



**Berkshire Township Zoning Commission
Regular Meeting Minutes
September 7, 2023**

Call to Order: Chairman Damita Peery 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, Philip Pifer and Matt Allen. Also present were Zoning Inspector David Weade, Township Administrator Tyler Lane and Meeting Secretary Donielle Owen.

Motion to approve the minutes:

A motion to approve the July 6, 2023, Meeting Minutes was made by Jon Kerr and seconded by Austin Slattery. The motion was approved 5-0.

Chairman, Damita Peery announced the following Statement of Policy:

Statement of Policy

As is adopted policy of the Berkshire Township Zoning Commission, all applicants will be granted an opportunity to make their formal presentation. Following the applicant's presentation preliminary questions or points of clarification from the commission will be allowed. The audience will then be granted an opportunity to comment. Each individual will be granted three minutes. We ask that you be brief and to the point. The Chairperson may limit repetitive comments and close public comments after a reasonable time. The commission will ask questions and take action if needed.

The purpose of this policy is to provide orderly discussion of business scheduled for consideration.

Announcements:

Next Zoning Commission Meeting: October 5th, 2023, at 7:00pm at the Berkshire Township Hall located at 1454 Rome Corners Road, Galena, OH.

New Business

Application #23-117 Metro Development-Carlton Apartments Final Development Plan Under Article 16 Planned Mixed-Use Development.

David Weade stated all advertising was completed and two letters that were mailed were received back from Burger King Group and Pilot Centers as undeliverable. David Weade also stated that he previously emailed the members of the Zoning Board the Regional Planning Report.

Joe Thomas-Metro Development-470 Olde Worthington Road, Suite 100, Westerville, OH 43082

Joe Thomas stated the name of the development is now Carlton at Berkshire and Metro Development was founded by Don Kenney in 1968. Metro Development currently has over 60,000 multifamily units to date, and they are currently working in multiple counties and townships. Metro Development is a two-time winner of BIA Developer of the year, and they are working with the Igo family as the developer of this site.

Joe Thomas stated the development will start next year with an estimated completion date of 2025. The site is located at the corner of Wilson and Rider Road extending Rider Road to the East to the property line. To the north of the site is agriculture and Route 36/37 and to the south is Tanger Outlet vacant ground (agriculture) and future District at Berkshire by Champion (Champion is extending the sewer down Wilson Road). To the east of the site is agriculture.

Community Facts:

13 Residential buildings with 312 units located on 26.4 acres with amenities including a Community Center, Pool, Community Gardens, Walking Paths. An Amazon Locker system will also be installed. The clubhouse is roughly 4,500 square feet.

This will be a three-story building and the overall height is 40 feet with an exterior having a mixture of stone, siding and brick. There will be one-, two- and three-bedroom units with stainless steel appliances, granite counter tops and bronze brushed fixtures. The one-bedroom unit is 700 square feet, the two-bedroom unit is 975 square feet, and the three-bedroom unit is 1,245 square feet. There are 9' ceilings, oversized walk-in closets, private patios/balconies, wood plank flooring throughout the living area and carpeting in the bedrooms.

There is a large area of woods that will be kept/preserved, and they will maintain the existing wetlands.

Jon Kerr asked David Weade what the land is zoned currently; David Weade confirmed that the land is currently zoned agriculture, and the Zoning Commission has the final approval of the project-it does not go to the Trustees.

Jon Kerr stated the application sheet shows the current zoning is PMUD and it's actually zoned A1. David Weade confirmed that is correct as Metro is asking to utilize the PMUD option.

Damita Peery requested the estimated start to finish plan and if it will be done in phases. Joe Thomas stated they will complete everything all at once and not in phases with an estimated two years for the construction completion.

Damita Peery asked if there has been any discussion with the school districts regarding the impact that the development will bring with additional children. Joe Thomas stated that they are meeting with the school superintendent next week to discuss further.

Matt Kerr ^{Allen} stated that on the Exhibit C4 permits no more than 12 parking spots in a row and there are issues with the proposed parking spot areas:

- Directly in front of Building 4 there is a section with 13 spaces and a section that has 14 spaces
- Southeast Corner of Building 3 there is a section with 18 spaces
- Building 12 has 14 spaces
- West side of Building 11 has 13 spaces

Joe Thomas stated that this will be corrected, and the spaces will be reallocated.

Austin Slattery asked for confirmation that the building will take an estimated two years and would like to know where they plan on starting the construction. Joe Thomas stated it will take two years of construction and then 1 year of leasing the property. Joe Thomas stated that they will start at the Clubhouse and then the buildings immediately surrounding the Clubhouse working to the back of the community.

Austin Slattery stated that in the signage section there's a sample of a "Construction Entrance Sign" where will that be? Joe Thomas stated that it is typically the Fire Lane entrance, and they will meet with the Engineers Office to discuss and approve. Austin Slattery stated he is more concerned about children and pedestrians and their safety during construction traffic. Joe Thomas stated they will need to adhere to the County Engineers office as to where the entrance will be, and they will work diligently to keep everyone safe on the site.

Austin Slattery stated that the architecture looks good, but there are garages that are blank with no real features and would look more pleasing with more architecture such as fake windows and shutters. Joe Thomas stated that he understands and will add more architectural features.

Jon Kerr requested clarification for Garage 3 Front Elevation – should that read side elevation. Joe Thomas stated that it should be front and rear elevation side view.

Austin Slattery stated that Page 22 of the proposal, Item O, Stormwater Basins states there are three basins but the map shows two. The verbiage must be correct and should state that there are two. Sarah Sanders from Farris Planning and Design stated that there were originally three and they combined two of the basins to make one – totaling two basins.

Austin Slattery requested confirmation of when the permanent signs will be in place. Joe Thomas stated it will go in before the occupancy of the clubhouse.

Austin Slattery requested confirmation from David Weade on the current policy on temporary signs. David Weade confirmed that temporary signs are restricted to how long and how many and this can be worked out later and does not need to be approved with this application. David Weade confirmed they will need to pull a permit for temporary signage.

Austin Slattery requested confirmation if there will be dual lanes at the main entrance. Joe Thomas stated there will be single lane entry and exit and this is typically addressed with the Delaware County Engineers Office. Austin Slattery stated that he would like to plan ahead and not depend only on traffic study information.

Austin Slattery requested in Section 5, regarding the adequate drainage for the ponds will the ponds keep the outflow off of the site. Joe Thomas stated all the ponds must maintain the outflow. Austin Slattery requested confirmation of obtaining easements.

James Coltier from ET Farris located at 2130 Cory Trails Dr., Columbus; stated this is a generic comment received from Delaware County requiring easements over the drainage to offset through the site.

David Weade confirmed that their required storm water management is part of their agreement with Delaware County, and they leave the door open for any easements that may want to have.

Damita Peery requested how they calculated the number of children for the school district. Joe Thomas stated that the school districts use Cooperative Strategies for a student potential analysis report/study. Austin Slattery requested the updated date for that study. Joe Thomas stated that it was updated in 2022 and he will email a copy to the Zoning Board.

Steve Kuckler, Sandusky Street, Delaware, OH stated that Olentangy school districts and Central Ohio schools use the same standard.

Jon Kerr requested confirmation of where the mailbox kiosk will be. Joe Thomas stated they will be in an open-air garage bay with 2% of bays for ADA access.

Jon Kerr requested the number of mature decent trees that will be preserved and maintained. Joe Thomas stated there will be an estimated 80% preserved with oak and maple trees being the main species.

Jon Kerr requested to review the landscape diagrams and stated that there is a disease spreading to spruces and they may need to be replaced in about 22 years. Jon Kerr also stated that he did not see any oaks, hickory or maple trees. The Landscape Designer stated that there are no oaks due to acorns falling on the sidewalks which becomes a safety issue. Jon Kerr stated that the burning bush is classified as evasive however, the Landscape Designer stated that the burning bush species is less evasive and is very sturdy and tolerates pollution very well with good color. Jon Kerr stated that overall, the variety was done very well and requested to please keep as much good as possible to support the ecosystems.

David Weade stated that there are items that need discussed:

- 1: Parking needs re-allocated to not be more than 12 spaces in a row;
- 2: Temporary signs to be pulled separately and removed from the application;
- 3: The ponds need to read two not three.
- 4: The temporary signage needs to be removed from the application.
- 4: The current zoning should read A1-Agriculture not PMUD

Joe Thomas stated that there is additional space to accommodate the parking space adjustments.

Jon Kerr stated there is also a need for architecture to be added to the rear elevation to the garages.

Thomas stated that the amended items will be submitted to Berkshire Township by September 22, 2023.

Austin Slattery made a motion to approve Application 23-117 contingent on the five revisions being made and submitted to Berkshire Township by 5:00pm on September 22nd, 2023:

1. 655 parking spaces reallocated per identified area
2. Temporary signage removed from proposal/application
3. All references to three ponds need to read 2 ponds (not 3)
4. Faux windows on the backside of garages
5. Change the application from PMUD to A1

Jon Kerr seconded. Motion approved 5-0.

Public Participation: NONE

Other Business:

Resolution to initiate changes to the Berkshire Township Zoning Resolution. Code definition discussions.

Motion by the Berkshire Township Zoning Commission to initiate a proposed amendment to the Berkshire Township Zoning Resolution.

Motion made by Damita Peery and seconded by Jon Kerr to initiate for consideration, pursuant to Ohio Revised Code Section 519.12, a proposed amendment to the Berkshire Township Zoning Resolution which would, if adopted include changes to the following sections:

Article 4 definitions including but not limited to accessory use (structure). Articles 11, 16, and 17 with regards to setbacks, and any other additional proposed amendments.

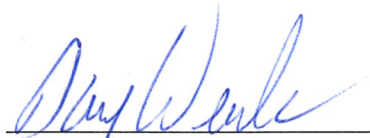
All such proposed revisions are reflected in the zoning amendment text have a cover page entitled Berkshire Township Zoning Amendment Case Number 23-131, dated September 7th, 2023 (a copy of which shall be appended to the minutes of this meeting).

Furthermore and as part of this motion, the Berkshire Township Zoning Commission hereby directs that a public hearing on the proposed amendment be held on October, 5th, 2023 at 7:00pm at the Berkshire Town Hall located at 1453 Rome Corners Road, Galena, OH 43021, and further authorizes and directs the zoning inspector to transmit this proposed amendment available for public examination and to give notice for the public hearing by publication, all in accordance with applicable law.


Motion approved 5-0.

Regional Planning Commission Updates: NONE

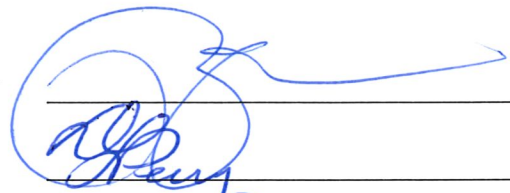
Adjournment: Motion to adjourn made by Damita Peery at 8:06 p.m.; Seconded by Jon Kerr. Motion passed unanimously 5-0.

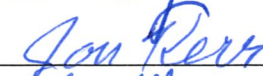



Zoning Inspector



Meeting Secretary







Date 10-5-23

Zoning Commission Members