

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: November 4, 2021

REF: SUP-5005-21

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

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

SUBJECT: Amendment to Special Use Permit granted by Ordinance 489-14 to add athletic fields to an existing school

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, November 4, 2021 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Amendment to Special Use Permit granted by Ordinance 489-14 to add athletic fields to an existing school
Location	-	6145 Hill Avenue, Parcel # 2006311
Applicant	-	Western Toledo Preparatory Academy 6145 Hill Avenue Toledo, OH 43615
Design Consultant	-	Derek Bishop Rock Solid Landscape, LLC 13211 County Road J Wauseon, OH 43567
Property Owner	-	GSP Hill Avenue LLC 1933 Spielbusch Avenue Toledo, OH 43604

Site Description

Zoning	-	RS6 Single-Dwelling Residential District
Area	-	± 18.016 acres
Frontage	-	± 1652.5' on Clarion Ave & ± 55' feet on Hill Ave
Existing Use	-	Charter School

GENERAL INFORMATION (cont'd)

Area Description

North	-	Residential & Commercial Uses / RS6 & CN
South	-	Single-family Residential / RS6
East	-	Residential & Convenience Store / RS6 & CN
West	-	Single-family Residential / RS6

Parcel History

SUP-4008-12	-	Special Use Permit for the operation of a charter school (PC approved 6/14/12, Ord. 400-12 approved 7/31/12)
SUP-3003-14	-	Amendment to Special Use Permit granted by CC Ord.489-14 on 10/23/2014 to add a greenhouse

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting an amendment to a Special Use Permit granted by Ordinance 489-14 to add athletic playing fields to an existing school located at 6145 Hill Avenue. The site is the current location for the Western Toledo Preparatory Academy (formerly Our Lady of Lourdes parish school, and later Imagine School). Surrounding land uses include a mixture of commercial and single-family residential uses to the north and west and single-family residential to the south and east. A Special Use Permit was granted for modifications to the existing school campus.

The academy currently operates as a Kindergarten through 7th grade public charter school. The goal is to make improvements to the existing baseball diamond and remove 55 mature trees to level a playing field for soccer for the school's daily operations. At the request of the Division of Transportation a public meeting was held for the neighboring community abutting the south of the property at 4 p.m. on August 26, 2021 at the school. In addition to school staff and management, several neighbors attended. Management explained to the residents that the improvement to the fields would not increase traffic through the rear of the property.

STAFF ANALYSIS (cont'd)

Parking

The addition of the athletic fields is not anticipated to change the overall operations of the school in terms of enrollment or required parking. The original elementary school was approved for 275 students with 21 staff/faculty. The required parking for a school of that size was 27 automobile and 50 bicycle spaces. The entrance for the school off Hill Avenue will be paved and striped for 23 spaces in addition to the previously required staff parking lot in the rear of the school. The existing lot to the south of the walking bridge will remain as is.

Landscaping

No additional landscaping was required as part of the original proposal. The school is setback approximately 400 feet from Hill Avenue and is located in a wooded setting. From the staff report in 2014, it was determined that because of the existing vegetation in the area, this site meets or exceeds the requirements for required landscaping. However, the applicant is intending to remove thirty-seven (37) oak trees, four (4) maple trees, and fourteen (14) beech trees to clear the area for the soccer field. With the paving and striping to the Hill Avenue parking lot, two (2) canopy trees and six (6) shrubs are required interior parking lot landscaping for every ten (10) parking spaces. Since there are twenty-three (23) parking spaces, four (4) canopy trees and twelve (12) shrubs are needed to comply to this requirement.

20/20 Comp Plan

The Toledo 20/20 Comprehensive Plan targets this area for single-family residential land uses. The intent of the single-family residential future land use designation is to accommodate the development of single dwelling units on individual lots. It may also include libraries, schools, churches, and community centers. As a result, the proposal meets the purpose and all applicable provisions of the zoning code as outlined in TMC 1111.0706 Review and Decision-making Criteria.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-5005-21, the request for an amendment to a Special Use Permit granted by Ordinance 489-14 to add athletic field to the existing school located at 6145 Hill Avenue, to Toledo City Council for the following two (2) reasons:

1. The proposed use is consistent with the Toledo 20/20 Comprehensive Plan; and
2. The proposed use complies with all applicable provisions of this Zoning Code (TMC 1111.0706.B Review & Decision-Making Criteria).

PLAN COMMISSION RECOMMENDATION (cont'd)

The Toledo City Plan Commission recommend approval of SUP- 5005-21, an amendment to a Special Use Permit granted by Ordinance 489-14 to add athletic fields to the existing school located at 6145 Hill Avenue, to the Toledo City Council, subject to the following **twenty-two (22)** 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.
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.

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

5. Earthwork of tree removal and ground leveling requires a Stormwater Pollution Prevention Plan (SWP3). SWP3 standards are to be per the Ohio Construction General Permit (CGP) as the earthwork is over an acre. Groundbreaking approval requires submittal of a SWP3, accompanied by a simultaneous submittal of the Ohio CGP checklist. Upon approval of the SWP3 by the City of Toledo, applicant shall apply for and receive an NOI from the Ohio e-biz website prior to groundbreaking.

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services (cont'd)

6. Future installation of drainage tiles in athletic fields would change the runoff calculations and require a stormwater design with a post-construction stormwater management feature. The current proposal does not propose underdrains and does not require a post construction practice. On the SWP3 checklist required by the above comment, mark N/A for post-construction items.

Fire Prevention

No comments or concerns.

Sewer & Drainage Services

7. Sewer and Drainage Services recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
8. Sewer and Drainage Services 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 Sewer and Drainage Services demonstrating the lines cleaning and integrity.

Division of Transportation

9. Bicycle parking is required per TMC 1107.0900.
10. One van and one auto accessible parking with 5' loading aisle for auto and 8' loading aisle for van is required per TMC 1107.1701 & TMC 1107.1702. (Existing accessible parking loading aisle must be clearly shown in employee parking area.)
11. Sidewalk is required to be installed on Hill Avenue per TMC 1107.1300.

Environmental Services

12. 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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Environmental Services (cont'd)

- 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
 - c. activities.
 - d. SWP3 inspection reports shall be kept on site with the SWP3 and readily accessible during normal working hours.
13. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
 14. 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.
 15. 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
 16. 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.

Plan Commission

17. Use of the road to the rear of the property is limited to employee parking, deliveries and emergency vehicles. Signage shall be installed indicating restricted access.
18. Per TMC 1108.0204.C(1) two (2) canopy trees and six (6) shrubs are required interior parking lot landscaping for every ten (10) parking spaces. To become compliant for the entrance lot off Hill Avenue with twenty-three (23) new parking spaces, four (4) canopy trees and twelve (12) shrubs are needed to meet this requirement: **not acceptable as depicted on revised site plan.**
19. All conditions outlined in Ordinance 489-14 still apply.
20. 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.

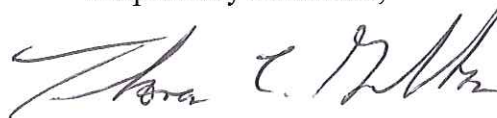
PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

21. 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.

22. 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.

Respectfully Submitted,



Thomas C. Gibbons
Secretary

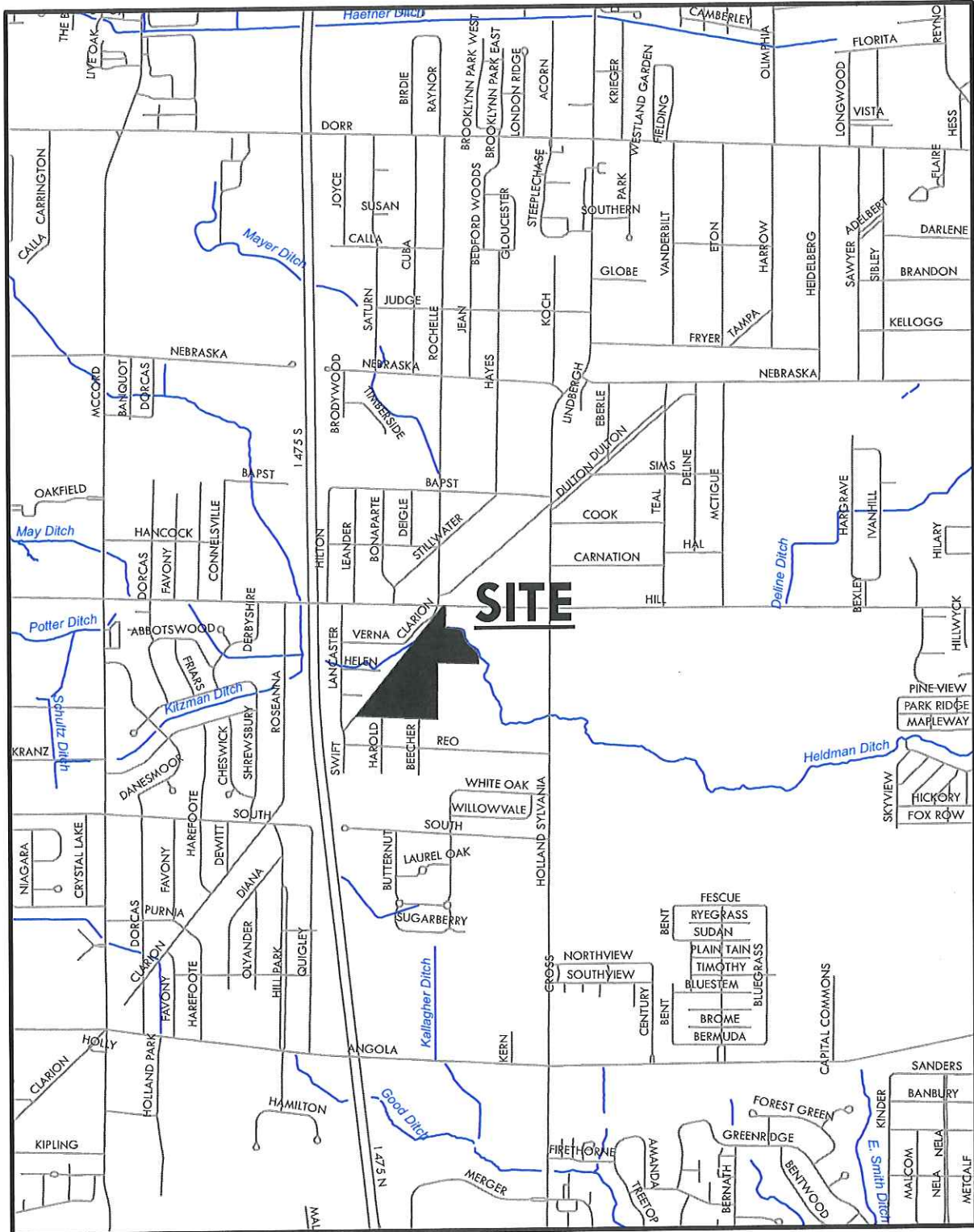
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Three (3) sketches follow

Cc: Western Toledo Preparatory Academy, Applicant
Derek Bishop, Rock Solid Landscaping, LLC
Lisa Cottrell, Administrator
Nancy Hirsch, Planner

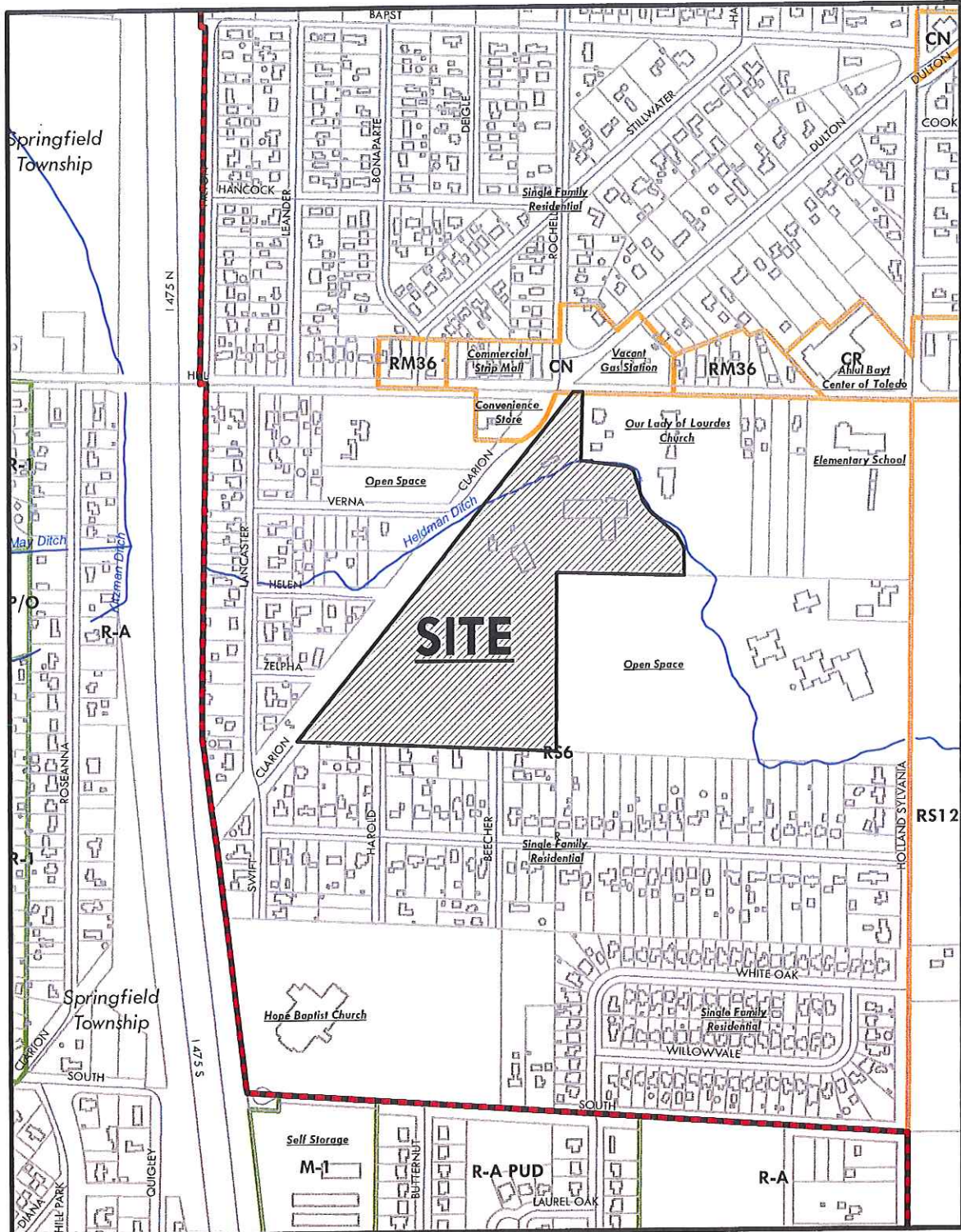
GENERAL LOCATION

SUP-5005-21



ZONING & LAND USE

SUP-5005-21



SITE PLAN

SUP-5005-21



TOLEDO WESTERN ACADEMY
 6145 HILL AVE.
 TOLEDO, OH
 SITE PLAN SUBMITTAL FOR SPECIAL USE PERMIT

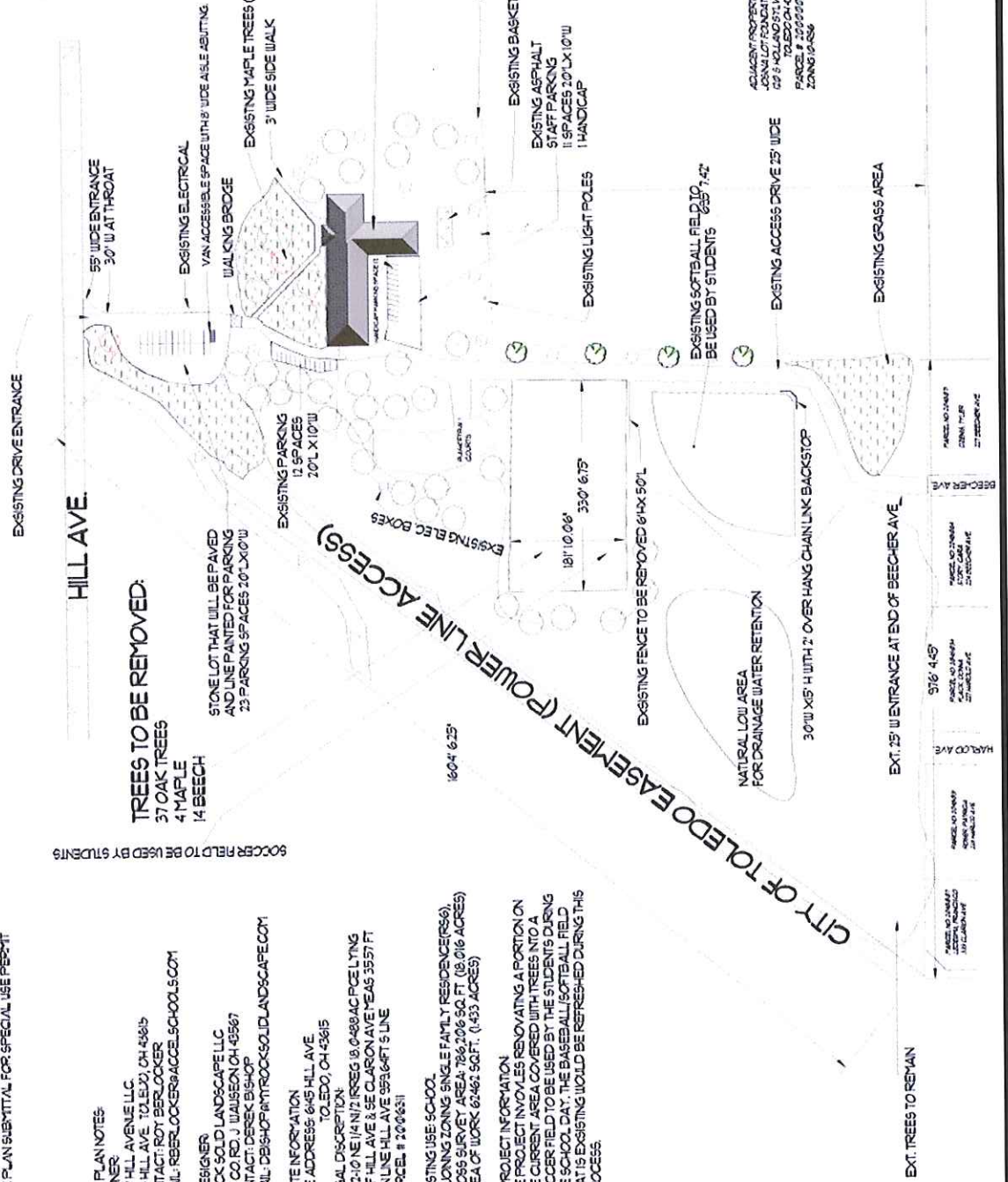
SITE PLAN NOTES:

1. OWNER:
 688 HILL AVENUE LLC,
 6145 HILL AVE. TOLEDO, OH 43615
 CONTACT: ROY BERLOCKER
 EMAIL: RBERLOCKER@ACCELSCHOOLS.COM
2. DESIGNER:
 ROCK SOLID LANDSCAPE LLC
 13211 CO. RD. J WAINESBORO OH 43087
 CONTACT: DEREK BISHOP
 EMAIL: DBISHOP@ROCKSOLIDLANDSCAPE.COM
3. SITE INFORMATION:
 SITE ADDRESS: 6145 HILL AVE
 TOLEDO, OH 43615
 LEGAL DESCRIPTION:
 2-10 NE 1/4 N 1/2 TRS REG 8, 0-488 AC PCEL YLNG
 S OF HILL AVE & SE CLARON AVE TEAS 3557 FT
 GEN LINE HILL AVE 593.6 FT S LINE
 PARCEL # 2004631

EXISTING USE: SCHOOL.
 ADJACENT ZONING: SINGLE FAMILY RESIDENCES (R56).
 GROSS SURVEY AREA: 78% 20% 50 SQ. FT. (18.016 ACRES)
 AREA OF WORK: 62,462 SQ. FT. (1.433 ACRES)

4. PROJECT INFORMATION:
 THE PROJECT INVOLVES RENOVATING A PORTION ON
 THE CURRENT AREA COVERED WITH TREES INTO A
 SOCCER FIELD TO BE USED BY THE STUDENTS DURING
 THE SCHOOL DAY. THE BASEBALL SOFTBALL FIELD
 THAT IS EXISTING WOULD BE REFRESHED DURING THIS
 PROCESS.

SITE LOCATION MAP:



COMMON NAME	QTY
TREE, DECIDUOUS	37
BEECH, TRICOLOR	14
MAPLE, AUTUMN BLAZE	4
OAK, PIN	19

