

16.06.C.25. - The plan or mechanism to provide for the perpetual maintenance of all landscaping, buffers and shared parking areas by the ultimate owner and/or user. We plan to maintain all landscaping and buffers (we don't have shared parking) through ongoing landscaping contracts that will be funded by ongoing operations at the apartment buildings. Currently we have budgeted \$50,000 per year for landscaping that will include mowing lawns, trimming shrubs, trimming trees, snow removal, mulching, and lawn fertilization. We also have budgeted \$50,000 for ongoing property repairs that would include any damage to landscaping. In addition to this, we have budgeted \$300 per unit per year replacement reserves that will be set aside for unforeseen repairs to the property. This equates to over \$190,000 a year that could go towards ongoing maintenance of landscaping, buffers and parking areas. We are a long-term owner/operator of multifamily apartment communities and we plan to own this property for at least 15 years, though we have owned some of our properties for 50+ years. We are excited to become a long-term member of the Berkshire Community and will maintain the property as such. We have estimated a 3% increase for the 15+ years we intend to own this property.

The following is a listing of all properties owned and managed by Wallick Communities:

<u>#</u>	<u>Property</u>	<u>Location</u>		<u>Year</u>	<u>Year</u>
	<u>Name</u>	<u>(City/State)</u>	<u>Units</u>	<u>Built</u>	<u>Acquired</u>
303	Marion Village	Marion, OH	50	1981	1981
305	Miamisburg Manor	Miamisburg, OH	50	1981	1981
308	Roosevelt Manor	Piqua, OH	30	1981	1981
314	White Birch Apartments	Milwaukee, WI	356	1972	2017
315	Greentree Village	Cincinnati, OH	50	1980	1980
319	Maplewood Commons	Fond du Lac, WI	82	1972	2018
322	Rivermont Apartments	Montgomery, WV	47	1970	2017
327	Plaza Apartments	Canton, OH	41	1982	2019
332	McPherson Woods	Mansfield, OH	50	2000	2017
335	Sahara Apartments	Canton, OH	40	?	2019
338	Oakleaf Columbus	Columbus, OH	121	1985	1985
341	Rock View Apartments	Jefferson, WI	20	1972	2018
344	Greenwood Commons	New Lebanon, OH	40	1987	1987
346	Knolls II	Dayton, OH	72	1986	1986
348	Oakleaf Toledo	Toledo, OH	145	1987	1987
355	Brower Commons	Lima, OH	90	1998	2011
357	Nativity Homes	Lorain, OH	18	2006	2006
360	Village South Apts	Eaton, OH	48	1972	2015
364	Sturbridge Green	Hilliard, OH	50	1981	2014
365	Fostoria Townhomes	Fostoria, OH	40	1981	2015
366	Cambridge Village	Cambridge, OH	60	1979	1979

369	Ashland Village	Ashland, OH	45	1978	2015
371	Falcon Woods	Holland, MI	144	1997	2014
372	Newark Village	Newark, OH	46	2013	2013
374	Faith Village Apartments	Columbus, OH	144	1996	2014
375	Meadows	Marysville, OH	102	1996	2014
377	Eminence Village Apartments	Eminence, KY	54	1979	2013
378	Eco Village	Fostoria, OH	70	1978	1978
379	Lawrence Village	South Point, OH	70	1979	2012
381	Lawrenceburg Village	Lawrenceburg, IN	75	1979	2013
382	Sunnyview Square	Delaware, OH	30	1982	2012
385	Englewood Village	Englewood, OH	40	1979	1979
387	Princeton Village	West Milton, OH	40	1979	1979
388	Urbana Village	Urbana, OH	45	1977	1977
391	Washington C.H. II	Washington C.H. OH	45	1977	2011
392	The Grove at Toledo	Toledo, OH	40	2015	2015
397	Mechanicsburg Village	Mechanicsburg, OH	50	1977	1977
398	Woodside Village	Middletown, KY	158	1979	1979
406	Garden View Acres	Toledo, OH	90	2002	2002
408	Carrollton Village	Carrollton, KY	80	1979	2011
409	Chatham Crossing	Chatham, IL	60	2003	2003
410	Park Woods Apartments	Muskegon, MI	100	1979	2016
411	Rushville Apts	Rushville, IN	48	1976	2010
413	Kenton Village	Kenton, OH	35	1976	2015
415	Skybird Manor	Greensburg, IN	60	1977	2010
416	Georgetown Apartments	Delaware, OH	50	1977	2016
417	Burnett Manor	Rockville, IN	60	1977	2009
418	Castle Village	Brodhead, KY	70	1983	2011
422	Lawrence Manor	South Point, OH	60	1981	2016
425	Cypress Commons	Middletown, OH	44	1983	1983
426	Glenwood Village	Findlay, OH	76	1994	2011
433	Sun Valley	Anderson, IN	80	2004	2017
434	Brownstone Apartments	Indianapolis, IN	90	1920	2017
435	Batavia Village	Batavia, OH	50	1980	2017
439	Riverside Commons I	Dayton, OH	80	1998	2011
447	Avon View	Cincinnati, OH	50	2000	2011
448	Pine Crossing	Decatur, IN	68	2000	2011
460	Griggs Village	Columbus, OH	44	1970	2005

465	Bedford Village	Bedford, KY	40		1982	2017	
467	Annunciation Terrace	Akron, OH	50		1998	1999	
469	Riverside Commons II	Dayton, OH	40		1999	2011	
470	West Lafayette	West Lafayette, OH	40		1999	2011	
471	Cambridge Commons	Cambridge, OH	40		1999	2011	
473	Highland Village I	Upper Sandusky, OH	60		1997	2011	
474	Highland Village II	Upper Sandusky, OH	30		1998	2011	
475	Berwick Apts	Cambridge, OH	52		1893	2010	
477	Chase Crossing	Logansport, IN	64		1998	2011	
493	Almond Village	Dayton, OH	60		1988	2010	
496	Hidden Ridge	Delaware, OH	60		1997	2011	
497	Swan Cove	Toledo, OH	76		2001	2011	
501	Beckley Townhomes	Columbus, OH	50		1981	2003	
502	Delaware Village	Delaware, OH	40		1981	2003	
503	Greenville Village	Covington, OH	35		1982	2003	
504	Mountaingate Apts	Dayton, OH	40		1982	2003	
505	Southland Village	Miamisburg, OH	50		1981	2003	
506	Oakdale Apts	Dayton, OH	50		1983	2003	
507	Norton Village	Columbus, OH	50		1981	2003	
508	Pinehurst Apts	Waverly, OH	56		1983	2003	
509	Gwynne Village	Urbana, OH	38		1981	2003	
510	Valleyview Village	Moraine, OH	50		1982	2003	
511	Vandalia Assoc II	Vandalia, OH	35		1981	2003	
512	Vandalia Apts I	Vandalia, OH	76		1979	2003	
513	West Alex	West Alexandria, OH	30		1982	2003	
530	Parkview Estates	Peoria, IL		Abhash Verma	231	1985	2014
531	Reservoir Estates	Peoria, IL		Abhash Verma	97	1985	2014
532	Hurlburt House	Peoria, IL		Abhash Verma	75	1985	2014
533	Schlarman House	Peoria, IL		Abhash Verma	75	1985	2014
534	TM Wallick			Abhash Verma	478	1985	2014
590	POMF			Abhash Verma			
593	The Wilds Holdings			Abhash Verma	292	1980	2016
594	Franklin Cove Apartments	Franklin, IN		Abhash Verma	108	1980	2016
595	French Lick Apartments	French Lick, IN		Abhash Verma	36	1979	2016
596	Linton Apartments	Linton, IN		Abhash Verma	36	1980	2016
597	Mitchell Apartments	Mitchell, IN		Abhash Verma	56	1979	2016

598	Orleans Garden Apartments	Orleans, IN	Abhash Verma	20	1980	2016
599	Paoli Garden Apartments	Paoli, IN	Abhash Verma	36	1980	2016
880	Haddon Hall Apartments	Cincinnati, OH	Valerie Howes	114	1907	2012
881	St. Aloysius / St. Clair	Covington, KY	Valerie Howes	48	1909	2012
882	Maysville High School Apts	Maysville, KY	Valerie Howes	29	1910	2013
883	Fair Park	Sardina, OH	Valerie Howes	40	1982	2013
884	Taylor Ridge	Independence, KY	Valerie Howes	99	1981	2014
885	Cutter Apartments	Cincinnati, OH	Valerie Howes	40	1875	2015
886	Echo Hill	Vanceburg, KY	Valerie Howes	40	1986	2016
887	Locust Ridge Apartments	Dry Ridge, KY	Valerie Howes	72	1980	2017
888	High Point Apartments	Ludlow, KY	Valerie Howes	44	1980	2017
890	Brooksville Green	Brooksville, KY	Valerie Howes	16	1989	2018
9100	Granada Villa	Belton, MO	Abhash Verma	42	1979	2016
9200	Wapello Woods	Ottumwa, IA	Abhash Verma	46	1981	2019
9300	Indian Hills	Hickman, KY	Valerie Howes	40	1977	2019

16.06.C.26. - Projected schedule of site development. We plan on developing the apartment project in one phase. Our development timeline is being driven by the zoning and permitting process of Berkshire Township and Delaware County, so we are planning to close on the land and start construction as soon as we receive the necessary approvals. Based on our expected timelines for this process, we expect to start construction in the 3rd or 4th quarter of 2021. We expect the first residents to move in in approximately 9 months after construction begins. We are planning for construction completion to be around 16 months. Multifamily housing does not have a NAICS code, but we will meet the definition of Multi-Family Dwelling in the Berkshire Zoning Resolution. As part of our platting process, we do expect to keep the southern portion of the land in its current use (farmland). Since the southern portion of our land will abut the new freeway interchange that has not been finalized, Delaware County Engineering has recommended we not finalize the placement of the extension of Fourwinds Drive. For this reason, we do not have any plans for this portion of the land. Once the freeway interchange plans are finalized, we will explore future options for this land and will be sure to provide the necessary plans and approvals at that time.

The review from Jonathan Miller on Nov. 5th 2020 of the Delaware County Regional Planning Commission (RPC) highlights the discussions we've been having with several people at the County. Berkshire Township zoning has been copied on this communication, but for convenience the following excerpt is copied from the Sketch Plan review from RPC.

Are there opportunities for vehicular/pedestrian/open space connections to adjacent lands?

Yes, the property to the south is vacant, though the proposed alignment of Sunbury Parkway and the future interchange is anticipated to be located along this property's southern boundary. This proposal should extend Four Winds Drive to the southern property line.

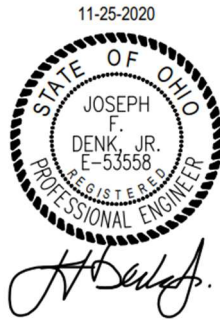
Work with the County Engineer's office on the alignment of Four Winds Drive, and ensure any portions to remain unbuilt will have enough space to accommodate flexibility in roadway alignment.

16.06.C.27 - The ability of the applicant to carry forth this Plan by control of the land and the engineering feasibility of the Plan. Wallick Construction LLC, the project's general contractor, has constructed or renovated over 400 apartment communities over the past 50 years throughout the Midwest. The site plan has been reviewed by Wallick Construction, LLC, and they feel confident that the project can be constructed according to plan, on time, and on budget. Wallick Communities has owned and operated apartment buildings in Ohio and the Midwest for over 50 years. A second-generation company, Wallick's 700 employees have seen 23% annual performance growth and has been named a "Best Places to Work".

16.06.C.28. - Other supplemental information, as may be reasonably required by the Berkshire Township Zoning Commission, in order to determine compliance with this Zoning Resolution. Please feel free to reach out to me with questions or comments via email at brian.coate@dublincapitalgroup.com.

16.06.C.29. - The Development Plan (and the various accompanying plans) shall bear the seal of a registered engineer or surveyor and an architect or landscape architect, each of whom shall be licensed to practice in the State of Ohio.

- a. **The seals of both the architect and engineer are located on the Cover Sheets of Architectural Plans and Engineering Plans and shown below.**



Photometric Engineer:

SEAL:



Landscape Architect:

SEAL:



Civil Engineer:



Surveyor:

16.06.C.30. The applicant may request a divergence from the development standards set forth in this Article 16. An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the Development Plan submittals, with a request that the proposed divergence be approved as part of and as shown on the Development Plan. Unless specifically supplemented by the standards contained in the Development Plan, the development shall comply with the requirements contained in Article 16 and the General Development Standards applicable to all zoning districts, as set forth in the Berkshire Township Zoning Resolution. Based on our review of the existing Berkshire Plans, we do not believe we need any divergences. The cover sheet of the engineering plans also show that there are no divergences needed (clip shown below). We have also included a letter from the architect that there are no divergences needed. This can be found on **page 1 of the Title Sheet.**

ZONING REQUIREMENTS TABLE

ZONING DISTRICT: PLANNED MIXED USE DISTRICT (PMUD)			
QUADRANT: SOUTHWEST			
PID: 41723001023000, 41723001026000, 41723001027000			
EXISTING USE: AGRICULTURAL			
PROPOSED USE: MULTI-FAMILY RESIDENTIAL			
CODE SECTION	STANDARD	REQUIREMENT	PROPOSED
16.08 A	MINIMUM SITE ACREAGE	3	33.90
-	NET ACREAGE	SITE ACREAGE X 0.85	28.82
-	BUILDING AREA (ACRE)	N/S	4.48
16.08 C.1	MAXIMUM NUMBER OF UNITS	300	296
16.08 C.1	DENSITY (UNITS / ACRE)	8 MIN, 12 MAX	10.27
16.08 D.1	STREET FRONTAGE (FT)	55	1131
16.08 D.2	BUILDING SIDE YARD SETBACK (FT)	25	165.10 (N), 152.21 (S)
16.08 D.3	BUILDING REAR YARD SETBACK (FT)	25	34
16.08 D.4	BUILDING RIGHT-OF-WAY SETBACK (FT)	30	50
16.08 E.1	MAXIMUM LOT COVERAGE	80%	47.14%
16.08 E.2	MAXIMUM BUILDING HEIGHT	2 STORIES	2 STORIES
16.08 J.1	MINIMUM PARKING SIZE (FT)	9 X 18	9 X 18
16.08 J.2	PARKING RIGHT-OF-WAY SETBACK (FT)	20	49.42
16.08 J.2	PARKING SIDE YARD SETBACK (FT)	10	87.35 (N), 74.60 (S)
16.08 J.2	PARKING REAR YARD SETBACK (FT)	10	33.92
16.08 J.3	MINIMUM PARKING LOT ISLAND	162 SF, 9' WIDTH	162 SF, 9' WIDTH
16.08 J.6	MINIMUM NUMBER OF PARKING SPACES	2.25 SPACE / DWELLING UNIT 2.25 X 296 = 666 SPACES	679 SPACES
-	MINIMUM NUMBER OF ADA SPACES	2% OF TOTAL 675 * 0.02 = 14	14
16.08 K	MINIMUM OPEN SPACE AREA	30%	44%

N/S NO STANDARD
NO VARIANCES REQUESTED

ZONING REQUIREMENTS TABLE

ZONING DISTRICT: PLANNED MIXED USE DISTRICT (PMUD)			
QUADRANT: SOUTHWEST			
PID: 41723001023000, 41723001026000, 41723001027000			
EXISTING USE: AGRICULTURAL			
PROPOSED USE: MULTI-FAMILY RESIDENTIAL			
CODE SECTION	STANDARD	REQUIREMENT	PROPOSED
16.08 A	MINIMUM SITE ACREAGE	3	36.74
-	NET ACREAGE	SITE ACREAGE -RAW - WETLAND AREA = 36.74 - 2.84 - 0.19 = 33.71	33.71
-	BUILDING AREA (ACRE)	N/S	4.48
16.08 C.1	MAXIMUM NUMBER OF UNITS	300	296
16.08 C.1	DENSITY (UNITS / ACRE)	8 MIN, 12 MAX	8.78
16.08 D.1	STREET FRONTAGE (FT)	55	1131
16.08 D.2	BUILDING SIDE YARD SETBACK (FT)	25	165.10 (N), 152.21 (S)
16.08 D.3	BUILDING REAR YARD SETBACK (FT)	25	34
16.08 D.4	BUILDING RIGHT-OF-WAY SETBACK (FT)	30	50
16.08 E.1	MAXIMUM LOT COVERAGE	80%	47.14%
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-	MINIMUM NUMBER OF ADA SPACES	2% OF TOTAL 675 * 0.02 = 14	14
16.08 K	MINIMUM OPEN SPACE AREA	30%	44%

N/S NO STANDARD
NO VARIANCES REQUESTED

LOT COVERAGE CALCULATIONS

	BUILDING AREA (AC)	IMPERVIOUS SURFACE AREA (AC)	TOTAL AREA (AC)	LOT COVERAGE (ALL IMPERVIOUS SURFACE)
LOT 1	0	0.30	2.50	11.88%
LOT 2	0	0.18	2.13	8.60%
LOT 3	4.48	9.32	29.27	47.14%
RIGHT-OF-WAY	0	1.14	2.84	-
			36.74	

WETLAND TABLE

WETLAND ID	ACREAGE	DISTURBANCE (AC)
WETLAND A (OFFSITE)	0.03	0.00
WETLAND B (OFFSITE)	0.02	0.01
WETLAND C (ONSITE)	0.05	0.00
WETLAND D (ONSITE)	0.14	0.00

BENCHMARKS (NAVD 1988)

BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, OHIO NORTH ZONE (NAD83-2011), BASED ON A GPS SURVEY UTILIZING CORS STATION "COLB". THE PROJECT COORDINATES HAVE BEEN SCALED TO GROUND BY USING A PROJECT ADJUSTMENT FACTOR OF 1.0000023859 APPLIED AT BASE POINT N 216,500.00 E 1,847,000.00. GRID AND GROUND COORDINATES ARE IDENTICAL AT THE BASE POINT. VERTICAL DATUM IS NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88), BASED ON SOURCE BENCHMARK "CORS STATION "COLB".

BENCHMARK #1: RAILROAD SPIKE IN SOUTH ROOT OF HICKORY TREE LOCATED NEAR THE NORTH PROPERTY LINE.
ELEVATION = 955.39

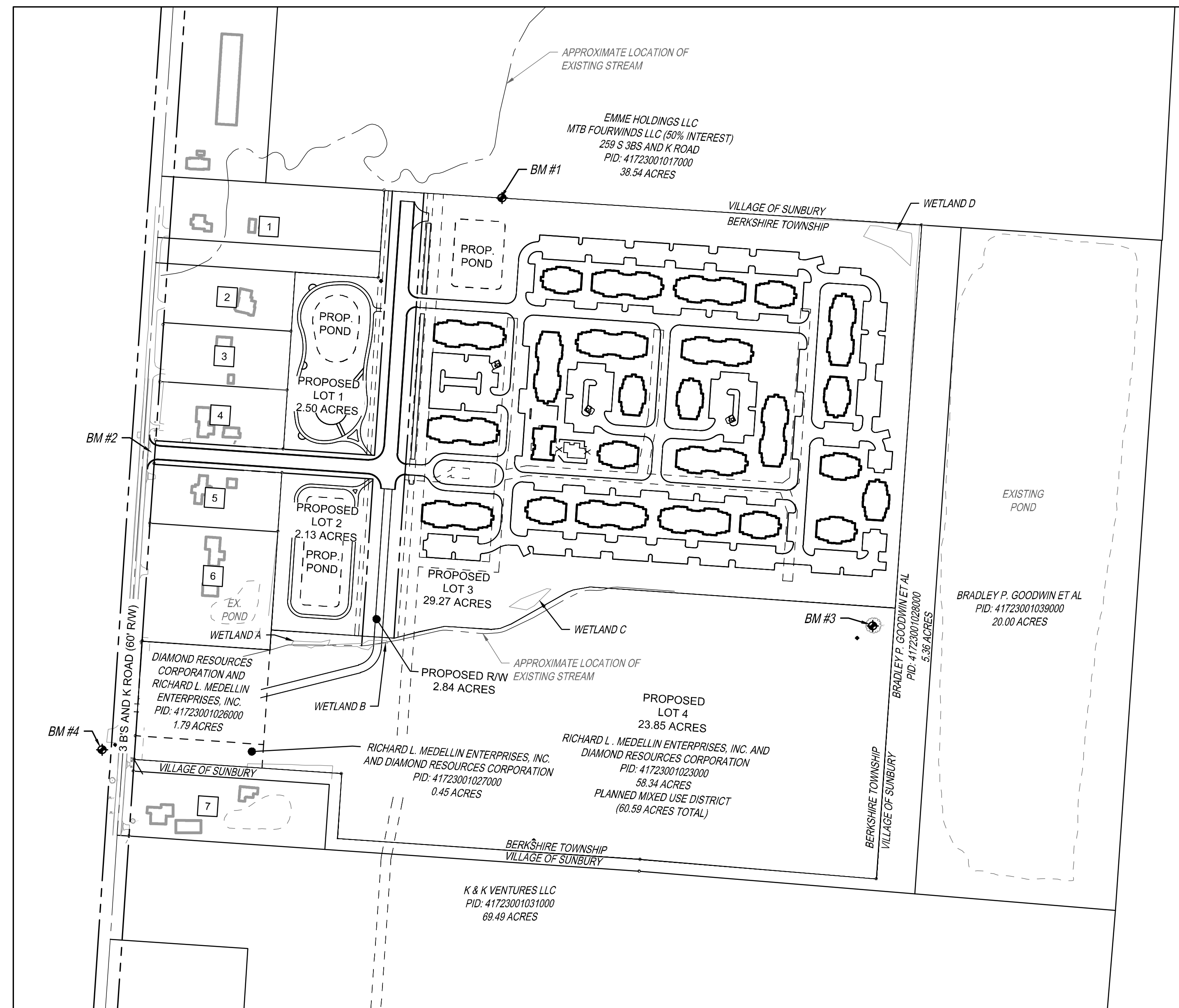
BENCHMARK #2: COTTON-GIN SPIKE ON THE WEST SIDE OF AN EXISTING UTILITY POLE LOCATED ON THE EAST SIDE OF 3B'S AND K ROAD.
ELEVATION = 953.12

BENCHMARK #3: RAILROAD SPIKE IN EAST ROOT OF 40' OAK TREE LOCATED NEAR THE EASTERN PROPERTY LINE.
ELEVATION = 962.71

BENCHMARK #4: X-CUT ON EAST BOLT OF FIRE HYDRANT LOCATED ON THE WEST SIDE OF 3B'S AND K ROAD.
ELEVATION = 949.44

NOTES:

- THE PROPOSED SITE IS IN THE FLOOD HAZARD ZONE X AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS. MAP NUMBER 39041C0145K, EFFECTIVE DATE APRIL 16, 2009.
- NO VEHICULAR ACCESS TO BE IN EFFECT UNTIL SUCH TIME AS THE PUBLIC RIGHT-OF-WAY IS EXTENDED AND DEDICATED BY PLAT OR DEED.
- THE BERKSHIRE TOWNSHIP FIRE DEPARTMENT WILL REVIEW AND APPROVE ALL FIRE HYDRANT LOCATIONS AND WATER LINE SIZE PRIOR TO START OF CONSTRUCTION. (FIRE HYDRANTS SHALL BE A MAXIMUM OF 400' APART.)
- ALL STORM WATER DRAINAGE, FLOOD ROUTES, OPEN DITCHES AND BASINS WILL BE PART OF THE DELAWARE COUNTY DITCH MAINTENANCE PROGRAM.
- BE ADVISED: A SUB-SURFACE DRAINAGE SYSTEM MAY EXIST ON THIS SITE. THE SYSTEM AND/OR OUTLET, IF LOCATED ON THIS PROPERTY, MUST BE MAINTAINED AT ALL TIMES.
- THERE WILL BE NO KNOWN CEMETERIES, HISTORICAL, OR ARCHAEOLOGICAL SITES AFFECTED BY THIS PROJECT.



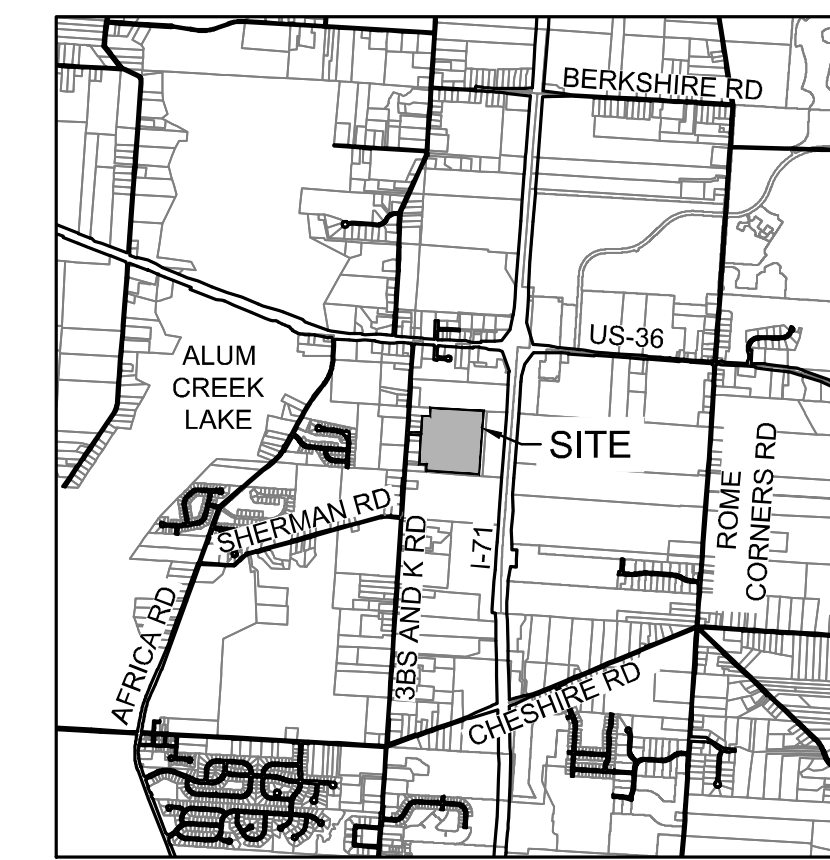
SHEET INDEX

- TITLE SHEET
- OVERALL LOCATION PLAN
- LOCATION PLAN
- LOCATION PLAN
- LOCATION PLAN
- LOCATION PLAN
- LOCATION PLAN
- LOCATION PLAN
- GRADING AND UTILITY PLAN
- GRADING AND UTILITY PLAN
- GRADING AND UTILITY PLAN
- GRADING AND UTILITY PLAN
- GRADING AND UTILITY PLAN
- GRADING AND UTILITY PLAN
- SANITARY EXTENSION STA. 0+00 TO 11+24.18
- SANITARY EXTENSION STA. 11+24.18 TO 28+46.79
- LANDSCAPE KEY PLAN
- LANDSCAPE PLAN
- LANDSCAPE PLAN
- LANDSCAPE PLAN
- LANDSCAPE PLAN
- LANDSCAPE PLAN
- LANDSCAPE PLAN
- LANDSCAPE NOTES & DETAILS
- FIRETRUCK TURNING PLAN



DEVELOPMENT PLAN FOR PHOENIX PLACE

FARM LOT 6, SEC. 2, TWP. 4, R. 18, USML DELAWARE COUNTY, OHIO BERKSHIRE TOWNSHIP PLANNED MIXED USE DISTRICT



APPLICANT
DUBLIN CAPITAL GROUP
715 SHAWAN FALLS DR, SUITE #693
DUBLIN, OH 43017
PHONE: (614) 361-6670
CONTACT: BRIAN COATE
EMAIL: BRIAN.COATE@DUBLINCAPITALGROUP.COM

ARCHITECT
RDL ARCHITECTS
16102 CHAGRIN BLVD
SHAKER HEIGHTS, OH 44120
PHONE: (216) 752-4300
CONTACT: TOM SCHUMACHER
EMAIL: TOM@RDLARCHITECTS.COM

PLAN PREPARED BY
THE KLEINGERS GROUP
350 WORTHINGTON ROAD, SUITE B
WESTERVILLE, OHIO 43082
PHONE: (614) 882-4311
CONTACT: BRENDAN M. FLEMING, PE
EMAIL: BRENDAN.FLEMING@KLEINGERS.COM

TAG NUMBER	OWNER INFORMATION
1	SCHROEDER AMANDA J 399 S 3BS AND K ROAD PID: 41723001019000 2.85 ACRES
2	GREYSMAN BORIS & LYUDMILA 461 S 3BS AND K ROAD PID: 41723001020000 1.12 ACRES
3	MOORE TOM R & CARLA TRUSTEES 495 S 3BS AND K ROAD PID: 41723001021000 1.12 ACRES
4	RICHMOND EVERECE M SR & BETTY L 515 S 3BS AND K ROAD PID: 41723001022000 1.12 ACRES
5	GREGG CHRISTOPHER R & EVERLEY GREGG ALYSSA D 591 S 3BS AND K ROAD PID: 41723001024000 1.12 ACRES
6	EMILY K. KING AND ROBERT C. PFISTER 615 S 3BS AND K ROAD PID: 41723001025000 2.24 ACRES
7	BRIAN E. MILLS AND KATHY A. MILLS 751 S 3BS AND K ROAD PID: 41723001029000 2.00 ACRES

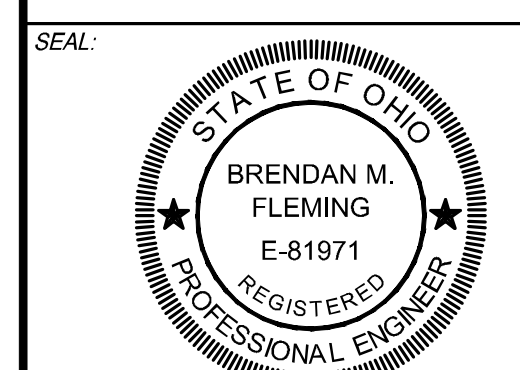
STREET DATA

STREET	TOTAL ADT	STREET CLASSIFICATION	TERRAIN CLASSIFICATION	DESIGN SPEED
COLLECTOR ROAD	5310 VPD	COMMERCIAL PRIVATE	LEVEL	40 MPH
FOURWINDS DRIVE	5310 VPD	COMMERCIAL PRIVATE	LEVEL	50 MPH

STANDARD DRAWINGS

THE DELAWARE COUNTY STANDARD DRAWINGS LISTED ON THIS PLAN SHALL BE CONSIDERED A PART THEREOF.

DCED-S102A	DCED-S139	DCED-R100	DCED-R2158B
DCED-S106	DCED-S149	DCED-R103	DCED-R2190
DCED-S112	DCED-S168	DCED-R1450	DCED-R2300
DCED-S117	DCED-S176	DCED-R2020	ODOT CB-2.1
DCED-S119	DCED-S441A	DCED-R2135A	ODOT CB-2.2
DCED-S133C	DCED-S441B	DCED-R2135D	



NO. DATE DESCRIPTION

PHOENIX PLACE
FARM LOT 6, SEC. 2 TWP. 4, R. 18 USML TOWNSHIP OF BERKSHIRE COUNTY OF DELAWARE, OHIO

PROJECT NO: 200078.000

DATE: 04/23/2021

SCALE: AS SHOWN

SHEET NAME:

TITLE SHEET

SHEET NO. 1

16.06.E. Basis of Approval

We also believe our plan meets and exceeds the Basis of Approval as provided in the Application and Zoning guidelines. Below we have outlined these.

16.06.E.1 - Whether the proposed Application and Development Plan are consistent in all aspects with the purpose, criteria, intent, and standards of this Zoning Resolution and whether any divergence is warranted by the design and amenities incorporated in the Development Plan. Based on our review of the current plan, we feel that our proposed project is consistent in all aspects with the purpose, criteria, intent and standards. Our project will meet the purpose outlined in Article 2 –

This resolution is enacted for the purpose of promoting public health, safety, and morals of the township, all in accordance with existing county or township plans or plans which may be later adopted and as permitted by the provisions of Chapter 519, Ohio Revised Code.

We will promote public health by providing a more economical housing option, which will provide more stable living environments. Through several architectural and engineering reviews, we will be compliant with local, state and federal building codes, which will promote a safe living environment for residents. We will meet Enterprise Green building standards and will include at least 15 units that will be handicapped accessible. Apartment buildings will also encourage a diversity of residents, including income diversity, racial diversity, age diversity, which will promote the morals of the township.

16.06.E.2 - Whether the proposed Application and Development Plan meet all of the design features required in this Zoning Resolution. We believe we have met all the design features as required in the Zoning Resolution and do not require any variances and will be a conforming use.

16.06.E.3. - Whether the proposed Application and Development Plan are compatible with the existing land use character, consistent with the intent and purpose of Article 16 of this Resolution, and are in keeping with the Berkshire Township, Delaware County, Ohio Comprehensive Plan (the “Comp Plan”) and other applicable public plans for the area.

The existing PMUD allows for 300 units of multi-family housing in the southwest quadrant of the PMUD, which we plan on using 296.

This development will also act as an important solution to the needs identified in the Berkshire Township Comprehensive Land Use Plan, Adopted 12/11/2017. From the Township Comprehensive Land Use Plan on Page 104, Recommendations Sub Area 5:

1. Lands between the Sunbury areas (Medellin) are encouraged to conform to the PMUD standards with an approved Development Plan. Given the impact and visibility of the interchange road network, office and highway-related retail may be appropriate, but PMUD development *could include a maximum number of 300 multi-family units.*

Our plan specifically addresses this and will help the Township to meet its goals of multi-family units.

Also in the Township Comprehensive Land Use Plan, Chapter 6 - Housing, Workforce or Affordable Housing (Page 30), the plan specifically calls out a need for more variety in housing, specifically housing that can help serve many different types of residents. This section has been included below for reference:

The following information on affordable housing is copied from the Poggemeyer Design Group/Delaware County Affordable Housing Market Study, dated December 16th, 2002.

“In April of that year, the Affordable Housing Task Force (AHTF) of Delaware County undertook an Affordable Housing Market Study. The concerns of the task force were twofold: the current overall lack of available affordable housing in Delaware County, and the negligible production of such housing within the County on a yearly basis.”

“Affordable housing” refers to housing that is constructed for those that cannot afford to live in the average residential unit, but it can also refer to housing types that fill a need for a diverse population that are older, are downsizing, or are in a service-oriented field with lower wages.

Affordable housing as a percentage is diminishing in the County. National trends are showing an increasing population, while the number of all new housing units being built is constantly decreasing. This trend is accompanied by a decreasing household size and an increase in the market price for those units that are being built. HUD seeks to offer assistance to those households that are paying more than 30% of their gross household income toward housing without a choice. The low-skilled job market is not raising salaries to meet the needs of those employees where the cost of living is increasing significantly.

Delaware County is currently experiencing rising property values and an increased cost of living. As high growth development continues, travel costs will rise and the relative impact on schools, public facilities, and infrastructure will be immense as each new house is constructed. As these costs of living increase, many local residents face job markets that cannot financially meet their needs. Low-skilled employees are forced into other market areas for housing that may meet their budget. If housing is unavailable, these individuals are forced to relocate. This can cause service sector unemployment to increase locally, thus affecting the entire community.

Within Berkshire Township many of these trends may not be completely evident. However, they exist locally just as they do nationally. A lack of affordable housing as population increases is unavoidable unless developers are encouraged and/or granted incentives to develop more reasonably priced units. The housing market is driven by developers' profits, which increase with housing market values.

The Delaware County Affordable Housing Market Study produced the projections that demonstrate the need for affordable housing through 2020. The study estimated that the City of Delaware had 5,000 homes in the planning and construction stages, while the County has 16,000 homes. In order to reach the projected 19,900 units needed countywide by 2020, each local community is technically responsible for its fair share along with the remainder of the County. The demand for workforce housing will continue to increase throughout the County.

Continued diversity in housing stock will be needed to make the local economy stronger and to house local residents to fill service jobs.

The Township has a unique opportunity to create a mixed-use area at the interchange that includes multifamily and other uses that positively affect the economic development of the region. Berkshire Township must also evaluate its housing mix in light of all state and federal housing laws, and binding court decisions.

We will directly meet the need as outlined in this plan. Even though the Poggemeyer report was completed in 2002 and made projections to 2020, the findings are even more severe today. Poggemeyer did a partial update to some of these metrics in the City of Delaware and Delaware County 2019-2023 Analysis of Impediments to Fair Housing, dated July 1, 2019. This report states, “the need for more affordable housing in the county continues” and is the general theme of the report.

We also can help meet the needs identified by the recent report completed by the Mid-Ohio Regional Planning Commission (MORPC). This report was completed in September of 2020 and outlined five Core Housing Issues for Berkshire Township, all of which this project will help address.

1. Barriers limiting access
2. Demand for wider range of homes
3. Housing instability
4. Increased competition for homes
5. Limited supply for low-income households

This project will help combat these barriers by providing several of the suggested Actions, specifically not discriminating against source of income and by assisting in the compliance with Fair Housing. Item #2 above is also in line with The Berkshire Township Comprehensive Plan, which states that a vast majority of new homes in the Township are single family homes, so the addition of apartments will offer a lower cost alternative for the residents of Berkshire Township.

16.06.E.4. - Whether the proposed development will be adequately served by essential public facilities and services including, without limitation, roads, walkways and bike paths, police and fire protection, drainage structures, potable water and centralized sanitary sewers or other approved sewage disposal systems. In our discussions with the County Engineer, ODOT, County Sewer, and Delco Water, this development will be adequately served by essential public facilities. We will be able to mitigate any additional traffic created by the project by adding turn lanes to South Fourwinds Drive, a northbound, right turn lane on S. Three B's and K road to 35/37, a southbound left turn lane from S. Three B's and K road to the new connector drive and turn lanes on the new connector road that will connect S. Three B's and K Road to S. Fourwinds Drive. There are no existing walkways or bike paths to connect to, but we will be adding them along S. Fourwinds Drive and throughout our project. We have also included letters from Delaware County Sewer, Delco water, AEP Electric, BG&ST Fire and Sunbury Police showing they have capacity for this project.

16.06.E.5 - Whether the proposed Application and Development Plan promote greater efficiency in providing public and utility services and encouraging innovation in the planning and building of all types of development. The PMUD already allows for 300 units of multifamily housing, so we will be able to meet this already identified need/use. We will also be extending Fourwinds Drive and pulling utilities into Berkshire Township, most notably the sewer line from Berlin Township.

16.06.E.6 - Whether the proposed development can be made accessible through existing Township roadways or roadways and lane improvements actually being constructed and opened prior to the use and occupancy of the proposed development without creating unreasonable traffic congestion in the immediate vicinity of the proposed development or elsewhere in the Township. This development will not have adequate access with the current roadways, but we plan to add several turn lanes and road extensions that will solve this problem. These will be developer funded, so we're not seeking township funds to pay for these road improvements. As this area develops, this project will fit nicely into the existing plans for the extension of S. Fourwinds Drive and the new freeway interchange. Until the freeway interchange is completed and until the landowners to the north complete their extension of Fourwinds Drive, our traffic study shows we will have adequate access along S. Three B's and K Road. The traffic study indicates that with the developer funded road improvements, this project will not add undue traffic to the area.

16.06.E.7 - Whether the proposed development is designed in such a way as to minimize any unreasonable adverse impact on surrounding areas of the Township. Since we are on the very edge of the township and are one of the remaining pieces of land that have remained in the township, we do not expect to have any impact on other areas of the township. Since this land has already been earmarked for 300 units of multifamily housing we feel our project has been designed to minimize any unreasonable adverse impacts on the surrounding areas of the Township. Plus, this project will create jobs for the community. Research by the National Association of Home Builders shows that constructing a 300-unit project will create 438 new jobs [225 created directly and indirectly by the new construction; 117 supported by spending locally earned wages (induced); and 96 supported by households occupying new homes (ongoing).]

Sincerely,

Brian W. Coate
Dublin Capital Group



Delaware County

Regional Sewer District

Executive Director
Michael A. Frommer, P.E.

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

April 19, 2021

Andrew Ong
The Kleingers Group
350 Worthington Road
Suite B
Westerville, OH 43082

sent via email: andrew.ong@kleingers.com

Re: **Request for Sewer Capacity**
Phoenix Place Project, Berkshire Township
Parcels: 41723001023000

Dear Mr. Ong:

The Delaware County Regional Sewer District (the "County") has considered your request for approval to discharge sanitary sewage into the Delaware County Sanitary Sewer System from the above referenced location, representing 600 Equivalent Residential Unit(s) (ERU).

Capacity is conditionally available to serve the proposed project provided that the development obtain sanitary service via the existing 18" sanitary sewer on the north side of Sherman Road within the Brookview Manor subdivision. Extensions from the existing sanitary sewer will be necessary to provide service to the proposed buildings.

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

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

Sincerely,

Kelly Thiel
Staff Engineer III
Delaware County Regional Sewer District

cc: Correspondence File
Brendan.fleming@kleingers.com
Kyle.weber@kleingers.com



An **AEP** Company

BOUNDLESS ENERGY™

AEP Ohio
700 Morrison Rd
Gahanna, OH 43230
AEPOhio.com

3/23/2021

Andrew Ong
The Kleingers Group
350 Worthington Road, Suite B
Westerville, OH 43802

RE: AVAILABILITY OF ELECTRICAL SERVICE

Four Winds Commons Development
Township of Berkshire, City of Delaware

Dear Mr. Ong,

This letter will confirm that American Electric Power has electric service facilities adjacent to your new project. These facilities will be made available to serve your project with some Contribution-In-Aid-To-Construction charged to the project developer.

American Electric Power anticipates providing your new project the best possible service. I look forward to working with you and remain available to coordinate your project needs. Please contact me to discuss any questions you may have or other assistance you may require.

Sincerely,

Ohio Power Co. by: *Dean H. Hartzell*
Dean H. Hartzell
Senior Engineering Technician

Andrew Ong

From: Rusty Griffith <RGriffith@DelCoWater.Com>
Sent: Friday, October 9, 2020 2:26 PM
To: Kyle Weber
Cc: Andrew Ong; Brendan Fleming
Subject: RE: 3Bs&K Development
Attachments: IMG_0550.JPG

[EXTERNAL]

Kyle,
The existing 16" WM can be tapped to serve this site. Please be advised that if Fourwinds Drive is required to be extended to access the site, Del-Co will require that this project extend a waterline along it to create a loop. Based on Del-Co's master plan for this area, this project will be required to extend a larger sized WM into the project. Once we see a layout of the project we can provide you with a more definitive direction on this. I have included a screenshot from our master plan for your reference. The master plan for this area is based on information provided to us for the Sunbury Parkway & I-71 Interchange Improvements from a couple of years ago. Please let me know if you have questions or require additional information from us.

Thank you,

Rusty Griffith
Asst. Engineering Supervisor

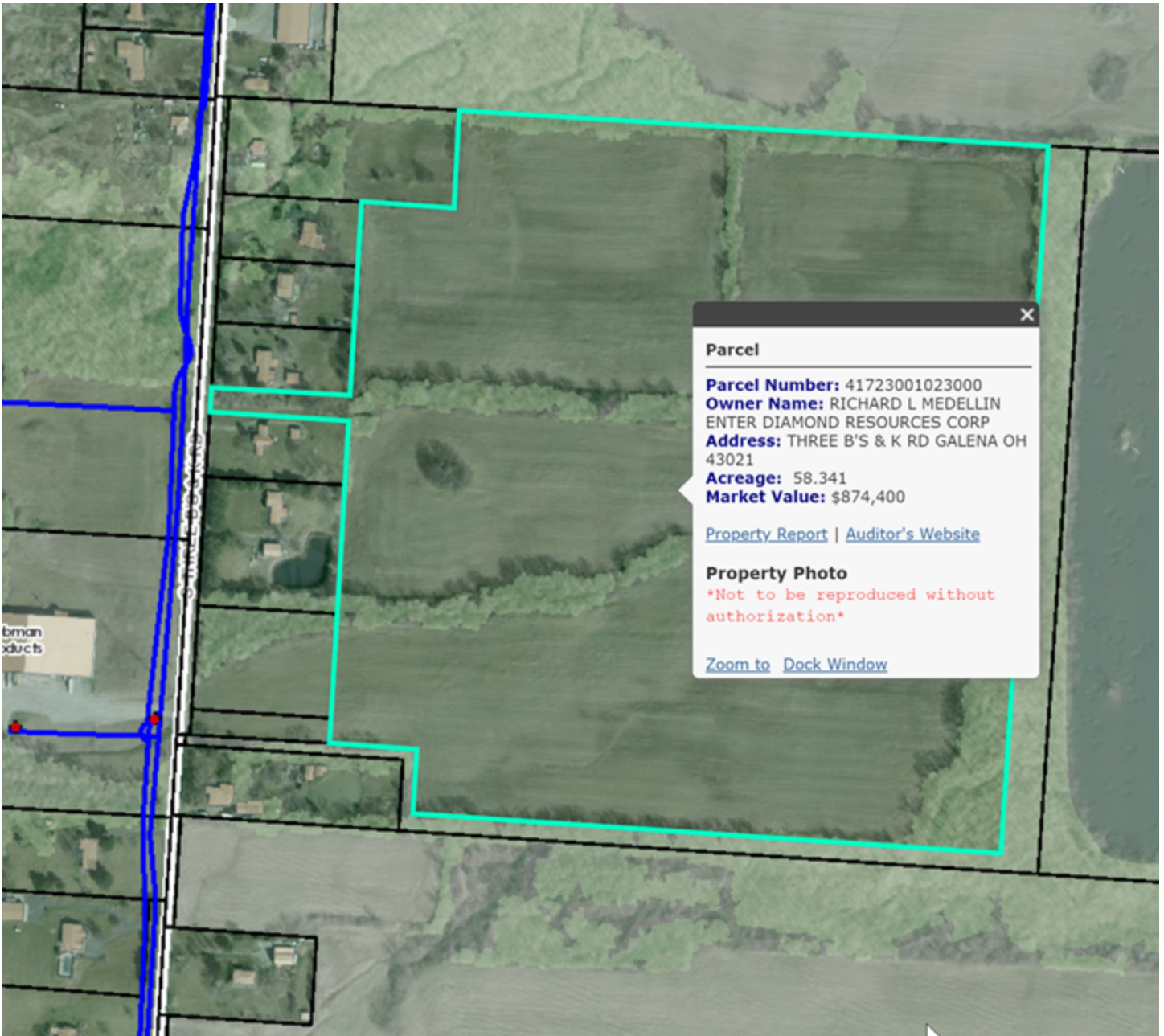


O.740.548.7746 ext. 2403
C.740.272.2220

From: Kyle Weber <Kyle.Weber@kleingers.com>
Sent: Thursday, October 8, 2020 4:02 AM
To: Rusty Griffith <RGriffith@DelCoWater.Com>
Cc: Andrew Ong <Andrew.Ong@kleingers.com>; Brendan Fleming <Brendan.Fleming@kleingers.com>
Subject: 3Bs&K Development

Rusty,
We are looking at a 300 unit multi-family development (multiple buildings) on the property shown below on 3Bs&K Road, south of 36/37. We have records that there are existing 16" and a 6" mains on the west side of the road. Can we assume that we will be able to tap the 16" for our development? Andrew Ong from our office may have already reached out or will be reaching out.

Thanks,
Kyle



Kyle L. Weber, P.E., LEED AP
Project Manager

THE KLEINGERS GROUP

350 Worthington Road, Suite B
Westerville, OH 43082

C: 440.669.0430
P: 614.882.4311
F: 614.882.4479



Section 16.08 – MINIMUM DEVELOPMENT STANDARDS

The Development Plan shall comply with the following development standards:

A.) Tract Size. The gross area of a tract of land proposed to be developed in the PMUD shall consist of a minimum of three (3) acres, exclusive of right-of-way. No minimum lot size is required. However, all lots shall be of sufficient area to comply with the required yard areas, setbacks and other design and development standards.

The proposed development, Phoenix Place, is a total of 33.90-acres. The site is divided into three “lots”. Proposed Lot 1, 2.5-acres, and Proposed Lot 2, 2.13-acres, are located to the west of the proposed north-south right-of-way and includes stormwater ponds and walking paths. The proposed north-south right-of-way is 2.84-acres. Proposed Lot 3, 29.27-acres, is located to the east of the proposed north-south right-of-way and includes proposed buildings, parking, green space and a storm water basin. The net acreage is 28.82-acres.

B.) Intensity of Use. All buildings shall be erected on permanent foundations and shall be constructed of conventional building materials of a quality equal to or better than those used in existing buildings in nearby areas or as specified herein. All office and retail activities shall be completely enclosed within buildings, except for patios and similar facilities accessory to any permitted use.

All buildings will be permanent, built on slab-on-grade foundations. Buildings will be conventional wood-frame construction. A clubhouse will provide amenity and office area for the development. Retail uses are not included in the proposed development.

C.) Residential Density and Location. The Berkshire Township Comprehensive Plan, 2008 as well as the 2015 update, have designated the U.S. 36/S.R. 37 Corridor as an area within the Township targeted as for economic growth.

Parcels located along this Corridor provide the ideal location and opportunity for a mix of professional office, commercial, institutional, and Residential Uses within the Township, while allowing for the preservation of net developable acres within the PMUD. A higher density Residential Use is permitted and included in this mix to provide the area with housing for individuals that will work at companies and businesses that locate in and around the U.S. 36/ S.R. 37 Corridor. To achieve this goal, the Township has determined that a density cap be placed on areas within the PMUD.

1. Multi-Family Density. The total number of new Multi-Family Dwelling Units (as defined in **Section 16.09** herein and **Article 4**) proposed to be located within the PMUD shall not exceed a maximum of three hundred (300) Dwelling Units in the Northwest Quadrant of the intersection of I-71 and U.S. 36/S.R. 37, three hundred (300) Dwelling Units in the Southwest Quadrant of the intersection, and seven hundred (700) Dwelling Units in the combined area of the Northeast Quadrant and Southeast Quadrant. The Northeast, Northwest, Southwest, and Southeast Quadrants are shown on the PMUD Overlay Zoning District Map.

Dwelling Units shall be constructed at a minimum density of eight (8) Dwelling Units per net developable acre (d.u./n.d.a.) as defined in Article 4, and a maximum density of twelve (12) d.u./n.d.a. as defined in Article 4. Berkshire Township recognizes that it is important to allow flexibility in the design of new developments, but such flexibility must be balanced with the goals and objectives of the community. To this end, this Section provides for varying degrees of potential density bonuses. However, these bonuses are subject to the discretion of the Zoning Commission and are, in large part, dependent upon the Applicant providing meaningful, substantial and additional administrative and design amenities in the form of what are hereinafter referred to as “quality items.” Increased density of one (1) Dwelling Unit per quality item may

be approved by the Zoning Commission up to a maximum of three (3) additional d.u./n.d.a. (potentially resulting in a total maximum density of fifteen (15) d.u./n.d.a.) if it is determined that any of the following quality items are adequately provided for in the Development Plan:

- a.) If the developer provides 10% additional and useable Open Space than the amount required in **Section 16.08(K)** either on-site or within the PMUD area;
- b.) If the developer provides 30% more landscaping material than required in **Section 16.08(I)** herein.
- c.) If the developer commits to participation in a joint economic development district, a new community authority or such other economic development mechanism as may be approved by the Zoning Commission.
- d.) Any other enhanced feature unique to the site that is deemed by the Zoning Commission to be a similar type of quality item.

Furthermore, any residential proposal shall not only comply with these density requirements, but also shall conform to all other applicable requirements of this **Article 16** including square footage requirements listed in **Section 16.08(E)(3)**.

The number of dwelling units will not exceed 300 units. There are 296 units total proposed. The net acreage is 28.82-acres. There is a density of 10.28 dwelling units/acre, over the minimum of eight (8) dwelling units per acre but less than twelve (12) dwelling units per acre.

2. Other Densities. Other types of residential units may be built without limitations noted under **Section 16.08(C)(1)** herein. Such units may be developed at a maximum density of four (4) d.u./n.d.a. for single family units and six (6) d.u./n.d.a. for attached units such as common wall attached, townhomes, patio homes, or four-unit structures.

N/A

3. Location. All multi-family residential proposals shall abut existing or simultaneously-proposed and developed commercial, office, or industrial uses with a continuous length of at least 20% of the perimeter boundary of said multi-family proposal. Location of residential development is limited by the following restrictions:

- a.) In the Northwest Quadrant as delineated on the PMUD Overlay Zoning District Map, no non Residential Uses nor multi-family Residential Uses may be developed further than one thousand seven hundred (1,700) feet from the centerline of U.S. 36/S.R. 37, and no multifamily Residential Uses shall be developed within four hundred (400) feet of the centerline of U.S. 36/S.R. 37.
- b.) In the Southwest Quadrant as delineated on the PMUD Overlay Zoning District Map, no multifamily Residential Uses may be developed within four hundred (400) feet of the centerline of U.S. 36/S.R. 37.
- c.) In the combined area of the Northeast Quadrant and Southeast Quadrant as delineated on the PMUD Overlay Zoning District Map, no multi-family Residential Uses may be developed within four hundred (400) feet of the centerline of U.S. 36/S.R. 37.

The parcel boundary line is 5,945.76' linear feet. The northern property line abuts future development (by others). The length of the northern property boundary line is 1365.23', 23% of the total length of the total parcel boundary line. The development exceeds a 400' setback from U.S. 36/S.R. 37.

D.) Frontage, Setbacks and Yard Areas.

1.) Frontage. Lots shall front upon and/or have access to an improved, public road. Outlots may be located on an improved, public or private road. Road frontage in either case shall be no less than fifty-five (55) feet.

The proposed development will front a proposed north-south public right-of-way. The street frontage is 1,131'-0".

2.) Minimum Side Yard per Tract. A side yard of at least twenty-five (25) feet on each side of the tract shall be provided for principal and accessory structures, processing, and servicing or loading areas, or as authorized by an approved Development Plan. No principal commercial or multi-family structure shall be located closer than twenty-five (25) feet to another principal structure unless the adjacent walls of both structures are masonry, in which event said principal structures shall be no closer than fifteen (15) feet. No principal commercial or multi-family structure shall be located closer than fifteen (15) feet to another principal structure. No principal single-unit Residential Use may be closer than fifteen (15) feet to another principal single-unit Residential Use.

3.) Minimum Rear Yard per Tract. A rear yard of at least twenty-five (25) feet shall be provided for principal and accessory structures, including open storage, processing, and servicing or loading areas, or as authorized by an approved Development Plan.

A 25' building setback for principal and accessory buildings is provided at the rear and side yards. There is a minimum of 25' between all buildings.

4.) Additional Setback. No building or structure shall be located closer than thirty (30) feet to the right-of-way. There shall also be a clear strip of land extending to a width of at least twenty (20) feet to the right-of-way upon which no building, structure, sign or any other improvement shall be erected with the exception of the following:

- a.) Driveways for ingress and egress.
- b.) Parking approved in accordance with the approved Off-Street Parking and Loading Plan.
- c.) Signs not over four (4) square feet for direction of traffic only.
- d.) Plantings no higher than three (3) feet above road grade.
- e.) Trees, except that branches shall not interfere with the paved portion of the road and shall be trimmed to a height of six (6) feet from the ground.
- f.) Utility easements for the erection of public utility poles, hydrants and similar items.
- g.) Sidewalks and Bike Paths.
- h.) Patios not exceeding ground level elevation, by more than eight (8) inches.

There is a 30' front yard building setback provided for principal and accessory buildings along the proposed public right-of-way. There is a 20' clear strip of land provided along the public right-of-way. The strip does not include any improvements outside of the above list of exceptions.

E.) Lot Coverage and Building Height.

1.) Lot Coverage. The ground area occupied by all the buildings, structures, driveways, traffic circulation areas, parking areas, sidewalks and all other Impervious Surfaces shall not exceed in the aggregate eighty percent (80%) of the total area of the tract.

The total lot coverage (buildings and impervious surface) of Proposed Lot 1 is 11.88%; Proposed Lot 2 is 8.60%; and Proposed Lot 3 is 47.14%. The total lot coverage is 42% of the total 33.9-acres.

2.) Building Height.

a.) Multi-Family Dwellings: No building or structure for any permitted use shall exceed two (2) stories in height. Chimneys, flagpoles, parapets, cupolas and other similar architectural elements may exceed this height limitation by no more than eight (8) feet.

The proposed clubhouse is one (1) story. Proposed residential buildings are two (2) stories.

b.) All Other Principal Structures: No building or structure for any commercial or office use shall exceed forty-five (45) feet in height. Chimneys, flagpoles, parapets, cupolas and other similar architectural elements may exceed this height limitation by no more than ten (10) feet.

N/A

3.) Building Dimensions. Buildings may contain such floor area as is approved in the Development Plan. However, all multi-family residential units erected within the PMUD shall have a minimum of eight hundred (800) square feet of residential floor area for a one-bedroom unit and a minimum of nine hundred (900) square feet of residential floor area for a two-bedroom unit.

Two-bedroom units are 918-sf and three-bedroom units are 1,112-sf. The square footage does not include private balconies/patio or private exterior storage. There are no one-bedroom units included in the development.

4.) The use of environmentally conscious construction standards, such as the use of Leadership in Energy & Environmental Design (LEED) standards, on structures built in the PMUD district is encouraged by the Township, but not required.

Phoenix Place residential buildings will utilize LEED or Enterprise Green Communities.

F.) Architectural Standards. Buildings shall be designed to be seen from three hundred sixty (360) degrees and have the same caliber of finish on all elevations. Building additions and accessory structures, whether attached or detached, shall be of similar design, materials, and construction to that of the existing or principal structure.

The proposed buildings are seen from all four sides and the same caliber of finish is used on all four sides of the building.

The following standards shall apply to structures for:

1.) Design Elements. The architectural style and design of structures shall create harmony throughout the site. All materials used to construct buildings within the PMUD shall be utilized in such a manner as to be architecturally and aesthetically compatible, so long as the proposal utilizes the permitted materials as specified by **Section 16.08(F)(2) below**. Creativity in design is encouraged; however, that creativity shall be consistent with the goals and requirements established for the PMUD by this **Article 16**.

2.) Materials. The exterior elevations of all proposed buildings and screening structures shall only consist

of any or any combination of all of the following natural materials:

- a.) Wood;
- b.) Red or earth tone brick;
- c.) Native or cultured stone;
- d.) Stucco/EIFS;
- e.) Pre-cast concrete where used as an accent;
- f.) Cementitious siding (such as HardiPlank® or similar) and/or composite siding (such as SmartSide® or similar);
- g.) Metal and glass (except for multi-family uses).

The above material requirements shall not be applicable to vinyl soffits, fascia windows, downspouts, gutters, window glazing and reveals, as well as hardware and similar accents.

The proposed building materials include a combination of brick veneer, horizontal cement board and vertical cement board.

3.) Façade Appearance. A building wall that exceeds a width of fifty (50) feet shall incorporate sectioning and design elements that offset the wall plane to inhibit a large expanse of blank wall and add interest to the façade. When multi-family uses are part of a structure, such design elements shall include:

- a.) A door measuring at least twenty (20) square feet in area and forty-five (45) square feet in area including architectural features, such as, but not limited to, an awning, window, faux window or other feature subject to approval by the Zoning Commission;
 - b.) A window of at least six (6) square feet in area. Windows closer than ten (10) feet shall be considered as one (1) element. A set of adjacent windows, such as double or bay windows, shall be considered one element;
 - c.) A gabled vent of at least four (4) square feet in area;
 - d.) Porches, decks, or similar structures that create the illusion of a porch, deck, or window balcony; or
 - e.) A similar significant permanent architectural feature consistent with the style of the building upon approval of the Zoning Commission, as applicable.
- 4.) Glass. The use of black, gold, green, silver, opaque, or any other reflective or colored glass on a building is prohibited. Frosted glass may be permitted in some cases, subject to approval of the Zoning Commission.
- 5.) Roofing. All pitched roofs shall be of dimensional shingles, standing seam metal, slate or simulated slate.
- 6.) Drive In/Drive Thru Features. A drive in/drive thru facility, if deemed appropriate within the PMUD, shall be designed as an integral part of the structure it serves. Features incorporated with such a facility include, but are not limited to, canopies, awning, and support posts, which shall match or be coordinated with the materials and color scheme of the building they are serving. Drive in/drive thru features shall not have any pickup windows, ordering areas, signage, or other related items located on the front elevation of a building or located between the building and a right-of-way.
- 7.) In-Line Retail Exemption. Side or rear elevations of an In-Line Retail development may be exempt from the building design standards of the PMUD if such elevations are not visible to customer traffic, a right-of-way, or if a future phase of the In-Line Retail development is adjacent to the elevation. Such exempt elevations shall use materials complimentary to the primary elevation and be screened by landscaping, mounding, fencing, or a combination thereof, as deemed appropriate.

All walls/elevations that exceed 50' in length include doors, windows, porches/balconies and/or building projections/bays.

G.) Exterior Lighting. The Exterior Lighting Plan is subject to the following requirements:

- 1.) Traffic signals, where necessary, shall utilize a monopole design with mast arms extending over the intersection, in accordance with any applicable county or state regulations.
- 2.) Site lighting shall be required for all developments and be designed to sufficiently illuminate the site and minimize spillover from the property.
- 3.) Light pole heights should be in harmony with the parcel, building, and parking lot size as well as the surrounding area. Parking lot lighting shall be of a standard light source and type. The style shall reflect a traditional design, ideally consistent throughout the corridor.
- 4.) Building, pedestrian and landscape lighting may be incandescent, metal halide or other sustainable lighting as determined by the Zoning Commission.
- 5.) All parking lot areas shall have a maximum light intensity of twenty (20) foot candles and an average light intensity between one (1) foot candle and three (3) foot candles.
- 6.) All external lighting shall be decorative, cut-off type fixtures and downcast to reduce spillover. Outdoor lighting shall be directed, reflected, or shielded so as not to be of excessive brightness or cause glare hazardous to pedestrians or drivers, create a nuisance or unreasonably interfere with a neighboring property owner's right to enjoy his property. Light spillover shall not exceed one tenth (0.1) foot candles when adjacent to a residential zoning district or an existing Residential Use.
- 7.) Luminaires should have a minimum cut-off of forty-five (45) degrees, so as to provide glare control to pedestrian and vehicular traffic, as well as distinct beam cut-off on the outer perimeter of the setback areas.
- 8.) All Landscape Uplight Fixtures shall be screened by landscaping and cut-off in design. This type of lighting shall be equipped with automatic timing devices and shielded and focused to minimize light pollution.
- 9.) No permanent colored lights or neon lights shall be used on the exterior of the buildings. Flashing lights shall be prohibited.
- 10.) External building lighting shall be limited to wall-mounted sconces.

The site lighting plan has been designed by a professional electrical engineer and will conform to the zoning requirements. The site lighting will illuminate the site including the streets, sidewalks, parking areas and common green areas. Site lighting will be low profile LED luminaires with zero uplight at 0 degrees of tilt. The average light intensity for the parking lots is between 1 and 3 foot candles with a maximum of 8 foot candles. Buildings will include wall-mounted sconces at all building entrances. The buildings and site will not include color lights, neon lights, or flashing lights.

H.) Signage. Graphics and Signage in the PMUD shall conform to **Section 16.07(l)** and **Article 22** of the Zoning Resolution or as approved by the Zoning Commission.

Ground signs will be located at the development entrances. The sign design will utilize the building materials, including brick veneer, and color palette. The project name, Phoenix Place, will be engraved in a smooth faced limestone panel. The signs will be illuminated with an LED floodlight. The overall concept is simple and traditional.

I.) Landscaping. All yard areas and Open Spaces shall be landscaped in accordance with the approved landscape plan. Natural foliage shall be retained as buffers where practicable. The Landscape Plan shall comply with the following requirements:

- 1.) Right-of-Way. Any surface parking areas adjacent to an existing or planned right-of-way shall be screened from the respective right-of-way with shade trees having a minimum caliper of two and a half (2½) inches for every forty (40) lineal feet of road frontage, and shall be located three (3) feet outside of the right-of-way. This requirement does not apply in the areas of ingress and egress, or to existing trees which are undisturbed by the project.

2.) Residential District Screening. Non-Residential Uses, excluding multi-family accessory uses, adjacent to Residential Uses (both within and adjacent to the PMUD) shall install a continuous planting hedge and tree combination to provide screening from such adjacent use. The required planting hedge and tree combination shall be a minimum of six (6) feet in height at the time of installation. Mounding may be used to achieve the required height and fencing. Fencing or other screening materials shall be made of those materials listed in **Section 16.08(F)(2)** or deemed compatible with those materials. Each tree used for screening purposes shall have a minimum caliper of two and a half (2 ½) inches per forty (40) lineal feet required to be screened. Trees used for screening shall be of the evergreen or deciduous classification.

3.) Exterior Areas. Grass (seed or sod), shrubs, trees, garden planting areas or other appropriate landscape materials shall be planted in all exterior areas. Other groundcover, such as ivy, may be planted in exterior areas which are not occupied by required landscaping material or required for drainage. All vacant areas shall be kept seeded and maintained in such a manner as to prevent erosion of the property and excess drainage.

4.) Plants. All plants shall meet or exceed the American Standard for Nursery Stock as set forth by the American Association of Nurserymen.

5.) Maintenance. All trees and landscaping shall be well maintained. All maintenance and upkeep of landscaping shall be the responsibility of the owner of such yard, space or area where the landscaping is located. Dead trees, shrubs and other landscaping material shall be promptly removed and shall be replaced within six (6) months or the next planting season, whichever is sooner.

6.) Street Trees. Trees shall be planted at a minimum distance of forty (40) feet along all internal public streets. Trees shall be of deciduous species normally attaining full-grown height in excess of fifty (50) feet and shall be of two (2) to two and a half (2 ½) caliper or greater at the time of planting. Tree limbs shall be trimmed to a height of fourteen (14) feet above roads and eight (8) feet above sidewalks and trails. Maintenance of street trees shall be the responsibility of the homeowner or the Homeowners association.

7.) Tree Preservation. Reasonable and good faith efforts will be made to preserve existing trees. Consideration shall be given to laying out service roads, lots, structures and parking areas to avoid the unnecessary destruction of wooded areas and individual trees. Additionally, standard tree preservation practices shall be used to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

All landscaping will comply with the zoning requirements. Street trees are provided along all internal streets and the public right-of-way, 40'-0" on-center. Grassy areas will be a meadow mix. Deciduous and decorative trees will be utilized throughout the site design. Plantings will be used for screening as needed.

J.) Parking and Loading. Parking shall be paved prior to receipt of a final Certificate of Compliance, with adequate provisions for ingress and egress according to the approved Development Plan, unless a phasing schedule is approved as part of the Development Plan. In preparing the Parking and Loading Plan, all parking and loading areas shall conform with **Section 21.01** of the Berkshire Township Zoning Resolution and the following provisions:

1.) Parking Bays and Minimum Parking Space Requirements. No parking bay shall contain more than twenty-four (24) total parking spaces, with a maximum of twelve (12) spaces in a single row. All parking spaces shall be not less than nine (9) feet wide and eighteen (18) feet long.

Parking stalls are minimum 9'x18'. Parking spaces do not exceed twelve (12) spaces in a single row.

2.) Parking Lot Location. Non-Residential Uses may be permitted to locate parking spaces in front of the principal structure if authorized by the approved Development Plan, provided that such parking complies with all other criteria contained in this **Article 16**. All parking spaces for Multi-Family Dwellings shall be located behind or to the side of the principal building with no more than fifty percent (50%) of such parking

spaces located to the side of the principal building. No parking lot or parking area shall be located closer than ten (10) feet to the side or rear line of the tract on which the structure is located. In no event shall the parking be located closer than twenty (20) feet to any right-of-way, unless authorized by the approved Development Plan.

The residential parking is clustered in parking lots behind the buildings and along the private drives. Less than twenty-six percent (26%) of the parking is located to the front and sides of the residential buildings and the balance is located in parking lots to the rear of the buildings. Parking is set back a minimum of 20' from the public right-of-way and 10' to the side and rear parcel lines. Parking is distributed across the site, clustered at building entrances.

3.) Parking Lot Islands. Interior tree islands shall be required within parking lots and shall be of sufficient number and size to provide for a ratio of one (1) shade tree for every twelve (12) parking spaces or fractions thereof. Each landscaped tree island in a single loaded parking stall shall have a minimum area of one hundred sixty-two (162) square feet with a minimum width of nine (9) feet. Each landscaped island in a double-loaded parking stall design shall have a minimum area of three hundred twenty-four (324) square feet, with a minimum width of nine (9) feet. Parking lot islands may be combined into one (1) or more larger parking lot islands, so long as they meet the area and landscaping requirements of this Zoning Resolution and are approved as part of the Development Plan. All landscaped tree islands shall contain at least one (1) shade tree a minimum of two (2) inches in caliper and include at least fifty (50) square feet of other plant materials. The Parking and Loading Plan or the Landscape Plan shall identify all types of trees to be used in parking lot islands.

Parking lots will be landscaped per the requirements of the code. Parking lot islands will include deciduous trees at a minimum ratio of one tree for every twelve (12) parking spaces. Landscape islands are a minimum of width of 9' and 162-sf.

4.) Driveways. Driveways shall be set back no less than fifteen (15) feet from the right-of-way or front property line, whichever is greater, and no less than five (5) feet from side and rear property lines. Driveways connecting the site to an improved and dedicated street or Driveways utilized to access adjacent properties shall be exempt from this requirement. Location of Driveways that connect to a public road shall be reviewed and approved by the appropriate governing agency (Delaware County Engineer, Ohio Department of Transportation, etc.).

Drives will be located no less than 15' from the public right-of-way and 5' from rear and side property lines.

5.) Service Parking. Service parking shall be provided at a level determined appropriate for each specific use by the Zoning Commission, as applicable. All service areas shall be located behind the front elevation of the primary building.

All screened-in dumpsters are located to the rear of the buildings.

6.) Minimum Number of Parking Spaces Required. For multi-family proposals, a minimum of two and one fourth ($2\frac{1}{4}$) parking spaces for each Dwelling Unit is required. For all other buildings constructed in the PMUD, a minimum of one parking space per two hundred fifty (250) square feet of building area shall be required. Applicants may elect to provide one (1) space per employee plus one (1) visitor space per ten (10) employees if the Development Plan shows that there is sufficient room to expand the parking lot to provide the required amount of spaces in the future should the lot be sold to a new owner or the needs of the business change. The Zoning Commission may require the applicant to submit a signed

letter with the Development Plan stating that the remaining spaces will be provided if requested by the Township.

There are 296 multi-family units and 679 spaces are provided.

7.) On-Street Parking in Multi-Family Proposals. In Multi-Family Dwelling proposals in the PMUD, an applicant may be allowed to count parallel or angled On-Street Parking spaces located along private streets towards the minimum parking requirements of this PMUD, so long as those parking spaces are within a three hundred (300)-foot radius of any entryway to the proposed Multi-Family Dwelling structure(s). Those parking spaces shall be striped and meet the minimum size requirements for off street parking spaces, as described by this **Section 16.08(J)** and the Zoning Resolution. On-Street Parking located along a public street within a three hundred (300)-foot radius of any entryway to the proposed Multi-Family Dwelling Structure(s) may also be counted toward the minimum parking requirements of this **Section 16.08(J)** and the Zoning Resolution, so long as On-Street Parking along those streets has been approved by the Board of Trustees in accordance with Section 505.17 of the Ohio Revised Code and complies with the regulations adopted in accordance with the same. Any On- Street Parking utilized to meet the minimum parking requirements of this **Section 16.08(J)** or the Zoning Resolution, whether along a private street or public street, shall only be permitted in accordance with an approved Development Plan. Once a parking space has been counted toward the parking requirement for any Application or phase of a Multi-Family Dwelling proposal, it cannot be used to meet the parking requirements of subsequent phases or Applications. In all cases, On-Street Parking spaces shall not exceed twenty-five percent (25%) of the minimum number of spaces required.

All on-street parking spaces are located on private drives are located within 300' of a building entrance. The parking spaces will be striped and meet the minimum stall size requirement of 9'x18'. The on-street parking is less than twenty percent (20%) of the total parking.

8.) Loading Areas. All loading areas shall be screened from view by landscape planting (which provides seventy-five percent (75%) opacity), or walls and fences at least six (6), but not more than twelve (12), feet in height. All walls and fences used for screening shall be constructed of materials permitted by **Section 16.08(F)(2)** of this Resolution.

N/A

K.) Open Space. A minimum of thirty percent (30%) of the total PMUD acreage shall remain and be utilized as Open Space. Twenty percent (20%) open space must be located on-site while the remaining 10% may be located either on-site, off-site, or mitigated with a contribution in lieu to be utilized for public improvement. Such contribution will be at the rate of \$30,000 per acre or fraction thereof. Such contributions will be placed in a special fund by the Township and used only for the improvement or acquisition of park areas, recreational facilities, playgrounds, trails, or wetlands. Open Space shall be distributed throughout the development as part of a unified open space system, which shall serve to unify the development visually and functionally, and buffer surrounding land uses. Open Space features may include, but are not limited to bike paths, walking paths, existing bodies of water, water impoundments, forested and landscaped areas not included in a yard requirement, and similar features. Open Space may be used for the disposal of storm water drainage. No features shall be designed which are likely to cause erosion or flooding. To help promote the creation of a unified open space system, an open space master Development Plan may be submitted that may only include the areas within the PMUD that will be utilized in the open space system. Once an open space master Development Plan is approved, future applicants within the PMUD may be permitted to utilize that Open Space to meet up to half of the Open Space requirement for their proposed Development Plan. If a portion of the area included in the open space master Development Plan is utilized by an approved

Development Plan to meet an open space set aside requirement, it can no longer be utilized by future applicants for that purpose.

The responsibility for the maintenance of all Open Space shall be specified by the applicant in writing within the Development Plan. Open Space may be proposed to be owned by an Association, the Township or other governmental entity, a land trust or other conservation organization recognized by the Township, or by a similar entity, or may remain in private ownership if appropriately restricted.

There is over 30% open space area in the proposed site plan. The 44% open space shown on the site plan includes common lawn areas, walkways, storm water drainage and other open spaces that are not part of the required yard setbacks.

L.) Multi-Use Paths and Pedestrian Access. Interconnectivity shall be provided for pedestrians and non-motorized uses. Sidewalks shall be located along internal streets and roads with additional facilities through open spaces and connections at logical locations. Wider bike paths shall be provided on at least one side of larger arterial roads and where connections to regional systems are warranted. Larger proposals should include a master bikeway/pedestrian plan.

Sidewalks are located throughout the proposed development. Internal streets include sidewalks that connect to building entrances and parking areas. Sidewalks within the development connect to a proposed 10' trail along the proposed north-south public right-of-way. Additionally, walking paths are provided to the west side of the proposed north-south public right-of-way, forming walking loops on both smaller lots.

M.) Trash and Garbage Control. All trash and garbage shall be stored in container systems which are located at the rear of the building or at the side of the building if the side is not oriented towards an existing or planned right-of-way(s) and must be enclosed on all four (4) sides with either a masonry enclosure or wood fencing at a minimum of six (6) feet in height.

All screened-in dumpsters are located to the rear of the buildings. The dumpsters will be screened on all four sides.

N.) Utilities. All utility lines constructed to service the proposed development shall be located underground. Mechanicals, whether roof mounted or on the ground, shall be screened with architectural features and/or landscaping.

All utilities will be located underground. Mechanical equipment will be located at grade and will be screened with landscape material.

O.) Stormwater Basins. Dry retention basins are prohibited. All stormwater basins shall be wet basins and aeration devices may be required. Bioretention basins, or rain gardens, may be used only when approved by the Zoning Commission as part of the Development Plan. All stormwater basins shall be constructed per the requirements of the Ohio Department of Natural Resources Rainwater and Land Development Handbook and any applicable standards adopted by the Delaware County Engineer.

There are three storm water retention basins planned for the development. All basins will be wet basins, sized and designed by the civil engineer.

P.) Supplemental Conditions and Safeguards. The Zoning Commission may impose additional conditions relating to the Development with regard to the type and extent of the public improvements to be installed;

landscaping; improvements and maintenance of Open Space areas; and other development characteristics.

Q.) Other Requirements. Unless specifically supplemented by the standards contained in **Article 16** herein or those standards approved by divergence, the general development standards found in **Article 21** of this Zoning Resolution shall apply.

BERKSHIRE TOWNSHIP ZONING OFFICE

1454 Rome Corners Road

Galena, Ohio 43021

740-965-2992, Ext. 1

Berkshire.zoning@gmail.com

www.berkshiretp.org

Application # _____

Date received _____

Township Fee \$ _____

Make Check Payable to Berkshire Township

DCRP Fee \$300.00 _____

Make Check payable to Delaware County Regional Planning

Application for Planned Mixed Use District Zoning (PMUD) Circle one: PMUD Article 16 Article 17

Name of applicant Dublin Capital Group Contact name Brian Coate

Address of applicant 715 Shawan Falls Dr, #693

City Dublin State OH Zip 43017

Contact Phone 614-361-6670 Email brian.coate@dublincapitalgroup.com

Name of Property owner Richard L Medellin Enter Diamond Resources Corp

Address of property owner S Three B's & K Rd

City Galena State OH Zip 43021

Phone _____ Email _____

Location/address of property to be rezoned S Three B's & K Rd, approximately 2500' south of OH-37 intersection on the east side of the road.

Parcel number(s) 417-230-01-023-000, 417-230-01-026-000, 417-230-01-027-000

Current zoning Agriculture Current use Agricultural Total acres 60.59

NCAIS Code No. _____ Proposed Use Multi-family Acres to rezone 36.74

Submittal Requirements. The following must be submitted with the correct application fee:

See Berkshire Township Zoning Fees sheet online at <http://www.berkshiretp.org/berkshire-township-zoning-laws.html> for complete fee list. Make check payable to Berkshire Township.

The applicant(s) shall prepare and submit **eight (8) copies of this application, the Development Plan, and all attachments, along with an electronic copy and all applicable fees** to the Berkshire Township Zoning Commission. The application shall be signed by the applicant and all owners of property included in the application. The Berkshire Township Zoning Commission may request that any county agency and/or any committee of the Delaware County Regional Planning Commission submit comments for consideration at the meeting.

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

Property Owner: Peter G. Isaacs ^{Diamond Resources} PRESIDENT Date: 2/10/2021

Property Owner: Lou Ann Medellin PRESIDENT MEDULLIN ENTERPRISES Date: 2/10/2021

Applicant: Brian W Coate Date: 2/10/2021

The Application shall be accompanied by a development plan and the following supporting information and documentation in text and map form: 16.06 (B) or 17.06 B)

1. A survey plat and legal description by a registered Ohio surveyor showing the size and location of the proposed development.
2. A grading plan drawn to scale, showing all information pertaining to surface drainage.
3. A detailed landscape plan shall be submitted with the development plan and shall be subject to approval as part of the development plan. It shall depict and identify all proposed landscaping features.
4. A detailed signage and exterior lighting plan shall be submitted with the development plan and shall be subject to approval as part of the development plan.
5. A detailed parking and loading plan shall be submitted with the development plan and shall be subject to approval as part of the development plan.
6. An explanation of the method/structure and proposed documentation and instruments to be used in order to perpetually own, maintain, and preserve the open space, as required, that is unified and permanently protected. The location, size and proposed spaces are to be detailed.
7. A complete development plan which shall contain **ALL** the information/materials listed in section 16.06(C) or 17.06 (C) of the Berkshire Township Zoning Resolution.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Applicant and property owner(s) certifies that all information contained herein is true and accurate and is submitted to induce the issuance of the requested zoning change. Applicant agrees to be bound by the provisions of the zoning resolution of Berkshire Township, Delaware County, Ohio.

Applicant: Brian W Coats Date: 2/10/2021
Property owner(s): PRESTON DUMONT RESOURCES CORPORATION
Ann Medellen PRES MEDELLEN ENTERPRISES Date: 2/10/2021

NOTE: The initial application fee covers **TWO** Zoning commission hearings. If additional hearings are requested by the applicant, additional fees will be charged in accordance with the adopted fee schedule and are payable before the next hearing will be scheduled.

Received by: _____ Date: _____

For Zoning Commission Use Only:

Section 16.06

- E.) Basis of Approval. In determining whether or not to approve an Application and Development Plan, the reviewing authorities shall consider the following:
- 1.) Whether the proposed Application and Development Plan are consistent in all aspects with the purpose, criteria, intent, and standards of this Zoning Resolution and whether any divergence is warranted by the design and amenities incorporated in the Development Plan.
 - 2.) Whether the proposed Application and Development Plan meet all of the design features required in this Zoning Resolution.
 - 3.) Whether the proposed Application and Development Plan are compatible with the existing land use character, consistent with the intent and purpose of **Article 16 OR Article 17** of this Resolution, and are in keeping with the Berkshire Township, Delaware County, Ohio Comprehensive Plan (the "Comp Plan") and other applicable public plans for the area.
 - 4.) Whether the proposed development will be adequately served by essential public facilities and services including, without limitation, roads, walkways and bike paths, police and fire protection, drainage structures, potable water and centralized sanitary sewers or other approved sewage disposal systems.
 - 5.) Whether the proposed Application and Development Plan promote greater efficiency in providing public and utility services and encouraging innovation in the planning and building of all types of development.
 - 6.) Whether the proposed development can be made accessible through existing Township roadways or roadways and lane improvements actually being constructed and opened prior to the use and occupancy of the proposed development without creating unreasonable traffic congestion in the immediate vicinity of the proposed development or elsewhere in the Township.
 - 7.) Whether the proposed development is designed in such a way as to minimize any unreasonable adverse impact on surrounding areas of the Township.

In approving the Application and Development Plan, the Zoning Commission may impose such conditions, safeguards and restrictions deemed necessary in order to carry out the purpose and intent of the PMUD.

BERKSHIRE TOWNSHIP ZONING OFFICE

Berkshire.zoning@gmail.com

1454 Rome Corners Road
Galena, Ohio 43021
740-965-2992, Ext. 1

www.berkshiretpw.org

RESOURCE INFORMATION FOR COMMERCIAL AND PLANNED RESIDENTIAL PROJECT APPLICANTS

With any large project, there are several county and government departments whose input is required before any construction can begin, and in some cases, even before any township zoning can be approved.

Berkshire Township Zoning Department recommends that you contact all of the following entities when preparing your application. Many times, written letters of approval or preliminary permits must be obtained. Failure to do so can result in delays in zoning or construction.

LOCAL FIRE DEPARTMENT:

BST&G Fire Department

350 West Cherry Street
Sunbury, OH 43074
(740) 965-3841
<http://bstgfiredistrict.org/bstg/>

DELAWARE COUNTY DEPARTMENTS

Delaware County Code Compliance

50 Channing Street
Delaware, Ohio 43015
(740) 833-2200
<https://codecompliance.co.delaware.oh.us/>

Delaware General Health District

1-3 West Winter Street
Delaware, OH 43015
(740) 368-1700
<https://delawarehealth.org/>

Delaware County Engineer

50 Channing Street
Delaware, Ohio 43015
(740) 833-2400
<https://engineer.co.delaware.oh.us/>

Delaware County Regional Planning Commission

109 N Sandusky Street
Delaware, OH 43015
(740) 833-2260
<http://dcrpc.org/>

Delaware County Soil and Water Conservation District

557 Sunbury Rd # A
Delaware, Ohio 43015
(740) 368-1921
<https://soilandwater.co.delaware.oh.us/>