



Legislation Text

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Zoning & Planning Committee

**Granting a Special Use Permit, for a Homeless Shelter for a site located at 2283 Ashland Avenue, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

By application (SUP-11002-20) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a Homeless Shelter located at 2283 Ashland Avenue, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On December 3, 2020, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit, for a Homeless Shelter for a site located at 2283 Ashland Avenue, in the City of Toledo, Lucas County, Ohio.

On January 6, 2021, Toledo City Council, Planning and Zoning Committee reviewed, and sent without recommendation a request for a Special Use Permit for a Homeless Shelter for a site located at 2283 Ashland 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 a Special Use Permit for a Homeless Shelter for a site located at 2283 Ashland Avenue, in the 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:

Parcel no 0955834  
Lee & Browns Division Lot 1 SE 83 Ft & THT PT Lot 4  
BT Scotts in rear & 10 Ft Vac alley adj

SECTION 2. That the approval of the Special Use Permit for a Homeless Shelter for a site located at 2283 Ashland Avenue, in the City of Toledo, Lucas County, Ohio shall be subject to compliance with the 25 conditions as follows:

The following twenty-five (25) 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.
6. A Stormwater Pollution Prevention Plan (SWP3) submittal shall be approved by the city prior to commencement of construction.
  - Submittal of the completed CGP checklist is required for a full stormwater review of the proposal; therefore, it shall be submitted in order for the city to issue a list of required stormwater corrections.
  - SWP3 shall include, in its final form, a list of responsible parties and their contact information. Form is available at: <http://www.tmacog.org/storc/swp3.htm>.
7. Being in or adjacent to a flood hazard zone, this area is subject to Toledo Municipal Code, Chapter 1110, which must be complied with in full. Application shall be made for a Floodplain Hazard Development Permit through City Building Inspection One Stop Shop. An escrow agreement may be required if a Conditional Letter of Map Revision or Letter of Map Revision are required to be submitted to the Federal Emergency Management Agency per TMC 1110.
8. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.

Division of Sewer and Drainage Services

Conditions waived by Plan Commission

Department of Environmental Services

9. 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.

Department of Environmental Services

10. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
11. 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.
12. 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)
13. 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.

Division of Transportation:

14. All parking spaces must be shown with dimensioning per TMC 1107.
15. Bicycle parking must be shown per TMC 1107.
16. A dumpster location must be shown on site plan.

Plan Commission

17. A revised site plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. An extensively landscaped frontage greenbelt shall be provided along public right-of-ways and shall include at least one (1) tree for every thirty (30) feet of frontage. The site is existing and minimal changes are proposed; to bring the site closer to compliance, at least one (1) new canopy tree shall be provided in front of the building and/or in front of the parking area. (TMC§1108.0202)
  - b. Foundation plantings are required along all portions of the building visible from the right-of-way. In the existing landscape bed surrounding the front porch, foundation plantings shall be installed and maintained. (TMC§1108.0205)
  - c. The dumpster shall be screened by a combination of a solid wall/fence and evergreen plantings, subject to the approval of the Director. (TMC§1108.0203.G)
  - d. The site is existing, minimal exterior changes are proposed, and surrounding properties also have

commercial zoning. For these reasons, no additional landscaping improvements are required. An irrigation plan is not being required.

- e. Canopy trees must be a minimum of 12' in overall height or a minimum caliper of 2 inches and evergreen trees must be a minimum of 5.
18. Bicycle parking is required per TMC.1107.0300. A bike rack with a minimum of four (4) bicycle parking slots shall be shown on a revised site plan.
  19. Any future exterior changes are subject to the review of the Old West End Historic District Commissions.
  20. No new free-standing signs greater than forty-two inches (42") from grade are permitted.
  21. 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.
  22. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
  23. Occupancy permit will not be granted until a complete site plan is submitted for Plan Director approval, the site plan must include lot dimensions, zoning, parking lot dimensions and layout, and any existing easements.
  24. 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.
  25. 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