

*TOLEDO CITY  
PLAN COMMISSION  
REPORT*

*SEPTEMBER 12, 2013*

*Toledo-Lucas County Plan Commissions*

*One Government Center, Suite 1620, Toledo, OH 43604*

*Phone 419-245-1200, FAX 419-936-3730*

## MEMBERS OF THE TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

### TOLEDO CITY PLAN COMMISSION

CATHERINE G. HOOLAHAN  
(Chairman)

CYNTHIA A. GERONIMO  
(Vice Chairman)

BALSHARAN SINGH GREWAL

KEN FALLOWS

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### LUCAS COUNTY PLANNING COMMISSION

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**TOLEDO-LUCAS COUNTY PLAN COMMISSIONS  
APPLICATION DEADLINE, AGENDA, STAFF REPORT AND HEARING  
SCHEDULE - 2013**

<b>APPLICATION DEADLINE*</b>	<b>AGENDA SET</b>	<b>STAFF REPORT DISTRIBUTED</b>	<b>HEARING DATE</b>
<b>CITY PLAN COMMISSION</b> <i>(HEARINGS BEGIN AT 2PM)</i>			
November 27	December 21	December 28	January 10
January 2	January 28	February 1	February 14
January 28	February 25	March 1	March 14
February 25	March 25	March 29	April 11
March 25	April 22	April 26	May 9
April 29	May 27	May 31	June 13
May 27	June 24	June 28	July 11
June 24	July 22	July 26	August 8
July 30	August 26	August 30	September 12
August 26	September 23	September 27	October 10
September 23	October 21	October 25	November 7
October 21	November 18	November 22	December 5
<b>COUNTY PLANNING COMMISSION</b> <i>(HEARINGS BEGIN AT 9AM)</i>			
December 10	January 7	January 11	January 23
January 14	February 11	February 15	February 27
February 11	March 11	March 15	March 27
March 11	April 8	April 12	April 24
April 8	May 6	May 10	May 22
May 13	June 10	June 14	June 26
June 10	July 8	July 12	July 24
July 15	August 12	August 16	August 28
August 12	September 9	September 13	September 25
September 9	October 7	October 11	October 23
October 7	November 4	November 8	November 20
November 4	December 2	December 6	December 18

\* County deadlines are for Preliminary Drawings

**Conversion Table  
Toledo Zoning Code Update - Zoning District Designations**

Existing District	New District Effective June 6, 2004
R-A, Single Family	RS12, Single Dwelling
R-B, Single Family	
R-1, Single Family	RS9, Single Dwelling
R-2, Single Family	RS6, Single Dwelling
R-3, Two Family	RD6, Duplex
R-2A, Restricted Multi Family	RM12, Multi Dwelling
None	RM24, Multi Dwelling
R-4, Multi Family	RM36, Multi Dwelling
R-4A, Multi Family	
R-5, Multi Family	
R-MH, Manufactured Home	RMH, Manufactured Housing Park
Commercial Districts	
C-1, Neighborhood	CN, Neighborhood
N-MX, Neighborhood Mixed Use	
C-2, Restricted Office	CO, Office
C-7, Office Park	
C-6-HS Redevelopment - Heritage South*	CS, Storefront
C-6-LA, Redevelopment - Lagrange*	
C-MX, Community Mixed Use	CM, Mixed Use
C-3, Commercial	CR, Regional
C-4, Shopping Center	CR-SO, Regional - Shopping Ctr. Sign Overlay
C-5, Central Business District	CD, Downtown
Industrial District	
M-1, Restricted Industrial	IL, Limited Industrial
M-2, Industrial	IG, General Industrial
M-4, Warehouse	
M-3, Planned Industrial	IP, Planned Industrial/Business Park
Special Purpose District	
P, Parks	POS, Park & Open Space
None	IC, Institutional Campus
Overlay Districts	
CUP, Community Unit Plan	None
D.O.D, Downtown	-DO, Downtown
HD, Historic District	-HO, Historic District
MR-O, Maumee River	-MRO, Maumee River
None	-UNO, Urban Neighborhood
None	-PO, Pedestrian
None	-SO, Shopping Center Sign

\*The Heritage South and Lagrange C-6 Standards remain unless repealed

**TOLEDO-LUCAS COUNTY PLAN COMMISSIONS**

**September 12, 2013**

**2:00 p.m.**

PUBLIC HEARING WILL BE HELD AT ONE GOVERNMENT CENTER

AT JACKSON BOULEVARD AND ERIE STREET

IN COUNCIL CHAMBERS

ON THE FOLLOWING CASES

**AGENDA**

**ROLL CALL** - Toledo City Plan Commission

**PROOF OF NOTICE**

**SWEARING IN**

**MINUTES**

**FINAL PLATS**

**DIRECTOR'S REPORT**

**CHAIRMAN'S REPORT**

**ITEM  
NO.**

**CASE DESCRIPTION**

- |                   |   |
|-------------------|---|
| 1. Z-8001-13:     | Zone Change from RD6 to POS at 3368 Blanchard Street (gp)   |
| 2. V-379-13:      | Vacation of a portion of Columbus Street southeast of Summit Street (gp)                                    |
| 3. Z-7003-13:     | Zone Change from CR to RD6 at 1554 and 1558 Pool Street (gp)  |
| ◆ 4. Z-6014-13:   | Zone Change from CO to CM at 1918 and 1924 Madison Avenue (tg)  |
| ◆ 5. SUP-5009-13: | Special Use Permit for expansion of existing halfway house at 1918, 1924, 2010 and 2012 Madison Avenue (tg) |
| ◆ 6. SPR-32-13:   | Major Site Plan Review for new hotel at 3436 Secor Road (tg)  |
| ◆ 7. S-16-13:     | Preliminary Drawing Review of SECOR VILLAGE PLAT ONE, at Secor Road and I-475 (tg)                          |

- 8. SUP-8005-13: Special Use Permit for expansion of the West Toledo Branch of the Toledo Lucas County Library at 1314-1322 Rollins Road and 4017-4033 Willys Parkway (lc)
- 9. Z-7002-13: Zone Change from RM36 to CR at 527 Nebraska Avenue (bh)
- ◆ 10. Z-7005-13: Zone Change from IG to CR at 5707 and 5727 Enterprise Boulevard (bh)
- ◆ 11. SUP-7006-13: Special Use Permit for fueling facility at 5707 and 5727 Enterprise Boulevard (bh)
- 12. SUP-8003-13: Special Use Permit for raze and rebuild of existing convenience store at 1702 W. Laskey Road (bh)
- 13. SUP-8004-13: Special Use Permit for raze and rebuild of existing convenience store at 2441 S. Reynolds Road (bh)
- 14. SUP-8002-13: Special Use Permit for addition to existing convenience store at 830-832 Walnut Street (mm)
- 15. M-8-13: Text Amendment requiring additional standards for used auto sales facilities (bh)

**ADJOURNMENT**

## GENERAL INFORMATION

### Subject

Request	-	Request a for zone change from RD6 Duplex Residential District to POS Parks and Open Space
Location	-	3368 Blanchard Street
Applicant	-	Jeanette Morell Division of Real Estate One Government Center Toledo, OH 43614
Contact	-	Jamie Miller Division of Engineering Services 600 Jefferson Avenue Toledo, OH 43604

### Site Description

Zoning	-	RD6 / Duplex Residential District
Area	-	± 0.09 acres
Frontage	-	± 41' along Blanchard Street
Existing Use	-	Undeveloped
Proposed Use	-	Parks and Open Space

### Area Description

North	-	Joe E. Brown Park / POS
South	-	Joe E. Brown Park / POS
East	-	Joe E. Brown Park / POS
West	-	Mixed Residential / RD6

### Parcel History

None on record

### Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan

## **STAFF ANALYSIS**

The applicant is requesting a zone change from RD6 Duplex Residential District to POS Parks and Open Space for a site located at 3368 Blanchard Street. The ±0.09 acre site was formerly occupied by a single family two-story home that was demolished in 2012. The parcel is presently undeveloped and it is intended to be combined with the larger adjacent park parcel that surrounds it.

The property is bordered on three sides by Joe E. Brown Park. Joe E. Brown Park is ±18 acres and dominated by active outdoor recreational uses such as baseball and field hockey. The subject site was acquired by the Department of Public Utilities and is intended to be the site of a 12 million gallon underground storage tank. A rezoning to parks and open space along with the combination of the two lots will result in a uniform parcel that will belong entirely to one zoning classification.

Surrounding land uses include mixed residential to the west across Blanchard Street and Joe E. Brown Park to the north, east, and south of the site.

The Toledo 20/20 Comprehensive Plan targets this area for single family residential land uses. The zone change is suitable for this location because it is compatible with surrounding land uses and zoning districts and will not negatively impact the adjacent neighborhood.

## **STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommends approval of Z-8001-13, a request for a zone change from RD6 Duplex Residential District to POS Parks and Open Space, for a site located at 3368 Blanchard Street, to the Toledo City Council, for the following two (2) reasons:

1. The request is similar to existing land uses within the general vicinity of the subject property (TMC 1111.0606.B Review and Decision Making Criteria), will not negatively impact the adjacent neighborhood.
2. The proposed “POS” Parks and Open Space zoning is compatible with the zoning districts within the general vicinity of the site (TMC 1111.0606.C Review and Decision Making Criteria).

REF: Z-8001-13. . .September 12, 2013

ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-8001-13  
DATE: September 12, 2013  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: October 16, 2013  
TIME: 4:00 P.M.

GP/bp  
Two (2) sketches follow

# GENERAL LOCATION

Z-8001-13  
ID 16

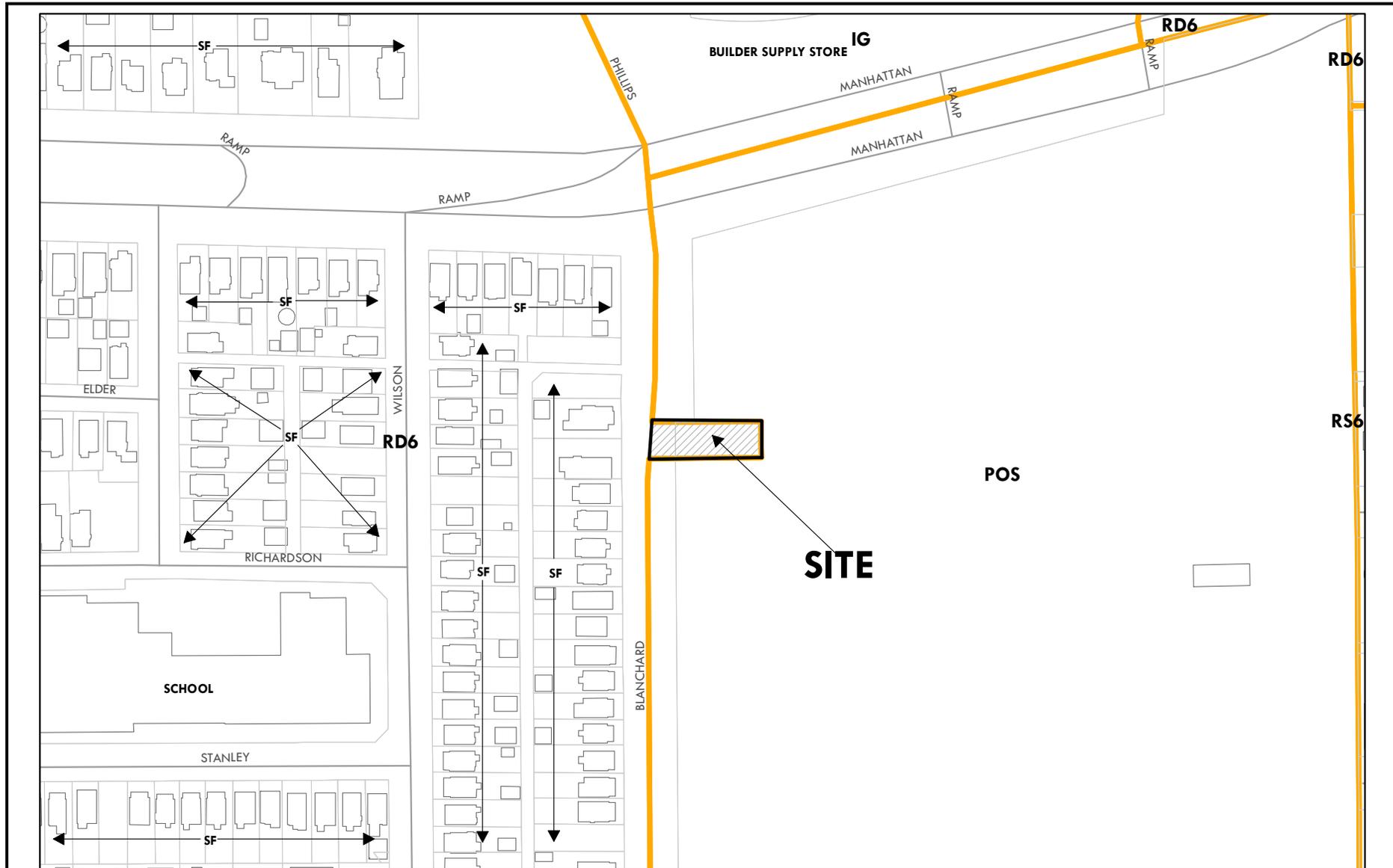


# ZONING & LAND USE

Z-8001-13  
ID 16



1 - 5



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## GENERAL INFORMATION

### Subject

- Request - Vacation all that part of Columbus Street southeast of Summit Street.
- Applicant - Jamie Miller  
Division of Engineering Services  
600 Jefferson Avenue  
Toledo, OH 43604

### Site Description

- Zoning - IG-MRO / General Industrial-Maumee Riverfront Overlay District
- Area - ±1.26 acres
- Dimensions - ±60' X ±918'
- Existing Use - Waterway Channel
- Proposed Use - Waterway Channel

### Area Description

- North - Undeveloped / IG-MRO
- South - Maumee River / MRO
- East - Undeveloped / IG-MRO
- West - Manufacturing Facility / IG-MRO

### Parcel History

None on record

### Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- Maumee Riverfront Overlay District

## **STAFF ANALYSIS**

The applicant is requesting a vacation of all that part of Columbus Street right-of-way southeast of Summit Street. The right-of-way is approximately 877 feet long and is adjacent to an industrial yard to the west. To the east are undeveloped parcels slated for heavy industrial land uses.

The proposal to vacate the right-of-way comes at the request of the City of Toledo. The City of Toledo needs access to the riverside portion of what is currently designated as “Jamie Faar Park”. In order to build an access road, approximately 30’ of right-of-way across the front of the property owned by Socie Incorporated is to be acquired. In exchange for conveying this right-of-way to the City of Toledo, the City of Toledo has agreed to vacate that portion of Columbus Street right-of-way at its own expense. The right-of-way is located within the waterway channel and is not actually a roadway. With no cost to Socie Incorporated, the entire right-of-way will be “given” to Socie Incorporated and attached to their existing parcel. The right-of-way is commonly used by the industrial facility as a shipping port.

The Toledo 20/20 Comprehensive Plan targets the surrounding area for heavy industrial land uses and railroad transportation. The proposed vacation is compatible with the surrounding land uses and it conforms to the Toledo 20/20 Comprehensive Plan by supporting an existing business’s effort to consolidate its site. Staff recommends approval of the subject vacation because it conforms to the 20/20 Plan and will not negatively affect properties within the vicinity of the subject property.

## **STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of V-379-13, the request to vacate all that part of Columbus Street right-of-way southeast of Summit Street, to Toledo City Council, for the following two (2) reasons:

1. It conforms to the Toledo 20/20 Comprehensive Plan; and
2. The alley vacation will not negatively affect properties within the vicinity of the subject property.

**STAFF RECOMMENDATION** (cont'd)

The staff further recommends that the Toledo City Plan Commission recommend approval of the request to vacate all that part of Columbus Street right-of-way southeast of Summit Street, to Toledo City Council, subject to four (4) conditions:

The following conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Engineering Services

1. A 48" combined sewer discharges into the river at this point. Access for maintenance must be maintained.
2. The entire area is within the 100-year floodplain and subject to Toledo Municipal Code, Chapter 1110, which must be compiled with in full for any proposed development.
3. Room is required to access and maintain the recently built diversion chamber in the area; therefore, we require the vacation to start 150 ft. from the railroad R/W instead of 55 ft.

Fire Prevention

No objections to the vacation of the right-of-way

Transportation

No objections to the vacation of the right-of-way

Division of Streets, Bridges, and Harbors

No objections to the vacation of the right-of-way

Neighborhoods

No objections to the vacation of the right-of-way

Columbia Gas Company

Comments not received at time of printing

AT&T (Ohio)

Comments not received at time of printing

**STAFF RECOMMENDATION (cont'd)**

Toledo Edison Company

Comments not received at time of printing

Buckeye Cablevision

Comments not received at time of printing

TARTA

No objections to the vacation of the right-of-way

Lucas County Solid Waste

No objections to the vacation of the right-of-way

Republic Services

Comments not received at time of printing

Plan Commission

4. Vacated right-of-way shall be combined with TD Parcel # 11-21054

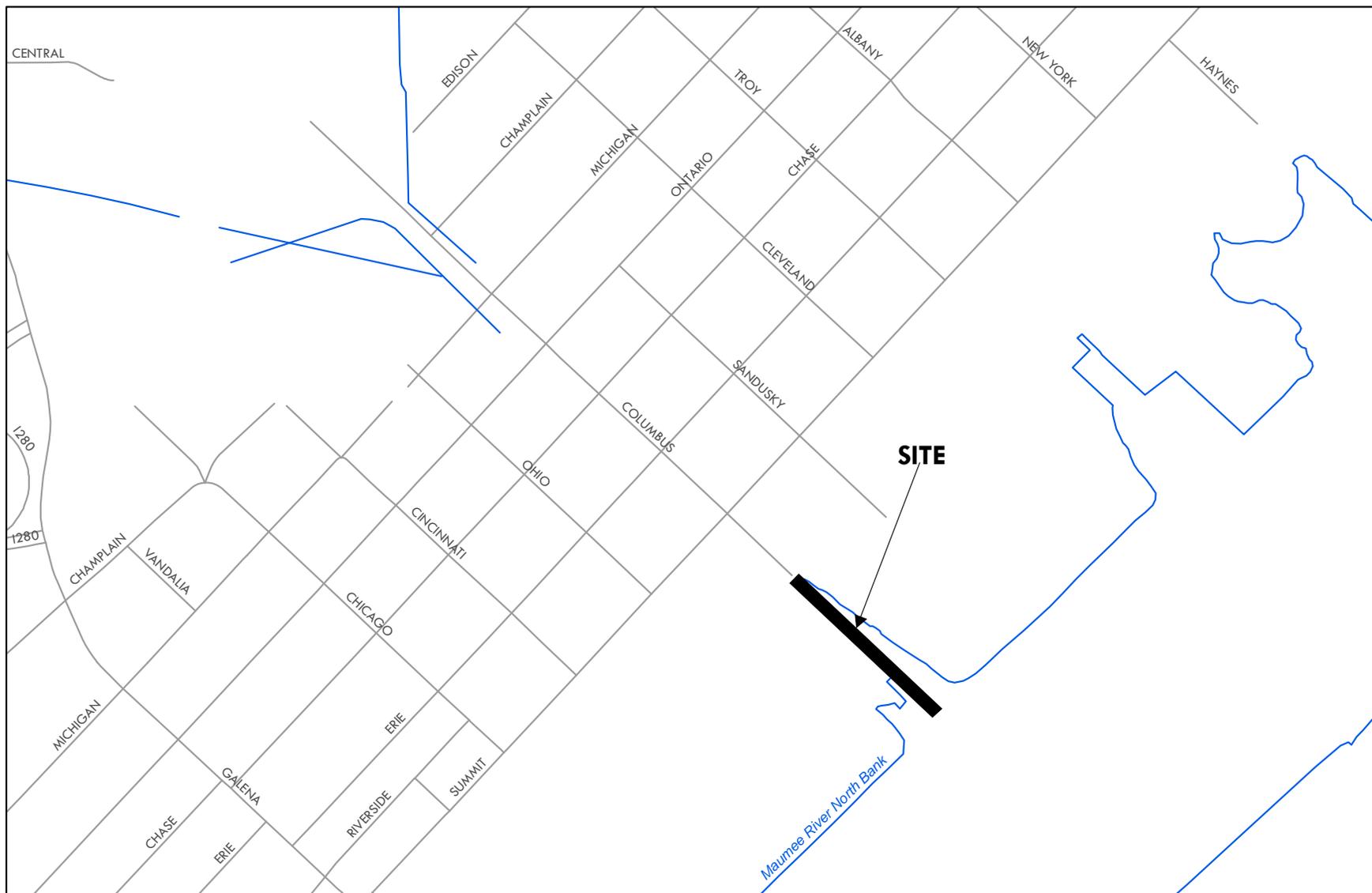
STREET VACATION  
TOLEDO CITY PLAN COMMISSION  
REF: V-379-13  
DATE: September 12, 2013  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: October 16, 2013  
TIME: 4:00 P.M.

GP/bp  
Two (2) sketches follow

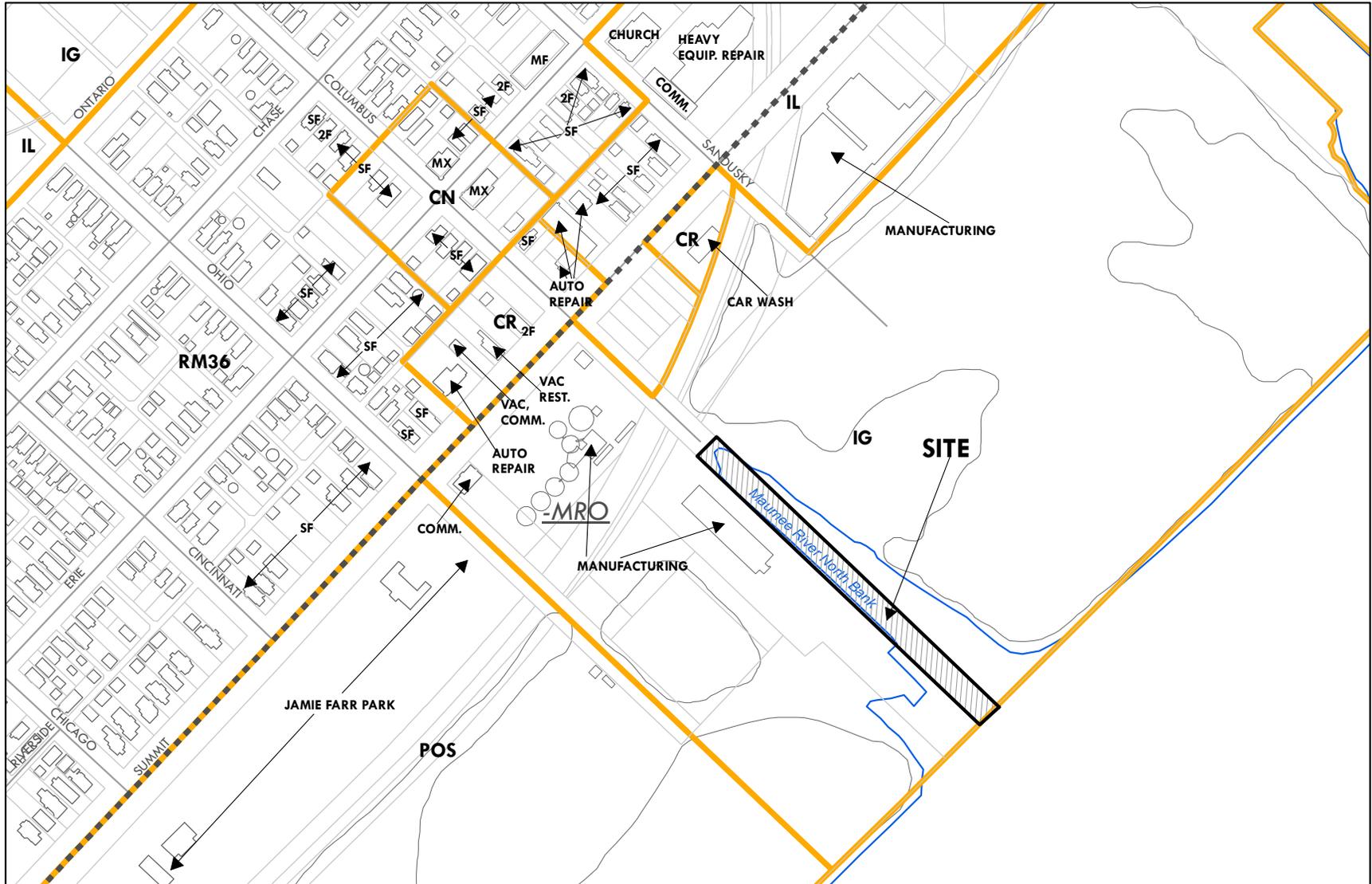
# GENERAL LOCATION

V-379-13  
ID 3



# ZONING & LAND USE

V-379-13  
ID 3



## GENERAL INFORMATION

### Subject

Request	-	Request for zone change from CR Regional Commercial to RD6 Duplex Residential
Location	-	1554 Pool Street and 1558 Pool Street
Applicant	-	Daniel L Bunce and Lisa Bunce 1554 Pool Street Toledo, OH 43605

### Site Description

Zoning	-	CR / Regional Commercial
Area	-	± 0.17 acres
Frontage	-	± 82' along Pool Street
Frontage	-	± 67' along Oakdale Avenue
Existing Use	-	Single Family Residence
Proposed Use	-	Single Family Residence

### Area Description

North	-	Single Family Dwelling / CR
South	-	Single Family Dwelling / CR
East	-	Church / RD6
West	-	Vacant Commercial / CR

### Parcel History

None on record

### Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan

## **STAFF ANALYSIS**

The applicant is requesting a zone change from CR Regional Commercial to RD6 Duplex residential for a site located at 1554 and 1558 Pool Street. The ±0.17 acre site is zoned regional commercial and is occupied by a single family home. Detached single family dwellings are not a permitted use in the CR Regional Commercial zoning district. The existing single family home is a legal non-conforming use.

The applicant is requesting the zone change for the purpose of obtaining a home equity loan for their residence. Lending institutions have become increasingly uncomfortable with legal non-conforming land uses. In this case, the loan will not be approved without a change in zoning.

Surrounding land uses include single family land uses to the north; duplex residential to the east of the property across Pool Street; single family land uses to the south and regional commercial land uses to the west.

The Toledo 20/20 Comprehensive Plan targets this area for neighborhood commercial land uses, the site at the edge of a large mixed residential neighborhood. Staff recommends approval of the zone change for this location because it is compatible with the zoning and land uses in the immediate area. Additionally, RD6 Zoning is established to the immediate east and one lot north of the site.

## **STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommends approval of Z-7003-13, a request for a zone change from CR Regional Commercial to RD6 Duplex Residential, for a site located at 1554 and 1558 Pool Street, to the Toledo City Council, for the following two (2) reasons:

1. The request is similar to existing land uses within the general vicinity of the subject property (TMC§1111.0606(B) Review and Decision Making Criteria).
2. The proposed RD6 Duplex Residential District zoning is compatible with the zoning districts within the general vicinity of the site (TMC§1111.0606(C) Review and Decision Making Criteria).

REF: Z-7003-13. . .September 12, 2013

ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-7003-13  
DATE: September 12, 2013  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: October 16, 2013  
TIME: 4:00 P.M.

GP/ks  
Two (2) sketches follow

# GENERAL LOCATION

Z-7003-13  
ID 30

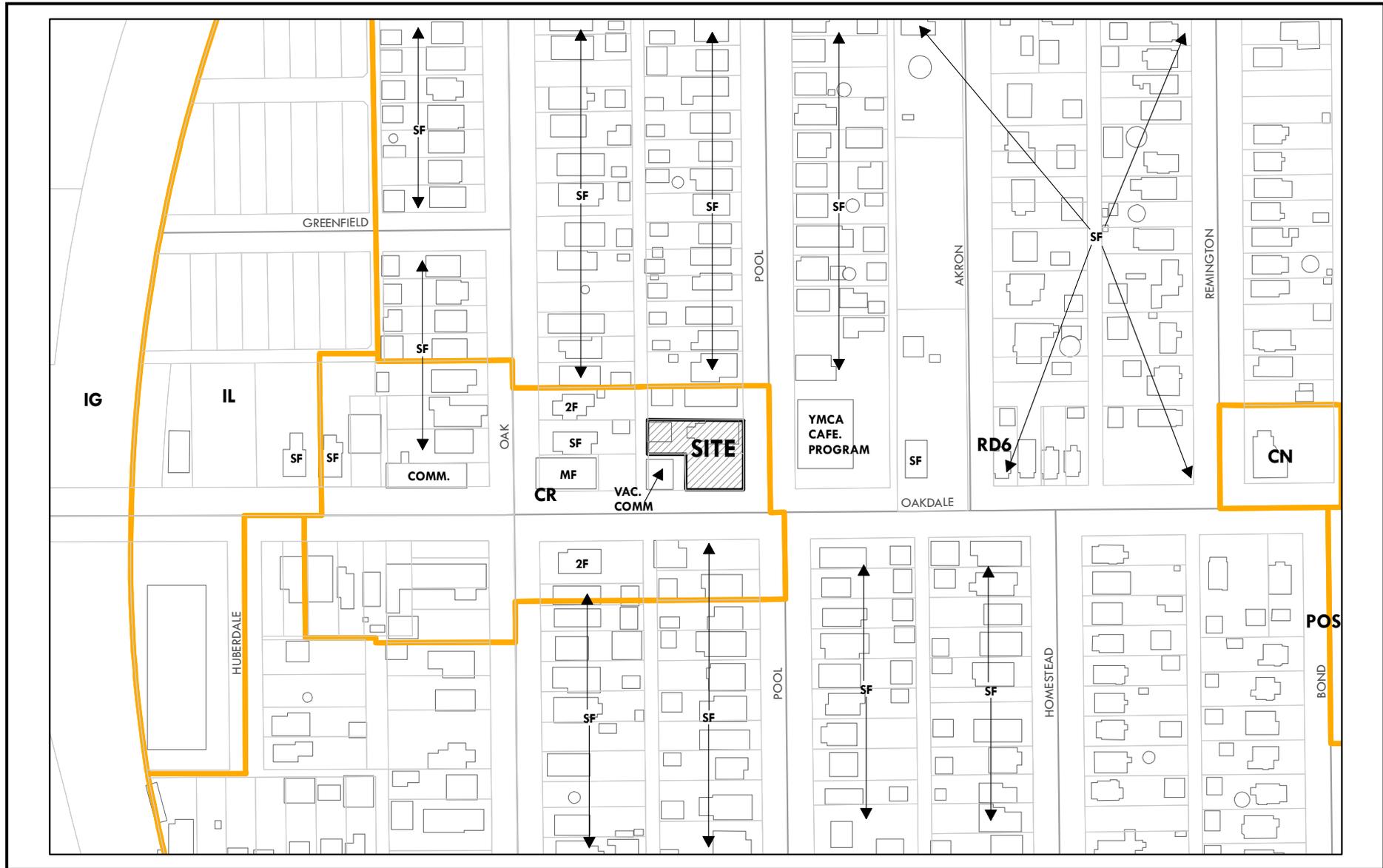


# ZONING & LAND USE

Z-7003-13  
ID 30



3-5



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## GENERAL INFORMATION

### Subject

- |           |   |   |
|-----------|---|---|
| Request   | - | Zone change from CO Office Commercial District to CM Mixed Commercial-Residential District                |
| Location  | - | 1918 & 1924 Madison Avenue  |
| Applicant | - | Ohiolink Corrections and Rehabilitation<br>2100 Stella Court<br>Columbus, OH 43215                        |
| Attorney  | - | Jerome R. Parker<br>Gressley Kaplin & Parker, LLP<br>One Seagate<br>Suite 1645<br>Toledo, Ohio 43604-1584 |

### Site Description

- |              |   |  |
|--------------|---|--|
| Zoning       | - | CO / Office Commercial District                          |
| Area         | - | .29 +/- acres  |
| Frontage     | - | 94' on Madison Avenue<br>135' on 20 <sup>th</sup> Street |
| Existing Use | - | Undeveloped land   |
| Proposed Use | - | Undeveloped land   |

### Area Description

- |       |   |  |
|-------|---|--|
| North | - | Alley and Commercial / CO                          |
| South | - | Madison Avenue and Cherry Street Mission / CO      |
| East  | - | 20 <sup>h</sup> Street and Uptown Green Park / POS |
| West  | - | Ohiolinks Facility / CM                            |

### Parcel History

- |             |   |   |
|-------------|---|---|
| SUP-5009-13 | - | Special Use Permit for the expansion of an existing halfway house. (companion case) |
|-------------|---|---|

**GENERAL INFORMATION (cont'd)**

Applicable Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan

**STAFF ANALYSIS**

The request is for a zone change from CO Office Commercial District to CM Mixed Commercial-Residential District for two lots located at 1918 & 1924 Madison Avenue. This zone change is requested to facilitate the expansion of an existing halfway house currently located at 2012 Madison Avenue. The zone change is approved then the acreage for the site would be increased to 1.04 acres, which allows 55 residents. A companion special use permit for a halfway house accompanies this case.

The applicant is Ohiolink Correction and Treatment Inc., a 40-bed halfway house that serves offenders referred by the Federal Bureau of Prisons and the Ohio Department of Rehabilitation and Correction. It is a residential facility whose services include residential housing, case management, employment assistance, mental health counseling, substance abuse counseling and education, cognitive programming, referrals to community resources, and life skills education. It also provides nonresidential services.

The Toledo 20/20 Comprehensive Plan designates this site as Regional and General Commercial. This land use category is for predominantly large-scale commercial uses intended to accommodate auto-oriented development. (e.g.: malls, big box retail stores, & mixed use developments) Offices and multiple family residential developments may also be interspersed within these districts. This area was given this designation because of its proximity to Mercy. The proposed CM zoning is consistent with the zoning of parcels within the general vicinity of the site. CM zoning is established to the west and CO zoning to the east, north, and south.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend of approval of Z-6014-13, a zone change from CO Office Commercial District to CM Mixed Commercial-Residential District located at 1918 & 1924 Madison Avenue to the Toledo City Council for the following two (2) reasons:

1. The zoning classifications of properties within the general vicinity of the subject property are similar to the requested zoning. (TMC 1111.0606 C)
2. The proposed zoning conforms to the Toledo 20/20 comprehensive plan. (TMC 1111.0606 A)

REF: Z-6014-13. . .September 12, 2013

ZONE CHANGE REQUEST  
TOLEDO CITY PLAN COMMISSION

REF: Z-6014-13

DATE: September 12, 2013

TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE

DATE: October 16, 2013

TIME: 4:00 P.M.

TCG/bp

Three (3) sketches follow

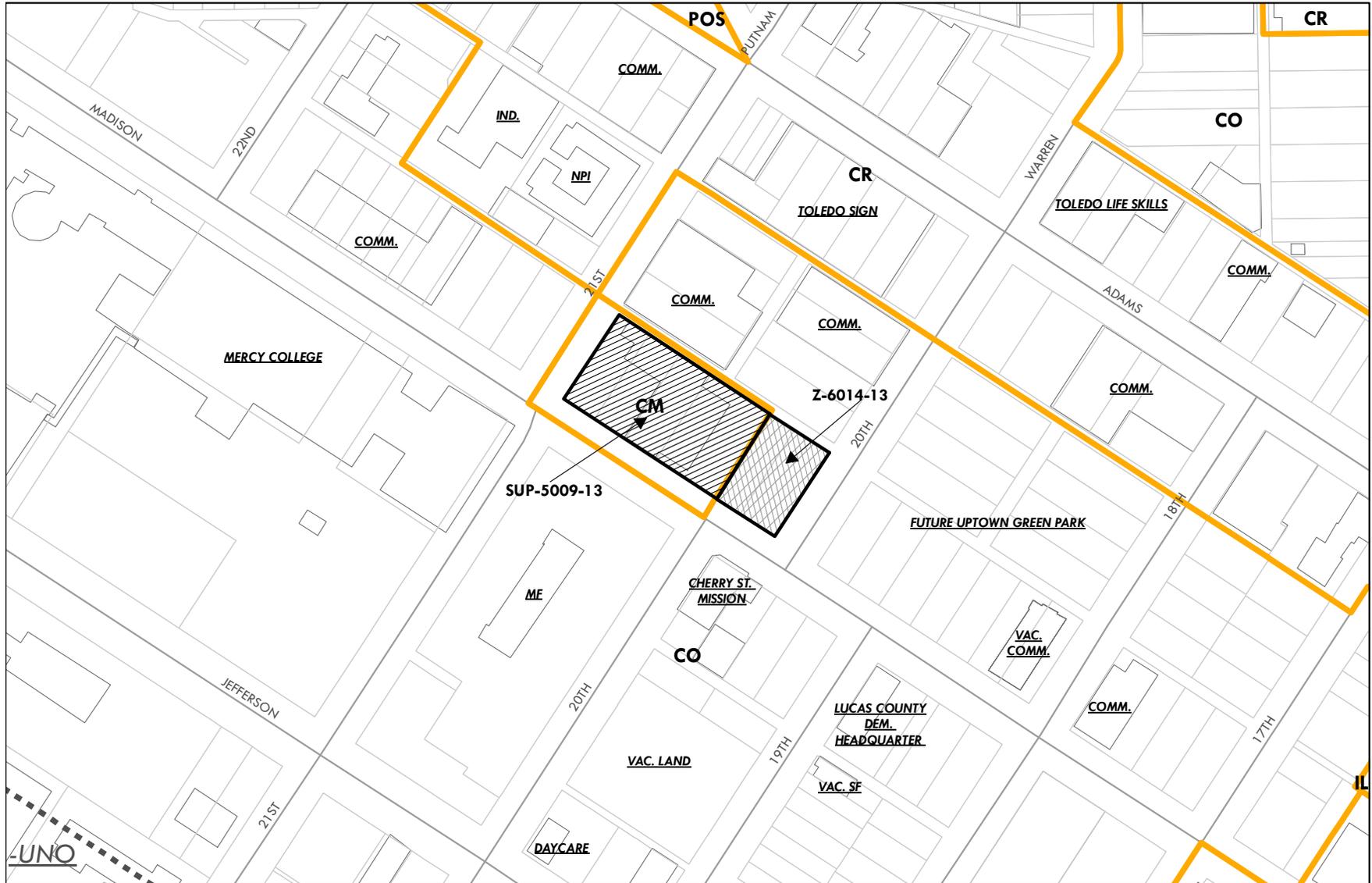
# GENERAL LOCATION

**SUP-5009-13**  
**Z-6014-13**  
ID 14



# ZONING & LAND USE

SUP-5009-13  
Z-6014-13  
ID 14



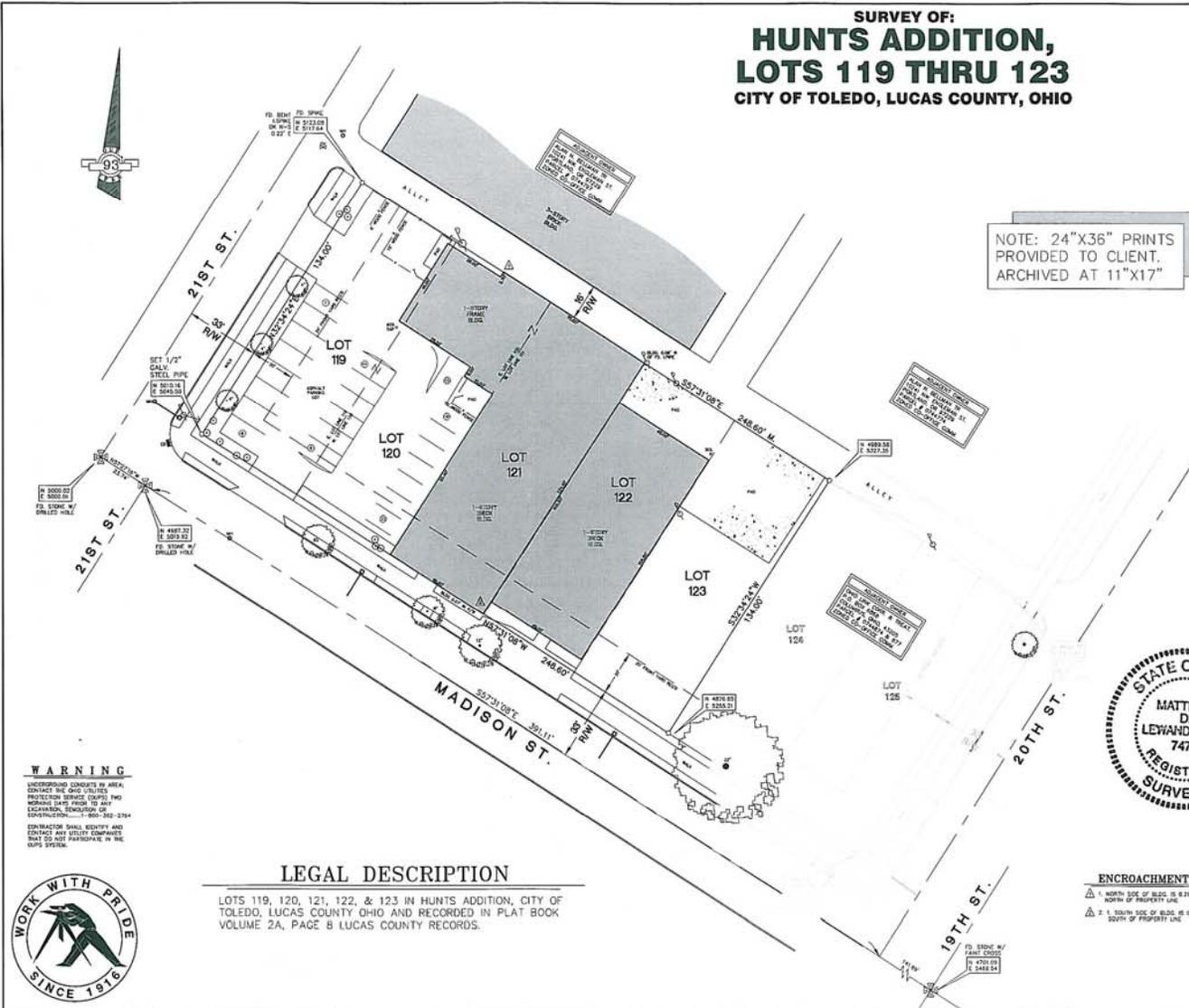
4-5, 5-8

# SITE PLAN AS SUBMITTED

**SUP-5009-13**  
**Z-6014-13**  
 ID 14



**SURVEY OF:**  
**HUNTS ADDITION,**  
**LOTS 119 THRU 123**  
 CITY OF TOLEDO, LUCAS COUNTY, OHIO



NOTE: 24"X36" PRINTS  
 PROVIDED TO CLIENT.  
 ARCHIVED AT 11"X17"



**SITE MAP**  
 NOT TO SCALE

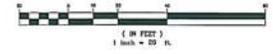
**ADDRESS**

OWNER: THE CHIEF BLDG & 304 N. ERIC ST.  
 THE CHIEF BLDG & 304 N. ERIC ST.  
 TOLEDO, OH 43604  
 PARCEL NO: 074468, 074467, 074466, 074465, 074464

**ZONING**

ZONE: CO-OFFICE COMMERCIAL  
 FRONT YARD REQUIRED: 20'  
 REAR YARD REQUIRED: 0'  
 SIDE YARD REQUIRED: 0'

**GRAPHIC SCALE**



**CERTIFICATION**

WE HEREBY CERTIFY THAT WE HAVE MADE A SURVEY  
 OF THE PREMISES SHOWN HEREON AND THAT THIS  
 DRAWING IS A CORRECT PLOT THEREOF.

*Matthew D. Lewandowski*  
 REGISTERED SURVEYOR, STATE OF OHIO #7476



**CIVIL ENGINEERS & SURVEYORS**  
 THE CHIEF BLDG & 304 N. ERIC ST.  
 TOLEDO, OHIO 43604  
 V: 419.255.4111 F: 419.255.4112  
 LEWANDOWSKISENG.COM

**SURVEY OF:**  
**HUNTS ADDITION,**  
**LOTS 119 THRU 123**  
 CITY OF TOLEDO, LUCAS COUNTY, OHIO

DATE: 11/03/08  
 DRAWN: MSL  
 CHECKED: MDL  
 BOUNDARY: WFL  
 TOPO: N/A  
 UTILITIES: N/A

**WARNING**  
 UNDERGROUND CONDUITS IN AREA  
 CONTACT THE OHIO UTILITY  
 PROTECTION SERVICE (800) 475-  
 8000 FOR THE LOCATION OF  
 EXCAVATION, BENCH MARK, OR  
 EMBLEM. CALL 1-800-482-3744  
 CONTRACTOR SHALL IDENTIFY AND  
 MARK ALL UTILITY COMPANIES  
 THAT DO NOT PARTICIPATE IN THE  
 OUPS SERVICE.



**LEGAL DESCRIPTION**  
 LOTS 119, 120, 121, 122, & 123 IN HUNTS ADDITION, CITY OF  
 TOLEDO, LUCAS COUNTY OHIO AND RECORDED IN PLAT BOOK  
 VOLUME 2A, PAGE 8 LUCAS COUNTY RECORDS.

**ENCROACHMENT**  
 1. NORTH SIDE OF BLDG IS 9.21'  
 NORTH OF PROPERTY LINE.  
 2. 1.50' N. SIDE OF BLDG IS 9.11'  
 SOUTH OF PROPERTY LINE.

4-6,5-9

**GENERAL INFORMATION**

Subject

- Request - Request for amendment to a special use permit, originally granted by Ord. 6005-02 and Ord. 111-09, for a halfway house
- Location - 2012 Madison Avenue
- Applicant - Ohiolink Corrections and Rehabilitation  
2100 Stella Court  
Columbus, OH 43215
- Attorney - Jerome Parker  
Gressley, Kaplin & Parker, LLP  
One Seagate  
Suite 1645  
Toledo, OH 43604

Site Description

- Zoning - Office Commercial / CO  
Mixed Commercial-Residential District / CM
- Area - 1.04 acres
- Frontage - 345' along Madison Avenue  
- 135' along 20<sup>th</sup> and 21<sup>st</sup> Street
- Existing Use - halfway house – 40 bed capacity
- Proposed Use - expansion of halfway house to 64 bed capacity
- CDC - Uptown Association, Inc.

Area Description

- North - Alley and Commercial / CO
- South - Madison Avenue, Multi-family, and Cherry Street  
Mission / CO
- East - 20<sup>h</sup> Street and Uptown Green Park / POS
- West - 21<sup>st</sup> Street and Vacant Lot, Offices / CO, CR

**GENERAL INFORMATION (cont'd)**

Parcel History

- |              |   |  |
|--------------|---|--|
| SUP-6005-02  | - | Request for special use permit to expand an existing halfway house from 18 beds to 40 beds, approved for 30 beds by Plan Commission on 9/12/02, City Council approved for 30 beds on 11/5/02, Ord. 831-02. |
| Z-11002-08   | - | Request for zone change from CO Office Commercial to CM Mixed Commercial. (Ord. 110-09, 3/3/09)  |
| SUP-11001-08 | - | Request for special use permit to expand an existing halfway house from 30 beds to 40 beds, approved by Plan Commission on 1/8/09, City Council approved (Ord. 111-09, 3/3/09).                            |

Applicable Plans and Regulations

- Toledo Municipal Code (TMC), Planning and Zoning 2004 Code, Section 1104.1000 *Group Living and Day Care* and 1116.0220 *Terminology – Group Living*
- Toledo 20/20 Comprehensive Plan
- Downtown Toledo Master Plan, 2002

**STAFF ANALYSIS**

The applicant is requesting an amendment to a special use permit for a halfway house, originally granted by Ordinance 6005-02 and 111-09, for a site located at 2012 Madison Avenue, at 21<sup>st</sup> Street. This request is to accommodate the expansion of an existing halfway house by increasing the number of residents from 40 to 64. The site consists of seven (7) lots that have frontage on Madison Avenue at 21<sup>st</sup> Street. A companion zone change accompanies this special use permit request.

The applicant is Ohiolink Correction and Treatment Inc., a 40-bed halfway house that serves offenders referred by the Federal Bureau of Prisons and the Ohio Department of Rehabilitation and Correction. It is a residential facility whose services include residential housing, case management, employment assistance, mental health counseling, substance abuse counseling and education, cognitive programming, referrals to community resources, and life skills education. It also provides nonresidential services.

**STAFF ANALYSIS (cont'd)**

The Ohiolink facility opened in 1999 with eighteen (18) beds, under the authority of the 1959 zoning code. A special use permit was not required because the site met the requirements of that code. Specifically, the site was able to meet the minimum requirement of 1000 square feet of land per resident and therefore was allowed by right.

This is the third request for expanding the facility in the past 11 years. In 2002, the applicant sought approval for an expansion to forty (40) beds. While still under the authority of the 1959 zoning code, this expansion did require a special use permit because the minimum square footage requirement could not be met. A special use permit was granted for thirty (30) beds as a compromise, via City council Ordinance 6005-02. In 2008, the applicant was granted an expansion to 40 residents. The expansion was granted because under the 2004 zoning code, the square footage requirements were removed.

In 2011 the zoning code was revised to specifically address halfway houses and density requirements. This revision resulted from concerns over the State's changes to the early release problem for formerly adjudicated individuals. Halfway houses are limited to 1.2 residents per 1,000 square feet of lot area (TMC 1104.2002). With the addition of the two lots to the southeast the total site is 1.04 acres, which allows for a density of 55 residents. This is a 27% increase from their current capacity of 40 beds. An allowance for 64 beds would be a 38% increase from the current capacity.

Currently there is a planning effort underway in the Uptown neighborhood to address and promote development within Uptown. The foremost concern that has been shared by many businesses and residents is the concentration of social service agencies within the district. This concentration has been considered an impediment in attracting development into the neighborhood. It would be counterproductive towards this planning process to allow for an increase over the permitted number of residents.

Although this is an existing facility if it were newly established it would violate the spacing requirements of TMC 1104.1000, which states that this type of facility must be 500 feet from a daycare or any other group living facility. There is a group living facility on 20<sup>th</sup> Street and a daycare on Jefferson that are both within 500'. As illustrated on the zoning and planning sketch the Cherry Street Mission operates a food operation out of the former Bud and Luke's Restaurant. This further exemplifies the concentration of these agencies in the Uptown neighborhood.

The applicant held a public meeting with the surrounding property owners on Wednesday August 13<sup>th</sup>. This meeting was held as required per TMC 1104.2003 to inform the residents and businesses of this proposed expansion. The attorney for the applicant addressed questions from the Uptown Association. The Uptown Association objects to the increase to 64 beds but will support an increase to 55 beds.

**STAFF ANALYSIS (cont'd)**

Staff objects to the proposed expansion to 64 beds because the increased concentration of the residents creates a density issue for the area. The increased expansion above the permitted number of residents is counterintuitive towards the current planning efforts for the Uptown district. The site's current size would permit a density of 55 residents. Staff does not object to an expansion from 40 to 55.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend disapproval of SUP-5009-13, an amendment to a special use permit, originally granted by Ord. 6005-02 and Ord 111-09, for an expansion to **64** beds for an existing halfway house for a site located at 2012 Madison Avenue to Toledo City Council for the following reasons:

1. The proposal does not comply with all applicable provisions of the zoning code. TMC 1111.0706 (B)
2. The proposed use is not compatible with adjacent uses in terms of scale, site design, and operating characteristics. TMC 1111.0706 (C)
3. The proposed use will have adverse land impacts on the district due to the over concentration of residents in the facility. TMC 1111.0706 (F)

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-5009-13, an amendment to a special use permit, originally granted by Ord. 6005-02 and Ord 111-09, for an expansion to **55** beds for an existing halfway house for a site located at 2012 Madison Avenue to Toledo City Council, subject to the following reason:

1. The proposal complies with all applicable provisions of the zoning code. TMC 1111.0706 (B). Halfway Houses are limited to 1.2 residents per 1,000 square feet of lot area. TMC 1104.2002.

Staff further recommends that the Toledo City Plan Commission recommend approval of SUD-5009-13, an amendment to a Special Use Permit originally granted by ORD 6005-02 & ORD 111-09, for an expansion to 55 beds for an existing halfway house located at 2012 Madison Avenue to the Toledo City Council, subject to the following eleven (11) conditions:

The conditions of approval are as follows and are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

**STAFF RECOMMENDATION** (cont'd)

Division of Engineering Services

1. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with The City of Toledo Construction Standards, Specifications, The Toledo Municipal Code, and The Americans with Disabilities Act Guidelines.
2. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with eight-inch (8”) thick concrete per The City of Toledo Construction Standards and Specifications. **No curb shall be permitted in the right-of-way along either side of a drive approach. No horizontal curb cutting will be permitted to create a curb drop/opening.**
3. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from the One Stop Shop, ph. (419) 245-1220.
4. Contact Scott Bishop at ph. (419) 936-2756 for inspection of above mentioned items.
5. Plans for a new water service or modifications to existing water service shall be submitted to the Division of Engineering Services for review and approval.
6. The survey drawing does not detail any revisions to the site and/or the storm water drainage system. Additional information is required. If there are no revisions to the site, no further action is required.

Plan Commission

7. A detailed site, lighting, sign, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. Shade trees and other plantings along the perimeter of and within any parking areas (**specifically, applicant shall provide additional landscaping along 20<sup>th</sup> Street**); and
  - b. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained;
  - c. The location, height and materials for any fencing to be installed and maintained;

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

- d. The location and direction of any proposed lighting; and
  - e. The location, lighting and size of any signs.
8. If applicable, Dumpster location(s) shall have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks.
  9. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one year.
  10. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
  11. No permits shall be issued until arrangements satisfactory to the Director of the Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP-5009-13  
DATE: September 12, 2013  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: October 16, 2013  
TIME: 4:00 P.M.

TCG/bp  
Three (3) sketches follow

# GENERAL LOCATION

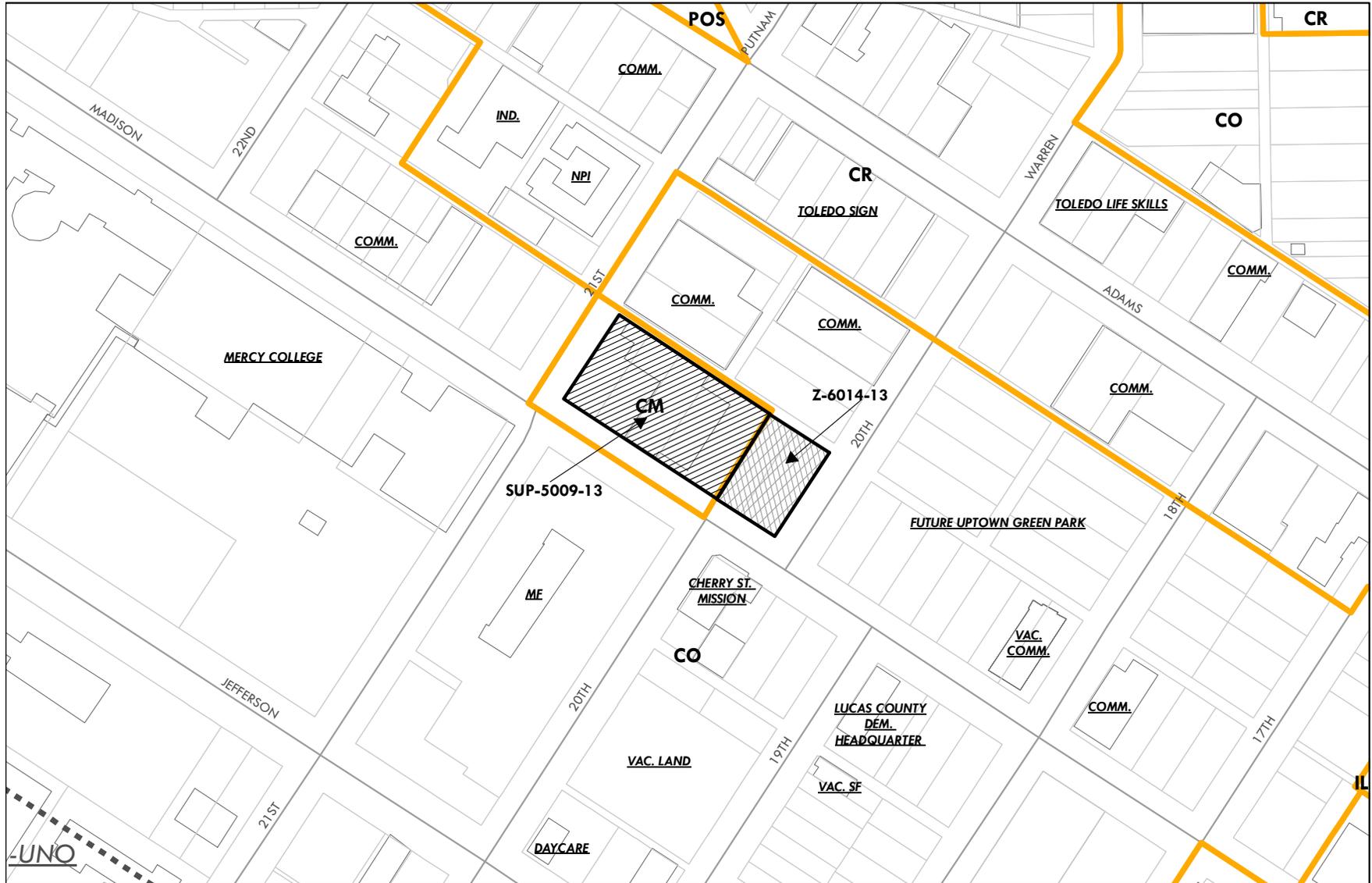
**SUP-5009-13**  
**Z-6014-13**  
ID 14



4-4, 5-7

# ZONING & LAND USE

SUP-5009-13  
Z-6014-13  
ID 14



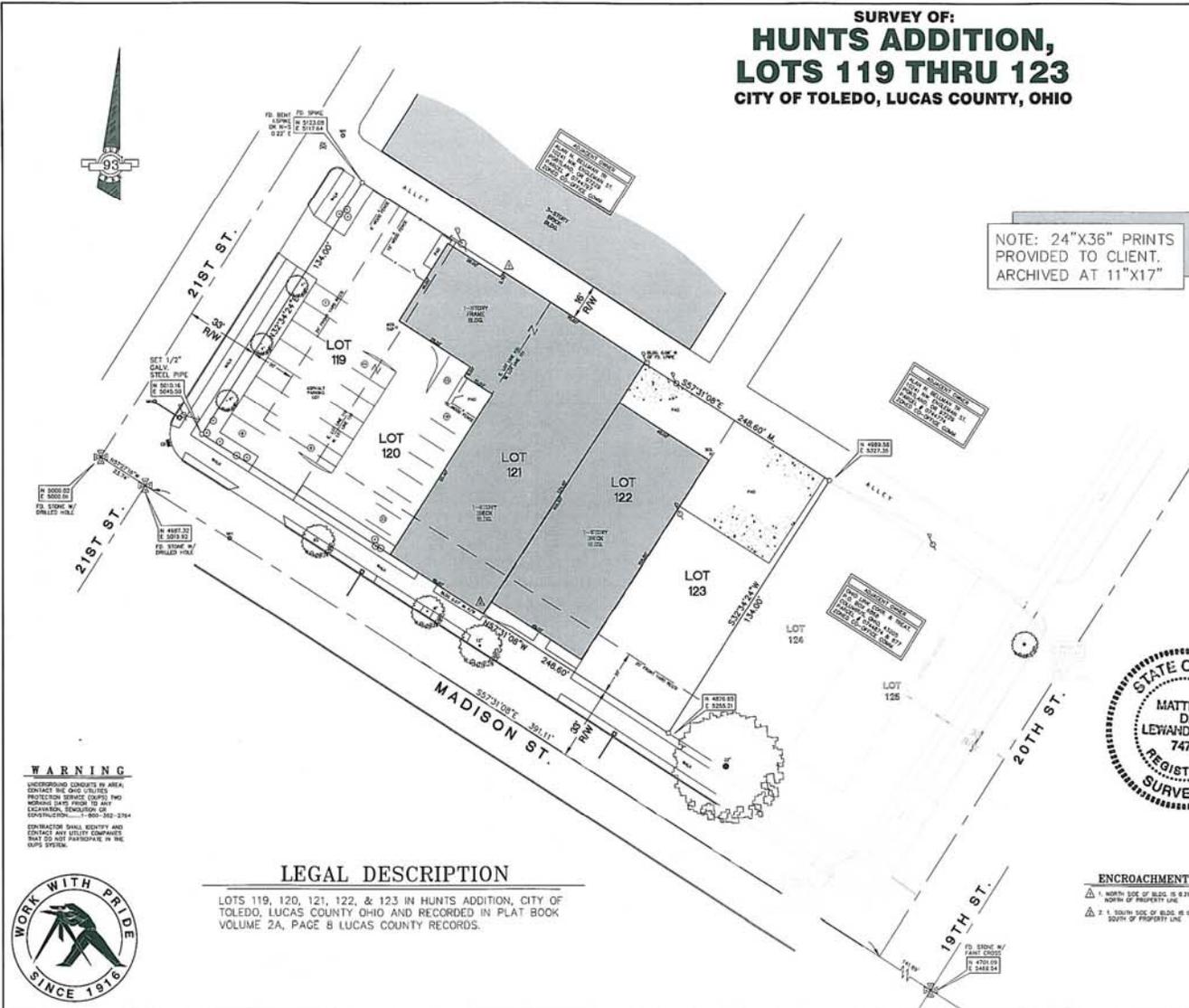
4-5, 5-8

# SITE PLAN AS SUBMITTED

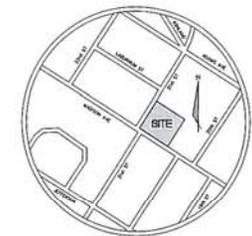
**SUP-5009-13**  
**Z-6014-13**  
 ID 14



**SURVEY OF:**  
**HUNTS ADDITION,**  
**LOTS 119 THRU 123**  
 CITY OF TOLEDO, LUCAS COUNTY, OHIO



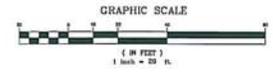
NOTE: 24"X36" PRINTS  
 PROVIDED TO CLIENT.  
 ARCHIVED AT 11"X17"



**SITE MAP**  
 NOT TO SCALE

**ADDRESS**  
 SHOWN FOR CONVEYANCE & RECORDING.  
 SEE AN OGD EQUIPMENT CODE  
 FOR THE ADDRESS AND  
 TOLEDO, OH ADDRESS, STREET  
 NUMBER, STREET NAME,  
 STREET, STREET  
 NUMBER

**ZONING**  
 ZONE: CO-OFFICE COMMERCIAL  
 FRONT YARD REQUIRED: 20'  
 REAR YARD REQUIRED: 0'  
 SIDE YARD REQUIRED: 0'



**CERTIFICATION**  
 WE HEREBY CERTIFY THAT WE HAVE MADE A SURVEY  
 OF THE PREMISES SHOWN HEREON AND THAT THIS  
 DRAWING IS A CORRECT PLOT THEREOF.  
  
 REGISTERED SURVEYOR, STATE OF OHIO #7476



**LEWANDOWSKI ENGINEERS**  
 CIVIL ENGINEERS & SURVEYORS  
 THE CHEF BLDG. 234 N. ERIC ST.  
 TOLEDO, OHIO 43604  
 V: 419.255.4111 F: 419.255.4112  
 LEWANDOWSKISENG.COM

**SURVEY OF:**  
**HUNTS ADDITION,**  
**LOTS 119 THRU 123**  
 CITY OF TOLEDO, LUCAS COUNTY, OHIO

DATE: 11/03/08 SCALE: 1"=20'  
 DRAWN: MSL DWG #: 42944.2008  
 CHECKED: MDL DISK #: 42944  
 BOUNDARY: SFL AUTOCAD REL: 2002  
 TOPO: N/A GIS: ARCVIEW 9.2  
 UTILITIES: N/A

**WARNING**  
 UNDERGROUND CONDUITS IN AREA.  
 CONTACT THE OHIO UTILITY  
 PROTECTION SERVICE (OUPS) FOR  
 RECORDING DATA FROM  
 EXCAVATION, BURIED, OR  
 CONDUITS.—1-800-362-3764  
 CONTRACTOR SHALL IDENTIFY AND  
 MARK ALL UTILITY CONDUITS  
 THAT DO NOT PARTICIPATE IN THE  
 OUPS SERVICE.



**LEGAL DESCRIPTION**  
 LOTS 119, 120, 121, 122, & 123 IN HUNTS ADDITION, CITY OF  
 TOLEDO, LUCAS COUNTY OHIO AND RECORDED IN PLAT BOOK  
 VOLUME 2A, PAGE 8 LUCAS COUNTY RECORDS.

**ENCROACHMENT**  
 1. NORTH SIDE OF BLDG. IS 9.21'  
 NORTH OF PROPERTY LINE.  
 2. 1.50' N. SIDE OF BLDG. IS 9.11'  
 SOUTH OF PROPERTY LINE.

4-6,5-9

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## GENERAL INFORMATION

### Subject

- Request - Major Site Plan Review for a Hotel
- Location - 3436 Secor Road
- Applicant - Martin Yousif  
2007 Holland Sylvania Road  
Suite 109  
Toledo, OH 43615
- Engineer - George Oravec, P.E., P.S.  
Oravec & Associates  
5333 Secor Road, Unit 2  
Toledo, Ohio 43623

### Site Description

- Zoning - CR Regional Commercial District
- Area for Hotel - ±2.04 ac.
- Area of Entire Parcel - ±13.06 ac.
- Frontage - ±2' on Secor Road for entire parcel
- Existing Use - Vacant Parcel (former Secor Cinema site)
- Proposed Use - Hotel
- Proposed Parking - 102 spaces
- Required Parking - 92 spaces

### Area Description

- North - Hotel / CR
- South - Proposed Hotel / CR
- East - Apartments / RM36
- West - Proposed Commercial & Secor Road/ CR

### Parcel History

- Z21-C130 - Request for zone change from R-2 Single Family Residential to C-2 Commercial, disapproved by Lucas County Plan Commission on 4/3/58, Washington Township Trustees approved on 6/10/58, westerly 500' only.

**GENERAL INFORMATION (cont'd)**

Parcel History (cont'd)

- Z21-C131 - Request for zone change from R-2 Single Family Residential to C-2 Commercial, disapproved by Lucas County Plan Commission on 4/3/58, Washington Township Trustees approved on 6/10/58, westerly 500' only.
- Z21-C343 - Request for zone change from R-2 Single Family Residential to C-2 Commercial, approved by Lucas County Plan Commission on 11/8/62, Washington Township Trustees approved on 1/2/63.
- Z21-C354 - Request for zone change from R-2 Single Family Residential to C-2 Commercial, approved by Lucas County Plan Commission on 1/3/63, Washington Township Trustees approved on 3/12/63.
- Z21-C356 - Request for zone change from R-2 Single Family Residential to C-2 Commercial, disapproved by Lucas County Plan Commission on 1/3/63, Washington Township Trustees approved on 3/12/63.
- PL-7-00 - Request for parking lot review, approved by Plan Commission on 10/12/00.
- PL-10-02 - Request for parking lot review, approved by Plan Commission on 2/13/03.
- SPR-13-09 - Request for major site plan review for multiple buildings on a lot. Applicant withdrew on 10/20/09.
- S-16-13 - Preliminary plat for SECOR VILLAGE PLAT 1 (companion case)

Applicable Regulations

Toledo Municipal Code, Part Eleven: Planning and Zoning Code  
Toledo 20/20 Comprehensive Plan.

## STAFF ANALYSIS

The applicant is proposing to construct an 18,520 s.f. hotel on 2.04 acres of a 13 acre parcel. This is the second phase of development of the former Secor Cinema site. The Hampton Inn that was approved by the Plan Commission in April is currently under construction. This development will front on Secor Road via a flag lot. A major site plan review is required because the number of proposed parking spaces is greater than 60.

A preliminary drawing for the entire site has also been submitted. The preliminary drawing shows the potential location of future commercial operations. Cross-access to the adjacent Westgate Limited property is shown on the plat. The Division of Transportation has required this cross-access as condition of approval.

### *Parking and Circulation*

The site plan indicates 102 parking spaces allocated for the hotel. The parking spaces will be distributed in parking fields on both sides of the hotel. The applicant is proposing to use the proposed private drive off of Secor Road as an entrance to the parking lot. .

### *Landscaping*

A landscape plan was not submitted at the time of the staff report for review. The landscape plan shall offer the appropriate amount of interior and foundation landscaping. Per TMC 1108.0203.D, a Type A Landscape Buffer is required along the easterly property line, where the site abuts RM36 Multi-Family Residential zoning. The site plan identifies the appropriate buffer in this location, including eleven and a half-feet (11.6') of landscaping and a fence.

Per TMC 1108.0204.B.9 a-b, Parking Lot Landscaping (Interior and Perimeter), parking lots are required to be surrounded with a ten-foot (10') perimeter landscape buffer. The plan indicates perimeter landscaping of 10' on the northern and southern property lines.

Per TMC 1108.0202.B.3, a thirty-foot (30') greenbelt is required along the Secor Road frontage. The concept plan does not meet this requirement. The greenbelt will be more thoroughly reviewed when future phases of the development are reviewed, although a condition has been added to the current review. Because this is a complete redevelopment, staff will require complete compliance with the greenbelt regulation.

**STAFF ANALYSIS (cont'd)**

Dumpsters

The site plan indicates that the dumpster for the hotel is located at the southwestern corner of the property. The proposed location is in compliance with TMC 1108.0203.G.5 *Dumpster/Trash Receptacle Screening*. This section states that dumpsters shall be located as far away from residential districts as possible. The proposed location meets the TMC requirement.

Building Elevation

Building elevations have not been submitted. The applicant is required to submit a elevation that complies with the requirements of TMC 1109.0501.

The Toledo 20/20 Plan targets this site for regional and general commercial uses. The proposed development conforms to the 20/20 Plan. Additionally, the proposed use is not out of character with the surrounding uses in terms of scale, site design, and operational characteristics.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission approve S-32-13, Major Site Plan Review for a Hotel located at 3436 Secor Road, for the following four (4) reasons:

1. The plan complies with all standards of the Toledo Municipal Code, this Zoning Code and other adopted City policies (TMC 1111.0809 A);
2. The proposed use is allowed in the district in which it is located (TMC 1111.0809 B);
3. Vehicular ingress and egress to and from the site and circulation within the site provides safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well (TMC 1111.0809 C); and
4. The plan provides safe, efficient and convenient movement of pedestrians on the subject site (TMC 1111.0809 D).

The staff further recommends that the Toledo City Plan Commission approve SPR-32-13, a Major Site Plan Review for a Hotel located at 3436 Secor Road, subject to the following thirty (30) conditions:

The following conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Division of Engineering Services

1. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.

**STAFF RECOMMENDATION** (cont'd)

Division of Engineering Services (cont'd)

2. The private fire line loop for Secor Village shall have a single owner that will be responsible for maintenance of the private fire line loop. In lieu of this requirement, there shall be an agreement, acceptable to the City of Toledo, addressing the shared responsibility between property owners for the installation, maintenance, and billing of the private fire line.
3. Plans for the water services shall be submitted to the Division of Engineering Services for review and approval.
4. Maintain 10 feet (10') of horizontal clearance between proposed water service and sanitary or storm sewers. Maintain 4 feet (4') of horizontal clearance between proposed water service and any other underground utility. Maintain 18 inches (18") of vertical clearance between proposed water service and any underground utility.
5. Contact the City of Toledo Fire Prevention Bureau for hydrant spacing requirements for the fire line loop.
6. Contact the Division of Water Distribution for installation requirements for backflow preventers.
7. New fire, domestic, and irrigation taps will be installed by the City of Toledo at the owner/developer's expense.
8. Plans for the water service shall be submitted to and approved by the Ohio EPA prior to starting construction of the water service.
9. A flow test is recommended to ensure that the available water flow and pressure in the area meet the anticipated demands of the facility.
10. Storm drainage service for this site is available subject to: the Criteria and Regulations of the Departments of Public Utilities and Public Service; the Toledo Municipal Code, including but not limited to Chapters 941, 1110, and 1107; the Toledo City Charter; the "Subdivision Rules & Regulations" of the Toledo-Lucas County Plan Commission; the City of Toledo Infrastructure Design Plan." All disturbed land areas over one (1) acre must submit an NOI to and obtain a permit from the Ohio EPA. Storm water detention will be required in accordance with the above.

**STAFF RECOMMENDATION** (cont'd)

Division of Engineering Services (cont'd)

11. A detailed site-grading plan for this project shall be submitted for approval. The plan shall show the adjacent topography and grades for the land abutting the proposed development for a distance of approximately one hundred feet (100') from the development boundaries if requested. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
12. No construction work, including grading, will be permitted without approved plans and inspection.
13. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at [www.ci.toledo.oh.us/Departments/PublicUtilities/DivisionofEngineeringServices/PlanReviewProcess/tabid/355/Default.aspx](http://www.ci.toledo.oh.us/Departments/PublicUtilities/DivisionofEngineeringServices/PlanReviewProcess/tabid/355/Default.aspx). It is advised that consulting engineers, architects, and developers contact the Department of Public Utilities, the Department of Engineering Services to set up a pre-submittal meeting. This is suggested so that there is a full understanding of the City of Toledo's requirements for the sanitary, storm, water, and roadway utilities. This will in turn help to eliminate costly design time, revisions to drawings, delays in plan reviews and speed-up the plan approval process.

Contact Information is:

Division of Engineering Services: ph. (419) 245-1315, fax (419) 936-2850  
Sanitary Sewers: Mike Elling, ph. (419) 936-2276  
Storm Water Drainage: Lorie Haslinger, ph. (419) 245-3221  
Water: Andrea Kroma, ph. (419) 936-2163  
Roadway: Doug Stephens, ph. (419) 936-2279

14. Provide a minimum 30 feet (30') wide easement over the proposed relocated storm sewer.
15. Post construction storm water Best Management Practices shall be incorporated into the design to provide treatment of runoff prior to discharging into the City's system. Designs incorporating low impact development solutions such as grassy swales, and bio-retention areas in lieu of curb, storm sewers and underground detention are encouraged and often much less costly. Designs incorporating wet ponds, extended detention, bio-retention, or grassy swales are eligible for a 30 percent (30%) reduction in the property's storm water utility fee.
16. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.

**STAFF RECOMMENDATION** (cont'd)

Division of Engineering Services (cont'd)

17. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. The developer shall use existing sanitary tap, when available.
18. Any existing sewers under proposed buildings shall be relocated or abandoned. The developer shall verify any sewers to be abandoned are no longer in service.
19. The developer shall be responsible for meeting the requirements of the Ohio EPA anti-degradation policy. Requirements shall be met before any taps are made into the sanitary sewer system.
20. Any sanitary sewer manholes, in or near, pavement shall have solid lids installed on them.

Division of Transportation

21. Cross-access to the adjacent Westgate Limited property shall be established.
22. Formal cross-access agreements shall be established and formalized with the adjacent property owners to the north, south and the future retail development areas.

Building Inspection

23. Any new structural construction, mechanical or electrical installations must be in compliance with the building, mechanical and fire codes of the City of Toledo and by referenced standards, those of the State of Ohio. Construction documents stamped by a licensed design professional showing installations in detail may be submitted to the Division of Building Inspection for plan review and approval.

Plan Commission

24. All points of ingress/egress from any abutting parcels shall be closed and curb shall be restored, including the curb between the southerly access drive and the drive-thru lane serving the parcel immediately to the south.
25. When the remainder of the site is development, a thirty-foot (30') greenbelt is required along the Secor Road frontage; the greenbelt shall include at least one tree for every 30 feet of lot frontage (existing trees may be eligible for credits) and a solid evergreen hedge planting (or low earth berm) to screen the parking lot (if applicable). Drainage swales are not permitted in this greenbelt.

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

26. Dumpster location(s) shall have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks. The dumpster location as submitted on the plan is acceptable.
27. A detailed site, lighting, sign, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. One 2 inch caliper tree is required for every 1,000 square feet of building coverage; foundation plantings are required along all main and secondary entrances of the building, and patio areas, that are visible from the public right of way, and landscaping at all major building entrances;
  - b. Total interior landscaping shall be 20 square feet per parking space. Landscape areas within the parking area shall be peninsular or island types and must be constructed with 6 inch by 18 inch concrete curbing;
  - c. All parking spaces must be within 100 linear feet of a landscaped area,
  - d. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area;
  - e. Topsoil must be back filled to provide positive drainage of the landscape area;
  - f. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground cover;
  - g. Landscape terminal islands must be provided at the end of each parking row;
  - h. If divider medians are offered, then they shall form a continuous landscaped strip between abutting rows of parking spaces, median shall be a minimum of 10' in width;
  - i. Two canopy trees and six shrubs are required to be installed in interior landscape areas for each 10 parking spaces within the parking lot (existing trees may be used for credits;

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

- j. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place or driveway, or which is visible from an adjacent property, and shall be ten feet (10') in width;
  - k. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards;
  - l. If site is ½ acre or larger, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans must be submitted with development plans and must contain all construction details;
  - m. The location, height and materials for any fencing to be installed and maintained,
  - n. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties);
  - o. The location, lighting and size of any signs.
28. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. **Landscaping shall be installed and maintained indefinitely.**
29. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
30. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

REF: SPR-32-13. .September 12, 2013

MAJOR SITE PLAN REVIEW  
TOLEDO CITY PLAN COMMISSION  
REF: SPR-32-13  
DATE: September 12, 2013  
TIME: 2:00 P.M.

TG/bp  
Three (3) sketches follow

# GENERAL LOCATION

SPR-32-13  
ID 46

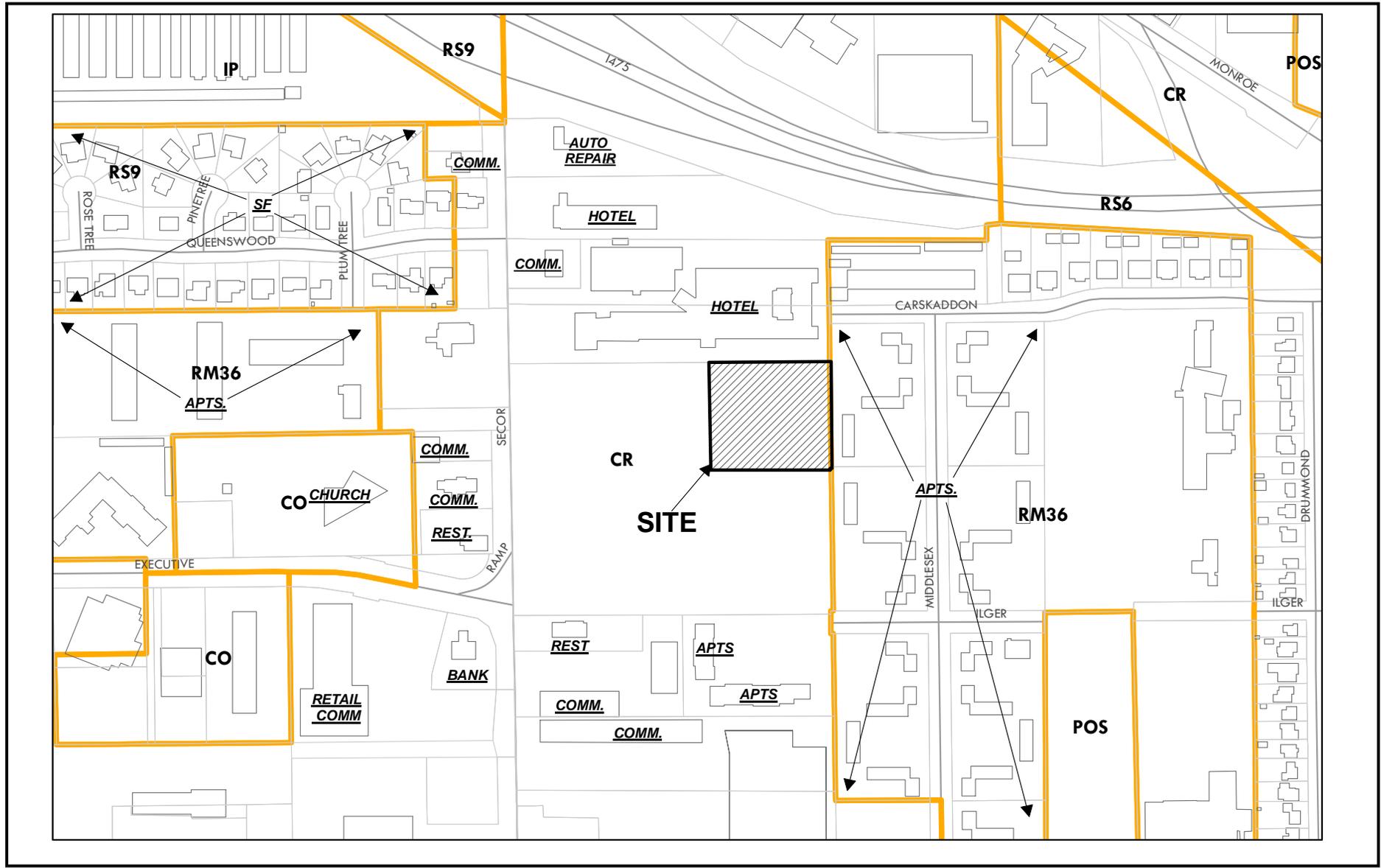


# ZONING & LAND USE

SPR-32-13  
ID 46



6 - 12

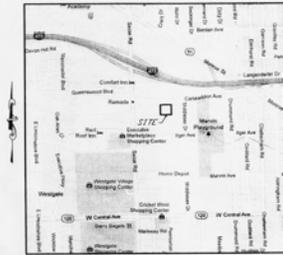


# SITE PLAN

SPR-32-13  
ID 46



## SITE PLAN of SECOR VILLAGE TOLEDO OHIO, LUCAS COUNTY



LOCATION MAP

### GENERAL SITE DATA

EXISTING ZONING = CR  
AREA OF EXISTING PARCEL = 9.541 ACRES  
AREA OF PROPOSED FUTURE DEVELOPMENT = 7.499 ACRES  
AREA OF PROPOSED HOTEL SITE = 2.042 ACRES  
AREA OF EXECUTIVE PLOT = 0.812 ACRES  
AVERAGE GROUND ELEVATION = 619.50

PARKING PROVIDED, HOTEL = 90  
NUMBER OF ROOMS, HOTEL = 90  
PARKING PROVIDED, EMPLOYEE = 5  
ASSOCIATES PARKING = 7  
PARKING PROVIDED, HOTEL = 100  
BICYCLE PARKING, HOTEL = 11 EACH

### DEVELOPER

SECOR VILLAGE LLC  
2007 HOLLAND SYLVANIA ROAD  
TOLEDO OHIO  
419-478-8000

### LEGAL DESCRIPTION

PART OF THE SOUTHWEST 1/4 OF SECTION 20, TOWN 9 SOUTH, RANGE 7 EAST, CITY OF TOLEDO, LUCAS COUNTY, OHIO

COMMENCING AT A MONUMENT BOX AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 20, TOWN 9 SOUTH, RANGE 7 EAST;

THENCE SOUTH 00°49'39" WEST ALONG THE WEST LINE OF THE SOUTH WEST 1/4 OF SECTION 20 AND THE CENTERLINE OF SECOR ROAD A DISTANCE OF 151.37 FEET TO A POINT;

THENCE NORTH 89°29'19" EAST A DISTANCE OF 540.41 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89°29'19" EAST A DISTANCE OF 314.05 FEET TO A POINT;

THENCE SOUTH 00°29'10" EAST ALONG THE WEST LINE OF HAMPSHIRE HEIGHTS EXTENSION A DISTANCE OF 282.47 FEET TO A POINT;

THENCE SOUTH 89°10'21" WEST A DISTANCE OF 313.83 FEET TO A POINT;

THENCE NORTH 00°49'39" WEST A DISTANCE OF 284.20 FEET TO THE POINT OF BEGINNING;

CONTAINING 2.042 ACRES OF LAND MORE OR LESS SUBJECT TO LEGAL HIGHWAYS AND EASEMENTS OF RECORD.

*George V. Oravec*  
George V. Oravec Registered Surveyor No. 5439

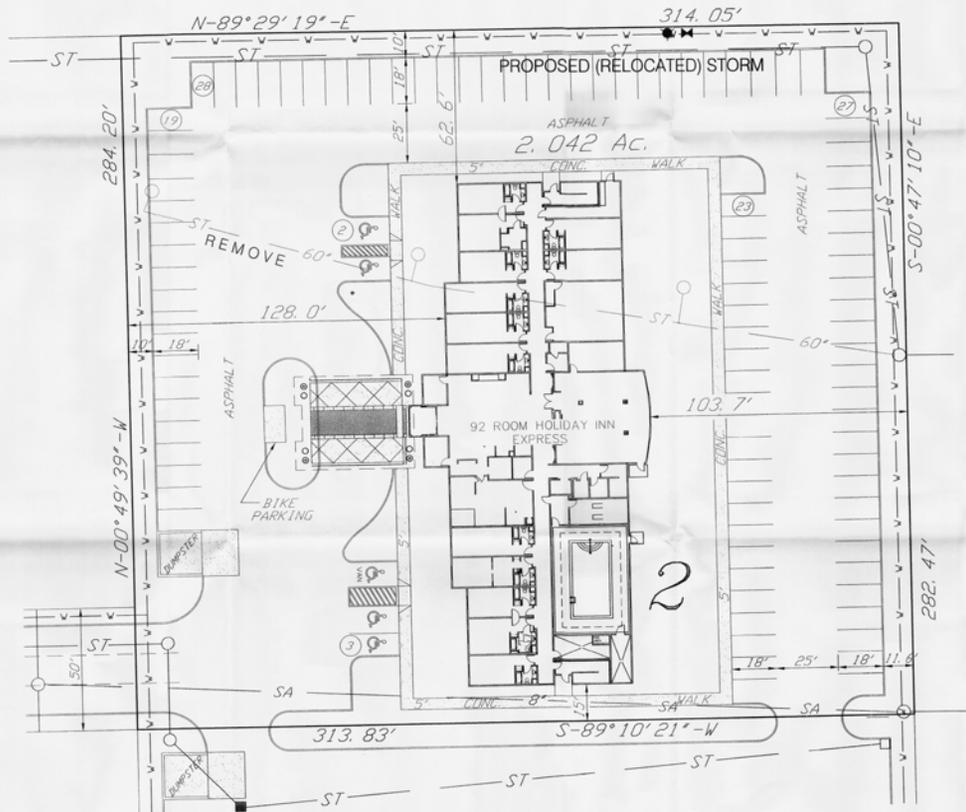


**ORAVEC & ASSOCIATES, LLC**  
5333 SECOR ROAD, SUITE 2, TOLEDO, OHIO 43623  
PHONE: 419-664-4744 FAX: 419-664-5859  
WWW.ORAVECANDASSOCIATES.COM  
ENGINEERS & SURVEYORS

SCALE: DATE: 1" = 20' 7/10/2012  
REVISED: DRAWN BY: CHECKED BY:  
K. J. S. RPHAD



SCALE: 1" = 20'



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## GENERAL INFORMATION

### Subject

- |           |   |   |
|-----------|---|---|
| Request   | - | SECOR VILLAGE PLAT 1,<br>Preliminary Drawing  |
| Location  | - | Secor Road south of I-475   |
| Applicant | - | Martin Yousif<br>2007 Holland Sylvania Road<br>Suite 109<br>Toledo, OH 43615                      |
| Engineer  | - | George Oravec, P.E., P.S.<br>Oravec & Associates<br>5333 Secor Road, Unit 2<br>Toledo, Ohio 43623 |

### Site Description

- |                       |   |   |
|-----------------------|---|---|
| Zoning                | - | CR Regional Commercial District   |
| Area for Hotel        | - | ±2.04 ac.   |
| Area of Entire Parcel | - | ±13.06 ac.  |
| Frontage              | - | ±671' on Secor Road for entire parcel<br>±60' on Proposed Executive Parkway |
| Existing Use          | - | Vacant Parcel (former Secor Cinema site)                                    |

### Area Description

- |       |   |  |
|-------|---|--|
| North | - | Hotel / CR   |
| South | - | Executive Parkway, Secor Road & Commercial /<br>CR |
| East  | - | Apartments / RM36                                  |
| West  | - | Secor Road & Commercial / CR                       |

### Parcel History

- |          |   |  |
|----------|---|--|
| Z21-C130 | - | Request for zone change from R-2 Single Family Residential to C-2 Commercial, disapproved by Lucas County Plan Commission on 4/3/58, Washington Township Trustees approved on 6/10/58, westerly 500' only. |
|----------|---|--|

**GENERAL INFORMATION (cont'd)**

- Z21-C131 - Request for zone change from R-2 Single Family Residential to C-2 Commercial, disapproved by Lucas County Plan Commission on 4/3/58, Washington Township Trustees approved on 6/10/58, westerly 500' only.
- Z21-C343 - Request for zone change from R-2 Single Family Residential to C-2 Commercial, approved by Lucas County Plan Commission on 11/8/62, Washington Township Trustees approved on 1/2/63.
- Z21-C354 - Request for zone change from R-2 Single Family Residential to C-2 Commercial, approved by Lucas County Plan Commission on 1/3/63, Washington Township Trustees approved on 3/12/63.
- Z21-C356 - Request for zone change from R-2 Single Family Residential to C-2 Commercial, disapproved by Lucas County Plan Commission on 1/3/63, Washington Township Trustees approved on 3/12/63.
- PL-7-00 - Request for parking lot review, approved by Plan Commission on 10/12/00.
- PL-10-02 - Request for parking lot review, approved by Plan Commission on 2/13/03.
- SPR-13-09 - Request for major site plan review for multiple buildings on a lot. Applicant withdrew on 10/20/09.
- SPR-7-13 - Major site plan review for a hotel. Approved by Plan Commission on 4/11/13.
- SPR-32-13 - Major site plan review for a hotel. (Companion case)

Applicable Regulations

Toledo Municipal Code, Part Eleven: Planning and Zoning Code  
Toledo Subdivision Rules and Regulations  
Toledo 20/20 Comprehensive Plan.

## **STAFF ANALYSIS**

The applicant is requesting a review of a preliminary drawing for SECOR VILLAGE PLAT 1, located on Secor Road south of I-475. This plat consists of six buildable lots and a storm water detention area (lettered lot). Executive Parkway was dedicated in order to extend the roadway to the east of Secor Road and provide frontage to the interior parcels of SECOR VILLAGE PLAT. The Hampton Inn is currently under construction on 2.7 acres of the 13.16 acre site (Lot 1). The 2.04 acre site to the north of the Hampton Inn will be the Holiday Inn Express and is expected to be constructed in 2014 (Lot 2).

Lots 1, 6, and 7 will have frontage on Executive Parkway, lots 4 and 2 will have frontage on Secor Road. Lot 2 will be a flag lot with a 2-foot strip of land extending from Secor Road east to the remaining 2.04 acre parcel. Lot 5 will be a private drive and will be owned by lots 1, 2, 4, 6 and 7 who will all share in the maintenance of the drive. The remaining outlots are targeted for restaurants and retail purposes. Cross-access to the adjacent Westgate Limited property is shown on the plat. The Division of Transportation has required this cross-access as condition of approval.

In order to have uniformity in this 13.16 acre parcel a thirty-foot (30') greenbelt shall be required along the Secor Road frontage. The greenbelt illustrated on the preliminary drawing indicates a frontage greenbelt of 10' to 15'. The final plat shall indicate compliance with the greenbelt requirement. Drainage swales are not permitted in this greenbelt.

As stated in the City of Toledo Subdivision Regulations, sidewalks shall be required on both sides of the street. This shall include the extension of Executive Parkway and the private way illustrated on the preliminary drawing. This will provide for a safe pedestrian environment within the development.

The Toledo 20/20 Comprehensive Plan targets this site for Regional and General Commercial District. This land use has predominantly large-scale commercial uses intended to accommodate auto-oriented development. (e.g.: malls, big box retail stores, & mixed use developments). Offices and multiple family residential developments may also be interspersed within this district. The proposed use of this site is in compliance with the Toledo 20/20 Comprehensive Plan and the City of Toledo Subdivision Regulations.

## **STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission approve S-16-13, the preliminary drawing of SECOR VILLAGE PLAT 1, located on Secor Road south of I-475, subject to the following reason:

1. The proposal complies with the City of Toledo Subdivision Rules and Regulations.

**STAFF RECOMMENDATION (cont'd)**

The staff recommends that the Toledo City Plan Commission approve S-16-13, the preliminary drawing of SECOR VILLAGE PLAT 1, located on Secor Road south of I-475, subject to the following twenty-eight (28) conditions.

The following conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Division of Engineering Services

1. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced/upgraded to conform to the current City of Toledo Construction Standards Specifications, The Toledo Municipal Code, and The Americans with Disabilities Act Guidelines.
2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, The Toledo Municipal Code, and The Americans with Disabilities Act Guidelines.
3. The drive approach for the private way on Secor Road, (along with the sidewalk through the drive) shall be constructed with eight-inch (8”) thick concrete per The City of Toledo Construction Standards and Specifications. **No curb shall be permitted in the right-of-way along either side of a drive approach. No horizontal curb cutting will be permitted to create a curb drop/opening.**
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from the One Stop Shop, ph. (419) 245-1220.
5. Contact Scott Bishop, ph. (419) 936-2756 for inspection of above-mentioned items.
6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
7. The private fire-line loop for Secor Village shall have a single owner that will be responsible for maintenance of the private fire-line loop. In lieu of this requirement, there shall be an agreement, acceptable to the City of Toledo, addressing the shared responsibility between property owners for the installation, maintenance, and billing of the private fire line.

**STAFF RECOMMENDATION (cont'd)**

Division of Engineering Services (cont'd)

8. A tee, valve, and 18 feet (18') of waterline were installed for the development, at the City's expense, at the northwest property line of Lot 4. The developer shall pay the fees associated with abandoning the valve and waterline; the abandonments will be done by the City of Toledo. The developer may be required to reimburse the City for expenses associated with installing the unnecessary waterline for the development and the waterline at the southwest corner of the development.
9. Plans for the water services shall be submitted to the Division of Engineering Services for review and approval.
10. Maintain 10 feet (10') of horizontal clearance between proposed water service and sanitary or storm sewers. Maintain 4 feet (4') of horizontal clearance between proposed water service and any other underground utility. Maintain 18 inches (18") of vertical clearance between proposed water service and any underground utility.
11. Contact the City of Toledo Fire Prevention Bureau for hydrant spacing requirements for the fire-line loop.
12. Contact the Division of Water Distribution for installation requirements for backflow preventers.
13. New fire, domestic, and irrigation taps will be installed by the City of Toledo at the owner's/developer's expense.
14. Plans for the water service shall be submitted to and approved by the Ohio EPA prior to starting construction of the water service.
15. A flow test is recommended to ensure that the available water flow and pressure in the area meets the anticipated demands of the facility.
16. All water mains within the plat shall be privately owned and maintained.
17. Storm drainage service for this site is available subject to: the Criteria and Regulations of the Departments of Public Utilities and Public Service; the Toledo Municipal Code, including but not limited to Chapters 941, 1110, and 1107; the Toledo City Charter; the "Subdivision Rules & Regulations" of the Toledo-Lucas County Plan Commission; the City of Toledo Infrastructure Design Plan." All disturbed land areas over one (1) acre must submit an NOI to and obtain a permit from the Ohio EPA. Storm water detention will be required in accordance with the above.

**STAFF RECOMMENDATION (cont'd)**

Division of Engineering Services (cont'd)

18. A detailed site-grading plan for this project shall be submitted for approval. The plan shall show the adjacent topography and grades for the land abutting the proposed development for a distance of approximately one hundred feet (100') from the development boundaries if requested. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
19. No construction work, including grading, will be permitted without approved plans and inspection.
20. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at [www.ci.toledo.oh.us/Departments/PublicUtilities/DivsionofEngineeringServices/PlanReviewProcess/tabid/355/Default.aspx](http://www.ci.toledo.oh.us/Departments/PublicUtilities/DivsionofEngineeringServices/PlanReviewProcess/tabid/355/Default.aspx). It is advised that consulting engineers, architects, and developers contact the Department of Public Utilities, the Department of Engineering Services to set up a pre-submittal meeting. This is suggested so that there is a full understanding of the City of Toledo's requirements for the sanitary, storm, water, and roadway utilities. This will in turn help to eliminate costly design time, revisions to drawings, delays in plan reviews and speed-up the plan approval process.

Contact Information is as follows:

- Division of Engineering Services: ph. (419) 245-1315, fax (419) 936-2850
- Sanitary Sewers: Mike Elling, ph. (419) 936-2276
- Storm Water Drainage: Lorie Haslinger, ph. (419) 245-3221
- Water: Andrea Kroma, ph. (419) 936-2163
- Roadway: Doug Stephens, ph. (419) 936-2279

21. All storm sewers within the plat shall be privately owned and maintained with the exception of the existing and proposed storm sewer along the north and east property lines. Provide a minimum 30 feet (30') easement over this storm sewer.
22. All sewers within the plat shall be privately owned and maintained.

Division of Transportation

23. Formal cross-access to the property to the north shall be required.

Plan Commission

24. A thirty-foot (30') greenbelt shall be required along the Secor Road frontage. The final plat shall indicate compliance with the greenbelt requirement. Drainage swales are not permitted in this greenbelt.

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

25. All open space and/or detention areas within this plat and future plats of SECOR VILLAGE shall be the responsibility of the property owners association of all lots within this plat and future plats of SECOR VILLAGE. The property owners association shall be responsible for the maintenance and property tax liability. In the event a property owners association is not formed or ceases to exist, the property tax liability and maintenance of the open space and/or detention area(s) shall be shared and assessed to each individual lot owner within the plat and future plats of SECOR VILLAGE.
26. Sidewalks shall be constructed along all public right-of-ways and the private drive.
27. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.
28. The Preliminary Drawing shall be valid for a three (3) year period from the date of approval by the Planning Commission.

SECOR VILLAGE PLAT 1  
TOLEDO CITY PLAN COMMISSION  
REF: S-16-13  
DATE: September 12, 2013  
TIME: 2:00 P.M.

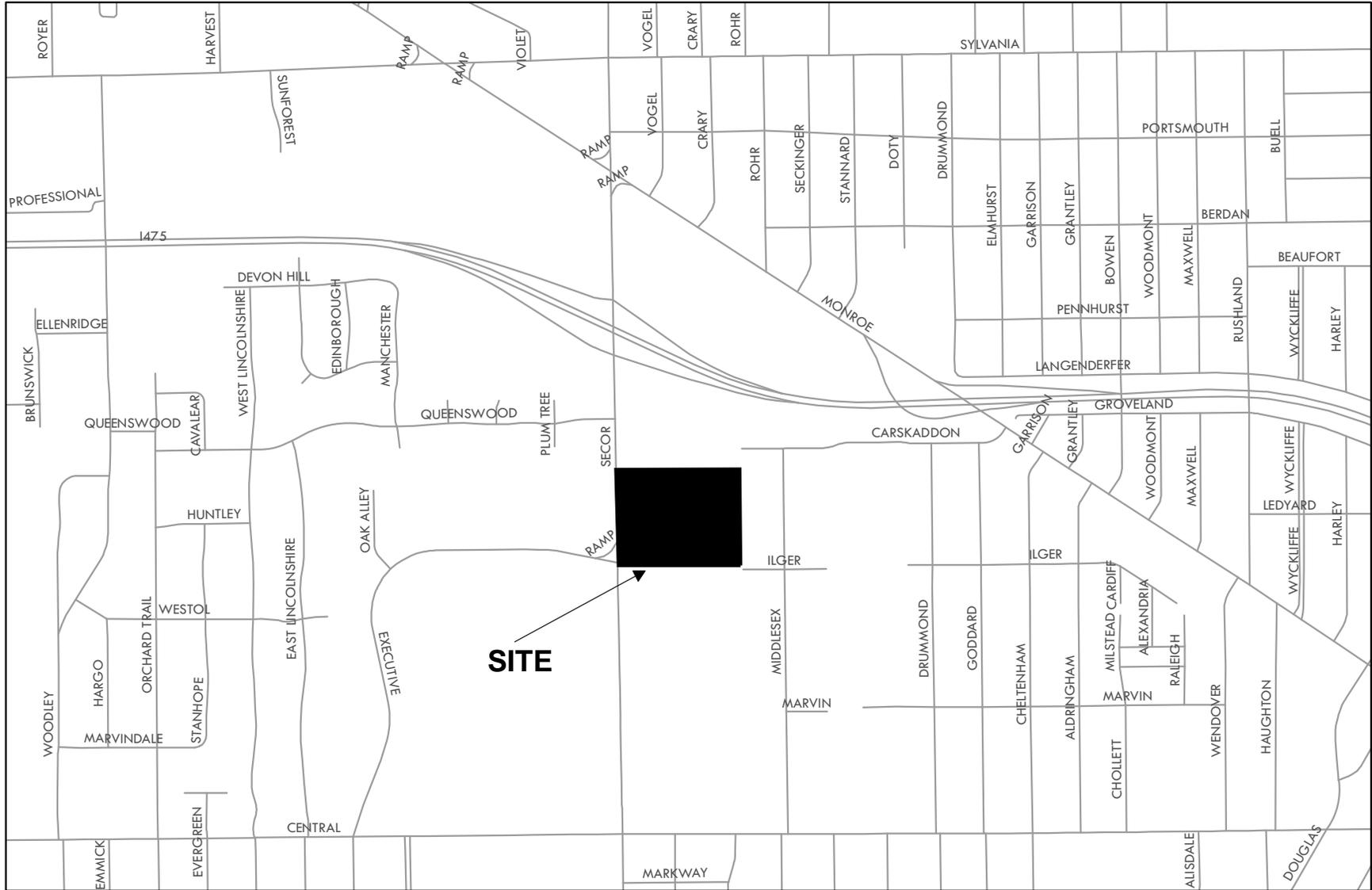
TCG/bp  
Three (3) sketches follow

# GENERAL LOCATION

S-16-13  
ID 46

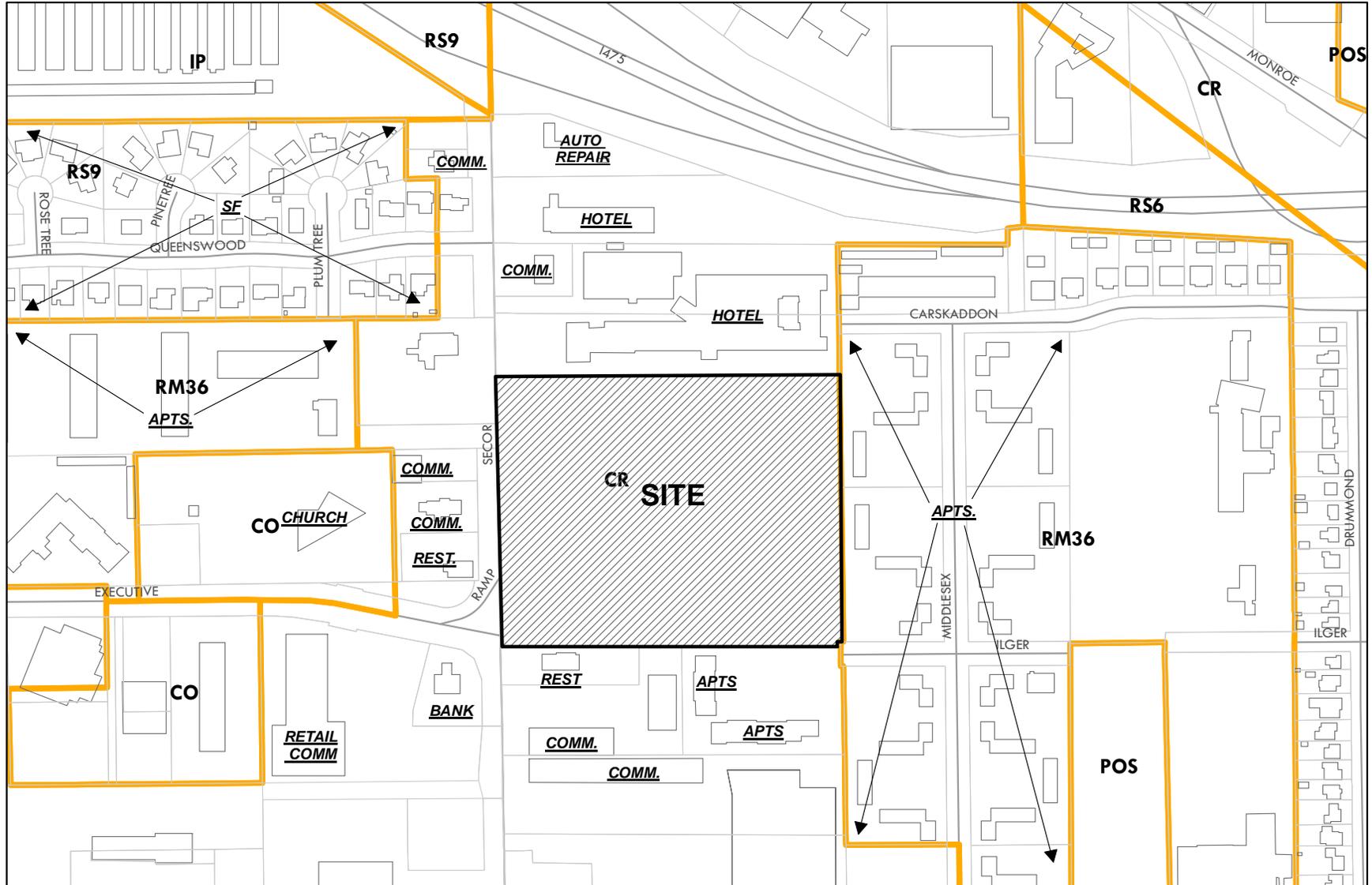


8 - 7



# ZONING & LAND USE

S-16-13  
ID 46



# PRELIMINARY DRAWING

S-16-13  
ID 46



PRELIMINARY PLAT  
of  
**SECOR VILLAGE PLAT 1**  
PART OF THE SOUTHWEST 1/4 OF SECTION 20 TOWN 9  
SOUTH RANGE 7 EAST IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO

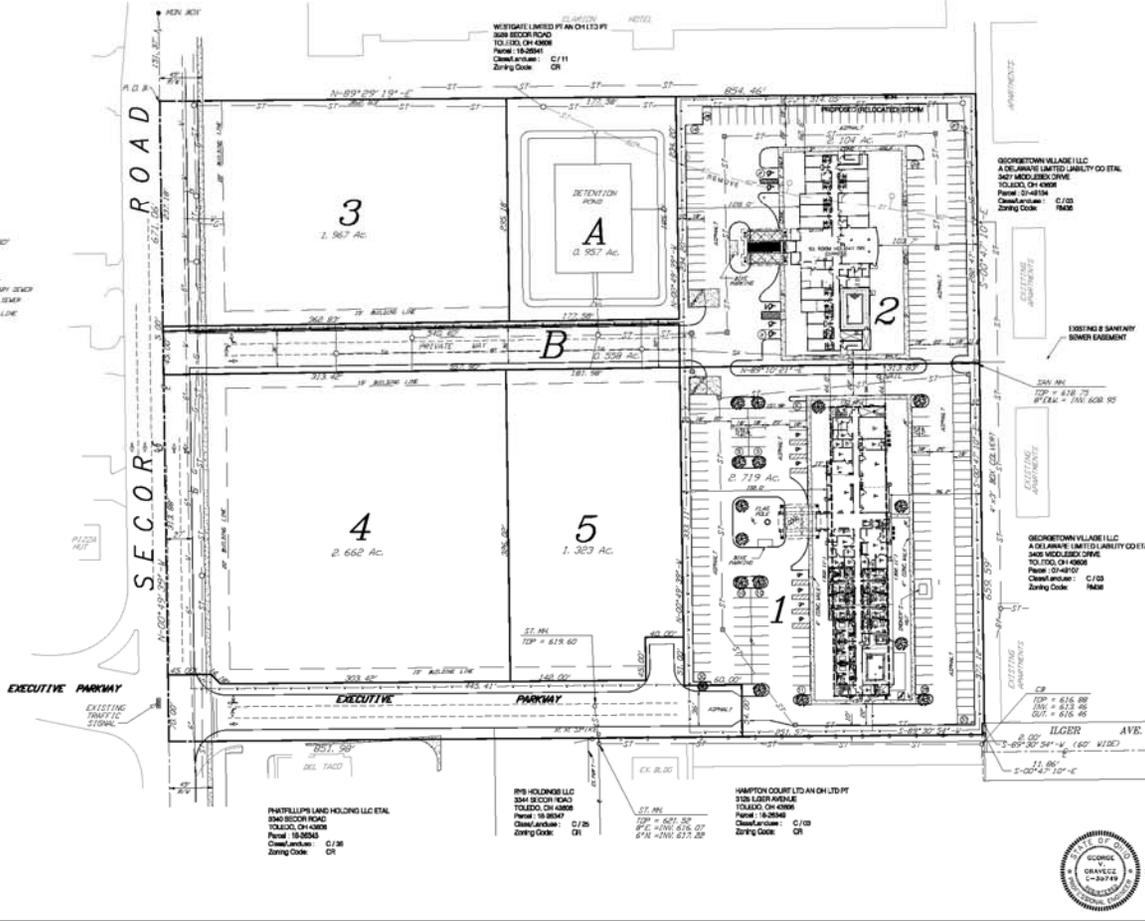


LOCATION MAP



SCALE: 1" = 30'

**LEGEND**  
- - - - - DEDUCTIVE DEED  
- - - - - STORM SEWER  
- - - - - WALK LINE



**GENERAL SITE DATA**  
LOT 1 IS SHARED STORM WATER DETENTION LOT  
LOTS 1, 2, 3, 4, & 5 WILL OWN LOT A AND  
SHARE IN THE MAINTENANCE COST.  
LOT 3 IS A PRIVATE WAY LOTS 1, 2, 4, & 5  
WILL OWN LOT 3 AND SHARE THE MAINTENANCE COST.  
EXISTING ZONING = CR  
AREA OF PLAT = 13.162 ACRES

**DEVELOPER**  
SECOR VILLAGE, LLC  
2000 WELLSLAND STEWART ROAD  
TOLEDO OHIO  
419-478-8000

*George V. Oravec*  
George V. Oravec Registered Surveyor No. 5439

7 - 10

**ORAVECZ & ASSOCIATES, LLC**  
3300 SECOR ROAD, SUITE B, TOLEDO, OHIO 43603  
PHONES: 419-666-4444 or 419-242-7444 FAX: 419-325-8258  
WWW.ORAVECANDASSOCIATES.USA.COM

ENGINEERS & SURVEYORS

SCALE	DATE	REVISED	DRAWN BY	CHECKED BY
1" = 30'	8/20/2013		ORAVEC	ORAVEC



REF: SUP-8005-13  
DATE: September 12, 2013

## GENERAL INFORMATION

### Subject

- Request - Amendment to Special Use Permit originally granted by Ord. 1220-98, for the expansion of the West Branch of the Toledo-Lucas County Public Library.
- Location - 1314-1322 Rollins and 4017-4033 Willys Parkway
- Applicant - Toledo-Lucas County Public Library  
325 Michigan Street  
Toledo, OH 43604
- Architect - Lewandowski Engineers  
234 N. Erie Street  
Toledo, OH 43604

### Site Description

- Zoning - Regional Commercial, Two Family Residential / CR, RD6
- Area - 1.15 acres
- Frontage - 199' along Willys Parkway  
- 142' along Homeville Circle  
- 177' along Rollins Road
- Existing Use - Library, Single Family Home
- Proposed Use - Library
- Required Parking - 14 spaces
- Proposed Parking - 48 spaces

### Area Description

- North - Mixed Single & Two Family Homes / RD6
- East - Mixed Single & Two Family Homes, Commercial / RD6, CR
- South - Park / POS
- West - Single Family Homes, Church / RD6, CR

## GENERAL INFORMATION (cont'd)

### Parcel History

- |             |   |  |
|-------------|---|--|
| SUP-6011-98 | - | Request for special use permit for expansion of library and parking lot addition, approved by Plan Commission on 9/10/98. City Council approved on 11/10/98, Ord. 1220-98. |
| V-934-98    | - | Request for an alley vacation for expansion of library and parking lot addition, approved by Plan Commission on 9/10/98. City Council approved on 9/28/99, Ord. 759-99.    |

### Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning, Section 1104.0600
- Toledo 20/20 Comprehensive Plan

## STAFF ANALYSIS

The applicant is requesting an amendment to a special use permit, originally granted by Ordinance 1220-98, to expand the West Toledo Branch of the Toledo-Lucas County Public Library, currently located at 1314-1322 Rollins Road and 4017-4029 Willys Parkway. The expansion will add the property at 4033 Willys Parkway to the site to facilitate parking lot modifications and a building addition. A special use permit is required because the expansion is greater than ten (10) percent.

The property at 4033 Willys Parkway is currently occupied by a single-family home. The home will be demolished and the property used for site access and parking. A 10' by 12' shed will be located near the rear property line of 4033 Willys Parkway. A wood fence (to match the existing fence) will be installed along the northern property line. TMC requires a ten (10) foot perimeter landscape buffer along the northern property line. The applicant is requesting a waiver of 1.4 feet of this buffer. Staff supports this waiver because the applicant is installing a wood fence along this property line in addition to the landscaping.

A 2178 square foot addition will be added to the existing 10,139 square foot library building. Building elevations as submitted indicate brick as the predominant exterior building material for the addition. The color will match the existing building. Stone veneer will be used along the base of the addition. The overall design of the addition will match the existing "Carnegie" style building (constructed in 1927).

## **STAFF ANALYSIS (cont'd)**

The site currently offers forty-four (44) parking spaces. The addition of the property at 4033 Willys Parkway will facilitate the development of four new (4) parking spaces and relocation of the curb cut along Willys Parkway. Per TMC 1107.0302 *Off-Street Parking Schedule A - Maximums*, the proposed number of parking spaces exceeds 150% of the off-street minimum parking requirement. However, this is an existing condition and an alternative parking plan will not be required.

The Toledo 20/20 Comprehensive Plan targets this site as an “urban village”. A library is consistent with the 20/20 Plan recommendation. Additionally, the use is compatible with surrounding uses in terms of scale, site design, and operating characteristics.

## **STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-8005-13, an amendment to a special use permit originally granted by Ord. 1220-98, for the expansion of the West Branch of the Toledo-Lucas County Public Library located at 1314-1322 Rollins Road and 4017-4033 Willys Parkway, to the Toledo City Council for the following two (2) reasons:

1. The request is consistent with the recommendations of the Toledo 20/20 Comprehensive Plan; and
2. The request is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use’s operation) (TMC 1111.0706.C Review & Decision-Making Criteria).

The staff recommends that the Toledo City Plan Commission make the following recommendations to the Toledo City Council on the waiver requested for the expansion of the West Branch of the Toledo-Lucas County Public Library located at 1314-1322 Rollins Road and 4017-4033 Willys Parkway:

### **Chapter 1108 Landscaping and Screening**

#### **Sec. 1108.0204 Frontage Greenbelt – B. Area and Dimensional Standards**

Approve a waiver of 1.5’ of the 10’ parking lot perimeter landscape buffer.

**STAFF RECOMMENDATION** (cont'd)

**Chapter 1108 Landscaping and Screening** (cont'd)

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-8005-13, an amendment to a special use permit originally granted by Ord. 1220-98, for the expansion of the West Branch of the Toledo-Lucas County Public Library located at 1314-1322 Rollins Road and 4017-4033 Willys Parkway to the Toledo City Council subject to the following twenty-five (25) conditions:

The conditions of approval are as follows and are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Division of Engineering Services

1. All **existing standard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced/upgraded to conform to current City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
2. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220. Contact Scott Bishop at (419) 936-2756 for inspection of above-mentioned items.
3. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
4. Existing water services to structures removed from the site will be abandoned by the City of Toledo at the owner's/developer's expense.
5. Plans for new water service or modifications to existing water service shall be submitted to the Division of Engineering Services for review and approval.
6. Storm drainage service for this site is available subject to: the Criteria and Regulations of The Departments of Public Utilities and Public Service; The Toledo Municipal Code, including but not limited to Chapters 941, 1110, and 1107; The Toledo City Charter; The "Subdivision Rules & Regulations" of Toledo-Lucas County Plan Commissions; City of Toledo Infrastructure Design and Construction requirements; and "The Comprehensive Ditch Plan." All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA. Stormwater detention will be required in accordance with the above.

**STAFF RECOMMENDATION** (cont'd)

Division of Engineering Services (cont'd)

7. A detailed site-grading plan for this project shall be submitted for approval. The plan shall show the adjacent topography and grades for the land abutting the proposed development for a distance of approximately one hundred feet (100') from the development boundaries if requested. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
8. No construction work, including grading, will be permitted without approved plans and inspection.
9. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at <http://www.ci.toledo.oh.us/Departments/PublicUtilities/DivisionofEngineeringServices/PlanReviewProcess/tabid/355/Default.aspx>. It is advised that consulting engineers, architects, and developers contact the Department of Public Utilities, Division of Engineering Services to set up a pre-submittal meeting. This meeting is suggested so that there is a full understanding of the City of Toledo requirements for the sanitary, storm, water and roadway utilities. This understanding will in turn help to eliminate costly design time, revisions to drawings, delays in plan reviews and to speed-up the plan approval process.

Contact Information is as follows:

Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850  
Sanitary Sewers: Mike Elling, ph. 419-936-2276  
Stormwater Drainage: Lorie Haslinger, ph. 419-245-3221  
Water: Andrea Kroma, ph. 419-936-2163  
Roadway: Doug Stephens, ph. 419-936-2279

10. Post-construction stormwater Best Management Practices shall be incorporated into the design to provide treatment of runoff prior to discharging into the City system. Designs incorporating low impact development solutions, such as grassy swales, and bio-retention areas in lieu of curb, storm sewers, and underground detention, are encouraged and often much less costly. Designs incorporating wet ponds, extended detention, bio-retention, or grassy swales are eligible for a 30-percent reduction in the property's stormwater utility fee.
11. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.

**STAFF RECOMMENDATION (cont'd)**

Division of Engineering Services (cont'd)

12. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
13. If there are any existing structures to be demolished at the site, the sanitary services to such structures will be killed by the City of Toledo at the developer's cost.
14. Any existing sewers under proposed buildings shall be relocated or abandoned. Developer shall verify any sewers to be abandoned are no longer in service.

Sewer and Drainage Services

No comments or objections to site plan as submitted.

Fire Prevention

No comments or objections to site plan as submitted.

Building Inspection

15. Any new structural construction, mechanical or electrical installations must be in compliance with the building, mechanical and fire codes of the City of Toledo and by referenced standards, those of the State of Ohio. Construction documents stamped by a licensed design professional showing such installations are in compliance with the Ohio Building Code must be shown in detail and may be submitted to the Division of Building Inspection for plan review and approval.

Division of Transportation

16. The location of the proposed drive approach conflicts with the location of the speed bump and signage. A drive cannot occur contemporaneously with traffic control measures.
17. Existing unused drive approaches shall be completely removed and new curbs and sidewalks shall be installed in accordance with City of Toledo Construction Standards.
18. Crumbling and deteriorating curbs and sidewalks should be rebuilt in accordance with City of Toledo Construction Standards.

**STAFF RECOMMENDATION** (cont'd)

Division of Engineering Services (cont'd)

19. If not already established, formal cross access agreements shall be prepared with the adjoining property owners.

Plan Commission

20. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscape areas.
21. If applicable, Dumpster location(s) shall have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks.
22. A detailed site, landscape, lighting, fence and sign plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. Perimeter landscaping along northern property line.
  - b. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards.
  - c. The location, height and materials for any fencing to be installed and maintained.
  - d. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); and
  - e. The location, lighting and size of any signs.
23. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. **Landscaping shall be installed and maintained indefinitely.**
24. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

- 25. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

SPECIAL USE PERMIT  
 TOLEDO CITY PLAN COMMISSION  
 REF: SUP-8005-13  
 DATE: September 12, 2013  
 TIME: 2:00 p.m.

CITY COUNCIL PLANNING  
 AND ZONING COMMITTEE  
 DATE: October 16, 2013  
 TIME: 4:00 p.m.

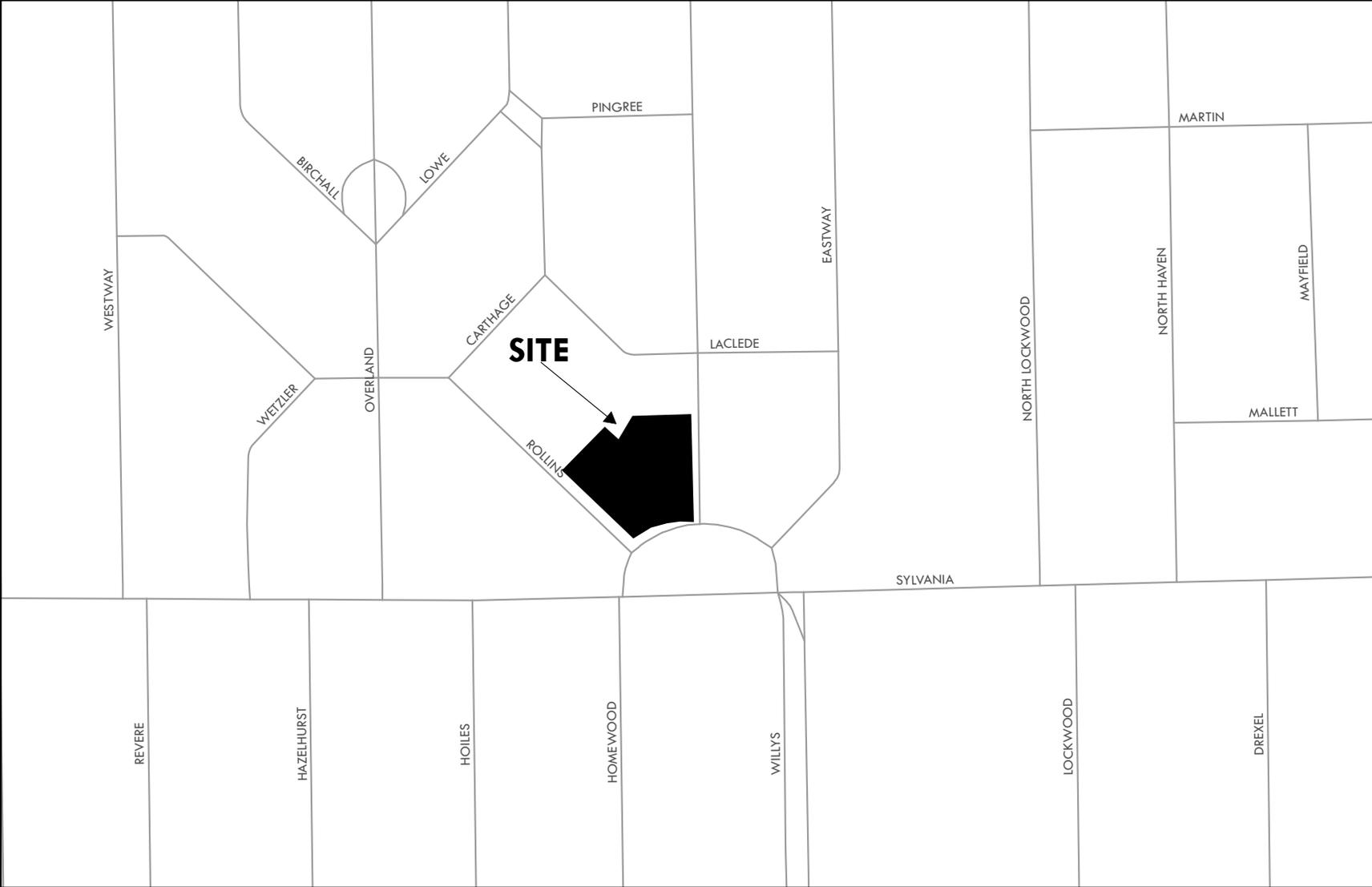
LC/an  
 Four (4) sketches follow

# GENERAL LOCATION

Z-8005-13  
ID 37



6 - 8

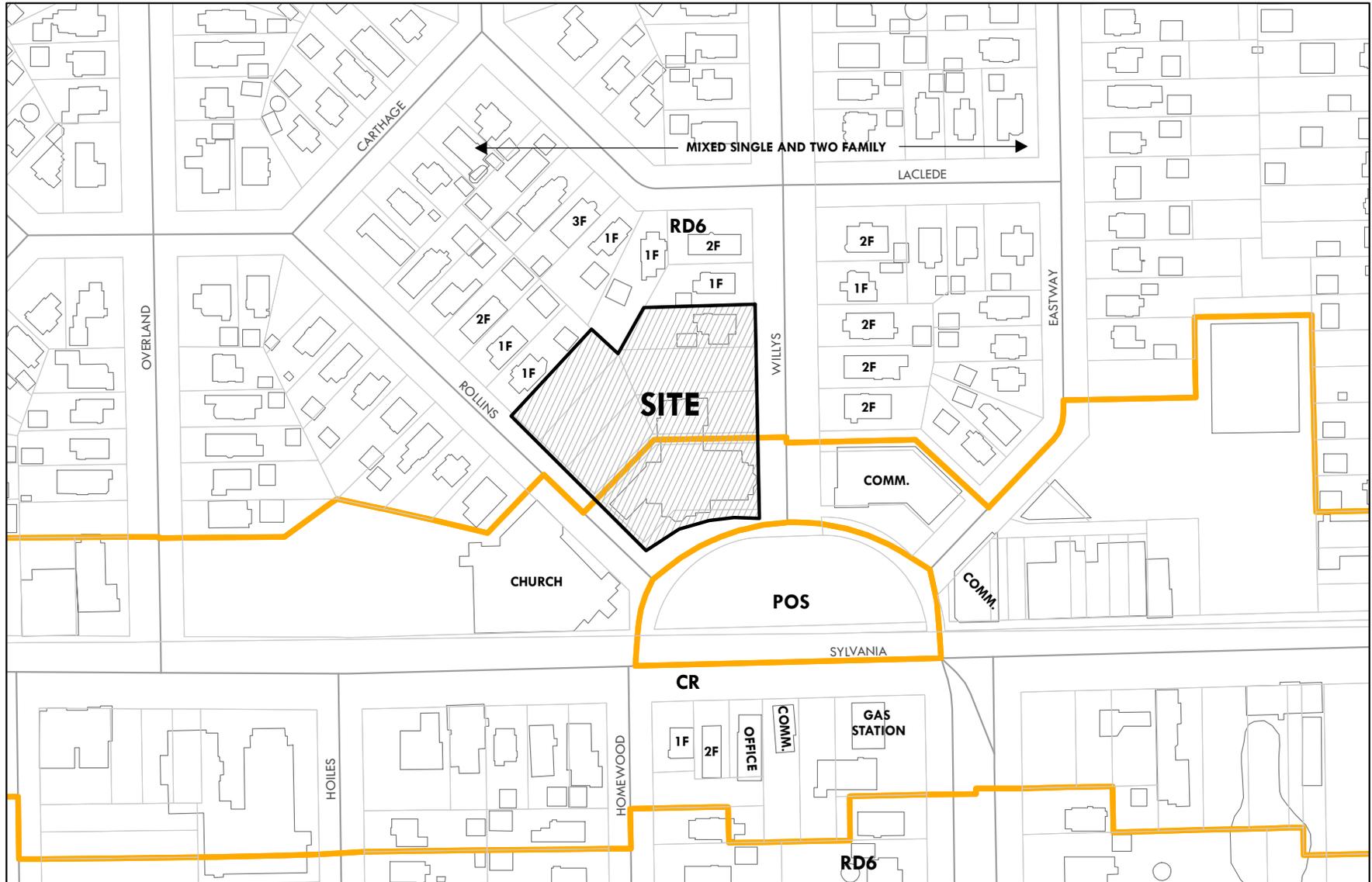


# ZONING & LAND USE

Z-8005-13  
ID 37



8 - 10



# SITE PLAN

**SUP-8005-13**  
ID 37



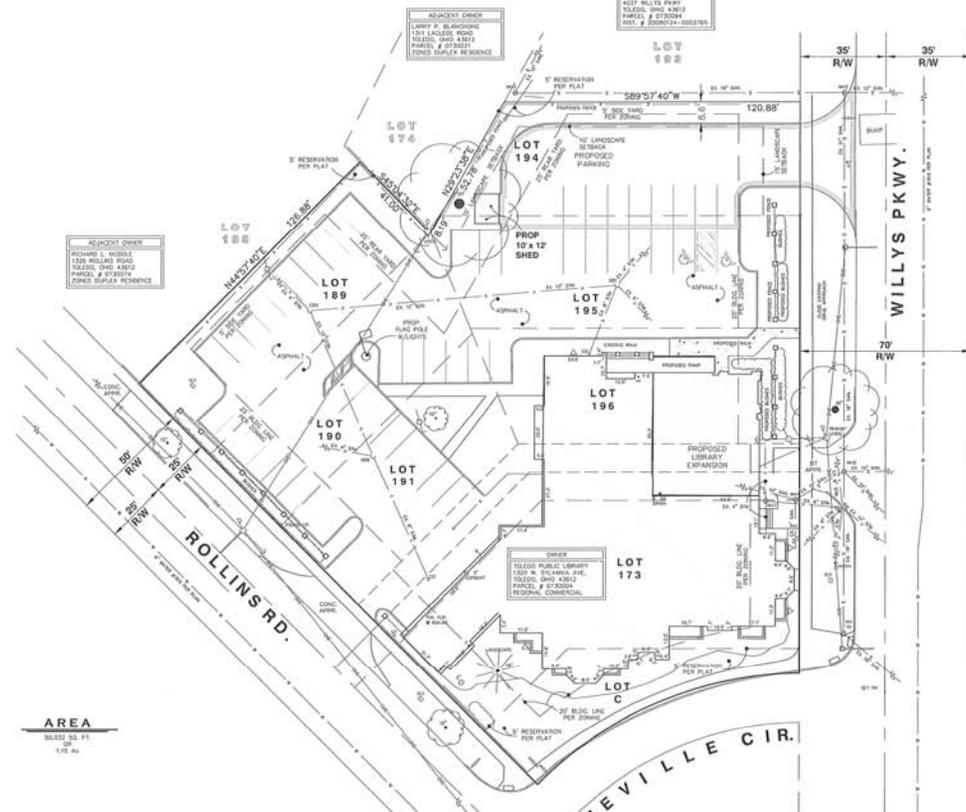
**SPECIAL USE PERMIT SITE PLAN AND VARIANCE FOR:**  
**WEST TOLEDO LIBRARY**  
LOTS 173, 189-191, 194-196 IN HOMEVILLE  
CITY OF TOLEDO, LUCAS COUNTY, OHIO

**ADDRESS**  
100 W. SILVER AVE.  
TOLEDO, OHIO 43604  
PARCEL # 073004

**LEGEND**

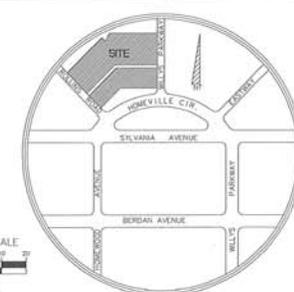
ELECTRIC	---
FIBER OPTIC	---
PIPE	---
CONCRETE	---
FOUNDATION LINE	---
CONCRETE	---
STAIN	---
TELEPHONE	---
WATER	---
FENCE	---
SEWER/EGG	---
DRAINAGE	---
RAILROAD	---
SLOPE	---
CATCH BASIN	---
CURB INLET	---
MANHOLE	---
YARD BASIN	---
WINDMILL	---
VALVE	---
FISHER POLE	---
GUY WIRE	---
TARD LIGHT	---
STREET LIGHT	---
TRAFFIC SIGNAL	---
ROLLING	---
CORNER	---
FLOOD LIGHT	---
WATER	---
BE SIGN	---
NON-PERMANENT SIGN	---
TRANSFORMER	---
DRIVER'S PARKING SPACES	---
WORKMAN, FORD	---
WORKMAN, SET	---
SURVEY MARKER (ROUND/SET)	---
COLLARED	---
DEEP	---
FOUND	---
MEASURED	---

**WARNING**  
UNDERGROUND CONDUITS IN AREA, CONTACT THE OHIO UTILITIES PROTECTION SERVICE (OUPS) TWO WEEKS BEFORE THE START OF EXCAVATION, REMOVAL OR CONSTRUCTION. (1-800-363-1784)  
CONTRACTOR SHALL IDENTIFY AND MARK ALL UTILITIES CONDUITS THAT DO NOT PARTICIPATE IN THE OUPS SYSTEM.



**AREA**  
3,522.33 SQ. FT.  
OR  
1.04 AC.

**FLOOD PLAIN**  
ZONE # - OUTSIDE THE 100 YEAR FLOOD PLAIN  
MAP # 200000000E  
EFFECTIVE AUGUST 16, 2011



- SITE MAP**  
NOT TO SCALE
- LEGAL DESCRIPTION**  
LOTS 173, 189-191, 194-196 IN HOMEVILLE CITY OF TOLEDO, LUCAS COUNTY, OHIO PARCEL # 073004
- PARKING**  
EXISTING: 44 SPACES  
PROPOSED: 48 SPACES
- VARIANCE**  
HE HEREBY REQUESTS A VARIANCE FOR THE REQUIRED SIDE YARD AND REAR YARD LANDSCAPE AS INDICATED ON THE SITE PLAN.

**ZONING**  
ZONED: RD-A, DUPLEX RESIDENCE  
REFER TO ZONING CODE 118.0205  
FRONT YARD REED: 20'  
REAR YARD REED: 20'  
SIDE YARD REED: 5' MINIMUM WITH AN AVERAGE OF 12'  
ACCESSORY STRUCTURE  
FRONT YARD SETBACK: 60' (118.02014)  
SIDE YARD SETBACK: 2' (118.02014)  
REAR SETBACK: 20' (118.02014)  
MAX. COVERAGE BY AN ACCESSORY BUILDING: 20% OF REAR YARD (118.02014)  
MAX. WINDOW COVERAGE IN SIDE YARD REAR YARD (118.02014)  
LANDSCAPING REQUIREMENTS  
MIN. FENCE/HALL: 40'  
MIN. YARD FENCE/HALL: 20'  
FENCE/RAIL: 12'

**PLAN PREPARED BY:**  
LEWANDOWSKI ENGINEERS  
CIVIL ENGINEERS & SURVEYORS  
THE CHIEF BLDG 234 N. ERNE ST.  
TOLEDO, OHIO 43604  
V: 419.258.4111 F: 419.258.4112  
LEWANDOWSKIENGINEERS.COM

**ZONING**  
ZONED: OR - RESIDENTIAL CONDOMINIUM  
FRONT YARD REED: 20' EXCEPT INCREASING TO 30 FEET FOR PROPERTIES OVER 5 ACRES AND FOR MORE THAN 500 FEET OF FRONTAGE  
SIDE/REAR YARD REED: MIN. AS APPLICABLE OTHER C OR 1 DISTRICTS: NONE  
SIDE/REAR YARD REED WITH ADJUTING REAR LOT USE OR RESIDENTIAL: A: 100% FOR EVERY 4' OF BUILDING HEIGHT AND 10' OF SETBACK  
SIDE/REAR YARD REED WITH ADJUTING SIDE LOT USE OR RESIDENTIAL: A: 100% FOR EVERY 4' OF BUILDING HEIGHT AND 10' OF SETBACK  
BUILDING HEIGHT: 40' MAX  
BUILDING COVERAGE: 80% MAX  
PARKING REQUIREMENTS VARY BASED UPON USE PER TOLCO CODE 110.0300  
PER ALLIANCE - RESIDENTIAL-URBAN COUNTY PLAN COMMISSION - 419-246-1200

**LEWANDOWSKI ENGINEERS**  
CIVIL ENGINEERS & SURVEYORS  
THE CHIEF BLDG 234 N. ERNE ST.  
TOLEDO, OHIO 43604  
V: 419.258.4111 F: 419.258.4112  
LEWANDOWSKIENGINEERS.COM

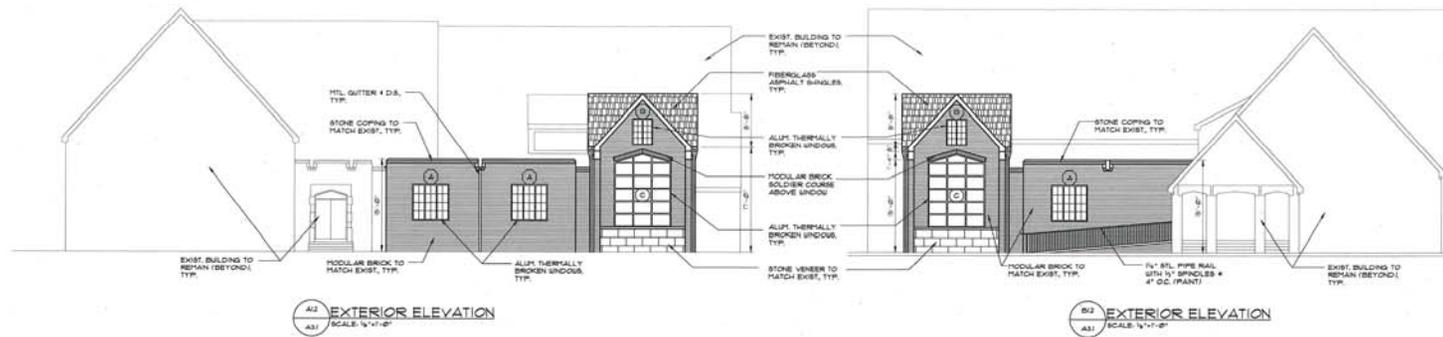
**SPECIAL USE PERMIT SITE PLAN FOR: WEST TOLEDO LIBRARY**  
LOTS 173, 189-191, 194-196 IN HOMEVILLE CITY OF TOLEDO, LUCAS COUNTY, OHIO

DATE: 08/15/2013  
DRAWN: JAC  
CHECKED: TMS  
BOUNDARY: MCL  
TOLCO: SPT  
UTLITIES: JEA

SCALE: 1"=20'  
DWG # 46153  
DWG # 46153  
AUTOCAD REL: 2004  
QIS: ARCOVER 8.2

# ELEVATION

SUP-8005-13  
ID 37



RENDERING FOR ELEVATION

ADDITION & RENOVATIONS  
FOR  
WEST TOLEDO BRANCH LIBRARY  
TOLEDO-LUCAS COUNTY PUBLIC LIBRARY  
TOLEDO, OHIO



REVISION SCHEDULE

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ISSUE DATE: 08/19/13

JOB NUMBER: 112312

DESIGN DEVELOPMENT

A3.1

**GENERAL INFORMATION**

Subject

- Request - Zone Change from RM36 Multi Dwelling Residential to CR Regional Commercial
- Location - 527 Nebraska Avenue
- Applicant - Herman McCardell  
8524 Jerusalem Road  
Curtice, OH 43412

Site Description

- Zoning - RM36 / Multi Dwelling Residential District
- Area - ± .495 acres
- Frontage - ± 170' on Nebraska Avenue
- Existing Use - Restaurant
- Proposed use - Restaurant

Area Description

- North - Residential / RM36
- East - Residential / RM36
- South - Residential / RM36
- West - Commercial / CR

Parcel History

No case history on file.

Applicable Regulations

Toledo Municipal Code, Part Eleven: Planning and Zoning  
Toledo 20/20 Comprehensive Plan

**STAFF ANALYSIS**

The request is for a zone change from RM36 Multi Dwelling Residential to CR Regional Commercial for the site at 527 Nebraska Avenue. The site has historically been used for commercial purposes and is presently occupied by a restaurant. Surrounding land uses include single-family residences to the North, South and East and commercial developments to the West. These non-residential developments include a convenience store, funeral home and a church.

**STAFF ANALYSIS (cont'd)**

The applicant is requesting a zone change for the purpose of installing a freestanding sign at the site. Freestanding signs are not permitted in residential districts. The Regional Commercial District allows for freestanding signs of varying heights. Sign height is based on the speed limit and right-of-way width. Nebraska Avenue, in this area, has a speed limit of 35 mile per hour. According the Department of Building and Inspection, free-standing signs are limited to 30 feet in height at this speed and right-of-way width.

The Toledo 20/20 Comprehensive Plan targets this area for single-family residential land uses. However, Staff recommends approval of the zone change request for the following reasons. First, this area of Nebraska Avenue is increasingly commercial in nature and the Toledo 20/20 Comprehensive Plan identifies the area immediately to the West as neighborhood commercial. Second, the proposed zoning is not out of character with the zonings of surrounding properties. Finally, the zone change will bring a legal non-conforming use into compliance with the zoning code. As a result, the proposal meets the purpose and all applicable provisions of the zoning code as outlined in TMC 1111.0706 Review and Decision-making Criteria.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z-7002-13, a zone Change from RM36 Multi Dwelling Residential to CR Regional Commercial for the property located at 527 Nebraska Avenue to Toledo City Council for the following three (3) reasons:

1. The request is similar to existing land uses within the general vicinity of the subject property (TMC 1111.0606.B Review & Decision-Making Criteria).
2. The proposed zone change is consistent with the zoning classification of properties within the general vicinity of the site (TMC §1111.0606.C Review & Decision-Making Criteria).
3. The zone change will bring a legal non-conforming use into compliance with the zoning code.

ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-7002-13  
DATE: September 12, 2013  
TIME: 2:00 P.M.

REF: Z-7002-13. . .September 12, 2013

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE

DATE: October 16, 2013

TIME: 4:00 P.M.

BH/bp

Two (2) sketches follow

# GENERAL LOCATION

Z-7002-13  
ID 13

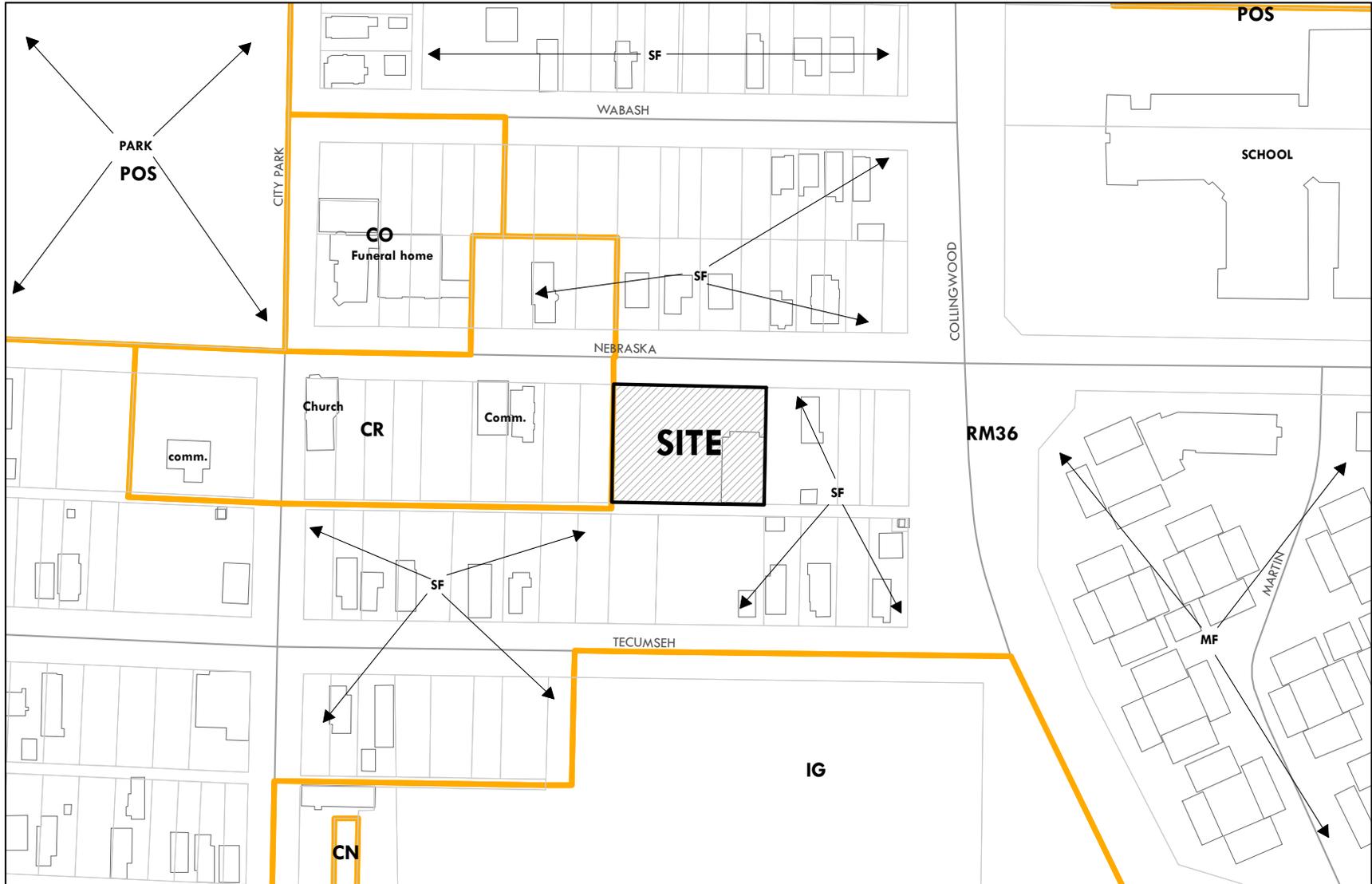


# ZONING & LAND USE

Z-7002-13  
ID 13



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**GENERAL INFORMATION**

Subject

- Request - Zone Change from IG General Industrial to CR Regional Commercial
- Location - 5707 & 5727 Enterprise Blvd.
- Applicant - Blu Transfuels, LLC  
Brad Whitaker  
3760 Commons Lane  
Salt Lake City, UT 84104
- Contact - Blu Transfuels, LLC  
Jason Evans  
3760 Commons Lane  
Salt Lake City, UT 84104
- Engineer - Weihe Engineers  
Brad Schoeff  
10505 North College Ave  
Indianapolis, IN 46280

Site Description

- Zoning - IG / General Industrial District
- Area - ± 5.478 acres
- Frontage - ± 400' on Enterprise Blvd
- Existing Use - Diesel Fueling Facility
- Proposed use - Natural Gas and Diesel Fueling Facility

Area Description

- North - Urgent Care Medical Facility / CR
- East - Undeveloped / CR
- South - Warehouse Distribution Facility/ IG
- West - Mobile Home Park / C-2 (Washington Twp.)

Parcel History

- SUP-7006-13 - Special Use Permit for the construction of a natural gas fueling facility (Companion Case)

**GENERAL INFORMATION (cont'd)**

Applicable Regulations

Toledo Municipal Code, Part Eleven: Planning and Zoning  
Toledo 20/20 Comprehensive Plan

**STAFF ANALYSIS**

The applicant is requesting a zone change from IG General Industrial to CR Regional Commercial for a site located at 5707 and 5727 Enterprise Blvd. The 5.5-acre site consists of two (2) lots at the southwest corner of Enterprise Blvd. and Alexis Road. The site is currently zoned IG General Industrial. A companion special use permit accompanies this case.

The applicant is requesting the zone change to expand the existing five (5)-island diesel fueling facility currently located at 5727 Enterprise Blvd. This facility will remain and four (4) natural gas fuel islands and a canopy will be added to the property at 5707 Enterprise Blvd. Additionally, a 160 ft<sup>2</sup> control building, a 200 ft<sup>2</sup> restroom and an 80 ft<sup>2</sup> compressor building will be constructed on site.

Surrounding land uses include Silver Creek to the North and West, a vacant commercial lot to the East and a distribution/warehousing facility to the South. A mobile home park is located across Silver Creek to the West. Enterprise Blvd. is predominantly trucking and industrial in nature. Pursuant to TMC §1102.1000, the CR zoning district is intended to accommodate auto-oriented commercial development in areas already built in this manner and to accommodate community and regional-oriented commercial uses.

The Toledo 20/20 Comprehensive Plan targets this area for heavy industrial uses. However, the proposed zoning is consistent with the zoning of the properties at the remaining three (3) corners of the intersection of Alexis Rd. and Enterprise Blvd. As a result, the proposal meets the purpose and all applicable provisions of the zoning code as outlined in TMC 1111.0706 Review and Decision-making Criteria.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z-7005-13, a zone Change from IG General Industrial to CR Regional Commercial for the property located at 5707 Enterprise Blvd. to Toledo City Council for the following two (2) reasons:

1. The proposed zone change is consistent with the zoning classification of properties within the general vicinity of the site (TMC §1111.0606.C Review & Decision-Making Criteria).

**STAFF RECOMMENDATION** (cont'd)

2. The rezoning will not detrimentally affect properties within the vicinity of the subject property (TMC 1111.0606.E Review & Decision-Making Criteria).

ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-7005-13  
DATE: September 12, 2013  
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: October 16, 2013  
TIME: 4:00 P.M.

BH/bp

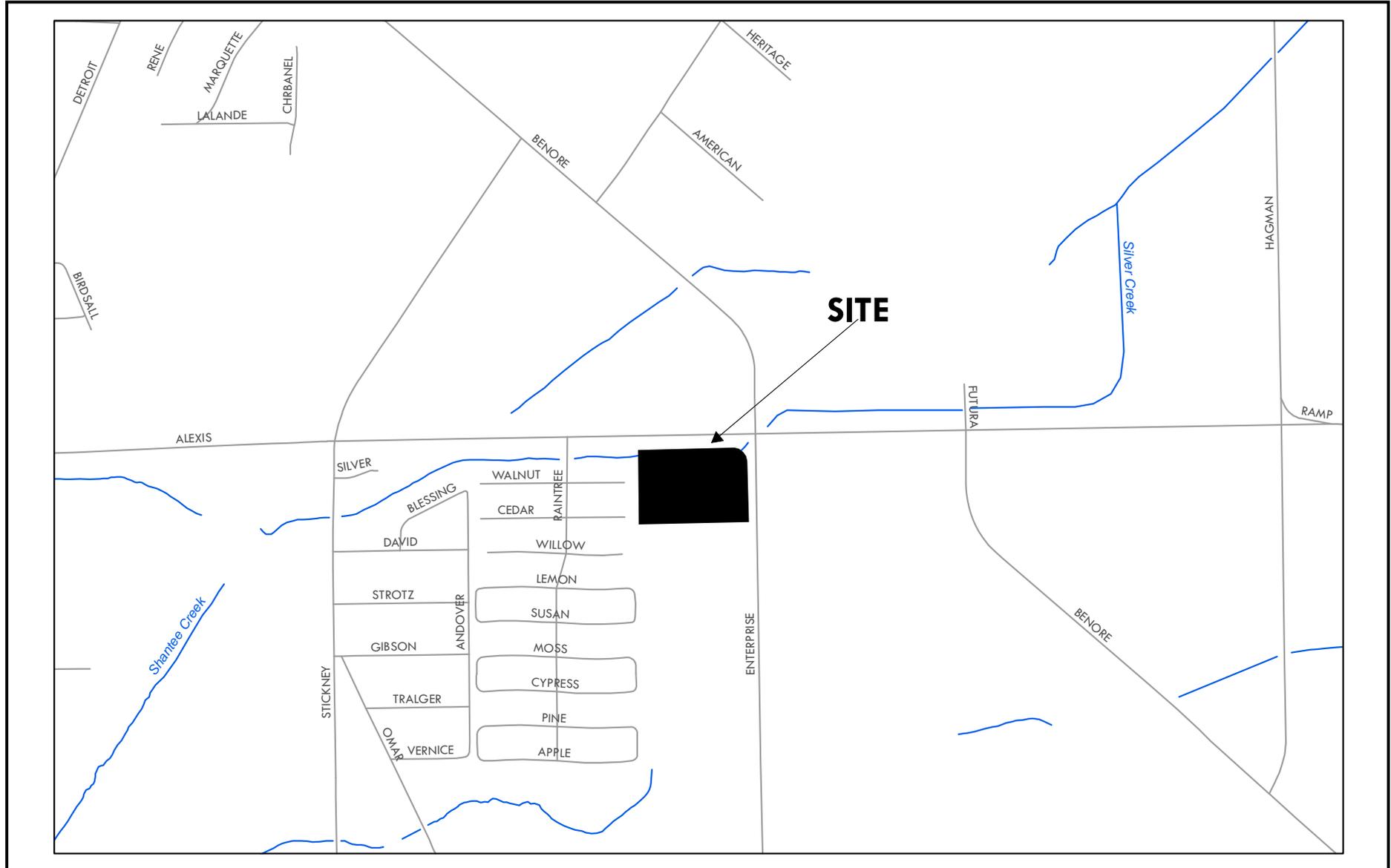
Two (2) sketches follow

# GENERAL LOCATION

Z-7005-13  
ID 60

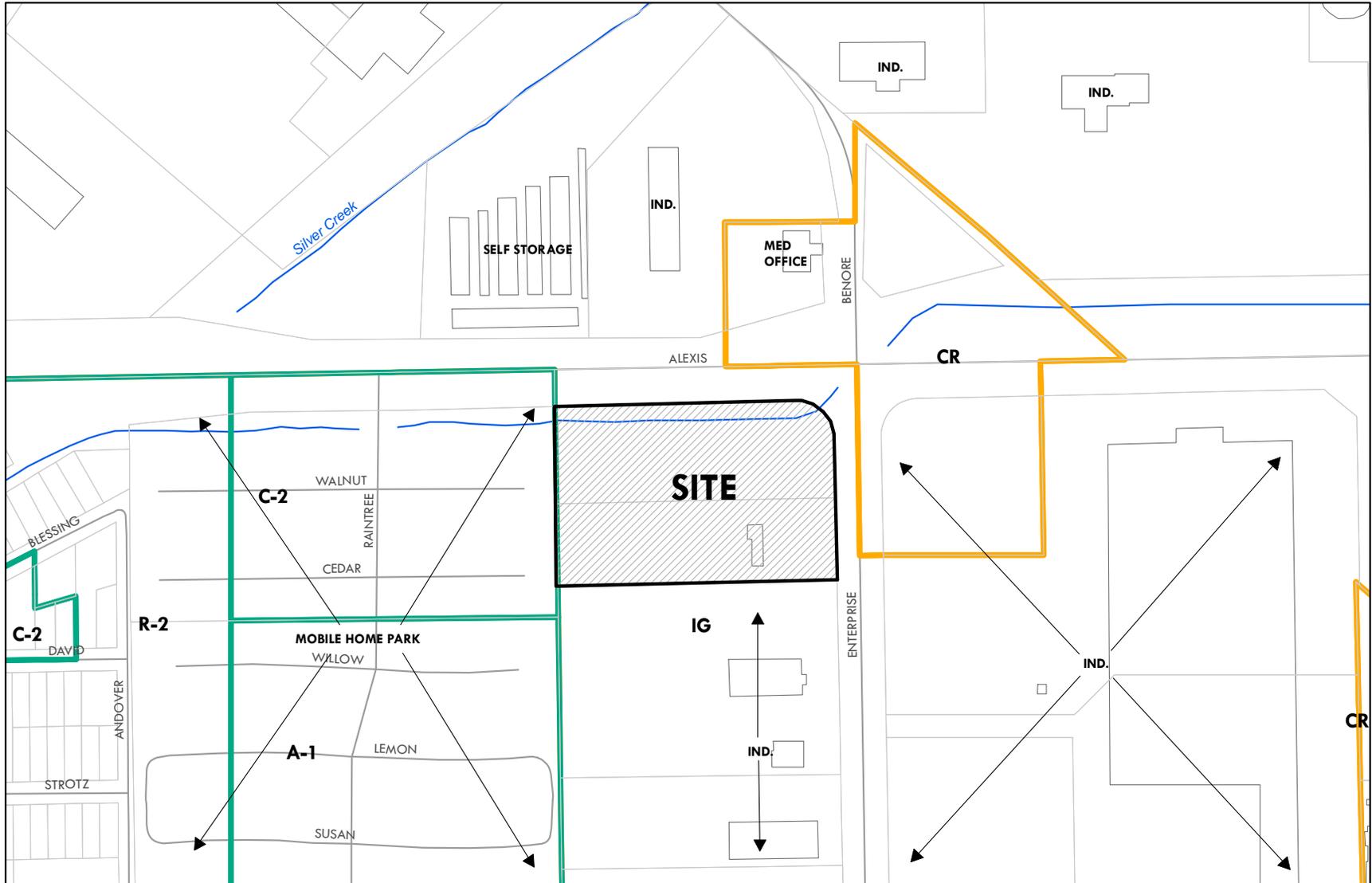


10 - 4



# ZONING & LAND USE

Z-7005-13  
ID 60



10 - 5

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**GENERAL INFORMATION**

Subject

- Request - Special Use Permit for the Construction and Operation of a Natural Gas Fueling Facility.
- Location - 5707 & 5727 Enterprise Blvd.
- Applicant - Blu Transfuels, LLC  
Brad Whitaker  
3760 Commons Lane  
Salt Lake City, UT 84104
- Contact - Blu Transfuels, LLC  
Jason Evans  
3760 Commons Lane  
Salt Lake City, UT 84104
- Engineer - Weihe Engineers  
Brad Schoeff  
10505 North College Ave  
Indianapolis, IN 46280

Site Description

- Zoning - IG / General Industrial District
- Area - ± 5.478 acres
- Frontage - ± 400' on Enterprise Blvd
- Existing Use - Diesel Fueling Facility
- Proposed use - Natural Gas and Diesel Fueling Facility
- Required Parking - 9 spaces
- Proposed Parking - 11 spaces (includes spaces at dispensers)

Area Description

- North - Urgent Care Medical Facility / CR
- East - Undeveloped / CR
- South - Warehouse Distribution Facility/ IG
- West - Mobile Home Park / C-2 (Washington Twp.)

**GENERAL INFORMATION (cont'd)**

Parcel History

Z-7005-13 - Zone Change from IG General Industrial to CR Regional Commercial (Companion Case)

Applicable Plans and Regulations

Toledo Municipal Code Part Eleven: Planning and Zoning  
Toledo 20/20 Comprehensive Plan

**STAFF ANALYSIS**

The applicant is requesting a special use permit for a fueling facility to be located at 5707 Enterprise Blvd. The 5.5-acre site consists of two (2) lots at the southwest corner of Enterprise Blvd. and Alexis Road. The site is currently zoned IG General Industrial. A companion zone change accompanies this case.

A five (5)-island diesel fueling facility currently exists on the property at 5727 Enterprise Blvd. This facility will remain and four (4) natural gas fuel islands and a canopy will be added to the property at 5707 Enterprise Blvd. Additionally, a 160 ft<sup>2</sup> control building, a 200 ft<sup>2</sup> restroom and an 80 ft<sup>2</sup> compressor building will be constructed on site. A special use permit is required as the proposed expansion is greater than ten (10) percent.

The site will be access via two (2) curb cuts from Enterprise Blvd., one (1) of which currently exists Two (2) parking spaces will be added toward the northeast corner of the site. One (1) of these is an ADA accessible space.

According to the applicant, natural gas provides a cleaner and cheaper alternative to conventional diesel uses. The byproducts produced by natural gas combustion are similar to those produced in breathing, water and CO<sub>2</sub>. The operation will require trained professionals to dispense the natural gas. As a result, a trained employee will be located on-site during hours-of-operation. The clientele is currently limited to semi-based trucking operations with corporate accounts set-up with the applicant. Due to the unique nature of the facility, the standard gas hours-of-operation, free air and the outdoor non-petroleum display criteria will not be applied. In the event the applicant proposes to develop a convenience store in the future, a special use permit will be required.

**STAFF ANALYSIS** (cont'd)

Landscaping has been included on the site plan for review. A tree lined creek borders the property to the North and West providing existing tree credits. Existing trees located at the southeast corner of the site and along with the southern property line, provides further tree credits. The parking spaces orientated toward the street will require a frontage greenbelt to insure vehicle headlights do not project onto Enterprise Blvd. The existing landscaping and the planting requirements of a frontage greenbelt will provide the appropriate landscaping requirement for the site.

Building and canopy elevations have been submitted for review and recently revised to comply with TMC§1109.0501. The applicant had originally proposed to use an EIFS (Exterior Insulation and Finish Systems) based exterior building material for the proposed buildings. Pursuant to TMC§1109.0501 Facades visible from public right-of-ways must be comprised of at least seventy-five (75%) percent “high quality” materials and no more than fifteen (15%) of right-of-way visible facades may be comprised of EIFS materials. In addition, TMC§1104.0900 provides location and general designs requirements for canopies and dispensers. The canopy columns are required to be brick or other durable material compatible with the principal building. The canopy should also be consistent with the materials and colors of the principal building. The revised elevations indicate the canopy will have cultured stone wrapped columns and the buildings will also include the same cultured stone along the base and neutral colored stucco for the remaining portion of the building. As a result, the proposed canopy and buildings appear to comply with the TMC design guidelines.

The Toledo 20/20 Comprehensive Plan targets this area for heavy industrial uses. The proposed use is consistent with the land uses of nearby properties. Based on the trucking nature of the proposed use and its location, the proposal meets the purpose and all applicable provisions of the zoning code as outlined in TMC 1111.0706 *Review and Decision-making Criteria*.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-7006-13, a special use permit for the construction and operation of a natural gas fueling facility, located at 5707 Enterprise Blvd., to Toledo City Council for the following two (2) reasons:

1. The request is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use's operation) (TMC 1111.0706.C Review & Decision-Making Criteria);
2. The proposed use complies with all applicable provisions of this Zoning Code (TMC 1111.0706.B Review & Decision-Making Criteria); and

**STAFF RECOMMENDATION** (cont'd)

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-7006-13, a special use permit for the construction and operation of a natural gas fueling facility, located at 5707 Enterprise Blvd., to the Toledo City Council, subject to the following thirty-five (35) conditions:

Engineering Services

1. All existing substandard sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced/upgraded to conform to current City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
2. All proposed sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.
3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. No horizontal curb cutting will be permitted to create a curb drop/opening.
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.

Contact Scott Bishop at (419) 936-2756 for inspection of above-mentioned items.

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
6. Plans for water services 4-inch diameter and larger shall be submitted to the Division of Engineering Services for review and approval.
7. Contact the City of Toledo Fire Prevention Bureau to determine if a fire line is needed for this site.
8. Maintain 10 feet of horizontal clearance between proposed water service and sanitary or storm sewers. Maintain 4 feet of horizontal clearance between proposed water service and any other underground utility. Maintain 18 inches of vertical clearance between proposed water service and any underground utility.
9. Contact the Division of Water Distribution for installation requirements for backflow preventers.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

10. New fire, domestic, and irrigation taps will be installed by City of Toledo at the owner's/developer's expense.
11. A detailed site-grading plan for this project shall be submitted for approval. The plan shall show the adjacent topography and grades for the land abutting the proposed development for a distance of approximately one hundred feet (100') from the development boundaries if requested. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
12. Storm drainage service for this site is available subject to: the Criteria and Regulations of The Departments of Public Utilities and Public Service; The Toledo Municipal Code, including but not limited to Chapters 941, 1110, and 1107; The Toledo City Charter; The "Subdivision Rules & Regulations" of Toledo-Lucas County Plan Commissions; City of Toledo Infrastructure Design and Construction requirements; and "The Comprehensive Ditch Plan." All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA. Stormwater detention will be required in accordance with the above.
13. No construction work, including grading, will be permitted without approved plans and inspection.
14. Being in or adjacent to a flood hazard zone, this area is subject to Toledo Municipal Code, Chapter 1110, which must be complied with in full.
15. Dredging, filling, clearing, or otherwise altering wetlands is prohibited without first providing proof of compliance with the following permits: Section 401 of the Clean Water Act, Ohio EPA Isolated Wetland Permit, and Section 404 of the Clean Water Act. If a permit does not apply, provide a letter from a qualified professional certifying that they have surveyed the site and determined that the permit is not applicable. All certifications and delineations shall include written concurrence from the U.S. Army Corps of Engineers and/or Ohio EPA, as appropriate, in accordance with protocols currently accepted by the U.S. Army Corps of Engineers.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

16. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at: <http://www.ci.toledo.oh.us/Departments/PublicUtilities/DivisionofEngineeringServices/PlanReviewProcess/tabid/355/Default.aspx>. It is advised that consulting engineers, architects, and developers contact the Department of Public Utilities, Division of Engineering Services to set up a pre-submittal meeting. This meeting is suggested so that there is a full understanding of the City of Toledo requirements for the sanitary, storm, water, and roadway utilities. This understanding will in turn help to eliminate costly design time, revisions to drawings, and delays in plan reviews and help to speed-up the plan-approval process.

Contact Information is as follows:

Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850

Sanitary Sewers: Mike Elling, ph. 419-936-2276

Stormwater Drainage: Lorie Haslinger, ph. 419-245-3221

Water: Andrea Kroma, ph. 419-936-2163

Roadway: Doug Stephens, ph. 419-936-2279

17. Post-construction storm water Best Management Practices shall be incorporated into the design to provide treatment of runoff prior to discharging into the City system. Designs incorporating low-impact development solutions, such as grassy swales and bio-retention areas in lieu of curb, storm sewers, and underground detention, are encouraged and often much less costly. Designs incorporating wet ponds, extended detention, bioretention, or grassy swales are eligible for a 30 percent reduction in the property's stormwater utility fee.

18. To allow for maintenance access, structures, permanent fences, walls, or other obstructions are not permitted within 12 feet of the top of bank or ordinary high water mark of Shantee Creek or within the floodway. Clearing of vegetation/storage of materials/development within 40 feet of the ordinary high water mark of Shantee Creek is discouraged due to impacts on water quality.

19. Sanitary sewer service for this development is available, subject to the Rules and Regulations of the Department of Public Utilities.

20. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

21. Work in the area around the existing pump station shall be coordinated with the Division of Water Reclamation and meet their requirements for access and maintenance of the facility.
22. Any sanitary sewer manholes in or near pavement shall have solid lids installed on them.

Sewer & Drainage Services

No objections or concerns.

Fire Prevention

No objections or concerns.

Building Inspection

23. The 100-year floodway and floodway fringe of Silver Creek is located on the property. Any development of this portion of the site will require construction documents showing the construction and installations to be in compliance with Toledo Municipal Code§1110. At the least it is advised that a floodplain development permit be secured.
24. Any structural, mechanical or electrical installations must be in compliance with the building, mechanical and fire codes of the City of Toledo and by referenced standards, those of the State of Ohio. Construction documents stamped by a licensed design professional showing such installations in detail may be submitted to the Division of Building Inspection of plan review and approval.
25. Any support systems for fuel transmission lines shall be shown in stamped construction documents submitted to the Division of Building Inspection for plan review, permitting and inspection. The same can be said for electrical service connectors and/or distributions feeds, fueling islands and canopies.
26. Any fencing must comply with the standards regulation fences found in the Toledo Municipal Code§1105. All fences require a Certificate of Zoning Compliance. Fences greater than six (6') foot in height require a building permit and musty comply with the Ohio Building Code.

**STAFF RECOMMENDATION** (cont'd)

Division of Transportation

No objections or concerns.

Plan Commission

27. The applicant shall submit revised elevations that indicate the percentages and colors of materials to be used on all building and canopies.
28. A dumpster location(s) shall be noted on a revised site plan and have a concrete pad surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks.
29. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping areas.
30. Flat lens lighting shall be used for all outside lighting, including canopies.
31. The canopy and/or pump islands shall be subject to the setback and design standards as outlined in TMC§1104.0903. Canopy shall be setback a minimum of ten (10) feet from the property line. Canopy support columns shall be brick or brick base or other durable material compatible with the principal building
32. A detailed site, lighting, sign, fencing and landscaping plan, for the new parking lot, shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. Topsoil must be back filled to provide positive drainage of the landscape area; shall be noted on revised landscape plan; **acceptable as depicted on plan.**
  - b. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards; shall be noted on revised landscape plan; **shall be noted on revised landscape plan.**
  - c. A frontage greenbelt shall be installed between the new parking area and Enterprise Blvd. Frontage greenbelt shall not be located within the right-of-way and must include a solid evergreen hedge with canopy trees for every thirty (30') feet of frontage, canopy trees are not required to be evenly spaced; **shall be noted on revised landscape plan.**

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

- d. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage; shall be noted on revised landscape plan; **acceptable as depicted on plan.**
  - e. The location, height and materials for any fencing to be installed and maintained; **acceptable as depicted on plan.**
  - f. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); **shall be noted on revised landscape plan.**
  - g. The location, lighting and size of any signs; **acceptable as depicted on plan.**
33. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
34. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
35. No permits shall be issued until arrangements satisfactory to the Director of the Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

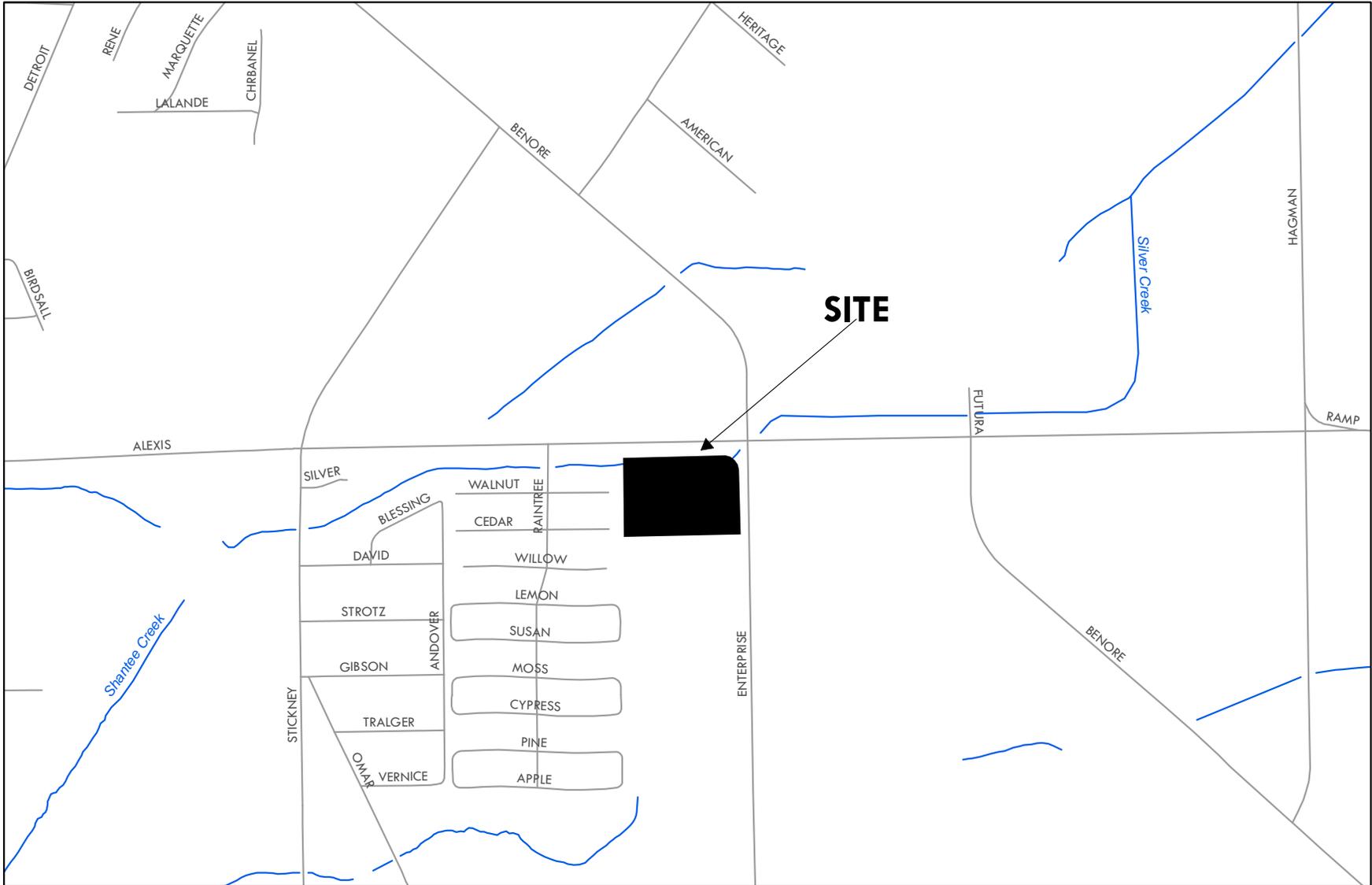
SPECIAL USE PERMIT  
 TOLEDO CITY PLAN COMMISSION  
 REF: SUP-7006-13  
 DATE: September 12, 2013  
 TIME: 2:00 p.m.

CITY COUNCIL PLANNING  
 AND ZONING COMMITTEE  
 DATE: October 16, 2013  
 TIME: 4:00 p.m.

BH/bp  
 Five (5) sketches to follow

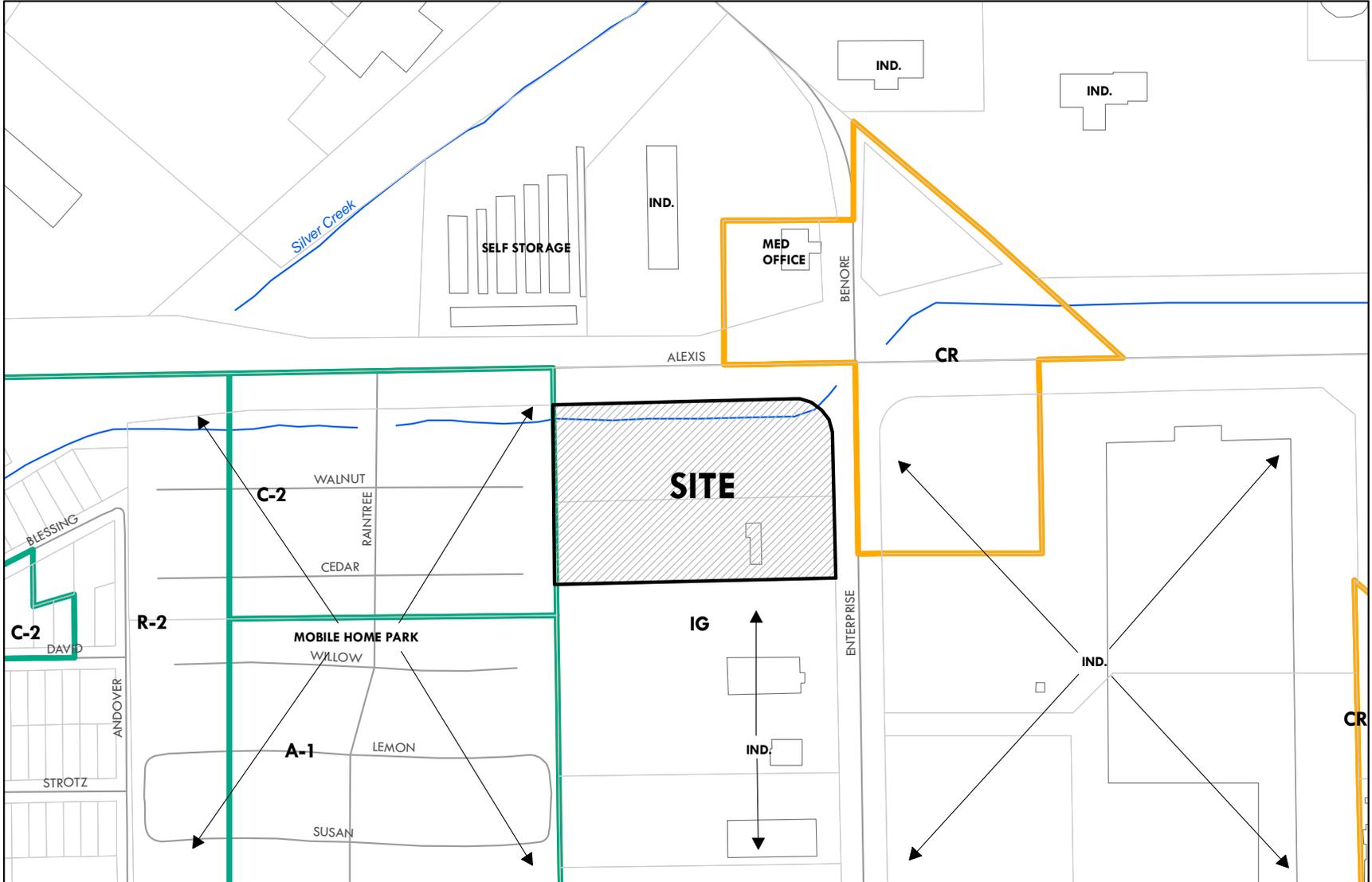
# GENERAL LOCATION

SUP-7006-13  
ID 60



# ZONING & LAND USE

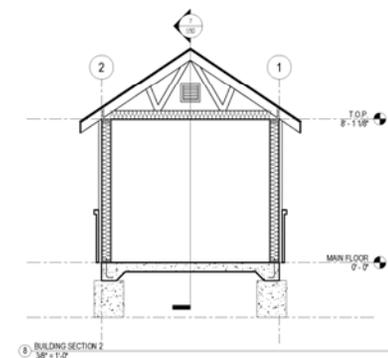
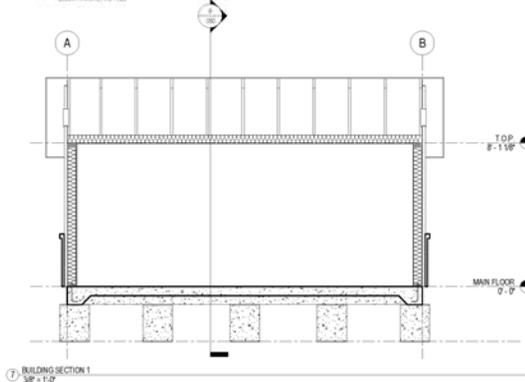
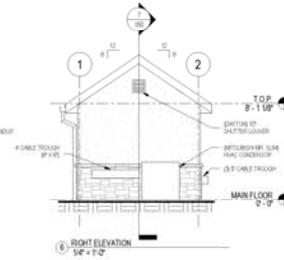
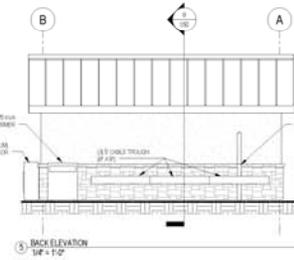
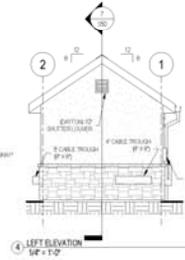
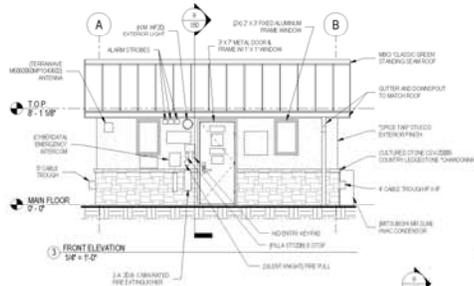
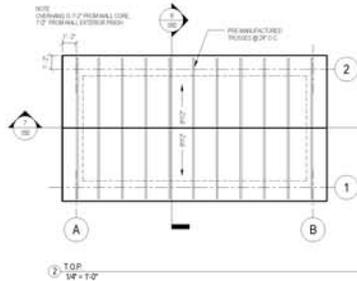
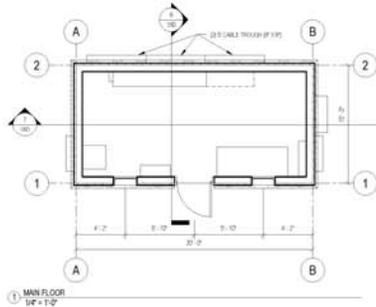
SUP-7006-13  
ID 60





# ELEVATION

**SUP-7006-13**  
ID 60



DATE OF DESIGN

DESIGNER'S NAME

ANYWHERE, USA

**TRANSEUELS LLC**  
3760 COMMONS LN  
SLC, UT 84104  
801-886-7200

**Bi.u.**

NATURAL GAS FUELING STATION

PROJECT NO.	REVISED DATE
DESIGNED BY	DESIGNED BY
CHECKED BY	CHECKED BY
DATE	REVISION / DESCRIPTION

CONTROL BUILDING

S50

8/22/2013 9:53:38 AM



**GENERAL INFORMATION**

Subject

- Request - Special Use Permit to raze and rebuild an existing convenience store.
- Location - 1702 W Laskey Road
- Applicant - NZR Realty  
4820 Monroe Street  
Toledo, Ohio 43623
- Engineer - Glass City Engineering & Surveying, LLC  
Bryan D. Ellis  
2105 Perth Street  
Toledo, OH 43607
- Architect - Rossi & Associates, LLC  
Scott Rossi  
970 S Byrne Road  
Toledo, OH 43609

Site Description

- Zoning - CR Regional Commercial District
- Area - ± 0.524 acres
- Frontage - ± 150' on Laskey Road  
± 150' on Jackman Blvd
- Existing Use - Gas Station with 730 sq. ft. Convenience Store
- Proposed use - Gas Station with 2,214 sq. ft. Convenience Store
- Required Parking - 16 spaces (includes spaces at dispensers)
- Proposed Parking - 18 spaces (includes spaces at dispensers)

Area Description

- North - Vacant Multi Tenant Shopping Center / CR
- East - Light Equipment Repairs / CR
- South - Miracle Mile Shopping Center / CR
- West - Multi Tenant Commercial Building / CR

**GENERAL INFORMATION (cont'd)**

Parcel History

- SUP-4-78 - Special Use Permit to construct a new kiosk, canopy, bathroom building, pumps and fuel islands (PC approved 3/23/78, Ord. 252-78 approved 4/25/78)
- SUP-110-84 - Special Use Permit to construct a new kiosk, canopy, pumps and fuel islands (PC approved 7/26/84, Ord. 620-84 approved 8/14/84)
- SUP-110-84 - Minor change to Special Use Permit to allow neon accent strip on canopy (PC approved 7/26/90, Ord. 889-90 approved 9/4/90)

Applicable Plans and Regulations

Toledo Municipal Code Part Eleven: Planning and Zoning  
Toledo 20/20 Comprehensive Plan

**STAFF ANALYSIS**

The applicant is requesting a special use permit to raze and rebuild a convenience store on a site located at 1702 W Laskey Road. The .524-acre site is zoned CR Regional Commercial and is developed with a 730 square foot convenience store and 10 fuel dispensers with canopy (6 fuel islands).

The applicant intends to demolish the convenience store and build a new 2,214 square foot building that will house the convenience store and one (1) retail unit for a future tenant. Staff has requested revised elevations and floor plans that outline the future tenant space. This will allow an accurate calculation of the required parking ensuring that code compliant parking is being provided. No change in the canopy is proposed, however, two (2) dispensers will be removed as part of this application. As a result, the site will have eight (8) dispensers on four (4) fuel islands.

## **STAFF ANALYSIS (cont'd)**

### Parking and Circulation

Pursuant to TMC§1107.0304 *Parking, Loading and Access* – Schedule A, a convenience store with fuel sales is required to have one (1) parking space per pump (counted as if parked at the pump) plus one (1) parking space per 300 square feet of customer area. The total number of parking spaces required (based on convenience store with fuel sales and general retail sales tenant space) equals sixteen (16) spaces. The site plan submitted depicts eighteen (18) parking spaces and is in compliance with the number of parking spaces required. In the event the tenant space is used by a development with a parking requirement different than one (1) space per 300 square feet of floor area, the overall site parking shall be recalculated.

### Landscaping

The site is existing and per TMC§1114.0500 *Appearance Upgrade for Nonconforming Development*, the applicant is only required to bring the landscaping closer into compliance with the 2004 zoning code. The site is large enough to accommodate a fifteen-foot (15') greenbelt along both the Jackman and Laskey Road frontages. The requirement for one (1) tree for every thirty feet (30') of linear frontage shall be applied to the frontage greenbelts. Additionally, staff recommends that the area of the proposed curb cuts to be closed per the site plan be landscaped with a fifteen-foot (15') frontage greenbelt. A landscape plan detailing the landscape materials, quantities and design will be required before final permits are granted.

### Building Design

Pursuant to TMC§1109.0501(A) *Building Design Standards* – Predominant exterior building materials shall be high-quality materials. Façades visible from the public right-of-way, must be comprised of at least seventy-five percent (75%) “High-quality” exterior building materials as listed in TMC§1109.0501 - *Façade Materials*. The elevation drawing indicates “founder’s brick” as the primary façade material and the utilization of a small amount of EIFS on the signboard. The EIFS products may not cover more than fifteen percent (15%) of right-of-way facing façade. Staff has requested the applicant submit a revised elevation that details the percentage of EIFS to be used on right-of-way facing façade.

### Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for regional commercial uses. The intent of the regional commercial designation is to accommodate auto-oriented commercial development in areas already built in this manner and to accommodate community and regional-oriented commercial uses. Based on the nature of the proposed use and its location, the proposal meets the purpose and all applicable provisions of the zoning code as outlined in TMC 1111.0706 *Review and Decision-making Criteria*.

## STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-8003-13, a special use permit to raze and rebuild an existing convenience store, located at 1702 W Laskey Road, to Toledo City Council for the following three (3) reasons:

1. The proposed use is consistent with the Toledo 20/20 Comprehensive Plan;
2. The request is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use's operation) (TMC 1111.0706.C Review & Decision-Making Criteria);
3. The proposed use complies with all applicable provisions of this Zoning Code (TMC 1111.0706.B Review & Decision-Making Criteria); and

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-8003-13, a special use permit to raze and rebuild an existing convenience store, located at 1702 W Laskey Road, to the Toledo City Council, subject to the following thirty-six (36) conditions:

### Engineering Services

1. All **existing standard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced/upgraded to conform to current City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines. All of the drive approaches along Laskey Road and Jackman Road do not meet the current standards listed above and shall be removed and replaced in order to be brought into compliance.
2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.
3. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. **No curb shall be permitted in the right-of-way along either side of a drive approach. No horizontal curb cutting will be permitted to create a curb drop/opening.**
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.

Contact Scott Bishop at (419) 936-2756 for inspection of above-mentioned items.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
6. If existing fire and domestic services are not to be reused, they shall be abandoned by the City of Toledo at the developer's expense.
7. Plans for new water service or modifications to existing water service shall be submitted to the Division of Engineering Services for review and approval.
8. Maintain 10 feet of horizontal clearance between proposed water service and sanitary or storm sewers. Maintain 4 feet of horizontal clearance between proposed water service and any other underground utility. Maintain 18 inches of vertical clearance between proposed water service and any underground utility.
9. Contact the Division of Water Distribution for installation requirements for backflow preventers.
10. New fire, domestic, and irrigation taps will be installed by City of Toledo at the owner's/developer's expense.
11. If existing public water facilities are in conflict and must be relocated, they will be relocated by the City of Toledo at the owner's cost.
12. Storm drainage service for this site is available subject to: the Criteria and Regulations of The Departments of Public Utilities and Public Service; The Toledo Municipal Code, including but not limited to Chapters 941, 1110, and 1107; The Toledo City Charter; The "Subdivision Rules & Regulations" of Toledo-Lucas County Plan Commissions; City of Toledo Infrastructure Design and Construction requirements; and "The Comprehensive Ditch Plan." All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA. Stormwater detention will be required in accordance with the above.
13. A detailed site-grading plan for this project shall be submitted for approval. The plan shall show the adjacent topography and grades for the land abutting the proposed development for a distance of approximately one hundred feet (100') from the development boundaries if requested. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
14. No construction work, including grading, will be permitted without approved plans and inspection.

**STAFF RECOMMENDATION (cont'd)**

Engineering Services (cont'd)

15. The existing site plan for this location does not show a 33” public storm sewer at the North property line. The proposed new building appears to be in conflict with the location of this sewer. The engineer is advised to investigate and verify the location of the public storm sewer. A minimum 20-ft-wide easement free of any structures, underground tanks and other obstacles is required for maintenance of this sewer.
16. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
17. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
18. If there are any existing structures to be demolished at the site, the sanitary services to such structures will be killed by the City of Toledo at the developers cost.

Sewer & Drainage Services

No concerns or objections.

Environmental Services

19. Applicant shall maintain compliance with the City of Toledo’s Sanitary Sewer Use Regulations as specified in the Toledo Municipal Code.
20. Applicant shall maintain compliance with the City of Toledo’s Stormwater Regulations as specified in the Toledo Municipal Code.
21. Applicant shall maintain compliance with the City of Toledo’s Air Quality Regulations as specified in the Toledo Municipal Code.
22. Applicant shall maintain compliance with the City of Toledo’s Underground Storage Tank Requirements as specified in the Toledo Municipal Code.

Fire Prevention

No concerns or objections.

**STAFF RECOMMENDATION (cont'd)**

Building Inspection

23. Demolition of the existing building will require a demolition permit issued from the City of Toledo through its Division of Building Inspection requiring termination of all utilities. Documentation from Columbia Gas and Toledo Edison/Energy One must be provided to Building Inspection that this has occurred. If the existing water and sewer taps are to be re-used, the applicant/contractor must identify this to the Department of Public Utilities and secure their release from the demolition permit to processed and issued.
24. Construction of the new gas station and convenience store will require construction documents stamped by a licensed design professional to be submitted to the Division of Building Inspection for review and approval showing the construction to be in compliance with the City of Toledo's building, mechanical and fire codes and, by referenced standards, those of the State of Ohio. Plans must identify the correct building type, use group, occupancy load, plumbing fixture count, egress and emergency egress location, emergency evacuation routes and other life-safety and ADA compliancy facilities, in accordance with the Administrative Code of the Ohio Building Code Chapter 106.

Division of Transportation

25. All existing unused drive approaches shall be completely removed and new curbs and sidewalks shall be installed in accordance with Coty of Toledo Construction Standards.

Plan Commission

26. The applicant shall submit revised elevations that indicate the tenant space use classification and the percentages and colors of materials to be used on all building and canopies.
27. A dumpster location(s) shall be noted on a revised site plan and have a concrete pad surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks.
28. Hours of operation are limited to 5:30 a.m. to 1 a.m., or other hours that are consistent with a liquor permit by the State of Ohio, per TMC§1104.0901(H) *Hours of Operation*.

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

29. Free air (with the capability of filling standard automobile tires), water, and restrooms shall be provided and maintained during operating hours of the station, per TMC§1104.0903(D).
30. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping areas.
31. Flat lens lighting shall be used for all outside lighting, including canopies.
32. Non-petroleum displays must be within twenty-five (25) feet of the building but not within twenty-five (25) feet of any right-of-way. The maximum height of such displays shall not exceed five (5) feet.
33. A detailed site, lighting, sign, fencing and landscaping plan, for the new parking lot, shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. Topsoil must be back filled to provide positive drainage of the landscape area; shall be noted on revised landscape plan; **shall be noted on landscape plan.**
  - b. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area; **shall be noted on landscape plan;**
  - c. Two canopy trees and six shrubs are required to be installed in interior landscape areas for each 10 parking spaces within the parking lot (existing trees may be used for credits; **shall be noted on landscape plan;**
  - d. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards; shall be noted on revised landscape plan; **shall be noted on landscape plan.**
  - e. A 15' frontage greenbelt is required along both the Laskey and Jackman Road frontages; the greenbelt shall include one (1) tree for every thirty feet (30') of lot frontage and a solid evergreen hedge to screen the parking lot; **shall be noted on landscape plan.**
  - f. Frontage greenbelt shall extend along the proposed westernmost Heatherdowns Blvd. curb cut if removed; **shall be noted on landscape plan**

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

- g. Foundation plantings are required along all main and secondary entrances of the building that are visible from the public right of way, and landscaping at all major building entrances. (TMC 1108.0205.B Landscaping and Screening; **Specifically,**
  - h. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage; shall be noted on revised landscape plan; **shall be noted on landscape plan.**
  - i. The location, height and materials for any fencing to be installed and maintained; **acceptable as depicted on plan.**
  - j. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); **shall be noted on landscape plan.**
  - k. The location, lighting and size of any signs.
34. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
35. Minor adjustments to the site plan that do not violate the above conditions or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
36. No permits shall be issued until arrangements satisfactory to the Director of the Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

SPECIAL USE PERMIT  
 TOLEDO CITY PLAN COMMISSION  
 REF: SUP-8003-13  
 DATE: September 12, 2013  
 TIME: 2:00 p.m.

CITY COUNCIL PLANNING  
 AND ZONING COMMITTEE  
 DATE: October 16, 2013  
 TIME: 4:00 p.m.

BH/bp  
 Four (4) sketches to follow

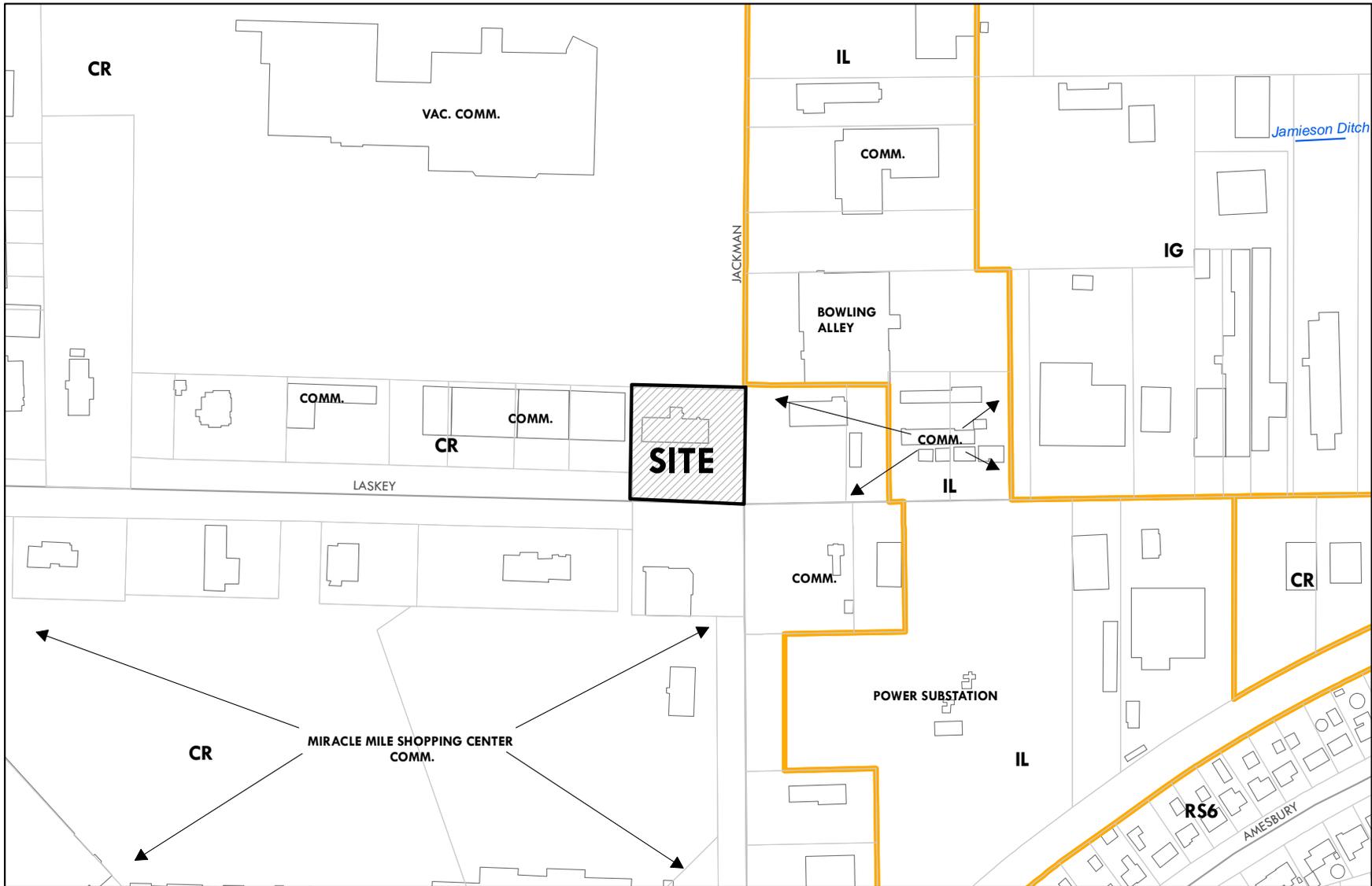
# GENERAL LOCATION

SUP-8003-13  
ID 56



# ZONING & LAND USE

SUP-8003-13  
ID 56



# SITE PLAN

**SUP-8003-13**  
ID 56



**PROPOSED SITE CONDITIONS:**

ZONING: CR, COMMERCIAL  
AREA: 0.524 AC. ±  
CURRENT USE: GAS STATION AND CONVENIENCE STORE

SITE WORK WILL BE TO REMOVE EXISTING SITE FEATURES AS NOTED, CONSTRUCT NEW CONVENIENCE BUILDING AND ADD ADDITIONAL PARKING SPACES. EXISTING UTILITIES WILL BE MODIFIED TO ACCOMMODATE NEW BUILDING. EXISTING CANOPY WILL REMAIN.

**BUILDINGS PROPOSED:**

BUILDING TOTAL AREA = 2,214 SF  
COOLER AND STORAGE AREA = 200 SF  
TOTAL CUSTOMER AREA = 2,014 SF

**BUILDINGS SETBACKS:**

BUILDING SETBACKS PER ZONING CODE IN CR ZONE (CODE 1106.0100)

FRONT BUILDING LINE: 20'  
SIDE: 0 ADJACENT C OR I ZONING, HOWEVER 10' ADJACENT TO RESIDENTIAL  
REAR: 0 ADJACENT C OR I ZONING, HOWEVER 15' ADJACENT TO RESIDENTIAL  
MAX. DWELLING HEIGHT: 45'  
MAX. DWELLING LOT COVERAGE: 85%

**PARKING SETBACKS:**

PARKING SETBACKS PER ZONING CODE CODE 1107.1202.B

PARKING SETBACK (FRONT): 15' (LESS THAN SAC)  
PARKING SETBACK (FRONT): 25' WITHIN 50' OF RESIDENTIAL (LESS THAN SAC)  
10' FROM ALL ITS DISTRICTS

**LANDSCAPING (1108)**

FRONTAGE GREEN BELTS

ONE TREE PER 30'  
SOLID EVERGREEN FRONT PARKING SCREENING  
FRONTAGE GREENBELT WIDTH: 15'  
LANDSCAPE BUFFER: TYPE A (10' WIDE WITH SOLID FENCE-TREES AND 15 SHRUBS IN 100')

DUMPSTER SCREENED BY SOLID FENCE 6' HIGH

**REQUIRED PARKING (CR ZONING)**

REQUIRED PARKING - GAS STATION

GAS SALES: 1 PER PUMP (CODE 1107.0304 SCHEDULE "A")  
FLOOR AREA: 1 PER 300 SF (CODE 1107.0304 SCHEDULE "A")

8 PUMPS TO REMAIN  
8 SPACES REQUIRED

OPEN SALES AREA: TOTAL 2,014 SF  
2,014 SF / 300 SF = 6.7 SPACES, USE 7 SPACES

TOTAL PARKING REQUIRED = 15 SPACES

REQUIRED ACCESSIBLE PARKING BY ADA (CODE 208 OF ADA) WITH BUILDING ADDITION  
TOTAL PARKING 1 TO 25 = 1 ACCESSIBLE SPACE (10%20) PER TABLE 208.2  
MINIMUM 1 IN 6 ACCESSIBLE SPACES MUST BE VAN ACCESSIBLE (9.1416)208.2.4 ADA CODE)  
TOTAL = 1 VAN ACCESSIBLE SPACE

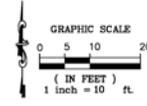
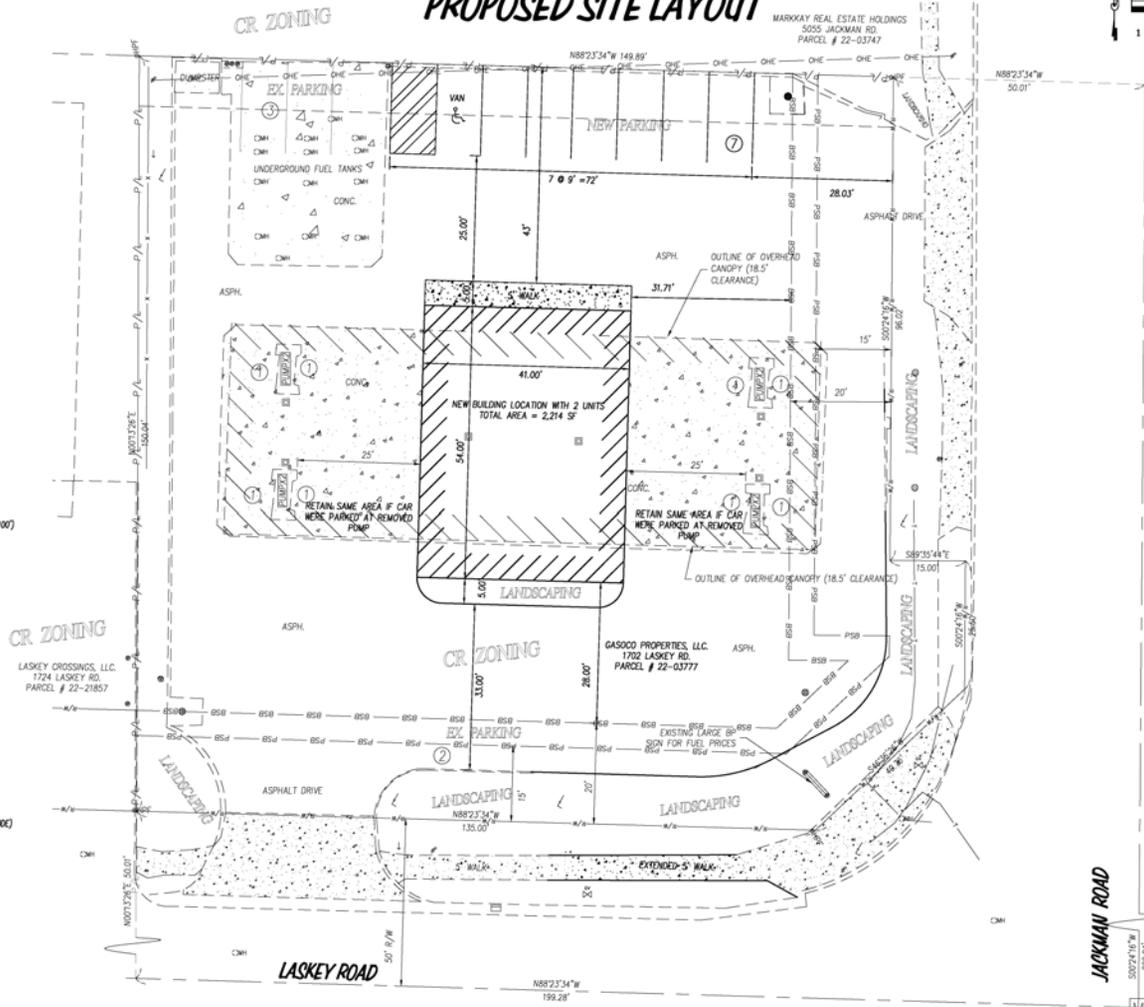
**PARKING REQUIRED:**

14 STANDARD SPACES + 1 VAN ACCESSIBLE = 15 TOTAL SPACES REQUIRED

**PARKING EXISTING:**

18 STANDARD SPACES + 1 VAN ACCESSIBLE = 19 TOTAL SPACES EXISTING

## SUP AMENDMENT REQUEST PROPOSED SITE LAYOUT



DATE	8-1-13
DESIGNED FOR	137 SOMERSON
NO.	2
REVISED BUILDING	

**GLASS CITY ENGINEERING & SURVEYING, LLC.**  
2105 PERTH ST.  
TOLEDO, OHIO 43607  
419-283-8362, FAX 419-639-9867  
EMAIL: BLACKBIRD\_1@MSN.COM

**BP GAS STATION**  
1702 LASKEY ROAD  
CITY OF TOLEDO, LUCAS CO. OH  
EXISTING SITE CONDITIONS

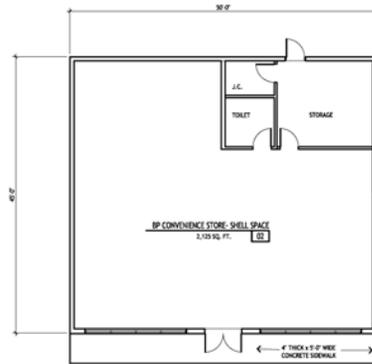
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JOB NUMBER: 543-1306  
REVIEWED BY: ECK

SP-2/2

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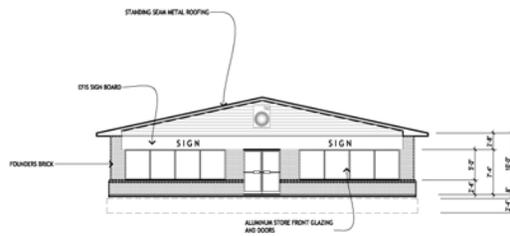
# ELEVATION

SUP-8003-13  
ID 56



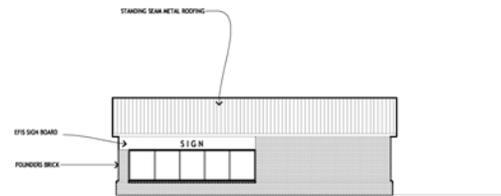
**FLOOR PLAN**

SCALE: 1/8" = 1'-0"



**WEST ELEVATION (FRONT FACING REYNOLDS RD.)**

SCALE: 1/8" = 1'-0"



**SOUTH ELEVATION (SIDE FACING HEATHERDOWNS BLVD.)**

SCALE: 1/8" = 1'-0"

ROSSI & ASSOCIATES, LLC  
ARCHITECTURE ENGINEERING PLANNING



2441 S. REYNOLDS ROAD  
TOLEDO, OH 43621

PH: 419.241.4447 FAX: 419.241.1616  
WWW.ROSSIANDASSOCIATES.COM

419 S. First Street, Toledo, Ohio 43608

PROPOSED NEW  
RETAIL CENTER

2441 S. REYNOLDS ROAD  
TOLEDO

FLOOR PLAN AND ELEVATION

SHEET

8.4-13 PLAN COMM REVIEW

DATE

DESIGNED BY

CHECKED BY

DATE

SCALE

PROJECT NO.

CLIENT

LOCATION

DATE

SCALE

PROJECT NO.

CLIENT

LOCATION

DATE

SCALE

PROJECT NO.

CLIENT

LOCATION

DATE

SCALE

PROJECT NO.

CLIENT

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**GENERAL INFORMATION**

Subject

- Request - Special Use Permit to raze and rebuild an existing convenience store.
- Location - 2441 S Reynolds Road
- Applicant - NZR Realty  
4820 Monroe Street  
Toledo, Ohio 43623
- Engineer - Glass City Engineering & Surveying, LLC  
Bryan D. Ellis  
2105 Perth Street  
Toledo, OH 43607
- Architect - Rossi & Associates, LLC  
Scott Rossi  
970 S Byrne Road  
Toledo, OH 43609

Site Description

- Zoning - CR Regional Commercial District
- Area - ± 0.548 acres
- Frontage - ± 150' on Reynolds Road  
± 160' on Heatherdowns Blvd
- Existing Use - Gas Station with 576 sq. ft. Convenience Store
- Proposed use - Gas Station with 3,010 sq. ft. Convenience Store
- Required Parking - 20 spaces (includes spaces at dispensers)
- Proposed Parking - 20 spaces (includes spaces at dispensers)

Area Description

- North - Restaurant / CR
- East - Commercial Strip Center / CR
- South - Commercial Strip Center / CR
- West - Restaurant / CR

**GENERAL INFORMATION (cont'd)**

Parcel History

- Z-322-75 - Special Use Permit Request to raze and rebuild an existing gas station. (PC approved 1/9/76, Ord. 58-76, 1/27/76)
- Z-115-76 - Special Use Permit to construct an illuminated canopy fascia & a two-pole sign (PC approved 8/10/78, Ord.612-78 approved 8/29/78)
- SUP-103-87 - Special Use Permit to construct a new kiosk, pumps and fuel islands (PC approved 7/26/90, Ord. 896-90 approved 9/4/90)
- SUP-103-87 - Minor change to Special Use Permit to allow neon accent strip on canopy (PC approved 3/21/91, Ord. 317-91 approved 4/23/91)

Applicable Plans and Regulations

Toledo Municipal Code Part Eleven: Planning and Zoning  
Toledo 20/20 Comprehensive Plan

**STAFF ANALYSIS**

The applicant is requesting a special use permit to raze and rebuild a convenience store on the site located at 2441 S Reynolds Road. The .548-acre site is zoned CR Regional Commercial and is developed with a 672 square foot convenience store, 235 square foot bathroom building and 9 fuel dispensers with canopy (5 fuel islands).

The applicant intends to demolish the convenience store and bathroom building and build a new 3,010 square foot building that will house the convenience store and two (2) retail units for future tenants. Staff has requested revised elevations and floor plans that outline the future tenant space. This will allow an accurate calculation of the required parking ensuring that code compliant parking is being provided. No change in the pumps or canopy is proposed as part of this application.

## **STAFF ANALYSIS (cont'd)**

### Parking and Circulation

Pursuant to TMC§1107.0304 *Parking, Loading and Access* – Schedule A, a convenience store with fuel sales is required to have one (1) parking space per pump (counted as if parked at the pump) plus one (1) parking space per 300 square feet of customer area. The total number of parking spaces required (based on convenience store with fuel sales and general retail sales tenant space) equals twenty (20) spaces. The site plan depicts twenty (20) spaces, therefore the site is compliant in terms of parking. It should be noted that in the event the tenant space is to be used by a development with a parking requirement different than one (1) space per 300 square feet of floor area, than that overall site parking shall be recalculated.

### Landscaping

The site is existing and per TMC§1114.0500 *Appearance Upgrade for Nonconforming Development*, the applicant is only required to bring the landscaping closer into compliance with the 2004 zoning code. The site is large enough to accommodate a fifteen-foot (15') greenbelt along both the Heatherdowns Blvd and Reynolds Road frontages. The requirement for one (1) tree for every thirty feet (30') of linear frontage shall be applied to the frontage greenbelts. Additionally, Staff recommends that the area of the curb cuts to be closed per the site plan be landscaped with a fifteen foot (15') frontage greenbelt. A landscape plan detailing the landscape materials, quantities and design will be required before final permits are granted.

### Building Design

Pursuant to TMC§1109.0501(A) *Building Design Standards* – Predominant exterior building materials shall be high-quality materials. Façades visible from the public right-of-way, must be comprised of at least seventy-five percent (75%) “High-quality” exterior building materials as listed in TMC§1109.0501 - *Façade Materials*. The elevation drawing indicates “founder’s brick” as the primary façade material and the utilization of a small amount of EIFS on the signboard. The EIFS products may not cover more than fifteen percent (15%) of right-of-way facing façade. Staff has requested the applicant submit a revised elevation that details the percentage of EIFS to be used on right-of-way facing façade.

### Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for regional commercial uses. The intent of the regional commercial designation is to accommodate auto-oriented commercial development in areas already built in this manner and to accommodate community and regional-oriented commercial uses. Based on the nature of the proposed use and its location, the proposal meets the purpose and all applicable provisions of the zoning code as outlined in TMC 1111.0706 *Review and Decision-making Criteria*.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-8004-13, a special use permit to raze and rebuild an existing convenience store, located at 2441 S. Reynolds Road, to Toledo City Council for the following three (3) reasons:

1. The proposed use is consistent with the Toledo 20/20 Comprehensive Plan;
2. The request is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use's operation) (TMC 1111.0706.C Review & Decision-Making Criteria);
3. The proposed use complies with all applicable provisions of this Zoning Code (TMC 1111.0706.B Review & Decision-Making Criteria); and

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-8004-13, a special use permit to raze and rebuild an existing convenience store, located at 2441 S. Reynolds Road, to the Toledo City Council, subject to the following thirty-four (34) conditions:

Engineering Services

1. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced/upgraded to conform to current City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines. Both drive approaches along Heatherdowns Blvd. do not meet the current standards listed above and shall be removed and replaced in order to be brought into compliance.
2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.
3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. **No curb shall be permitted in the right-of-way along either side of a drive approach. No horizontal curb cutting will be permitted to create a curb drop/opening.**
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.

Contact Scott Bishop at (419) 936-2756 for inspection of above-mentioned items.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
6. If existing fire and domestic services are not to be reused, they shall be abandoned by the City of Toledo at the developer's expense.
7. Plans for new water service or modifications to existing water service shall be submitted to the Division of Engineering Services for review and approval.
8. Maintain 10 feet of horizontal clearance between proposed water service and sanitary or storm sewers. Maintain 4 feet of horizontal clearance between proposed water service and any other underground utility. Maintain 18 inches of vertical clearance between proposed water service and any underground utility.
9. Contact the Division of Water Distribution for installation requirements for backflow preventers.
10. New fire, domestic, and irrigation taps will be installed by City of Toledo at the owner's/developer's expense.
11. If existing public water facilities are in conflict and must be relocated, they will be relocated by the City of Toledo at the owner's cost.
12. Storm drainage service for this site is available subject to: the Criteria and Regulations of The Departments of Public Utilities and Public Service; The Toledo Municipal Code, including but not limited to Chapters 941, 1110, and 1107; The Toledo City Charter; The "Subdivision Rules & Regulations" of Toledo-Lucas County Plan Commissions; City of Toledo Infrastructure Design and Construction requirements; and "The Comprehensive Ditch Plan." All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA. Stormwater detention will be required in accordance with the above.
13. A detailed site-grading plan for this project shall be submitted for approval. The plan shall show the adjacent topography and grades for the land abutting the proposed development for a distance of approximately one hundred feet (100') from the development boundaries if requested. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
14. No construction work, including grading, will be permitted without approved plans and inspection.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

15. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
16. A single sanitary sewer tap from this site shall be allowed into the public sanitary sewer system. Developer shall use existing sanitary tap, when available.
17. If there are any existing structures to be demolished at the site, the sanitary services to such structures will be killed by the City of Toledo at the developer's cost.

Sewer & Drainage Services

No concerns or objections.

Environmental Services

18. Applicant shall maintain compliance with the City of Toledo's Sanitary Sewer Use Regulations as specified in the Toledo Municipal Code.
19. Applicant shall maintain compliance with the City of Toledo's Stormwater Regulations as specified in the Toledo Municipal Code.
20. Applicant shall maintain compliance with the City of Toledo's Air Quality Regulations as specified in the Toledo Municipal Code.
21. Applicant shall maintain compliance with the City of Toledo's Underground Storage Tank Requirements as specified in the Toledo Municipal Code.

Fire Prevention

No concerns or objections.

Building Inspection

22. Demolition of the existing building will require a demolition permit issued from the City of Toledo through its Division of Building Inspection requiring termination of all utilities. Documentation from Columbia Gas and Toledo Edison/Energy One must be provided to Building Inspection that this has occurred. If the existing water and sewer taps are to be re-used, the applicant/contractor must identify this to the Department of Public Utilities and secure their release from the demolition permit to be processed and issued.

**STAFF RECOMMENDATION** (cont'd)

Building Inspection (cont'd)

23. Construction of the new gas station and convenience store will require construction documents stamped by a licensed design professional to be submitted to the Division of Building Inspection for review and approval showing the construction to be in compliance with the City of Toledo's building, mechanical and fire codes and, by referenced standards, those of the State of Ohio. Plans must identify the correct building type, use group, occupancy load, plumbing fixture count, egress and emergency egress location, emergency evacuation routes and other life-safety and ADA compliancy facilities, in accordance with the Administrative Code of the Ohio Building Code Chapter 106.

Division of Transportation

Comments not received at time of printing

Plan Commission

24. The applicant shall submit revised elevations that indicate the tenant space use classification and the percentages and colors of materials to be used on all building and canopies.
25. A dumpster location(s) shall be noted on a revised site plan and have a concrete pad surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks.
26. Hours of operation are limited to 5:30 a.m. to 1 a.m., or other hours that are consistent with a liquor permit by the State of Ohio, per TMC§1104.0901(H) *Hours of Operation*.
27. Free air (with the capability of filling standard automobile tires), water, and restrooms shall be provided and maintained during operating hours of the station, per TMC§1104.0903(D).
28. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping areas.
29. Flat lens lighting shall be used for all outside lighting, including canopies.
30. Non-petroleum displays must be within twenty-five (25) feet of the building but not within twenty-five (25) feet of any right-of-way. The maximum height of such displays shall not exceed five (5) feet.

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

31. A detailed site, lighting, sign, fencing and landscaping plan, for the new parking lot, shall be submitted to the Plan Director for review and approval. Such plan shall include:

- a. Topsoil must be back filled to provide positive drainage of the landscape area; shall be noted on revised landscape plan; **shall be noted on revised landscape plan.**
- b. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area; **shall be noted on revised landscape plan;**
- c. Landscape terminal islands must be provided at the end of each parking row; **shall be noted on revised landscape plan;**
- d. Two canopy trees and six shrubs are required to be installed in interior landscape areas for each 10 parking spaces within the parking lot (existing trees may be used for credits; **shall be noted on revised landscape plan;**
- e. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards; shall be noted on revised landscape plan; **shall be noted on revised landscape plan.**
- f. A 15' frontage greenbelt is required along both the Heatherdowns and Reynolds Road frontages; the greenbelt shall include one (1) tree for every thirty feet (30') of lot frontage and a solid evergreen hedge to screen the parking lot, **shall be noted on revised landscape plan.**
- g. Frontage greenbelt shall extend along the proposed westernmost Heatherdowns Blvd. curb cut if removed; **shall be noted on revised landscape plan**
- h. Foundation plantings are required along all main and secondary entrances of the building that are visible from the public right of way, and landscaping at all major building entrances. (TMC 1108.0205.B Landscaping and Screening; **Specifically, landscaping shall be installed at the main entrance points to the building.**

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

- i. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage; shall be noted on revised landscape plan; **shall be noted on revised landscape plan.**
  - j. The location, height and materials for any fencing to be installed and maintained; **acceptable as depicted on plan.**
  - k. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); **shall be noted on revised landscape plan.**
  - l. The location, lighting and size of any signs.
32. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
33. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
34. No permits shall be issued until arrangements satisfactory to the Director of the Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

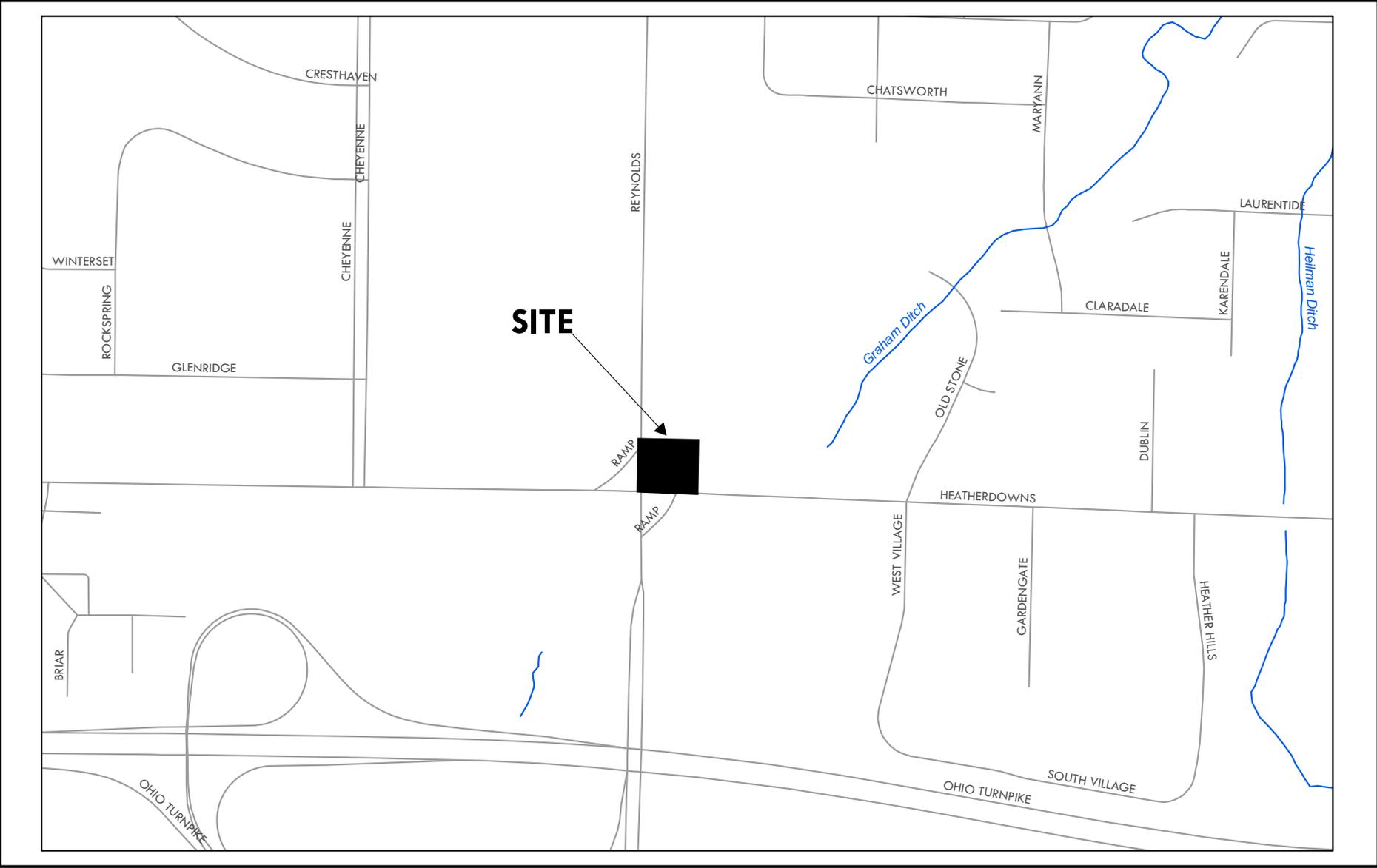
SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP-8004-13  
DATE: September 12, 2013  
TIME: 2:00 p.m.

CITY COUNCIL PLANNING  
AND ZONING COMMITTEE  
DATE: October 16, 2013  
TIME: 4:00 p.m.

BH/bp  
Four (4) sketches to follow

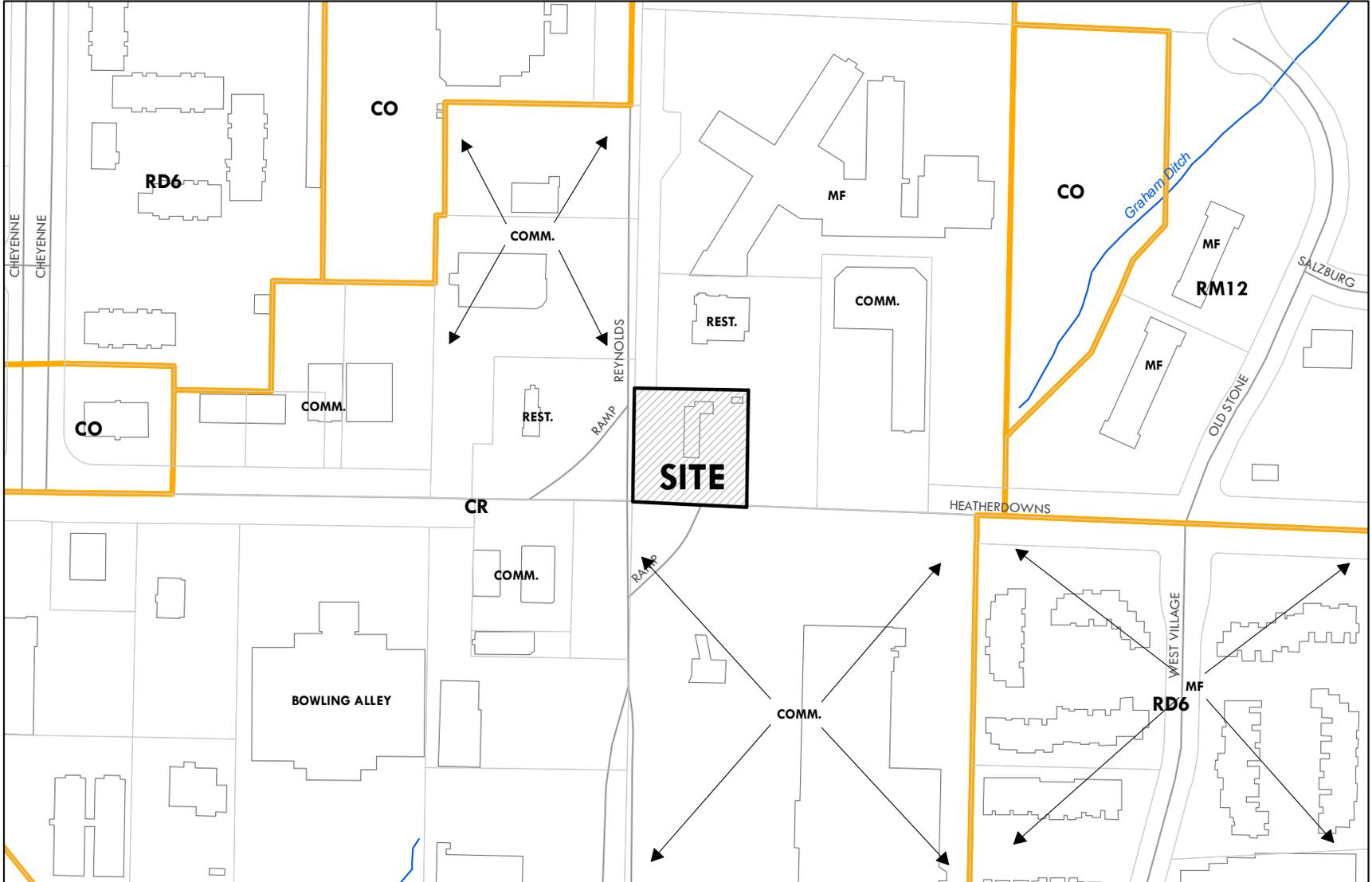
# GENERAL LOCATION

SUP-8004-13  
ID 141



# ZONING & LAND USE

SUP-8004-13  
ID 141



# SITE PLAN

**SUP-8004-13**  
ID 141



**PROPOSED SITE CONDITIONS:**

ZONING: CR, COMMERCIAL  
 AREA: 0.548 AC ±  
 PROPOSED USE: GAS STATION CONVENIENCE STORE AND GENERAL RETAIL  
 SITE WORK WILL BE TO REMOVE EXISTING SITE FEATURES AS NOTED, CONSTRUCT NEW CONVENIENCE BUILDING AND ADD ADDITIONAL PARKING SPACES. EXISTING UTILITIES WILL BE MODIFIED TO ACCOMMODATE NEW BUILDING. EXISTING CANOPY WILL REMAIN.

**BUILDINGS PROPOSED:**  
 BUILDING TOTAL AREA = 3,010 SF  
 COOLER AND STORAGE AREA = 200 SF  
 TOTAL CUSTOMER AREA = 2,810 SF  
 USE: GENERAL RETAIL

**BUILDINGS SETBACKS:**

BUILDING SETBACKS PER ZONING CODE IN CR ZONE (CODE 1106.0102)  
 FRONT BUILDING LINE: 20'  
 SIDE: 0 ADJACENT C OR I ZONING, HOWEVER 10' ADJACENT TO RESIDENTIAL  
 REAR: 0 ADJACENT C OR I ZONING, HOWEVER 15' ADJACENT TO RESIDENTIAL  
 MAX. OVERHANG HEIGHT: 45'  
 MAX. OVERHANG COVERAGE: 85%

**EXISTING PARKING (CR ZONING)**

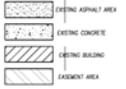
**REQUIRED PARKING - GAS STATION**  
 GAS SALES: 1 PER PUMP (CODE 1107.0204 SCHEDULE "A")  
 FLOOR AREA: 1 PER 300 SF (CODE 1107.0204 SCHEDULE "A")  
 9 EXISTING PUMPS

**GAS PUMPS:**  
 9 PUMPS = 8 SPACES  
 OPEN SALES AREA TOTAL: 1,538 SF  
 2,810 SF / 300 SF = 9.4 SPACES, USE 10 SPACES

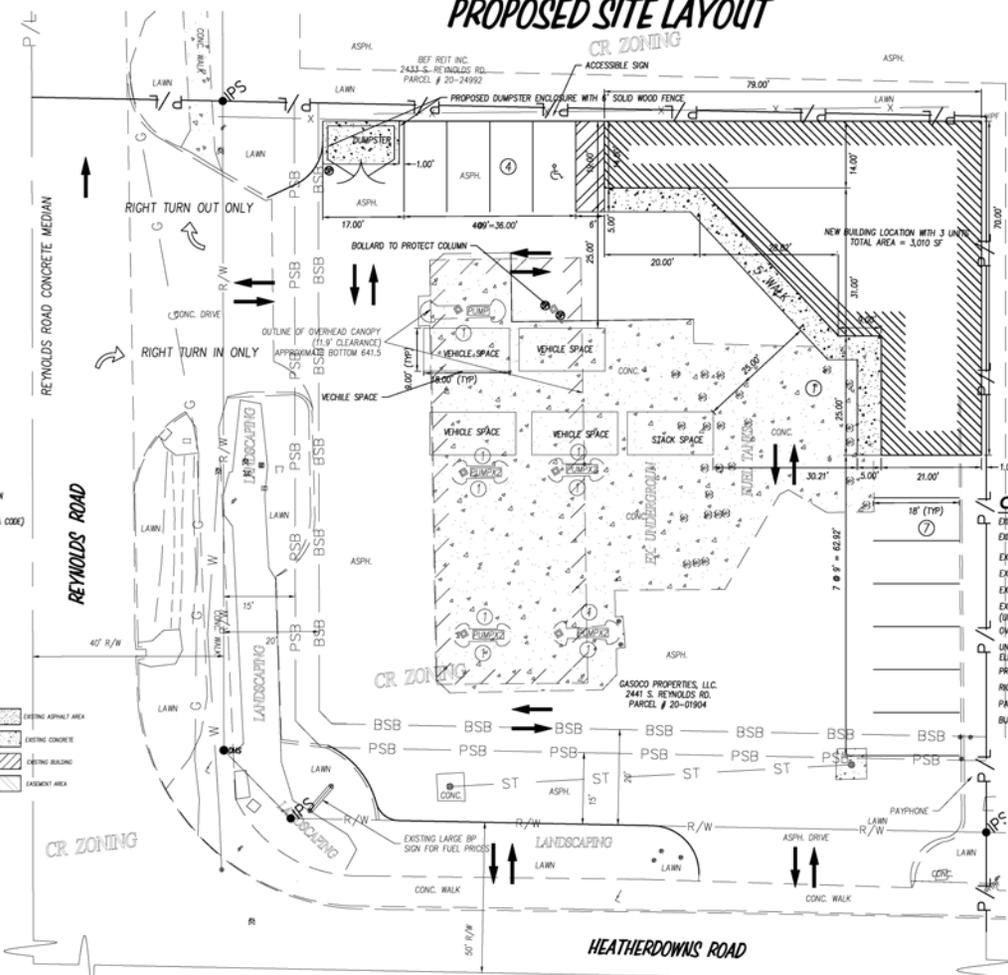
**REQUIRED ACCESSIBLE PARKING BY ADA (CODE 208 OF ADA) WITH BUILDING ADDITION**  
 TOTAL PARKING: 1 TO 25 = 1 ACCESSIBLE SPACE (10% OF TOTAL PARKING)  
 MINIMUM 1 IN 6 ACCESSIBLE SPACES MUST BE VAN ACCESSIBLE (5% OF TOTAL ADA CODE)  
 TOTAL = 1 VAN ACCESSIBLE SPACE

**PARKING REQUIRED:**  
 10 STANDARD SPACES + 1 VAN ACCESSIBLE = 11 TOTAL SPACES REQUIRED

**PARKING PROVIDED:**  
 10 STANDARD SPACES + 1 VAN ACCESSIBLE = 11 TOTAL SPACES EXISTING



## SUP AMENDMENT REQUEST PROPOSED SITE LAYOUT



- LEGEND**
- 4,402.23 EXISTING ELEVATION
  - PROPOSED ELEVATION
  - ACCESSIBLE PARKING STALL
  - FLOOD LIGHT
  - TRANSFORMER
  - STEEL POST
  - SANITARY CLEAN OUT
  - SANITARY MANHOLE
  - CATCH BASIN ROUND
  - CURB INLET
  - STORM MANHOLE
  - FIRE HYDRANT
  - ELECTRIC OUTLET
  - WATER MANHOLE
  - ELECTRIC MANHOLE
  - POWER POLE
  - LIGHT POLE
  - UTILITY WIRE
  - MANHOLE
  - GAS TEST
  - GAS METER
  - GAS VALVE
  - PINE
  - TRIE
  - MONITORING WELL
  - TRAFFIC MOVEMENT
  - PROPOSED OVERLAND FLOW
  - EXISTING OVERLAND FLOW
  - EXISTING CONTROL POINT

- CONVENTIONAL SIGNS**
- EXISTING NATURAL GAS: G
  - EXISTING FENCE: F
  - EX. SANITARY: S
  - EX. STORM: ST
  - EX. WATERLINE: W
  - EX. TELEPHONE LINE (UNDERGROUND): OHE
  - OVERHEAD LINES: OHE
  - UNDERGROUND ELECTRIC: OHE
  - PROPERTY LINE: P
  - RIGHT-OF-WAY LINE: R/W
  - PARKING SETBACK: PSB
  - BUILDING SETBACK: BSB

GRAPHIC SCALE  
 0 5 10 20  
 ( IN FEET )  
 1 inch = 10 ft.

DATE	ISSUED FOR
8-4-13	NO. 1
8-20-13	NO. 2
	NO. 3
	NO. 4
	NO. 5
	NO. 6
	NO. 7
	NO. 8
	NO. 9
	NO. 10

**GLASS CITY ENGINEERING & SURVEYING, LLC.**  
 2105 PARKER ST.  
 TOLEDO, OHIO 43607  
 419-283-8362, FAX 419-639-0867  
 EMAIL: BLACKBIRD\_1@MSN.COM

**BP GAS STATION**  
 CITY OF TOLEDO, LUCAS CO. OH  
 PROPOSED SITE CONDITIONS

DRAWN BY: BEK  
 JOB NUMBER: 543-1307  
 REVISION: BP BEK  
 SP-2/2

13 - 12



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**GENERAL INFORMATION**

Subject

- Request - Request for Special Use Permit for a building addition to existing convenience store
- Location - 830-832 Walnut Street, located in the Vistula Historic District
- Applicant - Ameer Fawzi Alqazzawi  
832 Walnut Street  
Toledo, OH 43608
- Engineer - John Weithman, PE  
PO Box 184  
Waterville, OH 43566

Site Description

- Zoning - Multi-Family Residence / RM36
- Area - .06 acres
- Frontage - 26' along Walnut Street  
100' along Michigan
- Existing Use - Convenience store
- Proposed Use - Convenience store with 450 square foot addition
- Required Parking - 3 spaces
- Proposed Parking - 3 spaces
- CDC - United North

Area Description

- North - Single-Family Homes / RM36
- South - Single-Family Homes and vacant land / RM36
- East - Single-Family Homes / RM36
- West - Apartments / RM36

**GENERAL INFORMATION (cont'd)**

Parcel History

- |           |   |   |
|-----------|---|---|
| Z-7002-08 | - | Request for zone change from RM36 Multi-family Residential to CN Neighborhood Commercial, case withdrawn by applicant on 8/28/08  |
| Z-1002-09 | - | Request for zone change from RM36 Multi-family Residential to CN Neighborhood Commercial, Plan Commission disapproved on 3/12/09, City Council disapproved on 4/28/09 Ord. 255-09 |
| VHD-16-11 | - | Request for a COA for a building addition of 450' and was approved subject to six conditions on 2/12/12 by the Vistula Historic District Commission                               |

Applicable Plans and Regulations

- Toledo Municipal Code (TMC), Chapter Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan

**STAFF ANALYSIS**

The applicant is requesting a special use permit to facilitate an addition to an existing convenience store, located at 830-832 Walnut Street. The site is currently operating without a special use permit because it is grandfathered. The proposed addition is over ten (10%) of the total square footage of the store, triggering the requirement for a special use permit review. The site is located at the intersection of Walnut Street and Michigan. Surrounding land uses include single-family homes to the north, south and east and an apartment complex to the west.

The existing building is 2,684 square feet in area. The applicant is proposing a 450 square foot building addition. The site currently offers three (3) parking spaces accessed via a curb cut onto Michigan Avenue. The applicant is not proposing any additional parking spaces.

The building addition was originally approved as a minor site plan review on 3/6/2012. The Vistula Historic District Commission approved the addition on February 21, 2012 and granted a Certificate Of Appropriateness (COA). However, no site work occurred and the COA expired on February 22, 2013. In March of 2013, the applicant proceeded with the construction and was given a “stop work” order for not building the addition to the approved size of 11.25’ x 40’ and for working with an expired COA. The applicant was ordered to remove the illegal work where the building width along Walnut was increased by two feet at a measurement of 13.68’.

**STAFF ANALYSIS (cont'd)**

Subsequently, staff determined that the previous site plan review approved a building addition beyond the allowable 10%. Therefore staff determined that a special use permit is required for the proposed site improvements. If the SUP is granted, the applicant will be required to apply for another COA from the City Historic District Commission (now includes Vistula Historic District Commission) for the building addition.

**Building Elevation**

The applicant has submitted an elevation for the proposed addition. The elevation calls out the exterior building material for the existing building and the addition as brick. The applicant will continue the coping height on the front of the building to include using red painted brick to match the existing building, which is what the Vistula Historic District Commission previously approved.

**Landscaping**

If the site were subject to a complete redevelopment, a fifteen-foot (15') greenbelt would be required along the Walnut Street. However, the site is existing and therefore not required to be in complete compliance with the 2004 zoning code landscape standards. The applicant is required to bring the site closer into conformance with the 2004 zoning code (TMC 1114.0500 Appearance Upgrade for Nonconforming Development.).

The applicant is proposing to install a landscape buffer along the southerly property line and along Walnut Street. The existing landscaping along the parking lot will be retained. Staff is recommending that a fence be installed along the southern property border, along with the proposed landscaping.

**20/20 Plan compliance**

The Toledo 20/20 comprehensive Plan targets this site for single-family residential uses. The site is zoned appropriately for the existing use and has a long history as a commercial use. However, staff is recommending disapproval of the special use permit request because the Division of Transportation has issued an objection. The Division of Transportation's objection is based on inadequate ADA compliant parking.

Staff is recommending disapproval. However, review agency conditions are added as Exhibit "A" for informational purposes.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend disapproval of SUP-8002-13, a special use permit for a building addition to existing convenience store located at 830-832 Walnut Street, to Toledo City Council for the following reason:

**STAFF RECOMMENDATION** (cont'd)

1. Division of Transportation has objected to the special use permit request.

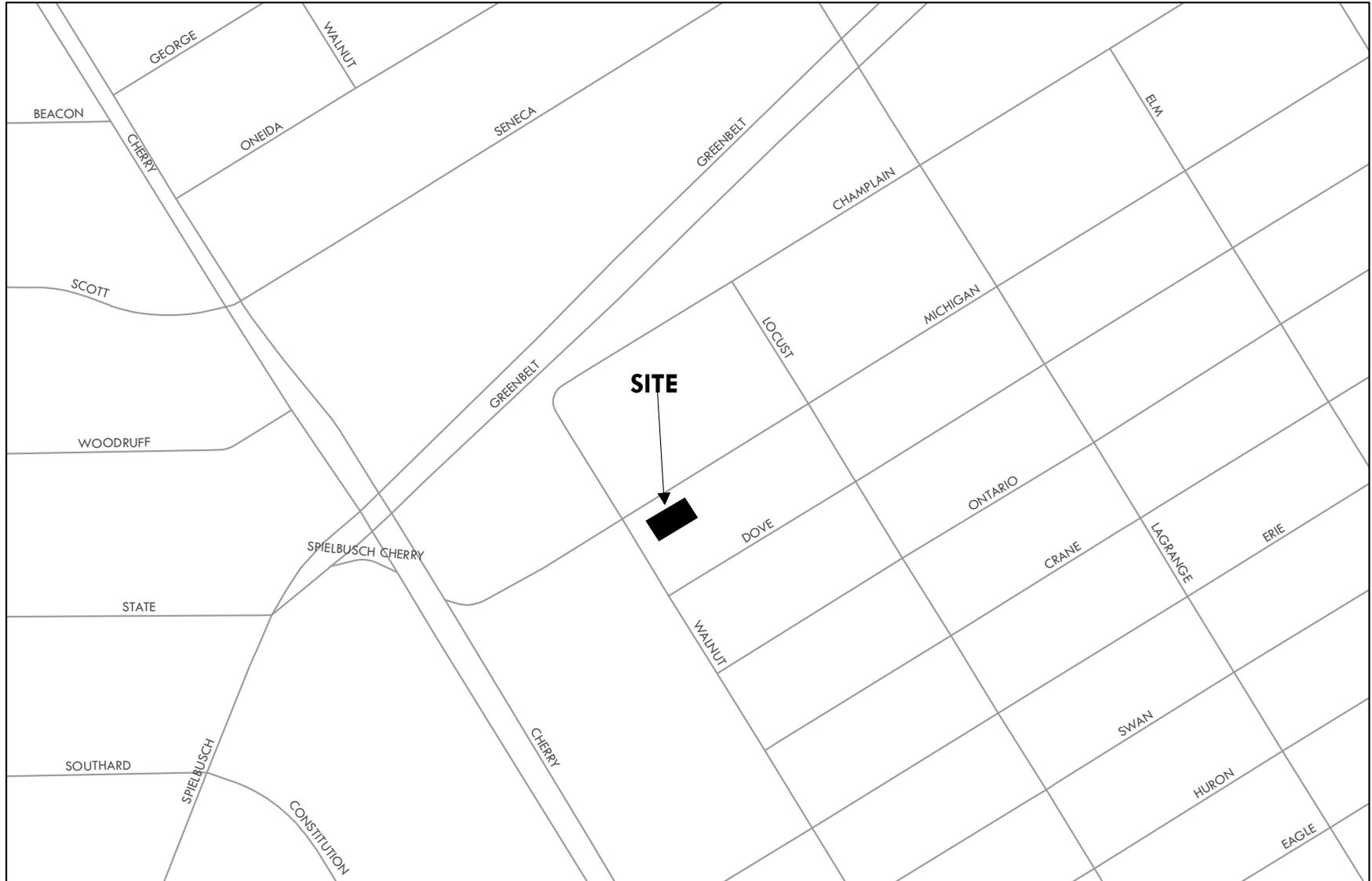
SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP-8002-13  
DATE: September 12, 2013  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: October 16, 2013  
TIME: 4:00 P.M.

MM/bp  
Nine (9) sketches follow  
Exhibit "A" Follows

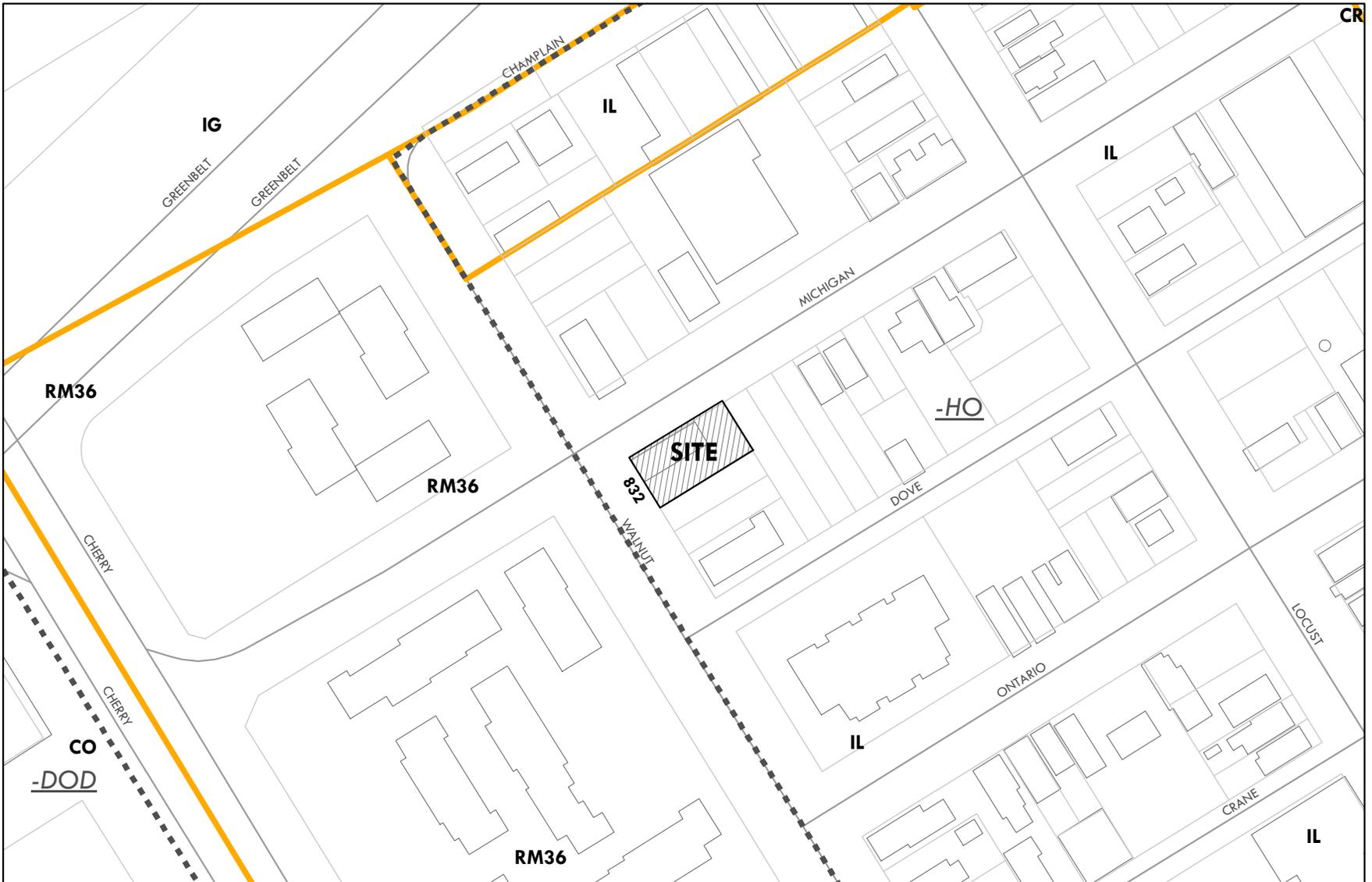
# GENERAL LOCATION

SUP-8002-13  
ID 9



# ZONING & LAND USE

SUP-8002-13  
ID 9



**FRONT OF BUILDING**  
**832 WALNUT ST.**

**SUP-8002-13**  
**ID 9**



**NORTH SIDE OF BUILDING  
832 WALNUT ST.**

**SUP-8002-13  
ID 9**



14-8

**REAR OF BUILDING  
832 WALNUT ST.**

**SUP-8002-13  
ID 9**



**SOUTH SIDE OF BUILDING  
832 WALNUT ST.**

**SUP-8002-13  
ID 9**



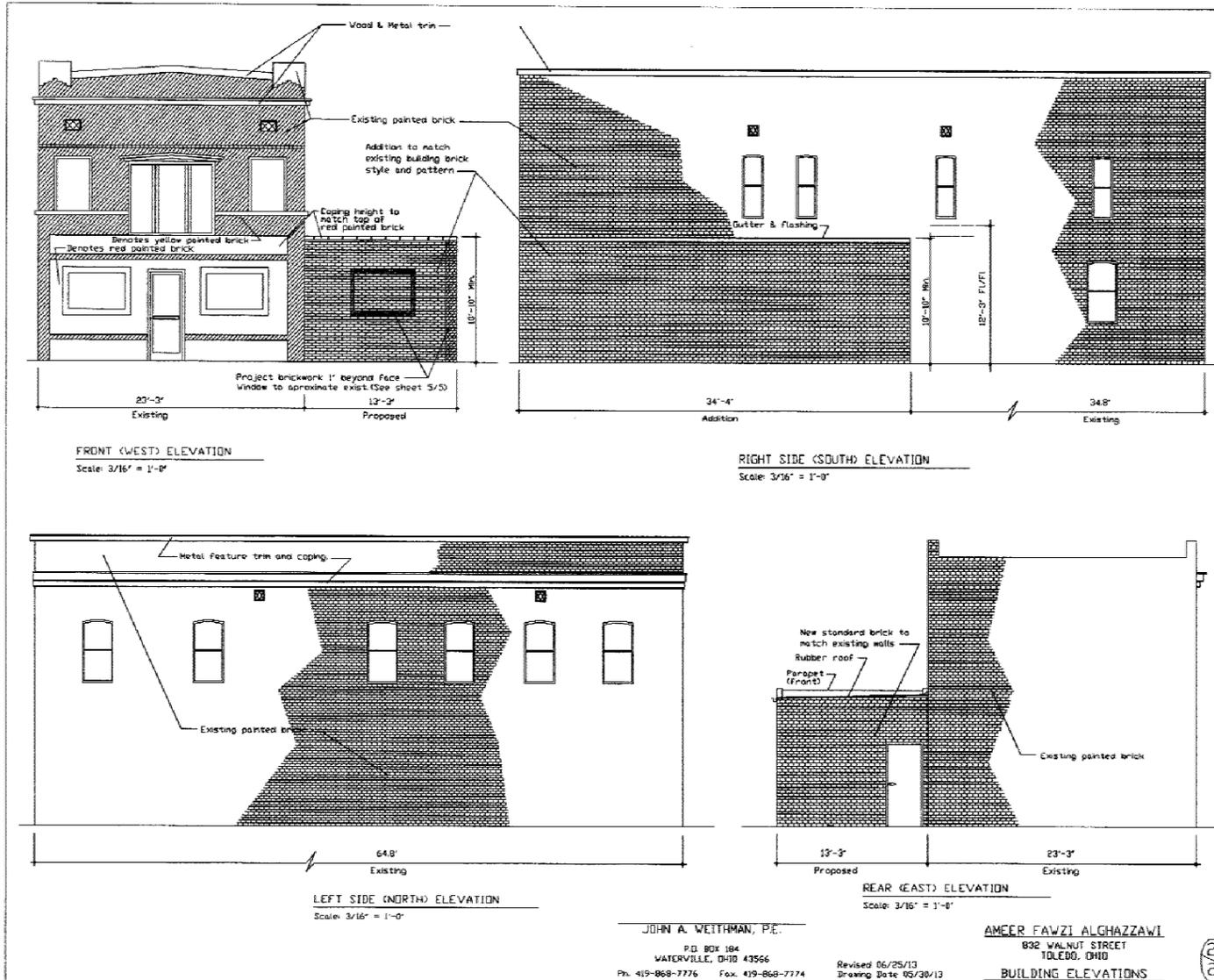
**BRICK EXAMPLE**  
**832 WALNUT ST.**

**SUP-8002-13**  
**ID 9**



# ELEVATIONS

SUP-8002-13  
ID 9



JOHN A. WEITHMAN, P.E.  
P.O. BOX 184  
WATERVILLE, OHIO 43566  
Ph. 419-868-7776 Fax. 419-868-7774

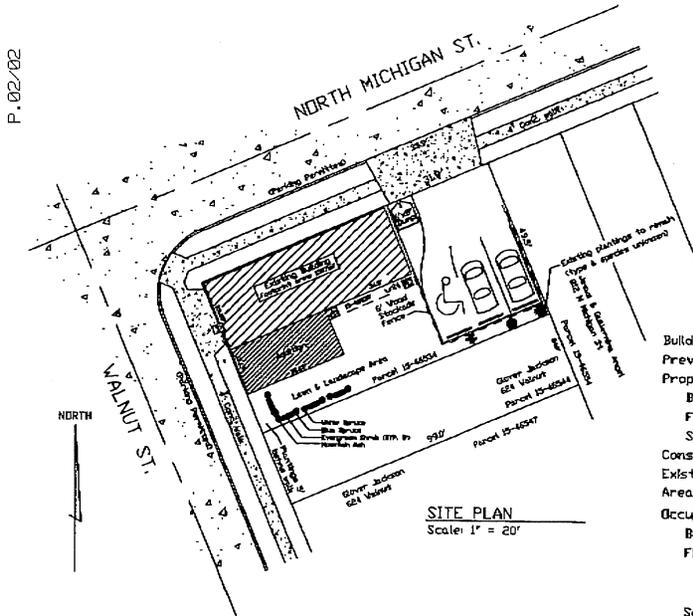
Revised 06/25/13  
Drawing Date 05/30/13

AMEER FAWZI ALGHAZZAWI  
832 WALNUT STREET  
TOLEDO, OHIO  
BUILDING ELEVATIONS

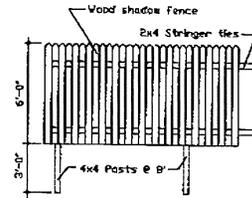
2/2/13

# REVISED SITE PLAN

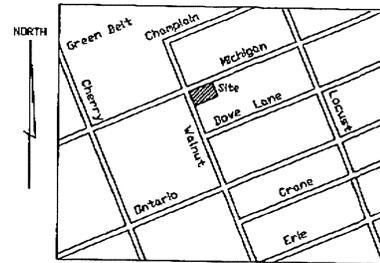
SUP-8002-13  
ID 9



**SITE PLAN**  
Scale: 1" = 20'



**FENCE DETAIL**  
No scale



**LOCATION MAP**

TOTAL P. 02

**CODE INFORMATION**

Building Code:	D.B.C. 2011
Previous Occupancy:	M Convenience store
Proposed Occupancy:	M Convenience store
Basement:	Unoccupied
First Floor:	Convenience store
Second Floor:	Unoccupied
Construction Type:	5B
Existing first floor area:	1,506 sf
Area of addition:	450 sf.
Occupancy Load:	
Basement:	0
First Floor:	
Sales:	1290sf/30=43
Supplies:	319sf/300=1
Second Floor:	0
Total occupancy:	44
Exit width:	2 - 36'
Exits Req'd. & Supplied:	2
Toilet required:	Unisex (occ. less than 50) (Sect. 2902.2 g)
Service sink:	Supplied
Drinking fount/cooler:	Optional

NO ELECTRICAL CHANGES REQUIRED.  
NO HVAC CHANGES REQUIRED.

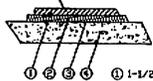
**DRAWING LIST**

- 1/5 SITE PLAN
- 2/5 BUILDING ELEVATIONS

**CONSTRUCTION INFORMATION**

Floor Loads:	
Basement:	0
First Floor:	50 psf
Second Floor:	0
Roof Load: Using ASCE Sect 7.7	
DlPs on lower roofs)	
Upper roof=23'	$l_u=25'$ (leeward)
Lower roof=11'	$l_u=0$ (windward)
$h_u=0.43 \sqrt{l_u} \sqrt{V_{h=10}} - 1.5 = 1.55'$	
Live load:	25 psf
Ground Snow G:	20 psf
Snow exp. C <sub>s</sub> :	0.9
Snow Imp. I:	1.0
Therm. Factor C <sub>t</sub> :	1.0
Wind Speed:	0
Basic Wind Speed (3 second gust) V = 90 mph	
Exposure:	C
Wind Imp. I <sub>w</sub> :	1.0
Internal Press.:	0.9
Mean roof hgt:	14'
Seismic:	
Seismic Group:	1
S <sub>s</sub> :	.20
S <sub>i</sub> :	.06
Site Class:	0
Site Coef.:	0
Roof Design Loads: (psf)	
DL 16	Wind 20 (horiz)
LL 25	Wind 10 (net uplift)

Clean, patch, plug, etc existing parking area and cover area with final surface layer



- ① 1-1/2" Asphalt conc. surface course PG 64-22
- ② 1-1/2" Asphalt conc. leveling course PG 64-22
- ③ Tack coat
- ④ 6" 304 Compacted aggregate base

**PAVEMENT DETAIL**  
No scale

① "HANDICAPPED ENTRANCE" Sign - Wall mounted

**LEGAL DESCRIPTION**

VISTULA Lots 881 & 882 SE 25.75 ft. - Parcel 15-46537  
VISTULA Lots 881 & 882 SE 25.75 ft., NW 4950 ft. Parcel 15-46534

**PARCEL NO.'S.**

832 Walnut St. Parcel 15-46537  
830 Walnut St. Parcel 15-46534

**ZONING**

Residential (Existing non conforming)

*John A. Veithman*  
JOHN A. VEITHMAN, P.E.

P.O. BOX 184  
WATERVILLE, OHIO 43566  
Ph. 419-868-7776 Fax. 419-868-7774

**OWNER**

ANEER FAWZI ALGHAZZAWI  
832 WALNUT STREET  
TOLEDO, OHIO

**SITE PLAN**

Revised 07/31/19  
Drawing Date 05/30/13

SPECIAL USE PLAN REVIEW - ADDITION

**Exhibit “A”  
Review Agency Conditions**

Engineering Services

1. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced/upgraded to conform to current City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.
3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8” thick concrete per City of Toledo Construction Standards and Specifications. **No curb shall be permitted in the right-of-way along either side of a drive approach. No horizontal curb cutting will be permitted to create a curb drop/opening.**
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.
5. Contact Scott Bishop at (419) 936-2756 for inspection of above mentioned items.
6. The proposed building addition appears to be approximately 450 sq. ft., which is a relatively small area to deal with regarding storm water runoff. The roof runoff should be so directed so it does not discharge onto the sidewalk of Walnut Street nor any adjacent property. It should probably be directed across the rear yard Eastward with any overflow flowing onto the parking area and out into North Michigan Street.
7. The area is a combined-sewer area and, therefore, no water quality is required.

Sewer and Drainage Services

No comments or objections to site plan as submitted.

Fire Prevention

No comments or objections to site plan as submitted.

### Building Inspections

8. I do not object to the structure's extension on the site or to its use as a convenience store.
9. Structures. The construction or erection of any new structure, addition, or alterations to any existing building will require construction documents stamped by a design professional to be submitted to the Division of Building Inspection for plan review and approval before actual construction commences. Construction Structures. The construction or erection of any new structure, addition, or documents must show that the new structure and/or interior alterations will be in compliance with the building, mechanical and fire codes of the City of Toledo, and by referenced authority, those of the State of Ohio. Construction must also comply with federal ADA regulations.
10. Signs. Any signs on the building will require a separate plan review and permit(s) in accordance with the City of Toledo's sign codes (Toledo Municipal §1377 - §1397).
11. Any fence screening will require a Certificate of Zoning Compliance, issued by the Division of Building Inspection.

### Division of Transportation

The Division of Transportation has reviewed the site plan and has the following comments:

12. The site plan does not address the area of increase. A revised site plan shall be submitted depicting the configuration and dimensions of the area proposed to be increased.
13. The parking provided for ADA must meet the dimension requirements of the Toledo Municipal Code and must also meet the requirements for sufficient maneuvering area. The depiction of the parking labeled ADA does not meet these requirements.

The Division of Transportation objects to the approval of the site plan by the Plan Commission and recommends disapproval until the aforementioned concerns are addressed to the satisfaction of this division.

### Plan Commission

14. A low level fence shall be added along the southerly property line to provide an additional buffer to the single-family homes.

Plan Commission (cont'd)

15. The building elevation is acceptable, as the exterior building materials of the addition are similar to those of the existing buildings. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors.
16. Landscaping as shown on site plan is acceptable, including the following:  
A landscape buffer shall be installed along the southerly property line.
17. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscape areas.
18. If the existing dumpster is relocated in the future, the dumpster location(s) shall have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks.
19. Hours of operation shall be limited to 5:30 a.m. to 1:00 a.m., or other hours consistent with liquor permit issued by the Stat of Ohio, to reduce detriment to the area (TMC 1104.0601).
20. The site shall be reviewed after one year if determined to have significant negative effects that has not been sufficiently alleviated under zoning, building, or health code regulations (TMC 1104.0602).
21. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed and maintained indefinitely.
22. Minor adjustments to the site plan that do not violate the above conditions or the Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
23. No permits shall be issued until arrangements satisfactory to the director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

**GENERAL INFORMATION**

Subject

- Request - Text Amendment imposing additional standards on used auto sales facilities
- Applicant - Toledo Lucas County Plan Commissions  
One Government Center, Suite 1620  
Toledo, Ohio 43604

Applicable Plans and Regulations

Toledo Municipal Code Part Eleven: Planning and Zoning

**STAFF ANALYSIS**

*Background*

City Council Resolution 301-13 requested that the Plan Commission review used car lots in terms of lot size, width and impact on residential areas. The request was prompted by a recent increase in the number of used car lot applications involving requests to locate on small multi-tenant sites and waive the required landscaping.

*Research*

Staff researched 68 sites in the City of Toledo (Exhibit “B”), using Lucas County Auditor data, 2013-14 yellow pages phonebook records, previous Plan Commission special use permit applications and data collected from a 2012 intern study. This provided a used car lot average lot size and width for the City. Staff also contacted and looked at the used car land use regulations for Dayton, Cincinnati, Columbus, Cleveland, Sylvania, Oregon, Maumee and Perrysburg. These cities were chosen due to their size, proximity to Toledo and similar state-level policies.

*Local Regulations*

Toledo Municipal Code (TMC) Sec. 1116.0251 (G) defines used only auto and RV sales as a premises on which only used automobile, recreational vehicles, noncommercial trucks, motorcycles, noncommercial trailers and truck campers, together with incidental maintenance.

## **STAFF ANALYSIS** (cont'd)

### Local Regulations (cont'd)

Used only auto and RV sales are subject to additional standards outlined in TMC Sec. 1104.0300. These standards apply to used automobile and recreational vehicle sales when not part of a new auto or RV dealership. Additional standards include open display area location (proximity to a residential district boundary), open display development standards (elevated lifts and curbs), vehicle quality, repair locations and fencing. Staff is requesting that additional standards include minimum lot size and width, minimum building size, defined open display areas, wheel stop when abutting right-of-way and prohibiting non-used car sales related uses on the same site.

### Analysis

An analysis was performed of the used car related regulations for communities throughout Ohio and those locally. This analysis found that while most solely regulated used car lot by listing them as a use under their use table, others provided specific standards. Such standards included minimum lot size, minimum lot width, minimum display area per vehicle, minimum sales office size and landscaping and buffering requirements from residential districts.

The City of Dayton provides a minimum lot size and width standard of one (1) acre and one hundred fifty (150) feet, as well as, repair, vehicle quality, setback and landscaping related standards similar to what the City of Toledo currently uses. Staff found the lot size and width standards to be similar to those envisioned for Toledo. However, that data collected from the used car lots in Toledo reflected an average size and width of around a half (1/2) acre and one hundred forty (140) feet (Exhibit "B"). Staff feels that if minimum lot size and width standards of a half (1/2) acre and one hundred fifty (150) feet are implemented; this will provide the applicant with adequate space to display their inventory, as well as, the required landscaping. As a note, a one hundred fifty (150) foot by one hundred fifty (150) foot lot equates to .51 acres.

Landscaping has been a reoccurring issue for City Council and used car lot owners alike. Owners feel that the landscaping restricts customer visibility of their inventory and reduces the overall open display area. Staff feels that a minimum lot size and width standard should resolve the display area issue, but visibility may continue to be a concern. Pursuant to TMC Sec. 1108.0101 the purpose and intent of landscaping and screening is to promote aesthetic appeal through streetscapes, improve the appearance of parking lots while taking into consideration the character and value of the surrounding neighborhoods. Staff feels the landscaping standards should remain because attractive sites enhance the long-term economic viability of the City.

**STAFF ANALYSIS (cont'd)**

Analysis (cont'd)

Finally, recent applications have been proposed on multi-tenant sites containing non-used car related uses. Recent used car lot Special Use Permit applications have included requests to use small tenant space in multi-tenant strip centers as sales office while displaying inventory throughout the parking areas. This has caused a number of concerns that include pedestrian safety; defined customer and open display parking areas, parking lot maneuverability patterns and landscaping design issues. By limiting a site to used car sales, safer and better designed developments will provide additional areas for required landscaping in addition to well defined and safe pedestrian areas.

Existing legally established used car lots will be grandfathered. An important part of the planning process is to insure that development is done in a manner than insures and enhances not only the subject site but also the surrounding community as a whole. The additional focus on issues specific to used auto and RV sales lots enhances the decision-making process in a way that generalized criteria cannot and the standards provide the type of decision making criteria intended as part of the special use permit process.

**STAFF RECOMMENDATION**

Based on the analysis conducted for this report, staff recommends that the Toledo City Plan Commission recommend approval of M-8-13 as shown in Exhibit “A” to the Toledo City Council.

ZONING TEXT AMENDMENT  
TOLEDO CITY PLAN COMMISSION  
REF: M-8-13  
DATE: September 12, 2013  
TIME: 2:00 p.m.

CITY COUNCIL PLANNING  
AND ZONING COMMITTEE  
DATE: October 16, 2013  
TIME: 4:00 p.m.

BH/bp  
Exhibit “A” follows  
Exhibit “B” follows

**Exhibit “A”**

(Proposed additions are shown in bold italics,  
proposed deletions are shown in strikethrough text)

**1104.0300 | Auto and RV Sales, Used Only**

The following standards apply to used automobile and recreational vehicle sales when not part of a new auto or RV dealership.

**1104.0301 Location**

A 50-foot separation measured along the street frontage between any open display sales lot and a Residential district boundary line shall be maintained. This separation shall apply to both sides of a street and to intersecting streets on corner lots.

**1104.0302 Outdoor Display Areas**

- A.** Elevated displays, lifts or metal structures used in conjunction with the display of motor vehicles shall be permitted only within those areas specifically designated upon the site plan and shall not be allowed in any required front yard.
- B.** Incorporate curbs or other substantial permanent barriers to prevent encroachment of the vehicles into the required setback and landscape areas.
- C.** *Wheel stop must be provided when outdoor display areas abut public right-of-way, ensuring that display vehicles do not overhang directly on sidewalks.*

**1104.0303 Vehicle Quality**

All used motor vehicles parked or displayed outdoors shall conform to Chapter 337, Safety and Equipment, of the Traffic Code and shall be operable.

**1104.0304 Repairs**

Repairs and service of inoperable auto and RV motor vehicles shall be conducted wholly within an enclosed structure permanently located on the lot.

**1104.0305 Fencing**

See Sec. 1105.0302 for fencing requirements of customer display areas and Sec. 1108.0203H for outdoor storage screening requirements

**1104.0306 Lot Size**

- A.** *The minimum lot size shall be no less than one-half (1/2) acre.*
- B.** *Each lot shall have a minimum average width of 150 feet along the main road frontage. Lot Width shall be measured as outlined in Sec. 1106.0204*

**1104.0307 Accessory Uses**

*Used automobile and recreational vehicle sales shall not be permitted on sites containing another primary use.*

**Proposed  
Text  
Amendments**

**Exhibit “A” (cont’d)**

**Proposed  
Text  
Amendments**

**1104.0308 Site Plan**

*Site plans for used automobile and recreational vehicle sales shall delineate, with dimensions, parking areas and drive aisles for the outdoor display area and customer/employee parking area. Used vehicle inventory shall only be displayed, parked or located within areas approved and defined. Required customer/employee parking may not be used for used vehicle inventory.*

**1104.0309 Structures**

*A permanent structure with a minimum floor area of 200 square feet, meeting the building design standards of Sec.1109.0500, shall be provided on site.*

# EXHIBIT "B"

M-8-13

## City of Toledo Used Car Lots

Size of Site (Acres)	Width (Feet)	Address	Name of Business	Data Location
0.81	210	10 N Byrne	Grand Auto Group	Phonebook
1.42	500	1000 Woodville	First Choice Auto	SUP
1.63	100	110 Oak	Grangers Auto Sales	Phonebook
0.27	115	1124 W Laskey	McCune Auto Sales	Phonebook
0.52	145	1248 Reynolds	Johnny's Motor Cars	Phonebook
0.153	200	1335 S Detroit Ave	Brinkmans Motor Vehicles	Phonebook
0.647	140	1416 E Manhattan	CJ's Auto Store	Phonebook
0.45	150	1470 W Alexis	Manatee Motors	Phonebook
0.49	180	1506 Woodville	Nationwide Auto Finance	SUP
0.19	90	1508 W Sylvania	Kevins Automotive	Auditor
0.344	100	1611 Jefferson Ave	Dean and Son Sales	Phonebook
0.529	135	1647 W Sylvania	Franklin Park Lincoln Mercury West	Phonebook
0.59	100	1757 N Reynolds	Sport and Import Motor Car	Phonebook
1	200	1808 E Manhattan	Mantattan Auto Sales	Intern Project
0.662	155	1921 N Reynolds	Cardinal Car Company	Phonebook, Intern Project
0.29	120	2020 Lagrange	ERS Auto Sales & Repair	Phonebook, Intern Project
0.363	75	208 Oak St	Andre Auto Sales	Intern Project
0.47	195	2159 W Laskey	Voll Auto Sales	Auditor
0.236	80	2202 Laskey	Cars-For-U	Auditor
0.245	80	2214 Laskey	Guaranteed Auto Credit	Auditor
2.18	180	225 W Alexis	Heller Car	Phonebook
0.33	95	2319 W Laskey	Auto Forum	Phonebook
0.27	130	2440 Dorr St	Mikes Auto World	Phonebook, Intern Project
0.67	152	2424 W Laskey	Laskey Auto Sales	SUP
0.98	300	2469 Tremainsville	Tom Cater Auto	Phonebook
0.276	100	2727 Lagrange	Lagrange Auto Sales	Phonebook, Intern Project
0.34	135	2975 W Sylvania	Murphy Motors	Phonebook, Intern Project
0.28	100	304 Fearing Blvd	City's Auto	Phonebook, Intern Project
0.25	100	3125 Monroe St	Abes Auto Sales	Phonebook
0.4	115	3215 W Sylvania	Ace Auto House	SUP
0.38	140	3227 W Alexis	Glass City Motors	Phonebook, Intern Project
5.03	300	33 S Byrne	Royal Motors	Phonebook
0.58	130	3338 Dorr Street	First Step Auto Finance	Auditor, Intern Project
1.001	220	3455 Hill Ave	Toledo Auto Sales	Auditor
0.431	185	3535 Airport Highway	A to Z Auto	Phonebook, Intern Project
0.14	135	3802 Jackman	Jackman Auto Sales	Phonebook
0.28	100	3901 W Alexis	JC Automotive Sales	Phonebook
0.217	125	3916 Lagrange	ATC Auto Sales	Phonebook
0.21	110	4015 W Alexis	Trans Tech Automotive	Auditor
0.46	80	4409 Bennett	Garys Automotive	Phonebook

# EXHIBIT "B"

M-8-13

0.585	200	441 Spencer	Import Automotive	Intern Project
1.59	130	4440 Lewis (4442 Lewis)	Kenman Auto Sales	Intern Project
0.17	150	4444 Monroe St	GMA Auto	Auditor
0.42	150	4455 Lewis Ave	Toledo Auto Finance	Phonebook, Intern Project
0.24	80	4504 Bennett	M & C Auto Sales	Phonebook
1.375	240	4719 Monroe	Excel Automotive	Phonebook
0.21	45	4760 N Summit	Baypoint Used Cars	Phonebook
0.187	80	4803 Detroit	Kashen Auto Sales	Phonebook
0.411	175	5004 Lewis	Royal Auto Finance	Phonebook
0.155	45	5034 Lewis	R & D Auto Sales	Auditor, Intern Project
0.79	140	505 N Reynolds	Rome Marinelli Motor Cars	Phonebook
0.165	70	5505 N Summit	Randy Shirks NorthPointe Auto	Phonebook, Intern Project
0.3	100	5538 Secor	Austin Motors	Phonebook
0.74	170	5883 Dorr St	Giant Auto	Auditor
0.441	140	5874 Dorr St	EZ Deals Auto Center	SUP
0.51	150	5902 Dorr St	Euro Plus Autohaus	Auditor
0.258	125	606 N Reynolds	Reynolds Auto Sales	Phonebook
0.22	100	624 Scott Street	Gator Auto Sales	Auditor
0.244	175	627 Navarre	Auto Max Used Cars	Intern Project, SUP
3.24	640	635 S Reynolds Rd	Rose City Motors	Intern Project
0.494	50	733 S Byrne	Group Auto Express of Toledo	Auditor
0.223	120	802 South Ave	McKnight Auto Sales	Auditor
0.143	125	803 Oak St	East Side Tire and Auto	Intern Project
0.24	50	815 S Byrne	Paramount Motor Sales	Phonebook
0.33	120	819 N Reynolds	K & G Auto Sales	Phonebook
0.44	200	820 Woodville	Northwest Auto Finance	Phonebook
0.22	90	849 W Central	Hollywood Auto	Auditor
0.33	250	903 Westwood Ave	Saver Auto	Phonebook

Total 40.685 Acres      Total 10,112 Feet      Avg .60 Acres      148.71 Feet - 68 sites  
 Total 32.132 Acres      Total 8,882 Feet      Avg .50 Acres      138.78 Feet - 64 sites (2 Highest and 2 Lowest Removed, *Italicized*)

Data Source: Aries Online, Plan Commission SUP Applications, 2013-2014 Phonebook, 2012 Intern Used Car Lot Project  
 Field Checks were not conducted, 2011 Aerial Photography and Online Data was used.  
 This list was compiled to determine average lot size and width, it may not truly reflect all used car lot in existence.

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## STAFF REPORT CONDITIONS OF APPROVAL – AGENCY SOURCE IDENTIFICATION

Recommendations for conditions of approval often originate from agencies that have reviewed plans and proposals under consideration by the Plan Commission. To indicate which agency requested which condition of approval, that agency's name is placed at the end of the condition in parenthesis. Agency names are listed below:

TOLEDO-LUCAS COUNTY  
PLAN COMMISSIONS  
ONE GOVERNMENT CENTER  
SUITE 1620  
TOLEDO, OH 43604  
419-245-1200

FIRE PREVENTION  
c/o BUILDING INSPECTION  
ONE GOVERNMENT CENTER  
SUITE 1600  
TOLEDO, OH 43604  
419-245-1220

TOLEDO EDISON COMPANY  
CHRISTINE CUNNINGHAM  
ENGINEERING SERVICES  
6099 ANGOLA RD.  
HOLLAND, OH 43528  
419-249-5440

DIVISION OF WATER DISTRIBUTION  
401 S. ERIE STREET  
TOLEDO, OH 43604  
419-936-2826

DIVISION OF FORESTRY  
COMMISSIONER  
2201 OTTAWA PARKWAY  
TOLEDO, OH 43606  
419-936-2326

UNITED STATES POST OFFICE  
POSTMASTER  
435 S. ST. CLAIR STREET  
TOLEDO, OH 43601  
419-245-6802

DIVISION OF WATER  
RECLAMATION  
COMMISSIONER  
3900 N. SUMMIT STREET  
TOLEDO, OH 43611  
419-727-2602-

DIVISION OF INSPECTION  
COMMISSIONER  
ONE GOVERNMENT CENTER  
SUITE 1600  
TOLEDO, OH 43604  
419-245-1220

LUCAS SOIL AND  
CONSERVATION DISTRICT  
JEFF GRABARKIEWICZ  
138 W. DUDLEY  
MAUMEE, OH 43537  
419-893-1966

DIVISION OF TRANSPORTATION  
COMMISSIONER  
110 N. WESTWOOD  
TOLEDO, OH 43607  
419-245-1300

DIVISION OF  
ENGINEERING SERVICES  
COMMISSIONER  
ONE LAKE ERIE CENTER  
600 JEFFERSON AVENUE, STE 300  
TOLEDO, OH 43604  
419-245-1315

LUCAS COUNTY ENGINEER  
KEITH EARLEY  
ONE GOVERNMENT CENTER  
SUITE 870  
TOLEDO, OH 43604  
419-213-4540

SERVICE DEPARTMENT  
EDWARD MOORE, DIRECTOR  
110 N. WESTWOOD  
TOLEDO, OH 43607  
419-245-1835

COLUMBIA GAS COMPANY  
TONY BUCKLEY  
FIELD ENGINEER TECHNICIAN  
3222 W. CENTRAL AVE.  
TOLEDO, OH 43606  
419-539-6063

LUCAS COUNTY  
SANITARY ENGINEER  
JIM SHAW  
1111 S. McCORD ROAD  
HOLLAND, OH 43528  
419-213-2926

TOLEDO-LUCAS COUNTY  
HEALTH DEPT.  
LANA GLORE, ENV. HEALTH SERV.  
635 N. ERIE STREET ROOM 352  
TOLEDO, OH 43604  
419-213-5446

A T & T  
ATTN: DESIGN MANAGER  
130 N. ERIE, ROOM 714  
TOLEDO, OH 43624  
419-245-7000

BUCKEYE CABLESYSTEM, INC.  
GARY KASUBSKI  
4818 ANGOLA ROAD  
TOLEDO, OH 43615  
419-724-3821

VERIZON  
BRAD SNYDER  
300 W. GYPSY LANE  
BOWLING GREEN, OH 43402  
1-419-354-9452

WATERVILLE GAS  
JAMIE BLACK  
PO BOX 259  
WATERVILLE, OH 43566  
419-878-4972

OHIO GAS  
MIKE CREAGER  
13630 AIRPORT HWY.  
SWANTON, OH 43558  
419-636-1117

TIME WARNER  
RAY MAURER  
3760 INTERCHANGE ROAD  
COLUMBUS, OH 43204  
614-481-5262

EMBARQ  
117 EAST CLINTON STREET  
NAPOLEON, OH 43545  
419-599-4030

CENTURYLINK  
TIM R. TAYLOR  
375 E RIVERVIEW AVE  
NAPOLEON, OH 43502

# Toledo - Lucas County General Street Map

