



Legislation Text

File #: O-082-22, **Version:** 1

Zoning & Planning Committee

Granting a Special Use Permit for the addition of Modular Classrooms to an existing School for a site located at 4607 W. Laskey Rd, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

SUMMARY & BACKGROUND:

By application (SUP-11001-21) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for the addition of Modular Classrooms to an existing School for a site located at 4607 W. Laskey Rd, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On January 13, 2022, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit for the addition of Modular Classrooms to an existing School for a site located at 4607 W. Laskey Rd, in the City of Toledo, Lucas County, Ohio.

On February 16, 2022, Toledo City Council, Planning and Zoning Committee reviewed, and recommended approval a request for a Special Use Permit for the addition of Modular Classrooms to an existing School for a site located at 4607 W. Laskey Rd, Lucas County, Ohio and all other things required by law to be done, have been done.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That a Special Use Permit for the addition of Modular Classrooms to an existing School for a site located at 4607 W. Laskey Rd, in the City of Toledo, Lucas County, Ohio be and the same is hereby approved, subject to the conditions contained in Section 2 hereof which must be complied with, as to the property more fully described as follows:

6 9 13 NE 1/4 E 460 FT NW 1/4 EXC S 340. 1 FT & W 460 FT E 920 FT NW 1/4 LYING 400 FT NE OF CEN MONROE ST EXC IRREG PC E SE COR

Parcel No. 2401621

Accessor No. 03913027

SECTION 2. That the approval of the Special Use Permit for the addition of Modular Classrooms to an existing School for a site located at 4607 W. Laskey Rd, in the City of Toledo, Lucas County, Ohio shall be subject to compliance with the 33 conditions as follows:

The following thirty-three (33) 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. 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: 419-245-1341

Roadway: 419-245-1344

Water: 419-936-2163

Stormwater Drainage: 419-245-3221; 419-245-1338

Sanitary Sewers: 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.

Contact (419) 245-1341 for inspection of above-mentioned items.

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
6. 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 (419-392-2032) to verify the backflow prevention requirements for this site.

7. 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.
8. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.
9. Site has ample surrounding open space; stormwater requirements do not require a structural stormwater practice in such a case if the runoff reduction calculation spreadsheet is submitted to quantify the infiltration of the required volume.
10. Plan detail must be given in place of the plan notes to verify and move existing CBs as needed.
11. Pre-submittal correspondence is welcome, but a review of stormwater design plans requires submittal of all of the following:
 - a. Engineering drawings and calculations compliant with the City of Toledo Infrastructure Design and Construction Requirements. <https://cdn.toledo.oh.gov/uploads/documents/Public-Utilities/Engineering-Services/2014-infrastructure-requirements.pdf>
 - b. Long term operations and maintenance (O&M) plan for Detention and Post-Construction BMP's, as a standalone 8.5x11 document.
 - c. A Storm Water Pollution Prevention Plan (SWP3) with an accompanying completed Ohio EPA SWP3 checklist.
12. Following approval of stormwater design plans, applicant must acquire stormwater permit which requires payment of fee, completion of form with contactor information, and signed covenant to adhere to O&M plan.
13. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
14. 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.

Sewer & Drainage Services

15. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
16. 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

17. 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.
18. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
19. 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.
20. 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 alternative species can be downloaded from https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf
21. 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

22. The requirements for Industrialized Units in Chapter 1 Section 113 of the OBC and the requirements for the use group listed in the OBC.
23. Required accessibility (Knox Box at the gate in the parking lot) will be required.
24. The proposed new building will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical, Mechanical and Plumbing code requirements.

Plan Commission

25. 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. Existing bicycle parking acceptable.
26. A pedestrian walkway shall be installed using pavers, bricks, scored concrete or scored and painted asphalt. The walkway shall go from the modular classroom entrance, through the parking lot, to the main building in the most logical route per TMC§1109.0204(A). Not acceptable as depicted, shall be shown on a revised site plan.
27. 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 approval of the Department of Public Utilities.
28. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device consisting of a concrete stop, a permanent concrete curb, an expanded sidewalk or other suitable restraint as approved by the Planning Director must be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway or sidewalk, or damaging any structure or landscaping (TMC§1107.1907(A)).
29. 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. Not acceptable as depicted on site plan, existing dumpsters shall be enclosed.
30. 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. No modifications are proposed, site plan 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. See TMC Chapter 1108 for required landscaping buffers.
 - b. Topsoil must be back filled to provide positive drainage of the landscape areas;

- 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.

- 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.
- 32. 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.
- 33. 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.

SECTION 3. That when the conditions contained herein above have been complied with, the Secretary of the Toledo City Plan Commission be and he is hereby directed to change the zoning maps to conform with the within Ordinance.

SECTION 4. That this Ordinance hereby is declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that the Ordinance must be immediately effective in order to provide for the orderly regulation and use of the property and to protect the land value in the area.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor