

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for Cultural Exhibit
Location	-	1600 Mott Avenue (parcel #1627991)
Applicant	-	Tom Waniewski Polish Cultural Center Advisory Board PO Box 291 Waterville, OH 43566
Owner	-	Polish Cultural Center Advisory Board PO Box 291 Waterville, OH 43566
Engineer	-	Troy Barman Lewandowski Engineers 234 N Erie Street Toledo, OH 43604

Site Description

Zoning	-	IL & POS / Limited Industrial and Parks & Open Space
Area	-	±2.99 acres
Frontage	-	None
Existing Use	-	Vacant industrial land, park space
Proposed Use	-	Polish Cultural Center

Area Description

North	-	Tribute Park, Northwest Ohio Building & Construction Trades Council, Interstate-280 / CO, IL, CR -MRO, CR -MD
South	-	Ravine Park II & single-family homes / POS, RD6, IL
East	-	Interstate-280 / IL
West	-	Glass City Metropark, duplexes / RM36, POS, CR -MRO, CR -MD

GENERAL INFORMATION (cont'd)Parcel History

- | | | |
|----------|---|---|
| V-190-74 | - | Vacate portions of the public right-of-way of Justice Street, Webb Street, Colorado Street, and Mott Avenue in Wilson Addition, City of Toledo. PC approved 10/31/1974. CC approved 11/19/1974. Ord. 697-75 on 9/16/1975. |
| V-79-76 | - | Vacate remainder of public right-of-way of Mott Avenue, Webb and Justice Streets abutting Ravine Park II. PC approved 04/08/1976. CC approved 10/27/1976. Ord. 883-76 on 11/24/76. |
| Z-158-81 | - | Proposed zone change for city owned East Toledo Parks. PC approved 9/3/1981. Ord. 591-81 on 9/16/1981. |
| M-10-20 | - | Assist with Garfield Community Plan. PC approved 11/04/2021. CC approved 12/08/2021. Ord. 632-21 on 12/21/2021. |

Applicable Plans & Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a cultural exhibit at 1600 Mott Avenue. The site is ±2.99 acres and is zoned IL-Limited Industrial and POS-Parks and Open Space. The applicant is requesting a Zone Change for the parcel from its current mixed zoning designation to entirely POS-Parks and Open Space (companion case Z-12004-23). Surrounding land uses include Tribute Park, the Northwest Ohio Building & Construction Trades Council and I-280 to the north; Ravine Park II and single-family homes to the south; I-280 to the east; and Glass City Metropark and duplexes to the west. Per TMC 1104.0100 – *Use Table*, cultural exhibits require a Special Use Permit in the POS-Parks and Open Space zoning district.

The Polish Cultural Center Advisory Board is requesting a Special Use Permit to construct a cultural center that reflects the history of Toledo from the perspective of Polish immigrants. The proposed facility is 9,485 square feet with a future building expansion area of 1,750 square feet depicted on the site plan. The Polish Cultural Center is intended to hold multi-

STAFF ANALYSIS (cont'd)

cultural programs and historical exhibits for education, as well as a banquet hall for community gatherings. Events such as health screenings, food distribution, and ethnic celebrations will be hosted at the space with the intention of serving the neighborhood, celebrating Toledo's diversity, and promoting education and inclusivity throughout the community.

Parking and Circulation

Pursuant to TMC§1107.0300 - *Off-Street Parking Schedule "A"*, cultural exhibits require one (1) parking space per 1,000 square feet. The proposed building, with the future addition, will be 11,235 square feet and requires twelve (12) parking spaces. The site plan shows twenty-six (26) spaces and is acceptable as depicted.

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 one (1) car accessible space with a five-foot (5') drive aisle for persons with physical disabilities. The site plan depicts eight (8) van accessible spaces and meets this requirement.

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 parking lots contain a total of 26 spaces, requiring at least three (3) bicycle parking spaces. The submitted site plan does not depict any bicycle parking; this omission shall be addressed in revised site plans.

Landscaping

As per TMC§1108.0202 – *Frontage Greenbelt*, frontage greenbelts shall be provided along public right-of-ways. The subject parcel is exempt from this requirement as it abuts a vacated street and has no frontage along a public street.

Furthermore, the proposed POS-Parks and Open Space zoning distinction does not trigger any screening requirements between abutting properties as per TMC§1108.0203 – *Buffer and Screening Requirements*. However, the site plan depicts a greenbelt along the southwestern edge of the parcel to screen the proposed stormwater detention basin. This greenbelt is comprised of five (5) trees and a continuous shrub row and is acceptable as depicted. Screening comprised of five-foot (5') evergreens is also depicted surrounding three (3) sides of the proposed dumpster. These plantings will be accompanied by a fence or wall structure surrounding all four (4) sides of the dumpster, as required by TMC§1108.0203(G), and shall be shown on a revised plan.

STAFF ANALYSIS (cont'd)Landscaping (cont'd)

Interior parking lot plantings, as specified in TMC§1108.0204, must provide two (2) canopy trees and six (6) shrubs for each ten (10) parking spaces. With twenty-six (26) proposed spaces, the required interior planting area must be comprised of at least six (6) trees and sixteen (16) shrubs. The current site plan depicts six (6) trees and twenty-four (24) shrubs and is acceptable as depicted. In addition, perimeter parking lot plantings are required to visually screen parking facilities from view of Residential districts and public right-of-ways. A minimum of at least one (1) canopy tree must be provided for each thirty (30) linear feet, plus a continuous shrub with a minimum height of eighteen (18) inches. Plans depict adequate perimeter parking plantings to screen the parking lot from the Residential district to the southwest.

Finally, interior site landscaping requirements specify that the site plan must provide one (1) two-inch (2") caliper tree for every 1,000 square feet of building coverage. With the future building addition included in the calculation, twelve (12) trees are required at minimum. The landscaping plan meets the requirements for interior landscaping with the provision of fourteen (14) trees, in addition to the required parking lot landscaping. The plan also depicts foundation plantings to frame the entranceway to the building.

Building Design and Materials

TMC§1109.0200 – *Commercial, Mixed Use, and Institutional Design Standards* specifies standards that are intended to promote the design of an urban environment that is built to human scale, as well as encourage attractive street fronts and accommodate pedestrians. These standards require connecting walkways, with at least one main building entrance facing and opening directly to a five-foot (5') walkway connecting to the street sidewalk. Site plans depict a network of six-foot (6') sidewalks surrounding the proposed building and parking lot that connect to adjacent parcels, with a ten-foot (10') walkway connecting the parking lot to the building's entrance. As the site does not have frontage on a public street, the sidewalk network is acceptable as depicted.

The standards in TMC§1109.0205 – *Building Design Standards* also require the design of the building to have variation in massing through different architectural features that breakup the bulk of the structure and articulate façade walls. The proposed building's variation in roof form, change in wall plane, and placement of windows achieves this articulation.

The proposed building elevations are comprised of two types of fiber cement panels, brick, and glass. The Planning Director has determined that the proposed fiber cement panels shall be classified as an "accent material" as per TMC§1109.0500 – *Building Façade Materials and Color*. In order to adhere to this code section, only up to 20% of each elevation may be comprised of accent materials. All four current elevations surpass this threshold significantly, with the minimum percentage of fiber cement panel depicted being 67% on the northeast elevation and the maximum percentage of fiber cement panel depicted being 91% on the southwest elevation.

STAFF ANALYSIS (cont'd)

Building Design and Materials (cont'd)

Revised elevations must depict material types and percentages that are in conformance with TMC§1109.0500.

Garfield Community Plan

The Garfield Community Plan, adopted by City Council in 2021, lays out the Garfield community's vision for facilitating new business and residential growth, highlighting East Toledo's rich history, and promoting a strong neighborhood identity. The Plan identifies Ravine Park II, the site of the proposed Zone Change, as a key zone for providing recreational space, programming, and increased connectivity with the surrounding neighborhood. Furthermore, the strategic goals of the Plan include "[promoting] equitable, racial, and ethnic diversity" and "[strengthening] the presence of arts and culture organizations in the neighborhood." The proposed Polish Cultural Center project is compatible with the vision of the Garfield Community Plan.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Parks and Open Space. This District is intended to preserve and enhance major open space and recreational areas. The District may also be applied to privately-owned open space areas within residential developments, including parks, golf courses, racetracks, marinas, and other areas containing recreational open space and facilities. The proposed Polish Cultural Center complies with the 20/20 Plan as it intends to provide an anchor site within Ravine Park II where neighbors can gather and build community.

Staff recommends approval of the Special Use Permit for cultural exhibit at 1600 Mott Avenue because the proposal is consistent with the Comprehensive Plan, Garfield Community Plan, and the stated purpose of the Zoning Code. Additionally, the proposed use is compatible with adjacent uses in terms of scale, site design, and operative characteristics.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-12003-23, a Special Use Permit for cultural exhibit at 1600 Mott Avenue, 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)), and;

STAFF RECOMMENDATION (cont'd)

2. The proposed use is compatible with adjacent uses in terms of scale, site design, and operative characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use's operation) (TMC§1111.0706(C)).

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-12003-23, a Special Use Permit for cultural exhibit at 1600 Mott Avenue to the Toledo City Council, subject to the following **forty-four (44)** 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 Ted Rousos, 419-245-1347. The application can be obtained online at Toledo.oh.gov search: Right of Way opening permit.

Contact Joe Wamka at (419) 245-1341 for inspection of above-mentioned items.

4. The City of Toledo public water system 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.
5. The stormwater control measure could require an adjustment to its size and features within its footprint such as its grading, plantings, and the addition of some areas of rock. This could require further coordination with Plan Commission to receive their acceptance of minor site changes. The basin shall conform with stormwater management calculations and conform with Ohio CGP table 4a.
6. A review and approval of a full stormwater submittal is required, which requires multiple items:

STAFF RECOMMENDATION (cont'd)

Engineering Services (cont'd)

- a. Items are listed on the regional SWP3 submittal coversheet at <https://tmacog.org>. A version for use in Toledo has been provided to the SWP3 designer for this proposal.
 - b. 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 approval:
- a. As listed on the regional SWP3 submittal cover sheet (stage 2). The signed agreement (2.c.) will be through a covenant which will need to be recorded.
 - b. Fee and a Toledo Licensed Sewer Contractor for the sewer construction permit. A fee calculation and submittal form has been provided to the SWP3 designer.
 - c. Construction inspection and completion of obligations in the stormwater permit.
8. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
9. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
10. Any previous kills that were not done at the right-of-way line shall be re-killed at the right-of-way to eliminate any active pipes on the property.

Sewer & Drainage Services

No comments received a time of publication.

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.

STAFF 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 main shall be submitted to the Division of Water Distribution for review and approval.
18. Plans must be submitted to Fire Prevention (rex.butler@toledo.oh.gov, 419.936.2008) for review and approval.
19. The water meter setting detail, including meter bypass (if applicable) and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S Erie Street, Toledo, OH 43604 for review and approval. Approval of site utility plan is contingent on approval of meter setting and backflow preventer.
20. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the

STAFF RECOMMENDATION (cont'd)

Water Distribution (cont'd)

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.

21. Existing water service lines to structures removed from the site will be abandoned by the City of Toledo at the developer's expense.
22. Detailed plans should include:
 - a. Water feature sizes and distances; maintain 18" vertical clearance between proposed water main and proposed storm sewers.
 - b. Include a callout for an 8x8 tapping sleeve and valve by the City of Toledo at the developer's expense. Excavation, shoring, valve box, backfill and restoration by the contractor.
 - c. Include a callout for a tap or tee for the domestic service; include size.

Fire Prevention

23. The proposed new building will require compliance with all applicable Building, Fire, Electrical, Mechanical and Plumbing code requirements. (OBC105.1 & 101.4)
24. Building remodeling plans to be submitted to the FD for review in addition to the Building Inspection Department plan submittal. (OFC104.2, OBC106.1.2 #5 & 901.2.1.1)
25. New and existing buildings shall be provided with approved address identification that meets Building Code requirements. (OBC 501.2)
26. Private fire service mains and appurtenances will be required and location approved by the Fire Prevention Bureau. (OFC507.5.1 / TMC1511.03 Ohio Fire Code Amendments)
27. A Fire Hydrant may be required to be placed on site. (OBC 912.2)
28. A fire safety inspection is required prior to occupancy. (OFC105.3.3.2)

Transportation

29. Bicycle parking is required per TMC 1107 .0900.
30. Accessible parking signage must be posted directly in front of the parking space at a

STAFF RECOMMENDATION (cont'd)

Transportation (cont'd)

height of no less than 60" and no more than 72" above pavement level per TMC 1107.1704.

31. Wheel stops are required at parking spots abutting sidewalks, property lines, planting strips and buildings per TMC 1107.1907.
32. If one does not already exist, a cross access agreement is required with the adjacent property owner to the South.

Plan Commission

33. Per TMC§1107.0600 – Off Street Parking Schedule “A,” the minimum number of parking spaces required for a cultural exhibit is 1 per 1,000 square feet of floor area. Applicant is required to provide twelve (12) spaces for 11,235 square feet. **Site plan shows twenty-six (26) spaces and is acceptable as depicted.**
34. 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 with an eight-foot (8') drive aisle and one (1) car accessible spaces with five-foot (5') drive are required. **Applicant is proposing eight (8) van accessible spaces. Acceptable as depicted.**
35. Per TMC§1107.0400, Off-Street Parking Schedule “A” requires one (1) bicycle parking slot per ten (10) parking spaces. **Not acceptable as depicted on site plan. A bike rack with a minimum of three (3) slots shall be provided on revised plan.**
36. 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 regulation’s approval of the Department of Public Utilities.
37. 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)).
38. 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:

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- a. Dumpster location(s) shall be clearly defined, have a concrete pad and be screened on all four sides by any combination of evergreen plantings, fence, or wall structure 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. **Not acceptable as depicted. The plantings depicted on the site plan will be accompanied by a fence or wall structure surrounding all four (4) sides of the dumpster, as required by TMC§1108.0203(G);**
- b. Perimeter landscaping shall be installed along any parking lot area adjacent to a street, place, or driveway and shall be provided abutting the parking area to visually screen all off-street loading facilities from view of public rights-of-way. A minimum of at least one canopy tree must be provided for each thirty (30) linear feet, plus a continuous shrub with a minimum height of eighteen inches (18"); **Acceptable as depicted;**
- c. Interior landscaping required in parking lots is 20 square feet per parking space. Two (2) canopy trees are required to be installed in interior landscape areas for each ten (10) parking spaces within the parking lot. Six (6) shrubs are required to be installed in interior landscape areas of each ten (10) parking spaces within the parking lot; **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. If the site is ½ acre or larger, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans must be submitted with development plans and must contain all construction details; **Not acceptable as depicted; applicant shall provide irrigation plans for the site as it is larger than ½ acre;**
- h. The location, height, and materials for any fencing to be installed and maintained;
- i. The location and direction of any proposed lighting (**any lighting is to be directed away from adjacent residential properties**);

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- j. The location, lighting, and size of any signs.
- 39. No new 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.
- 40. Building elevations shall be of quality materials as stated in TMC§1109.0500. **Not acceptable as depicted, as accent materials proposed surpass 20% of each elevation. Revised elevations must depict material types and percentages that are in conformance with TMC§1109.0500.**
- 41. The Special Use Permit may be reviewed for 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.
- 42. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
- 43. 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.
- 44. 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.

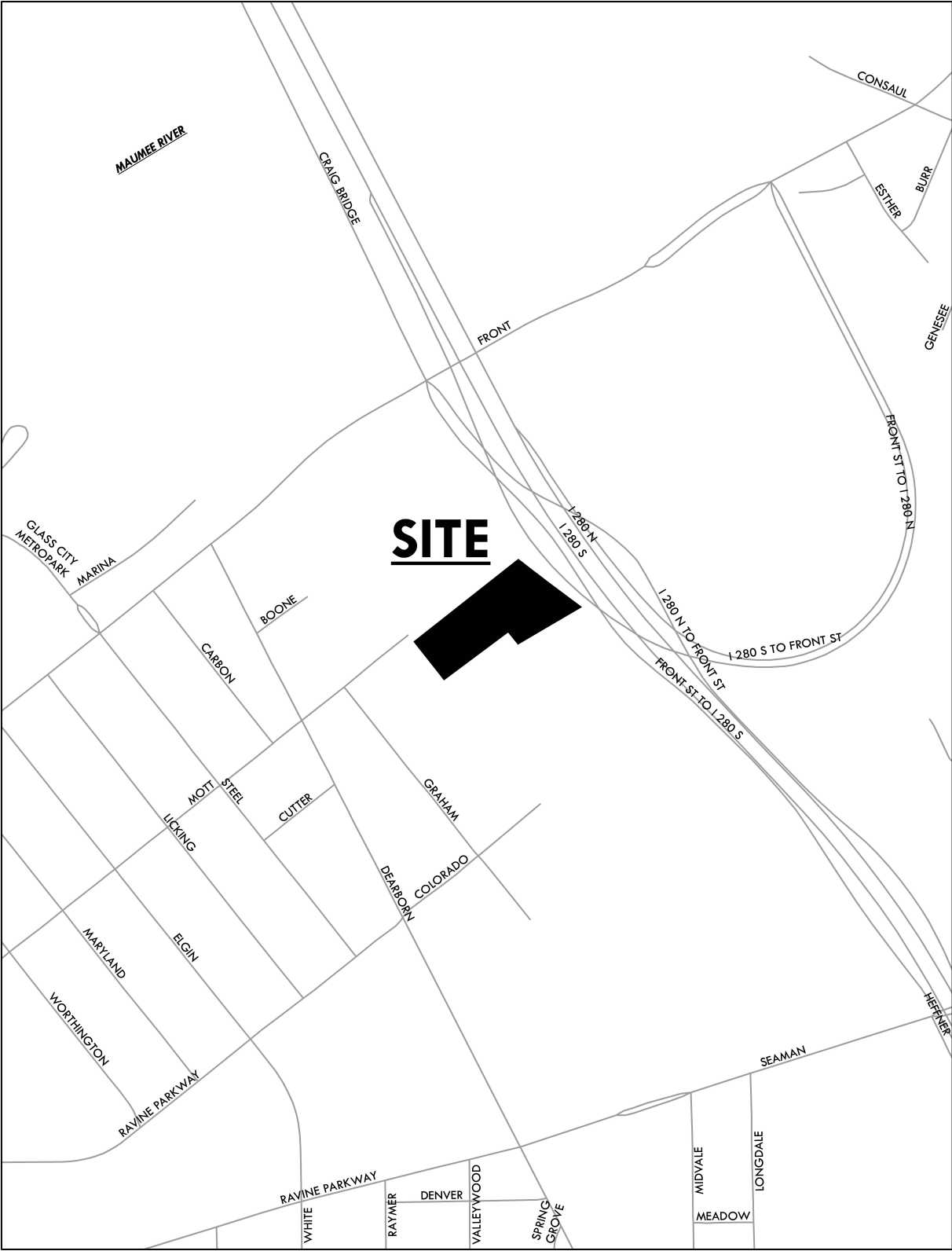
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-12003-23
DATE: February 8, 2024
TIME: 2:00 P.M.

CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: March 12, 2024
TIME: 4:00 P.M.

MJM
Five (5) sketches follow

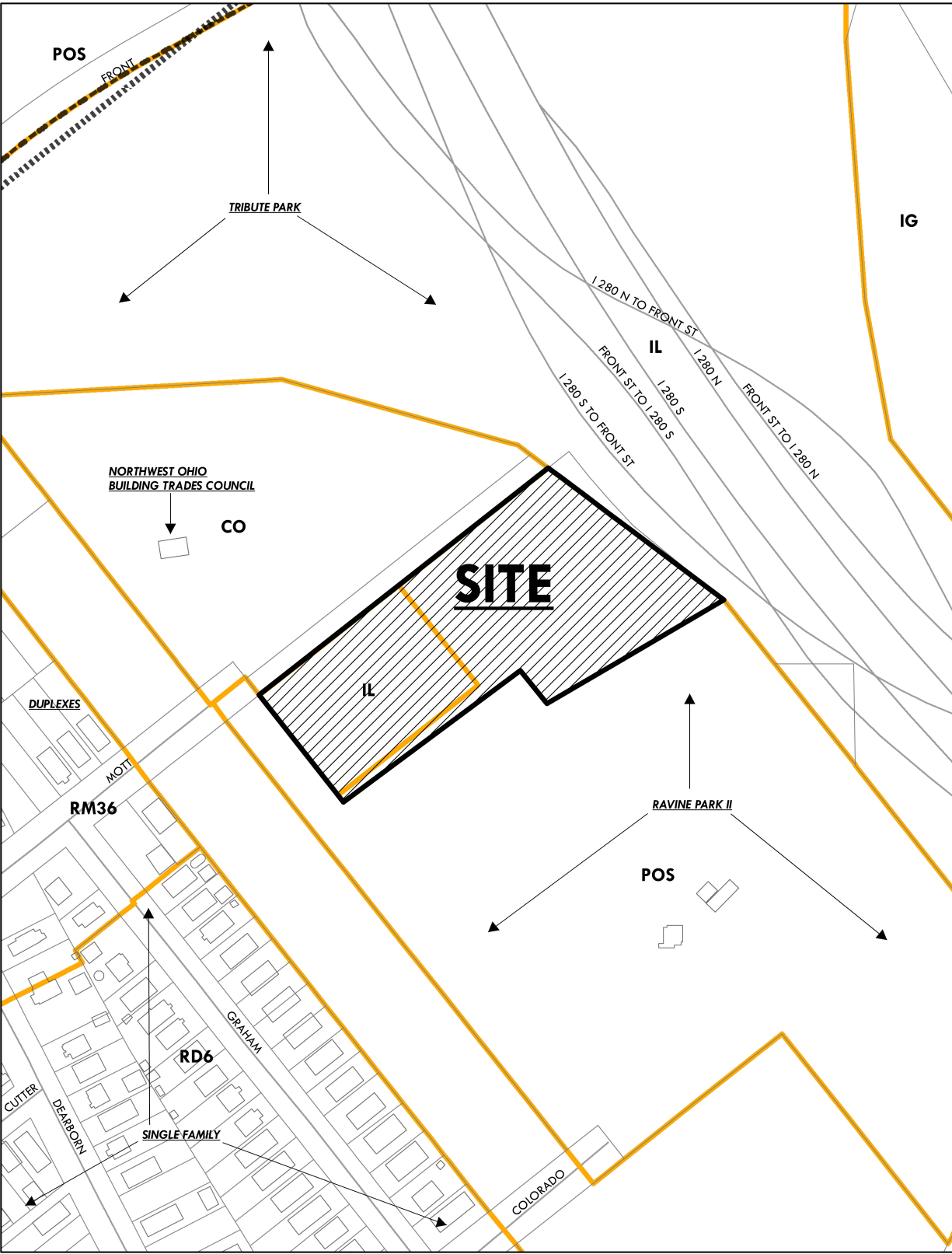
GENERAL LOCATION

SUP-12003-23
ID 27



ZONING & LAND USE

SUP-12003-23
ID 27



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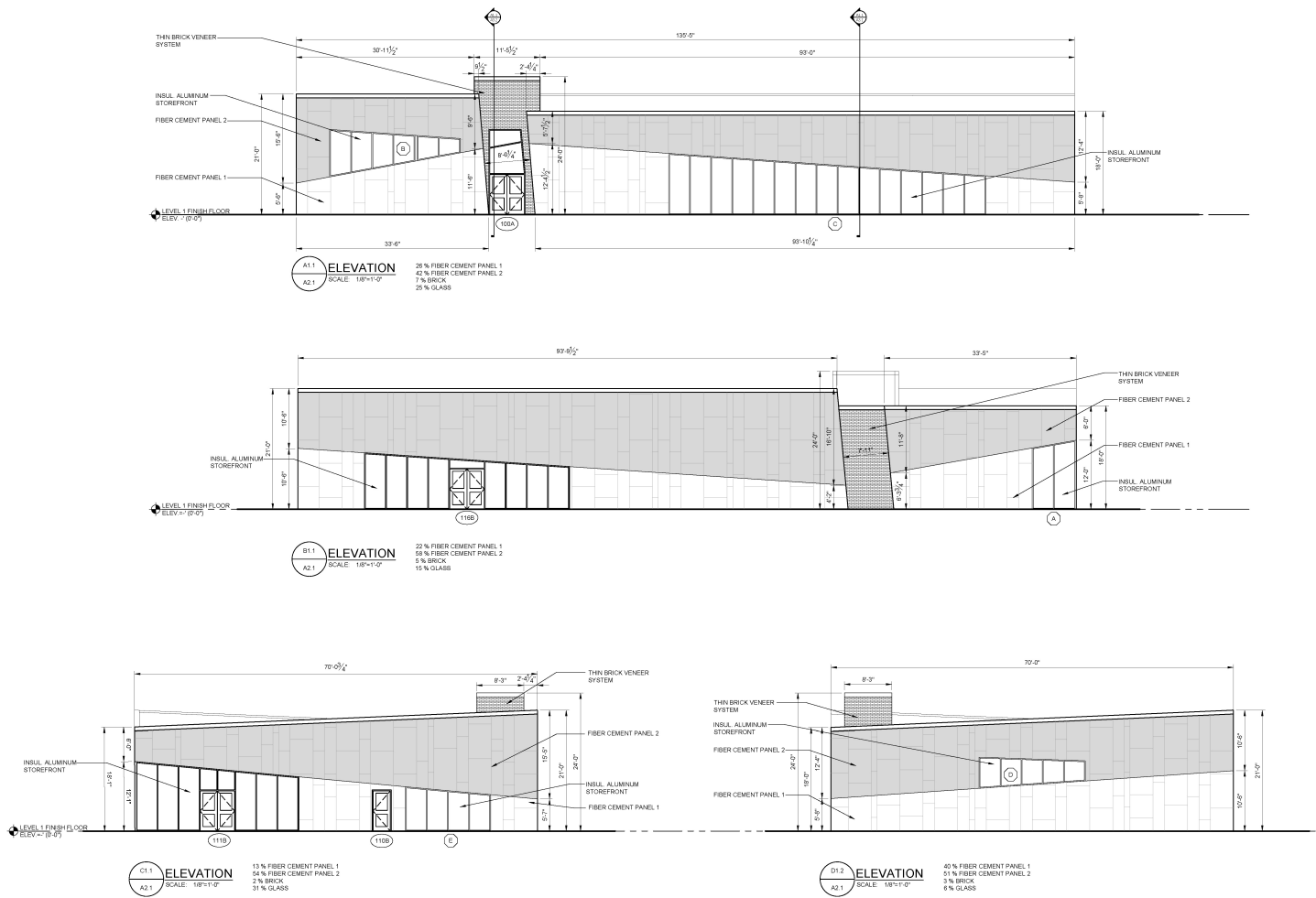


SCALE 1/2" = 1'-0"

SEAL Sheet N.

BUILDING ELEVATIONS

SUP-12003-23
ID 27



NEW FACILITY
FOR
POLISH CULTURAL
CENTER

OHIO

TOLEDO

BUEHRERGROUP
architecture & engineering, inc.
311 GEMMY ST., MAUMEE, OH 43531 P 419.885.8817 F 419.885.9227 | BUEHRERGROUP.COM

REVISION SCHEDULE

ISSUE DATE: 08/27/23
JOB NUMBER: 230897
SCHEMATIC DESIGN

A2.1