



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



REF: SUP-11007-17

DATE: January 12, 2018

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 and Alcohol Treatment Facility - Residential

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, January 11, 2018 at 2:00 P.M.

GENERAL INFORMATION

Subject

- Request - Special Use Permit for a Drug and Alcohol Treatment Facility - Residential
- Location - 2310 Jefferson Ave
- Applicant - Unison Health
David Moebius
1425 Starr Ave
Toledo, OH 43605
- Architect - SSOE
Jason Collert – Project Manager
1001 Madison Ave
Toledo, OH 43604

Site Description

- Zoning - CO Office Commercial
- Area - .528 acres
- Frontage - 100'
- Existing Use - Office building
- Proposed Use - Drug and Alcohol Treatment Facility, Residential

GENERAL INFORMATION (cont'd)

Area Description

North	-	Apartment building and office buildings/ CO
South	-	Public parkland / POS and apartment building / CO
East	-	Hospital and college / CO
West	-	Apartment buildings and offices / CO

Parcel History

OWE-7-15	-	Install and replace signs on the building (OWEHDC approved 4/13/2013).**After further review, address was not found to not be located within the OWEHD.
Z-11006-17	-	Request for Zone Change from CO Office Commercial to RM36 Multi-Dwelling District, companion case to the Special Use Permit request.

Applicable Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- Toledo UpTown District Plan
- UpTown District Urban Neighborhood Overlay

STAFF ANALYSIS

The applicant is requesting a Special Use Permit to operate a Drug and Alcohol – Residential Treatment Facility located at 2310 Jefferson Ave. The ±0.528 acre site is currently occupied by an existing historical building that was constructed in 1872. It is currently used as office space by the applicant for their human resources department.

Surrounding land uses include high rise apartment buildings, additional office buildings offering services to those with disabilities and addiction services for the youth and adults. The site is located within the UpTown District Urban Neighborhood Overlay District and is located within 500 feet of the Old West End Historic District boundary.

The applicant is requesting a Special Use Permit to convert the structure to a Drug and Alcohol – Residential Treatment Facility. The applicant currently operates three (3) treatment facilities in the Toledo area and is fully accredited and licensed by the State of Ohio. The goal of this facility is to have sixteen (16) individuals residing at the recovery house who are recovering

STAFF ANALYSIS (cont'd)

from substance abuse disorders. On site staff will consist of one to two counselors during each shift, and visiting medical staff who will be on call for the facility seven days a week.

TMC§1116.0221(D) defines a Drug and Alcohol - Residential Treatment Facility as “a home or facility that provides habilitation services for persons with drug and alcohol addictions but not including methadone treatment.” The applicant is intending to operate a Drug and Alcohol - Residential Treatment Facility that will provide services including assessment, counseling, crisis stabilization, psychiatry, medication assisted treatment and case management. The staff will be comprised of medical doctors, nurses, licensed social workers and counselors, along with care managers who will administer the services. The applicant has indicated that the organization does not permit employees, patients or visitors to loiter outside the premises. The applicant has also stated efforts will be taken to work with local neighborhood associations, businesses and organizations to create an outside environment that is conducive to the surrounding area.

Use Regulations

A Drug and Alcohol - Residential Treatment Facility is required to meet the Group Living and Day Care – Spacing requirements outlined in TMC§1104.1000. This section of the Code states that “Group Living facilities, Type A Family Day Cares, and Nonresidential Drug and Alcohol Centers that are subject to this spacing requirement, must be at least 500 feet from a site with any other Group Living facilities, Type A Family Day Cares, and Nonresidential Drug and Alcohol Centers”. There are two nonresidential treatment facilities within 500 feet of the subject site. The Zepf Center which is a nonresidential treatment center for youth is located at a distance of 414 feet, and Harbor Light nonresidential treatment center for adults is located at 123 22nd Street at a distance of 480 feet. The proposed location is in violation of this spacing requirement and does not conform to the regulations of TMC§1104.1000.

Parking and Circulation

As indicated in the Off-Street Parking Schedule “A”, a Drug and Alcohol - Residential Treatment Facility is required to provide one (1) parking space for per two (2) employees. As a result, the Drug and Alcohol – Residential Treatment Facility will require two (2) parking spaces on site. The site plan submitted depicts a total of fifteen (15) parking spaces, both in front of the building and behind it. Although the spaces are existing, they exceed the maximum number of off-street parking spaces allowed for the proposed use as stated in TMC§1107.0302. The applicant shall submit documentation outlining expected parking demands. This item is included as a condition of approval.

STAFF ANALYSIS (cont'd)

Parking and Circulation (cont'd)

The Division of Transportation has identified two issues with the layout. First, the existing drive aisle to the rear of the building is not wide enough to support two-way traffic flow. Second, the rear parking lot has spaces that indicate both one-way and two-way traffic. They do not object to the application, but are requesting that the parking lot be reconfigured to meet Toledo Municipal Code 1107 requirements. Any parking lot modifications would likely result in the loss of some of the spaces located in the rear of the site and will require a submittal of a revised site plan. These items are included as conditions of approval.

The applicant is required to provide at least one (1) accessible parking space for persons with physical disabilities. The site plan submitted depicts one accessible parking space closest to the entrance and in compliance with this regulation.

The minimum number of bicycle parking spaces for the proposed treatment center is two (2). The site plan submitted did not depict any bicycle parking. Staff recommends the bicycle spaces be installed in a corner of the parking lot closest to the building or the garage. As a condition of approval, a revised site plan shall be submitted depicting the location and number of bicycle parking spaces in compliance with TMC§1107.0901.

Landscaping and Screening

The site is located within the UpTown District Urban Neighborhood Overlay District and therefore required to comply with the Urban Commercial Landscape Standards as listed in TMC§1108.0300. The intent of these standards is recognizing that compliance with the landscape standards of TMC§1108.0200 may be difficult or impossible for urban, pedestrian-oriented development and to therefore provide more flexible landscape standards for the redevelopment of existing structures and infill developments. These landscape standards are intended to buffer the effects of uses on adjacent properties by requiring a screen and/or buffer between the uses in order to minimize the harmful impacts of noise, dust/debris, headlight glare and other objectionable activities by an adjoining or nearby use. The submitted site plan does not depict any proposed landscaping on site.

Urban Commercial landscape standards require canopy trees located in or along the right of way and parking lot landscaping adjacent to any street. One (1) canopy tree is required for every thirty feet (30') of lot frontage. With one hundred feet (100') of frontage, a total of four (4) trees are required along Jefferson. Perimeter parking lot landscaping is also required along Jefferson. It shall include a five foot (5') landscape area, with a solid row of evergreen hedges, and a forty-two inch (42") decorative fence. The fence is not typically required with the landscape area, but there appears to be adequate room for both elements. Staff is also requesting a forty-two inch (42") decorative fence made around the parking lot located in the rear of the site. If approved, a landscape plan shall be submitted depicting the required landscaping and is

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STAFF ANALYSIS (cont'd)

Landscaping and Screening (cont'd)

listed as a condition of approval.

TMC§1108.0203(G) states that dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by an enclosure on all four (4) sides. Dumpsters may not be located in any required setbacks or landscape buffers and shall be located as far away from residential areas as possible. The site plan submitted does not depict the location of a dumpster or any screening. If proposed or installed at a later date, a revised site plan shall be submitted depicting the location and screening of the dumpster and is listed as a condition of approval.

UpTown District Urban Neighborhood Overlay

The property is located within the UpTown District Urban Neighborhood Overlay (UNO) which was developed out of the 2013 UpTown District Master Plan. The UpTown District Plan identified the subject parcel on Jefferson Ave as CN Neighborhood Commercial and further recognized the need for student housing to compliment the Mercy Triangle and the overall redevelopment of the UpTown District. The proposed use does not conform to the vision of the UpTown District Plan.

Per the procedures of the UpTown UNO Regulations as defined in TMC§1103.1600, an Architectural Review Committee has been established to review physical changes to structures and public space within the UpTown District. The applicant does not have any intentions of modifying the structure but if any exterior changes are made which affect more than ten percent (10%) of the building's appraised value, as listed by the County Auditor, then a review process by the UpTown District Architectural Review Committee (UDARC) will be required. Additionally, any fencing, parking, driveways or signage proposed to be modified on site will require a separate application for UDARC approval.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Office Commercial uses. The Office Commercial (CO) category is intended to function as a low to medium-intensity office zoning district that is generally intended for application along arterial streets. The district is intended to provide alternative zoning classifications for streets and roads where there is a desire to prevent strip commercial development. The district is also intended to serve as a land use buffer between major streets and residential neighborhoods and between higher intensity commercial areas and residential neighborhoods. The proposed use does not conform to the goals of the 20/20 Plan.

STAFF ANALYSIS (cont'd)

Staff Recommendation

Staff recommends disapproval of the Special Use Permit for the Drug and Alcohol - Residential Treatment Facility for several reasons. First, the site is zoned CO Office Commercial and does not permit a residential Drug and Alcohol Treatment Center. Staff is not supportive of the companion Zone Change request from CO Office Commercial to RM36 Multi-Dwelling District, because it will introduce land uses that are not consistent with those of surrounding properties. Second, the proposed use is not consistent with the Mercy Triangle for future UpTown land use designation. Third, the proposed use is not consistent with the goals of the Toledo 20/20 Comprehensive Plan. Finally, the proposed use is in violation of TMC§1104.1001 - *Group Living and Day Care Spacing*, which requires a residential drug and alcohol treatment facility to be at least 500 feet from a site of any other Group Living facilities, Type A Family Day Care Home and Nonresidential Drug and Alcohol Center.

Neighborhood Meeting

The applicant held a neighborhood meeting on December 11, 2017 at the Collingwood Presbyterian Church in order to address any questions and/or concerns with the two requests. At the public meeting, the OWEHDC members stated they would prefer the structure be returned to a single-family dwelling instead of a multi-family dwelling in order to preserve structure. Other residents within the OWE neighborhood stated their frustration regarding the saturation of rehabilitation services that are within 500 feet of the subject parcel and abutting the OWEHD. The UpTown Commission members were invited along with abutting property owners of the subject site and none were in attendance.

PLAN COMMISSION RECOMMENDATION

The staff recommended that the Toledo City Plan Commission recommend disapproval of SUP-11007-17, a request for a Special Use Permit to operate a Drug and Alcohol Facility, Residential located at 2310 Jefferson Ave, to the Toledo City Council, for the following four (4) reasons:

1. The use is not compatible with adjacent uses in terms of operating characteristics such as noise, traffic generation, and other impacts associated with the use's operations (TMC§1111.0706(C) – Review and Decision Making Criteria).
2. The proposed use does not conform to the vision of the UpTown District Plan.
3. The proposed use is not consistent with the goals of the Toledo 20/20 Comprehensive Plan; and

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PLAN COMMISSION RECOMMENDATION (cont'd)

4. The proposed use would be in violation of the spacing regulations outlined in TMC§1104.1001.

However, the Toledo City Plan Commission recommends approval of SUP-11007-17, a request for a Special Use Permit to operate a Drug and Alcohol Facility, Residential located at 2310 Jefferson Ave, to the Toledo City Council.

The Toledo City Plan Commission makes the following recommendation that the Toledo City Council waive the requested spacing requirement for a Drug and Alcohol Facility, Residential at 2310 Jefferson Ave:

Chapter 1104.1000 Group Living and Day Care - Spacing

Sec. 1104.1001 - Group Living facilities, Type A Family Day Care Home and Nonresidential Drug and Alcohol Centers that are subject to this spacing requirement Section in the Use Table Sec. 1104.0100, must be at least 500 feet from a site of any other Group Living facilities, Type A Family Day Care Home and Nonresidential Drug and Alcohol Center that is also subject to this spacing requirement.

Approve a waiver to allow for a Drug and Alcohol - Residential Treatment Facility to be located within 500 feet from another site that is the same or similar to another Group Living facility, Type A Family Day Care Home and Nonresidential Drug and Alcohol Center that is subject to this spacing requirement.

The Toledo City Plan Commission further recommends approval of SUP-11007-17, a request for a Special Use Permit to operate a Drug and Alcohol Facility, Residential located at 2310 Jefferson Ave, to the Toledo City Council, subject to the following eighteen (18) conditions:

Division of Transportation

1. The ingress / egress drives are not wide enough to support two-way traffic. The drives shall be widened to 25' or the access drives designated to one-way traffic only.
2. The drive aisle adjacent to the building is not wide enough to support two-way traffic flow.
3. The parking lot in the rear of the building has parking spaces that indicate both one way and two-way traffic flow. The area cannot support this design and the parking area should be reconfigured to meet Toledo Municipal Code 1107 requirements.

Fire Prevention

4. Site shall comply with Fire Prevention Bureau regulations.

Plan Commission

5. A revised site plan shall be submitted addressing the Division of Transportation comments.
6. A revised site plan shall be submitted depicting the location and quantity of proposed bicycle slots.
7. Applicant shall receive a waiver of **TMC§1104.1001** - *Group Living and Day Care Spacing*, the required 500 feet from a site of any other Group Living facilities, Type A Family Day Care Home and Nonresidential Drug and Alcohol Center.
8. Four copies of a detailed site, lighting, fencing, and landscape plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. A five-foot (5') landscape buffer shall be provided along the Jefferson Avenue frontage and around the parking lot, including four (4) canopy trees, a solid row of evergreen hedges, and a decorative fence at the height of 42".
 - b. A 42" decorative fence shall be provided along the rear property line adjacent to the parking lot.
 - c. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards.
 - d. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place or driveway, or which is visible from an adjacent property along the rear property line.
 - e. If the site is half an acre or larger, irrigation shall be required for all landscaped areas on site.
 - f. If applicable, the location, height and materials for any fencing to be installed and maintained.
 - g. If applicable, the location and direction of any proposed lighting.

Plan Commission (cont'd)

9. 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.
10. Any physical changes which are visible from the right-of-way and constitute more than ten percent (10%) of the appraised value through the County auditor's office will require a separate review process by the UpTown District Architectural Review Committee (UDARC). Additionally, all new fencing, off-street parking, driveways or signage proposed on site are subject to review under the provisions of the UpTown UNO District as defined in TMC§1103.1600.
11. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks **(if applicable)**.
12. Dumpsters may not be located in the public right-of-way as stated in TMC§1361.10(b) (10) of the Building Code.
13. 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.
14. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device consisting of a concrete stop, a permanent concrete curb, an expanded sidewalk or other suitable restraint as approved by the Planning Director must be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway or sidewalk, or damaging any structure or landscaping (TMC§1107.1907(A)).
15. 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.
16. No free-standing signs greater than forty-two inches from grade are permitted – proposed signage must meet the requirements of low-profile signs per *Toledo Municipal Code Title Nine – Sign Code*.

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Plan Commission (cont'd)

17. 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.
18. 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.

Respectfully submitted,



Thomas C. Gibbons
Secretary

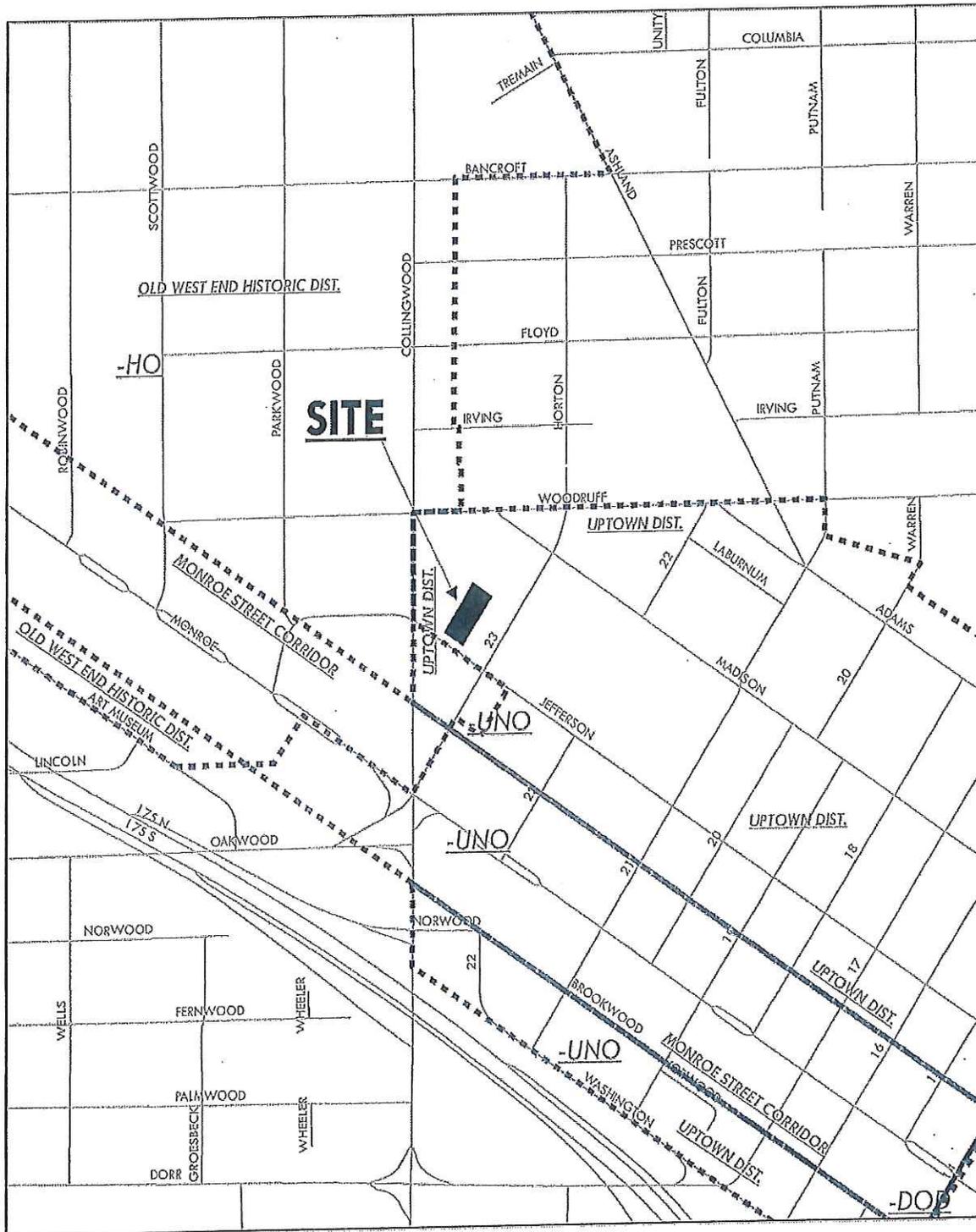
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Three (3) sketches follow

Cc: David Moebius, Unison Health
Jason Collert, SSOE, Project Manager
Lisa Cottrell, Administrator
Molly Maguire, Principal Planner

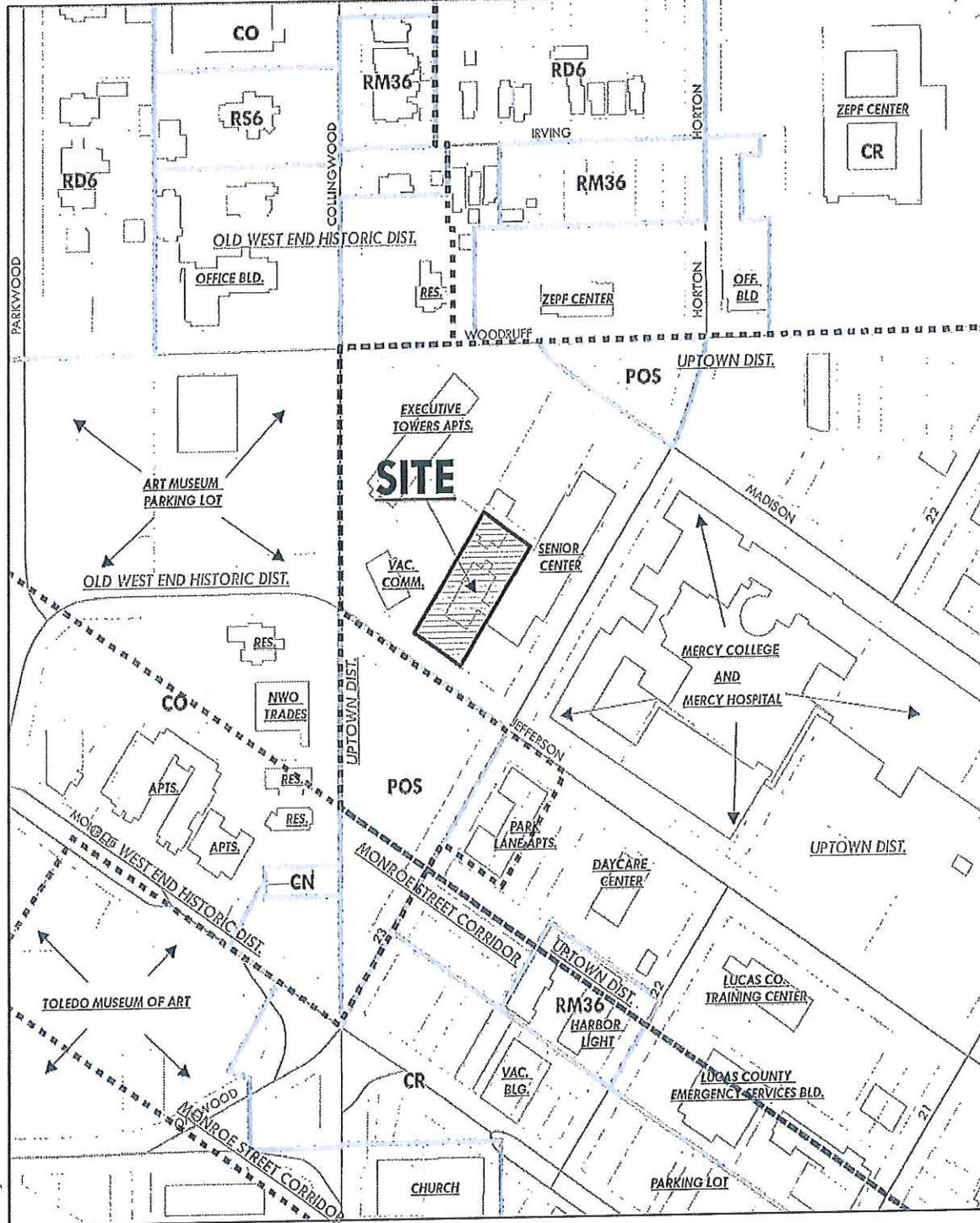
GENERAL LOCATION

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ZONING & LAND USE

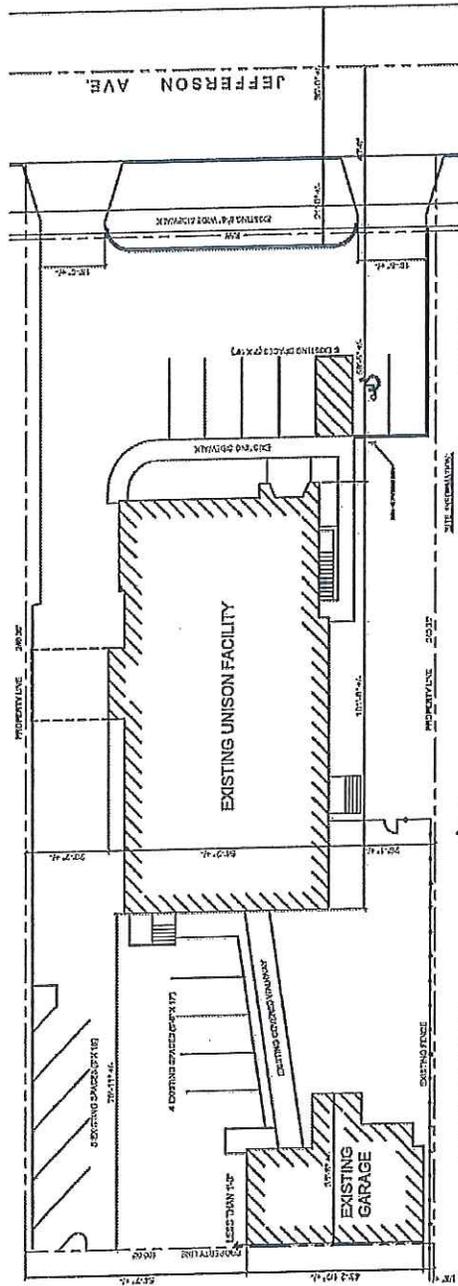
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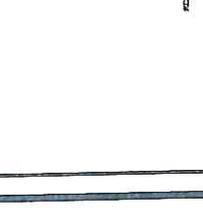
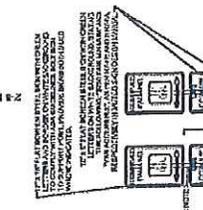
SITE PLAN



EXISTING FACILITY (220,000 SF)
 220,000 SF
 100,000 SF
 120,000 SF

EXISTING GARAGE
 10,000 SF

EXISTING DRIVEWAY
 10,000 SF



HANDICAP SIGN
 SCALE: 1/8" = 1'-0"

PROPOSED TREATMENT FACILITY
 UNISON HEALTH
 2310 JEFFERSON AVE, TOLEDO, OHIO
 PROJECT INFORMATION

1 OF 1
 SHEET

NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
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