

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: April 13, 2023

REF: SUP-1005-23

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, originally granted by Ord. 400-12, Ord. 489-14, and Ord. 631-21 to add Modular Classroom to Existing School at 6145 Hill Avenue

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

GENERAL INFORMATION

Subject

Request	-	Amendment to Special Use Permit, originally granted by Ord. 400-12, Ord. 489-14, and Ord. 631-21 to add Modular Classroom to Existing School
Location	-	6145 Hill Avenue
Applicant	-	Western Toledo Preparatory Academy (GSP Hill Avenue LLC) 6145 Hill Avenue Toledo, OH 43615
Consultant	-	Randy Rebers Satellite Shelters, Inc 2530 Xenium Ln N, Suite 150 Plymouth, MN 55441
Architect	-	Michael Knisely Distyle Design Architects, P.C. 1501 Flag Ave N Minneapolis, MN 55427

GENERAL INFORMATION (cont'd)

Site Description

Zoning	-	RS6 / Single Dwelling Residential
Area	-	± 18.04 acres
Frontage	-	± 36' along Hill Avenue ± 609' along Clarion Avenue
Existing Use	-	School
Proposed Use	-	School w/addition of a modular classroom

Area Description

North	-	CN / Vacant Commercial
South	-	RS6 / Single Family Homes
East	-	RS6 / Church, Adult Living Facility, Dance Studio
West	-	RS6 / Single Family Homes, Convenience Store

Parcel History

SUP-4008-12	-	Special Use Permit for the operation of a school (PC Approval 6/14/12, CC Approval Ord. 400-12).
SUP-3003-14	-	Amendment to SUP, originally granted by Ord. 400-12, to add a greenhouse (PC Approval 9/11/14, CC Approval Ord. 489-14).
SUP-5005-21	-	Amendment to SUP, originally granted by Ord. 489-14, to add athletic fields to a school (PC Approval 11/4/21, CC Approval Ord. 631-21).

Applicable Plans and 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 originally granted by Ordinance 400-12, Ordinance 489-14, and Ordinance 631-21 to add a modular classroom to an existing school located at 6145 Hill Avenue. The ± 18.04-acre site is zoned RS6 Single-Dwelling Residential and is occupied by the Western Toledo Preparatory Academy campus. The school is a Kindergarten through 8th grade school. To the north of the site across Hill Avenue is a vacant gas station. To the east of the site is a church, dance studio, and adult living facility. To the south of the site are single family residential homes. To the west of the site are single family residential homes and a convenience store.

The submitted site plan places the proposed building south-east of the existing school. The 6,008 square foot structure is engineered for a 25–30 year lifecycle and will contain six (6) classrooms, a central corridor, restrooms, and work room. The proposed modular classroom is being built as a response to over-enrollment. A Special Use Permit was previously granted for modifications to the existing school campus. When the school would like to amend a previously approved site plan, the granted Special Use Permit will need to be amended to reflect the proposed changes.

Previous approvals of modular classroom buildings in the City have been made with the understanding that these are a stop-gap solution to a growing student body. These structures, however, should not be used as a permanent or long-term substitute to construction of a permanent school building. As a condition of approval, this Special Use Permit will be subject to re-review or expiration after five (5) years.

Parking

Existing parking lots will remain unchanged.

Landscaping

As a condition of approval, foundation plantings shall be located to the north, west, and south portions of the proposed modular structure. A landscape plan shall be submitted depicting this addendum and be listed as a condition of approval.

Building Design and Materials

The submitted elevations depict brick, glass, metal, and fiber cement. Note that the building will be predominantly screened from the right-of-way via the existing vegetation and other buildings. Building color standards apply to all exterior elevations regardless of right-of-way visibility per TMC§1109.0502. Colors shall be subtle, neutral, and earth tone. The elevations are acceptable as depicted.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive 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, community centers, and other civic uses. 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-1005-23, a request for an amendment to Special Use Permit originally granted by Ordinance 400-12, Ordinance 489-14, and Ordinance 631-21 to add a modular classroom to an existing school located at 6145 Hill Avenue, to the Toledo City Council, for the following **two (2) reasons**:

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

The Toledo City Plan Commission further recommends approval of SUP-1005-23, a request for an amendment to Special Use Permit originally granted by Ordinance 400-12, Ordinance 489-14, and Ordinance 631-21 to add a modular classroom to an existing school located at 6145 Hill Avenue, to the Toledo City Council, subject to the following **twenty-seven (27) 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.

Division of 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.
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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

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.
4. The City of Toledo public water system does not appear to be impacted by this project. Refer to comments provided by the Division of Water Distribution regarding private water mains and/or service lines.
5. The stormwater management solution proposed is adequate for site plan approval, but a full submittal for review and comment for a construction permit is according to the submittal checklist (items on the submittal cover sheet, step 1) at: <https://tmacog.org/water/stormwater/stormwater-pollution-prevention-plan-swp3>
6. Toledo's infrastructure requirements for stormwater management of a project of this size are per the document available online in the drop-down menu on this page: <https://toledo.oh.gov/business/how-to-build-in-the-city/building-inspection-permits>
7. 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 shall verify the location and outlet of the storm system and provide that information to the City. A copy of the City of Toledo's current records of the private storm sewer can be provided for reference.
8. Following the stormwater review, additional items may be needed to complete the construction permit application. The comments issued upon review of the construction permit application submittal will confirm which items are not applicable due to the unique use of the runoff reduction method. The remaining items may include:
 - a. As outlined on the regional submittal cover sheet, submittal step 2.
 - b. Fee and a Toledo Licensed Sewer Contractor for the sewer construction permit.
9. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
10. 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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

11. All sanitary sewer manholes in the project area shall have solid lids installed on them.

Water Distribution

No comments at this time.

Fire Prevention

12. Private fire service main and appurtenance will be required in a location approved by the Fire Prevention Bureau.

Division of Sewer and Drainage Services

13. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
14. 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.

Division of Environmental Services

15. 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.
16. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
17. Applicant is strongly encouraged to include multiple green infra-structure measures to minimize runoff and increase infiltration, and to minimize amount of new and/or additional impervious surface on site.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Environmental Services (cont'd)

18. 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

19. 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

Acceptable as depicted.

Plan Commission

20. 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.**
21. 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. **Acceptable as depicted.**
22. 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:
- Foundation plantings shall be located to the north, west, and south portions of the proposed modular structure. **Not acceptable as depicted.**
 - Topsoil must be back filled to provide positive drainage of the landscape areas;
 - 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;
 - 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;

PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- e. The location, height, and materials for any fencing to be installed and maintained;
 - f. The location and direction of any proposed lighting.
23. Building colors shall be subtle, neutral, and earth tone per TMC§1109.0502. **Acceptable as depicted.**
24. All conditions outlined in Ordinance 400-12, Ordinance 489-14, and Ordinance 631-21 still apply.
25. 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. This Special Use Permit shall be subject to re-review by the Plan Commission five (5) years after the approval date.
26. 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.
27. 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

JEB
Four (4) Sketches Follow

Cc: Western Toledo Preparatory Academy, 6145 Hill Avenue, Toledo, OH 43615
Randy Rebers, 2530 Xenium Ln N, Suite 150 Plymouth, MN 55441
Lisa Cottrell, Deputy Director
Josh Bender, Planner

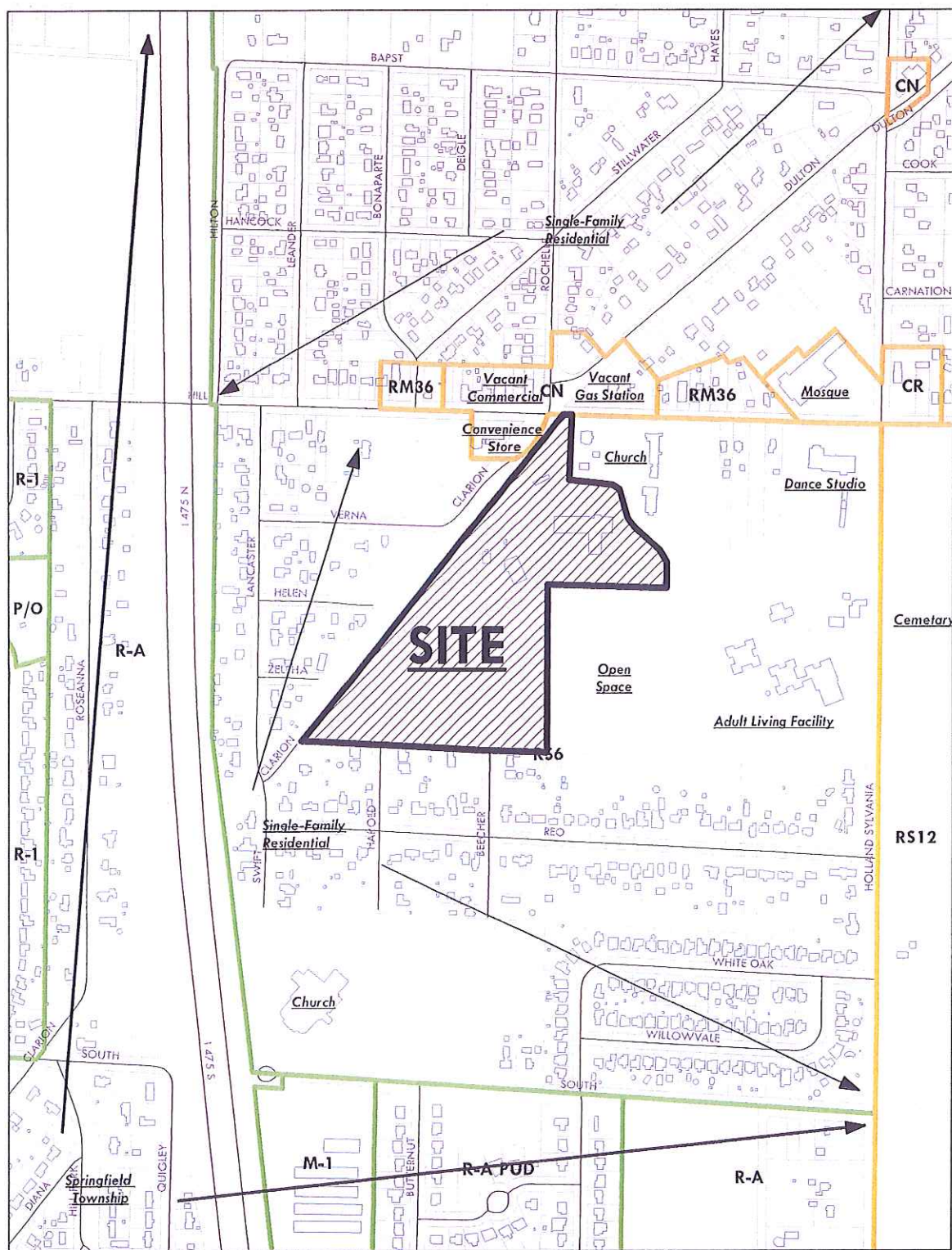
GENERAL LOCATION

SUP-1005-23
ID 128



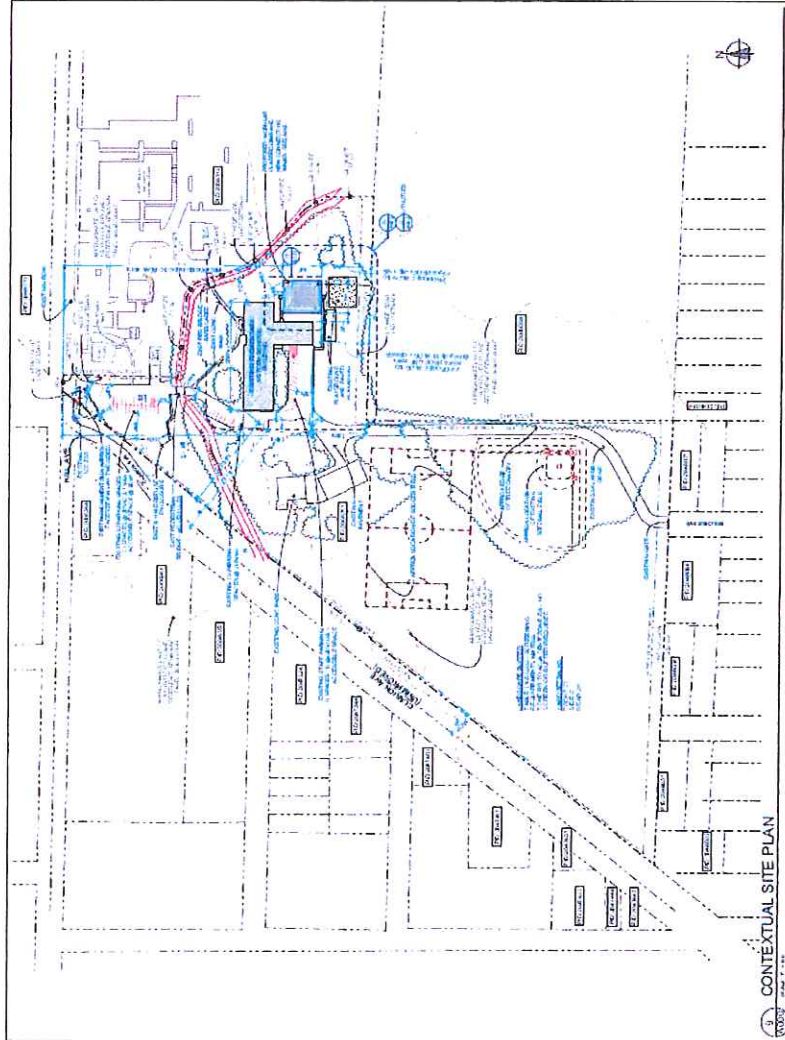
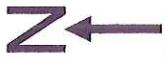
ZONING & LAND USE

SUP-1005-23
ID 128



SITE PLAN

SUP-1005-23
ID 128



CONTEXTUAL SITE PLAN
SCALE: 1" = 40'

CONTRACTOR'S NOTES:
1. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS ZONING ORDINANCE, CHAPTER 212.01, AND THE MINNEAPOLIS SUBDIVISION ACT, CHAPTER 462.01.
2. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS ZONING ORDINANCE, CHAPTER 212.01, AND THE MINNEAPOLIS SUBDIVISION ACT, CHAPTER 462.01.
3. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS ZONING ORDINANCE, CHAPTER 212.01, AND THE MINNEAPOLIS SUBDIVISION ACT, CHAPTER 462.01.
4. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS ZONING ORDINANCE, CHAPTER 212.01, AND THE MINNEAPOLIS SUBDIVISION ACT, CHAPTER 462.01.
5. THE PROPOSED DEVELOPMENT IS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MINNEAPOLIS ZONING ORDINANCE, CHAPTER 212.01, AND THE MINNEAPOLIS SUBDIVISION ACT, CHAPTER 462.01.

WEST TOLEDO
PREPARATORY
ACADEMY
5145 Hill Avenue
Toledo OH 43615-6000



ADJACENT PROPERTY INFORMATION

Adjacent Property	Address	Owner	Use
1	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
2	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
3	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
4	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
5	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
6	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
7	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
8	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
9	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
10	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
11	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
12	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
13	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
14	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
15	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
16	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
17	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
18	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
19	5145 Hill Avenue	West Toledo Preparatory Academy	Private School
20	5145 Hill Avenue	West Toledo Preparatory Academy	Private School

CONTEXTUAL SITE PLAN

APPROVAL INFORMATION
DATE: 11/11/2023
DRAWN BY: [Name]
CHECKED BY: [Name]
CADDIAN PROJECT DATE: 11/11/2023

A000

C:\Users\jdoyle\OneDrive\Documents\Projects\1005-23\1005-23.dwg

SUP-1005-23
ID 128

DISTYLE
ARCHITECTS

620 Mendelssohn Ave. N.
Suite 118
Minneapolis, Minnesota
[761] 591-0996

WEST TOLEDO
PREPARATORY
ACADEMY

5145 Hill Avenue
Toledo OH 43613-5000

[illegible]

DRAWING TOTAL

EXTERIOR ELEVATIONS

[illegible]

A501

© 2010 The Authors
Journal compilation © 2010 Blackwell Publishing Ltd