

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

REF: SUP-5004-23

DATE: July 13, 2023

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

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

SUBJECT: Special Use Permit for a School at 1853 South Avenue

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday 13, 2023 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a School
Location	-	1853 South Avenue
Applicant ± Owner	-	The Bethel English Evangelical Lutheran Church 1853 South Avenue Toledo, OH 43609
Architect	-	Scott Rossi Rossi Associates, LLC 1821 Spencer Street Toledo, OH 43609

Site Description

Zoning	-	RS6 / Single-dwelling Residential
Area	-	± 2.45 acres
Frontage	-	± 367' along South Avenue
Existing Use	-	Church
Proposed Use	-	School

Area Description

North	-	POS / Open Space
South	-	RS6 / Vacant Lot, Swan Creek
East	-	RS6 / Single-family Homes, Swan Creek
West	-	RS6 / Single-family Homes

GENERAL INFORMATION (cont'd)

Parcel History

- | | | |
|----------|---|---|
| P-54-54 | - | Request for Off-street Parking for Bethel Lutheran Church located between Lynnhaven Drive and Swan Creek. PC approved 6/22/1964. |
| V-139-58 | - | Vacation of Portion of Banfield Drive abutting the south line of Lots 50, 51, and 52, Extension of Highland Park, between Lomond Drive and Swan Creek. PC approved 8/28/1958. |
| M-8-79 | - | Site Plan Review for Proposed Daycare Center. PC approved 3/21/1979. |

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a school at 1853 South Avenue. The ± 2.45-acre site is Zoned RS6 Single-dwelling Residential and contains a 35, 244 square foot building that is being used as a church. Adjacent land uses include open space the north, single-family homes to the west, Swan Creek and single-family homes to the east and a vacant lot and Swan Creek to the south.

The Bethel English Evangelical Lutheran Church is applying for the SUP in order for Imagine Environmental Academy to operate out of the existing building. The school will occupy 12, 329 square feet of the church building. The proposed use is for a grade K-5 School. The standard hours of operation are 8AM to 4PM Monday through Friday. There are around 150 students and 20 staff members at the site daily. No structural or site changes are proposed in within the application.

Use Specific Regulations

There are no use specific land use regulations for this use type.

STAFF ANALYSIS (cont'd)

Parking and Circulation

Pursuant to **TMC§1107.0304** – *Parking, Loading, and Access*, a school is required to have one (1) parking space per faculty member plus one (1) per three (3) staff members, and one (1) space per 50 students for student drop-off and pick-up. As well as one (1) bicycle space per three (3) students plus one (1) bicycle spaces per 10 parking spaces for faculty and staff. The school requires twenty (20) parking spaces for the proposed number of students and staff.

Parking and Circulation

The site includes an existing parking lot with ninety-nine (99) parking spaces, one (1) van and three (3) standard accessible parking spaces. The site plan does not show any bicycle parking spaces. One (1) bicycle space is required for the school. This shall be shown on a revised site plan.

Furthermore, per **TMC§1107.1903**, there must be safe, adequate, and convenient arrangement of pedestrian walkways bikeways, roads, driveways, and off-street parking and loading spaces within off-street parking areas. The Division of Transportation is requesting that the ADA parking spaces at the entrance of the building on South Avenue be relocated to a safe area on the property. This would bring the site closer into compliance with current regulations.

Landscaping

No landscaping modifications are proposed and none are required.

Elevations

There are no changes proposed for the exterior of the building.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets the site for Single-Family land uses. Single Family land uses typically include the development of single-dwelling units on individual lots and may also include libraries, schools, churches, and community centers that serve neighborhoods. The Single-Family Residential district is intended to create, maintain and promote housing opportunities for individual households, although it may include nonresidential uses, duplexes, and planned unit developments that are typically compatible with residential neighborhoods. The proposed use is a compatible use for this designation and the proposed special use permit conforms to the Toledo 20/20 Comprehensive Plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-5004-23, a request for a Special Use Permit for a School located at 1853 South Avenue, 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)** – *Review & Decision-Making Criteria*], and
2. The proposed use complies with all applicable provisions of this Zoning Code [**TMC§1111.0706(B)** – *Review & Decision-Making Criteria*].

The Toledo City Plan Commission recommends approval of SUP-5004-23, a request for a Special Use Permit for a School located at 1853 South Avenue, subject to the following **thirty-one (31)** 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. 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 Ted Rousos, 419-245-1347. The application can be obtained online at Toledo.oh.gov search: Right of Way opening permit.

Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.

4. The City of Toledo public water system does not appear to be impacted by this project. Comments regarding existing and/or proposed private water mains and/or service lines will be provided by the Division of Water Distribution.

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services (cont'd)

5. The City of Toledo does not have a complete record for the existing storm sewer system on site and per the City's MS4 permit all storm sewers must be mapped. The Developer/Owner/Consultant is required to provide information on the existing storm sewers, by sharing original site drawings they may have and/or by taking inventory on site and reporting the findings to the satisfaction of the City.

Bureau of Fire Prevention

6. Private fire service mains and appurtenance will be required'
7. The proposed new building will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical, Mechanical and Plumbing code requirements.
8. Approved Premises identification is required.

Division of Transportation

9. Bicycle parking is required per TMC§1107.0900.
10. Accessible parking signage must be provided at a height of no less than sixty inches (60") and no more than seventy-two inches (72") above pavement per TMC§1107.1704.
11. The accessible parking space must be the closest space to the ramp leading to the accessible entrance per the Americans with Disabilities Act (ADA).
12. Traffic Management recommends perpendicular parking to be changed to angled parking if one-way traffic is being utilized in rear parking area.
13. Existing angled parking that is in the right of way of South Avenue must be removed.
14. "Do Not Enter" signage must be provided at the exit to Bonfield Drive to prevent wrong way traffic flow.
15. Traffic Management recommends that the property line on South Avenue be brought into alignment with the right-of-way.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Environmental Services

16. 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.
17. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
18. 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.
19. 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>; 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
20. 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 Sewer and Drainage Services

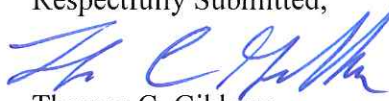
21. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
22. S&DS requires that the existing private sanitary lines (after they have been cleaned) that are not being removed or properly abandoned be televised 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.
23. S&DS would also like to note that the Swan Creek Levee is in close proximity. The division of SB&H may also note this and any comments they and the USACE may have. Based upon what was submitted, it does not appear that anything will impede or encroach, but it is the responsibility of the owner/developer to make certain all require access is maintained.

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission

24. Per **TMC§1107.0304** three (3) spaces paved off-street area for dropping off and picking up students at the school must be provided **Not acceptable as depicted. Drop-off and pick-up spaces shall be shown on a revised site plan.**
25. Per **TMC§1107.1906** All off-street parking, loading, and other vehicle circulation areas shall be graded and continuously maintained and designed to preclude free flow of stormwater across or onto adjacent lots, properties, or streets.
26. One (1) van and three (3) standard accessible parking spaces shall be required. **Acceptable as depicted on site plan.**
27. Per **TMC§1107.0900**, fifty (50) bike parking spaces are required. **Not acceptable as depicted. Bike parking spaces shall be shown on a revised site plan.**
28. 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 Zoning Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
29. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in **TMC§1111.0707** have not been met.
30. 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. Major adjustments will require an amendment to the Special Use Permit.
31. No permits shall be issued until arrangements satisfactory to the Director of the Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

Respectfully Submitted,



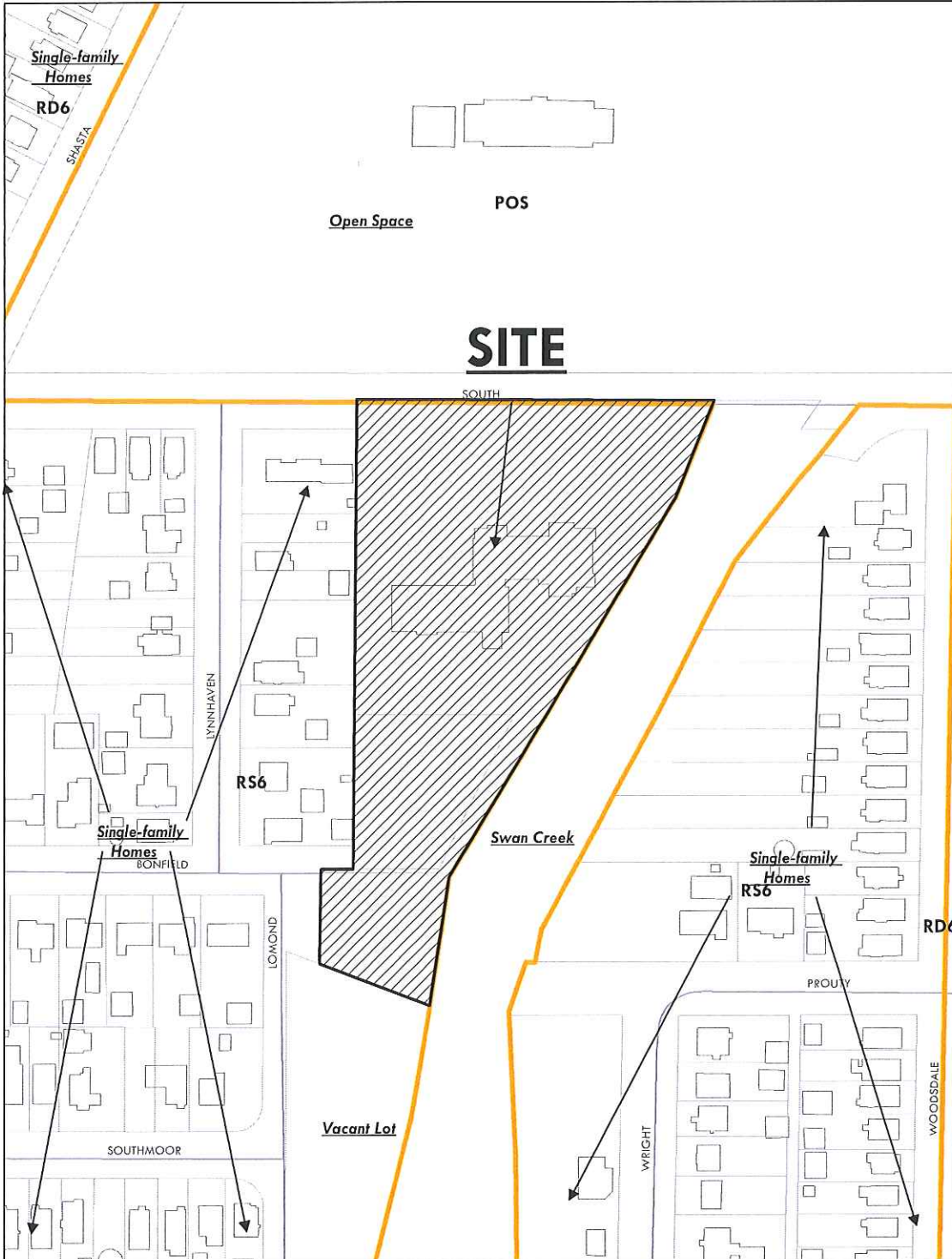
Thomas C. Gibbons

Secretary.

ET
Five (5) sketches follow

ZONING & LAND USE

SUP-5004-23

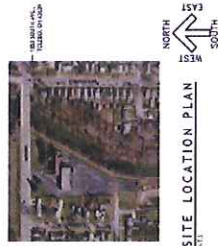




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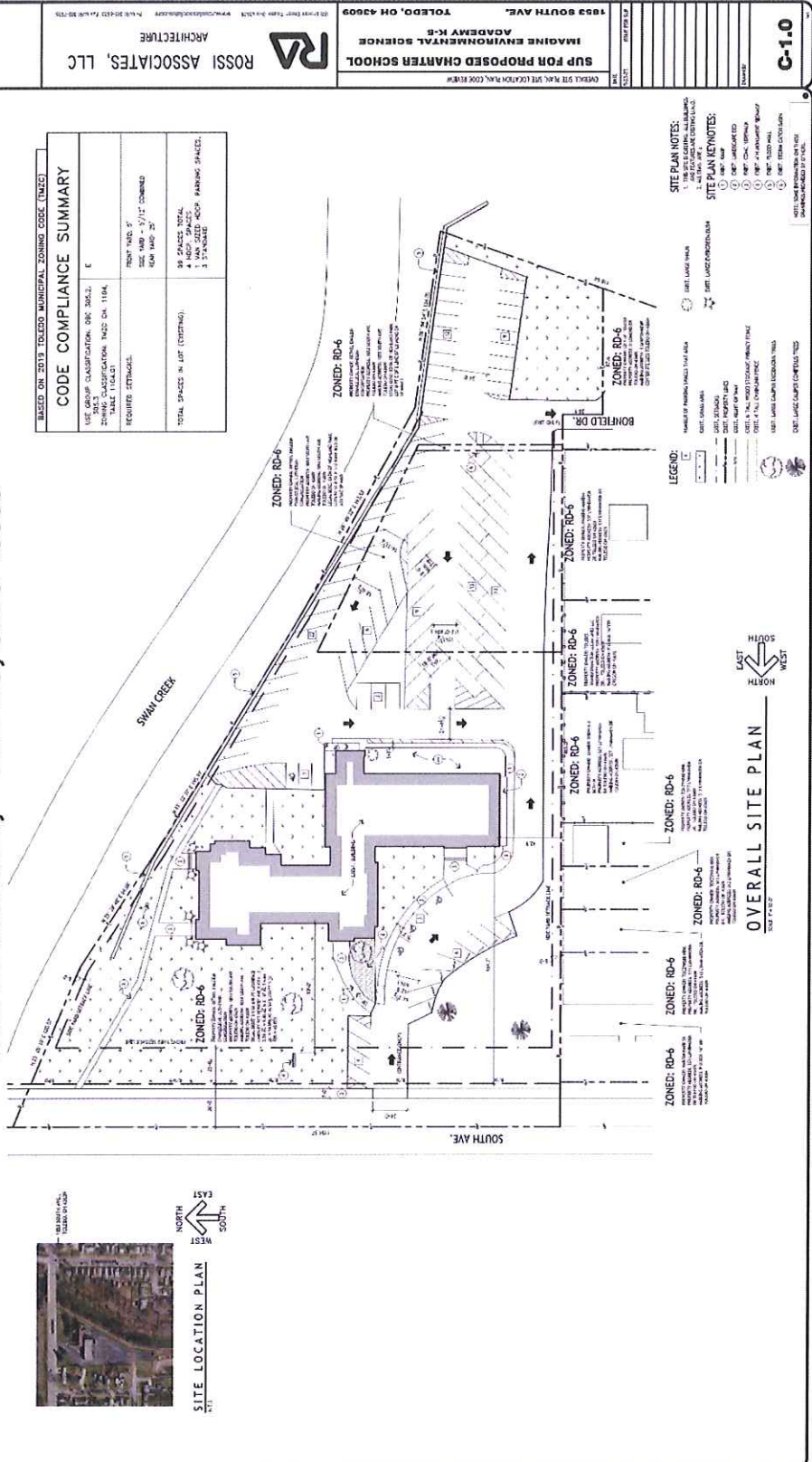
SITE PLAN

SUP FOR PROPOSED CHARTER SCHOOL IMAGINE ENVIRONMENTAL SCIENCE ACADEMY K-5 1853 SOUTH AVE., TOLEDO, OHIO 43609



BASED ON 2019 TOLEDO MUNICIPAL ZONING CODE (TMZC)

CODE COMPLIANCE SUMMARY	
USE GROUP CLASSIFICATION: SEC 306.2, 306.3	E
ZONING DISTRICT: TMZC-04-1104	
REQUIRED ATTACHMENTS:	PERMITS: 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000
TOTAL SPACES IN LOT (EXISTING):	34 SPACES TOTAL
	1 1/2" MIN. SPACED ROOF PARKING SPACES, 3.5' WIDE



C-1.0

SUP FOR PROPOSED CHARTER SCHOOL
IMAGINE ENVIRONMENTAL SCIENCE
ACADEMY K-5
1853 SOUTH AVE., TOLEDO, OH 43609

ROSSI ASSOCIATES, LLC
ARCHITECTURE

DATE: 11/11/2023
DRAWN BY: J. B. ROSS
CHECKED BY: M. J. ROSS

SITE PLAN NOTES:
1. THE SITE PLAN IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE NECESSARY PERMITS AND APPROVALS.
2. THE SITE PLAN IS SUBJECT TO THE APPROVAL OF THE CITY OF TOLEDO.
3. THE SITE PLAN IS SUBJECT TO THE APPROVAL OF THE OHIO DEPARTMENT OF PUBLIC SAFETY.

SITE PLAN KEYNOTES:
1. SEE KEYNOTE 1 FOR SITE PLAN NOTES.
2. SEE KEYNOTE 2 FOR SITE PLAN NOTES.
3. SEE KEYNOTE 3 FOR SITE PLAN NOTES.

LEGEND:
TREE: TREE
WALL: WALL
PARKING: PARKING
WALKWAY: WALKWAY
LANDSCAPE: LANDSCAPE

OVERALL SITE PLAN
DATE: 11/11/2023

LEGEND:
TREE: TREE
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