

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

**REGULAR MEETING
MAY 11, 2010**

1 This meeting was held at the Berlin Township Hall, 3271 Cheshire Road, Delaware, Ohio
2 43015.

3
4 **CALL TO ORDER**

5
6 The meeting was called to order by Chairperson Rick Sedlacek at 7:00 PM.

7
8 Mr. Hahn led the meeting attendees in the recitation of the Pledge of Allegiance.

9
10 BZC Members Present: Rick Sedlacek; Jerry Valentine; Jim Hahn; Kristin Yorko; Rae
11 Ann Kerlin.

12 Also present: Betty Bringardner (1st alternate), Toni Korleski (2nd alternate).

13
14 Mr. Sedlacek read the adopted BZC policy statement for the meeting, as printed in the
15 agenda.

16
17 **LEGAL NOTICE AND PROOF OF LEGAL NOTICE PUBLICATION**

18
19 Zoning Clerk Lisa Knapp provided proof of publication for the legal notice for this
20 meeting, which was published on May 1, 2010 in the Delaware Gazette, providing
21 notification of the meeting date, time, and items for discussion.

22
23 *BERLIN TOWNSHIP ZONING COMMISSION*
24 *NOTICE OF PUBLIC MEETING*

25
26 *The Berlin Township Zoning Commission will hold a public meeting on May 11, 2010 at*
27 *7:00 p.m. at the Berlin Township House located at 3271 Cheshire Road, Delaware, Ohio*
28 *43015 to continue discussions regarding the revisions associated with the text of the*
29 *Comprehensive Land Use Plan (CLUP). This will include introduction of*
30 *recommendations and sub areas. Discussions will continue on possible changes as a*
31 *result of the recently completed Business Community Forum as well as wind turbines.*
32 *The person responsible for giving notice of the public hearing by publication is Cathy*
33 *Rippel. Questions concerning this matter should be directed to the Zoning Office at*
34 *740-548-5217. Township residents are encouraged to attend.*

35
36
37 *BERLIN TOWNSHIP ZONING COMMISSION*
38 *Rick Sedlacek, Chairman*

39
40 **APPROVAL OF MINUTES**

41
42 Ms. Yorko made a motion to approve the minutes from the April 13, 2010 BZC meeting
43 as presented. Mr. Valentine seconded the motion. All in favor say, "aye," all opposed
44 signify with same sign. No opposition, motion carried, minutes approved

45
46 **AGENDA ITEM: INTRODUCTION OF MEETING ATTENDEES**

47
48 The following residents were in attendance.

- 49
50
- Don Sherman, 1469 Africa Road
 - Rick Gemienhardt, 881 Africa Road
 - Joe Korleski, 3584 Greenville, Berlin Township BZA member
 - David Leahy, 1484 Dale Ford Road, Delaware, Ohio 43015
- 51
52
53
54

55 **AGENDA ITEM: CHESHIRE BUSINESS UPDATE AND SIGNAGE**

56 Ms. Kerlin said she has sent to the Commission the proposed revisions to Article 22 of
57 the zoning resolution, and she asked if the Commission could review the language and
58 provide their comments to her via email so progress can be made.

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60 Ms. Kerlin said that originally the Commission was considering having a separate chapter
61 in the zoning resolution for the historic Cheshire area, but then the Commission rethought
62 that and Article 22 will instead be reworded so it is applicable to the rest of the township.
63

64 Mr. Sedlacek asked that she resend the document to the Commission and they will
65 provide their comments no later than the last week before the next meeting.
66

67 **AGENDA ITEM: REVIEW AND COMPLETION OF CHAPTER 4 COMPREHENSIVE LAND**
68 **USE PLAN (CLUP)**
69

70 Mr. Sanders said he applied the suggestions from resident Elizabeth Kline which she had
71 made at a prior meeting, and also changed the title to this section. There was a set of
72 goals included in the last plan, and so he didn't put goals at the end of each chapter.
73 When the review of the CLUP has been completed, the goals will be then reviewed. He
74 felt that the new title "Goals Update" is better than "Community Vision" and goes
75 beyond just the vision to priorities.
76

77 Mr. Sanders said that the last section states, "Goals," and those are memorialized as
78 goals. These were circulated to the Commission and zoning staff about 6 months ago and
79 aren't new at this time. He took some things from the ranking system of the old plan
80 from 10 years ago and combined them into similar groups instead of ranking them.
81

82 Mr. Sedlacek asked whether the Commission should take the chapter home to review it as
83 homework for the next meeting. Mr. Sanders said that the Commission has already
84 discussed some of the terminology and decided that they like some of the language more
85 than others and he has listened to that feedback.
86

87 Mr. Sedlacek asked what the Commission thought about it. It is a summation of what has
88 been learned and collected, but they could take a look at it and come back next month to
89 discuss it. Ms. Kerlin said she would prefer to review it and see if it is as intended by the
90 Commission. Mr. Sanders noted that once the entire CLUP has been completed, the
91 Commission can review it one more time.
92

93 **Resolution 10.05.11.#1: Accept Chapter 4 of the CLUP as Presented**
94

95 Mr. Hahn made a motion to accept Chapter 4 as presented. Ms. Kerlin seconded the
96 motion. Vote: Hahn, yes; Kerlin, yes; Valentine, yes; Yorke, yes; Sedlacek, yes. Motion
97 carried, Chapter 4 approved as presented.
98

99 Mr. Valentine said that on page 36, the section beginning with, "On April 28, 1999..."
100 should be bolded and have some type of header to indicate what it is. Mr. Sedlacek
101 suggested creating a header which states, "The Essence of Berlin Township." Mr. Sanders
102 said he could move that entire section up. Ms. Korleski agreed and said it could be
103 relocated after the first sentence on page 35, right before the sentence that discusses
104 strengths and weaknesses.
105

106 Ms. Yorke noted that the strengths and weaknesses should be indicated all in one text
107 size. Currently, the goals are a different font size and they need to be consistent.
108

109 **Resolution 10.05.11.#2: Modify Chapter 4 of CLUP as Specified**
110

111 Mr. Hahn made a motion to modify Chapter 4 by moving the section on page 36
112 beginning with, "April 28, 1999" and ending with, "8 Moderate Traffic" to page 35, to be
113 inserted after the first sentence on page 35. During the process of making these changes,
114 a new paragraph will be created. Also, formatting issues in this chapter will be corrected.
115 Ms. Kerlin seconded the motion. Vote: Hahn, yes; Kerlin, yes; Valentine, yes; Yorke,
116 yes; Sedlacek, yes. Motion carried, Chapter 4 modified.
117
118

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AGENDA ITEM: CONTINUATION OF CHAPTER 14 CLUP REVIEW

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Planning Area Five - Dunham Peninsula

Land area: 1,361 acres, Potential development acreage: 19 acres

Current estimated population: 78 (29 housing units)

Area five is wedged between Alum Creek on the east and west. It has dead end access via Dunham and Big Run Roads.

Mr. Sanders said that recommendations are the most important part, and once they are done he will distribute a copy of the revised text. He is keeping a marked-up copy. After the entire document has been reviewed, he will distribute a complete version which can then be reviewed.

He has made a few changes to the language but nothing drastic so the changes can be discussed as they are reviewed. He said he is not sure why the 19 acres listed as being undeveloped includes the multi-family portion.

5.1 The plan recommends a planned commercial corridor approximately 700 feet deep and parallel to US 36, provided:

a.) Parcels have limited access to US 36 and are linked with parallel rear access road G built in increments by developers.

b.) Only low level, downward-cast lighting should be allowed to prevent a halo effect on the night sky in deference to the Perkins Observatory.

c.) To avoid sign clutter, ground signs should be the only sign type permitted along US 36. Tall pole signs and billboard signs should be prohibited. A Berlin Township sign syntax should be developed.

d.) Extensive landscaping should be required in parking lots to avoid the “sea of asphalt”. Use landscaping to divide parking areas by using islands at reasonable spacing, at ends of rows, and along US 36 frontage.

e.) Areas should be developed with pedestrian connectivity and access as a goal. Retail and office design elements should include rear parking, grid streets, sidewalks, street trees and building orientation. Angled and parallel on-“street” parking, may be used to improve walkability. Office, civic, and multi-type residential use may use campus-style building orientation, courtyard and on-street parking and pedestrian connections.

Mr. Sanders said the depth of the commercial areas has already been discussed, and this section relates generally to other areas of commercial development where there is a large commercial use and there are outlots in front. The depth of the commercial area is 600’ or 800’. The former language indicated 700’ but in reality the commercial areas were only 300-400’ and there was a condo use located in front.

Mr. Sanders said that on-street parking doesn’t suggest any existing streets, but something which would appear to be a street but would be private access easements within a commercial development.

Mr. Sanders said that the land south of that area would be recommended for a density of 1.5 units/net developable acre.

Mr. Sedlacek asked where access road F is. He said it seemed to be G. Mr. Hahn said that Road F is north and Road G is south. Mr. Sanders said that the Orange Township maps didn’t have labels on the roads either. He said that Road F is on the north and Road G is to the south. Mr. Sedlacek said that Road F had been mis-numbered.

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177 Ms. Yorke said that the text is indicating that the depth of the commercial corridor should
178 be 700', and asked if the current depth in some places is zoned with as little as a 300'-
179 depth? Mr. Armstrong said she is referring to the small parcel at the southeast corner of
180 U.S. 36.

181
182 Ms. Yorke asked if the depth of the commercial corridor is then not parallel to U.S. 36/27
183 but instead fluctuates? Mr. Sanders said, "Yes," and that is only 300' deep in some areas.
184 Ms. Yorke said that if the current property is already zoned less than 700', shouldn't that
185 current depth be reflected in the plan?

186
187 Mr. Sanders said that multi-family development had been included in the commercial
188 area, and he suggested perhaps indicating that commercial development would go to a
189 certain depth and multi-family development can be used as a buffer between the single-
190 family and planned commercial districts.

191
192 Mr. Hahn said that perhaps the text could state a minimum of 300-700', depending on the
193 development's needs. Mr. Hahn said that anything deeper than 700' would open the
194 township up to a big box use; the depth needs to be deep enough but not too deep.

195
196 Mr. Sanders noted that the widest commercial development is indicated as being 700'
197 deep.

198
199 Ms. Kerlin asked Mr. Sanders to add vegetation requirements to the buffering stipulations
200 for multi-family development. Mr. Sanders said that could be added under 5.2 for land
201 south of U.S. 36/37.

202
203 Ms. Kerlin said that specifying multi-family development is a stark comparison to the 1.5
204 units/acre requirement for that area. Mr. Sanders said that perhaps multi-family
205 development could be clustered at the top and the rest of the development could have a
206 maximum of 1 unit/acre. Ms. Kerlin said at that density, not much could be built in there.

207
208 Mr. Hahn said that typically the Commission wants some type of multi-family or cluster
209 housing as a buffer and that would be true in this and other areas in the township. Mr.
210 Sanders said that depended on the purpose; perhaps a commercial area would be deeper
211 next to a highway, so the Commission may not wish the language to indicate that multi-
212 family development could be used as a buffer everywhere.

213
214 Mr. Armstrong said that perhaps the language could indicate that buffering is required for
215 sight and sound between planned commercial and residential areas, but not state exactly
216 what the buffer would be. At least it would state at a minimum that some type of
217 buffering is required. Mr. Sedlacek agreed.

218
219 Mr. Hahn said it could state that the buffer would be landscaping or other transitional
220 zoning. Mr. Armstrong advised not locking the township into one specific type of buffer.

221
222 Mr. Gemienhardt as if the 700' depth would include the commercial transitioning into the
223 multi-family development, or whether there would be 700' of commercial development,
224 then multi-family, then residential. Mr. Sedlacek that a depth of 700' for commercial
225 development is currently indicated, and Mr. Sanders agreed.

226
227 Mr. Gemienhardt said he just wanted to clarify that is the intent, as at one point it was
228 stated that planned commercial development included multi-family. He asked if that was
229 no longer true and the current intent is to have a 700' deep planned commercial
230 development, then 300-400' of multi-family development as a buffer, then single-family
231 residential development.

232
233 Mr. Sedlacek said that the commercial depth would be 700' and then would transition
234 into the buffer. Mr. Gemienhardt said that if multi-family is mentioned in the plan, that
235 could be suggested when they come in. Mr. Hahn said that's why the language should

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236 mention transitional zoning as a buffer. Mr. Sedlacek said it is better to specify what the
237 Commission wants, because if it doesn't, problems could be created.

238

239 Mr. Sanders said the language could indicate that in this area within the 700' commercial
240 depth multi-family development may be an appropriate buffer to single-family
241 development to the south, or it could state that beyond the 700' depth, multi-family may
242 be an appropriate buffer at this certain density. Mr. Hahn said the commercial depth has
243 been defined as 700' and that is clear, and he suggested indicating that instead of stating
244 that multi-family development is required between commercial and single-family
245 developments, the text could state that some type of transitional zoning or landscaped
246 green space is required.

247

248 Mr. Sanders said if the current development plan went away and a new developer came in
249 and took it over, would the township accept what is current there? He asked if it was
250 worth stating that it would be developed as it is currently zoned, or if there was a new
251 developer would the township want things to stay the same or change?

252

253 Mr. Hahn said that he thought the township wanted the strip of commercial development
254 because it was concerned about annexation. He suggested indicating that buffering via
255 landscaping or transitional zoning may be required, as that would provide flexibility. Mr.
256 Sedlacek said he didn't want to lock the township into the existing zoning plan.

257

258 Mr. Sanders said it seemed that the Commission felt that the existing zoning was
259 acceptable, including the current depth of commercial, and that the text should indicate
260 that transitional buffering of either landscaping or multi-family is required. He noted that
261 the term, "transitional," should be defined as residential, just in case a developer thinks
262 that a hotel is transitional zoning.

263

264 Mr. Hahn said he would like to see an appropriate buffer between planned commercial
265 and single-family developments and a hotel would not be an appropriate buffer.

266

267 Ms. Kerlin said the density of the buffer would need to be addressed as well, because
268 potentially a developer may want to put something in which is excessive and which could
269 impact the township and taxes.

270

271 Ms. Korleski asked whether there was sewer service in the area indicated as having a
272 maximum density of 1.5 units/acre. Mr. Sanders said there would have to be, in order to
273 get that density. Mr. Armstrong said that is indicated in the zoning resolution. Mr.
274 Sedlacek said the developer who had the property rezoned had intended to install sewer
275 but it never happened.

276

277 Mr. Korleski asked what, "net developable acres," meant, and asked if that meant a large
278 pond could be placed on the property and the houses could be packed into the remainder
279 of the property. Mr. Sanders said that the term, "net," doesn't refer to what can be put on
280 the property, but what is currently there now, an amount of about 30% including roads,
281 slopes, rivers, ponds, etc. If a pond was part of the property, that would be considered
282 part of the open/green space, and the number of units per individual acre could then be
283 limited.

284

285 Mr. Korleski said that in that case, the units could be packed in on the remaining property
286 at a density of more than 1.5 units/acre. Mr. Hahn said that the township's zoning is
287 based on net developable acreage, while the City of Delaware's is based on gross acreage
288 and they can pack them in. The net developable acreage is usually about 15-20% less.

289

290 Mr. Sanders said that just provides a number, and the way the units are arranged, such as
291 cluster housing, is probably covered in the zoning resolution.

292

293 Mr. Korleski said that the 1.5 units/acre doesn't really mean anything in relation to
294 cluster housing.

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295 Mr. Gemienhardt said that if a property wasn't zoned yet and zoning could start over
296 again on a property, would that leave an either/or situation? It seems that is a rural area
297 with no traffic and dead end roads. He said that perhaps a developer could consider a
298 development like Dooley's Orchard in Orange Township to be, "transitional zoning." He
299 asked whether the township would prefer a pocket of multi-family development as a
300 transition. He asked how other similar areas have been handled, and whether the
301 transitional buffering language has been mentioned during a rezoning hearing or actually
302 spelled out via specific language? He asked about the area to the north.

303

304 Mr. Sanders said that the north side of the highway is intended to have less intense usage
305 in general than the south side, and he didn't think any language is in place for transitional
306 buffering to the north.

307

308 Mr. Hahn said that he is concerned that the Costco building, in the City of Columbus,
309 there is no buffer between that and the single-family development to the north. Mr.
310 Sanders said he had been told there would be a buffer, but the building was built and no
311 buffer was provided.

312

313 Mr. Sedlacek asked whether the Commission wished to make the transitional zoning
314 language specific in the text, or define it as buffering or some other transitional zoning
315 district. He asked if the latter language would be strong enough verbiage. Mr. Sanders
316 said the Commission needs to provide some direction regarding what an appropriate
317 transitional area would be, regarding the type of appropriate transitional uses.

318

319 Mr. Hahn said that as it currently exists, the Commission has the flexibility to require
320 transitional buffering per plan through the rezoning process. Mr. Sanders commented
321 that he didn't think that the township was making a mistake by leaving it general. The
322 way the language is currently written, if the current plan went away, commercial
323 development would be required back to the dotted line and there would be some
324 allowable transitional use between the backage road, and single-family development to
325 the south. That would alert a developer that a buffer of transitional zoning or landscaping
326 would be allowed. He noted that Transitional Planned Development Unit (TPUD) is
327 defined in the zoning resolution.

328

329 Mr. Sedlacek said that perhaps the language was getting too specific and perhaps it
330 should be general. Ms. Kerlin said that if she was a resident on Dunham Road, she would
331 be more upset if there was multi-family buffering adjacent to the commercial, and she
332 would prefer transitional landscaping.

333

334 Ms. Korleski asked about non-building/dwelling transitional uses. Mr. Sanders said that
335 even if there is multi-family transitional buffering, some type of landscaping should still
336 be required in-between the single-family and multi-family developments.

337

338 Mr. Armstrong said that the TPUD is applicable not just for multi-family uses such as
339 multi-family residential and multi-family cluster housing. It is also applicable to,
340 "nonresidential uses such as religious, cultural, education, recreational, nature, etc."

341

342 Mr. Sedlacek said he would like to see something in the text regarding buffering in
343 addition to what is there now. Ms. Kerlin said she would prefer to leave it vague, as she
344 didn't want to give a developer ideas about multi-family and cluster housing. She
345 preferred to have the type of transitional use open to interpretation at the appropriate time
346 in the process.

347

348 Mr. Sanders said that he would modify the text to indicate that transitional landscaping
349 buffering is required between separate uses, and in addition, buffering of transitional uses
350 may be required as well. This would provide the Commission with the desired flexibility.

351

352 There was a discussion about roads. Mr. Sanders asked whether it was worth shifting a
353 road due to the location of wetlands. Mr. Hahn said it depends on the commercial area.

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354 A minimum depth of 300' and a maximum of 700' provides the township with the
355 flexibility to adjust it on the plan, but not to let a big box come in to the township.

356
357 Ms. Yorke said that 5.2 in the existing plan indicates that there is a maximum density of
358 1 net unit per two acres if sewer is available for the land south of the commercial corridor
359 on Dunham Road, but now that is indicated as 1.5 units per net developable acre. It
360 seems like this is allowing for more density, and she asked if that was because of the
361 zoning which came through. Mr. Sanders said that at that time, there was no sewer
362 available, and now sewer is inevitable. The density for areas without sewer access is 1
363 unit per two acres, which is a net developable of 1.5 units.

364
365 Planning Area 6 – East Alum Creek Corridor
366 Area six is bound on the west by Alum Creek and lands of the United States, on the north
367 generally by property lines parallel to and 700 feet north of US 36, on the east by
368 Berkshire Township, and on the south by a line approximately 1300 feet north of and
369 parallel to Cheshire Road.

370
371 Mr. Sanders said this area saw more change than was anticipated.

372
373 There is very limited sanitary sewer service to this area by a force main in Africa Road.
374 Berlin and Berkshire Township wish to reserve what little capacity is in this force main
375 for commercial development at the US 36 and I-71 interchange and the US 36
376 commercial corridor. Lands west of Africa Road adjacent to Alum Creek State Park are
377 recommended for single family residential use at very low density of one unit per two
378 acres. Lands east of Africa Road are recommended for residential use at one unit per
379 acre. New parallel commercial access road H should connect Africa and 3 B's and K
380 Roads provided:

381
382 Mr. Sanders said he wasn't sure whether it was valid to state in this section that there is
383 limited sanitary sewer service, as there is sanitary sewer service. Mr. Sedlacek asked
384 whether any comments should even be made on that, as that is referring to Berkshire
385 Township. Mr. Sanders said that this section is much more detailed than normal, and he
386 suspects that the former DCRPC director Phil Laurien was attempting when he wrote this
387 to go into more detail, sensing that there will be more activity in this area and the
388 township may wish to limit it. The county is now recognizing how important the
389 interchange is and is trying to get sewer service up in that area. Indicating that it is
390 limited or going into too much detail may not be necessary.

391
392 Mr. Sanders suggested stating that there is sanitary sewer service to this area, and that
393 Berlin and Berkshire townships see the purpose of sanitary sewer service for the
394 commercial development in this area. He said the plan didn't have to comment on
395 Berkshire Township.

396
397 Mr. Armstrong suggested removing the specific comments, as whatever happens in that
398 area regarding sewer will dictate what happens anyway. Mr. Sanders suggested, "There
399 is sanitary sewer service to this area serving residential and commercial developer on the
400 Route 36 corridor and at the interchange. Mr. Sedlacek liked that language.

401
402 1.) Parcels have limited access to US 36 and are linked with parallel rear access roads H
403 built in increments by developers.

404
405 Mr. Sanders said that this language would only truly impact a few parcels. He asked
406 whether the Commission would like to leave the density at 1 unit/2 acres, or add
407 transitional language to this section and indicate 1 unit/acre. He asked whether the area
408 changed at all when the map was updated in 2007. He said it seemed that there were
409 some density changes which were made in the CLUP but that was mostly towards the
410 city of Delaware. Mr. Armstrong said that was correct.

411

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412 Mr. Valentine said it is 1 unit/2 acres for property west of Africa Road adjacent to Alum
413 Creek State Park, and it is 1 unit/acre east of Africa Road for residential property. Mr.
414 Sanders said perhaps the text could acknowledge that with sewer the density would be 1
415 unit/acre.

416
417 Mr. Valentine asked how far this plan can be taken and how much detail is required, as
418 this is the vision of the township for the next 10 years. Mr. Sanders said that the text
419 doesn't have to indicate the areas east and west of Africa Road, and it could indicate
420 instead that within this sub area a certain density is required.

421
422 Mr. Gemienhardt said that regarding the economic feasibility of these lands, the area
423 where the large 6 is in the map is The Estates at 1 unit/acre, and north of that is 1
424 unit/acre on the Cochral farm. Thus there are two different cases and two different
425 developers, and it worked for them. One unit/acre seems reasonable.

426
427 Mr. Sanders said that the west side should have been lower density because it is near the
428 state park and the reservoir. However, the higher density is now on the wrong side of the
429 road. He suggested treating both areas the same; requiring 1 unit/acre and if the
430 developer wants to do a PRD they still can have smaller lots, but then it would be
431 required that sewer is available.

432
433 2.) Only low level, downward-cast lighting should be allowed to prevent a halo effect on
434 the night sky in deference to the Perkins Observatory.

435

436 It was agreed to redo this section's formatting. The sentence starting with, "New
437 parallel..." should be a new section.

438

439 Mr. Hahn said that the plan goes into a lot of detail in this section. Mr. Sanders said the
440 existing language didn't provide the distance from the road. He said the land use plan
441 map doesn't indicate where there is commercial development along the highway, so the
442 depth of the commercial to the south needs to be discussed. Some of the area is already
443 zoned commercial and doesn't need to be rezoned, and some is indicated as future
444 zoning.

445

446 3.) To avoid sign clutter, ground signs should be the only sign type permitted along US
447 36. Tall pole signs and billboard signs should be prohibited. A Berlin Township "look" or
448 architectural sign syntax should be developed.

449

450 6.3 Mr. Sanders said that this section will start with the new parallel road statement.

451

452 He wasn't sure if it would be required to discuss the land use in that area since it is all
453 commercial now.

454

455 Mr. Hahn said that regarding condos being located in the commercial areas, he would like
456 to see that changes before the developer comes in and takes advantage of that situation if
457 the condos leave.

458

459 Mr. Armstrong said that there should still be language in there that says that a
460 commercial corridor is whatever it is that the Commission decides, because if it doesn't
461 there could be problems.

462

463 Mr. Sanders said that north of U.S. 36/37, should the entire side of that be commercial, or
464 should it be cut off at just those parcels with current frontage on U.S. 36/37. Ms. Yorke
465 said it should be just those with current frontage.

466

467 Mr. Hahn said he thought that an access road was planned on the north side as well. Mr.
468 Sanders said that the topography was too difficult for that, unless a bridge is built.

469

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470 Mr. Sherman discussed the planned future intersection to get traffic out off U.S. 36/37
471 and I-71. There may be a southbound roundabout intersection. Northbound traffic
472 should go behind the Flying J and behind the new development to make a new cloverleaf.

473
474 Mr. Sanders said it seems that there will be a new bridge and it will tie in. He suggested
475 moving the dotted line down to where the current development plan shows it in the condo
476 development, and away from the building. He asked whether it should continue to
477 transition and develop. The current plan states that it will go all the way down and
478 perhaps there should be a transitional area.

479
480 Mr. Hahn said the township lost a nice opportunity to obtain an easement for a future
481 road when the Hill property at 3 B's and K Road was rezoned.

482
483 4.) Extensive landscaping should be required in parking lots to avoid the "sea of asphalt".
484 Use landscaping to divide parking areas by using islands at reasonable spacing, at ends of
485 rows, and along US 36 frontage.

486
487 The Zoning Commission should change the Industrial zone (Biancone land) on 3 B's and
488 K Road to a Planned Industrial District so that a change of use (but not a change of
489 tenancy) would require development plan approval.

490
491 Mr. Sanders said the text states that the Zoning Commission should seek a change to the
492 zoning of a property on its own, and that should be changed. He will rewrite that entire
493 section, and this will become item 4) after the rearranging is done. He suggested the
494 following phrase:

495
496 "As the industrial-zoned land on 3 B's and K Road redevelops, the Zoning Commission
497 should seek the zoning change to Planned Industrial."

498
499 Planning Area Seven-Southern Gateway

500
501 Mr. Sanders said that items 7c), 7b) and 7a) need to be combined into one area. 7d) is
502 mostly located in the city Delaware, with stubs. 7e) is the corner between the railroad
503 tracks and most of it has already been annexed. There is no reason to make
504 recommendations on the first three items separately as they are all in the same City
505 service area. He said he needed to re-do the introductory page and indicate what is there
506 now, and then review it during the second pass review of the CLUP.

507
508 He reviewed the locations of 7a), 7b) and 7c), and some specifics of 7d).

509
510 Recommendations for future Land Use- Area 7

511 Area 7a.) US 23 Corridor-General Principles

512
513 1. Planned Commercial districts should be zoned upon submission of a plan which shows
514 access management principles and interconnection of properties north to south.

515
516 2. No left turns should be permitted across US 23 except at ODOT approved locations.
517 The plan suggests these to be at Winter Road, Shanahan Road, and a signalized
518 intersection planned for the Gubs/Grief Bros. Developments, north of Nelson Homes. It
519 is possible that an additional signalized intersection may be warranted to access lands
520 south of the mobile home park as an access to area 7b. If so, it should be located
521 approximately 1500 feet north of Shanahan Road, subject to ODOT approval.

522
523 It was agreed to discuss the rest of Area 7 at the next meeting.

524
525 Mr. Sedlacek asked if anything new would be coming in before next month. Mr.
526 Armstrong said that the Garth's plan will probably come in two months.

527

BERLIN TOWNSHIP ZONING COMMISSION (BZC)

OF DELAWARE COUNTY, OHIO

**REGULAR MEETING
MAY 11, 2010**

528 Mr. Armstrong distributed another article from the Delaware Gazette regarding the sign
529 code in Liberty Township.

530

531 **AGENDA ITEM: CONTINUE DISCUSSION REGARDING WIND TURBINE REGULATIONS**

532

533 Mr. Sherman said that the name of a wind turbine company is Third Suns Solar, from
534 Athens, Ohio. That company has done work in Liberty Township, and he suggested
535 perhaps asking the company to give a presentation to the Commission.

536

537 Mr. Sedlacek asked him to investigate and report back to the Commission at the next
538 meeting.

539

SYNOPSIS

540

541 Accomplished

542 ➤ The following resolutions were passed:

- 543 • Resolution 10.05.11.#1: Accept Chapter 4 of the CLUP as Presented
- 544 • Resolution 10.05.11.#2: Modify Chapter 4 of CLUP as Specified
- 545 • Part of Chapter 14 of the CLUP was reviewed.

546

547

548 Future Work

549 ➤ The review of the CLUP will continue with Chapter 14 at the next meeting.

550 ➤ Work will continue on the various BZC sub-committees.

551 ➤ Mr. Sherman will bring back information regarding a wind turbine company giving a
552 presentation to the Commission.

553

554 The next BZC meeting will be on Tuesday, June 8, 2010 at 7:00 PM at the Berlin
555 Township Hall.

556

557 There was no further business to come before the Commission. Motion to adjourn.
558 Meeting adjourned.

559

560 _____
Rick Sedlacek, Chairperson

561

562 _____
Kristin Yorke, Vice Chairperson

563

564 _____
Jerry Valentine, member

565

566 _____
Rae Kerlin, member

567

568 _____
Jim Hahn, member

569

570 Attest: _____

571 Lisa F. Knapp, Berlin Township Zoning Clerk