ORDINANCE NO. 06-60

AN ORDINANCE APPROVING A REZONING OF 1.13 ACRES FROM A-1 (AGRICULTURAL DISTRICT) TO R-3 (SINGLE-FAMILY RESIDENTIAL DISTRICT) WITH A PLANNED MIXED USE (PMU) OVERLAY DISTRICT AND REZONING 2.26 ACRES ZONED A-1 TO INCLUDE A PMU OVERLAY DISTRICT FOR PROPERTIES LOCATED ON THE SOUTH SIDE OF CHESHIRE ROAD, JUST EAST OF CHESHIRE ROAD RELOCATED AT 813, 814, AND 815 CHESHIRE ROAD. (CHESHIRE CROSSING ANIMAL HOSPITAL)

WHEREAS, the Planning Commission at its meeting of April 5, 2006 recommended approval for a Rezoning of 1.13 acres from A-1 (Agricultural District) to R-3 (Single-family Residential District) with a Planned Mixed Use (PMU) Overlay District and Rezoning of 2.26 acres zoned A-1 to include a PMU Overlay District for the properties located on the south side of Cheshire Road, just east of Cheshire Road relocated at 813, 814, and 815 Cheshire Road, (PC 06-035), and

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

SECTION 1. That the Rezoning of 1.13 acres from A-1 (Agricultural District) to R-3 (Single-family Residential District) with a Planned Mixed Use (PMU) Overlay District and Rezoning of 2.26 acres zoned A-1 to include a PMU Overlay District for the properties located on the south side of Cheshire Road, just east of Cheshire Road relocated at 813, 814, and 815 Cheshire Road, be the same and is hereby confirmed, approved, and accepted with the following condition that:

1. The March 29, 2006 development text that is attached and approved as part of this Ordinance be amended to prohibit crematories.

SECTION 2. 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 Revised Code.

VOTE ON RULE SUSPENSION: YEAS 7 NAYS 0 ABSTAIN 0

PASSED: May 8, 2006 YEAS 7 NAYS 0 ABSTAIN 0

ATTEST: Cindy Duvo
CITY CLERK

Windsor Wheeler
MAYOR

Planning *and* Community Development
CITY OF DELAWARE, OHIO

PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: PC 06-034, 06-035, 06-036, and 06-045
REQUEST: Multiple Requests (see below)
PROJECT: Cheshire Crossing Animal Hospital
MEETING DATE: April 5, 2006

APPLICANT/OWNER

Dr. Adam Ballard / Dr. Mary Carpenter
537 Curve Road
Delaware, OH 43015

Darrell Baker
690 Cheshire Road
Delaware, OH 43015

REQUESTS

PC 06-034: Comprehensive Plan amendment from Very Low Density Single-Family to Mixed Use.

PC 06-035: Rezoning from A-1 (Agricultural District) to 1.13 acres of R-3 (Single-family Residential District) with a PMU (Planned Mixed Use Overlay) and 2.26 acres of A-1 with a PMU Overlay.

PC 06-045: Conditional use permit for a Planned Mixed Use Overlay.

PC 06-036: Preliminary development plan for a 1,440 square foot animal hospital.

PROPERTY LOCATION & DESCRIPTION

The parcels are located at 813, 814, and 815 Cheshire Road, which is located on the south side of Cheshire Road, just east of Cheshire Road relocated. The current zoning of all three parcels is A-1 (Agricultural District). The surrounding zoning is R-3 to the west, south and east, and township zoning to the north.

BACKGROUND

The applicant proposes to construct a 1,440 square foot animal hospital and to reside in the existing home on the property east of it. There will be no kennel, outside runs, or crematory associated with the veterinary use.

STAFF ANALYSIS – COMPREHENSIVE PLAN AMENDMENT (PC 06-034)

- **LAND USE**: The Comprehensive Plan recommends Very Low Density Single-Family for this property. The proposed use of the property, partially as a veterinary clinic, is not consistent with the Comprehensive Plan land use designation. As a result a Comprehensive Plan amendment is necessary.

  Surrounding Comprehensive Plan land use designations include Moderate Density Single-Family to the east and South (Cheshire Crossing Subdivision), Commercial, Open Space and Very Low Density Single-Family to the west and Very Low Density Single Family to the north.

  The proposed Mixed Use of the property serves as a logical transition given the lot is situated on what will be a major arterial. This is one of the most benign uses that could be proposed on this site. Existing is already a robust buffer. The applicant is proposing additional buffer and landscaping to surrounding development. In many respects office, medical, vet clinic, and other similar uses are better neighbors than residential as the use us typically Monday through Friday and closed most evening. Staff is supportive of this request.

STAFF RECOMMENDATION – COMPREHENSIVE PLAN AMENDMENT (PC 06-034)

Staff recommends approval of the Comprehensive Plan Amendment from Very Low Density Single-Family to Mixed Use.

STAFF ANALYSIS – REZONING (PC 06-035)

- **LAND USE**: The Comprehensive Plan recommends Very Low Density Single-Family. The applicant is requesting a Comprehensive Plan amendment.
- **DENSITY/INTENSITY**: The site currently has a single family dwelling on one of the parcels and the two remaining parcels are vacant land at this time.

STAFF RECOMMENDATION – REZONING (PC 06-035)

Staff recommends approval of the rezoning from A-1 (Agricultural District) to 1.13 acres of R-3 (Single-family Residential District) with a PMU (Planned Mixed Use Overlay) and 2.26 acres of A-1 with a PMU Overlay as presented.

STAFF RECOMMENDATION - CONDITIONAL USE PERMIT (PC 06-045)
Staff recommends approval of the conditional use permit for the Planned Mixed Use Overlay, as presented.

STAFF ANALYSIS – PRELIMINARY DEVELOPMENT PLAN (PC 06-036)

- **ENGINEERING:** The applicant needs to obtain final engineering approvals, including any stormwater and utility issues that need to be worked out through the Engineering and Utilities Departments. The applicant must design and construct an 8 inch sanitary main from the west property line of the Council for Older Adults to the proposed site. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
- **STORMWATER:** The applicant has committed to using innovative storm sewer management techniques to be approved by the City and a consultation with ODNR. Stormwater is proposed to be detained in a detention/Retention pond to be constructed at the Northwest corner of the property.
- **WATER:** Water service will be obtained from the existing 16 inch waterline that runs along the south side of Cheshire Road.
- **ROADS AND TRAFFIC:** The plan proposes one access off Chesire Road to serve the proposed Animal Hospital. This access needs to be located as far east as possible to obtain adequate intersection site distance. No improvements to Cheshire Road are required. A roadway dedication will be needed.
- **ENVIRONMENTAL ANALYSIS MAP:** The applicant has requested a waiver to the environmental analysis map (see enclosed letter request). Staff supports request for waiver.
- **PARKING AND CIRCULATION:** The Development Plan indicates a total of 16 parking spaces (including 2 handicapped spaces), which meet Code. The applicant needs to add a landscaped island to provided better definition of the parking lot and meet code. Also, additional landscape screening needs to be added to the front of the parking area as required
- **BIKE PATHS AND PEDESTRIAN ROUTES:** The applicant has shown on plan that there is an existing 5 feet sidewalk along Cheshire Road. The preliminary plan is to increase the walk width to 6 feet across the frontage of this development. The 6 foot walk will eventually connect to a 6 foot concrete walk to be constructed as part of the Council for Older Adult project.
- **DESIGN:** Exterior elevations are a requirement of the final development plan, but the Applicant has provided elevations with this submittal. The proposed design is consistent with that in the area and maintains a residential feel and aesthetic. Building materials will need to be submitted prior to final approval. Also, addition of residential looking doors on the front of the building will enhance the design.
- **LANDSCAPING:** A Landscaping Plan is a final development plan submission requirement, but when submitted, it should address additional screening along Cheshire Road per code requirement. Also, the applicant needs to provide continuous screening on the south property line to buffer the residential district.
- **ACCESSORY STRUCTURES:** There does not appear to be a dumpster or fencing on the proposed site. More detail is needed for the dumpsters and fencing if proposed on the sites.
- **SIGNAGE:** There are no signs proposed with this development plan. Any signage must meet code and permits submitted for approval by the Building Division.
- **ZONING:** The applicant is requesting a mix of R-3 and A-1 zoning to be overlaid with a PMU. This overlay is simply for the purpose of allowing a veterinary clinic on a portion of the property. Staff is in support of this request given the use limitations offered.

STAFF RECOMMENDATION – PRELIMINARY DEVELOPMENT PLAN (PC 06-036)
Staff recommends approval, of the preliminary development plan, with the following conditions:

CONDITION	COMPLIANCE
1. The applicant needs to obtain final engineering approvals, including any stormwater and utility issues that need to be worked out through the Engineering and Utilities Departments, before the final development plan can be considered by City Council.	Final Development Plan
2. The applicant will provide a landscape plan prior to final approval.	Final Development Plan
3. The applicant must submit building materials prior to final approval.	Final Development Plan
4. A sign plan must be submitted with the final development plan.	Final Development Plan
5. The applicant will need to change the sidewalks from 5 feet to 6 feet per the Engineering Department.	No
6. If a dumpster or fencing is proposed with this request, a detail of the dumpster and fence, indicating height and location on the site must be provided.	Final Development Plan

FINDINGS OF FACT

- The proposal will be consistent with the Land Use element of the Comprehensive Plan once approved.
- The proposal will meet all applicable Code requirements, with fulfillment of the approval conditions.


COLUMBUS PIKE
CHESHIRE CROSSING DR
BRAUMILLER RD
CHESHIRE RD
CHERRY LEAF RD
INDIGO BLUE ST
MECHLAMOOR DR
CHESHIRE RD
CROSSING DR
BALLATER DR
W
N
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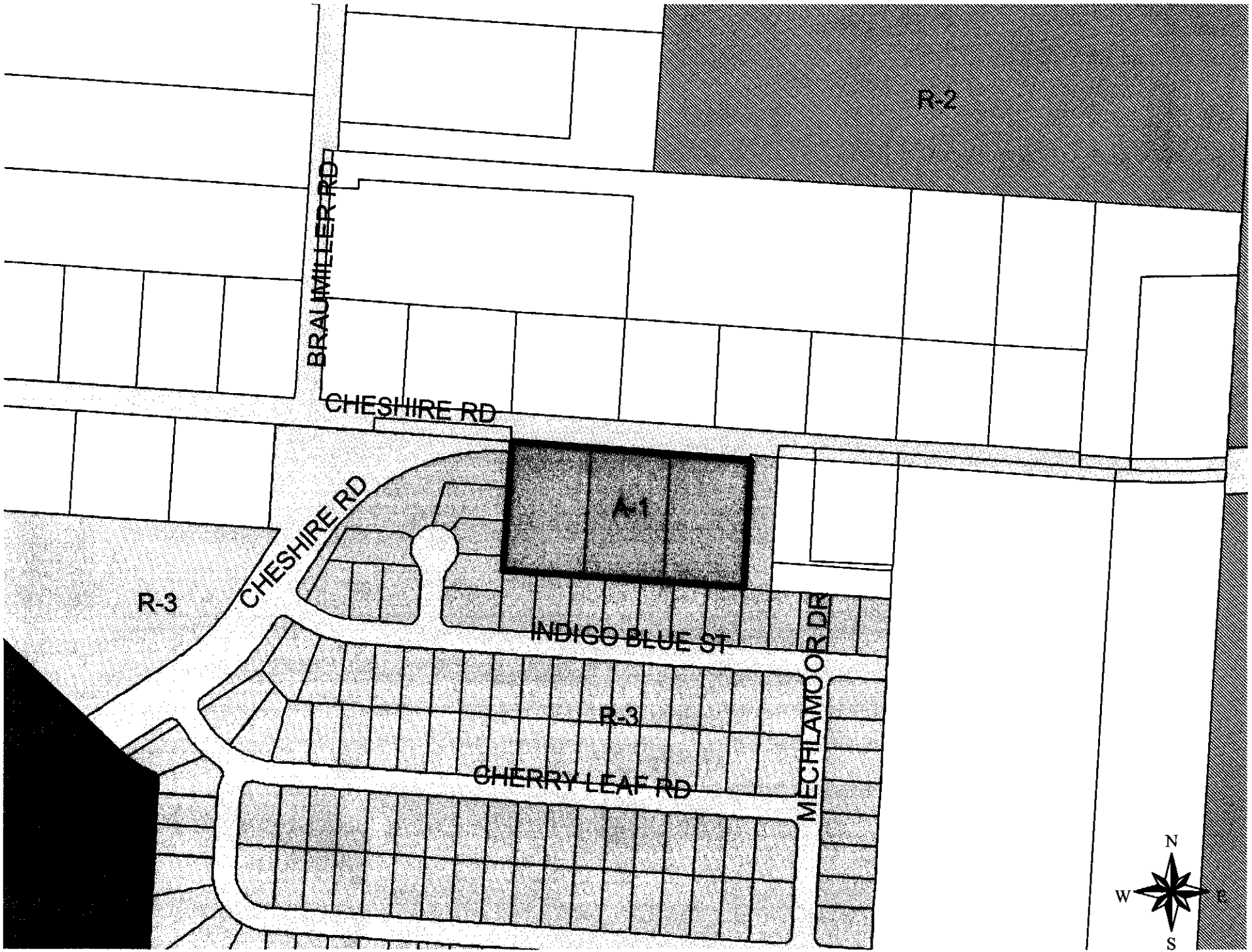
R-2
BRAUMILLER RD
CHESHIRE RD
A-1
CHESHIRE RD
R-3
INDIGO BLUE ST
MECHLAMOR DR
R-3
CHERRY LEAF RD
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BRAUMILLER RD
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March 29, 2006

DEVELOPMENT TEXT

CHESHIRE CROSSING ANIMAL CLINIC

GENERAL DESCRIPTION

The location of the proposed small animal veterinary clinic is 622/656 Cheshire Road. There is an existing residence at 690 Cheshire Road. The site is platted as Lots 813 – 815 in Grace & Harry Jones Subdivision 4. The very recent development known as Cheshire Crossing Section 2 Part 1 adjoins our site on the west and south. Tippecanoe Subdivision forms the north boundary and an existing house lot of approximately the same time period as the subject property forms the east boundary.

PROPOSED USE

The proposed clinic will serve only small animals, i.e. cats and dogs. Services will include internal medicine, surgeries, management and treatment of sick patients, wellness examinations, vaccinations and preventive health care.

No exotic animals will be treated at this clinic. This clinic will not be suitable for treatment of large animals, such as horses or cattle. It is sized only for the treatment of small animals.

There are no kennels or outside runs for long-term stays. Animal patients will be hospitalized temporarily for very short periods to administer medication, for pre- or post-operative care, or for observation.

SITE DEVELOPMENT SPECIFICATIONS

(Reference is hereby made to a preliminary site plan dated February 6, 2006.)

Building

A new 36'-0" x 40'-0" structure with a 24'-0" x 8'-0" reception area is proposed to serve as a small animal clinic. It fits well within 50-foot wide front and side setbacks (assumed

from Zoning Section 1141 for Office Development) and the 80-foot rear setback as specified on the subdivision plat for the Jones Subdivision. The spatial relationship of the proposed one-story building will complement the surrounding developments of ranch homes and two-story homes.

Site

The two lots forming the new building site are 91,000 S.F. in total area, with 175 feet frontage each. This is the calculated area after deleting 20 feet of additional proposed right-of-way for Cheshire Road, leaving 260 feet in depth each. (175 ft. x 260 ft. x 2) The building footprint (1,632 S.F.) is less than 2% coverage of the remaining area.

Utilities

At present, there is no sanitary sewer available to the site, but an extension of the 8" dia. proposed sewer at the proposed Glenn Road Extension is under discussion with the City of Delaware. As an added benefit to the community, any remaining homes on Cheshire Road with on-site sanitary disposal systems would be connected to the public sewer.

The Cheshire Crossing development provided an adequate storm outlet for the site. It is located at the northwest corner of the property.

Water service will be provided from a recently installed 16" water main crossing the site inside the current right-of-way. A hydrant is already installed at the proposed site.

Electric and telephone utilities are available to the site.

All existing utilities are available within the existing public right-of-way of Cheshire Road. Drs. Ballard and Carpenter are happy to dedicate an additional 20 feet toward a wider right-of-way to accommodate the proposed sewer, as well as, any additional utilities that will benefit the community. So, with utilities already available and only one new building proposed, no easements will be required to bring services to the site.

Driveway & Parking

One driveway is proposed. It is 30'-0" in width to comfortably and safely accommodate entrance and exit. The City of Delaware Engineering Department has approved the proposed location and agrees that there should be no adverse impact upon adjacent uses. Sixteen (16) parking spaces, of which two are designated as handicapped, are proposed for clients and 7 employees. With only one new facility proposed and one parking lot, no shared walkways, drives, service areas, etc. are needed for the public to access multiple commercial uses within this site. And, therefore, no directional signage is proposed.

There are paved areas proposed north and east of the building, providing ready access to the clinic in case of fire or other emergency.

The driveway and parking lot will be of asphalt or concrete construction with concrete curbs and piped storm drainage. A dry pond for retention (if needed) and sediment control is planned in the northwest corner of the property.

The sidewalk currently terminating at the east boundary of Cheshire Crossing will be extended across the proposed building site (two lots) up to the existing residence lot.

Landscaping

Landscaping will be professionally designed with attention to extending existing buffering pine trees on the south and adding appropriate screening on the west. A new split rail fence with required screening will be continued from the existing split rail fence in Cheshire Crossing and will help to include our site as an extension of the surrounding development. A mix of fast growing trees, hardy pines and deciduous trees will help to provide the necessary screening and varied and attractive views for the surrounding area.

Professional-quality maintenance of the landscaping and paved areas will be provided at all times. Snow removal will be prompt for the safety of employees and clients.

There are no natural features, such as streams, wooded areas or rock outcroppings, to preserve such as streams, wooded areas or rock outcroppings.

Lighting

Lighting will be designed with safety and appearance in mind. Security lighting with motion detectors will be installed at entrances to the building.

Parking lot lighting will be full-shielded or full cut-off type to avoid light pollution or trespass upon neighboring properties. Such lighting will function to deter crime as well as to provide a safe area for anyone who may need to access the site after dark for legitimate reasons.

Signage

Signage is still under development but will be designed fully in accordance with Section 1165. The doctors desire to be good neighbors. They want to see pleasing signage next to their home and in their neighborhood.

Trash Receptacle

A brick, stone or masonry wall will surround the small dumpster with an opaque, wooden gate which will complement the building siding. Appropriate landscape screening per Section 1165 will be added.

No Pollution

Animal patients will be treated inside the building. Any animal waste from exercising dogs prior to or after visits will be monitored and disposal will occur daily. Disposal of animal and medical waste shall be per State of Ohio, AVMA (American Veterinary Medical Association) and AAHA (American Animal Hospital Association) standards.

There will be no more noise from barking dogs than occurs normally in any residential district. Dogs may bark occasionally between the car and the building, but since there will be no outside runs and this is not a kennel, noise will be kept to a minimum.

BUILDING SPECIFICATIONS

The 36'-0" x 40'-0" structure with a 24'-0" x 8'-0" reception area is country in design, with hardiplank siding (7" reveal) and Ohio limestone wainscoting on the front and sides. Proposed roofing material shall be architectural shingles. Eave height is 10'-0", total height of roof is 24'-0." There is no exterior rooftop mechanical equipment proposed.

DESIRED ACTION

Drs. Ballard and Carpenter petition the Zoning Commission to change the three lots known as 622, 656 and 690 Cheshire Road from its current zoning, A-1, to PMU, Planned Mixed Use. Once the site is approved and constructed per the new zoning, the public will be protected from any adverse change in use by applicable zoning laws.

Dr. Ballard and Dr. Carpenter have been married 10 years and they have three children. They are both well respected members of the veterinary community. Dr. Ballard is a member of The American Veterinary Medical Association. Both doctors are members of the Ohio Veterinary Medical Association. Dr. Ballard currently serves on the Board of Admissions for the College of Veterinary Medicine at The Ohio State University. Additionally, he is President-Elect of the Columbus Academy of Veterinary Medicine and serves on numerous Ohio Veterinary Medical Association committees.

It is their belief that their collective professional experience, knowledge, practice standards and compassion for both pets and pet owners will be a significant asset to the

rapidly growing Delaware community. Moreover, they believe that the Cheshire Road property provides a unique opportunity for both their family and the community in that living next to their clinic will help them to provide a stabile family life for their children while at the same to assure that the clinic and the surrounding property will be maintained with the highest of standards. The doctors are confident that they will bring a much needed veterinary service to the community in a quality, attractive building that will reflect the aesthetic standards of the surrounding neighborhood.

Respectfully,

Karla M. Smith
T. L. Boblenz & Associates, Inc.

T. L. BOBLENZ & ASSOCIATES, INC.

ENGINEERS & SURVEYORS

3597 MARION BUCYRUS ROAD
MARION, OHIO 43302-9768
TELEPHONE 740-387-6315

March 1, 2006

City of Delaware Zoning Commission
One South Sandusky Street
Delaware, Ohio 43015

Re: Traffic Study
Baker Re-zoning – Cheshire Road

To Whom It May Concern:

The proposed small animal veterinary clinic employs seven people. Based upon this use and the formula provided in the ITE Trip Generation Manual (1.31 x 7) results in p.m. peak hour trips = 9.17, with 50% entering and 50% exiting.

Therefore, we respectfully petition the Board to waive the requirement of performing a Traffic Study for this project.

Respectfully,

Karla M. Smith

Karla M. Smith

T. L. BOBLENZ & ASSOCIATES, INC.

ENGINEERS & SURVEYORS

3597 MARION BUCYRUS ROAD
MARION, OHIO 43302-9768
TELEPHONE 740-387-6315

March 1, 2006

City of Delaware Zoning Commission
One South Sandusky Street
Delaware, Ohio 43015

Re: Environmental Assessment
Baker Re-zoning – Cheshire Road

To Whom It May Concern:

The three lots (813 – 815) in Grace & Harry Jones Subdivision at 622-690 Cheshire Road have been maintained as a residential lot for many years. The lots under consideration are surrounded by homes of comparable age on the North side of Cheshire Road, as well as, a more recent development consisting of a denser concentration of homes adjoining the property on the West and South.

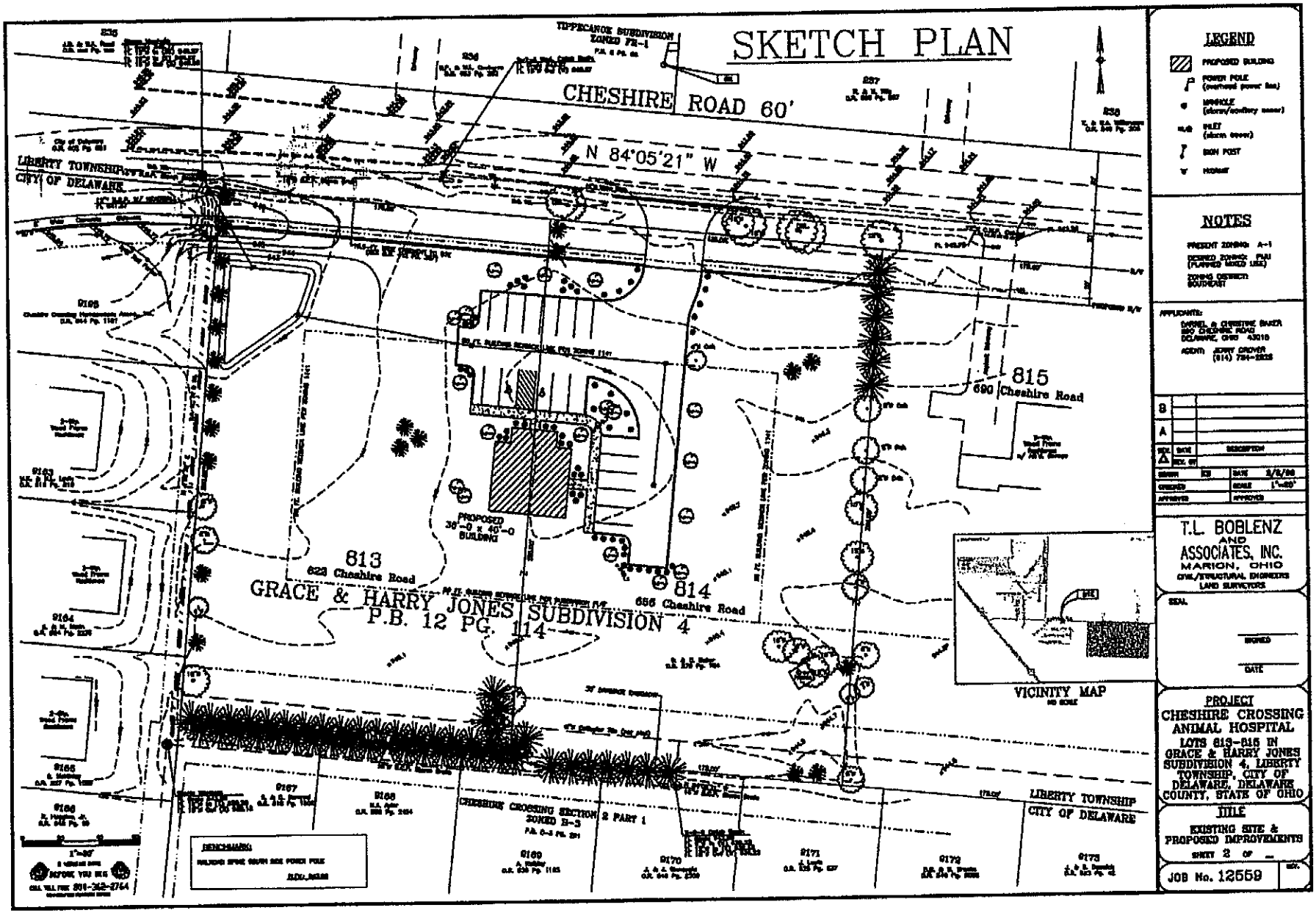
The proposed use of these lots is consistent with the existing surroundings and would not detract environmentally from adjoining lands.

We respectfully petition the Board to waive the requirement of submitting an Environmental Assessment on this project.

Respectfully,

Karla M. Smith

Karla M. Smith


SKETCH PLAN
CHESHIRE ROAD 60'
N 84°05'21" W
LIBERTY TOWNSHIP
CITY OF DELAWARE
TIPPECANOE SUBDIVISION
ZONED PR-1
815
690 Cheshire Road
813
623 Cheshire Road
814
656 Cheshire Road
GRACE & HARRY JONES SUBDIVISION 4
P.B. 12 PG. 114
PROPOSED
30'-0 x 40'-0
BUILDING
CHESHIRE CROSSING SECTION 2 PART 1
ZONED B-3
LIBERTY TOWNSHIP
CITY OF DELAWARE
VICINITY MAP
LEGEND
PROPOSED BUILDING
POWER POLE
MANHOLE
INLET
SIGN POST
HYDRANT
NOTES
PRESENT ZONING: A-1
PROPOSED ZONING: PUD
(PLANNED MIXED USE)
ZONING DISTRICT:
SOUTHEAST
APPLICANT:
DANIEL & CHRISTINE BAKER
2900 CHERRY ROAD
DELAWARE, OHIO 43015
AGENT: JERRY GROVER
(614) 794-8225
T.L. BOBLENZ
AND
ASSOCIATES, INC.
MARION, OHIO
CIVIL/STRUCTURAL ENGINEERS
LAND SURVEYORS
SEAL
SIGNED
DATE
PROJECT
CHESHIRE CROSSING
ANIMAL HOSPITAL
LOTS 813-815 IN
GRACE & HARRY JONES
SUBDIVISION 4, LIBERTY
TOWNSHIP, CITY OF
DELAWARE, DELAWARE
COUNTY, STATE OF OHIO
TITLE
EXISTING SITE &
PROPOSED IMPROVEMENTS
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DATE 3/5/98
SCALE 1"=50'
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APPROVED
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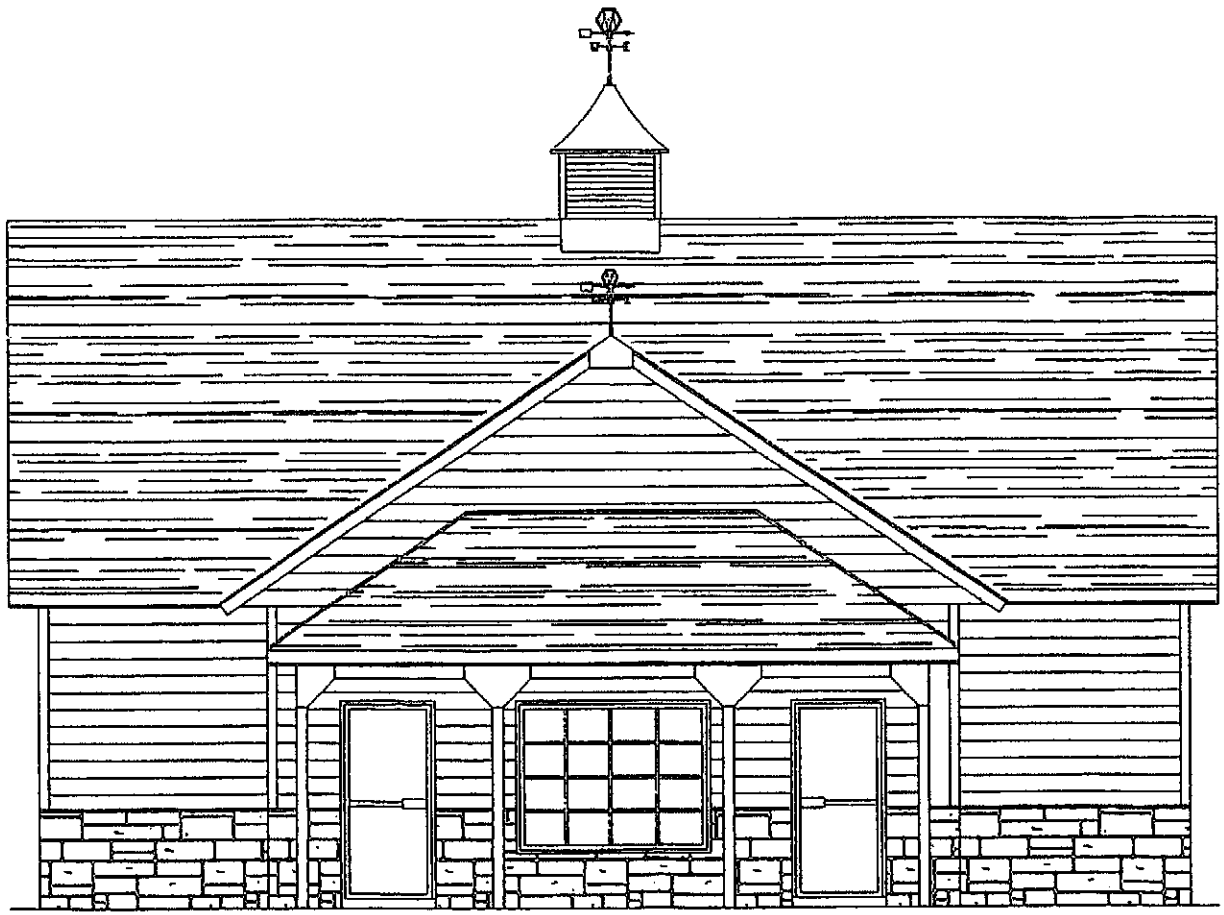

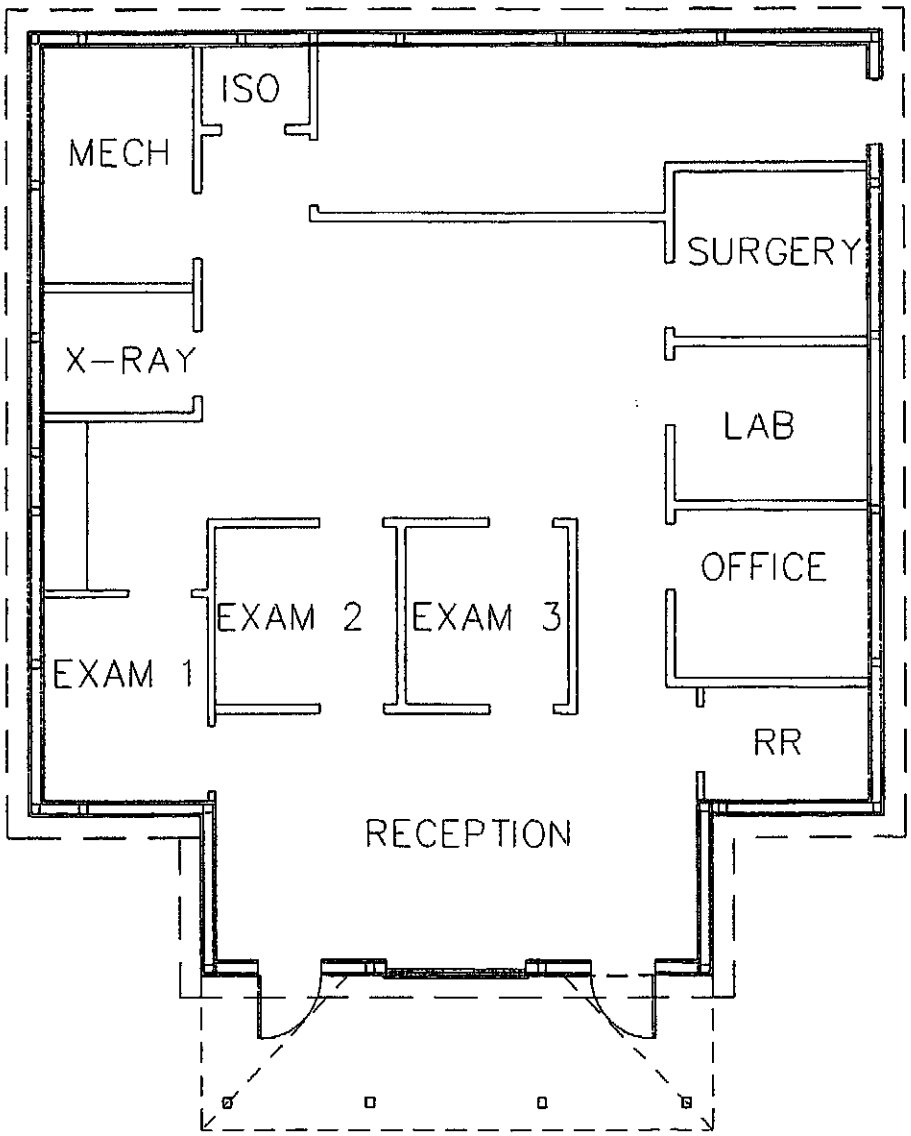
ISO
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