



## Legislation Details (With Text)

**File #:** O-081-20      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 2/13/2020      **In control:** Zoning & Planning Committee12324  
**On agenda:** 2/25/2020      **Final action:** 2/25/2020  
**Title:** Granting an amendment to a Special Use Permit originally granted by Ordinance 397-19, for a Residential Drug and Alcohol Treatment Facility for a site located at 723 Euclid Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Plan Commission Report, 2. Audio: Agenda Review 2/18/2020, 3. Audio: ZPC 2/12/2020, 4. Audio: TPCP 1/9/2020, 5. Audio: City Council February 25, 2020

Date	Ver.	Action By	Action	Result
2/25/2020	1	City Council	Dispense with the rules of Council requiring...	Pass
2/25/2020	1	City Council	declare emergency	Pass
2/25/2020	1	City Council	passage	Pass
2/12/2020	1	Zoning & Planning Committee12324	refer as approved	

Zoning & Planning Committee

**Granting an amendment to a Special Use Permit originally granted by Ordinance 397-19, for a Residential Drug and Alcohol Treatment Facility for a site located at 723 Euclid Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and declaring an emergency.**

**SUMMARY & BACKGROUND:**

By application (SUP-11008-19) filed with the City of Toledo Central Permit Center, a request for an amendment to a Special Use Permit for a Residential Drug and Alcohol Treatment Facility for a site located at 723 Euclid Avenue, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On January 9, 2020, the Toledo City Plan Commission recommended approval for a Special Use Permit for a Drug and Alcohol Treatment Facility for a site located at 723 Euclid Avenue, in the City of Toledo, Lucas County, Ohio.

On February 12, 2020, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved an amendment to a Special Use Permit for a Drug and Alcohol Treatment Facility for a site located at 723 Euclid Avenue, 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 Residential Drug and Alcohol Treatment Facility for a site located at 723 Euclid Avenue, 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:

Parcel no. 16-31711

WOODRUFFS SUBDN NE 1/4 SW 1/4 8 10 6 LOT 5 N 40 F T S 165 FT PT E OF EUCLID AVE & S OF STARR AVE

SECTION 2. That the approval of the Special Use Permit for a Residential Drug and Alcohol Treatment Facility for a site located at 723 Euclid Avenue, City of Toledo, Lucas County, Ohio; shall be subject to compliance with the 29 conditions as follows:

The following twenty nine (29) conditions 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: ph. 419-245-1341  
Roadway: ph. 419-245-1344  
Water: ph. 419-936-2163  
Stormwater Drainage: 419-245-3221; 419-245-1338  
Sanitary Sewers: 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.
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 (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.

#### 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](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.

#### 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.

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.
  - 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.
- 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.

SECTION 3. All conditions set forth in Ordinance 397-19 will remain in effect and will have the above 29 conditions in addition.

SECTION 4. 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 5. 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 12, nays 0.

Passed: February 25, 2020, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

March 2, 2020  
Wade Kapszukiewicz  
Mayor