



Berkshire Township Zoning Commission Meeting
July 7, 2022

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, Andy Kerr and Matt Allen. Also present were Zoning Inspector David Weade, Township Administrator Kevin Vaughn, Court Reporter and Meeting Secretary Chris Sharlike.

Motion to approve the minutes: A motion to approve the June 9, 2022 minutes was made by Damita Peery and seconded by Austin Slattery. The motion was approved 4-0 with Andy Kerr abstaining.

Announcements:

- Chairman Kerr announced that if business was not completed by 9:30 p.m., it would be continued to the August 4, 2022 meeting at 7:00 p.m. at the Berkshire Township Hall, 1454 Rome Corners Road, Galena Ohio.

New Business:

- **DC Building Company, Application #22-120 Amendment to the final development plan**
 - Representatives from DC Building Company were sworn in by the court reporter
 - Joe Miller, 52 E Gay Street, Columbus presented a request for a minor amendment to the final development plan for Northstar Apartments, which was approved last year
 - The only modification requested is to change the roof from a flat roof to a pitched roof due to the inability to source the flat roof.
 - Questions from the Board were regarding the height of the roof, and if it would exceed the maximum 45 feet allowed. Applicant did not have documentation of the exact height but assured the Board that the new roof would be code compliant.
 - Austin Slattery made a motion to approve the amendment to application #22-120 as submitted, subject to the roof not exceeding the code height of 45 feet and the stipulation that drawings be submitted showing the true height of the new rooftop. Matt Allen seconded, and the motion passed 5-0.
- **Rezone to planned mixed use development (PMUD) – Application #22-130 Champion Companies**
 - Representatives of the applicant were sworn in by the court reporter

- Gary Smith, with G2 Planning and Design, 720 E Broad Street Columbus, representing the applicant stated that they are looking at a piece of property and trying to incorporate it into the planned mixed used development (PMUD). The District at Berkshire would be located at the far south end of Wilson Road, directly across from Tanger Outlet mall.
- Site is mostly open with a stream, some power lines and easements. It falls within the southeast quadrant of the planned mixed use development map (section 3A). Higher density residential uses are permitted to provide the area with housing for individuals who will work at companies
- and businesses that locate in and around the area. The township density cap in that area of the PMUD is 700 dwelling units in the combined area of the northeast and southeast quadrant. This application is for a total of 300 dwelling units, a density of 12 units per acre, leaving an additional 400 units available in that quadrant.
- Applicant plans to build the extension of Mall Road from Wilson Road to the entrance of the apartments and granting easements to the east property line for future road improvements. The main access point will be on the north side of the project on the extension of Mall Road, and a second, temporary emergency access will be located to the south. Once the future east/west connector is constructed south of the property, there will be a permanent access point on the new road and the temporary access road will be removed.
- Clubhouse will be on the northwest corner of the property along with the sign. Amenities will include a pool and a dog park. There is an extensive amount of landscaping and buffering. The applicant stated they will follow the zoning code requirements. The complex will offer 1- and 2-bedroom apartments with garages available for rent. A mail building will be incorporated near the clubhouse.
- Michael Mastros, New Avenue Architects and Engineers, spoke about the architecture. The buildings are three story breezeway structures in a modern farmhouse style. Colors are mainly grayscale and white painted brick with black accents. Garage buildings are 6 or 12 garages, with a possible maintenance garage within one of the 12 garage buildings.
- Chairman Kerr asked for clarification about differences between what was included in the presentation and what was submitted for review. Mr. Mastros explained that a note about vinyl siding on exhibit SD 5.2 had been removed since no vinyl siding will be used in the project, and a clarification on exhibit SD 5.1 to label the maintenance garage and indicate that the maintenance garage and restroom would be in one building only.
- Zoning Inspector Dave Weade summarized the Regional Planning review of the project, which he received right before the meeting. Regional Planning points out that the county requires a road all the way through the property, but with the easement granted for a future right of way, that requirement has probably been satisfied. Regional Planning also wonders why there aren't two accesses, but applicant has explained the second temporary access and eventual second access. Suggestions from the Regional Planning Commission included consulting Delaware County Soil and Water regarding the landscaping and adding a connecting sidewalk between buildings 1 & 2 to Wilson Road. They suggested starting the 10-foot bicycle path on Mall Road between Wilson Road and the entrance to the project. The Regional Planning commission also pointed out that the stream buffer is not outlined on drawings. Zoning Inspector Weade stated that it is required to be 25 feet, but drawings show it to be more than 25 feet.
- Chairman Kerr opened questions from the Board. Some minor corrections to documents were requested, as well as adding islands to break up parking in order to comply with code. The Board

also requested some architectural break-up of the long single-sided garages. Questions were asked about the open space and amenities, and the size of the parking spaces was confirmed.

- Dave Hatcher, Chief Construction Officer Champion Company, 9711 Westview, Powell, went over the construction plan. Construction would begin at the northwest corner with the clubhouse, continuing with all the exterior buildings first, followed by the interior buildings. The Board suggests a construction entrance since families will be living on the site while construction is ongoing.
- Chairman Kerr read the letter that was submitted from BST & G approving the Fire Truck Turn exhibit.
- Chairman Kerr opened the meeting for public participation. There were no questions or comments.
- In response to questions from the Board, Mark Mann, Traffic Engineer, Advanced Civil Design 8910 Sedona Court, Lewis Center stated that a traffic study had not been completed. They are waiting for data from MORPC and expect to get it soon. Administrator Kevin Vaughn explained that this is a unique situation as there are ongoing negotiations between the Delaware County administration, legal and engineers, Berkshire Township, and Sunbury regarding the future Sunbury Parkway traffic. Kevin does not believe these negotiations should hinder the application. The application includes multiple communications starting in March with the county to satisfy their requirements.
- Tom Warner, Advanced Civil Design, 781 Science Blvd., Gahanna, spoke about the excess dirt. The soil will be removed from the retention pond site and used to balance the property. The pond is approximately 50 feet from the edge of the stream, so it should not cause any negative environmental impact.
- After further discussion, the Board made the following recommended changes
 - The path north of the pool be widened to a 10-foot multiuse path to match the pathway connection that will extend further to the east
 - Create breakages in parking areas that do not meet code by adding or reconfiguring islands. This may reduce the number of parking spaces, but they will not fall below the number required by code
 - Add architectural features to the back of the longer garage buildings
 - Submit the traffic study
 - Sign the parcel description
 - Correct the letter from the Delaware County Sheriff to Berkshire Township
- Andy Kerr made a motion to approve Application #22-130 with the stipulation that changes be made to the application to reflect the widening of the multiuse path on Mall Road, the addition of breaks to the parking areas, the correction to the letter from the Delaware County Sheriff, and the addition of architectural features to the garages, and that those changes would be submitted by July 22, 2022. Damita Peery seconded the motion was approved 5-0. Zoning Inspector Weade explained that the approval allows the applicant to move forward immediately; there is no referendum or approval from the Board of Trustees needed.
- **Adjournment:** Motion to adjourn made by Jon Kerr and seconded by Austin Slattery. Motion passed 5-0.

Mark West

Zoning Inspector

Chris Shullike

Meeting Secretary

Date 8/15/22

Jon Keen

Matthew J. Allen

Justin Stalling

Danita Perry mcp. ex

Kent Keen

Zoning Commission Members