



Legislation Details (With Text)

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Title: Granting a Special Use Permit, for a Community Center for a site located at 601 Fassett Street, 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, 2. Audio: Agenda Review 11/19/2019, 3. Audio: Zoning & Planning Committee 11/13/2019, 4. Audio: TCPC 10/10/2019

Date	Ver.	Action By	Action	Result
11/26/2019	1	City Council	Dispense with the rules of Council requiring...	Pass
11/26/2019	1	City Council	declare emergency	Pass
11/26/2019	1	City Council	passage	Pass

Zoning & Planning Committee

Granting a Special Use Permit, for a Community Center for a site located at 601 Fassett Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

SUMMARY & BACKGROUND:

By application (SUP-8003-19) 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 601 Fassett Street, the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On October 10, 2019, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit, for a Community Center for a site located at 601 Fassett Street in the City of Toledo, Lucas County, Ohio.

On November 13, 2019, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved a request for a Special Use Permit for a Community Center for a site located at 601 Fassett Street, 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 601 Fassett Street City of Toledo, Lucas County, Ohio; be 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:

8 10 7 NW ¼ PT LAWRENCE LANDS PT S OF EARL ST & N OF FASSETT ST BET E LINE MCKINLEY

AVE EX TD & S & D A BROWNS ADD EX C BAUMGARTNER HEIRS ADD

PARCEL ID: 1868521
ASSESSOR#: 07903014

SECTION 2. That the approval of the Special Use Permit for a Community Center for a site located at 601 Fassett Street 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. 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. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
6. Plans for new water service lines or modifications to the existing water service lines shall be submitted to the Division of Engineering Services for review and approval.
7. Plans for new water meter or modifications to the existing water meter shall be submitted to the Division of Water Distribution for review and approval.
8. 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.

9. Any site with an existing building, or proposed addition or additional building: 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.
10. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.
11. If new water service taps are required, they will be installed by City of Toledo at the developer's expense.
12. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
13. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
14. If there are any existing structures to be demolished at the site, the sanitary services to such structures will be killed by the City of Toledo at the developers cost.
15. Any existing sewers under proposed buildings shall be relocated or abandoned. Developer shall verify any sewers to be abandoned are no longer in service.
16. All sanitary sewer manholes in the project area shall have solid lids installed on them.

Sewer & Drainage Services

17. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
18. S&DS requires that the private sanitary lines (after they have 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

19. 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.

20. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
21. Applicant is strongly encouraged to include multiple green infrastructure measures to minimize runoff and increase infiltration.
22. Applicant is strongly encouraged to plant low maintenance and non-invasive trees, shrubs and perennials.
http://ohiodnr.gov/portals/0/pdfs/invasives/Alternatives_to_Ohio_Invasive_Plant_Species.pdf
23. 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 Anti-Noise Laws.

Fire Prevention

24. Must meet all Ohio Building Code requirements for change of use.

Transportation

25. All parking spots required to be 9'x18' and clearly marked and dimensioned per TMC 1107.
26. One van accessible parking spot with 8' aisle required per TMC 1107.
27. Bicycle parking required per TMC 1107.

Plan Commission

28. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700. Not acceptable as depicted on site plan. One (1) van accessible space with an eight foot (8') wide aisle abutting the parking space shall be provided on a revised site plan.
29. A minimum of two (2) bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule "A" (TMC§1107.0300). Not depicted on site plan. A revised site plan depicting the location and number of bicycle parking slots shall be submitted.
30. 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. Acceptable as depicted on site plan.
31. Lights and lighting fixtures used to illuminate any parking or loading area must be selected and arranged to direct and reflect the light from any adjacent residential property and public ways and away from the sky above the light fixture (TMC§1107.7908).
32. 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 solid evergreen hedge planting to screen the parking lot shall be installed so that no headlights

of any vehicles can be seen from the surrounding playground and residences;

- b. Staff recommends foundation shrub plantings along the northern portion of the building;
- c. Topsoil must be back filled to provide positive drainage of the landscape area;
- d. 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;
- e. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks or the public right-of-way as stated in TMC§1361.10(b)(10) of the Building Code; if applicable.

- 33. 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.
- 34. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
- 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