



## Legislation Text

---

**File #: O-382-22, Version: 1**

---

Zoning & Planning Committee

### **Granting a Special Use Permit for a School for a site located at 2416 Seaman Street, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.**

#### SUMMARY & BACKGROUND:

By application (SUP-4010-22) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit for a School for a site located at 2416 Seaman Street, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On June 9, 2022, the Toledo City Plan Commission recommended approval for a Special Use Permit for a School for a site located at 2416 Seaman Street, in the City of Toledo, Lucas County, Ohio.

On July 13, 2022, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved a Special Use Permit for a School for a site located at 2416 Seaman Street, in the City of Toledo, 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 a School for a site located at 2416 Seaman Street, in the City of Toledo, Lucas County, Ohio; 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:

8 10 5 NE 1/4 PT LAWRENCE LANDS PT NE 1/4 PT IN CITY OF TOLEDO THT LIES E BERLSJORE  
ADD IRREG 8.838 AC PCE MEAS 339.8 F T S LINE 513.24 FT SE LINE

SECTION 2. That the approval of the Special Use Permit for a School for a site located at 2416 Seaman Street, in the City of Toledo, Lucas County, Ohio; shall be subject to compliance with the 35 conditions as follows:

The following thirty-five (35) 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. 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.

3. Required permits for all approved work in the public right-of-way shall be obtained, before work begins
4. The Division of Engineering Services has no comments with respect to the public water system. The Division of Water Distribution will provide comments regarding proposed private water mains and/or service lines.

#### Division of Water Distribution

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
6. Detailed plans for the proposed water main shall be submitted to the Division of Water Distribution for review and approval if applicable.
7. The water meter setting detail, including meter bypass (if applicable) and backflow preventer, shall be submitted to the City of Toledo Backflow Prevention Coordinator, 401 S Erie Street, Toledo, OH 43604 for review and approval. Approval of site utility plan is contingent on approval of meter setting and backflow preventer.
8. 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. Contact the Division of Water Distribution to verify the backflow prevention requirements for the site.
9. Existing water service lines to structures removed from the site will be abandoned by the City of Toledo at the developer's expense if applicable.
10. Plans must be submitted and approved by Fire Prevention.

#### Sewer and Drainage Services

11. S&DS requires that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
12. 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 to the public sewer system if this has not been done in the past (2) two years. An electronic (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

#### Environmental Services

13. 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 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.
14. Applicant shall maintain compliance with Ohio EPA's General Storm Water NPDES permit programs.
15. 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.
16. 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](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](https://www.oipc.info/uploads/5/8/6/5/58652481/alternatives_to_ohio_invasive_plant_species.pdf)
17. 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.

### Transportation

18. Bicycle parking is required per TMC 1107.0900.
19. Sidewalks are required along Seaman per TMC 1107.1300
20. Van and auto accessible parking spaces are required to be a minimum of 9'x18' with a 5' loading aisle for auto and 8' loading aisle for van per TMC 1107.1700
21. Wheel stops are required at property lines, sidewalks, planting strips and builders per TMC 1107.1907.
22. Dumpster locations must be shown per TMC 1107.1910.
23. Driveway needs to be 25' wide from street to the driveway fork for two-way traffic per TMC 1107.1911
24. Angled parking is required for the one-way direction pattern around the building per TMC 1107.1911.
25. "Do Not Enter" signage and directional arrow pavement markings are required at the driveway

fork for one-way traffic pattern around the building.

Plan Commission

26. A cross access agreement shall be established and recorded between all properties sharing the driveway if one has not already been established.
27. Per TMC§1107.0400, Off-Street Parking Schedule “A” requires one parking space per ten (10) students, plus one (1) per faculty member, plus one (1) per three (3) staff members plus one (1) space per fifty (50) students for student drop-off and pick-up. At least ten (10) spaces are required. Acceptable as depicted.
28. Per TMC§1107.0400, Off-Street Parking Schedule “A” requires one (1) bicycle parking slot per three (3) students as well as one (1) spot per ten (1) parking spaces for faculty and staff. Not acceptable as depicted. Applicant shall provide a bicycle rack with at least ten (10) spaces.
29. 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)).
30. Per TMC§1107.1700 Accessible Parking for Physically Disabled Persons one (1) van accessible space is required. Not acceptable, none depicted.
31. 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 No modifications are proposed, site plan acceptable as depicted. Note conditions below for any future development:
  - a. All existing trees on site with a caliper of four (4”) inches or more shall be shown and incorporated into the landscape plan to the maximum practical extent. Credit may be given for existing trees towards landscaping requirements based upon the crediting system outlined in TMC§1108.0407;
  - b. 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;
  - 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 and direction of any proposed lighting (lights are to be directed away from adjacent residential properties;

- e. 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; and
  - f. The location, lighting, and size of any signs.
32. 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. Dumpsters may not be located in the public right-of-way. Acceptable as depicted.
  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 Zoning Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
  34. 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.
  35. 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.

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