

*TOLEDO CITY  
PLAN COMMISSION  
REPORT*

*APRIL 11, 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

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CATHERINE G. HOOLAHAN  
A. BAILEY STANBERY  
CYNTHIA A. GERONIMO  
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LISA COTTRELL, ADMINISTRATOR

**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**

**April 11, 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-2006-13:   | Zone Change from IL to IG at 5639 Telegraph Road (bh)  |
| 2. Z-2002-13:   | Zone Change from CO to POS at 1810 Madison Avenue (gp)   |
| 3. SUP-2003-13: | Special Use Permit for addition to existing convenience store at 3431 Elm Street (mm)  |
| 4. SUP-2005-13: | Special Use Permit for expansion of existing yacht club at 5902 Edgewater Drive (bh)   |
| 5. SPR-7-13:    | Site Plan Review for new hotel at 3436 Secor Road (tg)   |
| 6. M-2-13:      | Text Amendment amending TMC Section 1104.0107 "Use Regulations – Sport and Recreation – Indoor", TMC Section 1105.0201.D.2 "Accessory Uses – Setbacks" and TMC Section 1106.0205.B.3 "Intensity and Dimensional Standards – Front Setbacks" (bh) |

**ADJOURNMENT**

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## GENERAL INFORMATION

### Subject

- |           |   |  |
|-----------|---|--|
| Request   | - | Zone Change from IL Limited Industrial to IG General Industrial                          |
| Location  | - | 5639 Telegraph Road  |
| Applicant | - | Jeanette Morell<br>City of Toledo<br>1 Government Center, Suite 2250<br>Toledo, OH 43604 |

### Site Description

- |              |   |                                |
|--------------|---|--------------------------------|
| Zoning       | - | IL Limited Industrial District |
| Area         | - | ± 1.510 acres                  |
| Existing Use | - | Undeveloped                    |
| Proposed Use | - | Manufacturing                  |

### Area Description

- |       |   |   |
|-------|---|---|
| North | - | Industrial / IG & IL                                |
| South | - | Single-family Residential / RS6, IL & IG            |
| East  | - | Sexually Oriented Business and Industrial / CR & IG |
| West  | - | Multi-dwelling Apartments / RD6                     |

### Parcel History

- |        |   |  |
|--------|---|--|
| M-5-98 | - | Site plan review for youth baseball fields (PC approved 9/10/98) |
|--------|---|--|

### 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 IL Limited Industrial to IG General Industrial at 5639 Telegraph Road to accommodate an expansion of the existing Toledo Mold and Die facilities. The overall 14-acre site is currently undeveloped. The site is wooded and is bisected by Silver Creek that runs parallel to the southern property line. The proposal is requesting to change a 1.510-acre portion of the 14-acre split zoned site zoning from IL to IG. The area to be rezoned is located north of Silver Creek and abuts industrial uses to the north and a sexually oriented business to the east. An existing wooded buffer of at least 200ft will be maintain between the area to be rezoned and the residential neighborhood to the southwest.

Surrounding land uses include Industrial, commercial and a motel use to the north, a sexually oriented business and an industrial use to the east, a multi-dwelling apartment complex to the west and a single-family neighborhood to the south.

The Toledo 20/20 Comprehensive plan identifies this site for Light Industrial uses. These districts are intended to accommodate uses such as research, wholesale activities, warehouses and industrial/manufacturing operations that are not employment-intensive and are compatible with commercial and residential land uses. The parcels in the immediate area, to the north and east, are also targeted for Light Industrial future land uses and are currently developed with compatible industrial uses. Furthermore, the proposed zoning is not out of character with surrounding zonings or uses. In addition, special attention is being paid toward the residential uses to the southwest.

## **STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission approve Z-2006-13, a zone change from IL Limited Industrial to IG General Industrial for the legally described portion of 5639 Telegraph Road 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 rezoning will not detrimentally affect properties within the vicinity of the subject property (TMC 1111.0606.E Review & Decision-Making Criteria).

REF: Z-2006-13. . .April 11, 2013

ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-2006-13  
DATE: April 11, 2013  
TIME: 2:00 P.M.

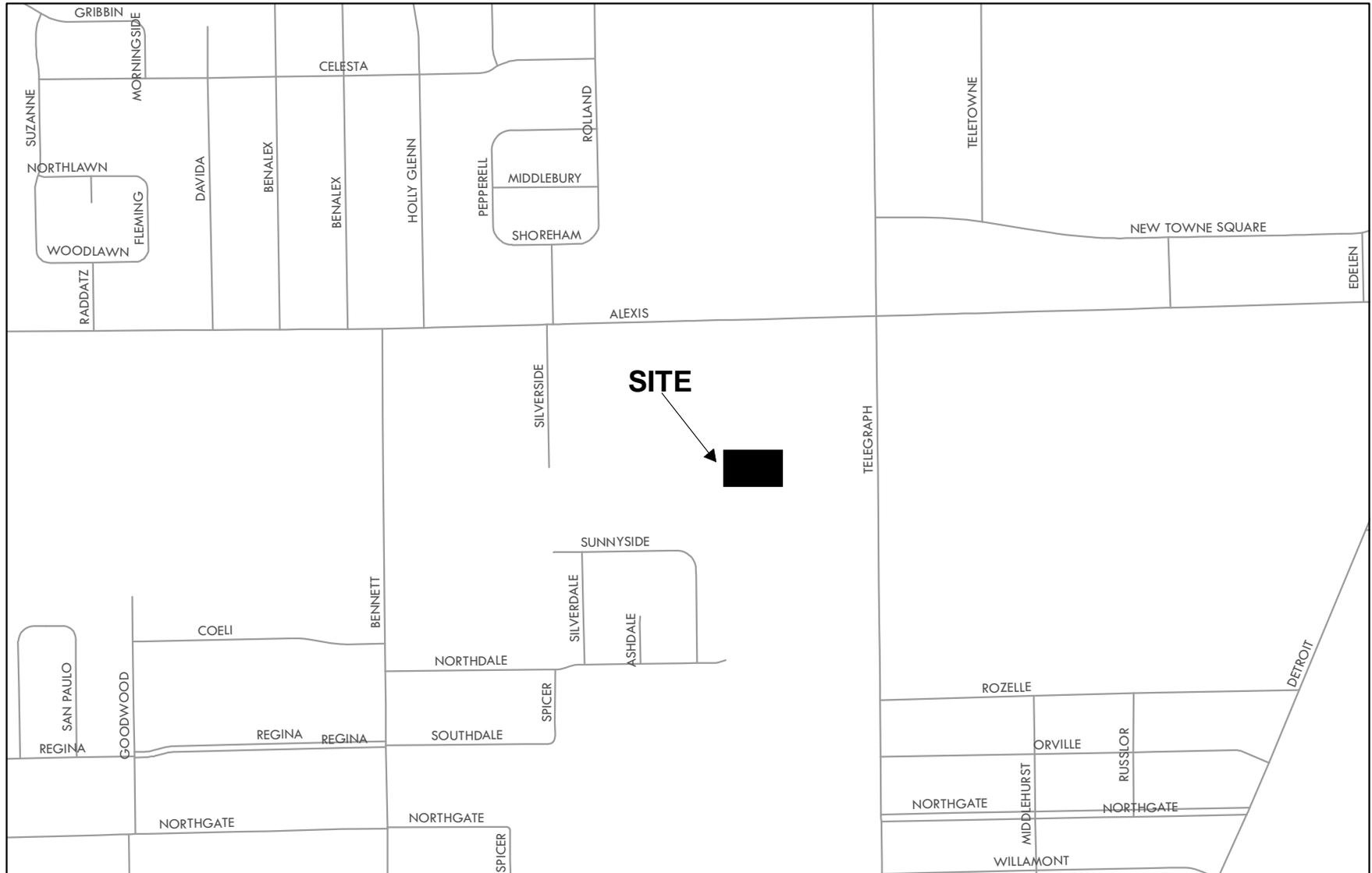
TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: May 15, 2013  
TIME: 4:00 P.M.

BH/ks

Two (2) sketches follow

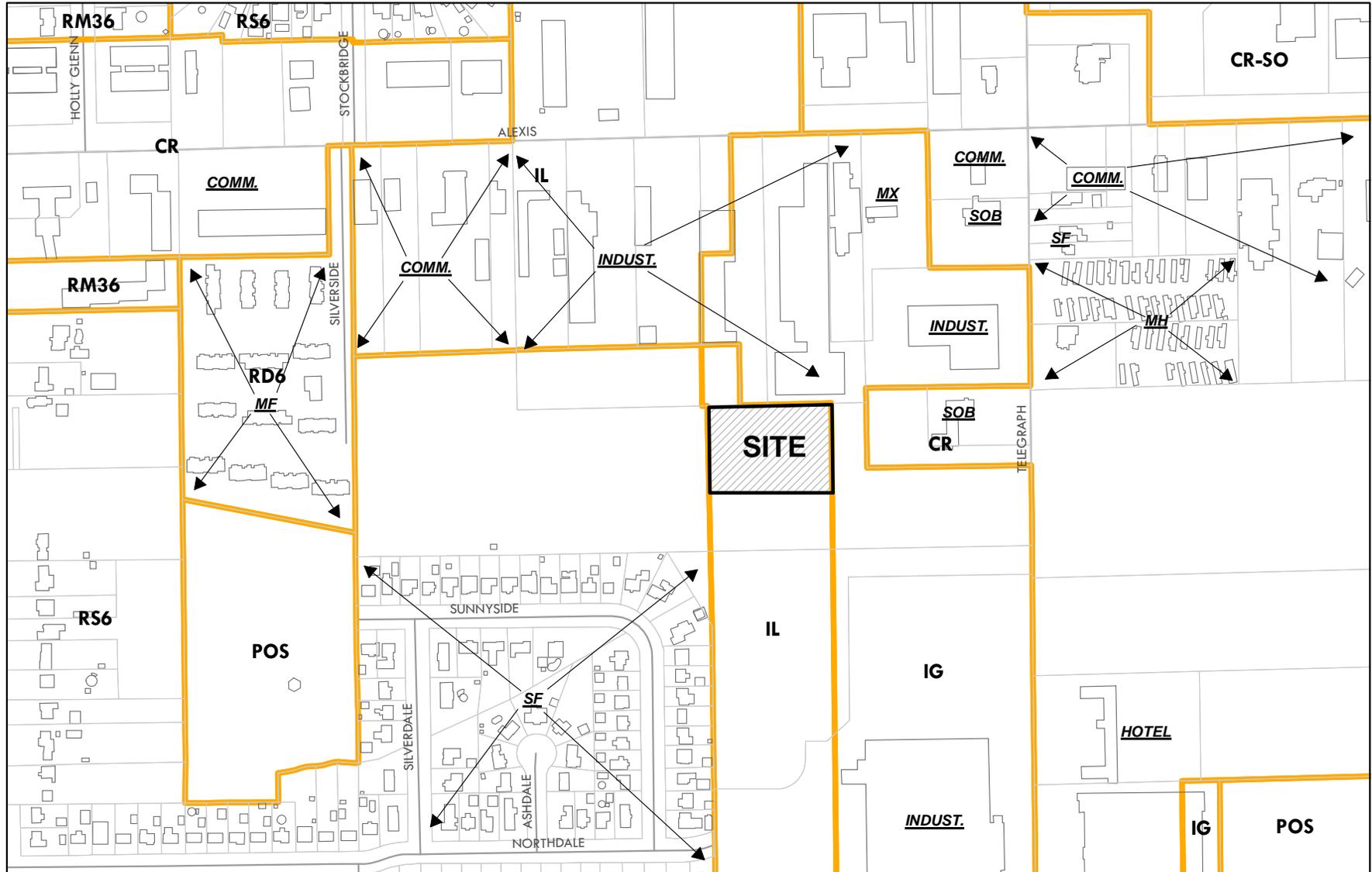
# GENERAL LOCATION

Z-2006-13  
ID 58



# ZONING & LAND USE

Z-2006-13  
ID 58



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## GENERAL INFORMATION

### Subject

- Request - Request for a zone change from CO Office Commercial to POS, Parks and Open Space
- Location - 1810 Madison Avenue
- Applicant - Jeanette Morrell – Real Estate Division  
City of Toledo  
One Government Center Suite 2250  
Toledo, Ohio 43604

### Site Description

- Zoning - CO Office Commercial District
- Area - ± 2.48 acres
- Frontage - ± 343.09' along Laburnum Lane
- Frontage - ± 293.09' along Madison Avenue
- Frontage - ± 334.84' along 20<sup>th</sup> Street
- Frontage - ± 200.84' along 18<sup>th</sup> Street
- Existing Use - Vacant Lots and Buildings
- Proposed Use - Parks and Open Space

### Area Description

- North - Parking Lot & Commercial Buildings / CO & CR
- South - Parking Lot & Vacant Office Building / CO
- East - Commercial Building & 18<sup>th</sup> Street / CO
- West - Parking Lot & 20<sup>th</sup> Street / CO

### Parcel History

- V-424-11 - Vacation of Magnolia alley and Cornus Alley in block bounded by Madison Avenue, 18<sup>th</sup> Street, Laburnum Lane and 20<sup>th</sup> Street. Res. 474-11 approved by Plan Commission on 9/6/11, City Council approved on 11/20/12, Ord. 548-12.

### Applicable Regulations

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

## **STAFF ANALYSIS**

The applicant is proposing a zone change from CO, Office Commercial to POS, Parks and Open Space for the block bounded by Madison Avenue, 18<sup>th</sup> Street, Laburnum Lane and 20<sup>th</sup> Street to accommodate the future development of the site for a park. The UpTown Association and its partners are developing a “Signature Park” located between 18<sup>th</sup>, Madison and 20<sup>th</sup> Streets in the UpTown neighborhood. This civic space will be a unique setting in current urban fabric of downtown Toledo and will feature a creative response to stormwater management.

The City of Toledo is partnering with the UpTown Association in a Clean Ohio Revitalization Fund (CORF) Sustainable Reinvestment Track \$1.5 million grant application that will be used to remediate environmental materials from the site, demolish two dilapidated structures and remove a severely deteriorated parking lot.

Sustainable Reinvestment Track funds will:

- Create green space
- Connect to the nearby residential community and attract business investments to the neighborhood
- Improve storm water quality with the use of bioswales and other sustainable technologies
- Create clean energy for commercial use
- Preserve an historic building for creative commercial use

The park is designed with features such as a fountain that can be converted to performance space, a back-drop for outside film projection, amphitheater-type seating, built in game areas for children, pathways and sculpture pads, kiosks for vendors, a rain garden and native landscaping materials.

The commercial structure is an existing historic four story building. The building will serve as a beacon to creative individuals and companies that enjoy the benefits of working in close proximity. The first floor is envisioned as a combination food and beverage area and a multi-purpose space that can be utilized for performances, gallery, special events, etc. The upper three floors will be sub-divided to provide at least 30 office/studio spaces. This structure is part of the overall development but not part of the rezoning to Parks and Open Space as the property uses would not be compatible with Parks and Open Space zoning.

The UpTown Association has had great interest from a variety of partners such as Glass City Theatre Collective, Toledo Grows, Mercy College, Lucas County Land Reutilization Corporation and the Toledo School for the Arts. The City of Toledo has played a particularly vital role in helping with environmental assessments and remediation activities. UpTown has a unique resident base that includes homeless, re-entry and low-income residents. The goal is to engage all neighbors in the revitalization effort so that they feel a sense of ownership and responsibility.

**STAFF ANALYSIS (cont'd)**

The signature park (which will be named at a later time) is expected to be a major catalyst in the revitalization of the UpTown area. The creative arts are known to encourage investment in an area, attracting restaurants, entertainment venues and additional housing opportunities.

This revitalization effort will:

- Address existing environmental conditions and create a sustainable signature park
- Remediate environmental conditions on ±2.48 acres of vacant, underutilized land
- Removal of extensive asbestos containing materials
- Be proximate to important neighborhood anchor amenities including: the Toledo-Lucas County Public Library Main Branch, Toledo School for the Arts, Mercy Health Partners Main Campus / Mercy College, the Avenue of the Arts, and various art studios, galleries and entertainment venues.
- Provide a productive reuse of an area suffering from high crime, poverty, and unemployment rates
- Create job and additional tax revenue by attracting businesses to the area
- Increase safety
- Increase property values
- Integrate the use of a significant source of clean energy
- Be utility-ready with existing electrical, water, sewer, natural gas, and other services

The endeavor is a major one for a fledgling organization but crucial to improving and sustaining the long-term health and growth of the neighborhood. This project is generating enormous interest in the creative community and they are eagerly anticipating its development.

This proposal is in compliance with the Toledo 20/20 Plan, which identifies this area for Urban Village. This land use category is a specialized residential and commercial district that possesses characteristics of Traditional Neighborhood Development (TND), such as pedestrian orientation, zero building setbacks, mixed uses, and distinct architectural character. Furthermore, it is compatible with the zoning classifications of nearby properties.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z-2002-13, a request for a zone change from CO Office Commercial to POS / Parks and Open Space for a site located at 1810 Madison Avenue, to the Toledo City Council, for the following three (3) reasons:

**STAFF RECOMMENDATION (cont'd)**

Plan Commission

1. The proposed "POS" Parks and Open Space zoning will have a positive affect on properties within the vicinity of the subject property (TMC 1111.0606.E Review and Decision Making Criteria).
2. The proposed "POS" Parks and Open Space zoning is consistent with the proposed rezoning stated in the Comprehensive Plan (TMC 1111.0606.A Review and Decision Making Criteria).
3. 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).

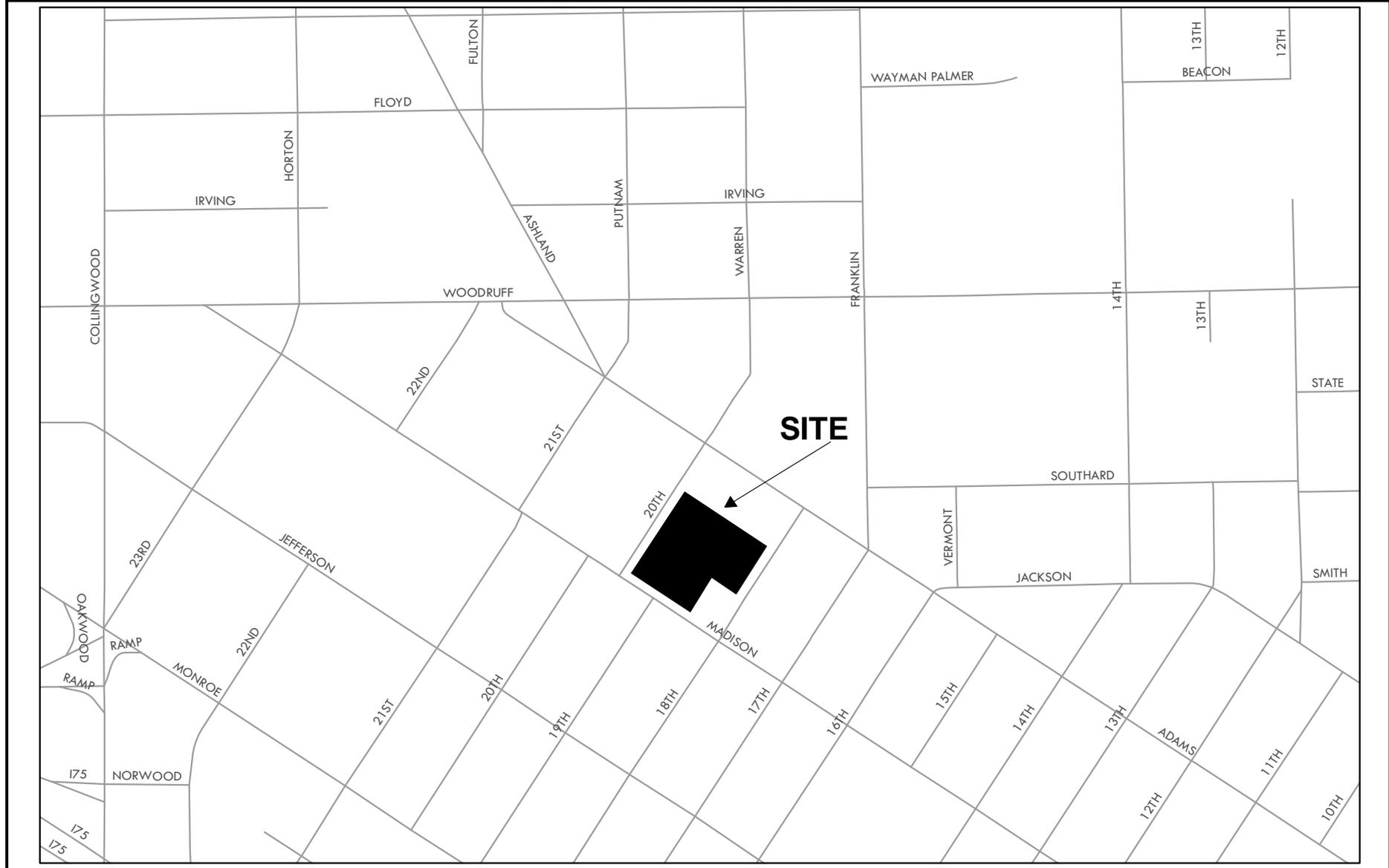
ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-2002-13  
DATE: APRIL 11, 2013  
TIME: 2:00 p.m.

CITY COUNCIL PLANNING  
AND ZONING COMMITTEE  
DATE: May 15, 2013  
TIME: 4:00 p.m.

GP/ks  
Four (4) sketches follow

# GENERAL LOCATION

Z-2002-13  
ID 14







# Proposed UpTown Signature Park Project Concept Plan

## UpTown Signature Park

Toledo, Ohio



1- 311 18th Street with Cistern and Stormwater Feature

2- Coffee shop, gallery and bakery w/ sedum roof

3- Trellis and Gateway

4- Kiosks for artwork sales by artists, with rental/sale of art supplies and childrens' games

5- Dumpster

6- Outdoor Cafe

7- Childrens' Games

8- Connection to Adam's St. neighbors

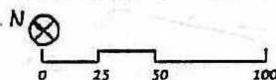
9- Rain Garden and Rainwater Swale

10- Artwalk with sculptures by local artists, lit by solar lights

11- Amphitheatre and Stage for live theatre and movies which doubles as interactive water play & fountain

12- Outdoor Movie Screen

13- Art in the Park



Hannik & Smith Group, Inc.  
June 7, 2011 - PRAM Review Meeting

# CONCEPT PLAN

Z-2002-13  
ID 14

All paths and activity areas will be lit.

Disc golf to be coordinated with the knowledgeable city party.

Roadway/parking engineering on Madison by other City departments. Not in scope.



## UTILITY CONCEPTS

### STORM/DRAINAGE

Drain to raingarden. Rain garden will have overflow outlet to existing storm in 20th St. Porous pavement, turf, planters and pavers will all assist with stormwater management. Underdrains that drain to raingarden will also be utilized.

### WATER

Connection will be made to an existing water tap, either on Madison or 18th. A vault with a meter, and backflow preventer will be located in the park property.

### ELECTRIC

Work with Toledo Edison to locate the power source that they would like us to use. Could be OH or UG. Electricity is necessary for lighting, any pumps, irrigation clocks and entertainment venues. An above ground, lockable enclosure is necessary for the meter, panel(s) and disconnect.

### GAS

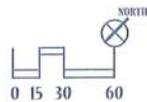
No gas required.

### SANITARY

No sanitary required.

### TELECOMMUNICATIONS/SECURITY

Not required.



## UPTOWN GREEN - CONCEPT D - PRELIM. UTILITIES

**Mannik & Smith**  
Group, Inc.

Dec. 6, 2012  
MSG Project # TOLE0020

## GENERAL INFORMATION

### Subject

- Request - Request for Special Use Permit for a building addition to existing convenience store
- Location - 3431 Elm Street, at Manhattan Boulevard
- Applicant - Jawad, Ltd.  
3431 Elm Street  
Toledo, OH 43608
- Engineer - John Weithman, PE  
3361 Executive Parkway, #201  
Toledo, OH 43606

### Site Description

- Zoning - CN Neighborhood Commercial
- Area - .32 acres
- Frontage - 120' along Elm Street  
120.2' along Manhattan Boulevard
- Existing Use - Convenience store
- Proposed Use - Convenience store with 400 square foot addition
- Required Parking - 14 spaces
- Proposed Parking - 11 spaces
- CDC - United North

### Area Description

- North - Manhattan Boulevard, Single-Family Homes / RM36
- South - Single-Family Homes / RS6
- East - Single-Family Homes & Toledo Board of Education Building / RS6
- West - Single-Family Homes / RS6

**GENERAL INFORMATION (cont'd)**

Parcel History

- Z-356-61 - Request for zone change from R-2 Single-family Residential to C-3 General Commercial, disapproved by Plan Commission on 1/11/62, City Council disapproved on 2/14/62.
- BZA-24-61 - Request for Board of Zoning Appeals approved for C-3 use in R-2 zoning district, disapproved on 6/16/86, site lost legal non-conforming status.
- Z-57-88 - Request fro zone change from R-2 Single-family Residential to C-3 General Commercial, disapproved by Plan Commission on 6/2/88, City Council approved C-1 Neighborhood Commercial zoning on 6/28/22, Ord. 606-88. Zone change was approved subject to commercial site plan review.
- Z-57-88 - Request for review and approval of commercial site plan review, Approved by Plan commission on 10/6/88
- SUP-5003-08 - Special Use Permit for convenience store expansion, approved by Plan Commission on 7/10/08, City Council approved on 8/26/08, Ord. 552-08.

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 3431 Elm Street, at Manhattan Boulevard. The site is currently operating under a grandfathered status. The proposed addition is over ten percent (10%) of the total square footage of the store, triggering the requirement for a special use permit review. A special use permit for an addition was approved in 2008 but was not built and the previous approval has expired.

The site is located at the intersection of Manhattan Boulevard and Elm Street. Surrounding land uses include single-family homes to the south and west, the Toledo Board of Education Administrative building to the east, and single-family homes to the north.

**STAFF ANALYSIS (cont'd)**

The existing building is 2,972 square feet. The applicant is proposing a 400 square foot addition. Two (2) existing curb cuts access the parking field that occupies the Southern half of the lot. The site plan depicts eleven (11) existing parking spaces. The applicant is not proposing to install any additional parking spaces.

However, the proposed addition raises the required number of parking spaces to fourteen (14). The applicant will be required to provide three (3) additional parking spaces in order to meet the minimum parking requirement. It appears that there is space along the westerly property line to add three (3) parallel parking spaces. The Plan Commission also has the option to allow an "Alternative Parking Plan" to be submitted.

**Building Elevation**

The applicant has submitted a building elevation for the proposed addition. The elevation does not call out the exterior building material for the existing building or the addition; however, the applicant indicated to staff verbally that the material is concrete block, matching the materials of the existing building. The applicant has further indicated that he will paint the addition to match the color of the existing building. At the request of Plan Commission staff, the applicant has added three enclosed windows along the northern building façade. A site visit on March 26<sup>th</sup> indicates that installation of the addition has already begun.

**Landscaping**

If the site were subject to a complete redevelopment, fifteen-foot (15') greenbelts would be required along the Elm Street and Manhattan Boulevard frontages. 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 retain a five-foot (5') landscape buffer along the southerly property line, and a six foot (6') landscape buffer along the westerly property line, as required as a condition of the 1988 rezoning and site plan review. Landscaping will also be added at the two (2) curb cuts accessing the site. Finally, landscaping will be added along the frontage of the existing building.

Staff is recommending that a guardrail or other low fence be installed along the western property border, along with the proposed landscaping. An alley abuts this property line, and staff is concerned about the potential for traffic entering and exiting the site from this alley.

**STAFF ANALYSIS** (cont'd)

**20/20 Plan Compliance**

The Toledo 20/20 comprehensive Plan targets this site for single-family residential uses. However, the site is zoned appropriately for the existing use and the site is large enough to support the addition.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-2003-13, a special use permit for a building addition to existing convenience store located at 3431 Elm Street, to Toledo City Council for the following two (2) reasons:

1. The site is zoned appropriately for the proposed use; and
2. The proposed use complies with all applicable provisions of this Zoning Code (TMC 1111.0706.B Review & Decision-Making Criteria); and

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-2003-13, a request for a building addition to existing convenience store, to be located at 3431 Elm Street, 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.

**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, 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, 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 eight-inch (8") thick concrete per the City of Toledo Construction Standards and Specifications. **No horizontal curb cutting will be permitted to create a curb drop/opening.**

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

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 at ph. (419) 936-2756 for inspection of above mentioned items.
6. The current 2011 aerial view seems to indicate that an addition already exists at this location unless it has already been razed. Plans submitted for review do not detail any revisions to the existing site and it therefore appears that there are no items requiring a storm water plan review.

Sewer and Drainage Services

No comments or objections to site plan as submitted.

Fire Prevention

7. Building address numbers required at a minimum 4" high x .5" wide. Per OFC 505.1.

Building Inspections

8. I have no objection to the use and proposed site improvements.
9. The property shown is on FEMA's flood insurance maps NOT to be in a designated special flood hazard area (SFHA).
10. Any construction or erection of any new structure or addition, or alternations to any existing building will require construction documents stamped by a design professional (registered architect or engineer) to be submitted to the Division of Building Inspection for plan review and approval. Construction documents must show that the new structure will be in compliance with the building, mechanical and fire codes of the City of Toledo, and by referenced authority, the State of Ohio.

Division of Transportation

11. "One way" and "Do Not Enter" signage and/or pavement markings shall be installed on site where appropriate.

**STAFF RECOMMENDATION** (cont'd)

Division of Transportation (cont'd)

12. All parking areas shall be clearly marked and dimensioned in accordance with TMC 1107.1902.
13. The site plan does not include a complete summary of parking requirements, including the number of standard and ADA parking spaces required. Parking shall meet the requirements of the TMC 1107.0300.
14. ADA parking stalls shall be provided in accordance with the Americans with Disabilities Act Guidelines and TMC 1107.1701. Any ADA parking spaces shall be designated with a sign visible from the driver's seat and must be mounted in front of the parking space at a minimum height of 60 inches to the bottom of the sign.

The Division of Transportation does not object to the approval of the site plan by the Plan Commissions provided the aforementioned conditions are addressed to the satisfaction of the division.

Plan Commission

15. The proposed number of parking spaces is deficient. Applicant shall submit a new site plan indicating compliance with the number of required parking spaces for the site.
16. A low level fence shall be added along the westerly property line, to prevent traffic from entering/exiting the site from the abutting alley.
17. 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.
18. Landscaping as shown on site plan is acceptable, including the following:
  - a. A five-foot landscape buffer along southerly property line.
  - b. A six-foot landscape buffer along westerly property line
  - c. Landscape island at the northwest corner
  - d. Landscape island at the southeast corner
  - e. Landscape area along the building frontage

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

19. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscape areas.
20. 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.
21. 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).
22. The site shall be reviewed after one year if determined to have significant negative effects that have not been sufficiently alleviated under zoning, building, or health code regulations (TMC 1104.0602).
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 Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
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-2003-13  
DATE: April 11, 2013  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: May 15, 2013  
TIME: 4:00 P.M.

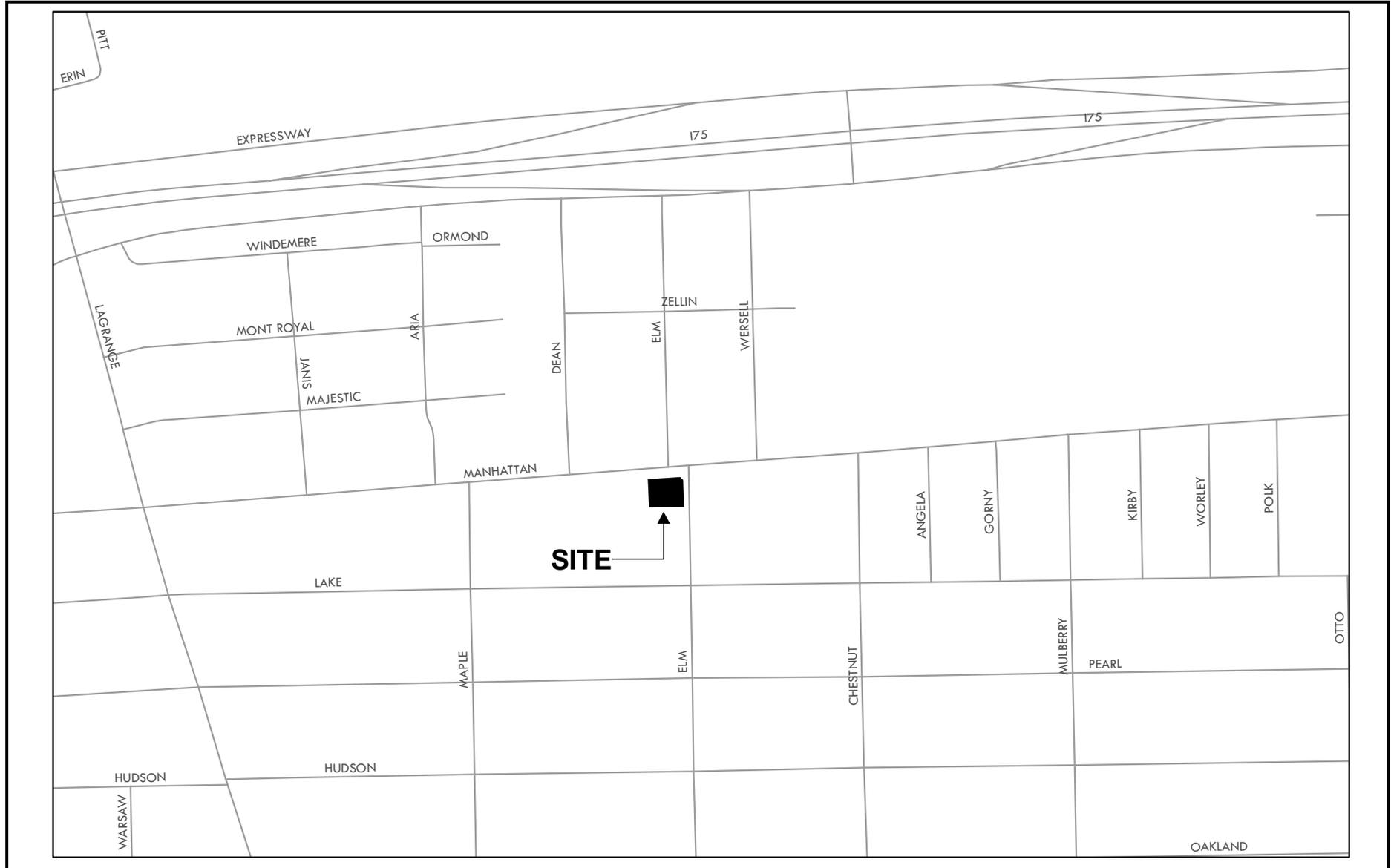
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Three (3) sketches follow

# GENERAL LOCATION

SUP-2003-13  
ID 7

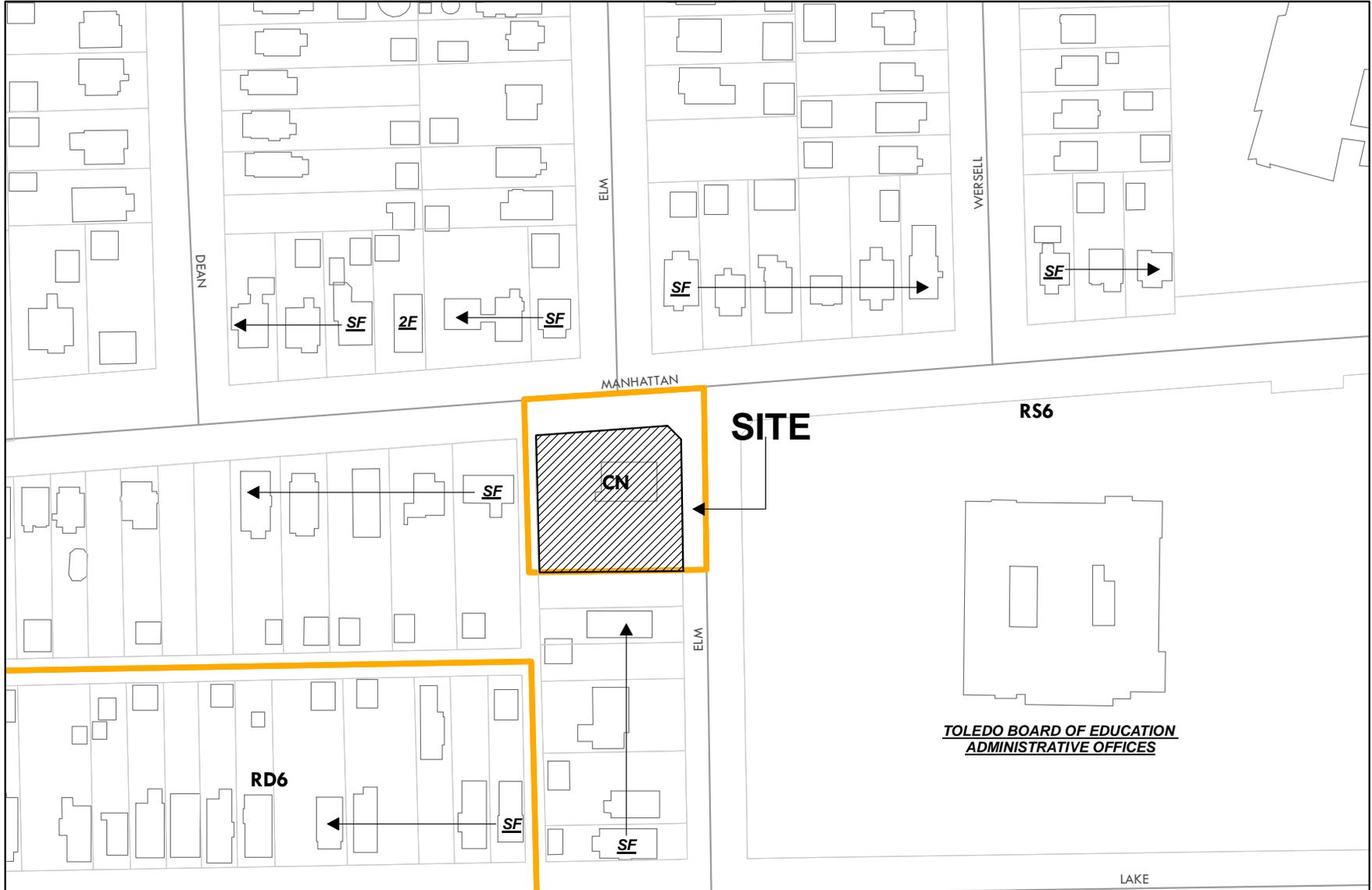


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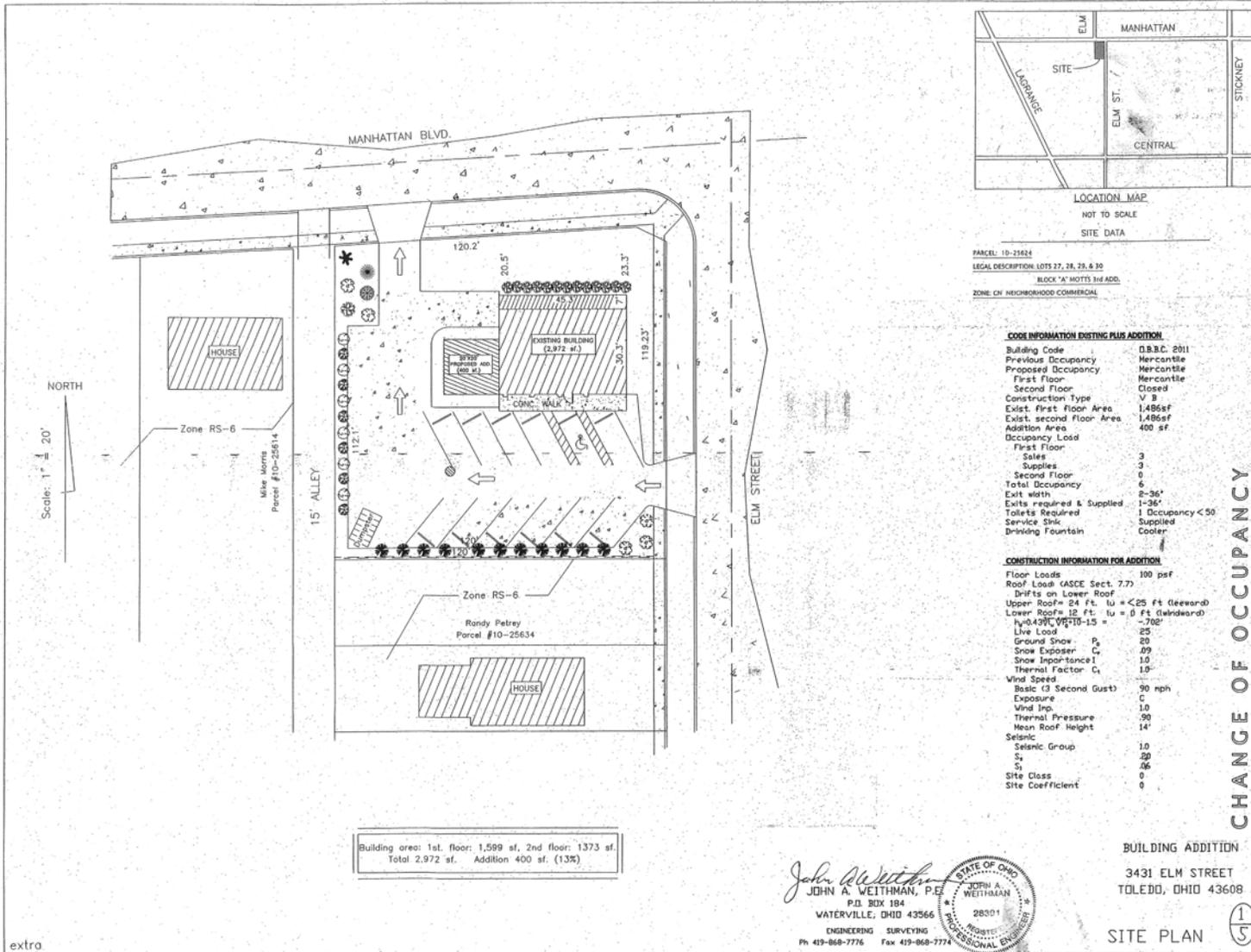
# ZONING & LAND USE

SUP-2003-13  
ID 7



# SITE PLAN AS SUBMITTED

SUP-2003-13  
ID 7



## GENERAL INFORMATION

### Subject

Request	-	Special Use Permit for the expansion of an existing yacht club at 5902 Edgewater Drive
Location	-	5902 Edgewater Drive
Applicant	-	Outings Unlimited Inc. 5907 Edgewater Drive Toledo, Ohio 43611
Engineer	-	Michael Cappelletty Cappelletty Engineering 6145 Douglas Road Toledo, Ohio 43613

### Site Description

Zoning	-	CR Regional Commercial
Area	-	± 0.095 acres
Frontage	-	± 87' on Edgewater Drive and ± 121' on 140 <sup>th</sup> Street
Existing Use	-	Undeveloped
Proposed use	-	7-space parking lot

### Area Description

North	-	Yacht Clubs and Marina Uses / CR
East	-	Multi-family Dwelling and Single-family Neighborhood / RM 12 & RS 6
South	-	Yacht Club, Marina and Commercial Uses / CR & RD6
West	-	Yacht Clubs and Marina Uses / CR

### Parcel History

No parcel history on file.

### 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 the expansion of an existing yacht club facility, to be located at 5902 Edgewater Drive. The proposed expansion is to allow for the addition of a 7-space parking lot on the parcel located directly across Edgewater Drive from the “clubhouse” and marina facilities. The development is proposed on a .095-acre parcel of land that is zoned CR Regional Commercial. A commercial canvas shop was recently razed to accommodate the redevelopment.

The yacht club is currently located on a .092-acre parcel, and consists of a 1,000 square foot clubhouse, 24 mooring spaces and 4 automobile spaces. The yacht club has continuously operated and existed on this property since as early as 1965. Code compliant parking for a yacht club of this size and scale would be 28 spaces. As a result, the addition of 7 spaces will increase the overall parking to 11 spaces and help alleviate a continuing problem in terms of parking.

Surrounding land uses include yacht club / marina uses to the North and West, a multi-family apartment and single-family houses to the Northeast, and a commercial canvas shop and neighboring yacht club’s parking facilities to the South. A single-family neighborhood exists to the East, behind the above-mentioned residential and commercial uses.

Pursuant to TMC§1111.0708 *Amendments to Approved Special Uses* - Major amendments to approved special uses require full review and approval in accordance with the procedures of this section. Increases in cumulative impervious surface coverage by more than 10 percent or 2,000 square feet, shall require Major Amendment approval. The proposed parking lot approximately doubles the amount of impervious surface coverage of the yacht club.

Landscaping has been included on the plans submitted for review. Accompanying the plan is a request for several setback and landscape waivers. The area is marina based in nature and targeted as an urban village, therefore, the urban commercial landscape standards would be appropriate. Staff agreed to the waiver request based on the existing site conditions and the application of the Urban Commercial Landscape Standards. The waiver requests are as follows:

Waiver of TMC§1107.1202 *Off-street Parking Facilities - Commercial and Industrial districts* and TMC§1108.0202 *Frontage Greenbelt*, along Edgewater Drive from 15 feet to 3 feet. Based on the original platted shape and width of the site, the property is limited in the type of development that could be utilized. A site visit found that the proposed parking lot is consistent with the surrounding sites and uses. The applicant originally submitted a plan that indicated no setback or landscaping along Edgewater Drive. Staff requested the applicant reduce the parking spaces dimensions to the standard 9’ x 18’ spaces, reduce the drive isle width to the standard 24’ and eliminate the space proposed in the “point” of the site. This will allow for additional landscaping to be installed in both areas and a 42” ornamental fence to be installed along Edgewater Drive. **Staff recommends approval of the waiver requests.**

**STAFF ANALYSIS** (cont'd)

Waiver of TMC§1107.1202 *Off-street Parking Facilities - Commercial and Industrial districts* and TMC§1108.0202 *Frontage Greenbelt*, along 140<sup>th</sup> Street from 15 feet to 5 feet. Once again the original platted shape and width of the site, limits the type of development and a site visit found that the proposed parking lot to be consistent with the surrounding sites and uses. Staff requested the applicant reduce the drive isle width to the standard 24' and eliminate the space proposed in the "point" of the site, allowing for additional landscaping to be installed in the area of the eliminated space. Staff is also requesting that additional landscaping and a 42" ornamental fence be installed along the spaces bordering 140<sup>th</sup> street to insure that headlights do not convey onto neighboring roadways and properties. **Staff recommends approval of the waiver requests.**

The Toledo 20/20 Comprehensive Plan targets this area for neighborhood commercial land uses. The intent of the neighborhood commercial future land use designation is to encourage predominantly small and medium scale commercial uses to serve the nearby neighborhoods. The Toledo 20/20 Comprehensive Plan also identifies Point Place as being home for many of Toledo's Yacht Clubs and that the nautical theme and water based uses should be maintained in an urban village concept. Staff feels that the design is consistent with the urban village concept and the expansion of the yacht clubs facilities will help promote water based uses in the area.

A Special Use Permit to expand the yacht club facilities is suitable for this location because it is compatible with surrounding uses and will not negatively impact the existing businesses in the area. As a result, staff has found that 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-2005-13, a special use permit for the expansion of a yacht club located at 5902 Edgewater Drive, 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 recommends that the Toledo City Plan Commission recommend approval of the following waivers, to Toledo City Council, for the proposed Yacht Club Expansion proposed at 5902 Edgewater Drive:

**Chapter 1107 Parking, Loading, and Access**

**Sec. 1107.1202 Off-street Parking Facilities - Commercial and Industrial Districts**

Waive 12' of the 15' off-street parking setback along Edgewater Drive and 10' of the 15' off-street parking setback along 140<sup>th</sup> Street.

**Chapter 1108 Landscaping and Screening**

**Sec. 1108.0202 Frontage Greenbelt**

Waive 12' of the 15' frontage greenbelt along Edgewater Drive and 10' of the 15' frontage greenbelt along 140<sup>th</sup> Street.

The staff further recommends that the Toledo City Plan Commission recommend approval, to Toledo City Council, of SUP-2005-13 subject to the following twenty-three (23) 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. 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, Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines. Pedestrian curb ramp at the corner of Edgewater Drive and 140<sup>th</sup> Street does not meet ADA or City of Toledo standards and needs to be removed and replaced in order to comply.
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. 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)

4. All 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. 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. Storm-water detention will be required in accordance with the above.
6. No construction work, including grading, will be permitted without approved plans and inspection.
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. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.  
  
Because of the relatively small size of the site (.08 ac), the engineer developing this project is requested to consult with the Storm Water utility contact listed and make an earnest attempt to incorporate BMP's as per item 10 below.
8. 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. A Flood Plain Development permit is required.
9. Prior to approval of the proposed project, an environmental investigation may be required, at the discretion of the City of Toledo, to certify that the area is free of environmental problems and/or issues. Parameters and requirements of such an investigation will be per the City's Division of Environmental Services or designated agency.

**STAFF RECOMMENDATION (cont'd)**

Engineering Services (cont'd)

10. 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 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

11. 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.
12. 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.
13. Any kills that were not done at the right-of-way line shall be re-killed at the right-of-way to eliminate any active pipes on the property.

Sewer & Drainage Services

No concerns or objections.

**STAFF RECOMMENDATION (cont'd)**

Building Inspection

14. New construction, addition or interior alterations of an existing building will require construction documents stamped by a design professional submitted to the Division of Building Inspection for plan review and approval according to the Ohio Building Codes and associated mechanical, electrical codes and fire codes. This provision includes pre-fabricated structures, which require such documentation along with the drawings showing the foundation plan.

Fire Prevention

No concerns or objections.

Division of Transportation

15. Existing unused drive approaches shall be completely removed and new curbs and sidewalks shall be installed in accordance with City of Toledo Construction Standards.
16. Curb stops shall be installed along the parking stalls adjacent to Edgewater Dr. to stop encroachment onto the sidewalks.
17. The location of the northernmost parking stalls will cause maneuvering vehicles to encroach onto the adjacent property. If not already established, cross-access agreements shall be established with adjacent property owners. In lieu of such agreements, the parking layout shall be modified to allow vehicle maneuvers in and out of the stalls, to be executed within the limits of the subject parcel.

Plan Commission

18. Applicant shall submit an alternative parking plan to allow for off-site parking, subject to the review and approval of the Director of Planning and Law Department.
19. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscape areas or sidewalks.
20. 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. A 3½ feet high metal tube or solid bar fence, with at least one shrub for every 3 feet of property line planted on the outside of the fence or a solid 3½ foot high brick or stone wall shall be installed along all parking lot areas adjacent to a street, place, or driveway; **shall be noted on revised landscape plan.**

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

- 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. 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.**
  - 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; **shall be noted on revised landscape plan.**
  - e. The location, height and materials for any fencing to be installed and maintained; **shall be noted on revised landscape 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.
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 Toledo 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 Toledo City Plan Commission have been made for compliance with the conditions as set forth above.

REF: SUP-2005-13. . April 11, 2013

SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP-2005-13  
DATE: April 11, 2013  
TIME: 2:00 p.m.

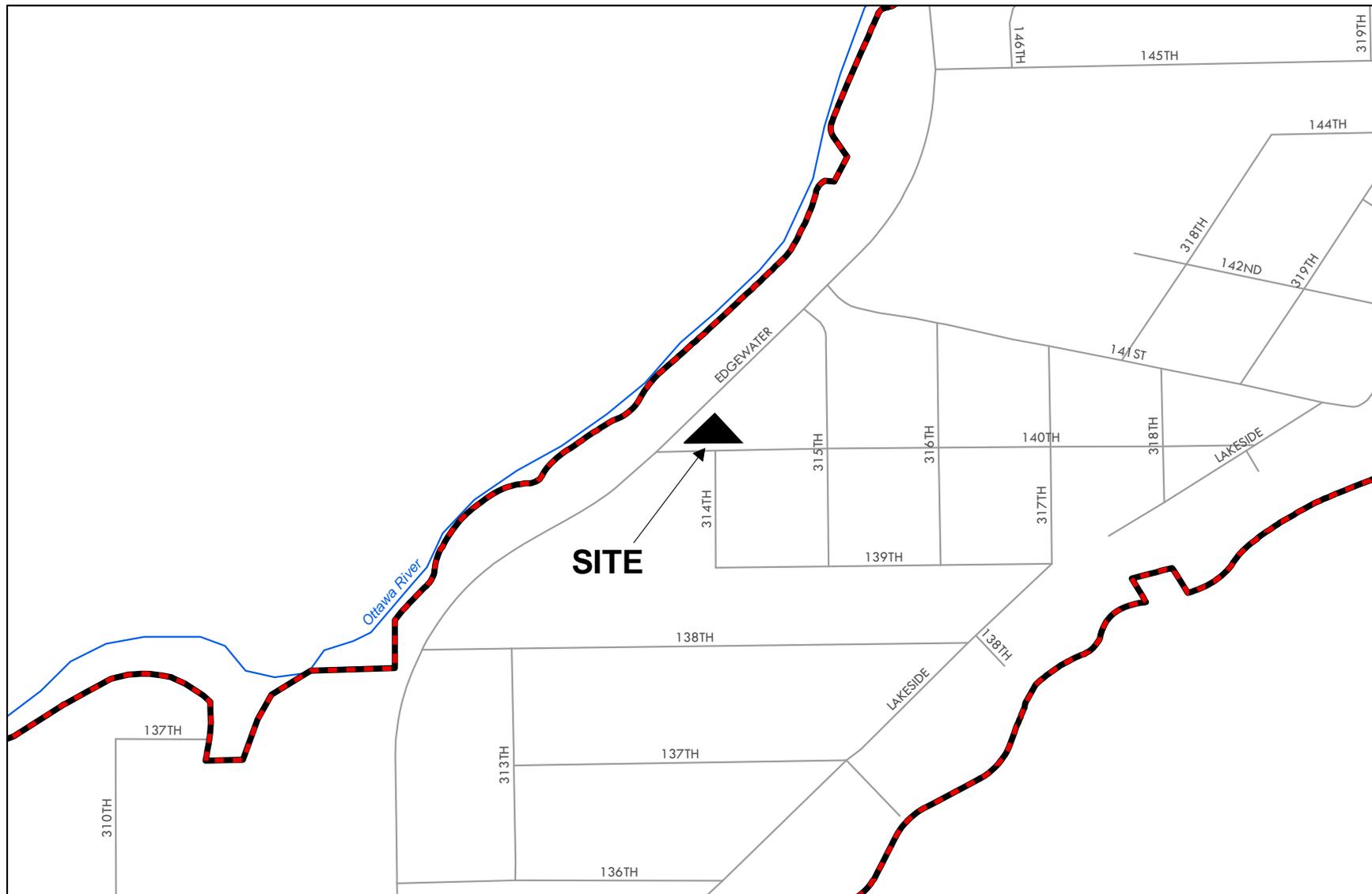
CITY COUNCIL PLANNING  
AND ZONING COMMITTEE  
DATE: May 15, 2013  
TIME: 4:00 p.m.

BH/ks

Three (3) sketches to follow

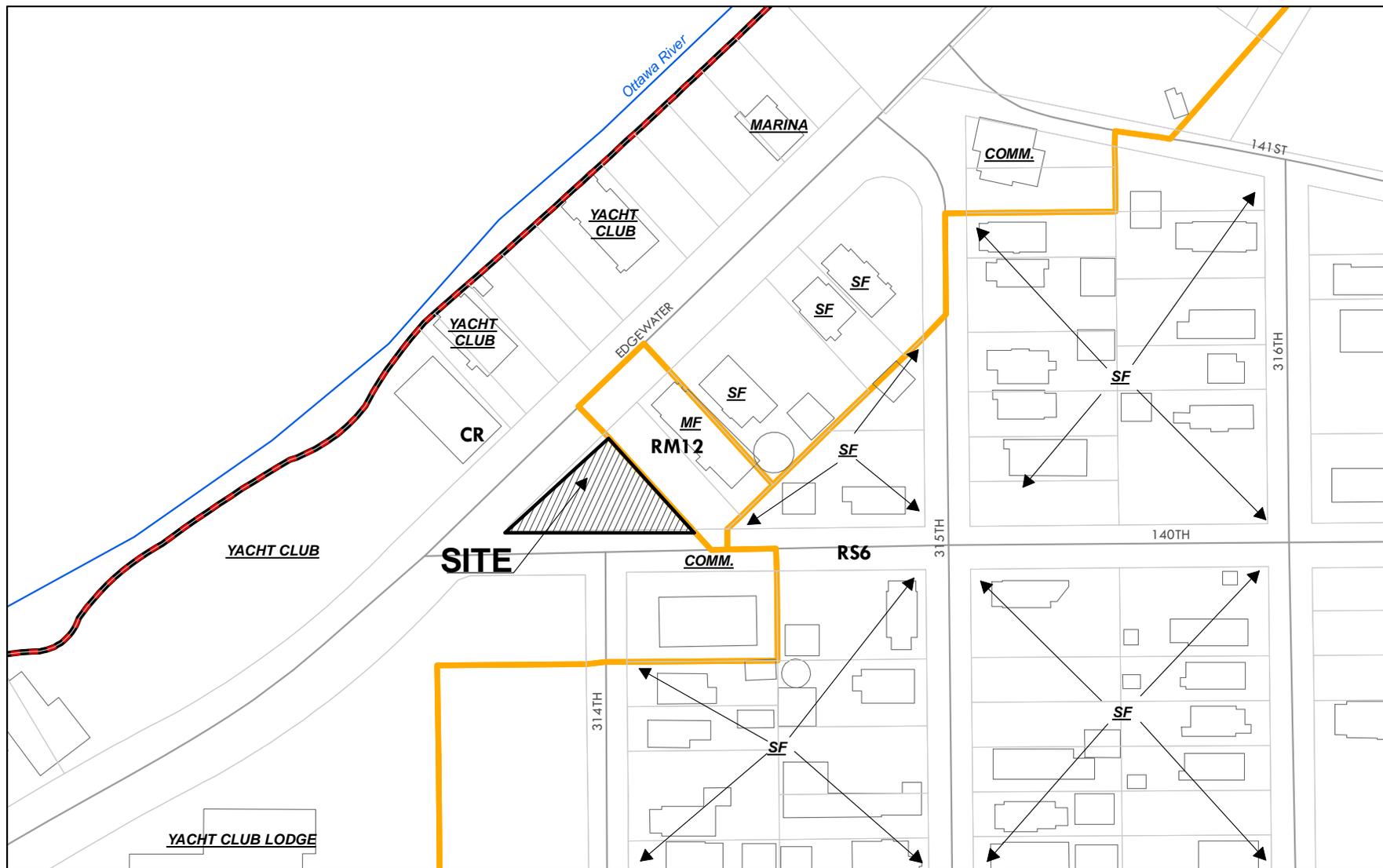
# GENERAL LOCATION

SUP-2005-13  
ID 66



# ZONING & LAND USE

SUP-2005-13  
ID 66

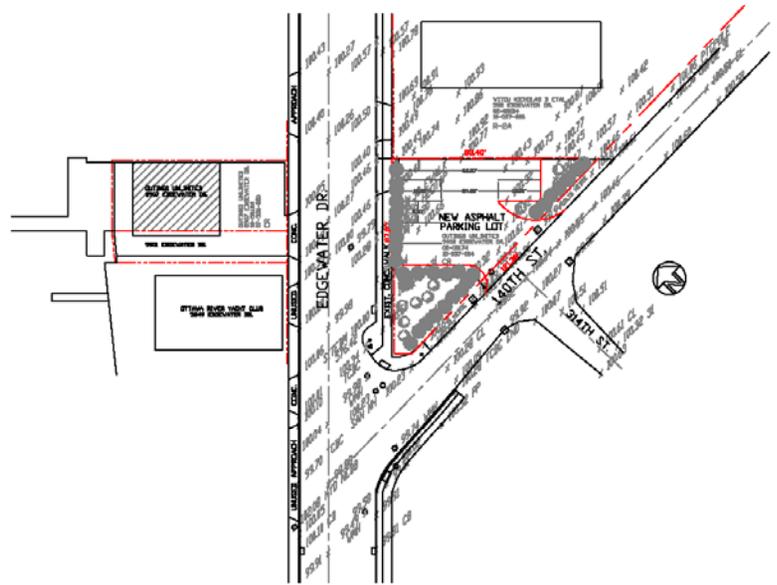


# REVISED SITE PLAN AS SUBMITTED

SUP-2005-13  
ID 66



## OUTINGS UNLIMITED, INC. 5902 EDGEWATER DR. NEW PARKING LOT



**LEGEND**

[Symbol]	EXISTING
[Symbol]	NEW ASPHALT
[Symbol]	NEW CONCRETE
[Symbol]	NEW GRAVEL
[Symbol]	NEW CURB
[Symbol]	NEW DRIVEWAY
[Symbol]	NEW SIDEWALK
[Symbol]	NEW FENCE
[Symbol]	NEW SIGN
[Symbol]	NEW LIGHT
[Symbol]	NEW UTILITY
[Symbol]	NEW TREE
[Symbol]	NEW PLANT
[Symbol]	NEW LANDSCAPE
[Symbol]	NEW FURNITURE
[Symbol]	NEW OTHER



ENGINEER: MICHAEL CAPPELLETTY, P.E.  
8145 SEAGRAM RD.  
TOLLEDO, OHIO 43612  
PHONE/FAX (419) 475-8200

**General Notes**

1. For provisions of underground utilities, call the Ohio Utilities Information Service a minimum of 48 hours prior to excavation in the vicinity of utility lines. The telephone number is 1-800-362-2764. This number should be called directly.
2. All materials and construction shall be in accordance with Construction Standards and Specifications of the Ohio Department of Transportation (ODOT) dated January 1, 2003, subject to the current standards, Part 541 Standards, by the City of Toledo, Division of Engineering Services. All construction in this plan shall be in accordance with the City of Toledo Construction Standards unless otherwise noted. A copy of said standards is available from the Division of Engineering Services. In addition, all work shall be in compliance with all applicable Federal and state standards and regulations. Where applicable, any contract between contractor and client on the approved drawings or specific items for the project, the state will prevail and govern unless there is a written and signed document from the City of Toledo that shows clearly varying otherwise.
3. During the construction of the work the contractor shall maintain access to all times, and shall provide access to all adjoining properties.
4. The location of existing utilities shown on this plan is approximate. Exact location of the exact location of existing utilities shall be the responsibility of the contractor.
5. Soil erosion and sedimentation best management practices (BMP) measures will be installed prior to the start of any construction and will be maintained until after construction has been completed, including all gully basins will be installed and fully constructed prior to and subsequent to BMP measures on site prior. All BMP measures will be installed to the satisfaction of the City of Toledo. The City of Toledo may require work to be stopped and the drawings updated to be changed, if conditions become unsatisfactory.
6. Contractor shall provide and maintain all fire hydrant service lines and hydrants in accordance with applicable codes and standards.
7. Contractor to notify City of Toledo, Division of Stormwater Services at 419-252-3023, (1) 30 days prior to start of construction and prepare of monitoring station and BMP measures.
8. Contractor is to designate a site dump/truck with permit to accept construction debris for work purposes to include but not limited to trucks and dump/truck haulers to be used, subject to the supervision of the City of Toledo, Division of Stormwater Services and the City of Toledo Municipal Code. Dumping or discharge of any waste materials to any sewer is prohibited. Inoperative vehicles are to be removed or are not properly disposed of in accordance with all Federal, State and local regulations.

No.	Revisory/Revision	Date

**THE SEAL OF THE ENGINEER**

**CAPPELLETTY**  
ENGINEERING - CONSTRUCTION  
6845 SEAGRAM RD. TOLLEDO, OHIO 43612  
PHONE AND FAX NO. (419) 475-8200

**Project Name and Address**

**GRADING PLAN**

Sheet No.	Sheet
01/25/13	1
13-200	OF 1

## 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 - ±2.69 ac.
- Area of Entire Parcel - ±13.06 ac.
- Frontage - ±671' on Secor Road for entire parcel  
±60' on Proposed Executive Parkway
- Existing Use - Vacant Parcel (former Secor Cinema site)
- Proposed Use - Hotel
- Proposed Parking - 146 spaces
- Required Parking - 108 spaces

### Area Description

- North - Hotel / CR
- South - Commercial & Apartments / CR & RM36
- East - Apartments / RM36
- West - Executive Parkway, 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)**

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.

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 2.69 acres of a 13 acre parcel. This is the first phase of development of the former Secor Cinema site, which is currently vacant. This development will front on an extension of the current Executive Parkway, which is being platted as future right-of-way. A major site plan review is required because the number of proposed parking spaces is greater than 60 spaces.

Currently, sufficient right-of-way has not been dedicated at the end of the roadway to provide adequate turnaround for vehicles. This issue will need to be resolved prior to the construction of the hotel, which may impact the design of the site.

A concept plan for the entire site has also been submitted. This shows the potential location of future commercial operations. The concept plan shows a parcel without street frontage. This overall concept plan will need to be reconfigured to address this issue. The Division of Transportation has several issues which will need to be addressed. The right-out only drive onto Secor Road shall not be permitted. Available cross-access shall be utilized in order to access and utilize the northern access road. As mentioned in prior site plan reviews for this site, the 20' drive aisles shall be widened to a minimum of 22' to accommodate two-way traffic and cross-access to the adjacent Westgate Limited property shall be established. In addition, the proposed Kentucky Fried Chicken should include a by-pass lane to accommodate disabled vehicles and drivers exiting the drive-thru. The Division of Transportation recommends deferral of the subject matter by the Plan Commissions until the aforementioned conditions are addressed to the satisfaction of the division.

### *Parking and Circulation*

The site plan indicates that the hotel will allocate 146 parking spaces. The parking spaces will be distributed in parking fields on both sides of the hotel. The 20' drive aisles need to be widened to a minimum of 22' to accommodate two-way traffic. The applicant is proposing to use the proposed Executive Parkway extension as an entrance to the parking lot. However, the Division of Transportation has expressed a concern about the turnaround for the public right-of-way and this has yet to be addressed. In addition, this proposal violates the City of Toledo Subdivision Rules and Regulations Section 506 (1), which does not permit permanent dead end streets. This reconfiguration may have an impact on the site plan for the hotel. The engineer for the applicant stated to staff that an easement could be established to provide an access for a turnaround. The Division of Transportation does not accept this proposal as an alternative.

### *Landscaping*

The landscape plan offers the appropriate amount of interior and foundation landscaping. A Type A Landscape Buffer is required along the easterly property line, where the site abuts RM36 Multi-Family Residential zoning. The landscape plan offers the appropriate buffer in this location, including ten-feet (10') of landscaping and a fence.

**STAFF ANALYSIS** (cont'd)

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. Staff recommends that a ten-foot (10') buffer be added along the northern and southern drive aisles and parking areas. Currently the perimeter landscaping is only 5' on the northern and southern property lines.

Given that the applicant needs to widen the drive aisles and increase the landscaping a revised site plan will need to be submitted prior to any approval. A thirty-foot (30') greenbelt is required along the Secor Road frontage. 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.

*Dumpsters*

The site plan indicates that the dumpster for the hotel is located at the southeastern corner of the property. The proposed location does not violate the TMC, however, it is within twenty feet (20') of the residential district to the east of the site. TMC 1108.0203.G.5 *Dumpster/Trash Receptacle Screening* states that dumpsters shall be located as far away from residential districts as possible. Staff requires as a condition of approval that the proposed dumpsters be located further from the residential district.

*Building Elevation*

A building elevation has been submitted. The elevation indicates that EIFS is the proposed predominant exterior building material. TMC 1109.0501 *Facade Materials* allows for the use of EIFS as an exterior building material, however it can only comprise fifteen percent (15%) or less of the total façade when it is visible from the right of way. The applicant is required to submit a new elevation that complies with the requirements of TMC 1109.0501 for the side of the building that fronts the new Executive Parkway right-of-way (west side).

The Toledo 20/20 Plan targets this site for regional and general commercial uses. The proposed development conforms to the 20/20 Plan. However, staff has concerns about the cohesiveness with the future phases of the development, particularly regarding cross-access issues. The Division of Transportation has similar concerns and has requested a traffic study. Additionally, unresolved site plan issues regarding circulation, landscaping and dumpster location have obliged staff to recommend disapproval of the submitted site plan.

Staff met with the applicant and a revised site plan will be submitted prior to the April 11<sup>th</sup> Plan Commission hearing.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission disapprove SPR-7-13, a Major Site Plan Review for a Hotel located at 3436 Secor Road, for the following five (5) reasons:

1. The public turnaround for Executive parkway has not been submitted and its design may impact the site plan for the hotel.
2. Per the City of Toledo Subdivision Rules and Regulations Section 506 (1): Permanent dead-end streets **shall not** be permitted. Temporary dead-end streets shall be permitted only as a segment of a continuing street plan subject to its extension into undeveloped acreage.
3. The drive aisles and landscaping on the northern and southern property lines need to be increased which may alter the design of the site.
4. Vehicular ingress and egress to and from the site and circulation within the site does not provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well.
5. The plan does not comply with all standards of the Toledo Municipal Code and other adopted City policies.

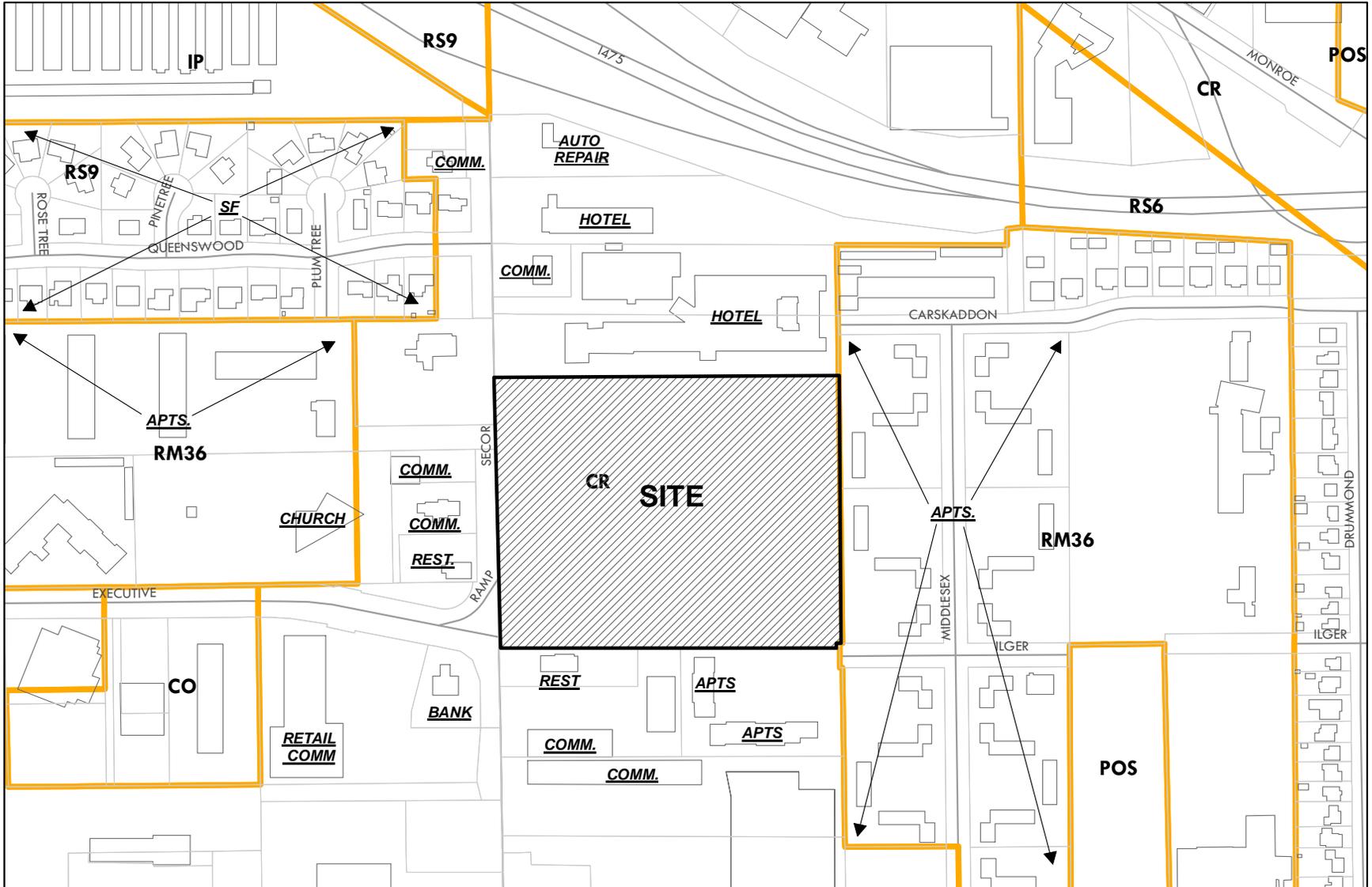
MAJOR SITE PLAN REVIEW  
TOLEDO CITY PLAN COMMISSION  
REF: SPR-7-13  
DATE: April 11, 2013  
TIME: 2:00 P.M.

TG/ks  
Four (4) sketches follow



# ZONING & LAND USE

SPR-7-13  
ID 46

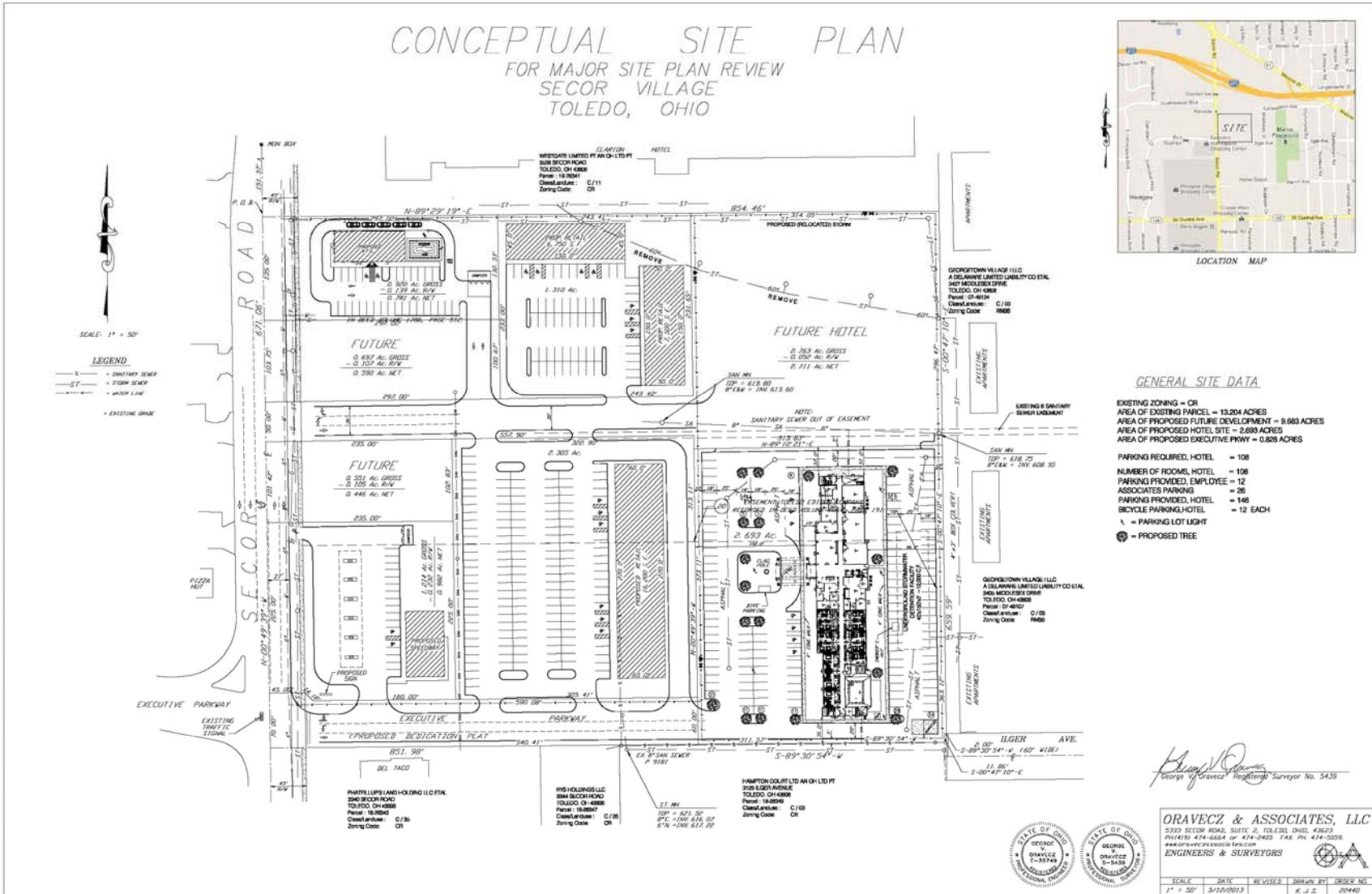


# SITE PLAN "A"

SPR-7-13  
ID 46



## CONCEPTUAL SITE PLAN FOR MAJOR SITE PLAN REVIEW SECOR VILLAGE TOLEDO, OHIO



### GENERAL SITE DATA

- EXISTING ZONING = CR
- AREA OF EXISTING PARCEL = 13.204 ACRES
- AREA OF PROPOSED FUTURE DEVELOPMENT = 9.683 ACRES
- AREA OF PROPOSED HOTEL SITE = 2.693 ACRES
- AREA OF PROPOSED EXECUTIVE PKWY = 0.628 ACRES
- PARKING REQUIRED, HOTEL = 108
- NUMBER OF ROOMS, HOTEL = 108
- PARKING PROVIDED, EMPLOYEE = 12
- ASSOCIATES PARKING = 26
- PARKING PROVIDED, HOTEL = 146
- BICYCLE PARKING, HOTEL = 12 EACH
- ⊗ = PARKING LOT LIGHT
- ⊙ = PROPOSED TREE

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

**ORAVECZ & ASSOCIATES, LLC**  
5333 SECOR ROAD, SUITE 2, TOLEDO, OHIO 43623  
PH: 419-244-6554 OR 419-244-6555 FAX: PH: 419-2525  
www.oraveczassociates.com  
**ENGINEERS & SURVEYORS**



SCALE	DATE	REVISOR	DRAWN BY	INCHER NO.
1" = 50'	3/10/2013		K. J. S.	20440

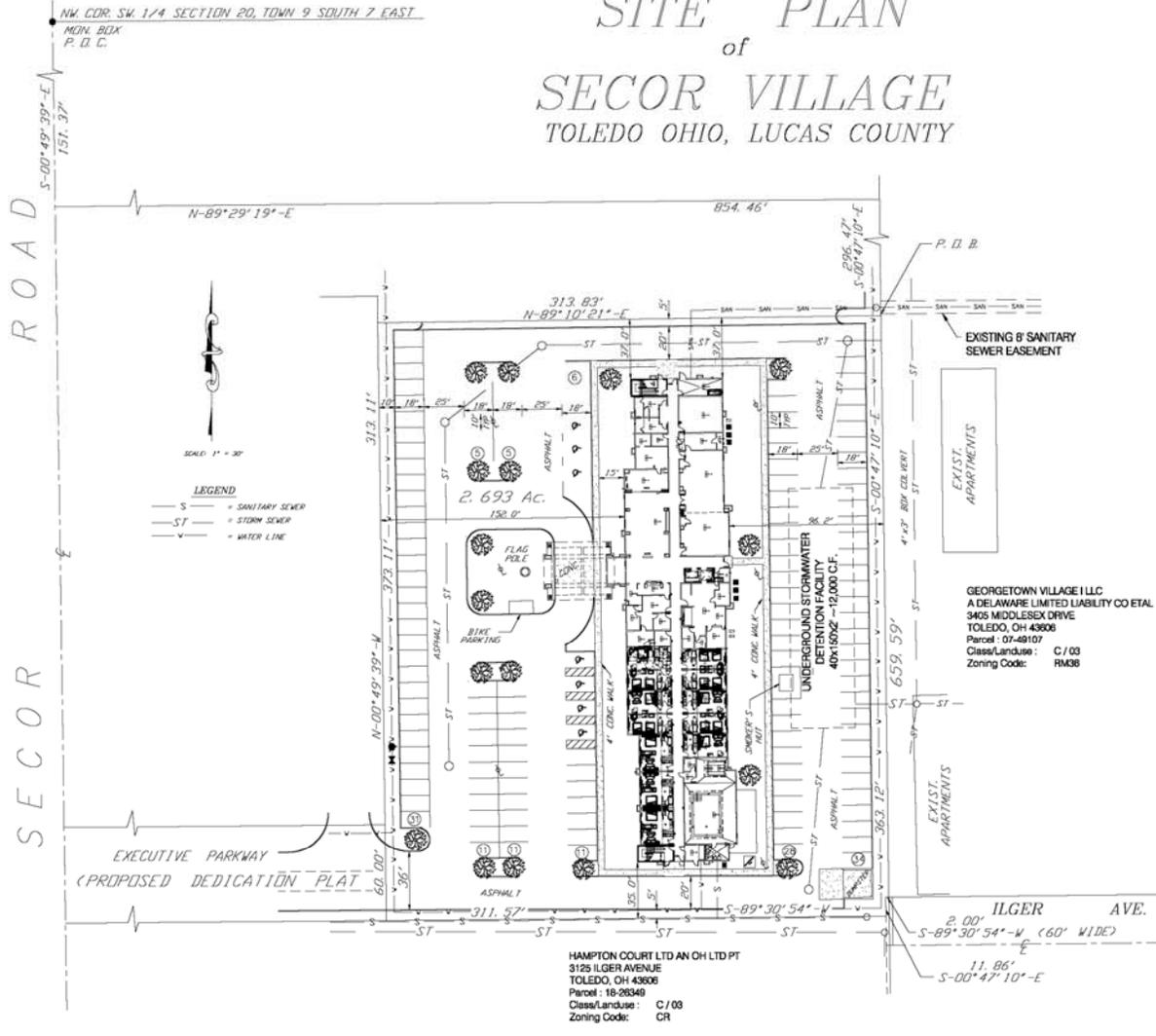
# SITE PLAN "B"

SPR-7-13  
ID 46



5 - 9

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



**GENERAL SITE DATA**

EXISTING ZONING = CR  
 AREA OF EXISTING PARCEL = 13.204 ACRES  
 AREA OF PROPOSED FUTURE DEVELOPMENT = 9.693 ACRES  
 AREA OF PROPOSED HOTEL SITE = 2.693 ACRES  
 AREA OF PROPOSED EXECUTIVE PARK = 0.896 ACRES  
 AVERAGE GROUND ELEVATION = 619.50  
 BUILDING SITE COVERAGE = 38,520 S.F.

PARKING REQUIRED, HOTEL = 108  
 NUMBER OF ROOMS, HOTEL = 100  
 PARKING PROVIDED, EMPLOYEE = 12  
 ASSOCIATES PARKING = 00  
 PARKING PROVIDED, HOTEL = 142  
 BICYCLE PARKING, HOTEL = 15 EACH

**LEGAL DESCRIPTION**

PART OF THE SOUTHWEST 1/4 OF SECTION 00, TOWN 9 SOUTH RANGE 7 EAST, CITY OF TOLEDO, LUCAS COUNTY, OHIO

COMMENCING AT A MONUMENT BORN AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 00, TOWN 9 SOUTH RANGE 7 EAST;

THENCE S-00°49'39"-E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 00 AND THE CENTERLINE OF SECOR ROAD A DISTANCE OF 151.37 FEET TO THE POINT OF BEGINNING;

THENCE N-89°29'19"-E A DISTANCE OF 854.46 FEET TO A POINT;

THENCE S-00°47'10"-E ALONG THE WEST LINE OF HANPSHIRE HEIGHTS EXTENSION A DISTANCE OF 659.59 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING S-00°47'10"-E ALONG THE WEST LINE OF HANPSHIRE HEIGHTS EXTENSION A DISTANCE OF 659.59 FEET TO A FOUND IRON ROD;

THENCE S-89°30'54"-W A DISTANCE OF 0.00 FEET TO A FOUND IRON ROD;

THENCE S-00°47'10"-E A DISTANCE OF 11.86 FEET TO A FOUND IRON ROD;

THENCE S-89°30'54"-W ALONG THE NORTH LINE OF PARCEL NUMBER 16-26349 HAMPTON COURT LTD. A DISTANCE OF 311.57 FEET TO A FOUND IRON ROD;

THENCE N-00°49'39"-W A DISTANCE OF 373.11 FEET TO A FOUND IRON ROD;

THENCE N-89°10'21"-E A DISTANCE OF 313.83 FEET TO THE POINT OF BEGINNING

CONTAINING 0.693 ACRES OF LAND MORE OR LESS.

GEORGETOWN VILLAGE I LLC  
 A DELAWARE LIMITED LIABILITY CO ENTITY  
 3405 MIDDLESEX DRIVE  
 TOLEDO, OH 43608  
 Parcel: 07-49107  
 Class/Landuse: C / 03  
 Zoning Code: RM3B

*George J. Oravec*  
 George J. Oravec, Registered Surveyor No. 5439

**ORAVEC & ASSOCIATES, LLC**  
 3323 SECOR ROAD, SUITE 2, TOLEDO, OHIO 43609  
 PH: 419-474-6664 or 474-2425 FAX: PH: 474-5059  
 WWW.ORAVEC2830CA.ES.COM  
 ENGINEERS & SURVEYORS



SCALE	DATE	REVISED	DRAWN BY	CHECKED BY
1" = 30'	3/10/2013		K. J. S.	20440

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## GENERAL INFORMATION

### Subject

- Request - Text Amendment regarding Use Regulations – Sports & Rec-Indoor, Accessory Uses – Setbacks, and Intensity & Dimensional Standards – Front Setbacks, Corner Lots.
- 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

This is the second in a series of text amendments for the Toledo Zoning Code. Three text amendments are proposed in this set. The Staff Analysis provides a brief background behind the proposed changes. See Exhibit “A” for the proposed text amendments.

### 1) Section 1104.0107 - Use Categories - Sports and Recreation, Participant “Indoor”

Staff has received a number of inquiries for the allowance of “crossfit” type physical fitness centers in large open warehouse buildings. The addition of “Indoor” Sports and Recreation uses in the Limited Industrial districts will serve a dual purpose. 1) Allow for the reuse and/or repurposing of large warehouse type buildings. 2) Adapt to the evolving changes and needs of the physical fitness industry. These buildings are frequently located within industrial zoned districts.

### 2) Section 1105.0201(D)(2) Setbacks - Front Yard Setbacks for Accessory Buildings on Corner Lots

The language proposed in this section clarifies secondary front yard setbacks for accessory buildings on double frontage and corner lots. The intent is that accessory structures should be setback as outlined in Sec. 1106.0101 for double frontage lots and at least as far as the main structure on corner lots, along the respective secondary front yards. This change will simplify the existing section.

**STAFF ANALYSIS** (cont'd)

3) Section 1106.0205(B)(3) Setbacks B 3 - Front Yard Setbacks for Corner Lots

The language proposed in this section, was overlooked as part of the 2004 Toledo Municipal Code Rewrite. On nonconforming corner lots, special cases could exist that would allow for the front yard setback to be reduced to less than 10ft if not amended. A setback of less than 10ft may pose unforeseen safety concerns, as well as, be out of context with existing development and should be reviewed on a case-by-case basis by the Board of Zoning Appeals.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of M-2-13, Miscellaneous Text Amendment Changes, to the Toledo City Council.

ZONING TEXT AMENDMENT  
TOLEDO CITY PLAN COMMISSION  
REF: M-2-13  
DATE: April 11, 2013  
TIME: 2:00 p.m.

CITY COUNCIL PLANNING  
AND ZONING COMMITTEE  
DATE: May 15, 2013  
TIME: 4:00 p.m.

BH/ks  
Exhibit "A" follows

**Exhibit “A”**

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

- 1) **1104.0107 - Use Categories:** The use categories listed in the Use Table are organized into five major use groups: Residential, Public and Civic, Commercial Use Types, Industrial Use Types, and Other Use Types. Each major use group is further divided into a series of use categories. All of the use categories listed in the Use Table are defined in Sec. 1116.0200.

Use Category	RS 12	RS 9	RS 6	RD 6	RM (all)	R MH	CN	CO	CM	CS	CR	CD	IL	IG	IP	POS	IC
Sports and Recreation, Participant																	
Indoor	-	-	-	-	-	-	-	-	-	-	P	P	<i>P</i>	-	-	-	-
Outdoor	S	S	S	S	S	-	-	-	-	-	P	P	S	-	-	-	-

- 2) **1105.0201 Setbacks**

- ~~D. Setbacks for an accessory building along a secondary frontage are subject to the following requirements:~~
  - ~~1. Double-Frontage Lots are subject to front yard setback requirements per Sec. 1106.0101.~~
  - ~~2. Corner Lots are subject to front yard setback requirements per Sec. 1106.0101, but must be setback at least as far as the main structure.~~
- D. *The secondary frontage for an accessory building on a double frontage lot is subject to front yard setback requirements per Sec. 1106.0101.***
- E. *The secondary frontage for an accessory building on corner lot must be setback at least as far as the main structure.***

- 3) **1106.0205 Setbacks**

- 3. Corner Lots**

Where front setbacks have been established or are required on each of two intersecting streets, a front setback must be provided on each lot frontage of the corner lot, with the following two exceptions:

- a. In Residential districts, where the required front setback exceeds 25 feet, only one front setback in excess of 25 feet is required by this Zoning Code.

**Exhibit “A”** (cont’d)

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

- b. The building width of a lot of record need not be reduced to less than 28 feet when the owner of such lot can show that ownership and control of any adjacent lot or lots of record are by another person.

*Under this provision, no structure shall be constructed closer than 10ft to a right-of-way without review and approval from the Board of Zoning Appeal, unless specified in Sec. 1106.0100.*

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