



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: January 10, 2020

REF: SUP-11008-19

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

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

SUBJECT: Request for an Amendment to Special Use Permit, originally granted by Ord. 397-18, to expand a Residential Drug & Alcohol Treatment Facility at 723 Euclid Avenue.

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, January 10, 2020 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request - Amendment to Special Use Permit, originally granted by Ord. 397-18, to expand a Residential Drug & Alcohol Treatment Facility

Location - 723 Euclid Avenue

Applicant - Randall J. LaFond, Director
Talbot Clinical Services of Ohio, LLC
732 Main Street
Toledo, OH 43605

Owner - C + L Trading, LLC
851 Country Club Drive
Bowling Green, OH 43402

Architect - Scott Heacock
1303 Sabra Road
Toledo, OH 43612

Site Description

Zoning - RM36 / Multi-Dwelling Residential

Area - ± 0.13 acres (0.89 acres overall site))

Frontage - ± 40' along Euclid Avenue

Existing Use - Vacant Single Family home

Proposed Use - Residential Drug & Alcohol Treatment Facility

GENERAL INFORMATION (cont'd)

Site Description (cont'd)

Required Parking	-	1 parking space per 2 employees
Proposed Parking	-	24 spaces on exiting site
Neighborhood Org.	-	None
Overlay	-	None

Area Description

North	-	Parking lot, church / RM36
East	-	Single-family households / CR
South	-	Residential drug & alcohol treatment / RM36
West	-	Single-family households / RM36

Combined Parcel History

P-3-59	-	Off-street parking lot at 732 Main Street (P.C. approved on 5/14/1959).
P-3-78	-	Off-street parking lot for funeral home, C-3 & R-4 zoning district, at 732 Main Street (P.C. approved on 12/21/1978).
Z-10062-93	-	Zone Change from R-4 to C-3 at 736 Main Street (P.C. approved C-2 zoning on 12/2/1993, C.C. approved by Ord. 839-93).
Z-6005-18	-	Zone Change from CO Office Commercial to CR Regional Commercial for 732 Main Street (P.C. approved on 8/9/2018, C.C. approved on 9/25/2018 by Ord. 396-18).
SUP-6006-18	-	Special Use Permit for a Drug & Alcohol Treatment Facility, Residential at 727-735 Euclid Avenue & 732 Main Street (P.C. approved on 8/9/2018, C.C. approved on 9/25/2018 by Ord. 397-18).

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan

STAFF ANALYSIS

The applicant is requesting an Amendment to a Special Use Permit, originally granted by Ord. 397-18, to expand a Residential Drug & Alcohol Treatment Facility at 723 Euclid Avenue. The overall ±0.89 acre site is comprised of five (5) parcels that front on Euclid Avenue and Main Street. Adjacent land uses surrounding the site include a church parking lot to the north, single-family homes to the east and west across Euclid Avenue, and the existing Drug & Alcohol Treatment Facility to the south.

The applicant, Talbot Clinical Services, intends to expand into the single family home for a “Sober Living House” as part of their Residential Treatment program. The site is currently zoned RM36, which allows for Residential Drug & Alcohol Treatment when a Special Use Permit is obtained.

Group Living

Per TMC§1116.0221(D), Residential Drug & Alcohol Treatment Facilities are considered Group Living facilities and defined as “*a home or facility that provides habilitation services for persons with drug and alcohol addictions but not including methadone treatment.*” As a Group Living facility, Residential Drug & Alcohol Treatment Facilities are subject to the spacing requirements outlined in TMC§1104.1000. The proposed Residential Drug & Alcohol Treatment Center does not violate the spacing requirements and therefore conforms to TMC§1104.1000.

Parking and Circulation

Access to the existing treatment center is by two (2) curb cuts, one (1) from Main Street to the east, and one (1) from Euclid Avenue to the west. The detached home has access by a single driveway from Euclid Avenue. Pursuant to TMC§1107.0304 – *Off-Street Parking Schedule “A”*, Residential Drug & Alcohol Treatment Facilities are required to provide a minimum of one (1) parking space per every two (2) employees and one (1) space per 300 square feet of floor area for the non-residential Drug & Alcohol Treatment. Additionally, one (1) bicycle-parking slot is required for every ten (10) parking spaces. From the previous Special Use Permit application, the applicant indicated there would be thirteen (13) employees on site, requiring a minimum of seven (7) parking spaces. With a floor area of 3,892 square feet for the non-residential treatment support areas, an additional thirteen (13) parking spaces are required.

The site plan submitted depicts the existing parking lot with twenty-four (24) parking spaces and two (2) spaces designated for persons with disabilities. Additionally, the site plan submitted depicts three (3) bicycle-parking slots and conforms to the minimum requirements. Furthermore, the Division of Transportation has reviewed the site plan and does not object to the approval.

STAFF ANALYSIS (cont'd)

Landscaping

The site existed before the 2004 zoning code and therefore not fully required to comply with the landscape standards. However, TMC§1114.0500 – *Appearance Upgrade for Nonconforming Development* requires future changes to bring a site closer into compliance with the 2004 zoning code. The site plan depicted existing landscaping on the overall property and the expansion. Additional opportunities exist within the fifteen-foot (15') greenbelt for the expansion portion of the site. The frontage greenbelt shall include a minimum of one (1) tree installed along Euclid Avenue and listed as a condition of approval.

Furthermore, a Type A Landscape Buffer is required along the property where it abuts the commercial zoning district to the east. The Type A Buffer shall have a minimum width of twenty-five feet (25') or a minimum width of ten-feet (10') with a solid privacy fence six-feet (6') to eight-feet (8') in height and must include four (4) canopy trees and fifteen (15) shrubs for every 100'. As a condition of approval, a total of two (2) trees and six (6) shrubs are required along the eastern property line and listed as a condition of approval.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Single Family Residential land uses. Single family land uses typically include the development of single dwelling units on individual lots and may also include libraries, schools, churches, and community centers that serve neighborhoods. The Single Family Residential district is intended to create, maintain and promote housing opportunities for individual households, although it may include nonresidential uses, duplexes, and planned unit developments that are typically compatible with residential neighborhoods. The proposed use does not conform to the 20/20 Comprehensive Plan. However, the existing site has been operating as an outpatient drug & alcohol treatment center prior to the adoption of the 20/20 Comprehensive Plan. Staff recognizes a unique circumstance exists which contradicts the future land use designation. The proposed Special Use Permit will allow for the Sober Living House to operate in association with the existing residential and outpatient Drug & Alcohol Treatment Facility.

Staff recommends approval of the Special Use Permit since the proposed use is compatible with existing residential & outpatient treatment center in terms of scale, site design, and operating characteristics. Additionally, staff recommends approval of the Special Use Permit because there are no spacing violations outlined in TMC§1104.1000. Finally, staff recommends approval of the Special Use Permit since the proposed use complies with all applicable provisions of the Zoning Code.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-11008-19, a request for an Amendment to Special Use Permit, originally granted by Ord. 397-18, to expand a Residential Drug & Alcohol Treatment Facility at 723 Euclid Avenue, to Toledo City Council for the following three (3) reasons:

1. The proposed use does not violate any spacing requirements as stated in TMC§1104.1000.
2. The proposed use complies with all applicable provisions of this Zoning Code (TMC§1111.0706(B) – *Review & Decision-Making Criteria*); and
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (i.e. hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use’s operation) (TMC§1111.0706(C) – *Review & Decision-Making Criteria*).

The Toledo City Plan Commission further recommends approval of SUP-11008-19, a request for an Amendment to Special Use Permit, originally granted by Ord. 397-18, to expand a Residential Drug & Alcohol Treatment Facility at 723 Euclid Avenue, to Toledo City Council subject to the following **twenty-nine (29)** conditions:

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

Division of 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, ph. 419-245-1341

Roadway: Tim Grosjean, ph. 419-245-1344

Water: Andrea Kroma, ph. 419-936-2163

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

Sanitary Sewers: Mike Elling, ph. 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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

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.
6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
7. Plans for new water service line or modifications to the existing water service line shall be submitted to the Division of Engineering Services for review and approval.
8. Contact the Division of Water Distribution (419-936-2839) to verify the backflow prevention requirements for this site.
9. The water meter setting detail, including meter bypass (if applicable) and backflow preventer (if applicable), shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S. Erie Street, Toledo, OH 43604 for review and approval.
10. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.

Sewer & Drainage Services

11. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
12. 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 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 Sewer & Drainage Services demonstrating the lines cleaning and integrity.

PLAN COMMISSION RECOMMENDATION (cont'd)

Fire Prevention

No comments or concerns.

Division of Environmental Services

13. 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 storm water impacts from the modification of the site, including but not limited to long-term operation and maintenance of both structural and non-structural Best Management Practices.
14. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
15. 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 impervious surface on the site.
16. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials. Please reference the following link for a list of preferred plant species.
http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_Ohio_Invasive_Plant_Species.pdf
17. 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 Asbestos and the Anti-Noise Laws.

Division of Transportation

No objections.

Plan Commission

18. All lots included in the development shall be combined into a single taxable parcel identification number.
19. All spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. **Acceptable as depicted on site plan.**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

20. 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. **Acceptable as depicted on site plan.**
21. 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 or the public right-of-way as stated in TMC§1361.10(b)(10) of the Building Code (**if applicable**).
22. 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)).
23. 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.
24. 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.
25. 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. A fifteen-foot (15’) greenbelt is required along the Main Street and Euclid Avenue frontages and shall include one (1) tree per every thirty-foot (30’) of frontage. **Not acceptable as depicted on site plan. A minimum of one (1) tree shall be installed along Euclid Avenue and depicted on a completed landscaping plan.**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- b. A Type A Landscape Buffer is required along the sides of the property where it abuts the residential zoning districts. The Type A Landscape Buffer shall be a minimum of ten-feet (10') in width with a solid privacy fence, wall, or berm six-feet (6') to eight-feet (8') in height and consist of a minimum of four (4) trees and fifteen (15) shrubs for every 100 linear feet. **Not acceptable as depicted on site plan. A solid privacy fence with a total of two (2) trees and six (6) shrubs shall be installed along the eastern property line and depicted on a completed landscaping plan.**
 - c. Foundation plantings for the full street-facing building elevation; and landscape areas at major building entrances; **Acceptable as depicted on site plan.**
 - d. 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.
 - e. 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; **shall be noted on a completed landscaping plan.**
 - f. The location, height and materials for any fencing to be installed and maintained; **not acceptable as depicted on site plan. A solid wood privacy fence shall be installed in the Type A Landscape Buffer and shall be depicted on a completed landscaping plan;** and
 - g. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties).
26. 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.
27. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.

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PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

28. 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.
29. 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,



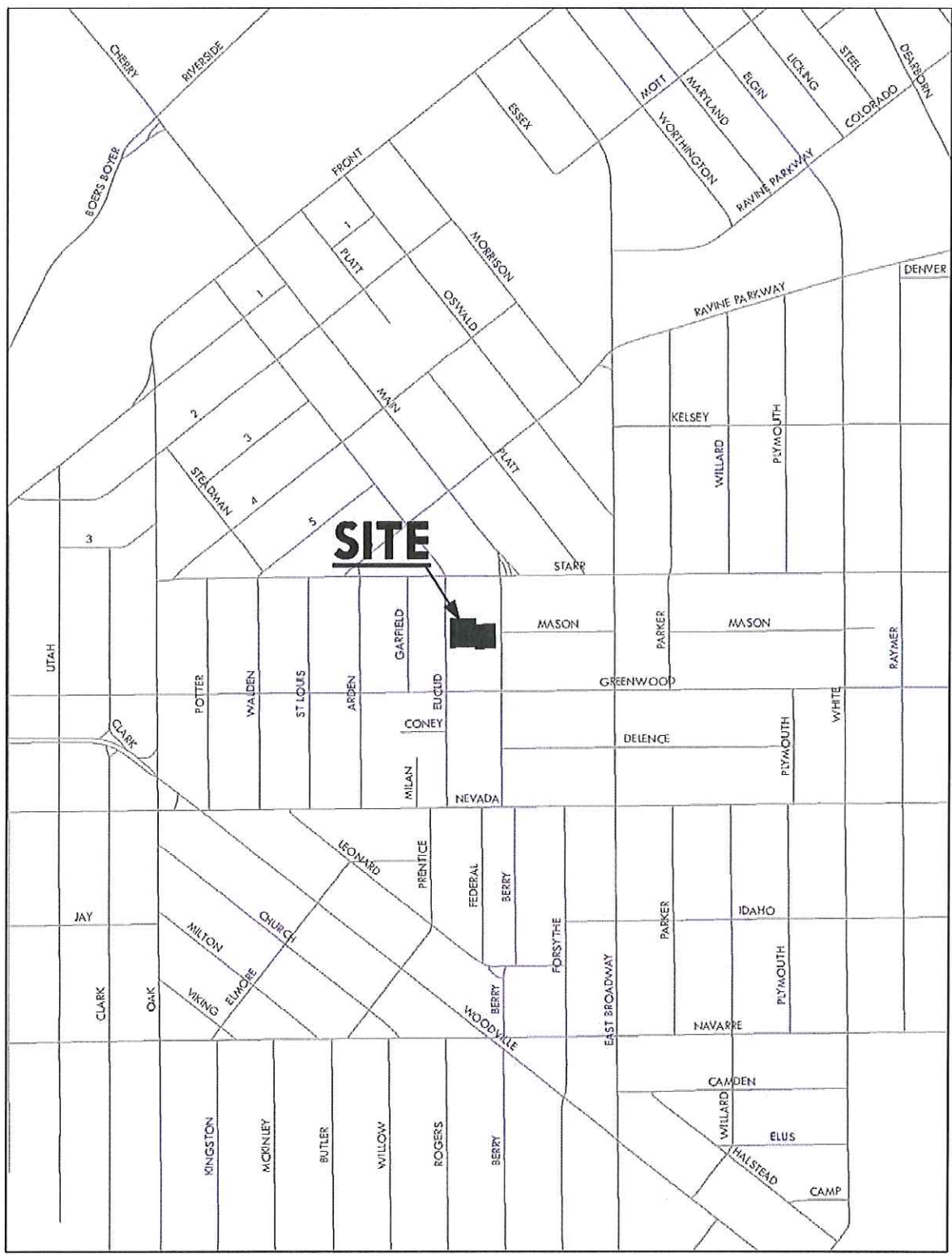
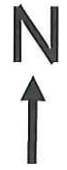
Thomas C. Gibbons
Secretary

Three (3) sketches follow

Cc: Randall LaFond; Talbot Clinical Services of Ohio, 732 Main Street, Toledo, OH 43605
C + L Trading, LLC; 851 Country Club Drive, Bowling Green, OH 43402
Scott Heacock; 1303 Sabra Road, Toledo, OH 43612
Lisa Cottrell, Administrator
Ryne Sundvold, Associate Planner

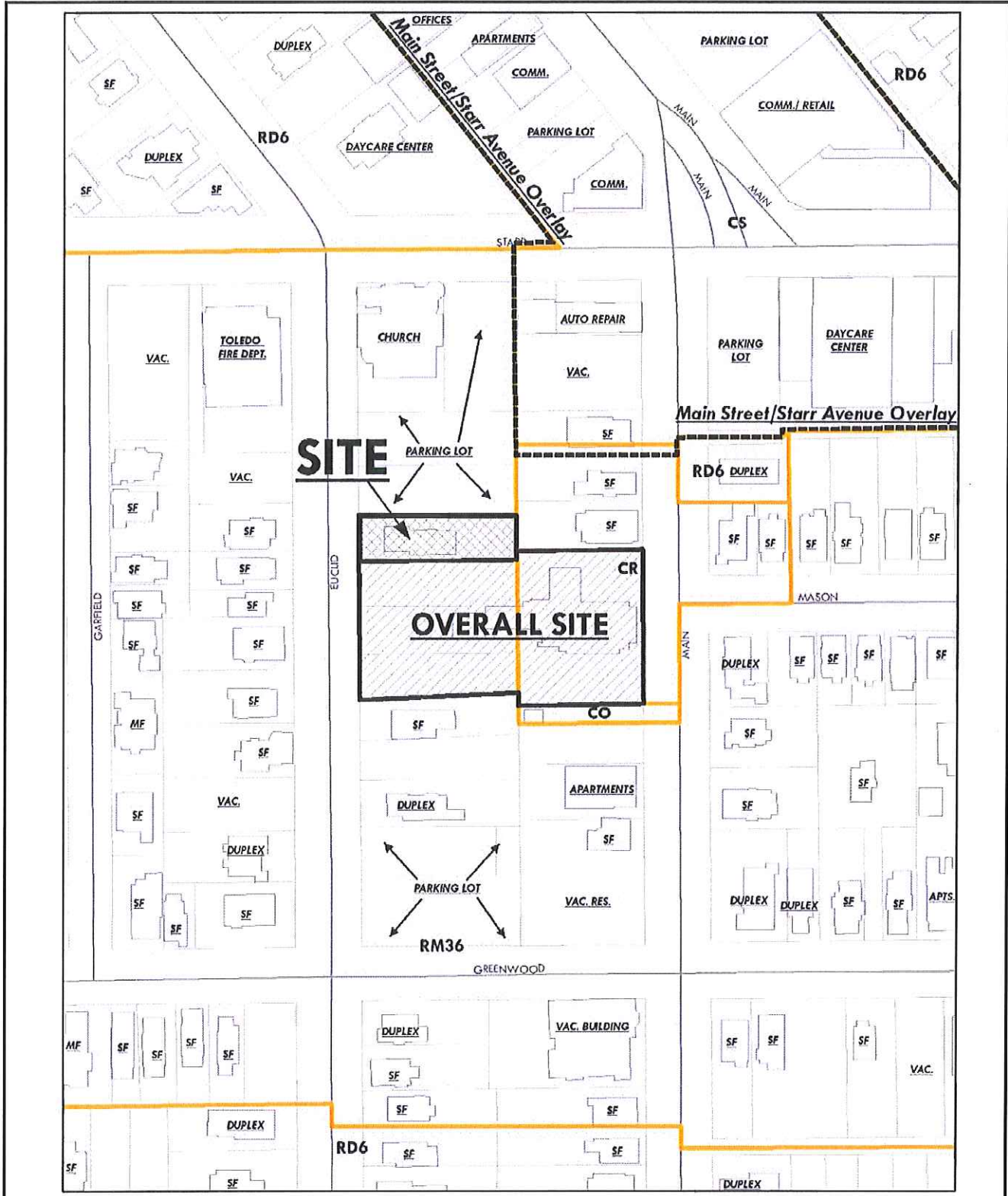
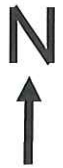
GENERAL LOCATION

SUP-11008-19
ID 28



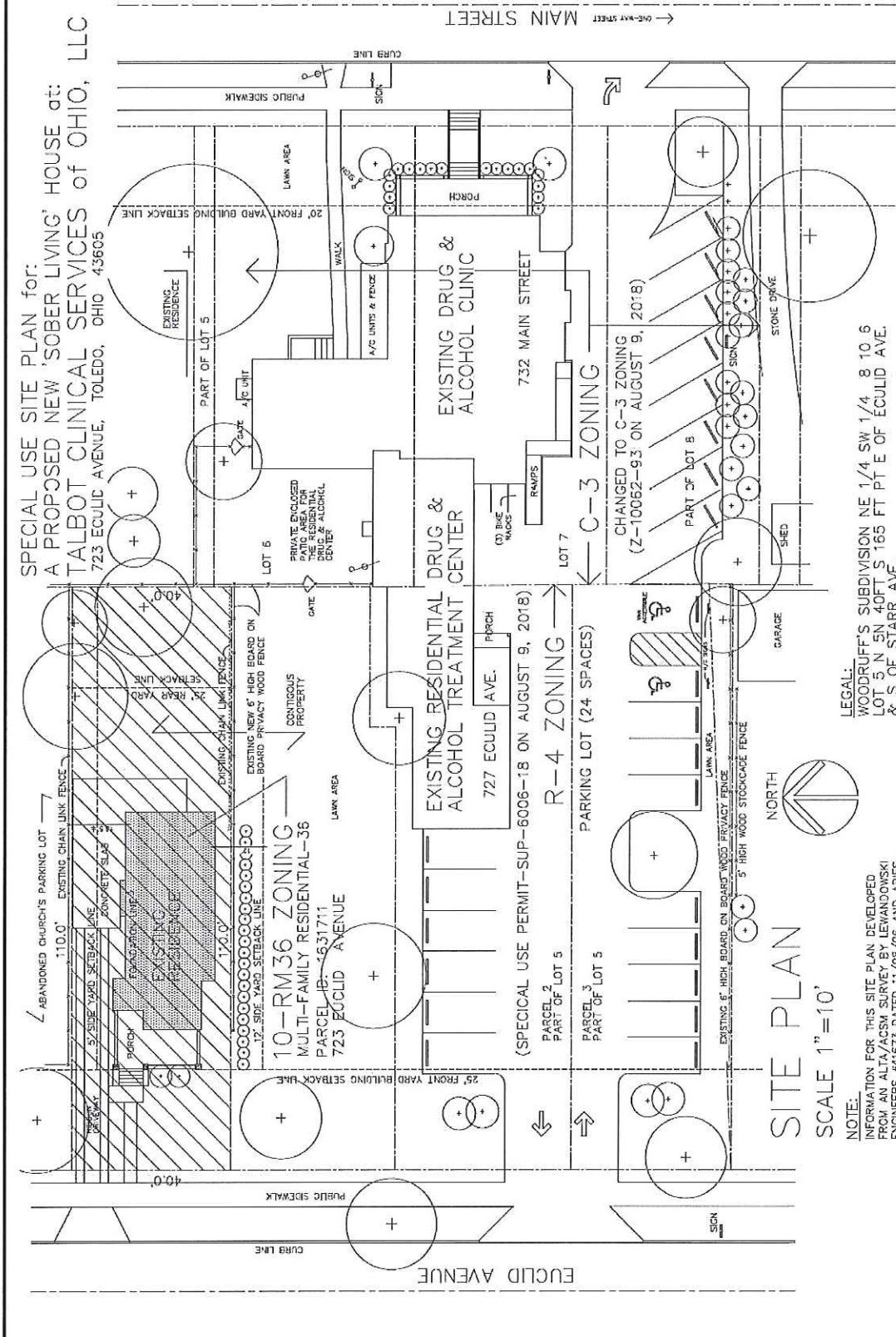
ZONING AND LAND USE

SUP-11008-19
ID 28



SITE PLAN

SUP-11008-19
ID 28



SPECIAL USE SITE PLAN for:
A PROPOSED NEW 'SOBER LIVING' HOUSE at:
TALBOT CLINICAL SERVICES of OHIO, LLC
723 EUCLID AVENUE, TOLEDO, OHIO 43605

10-RM36 ZONING
MULTI-FAMILY RESIDENTIAL-36
PARCEL ID: 1631711
723 EUCLID AVENUE

EXISTING RESIDENTIAL DRUG & ALCOHOL TREATMENT CENTER
727 EUCLID AVE.
R-4 ZONING
(SPECIAL USE PERMIT-SUP-6006-18 ON AUGUST 9, 2018)

EXISTING DRUG & ALCOHOL CLINIC
732 MAIN STREET
C-3 ZONING
(Z-10062-93 ON AUGUST 9, 2018)

LEGAL:
WOODRUFF'S SUBDIVISION NE 1/4 SW 1/4 8 10 6
LOT 5 N 1/4 40 FT S 165 FT E OF EUCLID AVE.
& S OF STARR AVE.

NOTE:
INFORMATION FOR THIS SITE PLAN DEVELOPED
FROM AN ALTA/ACSM SURVEY BY LEWANDOWSKI
ENGINEERS #41673 DATED 11/08/06 AND ARIES
PARCEL ID: 1631711 (723 EUCLID AVE.)

SCALE 1"=10'

SPECIAL USE SITE PLAN for:
A PROPOSED NEW 'SOBER LIVING' HOUSE at:
TALBOT CLINICAL SERVICES of OHIO, LLC
723 EUCLID AVENUE, TOLEDO, OHIO 43605

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

1958
NOVEMBER 21, 2018
SHEET NO.
SP-1
SET OF 1

723 EUCLID AVENUE, TOLEDO, OHIO 43605
TALBOT CLINICAL SERVICES of OHIO, LLC
A PROPOSED NEW 'SOBER LIVING' HOUSE at:
TALBOT CLINICAL SERVICES of OHIO, LLC

SPECIAL USE SITE PLAN for:
A PROPOSED NEW 'SOBER LIVING' HOUSE at:
TALBOT CLINICAL SERVICES of OHIO, LLC
723 EUCLID AVENUE, TOLEDO, OHIO 43605

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1958
NOVEMBER 21, 2018
SHEET NO.
SP-1
SET OF 1

723 EUCLID AVENUE, TOLEDO, OHIO 43605
TALBOT CLINICAL SERVICES of OHIO, LLC
A PROPOSED NEW 'SOBER LIVING' HOUSE at:
TALBOT CLINICAL SERVICES of OHIO, LLC