



## Legislation Text

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**File #:** O-190-24, **Version:** 1

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Zoning & Planning Committee  
4225 Bellevue RD

**Granting an amendment to a Special Use Permit originally granted by Ordinance 269-07, to Add Modular Classrooms to an Existing School for a site located at 4255 Bellevue Road, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.**

### SUMMARY & BACKGROUND:

By application (SUP-1017-24) filed with the City of Toledo Central Permit Center, a request for an amendment to a Special Use Permit to Add Modular Classrooms to an Existing School for a site located at 4255 Bellevue Road, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On March 14, 2024, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit to Add Modular Classrooms to an Existing School for a site located at 4255 Bellevue Road, in the City of Toledo, Lucas County, Ohio.

On April 16, 2024 Toledo City Council, Planning and Zoning Committee reviewed, and recommended approval the request for a Special Use Permit to Add Modular Classrooms to an Existing School for a site located at 4255 Bellevue Road, 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 to Add Modular Classrooms to an Existing School for a site located at 4255 Bellevue Road, 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:

HOME ACRES LOT 197 TO 200 INCL & 205 S PT BEING 142.82 FT ON W LINE & 127  
ON E LINE & 206 & 207 EXC IRREG PCE MEAS NLY 100 FT ON E LINE & 221 to 224  
INCL HOME ACRES LOT 205 N PT BEING 85 FT O N W LINE BY 112.29 FT ON E LINE  
HOME ACRES LOT 208 EXC NLY 108 FT AS MEAS ON W LINE  
HOME ACRES LOT 201  
HOME ACRES LOT 202  
HOME ACRES LOT 203  
HOME ACRES LOT 204

SECTION 2. That the approval of the Special Use Permit to Add Modular Classrooms to an Existing

School for a site located at 4255 Bellevue Road, in the City of Toledo, Lucas County, Ohio, be subject to compliance with the 25 conditions as follows:

The following twenty-five (25) 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, 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.
5. The proposal shows under 2,500 sq. ft. of earthwork, so no further stormwater is needed. If the plan changes to exceed that, applicant shall coordinate with the City to receive additional stormwater submittal instructions, review and approval.
6. Provide details of temporary sanitary sewer connection to the public sewer.

#### Bureau of Fire Prevention

7. The proposed new classroom buildings will require compliance with all applicable Building, Fire, Electrical, Mechanical and Plumbing code requirements. (OBC105.1 & 101.4)
8. New and existing buildings shall be provided with approved address identification that meets Building & Fire Code requirements. (OBC 501.2 & OFC 505.1)
9. Fire Department to be notified and present for all fire systems acceptance testing. (OFC 901.5)
10. A fire safety inspection is required prior to occupancy. (OFC105.3.3.2)

#### Division of Transportation

11. Bicycle parking is required per TMC§1107.0900.

#### Division of Environmental Services

12. 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.

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

17. S&DS requires that all existing private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
18. 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.

#### Plan Commission

19. Façades of the mobile classrooms shall be upgraded to meet the design standards of **TMC§1109.0200** after two years if the mobile classrooms are still being used.
20. Any future development projects shall require a Special Use Permit Review to determine compliance with the City of Toledo Municipal Code minimum standards.
21. Per **TMC§1107.1906** All off-street parking, loading, and other vehicle circulation areas shall be graded and continuously maintained and designed to preclude free flow of stormwater across or onto adjacent lots, properties, or streets.
22. 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.
23. Approval of the Special Use Permit will lapse after one (1) year if the criteria listed in **TMC§1111.0707** have not been met.
24. 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.

25. 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 12, nays 0.

Passed: April 24, 2024, as an emergency measure: yeas 12, nays 0.

Attest:

Julie A. Gibbons  
Clerk of Council

Carrie Hartman  
President of Council

Approved:

April 24, 2024  
Wade Kapszukiewicz  
Mayor