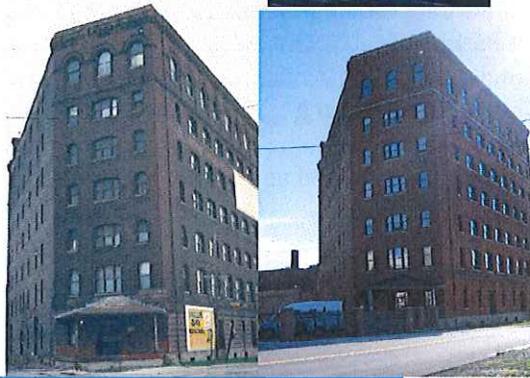


2012 TOLEDO WAREHOUSE DISTRICT PLAN



2012 Toledo Warehouse District Plan

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2012 VISION STATEMENT

Building on a rich and powerful history, the Toledo Warehouse District envisions the continuing return of activities and opportunities that once existed here – a truly urban Toledo neighborhood that encourages and supports a harmonious blend of residential, retail, recreational, learning and service components creating an environment in which to live, work, visit and enjoy unlike any other in the Toledo Metropolitan Area.

2012 Toledo Warehouse District Plan

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2012 Toledo Warehouse District Plan

I. INTRODUCTION

The Toledo Warehouse District Association (TWDA) and the Design Center (DC) in conjunction with the Toledo City Plan Commission (TCPC) have developed a Toledo Warehouse District (TWD) Plan that provides a renewed vision for the neighborhood. This is the first time during the twenty five year existence of the Toledo Warehouse District Association that a formal plan and implementation policy have been developed to officially memorialize its' vision.

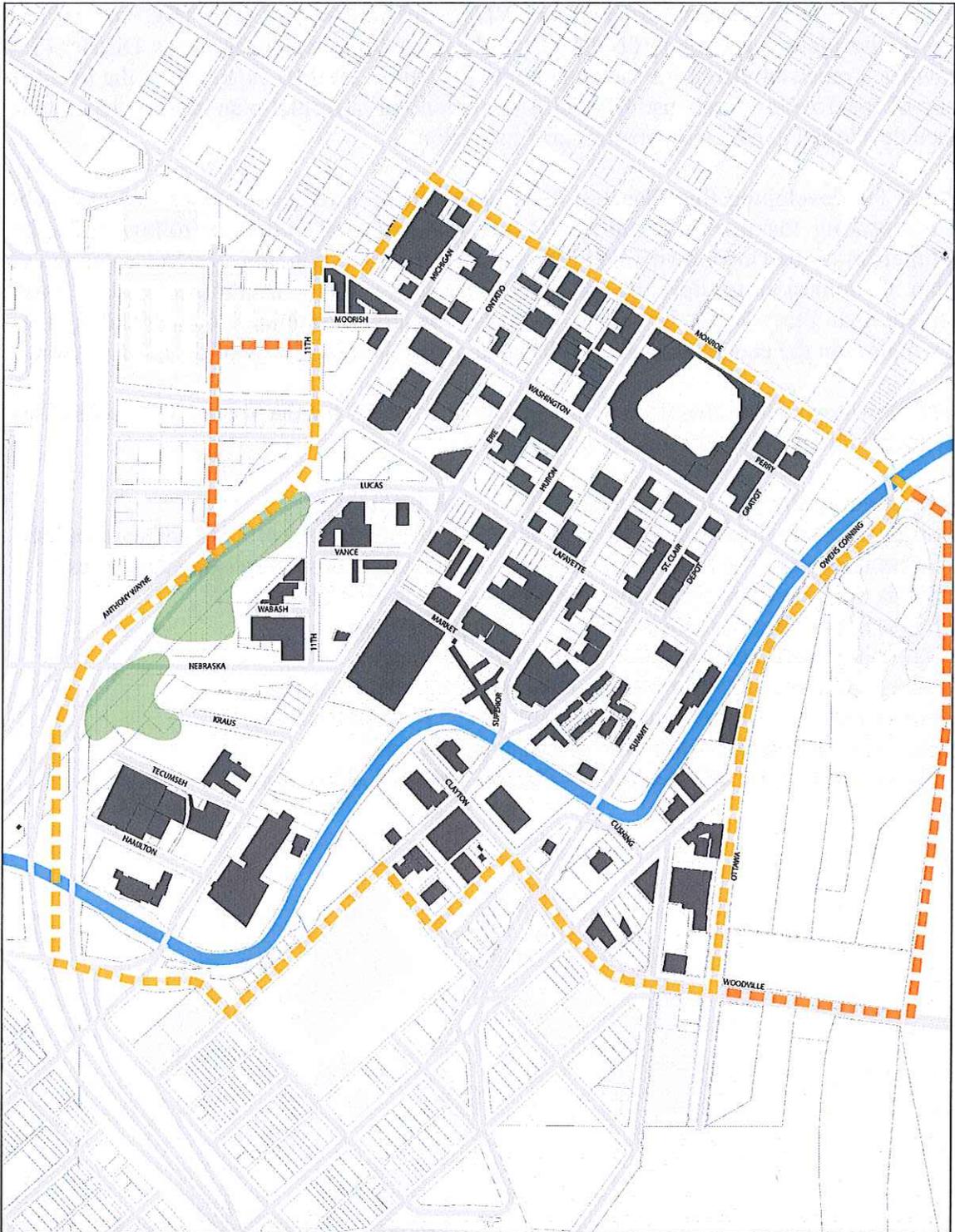
The timing for developing this Plan has been bolstered by a re-energized private and public sector notion of working together in a spirit of teamwork and cooperation to follow and continue the successful effort of the Downtown Toledo Development Corporation, the Design Center and the Toledo City Plan Commission to develop the 2011 Downtown Plan. This process also illustrates the commitment that the TWDA is willing to make towards sustaining and expanding the role the downtown plays in the economic, social, cultural and residential viability of the entire region.

The 2011 Downtown Plan, therefore, is the guiding document for the Toledo Warehouse District Plan since its recent development and adoption.

Major objectives of the Toledo Warehouse District Plan include:

1. Stress importance of what design and planning excellence can provide and accomplish.
2. Stress importance of historic preservation and adaptive reuse of existing structures.
3. Stress importance of occupying street level space in all buildings
4. Stress importance of increased residential opportunities.
5. Stress importance of ample and interactive open space.
6. Stress attractive and "complete" streets and streetscape features.
7. Stress attractive and well maintained alleys and secondary streets.
8. Stress preventing the demolition of existing structures.
9. Stress reduction of, and minimize, off street surface parking areas.

Toledo Warehouse District



Base Map Produced by Toledo - Lucas County Plan Commissions 02/28/12



- Existing Buildings
- ▬ Toledo Warehouse District
- ▬ 2012 Urban Neighborhood

0 500 1,000 Feet

2012 Toledo Warehouse District Plan

II. PLANNING PROCESS

Background

For twenty five years, the Toledo Warehouse District (TWD) has endeavored to fulfill the objective of the Vision Statement. Although the process has been slow at times, steady progress can be traced and documented. A number of monumental occurrences have taken place that resulted in significant steps forward. These include the construction of Fifth Third Field ten years ago that continues to provide impetus for further development to occur and the construction of the World Headquarters of Owens Corning Corporation in the Middlegrounds. Others, such as the Erie Street Market, had a short term impact. A recent project that should have a long-term effect is the redevelopment of the historic Standart Simmons Hardware Company building, now the Standart Lofts, into market rate apartments. The redevelopment of the St. Clair Village complex has provided space for much needed commercial activity along with residential opportunities. Other contributing developments that have been successful in revitalizing the neighborhood include the Oliver House (commercial and residential), The Bakery Building (residential and commercial); the Sunflower Lofts (residential), the Washington Triangle Building, the Knight Crockett Miller Insurance building (commercial); The Bartley Lofts (residential) and restoration of the Historic Church of St. Patrick. The Washington Street residential condominiums, Swan Creek Candle Company (commercial and residential in three buildings), One S. St. Clair St., Martin & Wood Appraisals (offices and residential), 20 S. St. Clair, Wilson studio and residential loft, Paul Sullivan office and residential loft, Tony Packo's Restaurant, Grumpy's Deli, the Rueben Company, Sam Okun Produce Co., The Bronze Boar Bar, The Village Law Offices, The Basset Nut Building (commercial and residential), The Hannon Block, The Blarney Irish Pub, Pizza Papilas Restaurant and the Poll Electric Building are all recent examples of restoration of historic structures within the TWD. Other than Fifth Third Field and the addition to Pizza Papilas, the only other newly constructed structures within the TWD are the River West Townhomes, a condominium residential development.

Stakeholders

In addition to the private and public property owners, business owners and operators, residents and visitors within the Toledo Warehouse District, a number of other entities have become or will hopefully become important stakeholders. Participation by The Arts Commission of Greater Toledo provides an excellent example of how art can be utilized as an economic development tool. By supporting a weekly "Art Walk" during the evening of the summer months, new galleries and related businesses have emerged that also attract many new residents. This further supplements the need for alternative attractions to attending baseball games and the numerous restaurants and entertainment facilities. The Arts Commission has also established a "Live Work Create Toledo" with a mission to centralize and elevate the visibility of the local and regional artist population, arts organizations and cultural assets and to attract and retain other creative people to become permanent residents of the community. One of the goals of this mission is to create a program called Artomatic 419, an art show at a vacant building in downtown to help display the work of emerging artist's and to help market the building. The annual Wander the Warehouse District tour highlights the neighborhood by showing off these majestic buildings that have been renovated for a variety of uses by enticing the public to view them up close.

The Downtown Toledo Parking Authority has assisted diligently in resolving parking issues, to minimize congestion and to limit the use of on street parking by business owners and employees to keep those spaces available to visitors and customers. The recently formed Downtown Toledo Development Corporation has been extremely helpful with providing consultation and input with the integration of the surrounding neighborhoods into the entire downtown community.

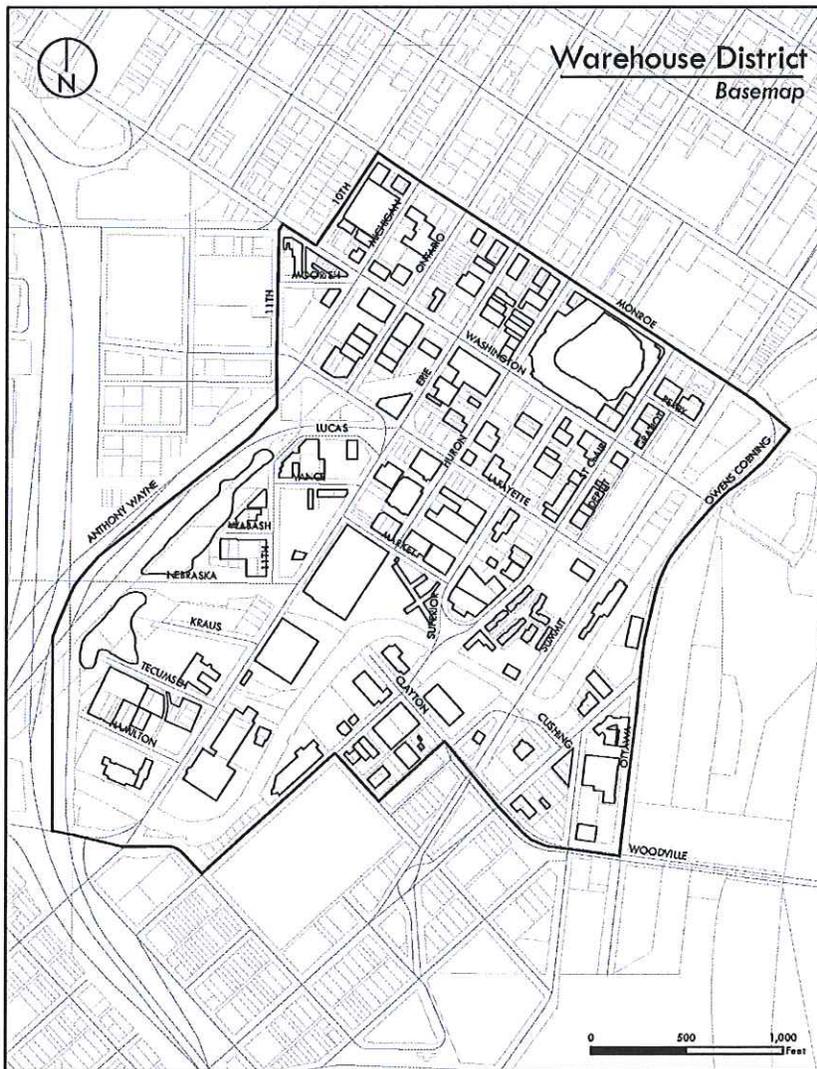
2012 Toledo Warehouse District Plan

Study Area

Although the Toledo Warehouse District is a larger area than the Plan includes, a smaller area was determined to be more appropriate for this plan because the Owens Corning World Headquarters and the Historic Church of St. Patrick have campuses that are already well planned and developed. In addition, they are both adjacent to the study area and are linked to the Plan. It is unlikely that any future modifications to either campus will detract from their existing beauty or negatively affect the vision of the Plan.

Toledo Warehouse District Boundary

“The Toledo Warehouse District boundary is as follows: Commencing at the intersection of the centerline of Monroe Street and the centerline of 10th Street, thence southwest along the centerline of



10th Street to its intersection with the centerline of

Washington Street, thence

northwest along the centerline of Washington Street to its intersection with the centerline of 11th Street, thence south along the centerline of 11th Street extended to its intersection with the centerline of Lucas Street extended to the east right-of-way line of the Anthony Wayne Trail, thence southwesterly along the east right-of-way of the Anthony Wayne Trail to its intersection with the east right-of way line I-75, thence south along the east right -of-way line of I-75 to its intersection with the centerline of Collingwood Boulevard, thence east along the centerline of Collingwood Boulevard to its intersection with St. Clair Street, thence north along the centerline of St Clair Street to its intersection with the centerline of William Street, thence southeast along the centerline of William Street to its intersection with the centerline of Oliver Street, thence northeast along the centerline of Oliver Street to its intersection with the centerline of Clayton Street, thence southeast along the centerline of Clayton Street to a point of intersection with the centerline of Ottawa Street/Owens Corning Parkway, thence northeast along the centerline of Ottawa Street/Owens Corning Parkway to its intersection with the centerline of Monroe Street, thence northwest along the centerline of Monroe Street to its intersection with the centerline 10th Street.”

thence northwest along the centerline of Monroe Street to its intersection with the centerline 10th Street.”

2012 Toledo Warehouse District Plan

History

At the turn of the twentieth century, the Warehouse District was the regional center for the warehousing of and manufacturing of wholesale fresh food and grocery products, clothing, hardware, automobile replacement equipment and supplies, furniture and appliances. Many of the original buildings were large; some up to eight stories high with vast amounts of floor space. Transportation facilities were abundant and included railroads, the Miami and Erie Canal and a street grid that continued south from the adjacent downtown area. It was a major terminus and station area for the former interurban railroad that provided service in all directions throughout northwest Ohio and southeastern Michigan.

The blocks comprising the Warehouse District were originally part of the community of Port Lawrence which was platted in 1817 at the intersection of Swan Creek and the Maumee River. The site had once been a military post named Fort Industry. A group called the Port Lawrence Company formed the settlement hoping to establish a commercial trade link with Cincinnati and Indiana using the proposed Miami-Erie Canal and Wabash-Erie Canal. By 1823, Port Lawrence consisted of two log warehouses and a few houses at the intersection of Monroe and Summit Streets which today is the site of the convention center.

Ten years later, in 1833, Port Lawrence consolidated with Vistula, a community to the northeast, to form the Village of Toledo. The city of Toledo was incorporated in 1837 at which time it was served by seven hotels, six warehouses, thirty-five shops, two steam mills and four lumberyards. The commercial area centered around the intersection of Monroe and Summit Streets. The market place was located in two blocks west on Superior Street between Washington and Monroe Streets in today's Warehouse District.

Commercial activity grew rapidly between 1843 and 1853 along Monroe and Summit Streets. This occurred primarily due to canal traffic. The Wabash-Erie Canal passed through today's warehouse District intersecting Monroe Street at Erie Street. These commercial establishments included dry goods store, grocery stores, hotels, and lumberyards.

During the railroad construction period which peaked in the 1850's, industrial activity began pre-empting trading as the major port activity. By 1860, six railroads radiated from Toledo's terminus located just southeast of the Warehouse District on the Middlegrounds, a strip of land at the intersection of Swan Creek and the Maumee River. Shipments were transported across Swan Creek to Summit between Washington and Monroe Streets. During the early years of Toledo's downtown development, businesses north and south of Monroe Street along Summit, St. Clair, and Superior Streets had been relatively similar, but during this period the area south of Monroe (the Warehouse District) began to show a distinct change in character. The area was shifting from general retailing to bulk retailing, light manufacturing, and wholesaling.

Several buildings from the late 1900's still embellish the Warehouse District. A group of buildings in the 600 block of Monroe Street, including the A.B. Rensch Company, which originally housed feed and grain dealers and wine and liquor importers, exemplify some of the most elaborate commercial architecture of the 1870's. These are among the oldest remaining buildings in the district along with others like the Grand Hotel at the corner of St. Clair and Washington Streets built around 1872. Numerous hotels and saloons were built in the Warehouse District to capture the business provided by ships docking in the port. In 1885, the Dixon Hotel, a handsome Italianate building, was built at the corner of St. Clair and Lafayette Streets. This building housed the hotel and saloon of Charles N. Dixon until prohibition.

2012 Toledo Warehouse District Plan

By the 1900's, the wholesaling of food products was a major function of the Warehouse District. Many retailers who opened small businesses in stores along Monroe and Summit Streets had expanded into wholesaling. Still standing is the Chicago Commercial style Berdan Warehouse at 601 Washington, built in 1901 to house a wholesale grocery company named after the proprietor and Toledo's first mayor, John Berdan. The electric interurban, a transportation facility with nearly all of its freight houses in (or just south of) the Warehouse District, was largely responsible for the migration of wholesale grocers to the Washington Street area. Fruit and vegetable commission houses dominated Huron Street and by the 1940's, Toledo was the seventh largest grower of "hothouse" vegetables in the nation.

Construction in the Warehouse District came to a near halt with the Crash of 1929 and subsequent Depression. Also contributing to the decline of the district was the development of the interstate highway system and the use of trucks to deliver direct from factory to store which sharply reduced the need for warehousing. As building in the Warehouse District became underutilized or vacant, many were demolished to provide space for parking lots.

Today, the building space in the Warehouse District is being transformed into apartments, condominiums, restaurants, and offices. The warehousing and light industrial uses are slowly being phased out with the transformation of these buildings into residential and commercial developments.

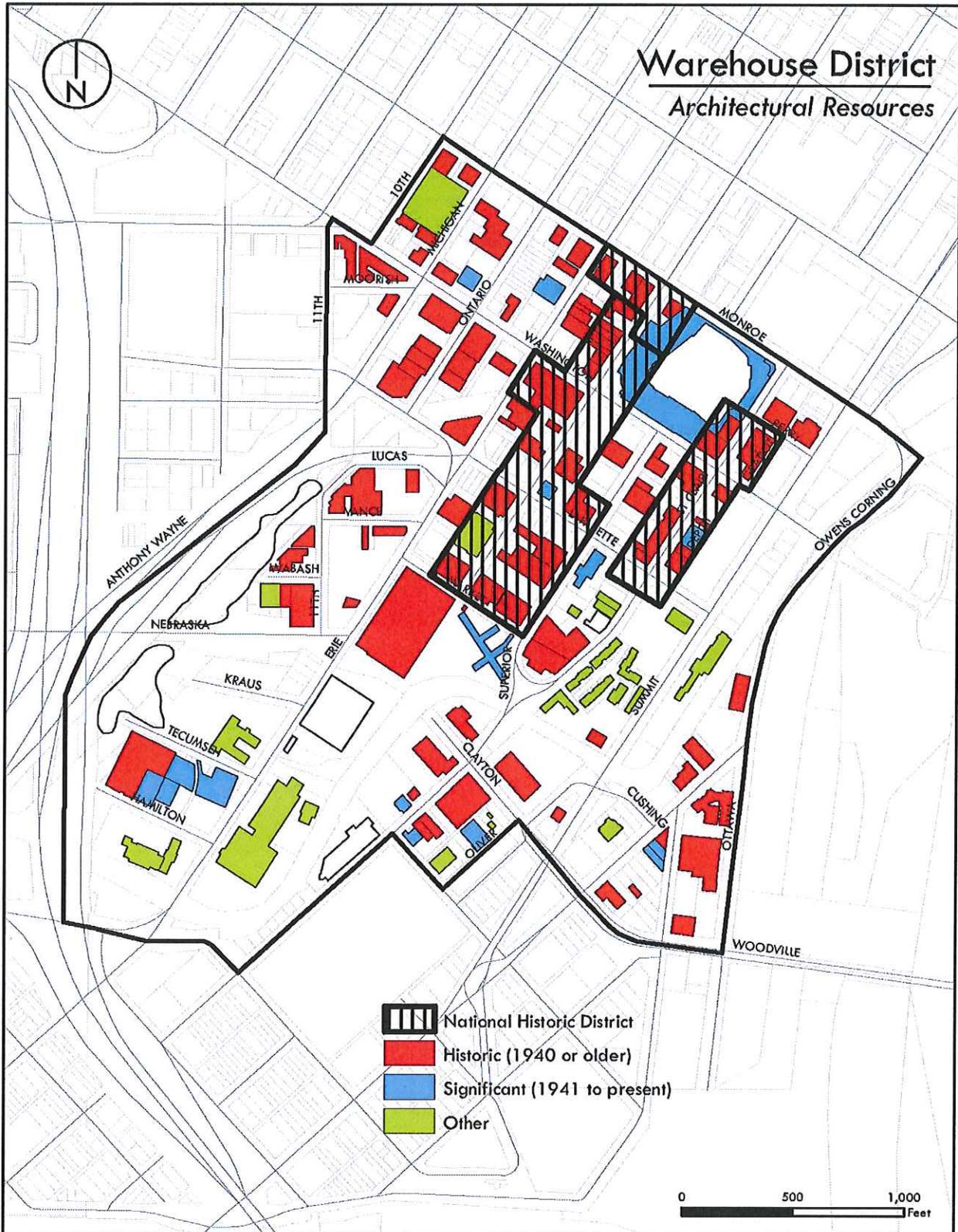
Existing Conditions

Architectural Resources

This map classifies the buildings in the Warehouse District into three categories: Historic, Significant, and Other. Historic buildings are those that were built prior to 1940 and contain distinctive architectural features. This category includes most of the buildings in the District. The significant category is not necessarily the age of the building but rather the impact the building has within the district. The Farmer's Market and Fifth Third Field represent just a few of the Significant classified buildings in the Warehouse District. The Other category represents buildings that have no historic significance but still provide needed services within the neighborhood. Structures such as warehouses, garages, civic buildings, and nondescript buildings are included in this category.

The Warehouse District also contains three Nationally Registered Historic Districts: Warehouse-Produce, St. Clair Street, and Monroe Street District. There are also individually listed buildings on the National Registry that include the Standart Lofts and the Berdan Building.

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Zoning

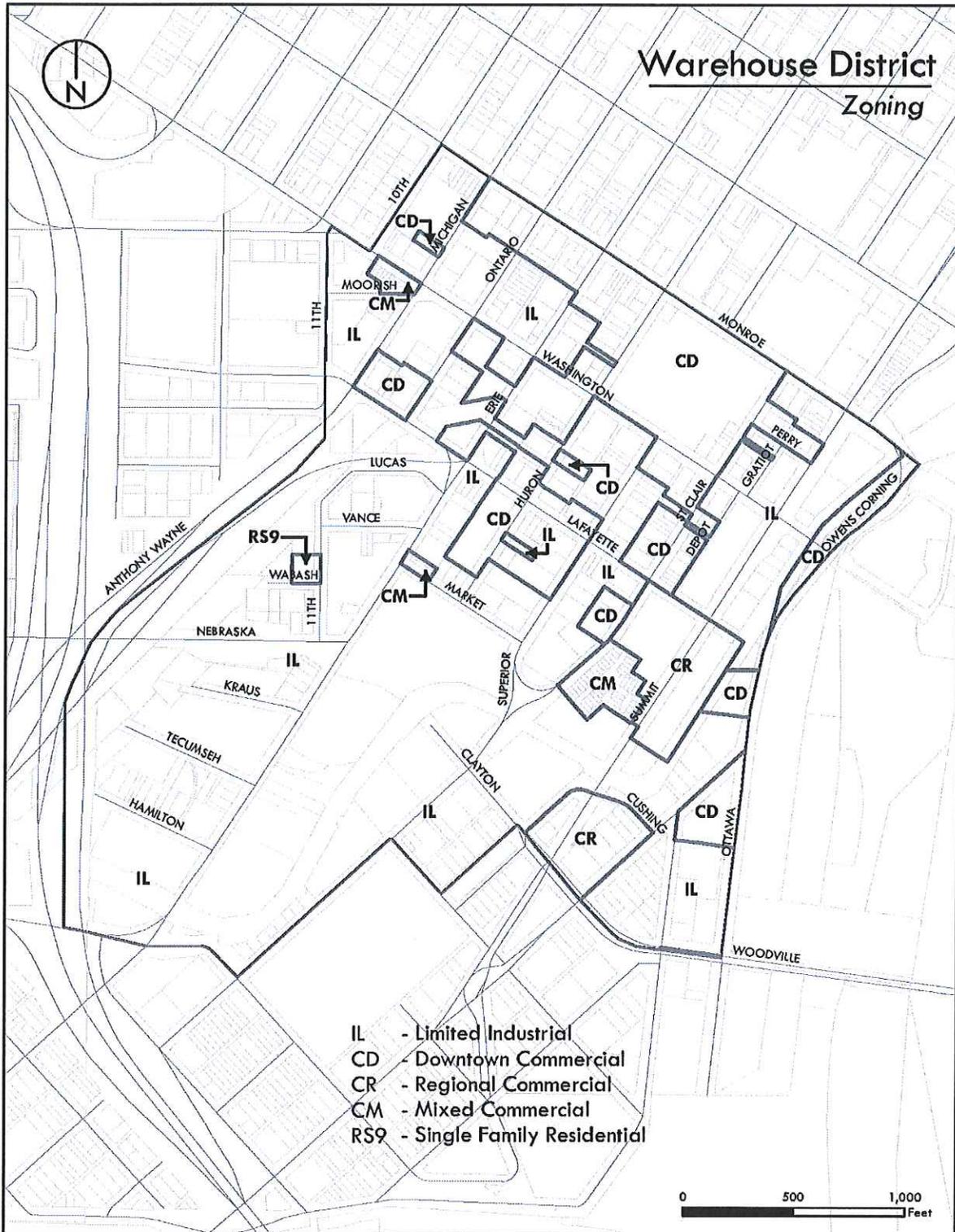
The zoning in the Warehouse District is predominantly Industrial (Limited Industrial – IL and General Industrial – IG = 74.3%). This industrial zoning classification is not conducive to the vision that has been adopted for this neighborhood.

Commercial (Downtown Commercial-CD, Mixed Commercial-CM, & Regional Commercial-CR) zoning comprises 25.5% of the land in the neighborhood, which allows for mixed-use development that supports ground floor commercial operations with residential uses provided on the upper floors. Only a small portion of land in the District is zoned for single family (RS-9). The change in the Warehouse District over the last ten to fifteen years from light industrial and warehousing to mixed use development illustrates the trend that the District is undergoing. This shift towards commercial and residential land uses substantiates a needed reclassification of the zoning for the property to a more appropriate and accommodating zoning designation.

Warehouse District Current Zoning

Zoning	Acreage	Percentage
CD	36.1	19.1%
CM	2.8	1.5%
CR	9.3	4.9%
IG	0.1	0.1%
IL	140.1	74.2%
RS9	0.4	0.2%
Total	188.7	100.0%

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Future Land Use

The Warehouse District, with its proximity to the downtown, was designated as urban village to identify this smaller urban district and support its mixed-use development. The Downtown Commercial designation was not extended into the Warehouse District since this neighborhood has its own distinctive character. Urban Village is a specialized residential and commercial district that possesses characteristics of Traditional Neighborhood Development (TND), such as pedestrian orientation, zero building setbacks, mixed uses, and distinct architectural character.

Due to the distinctive nature of the Downtown Neighborhood a separate land use category was created to recognize the urban character of the downtown. The Downtown Commercial land use category was formed to address this uniqueness and delineate the core of downtown. Downtown Commercial is intended to accommodate a broad range of uses to reflect downtown's role as a commercial, governmental, cultural and entertainment center. Land uses are intended to be intense with high building coverage, large buildings, and buildings placed close together, thus accommodating mixed-use pedestrian oriented development.

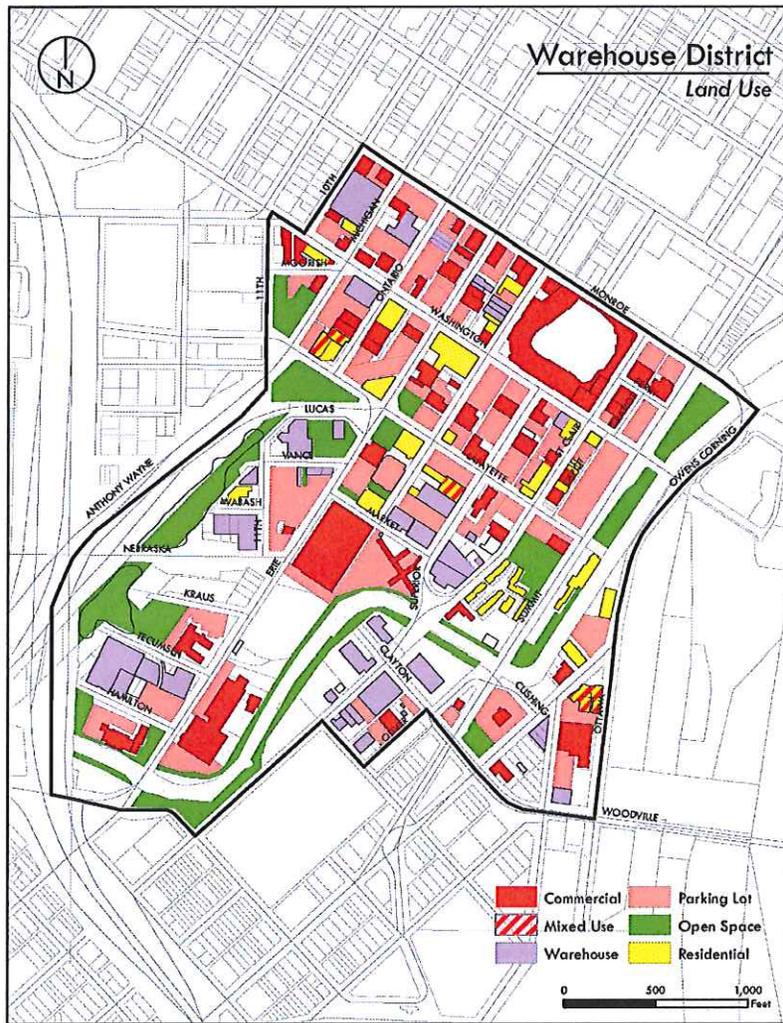
Other parcels in the Warehouse District are designated Parks and Open Space, which is intended to preserve and enhance major open space and recreational areas. The designation may also be applied to privately-owned open space areas within residential developments. The southern part of the neighborhood is designated Neighborhood Commercial District, which is predominantly small and medium scale commercial uses that serve neighborhoods. There is a portion of land that is located on the south side of Swan Creek and is designated as Light Industrial District that is intended to accommodate uses such as research, wholesale activities, warehouses and industrial/manufacturing operations that are not employment-intensive and are compatible with commercial and residential land uses.

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Existing Land Use

The Warehouse District is so named because the area was mostly utilized for storage and distribution of goods. Today a variety of land uses are contained within the neighborhood. The shift to live/work space and the transformation of buildings into art galleries, restaurants and other small businesses reflects the change that the district has undergone in the past 20 years. As shown in the table the largest type of land use is for parking which consists of lots for private use and large lots for major events at the Farmer’s Market or at Fifth Third Field. The 23.3% of the open space consists mostly of the land along Swan Creek and in front of Owens Corning with the remaining open space being undeveloped parcels within the district. Commercial and warehousing comprise approximately 35% of the land use in the district. This provides for the catalyst that has propelled the economy for the Warehouse District. The mixed-use development and the residential components continue to grow and provide the stabilization for the neighborhood.

Land Use	Acreage	Percentage
Commercial	17.5	20.4%
Mixed	1.9	2.2%
Warehouse	12.2	14.2%
Parking	26.9	31.3%
Open Space	20.0	23.3%
Residential	7.4	8.6%
Total	85.9	100.0%



Produced by Toledo-Lucas County Plan Commission 10/01/12

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III. VISION AND FRAMEWORK

As the 2012 Vision Statement for the Warehouse District reveals, the framework for developing the Plan is centered on creating an urban neighborhood that is unique and unlike any other place within the City of Toledo. Where else in the City are there more places for eating, entertainment, cultural activities, worship and recreation within easy walking or biking distance of where people live? The need for more than one vehicle is minimized and, in fact, the need for even one vehicle may not exist. Therefore, an important element of the Plan is the improvement of the “Public Realm” including streets, sidewalks, bike and walking trails, street and sidewalk lighting, way finding, street furniture and urban landscape features.

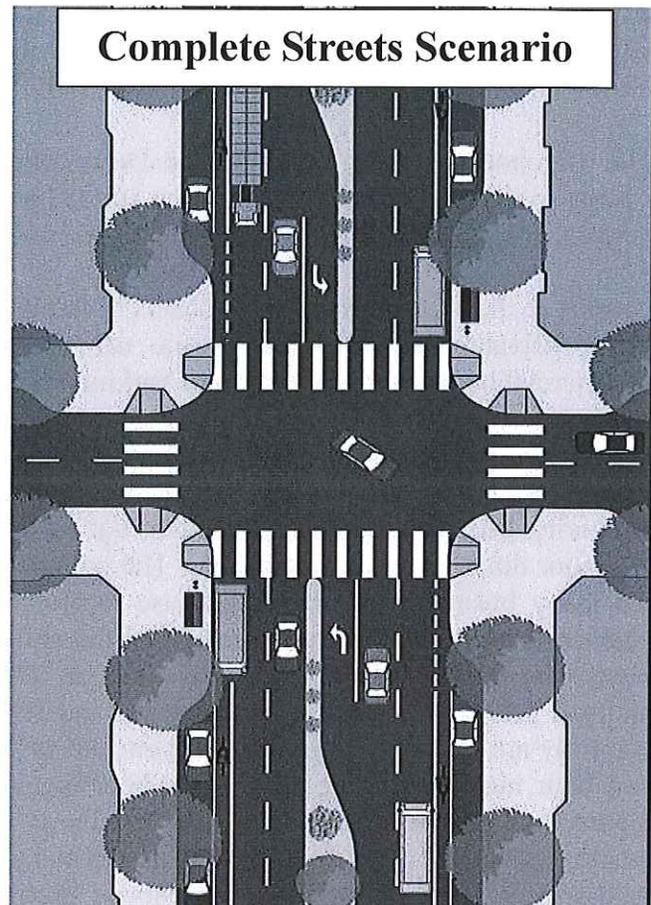
Pedestrian and Biking Connections

Many visitors to the Warehouse District will continue to arrive by automobile from all parts of the Metropolitan Area of Toledo to park for the Farmers’ Market, Fifth Third Field, the Convention Center, Huntington Center, special downtown events and the many eating, entertainment and shopping destinations. Walking for these visitors should be a pleasant and safe experience for them as well as for the growing number of residents. Therefore, all streets within the Warehouse District will receive equal attention to promote the “Complete Streets” practices. Residents and visitors using bicycles will also be provided with clearly defined bike lanes on all streets where separate bike trails are available. Potential candidates for “Complete Streets” may include Lafayette, Huron, and Washington Streets.

Vehicular Circulation

The Warehouse District Association has been successful in recent years in having all but Erie and Michigan street restored to two way traffic flow. These one-way streets will remain since they are primary connectors and carry significant daily traffic into, through and out of the downtown area. Further, the Plan does not support bike lanes on these streets.

A major traffic congestion point occurs at the five way intersection of the Anthony Wayne Trail/ I-75 and Erie Street where Lafayette and the two way portion of Erie all meet. This is designated as a major gateway into Downtown Toledo because of its high volume of traffic. It is an extremely confusing intersection for drivers and especially dangerous for pedestrians. The intersection has been identified as a major gateway into Downtown because of its high volume of daily traffic. The entire intersection and adjacent area is currently under contract to be redesigned with construction scheduled to occur in 2016. The revised street configuration will eliminate congestion, improve pedestrian interaction, and provide significant visual improvements. Addressing these issues will greatly encourage more residential and commercial opportunities.



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Another concern is the northbound exit ramp from I-75 onto Collingwood Avenue and Erie Street, south of the above exit of the Anthony Wayne Trail onto Erie Street. The problem is occurring due the congestion described above and is also receiving attention at the same time.

At the intersection of Market Street and Huron Street, in the Farmers' Market area, four way stop signs have been placed but are difficult to see due to the amount of traffic during Market hours. A suspended, four-way flashing light in the middle of the intersection will resolve the issue and will minimize the need for the low, partially hidden signs. Recent success has also occurred when traffic signals have been replaced with all-way stop intersections and this enhancement should be used at all intersections whenever possible.

Parking

Parking should be encouraged to be primarily on street, either parallel or angle. Existing surface parking areas should plan to be replaced with buildings that contribute to the economy and provide business and shopping opportunities and produce revenue to the community. If individual sites can accommodate on site parking, it should occur at the rear of a building or at the side and be properly screened and landscaped. Existing corner sites that contain parking areas should receive high priority for development. A goal should be to have a building on each corner of every intersection.

The Warehouse District is within the Downtown Surface Parking Lot Ban District. Therefore, new surface lots are prohibited and existing surface parking lots may not be enlarged. Other modifications may occur subject to the provisions of Chapter 1107.0203 of the Toledo Municipal Code.

Parking in the Warehouse District occurs in five forms: Metered on street, free on street, free public off street, privately operated pay public off street and private on-site parking for residential and commercial businesses. Each form of parking is addressed in the following paragraphs:

Metered on street parking Approximately 225 digital parking meters exist within the area bordered by Erie, Monroe, Summit and Lafayette Streets and are managed by the Downtown Toledo Parking Authority. The metered zones were laid out by the City of Toledo Transportation officials and have a two hour duration at \$1.00 per hour. The commercial value of these parking meters is well known to the many businesses in the Warehouse District. By limiting the duration of use to two hours, the businesses benefit from the "turning" of the parking spaces that provide for additional customers to access the businesses' products and services. There are opportunities to expand the public parking metered program as the number of retail and services continues to grow and expand in area. There currently are no meters south of Lafayette Street. These locations offer the opportunity to install either two hour meters or "long term" nine hour meters at a reduced rate of \$.25 per hour. "Long Term" meters may benefit residential areas where there is less retail and office use; and in addition encourage employees to park away from the businesses and allow customers to access the short-term. The Parking Authority is working with the Warehouse District to provide a more user friendly public parking program.

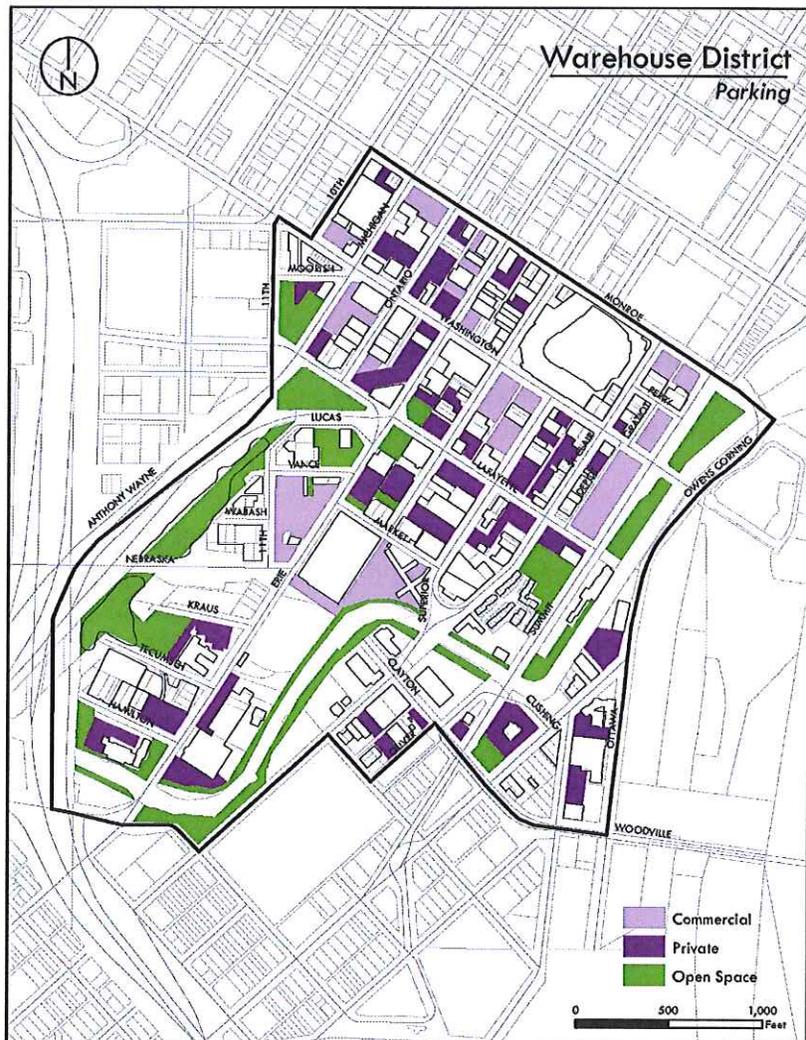
Free on street parking Unmetered curbside parking exists throughout the Warehouse District on most streets. Unless signed as "No Parking", "Loading" zones, or at fire hydrants, the public may park without cost. Most of this area is south of Lafayette Street. As businesses develop and expand into this area, additional meters should be provided to meet demand as described above. Permission to expand the metered parking program should be obtained from the City before serious parking issues develop.

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Free public off street parking: Within the outdoor Farmers' Market and Erie Street Market area, approximately 300 parking spaces exist for customers. On Spring, Summer and Fall Saturdays, these parking areas overflow with visitors from special events held in and nearby the Market area such as Fifth Third Field, the Convention Center and the numerous Warehouse District activities. An issue that should be addressed is that during special events there has been a charge for parking, although a policy does not currently exist.

Pay public off street parking: Throughout the Warehouse District surface parking lots have been developed primarily following demolition of buildings. Surface parking lots are prohibited within certain areas of the Warehouse District. There are City regulations regarding surface parking lots that address landscaping, screening, lighting, signs and license to operate, for a variety of reasons, many of these lots have become eyesores and detract from the ability to maintain an attractive appearance within the District. Lucas County, on the other hand, developed two large parking areas to serve the Convention Center that are in full compliance with current regulations and are maintained consistently throughout the year in an exemplary manner. One suggestion to discourage the development of surface parking lots is to increase the taxes on these lots and to monitor compliance with licensing for operating a commercial parking lot.

While this issue should be addressed throughout the Downtown, the Warehouse District plans to address it further through the Urban Neighborhood Overlay District legislation. Surface parking lots must be viewed as a temporary land use within the Warehouse District until vertical redevelopment occurs but it must also be attractive and maintained. Further, a portion of the Warehouse District is within the Downtown Overlay District that prohibits new surface parking lots and this regulation must be extended throughout the Warehouse District to assure that no more demolition of existing buildings occurs for the purpose of developing paid off-street public parking. An opportunity also exists to provide additional paid off-street public parking in a former City parking garage on the corner of Market Street and S. Superior Street across from the outdoor Farmers' Market. The building is currently owned by a wholesale produce company but only partially utilized.



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Private on-site parking: This category of parking occurs outdoors and indoors and must be adjacent to or within residential, commercial or other use structures. It is a desirable method of providing parking and is encouraged when possible. Even though off street parking requirements will be reduced if the Warehouse District is completely zoned as Downtown Commercial CD, on-site parking for residents, employees and customers remains the preferred method to serve those needs. Whenever it can be provided indoors opposed to outdoor surface parking, it is the most secure and least obtrusive to the character of the Warehouse District. When provided outside, all requirements that apply to surface parking areas must be incorporated in the design. These lots cannot be utilized as paid public lots for special events without a proper license to operate.

Design Standards for All Off-Street Parking Areas

The Warehouse District continues to experience unacceptable and unenforced perimeter screening barriers for numerous surface parking lots while others are in full compliance with City of Toledo Code requirements. This condition must be changed so these parking lots can become attractive attributes representing a temporary use of valuable property until permanent reuse occurs. This section of the Plan is intended to address future as well as existing parking lots in simple and enforceable ways that will enhance the visual quality of the Warehouse District. Although the following standards are presented as minimum, responsible and proud owners of parking lots will hopefully go beyond and further enhance their properties as an important element in the ongoing economic development objectives of the Warehouse District.

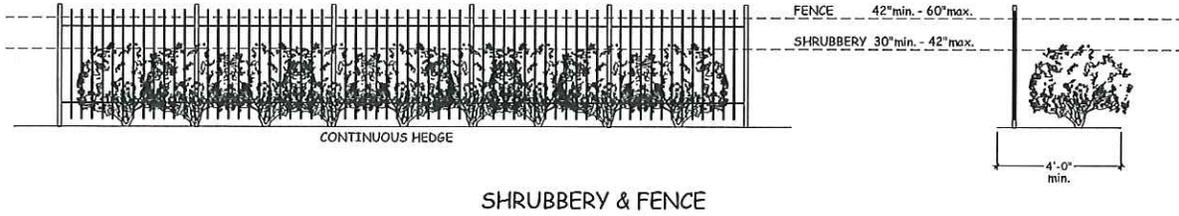
A. Parking Lot Screening Barriers

All existing parking lots that are in full compliance with current City of Toledo Municipal Code and licensing requirements are exempt. However, all existing parking lots that do **not** comply with current City of Toledo Municipal Code requirements, including those currently licensed, and all future or proposed surface parking lots with more than six spaces shall be bordered along the entire length of all property lines fronting on public streets and alleys, except at established entrances and exits, by a vehicular barrier and visual screen, as further described in this section. Such barrier and screen shall be sufficient to prevent vehicular ingress and egress except at established entrances and exits, to prevent motor vehicles from encroaching into the public-right of-way, to restrict pedestrian movement to established sidewalk areas, and to screen parked vehicles from view from public right-of-way.

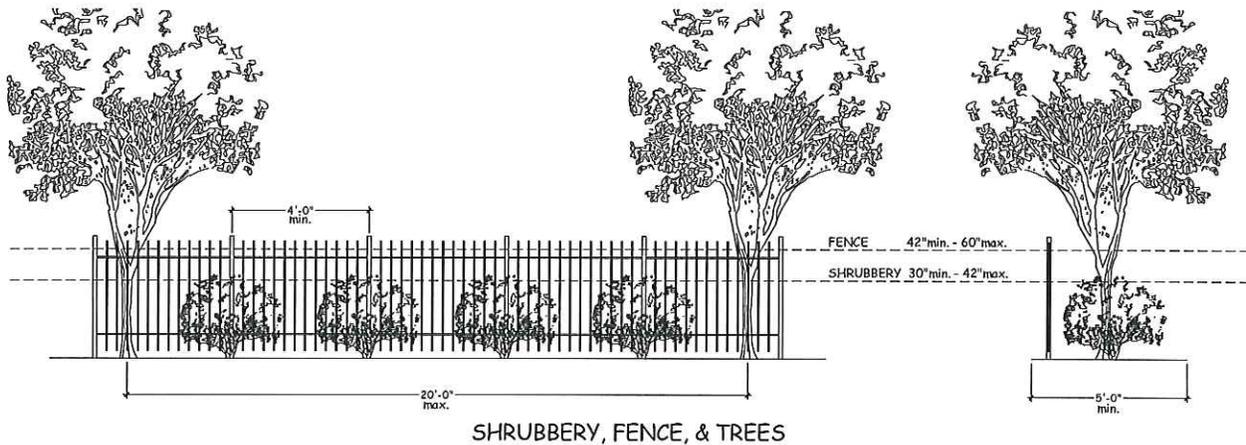
1. *Vehicular Barriers* The vehicular barrier shall consist of a continuous rolled concrete or asphalt curb at least 6 inches high or 6 inches high anchored wheel stops, as necessary to prevent motor vehicles from projecting into the public right-of-way impacting the visual screen. The rolled curb allows for snow plowing.
2. *Visual Screens* All visual screens shall meet one of the following requirements with respect to height, opacity and materials. Minimum required height and opacity shall be provided throughout the length of any required visual screen. The visual screen shall be a minimum of 2.5 feet and a maximum of 5 feet in height and shall conform to one of the following three standards with respect to materials and opacity:

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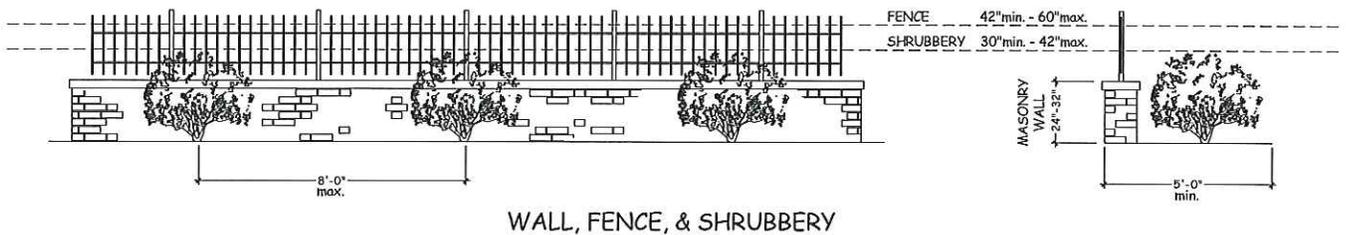
- a. *Shrubbery and fence*: a continuous hedge of shrubbery 2.5 to 3.5 feet high, providing 100% opacity and an ornamental metal fence that is a minimum of 3.5 and a maximum of 5 feet in height.



- b. *Shrubbery, Fence and Trees*: shrubbery 2.5 to 3.5 feet high, providing 50% opacity and an ornamental metal fence that is a minimum of 3.5 and a maximum of 5 feet in height, supplemented by trees planted at a minimum average spacing of 20 feet.

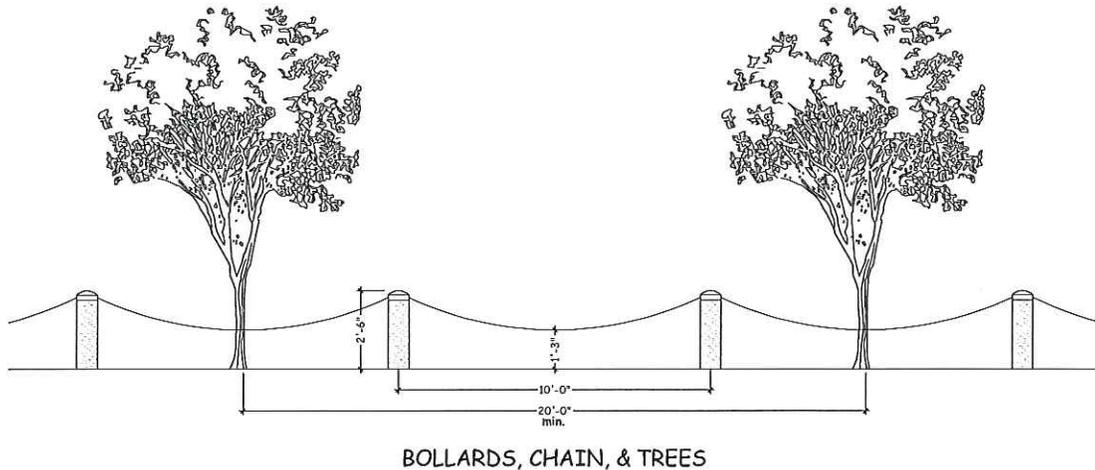


- c. *Wall, Fence and Shrubbery*: a combination ornamental metal fence/masonry wall, that are a minimum of 3.5 feet and a maximum of 5 feet in height, with a continuous hedge of shrubbery 2.5 feet to 3.5 feet high in front of the ornamental metal fence, together providing opacity of 100% to a height of 2.5 feet to 3.5 feet .



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- B. Existing parking lots that are licensed but not in full compliance with current City of Toledo Municipal Code and licensing regulations: The following minimum visual screening standards shall be provided. The visual screen shall be composed of anchored concrete, metal or wood bollards, at least 8 inches square or 8 inches in diameter, and at least 2.5 feet above pavement level, in uniform intervals of 10 feet on center and connected through the top of each bollard by aluminum or galvanized chains, at least 1/2 inch in diameter with a clearance of 2.5 inches at the center of the drop. The bollards and chains shall be supplemented by trees planted inside the visual screen, at minimum intervals of 20 feet, spaced midway between bollards. The trees shall be located in diagonally placed 4 feet by 4 feet wells and protected by one parking stop at the front. Tree wells shall have a minimum of three feet deep topsoil for planting.



1. Supplemental Standards for Visual Screens shall meet the following requirements:
 - a. *Standards for Shrubs, Trees and Ground Cover.* Shrubbery used as part of a visual screen must be sufficient to meet the height and opacity requirements by the end of the second growing season after planting. All shrubs and trees shall be selected from the list of approved plant material as adopted by the City of Toledo Division of Forestry. At the time of installation, deciduous trees shall be a minimum of 6 feet in height with a caliper of 1.5 inches at one foot above grade, and evergreen trees shall be 6 feet in height. Trees not used as a part of visual screen need not meet height, caliper size, or opacity requirements. In the event of an existing parking lot where irrigation is not provided, landscaping materials installed on the property shall be drought tolerant species not requiring regular watering for good plant health and growth.
 - b. *Standards for Landscaped areas.* If a visual screen is set within a landscaped area, it shall be bordered by a continuous concrete or asphalt curb at least 6 inches wide and 6 inches high and covered by grass or other suitable vegetative ground cover, bark or decorative stones. All landscaped areas planted with shrubs shall be a minimum of 4 feet in width. If planted with trees, the landscaped area is to be a minimum of 4 feet in width.
 - c. *Standards for Fences and Walls.* All walls and fences used as part of visual screen shall be of uniform appearance and shall be set in a concrete base. Required ornamental metal fences shall be of actual or simulated wrought iron construction. Walls shall be of reinforced masonry construction, including decorative concrete masonry units.

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d. *Irrigation Requirements.*

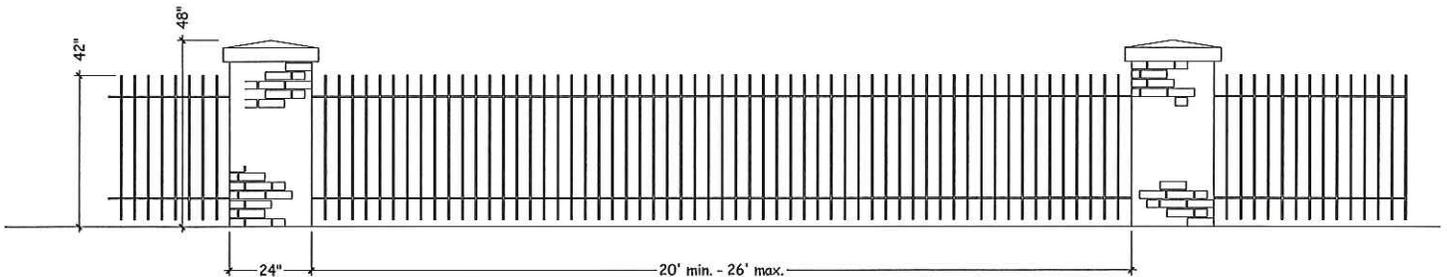
- i. General Provisions: Every landscaped area installed after adoption of these standards shall be served by a permanent underground irrigation system. No irrigation system, however, shall be required for trees provided to supplement the use of bollards and chains as required by “Existing parking lots that are licensed but not in full compliance with current City of Toledo Municipal Code and licensing regulations” described in Section B.
- ii. Method of Connection: For all existing parking lots that are not in full compliance with current City of Toledo Municipal Code and licensing regulations, the irrigation system shall be either connected to City water lines or shall be configured for coupling to a hose which draws water from any permitted on site or nearby source. In such instances, the selection of the water source shall be made by the applicant.

(a) As an alternative to an irrigation system, a parking lot owner or group of parking lot owners may contract for regular watering and maintenance of plant material. Proof of such service shall be provided for licensing.

2. Maintenance: All plant materials shall be maintained in good condition at all times. Unhealthy or dead plant material shall be replaced with healthy plant material no later than the start of next growing season. Fences and walls shall be kept free from peeling paint, rust, spalls and broken, cracked or missing elements. Fences and walls shall also be kept plumb, with no more than a 2 inch deflection from grade to top of element.
3. Exemption for Alleys: No visual screen shall be required along public alleys except where alleys are designated as public walkways, pedestrian zones or for purposes other than service ways.
4. Landscaping Reductions and Exemptions: With regard to an existing permitted parking lot that otherwise complies with all current City Zoning regulations, the City Plan Commission may grant a reduction of or an exemption from the requirements for shrubs, trees and landscaped areas if full compliance with such requirements would result in a loss of existing parking spaces which cannot be avoided or remediated through re-design or re-configuration of the parking lot. The City Plan Commission may take such action in accordance with the following provisions:
 - a. *Evidence to be Provided by the Applicant*: An applicant seeking a reduction of or an exemption from the requirement for landscape elements of a visual screen shall present written and graphic evidence to the City Plan Commission demonstrating that the potential loss of existing spaces cannot be avoided or remediated through re-design or re-configuration of the parking lot.
 - b. *Determination by City Plan Commission*: Upon consideration of evidence submitted by the applicant as well as any analysis prepared by the staff, the City Plan Commission shall determine whether strict application of the visual screen landscape requirements will result in an irremediable loss of parking spaces. In determining whether a loss of parking spaces can be avoided through re-design or re-striping, the City Plan Commission shall assume continued use of the existing parking space and aisle dimensions for the subject property except where such dimensions are in excess of current City of Toledo Municipal Code requirements.
 - c. *Minimum Requirement*. Any reduction of standards approved by the City Plan Commission with respect to the required visual screen shall be the minimum reduction necessary to prevent the loss of parking spaces. The City Plan Commission may require compliance with

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the visual screen standards through the use of a legal encroachment in one or more of the public rights-of-way adjoining the parking lot. At a minimum, the City Plan Commission may require installation of an ornamental metal fence meeting all applicable requirements of the section and, in addition, providing a brick or stone pier, at least 2 feet square, at a minimum spacing of 8 feet. The City Plan Commission may also require provision of landscaped areas where such provision will not result in a loss of parking spaces.



MINIMUM REQUIREMENT

5. Temporary Uses Where the City Plan Commission deems a parking lot to be a temporary use, the barrier and screening requirements of the section shall be considered to be met if the parking lot operator installs anchored concrete wheel stops supplemented by bollards and chains, as required by these standards. No surface parking lot shall be deemed temporary for a period in excess of one year, provided however, that the City Plan Commission may extend the temporary use for one additional one-year period if, prior to the completion on the initial one-year period, a project agreement with the City is executed which requires development of the lot within one year or a Building Permit application has been filed for development of the property. A parking lot shall also be considered as a temporary use if a lease exists, recorded with the Lucas County Recorder, between the owner of the property and the parking lot operator, and term of the lease expires within eighteen months after the compliance date for filing of plans.
6. Approval. The materials, design, location and construction of the screens and barriers required by this section shall be approved by the Director of the Toledo-Lucas County Plan Commissions in consultation with City of Toledo Division of Transportation, Division of Engineering Services, and the Toledo Warehouse District Architectural Review Committee and shall be in accordance with the standards promulgated by the Commissioners in compliance with the provisions of this Chapter of the Toledo Municipal Code. Unless otherwise permitted by the Commissioner of the Division of Transportation, each parking lot shall have one common entrance and one common exit, which may or may not be combined.
7. Compliance Dates: All legally established existing parking lots shall be in full compliance within one year after the adoption of these standards in order to obtain annual relicensing. Subsequent to the adoption of these Standards, all new parking lots shall be in full compliance prior to initial approval and licensing.
8. Confirmation of Compliance: Representatives of the Toledo Warehouse District Architectural Review Committee will regularly inspect each parking lot to confirm compliance with these standards and will recommend approval or denial to the City of Toledo Finance Department prior to the issuance of the annual renewal of a license to operate.
9. Americans with Disabilities Act Compliance: Full compliance with current standards for handicapped and van accessible parking, including signage, shall be required for licensing.

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Open Space

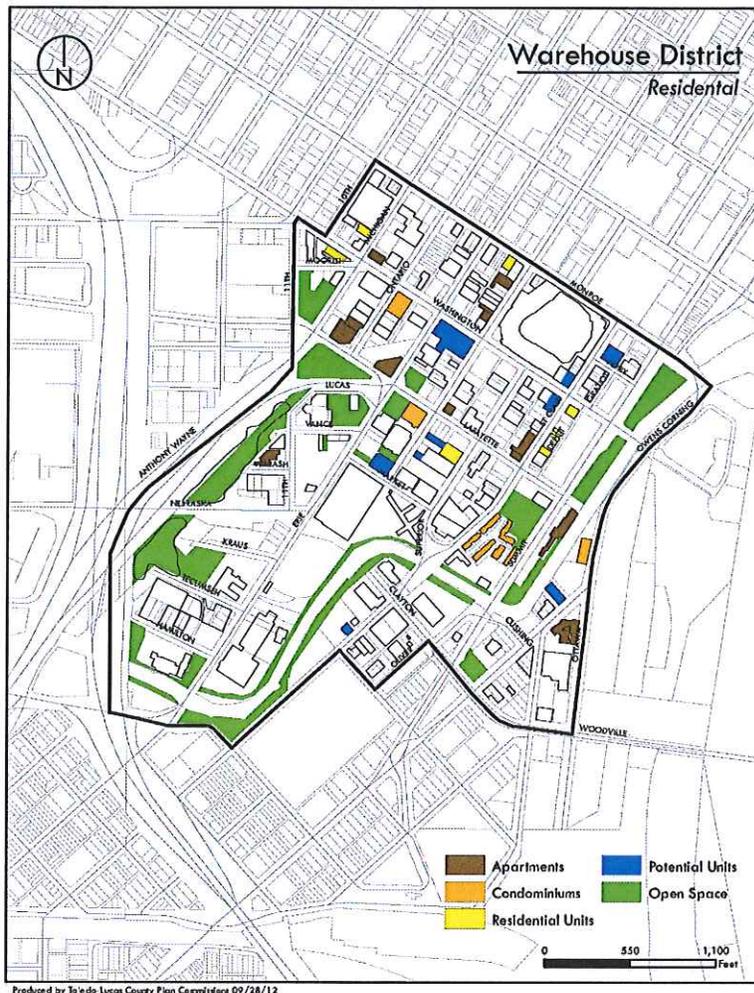
The Warehouse District possesses two natural elements that add to its uniqueness and when combined will provide an “Emerald Necklace” around much of the perimeter of the District. Swan Creek passes through the District and provides the potential for economic development on both banks and a “River Walk” with a length of nearly one mile connecting with the Maumee River and a one half mile long natural area along I-75 to the Anthony Wayne Trail and on to Erie Street. Together these elements can accommodate walking and biking trails, restaurants, shopping, offices, residential, and recreational venues. Each will have two “front” facades; one on a street and one onto a natural open space. Swan Creek is covered within the Swan Creek Watershed Balanced Growth Plan and is designated as a Priority Development Area. Since that Plan is endorsed by the State of Ohio and the City of Toledo, there are various funding assistance programs available for property owners located on or nearby Swan Creek. The Toledo Metropolitan Area Council of Governments oversees the program in keeping the waters of local streams and Lake Erie clean along with other development opportunities.

Residential

The Warehouse district is identifiable due to the redevelopment activity that has transpired and that continues to occur. There still remain many underutilized and vacant buildings that can be converted to housing.

Developing additional housing in the Warehouse District would also continue to create a critical mass of housing that is considered necessary to develop a sense of neighborhood, and concentrate enough people in a small area to justify the development of the convenience shopping required to support the residential development.

Although a number of major development projects such as Fifth Third Field have stimulated further development and more residents, it has been the slow steady increase of residential opportunities that have contributed most to the current success of the Warehouse District. In 1990, there were only six residents living in the Warehouse District and currently there are approximately 520. In 1990 there were seven residential units available and now there are 357.



A key element of this 2012 Plan is to recognize the importance of having more people living in the neighborhood who either personally invest or contribute rent, along with living and entertainment expenses thus sustaining its economic vitality. Even with the strained local economy, the Warehouse

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District is performing well ahead of other local trends and much is due to the ever increasing number of residents. Diversity is prevalent within the population with regard to race, ethnicity, economic status and age. This blending along with a budding artist community provides additional reason and desire for people to become a part of the Warehouse District neighborhood.

In 2004, a Market Analysis, Residential Market Potential for Downtown Toledo was done by Zimmerman/ Volk Associates, Inc. Many of the findings from this study are still relevant today and lead to the following assumptions. The potential markets for Warehouse District housing are most likely to move from within Lucas County (75%). The remainder will come from surrounding Ohio counties and Southeastern Michigan (10%) and from other areas in Ohio and elsewhere (15%). Recent informal interviews and analysis support these numbers and indicate that approximately each residential unit is occupied by 1.5 persons.

The major household group to relocate in the Warehouse District will be younger singles and childless couples (53%). These are young professionals who choose to live where there is a diverse mix of people, housing types and leisure activities. Other groups who will choose to live in the Warehouse District are empty nesters and retirees (38%). A significant number of these households have grown children who have moved away, another large percentage is retirees, with incomes from pensions, savings and investments and social security. Traditional and non-traditional families (9%) comprise the smallest of the market to live in the Downtown area. Traditional families contain a married couple with children, whereas a non-traditional family could be a single parent or grandparent living with children.

A broad range of new construction as well as adaptive re-use of existing structures will continue to be required to accommodate the diverse housing needs of the potential residents. The Toledo Warehouse District should continue to provide a variety of housing types, both rental and for sale, including higher value market rate as well as affordable units. Because of the urban nature of the Warehouse District there are no single family houses currently in the neighborhood, it seems appropriate to discourage construction of this type of housing in favor of higher density types such as town houses and low to mid rise multi-family units.

In lieu of further demolition of any structures that are identified as historically significant, significant or contributing, the adaptive reuse and mixed use must be promoted and encouraged in order to retain the historical character of the Warehouse District.

The 2012 Downtown Plan indicates the entire Downtown area should support nearly 300 new residential units per year for the next five years. It may thus be assumed that close to one third of these units will occur in the Warehouse District or approximately 100 units and 150 residents per year. This should represent a minimum objective to achieve.

To achieve maximum positive impact with residential development, three elements must be carefully considered and executed: 1) Target specific sites for residential development, 2) Demand appropriate urban design and 3) Market and monitor the Warehouse District.

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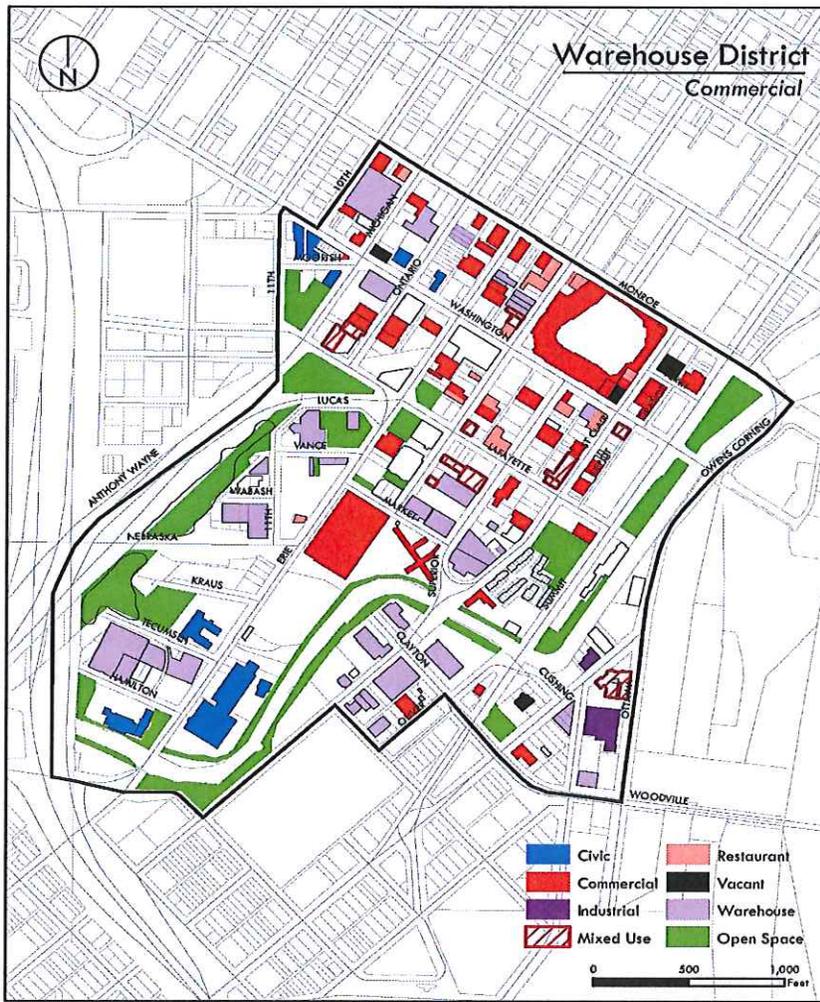
Commercial

The Warehouse District is enjoying the benefits of renewed interest spurred by a modern shift toward in-town living. This interest rests upon close-knit neighborhoods where people live, work, shop, and play all within a few city blocks. As people move into the neighborhood, so does the economic base to support neighborhood retail leading to urban renewal, healthy neighborhoods and a stronger sense of community. The presiding philosophy is that without a strong residential base, the economic base cannot survive; thus the infrastructure, residential density and economic success and diversity are dependent upon each other.

As the residential sector continues to expand, commercial activity also tends to follow. Ideally, with an emphasis on the mixed use residential/retail market expansion, the trend of commercial following residential should continue.

Although a “critical mass” of residents does not currently exist in the Downtown area, it is safe to assume that number will be reached within five years, thus bringing a significant number of new and relocated businesses into the Warehouse District. Establishments such as entertainment, eating, and those serving the emerging arts community are increasing in large numbers. Fifth Third Field, Huntington Center, Seagate Convention Center and the Farmers’ Market also contribute to this growth.

Community workshops, charettes and casual conversations suggested the following types of additional commercial venues considered appropriate for the Neighborhood:



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Boutique hotel	Urban garden shop and supplies
Car rental agency	Urban oriented hardware store
Computer sales and repair shop	Hardware store
Dry cleaner	Used and reconditioned furniture shops
Grocery store and specialty food shops	Veterinarian and short term pet boarding facilities
Ice cream and soda fountain shop	Vintage clothing shops
Insurance agency	Walking and running shop
Laundromat	

The above list of shops will complement the existing commercial base that has served the area for the past twenty-five years. Recent improvements to the Farmers' Market have allowed a year-round operation with several enclosed and heated bays for winter usage. Also available is a year-round operated poultry shop in an adjoining structure. St Clair Village has become the "Main Street" of the commercial area and will probably continue to be as the commercial area expands.

The existing Libbey Glass Factory Outlet store located in Bay One of the Erie Street Market building has become the "Flagship" outlet store for Libbey and serves the local population of the Toledo area as well as catering to a substantial tourist base.

The remaining three bays of the Erie Street Market building that recently housed a fresh produce and food market, an antique mall, and rental hall are ripe for redevelopment or resurrection of the original uses. It is served by ample parking and access to Downtown Toledo.

Historic Preservation

Currently the Toledo Warehouse District has three recognized National Historic Districts within its boundaries as the following map illustrates; The Monroe Street Historic District, Warehouse/Produce Historic District and the St. Clair Street Historic District. Within these areas, requirements exist regarding demolition, renovation and historic preservation. It is the intent of the Toledo Warehouse District Plan to continue stressing Historic Preservation throughout the entire District using the United States Department of the Interior Standards for Rehabilitation of Historic Buildings as the basis for rehabilitating historic and contributing buildings. Further, the demolition of designated buildings will be prohibited unless certain conditions deem the structure to be deteriorated beyond saving.

The historic character of the Warehouse District is centered primarily on large massive warehouse structures, many exceeding five stories in height. Although a number of great old warehouse and industrial buildings have been lost, a significant number remain and provide wonderful renovation and reuse opportunities for developers. To date those that have been renovated have respected their beautiful masonry work and fine details and this Plan emphasizes the continuation of these practices for both large and small structures.

Historic Preservation is also consistent with the principals of sustainability. The preservation, conservation and improvement of existing resources, including the reuse of historic and existing buildings, greening of the existing building stock and reinvestment in older and historic districts, are key elements of a sustainable downtown area.

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Demolition

In order to prevent further demolitions within the Warehouse District the plan proposes adopting regulations similar to the historic districts that place more stringent regulations on demolitions. This process will be placed under the Toledo Warehouse District Architectural Review Committee (TWDARC), which will determine if a building should be demolished. These regulations are presented in the Implementation section of this plan.

No further demolition of any building within the District shall occur unless the structure is considered by the Toledo Warehouse District Architectural Review Committee (TWDARC) to be unsuitable for preservation or restoration. Consideration may be given for demolition of a structure, not designated as a significant building, that is being replaced by a new structure of similar size, mass and compatibility with the adjacent buildings.

Design Standards

The purpose of the proposed Toledo Warehouse Urban Neighborhood Overlay District (TWUNOD) is to foster and guide further development and redevelopment that is compatible with the scale and physical character of the original and recently renovated structures through the use of specific policy, development, and design standards in conformance with the Toledo Warehouse District Plan.

The TWUNOD is an area of approximately 40 blocks and contains approximately 140 buildings. Historically, the neighborhood was the regional center for the warehousing and manufacturing of wholesale fresh food and grocery products, clothing, hardware, automobile replacement supplies, furniture and appliances. Many of the buildings are large with as many as eight stories and others with only two or three stories. There are but a few single story buildings and no single family occupancy residential structures. The dominating exterior building material is brick along with some cut stone; most designed with classical details and ornate facades. The area is located south of the Downtown core with five major streets (Monroe-SR51, Washington, Michigan-SR25, Erie-SR25 and Summit-SR51 & SR65) passing through that directly connect the Downtown with north, east, south and west neighborhoods and suburban areas many miles away.

Development/Building Design Standards:

- A. Rehabilitation of Existing Structures: Wherever possible, examples of the City's traditional commercial, civic and residential architecture shall be preserved, renovated and, where appropriate, adaptively reused. Specifically:
1. Where or when removed, a cornice or fascia shall be restored to reemphasize the original design intent of the structure and should be designed in proportion to the overall mass of the structure. Matching design may be constructed with original materials or with better or improved substitute materials.
 2. The building's original wall surface and detailing shall be restored whenever possible and unused mechanical equipment and unused electrical apparatus or sign supports shall be removed.
 3. Special attention shall be given to the removal of storefront surface materials and details
 4. If new materials are to be used for buildings that are architecturally undistinguished, they shall be selected to coordinate with neighboring structures and to complement the design of the storefront.

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5. The proportions of restored windows and the rhythm of the window pattern shall replicate the original facade design as closely as possible.
6. Display windows of a storefront shall never be filled or covered except where there are residential uses abutting the sidewalk on the ground floor. Avoid the use of tinted or reflective glass.
7. On traditional buildings, recessed entrances are encouraged and where entrances are flush with display windows, awnings can be used to give greater definition to the storefront and provide protection. Awnings shall be attached directly to the building without requiring support posts on the sidewalk and have a clearance of between 8 feet and 12 feet above the sidewalk.
8. Loading and service entrances shall be located on the rear or side of the buildings where possible.
9. Alley and sides facades of buildings shall be renovated and restored. All unused items must be removed and a street address or building identification be tastefully incorporated into the design of the alley facade.
10. Refuse containers, service and storage areas shall be screened and maintained. In larger developments, refuse collection, service and loading areas should be separated from main circulation and parking areas.

B. New Infill Development and Corner Buildings:

1. The front and side setbacks of new development shall match the setback of adjacent existing buildings to create a consistent edge of the street frontage and enhance pedestrian orientation. Most existing buildings are built to property lines.
2. There shall no space between buildings except where mid-block pedestrian walkways are planned.
3. Building height and massing should closely conform to existing development. Building mass should be broken into increments that correspond to the scale of and massing of existing buildings through the use of offsets and variable roof lines.
4. The location and articulation of building entrances should complement those of existing buildings and should be oriented to street frontages.
5. Street facades of new structures should be designed to provide ground level pedestrian character with the upper levels separated by strong horizontal elements.

C. Major New Development Over 25,000 Square Feet: The principal challenge in designing major new development projects is the successful incorporation of scale, height and mass into the context of the Toledo Warehouse District where there exists a combination of large, medium and small structures. Many of these structures contribute significantly to the strong historic architectural character of the District.

1. Unarticulated forms and masses should be avoided in new development. Instead, the buildings should be broken into increments that relate to the human scale by using elements such as fenestration, architectural detailing, variable offsets, and roof lines to define a sequence of bays and provide transitions in height and scale. Additional multi-block developments that erase streets and weaken the urban block character should be discouraged.
2. Blank wall areas at sidewalk edges shall not extend longer than 25 feet horizontally without an offset or recessed area, entryway, glass covered display area, or a window.
3. The use of tinted or reflective glass at ground level should be avoided to maintain a strong pedestrian orientation.

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- D. Facade Materials and Colors: Maintaining a consistent palette of materials and colors is important to the Warehouse District in establishing continuity and overall appearance. Predominant materials shall be new and high quality. Exterior finish and insulation system (EFIS) shall not be used except where used to simulate an existing material and when installed at least 36 inches above grade, not within an entryway and comprising less than 15% of the facade. The following are accepted exterior materials:
1. Brick. Brick shall be standard modular with common tooled joints laid in normal bond patterns.. Distressed brick, non-tooled joints, irregular patterns, and glazed textures are prohibited. Brick color shall be compatible with adjacent buildings and other buildings within the block
 2. Materials with a brick like appearance similar to “Founder Brick”.
 3. Wood used for doors, windows and trim; must be painted, stained or clear coated.
 4. Materials with a wood like appearance composed of a wood textured cement based board or siding are acceptable except as a predominate material.
 5. Smooth finish natural or synthetic stone materials.
 6. Factory finished aluminum used as “store front” material. Mill finish aluminum is not acceptable.
 7. Clear glass. (tinted or reflective glass will not be permitted).
 8. Other exterior materials may be accepted by the TWDARC in special cases such as building additions or renovations taking into consideration the predominant existing material.
 9. Awnings: Color and pattern of awnings should compliment facade and not appear to be an after thought.
 10. Building Numbers, Names and Business Identification must meet the requirements of the City of Toledo Sign Ordinance and should be in character with the building design and type of business.

Streetscape Improvements and Lighting

Streetscape: The intent of these guidelines is to produce a uniform appearance for all streets and other infrastructure improvements within the Warehouse District.

1. On each major street (Monroe, Washington, Michigan, Erie and Summit), the Toledo Edison standard “Shoe Box” style roadway light fixture shall be used. The mounting height will be 32 feet with 400 watt high pressure sodium luminaires. Spacing shall produce two foot candles at mid block and four foot candles at the mid point of each intersection. On each pole, provision shall be made to install “Acorn” style Toledo Edison fixture. Fixtures and poles shall be black throughout the District and fitted for banner hanging brackets.
2. On all other streets, lighting shall produce a pedestrian environment by utilizing the “Acorn” style fixtures provided by Toledo Edison mounted on 14 feet high decorative, free standing, black poles. Spacing shall produce two foot candles along the sidewalk and one foot candle at the center of the non major streets. Luminaires shall be 200 watt, high pressure sodium.
3. Crosswalks at intersections and mid block crossings shall be stamped asphaltic concrete with a thermoplastic brick color overlay on the surface to match downtown intersections. This will provide a “tie” to the adjacent Downtown core.

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4. A minimum 3 feet wide salt strip shall be standard between the curb and sidewalk for all streets. Pavement of the salt strip shall be brick colored pervious concrete or a similar material that will allow water to penetrate into the soil and subsurface below. Street trees will be planted within the salt strip area.
5. Black wrought iron or aluminum fencing shall be used throughout the District to screen existing parking areas along with landscaping. Material shall match the fencing for the Lucas County parking areas along Summit Street. Individual sections of fencing shall not be longer than 40 feet without a masonry, stone or steel pier. Pier mounted lighting fixtures are encouraged around the perimeter of parking areas.
6. Refuse containers shall be located at each corner of all intersections and at mid block on all long blocks. Color shall be black and style will be determined.
7. Benches, bicycle racks and newspaper boxes shall be provided at the discretion of individual businesses or property owners. Color shall be black painted steel or recycled materials. Style will be approved by the Toledo Warehouse District Architectural Review Committee.
8. All street trees shall be Honey Locust, Norway Maple or Bald Cypress spaced between 30 and 40 feet within the salt strip area or adjacent to the sidewalk where an existing sidewalk abuts the curb line.
9. All off premises signs are prohibited.

Alley Restoration and Beautification

Alleys are usually perceived as service ways behind buildings, otherwise facing streets. Alleys often serve as demarcations between differing land uses and by their nature, they are unattractive, littered, and generally unkempt. However, alleys are secondary entrances or exits; often used by residential and commercial property owners, employees and service providers to access their residences and businesses. For many service related businesses, the alleys actually provide an entrance for customers receiving or delivering large or multiple items. Therefore, from a community point of view, the alleys should reflect the appearance of the fronts of the buildings they are serving and should be given equal attention and care. Alleys should be pleasant places for people and vehicles using them.

The following suggestions are offered for restoring and beautifying the alleys serving the Warehouse District:

1. Remove all litter, debris, discarded items and abandoned vehicles.
2. Keep the alleys clean and well maintained.
3. Remove all weeds and overgrown plant material and maintain control.
4. Screen and protect dumpsters and waste receptacles.
5. Repair doors, windows, exterior stairs/fire escapes, trim, gutters/downpipes, etc.
6. Prepare and repaint all items requiring attention using material and colors that reflect the building's street facade.
7. Install building/business identification and street numbers.

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8. Select and install standard photo cell operated lighting fixtures on buildings along alleys. Lighting should not shine into adjacent property but should be directed downward onto the alleys.
9. Install landscape material where appropriate or desired to soften the typical “hardness” of alleys.
10. Repair and repave alleys where needed.

IV. DEVELOPMENT OPPORTUNITIES

There is a significant amount of proposed development underway and more just beginning or about to commence. The purpose of this section is to highlight this work and to further promote other projects that should be considered in the future. In order of importance, the Erie Street Market structure is dominant because it is historical, it was renovated as a mixed use facility with a period of success and is currently vacant except for the Libbey Glass Factory Outlet that has been successfully in operation for nearly fifteen years as their “Flag Ship” store. The lease has been extended which helps assure Libbey’s continued existence. Each of the three vacant bays of the structure exceeds 20,000 square feet allowing for large retail opportunities such as a grocery store or an urban general store. The long time, highly successful outdoor Farmers’ Market also is adjacently located. The building is located at 237 S. Erie

Erie Street Market Building – 237 S. Erie Street. Built in 1911 at a cost of \$90,000, this E. O. Fallis.-designed public building served as the City Market for many years. A large auditorium was added in 1929. Later it was home to the City of Toledo Services Building. In more recent years the building has been known as the Erie Street Market. The building was once listed on the National Register of Historic Places. However, alterations in the early 1970s removed most of the character-defining features and the building was subsequently delisted.



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Berdan Building – 601 Washington Street - Historic Landmark



This large warehouse is of wood “factory type” construction typical of the period. The exterior is of solid masonry bearing walls. Large, well-proportioned arched openings are surmounted by a group of three smaller arched openings. The four story building is capped by a terra cotta cornice, resting on gently curved brick corbelling. There is a terra cotta sill course around the base and beautiful terra cotta moldings around the main entrance. Built ca 1902, this building was

home to its namesake Berdan & Co. – a wholesale grocery operation - for over thirty-five years. The company was founded in 1836 by John Berdan, Toledo’s first mayor. The imposing Richardson Romanesque-inspired design, namely the rows of three-story arched windows, was made by prominent Toledo architect George S. Mills. The design is its greatest significance. George Mills, put his artistic talents to work in the design, and it is today still one of the finest examples of Chicago style in Toledo.

Another wholesale grocery, known as Lee & Cady occupied the building during the 1930s and 1940s. After being used briefly by Kroger, the building’s last known use was by that of a wholesale tire company from the 1960s to the 1980s. The Berdan Building has been vacant since ca 1985. It is individually listed on the National Register of Historic Places.

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Spengler Candy Co. Building - 32 N. St. Clair Street. This is a refined commercial building with few embellishments built in 1903, it appears to have been first used by the Boswick-Braun Co., - a



wholesale and retail hardware operation on adjacent Washington Street. From the 1910s to ca 1960, it was home to two different electrical supply companies, the longest tenure being the General Electric Supply Co. From 1961 until the 1990s it was home to the Spengler Candy Co.

Zychowicz Building – 8 S. Erie Street

An Industrial style building constructed in 1893 and altered in 1916, this building was home to Swift & Company – a wholesale meat company for over 80 years. After a period of vacancy during the 1970s, the building continued to be used in it's original capacity by a sausage processing company known as



known as Zychowicz & Co, who moved there in 1987. The first floor entrance has a stone frame including a decorative keystone. Second and third floor windows have plain lug sills with unembellished flat arches above. The parapet is gabled with stone cap and signature stone.

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Consumer Plumbing Co. Building – 34-36 N. St. Clair St.

A 4 story brick Italianate / Commercial building built in 1892 with limestone trim and a small metal cornice. The 1st story openings and all of the elongated windows have been filled in. This building has always served as 1st floor retailing with offices and warehousing above. The building was also used by the Bostwick Braun Company. During the early 1900s it was home to a notions company, electrical supply company and consumer paper company. By 1940 it was home to the Consumer Plumbing & Heating Supply Company who would be located here for over 50 years.



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Stanwalt Hotel – 17 S. Superior Street

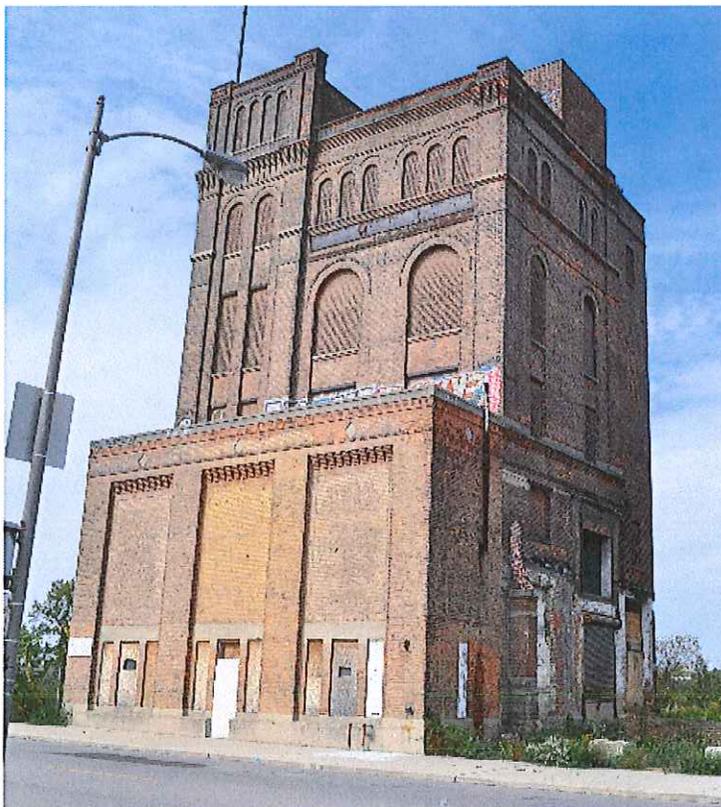
This Italianate building was built ca 1889. The first floor has been altered with the addition of wood inserts in the original commercial window openings. A diamond pattern brick insert rises from first floor lintel to the middle of the third floor. Brickwork in the third floor accents the arched windows. Corbel brick cornice caps the parapet. This building originally operated as a saloon. Between the late 1910s and early 1950s, it was subsequently occupied by an auto repair business, butter manufacturer, food product store and marine supply. Apartments were located on the upper floors. By the early 1950s it was known as the Stanwalt Hotel and remained under that name through the 1990s.



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Willis Day Building – 700 Washington Street

This structure is an Industrial style building constructed around 1940. The first floor entrance is late art deco with a stone border. A continuous stone band is above the first floor. Character-defining features include recessed bays of steel windows, flanked by brick pilasters. There are distinctive stone bands above the sixth story and on second story. The building is made of reinforced concrete construction with 9" floors supported by concrete interior columns. Like the Berdan Building two blocks away, this large building was also built as a wholesale grocery. Harnet & Hewitt occupied this building from ca 1924 to 1940. It was subsequently occupied by the Willis Day Storage Company who owned the building until 2009.



Grasser & Brand Brewery - 228 S. St. Clair Street. One of about half-dozen breweries that existed in Toledo during the late 19th Century, Grasser & Brand completed this building (originally called Union Brewery) in 1866. Its cellar once had capacity for 8000 barrels with connections through tunnels to Swan Creek. Overall, the brewery had a capacity of 60,000 barrels annually by 1905.

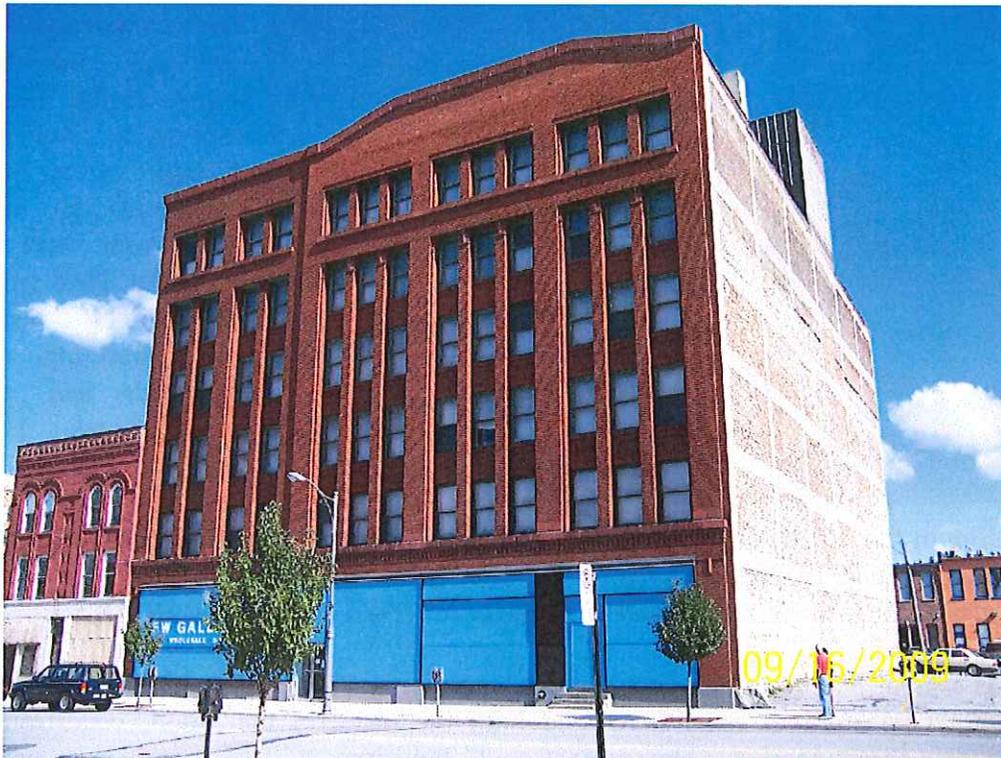
After the brewery closed in the late 1900s, the building was primarily used by different storage companies until 1970s. The last known occupant was the Playbell Rubber Co, who used the property as a warehouse and for shipping and receiving from the 1970s to the mid 1990s.

Vacant for many years, part of the building was recently demolished.

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Galliers Building – 25 S. Superior Street

Chicago style building similar to the former News Bee building built in 1909. First floor has been altered with addition of wood panels. Upper floors are original. Brick pilasters that emphasize the vertical dimension of the building. Each pilaster rises 4 stories and is capped with a terra cotta capital. 6th floor windows rest upon a stone continuous sill. The building has a gabled parapet. This imposing Chicago Style building was originally occupied by the Feilbach Co., wholesale grocers, who would operate out of the building until the late 1950s. After being home to the Lucas County Board of Elections from the late 1960s to early 1980s, its most recent occupant was Galliers Men's clothing who moved here in 1984.



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Columbia Gas Property Redevelopment – S. Erie St.

River Road Redevelopment II, LLC is redeveloping the 5.49-acre property that was formerly the site for Columbia Gas of Ohio. This redevelopment company oversaw a \$5.5 million demolition and remediation work that prepared the site for new construction. Funding is provided by a \$2.5 million contribution from Columbia Gas and a \$3 million Clean Ohio Revitalization Fund grant awarded to the City of Toledo in late 2010.



Hull & Associates, Inc. will purchase a portion of the property from River Road Redevelopment II, LLC to construct and manage an approximately 25,000 square-foot office. Hull will move its Toledo office and its 34 employees to this location. Concurrent with remediation activities, Hull will work with an architect to design the new office building, receive plan approval, and prepare bid specifications. Hull plans to start construction in March 2013 and hopes to move into

the new building in fall 2013. This building and site development will follow Leadership in Energy & Environmental Design (LEED) standards. The final plans will incorporate design concepts found throughout Toledo's historic Warehouse District neighborhood.

Swan Creek is a great feature on this site and this natural resource will be highlighted in the property redevelopment. Opportunities exist to extend onto the property the wood, waterfront boardwalk located at the Erie Street Market. This project could help jumpstart the City's river walk plans and other efforts to establish a revived and bustling river corridor.

The site is the former location of Toledo Gas Light & Coke Company where coal gas was manufactured from 1887 through 1918. This process caused most of the contamination to be remediated. Columbia Gas of Ohio purchased the property in 1963 to support their natural gas distribution business. They vacated the property in 2010. Columbia Gas never operated or contributed to the coal tar contamination, but is helping contribute to the remediation as part of their corporate-wide commitment to enhancing communities they serve.

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V. IMPLEMENTATION

In order to ensure the realization of the vision and objectives of the Warehouse District Plan the implementation strategy shall consist of the following items: Implementing an Urban Overlay District which will create an Architectural Review Committee, establish a Demolition Review Process, and establish Parking Lot Standards; and Pursuing Down Zoning for the District.

The urban overlay district is a tool that provides a review process for proposed physical changes to structures and public space within the Warehouse District. The urban overlay will contain the provisions for the Architectural Review Committee, demolition review process, and the parking lot standards. The overlay will also assure appropriate building and parking setbacks that accommodate redevelopment that is compatible with historical building patterns. Finally, it will help promote development that features retail display windows, rear parking lots, and other pedestrian-oriented site design features.

The creation of the Architectural Review Committee is intended to give more control in regulating development and proposed demolitions. The Architectural Review Committee will be the single voice of the Toledo Warehouse District in providing consultation with the Design Center and the Director of the Toledo City Plan Commission. Past experience in the Warehouse District has called for creating this type of body to provide greater consideration towards proper development. The Toledo Warehouse District Architectural Review Committee ("TWDARC") shall meet when necessary and provide guidance and feedback to the applicant and if needed the Plan Commission. The Toledo Warehouse Association shall appoint members to the Architectural Review Committee.

The demolition review process is in response to recent demolitions over the past few years. This process will establish a review by the TWDARC to determine if there is merit for demolishing a structure. This differs from the current Downtown Overlay District review, which permits the demolition after six months if the parties cannot agree, and the decision by the Plan Commission can be appealed to City Council. The process for the Warehouse District will mirror the process of the historic districts where as a decision by the TWDARC may be appealed to the Plan Commission and thereafter can be appealed to Common Pleas Court. These regulations are more restrictive than the DOD review and will supercede those regulations if the areas overlap.

The parking lot standards are being proposed to address the condition and appearance of existing and proposed surface parking lots. It is the hope that these unsightly attributes will be transformed into a visually aesthetic contributor to the Warehouse District. These temporary uses of valuable property should not detract from the neighborhood until permanent reuse occurs for that site.

There needs to be a concerted effort to down zone the Warehouse District from its industrial classification to a more compatible zoning that will accommodate mixed use development. This zoning is poorly suited for conversion to non-industrial uses. The base zoning (which the down zoning would address) is not to be confused with the Urban Overlay District. The base zoning or underlying zoning will dictate what type of use is allowed for a particular piece of property. It is understood that a portion of the Warehouse District may remain industrial to accommodate warehousing and other light industrial uses which were the original foundation for this area.

The following amendments to the zoning ordinance are recommended as a framework for the Urban

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Overlay District.

1103.1400 | Toledo Warehouse District Urban Overlay

1103.1401 Purpose

The Toledo Warehouse District Urban Overlay District is intended to:

- A.** Provide a review process for proposed physical changes to structures and public space within the Warehouse District;
- B.** Implement appropriate building and parking setbacks that accommodate redevelopment that is compatible with historical building patterns; and
- C.** Promote development that features retail display windows, rear parking lots, and other pedestrian-oriented site design features.

1103.1402 Effect of Designation

The Toledo Warehouse District Urban Overlay District is an overlay zoning classification to be established as an Urban Neighborhood Overlay (UNO) District under the provisions of Sec. 1103.0500. The overlay zoning district establishes additional design standards for development allowed by the underlying zoning district. In the event of conflict between the Toledo Warehouse District Urban Overlay District regulations and the regulations of the underlying base zoning district, the UNO regulations govern. In all cases, the most restrictive provision of the Toledo Warehouse District Urban Overlay District, or the underlying zoning regulations govern.

1103.1403 Toledo Warehouse UNO District Classification

Those areas classified in the Toledo Warehouse District Urban Overlay District shall be shown on the Official Zoning Map.

1103.1404 Toledo Warehouse District Urban Overlay District Boundaries

The boundaries of the District are hereby established as shown on the City of Toledo zoning maps. The District boundaries are defined via the map attached hereto and legally described in this section, both of which are incorporated herein by reference. The overlay district regulations apply to the entirety of parcels, as existing at the time of adoption, lying wholly or partially within this boundary.

1103.1405 Review and Approval Procedures

The site plan review shall be as specified in Sec. 1111.0800. Building elevation drawings (with colors and materials indicated) showing the front, rear and side views shall be submitted along with the site plan.

- A.** The standards of the Toledo Warehouse District Urban Overlay District apply to the physical change of any building or building addition that increases a building's floor area by more than 10 percent, except for detached houses and duplexes used for residential purposes. "Physical change" means any work such as alteration, remodeling, new construction or renovation of the exterior of a structure. The standards also apply to the construction of off-street parking spaces and driveways.
- B.** Building alterations that conflict with these standards or that otherwise increase the degree of non-compliance with these standards are prohibited.

1103.1406 Design Criteria Used to Evaluate Site Plans and Projects

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In addition to the design standards contained in Chapter 1109, Design Standards, the following criteria apply.

A. Relationship of Buildings to Site

1. The site shall be planned to accomplish a desirable transition between the building(s) and the streetscape to provide for adequate planting, safe pedestrian movement, and parking areas.
2. Parking areas shall be treated with decorative elements, building wall extensions, plantings, or other innovative means so as to screen parking areas from view from public ways.
3. The height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.
4. Newly installed utility services, and service revisions necessitated by exterior alterations, shall be underground.

B. Building Setback and Height

1. All new buildings shall be constructed with no minimum setback for building frontage. This includes buildings on corner lots.
2. The minimum side yard and rear yard setbacks shall be as specified in the underlying zoning district.
3. The maximum building height shall be as specified in the underlying zoning district.

C. Building Design

1. Building facades facing a Primary Street must incorporate a main entrance door on the primary street.
2. Building frontages that face Primary Streets and exceed a width of 50 feet must include vertical visual elements to break the plane of the building frontage. Such vertical elements must be spaced at regularly spaced intervals to provide visual interest along the entire building frontage.
3. All roof-mounted mechanical equipment must be screened from public view. The screening must be of a sufficient height to prevent persons located at the street level from viewing the screened items and a sight line analysis from at least 200 feet away must be submitted for review and approval. The design, colors and materials used in screening must be consistent with the architectural design of the building.
4. Dumpsters and trash receptacles must be screened in accordance with Sec. 1108.0304(B), and located to the rear of the property.
5. For commercially used property at least 60 percent of each building façade along a Primary Street, between the height of 2 feet and 10 feet above the nearest sidewalk grade, must consist of clear, non-tinted, non-mirrored, and uncovered window glass permitting views of the building's interior to a depth of at least 4 feet. For building frontages other than those on Primary Streets, the window glass must continue for a minimum of 10 feet from the building corner. No exterior security bars or roll-down metal doors shall be allowed. This provision shall be reduced to at least 30 percent, of each building facade along a Primary Street, for the conversion of a residential building to a commercial use. This provision does not apply to buildings officially recognized as historic or those deemed eligible for listing in the National Register of Historic Places if the provision would result in a modification of the original historic appearance of the building.

D. Building Materials

Maintaining a consistent palette of materials is important to establishing continuity within the District and to improving the overall appearance of the District. Predominant building materials should be high quality. Exterior insulation and finish system (EIFS) materials and applications are prohibited, except where used to simulate an existing material and when 36 inches above grade and

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not within an entryway, and comprising less than 15% of the facade. The following are identified as acceptable for predominant exterior building materials:

1. Brick: Shall be standard modular brick with common tooled mortar joints. Un-tooled joints, distressed brick, or irregular shaped brick are prohibited. Brick color and texture shall be compatible with original brick facades in the Toledo Warehouse District, constructed prior to the 1940's. Brick of this period was commonly blond, yellow-blond, beige, or dull red with very little color range. Textures varied from smooth or glazed to rough. Textures tended to be uniform.
2. Materials with a brick-like appearance such as "Founder's Brick", or similar material.
3. Wood, and it must be painted.
4. Materials with a wood-like appearance such as "Textured Cementitious Board", "Cement Board Siding", or similar material.
5. Smooth finished stone such as limestone or sandstone; color to be light to medium 'buff';
6. Glass.
7. Building materials other than those listed above may be approved by the Plan Director, in consultation with TWDARC, in special cases such as building additions or building renovations, taking into consideration the predominant building materials existing on the building to be added to or renovated.

1103.1407 Permitted or Prohibited or Special Uses

All uses that are permitted or prohibited or are special uses in the underlying zoning district(s) shall remain as permitted or prohibited or special uses in the Toledo Warehouse District Urban Overlay District.

1103.1408 Accessory Buildings and Uses

All accessory buildings and uses which are permitted or prohibited in the underlying zoning district(s) are permitted or prohibited within the Toledo Warehouse District Urban Overlay District, except that any detached accessory building on any lot shall have, on all sides, the same architectural features or shall be architecturally compatible with the principal building(s) with which it is associated.

1103.1409 Landscape Review Requirements

Site plan review shall also include the review of landscape design elements and conformance with Sec. 1108.0300 | Urban Commercial Landscape Standards.

1103.1410 Off-Street Parking

Off-street parking requirements for properties within the Toledo Warehouse District Urban Overlay District shall comply with the requirements set forth in Chapter 1107, Parking, and the following provisions:

- A. Location of off-street parking facilities shall be on the same lot as the principal building or use or an alternative access and parking plan may be submitted as provided for in Sec. 1107.1400.
- B. Off-street parking facilities shall be located in the rear portion of the subject property and behind the principal building or use. The construction of new off street parking lots having frontage on a street is prohibited.
- C. If parking in the rear of the lot is not feasible because the lot is too shallow, or other unique circumstances approved by the Plan Commission, then parking may be allowed on the side of the building if a screening wall and landscape treatment are installed along the street frontage in conformance with the minimum parking lot standards for perimeter screening barriers.
 1. If the parking lot is located adjacent to a building, a six (6') foot wide sidewalk shall be installed

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between the building and the parking area.

- D. Access to parking lots shall be provided off alleys whenever possible in order to minimize curb cuts across pedestrian sidewalks.
- E. The required number of off-street loading spaces may be reduced or eliminated by the Planning Director in consultation with the Division of Transportation, with due consideration given to the following factors:
 - 1. Frequency and time of deliveries;
 - 2. Size and nature of vehicles accommodated by the loading spaces;
 - 3. The character of the neighborhood;
 - 4. Impact upon adjoining streets, places, or alleys; and
 - 5. Type of business.

1103.1411 Lighting Requirements

- A. In reviewing the lighting proposed for a lot to be developed in the District, factors to be considered include but are not limited to:
 - 1. Safety provided by the lighting.
 - 2. Security provided by the lighting.
 - 3. Light spillage or glare onto adjoining residential properties and/or streets is prohibited. All lumination shall be directed downwards
 - 4. Height and placement of lighting standards considering the use.
- B. Site Lighting for Small Parking Lots (Twenty-Five or Less Parking Spaces)
 - 1. Site lighting for small parking lots shall utilize a pedestrian style light fixture and pole to match the lights being used by the City of Toledo for public enhancement within the Toledo Warehouse District The Plan Commission will provide the model number for the light pole and luminaire, as well as detail product specifications.
 - 2. The light source shall be metal halide or LED.
 - 3. The light intensity shall average a minimum of .5 foot-candles, measured five (5') feet above grade for parking lots and 1 to 3 foot-candles measured five (5') feet above grade for pedestrian sidewalks.
- C. Site Lighting for Large Parking Lots (Twenty-Six or More Parking Spaces)
 - 1. Site lighting for large parking lots shall utilize a Shoe Box Fixture and pole (maximum 25 feet height) for efficiency of lighting and neutrality of design. The Plan Commission will provide the model number for the lights or luminaires, as well as detailed product
 - 2. The light source shall be metal halide or LED.
 - 3. Pedestrian style light fixture and pole, as indicated for small parking lots, shall be used along collective walks.
 - 4. The light intensity shall average a minimum of .5 foot/candles, measured five (5') feet above grade for parking lots and 1 to 3 foot-candles measured five (5') feet above grade for pedestrian sidewalks.

1103.1412 Canopies/Awnings

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- A. Awnings shall be traditional in design; they shall be triangular in section, sloping outward and down from the top of the opening. First floor awning sides shall be open to increase sight lines towards storefronts along the street. Round-top, halfround, box, or other unusual awning shapes are prohibited unless approved in writing by the Plan Director. Internally lighted awnings are also prohibited. Signage on awnings shall be allowed as long as it meets appropriate portions of the requirements of Section 1103.1313. Internally illuminated awnings are prohibited.
- B. Canopies shall be narrow in elevation, six (6") inches to twelve (12") inches, and flat. Typically such canopies would have internal drainage. Canopies shall be self-supporting or supported by tension rods. Canopy projections are limited to thirty-six (36") inches. Sloping, or unusually shaped canopies are prohibited.

1103.1413 Signage

Signage shall comply with Part 13, Title 9, Chapter 1387, Signs Permitted in Zoning Districts, and the following regulations:

- A. Building signs shall be located above the main entrance in the sign band area, on the upper facade wall. The sign shall be sized to allow the masonry to be fully exposed around the sign.
- B. No sign or part of a sign shall be located above the parapet of any facade. Roof mounted signs are prohibited.
- C. Building signs shall not exceed 75% of the width of the storefront opening.
- D. The shape of building signs shall be rectangular, or slight variations of rectangular forms, except business logos and/or corporate identity symbols are allowed.
- E. Projecting signs are allowed. The maximum projection is three and one-half (3½') feet and the minimum mounting height to the bottom of the sign shall be seven (7') feet.
- F. Window signs are allowed.
- G. Raceways, cabinets, box signs, moving, animated or intensely lighted signs, roof signs or signs that extend above a building roofline or parapet, and pole mounted signs are prohibited.
- H. Monument or ground signs are allowed.
- I. Additional Off-Premise Signs (Billboards) are prohibited. Existing off-premise signs may remain subject to the regulations for legal non-conforming signs in Chapter 1395.
- J. Each building shall display a street address as per City of Toledo Municipal Code. The street address shall also appear on any alley building elevation.

1103.1414 Architectural Review Committee Composition, Jurisdiction and Procedures

A. Toledo Warehouse District Architectural Review Committee (TWDARC) Authority

There is hereby established the Toledo Warehouse District Architectural Review Committee ("TWDARC") which shall have the responsibility for reviewing all Development Plans and proposed demolitions for projects in the Warehouse District, for compliance with the Toledo Warehouse District Urban Overlay District.

The TWDARC shall have full authority to approve, approve with modifications, or disapprove all Submissions for projects in the Warehouse District. Decisions by the Toledo Warehouse District Architectural Review Committee may be appealed by the applicant or any other interested person to the Plan Commission, in writing, within 7 days of the Toledo Warehouse District Architectural Review Committee hearing provided for in Sec. 1111.1107. Applications must be accompanied by the fee amount that has been established by the City Council.

B. TWDARC Composition and Term

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The TWDARC shall consist of not more nor less than five (5) members. The Toledo Warehouse District Association shall appoint the members of the TWDARC. In the event that the Toledo Warehouse District Association is no longer a functional entity then Toledo City Council shall appoint the members. The composition of the TWDARC shall consist of those property owners (minimum of 2), residents (minimum of 1), or business owners (minimum of 1) who are located within the boundaries of the Warehouse District as defined in the Toledo Warehouse District Plan, and a professional architect or landscape architect, or planner (minimum of 1).

In the event that there is a vacant position on the TWDARC that has not been filled by the process defined in these Declarations, the TWDARC, by majority vote, may temporarily appoint a person to serve on the TWDARC until a replacement is designated.

The TWDARC members shall serve the terms as outlined below. To achieve staggered terms the initial terms of the appointees of the Professional Architect, Landscape Architect, or Planner shall be three (3) years.

- Property Owners shall serve a term of two (2) years;
- Business Owners shall serve a term of two (2) years;
- Residents shall serve a term of two (2) years;

There are no term limitations.

C. TWDARC Rules

The Chair shall be responsible for providing a non-voting Secretary for the TWDARC who shall be responsible for maintaining the minutes and records of the TWDARC.

A quorum of the TWDARC shall consist of three (3) members, one (1) of which must be the Chair. Three (3) affirmative votes are necessary for all TWDARC review action, unless stated otherwise in these Declarations. In the event of a tie vote, the Chair shall render a decision on behalf of the TWDARC.

The TWDARC may adopt Rules of Procedure (“Rules”) to govern the operations of the TWDARC. Such Rules must be adopted by, and may be amended by, a vote of not less than four (4) members of the TWDARC. Robert’s Rules of Order shall govern the actions of the TWDARC unless otherwise expressly provided for in the Rules.

The TWDARC may adopt provisions to allow the Chair to administratively approve certain Submissions conforming to the Declarations without review by the TWDARC.

D. TWDARC Procedures

An applicant shall forward Submissions to the TWDARC for preliminary review in accordance with the Declarations before review of the Submission by the TWDARC. The TWDARC shall review the Submission for conformance with the Declarations and the Toledo Municipal Code, and shall respond in writing within thirty (30) days of the filing of the Submission as to whether the Submission materially conforms to the Declarations and Toledo Municipal Code, or what modifications are needed to achieve conformance.

If the Submission materially conforms to the Declarations and the Toledo Municipal Code, the TWDARC shall forward the Submission and all comments to the Toledo Plan Commission for review as provided for in this Article.

Decisions of the TWDARC to disapprove the Submission may be appealed in writing within seven (7) days of disapproval to the Toledo Plan Commission, with the appeal addressed to the Chair. The

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Plan Commission must hear such appeals within thirty (30) calendar days of the date of receipt of the appeal.

If the TWDARC forwards the Submission to the Toledo Plan Commission, or the decision under these Declarations is appealed to the Toledo Plan Commission, the Toledo Plan Commission shall review the Submission in accordance with the Declarations, the Toledo Municipal Code, and its Rules, and render its decision in writing. The Toledo Plan Commission shall not arbitrarily or unreasonably withhold its approval of Submissions.

E. TWDARC Liability

The TWDARC, as a City of Toledo entity, shall have the liability protections granted to such bodies under the laws of the State of Ohio.

F. Variance

The TWDARC is authorized to grant variances from any provision of the Declarations where such variances will assist in carrying out the intent and spirit of the development and where strict application of the provision would result in a particular hardship to the applicant.

G. Public Meetings

Regular and Special meetings of the TWDARC shall be subject to the public meeting and notice requirements (commonly known as the “Sunshine Laws”) of the Ohio Revised Code and the Toledo Municipal Code.

1103.1415 Demolition Hearing Procedures (Toledo Warehouse District)

A. Where application is made for demolishing a structure within the Toledo Warehouse District, the Toledo Warehouse District Architectural Review Committee (TWDARC) must grant the application when one or both of the following conditions are found to exist:

1. the structure for which demolition is sought contains no features of architectural or historic significance, and it does not contribute to maintaining the character of the Toledo Warehouse District; or
2. there is no reasonable economic return for the structure as it exists and there is no feasible alternative to demolition submitted to the applicant by concerned organizations or individuals who wish to preserve the structure.

B. Economic Hardship Standards and Criteria

The Toledo Warehouse District Architectural Review Committee (TWDARC), in making a determination of economic hardship, may consider any relevant information, including but not limited to the following standards and criteria:

1. Alternative uses and the economic return they will earn in relation to all the following:
 - a. estimate of the cost of the proposed redevelopment, alteration, demolition, or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the Toledo Warehouse District Architectural Review Committee (TWDARC) for changes necessary for the continued use of the building;
 - b. a report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the structures on the property and their suitability for rehabilitation, including any existing evidence that deterioration has progressed to the extent that rehabilitation is not practical;

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- c. estimated market value of the property in its current condition, based on an independent MAI-certified appraiser; after completion of the proposed redevelopment, alteration, demolition or removal; and after changes recommended by the Toledo Warehouse District Architectural Review Committee (TWDARC) for the renovation of the existing property for continued use; and
 - d. testimony from a third party architect, developer, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property, taking into consideration any existing evidence that deterioration has progressed to the extent that rehabilitation is not practical.
2. The current economic return on the property in relation to all the following:
 - a. the amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased;
 - b. if the property is income-producing, the annual gross income from the property for the previous 2 years; itemized operating and maintenance expenses for the previous 2 years; and depreciation deduction and annual cash flow after debt service, if any, during the same period;
 - c. real estate taxes for the previous 2 years and assessed value of the property according to the most recent assessed valuation; and
 - d. all appraisals obtained within the previous 2 years by the owner or applicant in connection with the purchase, financing or ownership of the property.
 3. The property is not able to be sold, considered in relation to any listing of the property for sale or rent, price asked, and offers received, if any, within the previous 2 years, including testimony and relevant documents regarding:
 - a. any real estate broker or firm engaged to sell or lease the property;
 - b. reasonableness of the price or rent sought by the applicant; and
 - c. any advertisements placed for the sale or rent of the property.
 4. Economic incentives and/or funding available to the applicant through federal, state, city or private programs.
 5. Other information considered by the respective Toledo Warehouse District Architectural Review Committee (TWDARC) to be significant in determining whether the property does yield or may yield a reasonable return to the owner.

C. Alternatives To Demolition Submitted By Others

In deciding on the feasibility of an alternative to demolition, the Toledo Warehouse District Architectural Review Committee must find that the alternative plan meets the following requirements:

1. it contains a credible short-term and long-term program for the protection and use of the building;
2. it contains financial and architectural plans prepared by architects, engineers, real estate professionals, and other persons experienced in the rehabilitation and reuse of historic buildings; and
3. it has been submitted to the applicant as a good faith proposal containing an offer to enter into a contract at a price that reflects the fair market value of the property based upon three independent MAI-certified appraisers.

D. Additional Application Requirements

An applicant must meet with the Toledo Warehouse District Architectural Review Committee or the Plan Commission staff, and the applicant must then submit evidence on the following standards and criteria:

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1. For a demolition application to be considered by the Toledo Warehouse District Architectural Review Committee, the application must contain sufficient information so that the Toledo Warehouse District Architectural Review Committee may adequately analyze the application in relation to its standards and criteria and then make a factual decision on the application.
 2. The application shall include photographs and a written description of the present condition of the structure for which demolition is sought. The applicant shall include information about any changes in the condition of the structure during the previous 2 years.
 3. At the initial meeting with the applicant, the Toledo Warehouse District Architectural Review Committee or the staff must indicate the information the Toledo Warehouse District Architectural Review Committee will need for a valid application.
 4. For applications based on a lack of reasonable economic return, the applicant has the burden of showing that the property in question is incapable of earning a reasonable economic return in the absence of the proposed demolition. The showing must be made in accordance with the standards and criteria set forth in Economic Hardship Standards and Criteria.
 5. The Planning Director must notify the applicant of any deficiencies in the documentation or other evidence provided.
 6. Failure of the applicant to submit the required documentation and/or evidence will be construed as a failure on the part of the applicant to meet that standard for which the documentation and/or evidence is lacking.
 7. After receipt of a completed application in which all required information is attached, the Toledo Warehouse District Architectural Review Committee must make a determination on the applicant's submission in accordance with the time frames set forth herein.
- E.** The Plan Commission staff must evaluate each application in accordance with the standards and criteria contained in Demolition Hearing Procedures and Economic Hardship Standards and Criteria and must provide a written evaluation and report. The report must be presented to the respective Toledo Warehouse District Architectural Review Committee on or before the Toledo Warehouse District Architectural Review Committee's initial hearing.
- F.** The respective Toledo Warehouse District Architectural Review Committee must hold an initial hearing on the application. The Toledo Warehouse District Architectural Review Committee, at the initial hearing, may delay a determination on the application and may impose a waiting period of at least 30 days and not longer than 9 months upon a finding that the structure is of value to the Toledo Warehouse District and that alternatives to demolition may be feasible and should be actively pursued by both the Toledo Warehouse District Architectural Review Committee and the applicant. This finding may include written recommendations to the applicant.
- G.** Upon the imposition of a waiting period, the Toledo Warehouse District Architectural Review Committee must undertake meaningful and continuing discussions during the waiting period in order to find a means of preserving the structure.
1. The Toledo Warehouse District Architectural Review Committee and applicant must investigate the feasibility of all means of preserving the structure. During this period the Toledo Warehouse District Architectural Review Committee and the applicant must make every reasonable effort to find a demolition alternative for that structure.
 2. If the Toledo Warehouse District Architectural Review Committee and applicant do not agree on a means of preserving the structure at the initial meeting, then they must continue to undertake meaningful and continuing discussions at least every 30 days after the initial meeting. During these meetings, the Toledo Warehouse District Architectural Review Committee must give

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written notice to the applicant when the Toledo Warehouse District Architectural Review Committee believes that the structure may be saved if the applicant agrees to a longer waiting period.

- H. The Toledo Warehouse District Architectural Review Committee may develop its own information on the Economic Hardship Standards and Criteria, and this information must be made part of the record on the application.
- I. The Toledo Warehouse District Architectural Review Committee must announce at the initial public hearing that further evidence or documentation from any interested party may be made part of the record by submitting such information to the Planning Director by a date certain. These materials may include one or more plans for an alternative to demolition prepared by concerned organizations or individuals. The Planning Director must transmit any such information received to the Toledo Warehouse District Architectural Review Committee and the applicant.
- J. When the demolition application is first received, the Toledo Warehouse District Architectural Review Committee must seek the help of neighborhood leaders and suggest that they and the Toledo Warehouse District Association work together on developing an alternative to demolition. The Toledo Warehouse District Architectural Review Committee shall arrange one or more meetings between the applicant and any organizations and individuals working on an alternative to demolition.
- K. The Toledo Warehouse District Architectural Review Committee may cause to be established a three-person economic review panel. The review panel will be comprised of three real estate and redevelopment experts knowledgeable in the economics of renovation, redevelopment and other aspects of rehabilitation.
 - 1. The panel will consist of one person selected by the Toledo Warehouse District Architectural Review Committee, one person selected by the applicant and one person selected by the first two appointments. If the first two appointments cannot agree on a third person, the third appointment will be selected by the Planning Director.
 - 2. Within 60 days after the economic review panel is established and before the end of the 6th month of the waiting period, the panel must review the evidence and complete an evaluation of the economic return issue, applying the standards and criteria set forth in the Economic Hardship Standards and Criteria. It must forward a written report on this evaluation to the Toledo Warehouse District Architectural Review Committee.
- L. If, after reviewing all of the evidence, the Toledo Warehouse District Architectural Review Committee finds as follows below, then the Toledo Warehouse District Architectural Review Committee must approve the request, conditionally or otherwise. If the Toledo Warehouse District Architectural Review Committee finds that the standards, criteria, and requirements are not satisfied, the request will be denied. The Toledo Warehouse District Architectural Review Committee must find that:
 - 1. the standards and criteria set forth in the Economic Hardship Standards and Criteria are satisfied;
 - 2. and there is no feasible alternative to demolition, per the requirements of paragraph C above.
- M. If the applicant or a representative fails to meet with the Toledo Warehouse District Architectural Review Committee at the times specified, or to participate in a meeting arranged by the Toledo Warehouse District Architectural Review Committee, then the Toledo Warehouse District Architectural Review Committee may deny the request.

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- N. During the waiting period, the owner of such structure must maintain or mothball the structure to prevent further deterioration. If the request for a demolition is denied, the applicant must develop a program for continuing maintenance for the structure to ensure that the deterioration of the structure is not caused by the neglect of the structure by its owner or by a tenant. Such program must address the condition of the structure, the money currently available for repairs and maintenance, and any funds or in-kind assistance that may be available from interested third parties.
- O. After holding good faith meetings pursuant to paragraph G above for 6 months into the waiting period specified by the Toledo Warehouse District Architectural Review Committee, or any time thereafter, the applicant may appeal to the Plan Commission for a determination pursuant to Section B through Section F.
- P. After each demolition of a landmarked structure or within a historic district, the Toledo Warehouse District Architectural Review Committee must prepare a brief report on that structure giving the reasons why the demolition took place. The report must be given to the Plan Commission and interested neighborhood organizations. At the end of each year the Toledo Warehouse District Architectural Review Committee must prepare a report summarizing the demolitions that year and the reasons for these demolitions. These summaries must be given to the Mayor, City Council, the Plan Commission and interested neighborhood organizations.

1103.1416 Appeals

- A. Decisions by the Planning Director may be appealed by the applicant to the Toledo Warehouse District Architectural Review Committee. Notice of appeal must be made within 7 days of the decision. The appeal must be heard at the next regularly scheduled meeting of the respective Toledo Warehouse District Architectural Review Committee.
- B. Decisions by the Toledo Warehouse District Architectural Review Committee may be appealed by the applicant or any other interested person to the Plan Commission, in writing, within 7 days of the Toledo Warehouse District Architectural Review Committee hearing provided for in Initial Hearing Procedures. Applications must be accompanied by the fee amount that has been established by the City Council.
- C. The Plan Commission will consider an appeal filed pursuant to this Section within 30 days of receipt of notice of appeal, and must utilize the written findings of that Toledo Warehouse District Architectural Review Committee to review economic, historic, architectural and aesthetic features of such structure, the nature and character of the surrounding area, the use of such structure and its cultural importance to the City. A majority vote of the Plan Commission is required to overturn a decision of the Toledo Warehouse District Architectural Review Committee.
- D. In cases involving denial of an application for demolition pursuant to Demolition Hearing Procedures, the Toledo Warehouse District Architectural Review Committee and the applicant must present such evidence as will be relevant to the conditions set forth in Demolition Hearing Procedures and Economic Hardship Standards and Criteria and must further present evidence upon the efforts made, if any, to find a feasible and prudent alternative to demolition during the pendency of the appeal.
 - 1. In such cases, the Plan Commission may, in its discretion, and to facilitate the production of the

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evidence contemplated herein, defer its final decision to a date no later than 9 months from the initial Toledo Warehouse District Architectural Review Committee hearing.

2. The Plan Commission may direct the applicant and the Toledo Warehouse District Architectural Review Committee to continue discussions as provided for in Demolition Hearing Procedures (G) for the balance of the waiting period.

- E. Decisions by the Plan Commission will be deemed final administrative orders for appellate purposes and will be thereafter regulated by Revised Code Chapter 2506.
- F. No building permit, or other permit necessary for the activity applied for, including environmental changes, may be issued, or if issued will be valid, during the appeal time provided in Section B, during the pendency of a timely-filed appeal before the Plan Commission, or during the time prescribed in Revised Code Chapter 2506 for an appeal of a decision of the Plan Commission.

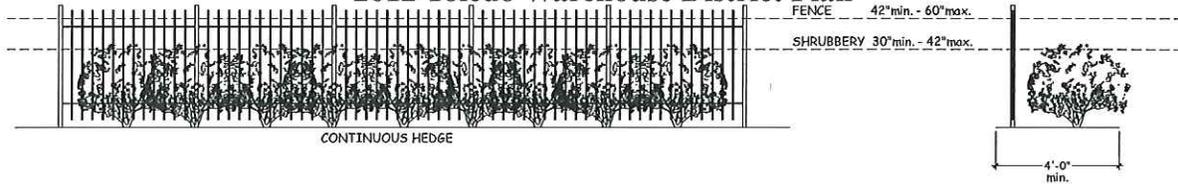
1103.1417 Minimum Parking Lot Standards for Perimeter Screening Barriers

1103.1418 Parking Lot Screening Barriers

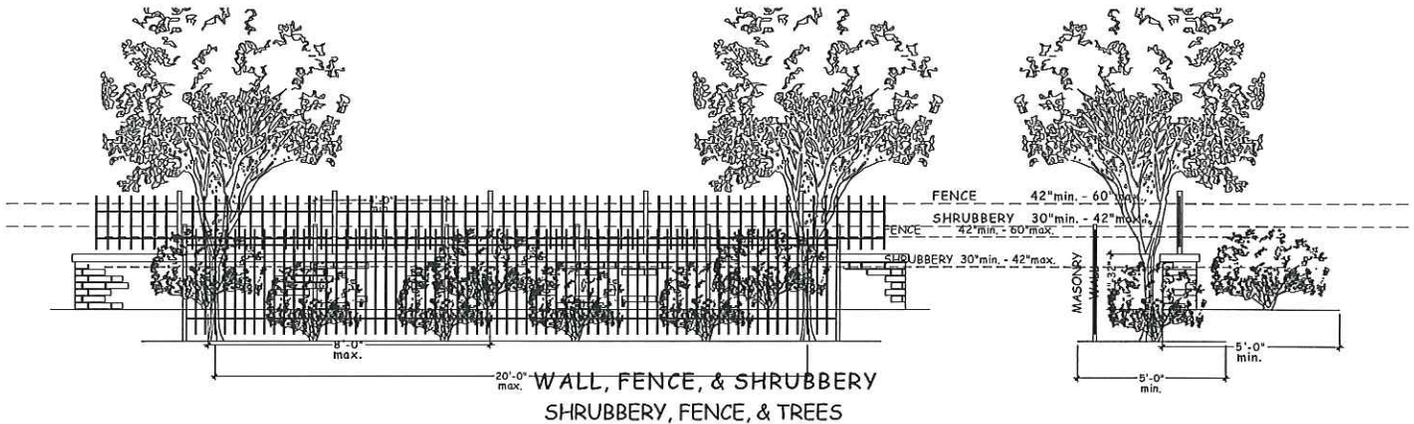
All existing parking lots that are in full compliance with current City of Toledo Municipal Code and licensing requirements are exempt. However, all existing parking lots that do not comply with current City of Toledo Municipal Code requirements, including those currently licensed, and all future or proposed surface parking lots with more than six spaces shall be bordered along the entire length of all property lines fronting on public streets and alleys, except at established entrances and exits, by a vehicular barrier and visual screen, as further described in sections "A" and "B" of this section. Such barrier and screen shall be sufficient to prevent vehicular ingress and egress except at established entrances and exits, to prevent motor vehicles from encroaching into the public-right-of-way, to restrict pedestrian movement to established sidewalk areas and to screen parked vehicles from view from public right-of-way.

- A. *Vehicular Barriers* The vehicular barrier shall consist of a continuous rolled concrete or asphalt curb at least 6 inches high or 6 inches high anchored wheel stops, as necessary to prevent motor vehicles from projecting into the public right-of-way impacting the visual screen. The rolled curb allows for snow plowing.
- B. *Visual Screens* All visual screens shall meet one of the following requirements with respect to height, opacity and materials. Minimum required height and opacity shall be provided throughout the length of any required visual screen. The visual screen shall be a minimum of 2.5 feet and a maximum of 5 feet in height and shall conform to one of the following three standards with respect to materials and opacity:
 1. *Shrubbery and fence*: a continuous hedge of shrubbery 2.5 to 3.5 feet high, providing 100% opacity and an ornamental metal fence that is a minimum of 3.5 and a maximum of 5 feet in height.

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2. *Shrubbery, Fence and Trees:* shrubbery 2.5 to 3.5 feet high, providing 50% opacity and a metal fence that is a minimum of 3.5 and a maximum of 5 feet in height, supplemented by trees planted at a minimum average spacing of 20 feet.

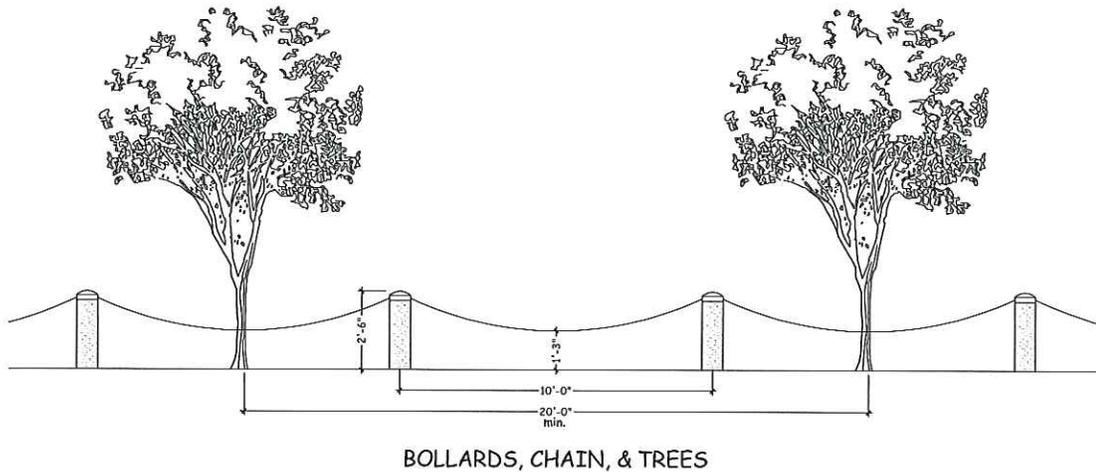


3. *Wall, Fence and Shrubbery:* a combination ornamental metal fence/masonry wall, that are a minimum of 3.5 feet and a maximum of 5 feet in height, with a continuous hedge of shrubbery 2.5 feet to 3.5 feet high in front of the ornamental metal fence, together providing opacity of 100% to a height of 2.5 feet to 3.5 feet.

1103.1419 Existing parking lots that are licensed but not in full compliance with current City of Toledo Municipal Code and licensing regulations:

The following minimum visual screening standards shall be provided. The visual screen shall be composed of anchored concrete, metal or wood bollards, at least 8 inches square or 8 inches in diameter, and at least 2.5 feet above pavement level, in uniform intervals of 10 feet on center and connected through the top of each bollard by aluminum or galvanized chains, at least 1/2 inch in diameter with a clearance of 2.5 inches at the center of the drop. The bollards and chains shall be supplemented by trees planted inside the visual screen, at minimum intervals of 20 feet, spaced midway between bollards. The trees shall be located in diagonally placed 4 feet by 4 feet wells and protected by one parking stop at the front. Tree wells shall have a minimum of three feet deep topsoil for planting.

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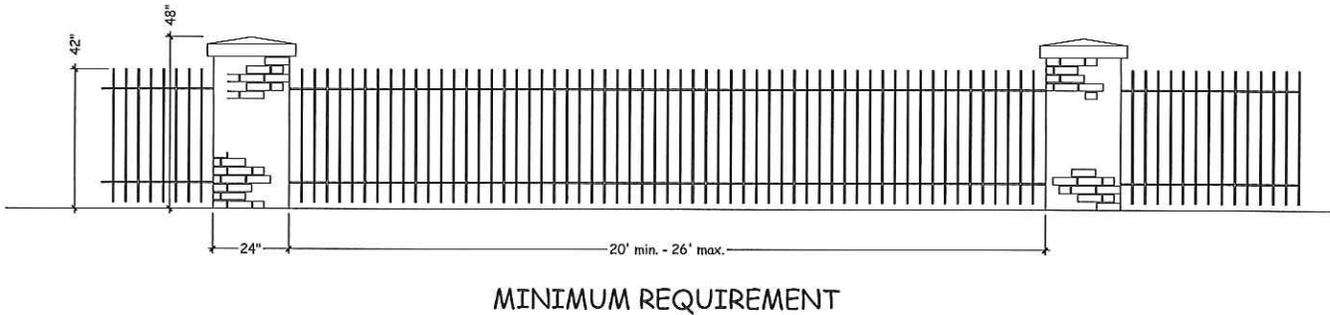
A. Supplemental Standards for Visual Screens:

1. *Standards for Shrubs, Trees and Ground Cover.* Shrubbery used as part of a visual screen must be sufficient to meet the height and opacity requirements by the end of the second growing season after planting. All shrubs and trees shall be selected from the list of approved plant material as adopted by the City of Toledo Division of Forestry. At the time of installation, deciduous trees shall be a minimum of 6 feet in height with a caliper of 1.5 inches at one foot above grade, and evergreen trees shall be 6 feet in height. Trees not used as a part of visual screen need not meet height, caliper size or opacity requirements. In the event of an existing parking lot where irrigation is not provided, landscaping materials installed on the property shall be drought tolerant species not requiring regular watering for good plant health and growth.
1. *Standards for Landscaped areas.* If a visual screen is set within a landscaped area, it shall be bordered by a continuous concrete or asphalt curb at least 6 inches wide and 6 inches high and covered by grass or other suitable vegetative ground cover, bark or decorative stones. All landscaped areas planted with shrubs shall be a minimum of 4 feet in width. If planted with trees, the landscaped area is to be a minimum of 4 feet in width.
2. *Standards for Fences and Walls.* All walls and fences used as part of visual screen shall be of uniform appearance and shall be set in a concrete base. Required ornamental metal fences shall be of actual or simulated wrought iron construction. Walls shall be of reinforced masonry construction, including decorative concrete masonry units.
3. *Irrigation Requirements.*
 - a. General Provisions: Every landscaped area installed after adoption of these standards shall be served by a permanent underground irrigation system. No irrigation system, however, shall be required for trees provided to supplement the use of bollards and chains as required by "Existing parking lots that are licensed but not in full compliance with current City of Toledo Municipal Code and licensing regulations" described in Section B(4).
 - b. Method of Connection: For all existing parking lots that are not in full compliance with current City of Toledo Municipal Code and licensing regulations, the irrigation system shall be either connected to City water lines or shall be configured for coupling to a hose which draws water from any permitted on site or nearby source. In such instances, the selection of the water source shall be made by the applicant.

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- (i) As an alternative to an irrigation system, a parking lot owner or group of parking lot owners may contract for regular watering and maintenance of plant material. Proof of such service shall be provided for licensing.
4. As an alternative to an irrigation system, a parking lot owner or group of parking lot owners may contract for regular watering and maintenance of plant material. Proof of such service shall be provided for licensing.
5. Maintenance: All plant materials shall be maintained in good condition at all times. Unhealthy or dead plant material shall be replaced with healthy plant material no later than the start of next growing season. Fences and walls shall be kept free from peeling paint, rust, spalls, and broken, cracked or missing elements. Fences and walls shall also be kept plumb, with no more than a 2 inch deflection from grade to top of element.
6. Exemption for Alleys: No visual screen shall be required along public alleys except where alleys are designated as public walkways, pedestrian zones or for purposes other than service ways.
7. Landscaping Reductions and Exemptions: With regard to an existing permitted parking lot that otherwise complies with all current City Zoning regulations, the City Plan Commission may grant a reduction of or an exemption from the requirements for shrubs, trees and landscaped areas if full compliance with such requirements would result in a loss of existing parking spaces which cannot be avoided or remediated through re-design or re-configuration of the parking lot. The City Plan Commission may take such action in accordance with the following provisions:
 - (1) *Evidence to be Provided by the Applicant*: An applicant seeking a reduction of or an exemption from the requirement for landscape elements of a visual screen shall present written and graphic evidence to the City Plan Commission demonstrating that the potential loss of existing spaces cannot be avoided or remediated through re-design or re-configuration of the parking lot.
 - (2) *Determination by City Plan Commission*: Upon consideration of evidence submitted by the applicant as well as any analysis prepared by the staff, the City Plan Commission shall determine whether strict application of the visual screen landscape requirements will result in an irremediable loss of parking spaces. In determining whether a loss of parking spaces can be avoided through re-design or re-striping, the City Plan Commission shall assume continued use of the existing parking space and aisle dimensions for the subject property except where such dimensions are in excess of current City of Toledo Municipal Code requirements.
 - (3) *Minimum Requirement*. Any reduction of standards approved by the City Plan Commission with respect to the required visual screen shall be the minimum reduction necessary to prevent the loss of parking spaces. The City Plan Commission may require compliance with the visual screen standards through the use of a legal encroachment in one or more of the public rights-of-way adjoining the parking lot. At a minimum, the City Plan Commission may require installation of an ornamental metal fence meeting all applicable requirements of the section and, in addition, providing a brick or stone pier, at least 2 feet square, at a minimum spacing of 8 feet. The City Plan Commission may also require provision of landscaped areas where such provision will not result in a loss of parking spaces.

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8. Temporary Uses Where the City Plan Commission deems a parking lot to be a temporary use, the barrier and screening requirements of the section shall be considered to be met if the parking lot operator installs anchored concrete wheel stops supplemented by bollards and chains, as required by these standards. No surface parking lot shall be deemed temporary for a period in excess of one year, provided however, that the City Plan Commission may extend the temporary use for one additional one-year period if, prior to the completion on the initial one-year period, a project agreement with the City is executed which requires development of the lot within one year or a Building Permit application has been filed for development of the property. A parking lot shall also be considered as a temporary use if a lease exists, recorded with the Lucas County Recorder, between the owner of the property and the parking lot operator, and term of the lease expires within eighteen months after the compliance date for filing of plans.
9. Approval. The materials, design, location and construction of the screens and barriers required by this section shall be approved by the Director of the Toledo-Lucas County Plan Commissions in consultation with City of Toledo Division of Transportation, Division of Engineering Services, and the Toledo Warehouse District Architectural Review Committee and shall be in accordance with the standards promulgated by the Commissioners in compliance with the provisions of this Chapter of the Toledo Municipal Code. Unless otherwise permitted by the Commissioner of the Division of Transportation, each parking lot shall have one common entrance and one common exit, which may or may not be combined.
10. Compliance Dates: All legally established existing parking lots shall be in full compliance within one year after the adoption of these standards in order to obtain annual relicensing. Subsequent to the adoption of these Standards, all new parking lots shall be in full compliance prior to initial approval and licensing.
11. Confirmation of Compliance: Representatives of the Toledo Warehouse District Architectural Review Committee will regularly inspect each parking lot to confirm compliance with these standards and will recommend approval or denial to the City of Toledo Finance Department prior to the issuance of the annual renewal of a license to operate.
12. Americans with Disabilities Act Compliance: Full compliance with current standards for handicapped and van accessible parking, including signage, shall be required for licensing.

