



Berkshire Township Zoning Commission Meeting December 1, 2022 Minutes

Call to Order: Chairman Jon Kerr called the meeting to order at 7:00 p.m.

Determination of a Quorum/Roll Call: Members present were Jon Kerr, Damita Peery, Austin Slattery, Matt Allen and Phil Pifer. Also present were Zoning Inspector David Weade, Township Administrator Kevin Vaughn, and Meeting Secretary Chris Sharlike.

Motion to approve the minutes: A motion to approve the October 6, 2022 minutes with corrections inserted was made by Jon Kerr and seconded by Austin Slattery. The motion was approved 5-0.

Next Zoning Commission Meeting: January 5, 2023, at 7:00 p.m. at the Berkshire Township Hall, 1454 Rome Corners Road, Galena Ohio.

Announcements: Chairman Kerr explained that any business not completed by 9:30 p.m. would be either continued to the January 5 meeting or tabled for a future meeting.

New Business:

Rezone to Planned Mixed Use Development (PMUD)

Application #22-209 presented by Vision Development, Inc. – rezoning of 26.4 acres from Agricultural District (A-1) to Planned Mixed Use Development (PMUD) Article 16

- Zoning Inspector David Weade explained that the applicant has asked for the PMUD overlay on their application, and pointed out that the applicant has permission from the landowner to seek the zoning change. The application was sent to Regional Planning, who reviewed it, the neighbors were notified, and the application is posted on the Berkshire Township website.
- Pete LaRose from Vision Development introduced a plan to construct 306 apartments on the southeast corner of South Wilson Road and Rider Road. Mr. LaRose stated that Vision Development is a vertically integrated firm, meaning that they acquire, develop, build and manage all of their communities, allowing for quality control in both the short

and long term of the project. They believe this site is a perfect location for a Vision Community.

- Ryan Young, Landscape Architect from POD Design, gave a presentation of the plan. He detailed the features of the site and the proposed layout. Mr. Young stressed the desire of the developers to maintain and protect the wetland and wooded areas as much as possible.
 - Development is focused on the east side and west side of the site, with the naturalized area in the middle.
 - The proposal included a boulevard style entry, which will feature enhanced landscaping and signage.
 - Amenities include a clubhouse, a resort style pool, and indoor/outdoor fitness area, and additional amenities such as an outdoor kitchen, outdoor fire feature and lounge style seating.
 - As much of the existing wetland and naturalized area as possible will be preserved, just providing the necessary infrastructure to get through the area and leaving the rest untouched.
 - Courtyard area will feature a volleyball court and additional outdoor seating as well as a dog park space.
 - Retention ponds shall be wet with aeration devices.
 - The plan is comprised 306 apartments, with 7 unique building types. Additional buildings include a clubhouse and fitness gym.
 - All buildings meet code as far as architectural variability and materials.
 - Project meets all code requirements and follows the recommendations of the Comprehensive Plan. No divergences are requested.
- The Board asked about other locations where the applicant has completed projects. Scott Morgan from Vision Development listed The District at Linworth, The District and The Point in Hilliard, The Mirada in Columbus and The Bend in Westerville.
- In response to a request for clarification, new drawings and exhibits were handed out. Applicant stated that in addition to clarification, the packet contains a new sheet that shows the new temporary fire access after consultation with the fire department.
- A Board member pointed out that a break was needed in one of the parking areas as no greater than 12 spaces in a row are allowed per article 16, but there are 17 spaces in front of building 7. Applicant indicated that they would make the changes necessary to meet the code requirements.
- Members from the Board asked about architectural features and if the applicant would be open to use additional features to break up some of the siding, particularly on the longer buildings. Board also suggested that even though the plan meets the minimum code, the applicant may want to consider adding stone and other natural materials to

enhance the project. Applicant stated the plan includes the use of hardy planks or LP Smart Side and EIFS, but they would be open to considering incorporating more natural materials.

- In response to the Board's observation that there was no final approval from the BST & G Fire Department, the applicant provided an additional approval letter from BST & G regarding the turning radius.
- The meeting was opened for Public Participation
 - Ellen Ebe of Holly Woods Drive asked which school district would serve the development, if developers had met with anyone from the district, and how many children were expected in the development. She also asked the size of the apartments.
 - Applicant responded that the development is in the Big Walnut School District and that they would be meeting with the Superintendent on December 12, 2022. By their estimates, 5% of units derive a student, making the total 15-16 students. One-bedroom apartments range from 700 – 780 square feet; Two-bedroom apartments range from 900-1100 square feet, and 3-bedroom apartments range from 1300 – 1900 square feet.
- Board members expressed surprise at the estimate of number of possible students. Applicant pointed out that many people are working from home post-covid and may use additional bedrooms for office space rather than children. When asked, applicants state there is no designated office space incorporated into the floor plans.
- As a clarification, applicant confirmed majority of interior sidewalks would be 6 feet wide. There will be a 10-foot-wide bike path going east along the north side of Rider Road and a 5 foot sidewalk will be installed on the south side of Rider Road.
- The applicant asked for a continuance to the January 5 meeting, which will allow time for the Board to study new materials and the applicant to follow up on some of the questions and suggestions from the Board. New materials from applicant must be received no later than December 19, 2022 in order to be considered at the January 5, 2023 meeting.
 - Damita Peery made a motion to continue application #22-209 to the January 5, 2023 meeting at 7pm. Any additional materials to be received from applicant by December 19, 2022. Motion was seconded by Matt Allen and was approved 5-0.

Application #22-192 presented by Vinita Patel – rezoning of 3.3 acres from Planned Commercial Development (PCD) to Planned Mixed Use Development (PMUD)

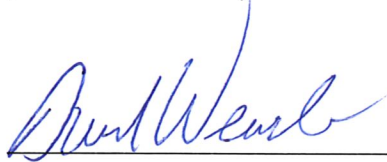
- Chris Tebbe with Tebbe Civil Engineering explained that the original application involved a lot split, which has been removed, and handed out hard copies of updated documents to the Board.

- Inspector Weade stated that his report was done on the original application, and that the Regional Planning Commission report that was done for the original application does not apply. He suggested addressing the requested divergences before any additional discussion.
- Chairman Kerr explained the importance of having a cohesive set of documents to review and the value of a report from the Regional Planning Commission as a resource in the Board's decision-making process. PMUD divergences are significant and should be rare.
- Applicant addressed the request for the following divergences:
 - Rear yard setback from 25 feet to 22.5 feet. The plan is constrained by the other hotel on the same site. Projections from the proposed building would be 2.5 feet over allowed setback.
 - Applicant stated that the divergence on parking spaces should be removed, due to a shared parking agreement with the other hotels, and actually provides 10 parking spaces over code.
 - Lot coverage is 77.2%. Code requirement is no more than 70% lot coverage. In order to fit the building and parking into the available space, the applicant requests a divergence.
 - Inspector Weade pointed out that code specifies a minimum 10 feet wide and 500 square feet for open spaces. The plan does not seem to include that.
 - Chairman Kerr would like to see dimensions of the greenspace areas in order to calculate lot coverage and open space.
 - Chairman Kerr confirmed that applicant has included both lot coverage and open space in this divergence.
- Applicant explained that the frontage of the property is 50 feet, but current code specifies a minimum of 52 feet.
 - Chairman Kerr added that this would be an additional divergence.
- A Board member pointed out there were several references to Candlewood Suites in documentation and approval letters. Applicant said those references were left from a previous plan.
- Board members expressed that the submitted documentation was a challenge to review, and that they need an organized and clear set of documents in order to be able to make a decision and vote on the application.
- A Board member asked if this hotel was amenable for this space since it seems to be a struggle to get it to work. Applicant explained that the hotels have set footprints.
- The Board suggested getting a new set of corrected documents with open spaces more clearly delineated and calculations shown, and having Regional Planning review the new

plan. It is up to the Board to decide how to proceed. Inspector Weade suggested that to be fair to the applicant, the Board might want to give an opinion on the divergences.

- Board asked if the size of the hotel could be reduced. Gary Patel, Applicant/Developer, stated that the Marriott does not have a smaller version of this hotel. He is focused on this segment (Extended Stay) rather than the number of the rooms because it is the most profitable. If he were to modify the footprint of the hotel, he would need to weigh his investment to see if it would be feasible.
- Applicant had asked about using pervious pavement to reduce the percentage of lot coverage. Inspector Weade read that the code states that the area must be paved with asphalt or concrete.
- Consensus among Board members was that they were not in favor of granting a divergence for 77.2% lot coverage and were also concerned about the lack of open space. Additional concerns were voiced about the impact of approving this divergence on future development requests.
- Applicant was asked if they would prefer the Board vote, continue or table the application. Applicant elected to table the application.
 - Jon Kerr moved to table application #22-192 to a future date. Matt Allen seconded and the motion passed 5-0.

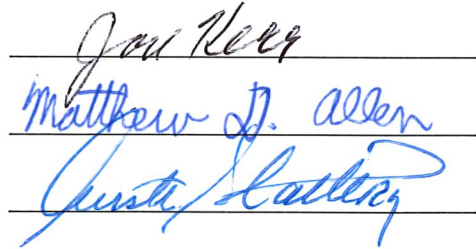
Adjournment: Motion to adjourn made by Damita Peery at 9:30 p.m.; seconded by Phil Pifer. Motion passed unanimously.



Zoning Inspector



Meeting Secretary



Date 04/06/2023

Zoning Commission Members