

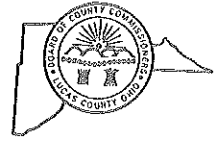


# **TOLEDO-LUCAS COUNTY PLAN COMMISSIONS**

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604

PHONE 419-245-1200 FAX 419-936-3730

THOMAS C. GIBBONS, DIRECTOR



DATE: May 10, 2019

REF: SUP-3002-19

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

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

SUBJECT: Request for Special Use Permit to for a Community Recreation Active for an outreach community center

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, May 9, 2019 at 2:00 P.M.

## **GENERAL INFORMATION**

### Subject

Request	-	Special Use Permit for a Community Recreation Active for an outreach community center
Location	-	1623 Broadway Street
Applicants	-	Western Avenue Baptist Church of Toledo President Bob Welly 860 Orchard Street Toledo, OH 43609
Architect	-	Midwest Church Design + Construction 634 Eckel Rd Perrysburg, OH 43551

### Site Description

Zoning	-	CS / Storefront Commercial District
Area	-	.268-acres
Frontage	-	75'
Existing Use	-	Vacant building
Proposed Use	-	Outreach community center
Neighborhood Organization	-	Broadway Corridor Coalition

**GENERAL INFORMATION (cont'd)**

Area Description

North	-	Commercial buildings / CS
South	-	Commercial buildings / CS
East	-	Single and Two-Family Dwellings / RD6
West	-	Medical office and community kitchen / CS

Parcel History

M-7-97	-	C-6 Review Heritage South Shopping Center in block bounded by Broadway, South, Frank and Walbridge. Plan Commission approved on 12/3/87. City Council approved Ord. 1093-87 on 12/17/87.
V-991-98	-	Alley vacation for block bounded by Broadway, South, Congree, and Colburn. Plan Commission approved with conditions on 2/11/99. City Council approved Ord. 414-99 on 6/8/99.
M-1-17	-	Assist, review and the adoption of the Old South End Master Plan. Plan Commission approved on 4/13/17. City Council approved Ord. 556 on 5/30/17.

Applicable Plans and Regulations

- Toledo Municipal Code (TMC), Chapter Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- C-6 VIVA South Toledo Neighborhood Business District
- Old South End Master Plan

**STAFF ANALYSIS**

The applicant is requesting a Special Use Permit for a Community Recreation - Active use located at 1623 Broadway Street. The applicant intends to relocate an existing community center currently located at 860 Orchard Street to this site. The site is zoned CS, Commercial Storefront. A community center is a permitted use in this zoning district, subject to approval of a Special Use Permit.

### **STAFF ANALYSIS (cont'd)**

The current uses in the existing community center focus on worship services, bible studies, Beauty Project for pre-teen and teenage girls (program that is religion based), GED Classes, Baby U for assisting new parents, and a visiting medical clinic that is offered once a week. The center will continue to provide these services to the community in the new location.

The new location is an existing building located in the commercial storefront along Broadway Street. The building was constructed in 1906 and the relocation of the community center to this site will assist the applicant in reaching out to the community to provide much needed services. The subject site is located on a major thorough fare for the Historic South End Neighborhood Business District and has public transportation available at the site.

Surrounding land uses include a commercial building to the south; to the north of the site is a Rite Aid Drug Store and single-family houses behind the store; and to the west across Broadway Street is medical office known as Southside Physician Center. To the east of the site are single-family and two-family houses.

### **Parking and Circulation**

The site is occupied by a building; there is no space available for on-site parking. The majority of the community utilizing the center is within walking distance or utilizes public transit. There are a few members in the community who drive to the center and therefore a parking agreement for ten parking spaces has been allocated at 847 Orchard Street to ensure off-street parking.

Located in the front of the center, there is on-street parking to assist those with small children and for anyone who is dropping off visitors. A bike rack with four slots will be located in the front of the building on the public sidewalk. An encroachment permit from the Division of Inspection will be required prior to the placement of the bike rack.

### **Building Elevation**

The storefront facade will be modified and taken back to its original design. The windows and additional doors on both sides for the main entrance will be removed as part of the storefront facade renovation. The original, decorative front doors will be retained and refurbished in the second phase of the construction.

### **Landscaping**

The existing structure occupies the entire site therefore no landscaping is required for this Special Use Permit application.

**STAFF ANALYSIS (cont'd)**

**Toledo 20/20 Comprehensive Plan**

The Toledo 20/20 Plan targets this site for Urban Village in order to provide neighborhood commercial uses. The Southside list of recommendations encourages developing strong, economically viable and diverse neighborhood commercial activity along Broadway Street. Encourage infill housing where appropriate and enforce the housing code aggressively.

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*). Second, the site is located in the Historic South overlay and is a re-use of an existing, vacant building. Finally, 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 recommended approval of SUP-3002-19 a request for a Special Use Permit for Community Recreation - Active for a site located at 1623 Broadway Street to the Toledo City Council, for the following three (3) reasons:

1. The use is compatible with adjacent uses in terms of scale, sight design and operating characteristics.
2. The applicant is proposing a re-use of an existing, vacant building located in the Historic South overlay district; and
3. The proposed use complies with all applicable provisions of this Zoning Code (TMC 1111.0706.B Review & Decision-Making Criteria).

The Toledo City Plan Commission recommended approval of SUP-3002-19, a request for a Special Use Permit for a Community Recreation - Active, to be located at 1623 Broadway Street to the Toledo City Council, subject to the following twenty-four (24) conditions.

**STAFF ANALYSIS (cont'd)**

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.
6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.

**STAFF RECOMMENDATION (cont'd)**

Engineering Services (cont'd)

7. 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. In the case of renovation, expansion or modification projects, all existing backflow devices must be verified and registered. Where devices are missing, they shall be added. Contact the Division of Water Distribution (419-936-2839) to verify the backflow prevention requirements for this site.
8. The design professional or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service line, meter setting or backflow protection device and that these devices are properly installed, tested and in good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow prevention device, be brought into compliance with current City of Toledo standards.
9. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.

Sewer and Drainage Services

10. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
11. 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.

Environmental Services

12. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
13. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.

**STAFF RECOMMENDATION (cont'd)**

Environmental Services

14. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable.
15. 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 of existing structural and non-structural Best Management Practices.
16. Any effort made to plant non-invasive trees, shrubs and perennials is highly encourage.  
<http://ohiodnr.gov/portals/0/pdfs/invasive/AlternativestoOhioInvasivePlantSpecies.pdf/>
17. 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

18. Construction plans will need to be submitted and it will also need to comply with the new use group.
19. Provide premises identification on the street side fronting the building.

Plan Commission

20. Off-site parking shall be made available indefinitely (**agreement to use ten (10) spaces at 847 Orchard is acceptable**).
21. 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.
22. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC 1111.0707 have not been met.
22. Provide at one bicycle rack with four (4) slots. An encroachment permit must be obtained from the Division of Inspection prior to installation.

TO: Matt Cherry and Members of City Council  
May 9, 2019  
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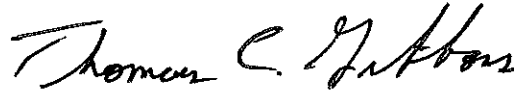
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**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

23. 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.
24. 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

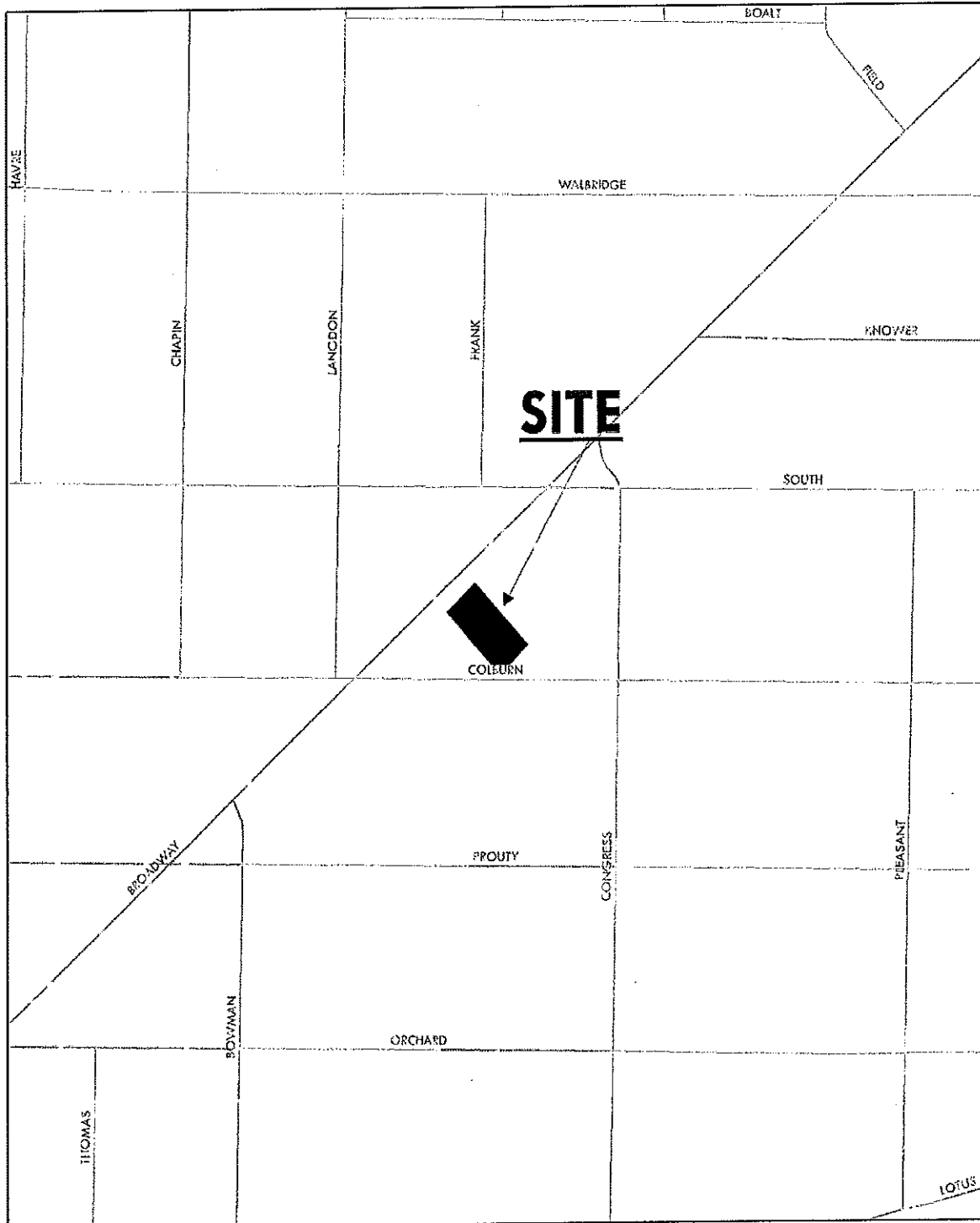
Three (3) sketches follow

Cc: Western Avenue Baptist Church of Toledo, President Bob Welly, 860 Orchard Street,  
Toledo, OH 43609  
Midwest Church Design + Construction, 634 Eckel Rd, Perrysburg, OH 43551  
Engineering Services  
Sewer and Drainage Services  
Division of Transportation  
Environmental Services  
Fire Prevention  
Lisa Cottrell, Administrator  
Molly Maguire, Principal Planner

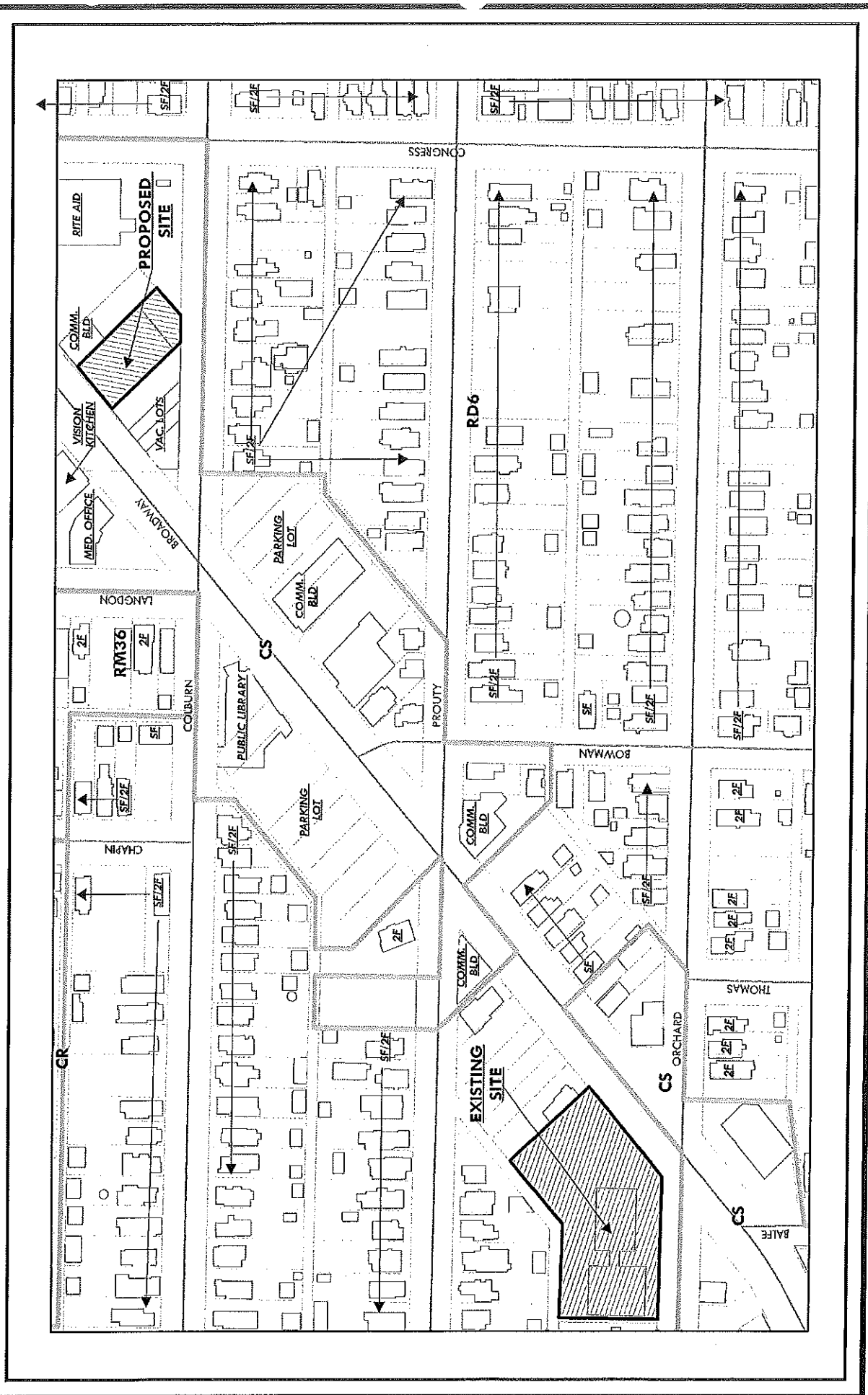


# GENERAL LOCATION

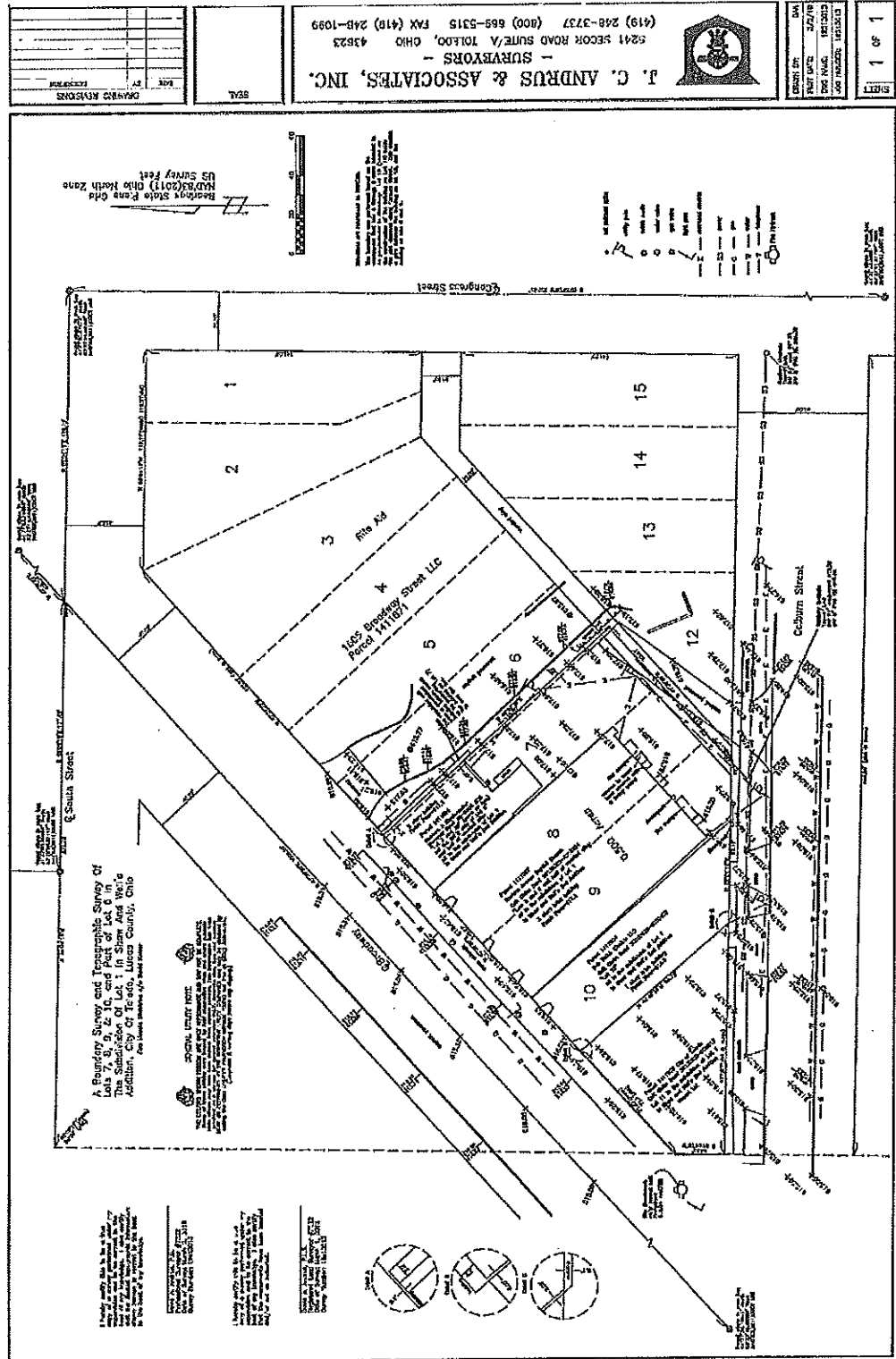
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ID 12



**SUP-3002-19**  
**ID 12**

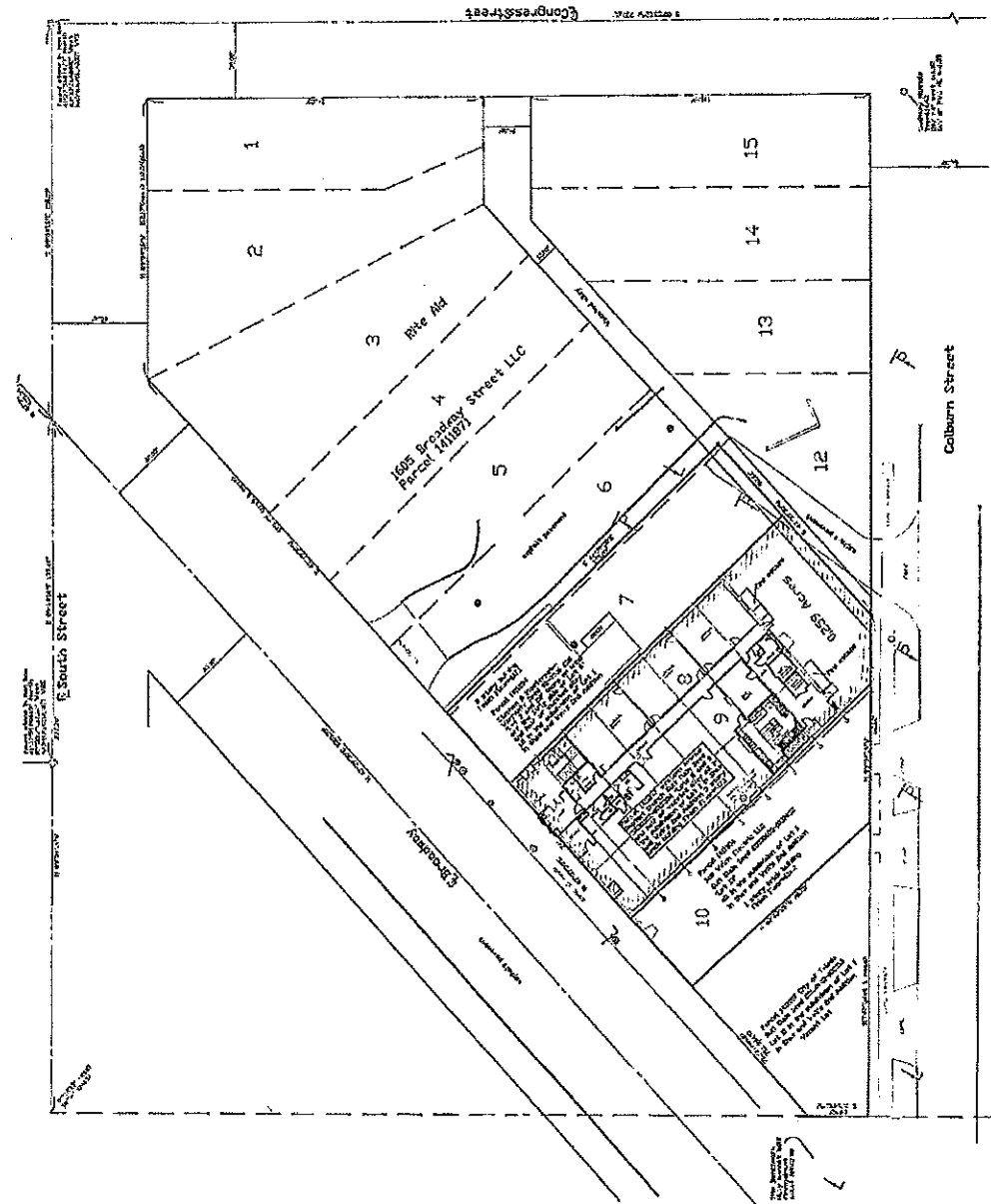


**SUP-3002-19**  
**ID 12**



# SITE PLAN

SUP-3002-19  
ID 12



## SITE NOTES

MOSAIC MINISTRIES ALSO  
OWNS THE PROPERTY LOCATED  
AT 800 ORCHARD STREET. THIS  
PROPERTY IS CURRENTLY  
UNDER CONSTRUCTION.  
BROADWAY ALSO WILL BE USED  
FOR PARKING.

Midwest  
Church  
Design +  
Construction

413.874.0353  
431 E. 1st Street  
Perryburg, OH 43551  
midwestchurch.com

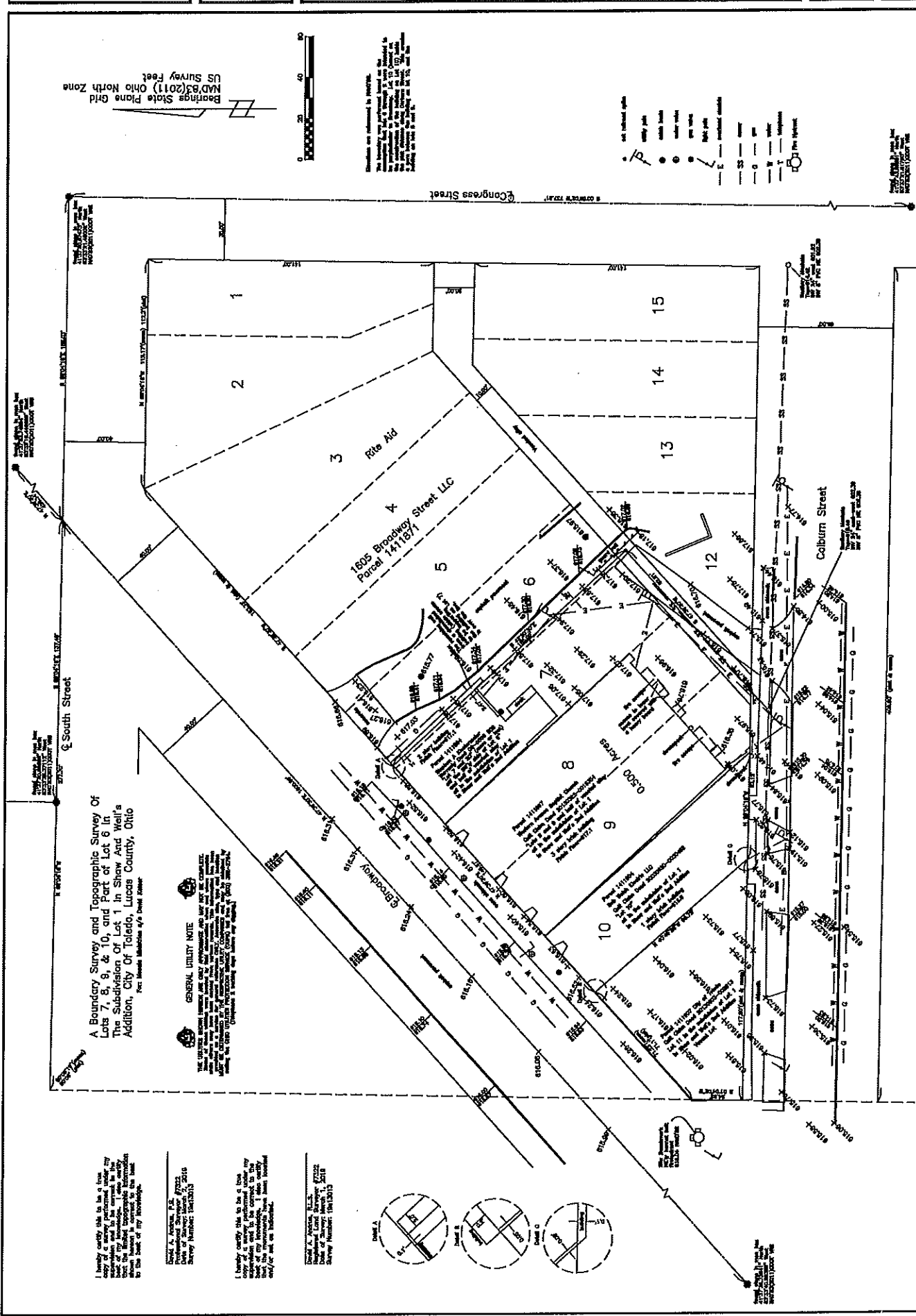
MOSAIC MINISTRIES  
1623 BROADWAY - SITE PLAN  
03-22-19

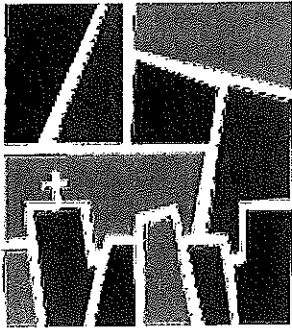
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J. C. ANDRUS & ASSOCIATES, INC. - SURVEYORS -  
5241 SECOR ROAD SUITE A TOLEDO, OHIO 43623  
(419) 248-3737 (800) 669-5315 FAX (419) 248-1099

**YES?**

[illegible]



**Mosaic Ministries of South Toledo**  
860 Orchard St. - Toledo, OH 43609

April 10, 2019

## Toledo-Lucas County Plan Commission

As owners of 847 Orchard St. (Mosaic Ministries), our Board of Trustees has authorized Parking usage by the Community Center being developed at 1623 Broadway.

We will provide a minimum of 10 off-street parking places.

Most of the people who will attend activities at the Community Center are neighborhood residents who will walk, ride a bike, or use public transportation. On-street parking, together with spaces at 847 Orchard St. should be more than adequate.

Robert Welly  
Board President

*Approved Holabess:  
847 Orchard St.*