



TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604 PHONE 419-245-1200 FAX 419-936-3730

THOMAS C. GIBBONS, DIRECTOR



DATE: February 13, 2020

REF: SUP-12001-19

TO: President Matt Cherry and Members of Council, City of Toledo

FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary

SUBJECT: Special Use Permit for a Drug & Alcohol Treatment Facility, Non-Residential

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, February 13, 2020 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request - Special Use Permit for a Drug & Alcohol Treatment Facility, Non-Residential

Location - 2345 Dorr Street

Applicant - Recovery Achievement Center
C/O: Gerd Heidinger
316 N Michigan Street, Suite 914
Toledo, OH 43604

Architect - Scott Heacock
1303 Sabra Road
Toledo, OH 43612

Site Description

Zoning - CR / Regional Commercial

Area - ±0.09 acres

Frontage - ±30' along Dorr Street

Existing Use - Office Building

Proposed Use - Treatment Facility

Area Description

North - Cemetary / RS6

South - Single-family dwellings / RD6

East - Undeveloped land and day care center / CR

West - Manufacturing / IG

GENERAL INFORMATION (cont'd)

Parcel History

Z-121-61	-	Request for permanent Zoning for the area roughly bounded by Dorr, Shirley, Avondale and Pelee. PC approved 05/25/1961.
V-975-01	-	Request to Vacate an alley between Pelee Ave. and Warwick Ave. PC approved 02/14/2002. Case not completed.

Applicable Regulations

- Toledo Municipal Code (TMC), Part Eleven: Planning and Zoning Code
- Toledo 20/20 Comprehensive Plan.

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a non-residential drug and alcohol treatment facility located at 2345 Dorr Street. The site is ±0.09 acres and is zoned CR Regional Commercial. The structure on the site was built in 1947, has ±2,545 square feet of building area (not including the garage), and covers 88.5% of the lot. Surrounding land uses include Calvary Cemetery to the north, a Day Care Center to the east, single-family homes to the south, and a manufacturing facility and warehouse to the west.

The applicant, Recovery Achievement Center, is requesting a Special Use Permit in order to operate a non-residential, drug and alcohol treatment center. Recovery Achievement Center will use the structure as office space to conduct individual and group counseling sessions for their clients. Counseling will be for clients with substance abuse issues. The facility will also be used to promote sober living skills and activities. Group services will be provided one (1) to three (3) times a day with four (4) to twelve (12) clients per group. A Special Use Permit is required for non-residential drug and alcohol treatment centers in all zoning districts outside of IC Institutional Campus.

Parking and Circulation

The minimum number of required vehicular parking spaces on a site is mandated by Off-Street Parking Schedule "A" (TMC§1107.0300). For non-residential drug and alcohol treatment centers, the minimum parking spaces required is one (1) per three-hundred (300) square feet of gross building area. Calculations conclude that a total of nine (9) vehicular spaces are required. The applicant has stated that most clients either take the bus or are dropped off. There will be two (2) employees. A shared parking agreement with the Day Care Center to the east was submitted by the applicant to the Plan Director on 1/28/2020.

STAFF ANALYSIS (cont'd)

Parking and Circulation (cont'd)

A portion of the total number of required off-street parking spaces must be specifically designated, located, and reserved for use by persons with physical disabilities. According to the table in TMC§1107.1701 – *Number of Required Parking Spaces for Persons with Disabilities*, the applicant is required to provide at least one (1) van accessible space with an eight foot (8') drive aisle for persons with physical disabilities. This one (1) van accessible space shall be required and is listed as a condition of approval.

Bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule "A" (TMC§1107.0300). Off-Street Parking Schedule "A" requires one (1) bicycle parking slot per ten (10) parking spaces. When the provision of bicycle parking slots is required the minimum number of slots provided shall be two (2). The site plan submitted does not depict compliance with this regulation. Listed as a condition of approval, a revised site plan will be required to show compliance with the appropriate number of bicycle parking spaces.

Landscaping

The site is existing, and pursuant to TMC§1114.0502, is only required to be brought closer into compliance with the landscaping requirements of the 2004 Zoning Code. Because the site includes an existing, legal-nonconforming structure with zero foot (0') setbacks, there is not enough space for landscaping.

Building Design & Materials

The existing structure has zero foot (0') setbacks on the front and sides, and the structure encroaches the rear property line. The required setbacks in the CR Regional Commercial zoning district are twenty feet (20') in the front, zero foot (0') setbacks on the sides, and fifteen feet (15') plus one foot (1') per four (4) feet of building height above twenty feet (20') in the rear. Additionally, the structure exceeds the maximum building coverage required in CR Regional Commercial of 85% of the site. Because the structure does not meet the CR Regional Commercial dimensional standards, it is considered existing legal-nonconforming. When a nonconforming structure has been damaged other than by a willful act of owner, including demolition by neglect, to the extent of more than 75 percent of the property's fair market value, it may not be reconstructed except in conformity with the regulations of the underlying zoning district.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for CN Neighborhood Commercial land uses. The purpose of CN Neighborhood Commercial is to accommodate predominantly small and medium scale commercial uses that serve neighborhoods. Small and medium scale office and mixed uses may be included. The proposed site improvements conforms to the intent of this zoning designation.

Staff recommends approval of the request for two (2) reasons. First, the proposed use meets the stated purpose of the Zoning Code, which is to protect the health, safety, and general welfare of the citizens of Toledo. Second, the use is consistent with the provisions of the Zoning Code, including the five hundred foot (500') spacing requirement from Group Living facilities, Type A Family Day Care Home and other Nonresidential Drug and Alcohol Centers.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-12001-19, a request for a Special Use Permit for a Drug & Alcohol Facility, Non-Residential at 2345 Dorr Street, to the Toledo City Council, for the following two (2) reasons:

1. The proposed use meets the stated purpose of the Zoning Code (TMC§1111.0706(A)); and
2. The proposed use complies with the applicable provisions of the Zoning Code (TMC§1111.0706(B)),

The Toledo City Plan Commission further recommends approval of SUP-12001-19, a request for a Special Use Permit for a Drug & Alcohol Facility, Non-Residential at 2345 Dorr Street, to the Toledo City Council, subject to the following **twenty-four (24)** conditions:

The following conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services

1. A pre-submittal meeting is not required; however, one may be requested. Contact information is as follows:

Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850

Right-of-Way and Inspection: Joe Warnka 419-245-1341

Roadway: Tim Grosjean 419-245-1344

Water: Andrea Kroma 419-936-2163

Stormwater Drainage: Lorie Haslinger 419-245-3221; Andy Stepnick 419-245-1338

Sanitary Sewers: Mike Elling 419-936-2276

2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.
3. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop/opening.** Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb.
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.
5. Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.

Sewer & Drainage Services

6. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm and sanitary) be cleaned and inspected.
7. S&DS requires that the private sanitary lines (after they have cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect with the public sewer system if this has not been done in the past (2) two years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

PLAN COMMISSION RECOMMENDATION (cont'd)

Environmental Services

8. Applicant shall maintain compliance with the City of Toledo's Storm Water regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential storm water impacts from the modification of the site, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.
9. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
10. Applicant is strongly encouraged to include multiple green infrastructure measures to minimize runoff and increase infiltration, and to minimize the amount of new and/or additional impervious surface on the site.
11. Applicant is strongly encouraged to plant low maintenance and non-invasive trees, shrubs and perennials.
http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_Ohio_Invasive_Plant_Species.pdf
12. Applicant shall maintain compliance with the City of Toledo and the State of Ohio's Air Quality Regulations applicable in the Toledo Municipal Code and the Ohio Administrative Code including, but not limited to the Asbestos and the Anti-Noise Laws.

Fire Prevention

13. It appears that this building will undergo a change of use. This will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical Mechanical and Plumbing code requirements.
14. Approved Premises identification is required.

Transportation

15. Bicycle parking required per TMC 1107.
16. A parking plan with accessible parking must be submitted unless there is an offsite parking agreement with accessible parking at that location.

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission

17. Per Parking Schedule A, the minimum number of parking spaces required for a non-residential drug and alcohol facility is one (1) per 300 square feet. **Shared parking agreement was submitted to the Plan Director on 1/28/2020.**
18. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. **Not acceptable as depicted on site plan. Shared parking lot shall have at least one (1) van-accessible space with an eight foot (8') wide aisle abutting the parking space.**
19. A minimum of two (2) bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule "A" (TMC§1107.0300). **Not depicted on site plan. A revised site plan depicting the location and number of bicycle parking slots shall be submitted. May be located inside the building or on the property of the shared parking lot if space on the property is not available.**
20. Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways must be surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill, and be graded to drain all surface water towards the interior of the parking lot or to a stormwater treatment facility subject to the regulations approval of the Department of Public Utilities. **Acceptable as submitted on site plan. Gravel is not permitted, however, the gravel depicted on the site plan is located in the public right-of-way.**
21. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors (i.e. gray, brown, tan). Building trim and accent areas may feature brighter colors, including primary colors subject to the approval of the Planning Director.
22. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
23. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
24. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

TO: President Cherry and Members of Council
February 13, 2020
Page 8

REF: SUP-12001-19

Respectfully Submitted,



Thomas C. Gibbons
Secretary

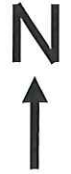
DD

Three (3) Sketches Follow

Cc: Gerd Heidinger, Recovery Achievement Center, 316 N Michigan Street, Suite 914,
Toledo OH 43604
Scott Heacock, 1303 Sabra Road, Toledo OH 43612
Commissioner, Division of Engineering Services
Environmental Services
Fire Prevention
Commissioner, Division of Transportation
Lisa Cottrell, Administrator
Dana Doubler, Planner

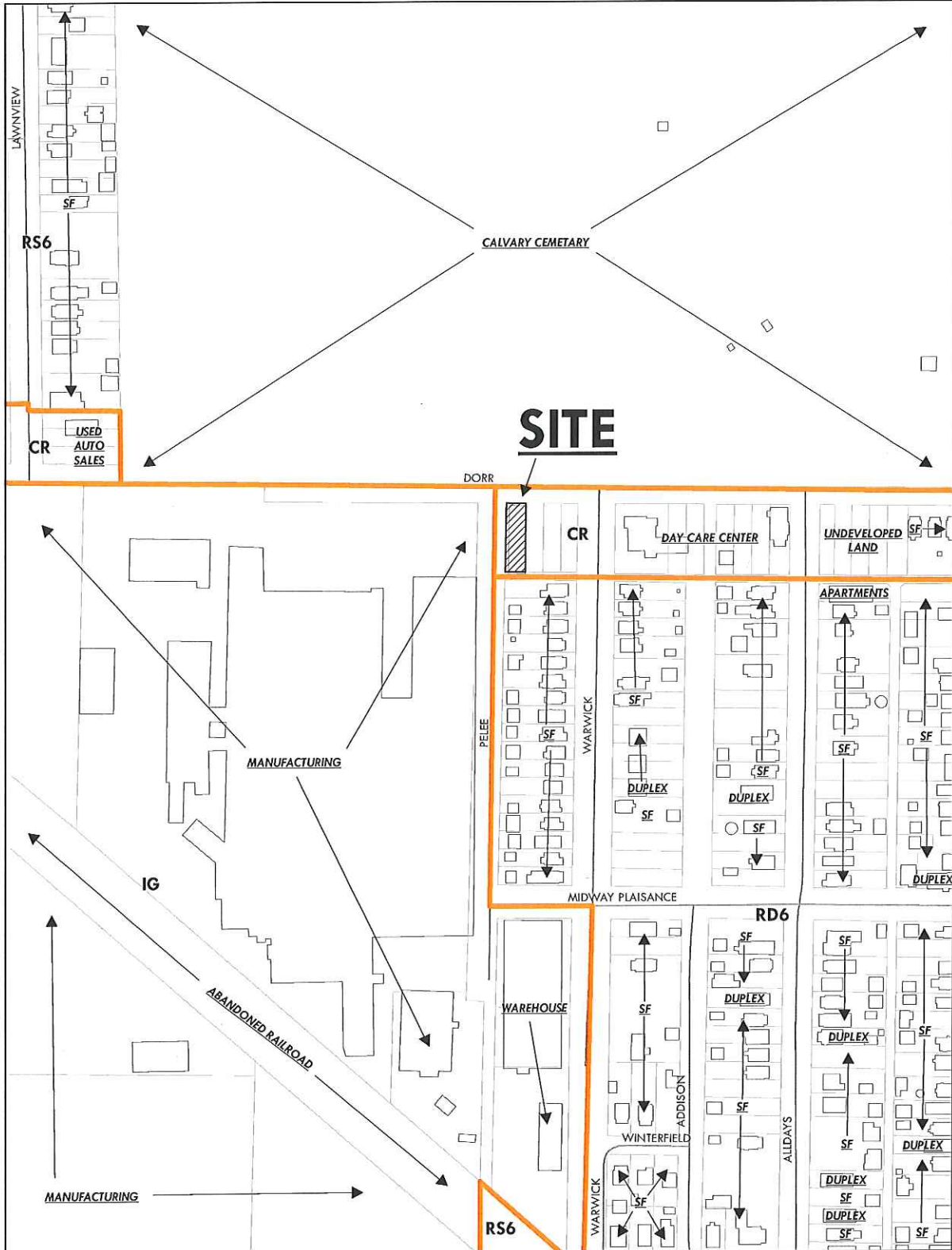
GENERAL LOCATION

SUP-12001-19
ID 47



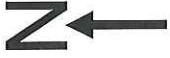
ZONING & LAND USE

SUP-12001-19
ID 47



SITE PLAN

SUP-12001-19
ID 47



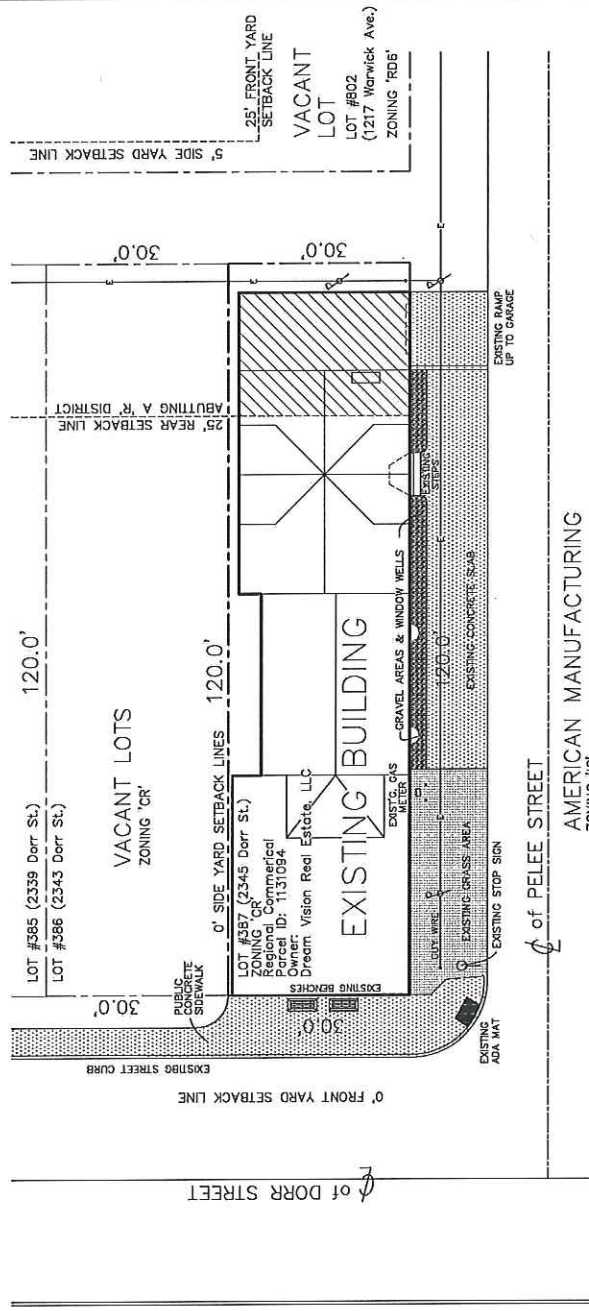
SPECIAL USE PERMIT – SITE PLAN for:
4 MY RECOVERY HEALTH at:
RECOVERY ACHIEVEMENT CENTER
2345 DORR STREET, TOLEDO, OHIO 43607

SCOTT J. HEACOCK / ARCHITECT
1303 SABRA ROAD
TOLEDO, OHIO 43612
419 / 260-8779
sjarch@buckeye-express.com

SCOTT J. HEACOCK/MA
1303 SABRA ROAD
TOLEDO, OHIO 43612
419 / 260-8779
sjarch@buckeye-express.com

SPECIAL USE PERMIT – SITE PLAN for:
4 MY RECOVERY HEALTH at:
RECOVERY ACHIEVEMENT CENTER
2345 DORR STREET, TOLEDO, OHIO 43607

1952
NUMBER 22, 2018
SHEET NO.
SP-1
SET OF: 1



BLDG. COVERAGE = 88.5% (85% ALLOWED)



SITE PLAN
SCALE 1/8"=1'-0"

YEAR BUILT – 1947 (PER ARIES)
LEGAL DESCRIPTION:
LOTS #387 NORWOOD EXTENSION IN THE CITY
OF TOLEDO, LUCAS COUNTY, OHIO – AND
RECORDED IN VOLUME 17, PAGE 6.
OWNER – DREAM VISION REAL ESTATE, LLC

THESE DRAWINGS MAY NOT BE REPRODUCED WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE ARCHITECT.

QUALITY TIME LEARNING CENTER

2315 DORR STREET

TOLEDO, OHIO 43607

OFFICE: 419-531-2990

FAX: 419-531-6788

MRS. ALETHEA EASTERLY - DIRECTOR

January 28, 2020

The Lucas County Planning Commission - City of Toledo
One Government Center
Suite 1620
Toledo, Ohio 43604

Dear Planning Commission:

RE: Parking Authorization for Recovery Achievement Center

I, Alethea Easterly, owner of Quality Time Learning Center give The Recovery Achievement Center permission to park on my property located next to their center, which will accommodate them nine spaces.

Please let me know if you have any questions or concerns. I can be reached at 419-531-2990.

Respectfully yours,



Alethea Easterly, Owner of Quality Time Learning Center