



TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604 PHONE 419-245-1200 FAX 419-936-3730

THOMAS C. GIBBONS, DIRECTOR



DATE: June 14, 2019

REF: SUP-4009-19

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

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

SUBJECT: Amendment to the Special Use Permit Ord. 239-05, to construct a softball field on site

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, June 13, 2019 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request - Amendment to the Special Use Permit Ord. 239-05, to construct a softball field on site

Location - 2200 Arlington Ave (E.L. Bowsher High School)

Owner - Toledo Public Schools
Diane Mettler
Business Service Department
1609 N. Summit Street
Toledo, OH 43604

Architect - The Collaborative
Rusty Wilke
One SeaGate, Park Level 118
Toledo, OH 43604

Site Description

Zoning - Multi-family Residential / RM36

Area - 31.7 acres

Frontage - 1,325' along Arlington Ave and 740' along Detroit Ave

Existing Use - High School with a practice field

Proposed Use - Softball field

GENERAL INFORMATION (cont'd)

Area Description

North	-	Single-family residential and medical building / RS6 & IP
South	-	Medical buildings / RS6
East	-	Residential neighborhood and convenience store & gas station / RS6 & CR
West	-	Cemetery and vacant land / IP & RS6

Parcel History

Z-134-92	-	Zone change from RB and R-2 to M-1 was disapproved but amended to M-3 subject to Master Plan (PC approved M-3 as amended subject to Master Plan on 3/5/92, CC 4/28/92 approved M-3 subject to Master Plan by Ord. 325- 92).
SUP-10004-04	-	Special Use Permit for new high school (PC approved with conditions on 2/3/05, CC approved with conditions 3/16/05 by Ord. 239-05).
Z-10005-04	-	Zone change from IP to RM36 for new high school (PC approved 2/3/05, CC approved 3/16/05).

Applicable Plans and Regulations

- Toledo Municipal Code (TMC), Chapter Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan

STAFF ANALYSIS

The applicant is requesting an amendment to the Special Use Permit to construct a softball field located at 2200 Arlington Ave. Surrounding land uses include single-family neighborhood and a medical building to the north, a single-family neighborhood to the east, medial campus to the south, and a cemetery to the west.

The softball field will be located in the green space on the north side of the school property. The site is zoned RM36, Multi-family Residential and an outdoor ball field is a permitted use at this site, subject to approval of a Special Use Permit.

STAFF ANALYSIS (cont'd)

The site plan shows two dugouts that will be constructed with concrete and two concrete pads located on both sides of home plate for the bleachers to be positioned. The softball field will have a chain link fence surrounding the field so that the remaining green space is used for other school activities.

Parking and Circulation

The site plan submitted does not increase the existing parking lot therefore there are no changes to the existing surface lot or the circulation.

Landscaping

The site plan submitted shows the existing landscaping along the northerly property line that was installed under the previously approved Special Use Permit (SUP-10004-04). The original landscape plan that was approved in 2004 is to be maintained on the site indefinitely and replaced with the same shrub or tree species when it is deemed appropriate.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Plan targets this site for single family. The school is zoned residential with two single family neighborhoods abutting the site to the north and east. The school is abutting a cemetery and green space to the west that provides an additional buffer to the neighborhoods.

Staff recommends approval of the Special Use Permit since the proposed use complies with all applicable provisions of the zoning code (TMC 1111.0706.B *Special Uses - Review and Decision-Making Criteria*), and the use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (TMC 1111.0707.C *Special Uses – Review and Design-Making Criteria*).

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-4009-19, an amendment to the Special Use Permit Ord. 239-05, to construct a softball field on site, to be located at 2200 Arlington, to the Toledo City Council, for the following two (2) reasons:

1. The use is compatible with adjacent uses in terms of scale, sight design and operating characteristics.
2. The proposed use complies with all applicable provisions of this Zoning Code (TMC 1111.0706.B *Review & Decision-Making Criteria*).

PLAN COMMISSION RECOMMENDATION (cont'd)

The Toledo City Plan Commission recommends approval of SUP-4009-19, an amendment to the Special Use Permit Ord. 239-05, to construct a softball field on site, located at 2200 Arlington, to the Toledo City Council, subject to the following twenty-two (22) 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.

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: Joe Warnka 419-245-1341

Roadway: Tim Grosjean 419-245-1344

Water: Andrea Kroma 419-936-2163

Stormwater Drainage: Lorie Haslinger 419-245-3221;

Andy Stepnick 419-245-1338

Sanitary Sewers: Mike Elling 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 Joe Warnka at (419) 245-1341 for inspection of above mentioned items.

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services (cont'd)

6. A pond maintenance plan shall be developed, submitted, and accepted as part of the approval process for the proposed ball field. The owner/engineer/consultant shall inspect the pond. If the inspection finds that pond maintenance is needed, the maintenance actions may be undertaken prior to the ball field work, but at the latest may be added to the ball field's scope of work and undertaken at the same time.
7. No construction work, including any earth disturbing work will be permitted without approved plans. Submit the following for review & approval:
 - A Storm Water Pollution Prevention Plan (SWP3) including a completed submittal cover sheet, contact list, contractor certification form and Ohio EPA SWP3 checklist. The links to these documents can be found at <http://www.tmacog.org/storc/swp3.htm>.
 - Engineering drawings and calculations compliant with the City of Toledo Infrastructure Design and Construction Requirements.
8. Drainage Plans that incorporate low impact development solutions such as indicated on this proposal are eligible for a reduction in the property's stormwater utility fee through the Stormwater Credit Program, upon application to the program as explained at <http://toledo.oh.gov/services/public-utilities/engineering-services/stormwater-utility-credit-program/>

Sewer and Drainage Services

9. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
10. 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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Environmental Services

11. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
12. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.
13. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable.
14. 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 stormwater impacts from the modifications, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.
15. Any effort made to plant non-invasive trees, shrubs and perennials is highly encourage.
<http://ohiodnr.gov/portals/0/pdfs/invasive/AlternativestoOhioInvasivePlantSpecies.pdf/>
16. 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.

Division of Transportation

No comments or conditions.

Fire Prevention

No comments or conditions.

Plan Commission

17. All original conditions of approval from SUP-10004-04 remain in effect.
18. Landscaping shall be installed per SUP-10004-04 approval; specially the required buffer along the property line abutting the NW Ohio Hospice. Four (4) copies of a landscape plan shall be submitted addressing this requirement.

PLAN COMMISSION RECOMMENDATION (cont'd)

19. Chain link fence to be installed around the perimeter of the softball field that shall not exceed the height of seven (7) feet for a residentially zoned parcel.
20. Approval of the Special Use Permit will lapse after one year if the criteria listed in TMC 1111.0707 have not been met.
21. 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.
22. 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

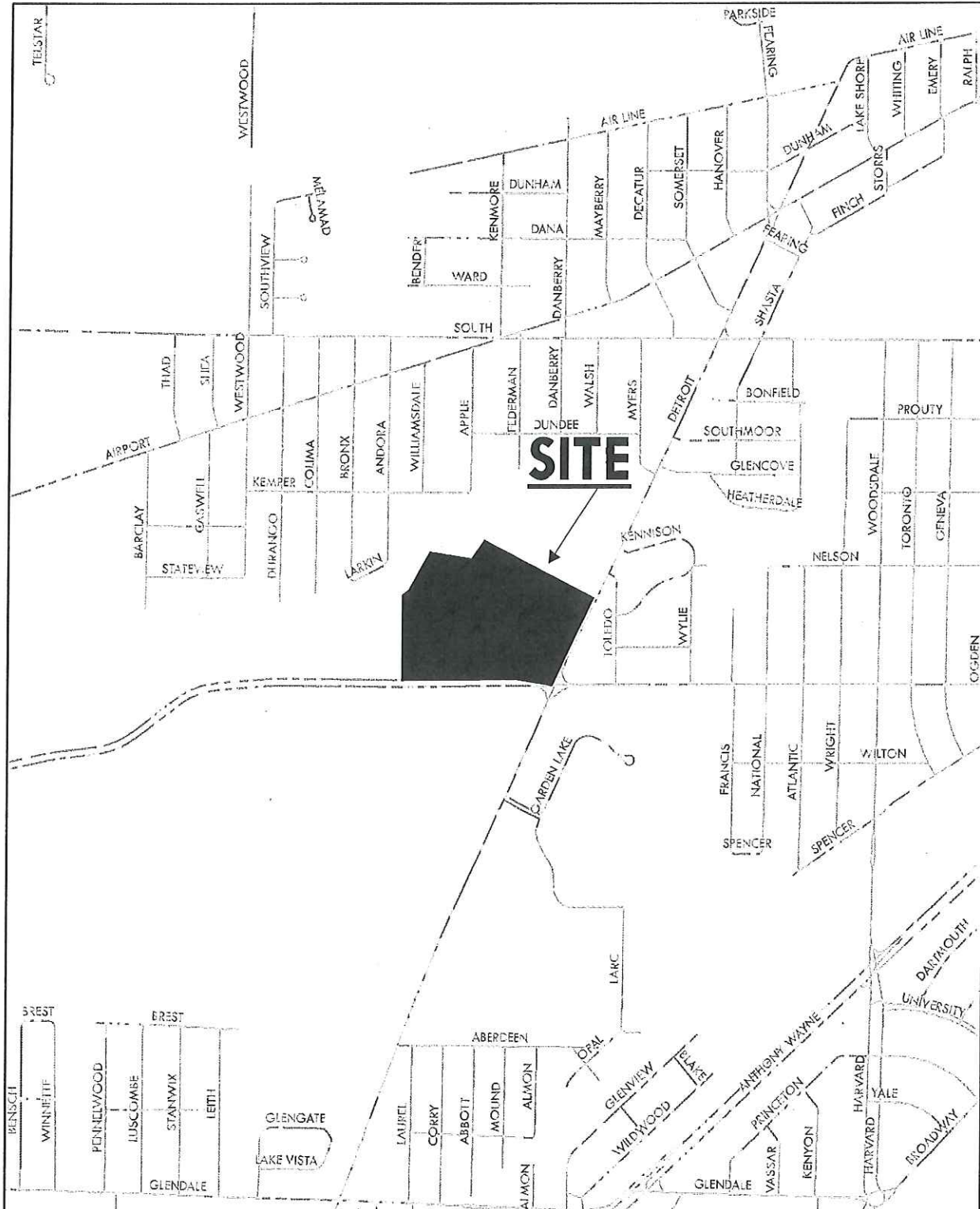
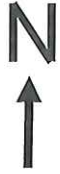
MLM

Three (3) sketches follow

Cc: Toledo Public Schools, Diane Mettler, 1609 N. Summit Street, Toledo, OH 43604
The Collaborative, Rusty Wilke, One SeaGate, Park Level 118, Toledo, OH 43604
Engineering Services
Sewer and Drainage Services
Environmental Services
Lisa Cottrell, Administrator
Molly Maguire, Principal Planner

GENERAL LOCATION

SUP- 4009-19
ID 33



ZONING AND LAND USE

SUP-4009-19
ID 33

