

**TOLEDO - LUCAS COUNTY PLAN COMMISSIONS**

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: January 13, 2022

REF: SUP-11001-21

TO: President Matt Cherry and Members of Council, City of Toledo

FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary

SUBJECT: Request for Special Use Permit to add modular classrooms to existing school at 4607 W Laskey

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, January 13, 2022 at 2:00 P.M.

**GENERAL INFORMATION**

Subject

Request	-	Special Use Permit to add modular classrooms to existing school
Location	-	4607 W. Laskey Road
Applicant	-	Emmanuel Christian School 4607 W. Laskey Road Toledo, OH 43623
Owner	-	Emmanuel Baptist Church 4207 W. Laskey Road Toledo, OH 43623
Engineer	-	John Sperry Thomas DuBose & Associates 350 S. Reynolds Road, Suite B Toledo, OH 43615

Site Description

Zoning	-	RS12 / Single Family Residential
Area	-	±18.8 acres
Frontage	-	±886' along Laskey Road
Existing Use	-	School
Proposed Use	-	School

## GENERAL INFORMATION (cont'd)

### Parcel History (cont'd)

- |          |   |   |
|----------|---|---|
| Z-143-75 | - | Resolution No. 143-75 to rezone 20 acres, located on the south side of Laskey Road, east of Flanders Road, from R-B Single-family Residence District to R-3 Two-family Residence District. Deferred indefinitely. |
| Z-144-75 | - | Proposed Community Unit Plan Zoned R-3 located on the south side of Laskey Road, east of Flanders Road. Deferred indefinitely.  |

### Applicable Regulations

- Toledo Municipal Code (TMC), Part Eleven: Planning and Zoning Code
- Toledo 20/20 Comprehensive Plan

## STAFF ANALYSIS

The applicant, is requesting a Special Use Permit to add modular classrooms to an existing school at 4607 W. Laskey Road. The ±18.8-acre site is the location of the K-12 Emmanuel Christian School. They are requesting the additional classrooms due to increased enrollment. Surrounding land uses include single family homes to the north, single family homes to the east, a restaurant and retail to the south, and a church to the west.

On 08/17/2021, the applicant received approval from City Council for SUP-5007-21, a Special Use Permit for a school at the adjacent Toledo Trinity Church of the Nazarene a 4930 Flanders Road. The applicant applied for the Special Use Permit to use four (4) classrooms inside the adjacent church during the week. Emmanuel Christian Schools have a further need for additional space, as the COVID-19 pandemic has caused concerns about ensuring classrooms are not overcrowded. The additional rooms will provide larger classrooms with adequate social distancing. Per TMC 1104.1000, the use is classified as a “school” and requires a Special Use Permit in all residential and commercial Zoning Districts. Emmanuel Christian School was built prior to the Special Use Permit requirement, and has been legal nonconforming. A Special Use Permit is required to bring the site into compliance with the Zoning Code.

### Parking and Circulation

The site includes an existing parking lot with 133 parking spaces. Out of the total, three (3) are car-accessible spaces and one (1) is a van accessible space. There are two (2) access drives off of Laskey Road, and the number of parking spaces was permitted when the structure was built in 1976.

## PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-11001-21, a Special Use Permit to add modular classrooms to existing school at 4607 W. Laskey Road to the Toledo City Council, for the following two (2) reasons:

1. The proposed use meets the stated purpose of the Zoning Code (TMC§1111.0706(A)) and,
2. The proposed use is compatible with adjacent uses in terms of scale, site design, and operative characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use's operation) (TMC§1111.0706(C)).

The Toledo City Plan Commission further recommends approval of SUP-11001-21, a Special Use Permit to add modular classrooms to an existing school at 4607 W. Laskey Road, to the Toledo City Council, subject to the following **thirty-four (34)** conditions:

The following 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: Joe Warnka 419-245-1341

Roadway: Tim Grosjean 419-245-1344

Water: Andrea Kroma 419-936-2163

Stormwater Drainage: Lorie Haslinger 419-245-3221; Andy Stepnick 419-245-1338

Sanitary Sewers: Mike Elling 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.



**PLAN COMMISSION RECOMMENDATION (cont'd)**

Engineering Services (cont'd)

- c. A Storm Water Pollution Prevention Plan (SWP3) with an accompanying completed Ohio EPA SWP3 checklist.
12. Following approval of stormwater design plans, applicant must acquire stormwater permit which requires payment of fee, completion of form with contactor information, and signed covenant to adhere to O&M plan.
13. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
14. 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.

Sewer & Drainage Services

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

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.

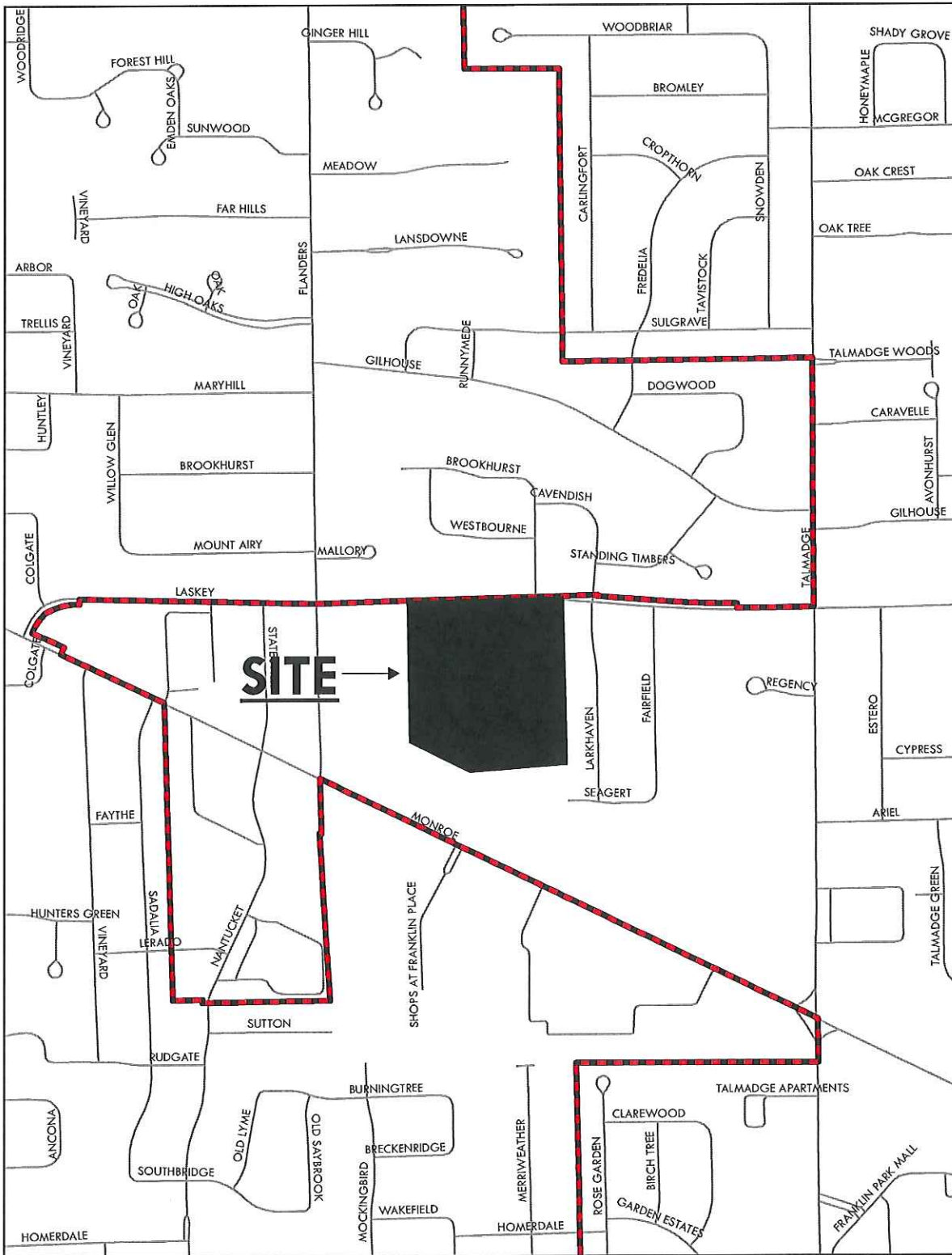
**PLAN COMMISSION RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

28. 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)).
29. 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. **Not acceptable as depicted on site plan, existing dumpsters shall be enclosed.**
30. 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. **No modifications are proposed, site plan acceptable as depicted. Note conditions below for any future development.** Landscaping is required when the principal building footprint is expanded or when the parking lot is expanded. Such plan shall include:
  - a. See TMC Chapter 1108 for required landscaping buffers.
  - b. Topsoil must be back filled to provide positive drainage of the landscape areas;
  - c. 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;
  - d. 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;
  - e. The location, height, and materials for any fencing to be installed and maintained;
  - f. The location and direction of any proposed lighting.
31. 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.
32. 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.

# GENERAL LOCATION

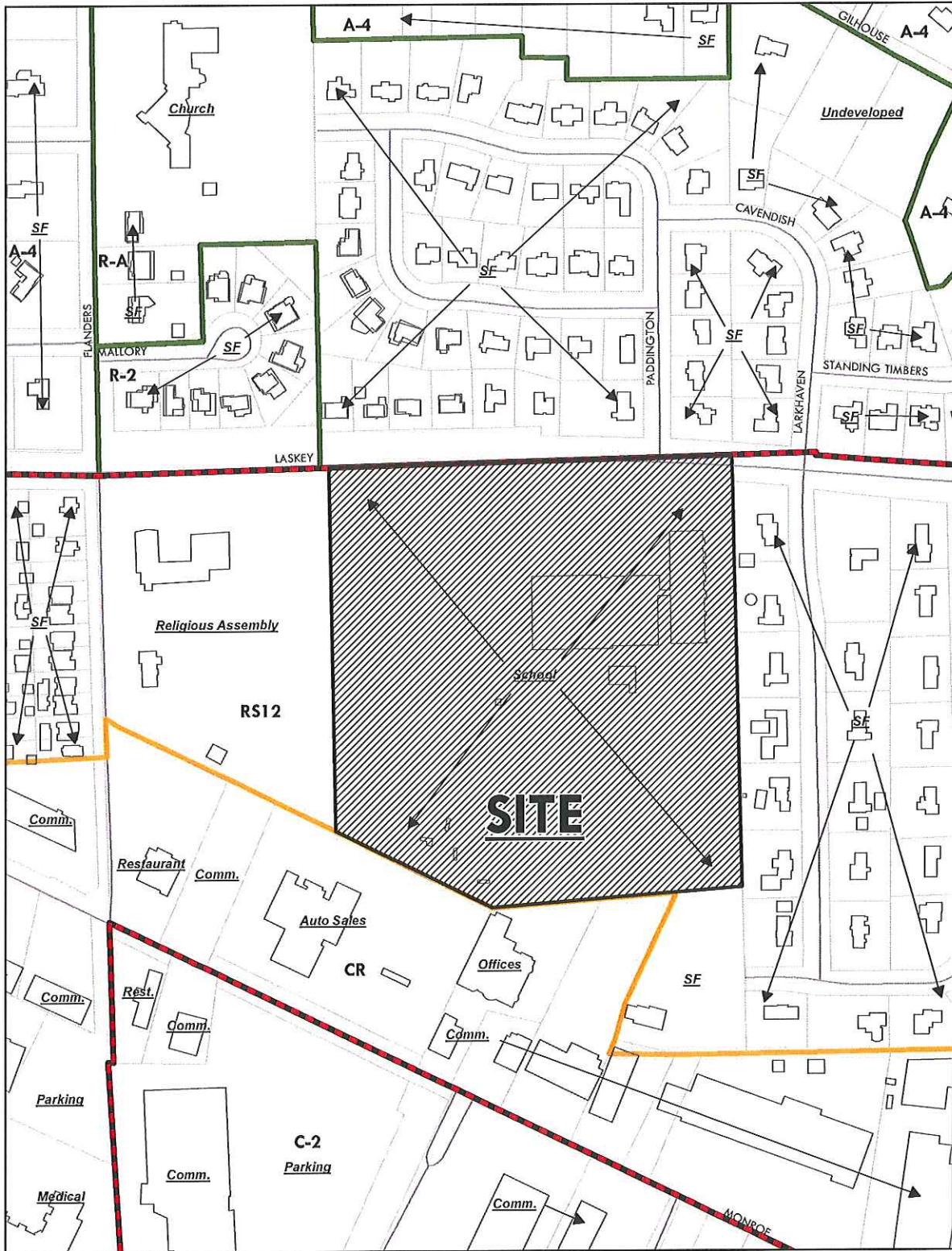
SUP-11001-21  
ID 105





# ZONING & LAND USE

SUP-11001-21  
ID 105



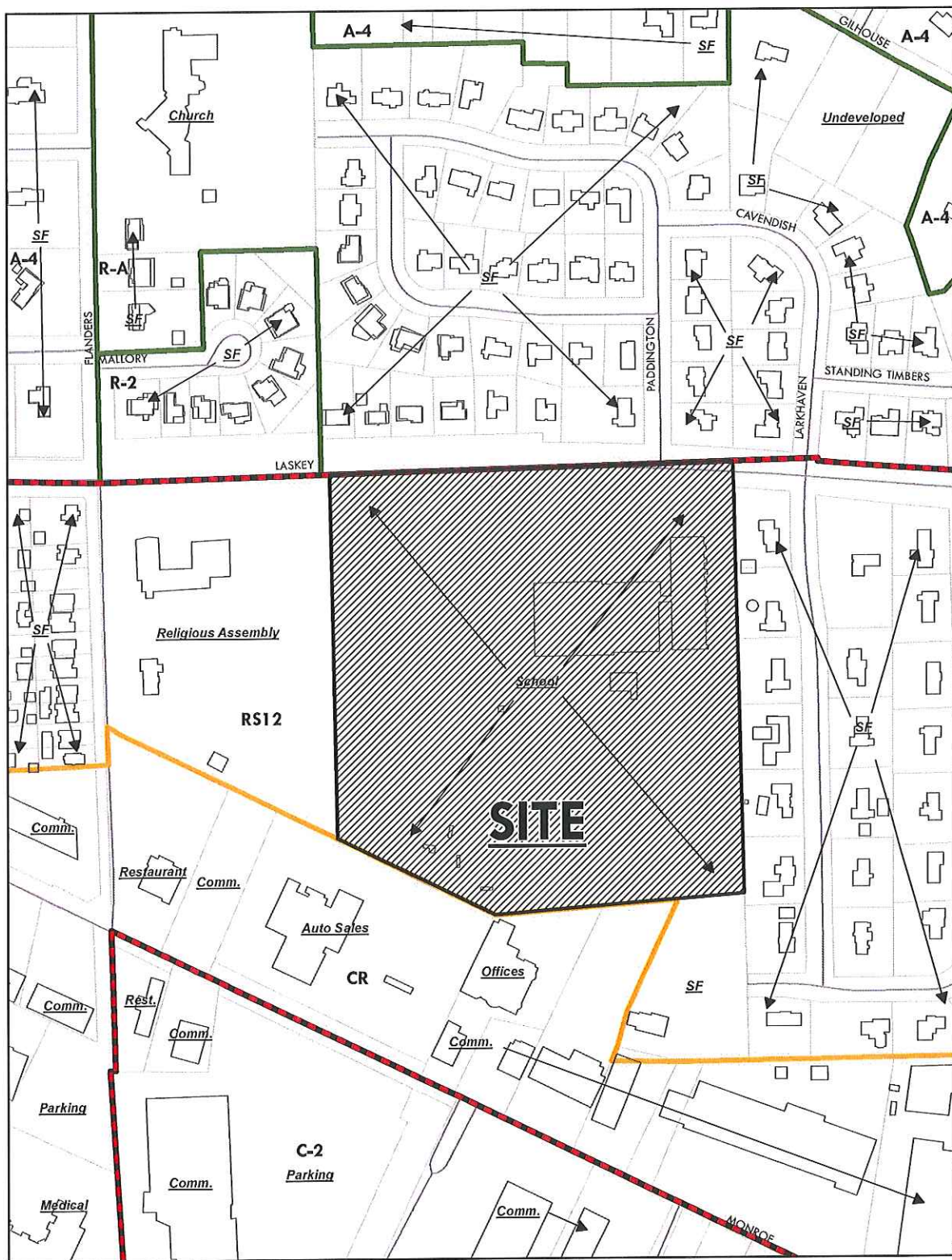






# ZONING & LAND USE

SUP-11001-21  
ID 105

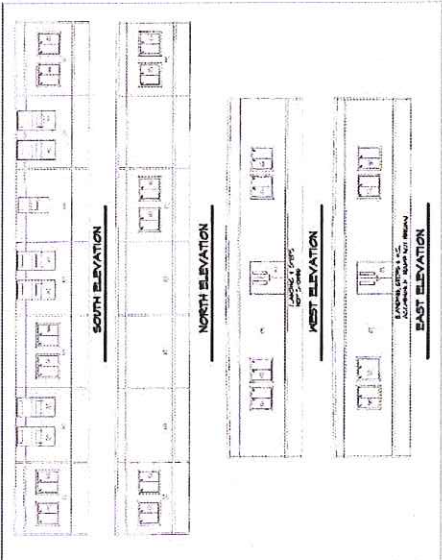
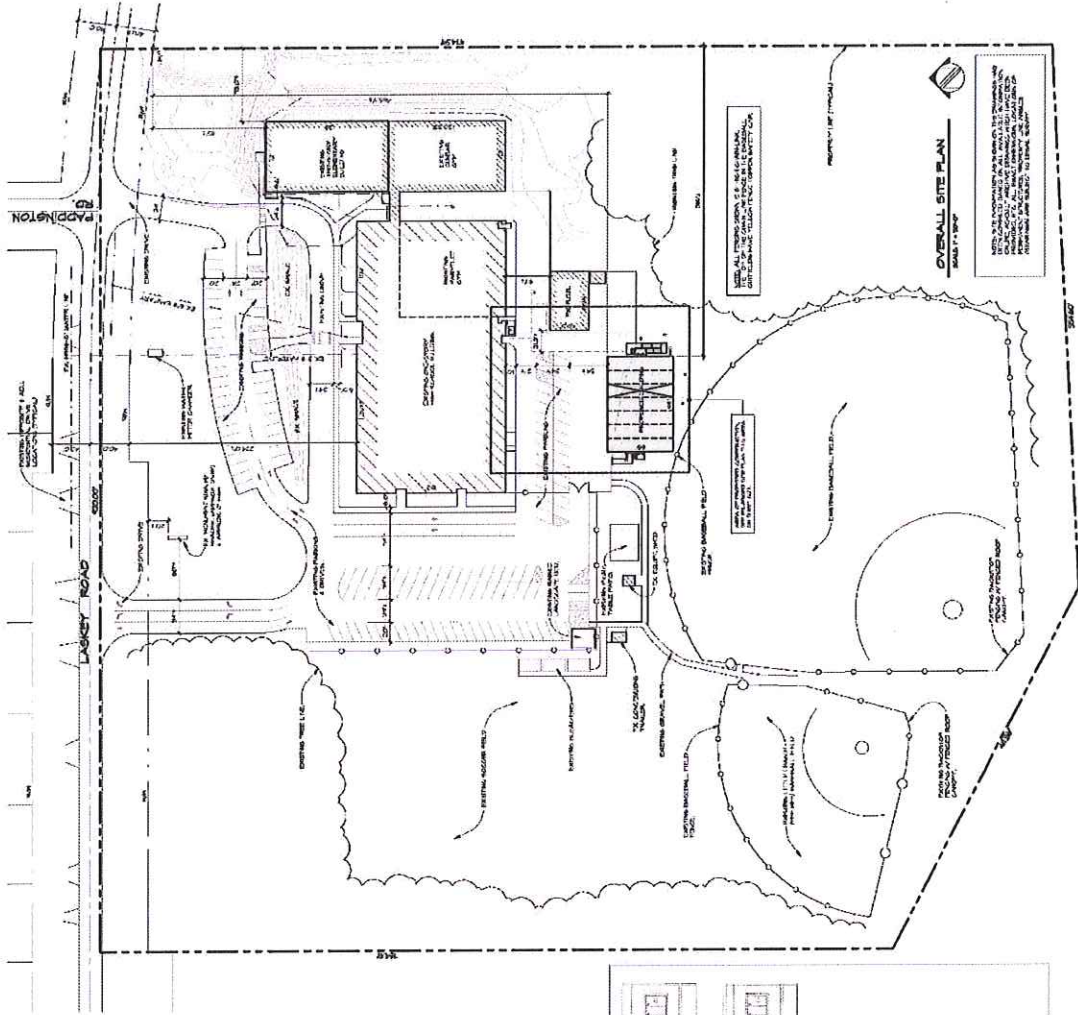






**SUP-11001-21**  
ID 105

# SITE PLAN



**OVERALL SITE PLAN**

**SPECIAL USE PERMIT (S.U.P.) FOR**  
RECREATION CENTER (R.C.) BUILDING, 107 WEST LASKY ROAD  
CITY OF TOLEDO, Lucas County, Ohio 43623

**DUMBOISE ASSOCIATES, INC.**  
200 S. FAYETTE ROAD  
TOLEDO, OHIO 43606  
PHONE (419) 882-1444  
FAX (419) 882-1444  
www.dumbose.com

**CITY OF TOLEDO**  
DEPARTMENT OF PUBLIC WORKS  
PERMITTING DIVISION

**SCALE: 1" = 50'**

**DATE: 11-18-11**

**PROJECT NO: 11-105**

**CLIENT: [unreadable]**

**11.18.11**