



# 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: June 17, 2019

REF: SUP-5002-19

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 Hospital

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, June 13, 2019 at 2:00 P.M.

## GENERAL INFORMATION

### Subject

Request	-	Special Use Permit for a Hospital
Location	-	3837 Secor Road
Applicant	-	Encompass Health 9001 Liberty Parkway Birmingham, AL 35242
Owner	-	Rick Landrum The Kroger Company 1014 Vine Street Cincinnati, OH 45202
Engineer	-	Jeff Myers The Mannik & Smith Group 1800 Indian Wood Cir Maumee, OH 43537

### Site Description

Zoning	-	RS9 <i>Single Dwelling Residential</i>
Area	-	± 8.34 Acres
Frontage	-	± 88 Feet along Monroe Street
Existing Use	-	Undeveloped
Proposed Use	-	Hospital

**GENERAL INFORMATION (cont'd)**

Area Description

- |       |   |  |
|-------|---|--|
| North | - | Gas Station, Drug Store, Retail/ <i>CR Regional Commercial</i>   |
| South | - | I-475, Self-Storage, Single Family Residential / <i>RS9 Single Dwelling Residential &amp; IP Planned Industrial</i>                          |
| East  | - | Undeveloped Land, Grocery Store, Gas Station, Restaurants, Oil Service / <i>RS9 Single Dwelling Residential &amp; CR Regional Commercial</i> |
| West  | - | Notre Dame High School & Day Care / <i>RS9 Single Dwelling Residential</i>   |

Parcel History

- |              |   |   |
|--------------|---|---|
| PL-4-04      | - | Parking Lot Review for Revisions to the Existing Lot. Administratively Approved 07/07/04.   |
| Z-3003-15    | - | Zone Change from RS9 Single Dwelling Residential to CR Regional Commercial. Plan Commission recommended disapproval 06/11/15. City Council disapproved 11/10/15.                    |
| SPR-10-15    | - | Major Site Plan Review for a New Grocery Store and Outlots at 3835 Secor Road. Staff recommended disapproval 06/11/15. Plan Commission approved 06/11/15.                           |
| SPR-50-16    | - | Site Plan Review for a Grocery Store at 3835 Secor Road. Staff recommended disapproval 2/9/17. Plan Commission disapproved 2/9/17.  |
| PUD-11002-16 | - | Planned Unit Development for New Grocery Store and Outlots. Plan Commission recommended disapproval 2/9/17. City Council approved 3/21/17. PUD expired 3/22/19.                     |
| Z-11001-16   | - | Zone Change from RS9 Single Dwelling Residential to CR Regional Commercial. Plan Commission recommended disapproval 2/9/17. City Council approved 3/21/17. Zoning reverted 3/22/19. |

**GENERAL INFORMATION** (cont'd)

- |           |   |   |
|-----------|---|---|
| SPR-16-17 | - | Site Plan Review for a Grocery Store at 3835 Secor Road. Staff recommended approval 5/24/17. Plan Commission recommended approval 5/24/17. Site Plan expires 5/25/18. |
| T-43-19   | - | Lot split for 8.35 acre parcel. Plan Commission approved 5/28/19. <i>Pending recording.</i>   |
| Z-4007-19 | - | Zone Change from RS9 Single Dwelling Residential to CO Office Commercial (Companion Case).  |

Applicable Plans and Regulations

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

**STAFF ANALYSIS**

The request is a Special Use Permit for a Hospital on a 8.34 acre portion of the property located at 3837 Secor Road. The site is the former location of the Sisters of Notre Dame Provincial Center. A companion Zone Change request from RS9 to CO (Z-4007-19) for the entire 18.627 acre site accompanies this case. A neighborhood meeting was held on May 30, 2019 in order to discuss the request and provide an opportunity for public comment.

*LAYOUT*

The applicant is proposing to build a 40 bed, single-story, 47,854 sq. ft. hospital focusing on rehabilitation services with a 120 space parking lot. The plan includes an optional building addition of 25,729 sq. ft., 40 beds and 40 parking spaces. The facility will have a staff of 88 over two shifts with the potential to increase staffing to 125 full time jobs. A twelve (12) foot screening wall is provided along the western property line and exceeds the maximum ten (10) foot height allowed in the CO zoning district. The fence height was part of an agreement reached between Encompass and Notre Dame Academy. A waiver of the maximum fence height is required and is included as a condition of approval. The fence has been reduced to four (4) feet along the day care property. Staff is supportive of the waiver as proposed.

### **STAFF ANALYSIS (cont'd)**

The facility will be accessed from Monroe Street at a non-signalized intersection. A shared access easement will cover the entrance of the site to accommodate the existing day care and future development to the east as additional access points will be prohibited. The portion of the public sidewalk along Monroe Street will be widened to accommodate the relocation of the sidewalk in order to address safety concerns when the adjacent property is developed. The applicant also provided a landscape median at the Monroe Street entrance in order to improve pedestrian safety.

### *PARKING*

A hospital is required to provide one (1) parking space per four (4) beds. The site is providing a potential total of 160 parking spaces. The maximum parking allowed on the property is 30 parking spaces if all 80 beds are considered. A review of other large communities in Ohio suggests that Toledo requirements are on the low side of other communities and is an item that will be reviewed in greater detail in the future. An alternative parking plan was submitted by the applicant and approved by this office. The applicant indicated that the parking needs are based on other Encompass Health facilities throughout the United States.

### *LANDSCAPING*

The landscape plan provides a Type A buffer to the west, perimeter and interior parking lot landscape, and foundation plantings. A frontage greenbelt is not required on this property due to limited parcel frontage on Monroe Street. The plan has been revised and is compliant with all landscaping requirements except for the fencing for the Type A buffer to the south. A waiver is required as a condition of approval. Staff is supportive of the waiver provided the ODOT sound wall remain. If it is removed adequate fencing shall be installed. The stormwater area to the south has been reshaped to provide additional visual interest and accommodate additional landscaping elements. The northern stormwater area closer to Monroe Street is being examined for ways to incorporate best management practices.

### *ELEVATIONS*

New structures are subject to **TMC 1109.0200** Commercial, Mixed Use, and Institutional Design Standards. The standards require pedestrian connectivity and well-designed architecture achieved through variations in massing, character and image, and building façade treatments and materials. These standards are based on site specific context and overall visibility from public view. Given the location of these structures, design standards would primarily apply to the Monroe Street and Secor Road facades. The proposed structure meets the design requirements and provides pedestrian connectivity to Monroe Street.

**STAFF ANALYSIS (cont'd)**

*20/20 PLAN*

The Toledo 20/20 Plan Future Land Use Map designates this property for Institutional Campus land uses. The Institutional Campus designation is intended to accommodate large institutional uses in a campus-like setting, such as hospital, schools, and colleges. It is also used to recognize distinct areas in Toledo such as “church row” along Collingwood Boulevard. The park-like residential setting is a unique feature surrounded by traditional commercial development and efforts should be made to preserve it. The plan preserve trees along the perimeter of the property similar to what previous developments offered in this area. The request is consistent with this designation.

**PLAN COMMISSION RECOMMENDATION**

The Toledo City Plan Commission recommends approval of SUP-5002-19, a Special Use Permit for a Hospital at 3837 Secor Road, to the Toledo City Council, for the following **two (2)** reasons:

1. The request is compatible with adjacent uses in terms of overall landscaping, aesthetics and design – **TMC 1111.0706.C.**
2. The request is consistent with the Toledo 20/20 Comprehensive Plan.

The Toledo City Plan Commission makes the following recommendations to the Toledo City Council on proposed waivers:

**Chapter 1105 Accessory Uses**

**1105.0302 Commercial and Industrial Districts**

- A. The following standards apply in all Commercial and Industrial districts:
  2. Fences may not exceed 10 feet in any other location on a lot.

Approve a waiver of **TMC 1105.0302.A.2** to allow twelve (12) foot fencing along the western property line, and around the gas storage area, provided the fence height is reduced to a maximum of four (4) feet along the day care property.

**Chapter 1108 Landscaping and Screening**

**TMC 1108.0203 Buffer and Screening Requirements**

**C. Requirements**

A 10 foot Type A buffer with a fence is required between CO and RS9 zoning districts.

Approve a waiver of **TMC 1108.0203.C.** to allow for the elimination of fencing provided the ODOT sound wall remains.

**PLAN COMMISSION RECOMMENDATION (cont'd)**

The Toledo City Plan Commission further recommends approval subject to the following **forty-four (44)** 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.

Engineering Services

1. 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.
2. 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.
3. 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.

Contact Joe Warnka at (419) 245-1341 for inspection of above mentioned items.

4. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
5. The existing private fire hydrant serving the adjacent parcel to the west will need to be relocated onto said parcel. A separate plan will need to be submitted to the Division of Engineering Services for the relocation of this hydrant.
6. Detailed plans for the water service lines shall be submitted to the Division of Engineering Services for review and approval. Plan design and submittal shall comply with the current version of the City of Toledo DPU Infrastructure Design and Construction Requirements.
7. The current version of "WATER GENERAL NOTES FOR CITY OF TOLEDO PRIVATE WATER MAINS, FIRE LINES AND LARGE SERVICES" shall be included on the plans and can be obtained from the City of Toledo Division of Engineering Services.

**PLAN COMMISSION RECOMMENDATION (cont'd)**

Engineering Services (cont'd)

8. Water meter setting details, including meter bypass and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S. Erie Street, Toledo, OH 43602 for review and approval.
9. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com @ 800-414-4990. Contact the Division of Water Distribution (419-936-2839) to verify the backflow prevention requirements for this site.
10. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site. Verify that the hydrant locations shown are acceptable to the Toledo Fire Prevention Bureau. Contractors performing work on new or existing fire systems shall be licensed by the State of Ohio Fire Marshall and certified by the City of Toledo Fire & Rescue Department.
11. All existing water service lines will be abandoned by the City of Toledo Division of Water Distribution at the developer's expense.
12. New water service taps will be installed by City of Toledo at the developer's expense.
13. Plans for the water service lines shall be submitted to and approved by the Ohio EPA prior to starting construction of the water service lines.
14. Maintain 10 feet of horizontal clearance between proposed water service lines and sanitary or storm sewers. Maintain 4 feet of horizontal clearance between proposed water service lines and any other underground utility. Maintain 18 inches of vertical clearance between proposed water service lines and sanitary or storm sewers. Maintain 12 inches of vertical clearance between proposed water service lines and any underground utility. Provide sufficient clearance between proposed water service lines and property lines to permit future maintenance of the water services lines to be performed without entering onto the adjacent parcels.
15. Proposed hydrants shall be located a minimum of 10 feet away from storm and sanitary sewers or, per the Ohio EPA, drain holes on hydrants shall be plugged. Maintenance of the privately-owned waterline, valves and hydrants will be the responsibility of the owner, including pumping of hydrants having plugged drain holes.

**PLAN COMMISSION RECOMMENDATION (cont'd)**

Engineering Services (cont'd)

16. Post construction BMP's for sites that disturb 2 acres or more (including common plan of development) shall be selected from and designed in accordance with the latest Ohio EPA General Stormwater NPDES Permit Table 4a Extended Detention practices or 4b Infiltration Practices. If an alternate to the NPDES Table 4a or 4b is proposed it must be preapproved by the Ohio EPA prior to submitting a NOI. The OEPA will only consider the use of alternate BMP's where it can be demonstrated that the implementation of a Table 4a or 4b BMP's isn't feasible due to physical site constraints.
17. No construction work, including any earth disturbing work will be permitted without approved site plans. Submit the following for review & approval:
  - Engineering drawings and calculations compliant with the City of Toledo Infrastructure Design and Construction Requirements.
  - Detailed site grading plan
  - Plans and calculations for storm sewer service, stormwater detention and post-construction BMP's.
  - A Storm Water Pollution Prevention Plan (SWP3) including a completed submittal cover sheet, contact list, contractor certification form and Ohio EPA SWP3 checklist. The links to these documents can be found at <http://www.tmacog.org/storc/swp3.htm>.
  - Long term maintenance plan and maintenance agreement for Detention and Post-Construction BMP's for long term maintenance of the private facilities. Stormwater Detention and Post-Construction BMP's are required to be maintained into perpetuity.
18. Drainage Plans that incorporate low impact development solutions such as indicated on this proposal are eligible for a reduction in the property's stormwater utility fee through the Stormwater Credit Program, upon application to the program as explained at <http://toledo.oh.gov/services/public-utilities/engineering-services/stormwater-utility-credit-program/>
19. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
20. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
21. Any existing sewers under proposed buildings shall be relocated or abandoned. Developer shall verify any sewers to be abandoned are no longer in service.



**PLAN COMMISSION RECOMMENDATION (cont'd)**

Engineering Services (cont'd)

22. Developer shall televise the existing sewer being reused.
23. All sanitary sewer manholes in the project area shall have solid lids installed on them.

Sewer and Drainage Services

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

Environmental Services

26. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
27. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.
28. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable.
29. Applicant shall maintain compliance with the City of Toledo's stormwater regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential stormwater impacts from the modification, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.
30. Any effort made to plant non-invasive trees, shrubs and perennials is highly encouraged. [http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives\\_to\\_Ohio\\_Invasive\\_Plant\\_Species.pdf](http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_Ohio_Invasive_Plant_Species.pdf)
31. Applicant shall maintain compliance with the City of Toledo and State of Ohio's Air Quality Regulations applicable in the Toledo Municipal Code and the Ohio Administrative Code including, but not limited to the Anti-Noise Laws and Asbestos Abatement.

**PLAN COMMISSION RECOMMENDATION (cont'd)**

Transportation

32. Wheel stops required at all parking spots that abut sidewalks and buildings per TMC 1107.
33. Bicycle parking spaces required per TMC 1107.
34. If not already established, cross access agreements shall be formalized with adjacent property

Plan Commission

35. The Special Use Permit is subject to the approval of the companion CO Office Commercial zoning request.
36. A total of 18 bicycle spaces are required. Individual spaces shall be at least 2' by 6' per slot. **TMC 1107.0902.A. Acceptable as submitted.**
37. The sidewalk adjacent to Monroe Street shall be modified to accommodate the safe movement of pedestrians. **TMC 1107.1304. Acceptable as submitted.**
38. A Final Plat shall be recorded for this development and the remaining site acreage when the adjacent property is developed. The Final Plat shall include vehicular access restrictions along major roadways, except at the designated entrances, indicate cross access agreements between all lots, dedicate at least five (5) feet of right of way along Monroe Street, southeast of the primary access point and relocate the existing sidewalk to provide adequate separation from public roadways and establish, if any, open space or conservation areas for the preservation of existing landscaping.
39. A detailed site, lighting, fencing and four (4) copies of a landscaping plan (separate from building & site plans) shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. Fence height shall not exceed ten (10) feet anywhere outside of the required front setback. **Applicant shall obtain a waiver of TMC 1105.0302.A.2 or comply fully with said section.**
  - b. A solid fence or wall within the Type A buffer along the southern property line. **Applicant shall obtain a waiver of TMC 1108.0203.C. or comply fully with said section.**

**PLAN COMMISSION RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

- c. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage.
  - d. Canopy trees must be a minimum of 12' in overall height or a minimum caliper of 2 inches, evergreen trees must be a minimum of 5', and shrubs must be at least 18 inches in height or 24 inches in spread when installed.
  - e. If any preserved trees die they must be replaced with another tree or trees that are at least equal to the credited value of the preserved tree. This also applies to any trees on conservation lots that are being preserved but not used for credits.
  - f. If site is ½ acre or larger, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans must be submitted with development plans and must contain all construction details.
40. No new free-standing signs greater than forty-two inches (42") from grade are permitted – any proposed signage must meet the requirements of low-profile signs per Toledo Municipal Code Title Nine – Sign Code.
41. 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 Zoning Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
42. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. **Landscaping shall be installed and maintained indefinitely.**
43. 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. Major adjustments will require an amendment to the Special Use Permit.
44. No permits shall be issued until arrangements satisfactory to the Director of the Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

TO: President Cherry and Members of Council  
June 17, 2019  
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REF: SUP-5002-19

Respectfully Submitted,



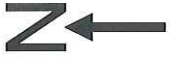
Thomas C. Gibbons  
Secretary

JL

Five (5) sketches follow

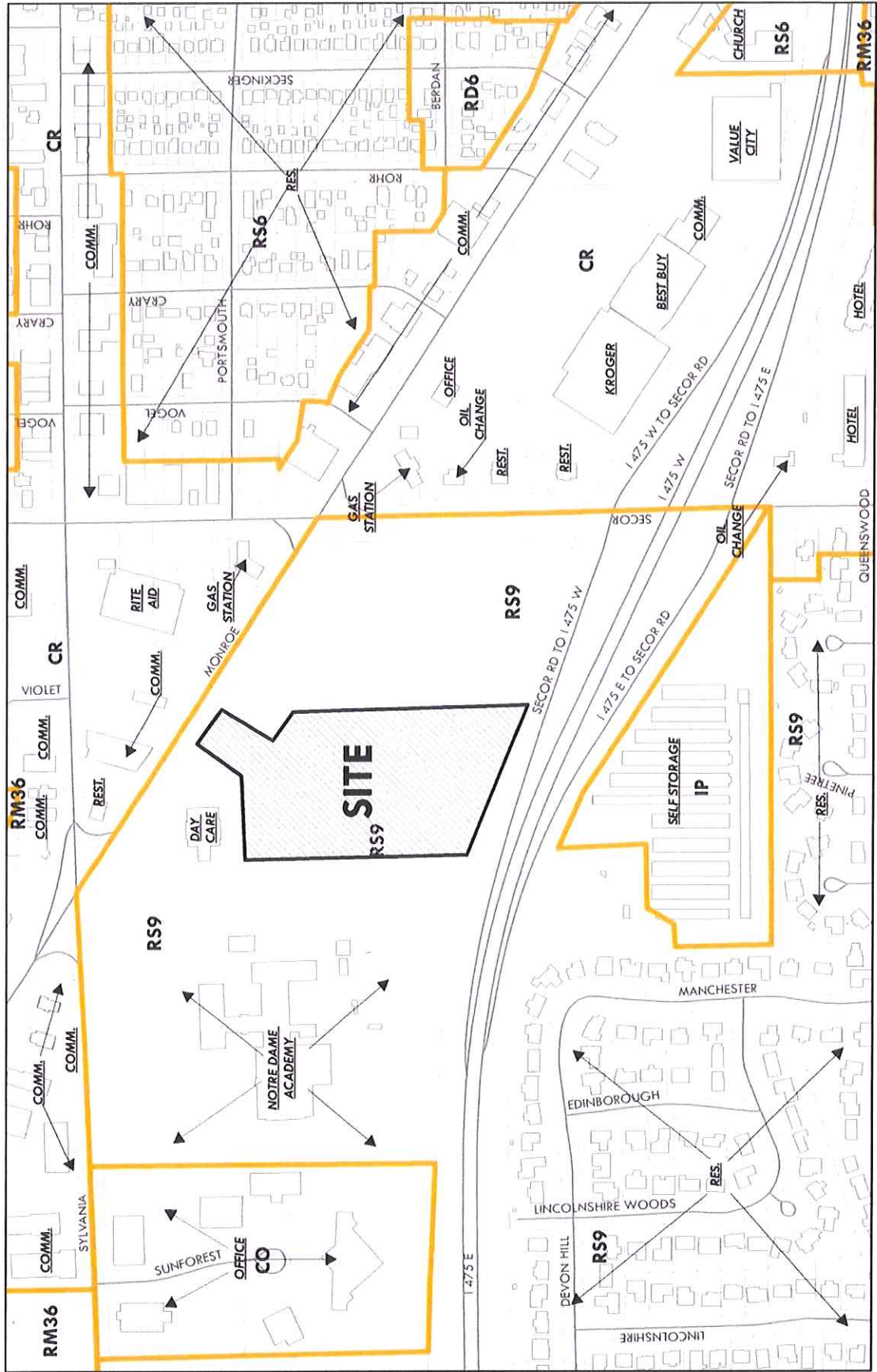
Cc: Encompass Health, 9001 Liberty Parkway, Birmingham, AL 35242  
Rick Landrum, The Kroger Company, 1014 Vine Street, Cincinnati, OH 45202  
Jeff Myers, The Mannik & Smith Group, 1800 Indian Wood Cir, Maumee, OH 43537  
Commissioner, Division of Engineering Services  
Division of Sewer and Drainage  
Environmental Services  
Fire Prevention  
Commissioner, Division of Transportation  
Lisa Cottrell, Administrator  
Josh Lewandowski, Principal Planner

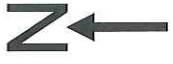




**SUP-5002-19**  
ID 78

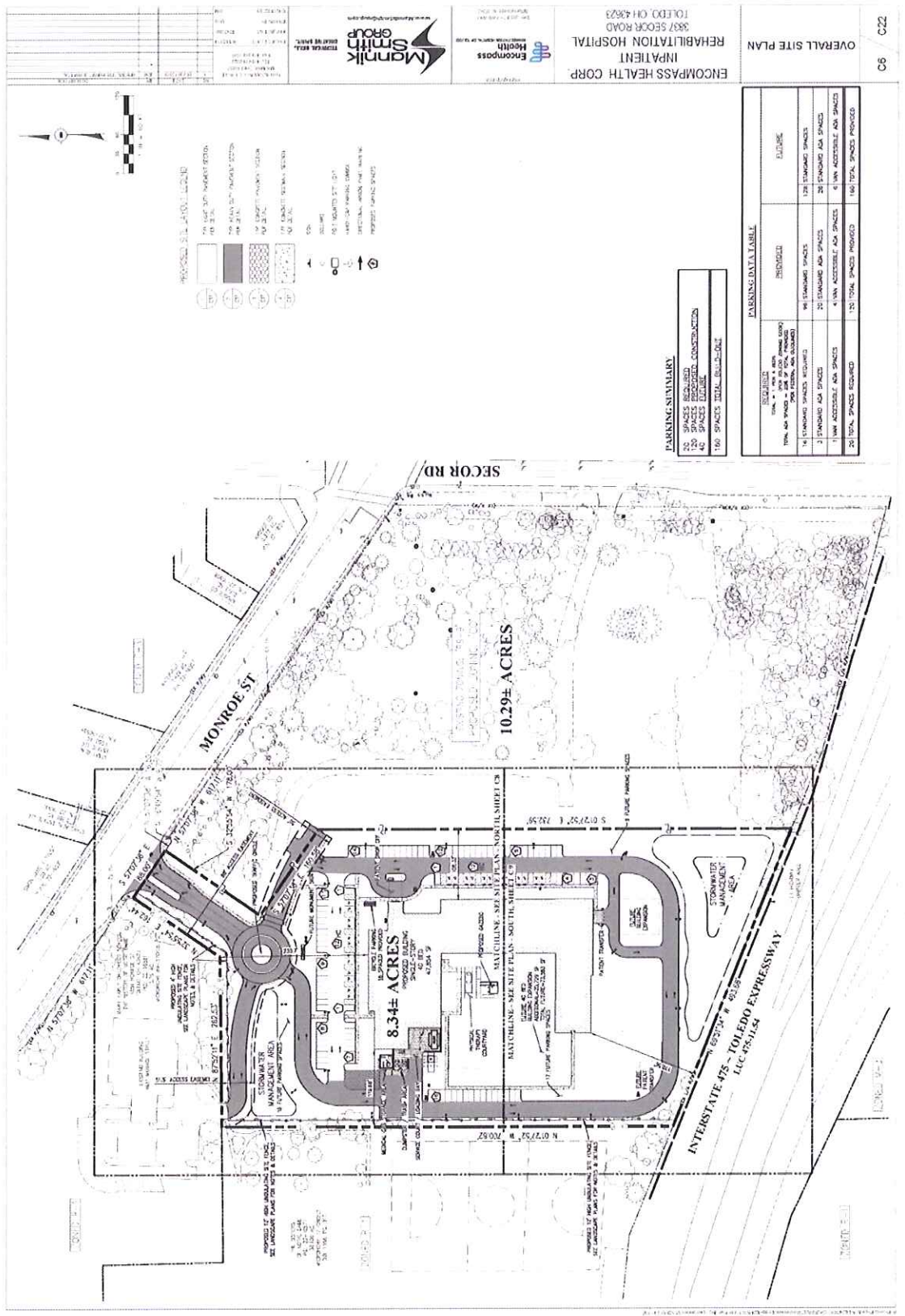
# ZONING & LAND USE





# SUP-5002-19 ID 78

# SITE PLAN



**PARKING SUMMARY**

20 SPACES REQUIRED
120 SPACES PROVIDED
40 SPACES AVAILABLE
160 SPACES TOTAL AVAILABLE

**PARKING DATA LABEL**

TYPE	REQUIREMENTS	PROVIDED
1. STANDARD SPACES	120	120
2. STANDARD SPACES WITH ACCESSIBLE SPACES	40	40
3. STANDARD SPACES WITH ACCESSIBLE SPACES	40	40
4. TOTAL SPACES PROVIDED		160
5. TOTAL SPACES REQUIRED		20

273  
90







# ELEVATIONS

SUP-5002-19  
ID 78



 <p>FREDERICK ASSOCIATES ARCHITECTS</p>	<p>NET ELEVATION</p> <ul style="list-style-type: none"> <li>A BRICK COLOR SILEX</li> <li>B BRICK COLOR BROWN</li> <li>C BRICK COLOR DARK BROWN</li> <li>D LIME STONE</li> <li>E LIME STONE</li> <li>F BRICK COLOR BROWN</li> </ul>	<p>NET PLAN</p> 	<p>EXTERIOR ELEVATIONS</p> <table border="1"> <tr> <td>Sheet No.</td> <td>E1</td> </tr> <tr> <td>Project No.</td> <td>SUP-5002-19</td> </tr> <tr> <td>Client</td> <td>ENCOMPASS HEALTH</td> </tr> <tr> <td>Location</td> <td>REHABILITATION HOSPITAL OF TOLEDO, OHIO</td> </tr> <tr> <td>Scale</td> <td>1/16" = 1'-0"</td> </tr> <tr> <td>Date</td> <td>11/11/19</td> </tr> </table>	Sheet No.	E1	Project No.	SUP-5002-19	Client	ENCOMPASS HEALTH	Location	REHABILITATION HOSPITAL OF TOLEDO, OHIO	Scale	1/16" = 1'-0"	Date	11/11/19
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<p> <ul style="list-style-type: none"> <li>G METAL CORNER, MEDIUM BRONZE</li> <li>H MICHIGAN SPIDER WALLS</li> <li>I ALUMINUM PANELS, POLY-CARBONATE GLASS</li> <li>J ALUMINUM PANELS, POLY-CARBONATE GLASS</li> <li>K BRICK FACED STONE VENEER</li> <li>L UNPAINTED SUBSTRATE, TYPICAL AT SOAK WINDOWS</li> </ul> </p>	<p>    <b>Encompass Health</b>                   ENCOMPASS HEALTH REHABILITATION HOSPITAL OF TOLEDO TOLEDO, OHIO             </p>														