



TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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DATE: August 9, 2024

REF: SUP-5003-24

TO: President Carrie Hartman and Members of Council, City of Toledo

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

SUBJECT: Special Use Permit for Residential Facility, Large at 2024 Robinwood Avenue

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, August 8, 2024 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for Residential Facility, Large
Location	-	2024 Robinwood Avenue
Applicant + Owner	-	Undra Jackson 2024 Robinwood Avenue Toledo, Ohio 43620
Architect	-	Angela Holm 3622 Mayberry Square Sylvania, Ohio 43560

Site Description

Zoning	-	RM36 / Multi-Dwelling Residential
Area	-	±0.24 acres
Frontage	-	±60' along Robinwood Avenue
Existing Use	-	Residential Facility, Large
Proposed Use	-	Residential Facility, Large

Area Description

North	-	Single-family homes / RD6
South	-	Parking lot, apartments / RM36
East	-	Single-family homes / RD6
West	-	Duplexes and single-family homes / RD6

GENERAL INFORMATION (cont'd)

Parcel History

Z-311-62 - Zone change from R-4 to C-2. Approved 4/29/63, Ord. 247-63 (R-5 to RM36 in 2004).

Applicable Regulations

- Toledo Municipal Code (TMC), Part Eleven: Planning and Zoning Code
- Toledo 20/20 Comprehensive Plan
- Old West End Historic District

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a Residential Facility, Large at 2024 Robinwood Avenue. The ±0.24-acre site is zoned RM36-Multi-Dwelling Residential and is occupied by a 6,405 square foot home that is currently operating as a group home without the proper permitting. Adjacent land uses include single-family homes to the north; a parking lot and apartments to the south; single-family homes to the east; and duplexes and single-family homes to the west. A Special Use Permit is required for all Residential Facilities, Large in RM-Multi-Dwelling Districts; The applicant is applying for a Special Use Permit retroactively to adhere to this code requirement.

Large Residential Facilities are defined in the Toledo Municipal Code as: a state-licensed or state-regulated home or facility that provides room and board, personal care, habilitation services, and supervision in a family setting for more than nine (9) but not more than sixteen (16) persons who require such care and/or other similar uses of the same size licensed by the state but not requiring skilled nursing care. The applicant intends to continue providing care to eight (8) residents who belong to protected classes due to age and developmental disabilities. The applicant's license allows for a maximum of fourteen (14) residents.

The Toledo Municipal Code allows a Residential Facility, Large to operate with a Special Use Permit in multi-family residential zoning districts provided it meets the group living and daycare spacing requirements of TMC§ 1104.1000. Records do not indicate any spacing violations for the subject property. The applicant has stated that the facility will continue operating with four (4) staff members. TMC§ 1107.0304 Schedule A mandates one (1) parking spot per two (2) employees. The site plan submitted shows compliance with this regulation.

Staff is concerned that there have been several orders from Code Enforcement for violations at this address. Violations have included needed repairs to the exterior of the home and orders to remove debris and inoperable vehicles from the premises. Approval of the Special Use Permit is conditioned upon resolving all orders from Code Enforcement. As the home is within

STAFF ANALYSIS (cont'd)

the Old West End Historic District, the applicant is pursuing a Certificate of Appropriateness to carry out necessary repairs. As per TMC§1103.0305, the Old West End Historic Commission has been notified of this Special Use Permit request.

Old West End Historic Commission

The Old West End Historic Commission considered this case at their hearing on July 8, 2024. Community members in attendance noted that the management of the subject residential facility has improved substantially over the years. Neighbors were generally in support of the home, but they voiced concern over the allowed density of 14 residents. The Commission voted to endorse this Special Use Permit with the provision that the Plan Commission explore an enrollment cap of 10 residents as a condition of approval. Staff consulted the Law Department about this potential requirement and confirmed there is not a legal basis for adding such a condition, as both the state license and the Toledo Municipal Code allow up to 16 residents.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Multi-family Residential uses. Multi-family uses are predominately large multiple family residential development or a large area of contiguous small to medium scale multiple family residential development. The district is intended to create, maintain, and promote higher density housing opportunities in areas with good transportation access. The existing and proposed use is cohesive with the 20/20 Comprehensive Plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-5003-24, a Special Use Permit Residential Facility, Large at 2024 Robinwood Avenue, to Toledo City Council for the following two (2) reasons:

1. The proposed use meets the stated purpose of the Zoning Code (TMC§1111.0706(A)).
2. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (TMC§1111.0706(C)).

The Toledo City Plan Commission recommends approval of SUP-5003-24, a Special Use Permit Residential Facility, Large at 2024 Robinwood Avenue subject to the following **fourteen (14)** 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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Fire

1. If this building will undergo a change of use, this will require compliance with all applicable Building, Fire, Electrical, Mechanical and Plumbing code requirements. (OBC105.1 & 101.4)
2. New and existing buildings shall be provided with approved address identification that meets Building & Fire Code requirements. (OBC 501.2 & OFC 505.1)
3. A fire safety inspection is required prior to occupancy. (OFC105.3.3.2)

Plan Commission

4. Per TMC§1107.0304 – Off-Street Parking Schedule “A,” one parking space per every two employees shall be provided in order to meet the minimum off-street parking ratios for a residential facility, large. **Acceptable as depicted.**
5. Bicycle parking slots shall be provided pursuant to TMC§1107.0304– Off-Street Parking Schedule “A,” which requires one (1) bicycle parking slot per ten (10) parking spaces. As per TMC§1107.0901(B), the minimum number of slots provided shall be two. **Acceptable as depicted.**
6. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. One (1) van-accessible space is required. **Acceptable as depicted.**
7. 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.
8. If applicable, 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.
9. Approval of the Special Use Permit is conditioned upon resolving all orders from Code Enforcement.
10. All exterior modifications require a Certificate of Appropriateness.
11. Applicant shall continue to maintain the proper state license to operate a Residential Facility, Large.

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PLAN COMMISSION RECOMMENDATION (cont'd)

12. 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.
13. 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.
14. 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

MJM

Three (3) sketches follow

Cc: Undra Jackson, 2024 Robinwood Avenue, Toledo, OH 43620
Lisa Cottrell, Deputy Director
Mara Momenee, Planner

ZONING & LAND USE

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ID 14



