



## Legislation Details (With Text)

**File #:** O-456-21      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 8/13/2021      **In control:** City Council  
**On agenda:** 8/17/2021      **Final action:** 8/17/2021  
**Title:** Granting a Special Use Permit, for a School for a site located at 4930 Flanders Road, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Plan Commission Report, 2. Audio: City Council August 17, 2021

Date	Ver.	Action By	Action	Result
8/17/2021	1	City Council		
8/17/2021	1	City Council		
8/17/2021	1	City Council		

Zoning & Planning Committee

**Granting a Special Use Permit, for a School for a site located at 4930 Flanders Road, in the City of Toledo, Lucas County, Ohio; subject to certain conditions; and declaring an emergency.**

### SUMMARY & BACKGROUND:

By application (SUP-5007-21) filed with the City of Toledo Central Permit Center, a request for a Special Use Permit, for a School for a site located at 4930 Flanders Road, in the City of Toledo, Lucas County, Ohio; was submitted to the Toledo City Plan Commission for its review and recommendation.

On July 28, 2021, the Toledo City Plan Commission recommended approval for the request for a Special Use Permit, for a School for a site located at 4930 Flanders Road, in the City of Toledo, Lucas County, Ohio.

On August 11, 2021, Toledo City Council, Planning and Zoning Committee reviewed, and sent as approved a Special Use Permit for a School for a site located at 4930 Flanders Road, 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 4930 Flanders Road, 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:

6 9 13 NE 1/4 PT NW 1/4 N OF CEN MONROE ST EXC E 920 FT & EXC SW 400 FT

SECTION 2. That the approval of the Special Use Permit, for a School for a site located at 4930

Flanders Road, in the City of Toledo, Lucas County, Ohio, shall be subject to compliance with the 22 conditions as follows:

The following twenty-two (22) 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 Joe Warnka at (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.

#### Engineering Services

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. Contact the City of Toledo Fire Prevention Bureau (419-245-1263) to verify the fire protection requirements for this site.
8. Applicant and site plan Engineer are advised that underground stormwater utilities are shown incorrectly. City Stormwater Engineering has the correct layout on record. No further action needed;

no stormwater objection to SUP on account of this.

### Fire Prevention

9. It appears that this building will undergo a change of use. This will require compliance with all applicable Fire Sprinkler and Alarm, Building, Electrical, Mechanical and Plumbing code requirements.

### Transportation

10. Four (4) auto and (1) van accessible parking spot is required with 5' loading aisle for auto and 8' aisle for van per TMC 1107.1701 & 1107.1702.
11. Accessible parking signage must comply with TMC 1107.1704.
12. A minimum of 25' wide drive aisle is required from driveway to parking lot and all drive aisles in parking lot for two-way traffic per TMC 1107.1911.
13. Bicycle parking is required per TMC 1107.0900.
14. Parking lots, maneuvering areas, aisles and driveways shall be surfaced with concrete, asphalt, or other dust-free material other than gravel or loose fill per TMC 1107.1906.
15. Parking is not permitted to be located in front of a dumpster.

### Plan Commission

16. Per TMC§1107.0400, Off-Street Parking Schedule "A" requires one (1) bicycle parking slot per ten (10) parking spaces. Not acceptable as depicted. Applicant shall provide a bicycle rack with twenty (20) spaces.
17. 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.
18. 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)).
19. 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. 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.

#### Plan Commission

- 20. 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.
- 21. 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.
- 22. 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 12, nays 0.

Passed: August 17, 2021, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

August 17, 2021  
Wade Kapszukiewicz  
Mayor