

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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DATE: April 18, 2022

REF: SUP-2010-22

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

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

SUBJECT: Amendment to a Special Use Permit, originally granted by Ord.333-09, to add modular classrooms to a school at 2402 Cheltenham Rd

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, April 14, 2022 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Amendment to a Special Use Permit, originally granted by Ord.333-09, to add modular classrooms to a school
Location	-	2402 Cheltenham Rd
Applicant + Owner	-	Toledo Public Schools 1609 N. Summit St Toledo, OH 43604
Architect	-	Poggemeyer Design Group 1168 North Main Street Bowling Green, OH 43402

Site Description

Zoning	-	RD6, RS6 / Duplex Residential, Single Dwelling Residential
Area	-	±6.86 acres
Frontage	-	±690' along Cheltenham ±430' along Darlington ±430' along Pelham
Existing Use	-	School
Proposed Use	-	School

GENERAL INFORMATION (cont'd)

Area Description

North	-	RS6 / Single- and Two-Family Houses
South	-	RM36-PUD, RS6 / Apartments, Single- and Two-Family Houses
East	-	RM36 / Senior Apartments, Nursing Home
West	-	RS6 / Single- and Two-Family Houses

Parcel History

Z-169-47	-	Zone Change from A to A-1-A at Kenwood & Cheltenham (PC Disapproved 9/3/47)
SUP-3002-09	-	Special Use Permit for a new school – Old Orchard at 2402 Cheltenham (PC approved 5/20/09, CC Approved Ord.333-09)
S-2-10	-	Final Plat of the Old Orchard School Replat at 2402 Cheltenham Rd. (PC Approved 5/13/10)

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting an amendment to a Special Use Permit originally granted by Ord.333-09 to add modular classrooms to an existing school at 2402 Cheltenham Rd. The ±6.86-acre site is the current location of Old Orchard Elementary School. The applicant is requesting the additional classrooms due to increased enrollment. Surrounding land uses include predominantly single-family neighborhoods to the north, west, and south, and a senior apartment and nursing home to the east. Whenever site plans for existing Special Use Permits are modified, applicants are required to go through an amendment process.

Modular classrooms provide a stop-gap solution to the growing needs of Old Orchard Elementary School and allow the school to be dynamic and agile when adapting to growing demand. Modular classrooms are utilized by school systems nationally to continue meeting student needs while providing time for long-term and thoughtful facility planning. The submitted site plan places the units south of the existing school and relocates the playground accordingly.

STAFF ANALYSIS (cont'd)

Existing Special Use Permit

The ordinance granting the original Special Use Permit in 2009 contains conditions of approval for the site. Staff has not found the modifications to the site plan to violate any of the conditions. The following three (3) waivers granted by Ord.333-09 shall remain:

1. **Section 1107.1202 – Setbacks.** Waive the parking in the front yard.
2. **Section 1108.0202 – Frontage Greenbelt.** Waiver of the required number of trees.
3. **Section 1108.0406 – Irrigation/Watering.** Waiver of the requirement to install an irrigation system

Parking and Circulation

The proposed modification shall not impact parking or vehicle circulation on the site. The existing parking and maneuvering areas provide fifty-one (51) parking spaces including two (2) accessible spaces, and a large 'U' shaped drive for pick-up and drop-off characteristic of elementary schools. No changes are necessary to the existing parking area.

Institutional uses, such as schools, have walkway requirements ensure safe pedestrian flow. The existing path from the parking lot to the school and play area is being modified and used to provide access to the new modular units. The submitted site plan restores pedestrian connectivity to each play area via new walkways. The plan also installs a new entrance to the hardscape play area.

Landscaping

Due to existing waivers to irrigation and tree-counts, the site is only required to replace existing trees with a similar Type 'B' buffer, as well as screen the modular classrooms with a Type 'B' buffer along the eastern property line. A type 'B' landscape buffer consists of four (4) canopy trees and fifteen (15) shrubs per one-hundred (100) linear feet. Existing swales, berms, and all other landscaping, as well as the dumpster location, shall remain unchanged.

Building Design and Materials

The proposed structure is accessory to the main building, and will be predominantly screened from the right-of-way via the landscape buffers. Additionally, the proposed buildings are greater than three hundred feet (300') from each property line abutting a right-of-way. Therefore, the requirements for Institutional Buildings outlined in TMC§1109.0500-*Building Façade Materials and Color* do not apply. The proposed structure meets the setback and height requirements for accessory uses as stated in TMC§11005.0200-*General Uses*.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Single Family Residential land uses. This district is intended to accommodate the development of single-family dwelling units on individual lots. This district may also include libraries, schools, churches, and community centers. The 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 compatible with Single Family Residential land uses. Approval of this request for an SUP would not be contradictory to the comprehensive plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-2010-22, an Amendment to a Special Use Permit, originally granted by Ord.333-09, to add modular classrooms to a school at 2402 Cheltenham 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 recommends approval of SUP-2010-22, an Amendment to a Special Use Permit, originally granted by Ord.333-09, to add modular classrooms to a school at 2402 Cheltenham, to the Toledo City Council, subject to the following **nineteen (19)** 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. 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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Engineering Services (cont'd)

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.
4. Any filling of the adjacent stormwater management area requires compensatory cut; therefore, submit for stormwater approval a proposed grading sheet with balanced cut and fill volumes shown.

Sewer & Drainage Services

5. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
6. 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

7. 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.
8. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
9. 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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Environmental Services (cont'd)

10. 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
11. 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.

Fire Prevention

12. The proposed new buildings will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical, Mechanical and Plumbing code requirements.

Plan Commission

13. Per TMC§1107.0400, Off-Street Parking Schedule "A" requires one (1) bicycle parking slot per three (3) students plus one (1) per ten (10) parking spaces for faculty and staff. **Acceptable as depicted.**
14. A pedestrian walkway shall be installed using pavers, bricks, scored concrete or scored and asphalt. The walkway shall connect the play areas and modular units to the main building in the most logical route per TMC§1109.0204(A). **Acceptable as depicted.**
15. All previous conditions of **Ordinance 333-09** shall apply and remain in effect.
16. 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. **Proposed modifications 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. A Type B landscape buffer including four (4) trees and fifteen (15) shrubs per 100 linear feet shall be used to screen the east and west portions of the modular units. **Acceptable as depicted.**
 - b. Topsoil must be back filled to provide positive drainage of the landscape areas;

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- 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.
17. 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.
18. 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.
19. 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

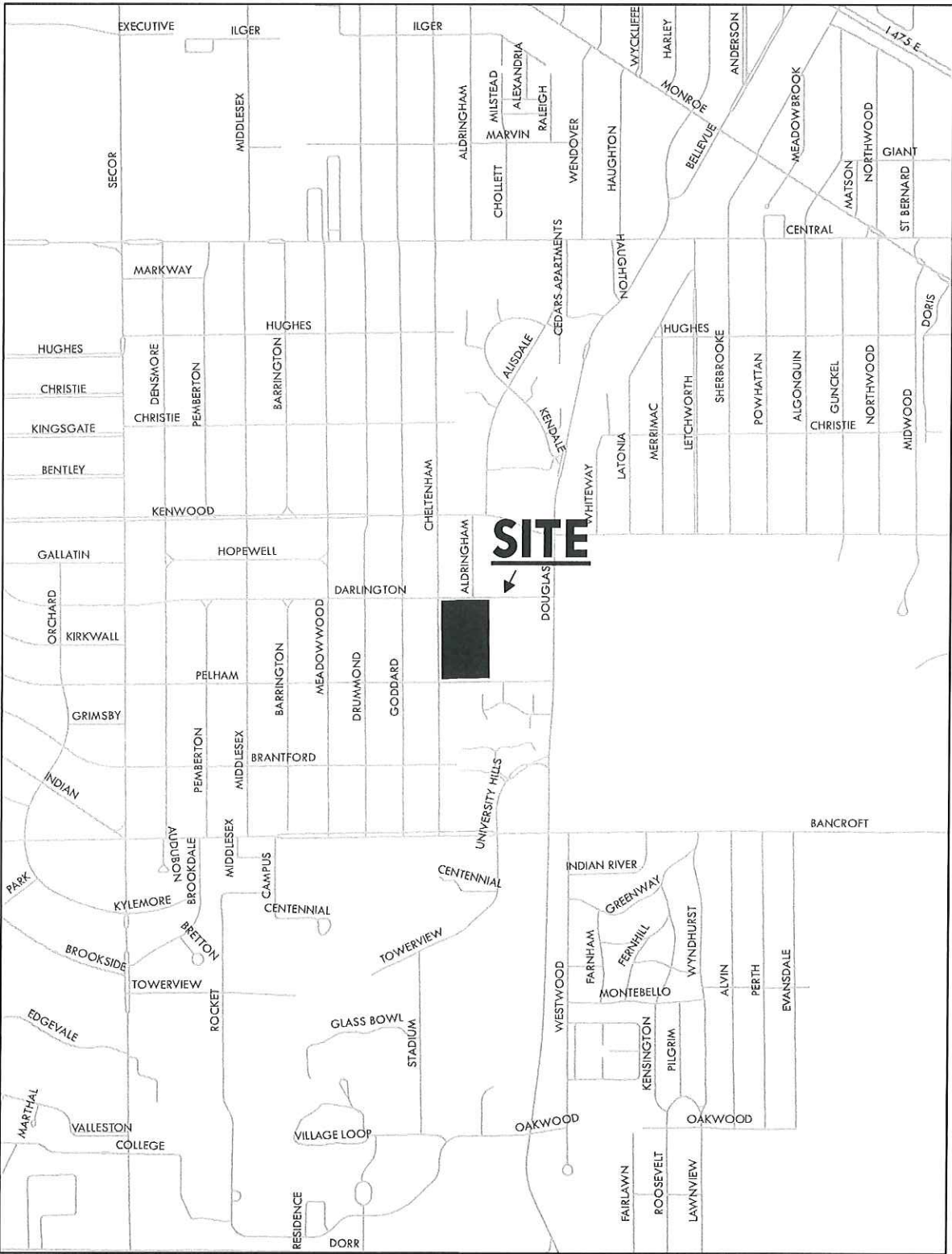
JGL

Three (3) sketches follow

Cc: Robert Mendenhall, TPS, 1609 N Summit St Toledo OH 43604
Poggemeyer Design Group 1168 N Main St Bowling Green OH 43402
Lisa Cottrell, Administrator
Jonny Latsko, Planner

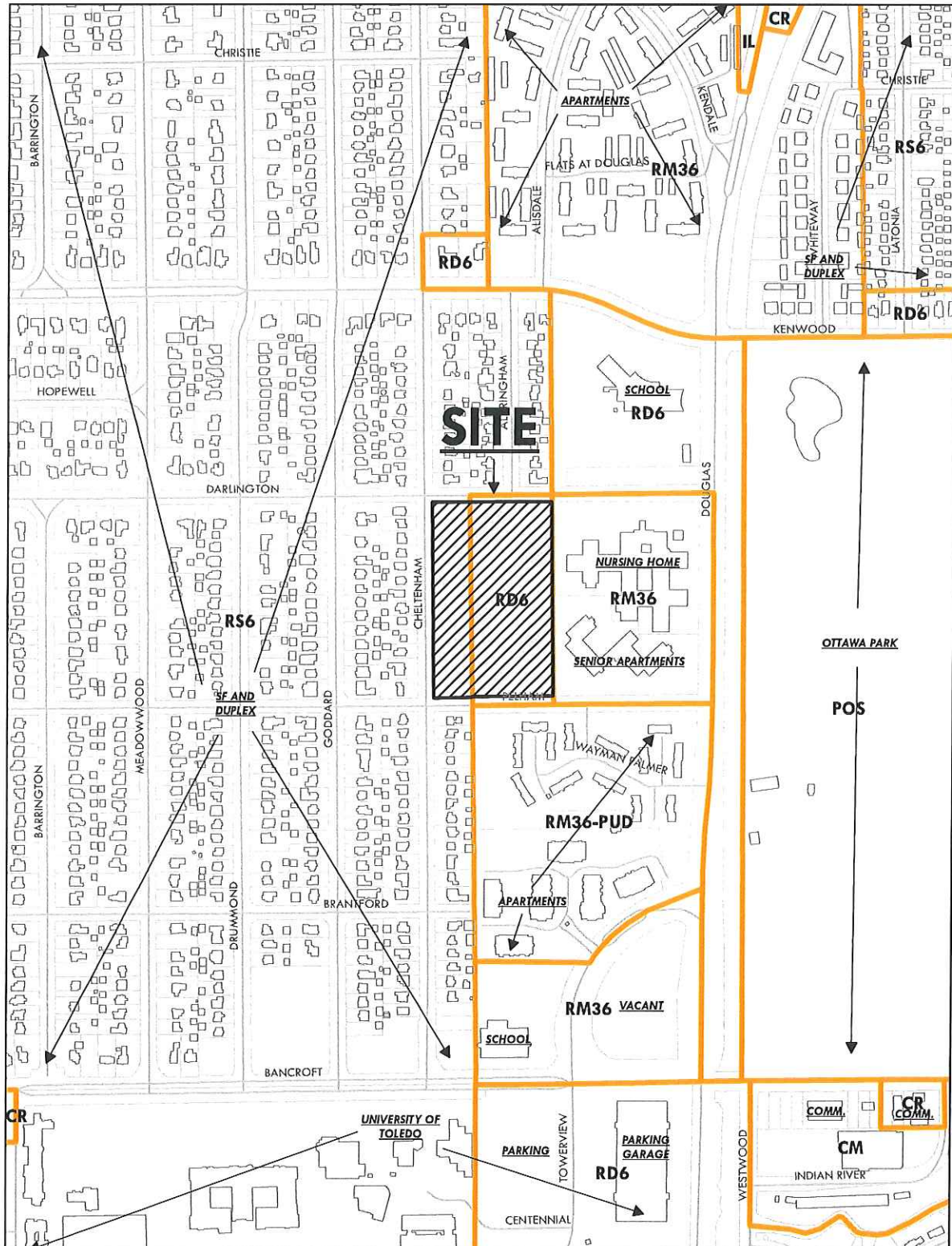
GENERAL LOCATION

SUP-2010-22
ID 50



ZONING & LAND USE

SUP-2010-22
ID 50



SUP-2010-22
ID 50

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SUP-2010-22
ID 50



owner	mailing address 1	mailing address 2
ANDERSON NATHAN	2415 CHELTENHAM RD	TOLEDO OH 43606 3202
APARTMENTS AT PELHAM LLC	566 W LAKE ST	CHICAGO IL 60661
BATES TYLER LUCAS	2355 CHELTENHAM RD	TOLEDO OH 43606
BENHAM KENT J & HOPE M	2447 CHELTENHAM RD	TOLEDO OH 43606
BIAS STEFANIE	2440 GODDARD RD	TOLEDO OH 43606
BRADLEY RYAN R ET AL	2504 ALDRINGHAM RD	TOLEDO OH 43606
BROOKDALE REAL ESTATE LLC	1067 N TOWNSHIP RD	FOSTORIA OH 44830
BUSBY STEVEN	1050 WOODWARD AVE	DETROIT MI 48226 1906
CENTRAL ACADEMY OF TOLEDOLLC	2455 S INDUSTRIAL HWY	ANN ARBOR MI 48104
COMMET JULIE & ROBERT	2502 CHELTENHAM RD	TOLEDO OH 43606
DT	2442 GODDARD RD	TOLEDO OH 43606 3207
EDGELL ROBERT L & LAURA L	2421 CHELTENHAM RD	TOLEDO OH 43606
ELGAMEL KRISTINE KOLBECK	2441 CHELTENHAM	TOLEDO OH 43606
GEORGE CECELIA A	2360 CHELTENHAM	TOLEDO OH 43606
GREER DORIS A	2506 GODDARD RD	TOLEDO OH 43606 3209
JOSEPH SHIRLEY ANN	2512 CHELTENHAM RD	TOLEDO OH 43606
JVD PROPERTIES LLC	6518 ROAD 16 DR	CONTINENTAL OH 45831
KAPSZUKIEWICZ WALTER	758 W CAPISTRANO	TOLEDO OH 43612
KITZ PATRICK J	2451 CHELTENHAM RD	TOLEDO OH 43606
KORCZYNSKI PETER J	2351 CHELTENHAM RD	TOLEDO OH 43606 3233
LAWRENCE PATRICK L & NANCY A	2508 CHELTENHAM RD	TOLEDO OH 43606 3203
LEISNER SCOTT M	2503 ALDRINGHAM	TOLEDO OH 43606
LOKHANDWALA MUSTAFA	2434 GODDARD RD	TOLEDO OH 43606
LOYER RICHARD E & AMY A	2361 CHELTENHAM RD	TOLEDO OH 43606 3233
LUFUNGULO SAFARI F	2404 GODDARD RD	TOLEDO OH 43606 3207
MALAKPA SAKUI W.G.	2365 CHELTENHAM RD	TOLEDO OH 43606 3233
MALT CAPITAL LLC	2366 GODDARD RD	TOLEDO OH 43606 3236
MCCARTHY ROBERT J TRUSTEE	2403 CHELTENHAM RD	TOLEDO OH 43606 3202
MEDNICK THOR J TRUSTEE OF THE THOR J ME	2431 CHELTENHAM RD	TOLEDO OH 43606 3202
MMCJ ENTERPRISES LLC	P O BOX 11428	TOLEDO OH 43611
MONGER GEORGE E & BARBARAJ	2410 GODDARD RD	TOLEDO OH 43606 3207
MOWRY PETER D & GAIL K	2501 CHELTENHAM RD	TOLEDO OH 43606 3204
MULDER KEVIN C & BEATRICE MAUGERI	2450 GODDARD RD	TOLEDO OH 43606 3207

NOWELL DENNIS D JR & JOHANNA M	2437 CHELTENHAM RD	TOLEDO OH 43606
OBERT ROBERT K & HEATHER	2444 GODDARD RD	TOLEDO OH 43606 3207
PALMER GARDENS II	3390 PINE TREE RD	LANSING MI 48911
PARK TERRACE REALTY LLC	15 AMERICA AVE STE 304	LAKEWOOD NJ 08701
POWDER JAMES M & NANCY K,TRUSTEES	25407 VIA MACARENA	VALENCIA CA 91355 2917
RUBIN JOSHUA	2416 GODDARD RD	TOLEDO OH 43606
SCHLOSSER ARTHUR N ETAL	2461 CHELTENHAM RD	TOLEDO OH 43606 3202
SCHUMACHER CHELSEA K	2438 GODDARD RD	TOLEDO OH 43606
SEIZ CHARLES M	2356 GODDARD RD	TOLEDO OH 43606 3236
SHAN AMBALANATH & KATHY	2425 CHELTENHAM RD	TOLEDO OH 43606 3202
STAMMER SHIRLEY GREGOR	2464 GODDARD RD	TOLEDO OH 43606 3207
SUN JINGWEI & MAOMEI GUO OR SURVTC	2937 SECRETARIAT RD	TOLEDO OH 43615
THOMPSON, NAOMI E TRUSTEE OF THE NAO	2507 CHELTENHAM RD	TOLEDO OH 43606
TOLEDO INTERNATIONAL STUDENT SERVICES	9206 WINTERGREEN CT	SYLVANIA OH 43560 9523
TWITCHELL LARRY & SARAHJO	2509 ALDRINGHAM RD	TOLEDO OH 43606 3214
URSU ANNA V	2360 GODDARD RD	TOLEDO OH 43606
ZOU BENJIA & HUA JIANG	2456 GODDARD	TOLEDO OH 43606
COUNCIL MEMBER MELDEN		
ROBERT MENDENHALL	1609 N. SUMMIT ST	TOLEDO OH 43604
POGGE MEYER DESIGN GROUP	1168 N MAIN STREET	BOWLING GREEN OH 43402

