

**PETITION FOR ESTABLISHMENT**  
**OF THE RIGGINS ROAD COMMUNITY AUTHORITY**  
**AS A NEW COMMUNITY AUTHORITY UNDER**  
**CHAPTER 349 OF THE OHIO REVISED CODE**

Pursuant to Chapter 349 of the Ohio Revised Code (the "Act"), Virginia Homes Ltd. (the "Developer") hereby petitions for the establishment of a new community authority, as defined in the Act (the "Authority"). The Developer is the "developer" within the meaning of Section 349.01(E) of the Ohio Revised Code, for the new community district, as defined in the Act, (the "District") described in paragraph 3 below.

The Developer further states as follows:

1. **Name of the Proposed New Community Authority:** The Authority shall be named the "Riggins Road Community Authority".
2. **Principal Office of the Proposed New Community Authority:** The principal office of the Authority shall be located at 209 East State Street, Columbus, Ohio 43215.
3. **Map and Full and Accurate Description of the Proposed New Community District:** The District is located in the City of Hilliard, Ohio ("Hilliard"). A full and accurate description of the boundaries of the District is attached hereto as Exhibit "A" and a survey of those boundaries is attached hereto as Exhibit "B". All properties within such boundaries will be included in the District. Generally, the site is 24.9 +/- acres situated north of Hayden Run Road, east of Wilcox Road and west of Britton Parkway and is commonly known as Franklin County Parcel Nos. 050-010602 and 050-010605. All of the 24.9 +/- acres within the District are owned by the Developer (within the meaning of Section 349.01(E) of the Ohio Revised Code). The property to be included in the District is developable as one functionally interrelated community.
4. **Statement of Zoning for the Proposed New Community District:** The proposed zoning for the District will allow the necessary comprehensive development of the District, which shall include, without limitation, residential condominium units. The site has been zoned Planned Unit Development in accordance with the rezoning ordinance, zoning text and development plan attached hereto as Exhibit "C".
5. **Current Plans of the Proposed New Community Authority:**
  - a. **Development Program, Including Land Acquisition and Land Development:** The development plan to be undertaken by the Developer with respect to

the area located in the District is provided in the rezoning ordinance, zoning text and development plan attached hereto as Exhibit "C".

b. Plans for Community Facilities and Services: Community Facilities to be built to benefit the proposed New Community District include a combination of the following: the construction of Riggins Road between Britton and Wilcox Roads; the widening of Britton Road from Hayden Run down to Davidson Road; installation of traffic control devices; construction of bike paths and walkways; construction and maintenance of parklands, and the construction of sanitary sewer and water trunk lines. The services shall consist of educational services and fire protection services provided by the Hilliard City School District and the Norwich Township Fire District, respectively, under contracts with the Authority pursuant to which the Authority will provide each entity with one mill of the five mill community development charge described below.

c. Method of Financing: The Developer and the City have entered into a Developer's Agreement and Tax Increment Financing Agreement to construct and finance a portion of the Community Facilities. Community Facilities not addressed in either of those Agreements will be constructed and financed through various public and private sources and the levy and collection of a community development charge, as defined in the Act (the "Community Development Charge"), to be charged against and collected from the parcels in the District for a period of twenty (20) years. Except for the period that the property in the District is being developed, during which time the Community Development Charge will be \$1,000.00 per year for all property in the District, the Community Development Charge shall be in an amount of 5 mills against the assessed valuation (attributable to the land and any improvement thereto) of each parcel. Each parcel shall be assessed the 5 mills immediately upon transfer from the Developer. Three of the five mills shall be paid to the City of Hilliard and used for construction of Community Facilities, one of the mills shall be paid to the Hilliard City School District for educational services, and one of the mills shall be paid to the Norwich Township Fire District for EMS and fire protection services. The three mills to be used for construction of Community Facilities shall first be used to reimburse the Developer for construction of the public infrastructure improvements for which the Developer is receiving reimbursement under the terms of a Tax Increment Financing Agreement between Hilliard and the Developer. After the Developer is fully reimbursed under the terms and conditions of the Tax Increment Financing Agreement, the three mills, to be used for the construction of Community Facilities, shall be paid to the City of Hilliard. Except for Developer's on-site improvements and as may be provided in one or more agreements between Hilliard and the Developer, the Developer shall not be responsible for financing Community Facilities or providing services.

d. Projected Total Population of the Proposed New Community Authority: All of the above-described Community Facilities will benefit a projected total population of approximately three hundred fifty (350) residents within the District.

6. Board of Trustees of the Proposed New Community Authority: The Developer recommends that the board of trustees of the Authority be composed of seven (7) members selected as provided in Section 349.04 of the Ohio Revised Code. The Board of County Commissioners of Franklin County, Ohio, as the organizational board of commissioners under Section 349.04 of the Ohio Revised Code, shall appoint three (3) citizen members of the board of trustees to represent the interests of present and future residents of the District and one (1) member to serve as a representative of local government. The Developer shall appoint three (3) members to serve on the board of trustees of the Authority as representatives of the Developer.

7. Preliminary Economic Feasibility Analysis for the Proposed New Community Authority:

a. Area Development Pattern and Demand: The area in and around the District is part of a master planned unit development that includes residential and commercial uses, as well as parks and other community facilities. The proposed future use of the District will be residential condominium uses.

b. Location and Proposed District Size: The District is 24.9 +/- acres as more fully described and shown on Exhibits "A" and "B".

c. Present and Future Socio-Economic Conditions: The present socio-economic conditions of the area are described and shown in the demographic information for the City of Hilliard attached hereto as Exhibit "D". Based on the current median home price in the area surrounding the District, the socio-economic conditions within the District will be substantially enhanced by the proposed District.

d. Public Services: Park land has already been dedicated to the City and certain public infrastructure improvements will be made in accordance with the rezoning ordinance, zoning text and development plan attached as Exhibit "C".

e. Financial Plan: The financial plan is attached hereto as Exhibit "E".

f. Developer's Management Capability: A description of the management capability of the Developer is attached hereto as Exhibit "F".

8. Environmental Statement. The Developer shall comply with all applicable environmental laws and regulations in its development of the District and as evidence of such, the Phase I Environmental Site Assessment for the District is attached hereto as Exhibit "G".

9. **Proximate City.** The City of Columbus, Ohio is the city that is the “Proximate City” as that term is defined in Section 349.01(M) of the Ohio Revised Code. The City of Columbus, Ohio has signed this petition as evidence of its support for the establishment of the proposed New Community District.

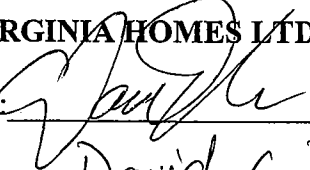
For the purposes of establishment of the Authority, the Board of County Commissioners of Franklin County, Ohio is the “Organizational Board of Commissioners” as that term is defined in Section 349.01(F) of the Ohio Revised Code.

The Developer hereby requests that the Board of County Commissioners of Franklin County, Ohio determine that this petition complies as to form and substance with the requirements of Section 349.03 of the Ohio Revised Code and further requests that the Board of County Commissioners of Franklin County, Ohio fix the time and place of a hearing on this petition for the establishment of the Authority. Pursuant to Section 349.03(A) of the Ohio Revised Code, that hearing must be held not less than thirty nor more than forty-five days after the filing of this petition with the Clerk of the Board of County Commissioners of Franklin County, Ohio. This petition is filed with the Board of County Commissioners of Franklin County, Ohio this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

*(Remainder of Page Intentionally Left Blank; Signatures On Following Page)*

Respectfully submitted,

**VIRGINIA HOMES LTD.**

By:   
\_\_\_\_\_

Name: David C. Roma

Title: Vice President

**PROXIMATE CITY SIGNATURE:**

The City of Columbus, Ohio, by authority granted under Ordinance No. \_\_\_\_\_ adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2007 and attached hereto as Exhibit "H" hereby supports the establishment of the Riggins Road Authority in accordance with the terms of the foregoing petition.

**City of Columbus, Ohio**

Approved as to form by:

By: \_\_\_\_\_

By: \_\_\_\_\_

Printed: \_\_\_\_\_

Printed: \_\_\_\_\_

Title: \_\_\_\_\_

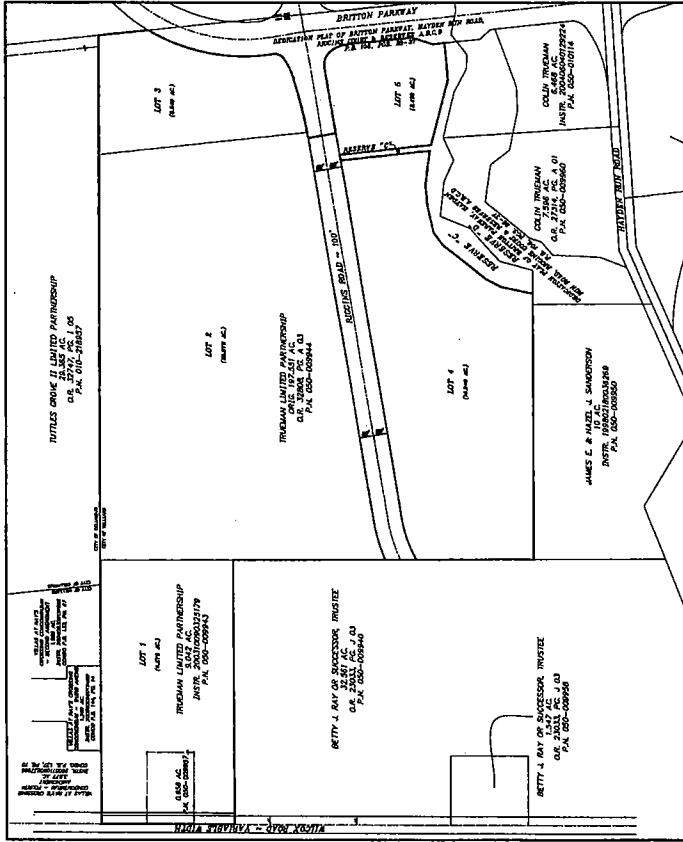
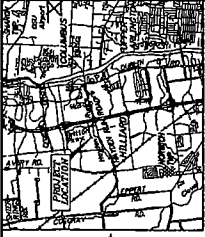
Title: City Attorney

**Exhibit A**

**LEGAL DESCRIPTION**

Being all of Lot Number One (1) and all of Lot Number Four (4) of BRITTON CENTRAL, RIGGINS ROAD, WILCOX ROAD, LOTS AND EASEMENTS DEDICATION PLAT, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 109, Pages 60 to 63, Recorder's Office, Franklin County, Ohio.

# BRITTON CENTRAL RIGGINS ROAD, WILCOX ROAD, LOTS AND EASEMENTS DEDICATION PLAT



TRANSFERRED  
JUL 11 2008  
JAMES L. BIRDELL  
COUNTY CLERK  
FRANKLIN COUNTY, OHIO

Shaded in this State of Ohio, County of Franklin, City of Hilliard, in Maple Military Survey No. 3022 and being all or portions of the following three (3) tracts of land:  
1) 56.479 acre parcel of an original 197.551 acre tract of land conveyed to Truman Limited Partnership by deed of record in Official Record 30806, Page A 03.  
2) all of a 0.504 acre tract of land conveyed to Truman Limited Partnership by deed of record in Instrument 20020903032179, and  
3) all of a 0.504 acre tract of land (0.504 acres by recent survey), conveyed to Truman Limited Partnership by deed of record in Instrument 20020903032179, and of record referenced to the Recorder's Office, Franklin County, Ohio.

Easements are granted to the Recorder's Office, Franklin County, Ohio, and design where indicated on the plat for the construction, operation and maintenance of all public and private utilities, and easements for the construction, operation and maintenance of service connections to all adjacent lots and lots and for stormwater management, drainage and structures with a foundation.

Notice: Being the authorized representative of the Developer dedicating the property, described in this plat, hereby agrees that grantor will indemnify the City of Hilliard for and hold it harmless from any and all claims, damages, losses, costs and expenses, including reasonable attorney's fees, that may be asserted against or incurred by the City of Hilliard from operations of the property.

Lot Area  
62.501 Ac. - (5 Lots)  
1.830 Acres for 6/8' Dedications  
(0.450 Acres for Wilcox Road)  
64.481 Ac.

Surveyed and Plotted By  
**C.F. BIRD & R.J. BULL, INC.**  
Cadastral Surveyors  
2025 W. Dublin-Columbus Road  
Columbus, Ohio 43235  
(614) 761-1601

This plat is hereby certified that it was prepared in the absence of any other plat of record, the plat is correct, the measurements are true, the measurements are shown in feet and decimal parts thereof. Dimensions along curves are chord measurements unless otherwise indicated. True bearings and distances are indicated by the following symbols: --- for bearings and distances, --- for distances, and --- for bearings. All monuments shown in the plat are shown in the correct position and are shown in the correct orientation. All monuments shown in the plat are shown in the correct position and are shown in the correct orientation. All monuments shown in the plat are shown in the correct position and are shown in the correct orientation.

By Kevin L. Birde Date 6/20/08  
Kevin L. Birde - Ohio Surveyor No. 7897



The undersigned, COLIN TREHMAN, Authorized Representative of Truman Limited Partnership, certify that this plat correctly represents the BRITTON CENTRAL - RIGGINS ROAD, WILCOX ROAD, LOTS AND EASEMENTS DEDICATION PLAT, and that the same was prepared by and for the use and purpose expressed herein, and that the same was prepared by and for the use and purpose expressed herein, and that the same was prepared by and for the use and purpose expressed herein.

In Witness Whereof, COLIN TREHMAN, Authorized Representative, has hereunto set his hand this 13<sup>th</sup> day of JUNE, 2008.  
TRUMAN LIMITED PARTNERSHIP 546  
Maple Place South, Suite 400  
Dublin, Ohio 43017  
Colin Trehman  
Authorized Representative

State of Ohio / S.S.  
Before me, a Notary Public in and for said State, personally appeared COLIN TREHMAN, Authorized Representative of Truman Limited Partnership, an Ohio limited liability partnership, and acknowledged to me that he executed the foregoing instrument as his free and voluntary act and deed, and for the uses and purposes expressed herein, and that the same was prepared by and for the use and purpose expressed herein.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this 13<sup>th</sup> day of JUNE, 2008.  
My Commission Expires: 2/24/2009  
Suzanne A. Cato  
Notary Public, State of Ohio  
10000 North High Street  
Columbus, Ohio 43240

CITY OF HILLIARD  
Approved this 24<sup>th</sup> day of JUNE, 2008.  
City of Hilliard  
Approved this 24<sup>th</sup> day of JUNE, 2008.  
City of Hilliard

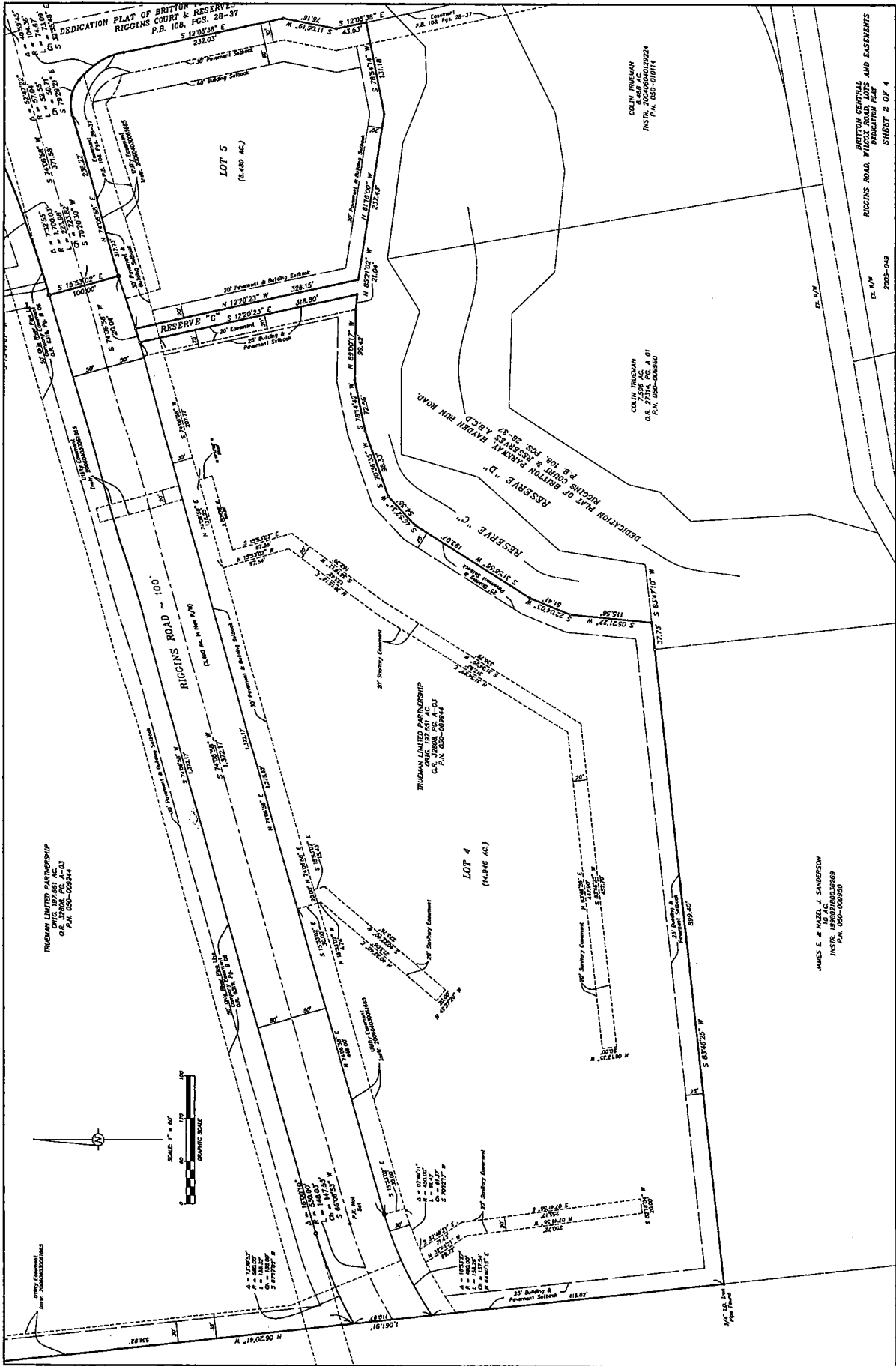
Approved and accepted this 21<sup>st</sup> day of JUNE, 2008 by Resolution No. 11-2008-12 where the bonds and documents designated hereon are accepted as such by the Council of the City of Hilliard, Ohio.  
Approved this 24<sup>th</sup> day of JUNE, 2008.  
City of Hilliard, Ohio

Filed for record this 11<sup>th</sup> day of JULY, 2008, at 1:03 P.M.  
Recorder, Franklin County, Ohio  
Recorded this 14<sup>th</sup> day of JULY, 2008, in Plat Book 100, Page 80-81.

BRITTON CENTRAL  
RIGGINS ROAD, WILCOX ROAD  
DEDICATION PLAT  
2008-049  
SHRETT 1 OF 4







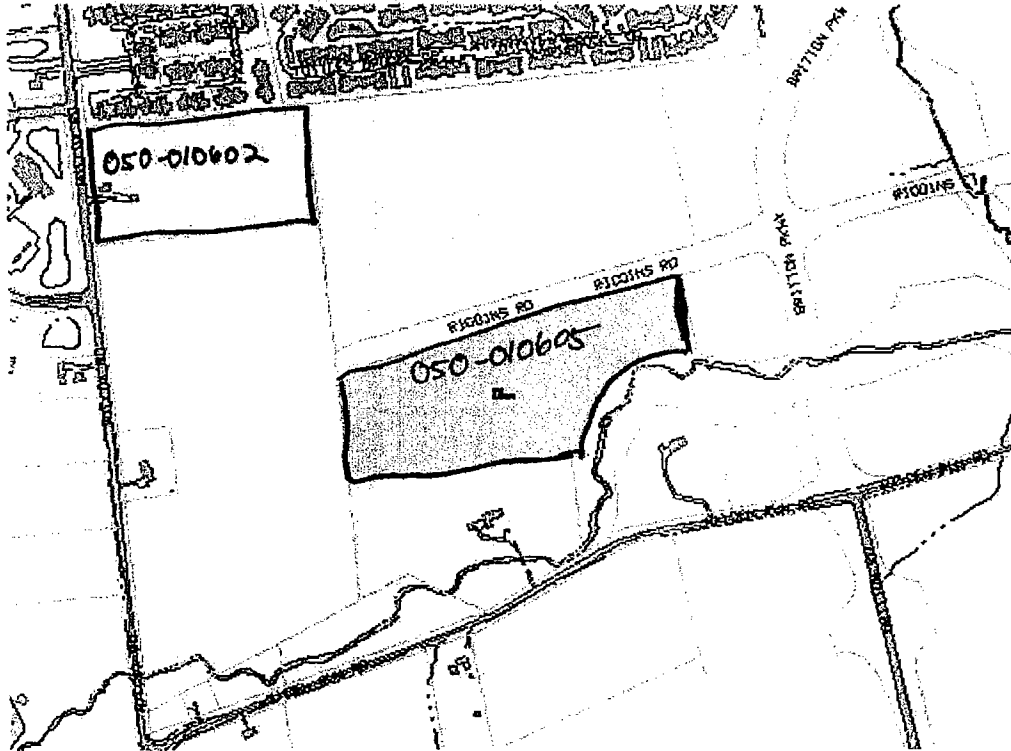


**Joseph W. Testa**  
Auditor, Franklin County, Ohio

Geographic Information System

PID: 050-010605  
Virginia Homes Ltd  
0 Riggins,

Image Date: Mon Oct 23 11:49:33 2006



<b>Owner Name</b>	VIRGINIA HOMES LTD	<b>Transfer Date</b>	10/04/2006
		<b>Sale Amount</b>	\$3,003,000
		<b>Year Built</b>	Not Available

<b>Site Address</b>	RIGGINS RD	<b>Auditor's Map</b>	.
<b>Mail Address</b>	VIRGINIA HOMES LTD	<b>Neighborhood</b>	0.00
	209 E STATE ST	<b>School Name</b>	Hilliard CSD
	COLUMBUS OH 43215	<b>Annual Taxes</b>	\$0.00

**Tax District** CITY OF HILLIARD  
**Description** BRITTON CENTRAL, RIGGINS RD, WILCOX RD LOTS & EASE DEDICATION PLAT LOT 4

**Auditor's Appraised Values**

<b>Land</b>	\$0	<b>Exempt Land</b>	\$0
<b>Building</b>	\$0	<b>Exempt Building</b>	\$0
<b>Total</b>	\$0	<b>Exempt Total</b>	\$0

**Assessed Acreage** 0.00

**Landuse**  
**CAUV** \$0  
**Homestead**

**Property Class** Other  
**Number of Cards** 1

**Building Information**

<b>Rooms</b>	0	<b>Baths</b>	0	<b>Square Feet</b>	0.0	<b>Fireplaces</b>	
<b>Bedrooms</b>	0	<b>Half Baths</b>	0	<b>Air Cond.</b>		<b>Stories</b>	0.0

**Disclaimer** This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information source should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the

**Exhibit C**

**Ordinance No. 04-48**

**Passed: 12-13-2004**

**Effective: 1-13-2005**

**REZONING THE 282.45 +/- ACRES OF LAND LOCATED WEST OF INTERSTATE 270, SOUTH OF THE HILLIARD MUNICIPAL BOUNDARY, EAST OF WILCOX ROAD, AND APPROXIMATELY 2,600 FEET NORTH OF DAVIDSON ROAD FROM "B-3" INSTITUTIONS AND OFFICES, "A-1" AGRICULTURAL, "R-R" RESTRICTED RESIDENTIAL, "R-1" SUBURBAN RESIDENTIAL, "R-2" LOW DENSITY RESIDENTIAL, AND "R-6" MULTI-FAMILY RESIDENTIAL TO "PUD" PLANNED UNIT DEVELOPMENT.**

**WHEREAS**, Trueman LP and Thomas McDowell et al. (hereinafter referred to as "Applicant") own approximately 282.45 +/- acres of land located west of Interstate 270, south of the Hilliard municipal boundary, east of Wilcox Road, and approximately 2,600 feet north of Davidson Road, the legal descriptions of which are attached hereto as Exhibit "A" and incorporated by reference herein; and

**WHEREAS**, the City of Hilliard Master Plan recommends the site for "Freeway Office", "Office", and "Parks" uses; and

**WHEREAS**, Applicant filed application numbered 04-0013LC with the Planning and Zoning Commission to rezone the 282.45 +/- acres from "B-3" Institutions and Offices, "A-1" Agricultural, "R-R" Restricted Residential, "R-1" Suburban Residential, "R-2" Low Density Residential, and "R-6" Multi-family Residential to "PUD" Planned Unit Development; and

**WHEREAS**, Applicant submitted a Development Plan and Development Plan Text to the Planning and Zoning Commission for the Planned Unit Development, and

**WHEREAS**, on July 8, 2004, following a public hearing, the Planning and Zoning Commission voted to recommend to City Council that the land be rezoned from "B-3" Institutions and Offices, "A-1" Agricultural, "R-R" Restricted Residential, "R-1" Suburban Residential, "R-2" Low Density Residential, and "R-6" Multi-family Residential to "PUD" Planned Unit Development with the following four conditions:

- 1) That the text is revised consistent with the recommendations described below;
- 2) That the provisions of the Zoning Code concerning park land and open space are met;
- 3) That the text is revised to include maintenance responsibilities for all privately held park land and open space areas, subject to staff approval; and
- 4) That a tree survey for the McDowell properties is submitted prior to the final development plan.


**NOW THEREFORE BE IT RESOLVED** by the Council of the City of Hilliard, Ohio that:

**SECTION 1.** The 282.45+/- acres of land located west of Interstate 270, south of the Hilliard municipal boundary, east of Wilcox Road, and approximately 2,600 feet north of Davidson Road, the legal descriptions of which are attached hereto as Exhibit "A" and incorporated by reference herein, is hereby rezoned from "B-3" Institutions and Offices, "A-1" Agricultural, "R-R" Restricted Residential, "R-1" Suburban Residential, "R-2" Low Density Residential, and "R-6" Multi-family Residential to "PUD" Planned Unit Development District.

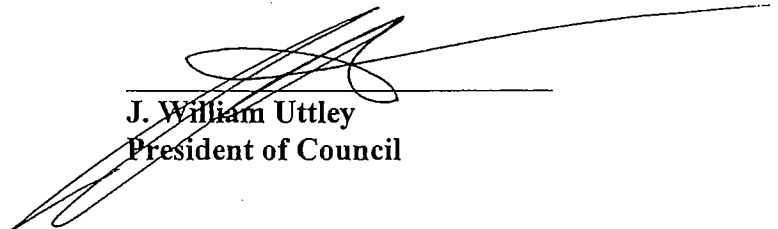
**SECTION 2.** The Preliminary Development Plan for the Planned Unit Development (PUD) for Britton Central, submitted May 27, 2004 and revised July 15, 2004 (the "Development Plan"), a copy of which has been presented to City Council and which is incorporated by reference herein, is, pursuant to the Chapter 1157 of the Codified Ordinances of the City of Hilliard, hereby approved. A copy of the Development Plan shall be maintained in the office of the City Engineer.

**SECTION 3.** This Ordinance shall be in full force and effect from and after the earliest period provided for by law.

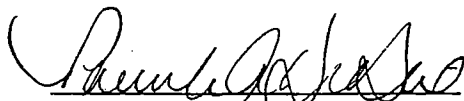
**ATTEST**

  
\_\_\_\_\_  
Heather L. LaMarre  
Clerk of Council

**SIGNED**

  
\_\_\_\_\_  
J. William Uttley  
President of Council

**APPROVED AS TO FORM**

  
\_\_\_\_\_  
Pamela A. DeDent  
Director of Law

**APPROVED**

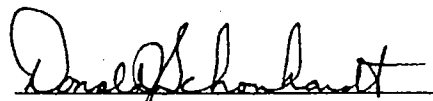
  
\_\_\_\_\_  
Donald J. Schonhardt  
Mayor

EXHIBIT A  
04-48

**DESCRIPTION OF 215.147 ACRES TO BE REZONED  
AT HAYDEN RUN ROAD & BRITTON ROAD, HILLIARD, OHIO  
(TRUEMAN LIMITED PARTNERSHIP & COLIN TRUEMAN)**

Situated in the State of Ohio, County of Franklin, City of Hilliard, partially in Virginia Military Survey No. 2418 and partially in Virginia Military Survey No. 3022, and being all of the following four (4) tracts of land:

1) a 197.551 acre tract in said Virginia Military Surveys Nos. 2418 and 3022 conveyed to Trueman Limited Partnership by deed of record in Official Record 32808, Page A 03, all references being to the Recorder's Office, Franklin County, Ohio (Tax Parcel Nos. 052-000005, 052-000014 and 050-003869),

2) a 7.596 acre tract in said Virginia Military Survey No. 3022 conveyed to Colin Trueman by deed of record in Official Record 27314, Page A 01 (Tax Parcel No. 052-000022),

3) a 9.042 acre tract in said Virginia Military Survey No. 3022 conveyed to Trueman Limited Partnership by deed of record in Instrument 200310090325179 (Tax Parcel No. 052-000004), and

4) a 0.958 acre tract in said Virginia Military Survey No. 3022 conveyed to Trueman Limited Partnership by deed of record in Instrument 200310090325179 (Tax Parcel No. 052-000019),

all bounded and described as follows:

Beginning at Franklin County Monument No. 9907 at the intersection of the centerline of Hayden Run Road (60 feet wide) with the centerline of Britton Road (variable width), in the west line of said Virginia Military Survey No. 2418, in the east line of said Virginia Military Survey No. 3022, at a corner of said 197.551 acre tract and at the northeast corner of a 0.989 acre tract of land conveyed to City of Hilliard, Ohio, for Britton Road right-of-way purposes by deed of record in Instrument 199709040085756;

thence S 80° 09' 05" W along the centerline of Hayden Run Road, along a south line of said 197.551 acre tract and along a south line of said 7.596 acre tract a distance of 937.65 feet to an angle point in the centerline of Hayden Run Road and at a corner of said 7.596 acre tract;

thence S 60° 04' 05" W along the centerline of Hayden Run Road and along a south line of said 7.596 acre tract a distance of 213.59 feet to a point at the southwest corner of said 7.596 acre tract and at the southeast corner of a 10 acre tract of land conveyed to Hazel J. and James E. Sanderson by deed of record in Instrument 199802180036269;

thence N 6° 20' 59" W along the west line of said 7.596 acre tract and along the east line of said 10 acre tract a distance of 421.72 feet to a point at the northwest corner of said 7.596 acre tract, at the northeast corner of said 10 acre tract and in a south line of said 197.551 acre tract;

thence S. 83° 45' 56" W along a portion of a south line of said 197.551 acre tract and along the north line of said 10 acre tract a distance of 899.41 feet to a point at a southwest corner of said 197.551 acre tract, at the northwest corner of said 10 acre tract and in the east line of a 33.619 acre tract conveyed as Parcel No. 6, First Tract, to Betty J. Ray, Trustee, by deed of record in Official Record 23033, Page J 03;

thence N 6° 20' 59" W along a portion of a west line of said 197.551 acre tract and along a portion of the east line of said 33.619 acre tract a distance of 1,062.40 feet to a point at the southeast corner of said 9.042 acre tract and at the northeast corner of said 33.619 acre tract;

thence S 83° 19' 11" W along the south line of said 9.042 acre tract and along the north line of said 33.619 acre tract a distance of 931.48 feet to a point in the centerline of Wilcox Road (variable width), in the west line of said Virginia Military Survey No. 3022, in the east line of Virginia Military Survey No. 3012, at the southwest corner of said 9.042 acre tract and at the northwest corner of said 33.619 acre tract;

thence N 6° 03' 02" W along the centerline of Wilcox Road, along a portion of the west line of said Virginia Military Survey No. 3022, along a portion of the east line of said Virginia Military Survey No. 3012, along a west line of said 9.042 acre tract, along the west line of said 0.958 acre tract and along another west line of said 9.042 acre tract a distance of 468.26 feet to a point at the northwest corner of said 9.042 acre tract and at the southwest corner of a 0.481 acre tract of land dedicated for Wilcox Road right-of-way purposes in Plat Book 97, Page 35;

thence N 83° 39' 11" E along the north line of said 9.042 acre tract, along the south end of said 0.481 acre tract, along the south line of an original 9.413 acre tract of land conveyed to Villas at Ray's Crossing, LLC, by deed of record in Instrument 200207020162375 and along a portion of a south line of a 29.365 acre tract of land conveyed to Tuttle's Grove II Limited Partnership by deed of record in Official Record 32747, Page 105, a distance of 929.04 feet to a point at the northeast corner of said 9.042 acre tract and at the northwest corner of said 197.551 acre tract;

thence N 83° 41' 27" E along a north line of said 197.551 acre tract and along a portion of a south line of said 29.365 acre tract a distance of 1,848.05 feet to a point in the east line of said Virginia Military Survey No. 3022, in the west line of said Virginia Military Survey No. 2418, at a corner of said 197.551 acre tract and at a corner of said 29.365 acre tract;

thence N 12° 03' 59" W along a portion of the east line of said Virginia Military Survey No. 3022, along a portion of the west line of said Virginia Military Survey No. 2418, along a west line of said 197.551 acre tract and along an east line of said 29.365 acre tract a distance of 367.34 feet to a point at a corner of said 197.551 acre tract and at a corner of said 29.365 acre tract;

thence N 77° 52' 36" E along a north line of said 197.551 acre tract, along a south line of said 29.365 acre tract, along the south end of Britton Parkway (80 feet wide) as dedicated in Plat Book 83, Pages 46 and 47, and along the south line of a 6.228 acre tract of land conveyed to OLP Columbus, Inc. by deed of record in Instrument 199711210149428 a distance of 1,383.01 feet to a point in the west limited access right-of-way line of Interstate Route 270, at the northeast corner of said 197.551 acre tract and at the southeast corner of said 6.228 acre tract, as Interstate Route 270 is shown upon Sheet 24 of 30 of Ohio Department of Transportation right-of-way plans for FRA-270-3.47 N;

thence S 11° 36' 49" E along the west limited access right-of-way line of Interstate Route 270 and along an east line of said 197.551 acre tract a distance of 548.30 feet to an angle point in the west limited access right-of-way line of Interstate Route 270 and at a corner of said 197.551 acre tract;

thence S 9° 42' 16" E along the west limited access right-of-way line of Interstate Route 270 and along an east line of said 197.551 acre tract a distance of 300.20 feet to an angle point in the west limited access right-of-way line of Interstate Route 270 and at a corner of said 197.551 acre tract;

thence S 11° 36' 49" E along the west limited access right-of-way line of Interstate Route 270 and along an east line of said 197.551 acre tract a distance of 1,229.31 feet to an angle point in the west limited access right-of-way line of Interstate Route 270, in the centerline of Hayden Run Road and at a corner of said 197.551 acre tract;

thence S 14° 33' 42" E along the west limited access right-of-way line of Interstate Route 270 and along an east line of said 197.551 acre tract a distance of 972.24 feet to an angle point in the west limited access right-of-way line of Interstate Route 270 and at a corner of said 197.551 acre tract;

thence S 11° 36' 49" E along the west limited access right-of-way line of Interstate Route 270 and along an east line of said 197.551 acre tract a distance of 997.62 feet to a point at the southeast corner of said 197.551 acre tract and at the northeast corner of a 75.392 acre tract of land conveyed to Compuserve Incorporated by deed of record in Official Record 25254, Page B 08;

thence S 72° 50' 54" W along a south line of said 197.551 acre tract and along the north line of said 75.392 acre tract a distance of 1,371.68 feet to Franklin County Monument No. 5530 in the centerline of Britton Road, in the west line of said Virginia Military Survey No. 2418, in the east line of said Virginia Military Survey No. 3022, at a southwest corner of said 197.551 acre tract and at the northwest corner of said 75.392 acre tract;

thence N 12° 43' 52" W along the centerline of Britton Road, along a portion of the west line of said Virginia Military Survey No. 2418, along a portion of the east line of said Virginia Military Survey No. 3022 and along a west line of said 197.551 acre tract a distance of 1,979.97 feet to the place of beginning;

containing 215.147 acres of land more or less and being subject to all legal highways, easements and restrictions of record.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers and Surveyors, Columbus, Ohio, from best available Courthouse records in October, 2003, and not from an actual field survey. This description is not to be used for any deed conveyance purposes. Basis of bearings is the centerline of Interstate Route 270, being N 11° 36' 49" W, as shown upon Sheet 1 of 30 of Ohio Department of Transportation right-of-way plans for FRA-270-3.47 N.

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Kevin L. Baxter  
Ohio Surveyor #7697



o. TAX Parcel # 050-003874

o 18.827 ACRES

~~The following is the amended description of your 18.827 acre tract.~~

Situate in the County of Franklin, State of Ohio, Township of Norwich, being located in Virginia Military Survey No. 3022, and being a part of the lands conveyed to John F. and Betty E. Kidwell by deed of record in Deed Book 2226, Page 298, all references being to records of the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at an iron pin at a northeasterly corner of the said John F. and Betty E. Kidwell lands, being the southeasterly corner of the 11.061 acre tract conveyed to Allen E. McDowell, Trustee, by deed of record in Deed Book 2711, Page 672;

thence along the easterly line of the said Kidwell tract, being the westerly line of the 20.362 acre tract conveyed to Allen E. McDowell, Trustee, by deed of record in Deed Book 2711, Page 672, South 15° 59' 30" East, 734.72 feet to an iron pin at the southeasterly corner of the said Kidwell tract and the southwesterly corner of the said 20.362 acre tract;

thence along the southerly line of the said Kidwell tract, being the northerly line of the 70.125 acre tract conveyed to Russell J. and Nancy J. Keagy by deed of record in Deed Book 1680, Page 552, South 62° 42' West, 1165.46 feet to an iron pin;

thence North 12° 53' 40" West, 735.05 feet to an iron pin at the southwesterly corner of a 2.271 acre tract;

thence along the southerly line of the said tract and the southerly line of the said Allen E. McDowell, Trustee, 11.061 acre tract, North 62° 16' East, 1126.71 feet to the place of beginning, containing 18.827 acres, more or less.

Subject, however, to all legal highways and/or rights-of-way, if any, of previous record.

o Tax Parcel # 050-003873

o 18.745 Acres

Being located in Virginia Military Survey No. 3022, and being a part of the lands conveyed to John F. and Betty E. Kidwell by deed of record in Deed Book 2226, Page 298, all references being to records of the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a stone found at the southwesterly corner of the said John F. and Betty E. Kidwell lands, being also the southeasterly corner of the 18.50 acre tract conveyed to Katherine D. Boles by deed of record in Deed Book 1557, Page 197;

thence along the westerly line of the said Kidwell tract and the easterly line of the said Boles tract, North  $8^{\circ} 58' 50''$  West, (passing an iron pin at 1300.14 feet), 1331.11 feet to a railroad spike at the intersection of the said line with the centerline of Hayden Run Road;

thence along the centerline of the said Hayden Run Road, North  $66^{\circ} 36' 15''$  East, 600.00 feet to a railroad spike;

thence across the said Kidwell tract, South  $12^{\circ} 53' 40''$  East, (passing an iron pin at 30.51 feet), 1262.43 feet to an iron pin in the southerly line of the said Kidwell tract, being the northerly line of the 70.125 acre tract conveyed to Russel J. and Nancy J. Keagy by deed of record in Deed Book 1680, Page 552;

thence along the said line, South  $62^{\circ} 42'$  West, 702.93 feet to the place of beginning, containing 18.745 acres, more or less.

Subject, however, to all legal highways and/or rights of way, if any, of previous record.

A survey of the above parcel was made by Evans, Mechwart, Hambleton and Tilton, Inc. under date of October 29, 1968.

Tax Parcel #: 050-003870

11.061 ACRES

SECOND PARCEL: Being in Virginia Military Survey No. 3022, and bounded and described as follows:

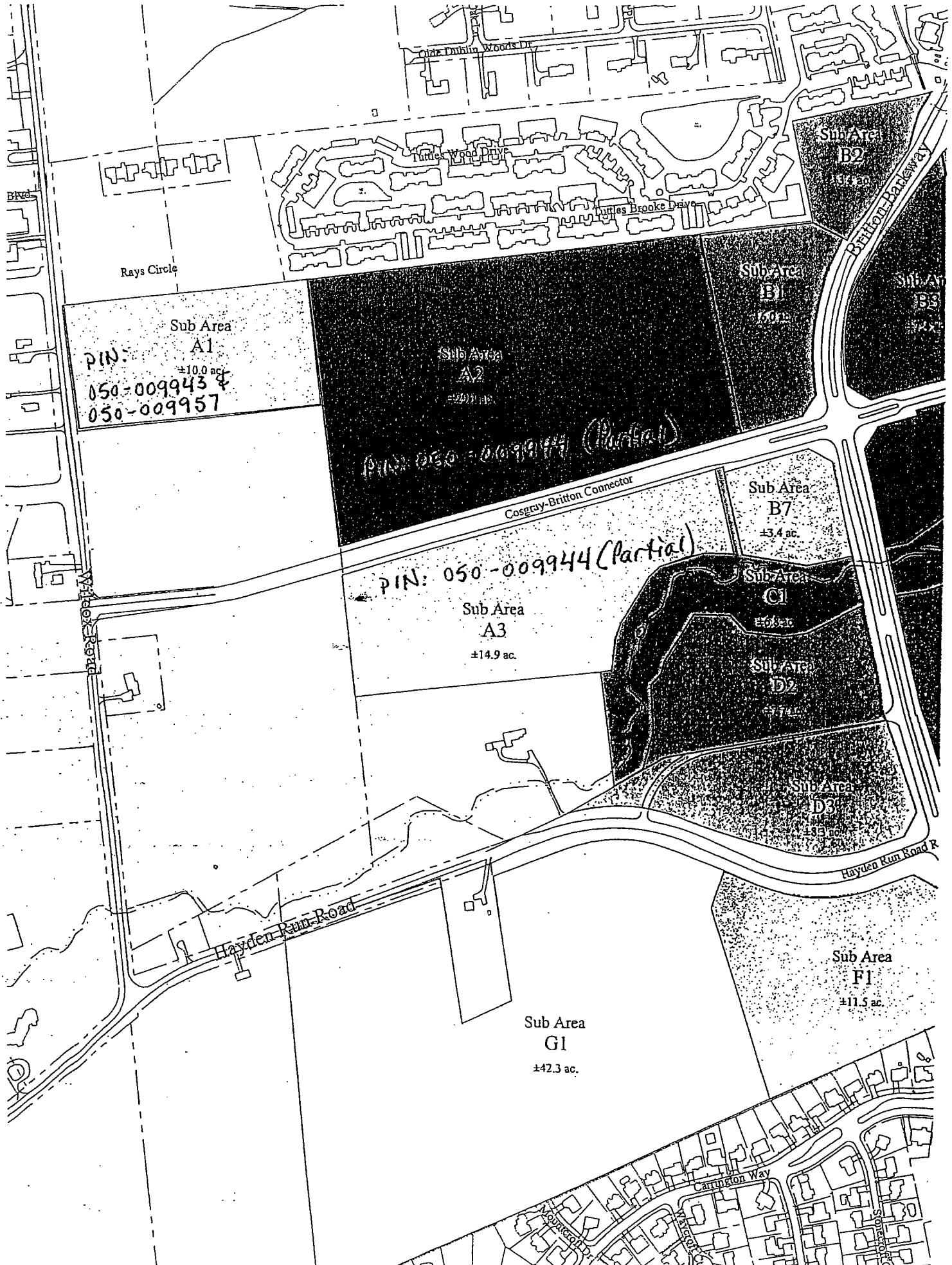
Beginning at an iron pin found, where the center line extended of Britton Road would intersect the center line of Hayden Run Road; thence along the center line of Hayden Run Road, South  $76^{\circ} 45'$  West 761.31 feet to a nail, being the northeasterly corner of the tract herein intended to be described; thence South  $16^{\circ} 00'$  East (passing an iron pin at 35.28 feet), 526.8 feet to an iron pin; thence South  $62^{\circ} 16'$  West, 929.55 feet to an iron pin; thence North  $12^{\circ} 53'$  West (passing an iron pin at 469.45 feet), 512 feet to a nail in the center line of Hayden Run Road; thence along the center line of said road, North  $66^{\circ} 26'$  East, 39.59 feet to a nail at an angle in the road; thence along the center line of said road, North  $56^{\circ} 41'$  East, 698.1 feet to a railroad spike at an angle in the road; continuing along the center line of said road, North  $76^{\circ} 45'$  East, 176.69 feet to the place of beginning, containing 11.061 acres, more or less, subject to all legal highways or rights-of-way, if any, of previous record.

o Tax Parcel #: 050 - 003 871

- o 20 ACRES = ORIGINAL deed
- o 20.362 = computed deed ACRES
- o 19.373 = TAX BILL ACRES (2003)

FIRST PARCEL: Being in Virginia Military Survey No. 3022, and bounded and described as follows: 46.14 x 16.5 ft = 761.31

Beginning at a stone one rod north of the tract of land owned by B. Sells where the east line of said survey crosses the Hayden Run Road; running thence with the east line of said survey S. 15° 30' E. 64.40 poles to a stake or stone; thence S. 63° W. 47 poles to a post or stone; thence parallel to the first line above described N. 15° 30' W. 76 poles to a post or stone in the said Hayden Run Road; thence with the center line of said road N. 77° 15' E. 46.14 poles to the beginning, containing 20 acres and 34 poles of land, more or less. 20.362 Ac.



## **P.U.D. General Development Standards**

### **A. Definitions**

1. Banks.... Establishments primarily engaged in accepting demand and other deposits and making commercial, industrial, and consumer loans.
2. Drive-through service.... That portion of a permitted use conducted in a building which provides a designated place from which persons can conduct the major portion of their business without leaving their motor vehicles.
3. Offices.... A use conducted within a building or part of a building, involving the conduct of the administrative, executive, management, or clerical affairs of a business.
4. Retail.....local retail business or services supplying commodities or performing services primarily for the residents and businesses of a local community.

### **B. General Intent**

1. It is the intent of the developer to create a unified, high quality multiple use development. The proposed development shall be designed to foster human scale, pedestrian friendly, mixed-use environment, and multi access points from neighborhoods to the arterial/collector system.
2. Proposed development must be sensitive to Hayden Run in order to preserve it and establish a recreational amenity to be used by residential and corporate neighbors alike.
3. Mid-rise, signature office buildings will be promoted along freeway frontage.
4. Final development plans for office buildings only within sub areas B1, B2, B3, B4, B5, B6, E1 and E2 will be reviewed for approval by the City of Hilliard administrative staff, provided that the plans conform with the provisions of this PUD development plan text. Final development plans for all other uses within sub areas B1, B2, B3, B4, B5, B6, E1 and E2 will be reviewed for approval by the Planning and Zoning Commission. The City of Hilliard Planning and Zoning Commission will review final development plans for any development within sub areas A1, A2, A3, B7, C1, C2, D1, D2, D3, and F1 for approval. Development within each sub area will be according to the platting process as required by the City of Hilliard Code.
5. If the standards contained herein conflict in any way with the City of Hilliard Codified Ordinances, then the Planned Unit District shall prevail. Standards in the City of Hilliard Zoning Code applicable to matters not covered in this document shall apply to each of the sub areas in the Planned Unit District.
6. Street plan alignments shown on the plan give a general indication of how they will be platted and constructed. They are not, however, intended to be precise, and while the functional system will be produced, its precise alignment and construction may vary from that shown so long as the functional objectives are attained. Based upon final roadway designs, minor adjustments may need to be made to individual sub area configuration.

Within 90 days following the effective date of the rezoning, the right-of-way will be dedicated for the construction of Phase 1 of Britton Parkway as shown on either of the attached Exhibits H-1 or H-2. The final determination of right-of-way width and alignment, as shown on H-1 and H-2 will be based on further engineering study as determined by the City of Hilliard with the involvement of the landowner or his representative. It is the intent of the City that the minimum necessary right-of-way will be dedicated to make the required public roadway improvements. For all other public roadway construction within the P.U.D., an amount of right-of-way, as determined by the City, but substantially in compliance with the street plan alignments shown on Exhibit H-1 or H-2, shall be dedicated to the City in a sufficient amount of time to enable the City to access the dedicated property for the commencement of construction of such

roadways. The width of the right-of-way shall be enough to meet the minimum criteria established by the City's current Thoroughfare Plan; in the event that any portion of right-of-way is dedicated that can not be used by the City, such portion shall be re-conveyed to the owner that dedicated it.

7. Any and all of the improvements recommended within each sub area, by the Hilliard City Engineer and any other government entities shall be paid for by the development or by tax money generated from the development through a public-private partnership which may include creative finance mechanisms, including but not limited to establishment of a T.I.F. District. The priority and timing of the infrastructure improvements shall be determined by the City of Hilliard. In general, on-site improvements shall be funded by the development, and off-site improvements shall be funded by the public-private partnership described above.

C. Phasing

1. All phasing of the Britton Central rezoning shall consider maximizing tax revenue generation in the early phases of the development. The application shall work with the City of Hilliard prior to filing the first office development plan to create economic development agreements such as tax increment financing districts. With each development plan, the applicant shall work with the City to maximize tax revenues and encourage sound economic development.
2. Britton Parkway extension between the northern boundary of the Trueman Property to Hayden Run Road and the Hayden Run Road relocation, between Wilcox Road and I-270, shall have the highest priority of improvement projects funded through economic development agreement
3. Development may occur in Sub Area A1. No other residential development may occur until after the Britton Parkway Extension and the realignment of Hayden Run Road has been completed.
4. The entire length of Britton Parkway and Hayden Run Road shall be constructed prior to or in conjunction with, any development along the corridors. The Cosgray-Britton Connector may be phased in construction; however, the Cosgray-Britton Connector must be in place in its entirety, within the limits of the PUD, if development commences in the residential parcels A2 and A3.

D. Traffic

1. In general, access to Hayden Run Road, Britton Parkway and Cosgray-Britton Connector shall be strictly controlled. Commercial sites and residential neighborhood streets shall be designed to minimize direct vehicular access to these main streets.
2. All access points shown on the plans are conceptual in nature. Final location of access points will be determined at final development plan using data supported by a traffic study. All access will be submitted to the City of Hilliard engineer for review and approval. See: Thoroughfare and Access Exhibit H.

E. Signage and Graphics

Except as otherwise herein stated:

1. All signage and graphics shall conform to the Hilliard Graphics and Sign Code Chapter 1191.
2. All signage shall be subject to applicable signage setbacks of the Hilliard Graphics and Sign Code, Chapter 1191 Signs.
3. All ground-mounted signage shall be externally illuminated. All wall-mounted signage shall be backlit or externally lighted. Exposed or visible light source shall not be permitted.
4. See each section for applicable signage restrictions.

F. Lighting

1. The streetlights shall be constructed along all public streets in accordance with City of Hilliard standards for arterial and /or subdivision streets.
2. External lighting within all sub areas shall be cut-off type fixtures. No light spillage off the site shall be allowed. All lighting shall be arranged to reflect light away from any street or adjacent property.
3. All types of parking, pedestrian and other lighting shall be on poles or wall mounted cut-off type fixtures and shall be from the same type and style as defined in the Development Standards.
4. All light poles and standards shall be metal and shall be black in color.
5. Parking lot lighting shall be either high-pressure sodium or metal halide. As long as it is consistent throughout the development. Building and landscaping lighting may be incandescent or metal halide.
6. No colored lights shall be used to light the exterior of buildings.

G. Landscaping and Stormwater Management

1. Landscaping
  - a. As many existing trees as possible along the perimeter of the entire site will be preserved.
  - b. Any portion of a developed lot upon which a building or parking area is not constructed shall be landscaped with lawn as a minimum. Those areas designated as landscaped buffers, tree lawns, tree preservation zones, entry features or other landscaped features shall be maintained meeting the minimum standards in Hilliard Codified Ordinances Chapters 917, 921 and 1331. The use of in-ground sprinkler systems, where appropriate, is strongly encouraged.
  - c. Street trees on each side of any entry drive shall be set back a minimum of twenty (20) feet from the curb to accentuate the entry/exit points, as approved by the City Engineer.
  - d. An irrigation system will be installed to irrigate the landscaping within the right-of-way. This system will be owned and maintained by the City of Hilliard separate from any irrigation systems for the private property. Staff recommends that a pond be provided within the private development that can be used as a water source for the City of Hilliard right-of-way.
  - e. Area-specific landscaping requirements are contained within each sub area standard.
  - f. Reasonable and good faith efforts will be made to preserve existing trees and tree rows occurring within this development. Standard tree preservation practices to preserve and protect trees during all phases of construction shall be part of each preliminary plat.
  - g. The Hilliard City Arborist shall review and approve tree preservation plans.
  - h. Parking lot screening: Where parking lots are constructed adjacent to public roadways screening shall be provided in the form of a 3-foot continuous evergreen hedge and/or earthen mound or combination thereof. Where buildings front a public roadway, with no parking or circulation between, no such screening shall be required.
  - i. All mounding shall be located outside the public right-of-way and shall not obstruct site distance at any driveways or public intersections.
  - j. All landscaping shall be in accordance with the City of Hilliard Landscape Code, Chapter 1331, and subject to the approval of the Hilliard City Arborist. Unless noted otherwise herein.



- k. Landscape plans shall be reviewed and approved by the Hilliard Shade Tree Commission at the Final Development Plan stage.
- l. Plant material shall be installed with a minimum size requirement at installation as follows:
  - 1). Deciduous trees – 2” caliper
  - 2). Evergreen trees – 6’-8’ height
  - 3). Ornamental trees – 1-1/2” caliper
  - 4). Evergreen shrubs used for purpose of screening – minimum 30” height.
  - 5). All other evergreen and deciduous shrubs – 5 gal.

2. Stormwater Management

- a. Where feasible, stormwater management within each sub area shall be provided by wet retention ponds aesthetically integrated into the surrounding development. All wet retention ponds shall be equipped with fountains.
- b. Storm water management must meet The City of Hilliard requirements.
- c. Hayden Run is a FEMA regulated stream with a defined floodway and base (100 year) flood elevations. Brown Ditch has defined base flood elevations.
- d. Each sub area, when submitted for final development plan approval, will meet the City Storm Water Management Program (SWMP) subject to the review and approval by the City Engineer, or will provide for a regional SWMP subject to the City Engineer’s approval.

H. Fences/Walls

1. No chain link fencing shall be permitted.
2. All other fencing must meet Hilliard Fence Code Chapter 1139, unless noted otherwise herein.

I. Utilities

1. All utility lines including water service, electricity, telephone, gas, cable television, and their connections or feeder lines shall be placed underground. The existing overhead transmission lines along Britton Parkway and Hayden Run Road may remain overhead until Britton Parkway and Hayden Run Road is reconstructed, realigned or abandoned and the City of Hilliard decides to pursue burying said lines. The applicant shall make a good faith effort to cooperate with the City of Hilliard if the City chooses to pursue burying the aforementioned transmission lines.
2. Private utilities (gas, electric, telephone, cable, etc.) may be located within the road right-of-way so long as their facilities are located outside all pedestrian facilities (bike paths, sidewalks), or private utilities may be located outside the right-of-way in private easements.
3. All utility connections should be out of view or screened.
4. All mechanical equipment and related structures should be effectively screened from grade level view by a fence, vegetation, or wall of harmonious architectural material and character.
5. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building.

J. Architecture

1. Please refer to Sub Areas G1 for Single Family Standards. Refer to A1 and A3 for Condominium Standards. Refer to A2 for Multi-Family Standards. Refer to Sub Areas B1, B2, B3, B4, B5, B6, E1, E2 and F1 for Office Standards. Refer to B7, D1, D2, and D3 for Retail/Commercial Standards.

K. Miscellaneous

1. Sub area E2 only will be permitted to have a maximum of one hotel contingent on conditional use approval from the City of Hilliard and shall promote having full service conference facilities.
2. Parkland
  - a. The City of Hilliard will maintain all dedicated parklands and open space. A homeowners association or individual property owners will maintain all private open space and parklands.
  - b. Each owner shall pay to the City a fee of \$1,000 per gross acre owned within each sub area at the time of development to be used by the City for parkland development purposes. It is the intent of this provision that the fee is paid at the time development on the total amount of acreage owned by the person or entity developing or causing to be developed the property, even if the total amount of acreage owned is not then being developed. The fee shall be paid at the time of issuance of the initial building permit for the first development on all or part of the land.
  - c. A 20-foot-wide buffer/easement shall be provided within and adjacent to the boundaries of Sub-areas C1, C2, and C3 as shown on Exhibit K to accommodate a public bike path or walking trail only. This buffer/easement will count as setback area for buildings and pavement within the adjacent Sub-areas.
3. All 90 degree parking spaces shall be a minimum of 9 feet wide by 20 feet in length. Drive isles shall be a minimum of 20 feet wide.

## **Sub Area A1**

Sub Area A1 is located east side of Wilcox Road, between Silverton Way and Noor Drive. The site is ±10.0 acres in size. See Exhibit F.

### **A. Permitted Uses**

1. The only permitted uses within this sub area shall be condominiums, condominium related uses and facilities (i.e. Clubhouse, Pool, etc.) and/or Park. Clubhouse and pools are optional in this sub area. All other uses shall be prohibited.
2. Residential Units shall meet the following square footage minimums:
  - a. 1 Bedroom – 900 square feet
  - b. 2 Bedroom – 1,100 square feet
  - c. 3 Bedroom – 1,300 square feet

### **B. Unit Types**

1. Condominiums shall comply with the design guidelines of the development standards in this text.

### **C. Development Standards**

1. Unless otherwise specified in the submitted drawings or in this written text the development standards of Chapter 1157 of the Codified Ordinances of the City of Hilliard shall apply to this sub area. Basic development standards are compiled regarding proposed density, site issues, traffic, circulation, landscape and architectural standards. These component standards ensure consistency and quality throughout the parcel's development.

#### **A1.01 Density, Height, Lot and/or Setback Commitments**

1. There shall be a maximum of 65 units developed at 6.5 dwelling units per gross acre.
2. Lot coverage shall not exceed 30% as defined by Hilliard City Code Section 1107.01(46). Total impervious surface coverage shall not exceed 70%.
3. The maximum height limit shall be 35 feet.
4. No unit entrances shall be located below ground level.
5. The building and pavement setback from the right-of-way of Wilcox Road Extension shall be 40 feet.
6. The building and parking setbacks from the north, east and south property lines shall be 25 feet.
7. All parking setbacks shall be landscaped in accordance with the requirements of this text.

#### **A1.02 Access, Loading, Parking and/or Traffic Related Commitments**

1. Parking requirements shall be two off-street parking spaces per unit, including garages.
2. A minimum of one garage space for each residential unit shall be required. No carports shall be permitted. The developer shall work with staff at Final Development Plan approval to determine if any additional parking is necessary.
3. All parking lots shall be curbed. Parking blocks shall not be permitted.

4. Vehicular access points to the Wilcox Road shall be limited to one location approved by the Hilliard City Engineer.
5. Reasonable and good faith efforts will be made to not back homes onto public right-of-ways. If this cannot be achieved, the developer will demonstrate a reasonable hardship and what mitigating factors will be made.

**A1.03 Architectural Standards**

The site plan layout and architecture will be reviewed at the Preliminary Development Plan stage before final approval is granted.

1. **Color Palette:** Earth tones, muted and natural tones are required. Accent colors in brighter hues are permitted for building accent features only such as awnings, doors, limited trim, etc. A mixed palette on a single building should be carefully selected so all colors are harmonious with each other.
2. **Materials:**
  - a. Warm-tone brick, stone veneer or Ohio Limestone stucco stone (equal or better than Stone Products Corporation, type: Ohio Limestone) must be used on the majority (no less than 51%) of the front elevation of all homes. Buildings on corner lots shall have both façade elevations provided with equivalent materials as required for the front elevation.
  - b. Stucco may be used as an accent material provided it does not exceed 50% of the exterior façade material.
  - c. Concrete or masonry foundations should only have  $\pm 16$  inch exposure above finished grade before the primary exterior finish materials begin.
  - d. **Exterior Cladding:** shall be within the color palette described and be traditional materials, most commonly found on similar building types. These materials shall include the following.
    - 1). Brick Veneer
    - 2). Stone/Cultured Stone (equal to or better than Stone Products Corporation.
    - 3). Wood lap siding, composite lap siding and cedar shake siding painted or stained.
    - 4). Vinyl siding – minimum of .042” nominal thickness with wood grain finish.
    - 5). Stucco – per industry standards – light to medium textures.
  - e. **Roofs**
    - 1). Pitched roofs with gables or hips shall have a minimum slope of 6:12.
    - 2). Materials shall be cedar shakes, tile, slate, synthetic slate or dimensional asphaltic or fiberglass shingles. Shingles to be a minimum, medium weight dimensional or dimensional-look shingles.
    - 3). Minimum 12-inch eave overhang and 6 inch overhangs.
  - f. **Scale**
    - 1). Structure shall be designed to harmonize with the landscape.

- 2). The scale of each building can be aided through the use of articulated building elements, such as porticos, dormers, recesses, awnings and other such elements, which help break up the building mass.
- g. Wall Articulation/Fenestration
- 1). In addition to using building elements to articulate the building mass, individual walls must be articulated with fenestration, pattern, or structural expression equally on all sides of each structure.
  - 2). The amount of fenestration should be balanced with the amount of solid facade.
- h. Before final design approval is granted, the building architecture must be reviewed by the Planning Commission.

**A1.04 Buffering, Landscaping, Open Spaces and/or Screening Commitments**

1. Landscaping
  - a. All landscaping shall be in accordance with the requirements of Hilliard City Code Section 1331.
  - b. Landscape plans shall be reviewed and approved by the Hilliard Shade Tree Commission at the Final Development Plan Stage.
  - c. Street trees will be planted at a minimum distance of 50 feet on center along all internal streets and along Wilcox Road. This spacing shall be sensitive to the visibility of regulatory signs in the right-of-way and site distance at driveways. Trees will be of a deciduous species normally attaining full grown height in excess of 35 feet and will be of 2 inch caliper or greater at the time of planting.
  - d. Within the 25-foot buffer along the north and south property lines there shall be a buffer planting consisting of the following, with in each 100 linear feet. There shall be planted a minimum of 2 deciduous shade trees and 7 evergreen trees. Evergreens shall be a minimum height of 6'-8' at the time of installation. Trees shall be grouped and staggered to present a natural appearance. Existing trees may count towards the 2 deciduous trees per 100 linear feet. This buffer shall be installed in its entirety at the start of construction of the attached residential units.
  - e. There shall be private recreation provided within this sub area to include at a minimum a pool and clubhouse facility.
  - f. Any portion of a lot upon which a building or parking area is not constructed shall be landscaped with lawn as a minimum. Those areas designated as landscaped buffers, tree lawns, tree preservation zones, entry features or other landscaped features shall be maintained meeting the minimum standards in Hilliard Codified Ordinances Chapters 917, 921 and 1331. The use of in-ground sprinkler systems, where appropriate, is strongly encouraged.
  - g. Interior landscaping for vehicular use areas: Any open vehicular use area, containing more than 4,000 square feet of area, or twelve or more vehicular parking spaces, shall provide interior landscaping in addition to previously required perimeter landscaping. Interior landscaping may be peninsular or island types.
  - h. Interior Landscape Area: For each 100 square feet or fraction thereof, of vehicular use area, a minimum total of five square feet of landscaped area shall be provided.

- 1). Minimum area: The minimum landscape area permitted shall be sixty-four square feet with a four-foot minimum dimension to all trees from edge of pavement where vehicles overhang.
- 2). Maximum contiguous area: In order to encourage the required landscape areas to be properly dispersed, no individual landscape area shall be larger than 350 square feet in size, and no individual area shall be larger than 1,500 square feet in vehicular use areas over 30,000 square feet. In both cases, the least dimension of any required area shall be four feet minimum dimension to all trees from edge of pavement where vehicles overhang. Individual landscape areas larger than above are permitted as long as the additional area is in excess of the required minimum total.
  - i. There shall be provided a minimum 3-foot high evergreen hedge and/or earthen mound or combination thereof, and 5 ornamental trees, wherever parking exists adjacent to Wilcox Road. All dedicated vehicular parking areas shall be screened from adjacent residential properties.
  - j. Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction.
  - k. Protection of Landscaped Islands: Parked vehicles may hang over the interior landscaped area not more than two and one-half feet, as long as concrete curbs are provided to insure no greater overhang or penetration of the landscaped area. All parking spaces and landscaped islands shall meet the requirements of the Hilliard Codified Ordinances, Chapters 1133 and 1331.
  - l. Screening of Mechanicals: No materials, supplies, equipment or products shall be stored on any portion of the parcel outside the permitted structure. Mechanical equipment or other utility hardware on ground, or buildings shall be screened from view with plant materials.
  - m. Curbs to protect screening material: Whenever screening material is placed around any trash disposal unit or waste collection unit which is emptied or removed mechanically on a regularly occurring basis, a curb to contain the placement of the container shall be provided within the screening materials on those sides where there is such material. The curbing shall be at least one foot from the material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.
  - n. Tree Planting Requirements: There shall be tree plantings equal to one-half inch in tree trunk size for every 150 square feet in ground coverage by a residential structure. These trees shall be a minimum of 2-inch caliper at the time of installation and are in addition to the street tree planting requirements.
  - o. Landscape Materials:
    - 1). Plants: Artificial plants are prohibited. All plant materials shall be living plants and shall meet the following requirements.
      - (a) Quality: Plant materials used in conformance with the provisions of this chapter shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State regulations.
  - p. Within the right-of-way along Wilcox Road a 5-foot walk shall be constructed.

**A1.05 Dumpster, Lighting, Outdoor Display Areas and/or other Environmental Commitments**

1. All interior private street lighting shall not exceed 12-foot in height.
2. External lighting shall be cut-off type fixtures.
3. All types of parking, pedestrian and other lighting shall be on poles or mounted on individual units, and shall be of the same type and style.
4. All light poles and standards shall be metal and shall be black in color.
5. Landscape and building uplighting from a concealed source shall be permitted.
6. All lights shall be arranged to reflect light away from any exterior street or adjacent property.
7. All building illuminations shall be from concealed sources.
8. No colored lights shall be used to light the exterior of the buildings.
9. Mailboxes: Each unit shall have an individual mailbox. All units shall have the same mailbox and post. Details shall be submitted at time of Final Development Plan.
10. Waste and Refuse:
  - a. All units shall have individual containers and pickup. In the event the developer chooses to provide dumpsters all waste and refuse shall be containerized and screened from view on all three sides by a solid brick wall, wood fence, or materials compatible with building materials and at least 6 inches taller than the height of the dumpster. The fourth side shall contain a wood gate, which shall also be at least 6 inches taller than the height of the dumpster.
11. Storage and Equipment and Services Areas:
  - a. No materials, supplies, equipment or products shall be stored or permitted to remain on any portion of the parcel outside the permitted structure.
  - b. Mechanical equipment or other utility hardware on the ground, or buildings shall be screened from public view with materials harmonious with the building.
  - c. No noises, smoke, odors, vibration or other nuisances shall be permitted.
  - d. No area of the site will be used for outdoor storage.

**A1.06 Graphics and Signage Commitments**

1. The developer shall be permitted one ground mounted project identification sign per entry/exit to the development. Project identification signs shall not exceed 32 square feet per sign face and no part of the sign or associated structure shall exceed 6-foot in height. Individual signs shall be previewed and approved by the Sign Graphics Commission.

**A1.07 Miscellaneous Commitments**

1. Utilities: All utility lines including water service, electricity, telephone and gas, and their connections or feeder lines shall be placed underground. Provided, however, that the existing overhead transmission lines shall remain above ground. Meters, transformers, etc. may be placed above ground, but shall be screened from view. Where feasible, all above ground utility boxes shall be placed at the rear lot lines or sufficiently screened.
2. A community development authority (CDA) shall be created for this sub area that would be the vehicle for infrastructure cost recovery on the developed property, used to pay a portion of the cost of

the infrastructure required to service the property. The millage collected and associated time frame by the CDA shall be comparable to the millage and associated time frame that is or may be required to be placed upon residential units in the City of Columbus developments located north of Hayden Run Road, but shall not exceed 5 mills.



## **Sub Area A3**

Sub Area A3 is located south of Sub Area A2, east of Wilcox Road, and north of Hayden Run Road, see Exhibit F. The site is ±14.9 acres in size. The residential final plat will not be filed until the construction contracts have been let for Cosgray-Britton Connector and the Britton Road Extension from Hayden Run Road to the existing Britton Parkway to the north.

### **A. Permitted Uses**

1. The only permitted uses within this sub area shall be condominiums, condominium related uses and facilities (i.e. Clubhouse, Pool, etc.) and/or Park. Clubhouse and pools are optional in this sub area. All other uses shall be prohibited.
2. Residential Units shall meet the following square footage minimums:
  - a. 1 Bedroom – 900 square feet
  - b. 2 Bedroom – 1,100 square feet
  - c. 3 Bedroom – 1,300 square feet

### **B. Unit Types**

1. Condominiums shall comply with the design guidelines of the development standards in this text.

### **C. Development Standards**

1. Unless otherwise specified in the submitted drawings or in this written text the development standards of Chapter 1157 of the Codified Ordinances of the City of Hilliard shall apply to this sub area. Basic development standards are compiled regarding proposed density, site issues, traffic, circulation, landscape and architectural standards. These component standards ensure consistency and quality throughout the parcel's development.

#### **A3.01 Density, Height, Lot and/or Setback Commitments**

1. There shall be a maximum of 91 units developed at 6.5 dwelling units per gross acre.
2. Lot coverage shall not exceed 30% as defined by Hilliard City Code Section 1107.01(46). Total impervious surface coverage shall not exceed 70%.
3. The maximum height limit shall be 35 feet.
4. No unit entrances shall be located below ground level.
5. The building and pavement setback from the right-of-way of Cosgray-Britton Connector shall be 30 feet.
6. The building and parking setbacks from the south, west and east property lines shall be 25 feet.
7. All parking setbacks shall be landscaped in accordance with the requirements of this text.

#### **A3.02 Access, Loading, Parking and/or Traffic Related Commitments**

1. Parking requirements shall be two off-street parking spaces per unit, including garages.
2. A minimum of one garage space for each residential unit shall be required. No carports shall be permitted. The developer shall work with staff at Final Development Plan approval to determine if any additional parking is necessary.

3. All parking lots shall be curbed. Parking blocks shall not be permitted.
4. Vehicular access points to the Cosgray-Britton Connector shall be limited to two locations approved by the Hilliard City Engineer. One full service entry and one possible right-in-right-out.
5. All access points shown on the plans are conceptual in nature. Final access points will be determined with the final development plan, using data supported by a traffic study. All Access will be submitted to the City of Hilliard Engineer for review and approval.
6. Reasonable and good faith efforts will be made to not back homes onto public right-of-ways. If this cannot be achieved, the developer will demonstrate a reasonable hardship and what mitigating factors will be made.

### **A3.03 Architectural Standards**

The site plan layout and architecture will be reviewed at the Preliminary Development Plan stage before final approval is granted.

1. **Color Palette:** Earth tones, muted and natural tones are required. Accent colors in brighter hues are permitted for building accent features only such as awnings, doors, limited trim, etc. A mixed palette on a single building should be carefully selected so all colors are harmonious with each other.
2. **Materials:**
  - a. Warm-tone brick, stone veneer or Ohio Limestone stucco stone (equal or better than Stone Products Corporation, type: Ohio Limestone) must be used on the majority (no less than 51%) of the front elevation of all homes. Buildings on corner lots shall have both façade elevations provided with equivalent materials as required for the front elevation.
  - b. Stucco may be used as an accent material provided it does not exceed 50% of the exterior façade material.
  - c. Concrete or masonry foundations should only have ±16-inch exposure above finished grade before the primary exterior finish materials begin.
  - d. **Exterior Cladding:** shall be within the color palette described and be traditional materials, most commonly found on similar building types. These materials shall include the following.
    - 1). Brick Veneer
    - 2). Stone/Cultured Stone (equal to or better than Stone Products Corporation.
    - 3). Wood lap siding, composite lap siding and cedar shake siding painted or stained.
    - 4). Vinyl siding – minimum of .042 inch nominal thickness with wood grain finish.
    - 5). Stucco – per industry standards – light to medium textures.
  - e. **Roofs**
    - 1). Pitched roofs with gables or hips shall have a minimum slope of 6:12.
    - 2). Materials shall be cedar shakes, tile, slate, synthetic slate or dimensional asphaltic or fiberglass shingles. Shingles to be a minimum, medium weight dimensional or dimensional-look shingles.

- 3). Minimum 12-inch eave overhang and 6-inch overhangs.
- f. Scale
  - 1). Structure shall be designed to harmonize with the landscape.
  - 2). The scale of each building can be aided through the use of articulated building elements, such as porticos, dormers, recesses, awnings and other such elements, which help break up the building mass.
- g. Wall Articulation/Fenestration
  - 1). In addition to using building elements to articulate the building mass, individual walls must be articulated with fenestration, pattern, or structural expression equally on all sides of each structure.
  - 2). The amount of fenestration should be balanced with the amount of solid façade.
- h. Before final design approval is granted, the building architecture must be reviewed by the Planning Commission.

**A3.04 Buffering, Landscaping, Open Spaces and/or Screening Commitments**

- 1. Landscaping
  - a. All landscaping shall be in accordance with the requirements of Hilliard City Code Section 1331.
  - b. Landscape plans shall be reviewed and approved by the Hilliard Shade Tree Commission at the Final Development Plan Stage.
  - c. Street trees will be planted at a minimum distance of 50 feet on center along all internal streets and along Cosgray-Britton Connector. This spacing shall be sensitive to the visibility of regulatory signs in the right-of-way and site distance at driveways. Trees will be of a deciduous species normally attaining full grown height in excess of 40 feet and will be of 2-inch caliper or greater at the time of planting.
  - d. Within the 25 foot buffer along the west and the west 410 feet of the south property lines there shall be a buffer planting consisting of the following, within each 100 linear feet: there shall be planted a minimum of 2 deciduous shade trees and 7 evergreen trees. Evergreen trees shall be a minimum height of 6' at the time of installation. Trees shall be grouped or staggered to present a natural appearance. Existing trees may count towards the 2 deciduous trees per 100 linear feet requirement. This buffer shall be installed in its entirety at the start of construction of the attached residential units.
  - e. Within the 25 foot buffer along the south property line the first 500 feet from the east property line there shall be a buffer planting consisting of the following, within each 100 linear feet: there shall be planted a minimum of 4 deciduous shade trees and 12 evergreen trees. Evergreen trees shall be a minimum height of 6'-8' at the time of installation. Trees shall be grouped or staggered to present a natural appearance. Existing trees may count towards the 2 deciduous trees per 100 linear feet requirement. This buffer shall be installed in its entirety at the start of construction of the attached residential units
  - f. There shall be a private recreation facility provided within this sub area to include at a minimum a pool and clubhouse.

- g. Any portion of a lot upon which a building or parking area is not constructed shall be landscaped with lawn as a minimum. Those areas designated as landscaped buffers, tree lawns, tree preservation zones, entry features or other landscaped features shall be maintained meeting the minimum standards in Hilliard Codified Ordinances Chapters 917, 921 and 1331. The use of in-ground sprinkler systems, where appropriate, is strongly encouraged.
- h. Interior landscaping for vehicular use areas: Any open vehicular use area, containing more than 6,000 square feet of area, or twelve or more vehicular parking spaces, shall provide interior landscaping in addition to previously required perimeter landscaping. Interior landscaping may be peninsular or island types.
- i. Landscape Area: For each 100 square feet or fraction thereof, of vehicular use area, a minimum total of five square feet of landscaped area shall be provided.
  - 1). Minimum area: The minimum landscape area permitted shall be sixty-four square feet with a four-foot minimum dimension to all trees from edge of pavement where vehicles overhang.
  - 2). Maximum contiguous area: In order to encourage the required landscape areas to be properly dispersed, no individual landscape area shall be larger than 350 square feet in size, and no individual area shall be larger than 1,500 square feet in vehicular use areas over 30,000 square feet. In both cases, the least dimension of any required area shall be four feet minimum dimension to all trees from edge of pavement where vehicles overhang. Individual landscape areas larger than above are permitted as long as the additional area is in excess of the required minimum total.
- j. There shall be provided a minimum 3-foot high evergreen hedge and/or earthen mound or combination thereof, wherever parking exists adjacent Cosgray-Britton Connector. All dedicated vehicular parking areas shall be screened from adjacent residential properties.
- k. Protection of Landscaped Islands: Parked vehicles may hang over the interior landscaped area not more than two and one-half feet, as long as concrete curbs are provided to insure no greater overhang or penetration of the landscaped area. All parking spaces and landscaped islands shall meet the requirements of the Hilliard Codified Ordinances, Chapters 1133 and 1331.
- l. Screening of Mechanicals: No materials, supplies, equipment or products shall be stored on any portion of the parcel outside the permitted structure. Mechanical equipment or other utility hardware shall be screened from view with plant materials.
- m. Curbs to protect screening material: Whenever screening material is placed around any trash disposal unit or waste collection unit which is emptied or removed mechanically on a regularly occurring basis, a curb to contain the placement of the container shall be provided within the screening materials on those sides where there is such material. The curbing shall be at least one foot from the material and shall be designed to prevent possible damage to the screening when the container is moved or emptied.
- n. Tree Planting Requirements: There shall be tree plantings equal to one-half inch in tree trunk size for every 150 square feet in ground coverage by a residential structure. These trees shall be a minimum of 2-inch caliper at the time of installation and are in addition to the street tree planting requirements.
- o. Landscape Materials:
  - 1). Plants: Artificial plants are prohibited. All plant materials shall be living plants and shall meet the following requirements.

- (a) Quality: Plant materials used in conformance with the provisions of this chapter shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under State regulations.
- o. Within the right-of-way along Cosgray-Britton Connector a 8-foot bike path shall be constructed to extend and connect to the sidewalk in Sub Area B7. The bike path shall be installed with roadway improvements and will be dedicated to the City of Hilliard.

**A3.05 Dumpster, Lighting, Outdoor Display Areas and/or other Environmental Commitments**

1. All interior private street lighting shall not exceed 12-feet in height.
2. External lighting shall be cut-off type fixtures.
3. All types of parking, pedestrian and other lighting shall be on poles or mounted on individual units, and shall be of the same type and style.
4. All light poles and standards shall be metal and shall be black in color.
5. Landscape and building uplighting from a concealed source shall be permitted.
6. All lights shall be arranged to reflect light away from any exterior street or adjacent property.
7. All building illuminations shall be from concealed sources.
8. No colored lights shall be used to light the exterior of the buildings.
9. Mailboxes: Each unit shall have an individual mailbox. All units shall have the same mailbox and post. Details shall be submitted at time of Final Development Plan.
10. Waste and Refuse:
  - a. All units shall have individual containers and pickup. In the event the developer chooses to provide dumpsters all waste and refuse shall be containerized and screened from view on all three sides by a solid brick wall, wood fence, or material compatible with building materials and at least 6 inches taller than the height of the dumpster. The fourth side shall contain a wood gate, which shall be at least 6 inches taller than the height of the dumpster.
11. Storage and Equipment and Services Areas:
  - a. No materials, supplies, equipment or products shall be stored or permitted to remain on any portion of the parcel outside the permitted structure. Mechanical equipment or other utility hardware shall be screened from public view with materials harmonious with the building.
  - b. No noises, smoke, odors, vibration or other nuisances shall be permitted.
  - c. No area of the site will be used for outdoor storage.

**A3.06 Graphics and Signage Commitments**

1. The developer shall be permitted one ground mounted project identification sign per entry/exit to the development. Project identification signs shall not exceed 32 square feet per sign face and no part of the sign or associated structure shall exceed 8 feet in height. Individual signs shall be previewed and approved by the Sign Graphics Commission.

**A3.07 Miscellaneous Commitments**

1. Utilities: All utility lines including water service, electricity, telephone and gas, and their connections or feeder lines shall be placed underground. Provided, however, that the existing overhead transmission lines shall remain above ground. Meters, transformers, etc. may be placed above ground, but shall be screened from view. Where feasible, all above ground utility boxes shall be placed at the rear lot lines or sufficiently screened.
2. A community development authority (CDA) shall be created for this sub area that would be the vehicle for infrastructure cost recovery on the developed property, used to pay a portion of the cost of the infrastructure required to service the property. The millage collected and associated time frame by the CDA shall be comparable to the millage and associated time frame that is or may be required to be placed upon residential units in the City of Columbus developments located north of Hayden Run Road, but shall not exceed 5 mills.



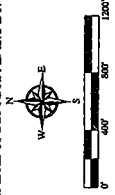
**Legend:**

- |                         |   |
|-------------------------|---|
| Freeway / Expressway    | Proposed Road                                     |
| Major Arterial          | Proposed Bike Way                                 |
| Proposed Major Arterial | Proposed Full Access Points                       |
| Minor Arterial          | Proposed Right-In-Right-Out Access Points         |
| Proposed Minor Arterial | Proposed Right-In-Right-Out or Full Access Points |
| Collector               | Proposed Cross Access                             |
| Proposed Collector      | Easement  |

Note: Information taken from the City of Hilliard Transportation Plan and Master Bikeway Plan 2001.

**Notes:**

1. The alignment of the major roadways depicted in the PUD application are shown for schematic purposes only. The exact location of the roadways may vary slightly based on issues identified during detailed design of the roadways. Minor alteration of the roadway may result in minor modification of the size and shape of the sub areas depicted in the PUD application.
2. The right-of-way shall be in accordance with the Hilliard Thoroughfare Plan for all major arterial, minor arterial, and network collector streets. Additional right-of-way shall be designated at intersections for turn lanes as determined by more detailed traffic analysis.
3. The entire length of Britton Parkway and Hayden Run Road shall be constructed prior to, or in conjunction with, any development along the corridors. Phased construction of Britton Parkway and Hayden Run Road, within the limits of the PUD, will not be permitted. The Cosgray-Britton Connector may be phased in construction; however, the Cosgray-Britton Connector must be in place in its entirety, within the limits of the PUD, if development commences in parcels to the west, with the exception of Sub Area A1.
4. The exact locations of driveways and intersections shall be determined as part of the detailed engineering of the site or the adjacent roadways based on the findings of the Part 2 Traffic Study.
5. As new development happens additional access easements may be granted by the City Engineer based on the findings of a traffic study.
6. All bike paths shall conform to the provisions of the City of Hilliard Master Bikeway Plan.
7. An existing underground petroleum pipeline is located adjacent to the proposed Cosgray-Britton Connector. Attempts should be made to minimize the points where the roadway (street and tree lawn area) overlaps the easement for this utility. The majority of the easement area should be located within the pavement and building set back areas of Sub Area A2 and B1.



Preliminary Development

# BRITTON CENTRAL

A New Mixed Use Community

City of Hilliard, Ohio

*Exhibit H: Access Management Plan*

**DP-4. Profile of Selected Housing Characteristics: 2000**  
 Data Set: Census 2000 Summary File 3 (SF 3) - Sample Data  
 Geographic Area: Hilliard city, Ohio

NOTE: Data based on a sample except in P3, P4, H3, and H4. For information on confidentiality protection, sampling error, nonsampling error, and definitions see <http://factfinder.census.gov/home/en/datanotes/expsf3.htm>.

Subject	Number	Percent
<b>Total housing units</b>	<b>8,893</b>	<b>100.0</b>
<b>UNITS IN STRUCTURE</b>		
1-unit, detached	6,734	75.7
1-unit, attached	434	4.9
2 units	155	1.7
3 or 4 units	660	7.4
5 to 9 units	381	4.3
10 to 19 units	317	3.6
20 or more units	187	2.1
Mobile home	25	0.3
Boat, RV, van, etc.	0	0.0
<b>YEAR STRUCTURE BUILT</b>		
1999 to March 2000	454	5.1
1995 to 1998	2,144	24.1
1990 to 1994	2,159	24.3
1980 to 1989	1,420	16.0
1970 to 1979	625	7.0
1960 to 1969	525	5.9
1940 to 1959	1,409	15.8
1939 or earlier	157	1.8
<b>ROOMS</b>		
1 room	21	0.2
2 rooms	167	1.9
3 rooms	367	4.1
4 rooms	827	9.3
5 rooms	1,695	19.1
6 rooms	1,498	16.8
7 rooms	1,261	14.2
8 rooms	1,506	16.9
9 or more rooms	1,551	17.4
Median (rooms)	6.4	(X)
<b>Occupied Housing Units</b>	<b>8,532</b>	<b>100.0</b>
<b>YEAR HOUSEHOLDER MOVED INTO UNIT</b>		
1999 to March 2000	1,694	19.9
1995 to 1998	3,402	39.9
1990 to 1994	1,798	21.1
1980 to 1989	644	7.5
1970 to 1979	477	5.6
1969 or earlier	517	6.1
<b>VEHICLES AVAILABLE</b>		
None	266	3.1
1	1,941	22.7
2	4,897	57.4
3 or more	1,428	16.7
<b>HOUSE HEATING FUEL</b>		
Utility gas	7,470	87.6
Bottled, tank, or LP gas	31	0.4
Electricity	988	11.6



Subject	Number	Percent
Fuel oil, kerosene, etc.	17	0.2
Coal or coke	0	0.0
Wood	26	0.3
Solar energy	0	0.0
Other fuel	0	0.0
No fuel used	0	0.0
<b>SELECTED CHARACTERISTICS</b>		
Lacking complete plumbing facilities	24	0.3
Lacking complete kitchen facilities	15	0.2
No telephone service	31	0.4
<b>OCCUPANTS PER ROOM</b>		
Occupied housing units	8,532	100.0
1.00 or less	8,412	98.6
1.01 to 1.50	75	0.9
1.51 or more	45	0.5
Specified owner-occupied units	6,176	100.0
<b>VALUE</b>		
Less than \$50,000	35	0.6
\$50,000 to \$99,999	1,296	21.0
\$100,000 to \$149,999	1,553	25.1
\$150,000 to \$199,999	1,423	23.0
\$200,000 to \$299,999	1,527	24.7
\$300,000 to \$499,999	303	4.9
\$500,000 to \$999,999	29	0.5
\$1,000,000 or more	10	0.2
Median (dollars)	157,600	(X)
<b>MORTGAGE STATUS AND SELECTED MONTHLY OWNER COSTS</b>		
With a mortgage	5,320	86.1
Less than \$300	17	0.3
\$300 to \$499	115	1.9
\$500 to \$699	155	2.5
\$700 to \$999	891	14.4
\$1,000 to \$1,499	1,871	30.3
\$1,500 to \$1,999	1,494	24.2
\$2,000 or more	777	12.6
Median (dollars)	1,398	(X)
Not mortgaged	856	13.9
Median (dollars)	343	(X)
<b>SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN 1999</b>		
Less than 15 percent	1,775	28.7
15 to 19 percent	1,401	22.7
20 to 24 percent	1,177	19.1
25 to 29 percent	769	12.5
30 to 34 percent	392	6.3
35 percent or more	629	10.2
Not computed	33	0.5
Specified renter-occupied units	2,059	100.0
<b>GROSS RENT</b>		
Less than \$200	95	4.6
\$200 to \$299	70	3.4
\$300 to \$499	80	3.9
\$500 to \$749	681	33.1
\$750 to \$999	814	39.5
\$1,000 to \$1,499	235	11.4
\$1,500 or more	15	0.7
No cash rent	69	3.4
Median (dollars)	772	(X)
<b>GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME IN 1999</b>		
Less than 15 percent	370	18.0

<b>Subject</b>	<b>Number</b>	<b>Percent</b>
15 to 19 percent	516	25.1
20 to 24 percent	364	17.7
25 to 29 percent	248	12.0
30 to 34 percent	184	8.9
35 percent or more	272	13.2
Not computed	105	5.1

(X) Not applicable.

Source: U.S. Census Bureau, Census 2000 Summary File 3, Matrices H1, H7, H20, H23, H24, H30, H34, H38, H40, H43, H44, H48, H51, H62, H63, H69, H74, H76, H90, H91, and H94



School	Revenue Grand Total		Funds Available For Service Payments			Cumulative Total of Service Payments
	Other	CDA	TIF	CDA	Total	
73,837	56,945	8,393			133,165	
167,857	115,816	19,058	\$ 212,754.64	\$ 11,435.03	\$ 224,189.67	\$ 224,189.67
284,072	196,001	32,253	\$ 360,054.58	\$ 19,352.03	\$ 379,406.61	\$ 603,596.28
400,287	276,186	45,448	\$ 507,354.53	\$ 27,289.03	\$ 534,623.55	\$ 1,138,219.83
459,473	317,023	52,168	\$ 682,372.00	\$ 31,301.03	\$ 713,673.03	\$ 1,751,892.86
518,659	357,860	66,888	\$ 657,389.48	\$ 35,333.03	\$ 692,722.50	\$ 2,444,615.36
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 3,221,327.94
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 3,998,040.51
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 4,774,753.09
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 5,551,465.86
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 6,328,178.23
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 7,104,890.81
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 7,881,603.39
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 8,658,315.97
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 9,435,028.55
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 10,211,741.13
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581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 11,765,166.29
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 12,541,878.87
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 13,318,591.45
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 14,095,304.03
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581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 18,755,579.51
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 19,532,292.09
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581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 21,085,717.25
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 21,862,429.83
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 22,639,142.41
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581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 80,115,873.34
581,545	401,249	66,028	\$ 737,095.55	\$ 39,617.03	\$ 776,712.57	\$ 80,892,585.92

## HISTORY OF VIRGINIA HOMES

Virginia Homes has been home building for families in the Central Ohio area for more than 50 years. In that time we've learned the importance of offering designs that reflect current trends while presenting options and flexibility for the future.

Since 1953 we have built homes for more than 15,000 families, right here in the Columbus area. Our early homes were small, yet solidly built, and efficient for young families purchasing their first homes. Gradually we increased the size and expanded the features and options included in our plans to reflect the interests and needs of growing families. Today, Virginia Homes builds in many neighborhoods throughout Central Ohio. We offer a wide range of spacious designs with many unique features and options, constructed of quality materials and the finest in craftsmanship for both beauty and durability.

To remain competitive in a high growth market over the long-term has required not only leadership and business integrity, but also resourcefulness and more than a little hard work.

### Charles J. Ruma

One reason for Virginia Homes' growth and success is Charles J. Ruma, President of Virginia Homes, Ltd, and also President and CEO of Davidson Phillips, Inc., one of the largest home building and land development companies in Central Ohio. In addition, Mr. Ruma has built, owned, and managed several multifamily properties and retail centers, has developed thirty-four residential subdivisions (including three golf course communities), and has developed a 345-acre, multi-use commercial park.

Charles J. Ruma, who received both his undergraduate and graduate degrees in Business Administration from the University of Massachusetts, has been actively involved in the furthering of professional and ethical standards within the homebuilding industry for more than 30 years. Through those efforts he has developed a national reputation for leadership and business integrity in his work. His early contributions include his election as President of the Building Industry Association (BIA) of Central Ohio in 1974. He was elected President of the Ohio Home Builders Association in 1986 and was named Central Ohio Builder of the Year in 1992. At the national level, Mr. Ruma was chosen as Ohio's National Representative to the 197,000-member National Association of Home Builders (NAHB) in 1988 and again in 1989. He served as Area 6 National Vice President of the NAHB in 1992 and 1993; and he has been a member of several NAHB committees and task forces. In 1999 Mr. Ruma served as National President of the NAHB, where he developed wide recognition for his ongoing efforts to initiate the Environmental Issues Committee.

### David C. Ruma and Charles E. Ruma

In addition to the leadership skills of Corporate President Charles J. Ruma, the other key to Virginia Homes' lasting success is the team leadership provided by Ruma's sons, David and Charles, who have spent much of their lives preparing for their positions in the business. Today, each plays an increasingly vital role.

David C. Ruma, a Business Administration major at Wittenberg University, has been with the company since his graduation in 1989, and has focused his efforts since 2000 as Vice President in charge of land acquisition, zoning, land development, and subdivision construction. His brother, Charles E. Ruma, joined

Virginia Homes following his graduation with a Business Administration degree from Miami University in 1993. As Vice President he is responsible for the homebuilding arm of the business - a function he assumed following years in the field, both in land development and in home construction supervision.

## **Future Growth and Our New Headquarters**

To underscore our commitment to the future and to improve service to our buyer families, Virginia Homes has moved the corporate headquarters to new offices at 209 East State Street in downtown Columbus. Our new suite of offices presents us with a spacious, beautiful work space for our growing staff, as well as the opportunity to serve home buyers better with a lavish, new 3,000 sq. ft. Design Center. There our designers can assist families in selecting colors and finishes from a complete display of sample materials and options.

Virginia Homes, Ltd, has served the Central Ohio area for over 50 years; in that time we've proven our commitment to our customers and to building homes of genuine, lasting value. With the move to our new headquarters, we see the beginning of a new chapter in the life of the company. In preparing for the future, Virginia Homes is supported by a leadership team that has years of preparation for their roles and years of experience in their areas of responsibility. Everyone associated with our management and leadership is dedicated to continuing the long tradition of design and construction quality that has become Virginia Homes' trademark. With these measures in place, Virginia Homes is poised for growth into the next generation and beyond.

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**EXHIBIT G**

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Westerville, Ohio 43081-4902

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**REPORT OF  
PHASE I ENVIRONMENTAL SITE ASSESSMENT  
AND PRELIMINARY JURISDICTIONAL WATERS  
ASSESSMENT**

**BRITTON CENTRAL (SUB AREA 3) MULTI-FAMILY  
RESIDENTIAL PROPERTY  
HILLIARD, FRANKLIN COUNTY, OHIO**

**GCI PROJECT NO. 06-E-12622**

*Client:*

**Virginia Homes, LTD.  
c/o Mr. Richard Towle  
209 East State Street  
Columbus, Ohio 43215**

*Prepared for:*

**Virginia Homes, LTD.**

*Distribution:*

**Mr. Richard Towle – Virginia Homes, LTD. (3)  
File (1)**

*Prepared by:*

**Geotechnical Consultants, Inc. (GCI)  
720 Greencrest Dr.  
Westerville, OH 43081**

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**APPENDIX A – MAPS AND SKETCHES**

General Site Location Map  
GIS Map  
Proposed Site Plan  
USGS Topographic Map  
USDA Soil Survey Map (1972 aerial photograph)  
National Wetlands Inventory Map

**APPENDIX B – OWNERSHIP AND HISTORICAL INFORMATION**

Franklin County Auditor Parcel Information Sheet  
1938, 1950, 1986, 1989, 1995, and 2004 Aerial Photographs  
1912 and 1973 Historic Topographic Maps

**APPENDIX C – REGULATORY DOCUMENTATION**

ODNR Groundwater Well Location Map and Well Logs (16 pages)  
FirstSearch Report (12 pages)  
Washington Township Fire Department Request Letter

**APPENDIX D – SITE RECONNAISSANCE AND OTHER INFORMATION**

Initial Questionnaire  
Telephone Conversation Log from Interview with Owner  
Site Photographs (Photo 1 to Photo 8)

## 1.0 SUMMARY

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Geotechnical Consultants, Inc. (GCI) performed a Phase I Environmental Site Assessment (ESA) and preliminary jurisdictional waters assessment of a 14.91± acre vacant property on the north side of Hayden Run, and west of Britton Parkway in Hilliard, Franklin County, Ohio (the "site").

Historical information reviewed indicated the site was predominantly agricultural land in use. This assessment did not identify recognized environmental conditions concerning this site. Therefore, GCI does not recommend additional assessment for recognized environmental conditions at this time.

The preliminary jurisdictional waters assessment identified one jurisdictional stream along the southeastern site boundary. If impacts to the stream are proposed, permitting and/or concurrence with the U.S. Army Corps of Engineers Nationwide Permit 39 may be required. Impacting jurisdictional waters will initiate Section 106 of the Historic Preservation Act, and the Endangered Species Act, requiring an archaeological literature review and endangered species surveys.

Further information is provided in the following sections of this report, which should be read entirely.

## 2.0 INTRODUCTION

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GCI is a consulting firm performing environmental assessment and remediation services, wetlands consulting and permitting services, geotechnical engineering, construction monitoring, laboratory analysis and subsurface exploration services. Please contact our office by telephone at (614) 895-1400 or visit our web site at <http://www.GCI2000.com> if you would like more information.

### 2.1 PURPOSE

The purpose of a Phase I ESA is to assess property for *recognized environmental conditions* (RECs). GCI performed an on-site reconnaissance, a driving tour of the vicinity, a review of agency databases, and a review of historical data in an effort to achieve this objective.

RECs are defined as: the presence or likely presence of hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of hazardous substances or petroleum products into structures on the property or in the ground, groundwater, or surface water of the property. The term "recognized environmental conditions" does not include de minimis conditions that generally do not present a material risk of harm to public health or the environment. A "risk of harm" would be a recognized environmental condition that when brought to the attention of an appropriate governmental agency would be subject to an enforcement action. In performing this Phase I ESA report, GCI has striven to balance between competing goals of identifying signs of recognized environmental conditions and a scope of services limited by both cost and time constraints.



Special terms and conditions are outlined in our proposal and attached Terms and Conditions dated January 6, 2006. This practice does not address specific requirements of state or local laws, or federal laws other than the appropriate inquiry provisions of Comprehensive Environmental Response, Compensation and Liability Act's (CERCLA's) innocent landowner defense. It should be noted that federal, state, and local laws may impose environmental assessment obligations that are beyond the scope of this practice. It should also be noted that there are likely to be other legal obligations concerning hazardous substances or petroleum products on the site, if any, that are not addressed in this practice and that may impose risks of civil and/or criminal sanctions for non-compliance.

The purpose of the preliminary jurisdictional waters assessment was to identify the presence or absence of potential wetlands and other jurisdictional waters (e.g. streams, ponds) on the site.

## **2.2 SPECIAL TERMS AND CONDITIONS**

This report is an instrument of professional service prepared by GCI for the sole use of Virginia Homes, LTD. and other parties that may be designated jointly by Virginia Homes, LTD. and GCI. Any other party that wishes to use or rely upon this report, or that wishes to duplicate, otherwise reproduce or copy, or excerpt from, or quote this report must apply with GCI for authorization to do so. Any unauthorized use of or reliance on this report shall release GCI from any liability resulting from such use or reliance. Any unauthorized duplication, other reproduction or copying, or excerpt or quotation of this report shall expose the violator to all legal remedies available to GCI.

## **2.3 SCOPE OF SERVICES AND REPORT METHODOLOGY USED**

In accordance with our proposal #06E0007a dated January 6, 2006, the scope of the Phase I ESA included the following: historical background research; review of local, state and federal environmental agency data; visual site observations; review of area geology, and interviews.

GCI performed this Phase I ESA in substantial accordance with ASTM practice E 1527-00, and the generally accepted practices of environmental professionals performing similar services in the same locale under similar circumstances at the time of this assessment.

The scope of the preliminary jurisdictional waters assessment included reviewing the USDA soil map, the USGS topographic map, the National Wetlands Inventory map, historical aerial photographs, and site observations for jurisdictional waters.

## **2.4 LIMITATIONS AND EXCEPTIONS OF ASSESSMENT**

The following are beyond the scope of the Phase I ESA: land surveying; subsurface exploration or laboratory testing of soils or water; industrial hygiene sampling; assessment or testing for biological pollutants (e.g., mold, bacteria, fungi, spores, etc.); air quality assessment; sampling or testing of building materials; wetland delineation; state historic preservation office (SHPO) inquiries; measurement of the quantities of wastes, if any, or

other materials on site. Additionally, a compliance audit of existing or former site operations or businesses, if any, is not included.

A Phase I ESA is not intended to wholly eliminate uncertainty regarding the possibility of recognized environmental conditions regarding the site. This report is intended to reduce, but not eliminate, uncertainty regarding the possibility of recognized environmental conditions regarding the site.

GCI made appropriate inquiries in the performance of this Phase I ESA. This does not mean an exhaustive search was performed; the cost of information or time required gathering it may outweigh its usefulness.

Not every site needs the same level of assessment. The appropriate level of inquiry regarding the site subject to a Phase I ESA is guided by type of site, the judgment of environmental professionals, and information developed during the assessment.

The practicability of the Phase I ESA is presumed to be valid for a period of 180 days after date of issuance. The exception is its use as a historical informational source for future environmental site assessments.

The information in this report is true to the best of our knowledge. GCI obtained some of the information presented in this report from other persons/agencies. GCI assumes no responsibility for the accuracy or completeness of information provided by others. No warranty, express or implied, is given by GCI.

The conclusions presented in this report are professional opinions based on data contained in the report. They are intended for the purpose, site location and project indicated. This report is not a definitive study of contamination at the site and should not be interpreted as such. An evaluation of subsurface soil and ground water conditions was not performed as part of this ESA. No sampling or laboratory chemical analysis was performed as part of this ESA. GCI performed activities appropriate and necessary to evaluate the environmental status of the property under Phase I ESA guidelines.

## **2.5 INFORMATION REPORTED BY THE CLIENT REGARDING ENVIRONMENTAL LIENS OR SPECIALIZED KNOWLEDGE OR EXPERIENCE**

Generally, a title search company is engaged by the client to perform the task of searching for liens on a property. GCI submitted an Initial Questionnaire (appended) to Mr. Richard Towle who represents Virginia Homes, LTD., our client. Mr. Towle's responses indicated he had no knowledge of environmental liens at the site, no knowledge of the site that would indicate a value reduction in price due to environmental conditions, and no knowledge of recognized environmental conditions regarding the site or site vicinity.

## **3.0 SITE LOCATION**

This section provides a general portrayal of the site and its vicinity. Information from visual observations of the site and adjoining properties is provided in § 5.0 *Information from Site Reconnaissance and Interviews*.



The site was west of the Britton Parkway, and north of Hayden Run in Hilliard, Franklin County, Ohio. The surrounding area was primarily residential along Hayden Run Road, with adjoining properties proposed for development. Portions of Riggins Road and Britton Parkway were under construction. A site location map, a Franklin County Auditor's Geographic Information System (GIS) map, and a site plan showing the site boundaries are attached in Appendix A.

## **4.0 RECORDS REVIEW**

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This section provides information from public ascertainable recorded documents, government environmental databases, and historical information relative to identifying recognized environmental conditions regarding the site.

### **4.1 PHYSICAL SETTING**

The following subsections describe reviewed information pertaining to geologic, hydrogeologic, or topographic characteristics of a site. This information is useful in identifying possible contaminant migratory pathways related to the surface, subsurface and groundwater of the site and off-site sources.

#### **4.1.1 USGS TOPOGRAPHIC MAP REVIEW**

GCI reviewed the 1966 (photorevised 1984) *Hilliard, Ohio*, United States Geological Survey (USGS) 7.5-minute series topographic map. According to the map, the site elevation was approximately 900 feet above mean sea level (AMSL). The map showed no buildings, wooded areas, ponds, or streams on the site. Surface elevations in the general vicinity of the site appeared to decrease to the south and east toward Hayden Run, which adjoined the south side of the site.

#### **4.1.2 COUNTY GROUNDWATER RESOURCES MAP**

According to *The Ground Water Resources of Franklin County, Ohio* map, revised by the Ohio Department of Natural Resources (ODNR) - Division of Water in 1993, the site was in an area underlain by ground moraine glacial till generally more than 20 feet thick. The principal aquifer in the site area was limestone and dolomite bedrock underlying glacial till.

#### **4.1.3 WELL LOG REVIEW**

Our review of *Well Log and Drilling Reports* from ODNR - Division of Water for registered groundwater wells for Washington Township, Franklin County identified no registered groundwater supply wells at the site. Reviewed groundwater well logs for wells in the site area indicated a general subsurface profile of clay, sand, and gravel underlain by limestone bedrock. Copies of ODNR's well location map and the reviewed well logs for the site area are attached in Appendix C.

#### **4.1.4 COUNTY SOIL SURVEY REVIEW**

According to the *Soil Survey of Franklin County, Ohio*, published by the United States Department of Agriculture in 1980, the site soils are indicated to be as shown in the following table:

Map ID	Map Unit Name	% Slope	Hydric Classification
CeB	Celina silt loam	2-6	Non-hydric with hydric components
CrA	Crosby silt loam	0-2	Non-hydric with hydric components
Ko	Kokomo silty clay loam	0-2	Hydric soil
LeB	Lewisburg-Crosby complex	2-6	Non-hydric with hydric components
M1C2	Miamian silty clay loam	6-12	Non-hydric with hydric components

Celina silt loam (CeB) was described as gently sloping, deep, moderately well drained with moderately slow permeability and moderate available water capacity. Crosby silt loam (CrA) was described as nearly level, deep, somewhat poorly drained with slow permeability and moderate available water capacity. Kokomo silty clay loam (Ko) was described as nearly level, deep, very poorly drained with moderately slow permeability and high available water capacity. Lewisburg-Crosby complex (LeB) was described as deep, gently sloping, moderately well drained to somewhat poorly drained with moderate to slow permeability and moderate available water capacity. Miamian silty clay loam (M1C2) was described as sloping, deep, eroded, well drained with moderately slow permeability and moderate available water capacity.

#### 4.1.5 SUBSURFACE EXPLORATION INFORMATION<sup>1</sup>

GCI is in contract to perform a site-specific traditional geotechnical engineering subsurface exploration at the site (GCI project number 06-G-12622). Refer to the forthcoming subsurface exploration report for information about subsurface conditions at the site.

## 4.2 HISTORICAL USE INFORMATION

The following subsections provide a history of previous uses of the site and surrounding properties. This helps to identify the possibility of past uses having led to recognized environmental conditions concerning the site.

### 4.2.1 COUNTY RECORD REVIEW

GCI reviewed real estate records from the Franklin County Auditor's Office to research the prior owners of the site. According to these records, the site has been owned by Trueman LP since June of 1985. The tax card for the site parcel was not readily available at the Auditor's Office, so prior ownership of the property was not reviewed.

### 4.2.2 REVIEW OF CITY DIRECTORIES

No structures were identified to have occupied the site; therefore city directories were not researched as part of this Phase I ESA.

<sup>1</sup> Information provided by Geotechnical Consultants, Inc. regarding a site subsurface profile, if presented in this report, is an informational source to aid in assessing general subsurface characteristics, including the presence of fill and groundwater. This does not include measuring groundwater flow, which is beyond the scope of services of a Phase I ESA. Presented subsurface information in this report is not intended for construction purposes.

#### 4.2.3 AERIAL PHOTOGRAPH REVIEW

GCI reviewed historical aerial photographs dated 1938, 1950, and 1972 (USDA Soil Map) of the site area available from the Franklin County Soil and Water Conservation District (SWCD), 1986 and 1989 photos from GCI's private collection, and 1995 and 2004 photos from the Franklin County Auditor. Appendix B includes copies of these aerial photographs.

In the reviewed aerial photographs, the site appeared to be agricultural and wooded land in use. Properties to the north, east, and west appeared to be vacant agricultural land. A stream appeared to adjoin the southeast portion of the site. Two residential houses adjoined the south side of the site.

#### 4.2.4 HISTORIC TOPOGRAPHIC MAP REVIEW

GCI reviewed the 1912 USGS *Columbus, Ohio* topographic map, and the 1966 (photorevised 1973) *Hilliard, Ohio* USGS topographic map. These maps indicated no structures on the site. A house and barn sized structure were shown adjoining the south side of the site.

#### 4.2.5 HISTORICAL FIRE INSURANCE MAPS

GCI reviewed historical Sanborn fire insurance maps for the site on the Ohio Public Library Information Network website. No Sanborn maps were available for the site. Generally, the absence of Sanborn maps for a given area tends to support evidence that the area was not significantly developed.

#### 4.2.6 PREVIOUS ENVIRONMENTAL REPORT REVIEW

GCI is not aware of previous environmental assessment reports pertaining to this site.

### 4.3 STANDARD ENVIRONMENTAL RECORD SOURCES, FEDERAL AND STATE

GCI contracted with FirstSearch Technology Corporation (FirstSearch) to provide a review of state and federal government environmental agency database records. Their review lists the number of database sites identified within the search radius distances of each respective database, and the identities of plotted sites. The following subsections represent the databases reviewed. The FirstSearch report is appended.

#### 4.3.1 NATIONAL PRIORITIES LIST (NPL)

The NPL is a subset of the CERCLIS and lists over 1,200 of the nation's sites of uncontrolled or hazardous waste, which require cleanup. Also known as the Superfund List; the sites are scored according to the hazard ranking system (HRS).

The FirstSearch report identified no NPL facilities within a 1-mile radius of the site.

#### 4.3.2 COMPREHNSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY INFORMATION SYSTEM (CERCLIS)

CERCLIS maintains information on sites nationally identified as hazardous or potentially hazardous, which may require action. These sites are currently being



investigated or an investigation has been completed regarding the release of hazardous substances. The most serious of this list as ranked by the HRS are transferred to the NPL.

The FirstSearch report identified no CERCLIS facilities within a ½-mile radius of the site.

**4.3.3 RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM -- TREATMENT, STORAGE, AND DISPOSAL FACILITIES (RCRA TSD)**

RCRIS contains information on hazardous waste handlers regulated by the US Environmental Protection Agency under the Resource Conservation and Recovery Act (RCRA). It is a national system used to track events and activities, which fall under RCRA. The TSD database is a subset of the complete RCRIS file which includes facilities which treat, store, dispose, or incinerate hazardous waste.

The FirstSearch report identified no RCRA TSD facilities within a ½-mile radius of the site.

**4.3.4 RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM -- LARGE AND SMALL QUANTITY GENERATORS (RCRA GENERATOR)**

RCRIS contains information on hazardous waste handlers regulated by the US Environmental Protection Agency under the Resource Conservation and Recovery Act (RCRA). It is a national system used to track events and activities that fall under RCRA. The generators database is a subset of the complete RCRIS file, which includes hazardous waste generators that create more than 100 kg. of hazardous waste per month or meet other requirements of RCRA. FirstSearch also includes RCRA Notifiers, Transporters, and formerly regulated RCRA Sites for more complete hazardous waste information. Additionally, compliance and corrective action information is included.

The FirstSearch report identified no RCRA generating facilities on the site or adjoining the site.

**4.3.5 RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM – CORRECTIVE ACTION SITES (CORRACTS)**

The CORRACTS database includes RCRA sites with reported corrective actions.

The FirstSearch report identified no CORRACTS facilities within a 1-mile radius of the site.

**4.3.6 EMERGENCY RESPONSE NOTIFICATION SYSTEM (ERNS)**

This is US EPA's database of emergency response actions. Data since January 2001 has been received from the National Response Center as the EPA no longer maintains this data.

The FirstSearch report identified no ERNS incidents within a 1/8-mile radius of the site.

#### 4.3.7 STATE SITES LIST

This is the Ohio Environmental Protection Agency (Ohio EPA) Division of Emergency and Remedial Response (DERR) database. It includes properties investigated by DERR for hazardous substances or petroleum, and includes Ohio's Voluntary Action Program (VAP) properties.

The FirstSearch report identified no DERR Database properties within a 1-mile radius of the site.

#### 4.3.8 OHIO SOLID WASTE FACILITIES (SWF)

This state database lists known active and inactive solid waste disposal sites in the State of Ohio. The current portion of this list is updated and released annually by the Ohio EPA.

The FirstSearch report identified no SWF facilities within a ½-mile radius of the site.

#### 4.3.9 OHIO LEAKING UNDERGROUND STORAGE TANK LIST (LUST)

The Ohio LUST list provides information on known leaking underground storage tanks and tank removal actions in the State of Ohio. LUST facilities in Ohio are regulated by the Bureau of Underground Storage Tank Regulations (BUSTR).

The FirstSearch report identified two LUST facilities within a ½-mile radius of the site. These were:

- 1) **Site:** Warehouse, 5151 Wilcox Rd., Amlin, OH 43002.  
**Approximate Distance from Site:** 0.33 miles to the northwest  
**Estimated Drainage Pattern:** to the east  
**Status:** Reported – Known/suspected or confirmed source and responsible person is proceeding voluntarily.
- 2) **Site:** Melvin Rings, 5050 Hayden Run Rd., Dublin, OH 43017  
**Approximate Distance from Site:** 0.36 miles to the southeast  
**Estimated Drainage Pattern:** to the south, away from the site  
**Status:** No Further Action (NFA)

The BUSTR regulatory status for one of these LUST facilities was No Further Action (NFA). The NFA status indicated BUSTR determined that further corrective actions were not necessary for this incident. Based on the NFA status, relative distances and locations with respect to local drainage patterns of the LUST facilities, they were not likely to have impacted the site.

#### 4.3.10 OHIO UNDERGROUND STORAGE TANK LIST (UST)

The Ohio UST list provides the location of registered underground storage tanks.

The FirstSearch report identified no UST facilities on the site or adjoining properties.

#### **4.3.11 NON-GEOCODED SITES**

FirstSearch provides a listing of sites that could not be located and mapped by a street address, but are within the postal zip code of the site area.

The FirstSearch report identified no "non-geocoded" sites.

#### **4.4 ADDITIONAL RECORD SOURCES**

The following subsections describe information obtained from governmental agencies directly contacted by GCI to provide information relative to the site/adjoining properties. Copies of the information records are included in Appendix C of this report.

##### **4.4.1 FIRE DEPARTMENT INQUIRY**

GCI requested the Washington Fire Department to provide information pertaining to hazardous emergency responses, ASTs, AST releases, USTs, UST releases, spills or remediation at the site. Their response was pending.

### **5.0 INFORMATION FROM SITE RECONNAISSANCE AND INTERVIEWS**

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The following subsections provide information from site observations and interviews indicating a likelihood of identifying recognized environmental conditions concerning the site. Copies of photographs taken during our site reconnaissance are provided in *Appendix D*.

#### **5.1 ENVIRONMENTAL PROFESSIONAL, DATE AND WEATHER CONDITIONS**

Matthew R. Kaminski and Bruce T. Pollard performed a site reconnaissance on Monday January 16, 2006. Weather conditions at that time consisted of sunny skies and a temperature of approximately 50 degrees Fahrenheit.

#### **5.2 METHODOLOGY**

This subsection provides the method used by the environmental professional(s) to conduct the site reconnaissance for this report (e.g., systematic approaches used in observing the site exterior or building interior).

The site was observed by walking along the site perimeter and randomly several times across the site.

#### **5.3 LIMITING CONDITIONS OF THE SITE RECONNAISSANCE**

This subsection describes conditions present during the site reconnaissance that limited observations, such as bodies of water, vegetation coverage, structures, snow, etc.

Portions of the site were wooded. Wooded vegetation interrupted line-of-site. Portions of the site were covered by piles of dirt and earth moving equipment. This limited our ability to view the ground surface in these areas.

#### **5.4 CURRENT USES OF THE SITE**

The site is currently vacant agricultural and graded land with no other apparent use.

### **5.5 DESCRIPTIONS OF STRUCTURES, ROADS AND OTHER IMPROVEMENTS ON THE SITE**

This subsection describes buildings, pavements, utilities, heating and cooling systems, drains, sumps, pits, ponds, lagoons, etc.

Sewer lines were along the northern site boundary.

### **5.6 PAST USES OF THE SITE**

This subsection describes past uses of the site by means of visual observations only.

The site appeared to be previously used to grow soybeans, and has recently been left fallow.

### **5.7 CURRENT AND PAST USES OF ADJOINING PROPERTIES**

This subsection describes past uses of the sites' adjoining properties similar to § 5.6 *Past Uses of the Site*. Adjoining properties are considered those properties that border contiguous or partially contiguous to the site, and that would be contiguous or partially contiguous with the site, but are separated by a street or other public thoroughfare.

Vacant agricultural land adjoined the north and west sides of the site. Wooded land, Hayden Run, and residential houses adjoined the south side of the site. Earthmoving equipment, a stone pile, and concrete sewer lines were stored on the east adjoining property.

No past uses of adjoining properties, other than current uses, were apparent from our observations.

### **5.8 POTENTIAL HAZARDOUS SUBSTANCES OR PETROLEUM AND IDENTIFIED USES**

This subsection describes identified potential hazardous substances, petroleum products, and their respective containers and uses, if any. Additionally, treatment, storage, disposal of hazardous substances or petroleum products, stressed vegetation, and identifiable stains, slicks, spills, pools of liquid, etc., if any, are discussed.

GCI observed markers for a Marathon-Ashland underground petroleum pipeline adjoining the north side of the site.

### **5.9 UNIDENTIFIED POTENTIAL HAZARDOUS SUBSTANCES OR CONTAINERS**

This subsection describes substances or containers that could not be identified by the environmental professional. These may include unidentifiable drums, stains, slicks, spills, pools of liquid, etc.

GCI observed no signs of unidentified potential hazardous substances or containers on site.

### **5.10 STORAGE TANKS**

This subsection describes identified aboveground and underground storage tanks (ASTs/USTs), or possible vent pipes, fill pipes or access ways generally associated with storage tanks, if any, on site.

GCI observed no USTs or ASTs at the site.

### **5.11 INDICATIONS OF POLYCHLORINATED BIPHENYLS (PCBs)**

PCBs belong to the broad family of organic compounds known as chlorinated hydrocarbons. They were manufactured approximately between the years 1927 to 1977 and used in various products until about 1979. PCBs were used in closed systems, such as electrical transformers, capacitors, heat transfer systems, and hydraulic systems. PCBs were used for many different industrial purposes, including the aforementioned electrical industry and: hydraulic fluids, casting wax, carbon paper, compressors, heat transfer systems, dust control agents, plasticizers, pigments, lubricants, inks, adhesives, liquid cooled electric motors, and fluorescent light ballasts.

GCI observed no signs of potential PCB-containing materials on site.

### **5.12 INDICATIONS OF SOLID WASTE**

This subsection describes solid waste at the site.

GCI observed no signs of solid waste on site.

### **5.13 PHYSICAL SETTING ANALYSIS**

This subsection describes observations at the site of topographic conditions in conjunction with information provided in § 4.1 *Physical Setting*. This information aids in providing an analytical approach to approximate possible migratory pathways of hazardous substances or petroleum products into soil and groundwater, which could impact the site or impact other properties from the site.

The site was generally level with a gradual slope toward the southeast. Site observations and review of government database information in § 4.3 above indicated no off-site sources of contamination migration onto the site

### **5.14 INTERVIEWS**

This subsection indicates people contacted by a GCI representative either at the site, or by telephone or mail (see § 4.0 *Records Review* for interviews with governmental agencies).

The purpose of the interview was to obtain information regarding current and past uses of the site and whether the interviewee had knowledge of the existence of storage tanks, releases of hazardous substances or petroleum products, or recognized environmental conditions at the site.

On January 23, 2006, GCI interviewed Mr. Colin Trueman, owner of the site, on the telephone. He indicated he knew of no potential contamination or other environmental problems with the site.

### **5.15 PRELIMINARY JURISDICTIONAL WATERS ASSESSMENT**

Due to an increased awareness of wetlands and their role in environment, development continues to endure a number of changing laws and regulations regarding wetlands and jurisdictional waters. These regulations have increased regulatory compliance burdens to owners and developers. The following addresses our preliminary jurisdictional waters assessment pertaining to the site.

To establish the presence of jurisdictional wetlands, three characteristics are required to be present, as defined by the U.S. Army Corps of Engineers (COE) Wetlands Delineation Manual (1987). These wetland characteristics consist of hydric soils, hydrophytic (wetland) vegetation and wetland hydrology. Only the U.S. Army Corps of Engineers has authority to verify wetland boundaries and stream types; therefore, these findings are considered preliminary.

#### **5.15.1 OFF-SITE DETERMINATION**

GCI performed an off-site evaluation including a review of published information provided by governmental agencies. Reviewed information included the county USDA soil survey map, the National Wetlands Inventory (NWI) map, and historical aerial photographs for the site area.

The *Soil Survey of Franklin County, Ohio* map indicated the principal formations present at the site were classified as Celina silt loam (CeB), Crosby silt loam (CrA), Kokomo silty clay loam (Ko), Lewisburg-Crosby complex (LeB), and Miamian silty clay loam (M1C2). Celina silt loam, Crosby silt loam, Lewisburg-Crosby complex, and Miamian silty clay loam were considered non-hydric with hydric components. Kokomo silty clay loam was considered a hydric soil.

GCI reviewed the *Hilliard, Ohio* US Fish and Wildlife Service, *National Wetlands Inventory (NWI) Map*. The map showed no wetland mapping symbols within the site boundaries.

GCI reviewed aerial photographs of the site dated 1938, 1950, 1972, 1986, 1989, 1995, and 2004. The photographs indicated the site was used for agricultural purposes in the past. No wetland areas or streams were apparent on the reviewed aerial photographs.

#### **5.15.2 ON-SITE ASSESSMENT**

GCI performed a preliminary jurisdictional waters assessment during our site reconnaissance. One jurisdictional stream was observed along the southeastern site boundary. This stream appeared to originate at the edge of the field and the woods, on the southeast portion of the site, and flowed in a southerly direction to Hayden Run.

### 5.15.3 PERMIT INFORMATION

Ohio Environmental Protection Agency (OEPA) issues section 401 permits of the Clean Water Act. Section 401 deals with how specific activities affect water quality. Parameters such as sedimentation and nutrients are considered in 401 permitting. Wetlands are able to trap sediment and convert nutrients; hence, negative wetland or stream impacts can lower water quality downstream.

The OEPA takes jurisdiction over isolated wetlands in Ohio. Isolated wetlands have no connectivity to navigable waters of the U.S. Only the U.S. Army Corps of Engineers has authority to determine whether wetlands are jurisdictional or isolated.

The U.S. Army Corps of Engineers issues section 404 permits of the Clean Water Act for federally jurisdictional waters. Section 404 deals with physical aspects of ground modification or "impacts" (e.g., draining, dredging, and filling.) Mucking out a wetland and culverting a stream are examples of such impacts. The Corps must generally be involved in all wetland, pond, or stream related activities.

Under the Clean Water Act, the federal government issued Nationwide Permits (NWP) to speed up the permitting process for minor activities. The Corps must be notified at a minimum under most NWP whether filling, re-routing, or enhancing jurisdictional waters.

Under the NWP, stream impacts are generally limited to 200 or 300 linear feet, and wetland impacts are generally limited to ½ acre. Limitations and conditions vary from permit to permit and depend on site development plans. NWP's cannot be used if any the following are to be impacted:

- Isolated, high quality or rare wetlands;
- Wetlands within the 100 year flood plain;
- State or National Scenic Rivers;
- Navigable waterways;
- Areas where endangered species are known to exist;
- Areas where historic or archeological sites or structures are known to exist;
- Areas containing a large concentration of shellfish beds;
- Areas where water quality will be significantly degraded; and
- Critical Resource Waters

The United States Army Corps of Engineers Nationwide Permit 39 authorizes filling up to 0.1-acre of jurisdictional wetland without additional permitting. No mitigation is required for jurisdictional wetland impacts under 0.1-acre but post-construction notification to the Corps is required. There is no de minimis isolated wetland quantity according to the OEPA; therefore, all isolated wetland impacts require mitigation.

Impacting jurisdictional waters will initiate Section 106 of the Historic Preservation Act, and the Endangered Species Act. Therefore, impacting jurisdictional waters requires an archaeological literature review and endangered species surveys of the site area prior to impacts.

Individual section 401 and 404 permits are needed for impacts exceeding those allowed by the NWP's. Individual permits generally are costly and often take several months to process. Individual permits often result in less than desirable conditions for developers.

## **6.0 FINDINGS AND CONCLUSIONS**

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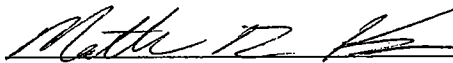
Historical information reviewed indicated the site was predominantly agricultural land in use. This assessment did not identify recognized environmental conditions concerning this site. Therefore, GCI does not recommend additional assessment for recognized environmental conditions at this time.

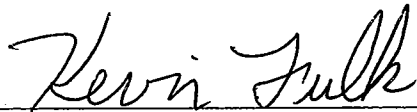
The preliminary jurisdictional waters assessment identified one jurisdictional stream along the southeastern site boundary. If impacts to the stream are proposed, permitting and/or concurrence with the U.S. Army Corps of Engineers Nationwide Permit 39 may be required. Impacting jurisdictional waters will initiate Section 106 of the Historic Preservation Act, and the Endangered Species Act, requiring an archaeological literature review and endangered species surveys.

GCI appreciates the opportunity to serve you on this project. Please contact our office if you have any questions or need additional services.

## **7.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS**

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*Prepared by:*   
 Matthew R. Kaminski  
 Project Manager

*Reviewed by:*   
 Kevin J. Fulk, MBA  
 Phase I Manager



## **8.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS PARTICIPATING IN THE PHASE I ENVIRONMENTAL ASSESSMENT**

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The following pages provide resumes of the environmental professionals participating in the development of this Phase I ESA report.



**Matthew R. Kaminski**

▪ **Education:**

2003 BA Environmental Geography, Ohio University

▪ **Experience & Qualifications:**

Since joining GCI in 2005 Mr. Kaminski has participated in several environmental site assessments, performing historical research, review of geological records, and training in site investigations.

Experience includes project management, compliance testing for petroleum companies, supervision of secondary containment testing throughout Midwest. Mr. Kaminski also worked at the Ohio Division of Wildlife as a research assistant tracking wildlife using radio telemetry tracking equipment and banding.

▪ **Selected Projects**

- Phase I Environmental Site Assessment Proposed Car Wash, Morse Road, Columbus, OH
- Phase I Environmental Site Assessment Proposed Multi-Family Development Property, Proprietors Road, Worthington, Franklin County, Ohio
- Phase I Environmental Site Assessment and Preliminary Wetland and Stream Assessment Proposed Worthington Woods Chapel, Columbus, Franklin County, Ohio
- Phase I Environmental Site Assessment and Preliminary Wetland and Stream Assessment 7+ Acre Proposed Office/Warehouse Property, Delaware, Delaware County, Ohio
- Phase I Environmental Site Assessment Lake Boulevard Site, 3.4± Acres, Marion Township, Marion County, Ohio
- Phase I Environmental Site Assessment Shell Station, Bexley, Franklin County, Ohio
- Phase I Environmental Site Assessment and Preliminary Wetland and Stream Assessment Proposed 29± Acre Residential Property, Westerville, Delaware County, Ohio



**Kevin J. Fulk, MBA**  
**Phase I Manager**

▪ **Education:**

- 1992 BS Architectural / Environmental Design, Bowling Green State University
- 2000 MBA Business Administration, Capital University

▪ **Active Registration & Certification:**

- 1996 OSHA 40-Hr. Hazardous Waste Operations
- 1993 Construction Documents Technologist
- 1989 Evaluation Specialist No. 31832  
Ohio Certified Asbestos Hazard

Kevin Fulk is qualified as an Environmental Professional as defined in the proposed federal All Appropriate Inquiry legislation.

▪ **Experience & Qualifications:**

Experience includes project management of environmental studies including Phase I & II Environmental Site Assessments, asbestos surveys, operations and maintenance plans for buildings with asbestos containing materials and wetland assessments.

With more than 12 years experience as an environmental consultant, Mr. Fulk has provided field monitoring of asbestos abatement projects including tasks such as air monitoring, negative pressure and air exchange tests, personnel protection equipment and abatement equipment monitoring, and documentation of project activities. Other experiences include collecting water and soil samples for laboratory analysis from monitoring wells, manholes, discharge pits, soil borings and test pits; and environmental report preparation and in-house report reviews.

Since joining GCI in 1995, Mr. Fulk has been responsible for conducting more than 500 environmental studies and more than 300 asbestos studies for projects throughout Ohio and neighboring states.

Mr. Fulk is a member of the Building Environment Council of Ohio.

▪ **Selected Projects:**

- Phase I & II ESAs of more than 30 parcels at The Waterfront, a redevelopment of a former steel mill into a mixed-use development, Pittsburgh, PA
- Provided asbestos abatement monitoring for the Ohio Statehouse renovation projects, various government institutions and utility facilities, and school buildings.
- Performed asbestos surveys of The Buckeye Hall of Fame Cafe and shopping centers such as Morse Centre, Town & Country Shopping Center and the Worthington Mall.



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**REPORT OF  
PHASE I ENVIRONMENTAL SITE ASSESSMENT  
AND PRELIMINARY JURISDICTIONAL WATERS  
ASSESSMENT**

**BRITTON CENTRAL (SUB AREA A1) MULTI-FAMILY  
RESIDENTIAL PROPERTY  
5094 WILCOX ROAD  
HILLIARD, FRANKLIN COUNTY, OHIO**

**GCI PROJECT NO. 06-E-13085**

*Client:*

**Virginia Homes, LTD.  
c/o Mr. Richard Towle  
209 East State Street  
Columbus, Ohio 43215**

*Prepared for:*

**Virginia Homes, LTD.**

*Distribution:*

**Virginia Homes, LTD. – Mr. Richard Towle (3)  
File (1)**

*Prepared by:*

**Geotechnical Consultants, Inc. (GCI)  
720 Greencrest Dr.  
Westerville, OH 43081**

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**APPENDIX A – MAPS AND SKETCHES**

General Site Location Map  
GIS Map  
Proposed Site Plan  
USGS Topographic Map  
USDA Soil Survey Map (1972 aerial photograph)  
National Wetlands Inventory Map

**APPENDIX B – OWNERSHIP AND HISTORICAL INFORMATION**

Franklin County Auditor Parcel Information Sheets (2 pages)  
1938, 1950, 1986, 1989, 1995, and 2004 Aerial Photographs  
1912 and 1973 Historic Topographic Maps

**APPENDIX C – REGULATORY DOCUMENTATION**

ODNR Groundwater Well Location Map and Well Logs (15 pages)  
FirstSearch Report (11 pages)  
Fire Department Request Letter

**APPENDIX D – SITE RECONNAISSANCE AND OTHER INFORMATION**

Initial Questionnaire  
Telephone Conversation Log from Interview with Owner  
Site Photographs (Photo 1 to Photo 8)

## 1.0 SUMMARY

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Geotechnical Consultants, Inc. (GCI) performed a Phase I Environmental Site Assessment (ESA) and preliminary jurisdictional waters assessment of an approximately 10 acre property containing a house and an agricultural field on the east side of Wilcox Road, in Hilliard, Franklin County, Ohio (the "site").

Historically the site appeared to have contained a house, garage and agricultural land. This assessment did not identify apparent signs of recognized environmental conditions concerning this site. Therefore, GCI does not recommend additional assessment of the site for the presence of recognized environmental conditions at this time.

Based on the information obtained during the Phase I ESA, GCI provides the following recommendations which should be implemented prior to redevelopment of this site:

- The groundwater well noted at the site should be properly abandoned if it will no longer be used.

The preliminary jurisdictional waters assessment identified one potential wetland area in the agricultural field, northeast of the house. This wetland appeared to be approximately one-tenth of an acre in size. If impacts to the wetland are proposed, permitting may be required. Impacting jurisdictional waters will initiate Section 106 of the Historic Preservation Act, and the Endangered Species Act, requiring an archaeological literature review and endangered species surveys. GCI recommends a delineation to accurately define the presence, location, and size of wetlands on the site.

Further information is provided in the following sections of this report, which should be read entirely.

## 2.0 INTRODUCTION

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GCI is a consulting firm performing environmental assessment and remediation services, wetlands consulting and permitting services, geotechnical engineering, construction monitoring, laboratory analysis and subsurface exploration services. Please contact our office by telephone at (614) 895-1400 or visit our web site at <http://www.GCI2000.com> if you would like more information.

### 2.1 PURPOSE

The purpose of a Phase I ESA is to assess property for *recognized environmental conditions* (RECs). GCI performed an on-site reconnaissance, a driving tour of the vicinity, a review of agency databases, and a review of historical data in an effort to achieve this objective.

RECs are defined as: the presence or likely presence of hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of hazardous substances or petroleum products into structures on the property or in the ground, groundwater, or surface water of the property. The term



“recognized environmental conditions” does not include de minimis conditions that generally do not present a material risk of harm to public health or the environment. A “risk of harm” would be a recognized environmental condition that when brought to the attention of an appropriate governmental agency would be subject to an enforcement action. In performing this Phase I ESA report, GCI has striven to balance between competing goals of identifying signs of recognized environmental conditions and a scope of services limited by both cost and time constraints.

Special terms and conditions are outlined in our proposal and attached Terms and Conditions dated January 6, 2006. This practice does not address specific requirements of state or local laws, or federal laws other than the appropriate inquiry provisions of Comprehensive Environmental Response, Compensation and Liability Act’s (CERCLA’s) innocent landowner defense. It should be noted that federal, state, and local laws may impose environmental assessment obligations that are beyond the scope of this practice. It should also be noted that there are likely to be other legal obligations concerning hazardous substances or petroleum products on the site, if any, that are not addressed in this practice and that may impose risks of civil and/or criminal sanctions for non-compliance.

The purpose of the preliminary jurisdictional waters assessment was to identify the presence or absence of potential wetlands and other jurisdictional waters (e.g. streams, ponds) on the site.

## **2.2 SPECIAL TERMS AND CONDITIONS**

This report is an instrument of professional service prepared by GCI for the sole use of Virginia Homes, LTD. and other parties that may be designated jointly by Virginia Homes, LTD. and GCI. Any other party that wishes to use or rely upon this report, or that wishes to duplicate, otherwise reproduce or copy, or excerpt from, or quote this report must apply with GCI for authorization to do so. Any unauthorized use of or reliance on this report shall release GCI from any liability resulting from such use or reliance. Any unauthorized duplication, other reproduction or copying, or excerption or quotation of this report shall expose the violator to all legal remedies available to GCI.

## **2.3 SCOPE OF SERVICES AND REPORT METHODOLOGY USED**

In accordance with our proposal #06E0008 dated January 6, 2006; the scope of the Phase I ESA included the following: historical background research; review of local, state and federal environmental agency data; visual site observations; review of area geology, and interviews.

GCI performed this Phase I ESA in substantial accordance with ASTM practice E 1527-00, and the generally accepted practices of environmental professionals performing similar services in the same locale under similar circumstances at the time of this assessment.

The scope of the preliminary jurisdictional waters assessment included reviewing the USDA soil map, the USGS topographic map, the National Wetlands Inventory map, historical aerial photographs, and site observations for jurisdictional waters.



## **2.4 LIMITATIONS AND EXCEPTIONS OF ASSESSMENT**

The following are beyond the scope of the Phase I ESA: asbestos survey of buildings; land surveying; subsurface exploration or laboratory testing of soils or water; industrial hygiene sampling; assessment or testing for biological pollutants (e.g., mold, bacteria, fungi, spores, etc.); air quality assessment; sampling or testing of building materials; wetland delineation; state historic preservation office (SHPO) inquiries; measurement of the quantities of wastes, if any, or other materials on site. Additionally, a compliance audit of existing or former site operations or businesses, if any, is not included.

A Phase I ESA is not intended to wholly eliminate uncertainty regarding the possibility of recognized environmental conditions regarding the site. This report is intended to reduce, but not eliminate, uncertainty regarding the possibility of recognized environmental conditions regarding the site.

GCI made appropriate inquiries in the performance of this Phase I ESA. This does not mean an exhaustive search was performed; the cost of information or time required gathering it may outweigh its usefulness.

Not every site needs the same level of assessment. The appropriate level of inquiry regarding the site subject to a Phase I ESA is guided by type of site, the judgment of environmental professionals, and information developed during the assessment.

The practicability of the Phase I ESA is presumed to be valid for a period of 180 days after date of issuance. The exception is its use as a historical informational source for future environmental site assessments.

The information in this report is true to the best of our knowledge. GCI obtained some of the information presented in this report from other persons/agencies. GCI assumes no responsibility for the accuracy or completeness of information provided by others. No warranty, express or implied, is given by GCI.

The conclusions presented in this report are professional opinions based on data contained in the report. They are intended for the purpose, site location and project indicated. This report is not a definitive study of contamination at the site and should not be interpreted as such. An evaluation of subsurface soil and ground water conditions was not performed as part of this ESA. No sampling or laboratory chemical analysis was performed as part of this ESA. GCI performed activities appropriate and necessary to evaluate the environmental status of the property under Phase I ESA guidelines.

## **2.5 INFORMATION REPORTED BY THE CLIENT REGARDING ENVIRONMENTAL LIENS OR SPECIALIZED KNOWLEDGE OR EXPERIENCE**

Generally, a title search company is engaged by the client to perform the task of searching for liens on a property. GCI submitted an Initial Questionnaire (appended) to Mr. Richard Towle who represents Virginia Homes, LTD., our client. Mr. Towle's responses indicated he had no knowledge of environmental liens at the site, no knowledge of the site that

would indicate a value reduction in price due to environmental conditions, and no knowledge of recognized environmental conditions regarding the site or site vicinity.

### **3.0 SITE LOCATION**

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This section provides a general portrayal of the site and its vicinity. Information from visual observations of the site and adjoining properties is provided in § 5.0 *Information from Site Reconnaissance and Interviews*.

The site was on the east side of Wilcox Road, north of Hayden Run Road, and south of Tuttle Crossing in Hilliard, Franklin County, Ohio. The address to the house at the site was 5094 Wilcox Road. The surrounding area was primarily residential along Wilcox Road. A site location map, Franklin County Auditor's Geographic Information System (GIS) map, and a preliminary site plan showing the site boundaries are attached in Appendix A.

### **4.0 RECORDS REVIEW**

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This section provides information from public ascertainable recorded documents, government environmental databases, and historical information relative to identifying recognized environmental conditions regarding the site.

#### **4.1 PHYSICAL SETTING**

The following subsections describe reviewed information pertaining to geologic, hydrogeologic, or topographic characteristics of a site. This information is useful in identifying possible contaminant migratory pathways related to the surface, subsurface and groundwater of the site and off-site sources.

##### **4.1.1 USGS TOPOGRAPHIC MAP REVIEW**

GCI reviewed the 1966 (photorevised 1984) *Hilliard, Ohio*, United States Geological Survey (USGS) 7.5-minute series topographic map. According to the map, the site elevation was approximately 910 feet above mean sea level (AMSL). The map showed one house-sized structure on the site. Wilcox Road was shown along the west side of the site. No wooded areas, ponds, or streams were shown on the site. Surface elevations in the general vicinity of the site appeared to decrease to the east toward an unnamed tributary of Hayden Run, which was approximately 2,400 feet east of the site.

##### **4.1.2 COUNTY GROUNDWATER RESOURCES MAP**

According to *The Ground Water Resources of Franklin County, Ohio* map, revised by the Ohio Department of Natural Resources (ODNR) - Division of Water in 1993, the site was in an area underlain by ground moraine glacial till generally more than 20 feet thick. The principal aquifer in the site area was limestone and dolomite bedrock underlying glacial till.

#### 4.1.3 WELL LOG REVIEW

Our review of *Well Log and Drilling Reports* from ODNR - Division of Water for registered groundwater wells for Washington Township, Franklin County identified no registered groundwater supply wells at the site. Reviewed groundwater well logs for wells in the site area indicated a general subsurface profile of clay, sand, and gravel underlain by limestone bedrock. Copies of ODNR's well location map and the reviewed well logs for the site area are attached in Appendix C.

#### 4.1.4 COUNTY SOIL SURVEY REVIEW

According to the *Soil Survey of Franklin County, Ohio*, published by the United States Department of Agriculture in 1980, the site soils are indicated to be as shown in the following table:

Map ID	Map Unit Name	% Slope	Hydric Classification
CrA	Crosby silt loam	0-2	Non-hydric with hydric components
Ko	Kokomo silty clay loam	0-2	Hydric soil

Crosby silt loam (CrA) was described as nearly level, deep, somewhat poorly drained with slow permeability and moderate available water capacity. Kokomo silty clay loam (Ko) was described as nearly level, deep, very poorly drained with moderately slow permeability and high available water capacity.

#### 4.1.5 SUBSURFACE EXPLORATION INFORMATION<sup>1</sup>

GCI is in contract to perform a site-specific traditional geotechnical engineering subsurface exploration at the site (GCI project number 06-G-13085). Please refer to the forthcoming subsurface exploration report for information about subsurface conditions at the site.

## 4.2 HISTORICAL USE INFORMATION

The following subsections provide a history of previous uses of the site and surrounding properties. This helps to identify the possibility of past uses having led to recognized environmental conditions concerning the site.

#### 4.2.1 COUNTY RECORD REVIEW

GCI reviewed real estate records from the Franklin County Auditor's Office to research the prior owners of the site. According to these records, the site parcels have been owned by Trueman LP since August 28, 2003. Prior to 2003, the site parcels were owned by Betty Ray. The tax cards for the site parcels were not readily available at the Auditor's office, so ownership prior to 2003 was not reviewed.

<sup>1</sup> Information provided by Geotechnical Consultants, Inc. regarding a site subsurface profile, if presented in this report, is an informational source to aid in assessing general subsurface characteristics, including the presence of fill and groundwater. This does not include measuring groundwater flow, which is beyond the scope of services of a Phase I ESA. Presented subsurface information in this report is not intended for construction purposes.

#### 4.2.2 REVIEW OF CITY DIRECTORIES

Based on other information reviewed, adequate information was available from other sources cited in this Phase I ESA report; therefore, GCI did not research city directories.

#### 4.2.3 AERIAL PHOTOGRAPH REVIEW

GCI reviewed historical aerial photographs dated 1938, 1950, and 1972 (USDA Soil Map) of the site area available from the Franklin County Soil and Water Conservation District (SWCD), 1986 and 1989 photos from GCI's private collection, and 1995 and 2004 photos from the Franklin County Auditor. Appendix B includes copies of these aerial photographs.

In the reviewed aerial photographs, the site appeared to be mostly agricultural land with a house on the west-central portion of the site. Adjoining properties appeared to be agricultural and residential in use. The 2004 photo indicated new residential development along the north side of the site.

#### 4.2.4 HISTORIC TOPOGRAPHIC MAP REVIEW

GCI reviewed the 1912 USGS *Columbus, Ohio* topographic map, and the 1966 (photorevised 1973) USGS topographic map. These maps indicated one structure on the site. Wilcox Road was shown along the west side of the site.

#### 4.2.5 HISTORICAL FIRE INSURANCE MAPS

GCI reviewed historical Sanborn fire insurance maps for the site on the Ohio Public Library Information Network website. No Sanborn maps were available for the site. Generally, the absence of Sanborn maps for a given area tends to support evidence that the area was not significantly developed.

#### 4.2.6 PREVIOUS ENVIRONMENTAL REPORT REVIEW

GCI is not aware of previous environmental assessment reports pertaining to this site.

### 4.3 STANDARD ENVIRONMENTAL RECORD SOURCES, FEDERAL AND STATE

GCI contracted with FirstSearch Technology Corporation (FirstSearch) to provide a review of state and federal government environmental agency database records. Their review lists the number of database sites identified within the search radius distances of each respective database, and the identities of plotted sites. The following subsections represent the databases reviewed. The FirstSearch report is appended.

#### 4.3.1 NATIONAL PRIORITIES LIST (NPL)

The NPL is a subset of the CERCLIS and lists over 1,200 of the nation's sites of uncontrolled or hazardous waste, which require cleanup. Also known as the Superfund List; the sites are scored according to the hazard ranking system (HRS).

The FirstSearch report identified no NPL facilities within a 1-mile radius of the site.

**4.3.2 COMPREHNSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY INFORMATION SYSTEM (CERCLIS)**

CERCLIS maintains information on sites nationally identified as hazardous or potentially hazardous, which may require action. These sites are currently being investigated or an investigation has been completed regarding the release of hazardous substances. The most serious of this list as ranked by the HRS are transferred to the NPL.

The FirstSearch report identified no CERCLIS facilities within a ½-mile radius of the site.

**4.3.3 RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM -- TREATMENT, STORAGE, AND DISPOSAL FACILITIES (RCRA TSD)**

RCRIS contains information on hazardous waste handlers regulated by the US Environmental Protection Agency under the Resource Conservation and Recovery Act (RCRA). It is a national system used to track events and activities, which fall under RCRA. The TSD database is a subset of the complete RCRIS file which includes facilities which treat, store, dispose, or incinerate hazardous waste.

The FirstSearch report identified no RCRA TSD facilities within a ½-mile radius of the site.

**4.3.4 RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM -- LARGE AND SMALL QUANTITY GENERATORS (RCRA GENERATOR)**

RCRIS contains information on hazardous waste handlers regulated by the US Environmental Protection Agency under the Resource Conservation and Recovery Act (RCRA). It is a national system used to track events and activities that fall under RCRA. The generators database is a subset of the complete RCRIS file, which includes hazardous waste generators that create more than 100 kg. of hazardous waste per month or meet other requirements of RCRA. FirstSearch also includes RCRA Notifiers, Transporters, and formerly regulated RCRA Sites for more complete hazardous waste information. Additionally, compliance and corrective action information is included.

The FirstSearch report identified no RCRA generating facilities on the site or adjoining the site.

**4.3.5 RESOURCE CONSERVATION AND RECOVERY INFORMATION SYSTEM -- CORRECTIVE ACTION SITES (CORRACTS)**

The CORRACTS database includes RCRA sites with reported corrective actions.

The FirstSearch report identified no CORRACTS facilities within a 1-mile radius of the site.

#### 4.3.6 EMERGENCY RESPONSE NOTIFICATION SYSTEM (ERNS)

This is US EPA's database of emergency response actions. Data since January 2001 has been received from the National Response Center as the EPA no longer maintains this data.

The FirstSearch report identified no ERNS incidents within a 1/8-mile radius of the site.

#### 4.3.7 STATE SITES LIST

This is the Ohio Environmental Protection Agency (Ohio EPA) Division of Emergency and Remedial Response (DERR) database. It includes properties investigated by DERR for hazardous substances or petroleum, and includes Ohio's Voluntary Action Program (VAP) properties.

The FirstSearch report identified no DERR Database properties within a 1-mile radius of the site.

#### 4.3.8 OHIO SOLID WASTE FACILITIES (SWF)

This state database lists known active and inactive solid waste disposal sites in the State of Ohio. The current portion of this list is updated and released annually by the Ohio EPA.

The FirstSearch report identified no SWF facilities within a 1/2-mile radius of the site.

#### 4.3.9 OHIO LEAKING UNDERGROUND STORAGE TANK LIST (LUST)

The Ohio LUST list provides information on known leaking underground storage tanks and tank removal actions in the State of Ohio. LUST facilities in Ohio are regulated by the Bureau of Underground Storage Tank Regulations (BUSTR).

The FirstSearch report identified one LUST facility within a 1/2-mile radius of the site. This was:

**Site:** Warehouse, 5151 Wilcox Rd., Amlin, OH 43002

**Approximate Distance from Site:** 0.11 miles to the northwest

**Estimated Drainage Pattern:** to the east

**Status:** Reported – Known/suspected or confirmed source and responsible person is proceeding voluntarily.

Based on the relative distance and location with respect to local drainage patterns of the LUST facility, it was not likely to have impacted the site.

#### 4.3.10 OHIO UNDERGROUND STORAGE TANK LIST (UST)

The Ohio UST list provides the location of registered underground storage tanks.

The FirstSearch report identified no UST facilities on the site or adjoining properties.

#### **4.3.11 NON-GEOCODED SITES**

FirstSearch provides a listing of sites that could not be located and mapped by a street address, but are within the postal zip code of the site area.

The FirstSearch report identified no "non-geocoded" sites.

#### **4.4 ADDITIONAL RECORD SOURCES**

The following subsections describe information obtained from governmental agencies directly contacted by GCI to provide information relative to the site/adjoining properties. Copies of the information records are included in Appendix C of this report.

##### **4.4.1 FIRE DEPARTMENT INQUIRY**

GCI requested the Washington Township Fire Department to provide information pertaining to hazardous emergency responses, ASTs, AST releases, USTs, UST releases, spills or remediation at the site. Their response was pending.

### **5.0 INFORMATION FROM SITE RECONNAISSANCE AND INTERVIEWS**

The following subsections provide information from site observations and interviews indicating a likelihood of identifying recognized environmental conditions concerning the site. Copies of photographs taken during our site reconnaissance are provided in *Appendix D*.

#### **5.1 ENVIRONMENTAL PROFESSIONAL, DATE AND WEATHER CONDITIONS**

Matthew R. Kaminski and Bruce T. Pollard performed a site reconnaissance on Monday January 16, 2006. Weather conditions at that time included sunny skies and a temperature of approximately 45 degrees Fahrenheit.

#### **5.2 METHODOLOGY**

This subsection provides the method used by the environmental professional(s) to conduct the site reconnaissance for this report (e.g., systematic approaches used in observing the site exterior or building interior).

GCI observed the site by walking along the site perimeter, randomly across the site, and around the site buildings.

#### **5.3 LIMITING CONDITIONS OF THE SITE RECONNAISSANCE**

This subsection describes conditions present during the site reconnaissance that limited observations, such as bodies of water; vegetation coverage, structures, snow, etc.

The site contained a house and garage. GCI did not observe the interior portions of the house as part of this assessment. Site observations were limited to observing those areas visible and unlocked and unenclosed, without removing structural components of the site.

#### **5.4 CURRENT USES OF THE SITE**

The site contained a house, garage, and vacant agricultural land with no other apparent use.



## **5.5 DESCRIPTIONS OF STRUCTURES, ROADS AND OTHER IMPROVEMENTS ON THE SITE**

This subsection describes buildings, pavements, utilities, heating and cooling systems, drains, sumps, pits, ponds, lagoons, etc.

The site contained a two-story, wood-framed, house with a concrete block foundation, two brick chimneys, a metal and asphalt-shingle roof, and cement-board siding.

Southeast of the house was a single-story garage, with concrete block walls, wood framing, and an asphalt-shingle roof. Contents inside the garage consisted of a riding lawnmower, a 5 gallon gas can, weed trimmer, garden tools, wood, furniture, appliances, a car battery, and other miscellaneous personal belongings. A pile of wood and multiple tires were on the east side of the garage.

GCI observed a groundwater well at the northeast corner of the house.

A propane tank was south of the house.

Overhead powerlines, along with gas and water utilities were along Wilcox Road. Electricity extended from the overhead powerlines to the northwest corner of the house.

## **5.6 PAST USES OF THE SITE**

This subsection describes past uses of the site by means of visual observations only.

No past uses, other than the current uses, were apparent from on-site observations.

## **5.7 CURRENT AND PAST USES OF ADJOINING PROPERTIES**

This subsection describes past uses of the sites' adjoining properties similar to § 5.6 *Past Uses of the Site*. Adjoining properties are considered those properties that border contiguous or partially contiguous to the site, and that would be contiguous or partially contiguous with the site, but are separated by a street or other public thoroughfare.

Wilcox Road, a two-way, multi-lane, asphalt-paved road adjoined the west side of the site. West of Wilcox Road was an Islamic temple and residential homes. Residential condominiums adjoined the north side of the site. Vacant agricultural land adjoined the east and south sides of the site.

No past uses of adjoining properties, other than current uses, were apparent from our observations.

## **5.8 POTENTIAL HAZARDOUS SUBSTANCES OR PETROLEUM AND IDENTIFIED USES**

This subsection describes identified potential hazardous substances, petroleum products, and their respective containers and uses, if any. Additionally, treatment, storage, disposal of hazardous substances or petroleum products, stressed vegetation, and identifiable stains, slicks, spills, pools of liquid, etc., if any, are discussed.

Other than customary petroleum storage containers for lawn equipment, GCI observed no signs of hazardous substances or petroleum at the site.

#### **5.9 UNIDENTIFIED POTENTIAL HAZARDOUS SUBSTANCES OR CONTAINERS**

This subsection describes substances or containers that could not be identified by the environmental professional. These may include unidentifiable drums, stains, slicks, spills, pools of liquid, etc.

GCI observed no signs of unidentified potential hazardous substances or containers on site.

#### **5.10 STORAGE TANKS**

This subsection describes identified aboveground and underground storage tanks (ASTs/USTs), or possible vent pipes, fill pipes or access ways generally associated with storage tanks, if any, on site.

GCI observed one propane AST south of the house. GCI observed no signs of UST's at the site.

#### **5.11 INDICATIONS OF POLYCHLORINATED BIPHENYLS (PCBS)**

PCBs belong to the broad family of organic compounds known as chlorinated hydrocarbons. They were manufactured approximately between the years 1927 to 1977 and used in various products until about 1979. PCBs were used in closed systems, such as electrical transformers, capacitors, heat transfer systems, and hydraulic systems. PCBs were used for many different industrial purposes, including the aforementioned electrical industry and: hydraulic fluids, casting wax, carbon paper, compressors, heat transfer systems, dust control agents, plasticizers, pigments, lubricants, inks, adhesives, liquid cooled electric motors, and fluorescent light ballasts.

GCI observed no signs of potential PCB-containing materials on site.

#### **5.12 INDICATIONS OF SOLID WASTE**

This subsection describes solid waste at the site.

GCI observed no signs of solid waste on site.

#### **5.13 PHYSICAL SETTING ANALYSIS**

This subsection describes observations at the site of topographic conditions in conjunction with information provided in § 4.1 *Physical Setting*. This information aids in providing an analytical approach to approximate possible migratory pathways of hazardous substances or petroleum products into soil and groundwater, which could impact the site or impact other properties from the site.

The site was generally level with a gradual slope toward the east. Site observations and review of government database information in § 4.3 above indicated no off-site sources of contamination migration onto the site

#### 5.14 INTERVIEWS

This subsection indicates people contacted by a GCI representative either at the site, or by telephone or mail (see § 4.0 *Records Review* for interviews with governmental agencies).

The purpose of the interview was to obtain information regarding current and past uses of the site and whether the interviewee had knowledge of the existence of storage tanks, releases of hazardous substances or petroleum products, or recognized environmental conditions at the site.

On January 23, 2006, GCI interviewed Mr. Colin Trueman, owner of the site, on the telephone. He indicated he knew of no potential contamination or other environmental problems with the site.

#### 5.15 PRELIMINARY JURISDICTIONAL WATERS ASSESSMENT

Due to an increased awareness of wetlands and their role in environment, development continues to endure a number of changing laws and regulations regarding wetlands and jurisdictional waters. These regulations have increased regulatory compliance burdens to owners and developers. If included in the scope of services for this project, the following addresses our preliminary jurisdictional waters assessment pertaining to the site.

To establish the presence of jurisdictional wetlands, three characteristics are required to be present, as defined by the U.S. Army Corps of Engineers (COE) Wetlands Delineation Manual (1987). These wetland characteristics consist of hydric soils, hydrophytic (wetland) vegetation and wetland hydrology. Only the U.S. Army Corps of Engineers has authority to verify wetland boundaries and stream types; therefore, these findings are considered preliminary.

##### 5.15.1 OFF-SITE DETERMINATION

GCI performed an off-site evaluation including a review of published information provided by governmental agencies. Reviewed information included the county USDA soil survey map, the National Wetlands Inventory (NWI) map, and historical aerial photographs for the site area.

The *Soil Survey of Franklin County, Ohio* map indicated the principal formations present at the site were classified as Crosby silt loam (CrB) and Kokomo silty clay loam (Ko). Crosby silt loam was considered non-hydric with hydric components. Kokomo silty clay loam was considered a hydric soil.

GCI reviewed the *Hilliard, Ohio* US Fish and Wildlife Service, *National Wetlands Inventory (NWI) Map*. The map showed no wetland mapping symbols within the site boundaries.

GCI reviewed aerial photographs of the site dated 1938, 1950, 1964, 1972, 1986, 1989, 1995, and 2004. The photographs indicated the site was used for agricultural purposes in the past. A dark area was apparent within the agricultural field, northeast of the house, in the 1995 and 2004 aerial photographs. Dark areas can indicate water saturation on land.

### 5.15.2 ON-SITE ASSESSMENT

GCI performed a preliminary jurisdictional waters assessment during our site reconnaissance. We observed one potential wetland area in the agricultural field, northeast of the house. This wetland appeared to be approximately one-tenth of an acre in size.

### 5.15.3 PERMIT INFORMATION

Ohio Environmental Protection Agency (OEPA) issues section 401 permits of the Clean Water Act. Section 401 deals with how specific activities affect water quality. Parameters such as sedimentation and nutrients are considered in 401 permitting. Wetlands are able to trap sediment and convert nutrients; hence, negative wetland or stream impacts can lower water quality downstream.

The OEPA takes jurisdiction over isolated wetlands in Ohio. Isolated wetlands have no connectivity to navigable waters of the U.S. Only the U.S. Army Corps of Engineers has authority to determine whether wetlands are jurisdictional or isolated.

The U.S. Army Corps of Engineers issues section 404 permits of the Clean Water Act for federally jurisdictional waters. Section 404 deals with physical aspects of ground modification or "impacts" (e.g., draining, dredging, and filling.) Mucking out a wetland and culverting a stream are examples of such impacts. The Corps must generally be involved in all wetland, pond, or stream related activities.

Under the Clean Water Act, the federal government issued Nationwide Permits (NWP) to speed up the permitting process for minor activities. The Corps must be notified at a minimum under most NWPs whether filling, re-routing, or enhancing jurisdictional waters.

Under the NWPs, stream impacts are generally limited to 200 or 300 linear feet, and wetland impacts are generally limited to ½ acre. Limitations and conditions vary from permit to permit and depend on site development plans. NWP's cannot be used if any the following are to be impacted:

- Isolated, high quality or rare wetlands;
- Wetlands within the 100 year flood plain;
- State or National Scenic Rivers;
- Navigable waterways;
- Areas where endangered species are known to exist;
- Areas where historic or archeological sites or structures are known to exist;
- Areas containing a large concentration of shellfish beds;
- Areas where water quality will be significantly degraded; and
- Critical Resource Waters

The United States Army Corps of Engineers Nationwide Permit 39 authorizes filling up to 0.1-acre of jurisdictional wetland without additional permitting. No

mitigation is required for jurisdictional wetland impacts under 0.1-acre but post-construction notification to the Corps is required. There is no de minimis isolated wetland quantity according to the OEPA; therefore, all isolated wetland impacts require mitigation.

Impacting jurisdictional waters will initiate Section 106 of the Historic Preservation Act, and the Endangered Species Act. Therefore, impacting jurisdictional waters requires an archaeological literature review and endangered species surveys of the site area prior to impacts.

Individual section 401 and 404 permits are needed for impacts exceeding those allowed by the NWP. Individual permits generally are costly and often take several months to process. Individual permits often result in less than desirable conditions for developers.

## **6.0 FINDINGS AND CONCLUSIONS**

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Historically the site appeared to have contained a house, garage and agricultural land. This assessment did not identify apparent signs of recognized environmental conditions concerning this site. Therefore, GCI does not recommend additional assessment of the site for the presence of recognized environmental conditions at this time.

Based on the information obtained during the Phase I ESA, GCI provides the following recommendations which should be implemented prior to redevelopment of this site:

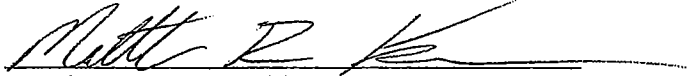
- The groundwater well noted at the site should be properly abandoned if it will no longer be used.


The preliminary jurisdictional waters assessment identified one potential wetland area in the agricultural field, northeast of the house. This wetland appeared to be approximately one-tenth of an acre in size. If impacts to the wetland are proposed, permitting may be required. Impacting jurisdictional waters will initiate Section 106 of the Historic Preservation Act, and the Endangered Species Act, requiring an archaeological literature review and endangered species surveys. GCI recommends a delineation to accurately define the presence, location, and size of wetlands on the site.

GCI appreciates the opportunity to serve you on this project. Please contact our office if you have any questions or need additional services.

## **7.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS**

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*Prepared by:*   
Matthew R. Kaminski  
Project Manager

*Reviewed by:*   
Bruce A. Savage, CPG  
Vice President - Environmental Services

## **8.0 QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS PARTICIPATING IN THE PHASE I ENVIRONMENTAL ASSESSMENT**

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The following pages provide resumes of the environmental professionals participating in the development of this Phase I ESA report.



Matthew R. Kaminski

▪ **Education:**

2003 BA Environmental Geography, Ohio University

▪ **Experience & Qualifications:**

Since joining GCI in 2005 Mr. Kaminski has participated in several environmental site assessments, performing historical research, review of geological records, and training in site investigations.

Experience includes project management, compliance testing for petroleum companies, supervision of secondary containment testing throughout Midwest. Mr. Kaminski also worked at the Ohio Division of Wildlife as a research assistant tracking wildlife using radio telemetry tracking equipment and banding.

▪ **Selected Projects**

- Phase I Environmental Site Assessment Proposed Car Wash, Morse Road, Columbus, OH
- Phase I Environmental Site Assessment Proposed Multi-Family Development Property, Proprietors Road, Worthington, Franklin County, Ohio
- Phase I Environmental Site Assessment and Preliminary Wetland and Stream Assessment Proposed Worthington Woods Chapel, Columbus, Franklin County, Ohio
- Phase I Environmental Site Assessment and Preliminary Wetland and Stream Assessment 7+ Acre Proposed Office/Warehouse Property, Delaware, Delaware County, Ohio
- Phase I Environmental Site Assessment Lake Boulevard Site, 3.4± Acres, Marion Township, Marion County, Ohio
- Phase I Environmental Site Assessment Shell Station, Bexley, Franklin County, Ohio
- Phase I Environmental Site Assessment and Preliminary Wetland and Stream Assessment Proposed 29± Acre Residential Property, Westerville, Delaware County, Ohio



**Bruce A. Savage, CPG**  
**Vice President, Director**  
**Environmental Services**

▪ **Education:**

- 1983 BS Geology & Mineralogy, The Ohio State University
- 1985 MS Geology, University of Cincinnati

▪ **Active Registration & Certification:**

- 2003 Ohio EPA VOLUNTARY ACTION PROGRAM (VAP) Certified Professional (CP265)
- 2001 Certified Professional Geologist CPG-10605
- 1991 OSHA 40-Hr. Hazardous Waste Operations
- 1990 Ohio Certified Asbestos Hazard Evaluation Specialist No. 31122

Bruce Savage is qualified as an Environmental Professional as defined in the proposed federal All Appropriate Inquiry legislation.

▪ **Experience & Qualifications:**

Experience includes geoenvironmental project management including subsurface investigations, site characterization, Phase I and II environmental site assessments (ESAs), asbestos investigations, groundwater investigations, soil and groundwater remediation and geologic consultation. **Mr. Savage has successfully completed two VAP investigations that resulted in both property owners receiving a Covenant-Not-to-Sue (CNS) from Ohio EPA.**

With more than 15 years experience as a professional geologist Mr. Savage's project experience includes conversion of former industrial properties to new commercial and residential uses; wastewater facility site characterization; underground storage tank (UST) removals; contaminated soil and groundwater plume investigation. These projects utilized a variety of investigative/remedial techniques, ranging from soil borings to groundwater monitoring wells, soil gas sampling, soil/sediment/surface water sampling, groundwater treatment with Oxygen Releasing Compound (ORC®) and bio-enhancing microbes, Soil Vapor Extraction (SVE), excavation and disposal of contaminated soils.

Mr. Savage has performed, overseen or served as technical reviewer of numerous Phase I Environmental Site Assessments (ESAs) of commercial, industrial, agricultural and residential properties. Mr. Savage has been a licensed asbestos inspector since 1989. Since joining GCI in 1989, Mr. Savage has been responsible for supervising and conducting geoenvironmental studies for projects throughout the Midwest, New England, the Southeast and several Western U.S. sites. He is also responsible for the overall supervision of geoscience staff, as well as in-house technical reviews.

Mr. Savage has been active with ASFE – Professional Firms Practicing in the Geosciences, ASTM and SMPS.

▪ **Selected Projects**

- VAP Phase I & II Property Assessments, and Property Specific Risk Assessment of a former dry cleaner, Graceland Shopping Center, Columbus, Ohio. Covenant-Not-to-Sue (CNS) issued May 4, 2004.
- VAP Phase I & II Property Assessments, and Property Specific Risk Assessment of Former CSX Property, Powell, Ohio. Covenant-Not-to-Sue (CNS) issued March 1, 2005.  
Multiple Underground Storage Tank Investigations
- Risk assessment associated with multiple residential, commercial and industrial properties.