

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: June 9, 2022

REF: SUP-4004-22

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 Community Recreation-Active at 1111 E. Manhattan Blvd

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, June 9, 2022 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for Community Recreation-Active
Location	-	1111 E. Manhattan Blvd
Applicant	-	Toledo Lucas County Police Athletic League 1111 E. Manhattan Blvd. Toledo, OH 43608
Engineer	-	EDGE 33 South Michigan Street, Suite 304 Toledo, OH 43604

Site Description

Zoning	-	RS6 & RM36 / Single Family Residential and Multifamily Residential
Area	-	±4.5 acres
Frontage	-	±367' along Manhattan Avenue
Existing Use	-	Office building
Proposed Use	-	Office building and athletic field

Area Description

North	-	Manufacturing and retail / IG
South	-	Single family homes / RM36 & RD6
East	-	Undeveloped and manufacturing / IG
West	-	Single family homes / RM36 & RS6

GENERAL INFORMATION (cont'd)

Parcel History

None on file.

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for Community Recreation-Active at 1111 E. Manhattan Blvd. The site is ± 4.5 acres and is zoned RS6 Single-Family Residential and RM36 Multifamily Residential. The site is occupied by a single building that serves as the headquarters of the Toledo Lucas County Police Athletic League. Surrounding land uses include warehousing and offices to the north, warehousing and manufacturing to the east, single family homes to the south, and single family homes to the west.

The applicant, the Toledo Lucas County Police Athletic League, plans include developing the southern portion of the property for a baseball and soccer field. Police Athletic Leagues are non-profit organizations located in cities across the country that serves as a youth delinquency prevention program and also use athletics to foster a positive relationship between police departments and their communities. Per TMC 1104.1000, the use is classified as a "community recreation – active" and requires a Special Use Permit in all residential zoning districts.

Parking and Circulation

The existing parking lot at 1111 E. Manhattan Blvd will serve the proposed baseball and soccer field at 4244 Suder Avenue. Pursuant to TMC§1107.0600 - Off-Street Parking Schedule "D", Community Recreation facilities have a wide variety of parking demand characteristics, making it difficult to specify a single off-street parking standard. Therefore, Schedule "D" parking allows the minimum off-street parking requirements to be established via a parking study provided by the applicant. The applicant has stated that the existing parking lot on site will serve the baseball field's needs. There are eighty (80) parking spaces, which the Director has determined is acceptable for the intended use.

STAFF ANALYSIS

Parking and Circulation (cont'd)

A portion of the total number of required off-street parking spaces must be specifically designated, located, and reserved for use by persons with physical disabilities. According to the table in TMC§1107.1701 – *Number of Required Parking Spaces for Persons with Disabilities*, the applicant is required to provide at least one (1) van accessible space with an eight foot (8') drive aisle and three (3) car accessible spaces with five foot (5') drive aisles for persons with physical disabilities. The off-street parking at 1111 E. Manhattan Blvd includes three (3) van accessible spaces and requires one (1) additional accessible space.

Bicycle parking is required pursuant to Off-Street Parking Schedule "A" (TMC§1107.0300). A minimum of one (1) bicycle space shall be provided per ten (10) automobile parking spaces. The existing parking lot at 1111 E. Manhattan Blvd. has eighty (80) total parking spaces, requiring at least eight (8) bicycle parking spaces. The landscape plan depicts twelve (12) bicycle parking spaces and is acceptable as depicted.

Landscaping

Per **TMC§1108.0202** – *Frontage Greenbelts*, sites are required to provide a minimum fifteen-foot (15') wide frontage greenbelt and contain at least one (1) tree for every thirty feet (30') of frontage. Trees are not required to be evenly spaced and may be clustered. The submitted landscape plan depicts seven (7) trees and one (1) existing tree along the front of the property. With 367' of frontage, the site requires twelve (12) trees in total. Four (4) additional trees along Manhattan Blvd are required as a condition of approval.

The site is Zoned Residential and abuts Industrial Zoning to the north and east, requiring a Type A Landscape buffer. However, the portion of the site being developed is 250' away from the Industrial District to the north, and a driveway runs along the eastern edge of the property. The landscape plan shows six (6) new trees on the eastern border of the athletic field and one (1) existing tree to remain. Shrubs along the eastern border, lining the driveway shall be provided on a revised landscape plan. As the site will be for youth games, the shrubs are intended not only to buffer but help discourage children from crossing into the driveway. A revised landscape plan depicting the shrub row shall be provided and approved by the Director.

As there is no expansion of the parking lot proposed, parking lot landscaping is not required. However, a perimeter landscape buffer shall be provided where the parking lot abuts the athletic field. The landscape plan depicts three (3) trees abutting the parking lot with a shrub row and foundation plantings. The parking lot is ±175' in width, and perimeter landscaping requires one (1) tree every thirty linear feet (30') with a shrub row. However, pedestrian access between the athletic field and the parking lot is necessary for the use. The proposed perimeter landscaping is acceptable as depicted.

STAFF ANALYSIS (cont'd)

Landscaping (cont'd)

Fencing is proposed around the baseball and soccer field for safety and to buffer athletic activities from residences, parking, and Manhattan Blvd. The proposed fence is eight feet (8') and twenty feet (20') in height at the baseball backstop. Due to the proposed use, staff recommends approval of a waiver to allow an eight foot (8') and twenty foot (20') fence in the front yard in a Residential District.

Proposed signage shows a five foot one inch (5'1") sign. Sign must be located at least twenty-three feet (23') from the curb or pavement edge of any street per TMC§1107.0200 – Sight Distance Setback. A revised site plan showing the sign at least twenty-three feet (23') from the edge of Manhattan Blvd shall be provided.

If applicable, a lighting plan shall be submitted. Per TMC§1107.1908, lights and lighting fixtures used to illuminate the field or parking must be selected and arranged to direct and reflect the light away from any adjacent residential property and public ways.

Building Design and Materials

The only structure proposed for the site is a storage building. The storage building shall meet the requirements of the Accessory Use General Standards listed in **TMC§1105.0200**.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Single Family Residential land uses. This district is intended to accommodate the development of single-family dwelling units on individual lots. This district may also include libraries, schools, churches, and community centers. The district is intended to create, maintain, and promote housing opportunities for individual households, although it may include nonresidential uses, duplexes, and planned unit developments that are typically compatible with residential neighborhoods. The proposed active community recreational use is compatible with Single Family Residential land uses.

Staff recommends approval of the Special Use Permit as the proposed use meets the stated purpose and complies with all applicable provisions of the Zoning Code.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-4004-22, a Special Use Permit for Community Recreation-Active at 1111 E. Manhattan Blvd, to the Toledo City Council, for the following reason:

1. The proposed use meets the stated purpose of the Zoning Code (TMC§1111.0706(A))

PLAN COMMISSION RECOMMENDATION (cont'd)

The Toledo City Plan Commission recommends approval of the following waiver to Toledo City Council:

Chapter 1105 Accessory Uses

Sec. 1105.0301 – Fences or hedges may not exceed three and a half feet (3 ½') in the required front setback. Fences may not exceed four feet (4') in the side setback or seven feet (7') in height in any other location on a lot.

Approve a waiver to allow an eight foot (8') and twenty foot (20') fence in a Residential District. The fence will help prevent athletic activities and equipment from exiting the baseball and soccer field.

The Toledo City Plan Commission recommends approval of SUP-4004-21, a Special Use Permit for Community Recreation-Active at 1111 E. Manhattan Blvd., to the Toledo City Council, subject to the following **twenty-nine (29)** 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.

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.
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 Division of Engineering Services has no comments with respect to the public water system. The Division of Water Distribution will provide comments regarding existing and/or proposed private water mains and/or service lines.

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services (cont'd)

5. A stormwater plan is needed. If the current site plan is approved as-is, and a future stormwater submittal alters the site plan, then the stormwater approval shall be done in coordination with the plan commission.
6. The stormwater submittal requires multiple items:
 - Items are listed on the regional SWP3 submittal coversheet: <https://tmacog.org/water/stormwater/stormwater-pollution-prevention-plan-swp3>
 - Plans according to the 2014 Infrastructure Requirements document found in the drop down menu on this page: <https://toledo.oh.gov/business/how-to-build-in-the-city/building-inspection-permits>
7. Following the stormwater review, additional items are needed for final approval:
 - a. As listed on the regional SWP3 submittal cover sheet. The signed agreement will be through a covenant which will need to be recorded.
 - b. Fee and a Toledo Licensed Sewer Contractor for the sewer construction permit.
 - c. Construction inspection and completion of obligations in the stormwater permit.
8. There is a private sanitary sewer that runs along the west side of the existing drive. Location to be verified to make sure no poles are driven thru sewer.

Sewer & Drainage Services

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

Environmental Services

11. 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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Environmental Services (cont'd)

- 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.
12. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
13. 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.
14. 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
15. 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.

Water Distribution

16. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
17. Detailed plans for the proposed water service shall be submitted to the Division of Water Distribution for review and approval.
18. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com @ (800) 414-4990. Contact the Division of Water Distribution (419-392-2032) to verify the backflow prevention requirements for the site.
19. Site plan sheet shows a proposed water fountain, but doesn't show how it is being fed.

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission

20. Per TMC§1107.0600 – Off-Street Parking Schedule “D”, the applicant shall submit an off-street parking study to ensure the existing parking at existing parking at 1111 E. Manhattan Blvd is adequate. **Applicant shall provide documentation stating the potential number of attendees, hours of operation, and anticipated number of games in a season.**
21. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. **Not acceptable as depicted on site plan, one (1) additional car accessible parking space shall be provided on a revised site plan.**
22. Per TMC§1107.0400, Off-Street Parking Schedule “A” requires one (1) bicycle parking slot per ten (10) parking spaces. **Acceptable as depicted.**
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 or to a stormwater treatment facility subject to the regulations approval of the Department of Public Utilities.
24. 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)).
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 Manhattan Blvd and shall include one (1) tree per every thirty feet (30') of frontage. Trees are not required to be evenly spaced and may be clustered. **Not acceptable as depicted. Four (4) additional trees along Manhattan Blvd shall be depicted on a revised landscape plan.**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- b. A Type A landscape buffer is required where Residential abuts Industrial. This buffer requires four (4) trees and twenty (20) shrubs per 100 linear feet. **Not acceptable as depicted. A shrub row shall be depicted along the eastern edge of the site, west side of the existing driveway. Subject to the Director's approval,**
 - c. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place, or driveway, or which is visible from an immediately adjacent property, and must be at least ten feet (10') in width. A minimum of at least one (1) canopy tree must be provided for each thirty linear feet (30'), plus a continuous shrub row with a minimum height eighteen inches (18"), **acceptable as depicted,**
 - d. Topsoil must be back filled to provide positive drainage of the landscape areas;
 - e. 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;
 - f. 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;
 - g. The location, height, and materials for any fencing to be installed and maintained; **applicant shall obtain a waiver to allow the eight foot (8') and twenty foot (20') fence around the baseball and soccer field and,**
 - h. The location and direction of any proposed lighting (**any lighting is to be directed away from adjacent residential properties**).
26. No fence, sign structure or planting which obstructs visibility between 42 inches and 84 inches above grade shall be maintained within 23 feet of the curb or pavement edge of any street. **Proposed signage placement is not acceptable, signage must be setback at least twenty-three feet (23') from the curb or pavement edge of any street.**
27. 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.

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PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

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.

Respectfully Submitted,



Thomas C. Gibbons
Secretary

DR

Five (5) sketches follow

Cc: Sgt. Ron Paris, Toledo Lucas County Police Athletic League, 1111 E. Manhattan Blvd,
Toledo OH 53608

Sharon Schultz, EDGE, 33 South Michigan Street Suite 304, Toledo OH 43604

Lisa Cottrell, Administrator

Dana Reising, Planner

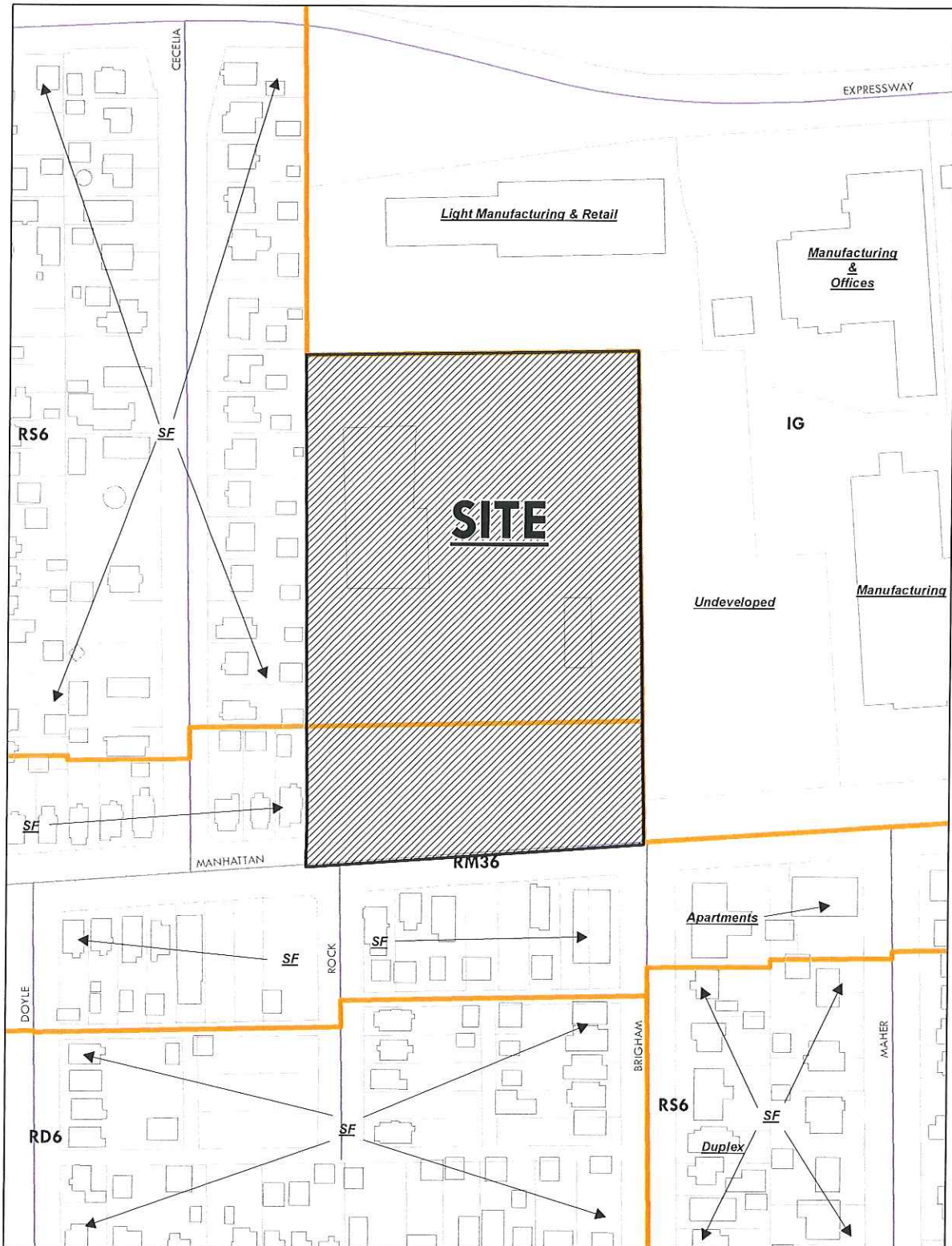
GENERAL LOCATION

SUP-4004-22
ID 6



ZONING & LAND USE

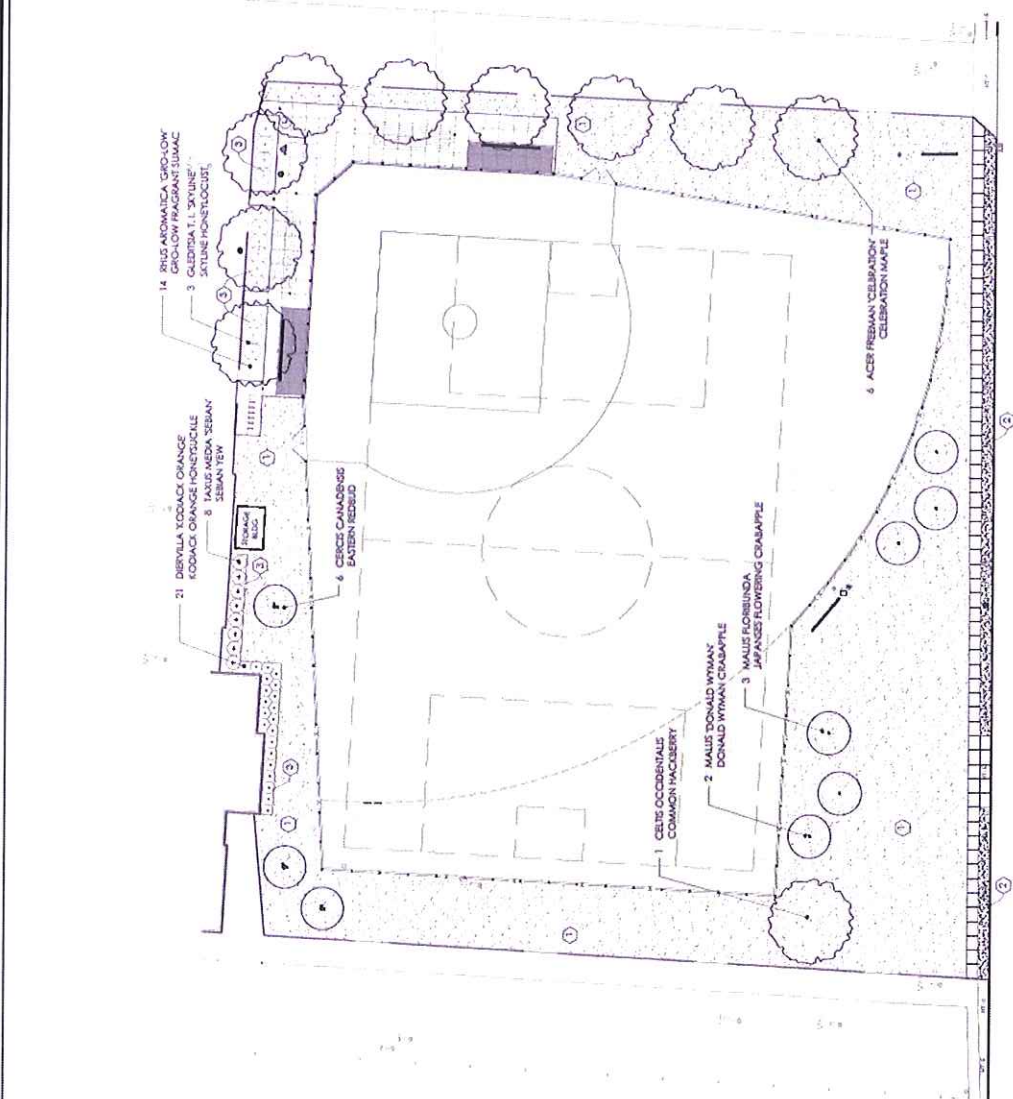
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SUP-4004-22
ID 6

LANDSCAPE PLAN



1 LANDSCAPE PLANTING PLAN



GENERAL NOTES

1. ALL DIMENSIONS TO CURBS, BUILDING WALLS OR PAVEMENT AS A REFERENCE ARE FROM FACE OF CURB, FINISHED FACE OF BUILDING, FINISHED FACE OF WALL OR EDGE OF PAVEMENT, UNLESS NOTED OTHERWISE.
2. THE LOCATIONS OF THE EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE MANNER ONLY AND HAVE NOT BEEN IDENTIFIED BY THE CONTRACTOR. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO COMMENCING WORK AND AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE INCURRED BY ANY AND ALL UNDERGROUND UTILITIES LOCATED AND PRESERVED AND ALL UNDERGROUND UTILITIES.
3. EACH CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE IMMEDIATELY UPON DISCOVERY OF ANY EXISTING UTILITIES, OVERNIGHT AND ACTUAL CONDITIONS IN THE FIELD, PRIOR TO CONSTRUCTION.
4. ALL LAND TO BE A RECOVERED SURFACE OR TO BE SUBSEQUENTLY RECOVERED SHALL BE PROTECTED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES, PUBLIC UTILITIES, ENGINEERING SERVICES, P.C. #15 5243283 E.M.A.H. ROBERT LANGRISH CONSULTING ENGINEERS.
5. WORK SHALL BE BASED ON SURVEY PROVIDED BY ROBERT LANGRISH CONSULTING ENGINEERS, P.C. #15 5243283 E.M.A.H. ROBERT LANGRISH CONSULTING ENGINEERS.
6. EXAMINE FINISH SURFACE, GRADE, TOPSOIL QUANTITY AND DEPTH. DO NOT START ANY WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN CORRECTED. VERIFY LIMITS OF WORK BEFORE STARTING.
7. CONTRACTOR IS RESPONSIBLE FOR COST OF REPAIR TO EXISTING CONDITIONS WHEN DAMAGED BY CONTRACTOR. REPAIR DAMAGE TO THE SATISFACTION OF THE CITY LANDSCAPE ARCHITECT.
8. ALL PLANT TAGS TO BE CONTAINED WITHIN 3" DEEP HARDWOOD BARK MULCH BED.
9. CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN ALL LAWN AREAS.
10. THE GRADE LAWN AREAS TO PROVIDE A SMOOTH AND CONTINUOUS GRADE FREE OF IRREGULARITIES OR DEPRESSIONS.
11. CONTRACTOR SHALL SEED ALL AREAS DISTURBED DURING CONSTRUCTION. SEE PLAN.
12. ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE U.S.A. STANDARDS FOR HARDY PLANTS.
13. ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN'S STANDARDS.
14. CONTRACTOR SHALL TAKE LOCATION OF ALL PLANTS FOR APPROVAL BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.

CONSTRUCTION NOTES

1. RE-PAVED LAWN AREAS, REPAIR LAWN AREAS DAMAGED BY CONTRACTOR. LAWN AREAS TO BE REPAVED SHALL BE REPAVED WITH INACTIVE SOILS AS REQUIRED TO BRING TO GRADE AND RESEED AS REQUIRED AND RESEED BY SPECIFICATIONS. PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
2. NEW LAWN AREAS, PROVIDE CLEAN, NATIVE FILL AS REQUIRED TO BRING TO GRADE AND RESEED AS REQUIRED AND RESEED BY SPECIFICATIONS. PROVIDE POSITIVE DRAINAGE ACROSS ALL SURFACES.
3. PREPARE PLANTING BED BY REMOVING EXISTING SOILS, REMOVE ALL LAWN FROM AREA, INCLUDING ROOTS, ALL TOP SOIL FROM AREA, REMOVE ALL EXISTING PLANTS FROM AREA, REMOVE ALL EXISTING MULCH FROM TOP OF CURB AND/OR ADJACENT PAVEMENT.

LANDSCAPE PLANTING PLAN

22008

POLICE ATHLETIC LEAGUE BALLFIELDS

EDGE CONSULTING ENGINEERS
33 SOUTH MICHIGAN ST. SUITE 204
TOLEDO, OHIO 41614

TJB
SJS
C&B

