

*TOLEDO CITY
PLAN COMMISSION
REPORT*

April 10, 2014

Toledo-Lucas County Plan Commissions

One Government Center, Suite 1620, Toledo, OH 43604

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

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**TOLEDO-LUCAS COUNTY PLAN COMMISSIONS
APPLICATION DEADLINE, AGENDA, STAFF REPORT AND HEARING
SCHEDULE - 2014**

| APPLICATION DEADLINE* | AGENDA SET | STAFF REPORT DISTRIBUTED | HEARING DATE |
|--|-------------------|---------------------------------|---------------------|
| CITY PLAN COMMISSION (<i>HEARINGS BEGIN AT 2PM</i>) | | | |
| November 25 | December 23 | December 27 | January 9 |
| December 30 | January 27 | January 31 | February 13 |
| January 28 | February 24 | February 28 | March 13 |
| February 25 | March 24 | March 28 | April 10 |
| March 25 | April 21 | April 25 | May 8 |
| April 29 | May 26 | May 30 | June 12 |
| May 27 | June 23 | June 27 | July 10 |
| July 1 | July 28 | August 1 | August 14 |
| July 29 | August 25 | August 29 | September 11 |
| August 26 | September 22 | September 26 | October 9 |
| September 23 | October 20 | October 24 | November 6* |
| October 21 | November 17 | November 21 | December 4* |
| COUNTY PLANNING COMMISSION (<i>HEARINGS BEGIN AT 9AM</i>) | | | |
| December 9 | January 6 | January 10 | January 22 |
| January 13 | February 10 | February 14 | February 26 |
| February 10 | March 10 | March 14 | March 26 |
| March 10 | April 7 | April 11 | April 23 |
| April 14 | May 12 | May 16 | May 28 |
| May 12 | June 9 | June 13 | June 25 |
| June 9 | July 7 | July 11 | July 23 |
| July 14 | August 11 | August 15 | August 27 |
| August 11 | September 8 | September 12 | September 24 |
| September 8 | October 6 | October 10 | October 22 |
| October 6 | November 3 | November 7 | November 19* |
| November 3 | December 1 | December 5 | December 17* |

* 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 10, 2014

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. SPR-11-14 & MRO-2-14: | Major Site Plan Review for Middlegrounds Metropark at 111 Ottawa Street (tg) |
| 2. V-28-14: | Vacation of 140 th Street from Lakeside Avenue to Maumee Bay (bh) |
| 3. SPR-7-14: | Major Site Plan Review for new retail development at 3330 W. Central Avenue (tg) |
| 4. SPR-8-14: | Major Site Plan Review for off-site parking lot at 980 N. Westwood Avenue (bh) |
| 5. SPR-9-14: | Appeal of Administrative Disapproval of Minor Site Plan Review for new parking lot with request for landscape waivers at 1425 Starr Avenue (bh) |

6. M-1-14: Text Amendment regarding funeral homes with accessory cremating services in the CN Neighborhood Commercial Zoning District (tg)

7. Z-3001-14: Zone Change from RM36 to CR at 2015 Putnam Street (bh)

ADJOURNMENT

GENERAL INFORMATION

Subject

- Request - Major Site Plan Review and Maumee Riverfront Overlay District Review for the Middlegrounds Metropark
- Location - 111 Ottawa Street
- Applicant - Dave Zenk
Metropolitan Park District of the Toledo Area
5100 W. Central Avenue
Toledo, Ohio 43571

Site Description

- Zoning - POS Parks and Open Space
- Area - ±27.68 ac.
- Frontage - ±565' on Ottawa Street
- Existing Use - Vacant Land
- Proposed Use - Park
- Proposed Parking - 66 spaces

Area Description

- North - Owens Corning Campus / CD
- South - Norfolk Southern / IG
- East - Maumee River
- West - Ottawa Street and Warehouse / IG

Parcel History

- Z-5002-08 - Request for a zone change from IG to POS. Plan Commission approved 7/10/08. (Ord. 551-08, 8/26/08)

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting a major site plan review and Maumee Riverfront Overlay District Review for a 28 acre metropark at 111 Ottawa Street. A major site plan review is required since the number of proposed parking spaces is greater than sixty (60). The park will offer a kayak and canoe launch, walking trails, covered pavilion, and event and picnic areas. The round-house inspired picnic pavilion has a total square footage of 3,100 square feet, of which 660 square feet is enclosed restroom and the remaining 2,440 square feet is the covered pavilion.

The park will be developed to reflect the history of Great Lakes shipping and railroads within a natural setting. Access along the Maumee River will be developed to support various passive recreational activities. Pedestrian circulation routes will reflect the regimental patterns of past developments on the site. Visitors would be able to select from a wide range of experiences. They will also gain an understanding of how the exchange of goods, from boat to train to warehouse, was critical to the operation of the warehouse district. Native plantings will be planned to enhance the visitor experience and support wildlife. Facilities will intermingle with natural areas where natural processes can be observed and appreciated from the outside looking in. Park management will emphasize a balance of visitor convenience with preservation of natural areas.

The site plan indicates 66 parking spaces are allocated for the park, which is based on a needs assessment of parking spaces for this type of facility. The parking lots are located west of the kayak and canoe launch and south of the Roundhouse event lawn. The applicant is proposing to install a drive that will commence at Ottawa Street and traverse the northern portion of the park to access the parking lot on the south side of the park.

Pedestrian walking trails are clearly indicated on the plan and will circulate throughout the park. The trail will eventually connect to the Owens Corning trail to the north, which will help in connecting the park to the downtown waterfront.

A detailed landscape plan indicates that sufficient landscaping will be installed throughout the park utilizing appropriate species for this type of development. Wetland areas will be introduced to handle storm water from the Anthony Wayne Bridge and on site. This will be enhanced with native plants. Improved river front forested habitat and upland mesic grassland habitat will be introduced as well. The plan indicates adequate perimeter landscaping on all property lines.

A building elevation has been submitted for the covered pavilion. This is an open air picnic pavilion, with public restrooms on the end of the structure. The elevation indicates that the structure will consist of brick, cast stone arches and caps, and heavy timber trusses.

The Toledo 20/20 Plan targets this site for parks and open space. The proposed development conforms to the 20/20 Plan and the guidelines and principals of the Maumee Riverfront Overlay District. 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-11-14, Major Site Plan Review and MRO-2-14, Maumee Riverfront Overlay District Review for the Middlegrounds Metropark located at 111 Ottawa Street, for the following five (5) 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. 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).
3. The plan provides safe, efficient and convenient movement of pedestrians on the subject site (TMC 1111.0809 D).
4. The plan provides public access to the waterfront and provides improved scenic and aesthetic controls (TMC1103.0403 C); and
5. The plan is consistent with the goals of the Toledo 20/20 plan and the Maumee Riverfront Overlay District.

The staff further recommends that the Toledo City Plan Commission approve SPR-11-14, a Major Site Plan Review and MRO-2-14, Maumee Riverfront Overlay District Review for the Middlegrounds Metropark located at 111 Ottawa Street, subject to the following thirty-one (31) 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 **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way of Ottawa Street shall be constructed in accordance with the City of Toledo Construction Standards, 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.
3. Contact Scott Bishop at (419) 936-2756 for inspection of above-mentioned items.
4. 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)

5. Plans for water services 4-inch diameter and larger shall be submitted to the Division of Engineering Services for review and approval.
6. Contact the City of Toledo Fire Prevention Bureau to determine the fire protection requirements for this site.
7. Proposed waterlines feeding proposed hydrants shall be minimum 8-inch diameter.
8. Maintain 10 feet of horizontal clearance between proposed water services and sanitary or storm sewers. Maintain 4 feet of horizontal clearance between proposed water services and any other underground utility. Maintain 18 inches of vertical clearance between proposed water services and any underground utility.
9. Do not construct permanent structures over unmetered water services. All domestic water services shall be metered.
10. Contact the Division of Water Distribution for installation requirements for backflow preventers.
11. New fire, domestic, and irrigation taps will be installed by City of Toledo at the owner's/developer's expense. Connections to the public water system will be made by the City at the owner's/developer's expense.
12. Proposed hydrants shall be located a minimum of 10 feet away from storm and sanitary sewers or, per the Ohio EPA, drain holes on hydrants shall be plugged. Maintenance of the privately owned waterline, valves, and hydrants will be the responsibility of the owner, including pumping of hydrants having plugged drain holes.
13. 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.
14. 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.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

15. No construction work, including grading, will be permitted without approved plans and inspection.
16. 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.
17. 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.
18. 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 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

19. 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, bioretention, or grassy swales may be eligible for a percent reduction in the property's stormwater utility fee through the Stormwater Credit Program.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

20. A 36" combined sewer is shown on the plans crossing through the property. This sewer has been separated and is now a storm sewer only.
21. For maintenance purposes, an easement for the storm sewer is required. No permanent structures shall be constructed over the storm sewer.
22. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
23. 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.

Division of Transportation

24. In the southernmost parking lot, a minimum drive aisle width of 25' is required to accommodate two-way traffic.

Building Inspection

25. The property is shown on FEMA's Flood Insurance Rate Map panel #39095C0093E as affected by the Maumee River and is in a designated AE special flood hazard area (SFHA). Any development of this area or construction of structures, including parking lots, will require a flood plain development permit. Further requirements for construction in flood zones, defined by the Ohio Building Code will be in force.
26. Demolition of any existing buildings will require demolition permits issued from the City of Toledo through its Division of Building Inspection requiring termination of all utilities. Documentation from Columbia Gas and Toledo Edison / First Energy 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 for the demolition permit to be processed and issued.
27. Construction of new buildings 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 locations, emergency evacuation routes and other life-safety and ADA compliance facilities, in accordance with the Administrative Code of the Ohio Building code Chapter 106.
28. New fencing and new signs will require separate plan reviews and permits.

STAFF RECOMMENDATION (cont'd)

Fire Prevention

29. A hydrant must be located within 350' of all portions of new buildings or facilities or as approved by the fire official. On site private hydrants may be required.

Plan Commission

30. 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.

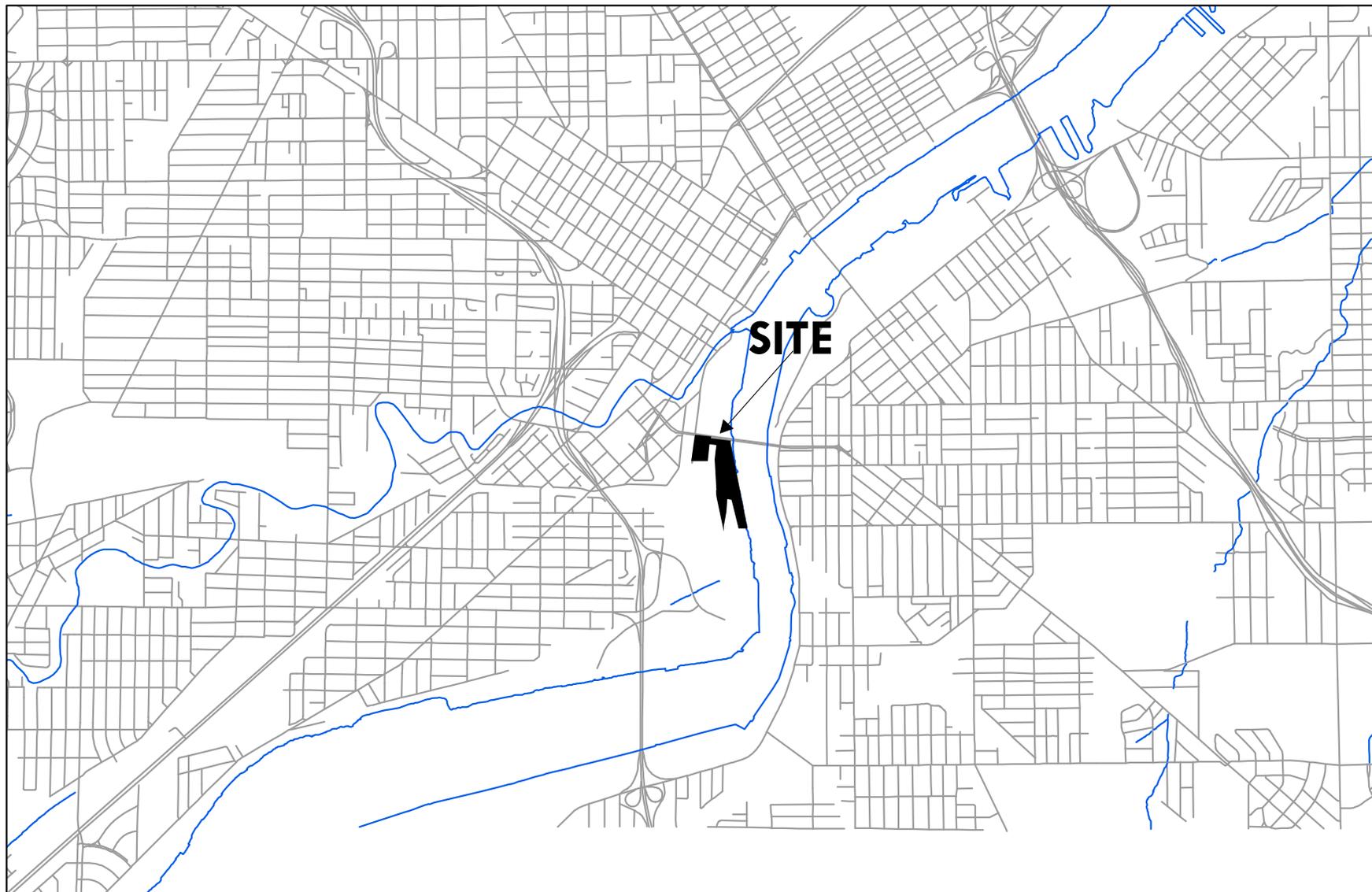
31. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

MAJOR SITE PLAN REVIEW
MAUMEE RIVERFRONT OVERLAY
TOLEDO CITY PLAN COMMISSION
REF: SPR-11-14 / MRO-2-14
DATE: April 10, 2014
TIME: 2:00 P.M.

TG/bp
Three (3) sketches follow

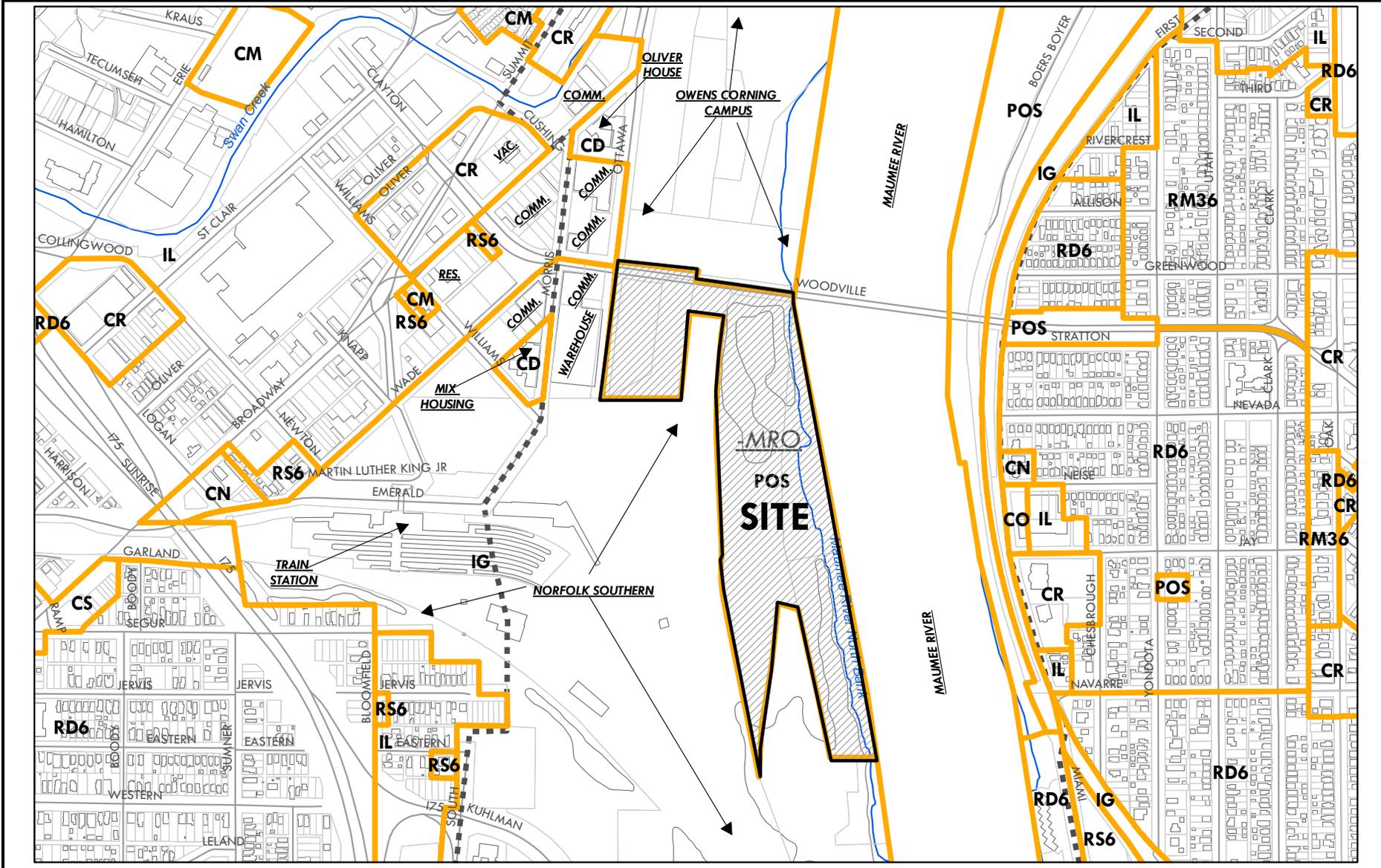
GENERAL LOCATION

SPR-11-14
ID 10, 11



ZONING & LAND USE

SPR-11-14
ID 10,11



SITE PLAN

SPR-11-14
ID 10, 11



MIDDLEGROUNDS METROPARK

Phase 1 Site Plan

Toledo, Ohio
January 28, 2014



MISSION STATEMENT

A site that once connected people and goods from the river to land will now connect people back to Toledo's waterfront. The restoration and management of natural areas at Middlegrounds will forge new recreational and interpretive connections between the community and its unique Maumee River heritage.

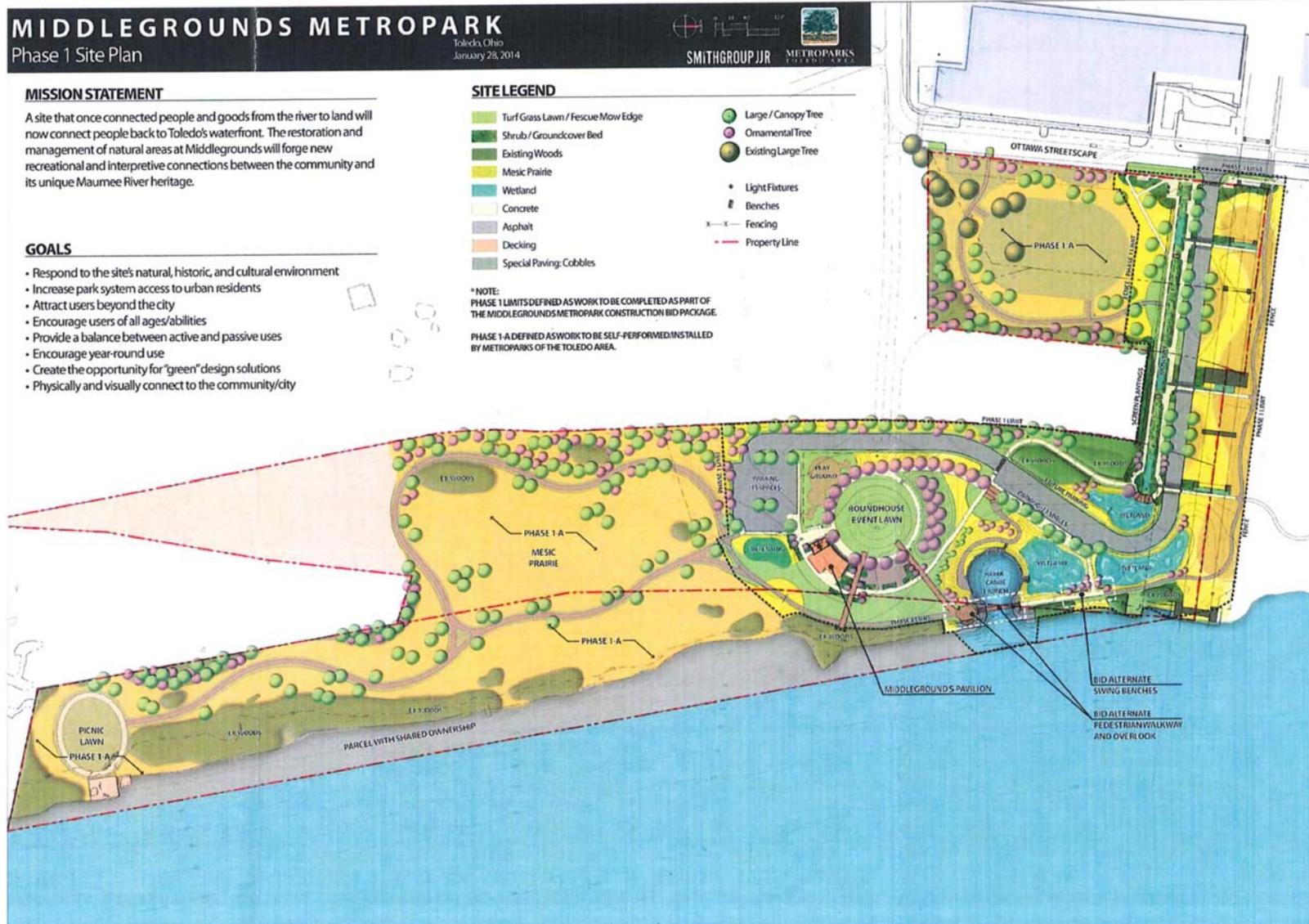
GOALS

- Respond to the site's natural, historic, and cultural environment
- Increase park system access to urban residents
- Attract users beyond the city
- Encourage users of all ages/abilities
- Provide a balance between active and passive uses
- Encourage year-round use
- Create the opportunity for "green" design solutions
- Physically and visually connect to the community/city

SITE LEGEND

- | | |
|-----------------------------------|---------------------|
| Turf Grass Lawn / Fescue Mow Edge | Large / Canopy Tree |
| Shrub / Groundcover Bed | Ornamental Tree |
| Existing Woods | Existing Large Tree |
| Mesic Prairie | Light Fixtures |
| Wetland | Benches |
| Concrete | Fencing |
| Asphalt | Property Line |
| Decking | |
| Special Paving: Cobbles | |

*NOTE:
PHASE 1 LIMITS DEFINED AS WORK TO BE COMPLETED AS PART OF THE MIDDLEGROUNDS METROPARK CONSTRUCTION BID PACKAGE.
PHASE 1-A DEFINED AS WORK TO BE SELF-PERFORMED/INSTALLED BY METROPARKS OF THE TOLEDO AREA.



REF: V-28-14
DATE: April 10,- 2014

GENERAL INFORMATION

Subject

- Request - Vacation of 140th Street from Lakeside Avenue to Maumee Bay
- Applicant - Mendi Wilson & Jeffrey Maver
PO Box 11421
Toledo, OH 43611

Site Description

- Zoning - RS6 Single Dwelling Residential
- Area - .1 Acre
- Dimensions - 30' x 150'
- Existing Use - Driveway

Area Description

- North - Single Dwelling Residential / RS6
- East - Maumee Bay / No Zoning
- South - Single Dwelling Residential / RS6
- West - Single Dwelling Residential / RS6

Parcel History

- V-213-63 - Request to vacate 140th Street from Lakeside Avenue to Maumee Bay (PC disapproved 11/7/63)
- V-3-91 - Request to vacate 140th Street from Lakeside Avenue to Maumee Bay (PC disapproved 5/2/91, P&Z disapproved 5/15/91)

Applicable Regulations

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

STAFF ANALYSIS

The applicants are requesting to vacate 140th Street from Lakeside Avenue to Maumee Bay in the Point Place neighborhood. The subject 30' by 150' right-of-way stretches between Lakeside Avenue and Maumee Bay and is situated between the applicant's home and garage. The right-of-way was dedicated as part of the Bay Grove Place subdivision, platted in 1909.

The subject right-of-way is mostly unimproved with the exception of a driveway to the applicant's garage and a utility pole. The applicants are requesting the vacation to allow them to restrict the general public from congregating on the dike at the end of the right-of-way and causing nuisance conditions. Attempts were made by the previous owners to vacate this right-of-way in 1963 and 1991. The vacation attempts were met with neighborhood opposition and objection from City Departments, resulting in disapproval of both attempts.

Several issues exist which necessitate a negative recommendation from staff. First, the Division of Streets, Bridges and Harbor have objected to the vacation request, stating a need to keep the right-of-way open for regular shoreline/dike system maintenance purposes and a point of equipment access.

Second, Toledo Edison and Buckeye Cable have expressed concerns with the proposed vacation. Power and cable infrastructure including poles, wires, guy wires and other equipment currently exist in the right-of-way and are unable to be relocated. These agencies have requested that if the vacation is approved, easements are granted to allow for construction, inspection, repair, enlargement, maintenance and/or reconstruction of their infrastructure.

Finally, the site is within the boundaries of the Residential, Park and Water-Oriented Recreation sub-district of the Maumee River Overlay (MRO) zoning district. One (1) of the four (4) general-purpose statements of the MRO is "to provide for public access to the waterfront...and the coordination of residential, recreational, commercial and industrial land uses". The basic premise of the Residential, Park and Water-Oriented Recreation sub-district is to allow "a superior level of public access" to the waterfront area via effective relationships between land uses. Allowing this vacation to occur would not be conducive to promoting the overall goals of the MRO.

Staff is recommending disapproval of this right-of-way vacation. However, review agency conditions are attached as EXHIBIT "A" for informational purposes.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of V-28-14, the request to vacate 140th Street from Lakeside Avenue to Maumee Bay, to Toledo City Council for the following three (3) reasons:

STAFF RECOMMENDATION (cont'd)

1. The Division of Streets, Bridges and Harbor objects to the vacation request.
2. Toledo Edison and Buckeye Cable have expressed concerns with the vacation. If approved, easements will be required for maintenance purposes; and
3. The proposed vacation does not conform to the goals of the Residential, Park and Water-Oriented Recreation sub-district of the Maumee River Overlay (MRO) zoning district.

RIGHT-OF-WAY VACATION
TOLEDO CITY PLAN COMMISSION
REF: V-28-14
DATE: April 10, 2014
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: May 14, 2014
TIME: 4:00 P.M.

BH/bp
Two (2) sketches follow
EXHIBIT "A"

ZONING & LAND USE

V-28-14
ID 66

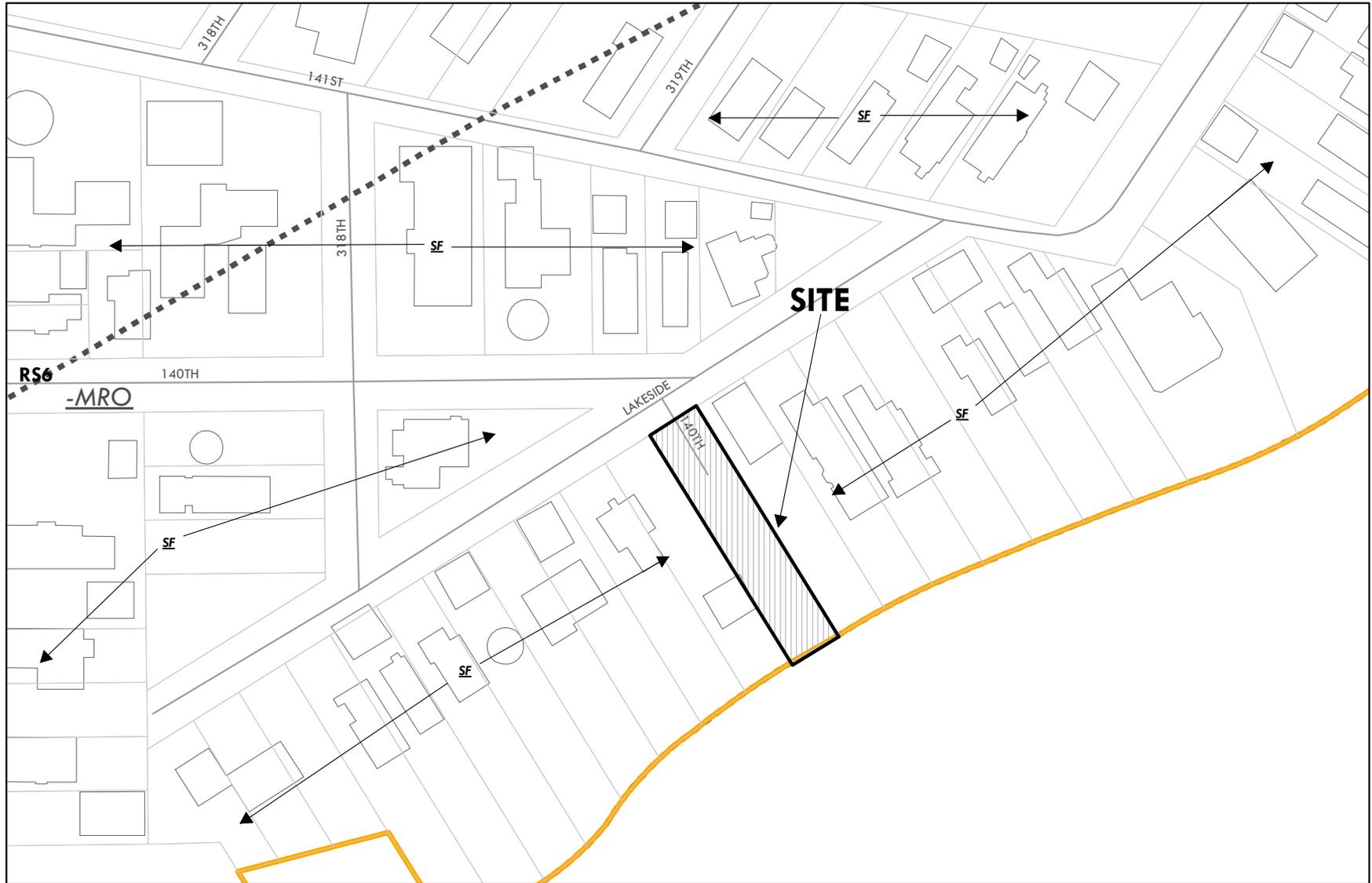


Exhibit "A"

REVIEW AGENCY CONDITIONS

NOTE: If the appeal is approved, Division of Streets, Bridges and Harbor conditions (conditions 2-6) may need to be revised or removed.

The following eight (8) conditions are listed by agency of origin. Applicants are encouraged to contact each of he agencies to address compliance with their conditions.

Division of Engineering Services

No objection to vacation.

Fire Prevention

No objection to vacation.

Building Inspection

No objection to vacation.

Division of Transportation

1. Within the limits allowed by law, the applicant shall indemnify the City of Toledo, its officials, agents or employees, from any and all claims, demands, causes of action, suits or liability in connection with the performance of any and all acts authorized or permitted under this vacation. Said indemnification language shall be contained within and evidenced by the endorsement on a certified copy of the final vacating legislation by the owner which indemnification shall be kept in the permanent file of the Clerk of Council.

Sewer & Drainage Services

No objection to vacation.

Division of Streets, Bridges and Harbor

2. There is no other unobstructed access to the point place levee system along Lakeside Avenue for annual inspections, regular maintenance and repair work.
3. The point Place levee system is currently listed as unacceptable by the USACE.
4. FEMA has rejected certification of the levee system. Further improvements are pending based on Army Corp and FEMA direction.

Exhibit “A” (cont’d)
REVIEW AGENCY CONDITIONS (cont’d)

Division of Streets, Bridges and Harbor (cont’d)

5. Permanent and semi-permanent encroachments along the top of the levee deny access from other areas of the levee.
6. Equipment access is required for repair and maintenance of the levee system.

Toledo Edison

7. Toledo Edison has an existing pole, guy wire and anchor locate within the proposed area to be vacated. This equipment cannot be relocated, and therefore will need to remain. A utility easement will need to be provided for this guy/anchor/pole.

Buckeye Cablesystem

8. A perpetual, nonexclusive easement shall be granted upon and through the portion of Grantor’s Property to construct, install, inspect, maintain, repair, enlarge, reconstruct and/or replace telecommunications transmission lines, cables, power nodes, conduits, markers, signs and related equipment and facilities (collectively, the “facilities”); The right of ingress and egress over real property for the purposes stated herein.

Lucas County Solid Waste Management District

No objection to vacation.

TARTA

No objection to vacation.

Planning Commission

No objection to vacation.

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GENERAL INFORMATION

Subject

- Request - Major Site Plan Review for the shops at Westgate
- Location - 3330 W. Central Avenue
- Applicant - Jim Sutphen
30 North LaSalle Street
Suite 2120
Chicago, Illinois 60602
- Engineer - Woolpert
4454 Idea Center Blvd.
Dayton, Ohio 45430-1500

Site Description

- Zoning - CR Regional Commercial District
- Area - ±4.79 ac.
- Frontage - ±265' on Central Avenue
- Existing Use - Restaurant, Bar, and Commercial
- Proposed Use - Retail, Restaurants, and Office
- Proposed Parking - 412 spaces
- Required Parking - 354 spaces

Area Description

- North - Retail / CR
- South - Central Avenue and Retail / CR - SO
- East - Commercial / CR
- West - Parking Lot and Commercial / CR

Parcel History

- SUP-11-78 - Request for a Special Use Permit to establish an outdoor recreational facility. Plan Commission approved 5/18/78. (Ord. 385-78, 6/13/78)
- BSP-1-83 - Request for more than on main building on a parcel. Plan Commission approved 5/5/83.

GENERAL INFORMATION (cont'd)

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting a major site plan review to facilitate the construction of three buildings on a 4.79 acre site. The building that fronts on Central Avenue will be a 7,960 s.f. structure with four restaurants. The 7,392 s.f. building, in the middle of the site, is proposed to be a restaurant, and the large 19,200 s.f. building on the northern most portion of the site is proposed to be future retail and office. Each building will be situated on its own parcel of land and will be required to have frontage on Central Avenue. A major site plan review is required because the number of proposed parking spaces is greater than sixty (60).

Parking and Circulation

The site plan indicates 412 parking spaces allocated for the entire development, which is 58 spaces over the required 354 parking spaces. The parking spaces will be distributed in parking fields on each of the building sites. The applicant is proposing to use the existing private drive north of Central as an entrance to the proposed parking lots.

Pedestrian connections are clearly indicated on the plan. Sidewalks are proposed along Central Avenue and the private drive. An additional pedestrian connection shall be installed for the largest building on the north portion of the site. The proposed sidewalk and crosswalk should be extended from the landscape area located in front of the main entrance to the sidewalk along the private drive.

Landscaping

A detailed landscape plan was not submitted at the time of submittal for review. A plan shall be submitted that offers the appropriate amount of interior and foundation landscaping. 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 eastern, western and northern property lines.

Per TMC 1108.0202.B.3, a fifteen (15') greenbelt is required along the Central Avenue frontage. The site plan meets this requirement. The greenbelt will be more thoroughly reviewed when a detailed landscape plan is submitted. Additionally, foundation plantings are required at all main building entrances.

STAFF ANALYSIS (cont'd)

Dumpsters

The site plan indicates that the dumpsters for the building closest to Central Avenue are located behind the structure in the parking lot near the east property line. This dumpster needs to be relocated to accommodate interior landscaping. The dumpster for proposed building closest to the entrance drive is located on the north side of the building behind a transformer. With proper landscaping and screening this should not be visible from public view. The dumpster for the building in the rear of the site is located on the south side of the building adjacent to the east property line, (it is not within public view).

Building Elevation

A building elevation has been submitted for the southernmost building. The elevation indicates that founders brick will be the predominant exterior building material, comprising 60% of the facade. Split face colored concrete block will be used as an accent on the base of the structure. Staff requests that split faced block not be used on the south and west elevations. 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 that is visible from the right of way. The applicant will be required to submit a new elevation that complies with the requirements of TMC 1109.0501 for the side of the building that fronts Central Avenue and the private drive (west side). In addition, additional elements such as window treatments should be employed along the west elevation to further break up the massing of the building.

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 and complies with all standards of the zoning code and other adopted City policies. Finally, efforts have been made to provide for safe and efficient pedestrian movement throughout the site.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission approve S-7-14, Major Site Plan Review for the Shops at Westgate located at 3330 W. Central Avenue, 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).

STAFF RECOMMENDATION (cont'd)

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-7-14, a Major Site Plan Review Shops at Westgate located at 3330 W. Central Avenue, subject to the following **forty-six** (46) 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. The existing drive approach along W. Central Ave. does not conform to specifications above and shall be removed and replaced 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, The Toledo Municipal Code, and The 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 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 at 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.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

7. The plan indicates that water service will be via an existing 6-inch (6") diameter, privately-owned waterline. The City has no information on this waterline, other than the location of its connection to the public waterline in Central Avenue. However, it is not likely that the line extends beyond the northernmost existing building. If the waterline needs to be extended to the north, for water service and/or fire protection for proposed and/or future buildings, it shall be extended at the expense of the owner.
8. All existing water services to structures removed from the site will be abandoned by the City of Toledo at the owner's expense.
9. Proposed waterlines feeding proposed hydrants shall be minimum 8-inch (8") diameter.
10. Plans for the water services 4-inch (4") diameter and larger shall be submitted to the Division of Engineering Services for review and approval.
11. 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.
12. Contact the City of Toledo Fire Prevention Bureau to confirm fire protection requirements for this site.
13. Contact the Division of Water Distribution for installation requirements for backflow preventers.
14. New fire, domestic, and irrigation taps will be installed by the City of Toledo at the owner's expense.
15. Proposed hydrants shall be located in minimum of 10 feet (10') away from storm and sanitary sewers or per the Ohio EPA, drain holes on hydrants shall be plugged. Maintenance of the privately-owned waterline, valves and hydrants will be the responsibility of the owner, including pumping of hydrants having plugged drain holes.
16. A flow test is recommended to ensure that the available water flow and pressure in the area meet the anticipated demands of the facilities.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

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.
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/DivisionofEngineeringServices/PlanReviewProcess/tabid/355/Default.aspx. It is advised that consulting engineers, architects, and developers contact the Department of Public Utilities, the Division 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

21. 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 may be eligible for a percent reduction in the property's storm water utility fee through the Storm Water Credit Program.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

22. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
23. 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.
24. 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.
25. 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.
26. 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.
27. All sewers will be privately owned and maintained.
28. Any sanitary sewer manholes (existing or new on the site), in or near, pavement shall have solid lids installed on them.

Division of Transportation

29. It shall be confirmed that the proposed radii of all the access drives can support delivery truck traffic.
30. The minimum dimensions for standard parking stalls are 9'x18'. The northernmost parking stalls do not meet this minimum dimension requirement.
31. Parallel parking shall be removed.
32. If not already established, cross-access agreements shall be established with adjacent property owners.

Division of Sewer and Drainage Services

33. The sanitary main along the east property line is private to clean from the north end to manhole #12767 in the intersection of Secor Road and Central Avenue. This line is also private for repair purposes until it enters the City right-of-way. At that point the City will make repairs at no cost to the property owner.

STAFF RECOMMENDATION (cont'd)

Division of Sewer and Drainage Services (cont'd)

34. All the interior storm drainage terminates in the proposed storm vault. Any storm lateral connected to the 30" City storm in Central Avenue will need to be metered according to the requirement of Engineering Services. This metered lateral will have a manhole with a minimum 4' deep sump and a 90 degree bend on the entry pipe and the outlet pipe. It will be constructed on private property and privately maintained.

Building Inspection

35. Demolition of any existing buildings will require demolition permits issued from the City of Toledo through its Division of Building inspection requiring termination of all utilities. Documentation from Columbia Gas and Toledo Edison / First Energy 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 for the demolition permit to be processed and issued.
36. Construction of new buildings 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 locations, emergency evacuation routes and other life-safety and ADA compliancy facilities, in accordance with the Administrative Code of the Ohio Building code Chapter 106.
37. New fencing and new signs will require separate plan reviews and permits.

Fire Prevention

38. A hydrant must be located within 350' of all portions of new buildings or facilities. On site private hydrants may be required.
39. Approved address numbers are required on all building. They must be visible from the street fronting the property.

STAFF RECOMMENDATION (cont'd)

Plan Commission

40. Building elevations for the restaurant and office buildings shall be submitted for review and approval. The elevations shall comply with the requirements of TMC 1109.0501, Facade Materials. Split faced block shall not be used on the south and west elevations. EIFS as an exterior building material can only comprise fifteen percent (15%) or less of the total façade that is visible from the right of way. A revised elevation shall be submitted for the southernmost building. The applicant shall reduce the amount of EIFS to 15% on each side of the building that fronts Central Avenue and the private drive (west side). Additional elements such as window treatments shall be employed along the west elevation to further break up the massing of the building.
41. An additional pedestrian connection shall be installed for the largest building on the north portion of the site. The proposed sidewalk and crosswalk shall be extended from the landscape area located in front of the main entrance to the sidewalk along the private drive.
42. 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 for the proposed building fronting on Central Avenue shall be relocated to accommodate for the interior landscaping in the parking lot.
43. 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. Per TMC 1108.0202.B.3, a fifteen (15') greenbelt is required along the Central Avenue frontage.
 - b. 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;
 - c. 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;
 - d. All parking spaces must be within 100 linear feet of a landscaped area,
 - e. Foundation plantings along all portions of the building that are visible from the public rights-of-way; and landscaping at all major building entrances.
 - f. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area;

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- g. Topsoil must be back filled to provide positive drainage of the landscape area;
 - 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 cover;
 - i. Landscape terminal islands must be provided at the end of each parking row;
 - j. 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;
 - k. 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);
 - l. 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;
 - m. 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;
 - n. 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;
 - o. The location, height and materials for any fencing to be installed and maintained,
 - p. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties);
 - q. The location, lighting and size of any signs.
44. 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.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

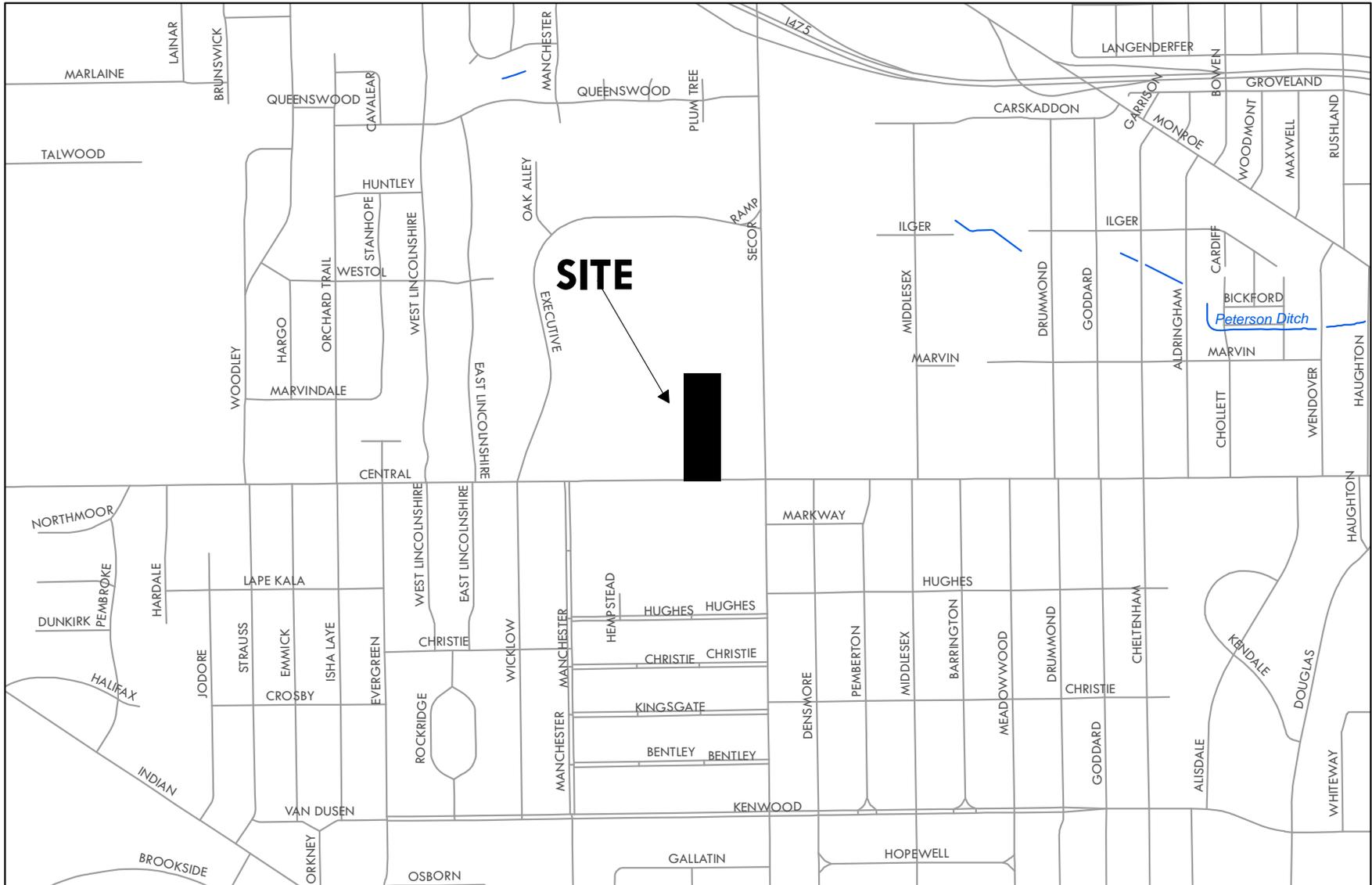
45. Minor adjustments to the site plan that do not violate the above conditions or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
46. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

MAJOR SITE PLAN REVIEW
TOLEDO CITY PLAN COMMISSION
REF: SPR-7-14
DATE: April 10, 2014
TIME: 2:00 P.M.

TG/bp
Four (4) sketches follow

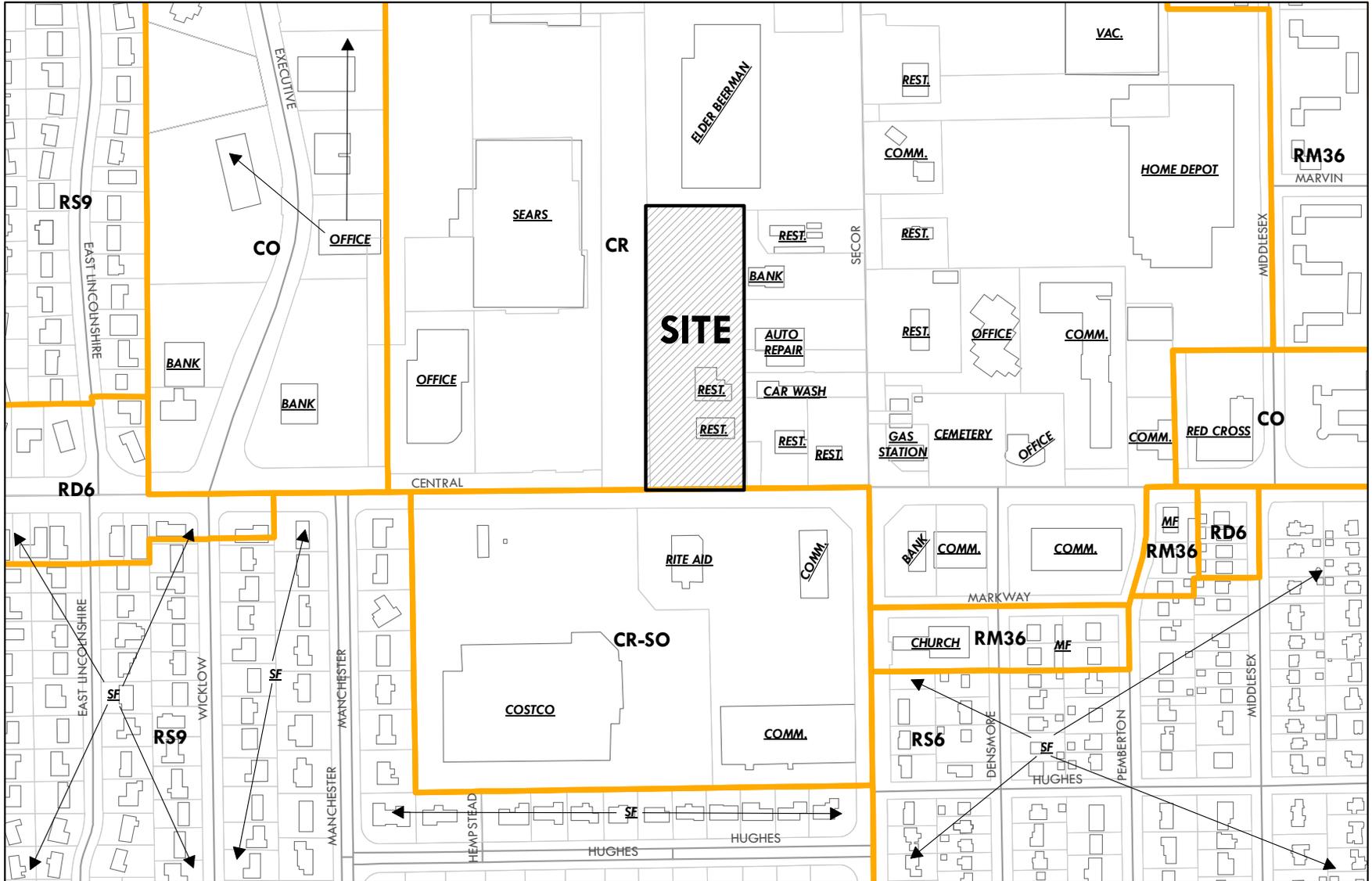
GENERAL LOCATION

SPR-7-14
ID 78



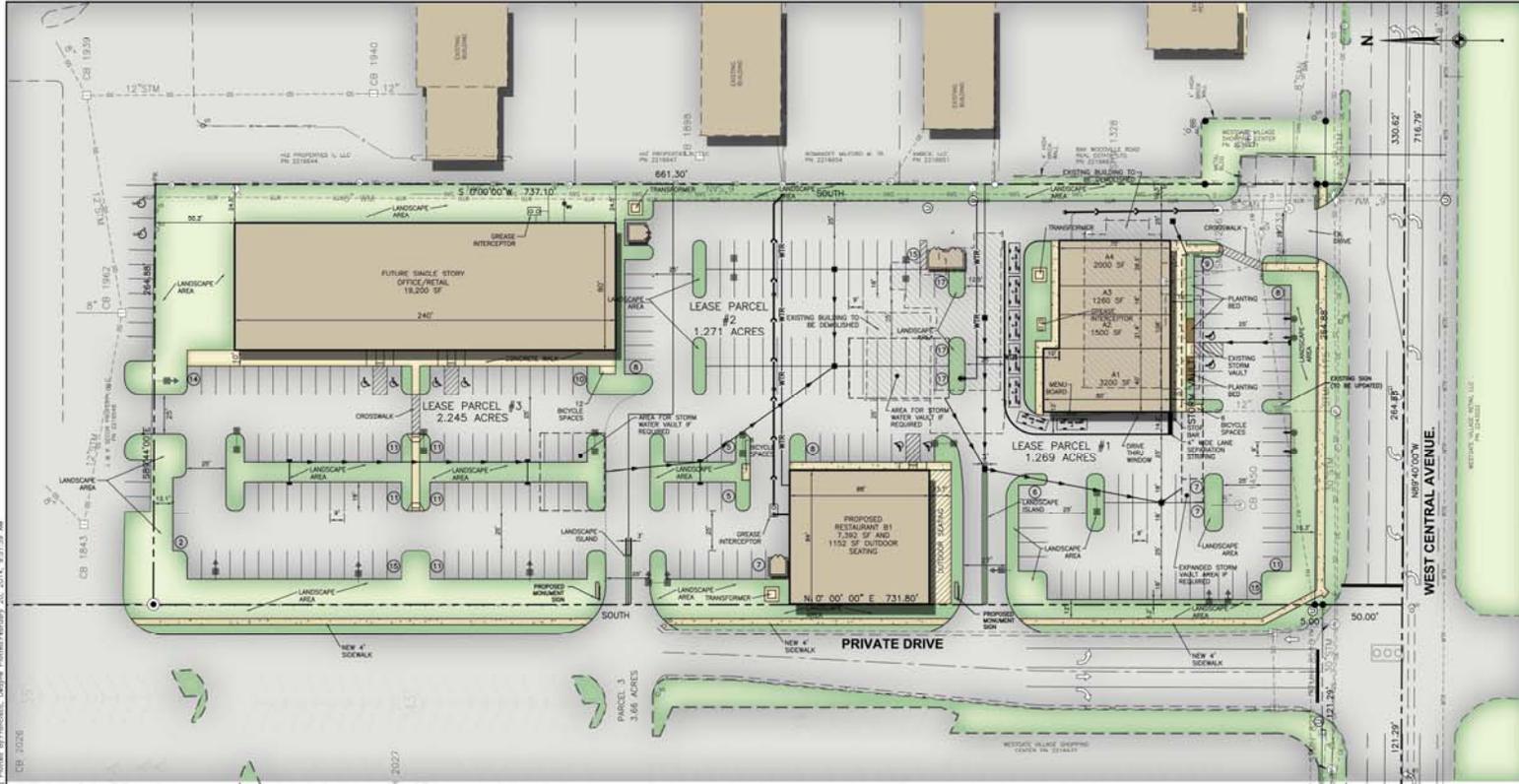
ZONING & LAND USE

SPR-7-14
ID 78



SITE PLAN

SPR-7-14
ID 78



LEGAL DESCRIPTION
THE WEST 8 ACRES OF THE EAST 18 ACRES OF THE SE 1/4 OF THE SE 1/4 OF SECTION 18, T44-N, R14-W, IN THE CITY OF TOLEDO, LUCAS COUNTY, OHIO, EXCEPTING THEREFROM THE NORTH 50% THEREOF, SUBJECT TO PROTECTIVE COVENANTS AND EASES OF WAY FOR PUBLIC HIGHWAY AND EASES APPLICABLE TO THE STATE OF OHIO BY INSTRUMENTS RECORDED IN VOLUME 1788 OF DEEDS, PAGE 818 AND SUBJECT TO LEGAL INSTRUMENTS.

OWNER
WESTGATE VILLAGE SHOPPING CENTER NORTH, LLC
1800 WEST CENTRAL AVENUE
TOLEDO, OH 43606

SITE ADDRESS
2330 WEST CENTRAL AVENUE
TOLEDO, OH 43606

ZONING
EX. ZONING (ORD) REGIONAL COMMERCIAL (OR)
EX. ZONING (DCL) PROPERTY REGIONAL COMMERCIAL (OR)

MIN. BUILDING SETBACKS: FRONT - 20'
SIDE - 5'
MAX. BUILDING HEIGHT: 85'
MAX. BUILDING COVERAGE: 85%

VARIANCES
THERE ARE NO VARIANCES REQUESTED WITH THIS SITE PLAN

SITE DATA:

LEASE PARCEL #1
LOT AREA = 1.271 ACRES
RESTAURANT A1 = 2382 SF
REQUIRED PARKING EMPLOYEES = 1 SPACE/3 EMPLOYEES
28 EMPLOYEES = 9 SPACES REQUIRED
REQUIRED PARKING CUSTOMER = 1 SPACE/75 SF OF CUSTOMER AREA
1300(SQ)SF = 17.33 SF/75 SF = 18 SPACES REQUIRED
TOTAL GREEN SPACE ON PARCEL #1 = 0.24 AC.

LEASE PARCEL #2
LOT AREA = 1.269 ACRES
RESTAURANT B1 = 1152 SF
REQUIRED PARKING EMPLOYEES = 1 SPACE/3 EMPLOYEES
28 EMPLOYEES = 9 SPACES REQUIRED
REQUIRED PARKING CUSTOMER = 1 SPACE/75 SF OF CUSTOMER AREA
1300(SQ)SF = 17.33 SF/75 SF = 18 SPACES REQUIRED
TOTAL GREEN SPACE ON PARCEL #2 = 0.18 AC.

LEASE PARCEL #3
LOT AREA = 2.245 ACRES
OFFICE/RETAIL C = 18,200 SF
REQUIRED PARKING = 1 SPACE/200 SF
18,200 SF/200 SF = 91 SPACES REQUIRED
TOTAL GREEN SPACE ON PARCEL #3 = 0.32 AC.

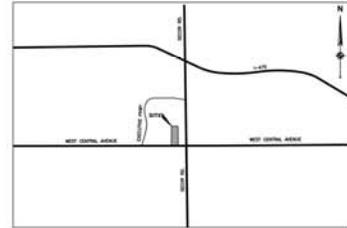
LEASE PARCEL #1
LOT AREA = 1.271 ACRES
RESTAURANT A1 = 2382 SF
REQUIRED PARKING EMPLOYEES = 1 SPACE/3 EMPLOYEES
28 EMPLOYEES = 9 SPACES REQUIRED
REQUIRED PARKING CUSTOMER = 1 SPACE/75 SF OF CUSTOMER AREA
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LEASE PARCEL #2
LOT AREA = 1.269 ACRES
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REQUIRED PARKING EMPLOYEES = 1 SPACE/3 EMPLOYEES
28 EMPLOYEES = 9 SPACES REQUIRED
REQUIRED PARKING CUSTOMER = 1 SPACE/75 SF OF CUSTOMER AREA
1300(SQ)SF = 17.33 SF/75 SF = 18 SPACES REQUIRED
TOTAL GREEN SPACE ON PARCEL #2 = 0.18 AC.

LEASE PARCEL #3
LOT AREA = 2.245 ACRES
OFFICE/RETAIL C = 18,200 SF
REQUIRED PARKING = 1 SPACE/200 SF
18,200 SF/200 SF = 91 SPACES REQUIRED
TOTAL GREEN SPACE ON PARCEL #3 = 0.32 AC.

LEGEND

- PROPOSED STORM
- PROPOSED SANITARY
- WITH — PROPOSED WATER
- PROPOSED WATER VAULT
- PROPOSED SANITARY CLEARWELL
- PROPOSED DRAINAGE INTERCEPTOR
- PROPOSED FIRE HYDRANT
- PROPOSED LIGHTS



LOCATION MAP

| NO. | DATE | REVISION |
|-----|------|----------|
| | | |
| | | |
| | | |
| | | |

PROJECT No: 2330-14
DATE: 07-20-2014
DRAWN BY: JPM
CHECKED BY: JPM
CHD. RES.

4484 West Central Blvd
Dayton, OH 45424
WOOLPERT
ARCHITECTS/ENGINEERS
FAX: 937.461.6743

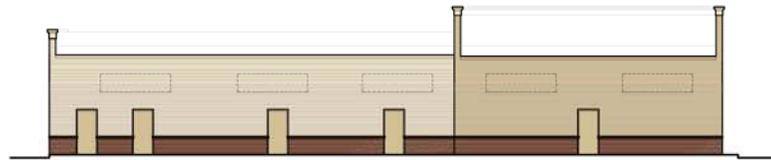
SHOPS AT WESTGATE
2330 WEST CENTRAL AVENUE
CITY OF TOLEDO
LUCAS COUNTY, OHIO

MAJOR SITE PLAN REVIEW

SHEET NO.
C200

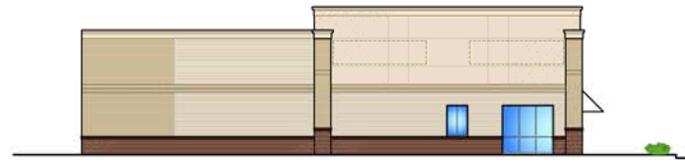
ELEVATION

SPR-7-14
ID 78



NORTH ELEVATION

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



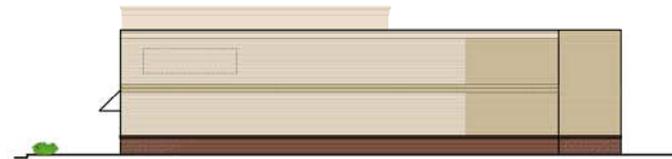
WEST ELEVATION

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



SOUTH ELEVATION

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



EAST ELEVATION

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



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P. J. Huch & Associates, Inc.
Engineers • Architects • Surveyors

| | |
|---------|--|
| DATE | |
| BY | |
| CHECKED | |

COLOR ELEVATIONS

THE SHOPS AT WESTGATE

| | |
|-------------|----------------|
| SCALE: | AS NOTED |
| DATE: | 1-28-14 |
| DRAWN BY: | ECM |
| CHECKED BY: | ANK |
| PROJECT: | 1007515 |
| DATE: | 10-07515-COLOR |

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GENERAL INFORMATION

Subject

| | | |
|-----------|---|---|
| Request | - | Major Site Plan Review for a new 121-space off-site parking lot. |
| Location | - | 980 N Westwood Avenue |
| Owner | - | Kury Housing 5309 Transportation Blvd Cleveland, Ohio 44125 |
| Applicant | - | Aaron Pechota NRP Group 5309 Transportation Blvd Cleveland, Ohio 44125 |
| Engineer | - | Jeff Myers Mannik Smith Group 1800 Indian Wood Circle Maumee, Ohio 43537 |

Site Description

| | | |
|--------------|---|---------------------------|
| Zoning | - | IG General Industrial |
| Area | - | ± 3.212 acres |
| Frontage | - | ± 237' on Westwood Avenue |
| Existing Use | - | Vacant Industrial |
| Proposed use | - | Off-Site Parking Lot |

Area Description

| | | |
|-------|---|---------------------------------|
| North | - | Proposed Student Housing / RM24 |
| South | - | Car Wash / IL, IG |
| East | - | Industrial / IG |
| West | - | Limited Manufacturing / IL |

Parcel History

No parcel history on file.

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a major site plan review to facilitate a new 121 space off-site parking lot for a site located at 980 N Westwood Avenue. Pursuant to TMC§1111.0800 applications for off-street parking with 60 or more spaces require major site plan review. The applicant is currently redeveloping the property to the north into a student housing development that the off-site parking lot will serve. The 3.2-acre site is zoned IG and contains a vacant factory that will be razed as part of the redevelopment. The Plan Commission approved a major site plan review for the student-housing complex on August 8, 2013.

Parking and Circulation

Upon completion, the student housing development will consist of 200 units (596 beds) distributed among eight buildings and contain 381 parking spaces. The addition of the off-site parking lot will add 121 parking spaces for a total of 502 spaces.

TMC§1107.1400 *Alternative Access and Parking Plans* – the Director of Planning is authorized to approve alternative parking plan that permit off-street parking spaces in excess of the allowed 150% maximum and allows any or all of the off-street parking to be located off-site. The applicant submitted an alternative-parking plan that provides justification of an off-site parking lot that would exceed the 150% maximum off-street parking. The Director has determined that the alternative-parking plan is acceptable.

The off-site parking lot will be accessed via two curb cuts onto Westwood Avenue. The curb cut to the north will connect the off-site parking lot with the student-housing complex via a new access point onto an existing access drive. This drive also serves the Sem-Com factory to the east of the site.

The President of Sem-Com has communicated concerns regarding a new access point the applicant is proposing onto the shared access drive. The applicant has met with the Sem-Com representative but a resolution has not been met. The Division of Transportation does not object to the access point as this is a private property matter.

STAFF ANALYSIS (cont'd)

Landscaping

A thirty-foot (30') greenbelt is offered along the Westwood Avenue frontage. If combined with the property to the north a thirty-foot (30') greenbelt would be required. Therefore, Staff supports a thirty-foot (30') greenbelt to allow for consistency between the two (2) sites.. The greenbelt will consist of a decorative fence, deciduous trees and a solid hedge offered throughout the entire greenbelt and along the entire length of the Westwood Avenue frontage.

The interior parking lot landscaping requirement is two (2) canopy trees and six (6) shrubs for every ten (10) parking spaces within the parking lot. In addition, the applicant shall provide twenty (20) square feet of interior landscaping per parking space. The applicant is providing deciduous and evergreen trees in addition to shrubs throughout the parking lot site. The square footage and quantities being provided are in compliance with the interior parking lot requirements. Pursuant to TMC§1108.0406 *Irrigation/Watering*, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition and shall be required for projects of over ½ acre in site area.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for light industrial uses. The light industrial future land use district was intended to permit uses that are compatible with commercial and residential uses. The Dorr Street Vision plan stresses the need for student housing within close proximity to the University of Toledo, with the caveat that the locations be physically separated from any single-family residential areas. Based on the nature of the proposed use and its location, the proposal supports the goals of the Dorr Street Vision Plan and 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 approve SPR-8-14, a request for major site plan review to facilitate a new 121-space off-site parking lot for a site located at 980 N Westwood Avenue, 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); and

STAFF RECOMMENDATION (cont'd)

2. The proposed use complies with all applicable provisions of this Zoning Code (TMC 1111.0706.B Review & Decision-Making Criteria).

The staff recommends that the Toledo City Plan Commission recommend approval of SPR-8-14, a request for major site plan review to facilitate a new 121-space off-site parking lot for a site located at 980 N Westwood Avenue, subject to the following twenty-seven (27) 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 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 the current City of Toledo Construction Standards Specifications; The Toledo Municipal Code; and The Americans with Disabilities Act Guidelines. The existing drive approach along W. Central Ave., does not conform to specifications above and shall be removed and replaced 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, The Toledo Municipal Code, and The 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 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.

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

5. There are two 8-inch (8") diameter privately-owned water services located within the project area. Maintain a minimum of 5 feet (5') of cover over the water services. Existing water manholes and valve boxes located within the proposed sidewalk or pavement area shall be adjusted to grade, at the developer's expense.
6. Existing water services to structures removed from the site shall be abandoned at the owner's expense.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

7. Plans for new water service or modifications to existing water services shall be submitted to the Division of Engineering Services for review and approval.
8. Maintain 10 feet (10') of horizontal clearance between proposed storm sewers and existing water services. 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.
9. 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.
10. Per the Ohio EPA, drain holes on hydrants (new and existing) that will be within ten feet (10') of a storm sewer shall be plugged.
11. 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.
12. 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.
13. No construction work, including grading, will be permitted without approved plans and inspection.
14. 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. It is advised that consulting engineers, architects, and developers contact the Department of Public Utilities, the Division 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.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

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

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 percent reduction in the property's storm water utility fee through the Storm Water Credit Program.
16. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
17. The new sewer will be privately owned and maintained. The Developer is to provide a copy of the sewer easement and maintenance agreement between the Developer and the Sem-Com for record purposes.
18. Construction of the new sewer shall not interrupt existing sanitary service to Sem-Com. The Developer shall coordinate the construction and schedule of installing the new sewer with Sem-Com.

Fire Prevention

No objections or concerns.

Sewer & Drainage Services

19. All storm drainage lines connected to the city storm main should be metered according to the requirements of Engineering Services. In addition, a manhole with a minimum 4' deep sump to trap any sediment should be built over these storm lines. The pipes entering and existing this manhole should have 90-degree bends to trap floating debris. This manhole is to built on private property and maintained privately. Each connection to the city storm system should have a similar manhole. The last inlet structure on the pipe exiting the site could be built as this trapped manhole.

STAFF RECOMMENDATION (cont'd)

Building Inspection

20. Demolition of any 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.
21. Construction of new buildings or a parking lot 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.
22. New fencing and new signs will require separate plan review and permits.

Plan Commission

23. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces overhanging a pedestrian walkway or sidewalk and when adjoining a building.
24. 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. Frontage greenbelts shall be constructed of grass, trees and shrub plantings. Greenbelt frontage landscaping shall be a minimum width of 30 feet, constructed of a solid evergreen hedge and provide a minimum of one tree for every 30 feet of frontage. Trees are not required to be evenly spaced and may be clustered; **acceptable as depicted on landscape plan.**
 - 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; **acceptable as depicted on landscape plan.**
 - c. All parking spaces must be within 100 linear feet of a landscaped area; **acceptable as depicted on landscape plan.**

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- d. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area. A landscape island shall be installed in the parking lot directly south of the northern curb cut; **shall be depicted on revised landscape plan.**
- e. Topsoil must be back filled to provide positive drainage of the landscape area; **acceptable as depicted on landscape plan.**
- 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 coverage; **acceptable as depicted on landscape plan.**
- g. Landscape terminal islands must be provided at the end of each parking row; **acceptable as depicted on landscape plan.**
- h. Two canopy trees and six shrubs are required to be installed in interior landscape areas for each 10 parking spaces within the parking lot; **acceptable as depicted on landscape plan.**
- h. 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; **acceptable as depicted on landscape plan.**
- j. 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; **acceptable as depicted on landscape plan.**
- k. 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; **shall be noted on revised landscape plan.**
- l. The location, height and materials of any fencing to be installed and maintained; **shall be noted on revised landscape plan.**
- m. The location, type and direction of any proposed lighting. The lighting is subject to the approval of the Director of the City of Toledo Plan Commission (lights are to be directed away from adjacent residential properties); **acceptable as depicted on landscape plan.**

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

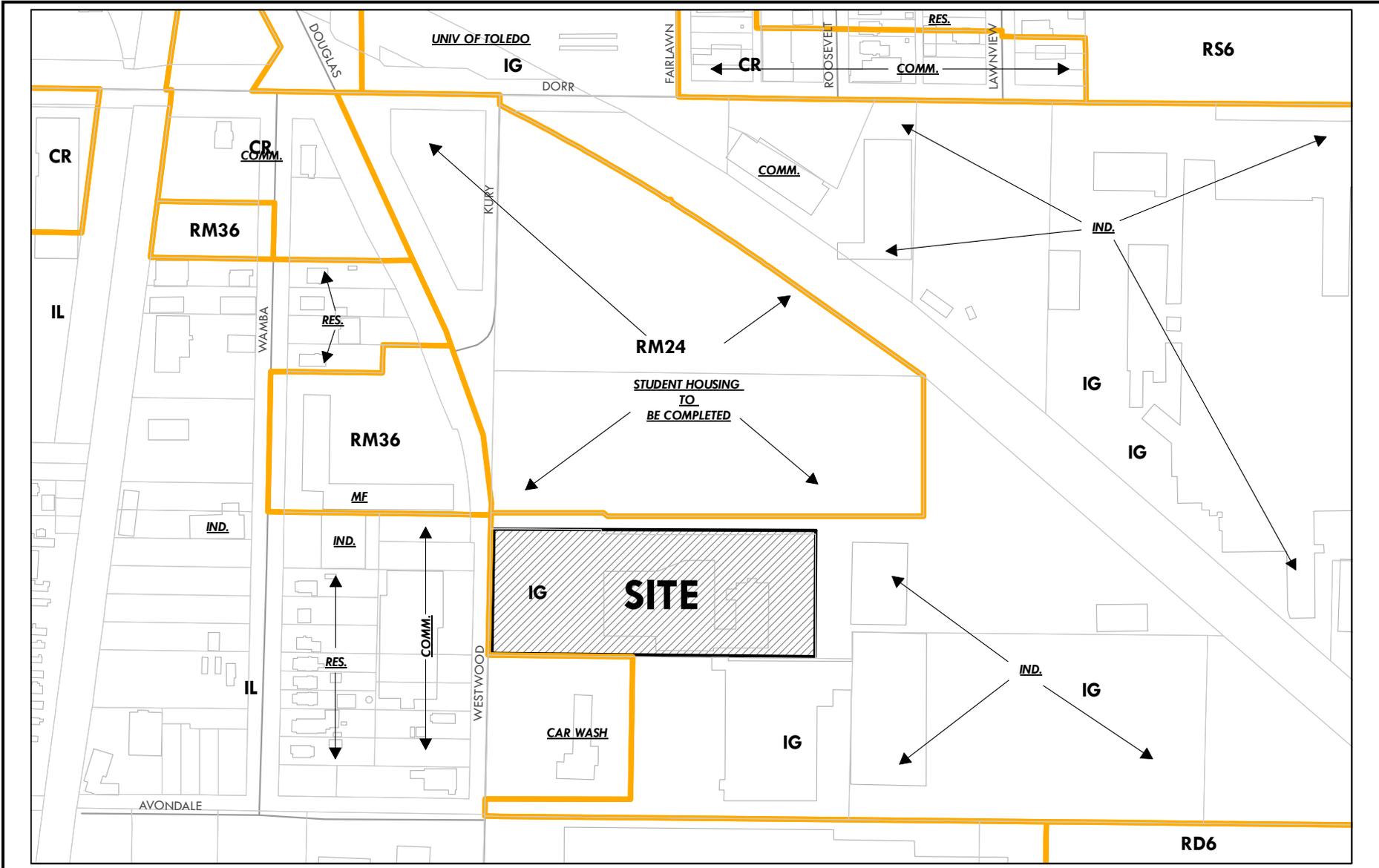
- n. The location, lighting and size of any signs, all signage is subject to TMC§1387.
- 25. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commission of Inspection providing for the installation of required landscaping within one year. Landscaping shall be installed and maintained indefinitely.
- 26. 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.
- 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 set forth above.

MAJOR SITE PLAN REVIEW
TOLEDO CITY PLAN COMMISSION
REF: SPR-8-14
DATE: April 10, 2014
TIME: 2:00 P.M.

BH/bp
Four (4) sketches follow

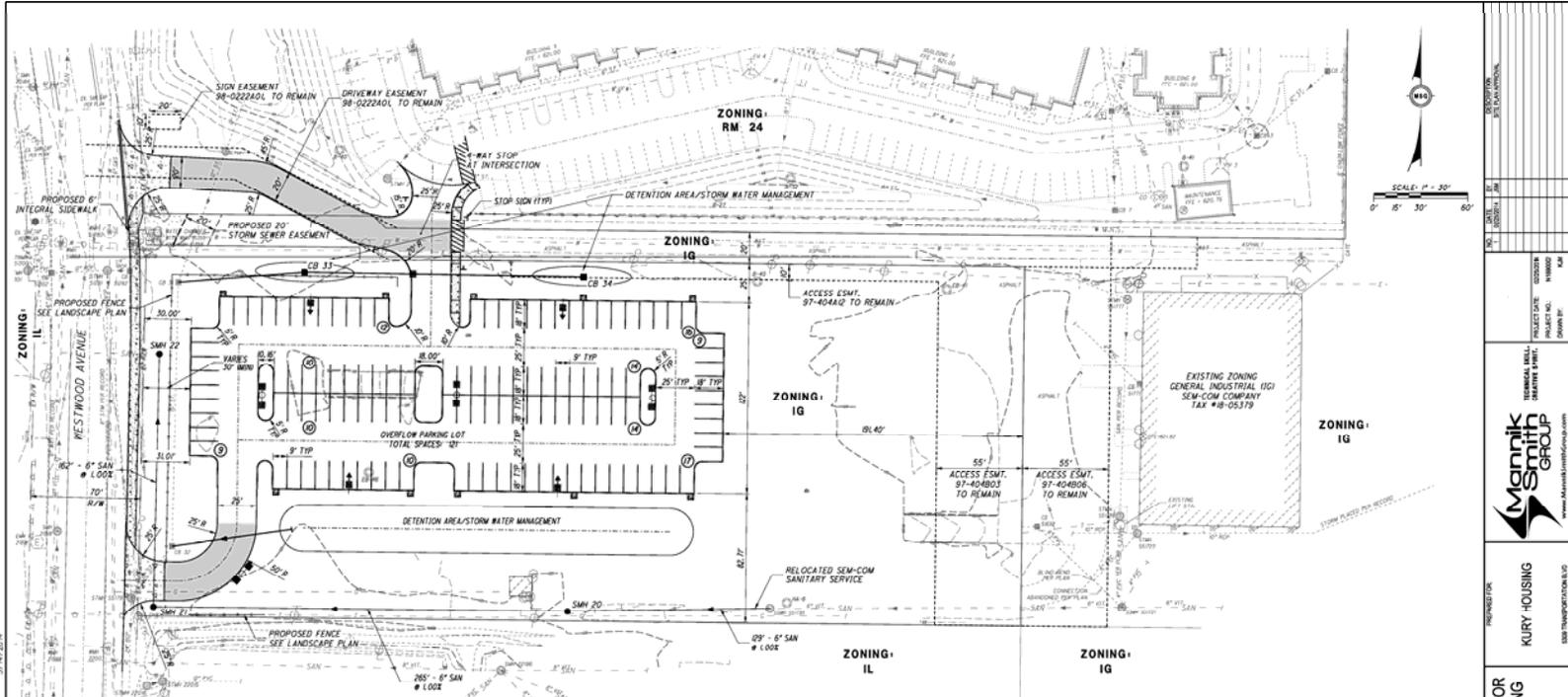
ZONING & LAND USE

SPR-8-14
ID 47



SITE PLAN

SPR-8-14
ID 47



| PAVING LEGEND | DETAIL NO./ SHEET NO. |
|----------------------------|-----------------------------------|
| LIGHT DUTY PAVEMENT | 1/C9.0 |
| HEAVY DUTY PAVEMENT | 2/C9.0 |
| CONCRETE PAVEMENT | 3/C9.0 |
| CONCRETE SIDEWALK | 4,5/C9.0 |
| 6" CONCRETE CURB | CITY OF TOLEDO TYPE A, STD DWG 17 |
| 6" INTEGRAL CURB | 5/C9.0 |
| GROUTED COBBLESTONE RIPRAP | 6,7/C9.0 |

CALCULATIONS

| | |
|--------------------|-------------------------|
| NORTH SITE PARKING | 381 SPACES |
| OVERFLOW PARKING | 121 SPACES |
| TOTAL | 502 SPACES |
| RATIO: | 2.5 SP/IN 0.84 SP/BD |

| | |
|---|---------------|
| PROPOSED WORK | EXISTING WORK |
| PROJECT DATE | DATE |
| PROJECT NAME | PROJECT NO. |
| DESIGNED BY | DATE |
| TECHNICAL SKILL PROJECT DATE PROJECT NAME PROJECT NO. DATE DESIGNED BY | |
| PREPARED FOR | DATE |
| KURY HOUSING | DATE |
| ENGINEER/ARCHITECT/PLUMBER/ELECTRICIAN/MECHANICAL | DATE |
| OVERFLOW PARKING LOT FOR TOLEDO STUDENT HOUSING 1238 N. WESTWOOD AVE. TOLEDO, OHIO | |
| SITE PLAN | |
| C5.0 / C11.2 | |

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 11/17/2014

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GENERAL INFORMATION

Subject

- Request - Appeal of an Administrative Disapproval of a Minor Site Plan Review to facilitate a new parking lot with landscape waivers.
- Location - 1425 Starr Avenue
- Applicant - Unison Behavioral Health Group
1411 Starr Avenue
Toledo, OH 43605
- Contact - Mark Rose
Marshall & Melhorn
4 Seagate, 8th Floor
Toledo, Oh 43604
- Architect - Scott J Heacock
1303 Sabra Road
Toledo, OH 43612

Site Description

- Zoning - CR Regional Commercial
- Area - ± 0.327 acres
- Frontage - ± 119' on Starr Avenue
± 120' on White Street
- Existing Use - Mixed Commercial and Residential
- Proposed use - Parking Lot for Continuous Building

Area Description

- North - Residential / RD6
- South - Gas Station / CR
- East - Nonresidential Metal Health Facility / CR
- West - Parking Lot and Single-family Dwelling / CO

Parcel History

No parcel history on file.

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting an appeal of an administrative disapproval of a minor site plan review with a request for landscape waivers, for a site located at 1425 Starr Avenue. The site consist of four (4) lots that are zoned CR Regional Commercial.

The applicant, Unison Behavioral Health Group, is proposing a new parking lot on the site to the west of their existing facility. The site currently has two (2) buildings, which are to be razed and redeveloped into the proposed parking lot.

The Unison Behavioral Health Group facility is a nonresidential mental health treatment facility. They currently own the parking lots across Raymer Blvd to the east at 1501, 1507 & 1515 Starr Avenue. They also lease a portion of the bowling alley parking lot located at 1516 Starr Avenue and the Memorial United Church of Christ parking lot at 1311-1325 Starr Avenue in addition to using the service drive to the west of their building. The access drive to the west of the Unison building will be incorporated into the new 38-space parking lot design.

Parking and Circulation

The parking lot as proposed is using three (3) proposed curb cuts, one (1) on Starr Avenue and two (2) along the alley located to the north. The Division of Transportation has objected to the use of the alley as a means of ingress and egress to the site. Additionally, the Division of Transportation has also found the proposed 23.5-foot wide drive aisles to be substandard and requires drive aisles of 25-feet wide throughout the site.

Landscaping

Landscaping was incorporated into the site plan that was submitted as part of the minor site plan review. Accompanying the plan is a request for several landscape waivers. Per TMC§1108.0600 - *Landscaping and Screening – Modifications and Waivers*, the Plan Commission has the authority to waive landscaping requirements if site conditions make strict adherence to landscaping requirements impossible. Staff met with the applicant and agreed to the waiver requests because the site is small and urban commercial in nature. Staff agreed to apply TMC 1108.0300 - *Urban Commercial Landscape Standards*. The waiver requests are as follows:

STAFF ANALYSIS (cont'd)

- Waiver of TMC§1108.0202 - *Frontage Greenbelt*, along Starr Avenue from fifteen (15) feet to ten (10) feet. This will provide additional room for vehicular maneuverability throughout the site. A decorative fence with brick and stone accents will be provided along with four (4) trees. A solid hedge will be required to be located on the outside of the fence. **Staff recommends approval of the waiver request subject to the addition of a solid hedge located on the outside of the decorative fence.**
- Waiver of TMC§1108.0202 - *Frontage Greenbelt*, along White Street from fifteen (15) feet to zero (0) feet. A decorative fence with brick and stone accents will be provided. **Staff recommends approval of the waiver request.**
- Waiver of TMC§1108.0203 - *Buffer and Screening Requirements – Type A Buffer*. The applicant is requesting relief on the ten (10) foot requirement with fence required for a Type A buffer. The applicant is proposing to add five (5) foot to seven (7) foot wide landscaping islands at the entrance points of the parking lot, however, no plantings are indicated on these islands. With the addition of one (1) tree per 30 linear feet of frontage and a continuous shrub on each island, **Staff recommends approval of the waiver request.**

Although there are several requests for landscape waivers, a comprehensive look at the landscape plan indicates that the applicant is taking strides to significantly upgrade the landscaping of a small urban site. Additionally, the proposed landscaping meets the criteria of the TMC 1108.0300 - *Urban Commercial Landscape Standards*. Staff recommends approval of the landscape plan subject to the above-mentioned changes, **if the site plan is approved**.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for neighborhood commercial land uses. The neighborhood commercial district was established for predominantly small and medium scale commercial uses that serve neighborhoods. The proposed use is consistent with the uses permitted in the neighborhood commercial district.

The Division of Transportation has objected to the proposed site plan. The plan does not meet the minimum standards set forth in the Toledo Municipal Code. The Division of Transportation has specifically objected to the drive aisle width being less than twenty-five (25) feet and curb cuts onto the alley being used as a means of ingress and egress.

Although staff is recommending disapproval, conditions are provided for informational purposes in Exhibit “A”.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission disapprove SPR-9-14, a request for appeal of an administrative disapproval of a minor site plan review to facilitate a new parking lot with landscape waivers for a site located at 1425 Starr Avenue, for the following two (2) reasons:

1. The Division of Transportation objects to the site plan as submitted; and.
2. The plan does not comply with all applicable standards of the Toledo Municipal Code, the zoning code, and other adopted City policies (TMC 1111.0809.A - *Approval Criteria*).

ADMINISTRATIVE APPEAL OF MINOR SITE
PLAN REVIEW
TOLEDO CITY PLAN COMMISSION
REF: SPR-9-14
DATE: April 10, 2014
TIME: 2:00 P.M.

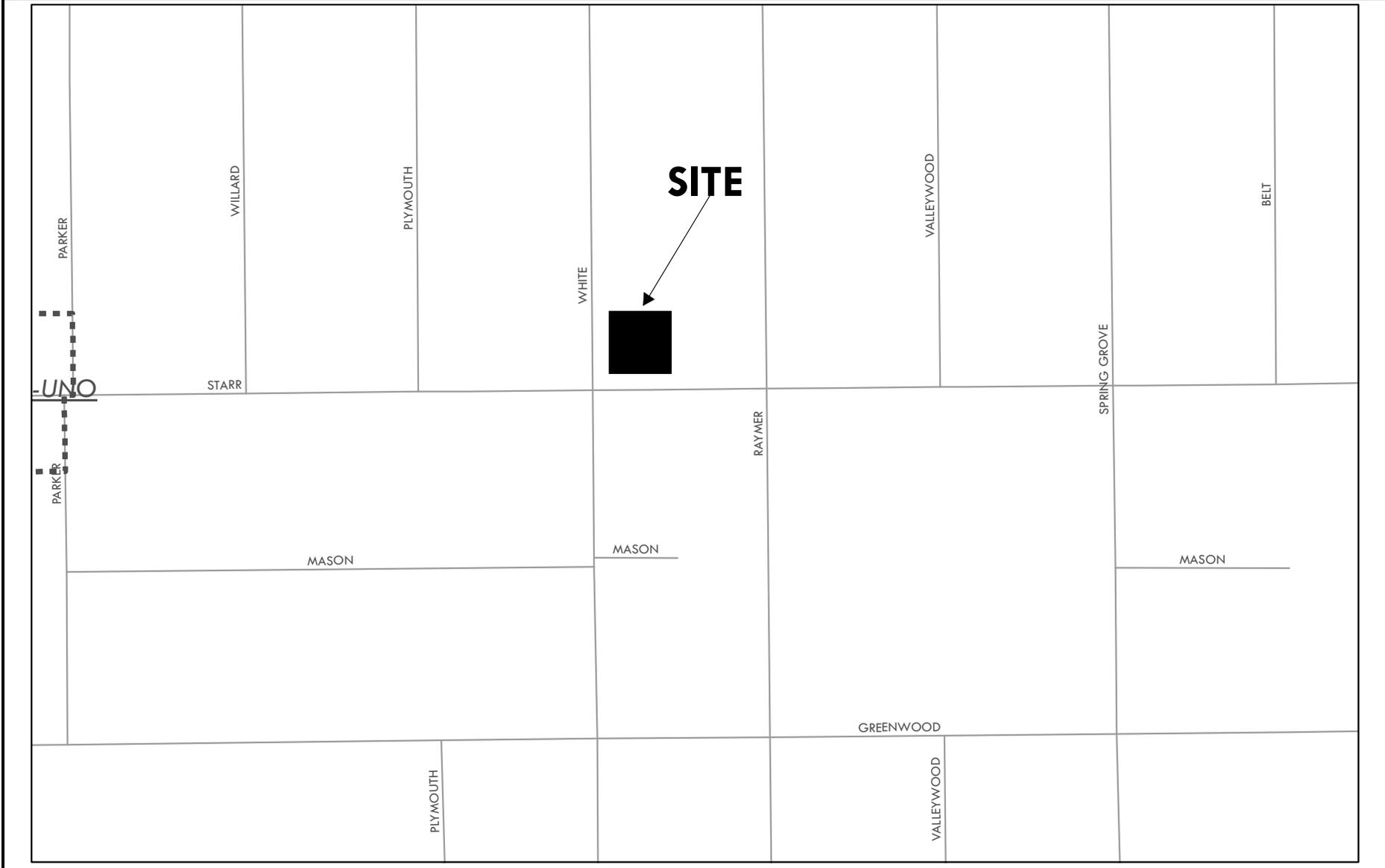
BH/bp
Three (3) sketches follow
Exhibit "A"

GENERAL LOCATION

SPR-9-14
ID 28



S - S

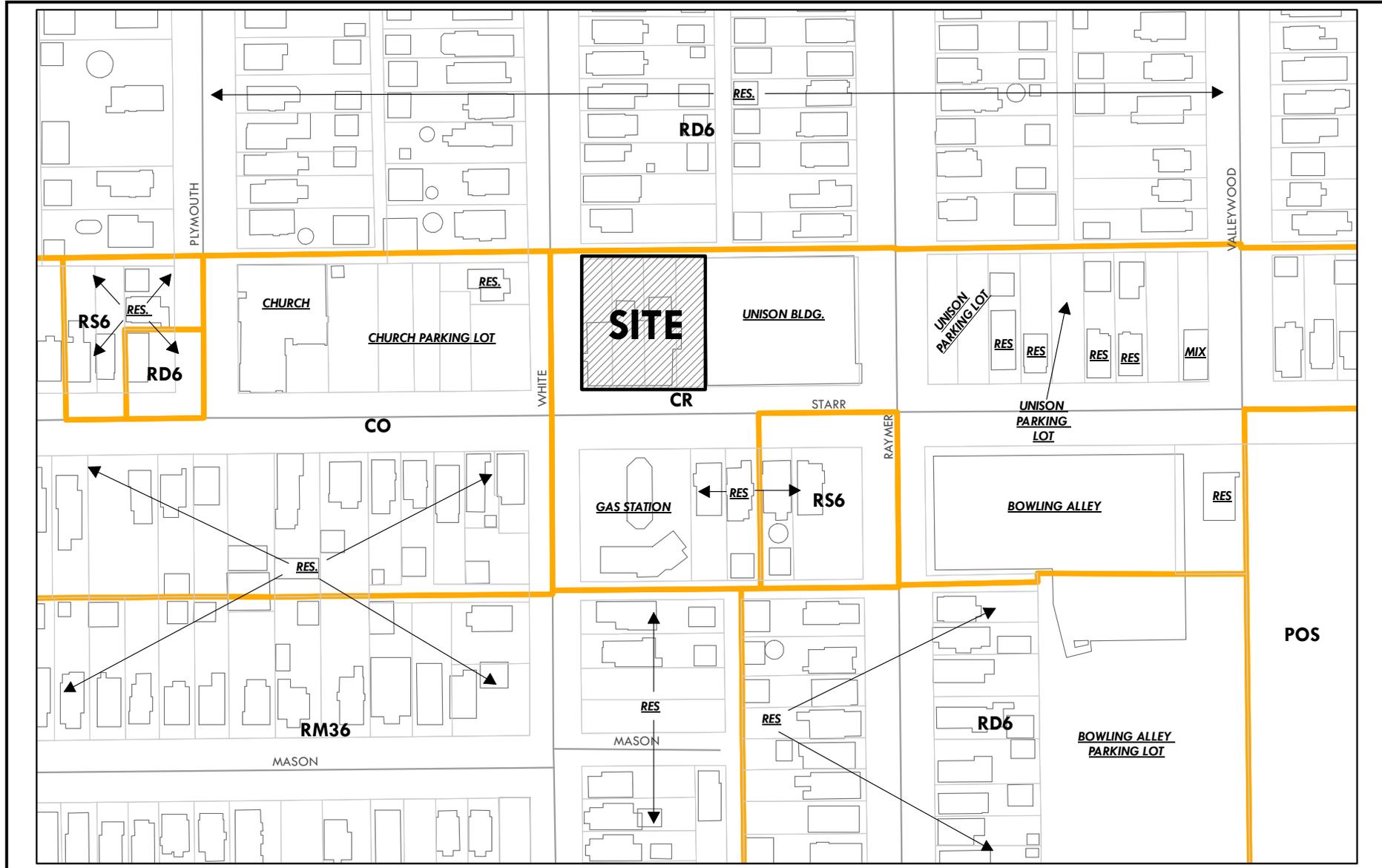


ZONING & LAND USE

SPR-9-14
ID 28

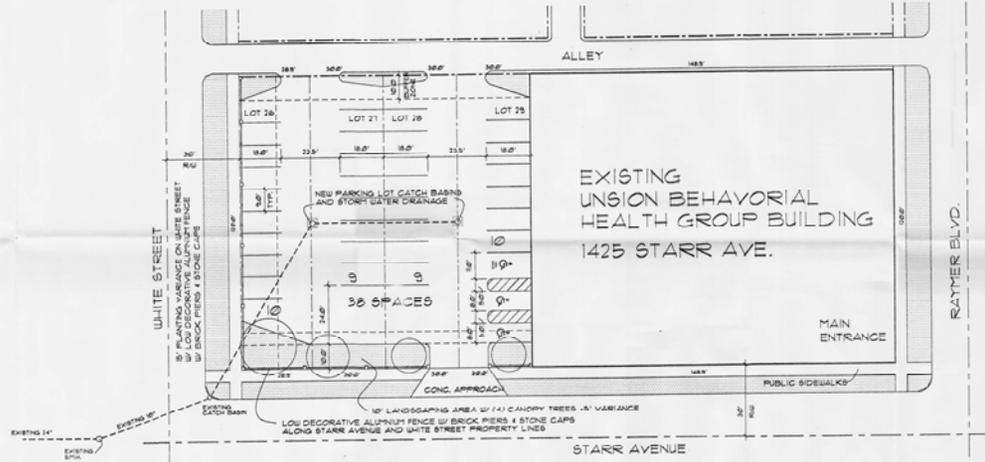


5 - 6



SITE PLAN

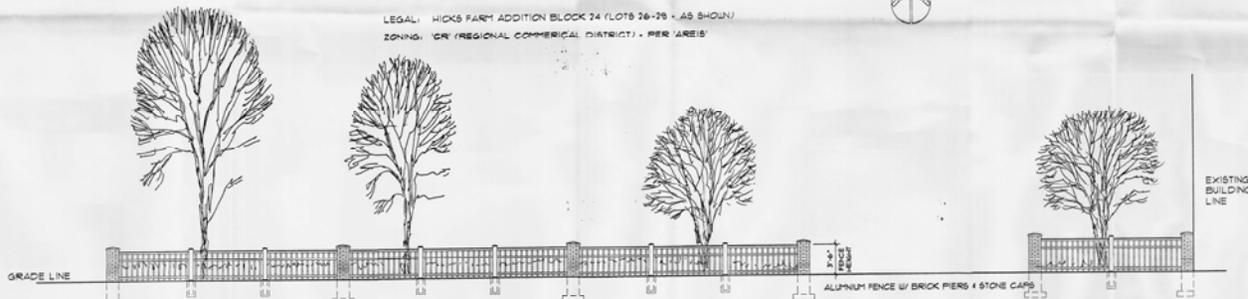
SPR-9-14
ID 28



PRELIMINARY LAYOUT of the:
PROPOSED NEW PARKING LOT for UNISON BEHAVIORAL HEALTH GROUP
SCALE 1" = 20'



LEGAL: HICKS FARM ADDITION BLOCK 24 (LOTS 26-29 - AS SHOWN)
ZONING: CR (REGIONAL COMMERCIAL DISTRICT) - PER 'ARE'S'



PROPOSED DECORATIVE FENCE - STARR AVENUE ELEVATION - (WHITE STREET SIMILAR)
SCALE 3/16" = 1'-0"

SCOTT J. HEACOCK / ARCHITECT
1903 S. ABERA ROAD
TOLEDO, OHIO 43612
419/760-8119
419/478-1211 fax
s.j.heacock@architects.com

PROPOSED PARKING LOT LAYOUT for

NEW PARKING LOT at:
UNISON BEHAVIORAL HEALTH GROUP
1425 STARR AVENUE, TOLEDO, OHIO 43605

1347
MARCH 8, 2014
APPROVED BY
MARCH 6, 2014

SHEET NO.

SP-1

SET OF

Exhibit "A"
REVIEW AGENCY CONDITIONS

Note: If the appeal is approved, Division of Transportation conditions (conditions 15 and 16) may need to be revised or removed.

The following twenty-two (22) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Engineering Services

1. 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.
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. Existing drives along Starr Avenue and White Street that will not be reused shall be removed and the area restored to match the adjacent landscape. Curb drops through unused drives shall be removed and replaced with full height curb to match the adjacent curb. **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. 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.
6. Contact the City of Toledo Fire Prevention Bureau to determine the fire protection requirements for this site.
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.

Exhibit "A" (cont'd)
REVIEW AGENCY CONDITIONS (cont'd)

Engineering Services (cont'd)

8. 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.
9. No construction work, including grading, will be permitted without approved plans and inspection.
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 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

11. Stormwater discharges from this site to an existing combined sewer and, therefore, water quality treatment is not required. However, detention for stormwater quantity purposes is still required.
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.

Sewer & Drainage Services

No concerns or objections.

Exhibit "A" (cont'd)
REVIEW AGENCY CONDITIONS (cont'd)

Fire Prevention

No concerns or objections.

Building Inspection

13. Demolition of any 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.
14. Construction of new buildings or a parking lot 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

15. Ingress and egress into the alley from the parking lot shall not be permitted.
16. 25' drive aisles shall be maintained throughout the parking lot to accommodate two-way traffic.

Plan Commission

17. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces overhanging a pedestrian walkway or sidewalk and when adjoining a building.
18. A solid hedge shall be located on the outside of the decorative fence along Starr Avenue.
19. A detailed landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:

Exhibit "A" (cont'd)
REVIEW AGENCY CONDITIONS (cont'd)

Plan Commission (cont'd)

- a. 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; **shall be noted on revised landscape plan.**
- b. All parking spaces must be within 100 linear feet of a landscaped area; **acceptable as depicted on landscape plan.**
- c. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area; **acceptable as depicted on landscape plan.**
- d. Topsoil must be back filled to provide positive drainage of the landscape area; **acceptable as depicted on landscape plan.**
- e. 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.**
- f. Landscape terminal islands with solid hedges and trees shall be provided at the parking lot entrance points; **shall be noted on revised landscape plan.**
- g. Two canopy trees and six shrubs are required to be installed in interior landscape areas for each 10 parking spaces within the parking lot; **shall be noted on revised landscape plan.**
- h. 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.**
- i. The location, height and materials for any fencing to be installed and maintained. Fence shall be decorative fencing and include brick and stone accents and shall be depicted as such in revised landscape plan; **acceptable as depicted on landscape plan.**
- j. The location, type and direction of any proposed lighting. The lighting is subject to the approval of the Director of the City of Toledo Plan Commission (lights are to be directed away from adjacent residential properties); **shall be noted on revised landscape plan.**

Exhibit "A" (cont'd)
REVIEW AGENCY CONDITIONS (cont'd)

Plan Commission (cont'd)

20. 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 Commission of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed and maintained indefinitely.
21. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
22. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions set forth above.

GENERAL INFORMATION

Subject

- | | | |
|-----------|---|---|
| Request | - | Text Amendment to add cremating as an accessory use to undertaking in the CN zoning district in the Toledo Municipal Code Part Eleven, Planning and Zoning, subsection 1104.0100. |
| Purpose | - | To allow cremating as an accessory use to undertaking (funeral homes) in the CN Neighborhood Commercial zoning district with a Special Use Permit. |
| Applicant | - | Toledo City Plan Commission |

STAFF ANALYSIS

The request is amend the Use Regulations by adding cremating as an accessory use to undertaking in the CN Neighborhood Commercial zoning district with a Special Use Permit. Currently cremating is permitted in the Regional Commercial, Light Industrial, and General Industrial zoning districts. Recent advancements in cremation services have helped reduce emissions.

The Environmental Protection Agency's current regulations regarding crematories under the Federal Clean Air Act fall to the states for regulatory purposes. The State of Ohio EPA requires that crematories hold permits, meets specified design requirements to limit emissions and conform to certain operating requirements, such as maintaining specified temperatures in the chamber of the furnace, prohibiting the burning of particular wastes, conduct continuous monitoring of emissions and annual reporting. Before obtaining a permit from the Ohio EPA a crematory must demonstrate that emissions are below certain levels.

According to the Ohio EPA, inspections are performed on crematories once every 2 years. The inspection consists of insuring that the operator is familiar with the equipment and to monitor air quality in conjunction with operation of the crematory. Their initial calculations for air quality show that crematories with an exhaust stack height of at least 25 feet above ground will be protective of human health. Most existing facilities already meet these specifications, but a similar requirement is included in the proposed text amendment.

The proposed text amendment will allow cremating as an accessory use to a funeral home with a Special Use Permit in CN Neighborhood Commercial zoning district. Frontage on a major street will be required. The requirement for a Special Use Permit will provide for an adequate review of the proposal and help ensure that surrounding property owners are not negatively impacted by this proposed use and that these operations are in compliance with all regulatory agencies.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of the proposed amendment to the Toledo Municipal Code Section Part Eleven, Planning and Zoning to Toledo City Council, to amend the subsection subsections 1104.0107 and 1104.2100, as shown in Exhibit "A".

ZONING TEXT CHANGE
TOLEDO CITY PLAN COMMISSION
REF: M-1-14
DATE: April 10, 2014
TIME: 2:00 p.m.

CITY COUNCIL COMMITTEE OF ZONING AND
PLANNING
DATE: May 14, 2014
TIME: 4:00 p.m.

TCG/bp
Exhibits "A" follows

Exhibit A

(Changes are highlighted in **BOLD**)

1104.0107 Use Categories.

| Use Category | RS 12 | RS 9 | RS 6 | RD 6 | RM (all) | RMH | CN | CO | CM | CS | CR | CD | IL | IG | IP | POS | IC |
|--------------|----------|---------|---------|---------|-----------------|-----|-------------------------|----|----|----|-----------|----|-----------|-----------|----|-----|----|
| Cremating | - | - | - | - | - | - | S [9] [28] | - | - | - | P [28] | - | P [28] | P [28] | - | - | - |

1104.0107 Use Categories.

[9] Uses must have frontage on one or more major street.

[28] Subject to standards of Sec. 1104.2100 | Cremating. In the CN district crematories may only operate as an accessory use to undertaking.

1104.2100 Cremating

- 1. The crematory shall be in compliance with all applicable Ohio EPA requirements, local and state building codes and ordinances, environmental laws and OSHA requirements;**
- 2. The crematory shall have an exhaust stack height of at least 25 feet above ground.**

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GENERAL INFORMATION

Subject

- Request - Zone Change from RM36 Multi-dwelling Residential to CR Regional Commercial
- Location - 2015 Putnam Street
- Applicant - Garrett R. Burkhart
419 Barling Terrace
Goleta, CA 93117

Site Description

- Zoning - RM36 Multi-dwelling Residential
- Area - ± 0.04 Acres
- Frontage - ± 37' along Putnam Street
- Existing Use - Undeveloped
- Proposed use - None Specified

Area Description

- North - Undeveloped & Multi-family Residential / RM36
- South - Nonresidential Mental Health Facility / CR
- East - Undeveloped / RM36
- West - Car Repair / CR & RM36

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 applicant is requesting a Zone Change from RM36 Multi-dwelling Residential to CR Regional Commercial for a site located at 2015 Putnam Street. The .04-acre site is the southern 37 feet of lot 63 in the Hill's Addition subdivision. The applicant requested the zone change in an effort to better market the property and to provide flexibility in the type of commercial uses that may occupy the land in the future.

STAFF ANALYSIS (Cont'd)

Surrounding land uses includes single and multi-family residential to the north, undeveloped property (former Warren School) to the east, the Thomas M. Wernert Mental Health Center to the south and a car repair facility to the west.

Putnam Street is residential in character with the exceptions of the intersections of Putnam and Woodruff and Putnam and Adams to the south. CR Regional Commercial zoning is intended to accommodate large auto-oriented commercial developments and permits intense uses that are not compatible with residential uses. The encroachment of CR Regional Commercial zoning would be detrimental to the adjacent residential neighborhoods in the area. Although CR zoning exists on the parcels to the south, the subject site is oriented away from the commercially dominated streets.

The Toledo 20/20 Comprehensive Plan targets this area for neighborhood commercial land uses. The neighborhood commercial district was established and intended for predominantly small and medium scale commercial uses that serve neighborhoods. Small and medium scale office and mixed uses may be included. CR zoning does not appear appropriate for the site based on the size of the site and the intense uses permitted. As a result, CN Neighborhood Commercial appears more compatible with the area, as uses are small to medium scale and are intended to serve neighborhoods.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of Z-3001-14, a Zone Change from RM36 Multi-dwelling Residential to CR Regional Commercial for the site at 2015 Putnam Street to Toledo City Council for the following two (2) reasons

1. The proposed zone change does not conform to the Toledo 20/20 Comprehensive Plan, which targets the site for single family residential uses; and
2. The proposed zone change is out of character with the surrounding zoning and uses (TMC §1111.0606.C Review & Decision-Making Criteria).

The staff instead recommends that the Toledo City Plan Commission recommend approval of Z-3001-14, a Zone Change from RM36 Multi-dwelling Residential to CN Neighborhood Commercial for the site at 2015 Putnam Street to Toledo City Council for the following three (3) reasons

1. The CN zone change conforms to the Toledo 20/20 Comprehensive Plan, which targets the site for Neighborhood Commercial uses.
2. The CN zoning request is similar to existing land uses within the general vicinity of the subject property (TMC 1111.0606.B Review & Decision-Making Criteria); and

STAFF RECOMMENDATION (Cont'd)

3. A zone change to CN Neighborhood Commercial is consistent with the zoning classification of properties within the general vicinity of the site (TMC §1111.0606.C Review & Decision-Making Criteria).

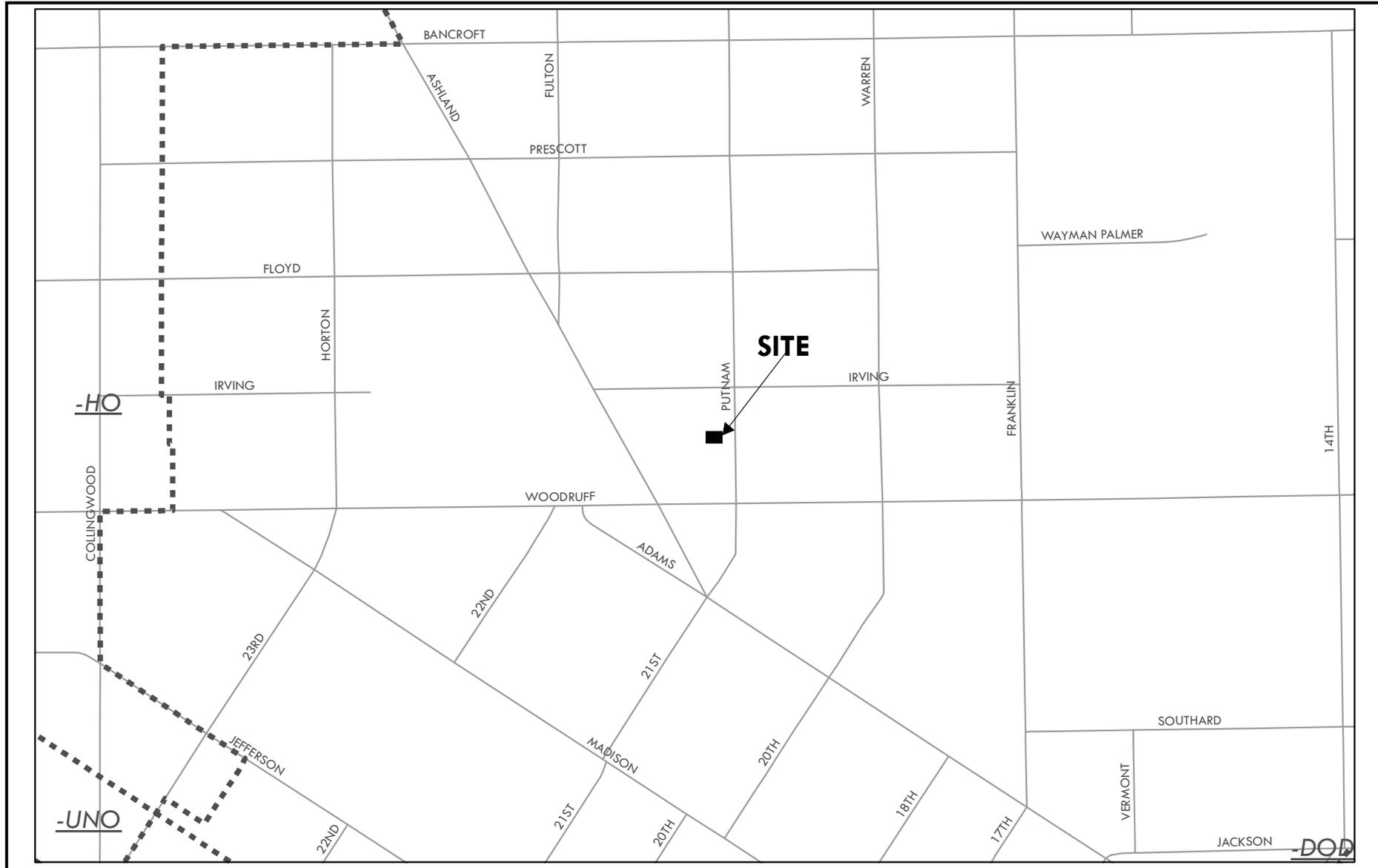
ZONE CHANGE REQUEST
TOLEDO CITY PLAN COMMISSION
REF: Z-3001-14
DATE: April 10, 2014
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: May 14, 2014
TIME: 4:00 P.M.

BH/bp
Two (2) sketches follow

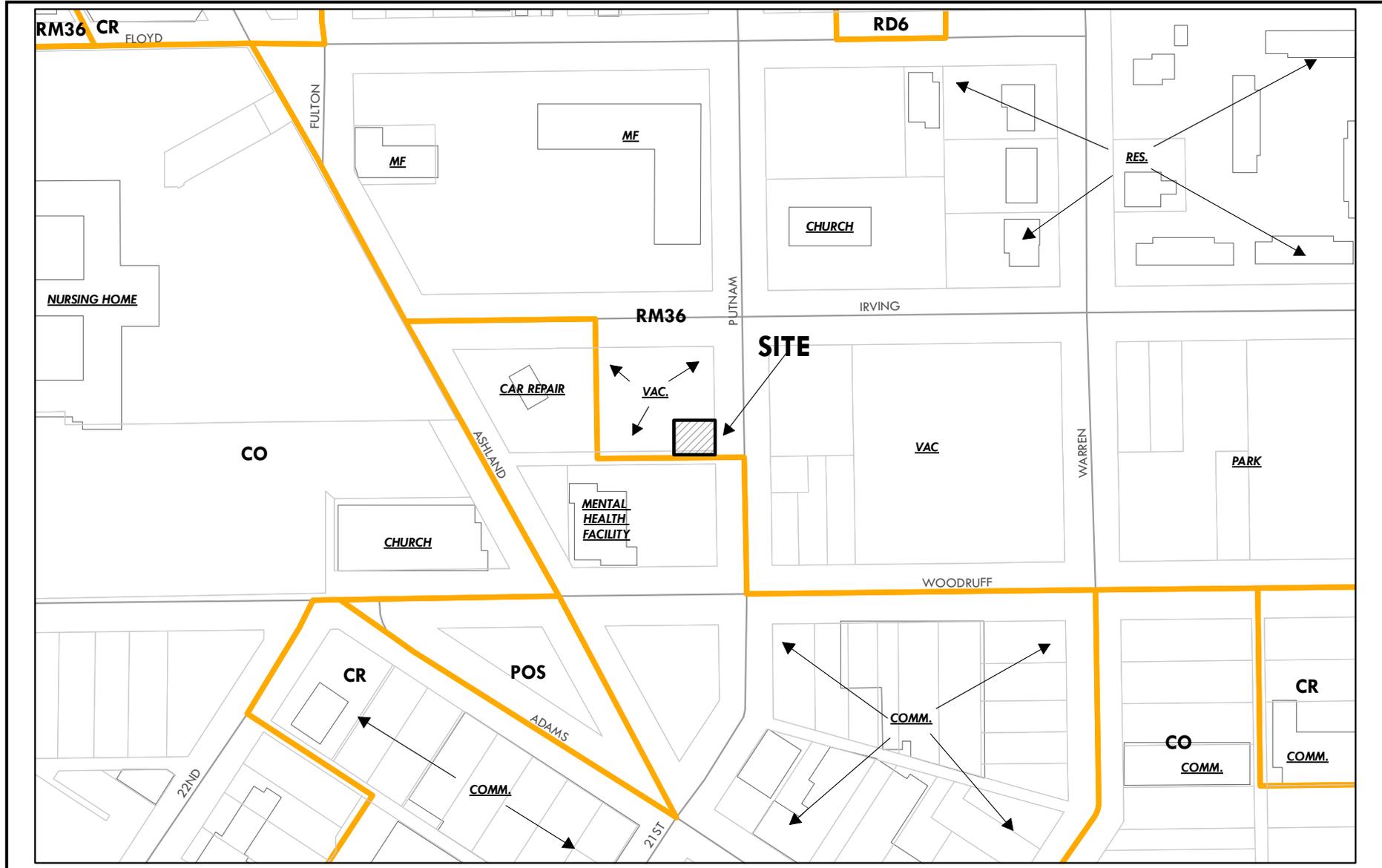
GENERAL LOCATION

Z-3001-14
ID 14



ZONING & LAND USE

Z-3001-14
ID 14



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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

