

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-11004-21

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 for a propane station, CDL driving pad, & bus storage at 222 McTigue Dr.

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 for a propane station, CDL driving pad, & bus storage
Location	-	222 McTigue Dr
Applicant + Owner	-	Toledo Public Schools (TPS) 1609 Summit Street Toledo, Ohio 43604
Engineer	-	Mannik Smith Group 1800 Indian Wood Cir Maumee, OH 43537

Site Description

Zoning	-	RS6 / Single Family Residential
Area	-	± 9.60 acres
Frontage	-	± 735' along Hill Ave ± 530' along McTigue Drive
Existing Use	-	Vacant School Site
Proposed Use	-	Propane station, CDL driving pad, and bus storage

GENERAL INFORMATION (cont'd)

Area Description

North	-	RS6 / Rogers High School
South	-	RS6/ Agriculture, Single Family Homes, Cemetery
East	-	RS6/ Bus Storage, Single Family homes
West	-	RS6/ Single Family Homes

Parcel History

M-29-73	-	Review of Plans for Rogers Skill Center Addition
M-6-74	-	Review of a Site Plan for Rogers High School Skill Center, North of Rogers High School (PC Approved 6/13/74)
M-21-74	-	Review of a Site Plan for McTigue Jr. High School, North side of Hill Ave., east of McTigue Dr (PC approved 10/31/74)
M-5-04	-	Review of a Site Plan for a New School
SUP-3010-05	-	Special Use Permit for a new school, McTigue Middle School, at 555 Nebraska Ave. (PC approved 5/12/05, CC approved 5/31/05, Ord. 392-05)

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 for a series of improvements on a ± 9.60 acres site south of Rogers High School. Improvements including a propane storage and dispensing area, bus storage space, and a training facility for students to develop skills necessary to obtain a Commercial Driver's License (CDL). The site is zoned RS6 Single Family Residential. The site is on the intersection of Hill and McTigue and is surrounding by Rogers High School to the north, an existing bus storage area to the east, agricultural land and single-family homes to the south, and a single-family neighborhood to the west.

The site utilizes an existing drive off of McTigue road to access a fenced in lot with bus and employee parking spaces. Contiguous to the south of the lot, separated with a sliding gate, is a three hundred by two hundred forty-foot (300' x 240') asphalt pad for students to practice driving

STAFF ANALYSIS (cont'd)

on. Further down the entrance drive is a thirty-thousand (30,000) gallon propane fueling tank designed to serve both the new bus parking area and the existing bus storage area to the east. As a condition of approval, the parcel must be separated from the existing Roger's High School parcel. Any facilities used for education purposes by a school require a Special Use Permit.

Parking and Circulation

Pursuant to TMC§1107.0304 – *Parking, Loading, and Access*, fleet storage facilities require one (1) parking space per two (2) employees. The site provides twenty-eight (28) employee spaces. The site also provides twenty-five (25) bus-sized parking spaces. Additionally, one (1) space is required per three-hundred (300) square feet of fueling area. Assuming each bus has one (1) driver, the proposed parking is appropriate for the site. The site plan indicates an existing employee parking area to the north: this space shall only be used for bus staging.

Parking and Circulation (cont'd)

The existing bus parking area to the east of the site has three access drives. The site plan includes one (1) new access drive along Hill Ave. Transportation has approved the additional access drives along Hill.

Landscaping

The improvements on site are surrounding by a seven-foot (7') black picket curved fence. The following landscaping requirements apply to the site and are addressed on the site plan:

- A thirty-foot (30') frontage greenbelt is required with one (1) tree per thirty feet (30') of frontage. Existing trees not being removed at the perimeter of the site and within the frontage greenbelt to meet requirements of TMC§1108.0202 – *Frontage Greenbelt*.
- Interior parking lot landscaping is required and provided per TMC§1108.0204 – *Parking Lot Landscaping (Interior and Perimeter)*. Landscaped islands are utilized at either side of the new employee parking – none is provided within the CDL pad as it is to be kept clear for training purposes.
- Screening is required for outdoor storage and provided on the site plan in such a way as to screen views from both Rogers High School and the public right-of-way per TMC§1108.0204 – *Parking Lot Landscaping (Interior and Perimeter)*. The screening also lessens the visual impact of the large fence adjacent to a residential neighborhood.

STAFF ANALYSIS (cont'd)

A water quality basin with grass is shown on the site. The basin shall meet the approval of the City of Toledo Engineering Office. The bottom of the basin shall have native plants and grasses appropriate for the stormwater facility. No stone, riprap, concrete, or other impervious material shall be allowed unless required by the City of Toledo and ODNR.

In order to screen the sliding gate and storm water management area from Hill Avenue, the of screening shrub row shall be extended up to the pedestrian walkway.

Building Design and Materials

No building modifications are proposed and none are required.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Institutional Campus. Institutional Campus land use designations are intended to allow for campus-like settings, such as hospitals, schools and colleges. This designation is intended to promote and enhance the development and expansion of medical, educational, and other large institutional uses. The proposed site plan meets the goal of the Toledo 20/20 Comprehensive Plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-11004-21, a Special Use Permit for a propane station, CDL driving pad, & bus storage at 222 McTigue road to 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 request is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use's operation) (TMC§1111.0706(C) – *Review & Decision-Making Criteria*).

The Toledo City Plan Commission further recommends approval of SUP-11004-21, a Special Use Permit for a propane station, CDL driving pad, & bus storage at 222 McTigue to Toledo City Council subject to the following **thirty-six (36)** conditions:

The conditions of approval are as follows and are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of 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.
5. The existing private fire line located east of the proposed storm water management area and west of Deline Ditch shall be shown on the plans.
6. Maintain a minimum of 18 inches of vertical clearance between the existing fire line and the proposed storm sewer.
7. Verify that the existing fire hydrant located just north of the existing Rogers High School Entrance Drive is connected to an operational fire line. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.
8. Stormwater design appears substantially complete; in the unlikely need for stormwater design completion to necessitate a site plan change it shall be made in coordination with the Plan Commission. Pond footprint could possibly be too small depending on final design of the

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

bottom elevation in relation to the hydraulic grade of the receiving stream as per the Infrastructure Design Requirements. However, this site design simultaneously lends itself to a reduction in required pond size by way of the Ohio calculator (spreadsheet) for volume credit. Minor site changes may be needed for scour protection, but would not necessitate coordination with Plan Commission.

9. A full stormwater review requires submittal of the following:

- a) Engineering drawings and calculations compliant with the City of Toledo Infrastructure Design and Construction Requirements.
- b) Long term operations and maintenance (O&M) plan for Post-Construction BMP's.
- c) A Storm Water Pollution Prevention Plan (SWP3) including a completed Ohio EPA SWP3 checklist.

10. Following the review process, the following will be needed for final stormwater approval:

- a) Fee for the sewer construction permit, which also requires a sewer contractor, licensed with the City of Toledo, to be named for the project.
- b) SWP3 contact list for responsible parties. (TMACOG form)
- c) Covenant for the approved O&M plan and incorporate into the TPS list of sites' stormwater maintenance plans and scheduled activities.

11. At the time of approval of stormwater plans, the applicant will likely be eligible for a percent reduction in the property's stormwater utility fee through the Stormwater Credit Program. Information on the application process can be found at <https://toledo.oh.gov/business/environment/storm-water-program>

Sewer and Drainage Services (S&DS)

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

PLAN COMMISSION RECOMMENDATION (cont'd)

Sewer and Drainage Services (cont'd)

13. S&DS requires 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.

Fire Prevention

14. Check with the State Fire Marshalls office for the requirements on above ground tank permitting.
15. Construction documents are required.
16. All LP gas equipment shall be installed in accordance with the international Fuel Gas Code, FPA 58 and the Ohio Fire Code.
17. Fire Department Accessibility.

Division of Environmental Services

18. 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.
19. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Environmental Services (cont'd)

20. 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.
21. 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
22. 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 Transportation

23. Existing parking to the north shall be used as bus staging area.

Plan Commission

24. The portion of the property identified as the site for purposes of the improvements shall be separated from the parcel with the High School via a lot split or replat.
 - An updated legal description reflecting the split shall be submitted to the Plan Commission Office prior to the approval of any building permits.
 - A cross access agreement shall be established for all properties sharing drives.
25. A minimum of One (1) van accessible spaces shall be provided on a revised site plan TMC§1107.1701. **Not acceptable as depicted.**
26. Any spaces reserved for the use by persons with physical disabilities shall adhere to the standards outlined in TMC§1107.1700.
27. 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 (**if applicable**).

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

28. Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways must be surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill, and be graded to drain all surface water towards the interior of the parking lot. **Acceptable as depicted on site plan.**
29. A minimum of one litter receptacle shall be provided near the employee parking area. **Not acceptable as depicted, none provided.**
30. The relocated pedestrian walkway shall be designed in such a way as to be fully accessible to people with physical disabilities.
31. No free-standing signs greater than forty-two inches (42") from grade are permitted – any proposed signage must meet the requirements of signs per Toledo Municipal Code Title Nine – Sign Code.
32. 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. Such plan shall include:
 - a. A fifteen-foot (15') greenbelt is required along each frontage, and shall include one (1) tree per every thirty feet (30') of frontage. The portion of the site with a parking lot facing right-of-way shall include a solid evergreen hedge planting to screen the parking lot so that no headlights of any vehicles can be seen from the public street. **Acceptable as depicted.**
 - b. The solid evergreen hedge plantings shall be extended eastward along Hill avenue to also screen the storm water management and sliding gate from the sidewalk and road way. **Not acceptable as depicted**
 - c. All parking areas visible from the right-of-way or adjacent properties shall be screened from view using an evergreen hedge line so that no headlights of any vehicle can be seen. **Acceptable as depicted.**
 - d. The total interior landscaping required in parking lots is twenty (20) square feet per parking and stacking space; **Acceptable as depicted.**

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- e. Landscape areas within the parking area must be peninsular or island types and must be constructed with six-inch (6") by eighteen-inch (18") concrete curbing, cast-in-place, extruded, or by some other process approved by the Planning Director;
 - f. Six (6) shrubs are required to be installed in interior landscape areas for each ten (10) parking spaces within the parking lot. One (1) canopy tree may substitute for three shrubs. Thirty (30) shrubs required, twenty (20) shrubs and five (5) trees are provided. **Acceptable as depicted.**
 - g. The thirty (30) instances of *Euonymus alatus* 'Pipzam' (Pipsqueak Burning Bush) shall be replaced with a non-invasive alternative. **Not acceptable as depicted.**
 - h. All parking spaces must be within 100 linear feet of a landscaped area; **acceptable as depicted.**
 - i. Topsoil must be back filled to provide positive drainage for the landscape area.
 - j. 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.
 - k. 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.
 - l. The location, height, and materials for any fencing to be installed and maintained; Pursuant to TMC§1105.0402(A)(1), fences may not exceed three and a half feet (3.5') in height in the required front setback. **Location acceptable as depicted. Discrepancy between six-foot (6') and seven-foot (7') fence on spec-sheet and site plan shall be clarified.**
33. 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.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

34. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
35. 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.
36. 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,



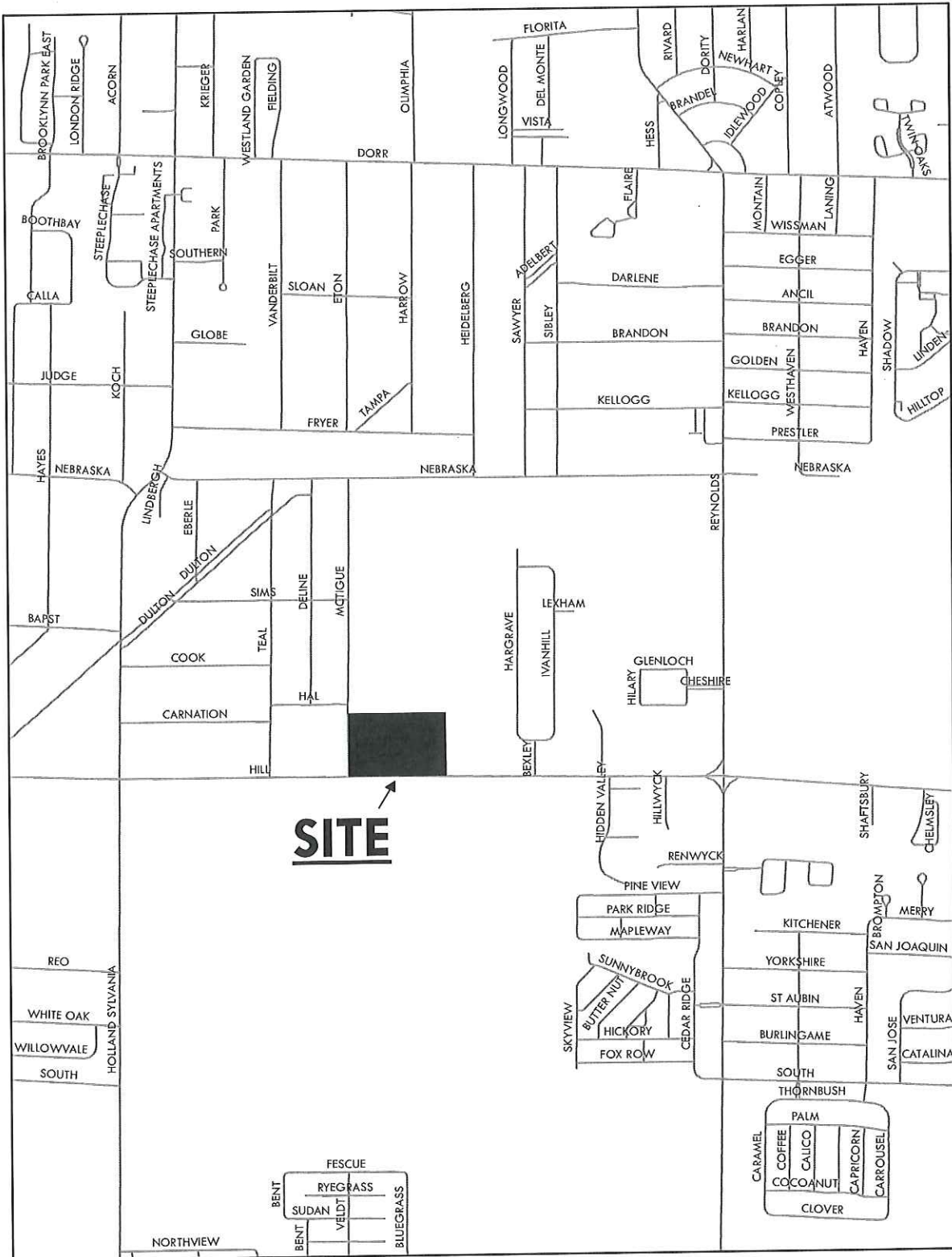
Thomas C. Gibbons
Secretary

Four (4) sketches follow

Cc: TPS, 1609 Summit St, Toledo OH 43604
Mannik Smith Group, 1800 Indian Wood Cir, Maumee, OH 43537
Lisa Cottrell, Administrator
Jonny Latsko, Planner

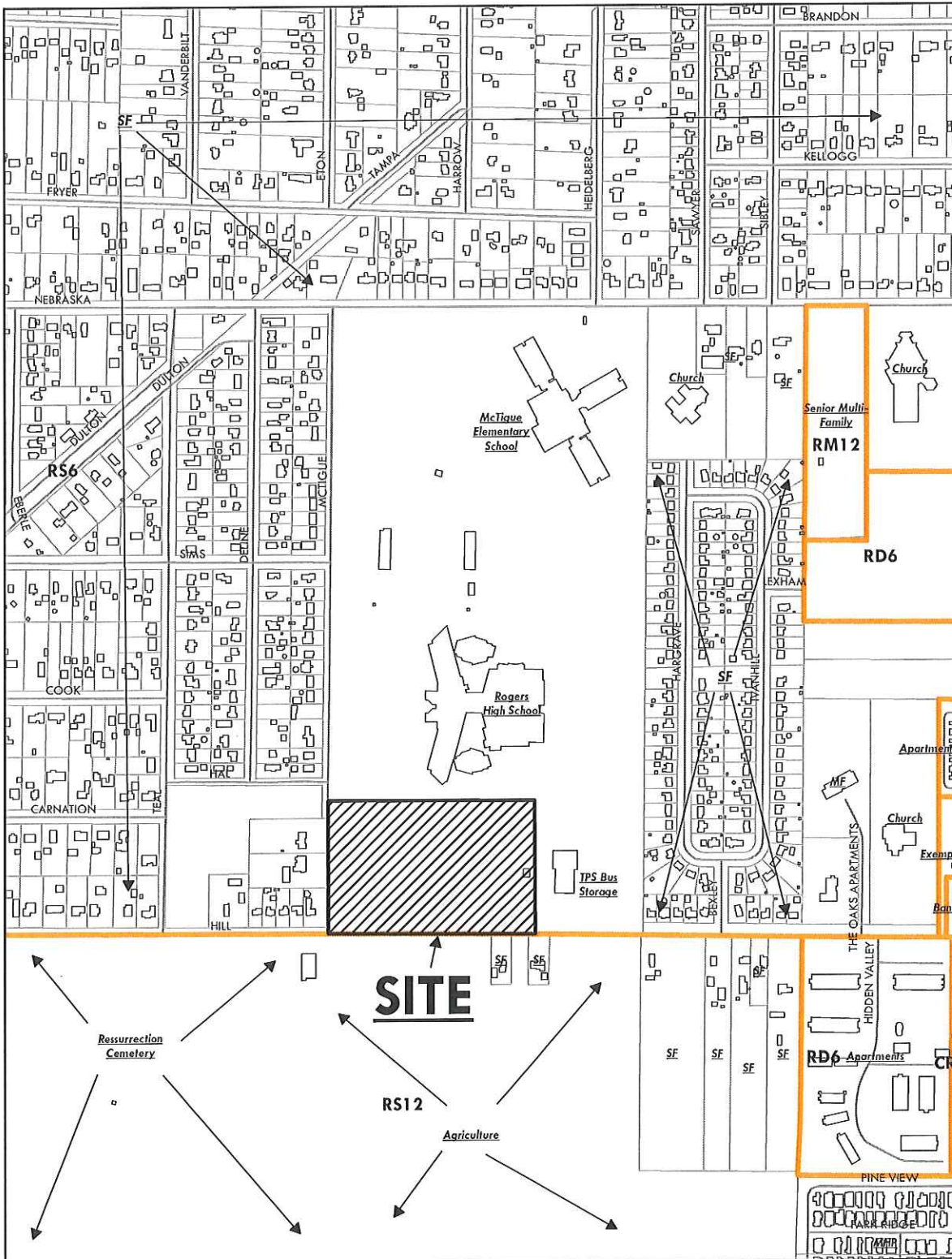
GENERAL LOCATION

SUP-11004-21
ID 119



ZONING & LAND USE

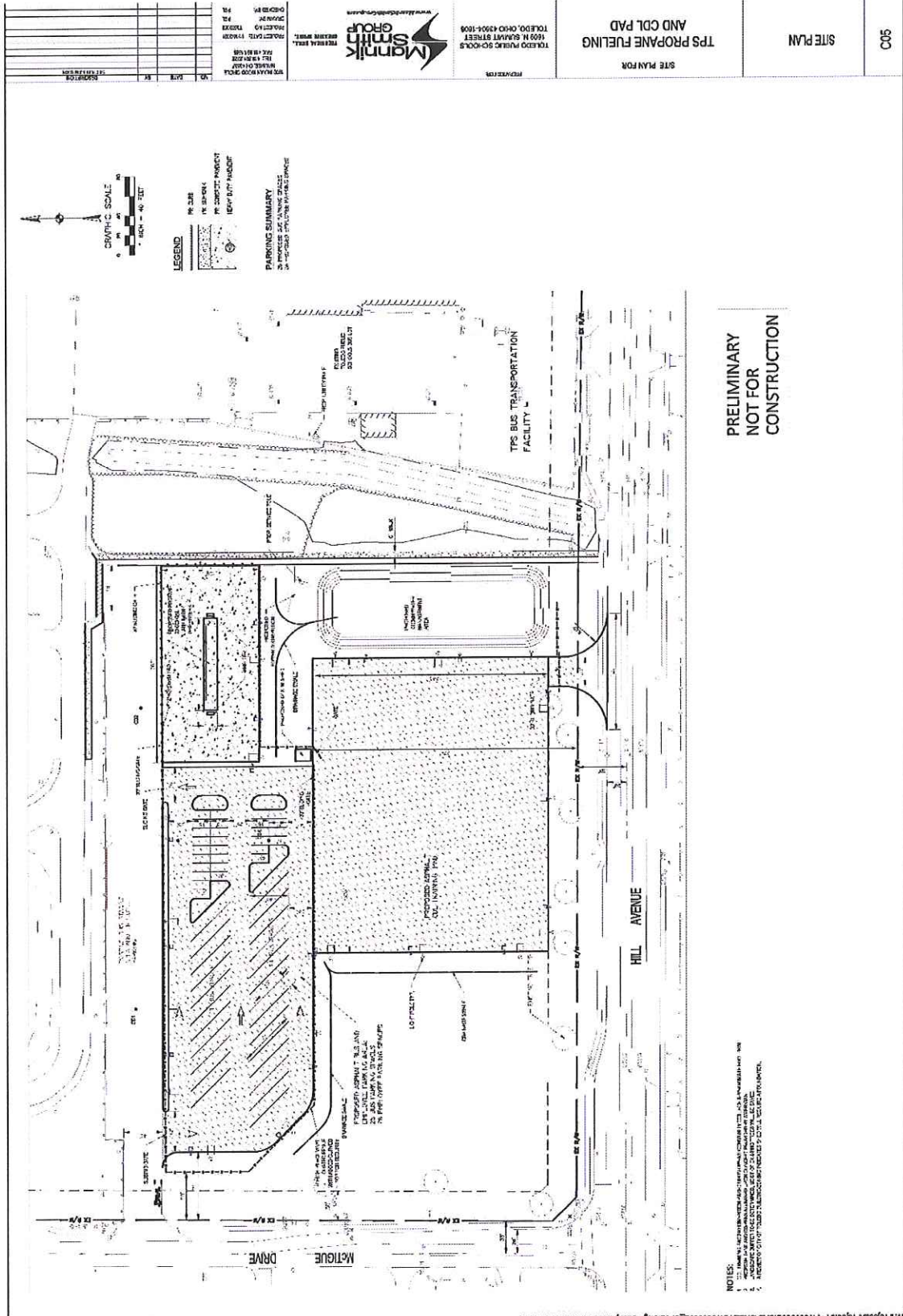
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SUP-11004-21
ID 119

SITE PLAN



PRELIMINARY
NOT FOR
CONSTRUCTION

NOTES:

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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