



Legislation Text

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File #: O-344-19, Version: 1

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Zoning & Planning Committee

**Granting an amendment to a Special Use Permit, originally granted by Ordinance 239-05, to construct a softball field for a site located at 2200 Arlington Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

By application (SUP-4009-19) filed with the City of Toledo Central Permit Center, a request for an amendment to a Special Use Permit, originally granted by Ordinance 239-05, to construct a softball field for a site located at 2200 Arlington Avenue in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On June 13, 2019, the Toledo City Plan Commission recommended approval for an amendment to a Special Use Permit, originally granted by Ordinance 239-05, to construct a softball field for a site located at 2200 Arlington Avenue in the City of Toledo, Lucas County, Ohio.

On July 17, 2019, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved an amendment to a Special Use Permit, originally granted by Ordinance 239-05, to construct a softball field for a site located at 2200 Arlington Avenue 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 an amendment to a Special Use Permit, originally granted by Ordinance 239-05, to construct a softball field for a site located at 2200 Arlington Avenue 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:

3 9 SW ¼ & SW ¼...IRREG PCE LYING NLY CEN ARLINGTON AVE & NWLY CEN DET AVE & SEL Y CEN SWAN CREEK & MEAS 13 38.42 FT ON S LINE

SECTION 2. That the approval of the Special Use Permit for an amendment to a Special Use Permit, originally granted by Ordinance 239-05, to construct a softball field for a site located at 2200 Arlington 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.

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

6. A pond maintenance plan shall be developed, submitted, and accepted as part of the approval process for the proposed ball field. The owner/engineer/consultant shall inspect the pond. If the inspection finds that pond maintenance is needed, the maintenance actions may be undertaken prior to the ball field work, but at the latest may be added to the ball field's scope of work and undertaken at the same time.

7. No construction work, including any earth disturbing work will be permitted without approved plans. Submit the following for review & approval:

- A Storm Water Pollution Prevention Plan (SWP3) including a completed submittal cover sheet, contact list, contractor certification form and Ohio EPA SWP3 checklist. The links to these documents can be found at <http://www.tmacog.org/storc/swp3.htm>.
- Engineering drawings and calculations compliant with the City of Toledo Infrastructure Design and Construction Requirements.

8. Drainage Plans that incorporate low impact development solutions such as indicated on this proposal are eligible for a reduction in the property's stormwater utility fee through the Stormwater Credit Program, upon application to the program as explained at <http://toledo.oh.gov/services/public-utilities/engineering-services/stormwater-utility-credit->

### Sewer and Drainage Services

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

10. 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

11. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.

12. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.

13. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable.

14. 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 structural and non-structural Best Management Practices.

15. Any effort made to plant non-invasive trees, shrubs and perennials is highly encourage.  
<http://ohiodnr.gov/portals/0/pdfs/invasive/AlternativestoOhioInvasivePlantSpecies.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. All original conditions of approval from SUP-10004-04 remain in effect.

18. Landscaping shall be installed per SUP-10004-04 approval; specially the required buffer along the property line abutting the NW Ohio Hospice. Four (4) copies of a landscape plan shall be submitted addressing this requirement.

19. Chain link fence to be installed around the perimeter of the softball field that shall not exceed the height of seven (7) feet for a residentially zoned parcel.

20. Approval of the Special Use Permit will lapse after one year if the criteria listed in TMC 1111.0707 have not been met.

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 12, nays 0.

Passed: July 23, 2019, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger

Matt Cherry

Clerk of Council

President of Council

Approved: July 23, 2019

Wade Kapszukiewicz

Mayor