ORDINANCE NO. 25-53

AN ORDINANCE APPROVING A REQUEST BY BERLINSTATIONROAD LTD FOR APPROVAL OF A ZONING MAP AMENDMENT FROM A-1 (AGRICULTURAL) TO R-PUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) ON 66.75-ACRES OF PROPERTY AS DESCRIBED IN "EXHIBIT A".

WHEREAS, the Planning Commission at its meeting on September 3, 2025, recommended approval of a request by BerlinStationRoad, LTD for approval of a zoning map amendment from A-1 (Agriculture District) to R-PUD (Residential Planned Unit Development) on 66.75-acres of property located between east of Berlin Station Road as shown in "Exhibit A".

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. A request by BerlinStationRoad, LTD for approval of a zoning map amendment from A-1 (Agriculture District) to R-PUD (Residential Planned Unit Development) on 66.75-acres of property located between east of Berlin Station Road as shown in "Exhibit A", is hereby confirmed, approved, and accepted with the following conditions:

1. The concept plan dated "07/02/25" illustrates the general layout of the development within this Planned Unit Development.
2. Uses permitted in this Residential Planned Unit Development are One-Family Dwelling, Two-Family Dwelling, and Public or Private Recreational Facility.
3. Roads and Traffic:
    a. Access points shall generally conform to the access points shown on the concept plan dated "07/02/25". The City Engineer shall determine the final design and location of all access points at the development plan stage.
    b. A Traffic Impact Study (TIS) shall be submitted with the first Development Plan application and accepted prior to the submittal of the first Subdivision Plat relating to this development.
4. Density and Layout:
    a. The net density of the development shall not exceed 4.0 dwelling units per acre.
5. Buffers, Landscaping, and Open Space:
    a. Tree preservation areas shall generally conform to the areas shown

on the concept plan dated "07/02/25".

b. Site coverage shall not exceed 65% of the total acreage of the site.

c. A minimum 10% of open space provided shall be common open space.

d. The existing trees on the north, west, and south boundaries of the site shall be preserved in Tree Preservation Zones under common ownership of the Homeowner's Association or other association of owners. The applicant shall work with the City Forester to determine appropriate locations for additional plantings within these preservation areas.

e. A 30-foot buffer including mounding and plantings shall be required adjacent to and parallel with the existing Norfolk Southern railroad on the east side of the site. The final design and orientation of that buffer shall be determined at the Development Plan stage.

6. Pedestrian Access

a. A minimum 10-foot asphalt multi-use path shall be required on the east side of Berlin Station Road and on the west side of the Norfolk Southern railroad tracks. The exact location, geometry, and orientation of these paths shall be determined at the Development Plan stage.

b. All roads shall have a minimum of 5-foot sidewalks on each side.

7. Signage requirements shall be determined at the Development Plan stage.

SECTION 2. That the Zoning Map referenced in §1110.02 of the Planning and Zoning Code be amended to rezone approximately 66.75 acres of land described further in Exhibit A, from A-1 (Agriculture District) to R-PUD (Residential Planned Unit Development).

SECTION 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Ohio Revised Code.

~~VOTE ON RULE SUSPENSION~~: YEAS____ NAYS____ ABSTAIN____

PASSED: October 13, 2025 YEAS 7 NAYS 0 ABSTAIN 0

ATTEST: _____
CITY CLERK

_____
MAYOR

CITY OF DELAWARE
PLANNING COMMISSION
September 3, 2025

R-PUD 25-11
FARMS AT BERLIN STATION
REZONING

RESOLUTION

WHEREAS, BerlinStationRoad, LTD, 6660 N High Street, Suite 1 E, Worthington, Ohio, 43085, has filed an application requesting to rezone 66.75 acres of land from A-1, Agricultural, to R-PUD (Residential Planned Unit Development). The property is located on the east side of Berlin Station Road, further described in Exhibit "A".

WHEREAS, a public hearing was held on September 3, 2025 by the City of Delaware Planning Commission, as required by law, at which time all people who wished to testify regarding the pending application were afforded the opportunity to give their comments at the public hearing; and

WHEREAS, the City of Delaware Planning Commission finds that the facts submitted with this PUD rezoning application and presented at the public hearing and any amendments, or supplementary conditions, satisfy the standards and criteria for PUD rezoning approval as per §1114.07 of the Planning and Zoning Code; and

WHEREAS, the City of Delaware Planning Commission finds that pursuant to §1114.13 of the Planning and Zoning Code, each and all excluded uses are inappropriate for this specific R-PUD; and

WHEREAS, the City of Delaware Planning Commission finds that the applicant's plans are in compliance with the City of Delaware Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED that the City of Delaware Planning Commission recommends to the City of Delaware City Council:

SECTION 1. That the Zoning Map referenced in §1110.02 of the Planning and Zoning Code be amended to rezone approximately 66.75 acres of land described in Exhibit "A", from A-1 Agriculture to R-PUD (Residential Planned Unit Development).

SECTION 2.

1. The concept plan dated "07/02/25" illustrates the general layout of the development within this Planned Unit Development.
2. Uses permitted in this Residential Planned Unit Development are One-

Family Dwelling, Two-Family Dwelling, and Public or Private Recreational Facility.

3. Roads and Traffic:
    a. Access points shall generally conform to the access points shown on the concept plan dated "07/02/25". The City Engineer shall determine the final design and location of all access points at the development plan stage.
    b. A Traffic Impact Study (TIS) shall be submitted with the first Development Plan application and accepted prior to the submittal of the first Subdivision Plat relating to this development.
4. Density and Layout:
    a. The net density of the development shall not exceed 4.0 dwelling units per acre.
5. Buffers, Landscaping, and Open Space:
    a. Tree preservation areas shall generally conform to the areas shown on the concept plan dated "07/02/25".
    b. Site coverage shall not exceed 65% of the total acreage of the site.
    c. A minimum 10% of open space provided shall be common open space.
    d. The existing trees on the north, west, and south boundaries of the site shall be preserved in Tree Preservation Zones under common ownership of the Homeowner's Association or other association of owners. The applicant shall work with the City Forester to determine appropriate locations for additional plantings within these preservation areas.
    e. A 30-foot buffer including mounding and plantings shall be required adjacent to and parallel with the existing Norfolk Southern railroad on the east side of the site. The final design and orientation of that buffer shall be determined at the Development Plan stage.
6. Pedestrian Access
    a. A minimum 10-foot asphalt multi-use path shall be required on the east side of Berlin Station Road and on the west side of the Norfolk Southern railroad tracks. The exact location, geometry, and orientation of these paths shall be determined at the Development Plan stage.
    b. All roads shall have a minimum of 5-foot sidewalks on each side.
7. Signage requirements shall be determined at the Development Plan stage.

SECTION 3. These plans and all papers relating to the approved plan shall be submitted with this resolution to City Council.

The Clerk is directed to transmit this case to City Council for further determination as required by law.

PASSED: September 3, 2025 YEAS 6 NAYS 0
ABSTAIN 0

ATTEST: Sarah Quiroz
CITY CLERK

CHAIRMAIN

EXHIBIT "A"

Description of a 66.753 acre tract
For zoning purposes

July 18, 2025

Situated in the City of Delaware, County of Delaware, State of Ohio, being part of Farm Lots B and C in Quarter-Township 1, Township 4, Range 19 of the United States Military Lands, and being all of the 26.35 acre tract (Tract I), and all of the 35.390 acre tract (Tract II) conveyed to BERLINSTATIONROAD, LTD. in Official Records Volume 2139, Page 2265, and being all of the 5.013 acre tract conveyed to Mark S. and Deborah L. McCreary in Deed Book 569, Page 540, and being more particularly described as follows:

BEGINNING at the northwest corner of M.H.D. Estates No. 2, recorded in Plat Cabinet 1, Slide 493, also being in the centerline of County Road 91 (Berlin Station Road), being on the east line of a 1.432 acre tract conveyed to Nancy G. Taylor and Gary F. Crilley in Official Records Volume 1654, Page 892;

thence along the said centerline of County Road 91, also being the said east line of the 1.432 acre tract, also being the east line of a 5.010 acre tract conveyed to William L. and Melanie P. Woods in Official Records Volume 1398, Page 949, also being the east line of 1.115 acre tract (Tract I) and the east line of a 1.48 acre tract (Tract II) conveyed to Richard A. and Monika Ray in Official Records Volume 1398, Page 921, also being the east line of a 6.194 acre tract conveyed to Bruce E. Babbitt and Aldona M. Babbitt, Trustees in Official Records Volume 1503, Page 937, also being the east line of a 0.27 acre tract, and the east line of a 1.74 acre tract conveyed to Bruce E. Babbitt and Aldona M. Babbitt, Trustees in Official Records Volume 1503, Page 935 **North 07° 55′ 49″ West 882.32 feet** to the southwest corner of a 0.808 acre tract conveyed to Catherine Sue Cramer in Official Records Volume 1665, Page 2060;

thence along the south line of the said 0.808 acre tract **South 87° 23′ 21″ East 359.26 feet**;

thence along the east line of the said 0.808 acre tract, and along the east line of a 1.09 acre tract conveyed to Andy Clark and Marilyn Clark in Official Records Volume 1998, Page 1951, and along the east line of a 2.059 acre tract conveyed to Frank L. and Karin D. Haser in Deed Book 611, Page 503, and along the east line of a 1.941 acre tract conveyed to Jeanette and Mason Pillow in Official Records Volume 1819, Page 2251 **North 08° 13′ 21″ West 719.95 feet** to a point on the south line of a 5.001 acre tract conveyed to Boomer Ventures LLC in Official Records Volume 2167, Page 502;

thence along the said south line of the 5.001 acre tract, and along the south line of Lot 1021, The Pines Subdivision No. 2, recorded in Plat Cabinet 2, Slide 580 and conveyed to Gary Lee Ward and Kimberly L. Ward in Official Records Volume 425, Page 33, and along the south line of Lot 1020, The Pines Subdivision No. 2, conveyed to Lauren D. Smith, Jr. and Ellen R. Smith in Official Records Volume 1512, Page 437, and along the south line of Lot 1019, The Pines Subdivision No. 2, conveyed to Joseph Hamilton and Saundra J. Hamilton in Official Records Volume 406, Page 2451 **South 86° 49′ 19″ East 1427.08 feet** to a point on a curve in west right-of-way of the Norfolk Southern Railroad;

thence along the said west right-of-way of the Norfolk Southern Railroad, with a curve to the left, having a central angle of 08° 22′ 06″, a radius of 5752.87 feet, an arc length of 840.23 feet, and a chord which bears **South 22° 59′ 48″ East,** a chord distance of **839.49 feet**;

thence along a jog in the west right-of-way of the Norfolk Southern Railroad
North 86° 50′ 58″ West 120.86 feet;

thence continuing along the said west right-of-way of the Norfolk Southern Railroad
South 38° 36′ 07″ East 692.36 feet to a northwest corner of a 7.636 acre tract (Tract 1) conveyed to Lynda R. Petty in Official Records Volume 1742, Page 457;

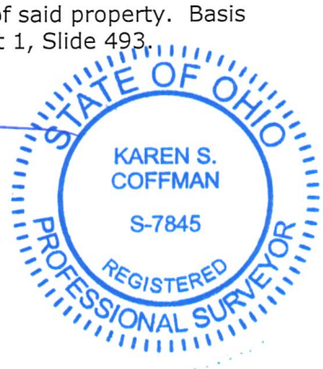
thence along a west line of the said 7.636 acre tract **South 03° 10′ 10″ West 305.29 feet**;

thence along a north line of the said 7.636 acre tract, and along the north line of a 1.670 acre tract (Tract 2) conveyed to Stephanie K. Hendrix in Official Records Volume 1771, Page 167, and along the north line of a 1.688 acre tract (Tract I) conveyed to Warren and Virginia Berry in Official Records Volume 1466, Page 589, and along the north line of a 5.279 acre tract conveyed to Susan L. Robison in Official Records Volume 2020, Page 564, and along the north line of a 2.399 acre tract, and the north line of Lot 840, of said M.H.D. Estates No. 2, and conveyed to David A. and Lori A. Searfoss in Official Records Volume 1576, Page 147 **North 86° 49′ 24″ West 2184.81 feet** to the **POINT OF BEGINNING**;

containing 66.753 acres, more or less;

The map and description of the subject property was prepared based on records on file with the Delaware County Recorder and is for zoning purposes only and is not to be used for transfer of said property. Basis of bearings is the north line of M.H.D. Estates No. 2 (N86°49′24″W) per Plat Cabinet 1, Slide 493.

Karen S. Coffman, Surveyor
Registration No. 7845



SCIOTO LAND SURVEYING SERVICE, INC.
173 North Sandusky Street Delaware, Ohio 43015 740.369.7577 karen@sciotolandsurveying com

BERLINSTATIONROAD LTD -and- MARK & DEBORAH McCREARY

MAP FOR ZONING PURPOSES

PART OF FARM LOTS B & C, QUARTER–TOWNSHIP 1, TOWNSHIP 4, RANGE 19, U.S.M.L.
CITY OF DELAWARE, DELAWARE COUNTY, OHIO

① *Nancy G. Taylor & Gary F. Crilley*
1.432 Ac.
O.R.V. 1654, PG. 892
Parcel No. 41914002017001

② *Bruce E. Babbitt & Aldona M. Babbitt, Trustees*
0.27 Ac.
O.R.V. 1503, PG. 935
Parcel No. 41914002011000

③ *Bruce E. Babbitt & Aldona M. Babbitt, Trustees*
1.74 Ac.
O.R.V. 1503, PG. 935
Parcel No. 41914002011000

④ *Catherine Sue Cramer*
0.808 Ac.
O.R.V. 1665, PG. 2060
Parcel No. 41914001008000

⑤ *Andy Clark & Marilyn Clark*
1.09 Ac.
O.R.V. 1998, PG. 1951
Parcel No. 41914001007000

⑥ *Frank L. & Karin D. Haser*
2.059 Ac.
D.B. 611, PG. 503
Parcel No. 41914001006000

⑦ *Jeanette & Mason Pillow*
1.941 Ac.
O.R.V. 1819, PG. 2251
Parcel No. 41914001006001

⑧ *Gary Lee Ward & Kimberly L. Ward*
Lot 1021
O.R.V. 425, PG. 33
Parcel No. 41914001005008

⑨ *Lauren D. Smith, Jr. & Ellen R. Smith*
Lot 1020
O.R.V. 1512, PG. 437
Parcel No. 41914001005007

⑩ *Joseph Hamilton & Saundra J. Hamilton*
Lot 1019
O.R.V. 406, PG. 2451
Parcel No. 41914001005006

⑪ *Stephanie K. Hendrix*
1.670 Ac. (Tract 2)
O.R.V. 1771, PG. 167
Parcel No. 41914001013013

⑫ *Warren & Virginia Berry*
1.688 Ac. (Tract I)
O.R.V. 1466, PG. 589
Parcel No. 41914001016000

⑬ *Susan L. Robison*
5.279 Ac.
O.R.V. 2020, PG. 564
Parcel No. 41914001013012

⑭ *David A. & Lori A. Searfoss*
Lot 840, & 2.399 Ac.
O.R.V. 1576, PG. 147
Parcel No. 41914001013006

THE PINES SUBDIVISION NO. 2
P.C. 2, SL. 580

Boomer Ventures LLC
5.001 Ac.
O.R.V. 2167, PG. 502
Parcel No. 41914001005001

Lot 1021 Lot 1020 Lot 1019

DELAWARE TOWNSHIP

S 86° 49' 19" E 1427.08'

CITY OF DELAWARE

NORFOLK SOUTHERN RAILROAD

C1

FARM LOT C
FARM LOT B

FARM LOT C

FARM LOT R

Centerline

ROW

N 08° 13' 21" W 719.95'

S87°23'21"E 359.26'

Bruce E. Babbitt & Aldona M. Babbitt, Trustees
6.194 Ac.
O.R.V. 1503, PG. 937
Parcel No. 41914002012000

DEL. TWP.

8.502 Ac.
(Tract III)

Richard A. & Monika Ray
O.R.V. 1398, PG. 921
Parcel No. 41914002014001

1.115 Ac. (Tract I)
Parcel No. 41914002016000

1.48 Ac. (Tract II)

26.35 Ac., Tract I
35.390 Ac., Tract II

66.753 Ac.

BERLINSTATIONROAD LTD.
26.35 Ac. (Tract I)
35.390 Ac. (Tract II)
O.R.V. 2139, PG. 2265
Parcel No. 41914001009000

120.86'
N86°50'58"W

S38°36'07"E 692.36'

N07°55'49"W 882.32'

Mark S. & Deborah L. McCreary
5.013 Ac.
D.B. 569, PG. 540
Parcel No. 41914001012000

William L. & Melanie P. Woods
5.010 Ac.
O.R.V. 1398, PG. 949
Parcel No. 41914002016001

JASA SUBDIVISION
P.C. 2, SL. 672

POB

CITY OF DELAWARE

S03°10'10"W 305.29'

N 86° 49' 24" W 2184.81'

Lot 840 2.399 Ac.

DELAWARE TOWNSHIP

Lynda R. Petty
7.636 Ac. (Tract 1)
O.R.V. 1742, PG. 457
Parcel No. 41914001013014

M.H.D. ESTATES NO. 2
P.C. 1, SL. 493

FARM LOT R

FARM LOT Q
FARM LOT S

CITY OF DELAWARE
DELAWARE TOWNSHIP

CO. RD. 91
BERLIN STATION RD.

800 feet
400
0
scale
1"=400'
NORTH

BASIS OF BEARINGS
North line of M.H.D. Estates No. 2 per P.C. 1, SL. 493 (N 86° 49' 24" W)

ACREAGE BREAKDOWN

BERLINSTATION	61.740
McCREARY	5.013
	66.753

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CH. BEARING	CH. LENGTH
C1	08° 22' 06"	5752.87'	840.23'	S22°59'48"E	839.49'

THE MAP AND DESCRIPTION OF THE SUBJECT PROPERTY WAS PREPARED BASED ON RECORDS ON FILE WITH THE DELAWARE COUNTY RECORDER AND IS FOR ZONING PURPOSES ONLY AND IS NOT TO BE USED FOR TRANSFER OF SAID PROPERTY.

JULY 18, 2025

KAREN S. COFFMAN, SURVEYOR
Registration No. 7845

STATE OF OHIO
KAREN S. COFFMAN
S-7845
REGISTERED
PROFESSIONAL SURVEYOR



VICINITY MAP

EXISTING CONDITIONS

COUGHLIN

PREPARED FOR KIRAN

DATE: 07.02.2025

NORTH
SCALE: 1"=100'

0 50' 100' 200' 300'

Faris Planning & Design

LAND PLANNING ◆ LANDSCAPE ARCHITECTURE

4876 Cemetery Road
p (614) 487-1964

Hilliard, OH 43026
www.farisplanninganddesign.com

SITE DATA

ACREAGE	± 66.42 ACRES
NUMBER OF LOTS	206 LOTS
GROSS DENSITY	3.10 UNITS PER ACRE
OPEN SPACE REQUIRES @ 20% (EXCLUDES SETBACKS AND RETENTION)	13.28 ACRES
OPEN SPACE PROVIDED	13.86 ACRES

STORMWATER COLLECTION AREA

PROPOSED BASIN

PROPOSED BASIN

POTENTIAL TRAIL CONNECTION

EXISTING SANITARY EASEMENT

BERLIN STATION RD

RAILROAD

POTENTIAL TRAIL CONNECTION

TREE PRESERVATION AREA

20' SEWER EASEMENT

ENTRY ACCESS

30' MINIMUM SETBACK
40' PROPOSED R.O.W.

NOTE: ENTRY ACCESS LOCATIONS AND CONFIGURATION SHALL BE DETERMINED WITH DEVELPMENT PLAN

PROPOSED BASIN

POTENTIAL MULTI-USE TRAIL SYSTEM

STORMWATER COLLECTION AREA

ENTRY ACCESS

POTENTIAL TRAIL CONNECTION

PROPOSED BASIN

STORMWATER COLLECTION AREA

CONCEPTUAL LAYOUT PLAN

THE FARMS AT BERLIN STATION

PREPARED FOR KIRAN

DATE: 07.02.2025

NORTH
SCALE: 1"=100'
0 50' 100' 200' 300'

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