



TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: September 15, 2023

REF: SUP-7004-23

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

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

SUBJECT: Special Use Permit for modifications to major utility at 3900 N Summit Street

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, September 14, 2023 at 2:00 P.M.

GENERAL INFORMATION

Subject

- Request - Special Use Permit for Modifications to Major Utility
- Location - 3900 N Summit Street
- Applicant + Owner - City of Toledo
1 Government Center
Suite 2250
Toledo, OH 43604
- Engineer - Jones & Henry Engineers, LTD
3101 Executive Pkwy
Toledo, OH 43606
- Architect - Thomas Porter Architects
8 N St. Clair St
Toledo, OH 43604

Site Description

- Zoning - RS6, IL, IG / Single-dwelling Residential, Limited Industrial, General Industrial
- Area - ± 115.7 acres
- Frontage - ± 675' Lighthouse Drive
± 2780' Summit Street
± 1840' Bayview Park
- Existing Use - Water Reclamation Plant
- Proposed Use - Water Reclamation Plant

GENERAL INFORMATION (cont'd)

Area Description

North	-	RS6 / Detwiler Park and Golf Course, Yacht Club
South	-	RS6, IL, IG / Water reclamation facilities, single- and multi-family homes, marina, Maumee River
East	-	RS6 / Marina, Maumee River, U.S. Naval Reserve Center
West	-	RM36, RD6 / Apartments

Parcel History

M-33-54	-	Review of Water Reclamation Facility
M-4-66	-	Special Study for approval of a sewage disposal project. (PC approved 4/7/66).
M-12-75	-	Review of proposed employee facility at Water Reclamation Plant. (PC approved 5/29/75)
M-8-89	-	Review of a sludge stabilization facility at Bayview Wastewater Reclamation Plant located on Summit street, north of Manhattan Blvd. (PC Approved 8/3/89).
MRO-2-23	-	Maumee River Overlay for modifications to a major utility (<i>Companion Case</i>).

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant, the City of Toledo, is requesting a modification to its Special Use Permit for the Wastewater Reclamation Plant located at 3900 N Summit Street in order to install a new chlorination building and pre-engineered fiberglass building enclosure. The ± 115.7-acre site is split zoned RS6, IL, and IG. It is currently occupied by the Wastewater Reclamation Plant and the Bayview Retirees golf course. To the north of the site is Detwiler park and golf course, and a yacht club. To the east of the site is a marina, US Naval Reserve Center, and the Maumee River. To the south are additional reclamation facilities, single and multi-family homes, a marina, and the Maumee River. To the west are apartments. This use is considered a Major Utility and the proposed modifications require a Special Use Permit.

STAFF ANALYSIS (cont'd)

Only a portion of the expansive site is planned for modifications. The new chlorine building, which is approximate 6,500 square feet, is located just east of Final Tank 12. Along with the building some minor concrete work is planned around the chlorine building. A prefabricated structure is proposed to enclose the Effluent Pump & Injector Pumps.

Parking and Circulation

The proposed modifications do not impact the existing interior traffic flow of the site. The new chlorination building is to be placed in a currently vacant area flanked by cement, and will not hinder the flow of vehicular nor pedestrian traffic. The new building shall not require additional parking. Currently the site is served by approximately one-hundred and fifty (150) parking spaces, predominantly near the edge of the plant. In order to facilitate safe access for emergency vehicles, dead end fire apparatus access roads in excess of 150' shall be provided with an approved turn around area. The Division of Transportation had no objection nor comment on the proposed plan.

Landscaping

The site is currently enclosed by decorative aluminum fencing, with a mixture of concrete and brick piers. No new fencing, screening, or landscaping is proposed. The new structures are internal to the large site, not readily visible from the right-of-way, and measure over seven-hundred (700') feet from all City right-of-way. Additional screening shall not be required for this project

Pursuant to TMC§1108.0205 industrial development is required to plant one two-inch caliper tree for every 2,000 square feet of building frontage, as well as landscaping at all major building frontages. An additional four (4) trees are required on site, and are encouraged to be placed nearest to the perimeter of the site facing Summit Street.

Building Design and Materials

Industrial buildings are required to utilize low-reflectance, subtle, neutral, or earth tone colors per TMC§1109.0402. The proposed chlorination building is a one-story masonry veneer building with glass block windows, fiberglass exterior doors and frames, pre-finished standing seam metal canopies/parapet accents, and a pre-finished flush metal panel clad covered drive approach. The masonry veneer color scheme shall be a red blend and the seam metal copies a blue-finish to match surrounding structures.

The accessory Effluent Pump and Injector Pump building is intended to be a pre-engineered fiberglass reinforced plastic. The color has yet to be determined and will be subject to the regulations of TMC§1109.0402.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Utility. Utilities include infrastructure services provided by private and public agencies that include water, sanitary, electricity, natural gas, telephone, airports, and landfills. The proposed modifications conform to the Toledo 20/20 Comprehensive Plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-7004-23, Special Use Permit for Modifications to Major Utility at 3900 Summit Street to the 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) – *Review & Decision-Making Criteria*); and,
2. The request is compatible with adjacent uses in terms of scale, site design, and operating characteristics (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 recommends approval of SUP-7004-23, Special Use Permit for Modifications to Major Utility at 3900 Summit Street to Toledo City Council subject to the following **thirty-one (31)** 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. 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.
2. 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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

3. 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.
4. The City of Toledo public water system (within the public right-of-way) does not appear to be impacted by this project. Refer to comments provided by the division of Water Distribution regarding private water mains and/or service lines.

Fire Prevention

5. The proposed new building will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical, Mechanical and Plumbing code requirements.
6. Approved Premises identification is required.
7. Key box(s) for access to buildings and areas restricted by fences, gates, etc.
8. Fire apparatus access roads shall have an unobstructed width of not less than 20'. Paved road south east of the new building from where it leaves the main paved area to its dead end.
9. Fire apparatus access roads shall have an unobstructed vertical clearance of not less than 13'6".
10. Dead end fire apparatus access roads in excess of 150' shall be provided with an approved turn around area. Paved road south east of the new building from where it leaves the main paved area to its dead end.
11. Fire apparatus access roads shall be designed and maintained to support imposed loads of fire apparatus and shall be surfaced to support all- weather driving capabilities.

Sewer and Drainage Services (S&DS)

12. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.

PLAN COMMISSION RECOMMENDATION (cont'd)

Sewer and Drainage Services (S&DS) (cont'd)

13. S&DS requires that the existing 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.

Division of Environmental Services

14. Applicant shall maintain compliance with the City of Toledo's Storm Water 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.
 - a) Notification shall be made to the Division of Environmental Services (419-936-3015) no later than three days prior to commencement of construction activities.
 - b) Construction BMPs shall be in place prior to the start of construction activities.
 - c) SWP3 inspection reports shall be kept on site with the SWP3 and readily accessible during normal working hours.
15. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
16. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize amount of new and/or additional impervious surface on site.
17. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials. Information is at <https://ohiodnr.gov/wps/portal/gov/odnr/discover-and-learn/plants-trees/invasive-plants>; a list of invasive plants and alternative species can be downloaded from https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf
18. 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 RECOMMENDATION (cont'd)

Plan Commission

19. Existing off-street parking shall not be reduced.
20. Existing parking shall adhere to the standards of TMC§1107.1700 – Accessible parking for physically disabled persons. **A revised site plan shall list the total quantity of accessible van and car spaces.**
21. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700.
22. 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)**.
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. **Acceptable as depicted on site plan.**
24. No 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. All structures shall utilize durable building materials such as brick, stone, metal, or concrete. **Proposed materials on chlorination building area acceptable as depicted.**
26. Final pigmentation of the Effluent Pump and Injector Pump shall be submitted to the Plan Commission for approval.
27. 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. Four (4) additional two-inch caliper trees are required per TMC§1108.0205. **Not acceptable as depicted.**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- b. The location, height and materials for any new and existing fencing to be maintained. Per TMC 1108.0203(H), the fencing shall be at least 6 feet high, but not higher than 10 feet and may be shadow box, chain link with slats, stockade, or another type approved by the Plan Commission.
 - c. Topsoil must be back filled to provide positive drainage of the landscape area.
 - d. No rip-rap, crushed stone, concrete or other impervious materials may be exposed above the average pool elevation for any retention pond.
 - 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 submitted on a revised site plan.**
 - f. The location and direction of any proposed lighting.
 - g. The location, lighting and size of any signs.
28. 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.
29. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
30. 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.
31. 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.

TO: President Cherry and Members of Council
September 15, 2023
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Respectfully Submitted,



Thomas C. Gibbons
Secretary

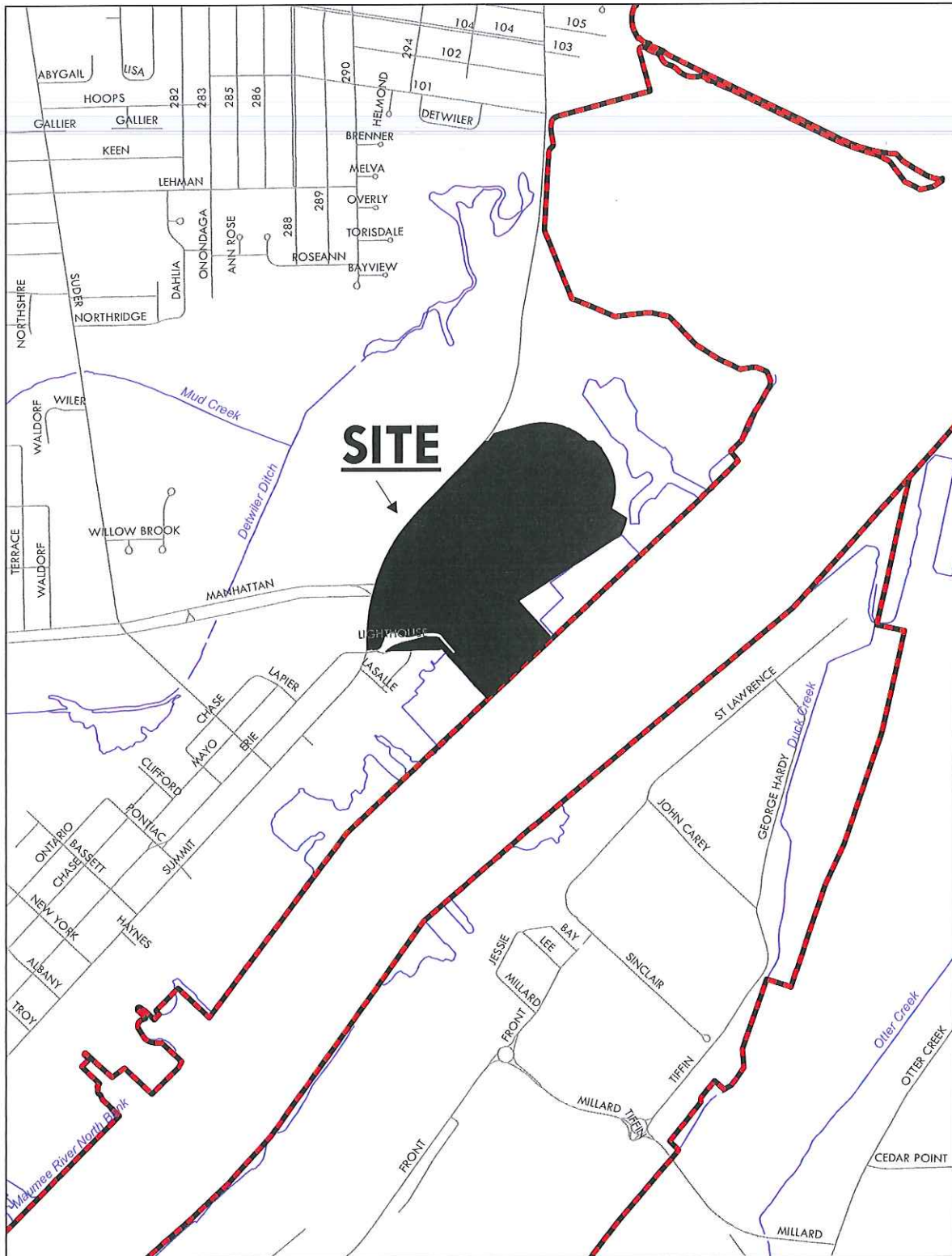
DR

Six (6) sketches follow

Cc: David Selhorst, Division of Water Reclamation, 3900 N Summit Street, Toledo OH
43611
Jones & Henry Engineers LTD, 3101 Executive Pkwy, Toledo OH 43606
Andy Knopp, Thomas Porter Architects, 8 N St. Clair St, Toledo OH 43604
Lisa Cottrell, Deputy Director
Dana Reising, Associate Planner

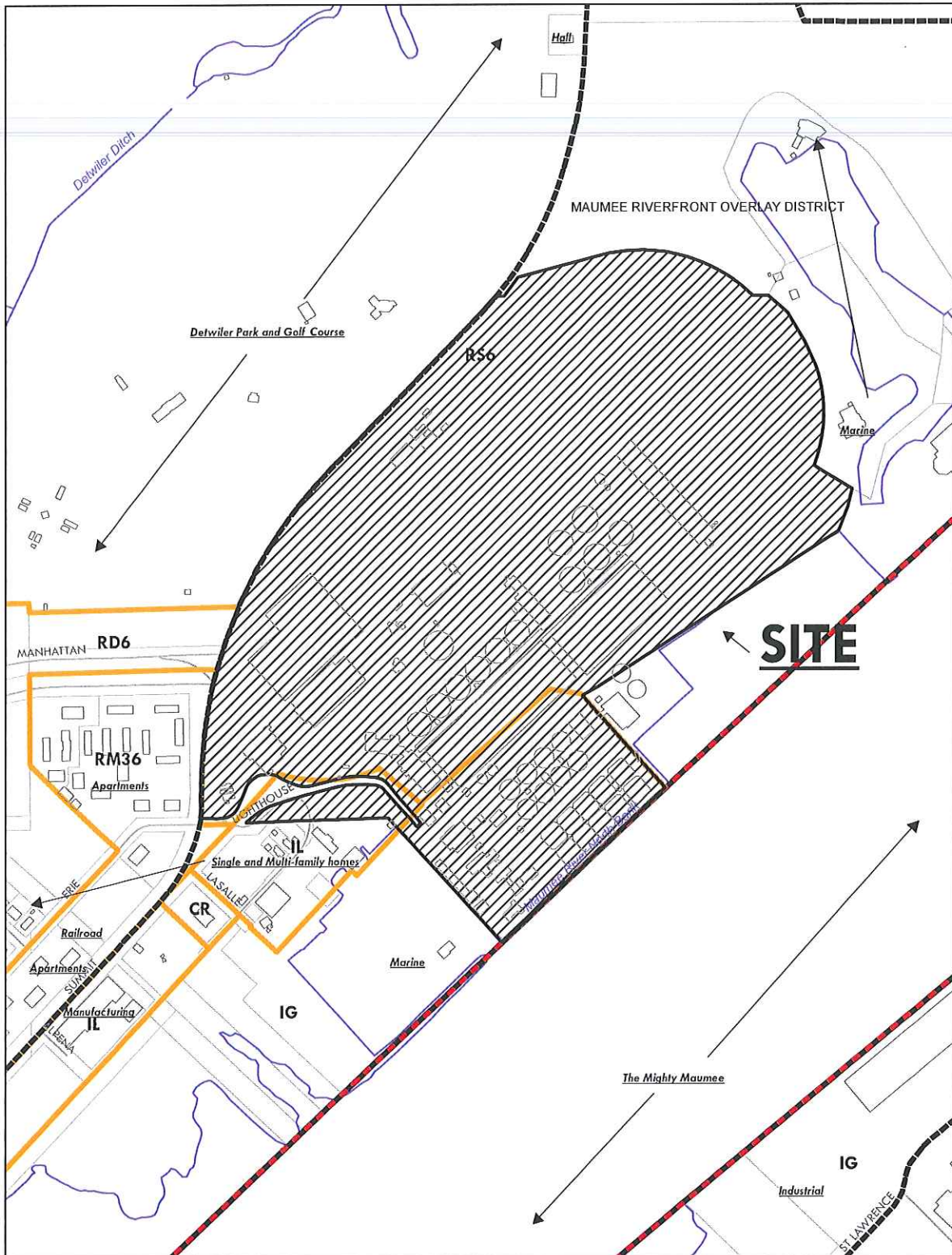
GENERAL LOCATION

SUP-7004-23
MRO-2-23



ZONING & LAND USE

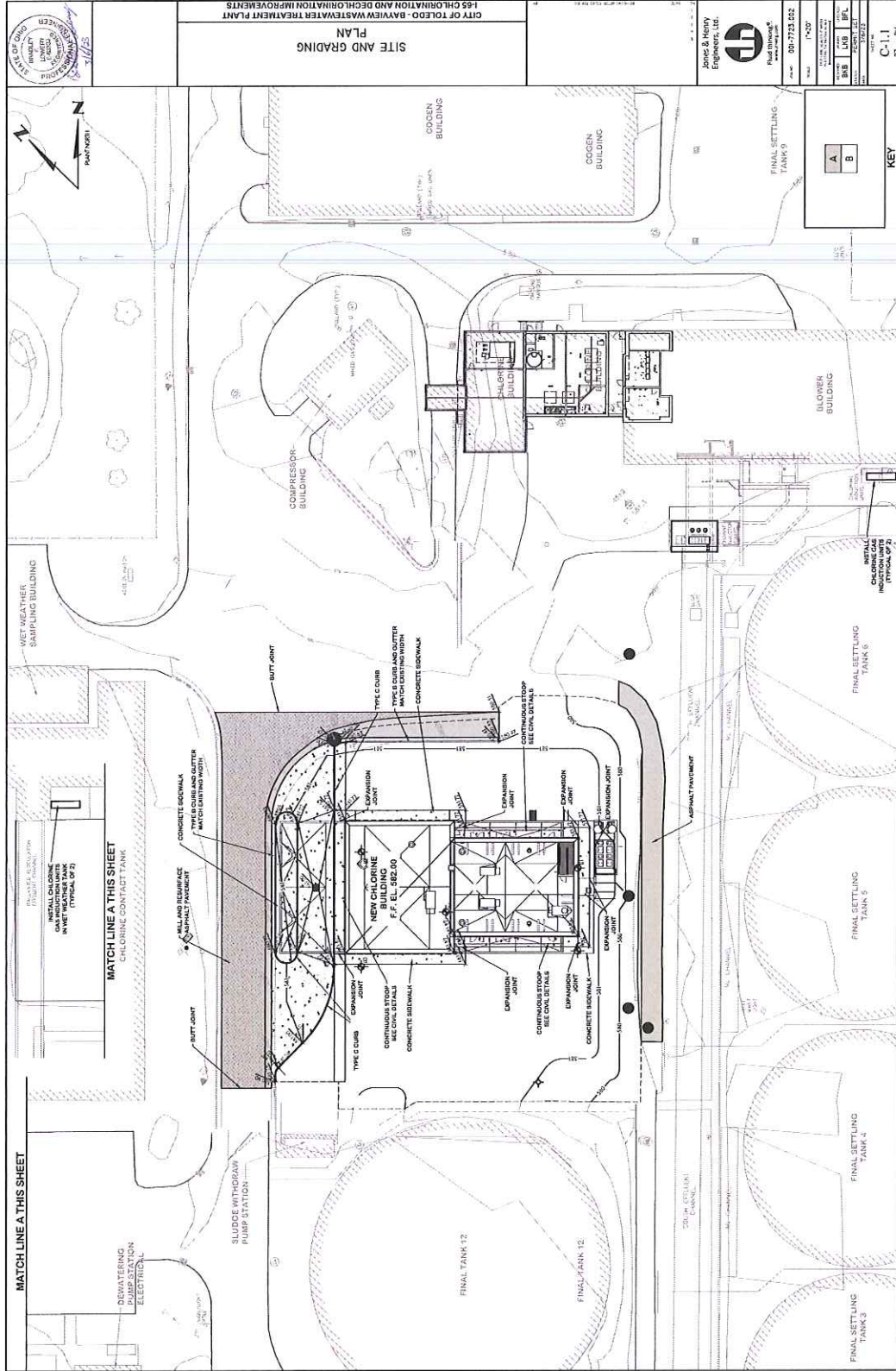
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SITE PLAN - MAGNIFIED



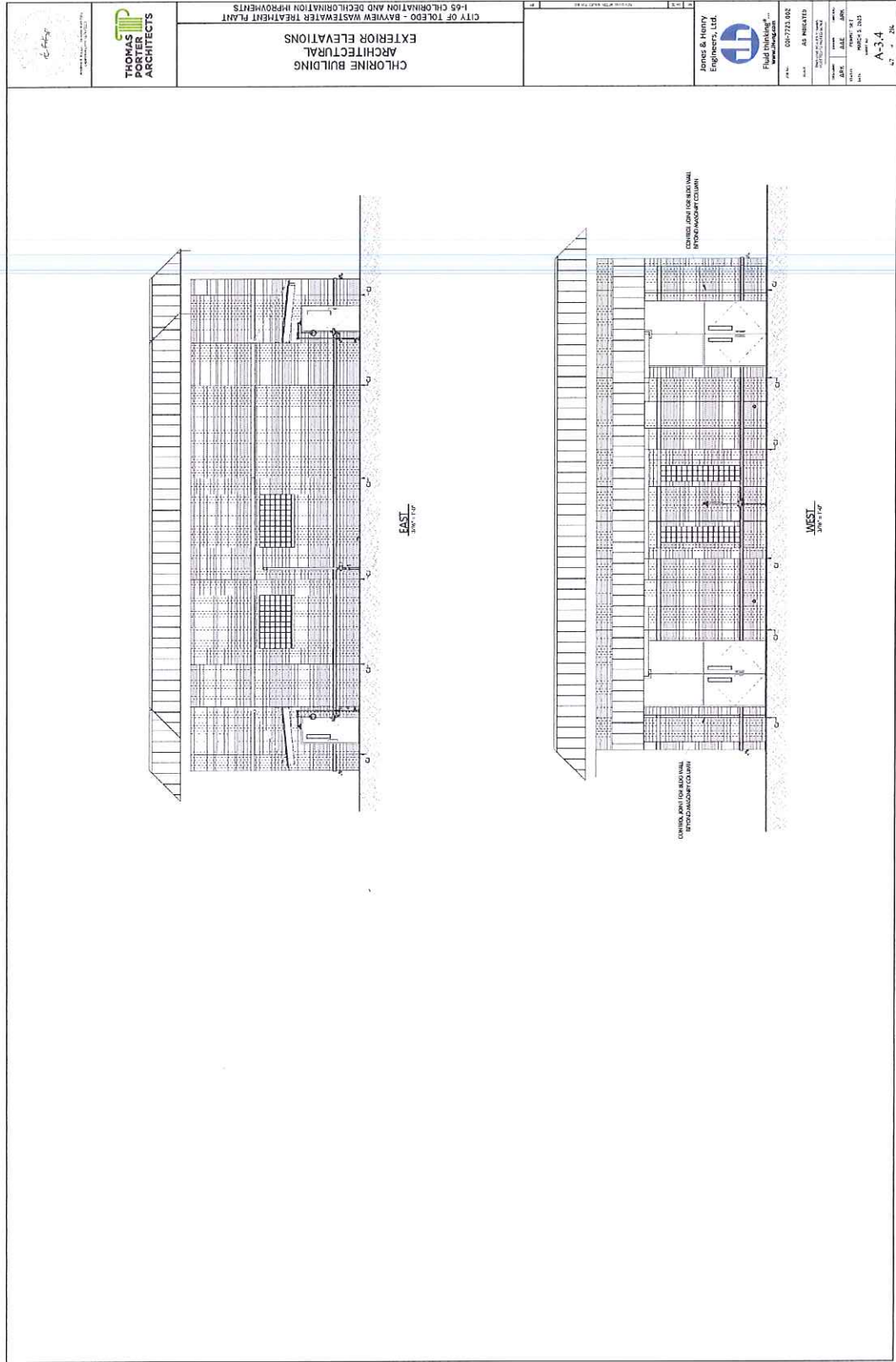
DATE	11/20/23
DRAWN	JD
CHECKED	JD
SCALE	AS SHOWN
SHEET NO.	23 OF 24
CITY	C-11
PROJECT	27 - 24

James & Henry Engineers, Ltd.
Professional Engineer
No. 10522
State of Ohio

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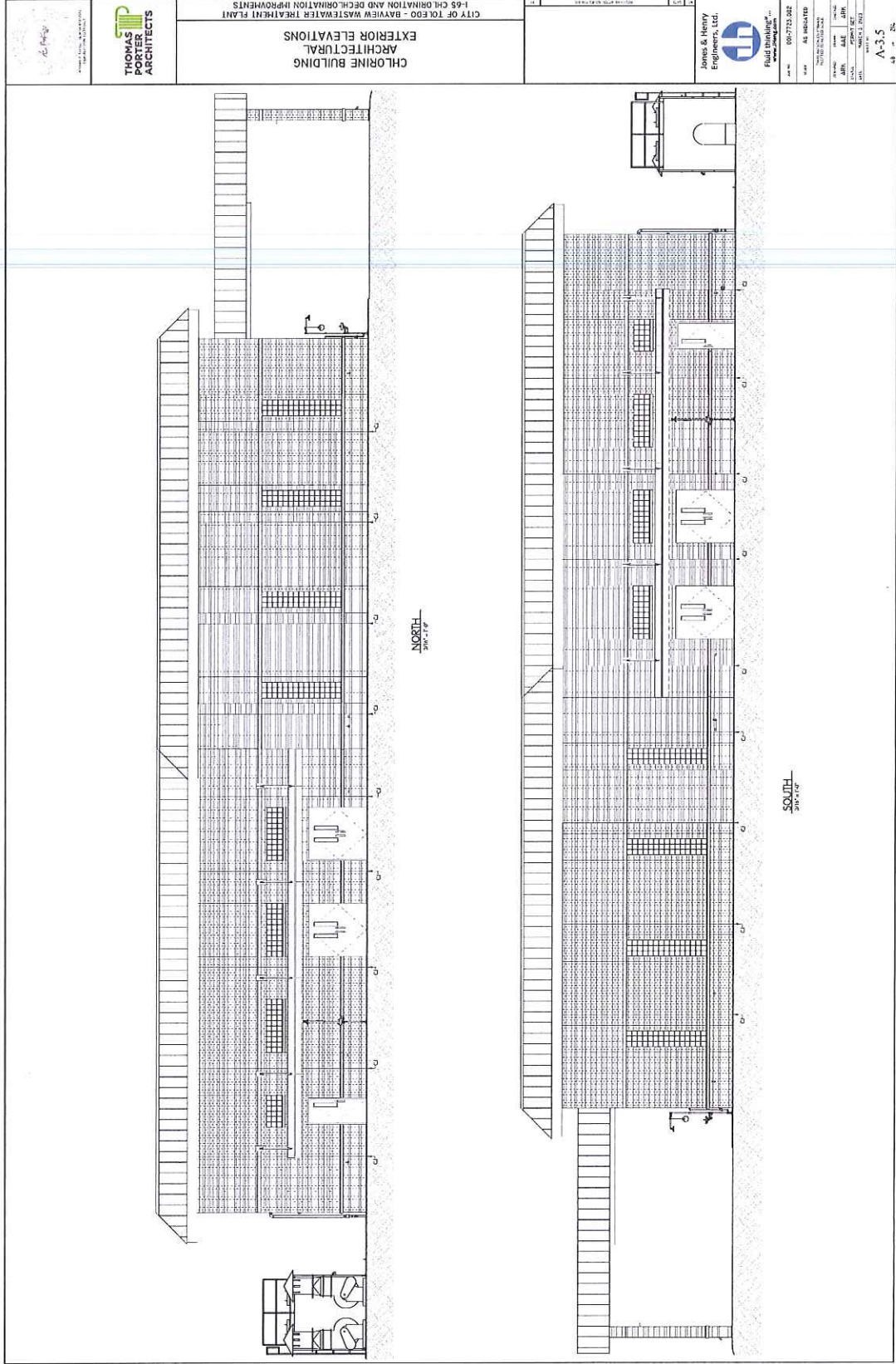
ELEVATIONS

SUP-7004-23
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ELEVATIONS

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<p>THOMAS PORTER ARCHITECTS</p>	<p>CHLORINE BUILDING ARCHITECTURAL EXTERIOR ELEVATIONS</p>	<p>CITY OF TOLEDO - BAYVIEW WASTEWATER TREATMENT PLANT 1-65 CHLORINATION AND DECHLORINATION IMPROVEMENTS</p>	<p>Jones & Henry Engineers, Ltd.</p>	<p>DATE: 09-27-23 082 SCALE: AS SHOWN DRAWN BY: JPH CHECKED BY: JPH DATE: 09-27-23 SCALE: A-3.5</p>
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