



Legislation Details (With Text)

File #: O-676-22 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 12/9/2022 **In control:** City Council
On agenda: 12/20/2022 **Final action:** 12/20/2022
Title: Granting a Special Use Permit, for Community Recreation-Active for a Soccer Field expansion for a site located at 2610 Schneider Rd and 0 S. Detroit Ave. (Parcel 18-08510), in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Plan Commission Report

Date	Ver.	Action By	Action	Result
12/20/2022	1	City Council		
12/20/2022	1	City Council		
12/20/2022	1	City Council		

Zoning & Planning Committee

Granting a Special Use Permit, for Community Recreation-Active for a Soccer Field expansion for a site located at 2610 Schneider Rd and 0 S. Detroit Ave. (Parcel 18-08510), in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

SUMMARY & BACKGROUND:

By application (SUP-9007-22) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit, for Community Recreation-Active for Soccer Field expansion for a site located at 2610 Schneider Rd and 0 S. Detroit Ave. in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On November 3, 2022, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit, for Community Recreation-Active for Soccer Field expansion for a site located at 2610 Schneider Rd and 0 S. Detroit Ave., in the City of Toledo, Lucas County, Ohio.

On December 7, 2022, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved a Special Use Permit for Community Recreation-Active for Soccer Field expansion for a site located at 2610 Schneider Rd and 0 S. Detroit Ave., in the City of Toledo, Lucas County, Ohio and all other things required by law to be done, have been done.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That a Special Use Permit, for Community Recreation-Active for Soccer Field expansion for a site located at 2610 Schneider Rd and 0 S. Detroit Ave., in the City of Toledo, Lucas County, Ohio and the same is hereby approved, subject to the conditions contained in Section 2 hereof which must be complied with,

as to the property more fully described as follows:

Parcel ID 1808510 Assessor # 06175015
3-16-SW 1/4 PT SW 1/4 PT SWLY IRREG 8.063 AC PCE LYING NWLY SCHNEIDER RD & DETROIT
AVE R/W THT MEAS 638.61 FT N 616.61 FT MOST SELY LINE

Parcel ID 1808711 Assessor # 06176020
3 17 SE 1/4 S 27.12 AC SE 1/4 EXC TERM RR & EXC PT IN SCHNEIDER RD & W 100 FT E 470 FT N 4
25.1 FT EXC E 50 FT N 225. 1 FT E 6.56 AC N 12.94 AC

SECTION 2. That the approval of the Special Use Permit, for Community Recreation-Active for Soccer Field expansion for a site located at 2610 Schneider Rd and 0 S. Detroit Ave., in the City of Toledo, Lucas County, Ohio, shall be subject to compliance with the 36 conditions as follows:

The following thirty-six (36) 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.
4. Construction of the water tower in the northeast corner of the site is scheduled for mid-2025 through late 2026. The construction limits will extend from the 180 ft by 180 ft Future Water Area noted on the proposed site plan, to South Detroit Avenue to the east, and to the proposed drive to the south. We recommend considering delaying landscaping in this area until completion of the tank construction. The tank design and construction are being managed by the Division of Water Treatment.
5. Drainage layout and calculations should accommodate 2751 Glendale which drains overland to the railroad ditch but can be routed to the northern raingarden instead.
6. Full stormwater submittal requires multiple items:
 - a. Items are listed on the regional SWP3 submittal coversheet: <https://tmacog.org/water/stormwater/stormwater-pollution-prevention-plan-swp3>
 - 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 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. Layout shall not interfere with operation and maintenance of existing underground storage basin.

Environmental Services

9. 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.

10. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.

11. 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.

12. 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](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

13. 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.

Transportation

14. Bicycle parking is required per TMC§1107.0900.

15. Accessible parking signs must be no less than 60 inches and no more than 72 inches above pavement level per TMC 1107.1704.

16. A 25' wide driveway is required for two-way traffic to Glendale Avenue per TMC 1107.1911.

17. All parking spaces are required to be a minimum of 9' wide and to be clearly dimensioned per TMC 1107.1911.

Plan Commission

18. Per TMC§1107.0600 - Off-Street Parking Schedule “D”, the applicant shall submit an off-street parking study to ensure parking is adequate. Provided documentation is acceptable as depicted.
19. In the event parking demand increases or is found to be greater than originally estimated, parking needs shall be accommodated so as not to negatively impact surrounding properties.
20. 0 Detroit Avenue (parcel 18-08510) shall be rezoned to POS Parks and Open Space.
21. The parcels involved in this project shall be combined into one single taxable parcel with the county auditor’s office.
22. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. Seven (7) Car spaces and two (2) van spaces are required. Acceptable as depicted.
23. Per TMC§1107.0400, Off-Street Parking Schedule “A” requires one (1) bicycle parking slot per ten (10) parking spaces. Not acceptable as depicted. Forty-one (41) spaces are required. Applicant is encouraged to distribute bicycle parking in such a manner as to be accessible for all fields.
24. A sidewalk connecting Glendale Avenue to the site parallel to the driveway shall be included on a revised site plan. Not acceptable as depicted.
25. Any proposed future buildings not included on this site plan shall require an amendment to the Special Use Permit.
26. 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.
27. 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)).
28. The stormwater treatment facility shall meet the approval of The City of Toledo’s Division of Engineering Services. Facilities not constructed as approved shall be in violation of this code and may also be subject to fees and penalties as set forth in TMC Chapter 941.
29. The landowner, or successors in interest, or agent, if any, or lessee must be jointly responsible for the regular maintenance of the stormwater treatment facility. Stormwater treatment facilities not properly

maintained shall be a violation of the Special Use Permit and may also be subject to fees and penalties as set forth in TMC Chapter 941.

30. 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 thirty-foot (20') greenbelt is required along Schneider and Detroit 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. Thirty (30) additional trees are required along Schneider.
 - b. 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 include a continuous shrub row with a minimum height eighteen inches (18"). Not acceptable as depicted: Additional shrubs required along the eastern and southern portion of Lot 1 and the northern portion of Lot 2.
 - c. Interior landscaping must be installed in all parking areas including twenty (20) square feet of landscaped area per parking space and two (2) trees per ten parking spaces and six (6) shrubs per ten (10) parking spaces. Acceptable as depicted.
 - d. The bio-retention facility must be designed to infiltrate to drain dry or have a bottom slope minimum of 1% to drain dry.
 - e. Side slopes shall have a maximum side slope no more than 3:1 (three units horizontal to one unit vertical).
 - f. Concrete drainage structures must be located to provide maximum benefit for stormwater treatment effectiveness, and must also be mostly concealed within the side slope, and be surrounded by landscape screening rather than visibly protruding into the landscaping.
 - g. Rock shall only be permitted when designed for dissipation of velocity at locations of concentrated stormwater runoff or for pretreatment considerations according to design guidelines.
 - h. The design of the bioretention area must be approved by DPU, including but not limited to: a maintenance-free outlet, no stone, riprap, concrete or other impervious materials unless required by the ODNr Rainwater and Land Development manual and approved by the Division of Engineering services, and a design which is in accordance to the State of Ohio Construction General Permit and the City Storm Water Management Plan.
 - i. Bioretention filter beds must be planted with turf, trees, and/or perennial plant material chosen from lists provided by the Rain Garden Initiative. Mulch shown, plantings shall be added on

revised landscape plan.

- j. Side slope shall be grass or sod.
 - k. Topsoil must be back filled to provide positive drainage of the landscape areas;
 - l. 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;
 - m. 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;
 - n. The location, height, and materials for any fencing to be installed and maintained;
 - o. 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;
 - p. The location and direction of any proposed lighting (any lighting is to be directed away from adjacent residential properties).
31. 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.
32. No new free-standing sign greater than 42” from grade shall be permitted. Only monument signs shall be allowed.
33. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
34. 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.
35. 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.
36. 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.

SECTION 3. That when the conditions contained herein above have been complied with, the Secretary of the Toledo City Plan Commission be and he is hereby directed to change the zoning maps to conform with the within Ordinance.

SECTION 4. That this Ordinance hereby is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that the Ordinance must be immediately effective in order to provide for the orderly regulation and use of the property and to protect the land value in the area.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council