

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: February 10, 2023

REF: SUP-12001-22

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 a Community Center at 3319 Nebraska

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, February 9, 2023 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for Community Center
Location	-	3319 Nebraska Ave
Applicant	-	Toledo Muslim Community Center 3319 Nebraska Avenue Toledo, Ohio 43607
Design Professionals	-	Buehrer Group 314 Conant St. Maumee, OH 43537
		EDGE 33 S Michigan St. Suite 304 Toledo, OH 43604
		ESA 5353 Secor Road Toledo, OH 43623

GENERAL INFORMATION (cont'd)

Site Description

Zoning	-	RS6 / Single Dwelling Residential
Area	-	±22 Acres
Frontage	-	±662' along Nebraska Ave.
Existing Use	-	Community Center
Proposed Use	-	Community Center with Outdoor Sport Facilities

Area Description

North	-	RS6 / Single Family Homes, Churches
South	-	IL / Vacant
East	-	IL / Trucking and Logistics, Manufacturing
West	-	RM36, IL / Multi-Family Homes, Warehouses, Food Manufacturing, Commercial

Parcel History

Z-270-76	-	Special Use Permit for a church, school and auditorium. (PC approved 9/30/76, City Council approved via Ordinance 869-76).
Z-271-80	-	Zone Change from M-1 Restricted Industrial to R-2A Restricted Multi Family for 10.25 acres of parcel. (PC approved 12/4/80, CC Approved via Ordinance 868-80).
Z-7002-18	-	Rezoning from RM12 and IL to RS6 (PC Approved 9/13/2018, CC Approved via ordinance 480-18)

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 the introduction of Community Recreation – Active elements to an existing Community Center. The ±22 acre site is zoned RS6 and occupied by a structure built in 1986 currently used as the Toledo Muslim Community Center. To north of the site are churches and single-family homes. To the east of the site is a trucking and logistics facility, to the south is a vacant field, and to the west are warehouses, commercial, manufacturing, and multi-family homes. The applicant is required to

STAFF ANALYSIS (cont'd)

obtain a special use permit in order to install outdoor sports fields, due to the negative secondary effects associated with such uses.

The project is located in the rear of the building, where land is mostly undeveloped and partially wooded. The project consists of a basketball court, sand volleyball court, soccer field sized for five-person teams, and a full-sized soccer field. A walking trail is also included.

Community Recreation – Active

Per TMC§1106.0800 – Parks and Open Space Dimensional Standards, any playground, sport court, or other active recreation area must be set back at least fifty (50) feet from any RS or RD district and at least 25 feet from any other Residential or Commercial zoning district. The proposed plan is acceptable as depicted. Adjacent to the athletic facilities is IL Limited Industrial zoning, which is overall more intensive than recreational uses and is not expected to conflict operationally. Hours of operation are expected to be day light to dusk, including weekends and holidays.

Parking and Circulation

No revisions to the existing parking layout are proposed. 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. The existing community center currently has access to 182 off-street parking spaces, and has indicated that use of the fields shall primarily be for existing patrons and community center use.

Parking demand is unlikely to outpace current parking availability based on the proposed sporting equipment. As a condition of approval, the applicant shall be required to address parking overflow in the event demand exceeds available parking on a regular basis in such a manner that is detrimental to surrounding land uses.

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 five (5) car accessible spaces with five-foot (5') drive aisles for persons with physical disabilities. These spaces shall be required to be shown on a revised site plan.

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 proposed plan requires eighteen (18) bicycle parking spaces. The total quantity of bicycle parking, with a minimum of eighteen (18) slots, shall be shown on a revised site plan.

STAFF ANALYSIS (cont'd)

Parking

Additionally, there must be safe, adequate, and convenient arrangement of pedestrian walkways, bikeways, roads, driveways, and off-street parking and loading spaces within off-street parking areas. The proposed plan connects the southern edge of the parking lot to the recreation areas with a pedestrian pathway. Said pathway also creates a meandering loop through the wooded and wetland area. The proposed plan is acceptable and provides adequate movement through the site.

All work to be done is within the rear of the site and does not disturb previously approved landscaping elements in the front of the site. RS Single Dwelling Residential zoned properties are required to maintain a Type "A" Landscape buffer when abutting IL Limited Industrial parcels. A Type "A" Landscape buffer is required to include twenty-five feet (25') of width, and four (4) canopy trees and twenty (20) shrubs per one-hundred (100) linear feet. The proposed landscape buffers are acceptable as depicted.

Building Design and Materials

No modifications to the primary structure are proposed.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Single Family land uses. The designation is intended to accommodate the development of single dwelling units on individual lots. It may also include libraries, schools, churches, and community centers. A community center, and associated outdoor recreation, is a compatible land use within Single Family Residential Districts, providing the necessary consideration is taken to reduce immediate land-use conflict. The proposed Special Use Permit conforms to the Toledo 20/20 Comprehensive Plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-12001-22, a Special Use Permit for a Community Center at 3319 Nebraska 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))

The Toledo City Plan Commission recommends approval of SUP-12001-22, a Special Use Permit for Permit for a Community Center at 3319 Nebraska, to the Toledo City Council, subject to the following **twenty-seven (27)** conditions:

PLAN COMMISSION RECOMMENDATION (cont'd)

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. Installation of the drainage tiles in athletic fields (at this time or in the future) necessitates stormwater management for an increase in runoff, per Ohio standards as of 2018.
4. The stormwater planning provided for the SUP can be considered substantially complete for site planning purposes, but further submittal and review is necessary for stormwater construction permitting.
5. For stormwater permitting, this project may be submitted as a full storm submittal for a new permit, or a partial submittal to modify and continue the existing permit. The submittal needs to be made in any case with a new update submittal cover sheet.
<https://tmacog.org/water/stormwater/stormwater-pollution-prevention-plan-swp3>
6. Engineer-stamped drawings will be needed. The engineering standards document is online in the drop down menu on this page: <https://toledo.oh.gov/business/how-to-build-in-the-city/building-inspection-permits>
7. Following a stormwater review, additional new or updated items are needed to complete the applications:
 - a. As outlined on the stormwater submittal cover sheet, submittal step 2.
 - b. Fee and a Toledo Licensed Sewer Contractor for the construction permit.

PLAN COMMISSION RECOMMENDATION (cont'd)

Sewer & Drainage Services

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

10. All current Stormwater Pollution Prevention Plan requirements for the current active construction on site shall be met and any deficiencies resolved prior to proceeding with this portion of the project
11. Special attention must be paid to all potential storm water impacts from the modification of the site, including but not limited to activities during and after construction.
12. 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.
13. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
14. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize the amount of new and/or additional impervious surface on the site.
15. 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

PLAN COMMISSION RECOMMENDATION (cont'd)

Environmental Services (cont'd)

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.

Fire Prevention

No comments nor concerns.

Transportation

17. Bicycle parking is required per TMC§1107.0900.

Plan Commission

18. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. Five (5) Car spaces and one (1) van spaces are required. **Acceptable as depicted.**
19. Per TMC§1107.0400, Off-Street Parking Schedule "A" requires eighteen (18) bicycle parking slots are required. These may be placed anywhere on site for use of the community center building, walking path, or sports fields, however distribution between the uses is encouraged for optimal efficiency by bicycle users. **Not acceptable as depicted. Eighteen (18) spaces required.**
20. 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.
21. 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)).
22. Active recreation area must be set back at least fifty (50) feet from any RS or RD district and at least 25 feet from any other Residential or Commercial zoning district. **Acceptable as depicted.**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

23. The proposed parking count (182) is acceptable as depicted, based on the information supplied by the applicant. In the event operational characteristics of the sports fields or community center increase the parking demand beyond current capacity, this special use permit shall be subject to review.
24. 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: **Landscape plan is acceptable as depicted.**
 - a. Topsoil must be back filled to provide positive drainage of the landscape areas;
 - b. 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;
 - c. 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;
 - d. a type "A" land-use buffer when abutting IL Limited Industrial parcels. A type "A" landscape buffer is required to include twenty-five feet (25') of width, and four (4) canopy trees and twenty (20) shrubs per one-hundred (100) linear feet. **The proposed landscape buffers are acceptable as depicted.**
 - e. The location, height, and materials for any fencing to be installed and maintained; **species list acceptable as depicted.**
 - f. The location and direction of any proposed lighting (**any lighting is to be directed away from adjacent residential properties**).
25. 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.
26. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in **TMC§1111.0707** have not been met.
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

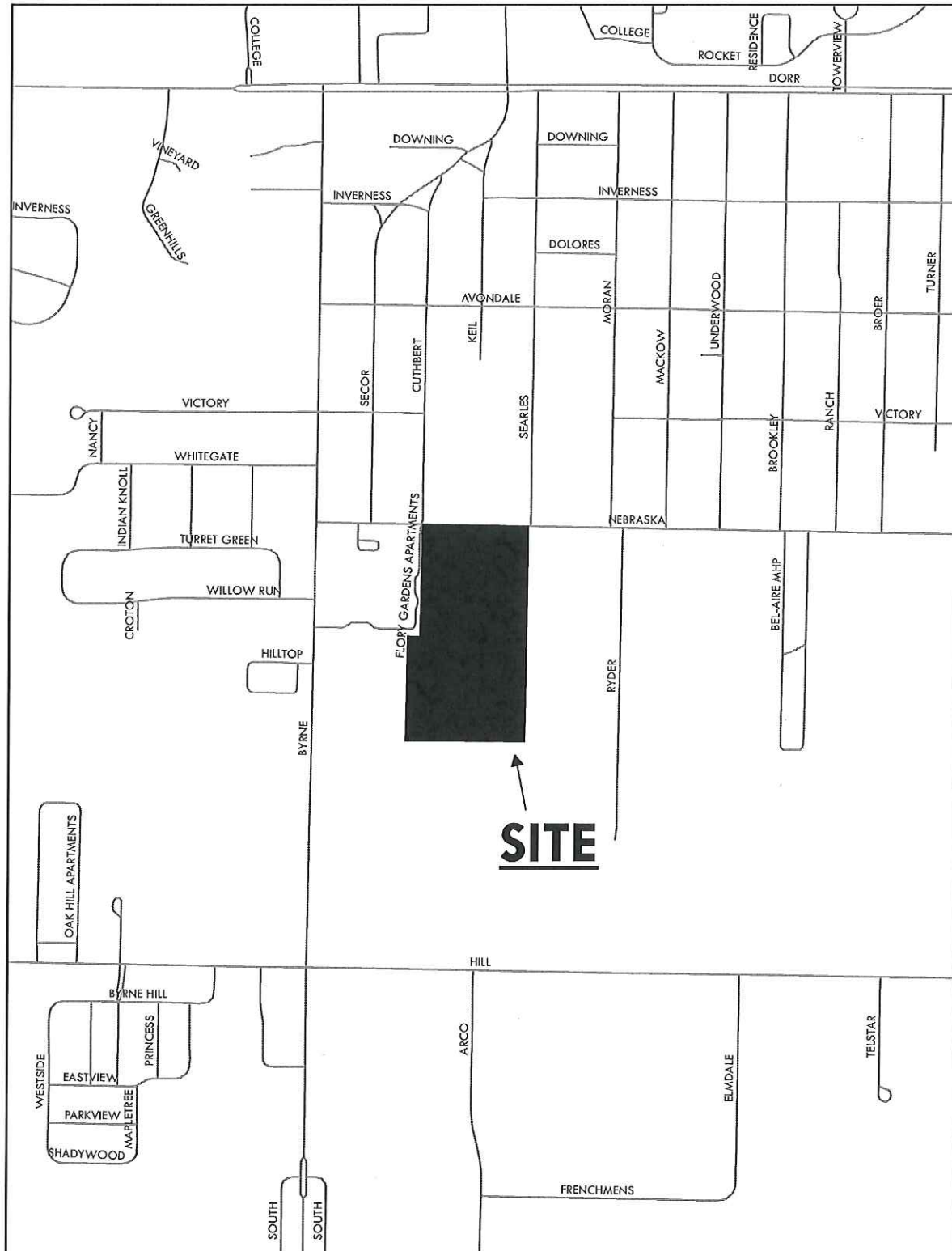
JGL

Ten (10) sketches follow

Cc: Applicants
Lisa Cottrell, Administrator
Jonny Latsko, Planner
Commissioner, Division of Engineering Services
Environmental Services (*digital*)
Sewer & Drainage Services
Commissioner, Division of Transportation

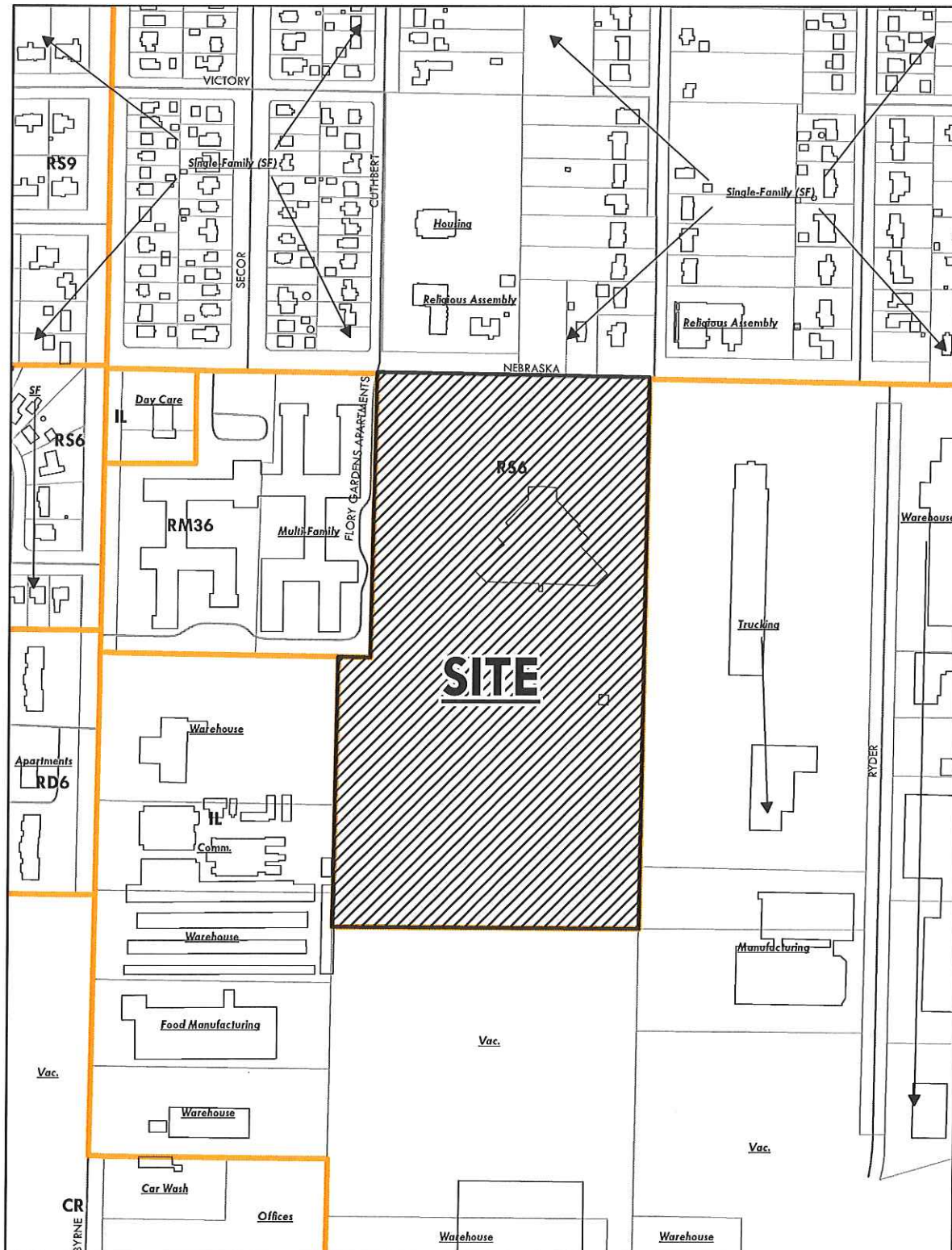
GENERAL LOCATION

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ZONING & LAND USE

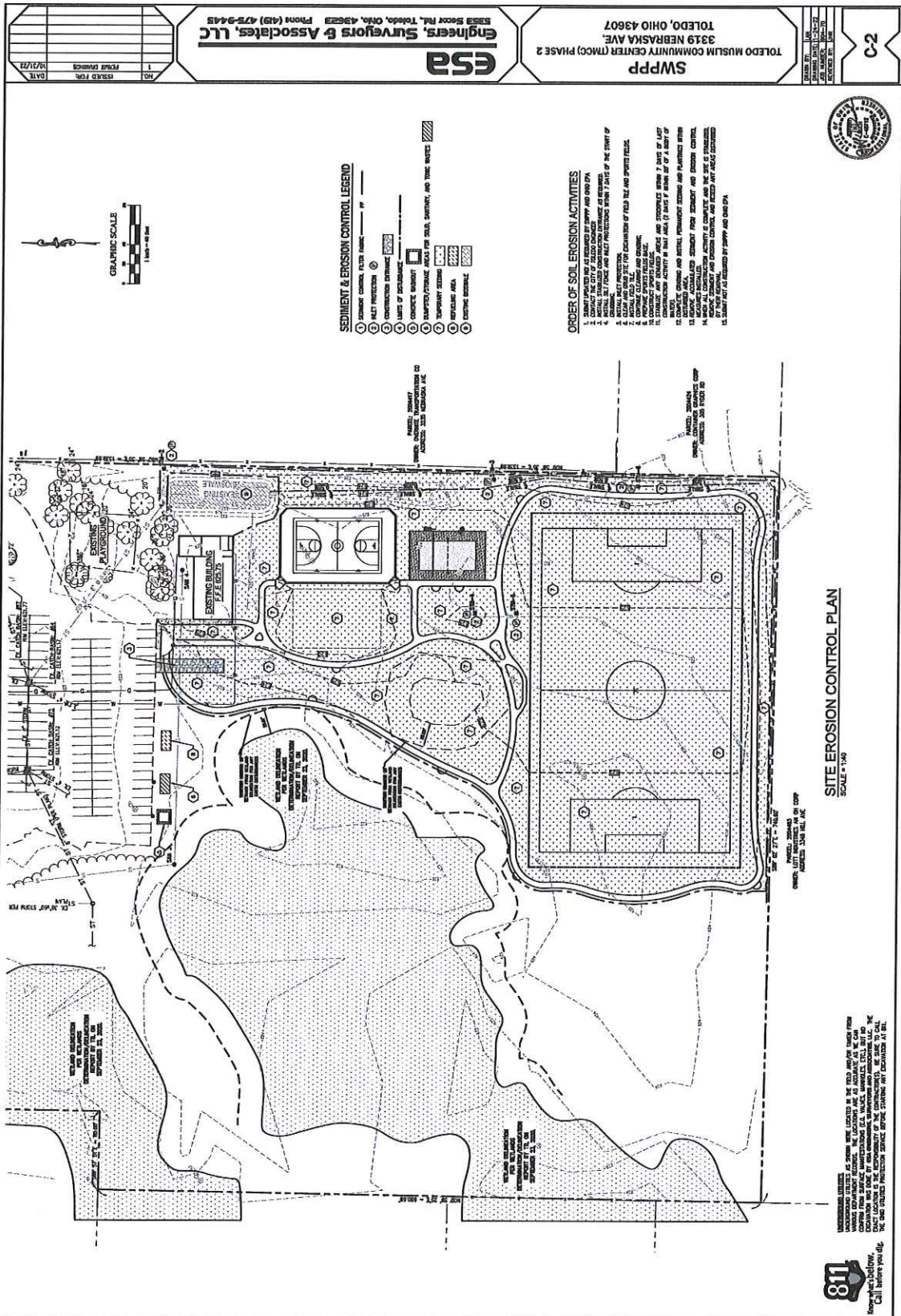
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SITE PLAN

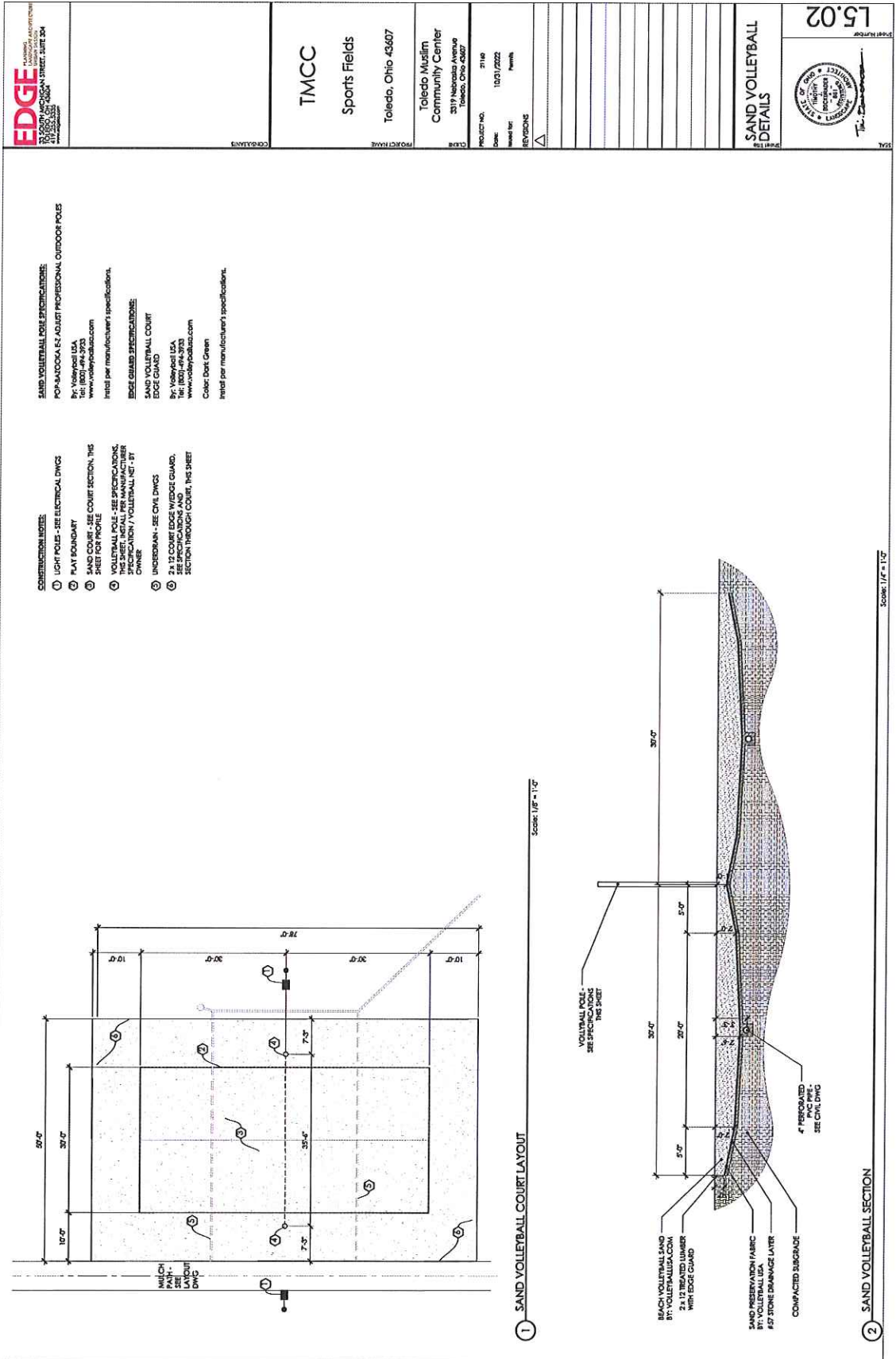


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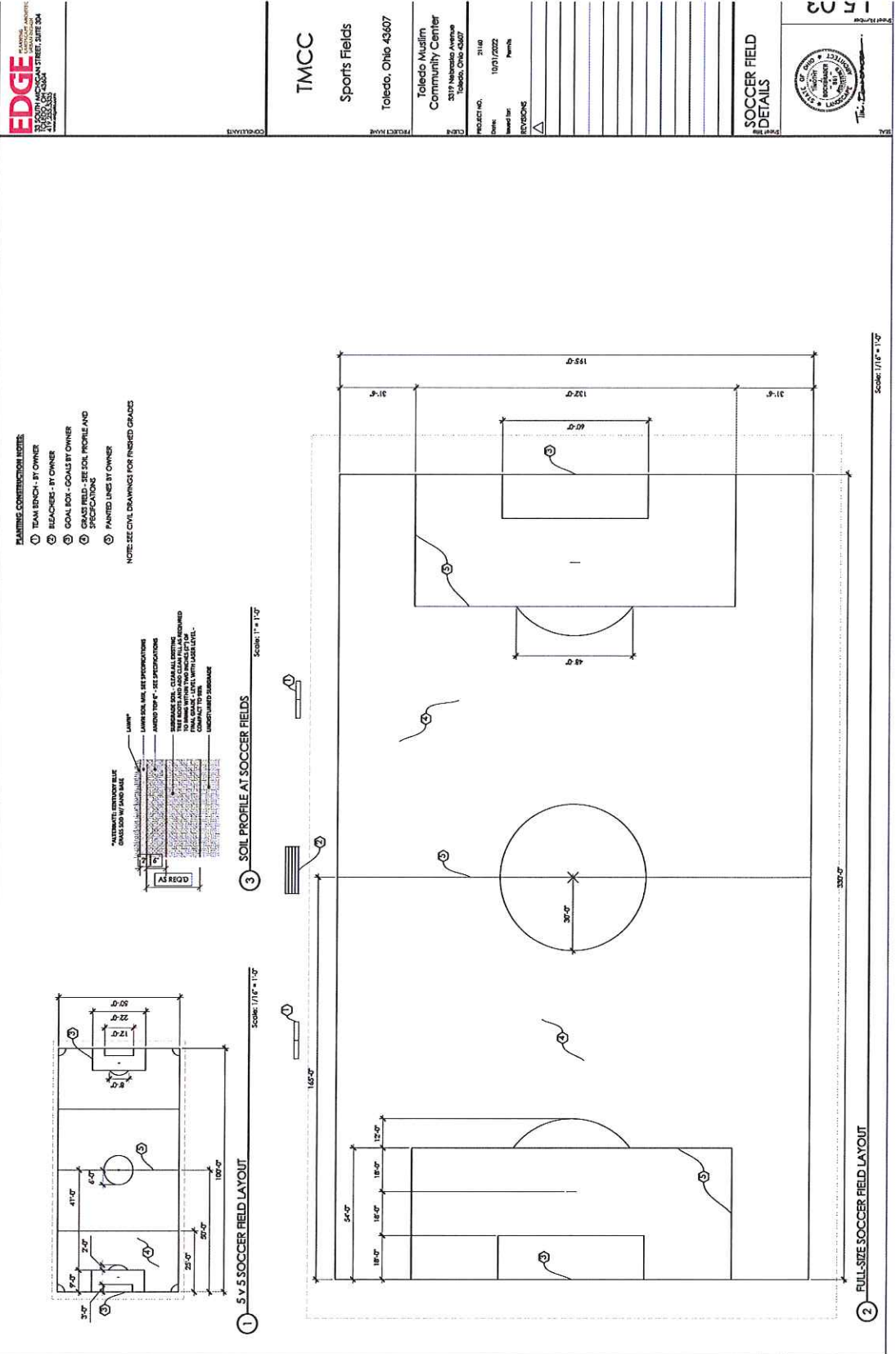

SAND VOLLEYBALL

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SOCCER FIELD

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