



TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

ONE GOVERNMENT CENTER, SUITE 1620, TOLEDO, OHIO 43604 PHONE 419-245-1200 FAX 419-936-3730

THOMAS C. GIBBONS, DIRECTOR



DATE: July 12, 2019

REF: SUP-5006-19

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

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

SUBJECT: Request for a Special Use Permit for a School at 874 Orchard Street.

The Toledo City Plan Commission considered the above-referenced request at its meeting on Thursday, July 11, 2019 at 2:00 P.M.

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a School
Location	-	874 Orchard Street
Applicant	-	Western Ave Baptist Church of Toledo 874 Orchard Street Toledo, OH 43609
Contact Person	-	Robert Welly 2612 Keygate Drive Apartment 9 Toledo, OH 43697
Engineer	-	Midwest Church Design + Construction 634 Eckel Road Perrysburg, OH 43551

Site Description

Zoning	-	RD6 / Duplex Residential
Area	-	± 1.00 acres
Frontage	-	± 159' along Broadway Street ± 194' along Orchard Street
Existing Use	-	Mosaic Ministries Community Center

GENERAL INFORMATION (cont'd)

Proposed Use	-	Pre-Kindergarten and Kindergarten-8 School
Required Parking	-	17-26 spaces
Proposed Parking	-	39 spaces
Neighborhood Org.	-	Broadway Corridor Coalition

Area Description

North	-	Single and Two-family Dwellings / RD6
East	-	Eclectic Mixed Use / CS
South	-	Vacant Commercial Property / CS
West	-	Two-family Dwellings / RD6

Parcel History

Z-4087-94	-	Zone Change from R-3 Two-Family Residential to C-3 Commercial
M-1-17	-	Assist, review, and adoption of the Old South End Master Plan. (Originally Adopted on 1/31/1984 by Ord. 64-84. Last updated on 12/12/04 by Ord. 827-04)

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- Old South End Master Plan
- C-6 Viva South Toledo Neighborhood Business District

STAFF ANALYSIS

The applicant, Western Ave Baptist Church of Toledo, is requesting a Special Use Permit to operate a Pre-Kindergarten and Kindergarten-8 school at an existing school building located at 874 Orchard Street. The $\pm$ 1.00 acre site is zoned RD6. A school is a permitted use in this zoning district, subject to the approval of a Special Use Permit. The property has recently been occupied by a community center operated by Mosaic Ministries. Mosaic Ministries will be moving to their new location at 1623 Broadway Street, making this site available. Surrounding land uses include single and two-family homes to the north and west, as well as an eclectic variety of commercial and mixed use structures with scattered vacancies along Broadway Street to the south and east.

Parking and Circulation

The site is currently accessed via one (1) curb cut from Broadway Street to the east. The site plan calls for the existing asphalt to remain, and for new striping within the parking lot. Pursuant to TMC§1107.0304 – *Parking, Loading, and Access*: Schedule A, an Elementary and Middle School is required to have one (1) parking space per faculty member plus one (1) space per three (3) staff members plus one (1) space per fifty (50) students for student drop-off and pick-up. Additionally, one (1) bicycle slot is required per three (3) students plus one (1) bicycle slot per ten (10) parking space for faculty and staff. The applicant is planning to have between 90 and 120 students, 7 teachers, and 17 staff members. This would require a minimum of seventeen (17) off-street parking spaces and forty-two (42) bicycle slots, and a maximum of twenty-six (26) parking spaces. The site plan depicts thirty-nine (39) parking spaces for the school, separate from another ten (10) parking spaces reserved for 1623 Broadway Street, the new location of Mosaic Ministries. This shared parking agreement was accomplished as a part of a SUP-3002-19, the case managing the relocation of Mosaic Ministries.

Landscaping

The site was developed before the 2004 zoning code, so full compliance is not required. TMC§1114.0500 requires future changes to bring a site closer into compliance with the 2004 code. The existing structure and parking lot occupy the entire site, therefore the applicant proposed to add additional landscaping along Orchard Street, which is acceptable. Additionally, as listed in condition #21, decorative fencing must be installed along Orchard Street and along Broadway Street.

STAFF ANALYSIS (cont'd)

Broadway Corridor/Old South End Overlay

The property is located within the Broadway Corridor/Old South End Master Plan which was adopted in 2017 to replace the Corridor Overlay Plan updated for the VIVA South CDC in 2004. The Old South End Master Plan highlights the Orchard Street Node. Key elements of the concept which can be achieved by this application include:

- Reconfiguration of the intersection of Broadway and Orchard to improve safety and create green space around the Mosaic Ministries and Early Childhood Center. (Note- this is the site of this application)
- Enhanced right-of-way landscaping and new gateway element.

These goals will be partially achieved, and the site will be brought closer to compliance with Toledo Municipal Code's *Landscaping and Screening* standards from Chapter 1108 because of the applicant's improved landscaping and decorative fence which is required under condition #21.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for urban village development. Toledo 20/20 recommends for southside: enforcing the housing code aggressively; encouraging infill housing, where appropriate; and developing strong, economically viable and diverse neighborhood commercial activity along Broadway. The Future Land Use Map shows this site as Urban Village. A school is an appropriate use of an existing educational building to achieve these future goals.

Staff recommends approval of this Special Use Permit because the use meets the stated purpose of the zoning code, and is compatible with adjacent uses in terms of scale, site design, and operating characteristics. The site has historically been a school and will provide a service to the neighborhood. Additionally, the applicant will be bettering the layout of the site through landscape improvements.

PLAN COMMISSION RECOMMENDATION

Toledo City Plan Commission recommends approval of SUP-5006-19, a request for a Special Use Permit for a School at 874 Orchard Street, to Toledo City Council for the following two (2) reasons:

1. The proposed use meets the stated purpose of this Zoning Code (TMC§1101.0400)
2. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics.

The Toledo City Plan Commission recommends approval of SUP-5006-19, a request for a Special Use Permit for a School at 874 Orchard Street, to Toledo City Council subject to the following 26 conditions:

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.

Division of Engineering Services (Cont'd)

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. Contact Joe Warnka at (419) 245-1341 for inspection of above mentioned items.
6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
7. All commercial properties are required to have approved backflow protection devices installed on the domestic water service and fire protection lines. Installation of the devices must be verified by the Division of Water Distribution and all devices must be registered with BSIonlinetracking.com @ 800-414-4990. In the case of renovation, expansion or modification projects, all existing backflow devices must be verified and registered. Where devices are missing, they shall be added. Contact the Division of Water Distribution (419-936-2839) to verify the backflow prevention requirements for this site.
8. Any site with an existing building, or proposed addition or additional building: The design professional or property owner shall submit written documentation to the Division of Water Distribution that no changes are being made to the existing water service line, meter setting or backflow protection device and that these devices are properly installed, tested and in good working order. The City, at its discretion, has the authority to mandate the entire service, including meter and backflow prevention device, be brought into compliance with current City of Toledo standards.
9. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.

Division of Transportation

10. Wheel stops required at all parking spots that abut the building. Per Plan Commission Approval, wheel stops are not required at parking spaces on this site that abut property lines because there is fencing surrounding the site.
11. Bicycle parking spaces required per TMC§1107.0300. One (1) bicycle slot per three (3) students plus one (1) bicycle slot per ten (10) parking spaces for faculty and staff.
12. All parking spaces need to be a minimum of nine (9) feet by eighteen (18) feet, and clearly dimensioned per TMC§1107.

Division of Transportation (Cont'd)

13. Two (2) and two (2) van accessible parking spaces must meet the minimum dimension requirements. (9) feet by eighteen (18) feet with abutting five (5) foot aisle for car and eight (8) foot aisle for van per TMC§1107
14. Parking spots are not allowed to perpendicularly abut other parking spots the two (2) parking spots at the northeast corner of the building, which abut the adjacent parking spot, are not allowed. **These two spots shall be replaced with a curbed landscape island or re-striped with hatched lines to delineate "no parking."**

Department of Public Utilities

15. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
16. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.
17. Any green infrastructure measures that can be included to minimize runoff and increase infiltration are highly advisable.
18. Applicant shall maintain compliance with the City of Toledo's stormwater regulations as specified in the Toledo Municipal Code. Special attention must be paid to all potential stormwater impacts from the modification, including but not limited to long-term operation and maintenance of existing structural and non-structural Best Management Practices.
19. Any effort made to plan non-invasive trees, shrubs and perennials is highly encouraged.
20. 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

21. A decorative fence shall be installed to replace the existing chain-link fence along the Broadway Street and part of the Orchard Street frontages and surrounding the existing playground, subject to the review of the director. This fence shall be comprised of heavy gauge metal or other decorative material. Fencing shall be anchored by two (2) brick or masonry columns flanking the entrance to the site along Broadway Street and one (1) column at the corner of Broadway Street and Orchard Street. Staff recommends additional brick or masonry columns supporting fencing around the perimeter of the site, as approved by the Plan Director. **The location, height, and materials for this fencing shall be shown in a revised site plan and is subject to the review of the Plan Director.**
22. No new free-standing signs greater than forty-two inches (42") from grade are permitted – any proposed signage must meet the requirements of low-profile signs per Toledo Municipal Code Title Nine – Sign Code.
23. 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.
24. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in TMC§1111.0707 have not been met.
25. 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.
26. 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

ML
Three (3) sketches follow

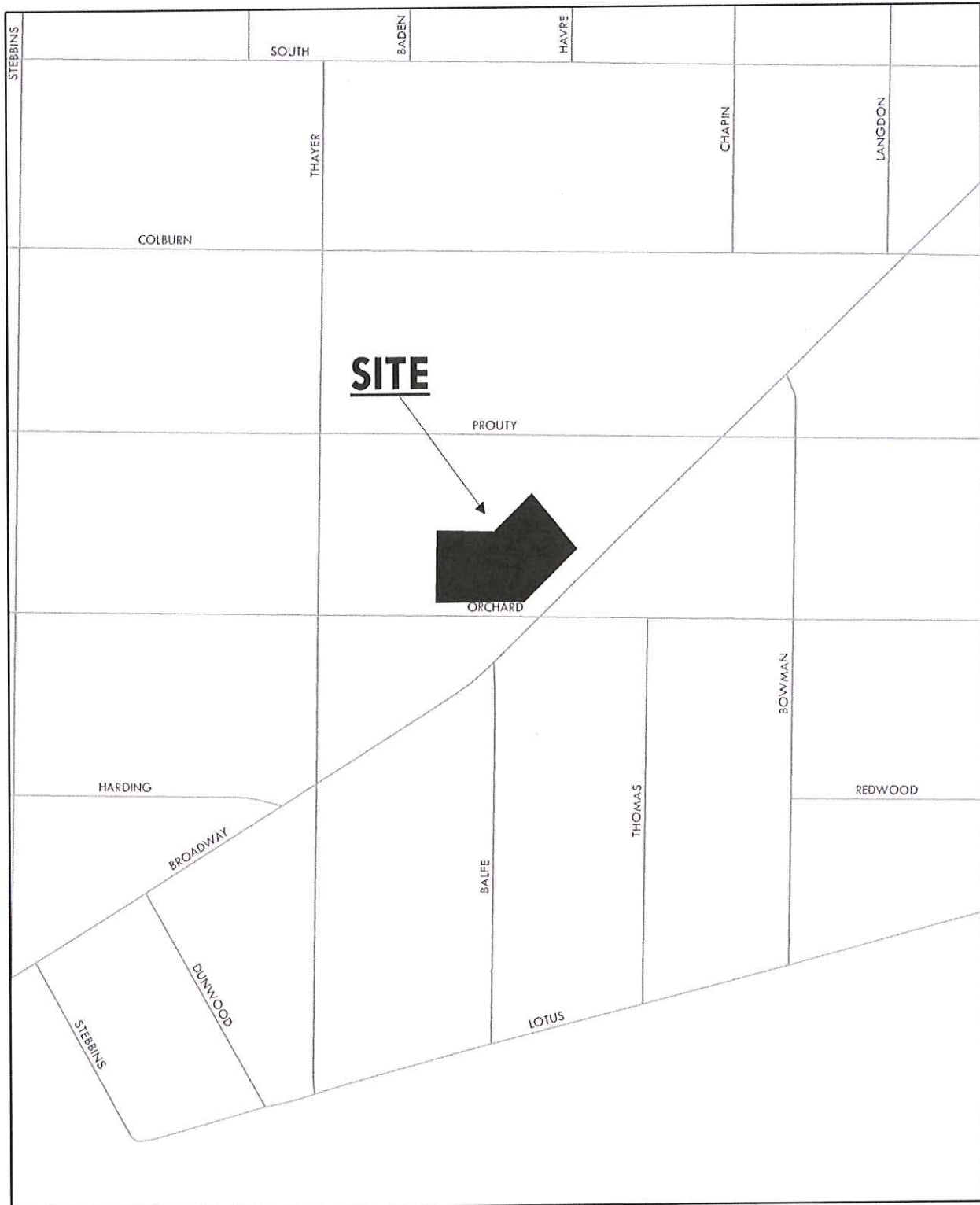
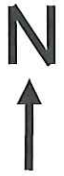
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CC: Lisa Cottrell, Administrator
Matt Lascheid, Associate Planner
Western Ave Baptist Church of Toledo; 874 Orchard Street; Toledo, OH 42609
Robert Welly; 2612 Keygate Drive, Apt. 9; Toledo, OH 43697
Midwest Church Design + Construction; 634 Eckel Road; Perrysburg, OH 43551

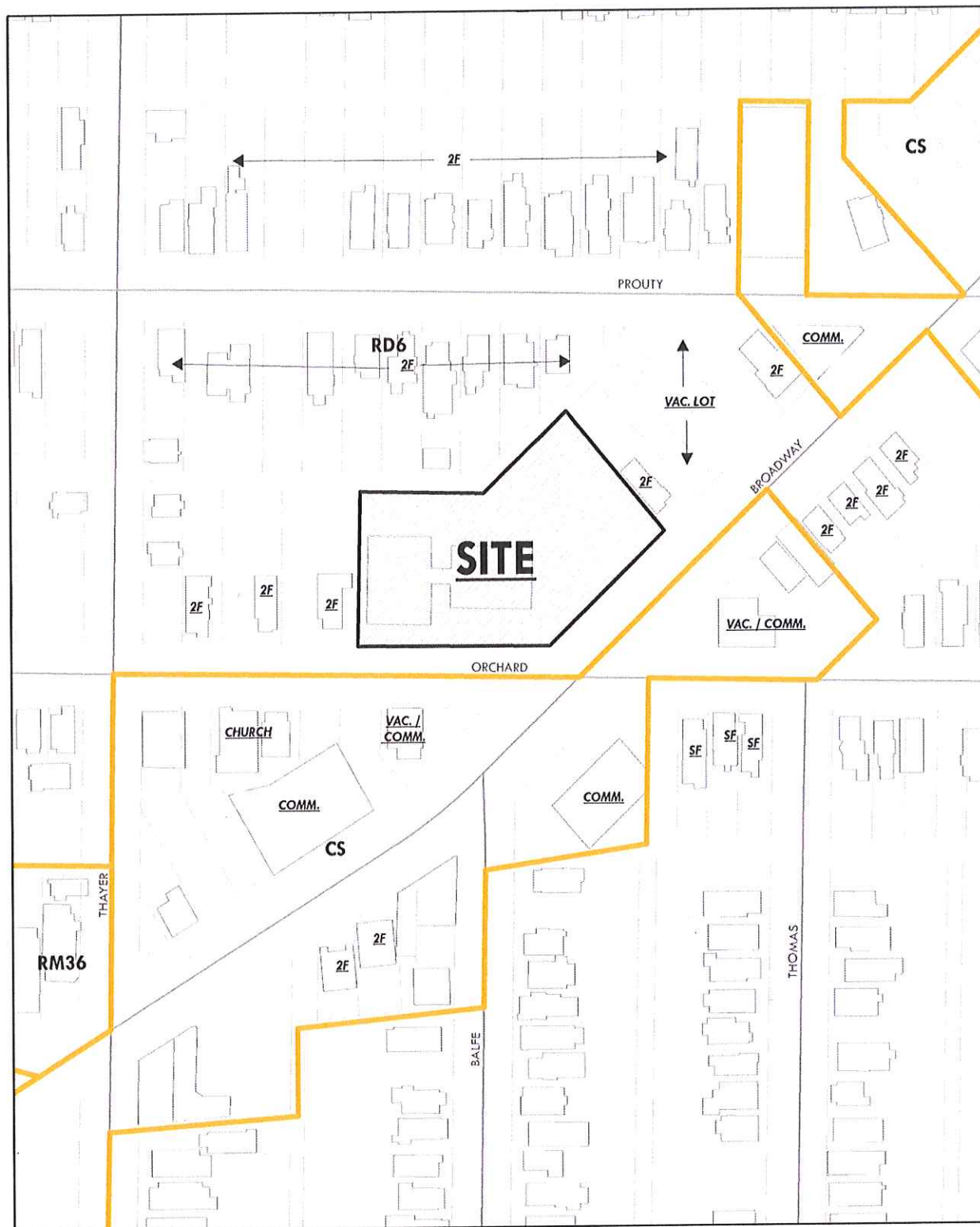
GENERAL LOCATION

SUP-5006-17
ID 12



ZONING AND LAND USE

SUP-5006-19
ID 12



SUP-5006-19
ID 12



MOSAIC MINISTRIES
SUNBRIDGE SCHOOLS
860 OGDEN STREET, TOLSON, ONT. A7B 0B9

SITE PLAN

REVISIONS:                        

PROJECT NO: 19-003 DATE: 05/17/19 DRAWN BY: JRM

SP.1

