



## Legislation Text

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**File #:** O-562-22, **Version:** 1

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Zoning & Planning Committee

**Granting an amendment to a Special Use Permit originally granted by Ordinance 409-13, for a site located at 5025 Glendale Ave., in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.**

### SUMMARY & BACKGROUND:

By application (SUP-7005-22) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for building addition for a site located at 5025 Glendale Ave., in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On September 8, 2022, the Toledo City Plan Commission recommended approval for the request for an amendment to the Special Use Permit for building additions for a site located at 5025 Glendale Ave., in the City of Toledo, Lucas County, Ohio.

On October 12, 2022, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved, the amendment to a Special Use Permit for a building addition for a site located at 5025 Glendale 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 building additions, for a site located at 5025 Glendale 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 no. 20-01823

2 24 NW 1/4 IRREG 13.269 AC PCE LYING N OF CEN LINE RYAN RD & S OF GLENDALE AVE SEE 20-01824 FOR TAXABLE PORTION

SECTION 2. That the approval of the amendment to the Special Use Permit for building additions for a site located at 5025 Glendale Ave. in the City of Toledo, Lucas County, Ohio; shall be subject to compliance with the 36 conditions as follows:

The following thirty-six 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, from One Stop Shop, (419) 245-1220.
4. A full stormwater review requires submittal of multiple items.
  - As outlined on the regional SWP3 submittal cover sheet <https://tmacog.org/water/stormwater/stormwater-pollution-prevention-plan-swp3>
  - 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>
5. Following the stormwater review, additional items are needed:
  - a. As outlined on the regional SWP3 submittal cover sheet
  - b. Fee and a Toledo Licensed Sewer Contractor for the sewer construction permit.
  - c. Construction inspection and completion of obligations in the stormwater permit.
6. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
7. 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.
8. All sanitary sewer manholes in the area shall have solid lids installed on them.

#### Water Distribution

9. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
10. Detailed plans for the proposed water main shall be submitted to the Division of Water Distribution for review and approval.
11. The water meter setting detail, including meter bypass (if applicable) and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S Erie Street, Toledo, OH 43604 for review and approval. Approval of site utility plan is contingent on approval of meter setting and backflow preventer.
12. 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. Contact the Division of Water Distribution (419-392-2032) to verify the backflow prevention requirements for the site.

13. Existing water service lines to structures removed from the site will be abandoned by the City of Toledo at the developer's expense.
14. Detailed water plans shall also be submitted to Fire Prevention (Lynn Thompson, [lynn.thompson@toledo.oh.gov](mailto:lynn.thompson@toledo.oh.gov), (419) 245-1263) for review and approval.
15. Sheet 7 of 11:
  - a. There appears to be a water main stub to the east, south of the proposed hydrant with no length, or where/how the main goes/ends.
  - b. Maintain a minimum 18" clearance at crossings with existing utilities (storm on sheet 7, gas on sheet 8).
16. Sheet 9 of 11:
  - a. Tap note should read, "Proposed 8" tapping sleeve and 8" gate valve by City of Toledo at developer's expense. Excavation, shoring, valve box and restoration by contractor."

#### Environmental Services

17. 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.
18. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
19. 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.
20. 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](https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf)
21. 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.

#### Sewer & Drainage

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

23. 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.

#### Fire Prevention

24. The proposed new building addition will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical, Mechanical and Plumbing code requirements.

#### Transportation

25. Bicycle parking is required per TMC 1107.0900.
26. All parking spaces are required to be a minimum size of 9'X8' including accessible parking spaces per TMC 1107.1911.
27. If one does not already exist, a cross access agreement is required with adjacent property owner to the West.

#### Plan Commission

28. Per TMC§1107.0600 - Off-Street Parking Schedule "A" Per Parking Schedule A, the minimum number of parking spaces required for a school is one (1) per faculty member, plus one (1) per three (3) staff members, plus one (1) space per fifty (50) students for student drop-off and pick-up. High schools also require one (1) per ten (10) students. Acceptable as depicted, parking is being reduced.
29. Per TMC§1107.0400, Off-Street Parking Schedule "A" requires one (1) bicycle parking slot per ten (10) parking spaces. Not acceptable as depicted. Applicant shall provide a bicycle rack with fifty (50) spaces.
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.
31. 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)).
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 thirty-foot (30') frontage greenbelt is required along Glendale Avenue and Ryan Road and shall include one (1) tree per every thirty feet (30') of frontage; acceptable as depicted,
  - b. A Type B Landscape buffer is required where RS-Single Family Districts abut RM-Multifamily

Districts. A Type B buffer requires four (4) canopy trees and fifteen (15) shrubs per 100 linear feet. Fencing may substitute for the shrub requirement; not acceptable as depicted, a total of twenty-eight (28) canopy trees shall abut the nursing facility property to the south.

- c. Topsoil must be back filled to provide positive drainage of the landscape areas;
  - 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. 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;
  - f. If the site is ½ acre or larger, 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;
  - g. The location, height, and materials for any fencing to be installed and maintained;
  - h. The location and direction of any proposed lighting.
33. Building elevations shall be of quality materials as stated in TMC§1109.0500. Acceptable as indicated.
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