



Legislation Text

File #: O-245-20, **Version:** 1

Zoning & Planning Committee

Granting a Special Use Permit, for a Drug and Alcohol Treatment Facility, Residential, for a site located at 5052, 5044, and 5048 Dorr Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

SUMMARY & BACKGROUND:

By application (SUP-1004-20) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a Drug and Alcohol Treatment Facility, Residential, for a site located at 5052, 5044, and 5048 Dorr Street, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On May 14, 2020, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit, for a Drug and Alcohol Treatment Facility, Residential, for a site located at 5052, 5044, and 5048 Dorr Street, in the City of Toledo, Lucas County, Ohio.

On June 17, 2020, Toledo City Council, Planning and Zoning Committee reviewed, and sent without recommendation a request for a Special Use Permit for a Drug and Alcohol Treatment Facility, Residential, for a site located at 5052, 5044, and 5048 Dorr Street, in the City of Toledo, Lucas County, Ohio; and all other things required by law to be done, have been done.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That a Special Use Permit for a Drug and Alcohol Treatment Facility, Residential, for a site located at 5052, 5044 and 5048 Dorr Street, in the City of Toledo, Lucas County, Ohio; be and the same is hereby approved, subject to the conditions contained in Section 2 hereof which must be complied with, as to the property more fully described as follows:

Lot Numbers 3, 4 and 5 in Reynolds Garden, an Addition in the City of Toledo, Lucas County, Ohio, in accordance with Volume 35 of Plats, page 16

Parcels Nos. 20-65407 (Lot 3), 20-65411 (Lot 4) and 20-65414 (Lot 5)

SECTION 2. That the approval of the Special Use Permit for a Drug and Alcohol Treatment Facility, Residential, for a site located at 5052, 5044 and 5048 Dorr Street, in the City of Toledo, Lucas County, Ohio; shall be subject to compliance with the 28 conditions as follows:

The following twenty-eight (28) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Division of Transportation

1. If one has not been established, a cross access agreement is required with the adjacent property owner to the West.

Engineering Services

2. 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: 419-245-1341
Roadway: 419-245-1344
Water: 419-936-2163
Stormwater Drainage: 419-245-3221; Andy 419-245-1338
Sanitary Sewers: 419-936-2276

3. 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.
4. 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.
5. 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.
6. Contact (419) 245-1341 for inspection of above-mentioned items.
7. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
8. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. The Division of Water Distribution must verify installation of the devices and all devices must be registered with BSIonlinetracking.com @ 800-414-4990. In the case of renovation, expansion or modification projects, all existing backflow devices must be verified and registered. Where devices are missing, they shall be added. Contact the Division of Water Distribution (419-936-2839) to verify the backflow prevention requirements for this site.
9. The design professional or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service line, meter setting or backflow protection device and that these devices are properly installed, tested and in

good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow prevention device, be brought into compliance with current City of Toledo standards.

10. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.

Sewer and Drainage Services

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

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 existing structural and non-structural Best Management Practices.
14. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.
15. Applicant is strongly encouraged to include multiple green infrastructure measures to minimize runoff and increase infiltration.
16. Applicant is strongly encouraged to plant non-invasive trees, shrubs and perennials.
<http://ohiodnr.gov/portals/0/pdfs/invasive/AlternativestoOhioInvasivePlantSpecies.pdf/>
17. 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.

Plan Commission

18. 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.
19. 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, five (5) bicycle racks must be provided. Acceptable as depicted on site plan.

20. 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. Acceptable as depicted on site plan.
21. 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)). Acceptable as depicted on site plan.
22. 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.
23. The existing low profile sign on site will be retrofitted or any new proposed signage must meet the requirements of low-profile signs per Toledo Municipal Code Title Nine - Sign Code
24. All three parcels shall be combined in the Lucas County Auditor's office to create one parcel for the Special Use Permit.
25. 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 Frontage Greenbelt and a Type A Landscape Buffer that requires landscaping along the sides of the property where it abuts the residential zoning districts. The frontage greenbelt shall be a minimum width of 15 feet with at least one tree provided for every 30 feet of lot frontage or fraction thereof. 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.
 - a. A solid privacy fence shall be provided along the rear property line adjacent to the parking lot (acceptable as depicted on site plan) with a total of two (2) trees and six (6) shrubs shall be installed along the northern property line and depicted on a completed landscaping plan. Shall be noted on a completed landscaping plan.
 - b. 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.
 - c. 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. Shall be noted on a completed landscaping 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. If the site is half an acre or larger, irrigation shall be required for all landscaped areas on site.
 - f. If applicable, the location and direction of any proposed lighting.
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. 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.
 28. 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.

SECTION 3. That when the conditions contained herein above have been complied with, the Secretary of the Toledo City Plan Commission be and he is hereby directed to change the zoning maps to conform with the within Ordinance.

SECTION 4. That this Ordinance hereby is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that the Ordinance must be immediately effective in order to provide for the orderly regulation and use of the property and to protect the land value in the area.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council
_____.

Attest: _____
Clerk of Council