

TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

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

DATE: June 14, 2024

REF: SUP-4001-24

TO: President Carrie Hartman and Members of Council, City of Toledo

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

SUBJECT: Special Use Permit for a School at 1501 N Ontario Street

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, June 13, 2024 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a School
Location	-	1501 N Ontario Street
Applicant	-	That Neighborhood Church 1501 N Ontario Street Toledo, OH 43604
Owner	-	Great Lakes District of the Christian and Missionary Alliance 2250 S Huron Parkway Ann Arbor, MI 48104
Engineer	-	Cappelletty Engineering 6145 Douglas Road Toledo, OH 43613

Site Description

Zoning	-	RD6 / Duplex Residential
Area	-	±0.70 acres
Frontage	-	±207.5 ft along Ontario Street ±144.6 ft along Bush Street
Existing Use	-	Religious Assembly
Proposed Use	-	Religious Assembly & School

GENERAL INFORMATION (cont'd)

Area Description

North	-	RD6 & RS6 / Single Dwelling Houses, Apartments, Duplex
South	-	CN & RD6 / Single Dwelling Houses, Apartments, Tavern
East	-	RD6 / Single Dwelling Houses
West	-	RD6 & RS6 / Convenience Store, Single Dwelling Houses, Duplexes

Parcel History

Z-131-82	-	Proposed rezoning of properties located in the “Central Region” of the North Toledo Neighborhood Strategies Area (NSA). (P.C. approved 09/16/82, Ord. 618-82 & 715-82)
Z-132-82	-	Proposed rezoning of properties in the Second Tier of the North Toledo Neighborhood Strategies Area (NSA). (P.C. approved 09/16/82, Ord. 619-82)
SPR-53-14	-	Minor Site Plan Review for new parking lot at 1501 N Ontario Street (Administratively approved with conditions on 12/03/14)

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a school at 1501 N Ontario St. The ±0.85-acre site is zoned RD6 (Duplex Residential), which permits schools with a Special Use Permit. The site is currently used as a church (religious assembly). The applicant intends to keep operating the church in the same building as the school. To the north of the site are single-dwelling homes, apartments, and a duplex, to the south of the site are single-dwelling homes, apartments, and a tavern, to the east are single-dwelling homes, and to the west are single-dwelling homes, duplexes, and a convenience store.

STAFF ANALYSIS (cont'd)

Parking and Circulation

Circulation through the site will remain the same as it currently exists with an ingress-only drive off Bush Street and an egress-only drive off Ontario Street. TMC§1107.0300 *Off-street parking Schedule "A"* requires a minimum of three (3) off-street parking spaces for the proposed school and a minimum of twelve (12) off-street parking spaces for the existing church. The applicant proposes to keep the site's existing 23 off-street parking spaces. The parking is compliant, but at the maximum allowed. TMC§1107.0302 *Maximums* states that no use may provide more than 150 percent of the minimum.

The applicant has provided two accessible parking spaces – one more than is required by TMC§1107.1700. These spaces must be identified with signs and pavement markings reserving them for persons with disabilities. Signs must be posted directly in front of the parking space at a height of no less than 60 inches and no more than 72 inches above pavement level.

A minimum of one (1) bicycle space per ten (10) automobile parking spaces plus one (1) bicycle space per three (3) students is required pursuant to TMC§1107.0300 *Off-Street Parking Schedule "A"*. The site plan provides five (5) bicycle parking spaces. Thirteen (13) are required.

Landscaping and Screening

A landscaped frontage greenbelt is required along all public rights-of-way. At least one tree must be provided for every thirty feet (30') of lot frontage, rounded up. The lot has ±144 feet of frontage on Bush Street and ±207 feet of frontage on N Ontario Street, requiring five (5) trees and seven (7) trees respectfully. The site plan provides two (2) trees along Bush Street and one (1) tree along N Ontario Street. The Plan Director agrees to waive this requirement down to three (3) trees due to the existing buildings abutting the rights-of-way of Bush and Ontario Streets.

A perimeter landscape buffer is required along any parking lot area adjacent to a street, place, or driveway, or which is visible from an immediately adjacent property. On this site, a perimeter landscape buffer is required along the eastern property line and portions of the northern property line. A perimeter landscape buffer is not required adjacent to 818 Bush Street due to the property being used by the Church in an accessory manner. The perimeter landscape buffer must contain a minimum of one canopy tree for each 30 linear feet, plus a continuous row of shrubs with a minimum height of 18 inches. Privacy fencing may substitute for the shrub requirement per TMC§1108.0203(D)(2). The perimeter provides shrubs along most of the eastern perimeter and a six-foot (6') solid fence in the remaining areas. A minimum of seven (7) trees are required in the perimeter landscape buffer. Only four (4) are provided; however, one of the provided trees is existing and has an estimated caliper of twenty-one inches (21"). Per TMC§1108.0407 *Tree Preservation and Credit For Existing Landscape Materials*, this existing tree may count as six (6) trees towards the tree quantity requirement. The proposed perimeter landscape buffer is acceptable as depicted.

Because the site area is over ½ acre, irrigation is required for all landscaped areas. The Plan Director has agreed to waive this requirement so long as all landscape material is within 100 feet of a water outlet (hose bib).

STAFF ANALYSIS (cont'd)

Building Design and Materials

The proposed school will occupy the existing church building. No new structures or façade changes are proposed.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets the site for Single-Family Residential land uses. Single-Family land uses may include libraries, schools, churches, and community centers. The proposed school is compatible with the 20/20 Comprehensive Plan.

Vistula Master Plan

This site lies in the Single Family Residential District of the Plan's framework. One of this neighborhood's strategies is to promote Bush as a "Premier Street". The Plan also recognizes the applicant, That Neighborhood Church, as a neighborhood anchor that provides neighborhood services. The promotion of That Neighborhood Church to include a school will help promote Bush as a "Premier Street" and help a neighborhood anchor assist the neighborhood in a more robust way. The proposed school is compatible with the Vistula Neighborhood Plan.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of SUP-4001-24, a Special Use Permit for a school at 1501 N Ontario Street, 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 complies with all applicable provisions of this Zoning Code (**TMC§1111.0706(B)**).

The Toledo City Plan Commission recommends approval of SUP-4001-24, a Special Use Permit for a school at 1501 N Ontario Street, to the Toledo City Council, subject to the following **thirty-four (34)** 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, 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. Refer to comments provided by the Division of Water Distribution regarding private water mains and/or service lines.

Water Distribution

No comments or concerns.

Division of 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.

Division of 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.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Environmental Services (cont'd)

9. 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.
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.

Bureau of Fire Prevention

12. It appears that this building and any buildings on site that may be used for this school will undergo a change of use. This will require compliance with all applicable Building, Fire, Electrical, Mechanical and Plumbing code requirements. (OBC105.1 & 101.4)
13. All building construction plans for change of use to be submitted to the FD for review in addition to the Building Inspection Department plan submittal. (OFC104.2, OBC107.4.5)
14. New and existing buildings shall be provided with approved address identification that meets Building & Fire Code requirements. (OBC 501.2 & OFC 505.1)
15. A warming stove is currently in place in a kitchen. Any heavier use for more than just warming or addition of cooking equipment and suppression system for same will need plans submitted for review by the Building Dept, Health Dept and the FD. (OFC104.2, OFC901.2)
16. Emergency Plans as required by the Ohio Fire Code shall be developed and reviewed by the FD. The school shall have in place Evacuation and Tornado procedures as well as staff training and response procedures as part of the emergency plan. (OFC403.5, 404, 405, 406 & 408)
17. A fire safety inspection is required prior to occupancy. (OFC105.3.3.2)

Division of Transportation

18. Wheel stops are required at all parking spots abutting sidewalks, property lines, planting areas and buildings per TMC 1107.1907.

PLAN COMMISSION RECOMMENDATION (cont'd)

Division of Transportation (cont'd)

19. Existing curb cut and drive approach that is no longer being utilized near exit drive on Ontario must be removed and replaced with new curb and grass to match adjacent areas.
20. Existing broken sidewalk on Ontario Street and Bush Street must be removed and replaced to match adjacent sidewalk areas.
21. Painted ground signs are required to help prevent wrong way traffic flow.
22. "Do not enter" signage is required at driveway exit on Ontario Street to prevent wrong way traffic flow.

Plan Commission

23. Off-street parking shall be provided pursuant to Off-Street Parking Schedule "A," (TMC§1107.0304). A total of fifteen (15) parking spaces are required for this site. The submitted site plan shows twenty-three (23) parking spaces. The site may not provide more than twenty-three (23) parking spaces (150% of minimum). **Acceptable as depicted.**
24. Bicycle parking slots shall be provided pursuant to Off-Street Parking Schedule "A," (TMC§1107.0300). Minimum number of bicycle parking slots required is thirteen (13). **Not acceptable as depicted. Additional bike rack must be installed.**
25. 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 or to a stormwater treatment facility subject to the regulations and approval of the Department of Public Utilities.
26. Topsoil must be back filled to provide positive drainage of the landscape areas.
27. 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.
28. All landscape material must be properly maintained. No approved plant material shall be removed for any reason without being replaced with like kind, or without submitting a revised landscape plan to the Planning Director for review or approval.
29. All landscape material must be within 100 feet of a water outlet (hose bib).
30. Applicant shall obtain appropriate sign permits for any proposed signage.

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PLAN COMMISSION RECOMMENDATION (cont'd)

Plan Commission (cont'd)

31. 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.
32. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
33. 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.
34. 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

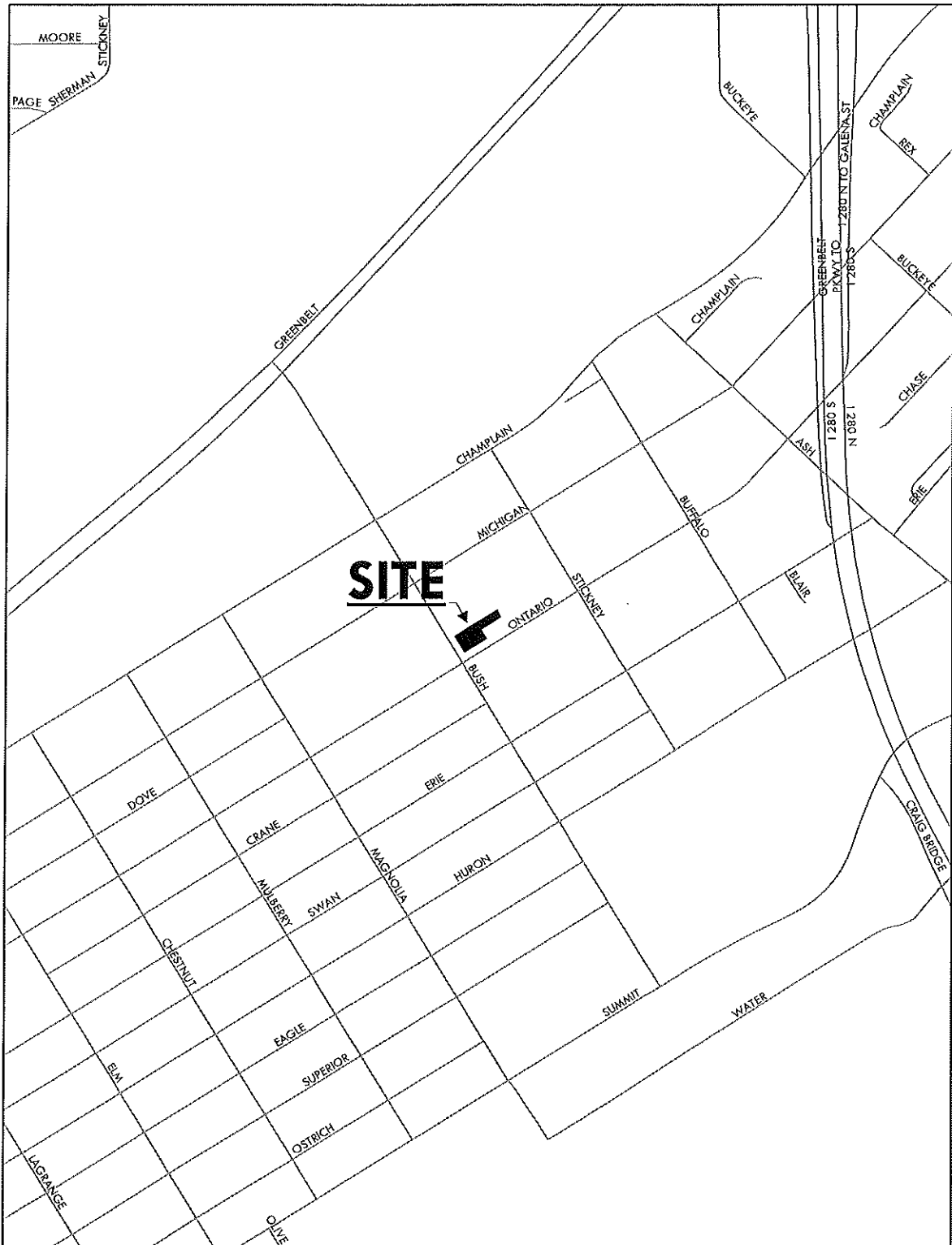
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Three (3) sketches follow

Cc: That Neighborhood Church, 1501 N Ontario Street, Toledo, OH 43604
Great Lakes District of the Christian and Missionary Alliance, 2250 S Huron Parkway,
Ann Arbor, MI 48104
Cappelletty Engineering, 6145 Douglas Road, Toledo, OH 43613
Lisa Cottrell, Deputy Director
Alex Schultz, Planner

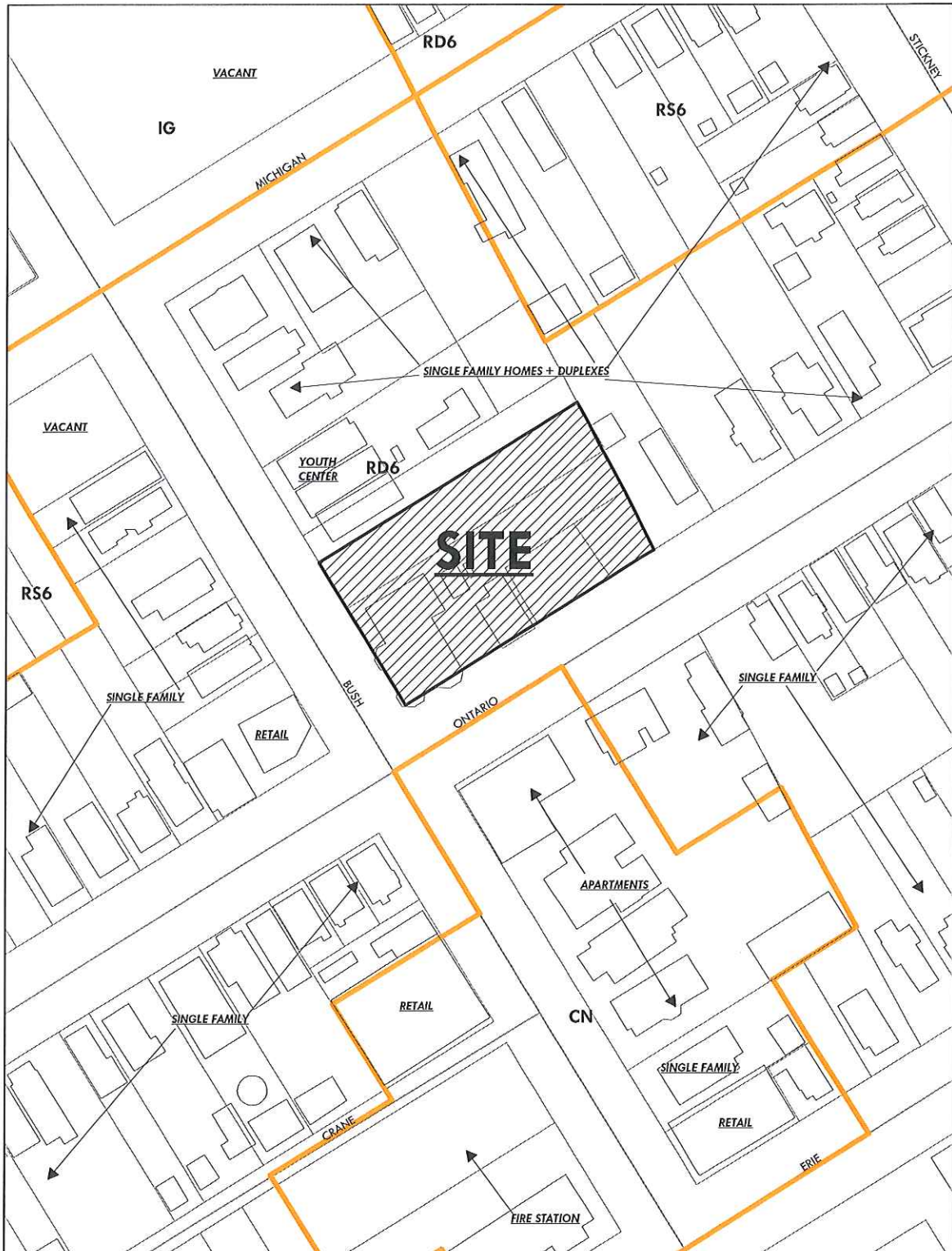
GENERAL LOCATION

SUP-4001-24
ID 4



ZONING & LAND USE

SUP-4001-24
ID 4





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ID 4

SITE PLAN

THE NEIGHBORHOOD CHURCH
1501 N. ONTARIO ST.
SPECIAL USE PERMIT

