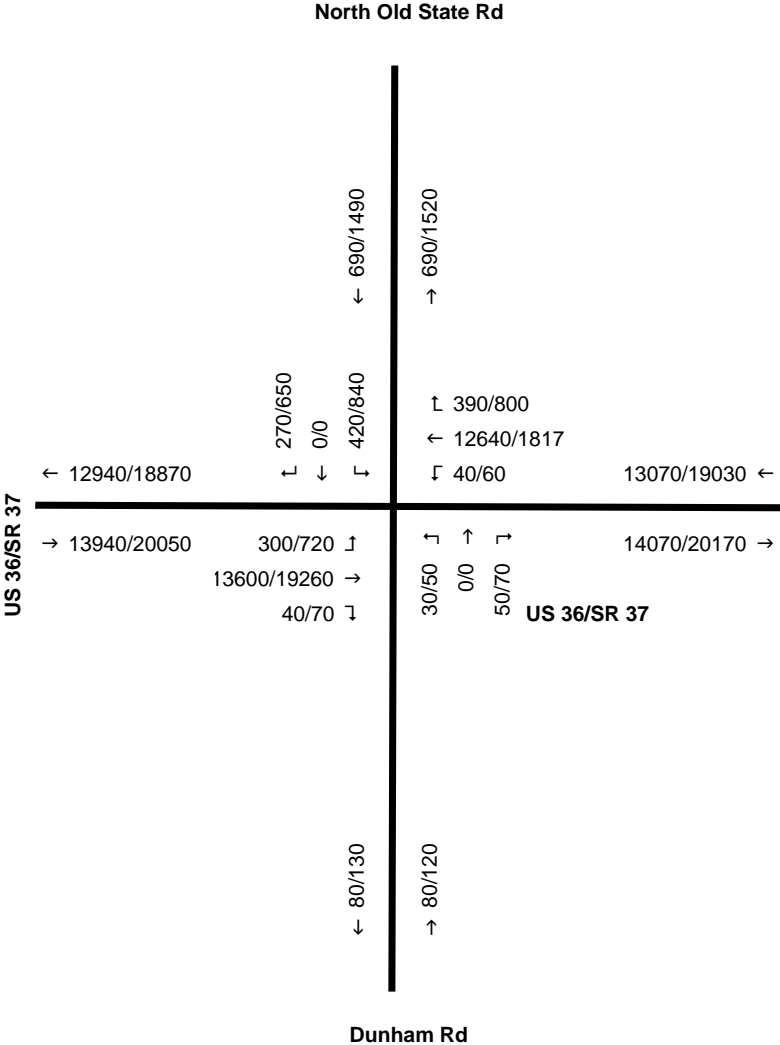
## **Traffic Count Data**



2019/2039 ADT

2019/2039 A.M. DHV

2019/2039 P.M. DHV



DEL-36-15.99	PID
2019/2039 ADT, AM DHV, PM DHV	
OHIO DEPARTMENT OF TRANSPORTATION	
JULY 12, 2017	NOT TO SCALE



Excel sheet calculations showing the extrapolated  
 ODOT volume data for 2023 and 2033

AM PEAK												
Leg	US 36/37			US 36/37			Dunham Rd			North Old State Rd		
Direction	Eastbound			Westbound			Northbound			Southbound		
Year	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
2019	10	1330	0	10	870	10	10	0	10	50	0	30
<b>2023</b>	<b>12</b>	<b>1440</b>	<b>0</b>	<b>10</b>	<b>942</b>	<b>14</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>60</b>	<b>0</b>	<b>40</b>
<b>2033</b>	<b>17</b>	<b>1715</b>	<b>0</b>	<b>10</b>	<b>1122</b>	<b>24</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>85</b>	<b>0</b>	<b>65</b>
2039	20	1880	0	10	1230	30	10	0	10	100	0	80

PM PEAK												
Leg	US 36/37			US 36/37			Dunham Rd			North Old State Rd		
Direction	Eastbound			Westbound			Northbound			Southbound		
Year	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
2019	50	1240	10	10	1400	60	10	0	10	20	10	30
<b>2023</b>	<b>62</b>	<b>1346</b>	<b>10</b>	<b>10</b>	<b>1522</b>	<b>74</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>24</b>	<b>10</b>	<b>38</b>
<b>2033</b>	<b>92</b>	<b>1611</b>	<b>10</b>	<b>10</b>	<b>1827</b>	<b>109</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>34</b>	<b>10</b>	<b>58</b>
2039	110	1770	10	10	2010	130	10	0	10	40	10	70



## **Trip Generation Data**



## Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,  
Peak Hour of Adjacent Street Traffic,  
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 49

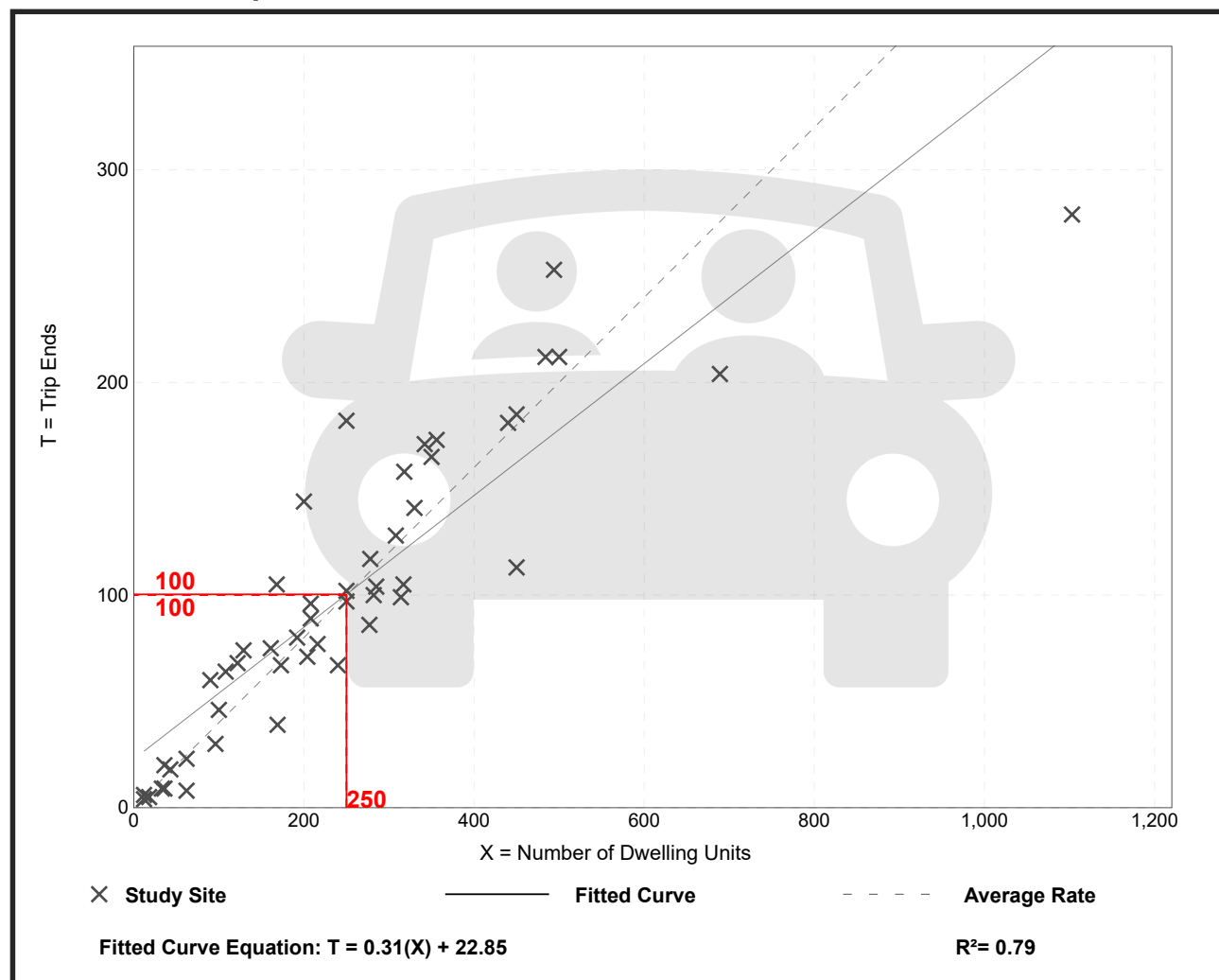
Avg. Num. of Dwelling Units: 249

Directional Distribution: 24% entering, 76% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.40	0.13 - 0.73	0.12

### Data Plot and Equation





## Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,  
Peak Hour of Adjacent Street Traffic,  
One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 59

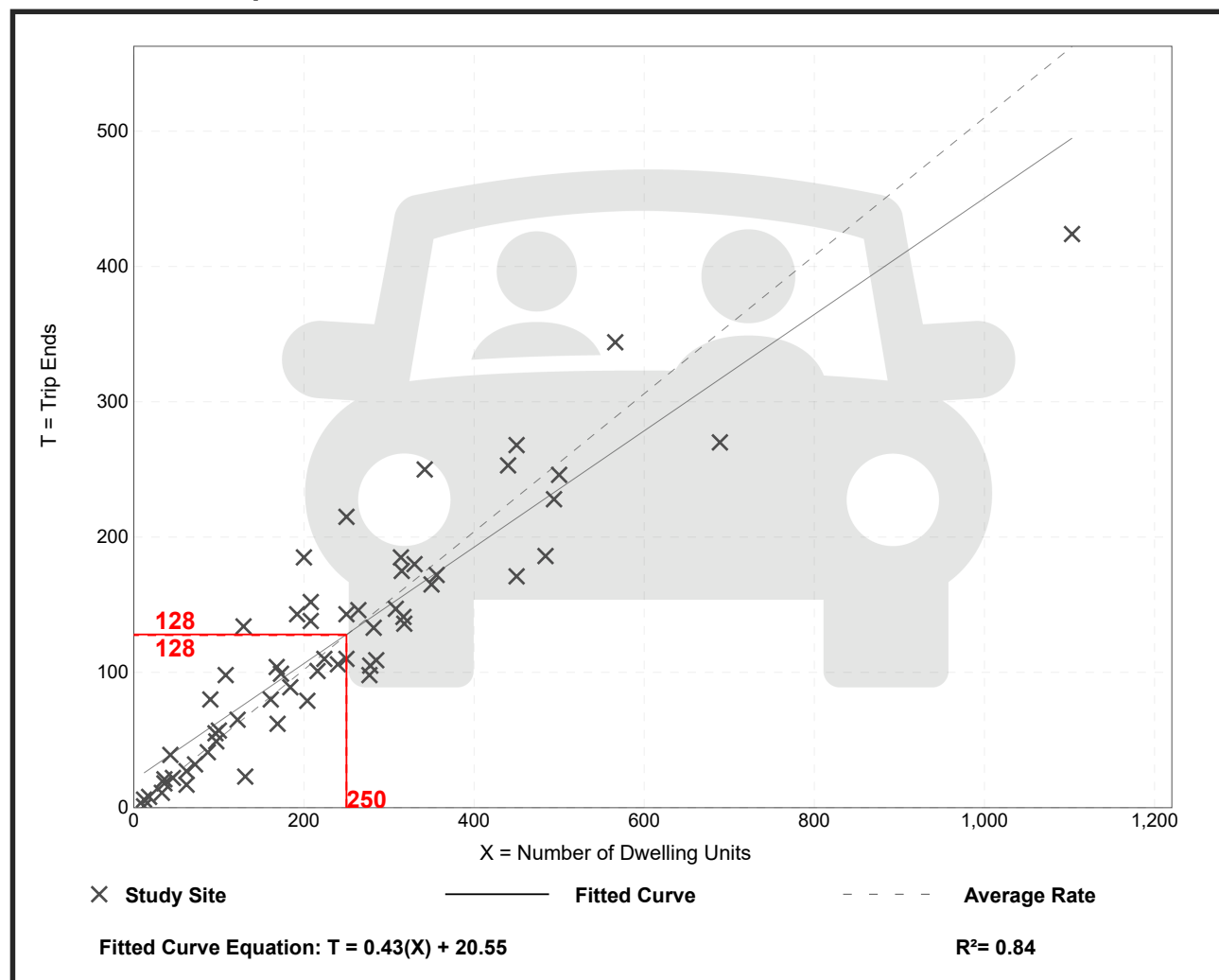
Avg. Num. of Dwelling Units: 241

Directional Distribution: 63% entering, 37% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.51	0.08 - 1.04	0.15

### Data Plot and Equation





## **Turn Lane Warrants and Calculations**



## **608 TURN LANES**

### **608.1 Left Turn Lane Warrants**

Left turn lanes shall be required when any of the following criteria are met. DHV shall include all through and turning vehicles in both directions on the road or highway being evaluated.

#### ***608.1.1 Two Lane Roads and Highways***

##### Major Collector and Arterial Roads

**Posted speed limit  $\geq 40$  mph:**

DHV (AM or PM)  $> 100$  and design hour left turns  $> 10$

**Posted speed limit  $< 40$  mph:**

DHV (AM or PM)  $> 150$  and design hour left turns  $> 15$

##### Minor Collector and Local Roads:

The ODOT Access Management Manual Section 4.5.4 shall apply.

#### ***608.1.2 Multi-Lane Roads and Highways***

**Posted speed limit  $\geq 40$  mph:**

DHV (AM or PM)  $> 200$  and design hour left turns  $> 10$

Left Turn Lane Warrants

**Posted speed limit  $< 40$  mph:**

DHV (AM or PM)  $> 300$  and design hour left turns  $> 15$

### **608.2 Right Turn Lane Warrants**

The ODOT Access Management Manual Section 4.5.4 shall apply for all right turn lane warrants.

### **608.3 Turn Lanes at Signalized Intersections**

In addition to cases where turn lanes are required to meet minimum intersection level of service, turn lane warrants shall be applied at the following locations:

1. Two-lane roads (including roads with TWLTL): DDHV  $> 700$
2. Multi-lane roads: DDHV  $> 1200$

### **608.4 Other Design Criteria**

Turn lanes shall otherwise be designed in accordance with ODOT L&D Section 401.



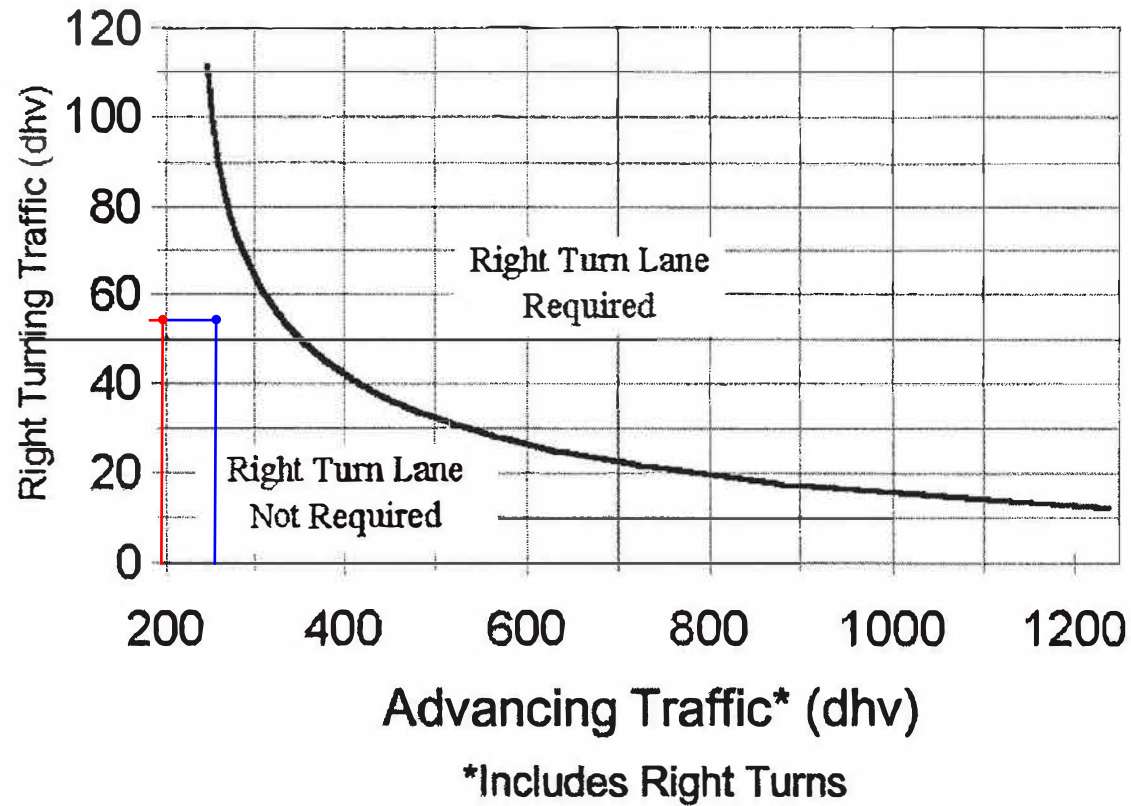
NB North Old State Rd @ Site Access Point

— 2023 Build PM Peak: 190 Advancing, 54 Right Turns

— 2033 Build PM Peak: 255 Advancing, 54 Right Turns

## 2-Lane Highway Right Turn Lane Warrant

> 40 mph or 70 kph Posted Speed



October 2004

2-LANE RIGHT TURN LANE  
WARRANT (HIGH SPEED)

401-6b

REFERENCE SECTION  
401.6.3



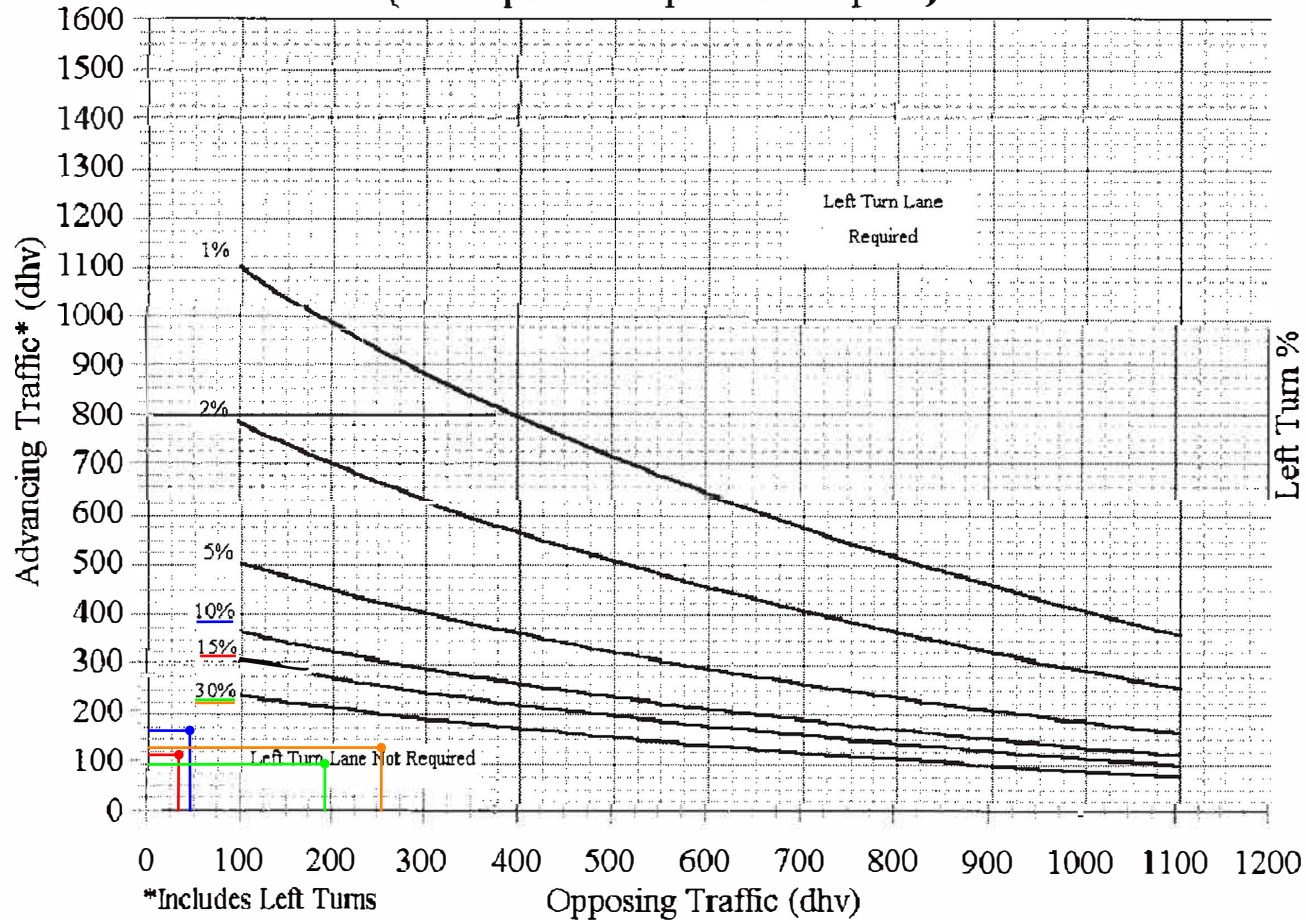
— 2023 Build AM Peak: 119 Advancing, 31 Opposing, 16% Turn %

— 2023 Build PM Peak: 99 Advancing, 190 Opposing, 27% Turn %

— 2033 Build AM Peak: 169 Advancing, 46 Opposing, 11% Turn %

— 2033 Build PM Peak: 129 Advancing, 255 Opposing, 21% Turn %

## 2-Lane Highway Left Turn Lane Warrant (>40 mph or 70 kph Posted Speed)



2-LANE LEFT TURN LANE  
WARRANT (HIGH SPEED)

401-5b

REFERENCE SECTION  
401.6.1



## Turn Lane Length Computation Worksheet (Based on ODOT's Location Design Manual)

**Project Name:** N Old State Rd Multifamily Development  
**Project Number:** 20-0001-1150  
**Compiled By:** EEB - Advanced Civil Design

**Intersection:** N Old State Rd @ Site Access  
**Year:** Design Year 2033  
**Condition:** Build

### General Information:

<b>Approach</b>	N Old State Rd @ Site Access			
<b>Movement</b>	SB LT			
<b>Peak Hour</b>	PM			

### Type of Traffic Control

<b>Signalized</b>	NO			
<b>Unsignalized Stopped Crossroad</b>	NO			
<b>Unsignalized Through Road</b>	YES			

### Design Parameters

<b>Design Speed</b>	55			
<b>Turn Volume (vph)</b>	27			
<b>Approach Volume (vph)</b>	129			
<b>Turn Percentage</b>	21%	#DIV/0!	#DIV/0!	#DIV/0!
<b>High or Low</b>	HIGH	#DIV/0!	#DIV/0!	#DIV/0!
<b>Applicable Design Condition (A, B or C)</b>	Greater of B or C	A	A	A
<b>Cycle Length (sec)</b>	60			
<b>Cycles/Hour</b>	60	#DIV/0!	#DIV/0!	#DIV/0!
<b>Average Number of Vehicles/Cycle</b>	1	#DIV/0!	#DIV/0!	#DIV/0!
<b>Storage Length (ft)</b>	50	#DIV/0!	#DIV/0!	#DIV/0!

### Design Method

<b>Condition A (Storage Only)</b>	<b>Taper</b>	-			
	<b>Storage</b>	-	#DIV/0!	#DIV/0!	#DIV/0!
	<b>Total</b>	-	#DIV/0!	#DIV/0!	#DIV/0!
<b>Condition B (High Speed Decel Only)</b>	<b>Taper</b>	60		-	-
	<b>Decel Length</b>	235	-	-	-
	<b>Total</b>	295	-	-	-
<b>Condition C (Moderate Speed Deceleration &amp; Storage)</b>	<b>Taper</b>	50	-	-	-
	<b>Decel Length</b>	115	-	-	-
	<b>Storage</b>	50	-	-	-
	<b>Total</b>	215	-	-	-

<b>Required Storage and/or Decel Length (ft/lane) =</b>	245	#DIV/0!	#DIV/0!	#DIV/0!
<b>Required Turn Lane Length, including 60' taper (ft/lane) =</b>	295	#DIV/0!	#DIV/0!	#DIV/0!





Note: EB - Eastbound, WB - Westbound, NB - Northbound, SB - Southbound

Source: January 2006 ODOT L & D Manual-Volume I: 401 - 9E, 401 -10E



## **Un-Signalized Intersection Analysis**







Intersection						
Int Delay, s/veh	3.9					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	61	15	26	5	19	100
Future Vol, veh/h	61	15	26	5	19	100
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	0	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	66	16	28	5	21	109
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	182	31	0	0	33	0
Stage 1	31	-	-	-	-	-
Stage 2	151	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	807	1043	-	-	1579	-
Stage 1	992	-	-	-	-	-
Stage 2	877	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	797	1043	-	-	1579	-
Mov Cap-2 Maneuver	797	-	-	-	-	-
Stage 1	992	-	-	-	-	-
Stage 2	866	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s	9.8	0		1.2		
HCM LOS	A					
Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT		
Capacity (veh/h)	-	-	836	1579	-	
HCM Lane V/C Ratio	-	-	0.099	0.013	-	
HCM Control Delay (s)	-	-	9.8	7.3	-	
HCM Lane LOS	-	-	A	A	-	
HCM 95th %tile Q(veh)	-	-	0.3	0	-	



Intersection

Int Delay, s/veh 2.1

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	31	16	136	54	27	72
Future Vol, veh/h	31	16	136	54	27	72
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	0	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	34	17	148	59	29	78

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	314	178	0
Stage 1	178	-	-
Stage 2	136	-	-
Critical Hdwy	6.42	6.22	-
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	-
Pot Cap-1 Maneuver	679	865	-
Stage 1	853	-	-
Stage 2	890	-	-
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	665	865	-
Mov Cap-2 Maneuver	665	-	-
Stage 1	853	-	-
Stage 2	871	-	-





Approach	WB	NB	SB
HCM Control Delay, s	10.4	0	2.1
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	722	1364
HCM Lane V/C Ratio	-	-	0.071	0.022
HCM Control Delay (s)	-	-	10.4	7.7
HCM Lane LOS	-	-	B	A
HCM 95th %tile Q(veh)	-	-	0.2	0.1



Intersection

Int Delay, s/veh 3.1





Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	61	15	41	5	19	150
Future Vol, veh/h	61	15	41	5	19	150
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	0	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	66	16	45	5	21	163

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	253	48	0
Stage 1	48	-	-
Stage 2	205	-	-
Critical Hdwy	6.42	6.22	-
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	-
Pot Cap-1 Maneuver	736	1021	-
Stage 1	974	-	-
Stage 2	829	-	-
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	726	1021	-
Mov Cap-2 Maneuver	726	-	-
Stage 1	974	-	-
Stage 2	818	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.2	0	0.8
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	770	1557
HCM Lane V/C Ratio	-	-	0.107	0.013
HCM Control Delay (s)	-	-	10.2	7.3
HCM Lane LOS	-	-	B	A
HCM 95th %tile Q(veh)	-	-	0.4	0



Intersection						
Int Delay, s/veh	1.7					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	31	16	201	54	27	102
Future Vol, veh/h	31	16	201	54	27	102
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	0	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	34	17	218	59	29	111
Major/Minor	Minor1	Major1		Major2		
Conflicting Flow All	417	248	0	0	277	0
Stage 1	248	-	-	-	-	-
Stage 2	169	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	592	791	-	-	1286	-
Stage 1	793	-	-	-	-	-
Stage 2	861	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	578	791	-	-	1286	-
Mov Cap-2 Maneuver	578	-	-	-	-	-
Stage 1	793	-	-	-	-	-
Stage 2	841	-	-	-	-	-
Approach	WB	NB		SB		
HCM Control Delay, s	11.2	0		1.6		
HCM LOS	B					
Minor Lane/Major Mvmt	NBT	NBRWBLn1		SBL	SBT	
Capacity (veh/h)	-	-		636	1286	
HCM Lane V/C Ratio	-	-		0.08	0.023	
HCM Control Delay (s)	-	-		11.2	7.9	
HCM Lane LOS	-	-		B	A	
HCM 95th %tile Q(veh)	-	-		0.3	0.1	





## **CENTRAL OHIO WETLAND CONSULTING, LLC**

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# **SURFACE WATER DELINEATION REPORT**

**N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO**

Prepared by:

**CENTRAL OHIO WETLAND CONSULTING, LLC**

MATT KAMINSKI, OWNER  
6260 HAVENS ROAD  
BLACKLICK, OHIO 43004

Prepared for:

N. OLD STATE, LLC  
C/O MR. JORDAN YATES  
3216 S. THREE B'S & K RD.  
GALENA, OHIO 43021

REPORT ISSUED MAY 12, 2022  
COWC PROJECT #041122025

**EXHIBIT G2**



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**APPENDIX 1 – MAPS AND EVALUATION AREA INFORMATION**

Delaware County Auditor Parcel Information Sheets (3 pages)

General Location Map of Evaluation Area

Location Map of Evaluation Area

Delaware County Auditor Geographic Information System (GIS) Map

United States Geological Survey (USGS) Topographic Maps Dated:

- 1961,
- 1983, and
- 2019

United States Department of Agriculture (USDA) Web Soil Survey Map

United States Fish & Wildlife Service (USFWS) National Wetlands Inventory (NWI) Map

**APPENDIX 2 – AERIAL PHOTOGRAPHS**

1955 Aerial Photograph

1959 Aerial Photograph

1964 Aerial Photograph

1979 Aerial Photograph

1989 Aerial Photograph

1997 Aerial Photograph

2010 Aerial Photograph

2018 Aerial Photograph

2019 Aerial Photograph

2021 Aerial Photograph

**APPENDIX 3 – DELINEATION MAP AND REGULATORY DOCUMENTATION**

Field Reconnaissance Map

Midwest Region Wetland Determination Data Forms (4 pages)

ORAM Scoresheets (10 pages)

**APPENDIX 4 – EVALUATION AREA PHOTOGRAPHS**

Photo Key

Field Reconnaissance Photos (Photo 1 through Photo 56)



## **1.0 INTRODUCTION AND PURPOSE**

Central Ohio Wetland Consulting, LLC (COWC) has been contracted by N. Old State, LLC (Client) to perform a Surface Water Delineation Report for the N. Old State, LLC Parcels located at 68 N. Old State Rd. in Berlin Township, Delaware County, Ohio. The "evaluation area" for this Surface Water Delineation Report comprises 31.65± acres of agricultural and wooded land located east of N. Old State Road and north of State Route 36/37. The evaluation area is identified by Delaware County parcels 418-120-01-011-000 (1.01± acres), 418-120-01-009-002 (15.12± acres), and 418-120-01-012-002 (15.52± acres).

The purpose of COWC's services is to document the size/length, location, and quality of all potentially jurisdictional waters of the United States and/or isolated waters of the State of Ohio within the evaluation area. COWC performed this delineation for specific application to the evaluation area described herein, in accordance with the United States Army Corps of Engineers (USACE) Wetlands Delineation Manual (1987) and the 2010 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region. The conclusions made within this Surface Water Delineation Report are to be considered "preliminary" until verified by the USACE Huntington, WV District Office. This delineation report can be submitted to the USACE as part of a preliminary jurisdictional determination (PJD), approved jurisdictional determination (AJD), or pre-construction notification (PCN). The Ohio Environmental Protection Agency (Ohio EPA), Division of Surface Water will require a copy of the delineation report and an AJD letter issued by the USACE for all isolated wetland permit applications.

The delineation includes three main components: 1) research and review of published information, 2) field reconnaissance and delineation of surface waters (i.e. wetlands, ponds, and streams), and 3) data compilation/report preparation.

### **1.1 LIMITATIONS AND EXCEPTIONS OF ASSESSMENT**

This Surface Water Delineation Report has been prepared based upon field observations and COWC's professional interpretation of the USACE Wetlands Delineation Manual (1987) and the 2010 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region at the time of our field reconnaissance. The conclusions presented in this report are professional opinions based on data collected between the commencement date and the report date. The information in this report is true to the best of our knowledge. COWC obtained some of the information presented in this report from other agencies and sources. COWC assumes no responsibility for the accuracy or completeness of information provided by others. No warranty, expressed or implied, is made.

### **1.2 SPECIAL TERMS AND CONDITIONS**

This report has been prepared by COWC as a professional service for the exclusive use and benefit of N. Old State, LLC, and other parties that may be jointly affiliated by N. Old State, LLC and COWC. Any other entity or third party that wishes to use or rely upon this report must request permission from COWC to do so. Any unauthorized use,



distribution, or reliance upon this report shall release COWC from any liability resulting from such use or reliance.

## 2.0 EVALUATION AREA AND SURROUNDING AREA CHARACTERISTICS

The evaluation area comprises 31.65± acres of agricultural and wooded land located east of N. Old State Road, north of State Route 36/37, and west of Alum Creek Reservoir in the central portion of Delaware County, Ohio. The evaluation area is identified by Delaware County parcels 418-120-01-011-000 (1.01± acres), 418-120-01-009-002 (15.12± acres), and 418-120-01-012-002 (15.52± acres). The evaluation area is located within Hydrologic Unit Code (HUC) 05060001 (Scioto River) 14 (Headwaters Alum Creek) 03 (Big Run-Alum Creek), which is under the regulatory authority of the USACE Huntington, WV District Office. Approximate latitude / longitude coordinates for the center of the evaluation area are 40.275133 / -82.961928.

The evaluation area generally comprises agricultural and wooded land with a house and garage on the southwest portion at 68 N. Old State Rd. A vacant barn is located on the northwest portion of the evaluation area, along N. Old State Road. Agricultural areas on the northern and southern portions of the evaluation area contained evidence of a previously harvested crop of soybeans. However, agricultural areas had not been disked/plowed or planted at the time of our field reconnaissance and were dominated by various weed species.

The northwest portion of the evaluation area contains a brushy upland area dominated by Multiflora Rose (*Rosa multiflora* – FACU). The northeast portion of the evaluation area is a forested upland area generally dominated by Sugar Maple (*Acer saccharum* – FACU), Red Maple (*Acer Rubrum* – FAC), and Morrow's Honeysuckle (*Lonicera morrowii* – FACU). A gently sloping ravine is located on the central portion of the evaluation area. This location is generally dominated by Russian-Olive (*Elaeagnus angustifolia* – FACU), Morrow's Honeysuckle (*Lonicera morrowii* – FACU), and Multiflora Rose (*Rosa multiflora* – FACU). The central portion of the evaluation area also contains a gently sloping wooded area that is generally dominated by Sugar Maple (*Acer saccharum* – FACU), American Beech (*Fagus grandifolia* – FACU), Black Cherry (*Prunus serotina* – FACU), and Northern White Oak (*Quercus alba* – FACU).

State Route 36/37 borders the south side of the evaluation area. Colerain RV at Alum Creek is south of State Route 36/37. N. Old State Road borders the west side of the evaluation area. Evaluation Ag Outdoor Power Equipment, agricultural land, and wooded land are west of N. Old State Road. The Seraph furniture store is west of the evaluation area, at the northeast intersection of N. Old State Road and State Route 36/37. Agricultural land, wooded land, and a residential property are north of the evaluation area. Wooded land associated with Alum Creek State Park is east of the evaluation area.

Appendix 1 includes parcel information sheets, location maps, a Delaware County Auditor Geographic Information System (GIS) Map, United States Geological Survey (USGS)



topographic maps (Kilbourne, Ohio), the United States Department of Agriculture (USDA) soil survey map, and the United States Fish & Wildlife Service (USFWS) National Wetland Inventory (NWI) map. Appendix 2 includes aerial photographs showing the evaluation area. Photographs depicting representative vegetation, property features, and views from several locations around the evaluation area are provided in Appendix 4.

### **3.0 RESEARCH AND REVIEW OF PUBLISHED INFORMATION**

COWC's research and review of published information includes: USGS topographic maps, the USDA soil survey for Delaware County, USFWS NWI map, and aerial photographs from various local governmental agencies. COWC uses this information to determine historical uses of the evaluation area, the geo-morphological setting at the evaluation area, soil types, whether the evaluation area has been significantly disturbed within the past few years, and for visual evidence of ponds, streams, saturation or inundation on land surfaces, and the potential for wetlands. Copies of the reviewed information is appended.

#### **3.1 USGS TOPOGRAPHIC MAPS**

COWC reviewed 1961, 1983, and 2019 Kilbourne, Ohio, USGS 7.5-minute series topographic maps<sup>1</sup> for the evaluation area. COWC uses USGS topographic maps as an indicator of watershed characteristics in and around the evaluation area, and to identify small depressional areas, ponds, streams, and wetland mapping symbols. The appendix of this report includes portions of these USGS maps showing the evaluation area.

The USGS maps generally depict the evaluation area as vacant land with structures on the northwest and southwest portions, along N. Old State Road. Green tint is depicted on the central and northeast portions of the evaluation area. Streams are shown traversing the northern and central portions of the evaluation area in a general west to east direction on the 1961 map. These streams appear to have a surface water connection to Alum Creek east of the evaluation area. A pond is shown on the north central portion of the evaluation area on the 1983 and 2019 aerial photographs. No wetland mapping symbols or isolated topographic depressions are depicted within the evaluation area.

Surface elevations within the evaluation area range from approximately 900 feet above mean sea level (AMSL) to approximately 940 feet AMSL. Surface elevations within the surrounding appear to decrease to the east, toward Alum Creek.

#### **3.2 SOIL REVIEW**

COWC reviewed information from the USDA Natural Resources Conservation Service (NRCS), the USDA Web Soil Survey website<sup>2</sup>, and the list of Hydric Soils of the United States (published by NRCS in cooperation with the National Technical Committee for Hydric Soils) to identify soil types within the evaluation area. These sources indicate five

<sup>1</sup> <https://store.usgs.gov/map-locator>

<sup>2</sup> <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>



(5) soil types are located within the evaluation area. Soil types found within the evaluation area, and their hydric classification, are listed in Table 1.

**TABLE 1**  
**EVALUATION AREA SOIL DESIGNATIONS**

<b>Map Unit ID</b>	<b>Map Unit Name</b>	<b>% Slope</b>	<b>Hydric Classification</b>	<b>% Hydric Component</b>	<b>Component Landform</b>
AmD2	Amanda silt loam, eroded	12-18	Non-hydric	-	Ground Moraines
AmE	Amanda silt loam	18-25	Non-hydric	-	Ground Moraines
BeB	Bennington silt loam	2-6	Non-hydric with hydric components	Condit 3%	Depressions
Blg1A1	Blount silt loam, ground moraine	0-2	Non-hydric with hydric components	Pewamo 9%	Till Plains
Crd1B1	Cardington silt loam	2-6	Non-hydric with hydric components	Pewamo 5%	Ground Moraines

According to mapping available from the USDA NRCS, and the list of Hydric Soils of the United States published by the NRCS in cooperation with the National Technical Committee for Hydric Soils, the evaluation area does not contain hydric soils. Amanda soils with 12-25 percent slopes are located on the central and north central portions of the evaluation area. Sloping soils in these locations may support streams or other natural drainage features.

### **3.3 NATIONAL WETLANDS INVENTORY (NWI) MAP**

COWC reviewed the USFWS NWI website<sup>3</sup> for wetland mapping symbols depicted within the evaluation area. The USFWS produced NWI maps in an attempt to document wetlands throughout the United States. The USFWS generated NWI maps using high-altitude infrared aerial photography to identify areas of saturation or inundation on land surfaces. Areas that are saturated or inundated typically have lower infrared heat signatures than dry areas. The USFWS mapped these cooler infrared heat signature areas as wetlands without field verification. NWI maps may not reflect actual field conditions due to meteorological or seasonal conditions that may have existed at the time of data collection. COWC utilizes NWI maps to plan field reconnaissance, and as an indicator of areas that may support wetlands. USACE-approved delineations often differ from NWI maps.

The NWI map shows one (1) pond with a PUBGh designation on the north central portion of the evaluation area. The PUBGh designation indicates an area that is (P) palustrine (non-tidal wetlands dominated by trees, shrubs, persistent emergent vegetation) with an (UB) unconsolidated bottom (at least 25% cover of particles smaller than 6-7 centimeters and a vegetative cover less than 30%), (G) intermittently exposed water surface (water covers the substrate throughout the year, except in years of extreme drought), which has been (h) diked/impounded (a man-made barrier or dam

<sup>3</sup> <https://www.fws.gov/wetlands/Data/Mapper.html>



obstructs the inflow/outflow of surface water). COWC delineated this freshwater pond mapping symbol as a portion of “Wetland 1” during our field reconnaissance for the surface water delineation.

### **3.4 AERIAL PHOTOGRAPHS**

COWC reviewed aerial photographs of the evaluation area dated 1955, 1959, 1964, 1979, and 1989 available from the Ohio Department of Transportation Office of CADD & Mapping website<sup>4</sup>; and 1997, 2010, 2018, 2019, and 2021 aerial photographs from the Delaware County Auditor website<sup>5</sup>. Copies of the aerial photographs showing the evaluation area are provided in Appendix 2.

Throughout the reviewed aerial photographs, the evaluation area appears to predominately be vacant, partially wooded land with residential structures on the northwest and southwest portions. Stream channels are apparent on the central and north central portions of the evaluation area, in similar locations/orientations as the streams depicted on the 1961 USGS map. A pond is apparent on the north central portion of the evaluation area on the 1979 through 2021 aerial photographs.

The 2019 and 2021 aerial photographs indicate the evaluation area is similar in appearance to what was observed during the field reconnaissance on April 29, 2022.

#### **3.4.1 PUBLISHED INFORMATION REVIEW CONCLUSIONS**

Information obtained from USGS topographic maps, the NWI map, and aerial photographs indicate the potential for one (1) pond on the north central portion of the evaluation area, and several streams or drainage channels on the central and north central portions of the evaluation area. No potential wetland areas are apparent within the evaluation area from review of published information.

The potential for surface waters within the evaluation area cannot be determined exclusively from review of published information. Therefore, a field reconnaissance was conducted to verify current conditions within the evaluation area.

### **4.0 FIELD RECONNAISSANCE AND DELINEATION OF SURFACE WATERS**

Matthew R. Kaminski, owner of Central Ohio Wetland Consulting, LLC, performed the field reconnaissance for the surface water delineation during the morning and afternoon hours on Friday April 29, 2022. At the time of the assessment, weather conditions included partly cloudy skies with temperatures ranging from the mid-40's to the mid-60's (degrees Fahrenheit). Historical weather data from the Weather Underground website<sup>6</sup> indicates the most recent precipitation event to have occurred prior to the field reconnaissance was 0.43±

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<sup>4</sup> [CADD and Mapping Services | Ohio Department of Transportation](#)

<sup>5</sup> [Home Page \(delawarecountyauditor.org\)](#)

<sup>6</sup> [Weather History & Data Archive | Weather Underground \(wunderground.com\)](#)



inch of rainfall received on April 26, 2022. Photographic documentation from the field reconnaissance and general landscape photographs are provided in Appendix 4.

Research and review of published information indicates physical property conditions were generally unchanged for several years prior to this delineation, such that the evaluation area was considered undisturbed for data collection. Therefore, the routine method was used in this assessment.

COWC performs its field reconnaissance for surface water delineations using criteria and guidance in the Corps of Engineers' Wetland Delineation Manual (USACE, 1987) and the 2010 Midwest Regional Supplement to the 1987 Wetland Delineation Manual. In this method, vegetation, hydrology, and soil criteria are used to identify jurisdictional/isolated wetlands. The delineation method and vegetation sampling methodology uses the procedures for Routine Determinations found in the 1987 and 2010 manuals.

To establish the presence of jurisdictional/isolated wetlands, three characteristics are required to be present. These wetland characteristics consist of hydric soils, a dominance of hydrophytic (i.e. wetland) vegetation, and wetland hydrology. All three criteria must be present for an area to be identified as wetland. These three criteria are defined and explained in detail in the Corps of Engineers' Wetland Delineation Manual (USACE, 1987) and the 2010 Midwest Regional Supplement to the 1987 Wetland Delineation Manual. The Wetlands Research Program of the USACE Waterways Experiment Station developed the manual in 1987. COWC followed the methods described in these manuals in performing the delineation.

Wetland and waterbody delineation of field-verified water features are made using COWC's professional judgment and interpretation of the USACE Jurisdictional Determination Form Instructional Guidebook (USACE, 2007). For the purposes of this report, "non-jurisdictional" is defined as aquatic features that are not regulated by the USACE under the provisions of Section 404 of the Clean Water Act (CWA). Isolated wetlands that do not have a surface water connection to waters of the U.S. are non-jurisdictional from the perspective of the USACE; however, are regulated by the Ohio EPA under the provisions of Section 401 of the CWA.

#### **4.1 METHODOLOGY**

After collecting pertinent information through the review of published information, COWC uses the routine method to determine if wetland areas exist within the evaluation area. The approach used for the routine determination is the plant community assessment procedure. This approach requires initial identification of representative plant community types in the evaluation area followed by characterization of vegetation, soils, and hydrology for each community type. In undisturbed conditions, if one or more of the required wetland criteria are absent, the location is considered non-wetland.

The evaluation area is assessed in accordance with guidelines from the USACE pertaining to potential jurisdictional waters of the United States and/or isolated waters of the State of Ohio. All potential wetlands, streams, and drainage ditches are followed



to determine the flow regime and whether such features have a surface water connection to waters of the U.S.

The field reconnaissance is conducted by walking and visually surveying the evaluation area, and in the vicinity, to collect wetland and stream data, as necessary. If all three (3) wetland criteria are determined to be present within a sample location, the boundary between hydrophytic (wetland) and non-wetland communities is surveyed with a Spectra SP20 handheld Global Navigation Satellite System (GNSS) receiver equipped with a Spectra SPGA Rover antenna capable of sub-meter accuracy<sup>7</sup>. The wetland delineation boundary is determined in locations where dominant vegetation species change from wetland to upland, or where hydrologic or soil indicators become transitional. COWC records observations concerning hydrology and vegetation on the appropriate Wetland Determination Data Form.

#### **4.1.1 HYDROPHYTIC VEGETATION CRITERIA**

Hydrophytic vegetation is determined present if more than 50 percent of plant species within a plant community have an indicator status of obligate wetland (OBL), facultative wetland (FACW), and/or facultative (FAC). The indicator status of plant species found in wetlands is listed in the USACE 2020 National Wetland Plant List, version 3.5<sup>8</sup>. Vegetation indicator status categories are further described below:

- Obligate (OBL) – under natural conditions, almost always found in wetlands (>99% estimated probability).
- Facultative Wetland (FACW) – usually occur in wetlands, but occasionally found in non-wetlands (67% - 99% estimated probability).
- Facultative (FAC) – equally likely to occur in wetlands and non-wetlands (34% - 66% estimated probability).
- Facultative Upland (FACU) – usually occur in non-wetlands, but occasionally found in wetlands (1% - 33% estimated probability).
- Upland (UPL) – under natural conditions, almost always occurs in non-wetlands (>99% estimated probability).

COWC used this data and determined hydrophytic vegetation dominance was present within the area delineated as Wetland 1.

#### **4.1.2 HYDRIC SOIL CRITERIA**

If a dominance of hydrophytic vegetation is observed within a sample location, COWC then performs shovel test pits to characterize soil conditions and to evaluate for the presence or absence of hydric soil features. Soil samples containing hydric soil indicators, including, but not limited to, a depleted matrix,

<sup>7</sup> Data collection accuracy and reliability may be subject to anomalies due to obstructions, forest canopy, site path issues, satellite geometry, and atmospheric conditions. Accuracy cannot be guaranteed.

<sup>8</sup> [NWPL Home v3.4-f9c \(army.mil\)](#)



redox dark surface, depleted dark surface, redox depressions, thick dark surface, and/or loamy gleyed matrix were considered a hydric soil.

Shovel test pits are dug using a drain spade to collect soil samples from a maximum depth of approximately 16 inches below ground surface. Soil samples are visually compared to a Munsell soil color chart, as soil colors indicate whether a soil is hydric or non-hydric. The standardized Munsell soil colors consist of three components: hue, value, and chroma. Chromas of two or less are considered low, and often diagnostic of hydric soils. Hydric mineral soils saturated for long periods of the growing season, but unsaturated for some time, often develop mottles and/or a low chroma matrix. Soils are considered hydric if at least one primary indicator, or at least one problematic hydric soil indicator is present, as defined by the USACE.

COWC observed hydric soil characteristics within the area delineated as Wetland 1.

#### **4.1.3 WETLAND HYDROLOGY CRITERIA**

Wetland hydrology is determined present in areas that are periodically inundated or have soils saturated to the surface sometime during the growing season. This is a dynamic characteristic and is usually not present during drier periods of the year. Primary wetland hydrology indicators include, but are not limited to, surface water, high water table, inundation, soil saturation in the upper 12 inches of the soil, water marks, sediment deposits, drift deposits, and water-stained leaves. Secondary wetland hydrology indicators include surface soil cracks, drainage patterns, dry-season water table, crayfish burrows, saturation visible on aerial imagery, stunted or stressed plants, geomorphic position, and FAC-Neutral Test of vegetation. One primary indicator or two or more secondary indicators are required to establish a positive indication of wetland hydrology.

COWC observed primary and secondary hydrology indicators for wetlands within the area delineated as Wetland 1.

#### **4.2 SURFACE WATER DELINEATION FINDINGS**

COWC identified and delineated one (1) wetland (Wetland 1) totaling  $0.52 \pm$  acre and three (3) streams (Stream 1, Stream 2, and Stream 3) totaling  $1,590 \pm$  linear feet within the evaluation area during our field reconnaissance on April 29, 2022. The centerline of the streams and the boundary of the wetland were surveyed with a Spectra SP20 handheld GNSS receiver equipped with a Spectra SPGA Rover antenna capable of sub-meter accuracy. Provided in Appendix 3 is a Field Reconnaissance Map showing the location of the delineated wetland and streams. Multi-directional photographs of the wetland and streams, and general landscape photographs are provided in Appendix 4.



#### 4.2.1 STREAMS

COWC identified three (3) streams totaling 1,590± linear feet within the evaluation area. These streams were delineated as Stream 1, Stream 2, and Stream 3, and further described below.

**TABLE 2**  
**STREAM INFORMATION**

<b>Stream ID</b>	<b>Length (On-Site)</b>	<b>Classification</b>	<b>Start Location</b>	<b>End Location</b>
Stream 1	1,058± LF	Intermittent	40.274011 -82.963522	40.275158 -82.960558
Stream 2	470± LF	Intermittent	40.275719 -82.961786	40.275200 -82.960553
Stream 3	62± LF	Ephemeral	40.277072 -82.961381	40.277183 -82.961267
<b>Total</b>	<b>1,590± LF</b>			

##### Stream 1 – 1,058± linear feet

Stream 1 is an unnamed intermittent tributary to Alum Creek Reservoir that traverses the central portion of the evaluation area. Stream 1 is located within a wooded ravine in mapped Amanda silt loam (18-25 percent slopes) soils. Stream 1 originates at the outfall of a round corrugated plastic culvert pipe located beneath N. Old State Road. From this culvert pipe, Stream 1 flows in a northeasterly direction for approximately 1,101 linear feet (1,058 linear feet are within the evaluation area boundary) before having a confluence with Stream 2 off-site to the east. Stream 1 has a confluence with Alum Creek Reservoir approximately 660 feet east of the evaluation area. Substrate material within Stream 1 generally consists of silt, sand, gravel, and cobble. Surface water was flowing within Stream 1 during our field reconnaissance on April 29, 2022.

Photos 35-44 in the appendix of this report depict the location and general characteristics of Stream 1.

##### Stream 2 – 470± linear feet

Stream 2 is an unnamed intermittent tributary to Alum Creek Reservoir that traverses the central portion of the evaluation area. Stream 2 is located within a wooded ravine in mapped Amanda silt loam (18-25 percent slopes) soils. Stream 2 originates within a brushy ravine near the center of the evaluation area. Stream 2 flows in a southeasterly direction for approximately 474 linear feet (470 linear feet are within the evaluation area boundary) before having a confluence with Stream 1 off-site to the east. Stream 2 has a confluence with Alum Creek Reservoir approximately 660 feet east of the evaluation area. Substrate material



within Stream 2 generally consists of silt, sand, and gravel. Surface water was flowing within Stream 2 during our field reconnaissance on April 29, 2022.

Photos 26-30 in the appendix of this report depict the location and general characteristics of Stream 2.

#### Stream 3 – 62± linear feet

Stream 3 is an ephemeral channel that originates at a spillway within an earthen dam along the northeast perimeter of Wetland 1. Stream 3 appears to be a natural ephemeral channel created by overflow surface water contained within a ponded area of Wetland 1. Stream 3 traverses in a northeasterly direction for approximately 62 linear feet before extending off-site to the northeast. Stream 3 appears to facilitate surface water drainage of Wetland 1 and provides a surface water connection between Wetland 1 and Alum Creek Reservoir. Substrate material within Stream 3 generally consists of silt and sand. Surface water was flowing within Stream 3 during our field reconnaissance on April 29, 2002.

Photo 10 in the appendix of this report depicts the location and general characteristics of Stream 3.

### **4.2.1 WETLANDS**

COWC identified one (1) wetland totaling 0.52± acre within the evaluation area. This area exhibits a dominance of hydrophytic species, primary and secondary wetland hydrology indicators, and hydric soil characteristics. This wetland was delineated as Wetland 1, and further described below.

**TABLE 3**  
**WETLAND INFORMATION**

<b>Wetland ID</b>	<b>Acreage (On-Site)</b>	<b>Cowardin Classification</b>	<b>ORAM Score</b>	<b>Status</b>	<b>Location</b>
Wetland 1	0.52±	Palustrine Emergent (PEM)	37 (Cat. 2)	Jurisdictional	40.276883 -82.962083
<b>Total</b>	<b>0.52±</b>				

COWC completed Ohio Rapid Assessment Method (ORAM) score sheets for the wetland delineated within the evaluation area. Wetland 1 scored 37.0 points, placing the wetland within Category 2, according to Ohio EPA standards. The ORAM forms are appended.

COWC determined the Cowardin classification of Wetland 1 as palustrine emergent (PEM).



#### Wetland 1 (0.52± acre)

Wetland 1 is an emergent wetland located within an excavated topographic depression on the northwest portion of the evaluation area. The central and western portions of Wetland 1 are shallow and contain emergent wetland vegetation with few shrubs, trees, and saplings. Based on visual observation, areas within Wetland 1 vary from semi- to permanently saturated (western portion) to permanently inundated (eastern portion), receiving hydrology from precipitation, overland flow from adjacent uplands, and impoundment of an ephemeral wetland swale.

The NWI map depicts the location of Wetland 1 with a PUBGh mapping designation. The eastern perimeter of Wetland 1 contains an earthen berm which appears to impound an ephemeral stream/swale. Aerial photographs indicate excavation/impoundment within the location of Wetland 1 occurred sometime between 1964 and 1973. The ponded eastern portion of Wetland 1 is generally located in the same vicinity as the PUBGh mapping symbol depicted on the NWI map.

The western portion of Wetland 1 is a low-lying swale that appears to be semi- to permanently saturated, dominated by Reed Canary Grass (*Phalaris arundinacea* – FACW). The shallow central portions of Wetland 1 are generally dominated by Reed Canary Grass (*Phalaris arundinacea* – FACW), Common Spike-Rush (*Eleocharis palustris* – OBL), and Black Willow (*Salix nigra* – OBL).

The eastern portion of Wetland 1 resembles a pond with open water areas. These open water areas were incorporated within the limits of Wetland 1, and mostly consist of open water with a muck/silt bottom. Vegetation is generally lacking within these open water areas, other than the presence of Columbian Watermeal (*Wolffia columbiana* – OBL) and green algae floating on the water surface.

Upland areas adjacent to the eastern portion of Wetland 1 generally consist of excavated earthen material vegetated by invasive Morrow's Honeysuckle (*Lonicera morrowii* – FACU). A brushy upland area dominated by Multiflora Rose (*Rosa multiflora* – FACU) is adjacent to the north of the western portion of Wetland 1. Agricultural areas are adjacent to the south of Wetland 1.

Photos 4-9 in the appendix of this report depict Wetland 1.

#### **4.2.2 PONDS**

Other than the apparent impoundment delineated as a portion Wetland 1, COWC identified no ponds within the evaluation area.

#### **4.2.3 OTHER SURFACE WATERS**

COWC identified no other surface water features within the evaluation area.



## **5.0 FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS**

COWC identified and delineated one (1) wetland (Wetland 1) totaling 0.52± acre and three (3) streams (Stream 1, Stream 2, and Stream 3) totaling 1,590± linear feet within the evaluation area.

It is COWC's opinion that Stream 1, Stream 2, and Stream 3 are likely to be considered waters of the U.S. (i.e. "jurisdictional") due to their apparent ephemeral and intermittent flow characteristics and direct surface water connection of Alum Creek Reservoir. Therefore, Stream 1, Stream 2, and Stream 3 are likely to be regulated by the United States Army Corps of Engineers (USACE).

Due to the apparent surface water connection of Wetland 1 to Stream 3, and the proximity of Wetland 1 to Alum Creek Reservoir, Wetland 1 is also likely to be considered a water of the U.S. Section 404 of the CWA requires pre-construction notification (PCN) to the USACE and a Department of the Army (DA) permit prior to discharging dredged or fill material into waters of the U.S.

The USACE has authority to determine jurisdictional status of surface water features identified within the evaluation area. Therefore, findings in this report are preliminary until verified by the USACE. COWC recommends obtaining an Approved Jurisdictional Determination (AJD) from the USACE Huntington, WV District Office for written verification of the findings documented within this report. With your authorization, COWC will supply the required information to process this request. With this reported information and/or a site visit, the USACE will make the official determination on jurisdiction. The findings and conclusions of this delineation report are subject to change, pending USACE verification. This report will become public information upon submittal to the USACE.

## **6.0 SIGNATURE OF PROFESSIONAL PERSONNEL**


To the best of our professional knowledge and belief, COWC personnel responsible for this report declare we have the specific qualifications based on education, training, and experience to assess the evaluation area for waters of the U.S. and isolated waters of the State of Ohio. The surface water delineation has been conducted in a manner consistent with the criteria contained in the USACE Wetlands Delineation Manual (1987) and the 2010 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region, and with the level of care and skill ordinarily used by similar professionals performing similar services under similar conditions in the vicinity of the evaluation area.

COWC appreciates the opportunity to serve you on this project. Please contact COWC owner Matt Kaminski at [mkaminski434@gmail.com](mailto:mkaminski434@gmail.com) with any questions or concerns regarding this report.



Respectfully submitted,

**Central Ohio Wetland Consulting, LLC**

*Prepared by:*   
Matthew R. Kaminski, Owner  
Wetland Scientist, 401/404 Specialist

Matthew R. Kaminski holds a Bachelor of Science Degree in Environmental Geography from Ohio University with 17 years of experience as an environmental consultant. Mr. Kaminski has completed hundreds of surface water delineations throughout the State of Ohio upon completion of the 38 Hour Army Corps of Engineers Wetland Delineation & Management Training Program in 2006. Mr. Kaminski's experience includes wetland/stream delineation, plant identification, stream evaluations, 404/401 permitting, Ohio Rapid Assessment Method v. 5.0, Clean Water Act (CWA) regulations, Sections 7 & 9 of the Endangered Species Act (ESA), and Ohio Historic Preservation Office (OHPO) Section 106. Throughout his career, Mr. Kaminski has successfully facilitated regulatory approval of numerous residential, commercial, and institutional projects. Since September 2020, Mr. Kaminski has been sole proprietor of Central Ohio Wetland Consulting, LLC, offering comprehensive wetland and stream consultation and guidance for commercial and residential developers, architects, civil design professionals, and private individuals. Professional wetland and stream consulting services include preliminary surface water assessments, wetland/stream delineation, approved and preliminary jurisdictional determination requests, and 404/401 permitting services.



# **APPENDIX 1**



Property Information

Parcel Number	418-120-01-011-000	Property Address:
Owner Name	N OLD STATE LLC	68 N OLD STATE RD
Owner Address	68 N OLD STATE RD DELAWARE OH 43015	DELAWARE OH 43015
Tax District	05 BERLIN TWP OLENTANGY	
School District	2104 OLENTANGY LSD	
Neighborhood	05005 Berlin 005	
Use Code	511 Single family Dwlg Unplat 0-09.99 acres	Tax Payer Address:
Acres	1.01000	N OLD STATE LLC
Description		3216 S 3 B'S & K RD
LANDS 18 4 1 13		GALENA OH 43021 USA

Assessment Info		Current Value		Recent Transfer	
Board of Revision	N	Mkt Land Value	\$43,800	# Parcels	1
<a href="#">Homestead/Disability</a>	N	CAUV	\$0	Deed Type	Warranty Deed Ex
<a href="#">Owner Occ Credit</a>	N	Mkt Impr Value	\$285,300	Amount	\$0
Divided Property	N	Total	\$329,100	Transfer Date	4/11/2019
New Construction	N	Current Tax		Conveyance	
Foreclosure	N	Tax Due	\$7,857.90	Deed #	630
Other Assessments	N	Paid To Date	\$3,928.95		
Front Ft.	N	Current Balance Due	\$3,928.95		

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Dwelling Information					
Above Grade	1785	Room Count	6	Fireplace(s)	0
Below Grade	0	Story Height	1	Year Built	1955
Finished Basement	No	# Bedrooms	3	Year Remodeled	0
Basement Type	Crawl	Full Baths	1	Style	Convention
*See Improvements Tab		Half Baths	0	Ext Walls	Brick
For More Detail On		Heating	Yes		
Fields Shown Above		Air Cond	None		

Card - 1

Property Sketch and Photos -- Card 1

Property Sketch	Property Photos
	



## Property Information

Parcel Number	418-120-01-009-002	Property Address:
Owner Name	N OLD STATE LLC	N OLD STATE RD
Owner Address	N OLD STATE RD	DELAWARE OH 43015
Tax District	05 BERLIN TWP OLENTANGY	
School District	2104 OLENTANGY LSD	
Neighborhood	05005 Berlin 005	Tax Payer Address:
Use Code	502 Resid Unplat 10-19.99 acres	N OLD STATE LLC
Acres	15.12100	3216 S 3 B'S & K RD
	Description	GALENA OH 43021
	LANDS 18 4 1 13	USA

Assessment Info		Current Value		Recent Transfer	
Board of Revision	N	Mkt Land Value	\$237,100	# Parcels	1
<a href="#">Homestead/Disability</a>	N	CAUV	\$8,180	Deed Type	Setup/RMW & TLB
<a href="#">Owner Occ Credit</a>	N	Mkt Impr Value	\$0	Amount	\$0
Divided Property	N	Total	\$237,100	Transfer Date	4/6/2017
New Construction	N	Current Tax		Conveyance	
Foreclosure	N	Tax Due	\$195.08	Deed #	
Other Assessments	N	Paid To Date	\$97.54		
Front Ft.	N	Current Balance Due	\$97.54		

[<< Previous Card](#)

Card 1 of 0

[Next Card >>](#)

### Card - 1

#### Property Sketch and Photos -- Card 1

Property Sketch	Property Photos
	



Property Information

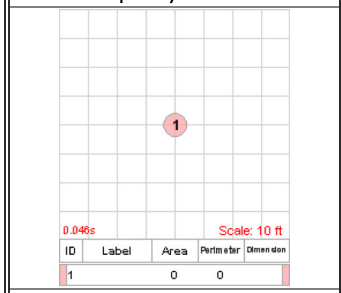

Parcel Number	418-120-01-012-002	Property Address:
Owner Name	N OLD STATE LLC	N OLD STATE RD
Owner Address	N OLD STATE RD DELAWARE OH 43015	DELAWARE OH 43015
Tax District	05 BERLIN TWP OLENTANGY	
School District	2104 OLENTANGY LSD	Tax Payer Address:
Neighborhood	05005 Berlin 005	N OLD STATE LLC
Use Code	102 Livestock farms NOT dairy and poultry	3216 S 3 B'S & K RD
Acres	15.52000	GALENA OH 43021
	Description	USA
	LANDS 18 4 1 13	

Assessment Info		Current Value		Recent Transfer	
Board of Revision	N	Mkt Land Value	\$225,600	# Parcels	2
<a href="#">Homestead/Disability</a>	N	CAUV	\$11,730	Deed Type	Trustees Deed
<a href="#">Owner Occ Credit</a>	N	Mkt Impr Value	\$1,200	Amount	\$686,700
Divided Property	N	Total	\$226,800	Transfer Date	4/6/2017
New Construction	N	Current Tax		Conveyance	1155
Foreclosure	N	Tax Due	\$309.04	Deed #	
Other Assessments	N	Paid To Date	\$154.52		
Front Ft.	N	Current Balance Due	\$154.52		

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Card - 1

Property Sketch and Photos -- Card 1

Property Sketch	Property Photos
	



## GENERAL LOCATION MAP OF EVALUATION AREA



NORTH



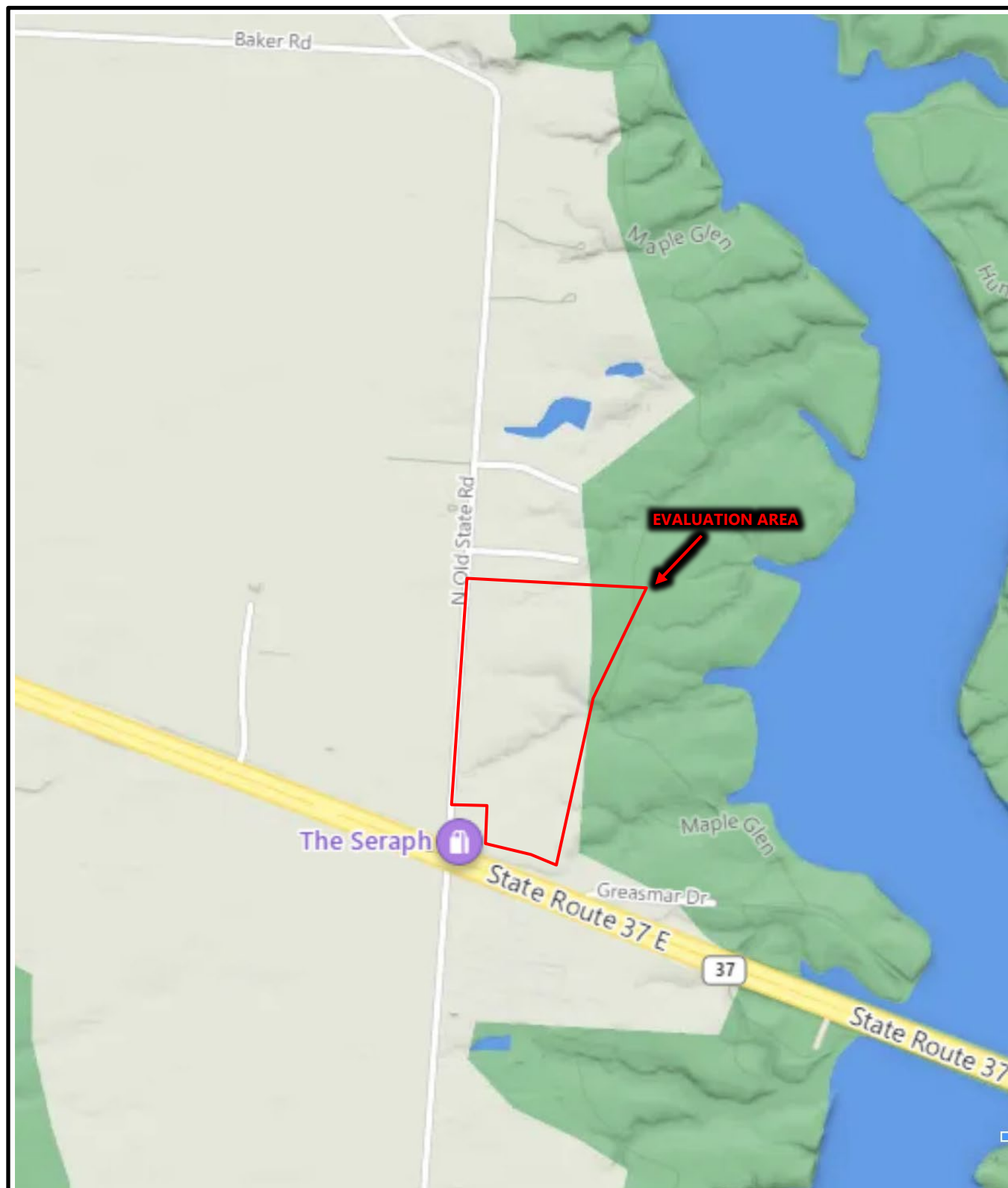
N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



## LOCATION MAP OF EVALUATION AREA



NORTH

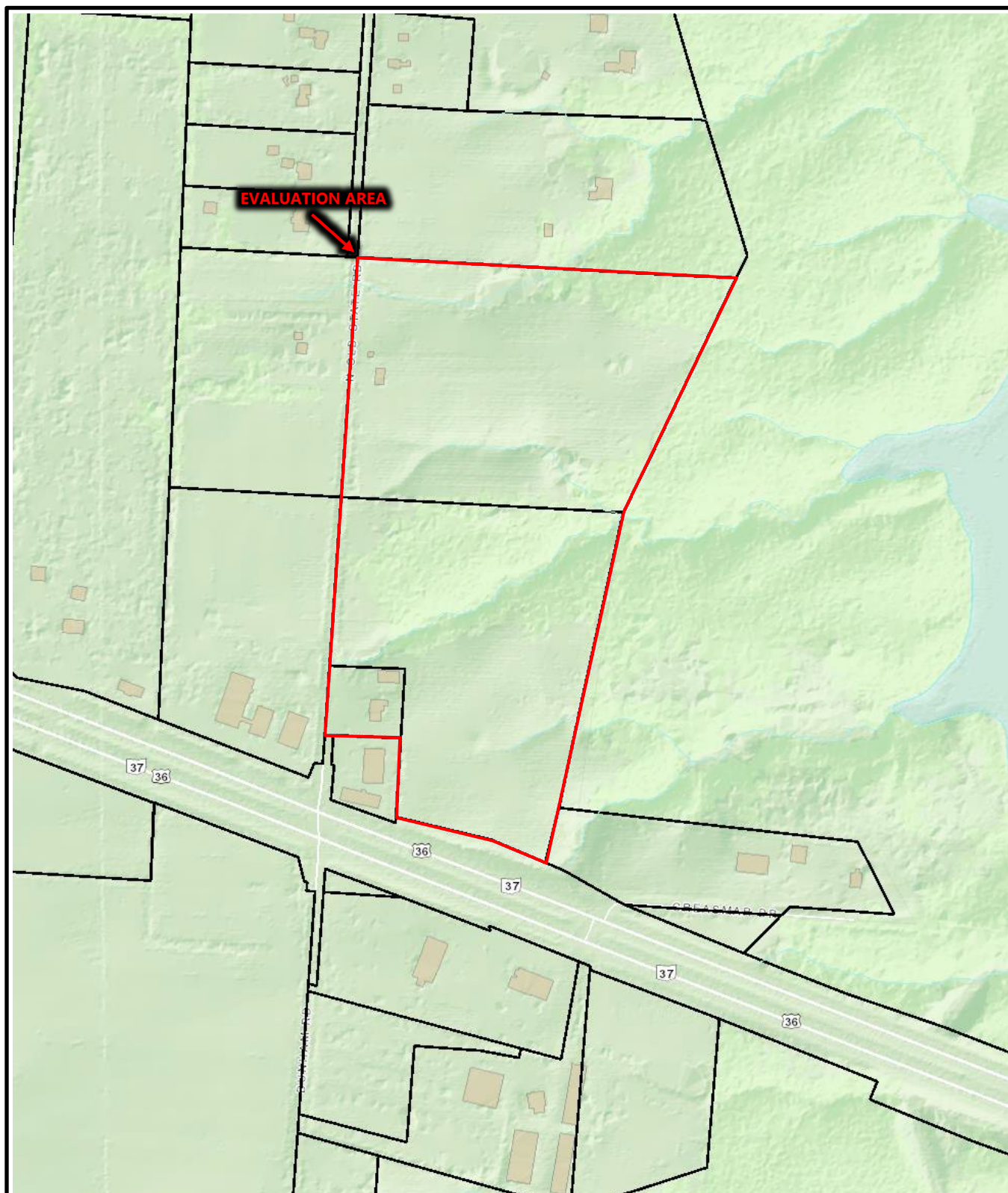


N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC

DELAWARE COUNTY AUDITOR GIS MAP



NORTH



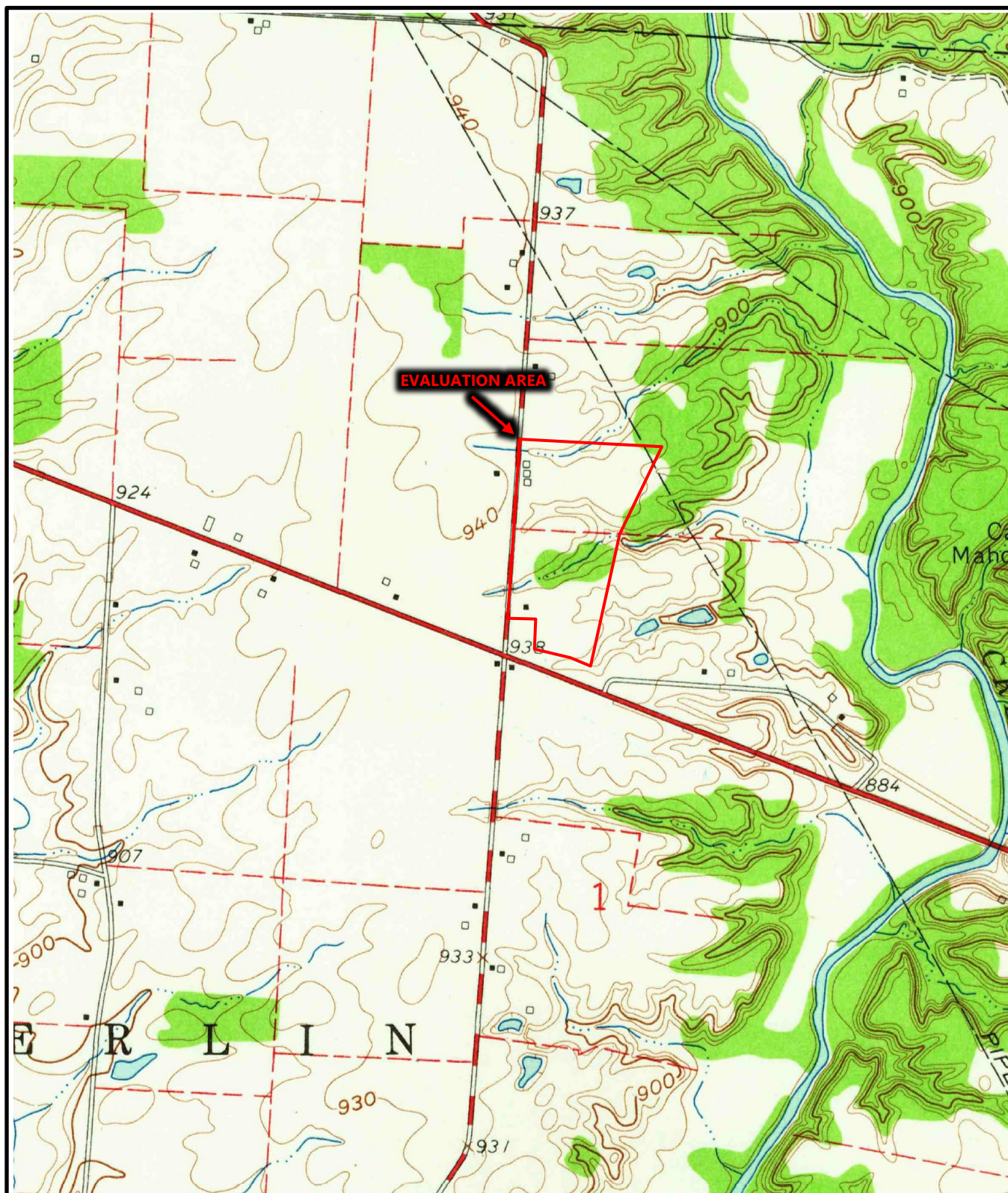
N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



1961 USGS TOPOGRAPHIC MAP



NORTH



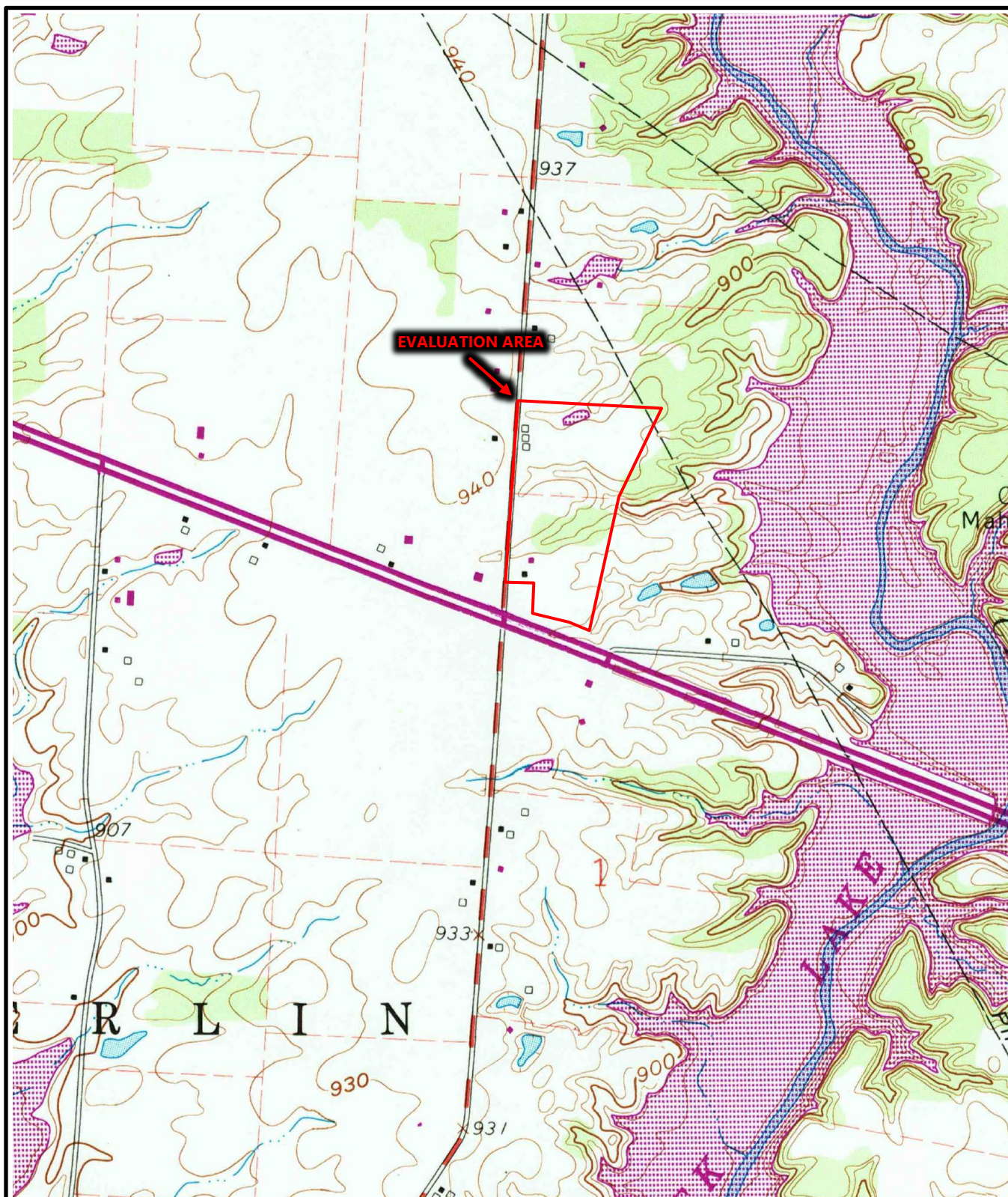
N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



1983 USGS TOPOGRAPHIC MAP



NORTH

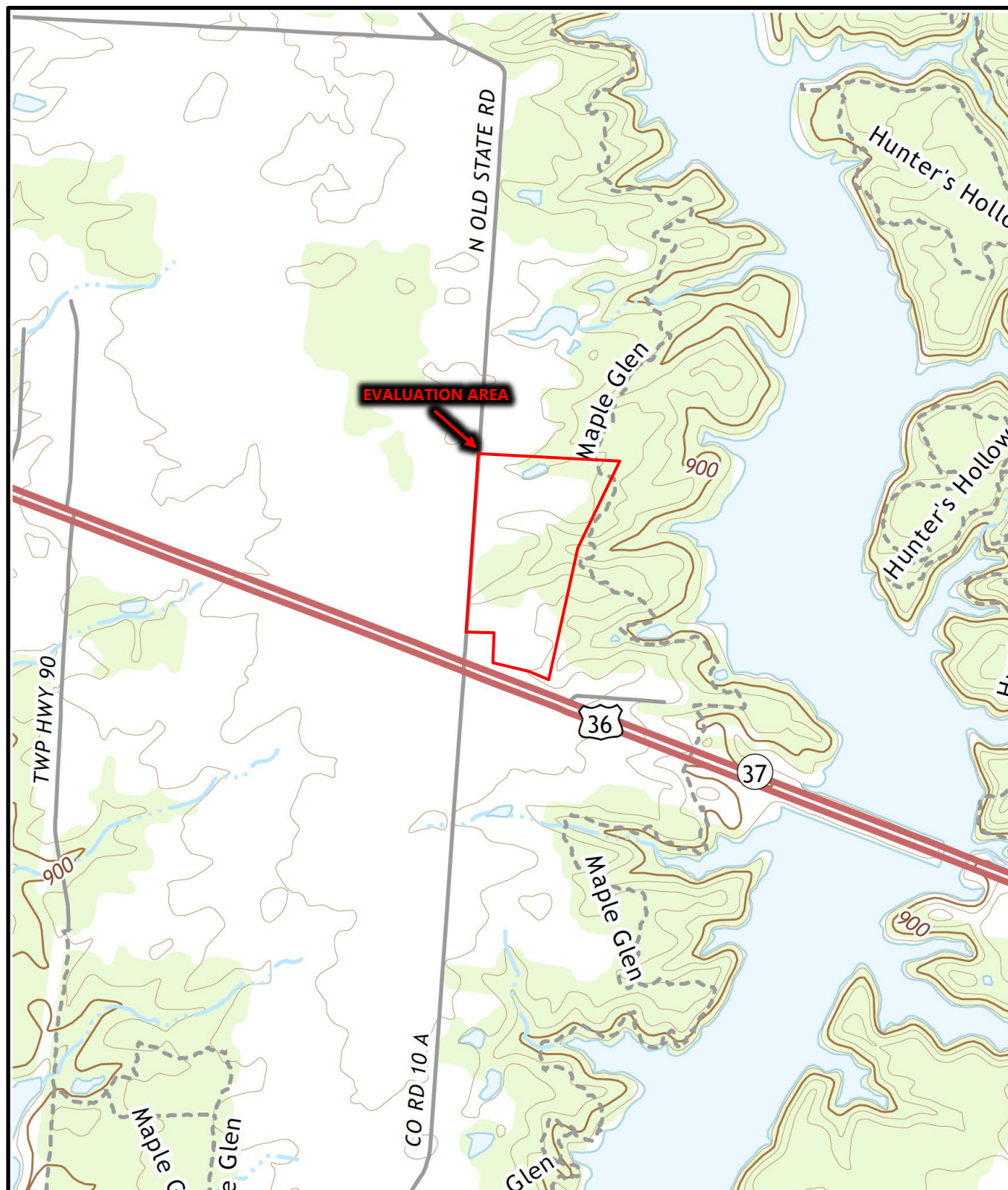


N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC





NORTH



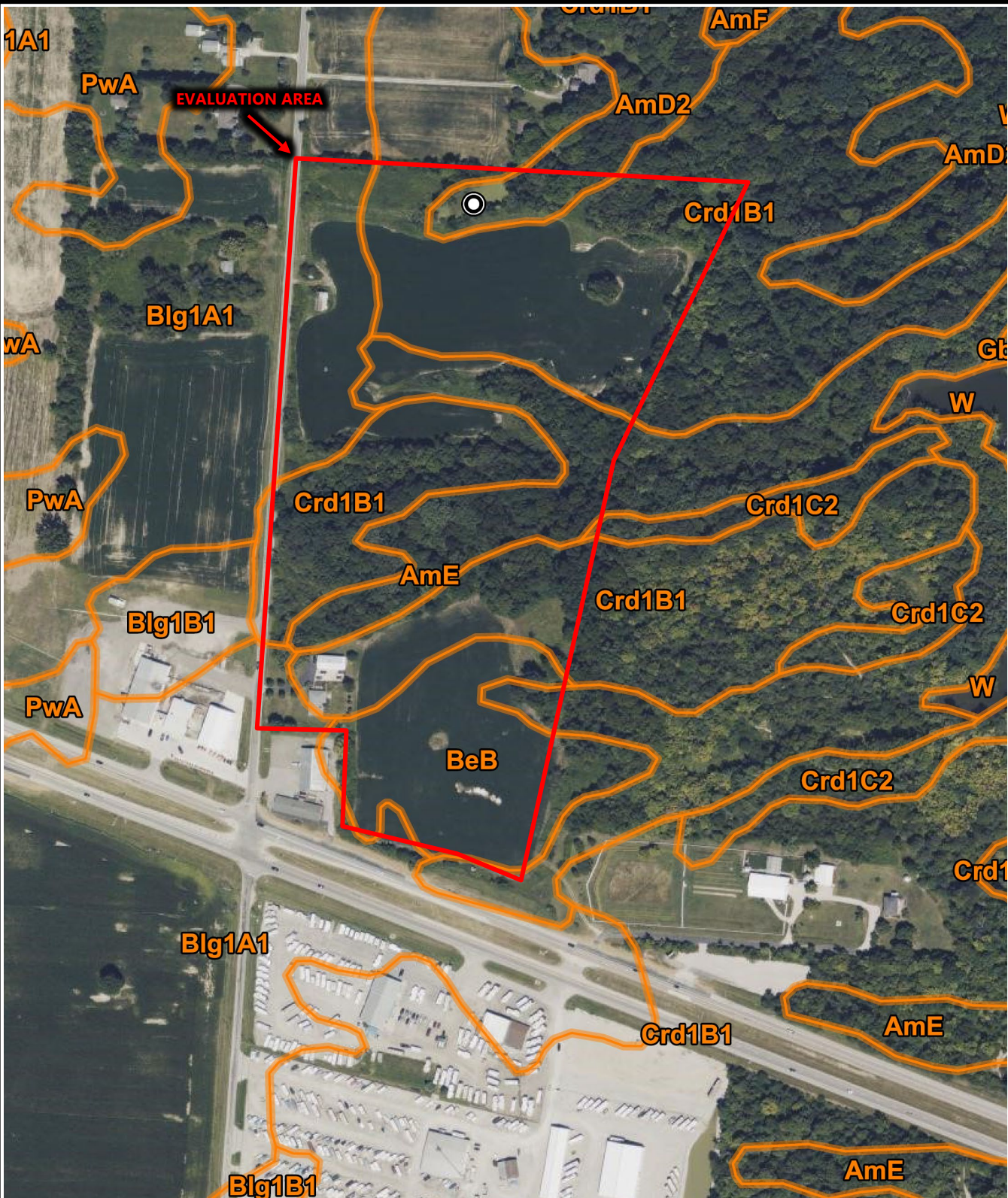
N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



USDA WEB SOIL SURVEY MAP



N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025







U.S. Fish and Wildlife Service  
National Wetlands Inventory

Wetlands

NORTH



N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus, USDA, USGS, AeroGRID, IGN, and the GIS User Community

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currency of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found in the Wetlands Mapper web site.

April 11, 2022

Wetlands

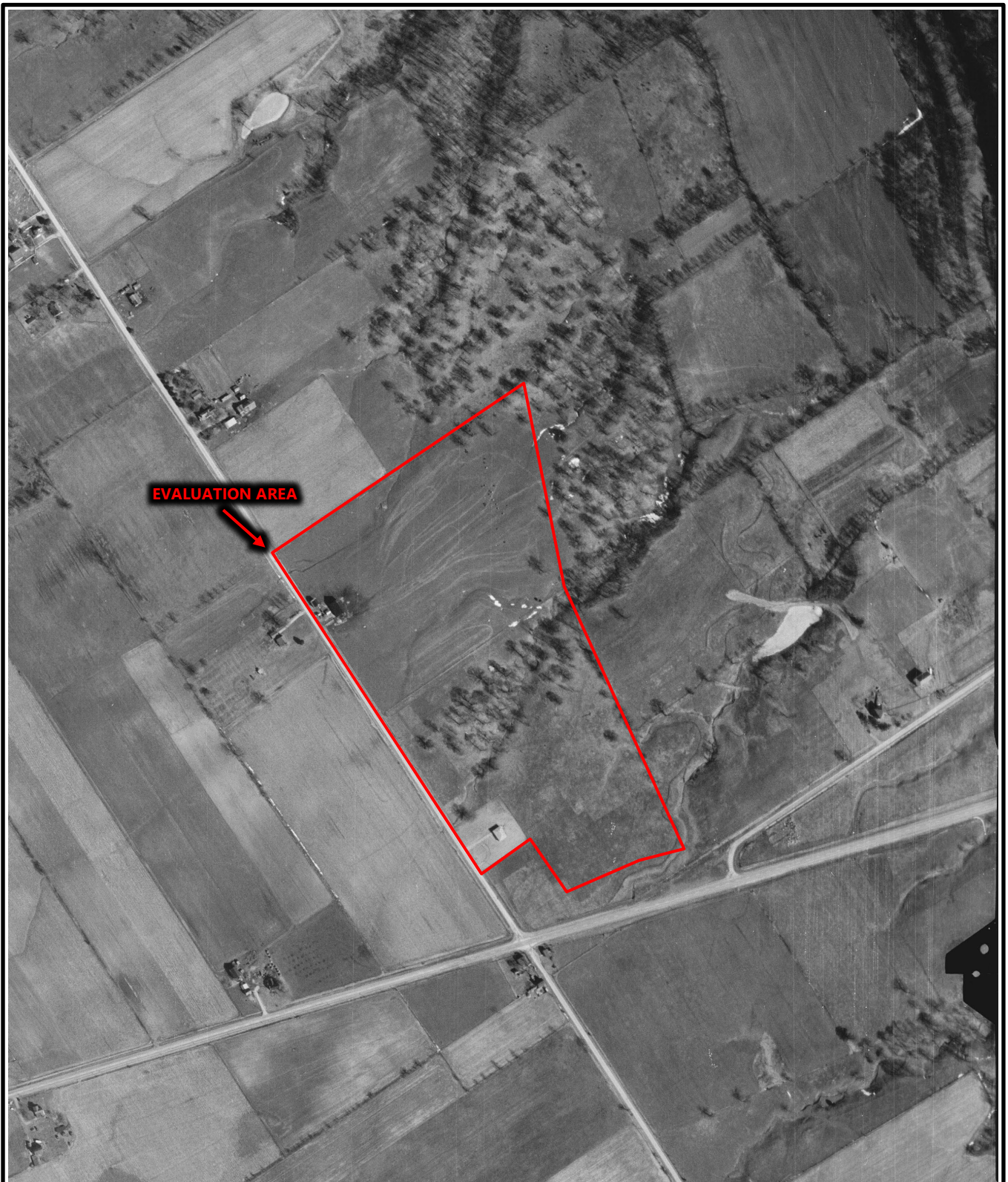
- |  |                                |  |                                   |
|--|--------------------------------|--|-----------------------------------|
|  | Estuarine and Marine Deepwater |  | Lake                              |
|  | Estuarine and Marine Wetland   |  | Freshwater Emergent Wetland       |
|  |                                |  | Freshwater Forested/Shrub Wetland |
|  |                                |  | Freshwater Pond                   |
|  |                                |  | Other                             |
|  |                                |  | Riverine                          |



## **APPENDIX 2**



1955 AERIAL PHOTOGRAPH



NORTH



N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



1959 AERIAL PHOTOGRAPH



NORTH



N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



1964 AERIAL PHOTOGRAPH



NORTH



N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



1979 AERIAL PHOTOGRAPH



NORTH



N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



1989 AERIAL PHOTOGRAPH



NORTH



N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



1997 AERIAL PHOTOGRAPH



NORTH



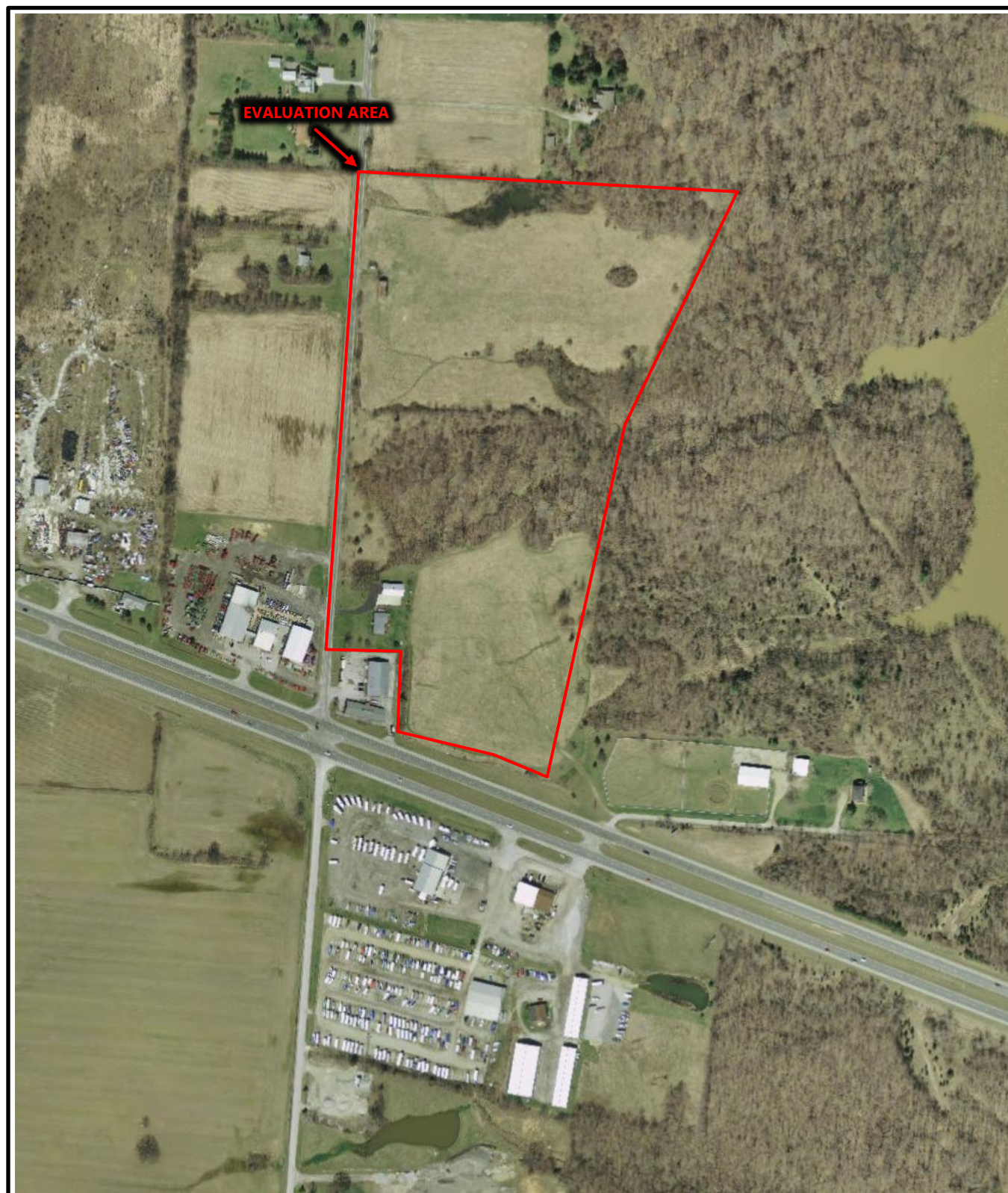
N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



2010 AERIAL PHOTOGRAPH



NORTH



N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



2018 AERIAL PHOTOGRAPH



NORTH



N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



2019 AERIAL PHOTOGRAPH



NORTH



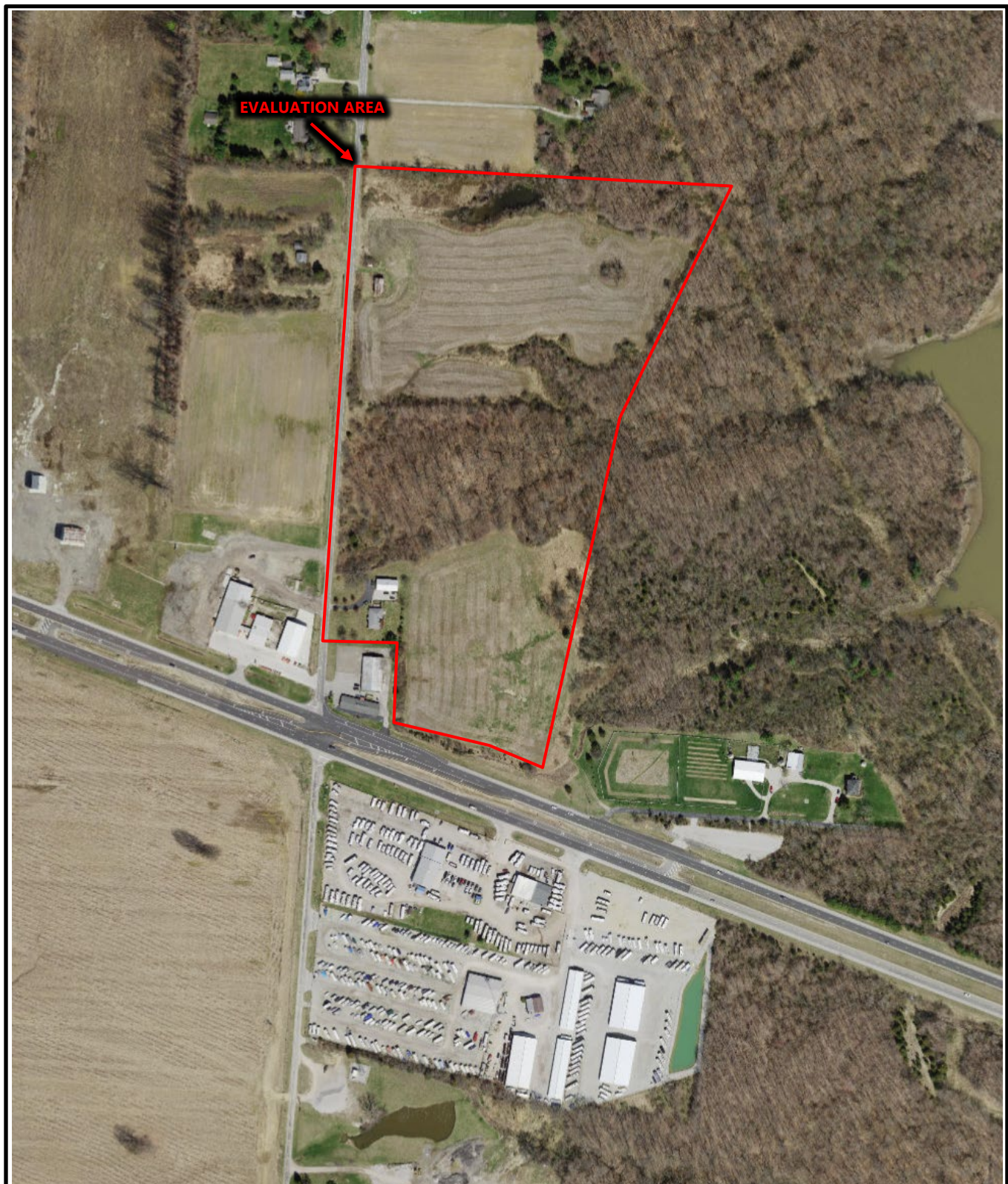
N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



2021 AERIAL PHOTOGRAPH



NORTH



N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



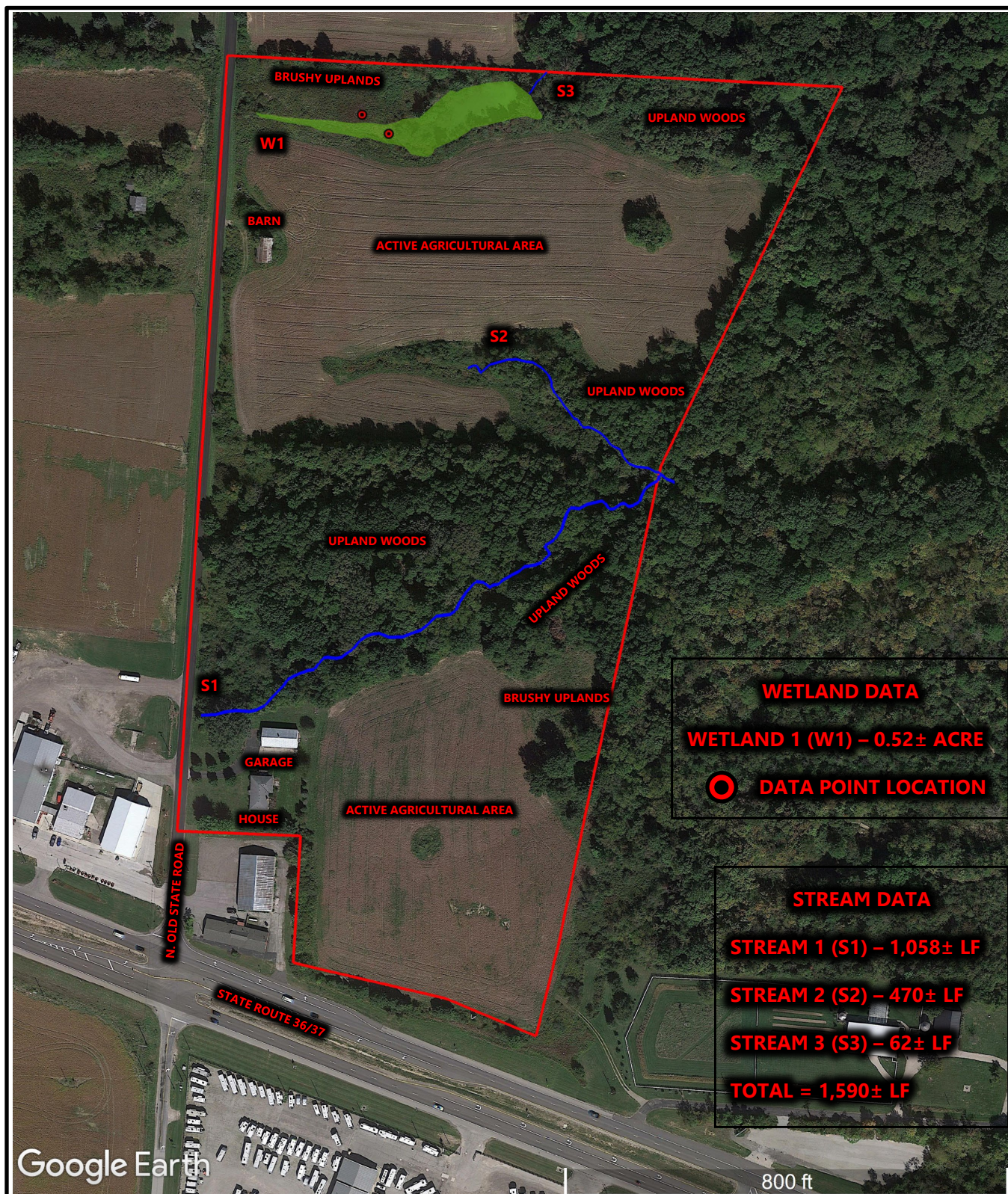
CENTRAL OHIO WETLAND CONSULTING, LLC



## **APPENDIX 3**



# FIELD RECONNAISSANCE MAP



NORTH



N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



# WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: N. Old State Road City/County: Delaware/Delaware Sampling Date: 4/29/2022  
 Applicant/Owner: N. Old State, LLC State: OH Sampling Point: DP-1  
 Investigator(s): Matt Kaminski Section, Township, Range: Lands 18, 4, 1, 13  
 Landform (hillside, terrace, etc.): till plains Local relief (concave, convex, none): concave  
 Slope (%): 2-6 Lat: 40.276883 Long: -82.962289 Datum: Wetland 1  
 Soil Map Unit Name: Cardington silt loam (Crd1B1) NWI classification: PUBGh

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No      (If no, explain in Remarks.)  
 Are Vegetation     , Soil     , or Hydrology      significantly disturbed? Are "Normal Circumstances" present? Yes X No       
 Are Vegetation     , Soil     , or Hydrology      naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No <u>    </u>	Is the Sampled Area within a Wetland? Yes <u>X</u> No <u>    </u>
Hydric Soil Present? Yes <u>X</u> No <u>    </u>	
Wetland Hydrology Present? Yes <u>X</u> No <u>    </u>	
Remarks: Location was delineated as Wetland 1.	

## VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u>30'</u> )	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Salix nigra</u>		<u>20</u>	<u>Yes</u>	<u>OBL</u>
2. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
3. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
4. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
5. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
		<u>20</u>	<u>=Total Cover</u>	
Sapling/Shrub Stratum	(Plot size: <u>15'</u> )			
1. <u>Salix nigra</u>		<u>35</u>	<u>Yes</u>	<u>OBL</u>
2. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
3. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
4. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
5. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
		<u>35</u>	<u>=Total Cover</u>	
Herb Stratum	(Plot size: <u>5'</u> )			
1. <u>Phalaris arundinacea</u>		<u>70</u>	<u>Yes</u>	<u>FACW</u>
2. <u>Eleocharis palustris</u>		<u>25</u>	<u>Yes</u>	<u>OBL</u>
3. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
4. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
5. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
6. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
7. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
8. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
9. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
10. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
		<u>95</u>	<u>=Total Cover</u>	
Woody Vine Stratum	(Plot size: <u>30'</u> )			
1. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
2. <u>    </u>		<u>    </u>	<u>    </u>	<u>    </u>
		<u>    </u>	<u>=Total Cover</u>	

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 4 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

**Prevalence Index worksheet:**

Total % Cover of:	Multiply by:
OBL species <u>80</u>	x 1 = <u>80</u>
FACW species <u>70</u>	x 2 = <u>140</u>
FAC species <u>0</u>	x 3 = <u>0</u>
FACU species <u>0</u>	x 4 = <u>0</u>
UPL species <u>0</u>	x 5 = <u>0</u>
Column Totals: <u>150</u> (A)	<u>220</u> (B)
Prevalence Index = B/A = <u>1.47</u>	

**Hydrophytic Vegetation Indicators:**

     1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

X 3 - Prevalence Index is ≤3.0<sup>1</sup>

     4 - Morphological Adaptations<sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)

     Problematic Hydrophytic Vegetation<sup>1</sup> (Explain)

<sup>1</sup>Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Hydrophytic Vegetation Present?** Yes X No

Remarks: (Include photo numbers here or on a separate sheet.)  
 Dominance of hydrophytic vegetation satisfies the vegetation criteria for wetlands. Refer to Photo 7 in COWC's Surface Water Delineation Report.



## SOIL

Sampling Point: DP-1

[illegible]

## HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)	
<input checked="" type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Surface Soil Cracks (B6)	
<input checked="" type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Aquatic Fauna (B13)	<input type="checkbox"/> Drainage Patterns (B10)	
<input checked="" type="checkbox"/> Saturation (A3)	<input type="checkbox"/> True Aquatic Plants (B14)	<input type="checkbox"/> Dry-Season Water Table (C2)	
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input checked="" type="checkbox"/> Crayfish Burrows (C8)	
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	<input checked="" type="checkbox"/> Saturation Visible on Aerial Imagery (C9)	
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Stunted or Stressed Plants (D1)	
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input checked="" type="checkbox"/> Geomorphic Position (D2)	
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Thin Muck Surface (C7)	<input checked="" type="checkbox"/> FAC-Neutral Test (D5)	
<input checked="" type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Gauge or Well Data (D9)		
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Other (Explain in Remarks)		
<b>Field Observations:</b>			
Surface Water Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches):	
Water Table Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches):	
Saturation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches):	
(includes capillary fringe)		<b>Wetland Hydrology Present?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:			
Remarks:			
Presence of primary and secondary indicators satisfies the hydrology criteria for wetlands. Refer to aerial photographs in the appendix of COWC's Surface Water Delineation Report verifying B7 and C9 indicators.			



# WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: N. Old State Road City/County: Delaware/Delaware Sampling Date: 4/29/2022  
 Applicant/Owner: N. Old State, LLC State: OH Sampling Point: DP-1  
 Investigator(s): Matt Kaminski Section, Township, Range: Lands 18, 4, 1, 13  
 Landform (hillside, terrace, etc.): till plains Local relief (concave, convex, none): convex  
 Slope (%): 2-6 Lat: 40.276978 Long: -82.962461 Datum: Upland  
 Soil Map Unit Name: Cardington silt loam (Crd1B1) NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No      (If no, explain in Remarks.)  
 Are Vegetation     , Soil     , or Hydrology      significantly disturbed? Are "Normal Circumstances" present? Yes X No       
 Are Vegetation     , Soil     , or Hydrology      naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>    </u> No <u>X</u>	Is the Sampled Area within a Wetland? Yes <u>    </u> No <u>X</u>
Hydric Soil Present? Yes <u>    </u> No <u>X</u>	
Wetland Hydrology Present? Yes <u>    </u> No <u>X</u>	
Remarks: Location is convex uplands adjacent to the north of Wetland 1.	

## VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u>30'</u> )	Absolute % Cover	Dominant Species?	Indicator Status
1.				
2.				
3.				
4.				
5.				
		=Total Cover		
Sapling/Shrub Stratum	(Plot size: <u>15'</u> )			
1.				
2.				
3.				
4.				
5.				
		=Total Cover		
Herb Stratum	(Plot size: <u>5'</u> )			
1.	<u>Rosa multiflora</u>	<u>90</u>	<u>Yes</u>	<u>FACU</u>
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
		<u>90</u> =Total Cover		
Woody Vine Stratum	(Plot size: <u>30'</u> )			
1.				
2.				
		=Total Cover		

**Dominance Test worksheet:**

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

**Prevalence Index worksheet:**

Total % Cover of:	Multiply by:
OBL species <u>0</u>	x 1 = <u>0</u>
FACW species <u>0</u>	x 2 = <u>0</u>
FAC species <u>0</u>	x 3 = <u>0</u>
FACU species <u>90</u>	x 4 = <u>360</u>
UPL species <u>0</u>	x 5 = <u>0</u>
Column Totals: <u>90</u> (A)	<u>360</u> (B)
Prevalence Index = B/A = <u>4.00</u>	

**Hydrophytic Vegetation Indicators:**

     1 - Rapid Test for Hydrophytic Vegetation

     2 - Dominance Test is >50%

     3 - Prevalence Index is ≤3.0<sup>1</sup>

     4 - Morphological Adaptations<sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)

     Problematic Hydrophytic Vegetation<sup>1</sup> (Explain)

<sup>1</sup>Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

**Hydrophytic Vegetation Present?** Yes      No X

Remarks: (Include photo numbers here or on a separate sheet.)  
 Location does not meet the hydrophytic vegetation criteria for wetlands. Refer to Photo 3 in COWC's Surface Water Delineation Report.



## SOIL

Sampling Point: DP-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-10	10YR 4/2	100					Loamy/Clayey	
10-16	10YR 5/3	100					Loamy/Clayey	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.      <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:	Indicators for Problematic Hydric Soils <sup>3</sup> :
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Coast Prairie Redox (A16)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Iron-Manganese Masses (F12)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Red Parent Material (F21)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Very Shallow Dark Surface (F22)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> 2 cm Muck (A10)	
<input type="checkbox"/> Depleted Below Dark Surface (A11)	
<input type="checkbox"/> Thick Dark Surface (A12)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	
<input type="checkbox"/> Sandy Redox (S5)	
<input type="checkbox"/> Stripped Matrix (S6)	
<input type="checkbox"/> Dark Surface (S7)	
<input type="checkbox"/> Loamy Mucky Mineral (F1)	
<input type="checkbox"/> Loamy Gleyed Matrix (F2)	
<input type="checkbox"/> Depleted Matrix (F3)	
<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Redox Depressions (F8)	

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

<b>Restrictive Layer (if observed):</b> Type: _____ Depth (inches): _____	<b>Hydric Soil Present?</b> Yes _____ No <u>X</u>
---	---

Remarks:  
Location does not meet the hydric soil criteria for wetlands.

## HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (minimum of two required)	
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Surface Soil Cracks (B6)	
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Aquatic Fauna (B13)	<input type="checkbox"/> Drainage Patterns (B10)	
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> True Aquatic Plants (B14)	<input type="checkbox"/> Dry-Season Water Table (C2)	
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Crayfish Burrows (C8)	
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)	
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Stunted or Stressed Plants (D1)	
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Geomorphic Position (D2)	
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Thin Muck Surface (C7)	<input type="checkbox"/> FAC-Neutral Test (D5)	
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Gauge or Well Data (D9)		
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Other (Explain in Remarks)		

<b>Field Observations:</b> Surface Water Present?    Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present?      Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present?        Yes _____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)	<b>Wetland Hydrology Present?</b> Yes _____ No <u>X</u>
---	---


Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:  
Location does not meet the hydrology criteria for wetlands.



## Background Information

<b>Name:</b>	Matt Kaminski	
<b>Date:</b>	4/29/2022	
<b>Affiliation:</b>	Central Ohio Wetland Consulting, LLC (COWC)	
<b>Address:</b>	6260 Havens Road, Blacklick, Ohio 43004	
<b>Phone Number:</b>	614-940-8771	
<b>e-mail address:</b>	mkaminski434@gmail.com	
<b>Name of Wetland:</b>	Wetland 1	
<b>Vegetation Communit(ies):</b>	palustrine emergent (PEM)	
<b>HGM Class(es):</b>	depressional	
<b>Location of Wetland:</b>	include map, address, north arrow, landmarks, distances, roads, etc. Wetland 1 is located approximately 45 feet east of N. Old State Road, and approximately 1,500 feet north of State Route 36/37, in the northwest portion of Delaware County parcel 418-120-01-012-002. The approximate coordinates for the center of this wetland are 40.276883 / -82.962083. Refer to COWC's surface water delineation report and field reconnaissance map for additional information on the location of Wetland 1.	
Lat/Long or UTM Coordinate	40.276883 / -82.962083	
USGS Quad Name	Kilbourne, Ohio	
County	Delaware	
Township	Berlin	
Section and Subsection	Lands 18, 4, 1, 13	
Hydrologic Unit Code	050600011403	
Site Visit	4/29/2022	
National Wetland Inventory Map	PUBGh	
Ohio Wetland Inventory Map		
Soil Survey	AmD2, Blg1A1, and Crd1B1	
Delineation report/map	Field Reconnaissance Map	

Name of Wetland: Wetland 1	
Wetland Size (acres, hectares): 0.52± acre	
<p>Sketch: Include north arrow, relationship with other surface waters, vegetation zones, etc.</p> <p>FIELD RECONNAISSANCE MAP</p>  <p>Google Earth</p> <p>800 ft</p> <p>NORTH</p> <p>N. OLD STATE, LLC PARCELS 68 N. OLD STATE RD. BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO COWC PROJECT #041122025</p> <p>CENTRAL OHIO WETLAND CONSULTING, LLC</p>	
<p><b>Comments, Narrative Discussion, Justification of Category Changes:</b></p> <p>Wetland 1 appears to be a semi- to permanently saturated/inundated wetland located within a topographic depression on the northwest portion of the evaluation area. This western portion of this wetland is dominated by invasive Reed Canary Grass (<i>Phalaris arundinacea</i> – FACW) and appears to receive hydrology from precipitation and overland flow from adjacent uplands. Buffers are generally considered narrow, and intensity of surrounding land use is moderately high. According to the USDA web soil survey map, Wetland 1 is located within non-hydric Amanda, Blount, and Cardington soils. Wetland 1 is mapped with a PUBGh designation on the NWI map, and appears to be an excavation and impoundment of an ephemeral stream. An earthen berm is located along the eastern boundary of Wetland 1. Aerial photographs indicate this excavation/impoundment occurred sometime between 1964 and 1979. The eastern portions of Wetland 1 contain open water areas, which appear to have been created by these prior excavation activities. These open water areas were incorporated within the limits of Wetland 1, and mostly consist of open water with a muck/silt bottom. Wetland 1 received a score of 37, placing the wetland in Category 2, according to Ohio EPA standards.</p>	
Final score : 37	Category: 2



## Scoring Boundary Worksheet

INSTRUCTIONS. The initial step in completing the ORAM is to identify the “scoring boundaries” of the wetland being rated. In many instances this determination will be relatively easy and the scoring boundaries will coincide with the “jurisdictional boundaries.” For example, the scoring boundary of an isolated cattail marsh located in the middle of a farm field will likely be the same as that wetland’s jurisdictional boundaries. In other instances, however, the scoring boundary will not be as easily determined. Wetlands that are small or isolated from other surface waters often form large contiguous areas or heterogeneous complexes of wetland and upland. In separating wetlands for scoring purposes, the hydrologic regime of the wetland is the main criterion that should be used. Boundaries between contiguous or connected wetlands should be established where the volume, flow, or velocity of water moving through the wetland changes significantly. *Areas with a high degree of hydrologic interaction should be scored as a single wetland.* In determining a wetland’s scoring boundaries, use the guidelines in the ORAM Manual Section 5.0. In certain instances, it may be difficult to establish the scoring boundary for the wetland being rated. These problem situations include wetlands that form a patchwork on the landscape, wetlands divided by artificial boundaries like property fences, roads, or railroad embankments, wetlands that are contiguous with streams, lakes, or rivers, and estuarine or coastal wetlands. These situations are discussed below, however, it is recommended that Rater contact Ohio EPA, Division of Surface Water, 401/Wetlands Section if there are additional questions or a need for further clarification of the appropriate scoring boundaries of a particular wetland.

#	Steps in properly establishing scoring boundaries	done?	not applicable
<b>Step 1</b>	Identify the wetland area of interest. This may be the site of a proposed impact, a reference site, conservation site, etc.	✓	
<b>Step 2</b>	Identify the locations where there is physical evidence that hydrology changes rapidly. Such evidence includes both natural and human-induced changes including, constrictions caused by berms or dikes, points where the water velocity changes rapidly at rapids or falls, points where significant inflows occur at the confluence of rivers, or other factors that may restrict hydrologic interaction between the wetlands or parts of a single wetland.	✓	
<b>Step 3</b>	Delineate the boundary of the wetland to be rated such that all areas of interest that are contiguous to and within the areas where the hydrology does not change significantly, i.e. areas that have a high degree of hydrologic interaction are included within the scoring boundary.	✓	
<b>Step 4</b>	Determine if artificial boundaries, such as property lines, state lines, roads, railroad embankments, etc., are present. These should not be used to establish scoring boundaries unless they coincide with areas where the hydrologic regime changes.	✓	
<b>Step 5</b>	In all instances, the Rater may enlarge the minimum scoring boundaries discussed here to score together wetlands that could be scored separately.	✓	
<b>Step 6</b>	Consult ORAM Manual Section 5.0 for how to establish scoring boundaries for wetlands that form a patchwork on the landscape, divided by artificial boundaries, contiguous to streams, lakes or rivers, or for dual classifications.	✓	

**End of Scoring Boundary Determination. Begin Narrative Rating on next page.**

## Narrative Rating

INSTRUCTIONS. Answer each of the following questions. Questions 1, 2, 3 and 4 should be answered based on information obtained from the site visit or the literature *and* by submitting a Data Services Request to the Ohio Department of Natural Resources, Division of Natural Areas and Preserves, Natural Heritage Data Services, 1889 Fountain Square Court, Building F-1, Columbus, Ohio 43224, 614-265-6453 (phone), 614-265-3096 (fax), <http://www.dnr.state.oh.us/dnap>. The remaining questions are designed to be answered primarily by the results of the site visit. Refer to the User's Manual for descriptions of these wetland types. Note: "Critical habitat" is legally defined in the Endangered Species Act and is the geographic area containing physical or biological features essential to the conservation of a listed species or as an area that may require special management considerations or protection. The Rater should contact the Region 3 Headquarters or the Columbus Ecological Services Office for updates as to whether critical habitat has been designated for other federally listed threatened or endangered species. "Documented" means the wetland is listed in the appropriate State of Ohio database.

#	Question	Circle one	
1	<b>Critical Habitat.</b> Is the wetland in a township, section, or subsection of a United States Geological Survey 7.5 minute Quadrangle that has been designated by the U.S. Fish and Wildlife Service as "critical habitat" for any threatened or endangered plant or animal species? Note: as of January 1, 2001, of the federally listed endangered or threatened species which can be found in Ohio, the Indiana Bat has had critical habitat designated (50 CFR 17.95(a)) and the piping plover has had critical habitat proposed (65 FR 41812 July 6, 2000).	YES  Wetland should be evaluated for possible Category 3 status  Go to Question 2	<b>NO</b>  Go to Question 2
2	<b>Threatened or Endangered Species.</b> Is the wetland known to contain an individual of, or documented occurrences of federal or state-listed threatened or endangered plant or animal species?	YES  Wetland is a Category 3 wetland.  Go to Question 3	<b>NO</b>  Go to Question 3
3	<b>Documented High Quality Wetland.</b> Is the wetland on record in Natural Heritage Database as a high quality wetland?	YES  Wetland is a Category 3 wetland  Go to Question 4	<b>NO</b>  Go to Question 4
4	<b>Significant Breeding or Concentration Area.</b> Does the wetland contain documented regionally significant breeding or nonbreeding waterfowl, neotropical songbird, or shorebird concentration areas?	YES  Wetland is a Category 3 wetland  Go to Question 5	<b>NO</b>  Go to Question 5
5	<b>Category 1 Wetlands.</b> Is the wetland less than 0.5 hectares (1 acre) in size and <b>hydrologically isolated</b> and either 1) comprised of vegetation that is dominated (greater than eighty per cent areal cover) by <i>Phalaris arundinacea</i> , <i>Lythrum salicaria</i> , or <i>Phragmites australis</i> , or 2) an acidic pond created or excavated on mined lands that has little or no vegetation?	YES  Wetland is a Category 1 wetland  Go to Question 6	<b>NO</b>  Go to Question 6
6	<b>Bogs.</b> Is the wetland a peat-accumulating wetland that 1) has no significant inflows or outflows, 2) supports acidophilic mosses, particularly <i>Sphagnum</i> spp., 3) the acidophilic mosses have >30% cover, 4) at least one species from Table 1 is present, and 5) the cover of invasive species (see Table 1) is <25%?	YES  Wetland is a Category 3 wetland  Go to Question 7	<b>NO</b>  Go to Question 7
7	<b>Fens.</b> Is the wetland a carbon accumulating (peat, muck) wetland that is saturated during most of the year, primarily by a discharge of free flowing, mineral rich, ground water with a circumneutral ph (5.5-9.0) and with one or more plant species listed in Table 1 and the cover of invasive species listed in Table 1 is <25%?	YES  Wetland is a Category 3 wetland  Go to Question 8a	<b>NO</b>  Go to Question 8a
8a	<b>"Old Growth Forest."</b> Is the wetland a forested wetland and is the forest characterized by, but not limited to, the following characteristics: overstory canopy trees of great age (exceeding at least 50% of a projected maximum attainable age for a species); little or no evidence of human-caused understory disturbance during the past 80 to 100 years; an all-aged structure and multilayered canopies; aggregations of canopy trees interspersed with canopy gaps; and significant numbers of standing dead snags and downed logs?	YES  Wetland is a Category 3 wetland.  Go to Question 8b	<b>NO</b>  Go to Question 8b



8b	<b>Mature forested wetlands.</b> Is the wetland a forested wetland with 50% or more of the cover of upper forest canopy consisting of deciduous trees with large diameters at breast height (dbh), generally diameters greater than 45cm (17.7in) dbh?	YES  Wetland should be evaluated for possible Category 3 status.  Go to Question 9a	<b>NO</b>  Go to Question 9a
9a	<b>Lake Erie coastal and tributary wetlands.</b> Is the wetland located at an elevation less than 575 feet on the USGS map, adjacent to this elevation, or along a tributary to Lake Erie that is accessible to fish?	YES  Go to Question 9b	<b>NO</b>  Go to Question 10
9b	Does the wetland's hydrology result from measures designed to prevent erosion and the loss of aquatic plants, i.e. the wetland is partially hydrologically restricted from Lake Erie due to lakeward or landward dikes or other hydrological controls?	YES  Wetland should be evaluated for possible Category 3 status  Go to Question 10	<b>NO</b>  Go to Question 9c
9c	Are Lake Erie water levels the wetland's primary hydrological influence, i.e. the wetland is hydrologically unrestricted (no lakeward or upland border alterations), or the wetland can be characterized as an "estuarine" wetland with lake and river influenced hydrology. These include sandbar deposition wetlands, estuarine wetlands, river mouth wetlands, or those dominated by submersed aquatic vegetation.	YES  Go to Question 9d	<b>NO</b>  Go to Question 10
9d	Does the wetland have a predominance of native species within its vegetation communities, although non-native or disturbance tolerant native species can also be present?	YES  Wetland is a Category 3 wetland  Go to Question 10	<b>NO</b>  Go to Question 9e
9e	Does the wetland have a predominance of non-native or disturbance tolerant native plant species within its vegetation communities?	YES  Wetland should be evaluated for possible Category 3 status  Go to Question 10	<b>NO</b>  Go to Question 10
10	<b>Lake Plain Sand Prairies (Oak Openings)</b> Is the wetland located in Lucas, Fulton, Henry, or Wood Counties and can the wetland be characterized by the following description: the wetland has a sandy substrate with interspersed organic matter, a water table often within several inches of the surface, and often with a dominance of the gramineous vegetation listed in Table 1 (woody species may also be present). The Ohio Department of Natural Resources Division of Natural Areas and Preserves can provide assistance in confirming this type of wetland and its quality.	YES  Wetland is a Category 3 wetland.  Go to Question 11	<b>NO</b>  Go to Question 11
11	<b>Relict Wet Prairies.</b> Is the wetland a relict wet prairie community dominated by some or all of the species in Table 1. Extensive prairies were formerly located in the Darby Plains (Madison and Union Counties), Sandusky Plains (Wyandot, Crawford, and Marion Counties), northwest Ohio (e.g. Erie, Huron, Lucas, Wood Counties), and portions of western Ohio Counties (e.g. Darke, Mercer, Miami, Montgomery, Van Wert etc.).	YES  Wetland should be evaluated for possible Category 3 status  Complete Quantitative Rating	<b>NO</b>  Complete Quantitative Rating

**Table 1. Characteristic plant species.**

<b>invasive/exotic spp</b>	<b>fen species</b>	<b>bog species</b>	<b>Oak Opening species</b>	<b>wet prairie species</b>
<i>Lythrum salicaria</i>	<i>Zygadenus elegans</i> var. <i>glaucus</i>	<i>Calla palustris</i>	<i>Carex cryptolepis</i>	<i>Calamagrostis canadensis</i>
<i>Myriophyllum spicatum</i>	<i>Cacalia plantaginea</i>	<i>Carex atlantica</i> var. <i>capillacea</i>	<i>Carex lasiocarpa</i>	<i>Calamagrostis stricta</i>
<i>Najas minor</i>	<i>Carex flava</i>	<i>Carex echinata</i>	<i>Carex stricta</i>	<i>Carex atherodes</i>
<i>Phalaris arundinacea</i>	<i>Carex sterilis</i>	<i>Carex oligosperma</i>	<i>Cladium mariscoides</i>	<i>Carex buxbaumii</i>
<i>Phragmites australis</i>	<i>Carex stricta</i>	<i>Carex trisperma</i>	<i>Calamagrostis stricta</i>	<i>Carex pellita</i>
<i>Potamogeton crispus</i>	<i>Deschampsia caespitosa</i>	<i>Chamaedaphne calyculata</i>	<i>Calamagrostis canadensis</i>	<i>Carex sartwellii</i>
<i>Ranunculus ficaria</i>	<i>Eleocharis rostellata</i>	<i>Decodon verticillatus</i>	<i>Quercus palustris</i>	<i>Gentiana andrewsii</i>
<i>Rhamnus frangula</i>	<i>Eriophorum viridicarinatum</i>	<i>Eriophorum virginicum</i>		<i>Helianthus grosseserratus</i>
<i>Typha angustifolia</i>	<i>Gentianopsis</i> spp.	<i>Larix laricina</i>		<i>Liatris spicata</i>
<i>Typha xglauca</i>	<i>Lobelia kalmii</i>	<i>Nemopanthus mucronatus</i>		<i>Lysimachia quadriflora</i>
	<i>Parnassia glauca</i>	<i>Scheuchzeria palustris</i>		<i>Lythrum alatum</i>
	<i>Potentilla fruticosa</i>	<i>Sphagnum</i> spp.		<i>Pycnanthemum virginianum</i>
	<i>Rhamnus alnifolia</i>	<i>Vaccinium macrocarpon</i>		<i>Silphium terebinthinaceum</i>
	<i>Rhynchospora capillacea</i>	<i>Vaccinium corymbosum</i>		<i>Sorghastrum nutans</i>
	<i>Salix candida</i>	<i>Vaccinium oxycoccos</i>		<i>Spartina pectinata</i>
	<i>Salix myricoides</i>	<i>Woodwardia virginica</i>		<i>Solidago riddellii</i>
	<i>Salix serissima</i>	<i>Xyris difformis</i>		
	<i>Solidago ohioensis</i>			
	<i>Tofieldia glutinosa</i>			
	<i>Triglochin maritimum</i>			
	<i>Triglochin palustre</i>			

**End of Narrative Rating. Begin Quantitative Rating on next page.**



# Wetland 1

**Site:** N. Old State Road

**Rater(s):** Matt Kaminski

**Date:** 4/29/2022

2

2

max 6 pts.

subtotal

## Metric 1. Wetland Area (size).

Select one size class and assign score.

- ☐ >50 acres (>20.2ha) (6 pts)
- ☐ 25 to <50 acres (10.1 to <20.2ha) (5 pts)
- ☐ 10 to <25 acres (4 to <10.1ha) (4 pts)
- ☐ 3 to <10 acres (1.2 to <4ha) (3 pts)
- ☒ 0.3 to <3 acres (0.12 to <1.2ha) (2pts)
- ☐ 0.1 to <0.3 acres (0.04 to <0.12ha) (1 pt)
- ☐ <0.1 acres (0.04ha) (0 pts)

4

6

max 14 pts.

subtotal

## Metric 2. Upland buffers and surrounding land use.

2a. Calculate average buffer width. Select only one and assign score. Do not double check.

- ☐ WIDE. Buffers average 50m (164ft) or more around wetland perimeter (7)
- ☐ MEDIUM. Buffers average 25m to <50m (82 to <164ft) around wetland perimeter (4)
- ☒ NARROW. Buffers average 10m to <25m (32ft to <82ft) around wetland perimeter (1)
- ☐ VERY NARROW. Buffers average <10m (<32ft) around wetland perimeter (0)

2b. Intensity of surrounding land use. Select one or double check and average.

- ☐ VERY LOW. 2nd growth or older forest, prairie, savannah, wildlife area, etc. (7)
- ☒ LOW. Old field (>10 years), shrub land, young second growth forest. (5)
- ☐ MODERATELY HIGH. Residential, fenced pasture, park, conservation tillage, new fallow field. (3)
- ☒ HIGH. Urban, industrial, open pasture, row cropping, mining, construction. (1)

16

22

max 30 pts.

subtotal

## Metric 3. Hydrology.

3a. Sources of Water. Score all that apply.

- ☐ High pH groundwater (5)
- ☐ Other groundwater (3)
- ☒ Precipitation (1)
- ☐ Seasonal/Intermittent surface water (3)
- ☐ Perennial surface water (lake or stream) (5)

3c. Maximum water depth. Select only one and assign score.

- ☒ >0.7 (27.6in) (3)
- ☐ 0.4 to 0.7m (15.7 to 27.6in) (2)
- ☐ <0.4m (<15.7in) (1)

3e. Modifications to natural hydrologic regime. Score one or double check and average.

- ☐ None or none apparent (12)
- ☒ Recovered (7)
- ☐ Recovering (3)
- ☐ Recent or no recovery (1)

3b. Connectivity. Score all that apply.

- ☐ 100 year floodplain (1)
- ☐ Between stream/lake and other human use (1)
- ☒ Part of wetland/upland (e.g. forest), complex (1)
- ☐ Part of riparian or upland corridor (1)

3d. Duration inundation/saturation. Score one or dbl check.

- ☒ Semi- to permanently inundated/saturated (4)
- ☐ Regularly inundated/saturated (3)
- ☐ Seasonally inundated (2)
- ☐ Seasonally saturated in upper 30cm (12in) (1)

Check all disturbances observed

- |   |   |
|---|---|
| <input type="checkbox"/> ditch            | <input type="checkbox"/> point source (nonstormwater) |
| <input type="checkbox"/> tile             | <input type="checkbox"/> filling/grading              |
| <input checked="" type="checkbox"/> dike  | <input checked="" type="checkbox"/> road bed/RR track |
| <input type="checkbox"/> weir             | <input checked="" type="checkbox"/> dredging          |
| <input type="checkbox"/> stormwater input | <input type="checkbox"/> other _____                  |

12

34

max 20 pts.

subtotal

## Metric 4. Habitat Alteration and Development.

4a. Substrate disturbance. Score one or double check and average.

- ☐ None or none apparent (4)
- ☒ Recovered (3)
- ☐ Recovering (2)
- ☐ Recent or no recovery (1)

4b. Habitat development. Select only one and assign score.

- ☐ Excellent (7)
- ☐ Very good (6)
- ☐ Good (5)
- ☐ Moderately good (4)
- ☒ Fair (3)
- ☐ Poor to fair (2)
- ☐ Poor (1)

4c. Habitat alteration. Score one or double check and average.

- ☐ None or none apparent (9)
- ☒ Recovered (6)
- ☐ Recovering (3)
- ☐ Recent or no recovery (1)

Check all disturbances observed

- |   |  |
|---|--|
| <input type="checkbox"/> mowing               | <input type="checkbox"/> shrub/sapling removal                     |
| <input type="checkbox"/> grazing              | <input checked="" type="checkbox"/> herbaceous/aquatic bed removal |
| <input type="checkbox"/> clearcutting         | <input type="checkbox"/> sedimentation                             |
| <input type="checkbox"/> selective cutting    | <input checked="" type="checkbox"/> dredging                       |
| <input type="checkbox"/> woody debris removal | <input type="checkbox"/> farming                                   |
| <input type="checkbox"/> toxic pollutants     | <input checked="" type="checkbox"/> nutrient enrichment            |

34

subtotal this page

# Wetland 1

<b>Site:</b> N. Old State Road	<b>Rater(s):</b> Matt Kaminski	<b>Date:</b> 4/29/2022
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34

subtotal first page

0

34

max 10 pts.

subtotal

## Metric 5. Special Wetlands.

Check all that apply and score as indicated.

- ☐ Bog (10)
- ☐ Fen (10)
- ☐ Old growth forest (10)
- ☐ Mature forested wetland (5)
- ☐ Lake Erie coastal/tributary wetland-unrestricted hydrology (10)
- ☐ Lake Erie coastal/tributary wetland-restricted hydrology (5)
- ☐ Lake Plain Sand Prairies (Oak Openings) (10)
- ☐ Relict Wet Prairies (10)
- ☐ Known occurrence state/federal threatened or endangered species (10)
- ☐ Significant migratory songbird/water fowl habitat or usage (10)
- ☐ Category 1 Wetland. See Question 1 Qualitative Rating (-10)

3

37

max 20 pts.

subtotal

## Metric 6. Plant communities, interspersions, microtopography.

### 6a. Wetland Vegetation Communities.

Score all present using 0 to 3 scale.

- ☐ 0 Aquatic bed
- ☐ 1 Emergent
- ☐ 1 Shrub
- ☐ 0 Forest
- ☐ 0 Mudflats
- ☐ 0 Open water
- ☐ 0 Other \_\_\_\_\_

### 6b. horizontal (plan view) Interspersion.

Select only one.

- ☐ High (5)
- ☐ Moderately high(4)
- ☐ Moderate (3)
- ☒ Moderately low (2)
- ☐ Low (1)
- ☐ None (0)

### 6c. Coverage of invasive plants. Refer to Table 1 ORAM long form for list. Add or deduct points for coverage

- ☐ Extensive >75% cover (-5)
- ☒ Moderate 25-75% cover (-3)
- ☐ Sparse 5-25% cover (-1)
- ☐ Nearly absent <5% cover (0)
- ☐ Absent (1)

### 6d. Microtopography.

Score all present using 0 to 3 scale.

- ☐ 0 Vegetated hummocks/tussocks
- ☐ 0 Coarse woody debris >15cm (6in)
- ☐ 0 Standing dead >25cm (10in) dbh
- ☐ 2 Amphibian breeding pools

### Vegetation Community Cover Scale

0	Absent or comprises <0.1ha (0.2471 acres) contiguous area
1	Present and either comprises small part of wetland's vegetation and is of moderate quality, or comprises a significant part but is of low quality
2	Present and either comprises significant part of wetland's vegetation and is of moderate quality or comprises a small part and is of high quality
3	Present and comprises significant part, or more, of wetland's vegetation and is of high quality

### Narrative Description of Vegetation Quality

low	Low spp diversity and/or predominance of nonnative or disturbance tolerant native species
mod	Native spp are dominant component of the vegetation, although nonnative and/or disturbance tolerant native spp can also be present, and species diversity moderate to moderately high, but generally w/o presence of rare threatened or endangered spp
high	A predominance of native species, with nonnative spp and/or disturbance tolerant native spp absent or virtually absent, and high spp diversity and often, but not always, the presence of rare, threatened, or endangered spp

### Mudflat and Open Water Class Quality

0	Absent <0.1ha (0.247 acres)
1	Low 0.1 to <1ha (0.247 to 2.47 acres)
2	Moderate 1 to <4ha (2.47 to 9.88 acres)
3	High 4ha (9.88 acres) or more

### Microtopography Cover Scale

0	Absent
1	Present very small amounts or if more common of marginal quality
2	Present in moderate amounts, but not of highest quality or in small amounts of highest quality
3	Present in moderate or greater amounts and of highest quality

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End of Quantitative Rating. Complete Categorization Worksheets.



# ORAM Summary Worksheet

## Wetland 1

		circle answer or insert score	Result
Narrative Rating	Question 1. Critical Habitat	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, Category 3.
	Question 2. Threatened or Endangered Species	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, Category 3.
	Question 3. High Quality Natural Wetland	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, Category 3.
	Question 4. Significant bird habitat	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, Category 3.
	Question 5. Category 1 Wetlands	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, Category 1.
	Question 6. Bogs	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, Category 3.
	Question 7. Fens	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, Category 3.
	Question 8a. Old Growth Forest	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, Category 3.
	Question 8b. Mature Forested Wetland	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, evaluate for Category 3; may also be 1 or 2.
	Question 9b. Lake Erie Wetlands - Restricted	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, evaluate for Category 3; may also be 1 or 2.
	Question 9d. Lake Erie Wetlands – Unrestricted with native plants	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, Category 3
	Question 9e. Lake Erie Wetlands - Unrestricted with invasive plants	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, evaluate for Category 3; may also be 1 or 2.
	Question 10. Oak Openings	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, Category 3
	Question 11. Relict Wet Prairies	YES <span style="border: 1px solid red; border-radius: 50%; padding: 2px;">NO</span>	If yes, evaluate for Category 3; may also be 1 or 2.
Quantitative Rating	Metric 1. Size	2	
	Metric 2. Buffers and surrounding land use	4	
	Metric 3. Hydrology	16	
	Metric 4. Habitat	12	
	Metric 5. Special Wetland Communities	0	
	Metric 6. Plant communities, interspersion, microtopography	3	
	TOTAL SCORE	37	Category based on score breakpoints <b>Category 2</b>

**Complete Wetland Categorization Worksheet.**

# Wetland 1

## Wetland Categorization Worksheet

Choices	Circle one		Evaluation of Categorization Result of ORAM
Did you answer "Yes" to any of the following questions:  Narrative Rating Nos. 2, 3, 4, 6, 7, 8a, 9d, 10	YES  Wetland is categorized as a Category 3 wetland	<b>NO</b>	Is quantitative rating score <i>less</i> than the Category 2 scoring threshold ( <i>excluding</i> gray zone)? If yes, reevaluate the category of the wetland using the narrative criteria in OAC Rule 3745-1-54(C) and biological and/or functional assessments to determine if the wetland has been over-categorized by the ORAM
Did you answer "Yes" to any of the following questions:  Narrative Rating Nos. 1, 8b, 9b, 9e, 11	YES  Wetland should be evaluated for possible Category 3 status	<b>NO</b>	Evaluate the wetland using the 1) narrative criteria in OAC Rule 3745-1-54(C) and 2) the quantitative rating score. If the wetland is determined to be a Category 3 wetland using either of these, it should be categorized as a Category 3 wetland. Detailed biological and/or functional assessments may also be used to determine the wetland's category.
Did you answer "Yes" to  Narrative Rating No. 5	YES  Wetland is categorized as a Category 1 wetland	<b>NO</b>	Is quantitative rating score <i>greater</i> than the Category 2 scoring threshold ( <i>including</i> any gray zone)? If yes, reevaluate the category of the wetland using the narrative criteria in OAC Rule 3745-1-54(C) and biological and/or functional assessments to determine if the wetland has been under-categorized by the ORAM
Does the quantitative score fall within the scoring range of a Category 1, 2, or 3 wetland?	<b>YES</b>  Wetland is assigned to the appropriate category based on the scoring range	NO	If the score of the wetland is located within the scoring range for a particular category, the wetland should be assigned to that category. In all instances however, the narrative criteria described in OAC Rule 3745-1-54(C) can be used to clarify or change a categorization based on a quantitative score.
Does the quantitative score fall with the "gray zone" for Category 1 or 2 or Category 2 or 3 wetlands?	YES  Wetland is assigned to the higher of the two categories or assigned to a category based on detailed assessments and the narrative criteria	<b>NO</b>	Rater has the option of assigning the wetland to the higher of the two categories or to assign a category based on the results of a nonrapid wetland assessment method, e.g. functional assessment, biological assessment, etc, and a consideration of the narrative criteria in OAC rule 3745-1-54(C).
Does the wetland otherwise exhibit <i>moderate OR superior</i> hydrologic OR habitat, OR recreational functions AND the wetland was <i>not</i> categorized as a Category 2 wetland (in the case of moderate functions) or a Category 3 wetland (in the case of superior functions) by this method?	YES  Wetland was undercategorized by this method. A written justification for recategorization should be provided on Background Information Form	<b>NO</b>  Wetland is assigned to category as determined by the ORAM.	A wetland may be undercategorized using this method, but still exhibit one or more superior functions, e.g. a wetland's biotic communities may be degraded by human activities, but the wetland may still exhibit superior hydrologic functions because of its type, landscape position, size, local or regional significance, etc. In this circumstance, the narrative criteria in OAC Rule 3745-1-54(C)(2) and (3) are controlling, and the under-categorization should be corrected. A written justification with supporting reasons or information for this determination should be provided.

Final Category			
Choose one	Category 1	<b>Category 2</b>	Category 3

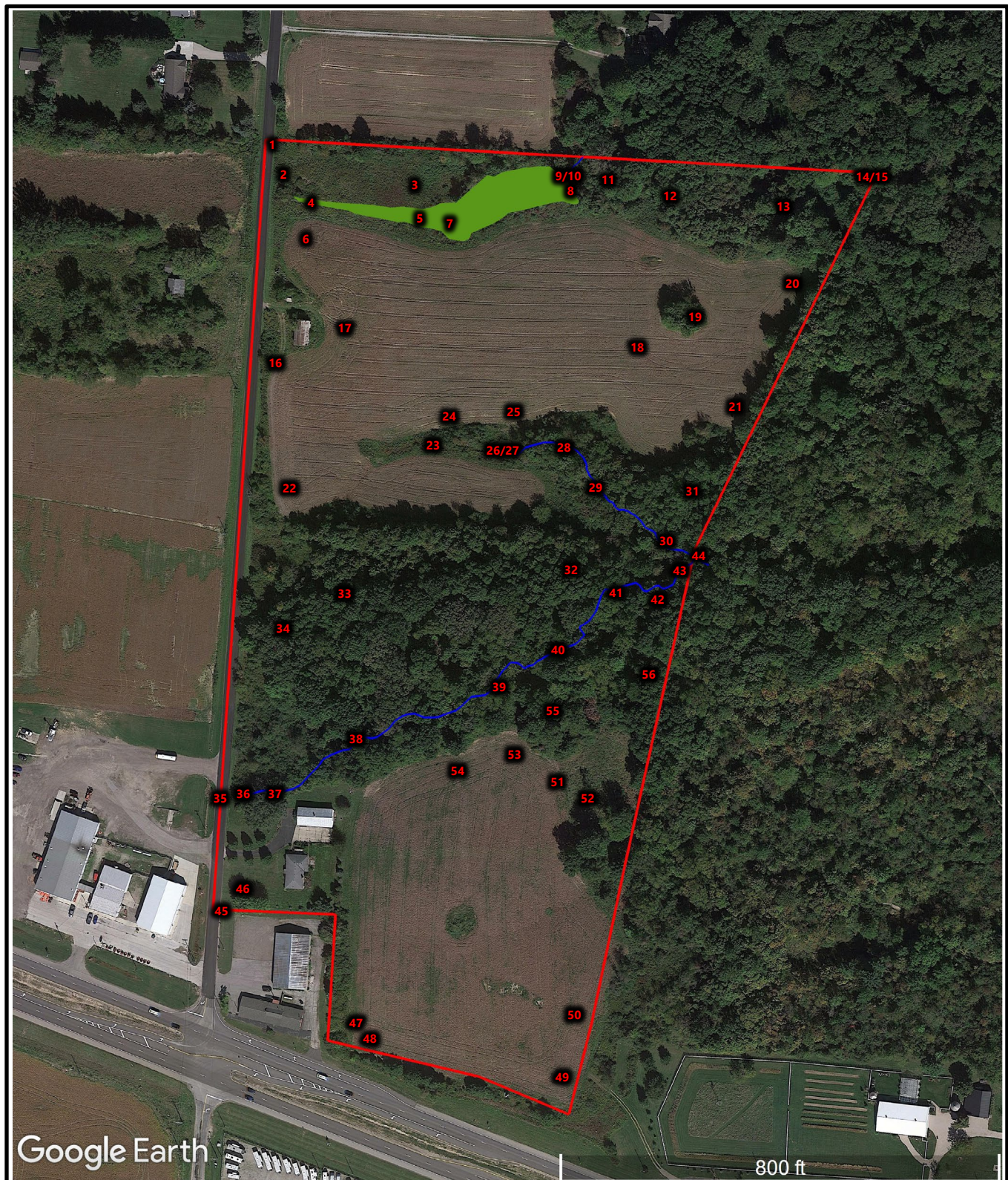
**End of Ohio Rapid Assessment Method for Wetlands.**



## **APPENDIX 4**



# PHOTO KEY



NORTH



N. OLD STATE, LLC PARCELS  
68 N. OLD STATE RD.  
BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO  
COWC PROJECT #041122025



CENTRAL OHIO WETLAND CONSULTING, LLC



*Field Reconnaissance Photos Dated April 29, 2022*



Photo 1 – Southerly view along N. Old State Road and the western evaluation area boundary.



Photo 2 – Easterly view across the northwest portion of the evaluation area. This location is a brushy upland area dominated by Multiflora Rose (*Rosa multiflora* – FACU).



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Photo 3 – Westerly view across the northwest portion of the evaluation area. This location is a brushy upland area dominated by Multiflora Rose (*Rosa multiflora* – FACU).



Photo 4 – Easterly view along a low-lying swale dominated by Reed Canary Grass (*Phalaris arundinacea* – FACW). This swale contained hydric soils, a dominance of hydrophytic vegetation, and wetland hydrology indicators, and was delineated as the western portion of Wetland 1. Brushy upland areas at higher elevations are adjacent to the north, and agricultural areas are adjacent to the south.



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Photo 5 – Westerly view along a low-lying swale dominated by Reed Canary Grass (*Phalaris arundinacea* – FACW). This swale contained hydric soils, a dominance of hydrophytic vegetation, and wetland hydrology indicators, and was delineated as the western portion of Wetland 1. Brushy upland areas at higher elevations are adjacent to the north, and agricultural areas are adjacent to the south.



Photo 6 – Easterly view across agricultural areas adjacent to the south of Wetland 1.



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Photo 7 – Northeasterly view from the central portion of Wetland 1. This location is dominated by Reed Canary Grass (*Phalaris arundinacea* – FACW) and Black Willow (*Salix nigra* – OBL).



Photo 8 – Westerly view from the eastern portion of Wetland 1. The eastern portion of Wetland 1 is a shallow excavation with an earthen berm along its eastern boundary.



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Photo 9 – Westerly view of a spillway observed within the earthen berm along the eastern boundary of Wetland 1. This spillway provides a surface water connection from Wetland 1 to Stream 3.



Photo 10 – Northeasterly view along Stream 3. Stream 3 appears to be an ephemeral stream that originates at the spillway within the earthen berm along the eastern boundary of Wetland 1.



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Photo 11 – Westerly view towards the backside of earthen berm along the eastern boundary of Wetland 1. This earthen berm has created a shallow pond/impoundment, and provides surface water for the establishment of Wetland 1.



Photo 12 – Easterly view across wooded upland areas on the northeast portion of the evaluation area. The northeast portion of the evaluation area is generally dominated by Sugar Maple (*Acer saccharum* – FACU), Red Maple (*Acer Rubrum* – FAC), and Morrow's Honeysuckle (*Lonicera morrowii* – FACU).



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Photo 13 – Westerly view across wooded upland areas on the northeast portion of the evaluation area. The northeast portion of the evaluation area is generally dominated by Sugar Maple (*Acer saccharum* – FACU), Red Maple (*Acer Rubrum* – FAC), and Morrow's Honeysuckle (*Lonicera morrowii* – FACU).



Photo 14 – Southwesterly view from the northeast corner of the evaluation area.



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Photo 15 – Westerly view from the northeast corner of the evaluation area.



Photo 16 – Northeasterly view of a vacant barn structure located on the northwest portion of the evaluation area, along N. Old State Road.



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Photo 17 – Easterly view across agricultural areas on the northern-half of the evaluation area. Agricultural areas contained evidence of a previously harvested crop of soybeans; however, agricultural areas had not been disked/plowed or planted at the time of our field reconnaissance and were dominated by various weed species.



Photo 18 – Northeasterly view of an island of trees and brush within an agricultural field on the northeast portion of the evaluation area.



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Photo 19 – Westerly view of the interior of the island of trees and brush within an agricultural field on the northeast portion of the evaluation area. Wetland indicators are absent from this location.



Photo 20 – Westerly view from the northeast portion of the evaluation area, which is currently in use for agricultural crop production. Agricultural areas contained evidence of a previously harvested crop of soybeans; however, agricultural areas had not been disked/plowed or planted at the time of our field reconnaissance and were dominated by various weed species.



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Photo 21 – Westerly view from the east central portion of the evaluation area, which is currently in use for agricultural crop production.



Photo 22 – Easterly view from the west central portion of the evaluation area, which is currently in use for agricultural crop production.



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Photo 23 – Westerly view from the central portion of the evaluation area. Surface elevations in this location are depressional, decreasing the east. Stream and wetland indicators are absent from this location.



Photo 24 – Easterly view along a gently sloping brushy upland area on the central portion of the evaluation area.



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Photo 25 – Southwesterly view of a brushy upland area on the central portion of the evaluation area. This location is generally dominated by Russian-Olive (*Elaeagnus angustifolia* – FACU), Morrow's Honeysuckle (*Lonicera morrowii* – FACU), and Multiflora Rose (*Rosa multiflora* – FACU).



Photo 26 – Westerly (upstream) view towards the beginning of Stream 2.



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Photo 27 – Easterly (downstream) view towards the beginning of Stream 2.



Photo 28 – Westerly (upstream) view along Stream 2.



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Photo 29 – Southeasterly (downstream) view along Stream 2.



Photo 30 – Northwesterly (upstream) view along Stream 2.



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Photo 31 – Westerly view of a gently sloping wooded upland area on the east central portion of the evaluation area. This wooded area is adjacent to the north of Stream 2, and is generally dominated by Sugar Maple (*Acer saccharum* – FACU), American Beech (*Fagus grandifolia* – FACU), Black Cherry (*Prunus serotina* – FACU), and Ash-Leaf Maple (*Acer nequundo* – FAC).



Photo 32 – Southwesterly view of a gently sloping wooded upland area on the central portion of the evaluation area. This wooded area is generally dominated by Sugar Maple (*Acer saccharum* – FACU), American Beech (*Fagus grandifolia* – FACU), Black Cherry (*Prunus serotina* – FACU), and Northern White Oak (*Quercus alba* – FACU).



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Photo 33 – Southwesterly view of a gently sloping wooded upland area on the central portion of the evaluation area. This wooded area is generally dominated by Sugar Maple (*Acer saccharum* – FACU), American Beech (*Fagus grandifolia* – FACU), Black Cherry (*Prunus serotina* – FACU), and Northern White Oak (*Quercus alba* – FACU).



Photo 34 – Southerly view of brushy upland areas adjacent to N. Old State Road on the west central portion of the evaluation area.



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Photo 35 – Easterly (downstream) view towards the beginning of Stream 1. Stream 1 originates at the outfall of a round corrugated plastic culvert beneath N. Old State Road.



Photo 36 – Westerly (upstream) view towards the beginning of Stream 1. Stream 1 originates at the outfall of a round corrugated plastic culvert beneath N. Old State Road.



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Photo 37 – Easterly (downstream) view along Stream 1.



Photo 38 – Northeasterly (downstream) view along Stream 1. A round corrugated plastic culvert was observed in this location.



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Photo 39 – Southwesterly (upstream) view along Stream 1.



Photo 40 – Northeasterly (downstream) view along Stream 1.



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Photo 41 – Northeasterly (downstream) view along Stream 1.



Photo 42 – Northeasterly (downstream) view along Stream 1.



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Photo 43 – Southerly (upstream) view along Stream 1, from near the eastern evaluation area boundary.



Photo 44 – Westerly (upstream) view towards the confluence of Stream 1 and Stream 2. This location is off-site to the east of the evaluation area.



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Photo 45 – Northerly view along N. Old State Road and the western evaluation area boundary.



Photo 46 – Northeasterly view towards a vacated residential structure and detached garage on the southwest portion of the evaluation area at 68 N. Old State Rd.



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Photo 47 – Northerly view across agricultural areas on the southern-half of the evaluation area. Agricultural areas contained evidence of a previously harvested crop of soybeans; however, agricultural areas had not been disked/plowed or planted at the time of our field reconnaissance and were dominated by various weed species.



Photo 48 – Southeasterly view along the southern evaluation area boundary.



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Photo 49 – Northeasterly view from the southeast corner of the evaluation area.



Photo 50 – Westerly view across agricultural areas on the southeast portion of the evaluation area. Evidence of surface erosion was apparent in this location; however, a defined bed/bank or other stream characteristics were absent from this location.



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Photo 51 – Southerly view across agricultural areas on the southern-half of the evaluation area. Agricultural areas contained evidence of a previously harvested crop of soybeans; however, agricultural areas had not been disked/plowed or planted at the time of our field reconnaissance and were dominated by various weed species.



Photo 52 – Northeasterly view of a brushy upland area on the east central portion of the evaluation area. This location is generally dominated by Multiflora Rose (*Rosa multiflora* – FACU), Russian-Olive (*Elaeagnus angustifolia* – FACU), and Morrow's Honeysuckle (*Lonicera morrowii* – FACU).



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Photo 53 – Southwesterly view from the central portion of the evaluation area, which is currently in use for agricultural crop production.



Photo 54 – Southerly view from the central portion of the evaluation area, which is currently in use for agricultural crop production.



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Photo 55 – Northeasterly view of a gently sloping wooded upland area comprising the central portion of the evaluation area. This wooded area is adjacent to the south of Stream 1.



Photo 56 – Westerly view of a gently sloping wooded upland area on the east central portion of the evaluation area.