

ZONING COMMISSION MEETING

April 6, 2017

7:00 p.m.

Paul DiSantis called meeting to order. Roll call taken. Members present: Paul Disantis, Andy Kerr, Matt Allen, Keith Cornelius and Eric Johnson, alternate. Jon Kerr is absent.

Motion made by Paul to approve the March 9, 2017 minutes, seconded by. Members who were present voted. (Matt, Andy, Paul and Keith) Vote was unanimous to approve.

First order of business was Application #17-044, by David Weade whose address is 8410 Berkshire Rd., Sunbury, OH 43074 for a 5.49 acre property located on North Galena Road, Parcel 4172100200900 to be rezoned from AG to FR-1. After discussion Paul made a motion to approve the application, Andy seconded the motion. A vote was held and it was unanimous to approve the application.

Second order of business was Application 17-032, which is a proposed amendment to the Berkshire Township Zoning Resolution which would, if adopted, add Article 17 to the Zoning Resolution and create the 36/37 Planned Mixed Use District (PMUD) as a planned unit development under Ohio Revised Code Section 519.021(C) and which would include sections detailing: the purpose and establishment of the PMUD; requirements for the PMUD, including development tract sizes, permitted uses, open space and prohibited uses; establishment of a review process and procedure for the PMUD; requirements for contents of development plans; basis of approval; an approval period; process for modification or extension of development plan; provisions for design standards and minimum development standards including, but not limited to, access, setbacks, yard areas, signage, landscaping, parking, loading, and open space; and provisions for divergences from the minimum development standards. This amendment would also amend Article 5 by adding the 36/37 PMUD as a zoning district and revise the Zoning Map to designate the 36/37 PMUD area. (A copy of this proposed amendment was provided to the Board prior to this meeting.)

David Fisher from Kephart Fischer, LLC and Derek Rogers from Nationwide Realty were present to represent Northstar and answer questions from the Board.

Discussion ensued regarding **Section 17.08, Item C which covers maximum density**. Northstar requested the possibility of adding a new zone to the PMUD, Zone 5A which would be located on the Northeast corner of North Galena and Wilson Roads, which could contain a maximum of 267 cluster home units, with a provision that if that density number is not used there, then whatever number is not built in that zone, could be added to one of the other zones on the west side of North Galena Road. This needs to be reviewed further with the Township attorney, as this affects density questions and numbers of units which may not even be located in Berkshire Township, as this development extends into Kingston Township, too.

In addition, **17.08, (C), (1) Multi-Family Density**: drew specific questions from the board because of the wording specifically naming Northstar Residential Development, LLC. This raised many concerns for the future and how including that wording affects our Zoning Code.

The meeting was adjourned at 8:15 for a short break and reconvened at 8:25 p.m.

Other items to be reviewed with attorney/s or others before next meeting, in order of discussion:

Section 17.06, (A) Pre-Application Meeting: First line of paragraph, change wording from “encouraged” to SHOULD, SHALL or WILL, depending on input from our attorney. Board thought it was too broad and open to interpretation.

Section 17.06, (B) Pre-Application Meeting: First line of paragraph, change number of copies for applicant to submit to Eight (8) from ten (10)

17.06, (F) (5) Following the Approval of the Development Plan: Review this paragraph with our attorney; There was discussion over who should review variances as noted in this paragraph – The Zoning Board or the BZA - Board Chairperson felt strongly that our attorney’s recommendation should be followed here.

17.07, (D) Perimeter Area: Board feels the minimum distance for any building or parking from the perimeter of the property line should change to one hundred (100) feet, not fifty (50) feet.

17.07, (I) Signage: It was noted here that the verbiage in this paragraph is based on the township's existing Sign Code.

17.07, (J) Landscaping: It was discussed that in the future the board has the ability and should, in fact, go out to the area being applied for to review existing landscape, geographic features, desirable existing trees, etc. before approving new landscape plans. The board was reminded of their right to require existing features be retained when possible.

17.08, (C) (2) Other Densities: consider changing densities to four (4) regardless of whether it is single family or attached units.

17.08, (D) (1) Frontage: Change road frontage to "no less than 52 feet" instead of 40 ft.

17.08, (D) (2) Minimum Side Yard: next to last line in paragraph, change distance between units to minimum of fifteen (15) feet, not ten.

17.08, (D) (4) Right of Way Setback: Question regarding wording in line six of that paragraph (definition of "edge of pavement" – does it mean curb?) and also concerns about the width of that setback specifically on Wilson Road needing to be increased due to it being a high-speed, multi-lane road.

17.08, (E) (2) – Maximum Stories: Building Height: If we do add a zone 5A on northeast corner for cluster homes, limit the height of those units to two (2) stories.

At 9:25 p.m. it was decided that discussion on this application will be continued on Thursday May, 4, 2017 at 7:00 p.m. at the regular meeting of the Zoning Commission, to be held at 1454 Rome Corners Road, Galena, OH 43021.

An informal discussion was held regarding the upcoming Comprehensive Plan meeting on April 13, 2017. The commission was reminded that the meeting is to begin at 6:30 p.m.

A motion was made by Keith and seconded by Matt to adjourn the meeting. Vote was unanimous to adjourn.

Respectfully submitted,

Shawna Burkham

Secretary