



## Legislation Details (With Text)

<b>File #:</b>	O-340-21	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Approved	
<b>File created:</b>	6/17/2021	<b>In control:</b>	Zoning & Planning Committee12324		
<b>On agenda:</b>	6/22/2021	<b>Final action:</b>	6/22/2021		
<b>Title:</b>	Granting a Special Use Permit, for a Community Center for a site located at 5424 Airport Highway, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Plan Commission Report, 2. Audio: Zoning & Planning Committee June 16, 2021, 3. Audio: City Council June 22, 2021				

Date	Ver.	Action By	Action	Result
6/22/2021	1	City Council	Dispense with the rules of Council requiring...	Pass
6/22/2021	1	City Council	declare emergency	Pass
6/22/2021	1	City Council	passage	Pass

### SPECIAL USE PERMIT 5424 AIRPORT HIGHWAY

### **Granting a Special Use Permit, for a Community Center for a site located at 5424 Airport Highway, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.**

#### SUMMARY & BACKGROUND:

By application (SUP-3004-21) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a Community Center for a site located at 5424 Airport Highway, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On May 13, 2021, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit, for a Community Center for a site located at 5424 Airport Highway, in the City of Toledo, Lucas County, Ohio.

On June 16, 2021, Toledo City Council, Planning and Zoning Committee reviewed, and sent without recommendation a request for a Special Use Permit for a Community Center for a site located at 5424 Airport Highway, 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 a Community Center for a site located at 5424 Airport highway, 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:

Meadowood Plaza Lot 1

SECTION 2. That the approval of the Special Use Permit for a Community Center for a site located at 5424 Airport highway, in the City of Toledo, Lucas County, Ohio, shall be subject to compliance with the 27 conditions as follows:

The following twenty-seven (27) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Division of 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: 419-245-1341

Roadway: 419-245-1344

Water: 419-936-2163

Stormwater Drainage: 419-245-3221; 419-245-1338

Sanitary Sewers: 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 (419) 245-1341 for inspection of above mentioned items.

Division of Engineering Services

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

Division of Transportation

10. A dumpster location must be shown on site plan per TMC 1107.
  
11. If one is not already established, a cross access agreement is required with the adjacent property owner.  
*(agreement was established on original plat)*

Sewer and Drainage Services

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

14. 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.
  
15. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
  
16. Applicant is strongly encouraged to include installing permanent inlet filters in all catch basins, and check for and perform any needed repairs at private outfall.
  
17. Applicant is strongly encouraged to plant native, low maintenance and non-invasive trees, shrubs and perennials.  
[http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives\\_to\\_Ohio\\_Invasive\\_Plant\\_Species.pdf](http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_Ohio_Invasive_Plant_Species.pdf)
  
18. 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.

Plan Commission

19. Per Condition #10, dumpster location shall be shown on a revised site plan. The dumpster shall be screened by a combination of evergreen plantings and a fence or wall structure, per TMC§1108.0203.G
  
20. The location, height, and materials of fencing shall be clarified to meet the height requirements of TMC§1105.0302. No fencing over 3 ½ feet in height is permitted within the required front setback (within 20 feet of the front property line).
  
21. Per TMC§1109.0204, at least one main entrance shall face and open directly onto a 5 foot wide connecting walkway to the street sidewalk. Staff identifies a primary building entrance on the east side of the building, and a walkway which shall be extended to connect with public sidewalk along Airport Highway. Shall be shown on a revised site plan.
  
22. The proposed site plan shows an addition of seven (7) frontage greenbelt trees along Airport Highway, six (6) frontage greenbelt trees along Greenridge Drive, and five (5) interior parking lot landscaping trees. A continuous row of shrubs is provided along Greenridge Drive abutting the parking area. Existing site landscaping is sufficient. The site is existing and no site work is proposed, the proposed improvements bring the site closer to compliance and no additional landscaping is being required.
  
23. The existing sign shall be reutilized or removed. No new free-standing signs greater than forty-two inches (42”) from grade are permitted.
  
24. 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.
  
25. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.

26. 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.

27. 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 11, nays 0.

Passed: June 22, 2021, as an emergency measure: yeas 11, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

June 22, 2021  
Wade Kapszukiewicz  
Mayor