



Legislation Details (With Text)

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File created: 12/10/2021 **In control:** Zoning & Planning Committee12324
On agenda: 12/21/2021 **Final action:** 12/21/2021
Title: Granting an amendment to a Special Use Permit, originally granted by Ordinance 489-14, to add athletic fields to an existing school for a site located at 6145 Hill Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and a waiver; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Plan Commission Report

Date	Ver.	Action By	Action	Result
12/21/2021	1	City Council	Suspension	Pass
12/21/2021	1	City Council	Emergency	Pass
12/21/2021	1	City Council	Passage	Pass

Zoning & Planning Committee

Granting an amendment to a Special Use Permit, originally granted by Ordinance 489-14, to add athletic fields to an existing school for a site located at 6145 Hill Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions and a waiver; and declaring an emergency.

SUMMARY & BACKGROUND:

By application (SUP-5005-21) filed with the City of Toledo Central Permit Center, a request for an amendment to a Special Use Permit, originally granted by Ordinance 489-14, to add athletic fields to an existing school for a site located at 6145 Hill Avenue, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On November 4, 2021, the Toledo City Plan Commission recommended approval for the request for an amendment to a Special Use Permit, originally granted by Ordinance 489-14, to add athletic fields to an existing school for a site located at 6145 Hill Avenue, in the City of Toledo, Lucas County, Ohio

On December 8, 2021, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved an amendment to a Special Use Permit, originally granted by Ordinance 489-14, to add athletic fields to an existing school for a site located at 6145 Hill Avenue, 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 an amendment to a Special Use Permit, originally granted by Ordinance 489-14, to add athletic fields to an existing school for a site located at 6145 Hill Avenue, 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 no 20-06311

2-10 NE 1/4 N1/2 IRREG 18.0488AC PCE LYING S OF HILL AVE & SE CLARION AVE MEAS 35.57 FT
CEN LINE HILL AVE 959.64FT S LINE

SECTION 2. That the approval of the amendment to a Special Use Permit, originally granted by Ordinance 489-14, to add athletic fields to an existing school for a site located at 6145 Hill Avenue, in the City of Toledo, Lucas County, Ohio, shall be subject to compliance with the 22 conditions as follows:

The following twenty-two (22) 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. 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.

Contact 419) 245-1341 for inspection of above-mentioned items.

5. Earthwork of tree removal and ground leveling requires a Stormwater Pollution Prevention Plan (SWP3). SWP3 standards are to be per the Ohio Construction General Permit (CGP) as the earthwork is over an acre. Groundbreaking approval requires submittal of a SWP3, accompanied by a simultaneous submittal of the Ohio CGP checklist. Upon approval of the SWP3 by the City of Toledo, applicant shall apply for and receive an NOI from the Ohio e-biz website prior to groundbreaking.
6. Future installation of drainage tiles in athletic fields would change the runoff calculations and

require a stormwater design with a post-construction stormwater management feature. The current proposal does not propose underdrains and does not require a post construction practice. On the SWP3 checklist required by the above comment, mark N/A for post-construction items.

Sewer & Drainage Services

7. Sewer and Drainage Services recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.

8. Sewer and Drainage Services 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 Sewer and Drainage Services demonstrating the lines cleaning and integrity.

Division of Transportation

9. Bicycle parking is required per TMC 1107.0900.

10. One van and one auto accessible parking with 5' loading aisle for auto and 8' loading aisle for van is required per TMC 1107.1701 & TMC 1107.1702. (Existing accessible parking loading aisle must be clearly shown in employee parking area.)

11. Sidewalk is required to be installed on Hill Avenue per TMC 1107.1300.

Environmental Services

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
 - c. activities.
 - d. 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.
http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_Ohio_Invasive_Plant_Species.pdf
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.

Plan Commission

17. Use of the road to the rear of the property is limited to employee parking, deliveries and emergency vehicles. Signage shall be installed indicating restricted access.
18. Per TMC 1108.0204.C(1) two (2) canopy trees and six (6) shrubs are required interior parking lot landscaping for every ten (10) parking spaces. To become compliant for the entrance lot off Hill Avenue with twenty-three (23) new parking spaces, four (4) canopy trees and twelve (12) shrubs are needed to meet this requirement: not acceptable as depicted on revised site plan.
19. All conditions outlined in Ordinance 489-14 still apply.
20. 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.
21. 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.
22. 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