

SUBJECT: A report and recommendation on a proposed zone change from RM-1.2 Residential Multi-Family District and CG-A Commercial General-Auto District to IR Institutional-Residential District at 5500 Verulam Avenue in Pleasant Ridge.

GENERAL INFORMATION:

Petitioner: D.R.L Real Estate, LTD.
5500 Verulam Avenue
Cincinnati, OH 45213

Agent for the Petitioner: Stanley Goodman
123 E. Fourth Street
Cincinnati, OH 45202

Purpose: To convert a vacant 121-bed nursing home to a diagnostic hospital for behavioral health care.

BACKGROUND:

The property located at 5500 Verulam Avenue is a vacant nursing home that holds approximately 121 beds. The building is three stories in height, about 30,000 square feet in size, and was built in 1970. The nursing home closed in approximately 2004. The new owners of the property hope to use the building as a diagnostic hospital for behavioral health care for residents of nearby nursing homes. Patients would be temporarily transferred to this facility for approximately 7 to 10 days for diagnosis and change in treatment. After testing and treatment, the patients would return to their nursing homes. The new use of this site will require the new owners to completely renovate the interior of the building to convert the 121-bed facility to 21-28 larger rooms with private restroom facilities. There are currently no plans to alter the building's exterior.

Although the building's use is related to the needs of nursing home residents, it is technically classified and licensed by the State of Ohio as a hospital. Nursing Homes are permitted uses in the RM-1.2 Residential Multi-Family District, but Hospitals are not, thereby requiring a change of zoning.

Initially, Staff recommended the CG-A Commercial General-Auto zoning district, as that was the district immediately adjacent to the site that permitted Hospitals. However, after preliminary discussions with the Pleasant Ridge Community Council, it became clear that the CG-A zone could be harmful to surrounding residential uses in the future. In the instance that the proposed use changed or the property was sold again, a great variety of auto-oriented commercial uses could locate to the site. As the site is accessed from Ridge Avenue by way of Mapleleaf Avenue and Verulam Avenue, any commercial use could cause harm to the surrounding residential properties.

As a result of these concerns, the Petitioner instead requested a change to the IR Institutional-Residential District, which permits Hospitals, Schools, and other major institutions but does not permit most commercial uses except as accessory to the primary use. The IR District also requires any new buildings to be constructed behind a substantial buffer, protecting surrounding neighbors from any future new construction.

EXISTING CONDITIONS:

The total property petitioned for rezoning is approximately 3.5 acres in size. The entire area consists of two portions separated by railroad tracks. The 3.05-acre portion zoned RM-1.2 is located at the terminus of Verulam Avenue and the .43-acre portion is located at the terminus of Tanner Avenue. The Verulam Avenue property is the location of the vacant nursing home and two parking areas. The Tanner Avenue property is vacant.

The property surrounding the parcel is as follows:

North: RM-1.2 Residential Multi-Family and SF-4 Residential Single Family

West: RM-1.2 Residential Multi-Family

South: SF-2 Residential Single Family and CG-A Commercial General-Auto

East: SF-6 Residential Single Family and CG-A Commercial General-Auto

PLANS:

There are currently no Plans for the Pleasant Ridge community that encompass or make reference to this property.

PUBLIC COMMENT:

Planning staff held a public conference on this zone change request on August 17, 2007. Nine people were in attendance, including the Agent for the Petitioner and a representative of the Pleasant Ridge Community Council. The surrounding

property owners in attendance were concerned about two issues: 1) the proposed new use, and 2) the potential future uses. Regarding the proposed use, some property owners were concerned about the use of the term "behavioral," and wondered if it meant that the patients would create a safety issue or result in an increase in crime. Others were concerned that the facility would cause their property values to decrease. Others were concerned about increased traffic. Regarding future uses, most of the property owners present were concerned about the future uses that could be built on the site if the zoning were changed to IR. The IR District permits Transitional Housing for Programs 5 and 6 as well as Transportation Passenger Facilities. Some residents were concerned with any zone that would permit the building to be torn down and multi-family housing to be built in its place (that would be permitted under the current RM-1.2). The residents were opposed to anything in the future that would cause increased crime, decreased property values, or an increase in traffic on Mapleleaf Avenue or Verulam Avenue.

The Pleasant Ridge Community Council voted to support the request for a zone change from RM-1.2 and CG-A to IR at their regularly scheduled meeting on August 7, 2007. (Please see attached letter).

ANALYSIS OF THE PROPOSED CHANGE:

When considering this request, the primary concern should be the impact of the new zone on the surrounding residential properties. The previous use, a nursing home, was considered to be reasonably acceptable to surrounding property owners, although there were complaints of increased traffic, particularly ambulance traffic with accompanying sirens, particularly at night. Although the proposed use is classified as a Hospital, it will have little in common with a traditional Hospital facility. Because of the short, pre-scheduled stay, there would be no ambulance traffic as most patients would arrive during the day via nursing home transportation (often called "ambulettes"). The facility will be staffed at a ratio of 3:1, with 85 total employees in three shifts. The heaviest volume of staff would be during the day shift. In this instance, the proposed new arrangement may be less disruptive to the neighborhood than the previous use.

Other neighborhood concerns are regarding crime and potential future uses. The petitioners have stated that the proposed new use will not house patients that will cause problems for surrounding neighbors; the patients will be older and primarily bed-ridden. There is no plan to construct a fence surrounding the property or provide additional security. As for the future use of the property under new zoning, there is indeed no guarantee that the property would never be used in another manner, either as a more traditional hospital, as transitional housing, as multi-family housing, or as a station for light-rail. However, if one assumes that single-family residential use is always the most preferable option to surrounding property owners, and no other type of development is permitted to take place, then redevelopment of this property may not occur for some time. The site at 5500 Verulam Avenue is an irregularly shaped lot bordered entirely to the south by railroad tracks and located at the terminus of a street in a primarily residential area. More immediate reuse of the building will eliminate a vacant eyesore from the neighborhood, and put the building to productive use. If the building would continue to sit vacant, it could be worse for the surrounding neighborhood as it may deteriorate further and cause additional blight.

CONCLUSIONS:

1. A rezoning to the IR Institutional-Residential district will allow the new owner to reuse the property as a diagnostic hospital.
2. The IR Institutional-Residential district will provide a buffer to surrounding properties if future construction occurs.
3. The Pleasant Ridge Community Council voted to support this zone change on August 7, 2007.

RECOMMENDATION:

The staff of the Department of Community Development and Planning recommends that City Planning Commission take the following action:

Approve the zone change from RM-1.2 Residential Multi-Family District and CG-A Commercial General Auto District to IR Institutional Residential District at 5500 Verulam Avenue in Pleasant Ridge.

APPROVED:

Respectfully Submitted,

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