



## Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Approved  
**File created:** 6/14/2019      **In control:** City Council  
**On agenda:** 6/25/2019      **Final action:** 6/26/2019  
**Title:** Granting a Special Use Permit for a Community Recreation- Active for an outreach Community Center for a site located at 1623 Broadway 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: TCPC 5/9/2019, 3. Audio: ZPC 6/12/2019, 4. Audio: Agenda Review 6/18/2019, 5. Audio: Council Meeting June 26, 2019.

Date	Ver.	Action By	Action	Result
6/26/2019	1	City Council		
6/26/2019	1	City Council		
6/26/2019	1	City Council		

Zoning & Planning Committee

**Granting a Special Use Permit for a Community Recreation- Active for an outreach Community Center for a site located at 1623 Broadway Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

By application (SUP-3002-19) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a Community Recreation- Active for an outreach Community Center for a site located at 1623 Broadway Street in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On May 9, 2019, the Toledo City Plan Commission recommended approval for a Special Use Permit for a Community Recreation- Active for an outreach Community Center for a site located at 1623 Broadway Street in the City of Toledo, Lucas County, Ohio.

On June 12, 2019, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved a Special Use Permit for a Community Recreation- Active for an outreach Community Center for a site located at 1623 Broadway 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 Recreation- Active for an outreach Community Center for a site located at 1623 Broadway 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:

Parcel no 14-11897

SHAW & WELLS 2ND ADDN LOT 1 SUBS 8 & 9 & 1/2 VAC ALLEY ADJ

SECTION 2. That the approval of the Special Use Permit for a Community Recreation- Active for an outreach Community Center for a site located at 1623 Broadway Street 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.

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. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.

7. 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.

8. 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.

9. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.

#### Sewer and Drainage Services

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

11. 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

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

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

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

15. 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 of existing structural and non-structural Best Management Practices.

16. Any effort made to plant non-invasive trees, shrubs and perennials is highly encourage.  
<http://ohiodnr.gov/portals/0/pdfs/invasive/AlternativestoOhioInvasivePlantSpecies.pdf/>

17. 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 Administrative Code including, but not limited to the Asbestos and the Anti-Noise Laws.

Fire Prevention

18. Construction plans will need to be submitted and it will also need to comply with the new use group.

19. Provide premises identification on the street side fronting the building.

Plan Commission

20. Off-site parking shall be made available indefinitely (agreement to use ten (10) spaces at 847 Orchard is acceptable).

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. Provide at one bicycle rack with four (4) slots. An encroachment permit must be obtained from the Division of Inspection prior to installation.

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