

*TOLEDO CITY  
PLAN COMMISSION  
REPORT*

*December 4, 2014*

*Toledo-Lucas County Plan Commissions*

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

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

## **MEMBERS OF THE TOLEDO-LUCAS COUNTY PLAN COMMISSIONS**

### TOLEDO CITY PLAN COMMISSION

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(Chairman)

KEN FALLOWS  
(Vice Chairman)

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**TOLEDO-LUCAS COUNTY PLAN COMMISSIONS  
APPLICATION DEADLINE, AGENDA, STAFF REPORT AND HEARING  
SCHEDULE - 2015**

<b>APPLICATION DEADLINE*</b>	<b>AGENDA SET</b>	<b>STAFF REPORT DISTRIBUTED</b>	<b>HEARING DATE</b>
<b>CITY PLAN COMMISSION</b> ( <i>HEARINGS BEGIN AT 2PM</i> )			
November 24	December 22	December 26	January 8
December 30	January 26	January 30	February 12
January 27	February 23	February 27	March 12
February 24	March 23	March 27	April 9
March 31	April 27	May 1	May 14
April 28	May 25	May 29	June 11
May 26	June 22	June 26	July 9
June 30	July 27	July 31	August 13
July 28	August 24	August 28	September 10
August 25	September 21	September 25	October 8
September 22	October 19	October 23	November 5**
October 20	November 16	November 20	December 3**
<b>COUNTY PLANNING COMMISSION</b> ( <i>HEARINGS BEGIN AT 9AM</i> )			
December 15	January 12	January 16	January 28
January 12	February 9	February 13	February 25
February 9	March 9	March 13	March 25
March 9	April 6	April 10	April 22
April 13	May 11	May 15	May 27
May 11	June 8	June 12	June 24
June 8	July 6	July 10	July 22
July 13	August 10	August 14	August 26
August 10	September 7	September 11	September 23
September 14	October 12	October 12	October 28
October 5	November 2	November 6	November 18**
November 2	November 30	December 4	December 16**

\* County deadlines are for Preliminary Drawings

\*\* Date shifts are due to holidays

**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**

**December 4, 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-44-14:            | Major Site Plan Review for church and parking lot at 4325 Hill Avenue (gp)                                       |
| 2. SPR-51-14 & DOD-4-14: | Major Site Plan Review and Downtown Overlay District Review for residential development at 1 S. Erie Street (bh) |
| 3. Z-10005-14:           | Zone Change from RS6 to IL at 816 Elysian Avenue (gp)                                                            |
| 4. V-487-14:             | Vacation of Giant Street between St. Bernard Drive and Westland Avenue (bh)                                      |
| 5. V-488-14:             | Vacation of Westland Avenue between Bigelow Street and I-475 (bh)                                                |
| 6. Z-9010-14:            | Zone Change from RS6 to RM24 at 1901 W. Central Avenue (gp)                                                      |
| 7. PUD-10007-14:         | Planned Unit Development for senior housing development at 1901 W. Central Avenue (gp)                           |

8. Z-10008-14: Zone Change from RS6 and RD6 to RM12 at 5301 Nebraska Avenue (bh)
9. Z-9006-14: Zone Change from IL to IG at 4919 South Avenue (bh)
10. SUP-11001-14: Special Use Permit for fuel sales and tobacco shop at 4460 Lewis Avenue (gp)

**ADJOURNMENT**

**GENERAL INFORMATION**

Subject

- Request - Major Site Plan Review for a new church and multi-purpose building with 100+ space parking lot
- Location - 4237, 4263, & 4325 Hill Avenue
- Applicant - Gethsemane Christian Discipleship Church  
4263 Hill Avenue  
Toledo, OH 43607
- Contact - Pastor Arthur J. Battle  
29 Fountain Drive  
Holland, OH 43528
- Engineer - Timothy J. O'Brien  
Benchmark Engineering Group, Inc.  
3161 N. Republic Boulevard  
Toledo, OH 43615

Site Description

- Zoning - RS6 / Single Family Residential
- Area - ±10.54 acres
- Frontage - ±655' along Hill Avenue
- Existing Use - Single Family Home
- Proposed Use - Church and Multi-Purpose Building

Area Description

- North - Greenhouse, Single Family Home / RS6
- South - School / RS6
- East - Single Family Dwellings / RS6
- West - Single Family Dwellings, Multi-Family Dwelling / RS6, CR

Parcel History

No record on file

## 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 for a site located at 4237, 4263, and 4325 Hill Avenue to facilitate the development of a church, and multi-purpose building and parking lot. The ±10.54 acre site consists of three (3) parcels and is zoned RS6 Single Family Residential. One of the three parcels is occupied by a single family dwelling and another by a commercial retail structure and accessory buildings. The remaining parcel is completely undeveloped. The applicant is proposing to develop a new ±10,450 square foot, combination church/multi-purpose building and associated parking lot. This case is reviewed as a Religious Assembly (church) land use with Active Community Recreation (multi-purpose) as an accessory use. Pursuant to TMC§1111.0802(B) *Development Approval Procedures* – a development proposing off-street parking of 60 or more spaces requires a Major Site Plan review.

### Parking

The number of required parking spaces for religious assembly is calculated based on one (1) per six (6) seats or one (1) per one-hundred (100) square feet of seating area, whichever is greater. Calculations conclude that 105 parking spaces are required. The site plan depicts a 106 space asphalt parking lot to be developed east of the proposed building. The parking lot will be accessed via two (2) proposed curb cuts and asphalt driveways from Hill Avenue. The number of required bicycle parking slots is one (1) per ten (10) parking spaces. The Planning Director may waive the bicycle parking requirements for a particular use if the owner or operator can demonstrate in writing, supported by evidence, that the use does not generate any bicycle usage.

### Landscaping

Landscaping for the proposed development is shown on the submitted site plan. The site is heavily populated with existing trees that provides character and value, and act as a buffer between the development site and the adjacent neighborhood. A fifteen (15) foot greenbelt is required along the Hill Avenue frontage. The applicant is preserving several large caliper trees in this area that adequately provide this buffer. The submittal depicts a landscape plan that intends to preserve existing trees, promote aesthetic appeal, and reduce pollutants in stormwater runoff. The parking lot will utilize a series of connected grass swales that will capture stormwater runoff from the parking lot. The grass swales will treat stormwater runoff before out flowing into and existing drainage ditch (Dennis Ditch). The outflow will be metered for the purpose of gathering water quality and quantity data.

**STAFF ANALYSIS** (cont'd)

Landscaping (cont'd)

Two canopy trees and six shrubs are to be installed for each 10 parking spaces and at least one tree must be provided for every 30 feet of lot frontage or fraction thereof. A ten foot perimeter parking lot landscape buffer with a hedge row to reduce headlight glare is proposed along the eastern property line. Additionally, existing trees, shrubs, and grasses will also remain on the eastern property line. Landscape areas within parking areas are shown to be peninsular or island types. Landscape islands or peninsulas are shown at the end of each parking row. Wheel stops must be provided to ensure that vehicles cannot overhang directly on plant material. The site plan submitted demonstrates compliance with TMC§1108 – *Landscape Standards*.

Building Design

Exterior facades shall be articulated in order to add architectural interest and variety and avoid the effect of a single, long or massive wall with no relations to human size (TMC§1109.0205(C)(1) – *Design Standards*). The proposed structure is set back ±193 feet from the property line. This produces a perspective that reduces massing of the building from the right-of-way and relate to pedestrian and vehicular travel. Elevation drawings submitted depict a building that is +21 feet at the highest peak. The main entrance is located on the north façade where the roof slopes down to 8 feet and relates to human scale. Variation in roof heights and change in roofing material are also used to express internal function.

Building elevations shall comply with TMC§1109.0500 – *Façade Materials*. Predominant exterior building materials shall be high-quality materials. For facades visible from the public right-of-way, predominate materials must comprise at least seventy-five percent (75%) of the total wall area of the façade. Façade colors shall be low-reflectance, subtle, neutral or earth tone colors. Building trim and accent areas may feature brighter colors, including colors subject to the approval of the Planning Director. Building materials and colors are not clearly defined and a revised elevation drawing identifying said building attributes shall be submitted to determine compliance.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for Single Family Residential land uses. The Single Family Residential district is intended to accommodate the development of single dwelling units on individual lots. The district is also intended to accommodate nonresidential uses that are typically compatible with residential neighborhoods. The proposed use is allowed in the district in which it is located.

## STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission approve SPR-44-14, a request for a Major Site Plan Review for a new church and multi-purpose building with 100+ space parking lot for a site located at 4237, 4263, & 4325 Hill Avenue, for the following two (2) reasons:

1. The request is consistent with The Toledo 20/20 Comprehensive Plan (TMC 1111.0606(A) Review and Decision Making Criteria); and
2. The request will not adversely impact any nearby properties.

The staff recommends that the Toledo City Plan Commission approve SPR-44-14, a Major Site Plan Review for a new church and multi-purpose building with 100+ space parking lot for a site located at 4237, 4263, & 4325 Hill Avenue subject to the following twenty-five (25) conditions:

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

### Engineering Services

1. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced and/or upgraded to conform to current City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
2. All residential drive approaches (along with the sidewalk through the drive) shall be constructed with 6-inch thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. No horizontal curb cutting will be permitted to create a curb drop or opening.
3. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.
4. Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.
5. Plans for the water services have been submitted to and approved by the Division of Engineering Services.
6. Plans have been submitted to the Division of Engineering Services and are currently being reviewed by Andy Stepnick, 419-245-1338, for compliance with current stormwater regulations.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

7. Plans shall be in conformance with the Criteria and Regulations of The Departments of 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 <http://toledo.oh.gov/services/public-utilities/div-engineering-services/plan-reviewprocess/>; and "The Comprehensive Ditch Plan".
8. Plans for the sanitary service has been submitted to and approved by the Division of Engineering Services.

Sewer & Drainage Services

9. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
10. S&DS recommends that the private sanitary lines (after they have been cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect with the public sewer system if this has not been done in the past (2) two years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

Fire Prevention

11. A fire hydrant shall be located within 350' of all portions of the new building. (Hydrant location not shown on plan).
12. The hydrant shall be protected from vehicular damage.
13. Facility address must be visible from Hill Avenue.

Transportation

No conditions or comments regarding the site plan.

**STAFF RECOMMENDATION (cont'd)**

Building Inspection

14. 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 for the demolition permit to be processed and issued. Otherwise, water and sewer service must be terminated as well.
15. The construction of any new structure, addition, or alterations to any existing building will require construction documents stamped by a design professional to be submitted to the Division of Building Inspection for plan review and approval. Construction documents must show that the new structure, addition and/or interior alterations will be in compliance with the building, mechanical and fire codes of the City of Toledo, and, by referenced authority, those of the State of Ohio. Construction must also comply with federal ADA regulations.
16. Any signs on the building, will require a separate plan review and permits(s) in accordance with the City of Toledo's sign codes (Toledo Municipal Code §1113 and §1377 – §1397).
17. Should this PUD amendment be approved by City Council, it shall form the authorizing instrument for the appropriate waives of the fence heights. However, any new fencing shown on the site plan will require a Certificate of Zoning Compliance issued by the Division of Building Inspection.

Plan Commission

18. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping areas.
19. Dumpster location(s) shall be clearly defined, 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. **(Acceptable as depicted on site plan).**
20. The building materials shall meet the requirements of TMC§1109.0500 *Building Façade Materials and Color*. Elevations shall be submitted to meet the approval of the Plan Director. **The submitted elevations shall be revised to include additional detail on the type and color of material. Exterior façade materials shall meet the criteria of TMC§1109.0500.**

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

21. The proposed landscaping is acceptable. Applicant shall provide a separate landscaping plan for reference. If the existing trees along Hill Avenue are removed in the future, a fifteen (15) foot frontage greenbelt will be required.
22. Lights and light fixtures used to illuminate any parking or loading area must be selected and arranged to direct and reflect the light away from any adjacent residential property and public right-of-ways and away from the sky above the light fixture.
23. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
24. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
25. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

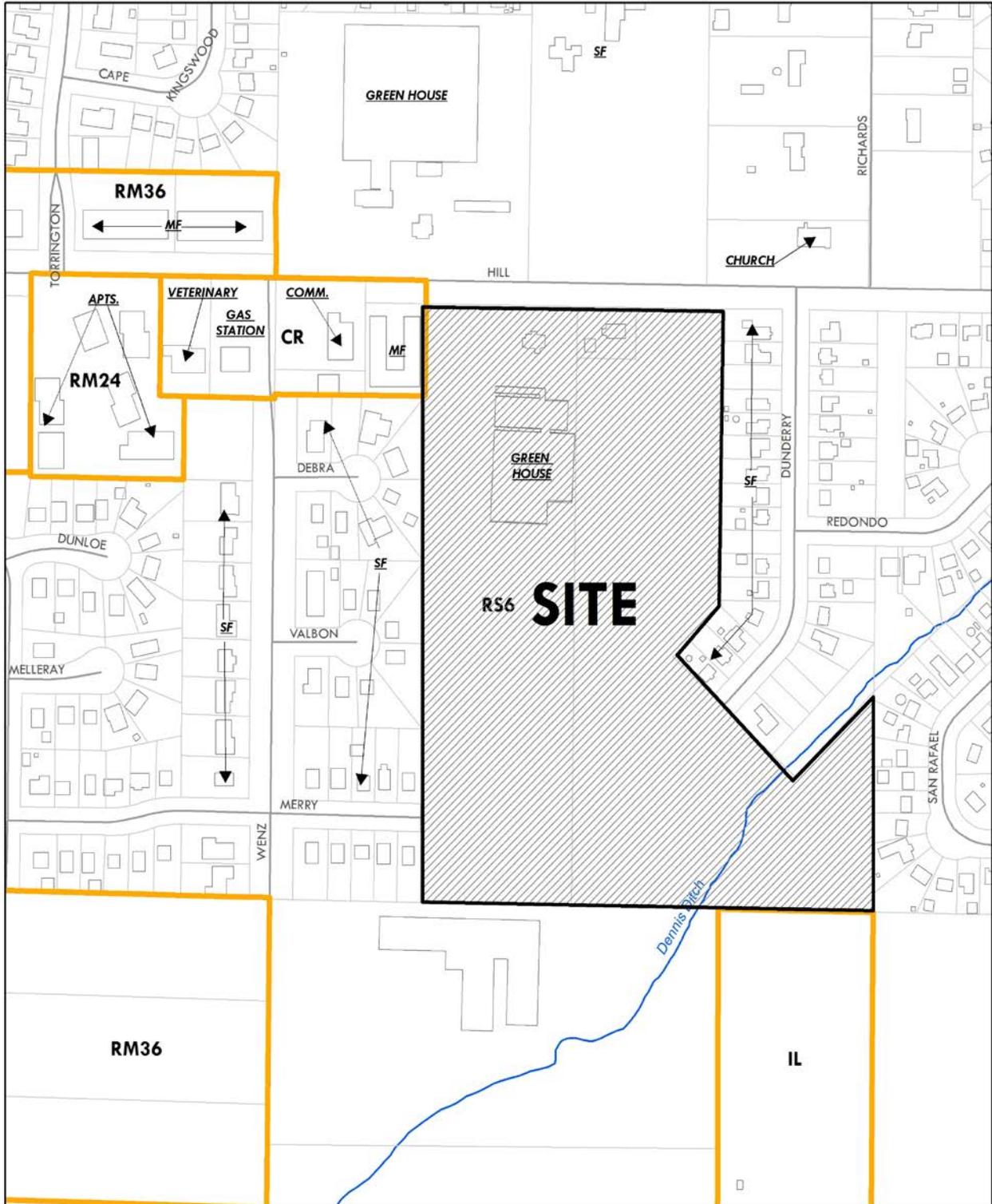
MAJOR SITE PLAN REVIEW  
TOLEDO CITY PLAN COMMISSION  
REF: SPR-44-14  
DATE: December 4, 2014  
TIME: 2:00 P.M.

GP/bp  
Four (4) sketches follow



# ZONING & LAND USE

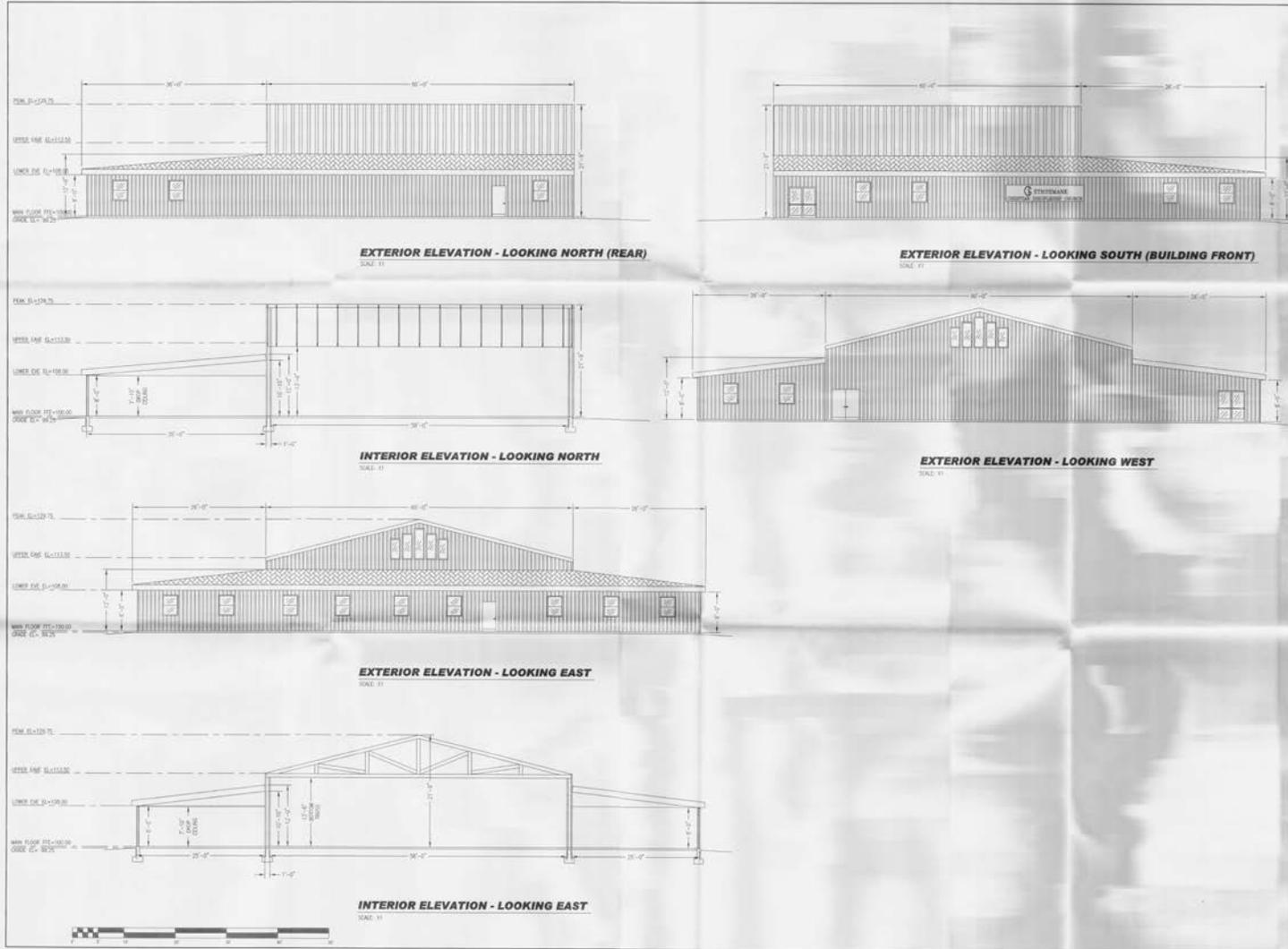
SPR-44-14  
ID84





# ELEVATIONS

SPR-44-14  
ID 84



**BENCHMARK  
ENGINEERING  
GROUP, INC.**  
3161 N. REPUBLIC BLVD.  
TOLEDO, OHIO 43615  
(419) 843-6691  
(419) 843-7218 FAX  
www.benchmarkeng.com

STAMP AREA

OWNER: Timothy J. O'Shea  
16 WANDA, 63750  
MUSKOGEE, OHIO

CLIENT:

**ETHSEMANE  
CHRISTIAN  
DISCIPLESHIP  
CHURCH**  
4263 HILL AVE.  
TOLEDO, OH

PROJECT: NLR CHURCH FACILITY

DRAWING TITLE: ARCHITECTURAL ELEVATIONS

NO.	DATE	DESCRIPTION
1	12/9/13	ISSUE FOR PERMITS
2	12/15/13	ISSUE FOR PERMITS
3	12/15/13	ISSUE FOR PERMITS
4	12/22/14	ISSUE FOR PERMITS

DRAWING TITLE: ARCHITECTURAL ELEVATIONS

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

DRAWING NUMBER: 4263-A-04

VERSION: SHEET 8 OF 12

1 - 11

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**GENERAL INFORMATION**

Subject

- Request - Major Site Plan and Downtown Overlay District Review for a 115 unit residential development
- Location - 1 S. Erie Street
- Owner - Kevin Prater  
The Berdan LLC  
401 S Washington Square, Suite 102  
Lansing, MI 48933
- Engineer - Charles J. Christy  
WadeTrim  
555 S Saginaw Street, Suite 201  
Flint, MI 48502
- Architect - Sarah Rabe  
Kraemer Design Group  
1420 Broadway Street  
Detroit, MI 48226

Site Description

- Zoning - CD Downtown Commercial,  
DOD Downtown Toledo Overlay District,  
Warehouse UNO District
- Area - ± 0.93 acres
- Frontage - ± 257' on Washington Street  
± 185' on Erie Street  
+ 146' on Huron Street
- Existing Use - Vacant
- Proposed use - Multi Dwelling Residential with Commercial Use

Area Description

- North - Parking, Commercial and 5/3 Field / IL & CD
- South - Commercial / CD
- East - Parking / CD
- West - Parking and Vacant Commercial / IL & CD

**GENERAL INFORMATION (cont'd)**

Parcel History

- |             |   |                                                                                 |
|-------------|---|---------------------------------------------------------------------------------|
| Z-11005-04  | - | Request for zone change from IL to CD (PC approved 1/13/05, Ord. 167-05 3/8/05) |
| TWDARC-2-14 | - | Request for design approval (TWDARC approved 11/3/14)                           |

Applicable Regulations

Toledo Municipal Code, Part Eleven: Planning and Zoning  
Toledo 20/20 Comprehensive Plan  
2012 Warehouse District Plan

**STAFF ANALYSIS**

The applicant is requesting a Major Site Plan and Downtown Overlay District Review to facilitate the redevelopment of the “Berdan Building” into 115 residential units and 4,500 square feet of commercial space. The former warehouse is situated within the Toledo Warehouse District boundaries and is sited on .93 acres on the corner of Erie, Washington and Huron Streets. The Toledo Warehouse District Architectural Review Committee reviewed and approved the site design and elevations at their November 3, 2014 meeting.

The Berdan Building, formally known as the King Warehouse, was constructed in 1902 for the Berdan Company who supplied wholesale groceries to the region. It remained in use as a warehouse until the 1960's but has been vacant since. The building is located on the opposite corner of the home plate entrance of 5/3 Field (Huron and Washington Streets). Other surrounding land uses include a restaurant and commercial parking lot to the north, a restaurant and vacant industrial buildings to the south, a commercial parking lot to the east and a vacant industrial building and parking lot to the west. The Toledo Warehouse District is a mixture of commercial, industrial and residential uses, which is quickly becoming one of the most vibrant parts of Toledo.

The applicant is proposing to retrofit the four (4) above grade stories into 115 residential units. The remaining partial sub-grade basement will serve as a 91-space parking garage and will include space for approximately 4,500 square feet of commercial retail on the corner of Washington and Huron Streets. The applicant has indicated that the units will be similar to the loft style units that were developed in the Standart Lofts Building in 2009.

**STAFF ANALYSIS (cont'd)**

*Parking and Circulation*

Pursuant to TMC§1107.0200 – *Special Parking Districts*, the parking requirement for residential units in the CD District is one (1) space per dwelling unit and one (1) space for every ten (10) spaces as visitor parking. Non-residential uses are exempt from off-street parking in the CD District. The proposed 115 residential units will have a parking requirement of 127 spaces. The applicant is proposing 91 parking spaces for tenants in the assigned garage accessed via a curb cut from Huron Street. In addition, an eight (8) space visitor and handicap lot will be located on the Erie Street side of the building. The applicant has submitted an alternative parking plan, requested a reduction of twenty (20) percent of the required parking due to transit stops being provided in the area. TMC§1107.1400 – *Alternative Access and Parking Plans* - The Director of Planning may authorize up to a twenty (20) percent reduction in the number of spaces required.

Consideration may also be given to a waiver of the visitor parking requirement as part of the alternative parking plan due to the site's location in the CBD, subject to the applicant providing documentation of alternative parking spaces available in the area.

*Landscaping*

The site is zoned CD Downtown Commercial, is within the Downtown Overlay District and Warehouse UNO, and is therefore subject to the Urban Commercial Landscape Standards. Landscaping has been submitted as part of the site plan review. The landscaping is mostly limited to streetscaping and decorative fencing around the visitor parking lot along Erie Street. The streetscaping is subject to the review and approval of the Department of Parks, Recreation and Forestry. In addition to the decorative fencing along Erie Street, a solid hedge shall be installed as outlined in TMC§1108.0303 and TMC§1103.1518.B.1

*Building Design*

The applicant submitted renderings that detail the exterior improvements to the building. The existing façades will undergo complete brick, stone and terra cotta cleaning and masonry repairs will take place as needed. The windows will be replaced with approved aluminum windows and a roof deck will be added to provide additional amenities to the residences. The Warehouse District Architectural Review Committee approved the submitted renderings and scope of work.

**STAFF ANALYSIS (cont'd)**

*Recommendation*

The Toledo 20/20 Comprehensive Plan designates this site as Urban Village. The Urban Village future land use district was intended as a specialized residential and commercial district that possesses characteristics of Traditional Neighborhood Development (TND), such as pedestrian orientation, zero building setbacks, mixed uses, and distinct architectural character. The Downtown Toledo Master Plan lists several roles of the Warehouse District, one of which is to “offer adapted warehouses with apartment and commercial uses”. Finally, the Warehouse District Community Development Plan stresses the conversion of former warehouses into residential uses as a means of revitalization of the Warehouse District. The proposed reuse of the former Berdan Building conforms to all of these plans.

Staff supports the applicant’s proposal as it conforms to the aforementioned plans. Furthermore, the renovation of the Berdan Building has been a long-anticipated project that will positively affect the Warehouse District and the City of Toledo.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission approve SPR-51-14, a request for a Major Site Plan and Downtown Overlay District Review for a 115 unit residential development for a site located at 1 S. Erie Street, for the following three (3) reasons:

1. The proposed use is consistent with the Toledo 20/20 Comprehensive Plan, Downtown Toledo Master Plan and Warehouse District Community Development Plan.
2. The proposed use complies with all applicable provisions of this Zoning Code (TMC 1111.0809.A Review & Decision-Making Criteria); and
3. The proposed use is permitted in the district in which it is located (TMC 1111.0809.B Review & Decision-Making Criteria).

The staff recommends that the Toledo City Plan Commission approve SPR-51-14, a request for a Major Site Plan and Downtown Overlay District Review for a 115 unit residential development for a site located at 1 S. Erie Street, subject to the following forty (40) 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.

**STAFF RECOMMENDATION (cont'd)**

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

Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.

5. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
6. The plan indicates that water supply will be via the existing 6-inch-diameter water main in Erie Street. Designer shall ensure that the available water flow and pressure in this water main meet the anticipated demands of the facility. Contact the Division of Engineering Services for available fire flow test data. Designer may want to consider connecting to the 8-inch-diameter water main in Erie Street.
7. The existing water service will be abandoned at the main by the City of Toledo at the owner's expense.
8. Plans for the proposed water services shall be submitted to the Division of Engineering Services for review and approval.
9. Contact the City of Toledo Fire Prevention Bureau to determine the fire protection requirements for this site.

**STAFF RECOMMENDATION (cont'd)**

Division of Engineering Services

10. 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.
11. Do not construct permanent structures (including fence posts) over unmetered water services.
12. Contact the Division of Water Distribution for installation requirements for backflow preventers. The plans show a backflow preventer on the proposed fire service. A backflow preventer will also be required on the domestic water service.
13. If the domestic water meter cannot be located in the building, it shall be located outside the right-of-way.
14. New fire, domestic, and irrigation taps will be installed by City of Toledo at the owner's expense.
15. Plans for the water service shall be submitted to and approved by the Ohio EPA prior to starting construction of the water service.
16. 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.
17. Plans submitted indicate earth-disturbing activity greater than 2,500 square feet; therefore, a detailed site-grading plan for this project shall be submitted for stormwater approval.
18. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at <http://toledo.oh.gov/services/public-utilities/div-engineering-services/plan-review-process/>, including the requirements for stormwater detention and post-construction stormwater BMPs.
19. Plans are also 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."

**STAFF RECOMMENDATION (cont'd)**

Division of Engineering Services

20. Any person performing earth-disturbing activities within the City of Toledo shall employ Construction Best Management Practices (BMPs). All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA.
21. 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 may be eligible for a percent reduction in the property's stormwater utility fee through the Stormwater Credit Program.
22. A site specific Stormwater Pollution Prevention Plan (SWP3) shall be submitted for review and approval. The SWP3 shall address all components required per the latest Ohio EPA General Stormwater NPDES permit.
23. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
24. No construction work, including grading, will be permitted without approved plans and inspection.
25. A pre-submittal stormwater meeting is not required; however, one may be requested by contacting Andy Stepnick 419-245-1338 or Lorie Haslinger at 419-245-3221.

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: Tim Grosjean, ph. 419-245-1344

26. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
27. 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.

Fire Prevention

No objections or concerns.

**STAFF RECOMMENDATION (cont'd)**

Sewer & Drainage Services

28. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
29. S&DS recommends that the private sanitary lines (after they have been cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect with the public sewer system if this has not been done in the past (2) two years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

Building Inspection

30. The construction of any new structure, addition, or alterations to any existing building will require construction documents stamped by a design professional to be submitted to the Division of Building Inspection for plan review and approval. Construction documents must show that the new structure and/or interior alterations will be in compliance with the building, mechanical and fire codes of the City of Toledo, and by referenced authority, those of the State of Ohio. Construction must also comply with federal ADA regulations.
31. Any signs on the building will require a separate plan review and permit(s) in accordance with the City of Toledo's sign codes (Toledo Municipal Code §1377 - §1395).
32. Any fence screening will require a Certificate of Zoning Compliance, issued by the Division of Building Inspection.

Division of Transportation

Comments not received at this time.

Plan Commission

33. An alternative parking plan has been submitted that is compliant with TMC§1107.1400– Alternative Access and Parking Plans, allowing for a twenty (20) percent reduction in required parking. The applicant shall submit additional documentation indicating availability of nearby parking to allow a waiver of required visitor parking.

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

34. New and Renovated buildings in the Downtown Overlay District shall meet the design guideline standards of TMC Section 1103.0205 and the Warehouse UNO design guidelines standards of TMC section 1103.1506, **acceptable as submitted.**
35. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping areas.
36. If applicable, trash containers, service and storage areas shall be screened and maintained. These areas should be separated from the main circulation and parking areas.
37. A detailed site, lighting, sign, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Landscaping shall meet the criteria listed in TMC§1108.0303 Urban Commercial Landscape Standards - Area Required to be Landscaped, TMC§1108.0305 Urban Commercial Landscape Standards - Parking Lot Landscaping and TMC§ 1103.1518.B.1 Warehouse UNO District Parking Lot Screening Barriers. Such plan shall include:
  - a. 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 Standard.
  - b. The location, height and materials of any fencing to be installed and maintained; **shall be noted on revised landscape plan.**
  - c. 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.**
  - d. The location, lighting and size of any signs.
38. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
39. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

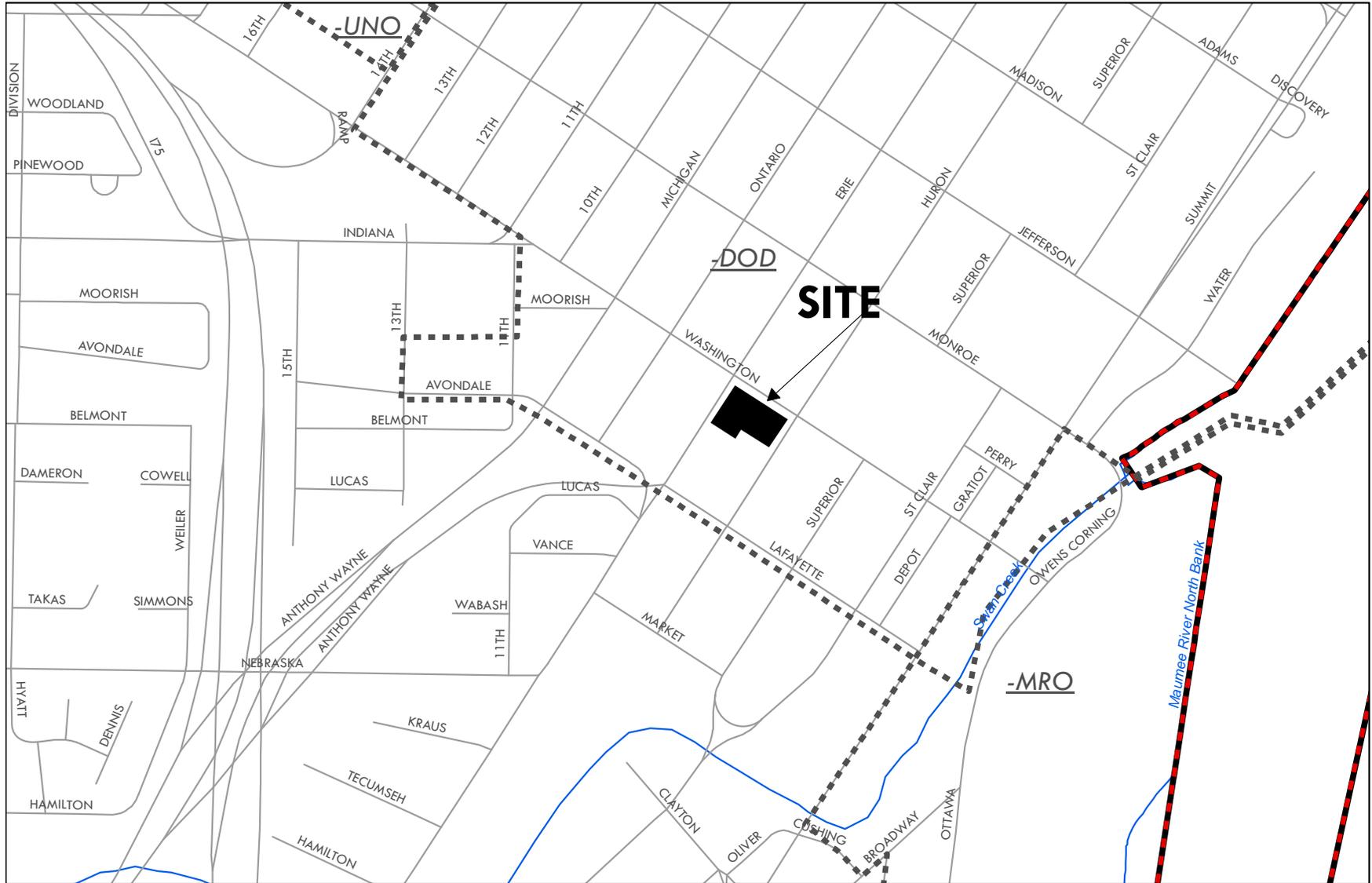
40. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

MAJOR SITE PLAN & DOWNTOWN  
OVERLAY DISTRICT REVIEW  
TOLEDO CITY PLAN COMMISSION  
REF: SPR-51-14 & DOD-4-14  
DATE: December 4, 2014  
TIME: 2:00 P.M.

BH/bp  
Five (5) sketches follow

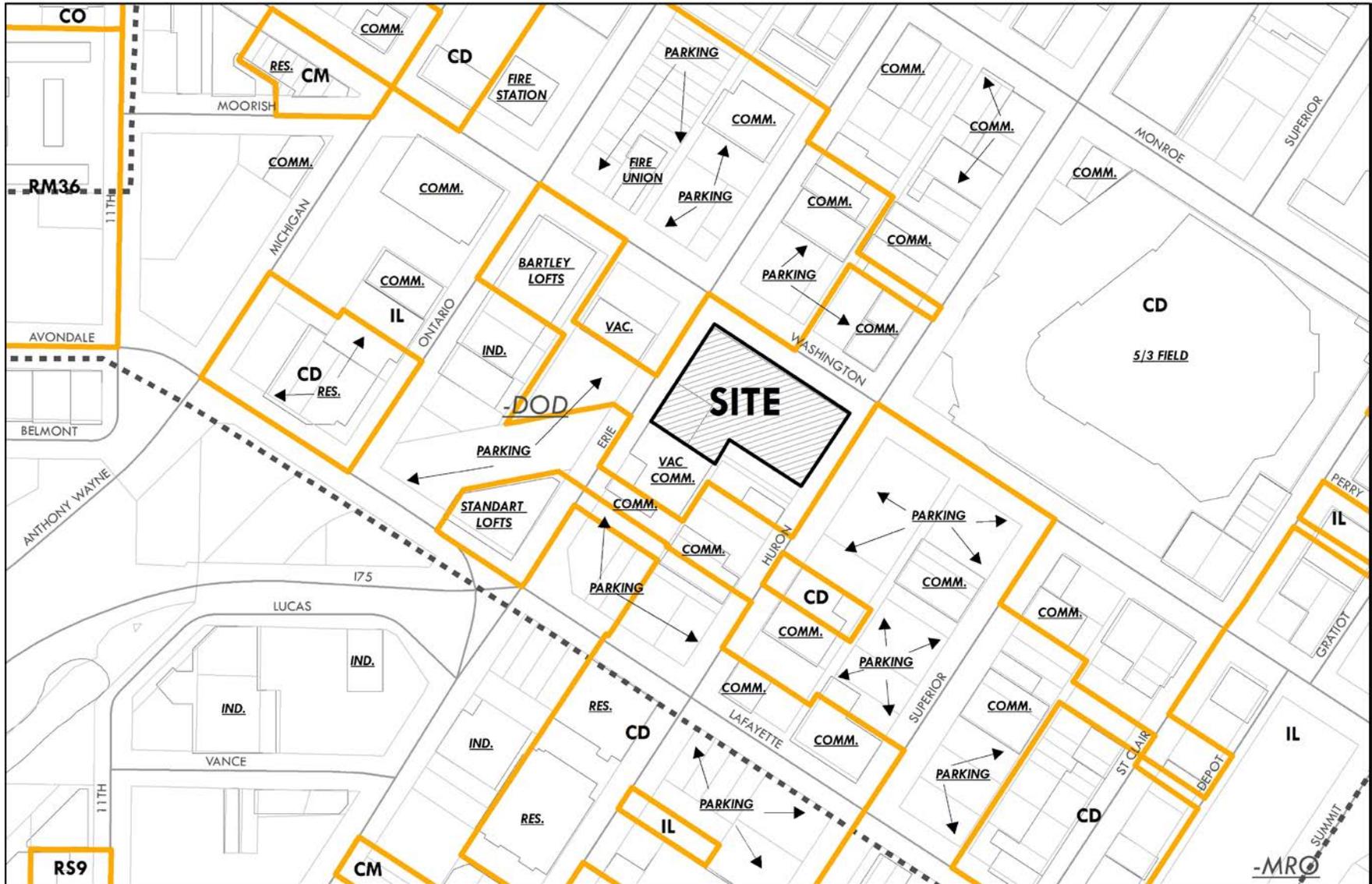
# GENERAL LOCATION

SPR-51-14 &  
DOD-4-14  
ID 10



# ZONING & LAND USE

SPR-51-14 &  
DOD-4-14  
ID 10









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## GENERAL INFORMATION

### Subject

Request	-	Request for zone change from RS6 Single Family Residential to IL Limited Industrial
Location	-	816 Elysian Avenue
Applicant	-	Connector Realty Co. 2745 Avondale Avenue Toledo, OH 43607
Contact	-	Thomas L. Ricketts 2745 Avondale Avenue Toledo, OH 43607

### Site Description

Zoning	-	RS6 / Single Family Residential
Area	-	± 0.14 acres
Frontage	-	± 35' along Elysian Avenue
Existing Use	-	Single Family Residential
Proposed Use	-	Limited Industrial

### Area Description

North	-	Vacant Commercial Building / IL
South	-	Single Family Residential / RS6
East	-	Industrial Facility / IL
West	-	Single Family Residential / RS6

### Parcel History

No record on file

### Applicable Plans and Regulations

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

## **STAFF ANALYSIS**

The applicant is requesting a zone change from RS6 Single Family Residential to IL Limited Industrial for a single parcel located at 816 Elysian Avenue. The ±0.14 acre site is occupied by a vacant, single family home that abuts industrial zoning along the rear property line. The site is adjacent to an existing industrial building to the east and to the north is a parcel that was recently rezoned from RS6 Single Family Residential to IL Limited Industrial.

The applicant is the owner of Connectronics Corporation, located at 2745 Avondale Avenue. The company has a purchase agreement to acquire the parcel in question to facilitate the expansion of its industrial facility. Connectronics is a company that designs and manufactures specialized electrical connectors and cable assemblies. The letter of intent states that the request is to allow for a new building addition to be moved back 35 feet, permitting additional parking in front the building addition that will become the primary entrance.

Surrounding land uses include limited industrial to the east of the property, a vacant commercial building to the north single family homes to the south and west across Elysian Avenue.

The Toledo 20/20 Comprehensive Plan targets this area for single family residential land uses. To the east is an industrial zoning district that includes a railroad and is occupied by a variety of manufacturing buildings and operations. The zone change is suitable for this location because it is compatible with the zoning and land uses to the east of the site.

If approved, Plan Commission staff will require landscaping along the southern property line to buffer the existing residential use. Pursuant to TMC§1108.0203 – *Landscape and Screening*, when a limited industrial land use is adjacent to a residential land use, a “Type A” buffer is required to separate the two zoning districts. This landscape buffer is intended to visually soften the industrial land use and maintain the character of the neighborhood.

## **STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z-10005-14, a request for a zone change from RS6 single family residential to IL Limited Industrial, for a site located at 816 Elysian Avenue, to the Toledo City Council, for the following two (2) reasons:

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

REF: Z-10005-14. . .December 4, 2014

ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-10005-14  
DATE: December 4, 2014  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: January 7, 2015  
TIME: 4:00 P.M.

GP/bp  
Two (2) sketches follow

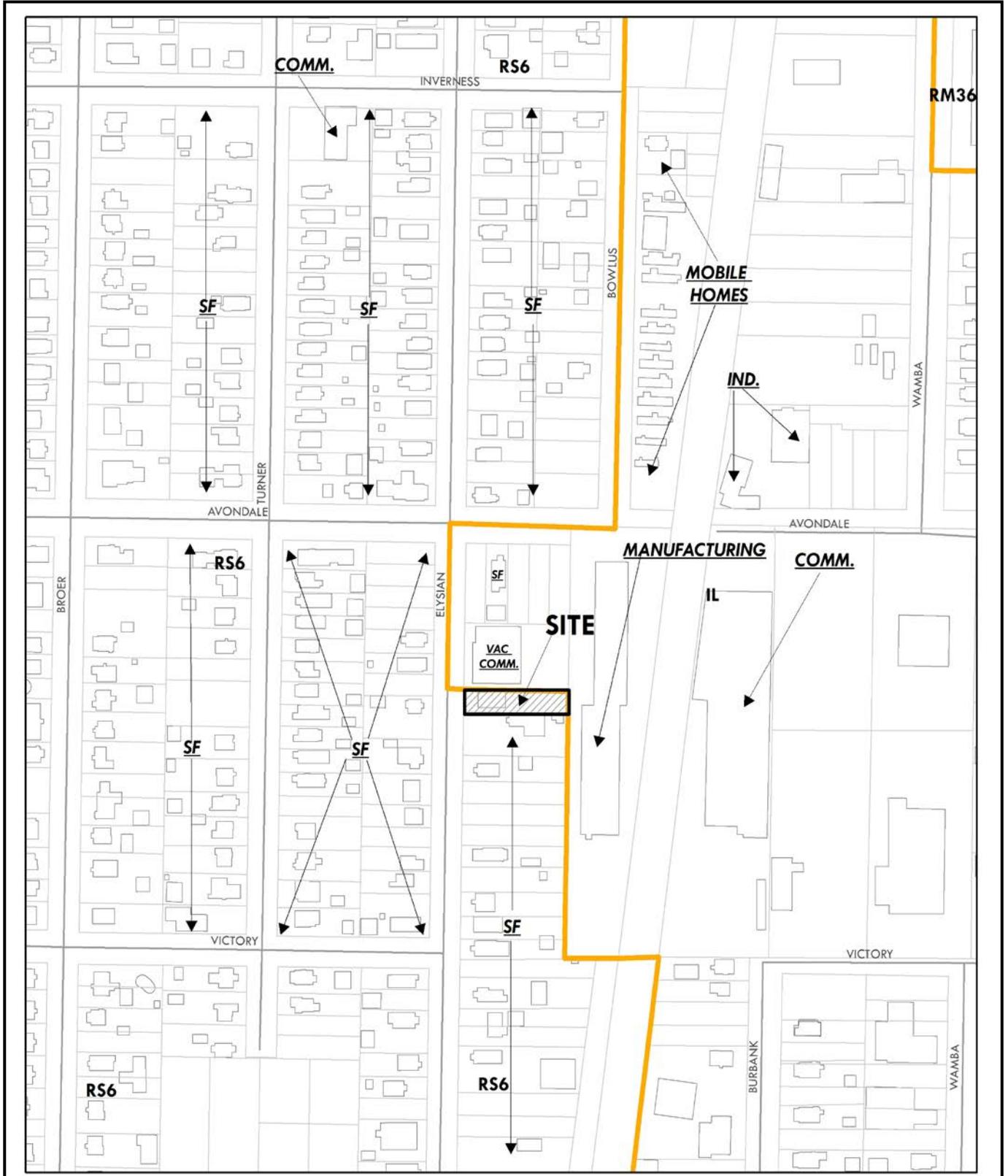
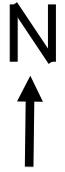
# GENERAL LOCATION

Z-10005-14  
ID 52



# ZONING AND LAND USE

Z-10005-14  
ID 52



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**GENERAL INFORMATION**

Subject

- Request - Vacation of the portion of Giant Street between St. Bernard Drive and Westland Avenue.
- Applicant - Tim Grohnke  
The Toledo Hospital  
2142 North Cove Boulevard  
Toledo, OH 43606
- Attorney - Mark Rose  
Marshall & Melhorn, LLC  
Four Seagate, 8<sup>th</sup> Floor  
Toledo, OH 43604
- Engineer - Paul Winters  
ESA  
5353 Secor Road  
Toledo, OH 43623

Site Description

- Zoning - RS6 Single Family Residential,  
CR Regional Commercial  
(IC Institutional Campus subject to Zone Change)
- Existing Use - Platted Roadway
- Proposed Use - Medical Campus

Area Description

- North - Single Family Residential, Substation and Vacant Land / RS6, CR (IC Subject to Zone Change)
- South - Medical Offices / CR (IC Subject to Zone Change)
- East - Promedica Medical Campus and Helicopter Pad / RS6 (IC Subject to Zone Change)
- West - Single Family & Multi Family Residential and Commercial Uses / RD6, RS6 & CR

Parcel History

- Z-9011-14 - Zone Change from RS6 single dwelling residential and CR regional commercial to IC Institutional Campus (PC recommended approval, 11/06/14)

**GENERAL INFORMATION**

Parcel History (cont'd)

S-19-14 - Preliminary drawing of TOLEDO NORTH CAMPUS PLAT (PC approved, 11/06/14)

Applicable Regulations

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

**STAFF ANALYSIS**

This is a request to vacate the portion of Giant Street between St. Bernard Drive and Westland Avenue. The applicant is requesting the vacation in order to develop and replat the surrounding area into an institutional campus supporting The Toledo Hospital. The site is part of a larger zone change to IC Institutional Campus and a replat, recently recommended for approval by the Plan Commission.

The subject right-of-way is 60 feet wide and the area to be vacated, between St. Bernard Drive and Westland Avenue, is approximately 1.143 acres in size. The North Campus currently contains three (3) buildings and a proposed backup helipad that are served by adjacent surface parking lots. As part of the replat, the driveways and infrastructure will be relocated and reconfigured in accordance with the Toledo Municipal Code.

The City of Toledo's Division of Fire Prevention and the Division of Engineering Services have indicated that Giant Street shall remain accessible by fire apparatus until alternate access roads and hydrant locations are reviewed and approved.

The Toledo 20/20 Comprehensive Plan designates the area for the Institutional Campus District. This accommodates large institutional uses in campus-like settings, such as hospitals, schools and colleges. The Institutional Campus District is intended to promote and enhance the development and expansion of medical, educational and other large institutional uses. The proposed use of this site is in compliance with the Toledo 20/20 Comprehensive Plan.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of V-487-14, the request to vacate the portion of Giant Street between St. Bernard Drive and Westland Avenue to Toledo City Council for the following three (3) reasons:

1. The vacated area will be incorporated into the future development design.

**STAFF RECOMMENDATION (cont'd)**

2. The vacation will not negatively affect properties with the vicinity of the subject property; and
3. The proposed vacation conforms to the Toledo 20/20 Comprehensive Plan.

The staff recommends that the Toledo City Plan Commission recommend approval of V-487-14, the request to vacate the portion of Giant Street between St. Bernard Drive and Westland Avenue, to Toledo City Council, subject to the following thirteen (13) conditions:

The following conditions as 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. The 6-inch (6") diameter water main in Giant Street, between St. Bernard Drive and Promedica Parkway, provides water service only to Promedica properties. If right-of-way is vacated, the petitioner shall accept ownership of this water main, including valves and hydrants.
2. A minimum of 4 feet of ground cover shall be maintained over the privately owned water main. If 4 feet of cover cannot be maintained, the water main shall be lowered or relocated.
3. All hydrants on the privately owned water main shall be accessible for use by the Toledo Fire Department.
4. The 15-inch (15") diameter storm sewer on Giant Street, between Westland and approximately 350 West of the intersection of Giant Street and Westland would provide storm sewer services to only Promedica properties. If right-of-way is vacated, the petitioner shall accept ownership of these storm sewers, including catch basins and manholes.
5. The 8-inch (8") diameter sanitary on Giant Street and Westland would provide sanitary sewer services to only Promedica properties. If right-of-way is vacated, the petitioner shall accept ownership of the sanitary sewers, including manholes.

Fire Prevention

6. Giant Street and the existing hydrants along the street must remain accessible for use by the Toledo Fire Department until alternate access roads and hydrant locations are approved.

**STAFF RECOMMENDATION (cont'd)**

Building Inspection

No objection to vacation.

Division of Transportation

7. 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

8. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
9. S&DS recommends that the private sanitary lines (after they have been cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect with the public sewer system if this has not been done in the past (2) two years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.
10. The 15-inch (15") diameter storm through the current ODOT property between the intersection of Giant Street and Westland and I-75 and the 12-inch (12") diameter storm sewer on Westland Street from Giant to vacated Bigelow provides storm sewer services to only Promedica properties. If the right-of- way is vacated, the petitioner shall accept ownership of these storm sewers including catch basins and manholes.
11. The 15-inch (15") diameter storm on Giant Street, between Westland and approximately 350 West of the intersection of Giant Street and Westland would provide storm sewer services to only Promedica properties. If right-of-way is vacated, the petitioner shall accept ownership of these storm sewers including catch basins, manholes and related structures in their entirety.
12. The 8-inch (8") diameter sanitary on Giant Street and Westland would provide sanitary sewer services to only Promedica properties. If right-of-way is vacated, the petitioner shall accept ownership of the sanitary sewers including manholes. Any and all structures related to the sanitary and storm shall become wholly owned by the petitioner.

**STAFF RECOMMENDATION (cont'd)**

Sewer & Drainage Services (cont'd)

13. Ownership of the both the Storm & Sanitary sewer shall remain private in the event of real estate sale or transfer of the parcel(s) or any part(s) shall be reflected in the deed(s). All maintenance of private sewers shall be the responsibility of the owner.

Division of Streets, Bridges and Harbor

No objection to vacation.

Toledo Edison

Comments not received at this time.

Columbia Gas

Comments not received at this time.

Buckeye CableSystem

Comments not received at this time.

AT&T

Comments not received at this time.

Lucas County Solid Waste Management District

Comments not received at this time.

Republic Services

Comments not received at this time.

Tarta

No objection to vacation.

Planning Commission

No objection to vacation.

REF: V-487-14 . . . December 4, 2014

RIGHT-OF-WAY VACATION  
TOLEDO CITY PLAN COMMISSION  
REF: V-487-14  
DATE: December 4, 2014  
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: January 7, 2015  
TIME: 4:00 P.M.

BH/bp  
Three (3) sketches follow

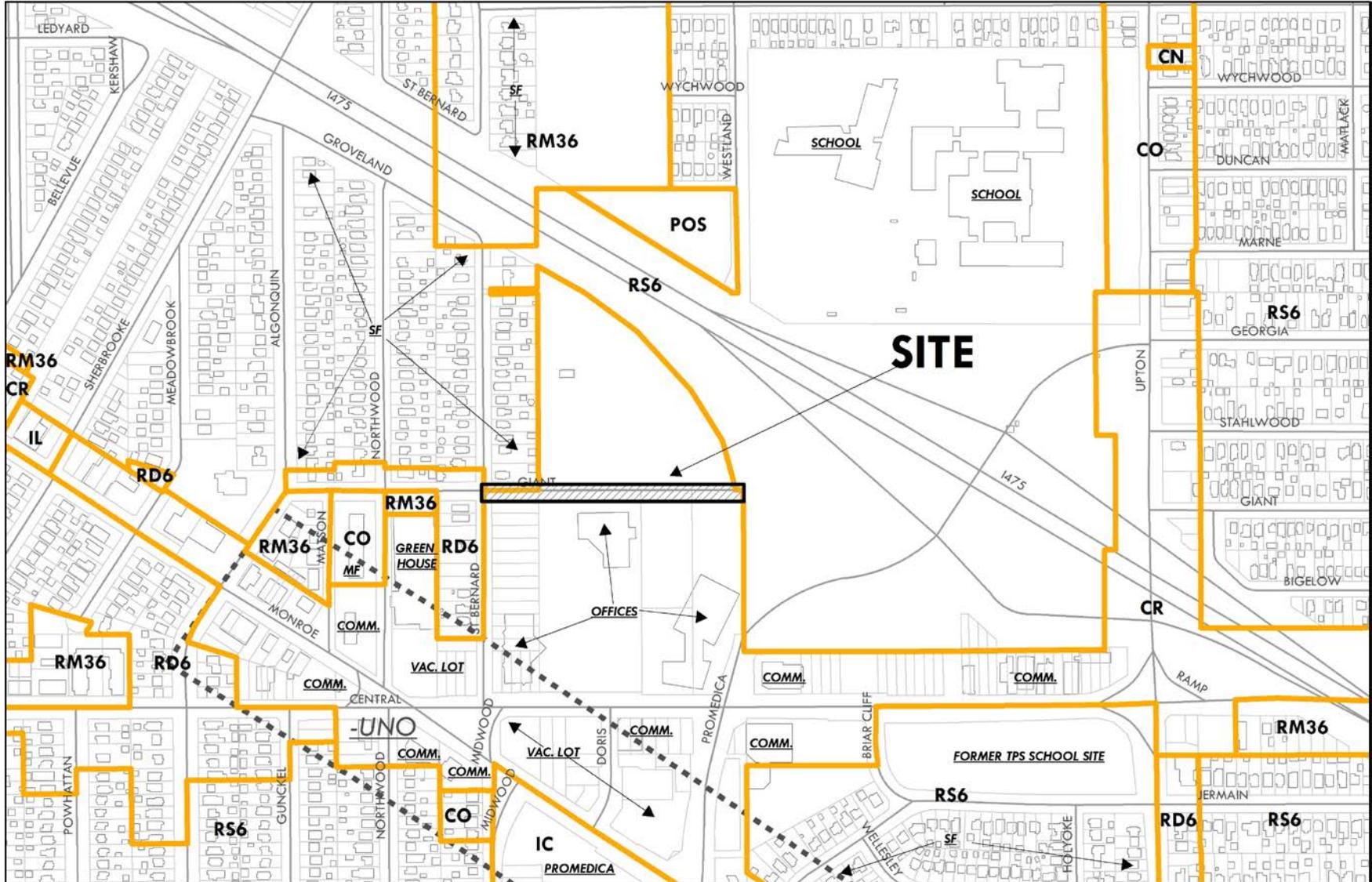
# GENERAL LOCATION

V-487-14  
ID 45



# ZONING & LAND USE

V-487-14  
ID 45



# SURVEY

V-487-14  
ID 45

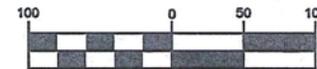


## EXHIBIT "B"

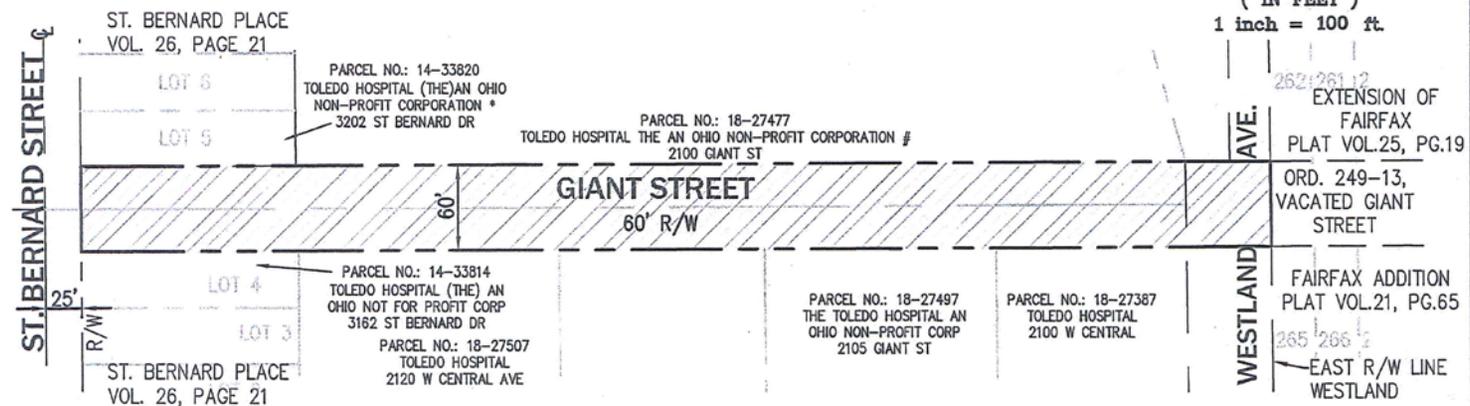
PROPOSED VACATING OF A PORTION OF GIANT STREET  
CITY OF TOLEDO, LUCAS COUNTY, OHIO



GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.



SCALE: 1" = 100'
JOB NUMBER: 193-12
DRAWING DATE: 9/16/14
DRAWN BY: RDD

GREGORY L. BOUDOURIS  
PROFESSIONAL SURVEYOR NO. 8083

**ESA**  
**Engineers, Surveyors & Associates, LLC**  
5353 Secor Rd., Toledo, Ohio, 43623 Phone (419) 475-9445

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**GENERAL INFORMATION**

Subject

- Request - Vacation of Westland Avenue between Bigelow Street and I-475.
- Applicant - Tim Grohnke  
The Toledo Hospital  
2142 North Cove Boulevard  
Toledo, OH 43606
- Attorney - Mark Rose  
Marshall & Melhorn, LLC  
Four Seagate, 8<sup>th</sup> Floor  
Toledo, OH 43604
- Engineer - Paul Winters  
ESA  
5353 Secor Road  
Toledo, OH 43623

Site Description

- Zoning - RS6 Single Family Residential,  
CR Regional Commercial  
(IC Institutional Campus subject to Zone Change)
- Existing Use - Platted Roadway
- Proposed Use - Medical Campus

Area Description

- North - Expressway / RS6 (IC Subject to Zone Change)
- South - Medical Offices / RS6 & CR (IC Subject to Zone Change)
- East - Promedica Medical Campus and Helicopter Pad / RS6 (IC Subject to Zone Change)
- West - Medical Offices / CR (IC Subject to Zone Change)

Parcel History

- Z-9011-14 - Zone Change from RS6 single dwelling residential and CR regional commercial to IC Institutional Campus (PC recommended approval, 11/06/14)

**GENERAL INFORMATION**

Parcel History

S-19-14 - Preliminary drawing of TOLEDO NORTH CAMPUS PLAT (PC approved, 11/06/14)

Applicable Regulations

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

**STAFF ANALYSIS**

This is a request to vacate Westland Avenue between Bigelow Street and I-475. The applicant is requesting the vacation in order to develop and replat the surrounding area into an institutional campus supporting The Toledo Hospital. The site is part of a larger zone change to IC Institutional Campus and a replat, recently recommended for approval by the Plan Commission.

The subject right-of-way is sixty (60) feet wide from Bigelow Street through Giant Street and thirty (30) feet wide from the north side of Giant Street to I-475. The total right-of-way to be vacated is approximately .706 acres in size. The North Campus currently contains three (3) buildings and a proposed backup helipad that are served by adjacent surface parking lots. As part of the replat, the driveways and infrastructure will be relocated and reconfigured in accordance with the Toledo Municipal Code.

The City of Toledo’s Division of Fire Prevention and the Division of Engineering Services have indicated that an existing hydrant has been made inaccessible and shall be relocated to an approved accessible location.

The Toledo 20/20 Comprehensive Plan designates the area for the Institutional Campus District. This accommodates large institutional uses in campus-like settings, such as hospitals, schools and colleges. The Institutional Campus District is intended to promote and enhance the development and expansion of medical, educational and other large institutional uses. The proposed use of this site is in compliance with the Toledo 20/20 Comprehensive Plan.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of V-488-14, the request to vacate Westland Avenue between Bigelow Street and I-475 to Toledo City Council for the following three (3) reasons:

1. The vacated area will be incorporated into the future development design.

**STAFF RECOMMENDATION** (cont'd)

2. The vacation will not negatively affect properties with the vicinity of the subject property; and
3. The proposed vacation conforms to the Toledo 20/20 Comprehensive Plan.

The staff recommends that the Toledo City Plan Commission recommend approval of V-488-14, the request to vacate Westland Avenue between Bigelow Street and I-475, to Toledo City Council, subject to the following thirteen (13) conditions:

The following conditions as 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. The 8-inch (8") diameter water main in Westland Avenue (Promedica Parkway), between Giant Street and Central Avenue provides water service only to Promedica properties. If right-of-way is vacated, the petitioner shall accept ownership of this water main, including valves and hydrants.
2. A minimum of 4 feet of ground cover shall be maintained over the privately owned water main. If 4 feet of cover cannot be maintained, the water main shall be lowered or relocated.
3. All hydrants on the privately owned water main shall be accessible for use by the Toledo Fire Department, including the hydrant on Westland, which is not currently accessible.
4. The 15-inch (15") diameter storm sewer through the current ODOT property in the intersection of Giant Street and Westland and I-75 and the 12-inch (12") diameter storm sewer on Westland Street from Giant to vacated Bigelow provide storm sewer services to only Promedica properties. If the right-of-way is vacated, the petitioner shall accept ownership of these storm sewers, including catch basins and manholes.
5. The 8-inch (8") diameter sanitary on Giant Street and Westland would provide sanitary sewer services to only Promedica properties. If right-of-way is vacated, the petitioner shall accept ownership of the sanitary sewers, including manholes.

Fire Prevention

6. Currently inaccessible hydrant shall be relocated to an approved location.

**STAFF RECOMMENDATION (cont'd)**

Building Inspection

No objection to vacation.

Division of Transportation

7. 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

8. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
9. S&DS recommends that the private sanitary lines (after they have been cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect with the public sewer system if this has not been done in the past (2) two years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.
10. The 15-inch (15") diameter storm through the current ODOT property between the intersection of Giant Street and Westland and I-75 and the 12-inch (12") diameter storm sewer on Westland Street from Giant to vacated Bigelow provides storm sewer services to only Promedica properties. If the right-of- way is vacated, the petitioner shall accept ownership of these storm sewers including catch basins and manholes.
11. The 15-inch (15") diameter storm on Giant Street, between Westland and approximately 350 West of the intersection of Giant Street and Westland would provide storm sewer services to only Promedica properties. If right-of-way is vacated, the petitioner shall accept ownership of these storm sewers including catch basins, manholes and related structures in their entirety.

**STAFF RECOMMENDATION (cont'd)**

Sewer & Drainage Services (cont'd)

12. The 8-inch (8") diameter sanitary on Giant Street and Westland would provide sanitary sewer services to only Promedica properties. If right-of-way is vacated, the petitioner shall accept ownership of the sanitary sewers including manholes. Any and all structures related to the sanitary and storm shall become wholly owned by the petitioner.
13. Ownership of the both the Storm & Sanitary sewer shall remain private in the event of real estate sale or transfer of the parcel(s) or any part(s) shall be reflected in the deed(s). All maintenance of private sewers shall be the responsibility of the owner.

Division of Streets, Bridges and Harbor

No objection to vacation.

Toledo Edison

Comments not received at this time.

Columbia Gas

Comments not received at this time.

Buckeye CableSystem

Comments not received at this time.

AT&T

Comments not received at this time.

Lucas County Solid Waste Management District

Comments not received at this time.

Republic Services

Comments not received at this time.

Tarta

No objection to vacation.

**STAFF RECOMMENDATION** (cont'd)

Planning Commission

No objection to vacation.

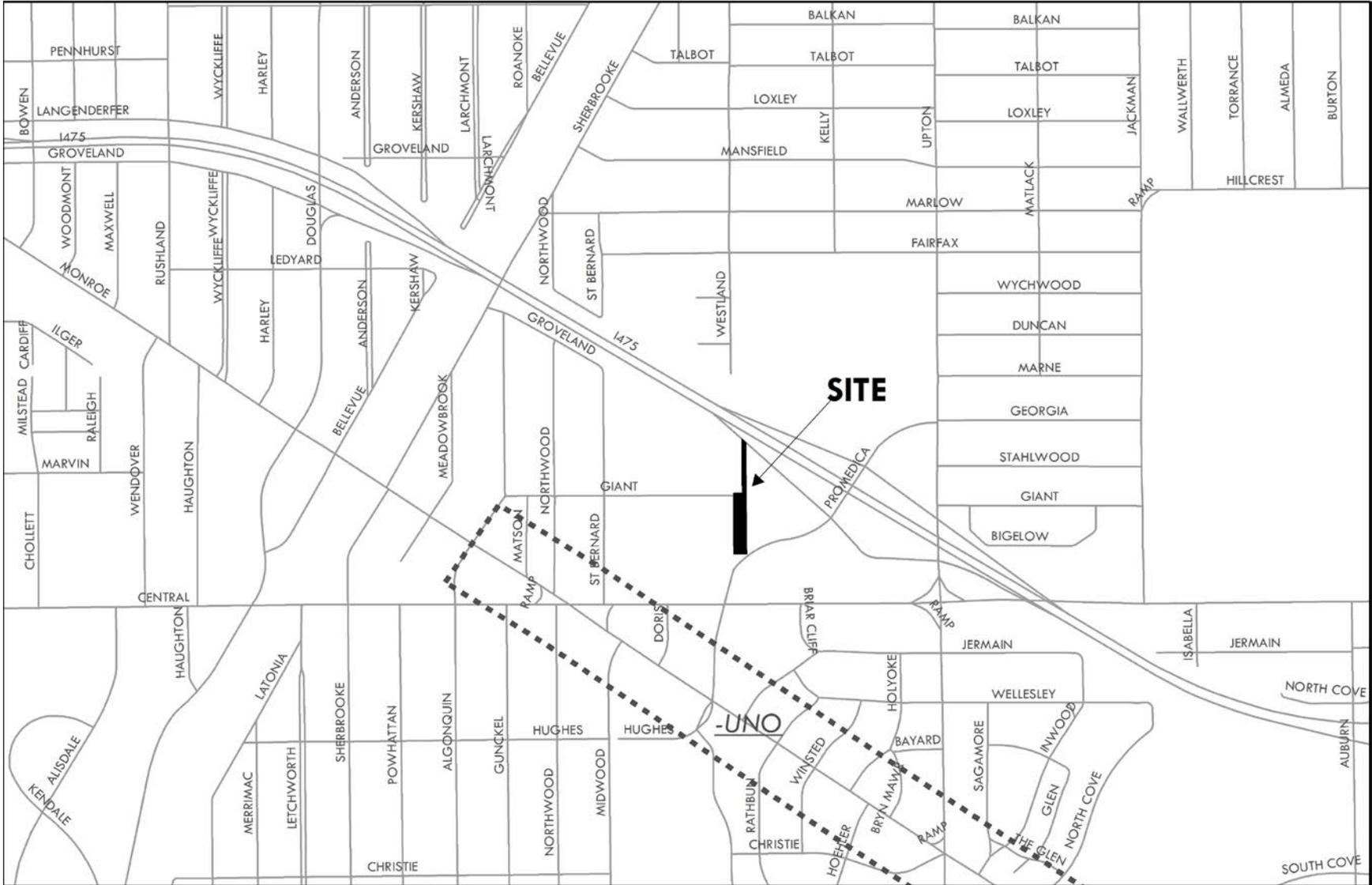
RIGHT-OF-WAY VACATION  
TOLEDO CITY PLAN COMMISSION  
REF: V-488-14  
DATE: December 4, 2014  
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: January 7, 2015  
TIME: 4:00 P.M.

BH/bp  
Three (3) sketches follow

# GENERAL LOCATION

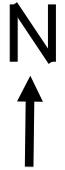
V-488-14  
ID 45





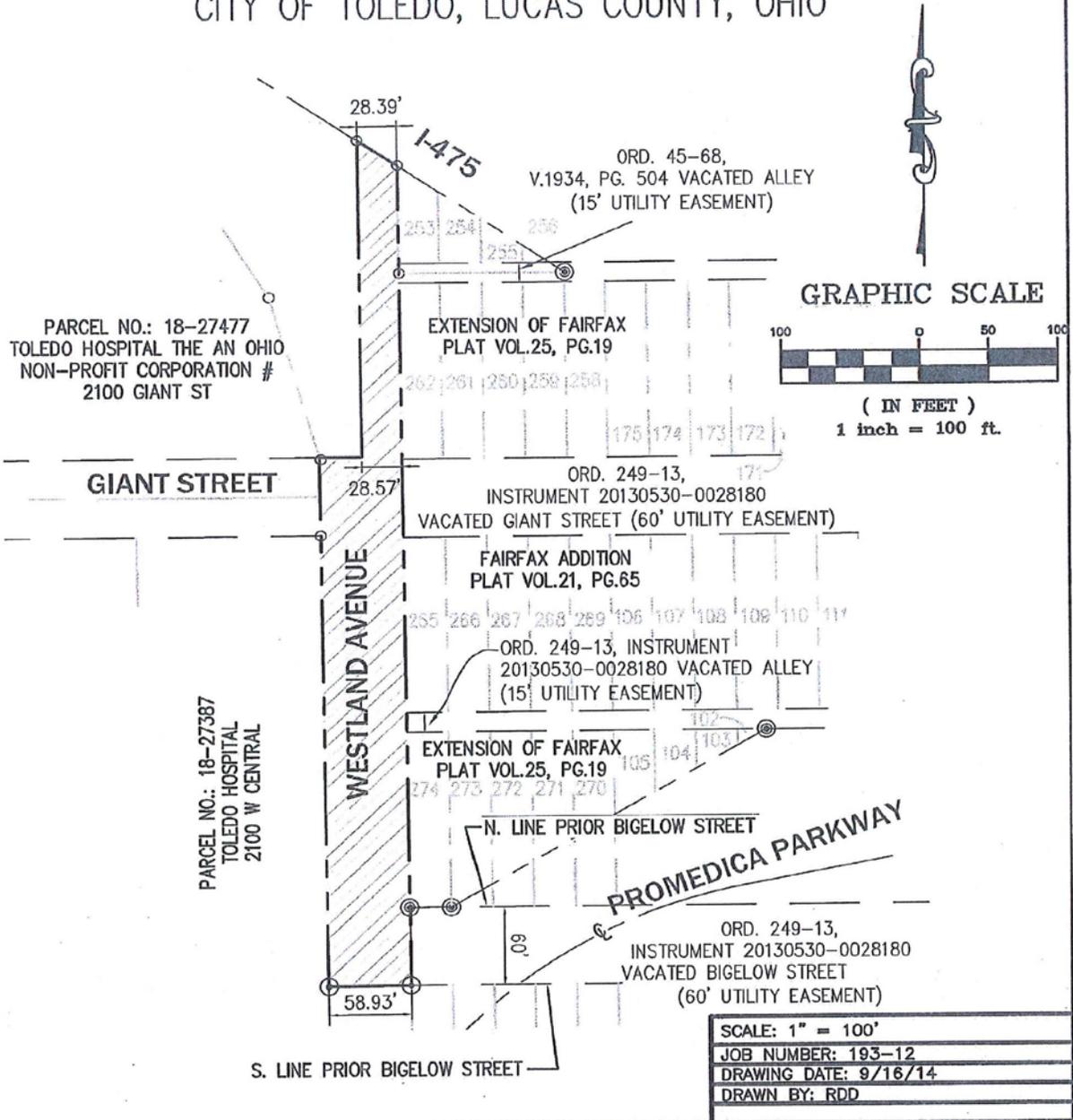
# SURVEY

V-488-14  
ID 45



## EXHIBIT "B"

PROPOSED VACATING OF A PORTION OF WESTLAND AVENUE  
CITY OF TOLEDO, LUCAS COUNTY, OHIO



GREGORY L. BOUDOURIS  
PROFESSIONAL SURVEYOR NO. 8083



Engineers, Surveyors & Associates, LLC  
5353 Secor Rd., Toledo, Ohio, 43623 Phone (419) 475-9445

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**GENERAL INFORMATION**

Subject

- Request - Request for a Zone Change from RS6 Single Family Residential to RM24 Multi-Family Residential
- Location - 1901 West Central Avenue
- Applicant - National Church Residences  
2245 North Bank Drive  
Columbus, OH 43220
- Attorney - Mark H. Rose, Esq.  
Marshall & Melhorn, LLC  
Four Seagate Center  
Eight Floor  
Toledo, OH 43604
- Architect - Berardi & Partners, Inc.  
369 Livingston Avenue  
Columbus, OH 43215

Site Description

- Zoning - RS6 / Single Family Residential
- Area - ± 4.05 acres
- Frontage - ± 744' along Central Avenue
- Frontage - ± 252' along Upton Avenue
- Frontage - ± 715' along Jermaine Drive
- Frontage - ± 229' along Briar Cliff Road
- Existing Use - Undeveloped (former McKinley School site)
- Proposed Use - Senior Housing Facility

Area Description

- North - Vacant Commercial / CR
- South - Single Family Homes / RS6
- East - Church, Undeveloped / RD6, CR, RM36
- West - Office Building / CR

**GENERAL INFORMATION (cont'd)**

Parcel History

PUD-10007-14 - Request for a Planned Unit Development for a 75 unit senior housing facility, companion case.

Applicable Plans and Regulations

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

**STAFF ANALYSIS**

The applicant is requesting a Zone Change from RS6 Single Family Residential to RM24 Multi-Family Residential for a site located at 1901 West Central Avenue. The ±4.05 acre site consists of one (1) parcel and was previously occupied by an elementary school. The school was recently demolished and the site is currently undeveloped. A companion Planned Unit Development accompanies this case.

The applicant is requesting a Zone Change to facilitate the development of a senior housing facility. The proposed development will provide independent living and on-site health care for persons 55 years of age and up. The applicant is proposing to build a 3-story, 75-unit multi-dwelling building. The proposed RM24 Multi-Family Residential zoning district with a Planned Unit Development Overlay will permit the development of a multi-dwelling structure. Calculations conclude the proposed zoning district will allow for 19 units per gross acre and accommodate a maximum of 77 dwelling units. The maximum building height of the two zoning districts is the same. A neighborhood meeting to discuss the proposed development was held on November 13, 2014.

Surrounding land uses include residential uses to the west and to the south of the site; residential and commercial uses to the east and; commercial land uses to the north of the site across Central Avenue.

The Toledo 20/20 Comprehensive Plan targets the site for CO Office Commercial land uses. The district is generally intended for application along arterial streets and provides an alternative zoning classification for streets and roads where there is a desire to prevent strip commercial development. The district is also intended to serve as a land use buffer between major street and residential neighborhoods and between higher intensity commercial areas and residential neighborhoods. Staff recommends approval of the zone change because it offers an appropriate transition between the Commercial zoning to the north and the Single Family Residential zoning to the south. Additionally, the companion Planned Unit Development limits the density of the development and provides an avenue for consolidated open space; resulting in a less-intensive development that is appropriate for the site.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z-9010-14, a request for a Zone Change from RS6 Single Family Residential to RM24 Multi-Family Residential, for a site located at 1901 West Central Avenue, to the Toledo City Council, for the following one (3) reasons:

1. The request is similar to zoning classifications within the general vicinity of the subject property (TMC 1111.0606(C) Review and Decision Making Criteria).
2. The proposed RM24 zoning offers an appropriate transition between the Commercial zoning to the north and the Residential zoning to the south; and
3. The proposed zone change in conjunction with the companion planned unit development limits the density of the development, resulting in a less intense development that is appropriate for the site.

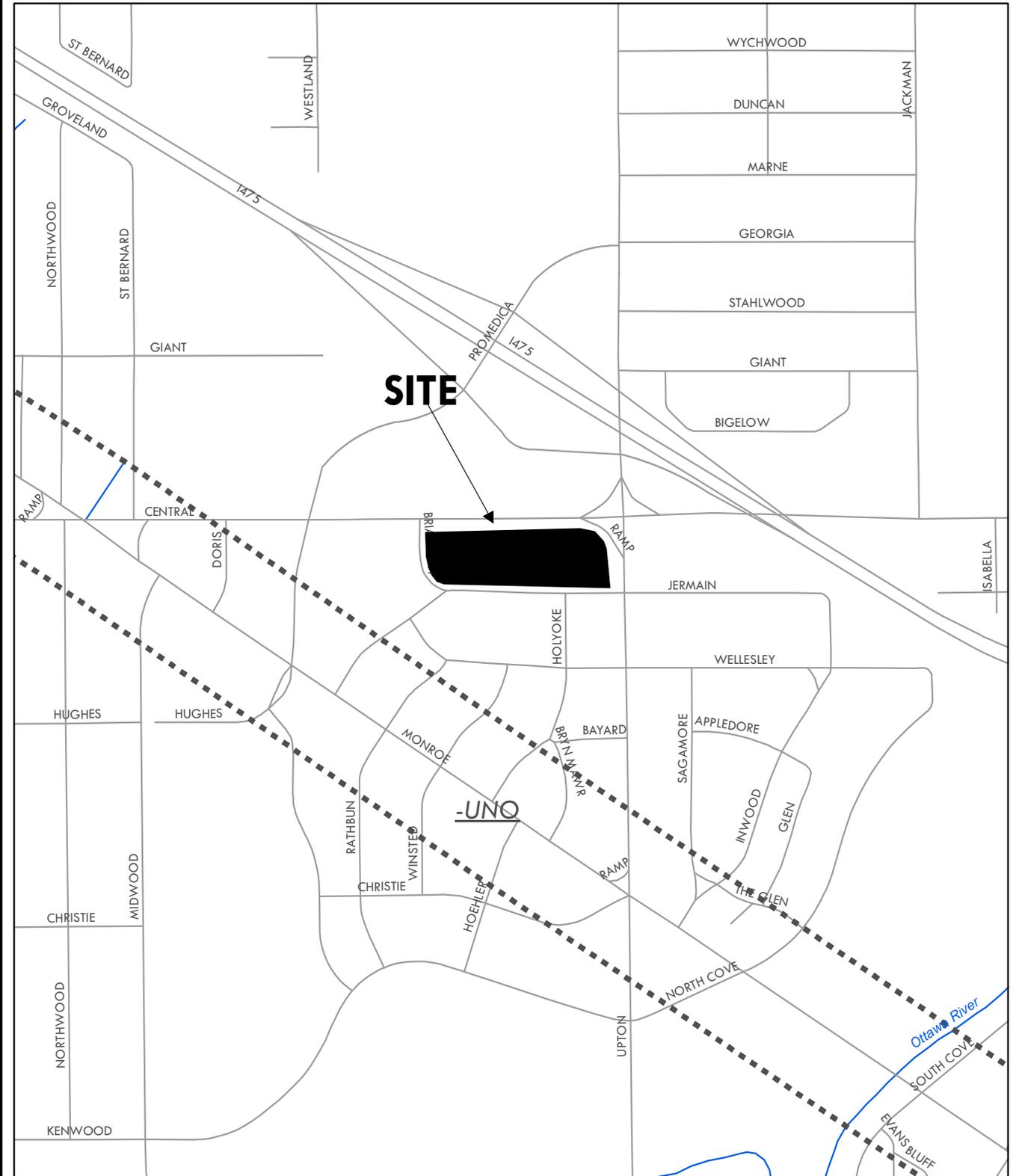
ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-9010-14  
DATE: December 4, 2014  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: January 7, 2015  
TIME: 4:00 P.M.

GP/bp  
Two (2) sketches follow

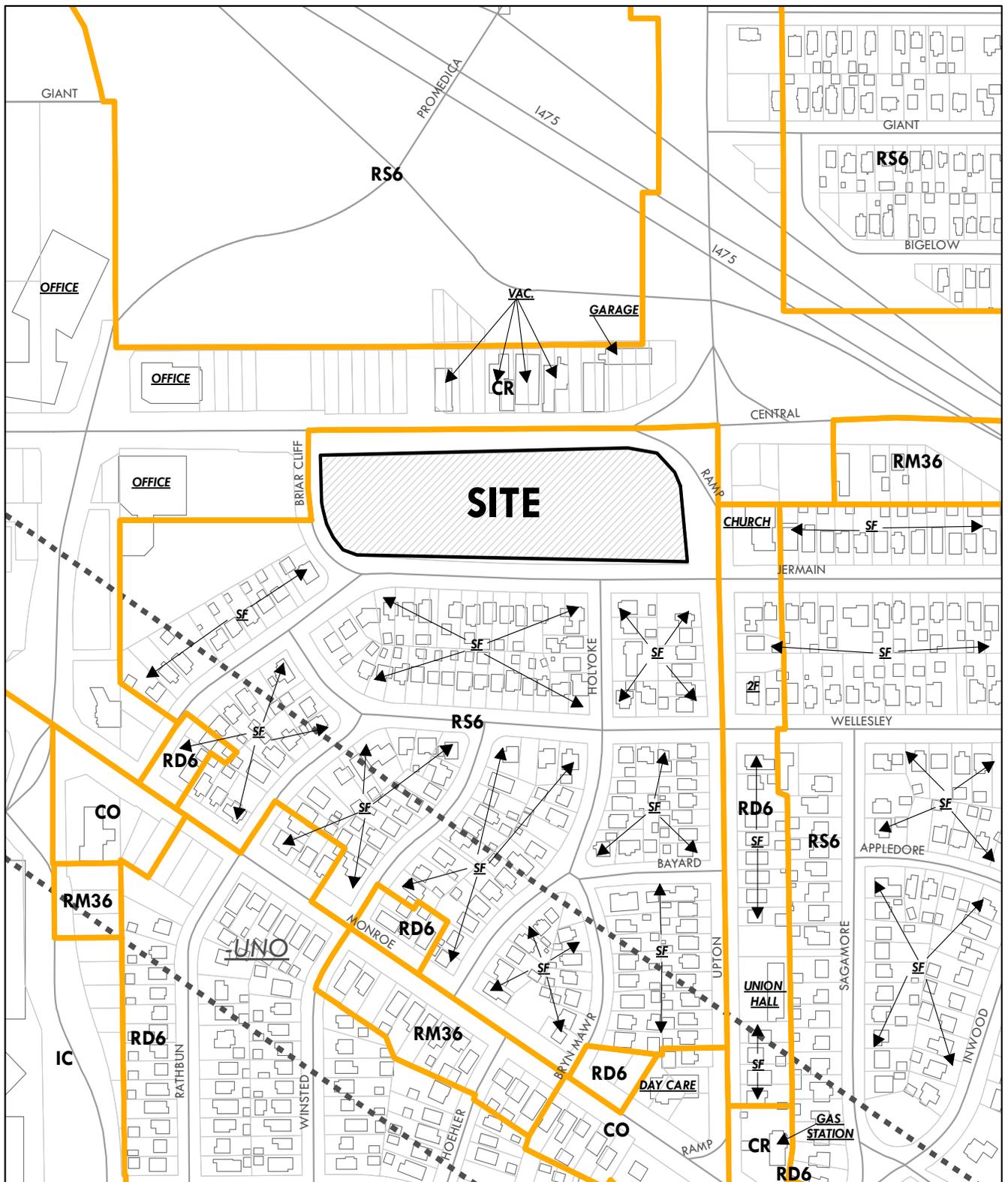
# GENERAL LOCATION

PUD-10007-14  
Z-9010-14  
ID 41



# ZONING & LAND USE

PUD-10007-14  
Z-9010-14  
ID 41



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**GENERAL INFORMATION**

Subject

- Request - Planned Unit Development for a 75 unit senior housing facility
- Location - 1901 West Central Avenue
- Applicant - National Church Residences  
2245 North Bank Drive  
Columbus, OH 43220
- Attorney - Mark H. Rose, Esq.  
Marshall & Melhorn, LLC  
Four Seagate Center  
Eight Floor  
Toledo, OH 43604
- Architect - Berardi & Partners, Inc.  
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Site Description

- Zoning - RS6 Single Family Residential
- Area - ± 4.05 acres
- Frontage - ± 744' along Central Avenue
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- Frontage - ± 229' along Briar Cliff Road
- Existing Use - Undeveloped (former McKinley School site)
- Proposed Use - Senior Housing Facility

Area Description

- North - Vacant Commercial / CR
- South - Single Family Homes / RS6
- East - Church, Undeveloped / RD6, CR, RM36
- West - Office Building / CR

**GENERAL INFORMATION** (cont'd)

Parcel History

Z-9010-14 - Request for a Zone Change from RS6 Single Family Residential to RM24 Multi-Family Residential, companion case.

Applicable Regulations

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

**STAFF ANALYSIS**

The applicant is requesting approval of a Planned Unit Development (PUD) for a site located at 1901 West Central Avenue. The ±4.05 acre site is zoned RS6 Single Family Residential and is located on the parcel that was occupied by McKinley Elementary School. The school has been demolished and the site is undeveloped. The intent of a Planned Unit Development is to allow greater design flexibility and encourage development in a coordinated and efficient manner. A companion Zone Change request accompanies this case.

The applicant has requested the PUD to construct a 3-story multi-dwelling building that will offer independent living and on-site health care for persons 55 years of age and up. The new building will consist of seventy-five (75) units. Twenty-four (24) units are proposed for the first floor, thirty-five (35) units for the second floor, and sixteen (16) units for the terrace level. Each unit will be a single, one (1) bedroom dwelling. A neighborhood meeting to discuss the proposed development was held on November 13, 2014.

Parking and Circulation

Pursuant to TMC 1107.0701 – the required parking for elderly housing is one (1) space for every two (2) dwelling units, plus an area on the site reserved for future parking to accommodate one parking space per dwelling unit. The required parking for a 75-unit senior housing facility is thirty-eight (38) spaces. According to the plan submitted fifty (50) spaces are provided. Parking Schedule A indicates that 5 bicycle spaces are required as part of this proposal.

There must be safe, adequate, and convenient arrangement of pedestrian walkways, bikeways, roads, driveways, and off-street parking and loading spaces within off-street parking areas. Streets, pedestrian walks, parking areas, and open space areas, designed as integral parts of an overall site design, must be properly related to existing and proposed buildings, adjacent uses and landscaped areas. Ramps shall be provided as needed for access to adjacent sidewalks or entrances. The site plan offers the appropriate amount of walkways and effectively addresses this issue.

**STAFF ANALYSIS** (cont'd)

Density

The maximum number of dwelling units permitted in the Planned Unit Development is calculated by dividing the net residential acreage by the minimum lot area per dwelling unit as shown in TMC§1106.0100 – *Intensity and Dimensional Standards Table*. The maximum number of dwelling units allowed in the RM24 zoning district with a PUD is 19 units per gross acre. The maximum number of dwelling units permitted at this site equals 77. The applicant is proposing to develop 75 dwelling units (18.5 units per gross acre). No more than forty (40%) percent of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway and parking area pavement. The applicant is proposing ±15.91% total gross acreage site coverage.

Open Space Requirements

The common open space depicted on the site plan is located east of the proposed housing facility. Proposed amenities for this space include a walking path, a dog walk area, raised planters, and a shaded structure. As stated in TMC§1103.1007(E) –*Residential Standards*: no less than fifteen (15%) percent of the gross site acreage shall be allocated to usable, accessible, and consolidated common open space. The site plan is in compliance with this requirement.

All Planned Unit Developments require an open space area void of buildings, structures, parking areas, or other above ground improvements except fencing, to be maintained along all perimeter property lines. When abutting a residential district, the open space perimeter area shall be provided with a minimum depth equal to the required rear yard setback of the PUD's underlying zoning district, thus requiring a twenty-five (25) foot open space area along the site's southern property line. Also, when a residential area of a PUD abuts a commercial or industrial district, an open space perimeter area shall be provided that has a minimum depth of fifty (50) feet or thirty (30) feet with fencing or screening along the site's northern property line. The applicant is requesting partial waivers of these requirements. Staff recommends approval of the waiver requests since they allow for a larger consolidated open space area to the east of the building while providing a traditional streetscape that is fitting for this intersection.

Landscaping

Landscaping for Planned Unit Developments are reviewed and approved in accordance with the procedures of the Chapter 1108 – *Landscaping and Screening*. The Toledo Municipal Code Landscape Standards are designed to be functional, reduce the urban heat island effect of impervious surfaces, help control runoff, and add aesthetics to the site. Landscaped frontage greenbelts are required to be provided along all public right-of-ways.

**STAFF ANALYSIS** (cont'd)

This site is unique in that it has four (4) street frontages and therefore must provide four (4) frontage greenbelts. Frontage greenbelts for properties with over five-hundred (500) feet of frontage are required to be a minimum width of thirty (30) feet and at least one (1) tree must be provided for every thirty (30) feet of lot frontage or fraction thereof. Landscape standards require twenty-five (25) trees along Central Avenue, nine (9) trees along Upton Avenue, twenty-four (24) trees along Jermaine Drive, and eight (8) trees along Briar Cliff Road. Credit for the preservation of existing trees and shrubs shall be applied in accordance with TMC§1108.0407. The applicant is requesting a waiver of the frontage greenbelt minimum width requirement along Central Avenue and along Jermaine Drive where the parking lot encroaches into the frontage greenbelt. Staff recommends approval of the waiver request since it allows for a larger, consolidated open space area to the east of the building. Additionally, adequate landscaping is offered on the remainder of the site.

Landscape areas within the parking area are peninsular or terminal island type and provided at the end of each parking row. The landscape plan depicts a perimeter landscape buffer abutting the parking area that utilizes a shrub row to screen headlight glare from the adjacent residential district and public right-of-way. Foundation plantings for the full street-facing building elevation are shown around the perimeter of the building and landscaped areas are shown at all major building entrances. The landscape plan, as submitted, shows compliance with these criteria.

Building Design

New multi family developments are required to comply with two (2) design standards as set forth in TMC§1109.0100 *Multi-Dwellings and Duplexes*. At least one main entrance must face the street, place or the main access drive with the development. Staff is also recommending one entrance face Central Avenue and is included as a condition of approval. Connecting walkways for internal pedestrian circulation shall be provided connecting to the street(s), parking area and main entrance. The on-site pedestrian circulation system must be illuminated to a level where the system can be used at night by residents and visitors.

Façade colors shall be low-reflectance, subtle, neutral or earth tone colors. Building trim and accent areas may feature brighter colors, including primary colors subject to the approval of the Planning Director. Predominant exterior building materials shall be high-quality materials. For facades visible from the public right-of-way, predominant materials must comprise of at least seventy-five percent (75%) of the total wall area of the façade. Building façade materials and color shall be in accordance with building standards outlined in TMC§1109.0500. A building elevation is required as a condition of approval.

**STAFF ANALYSIS (cont'd)**

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets the site for CO Office Commercial land uses. The district is generally intended for application along arterial streets and provides an alternative zoning classification for streets and roads where there is a desire to prevent strip commercial development. The district is also intended to serve as a land use buffer between major street and residential neighborhoods and between higher intensity commercial areas and residential neighborhoods. Staff recommends approval of the applicant's request because proposal is an appropriate transitional use and conforms to the 20/20 Plan. Additionally, the planned unit development limits the density of the development and provides an avenue for consolidated open space; resulting in a development of appropriate density for this site.

The staff recommends that the Toledo City Plan Commission make the following recommendation on the waivers requested for a Senior Housing Facility and associated parking lot located at 1901 West Central Avenue to Toledo City Council:

**Chapter 1103 Overlay Districts**

**Sec. 1103.1007.E.1 Planned Unit Development Overlay District – Residential Standards**

The applicant is requesting a waiver of the perimeter open space requirement along Jermaine Drive. When abutting a Residential district, the open space perimeter area shall be provided with a minimum depth equal to the required rear yard setback of the PUD's underlying zoning district. The applicant is requesting a waiver of the 25 foot perimeter open space requirement to allow for encroachment into the perimeter open space along Jermaine Drive. **Staff supports approval of this waiver.**

**Chapter 1103 Overlay Districts**

**Sec. 1103.1007.E.2 Planned Unit Development Overlay District – Residential Standards**

The applicant is requesting a waiver of the perimeter open space requirement along Central Avenue. When a residential area of a Planned Unit Development abuts a Commercial or Industrial district, an open space perimeter area is required that has a minimum depth of 50 feet or 30 feet with fencing or screening. The applicant is requesting a waiver of the 30 foot perimeter open space requirement to allow for a 10 foot perimeter open space along Central Avenue. **Staff supports approval of this waiver.**

**STAFF ANALYSIS (cont'd)**

**Chapter 1108 Landscaping and Screening**

**Sec. 1108.0202.B.3 Landscaping and Screening – Requirements**

The applicant is requesting a waiver of the minimum 30 foot width frontage greenbelt requirement along Central Avenue and along Jermaine Drive. For properties over 5 acres and/or those with over 500 feet of frontage, the frontage greenbelt shall be a minimum of 30 feet wide measured perpendicular from the street or place of right-of-way abutting the property. The applicant is requesting a waiver of the 30 foot frontage greenbelt requirement to allow for a 10 foot frontage greenbelt along Central Avenue and to allow for encroachment along Jermaine Drive. **Staff supports approval of this waiver.**

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of PUD-10007-14, a Planned Unit Development for a 75 unit Senior Housing Facility with waiver of the perimeter open space requirement and frontage greenbelt requirement, for a site located at 1901 West Central Avenue, to Toledo City Council for the following three (3) reasons:

1. The proposed use offers an appropriate transition between the commercial uses to the north and the residential uses to the south.
2. The proposed use meets the stated purpose of the Zoning Code (TMC 1111.0706.A Review & Decision-Making Criteria); and
3. The planned unit development limits the density of the development; resulting in a development of appropriate density for the site.

The staff further recommends that the Toledo City Plan Commission recommend approval of PUD-10007-14, a Planned Unit Development for a 75 unit Senior Housing Facility with waiver of the perimeter open space requirement and frontage greenbelt requirement, for a site located at 1901 West Central Avenue, to Toledo City Council, subject to the following forty-four (44) conditions:

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

**Engineering Services**

1. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced and/or upgraded to conform to current City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.
3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8-inch thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop or opening.** Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb.
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.
5. Contact Joe Warnka at (419) 245-1341 for inspection of above-mentioned items.
6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
7. Plans for the water services shall be submitted to the Division of Engineering Services for review and approval.
8. Contact the City of Toledo Fire Prevention Bureau to determine the fire protection requirements for this site.
9. Contact the Division of Water Distribution for installation requirements for backflow preventers.
10. Maintain 10 feet of horizontal clearance between proposed water service and sanitary or storm sewers. Maintain 4 feet of horizontal clearance between proposed water service and any other underground utility. Maintain 18 inches of vertical clearance between proposed water service and any underground utility.
11. New fire, domestic, and irrigation taps will be installed by City of Toledo at the owner's expense.
12. Plans for the water service shall be submitted to and approved by the Ohio EPA prior to starting construction of the water service.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

13. 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.
14. Plans submitted indicate earth-disturbing activity greater than 2,500 square feet; therefore, a detailed site-grading plan for this project shall be submitted for stormwater approval.
15. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at <http://toledo.oh.gov/services/public-utilities/div-engineering-services/plan-review-process/>, including the requirements for stormwater detention and post-construction stormwater BMPs.
16. Plans are also 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."
17. Any person performing earth-disturbing activities within the City of Toledo shall employ Construction Best Management Practices (BMPs). All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA.
18. 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 may be eligible for a percent reduction in the property's stormwater utility fee through the Stormwater Credit Program.
19. A site specific Stormwater Pollution Prevention Plan (SWP3) shall be submitted for review and approval. The SWP3 shall address all components required per the latest Ohio EPA General Stormwater NPDES permit.
20. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
21. No construction work, including grading, will be permitted without approved plans and inspection.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

22. A pre-submittal stormwater meeting is not required; however, one may be requested by contacting Andy Stepnick 419-245-1338 or Lorie Haslinger at 419-245-3221.
23. A pre-submittal stormwater meeting is not required; however, one may be requested by contacting Andy Stepnick 419-245-1338 or Lorie Haslinger at 419-245-3221.

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: Tim Grosjean, ph. 419-245-1344

24. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
25. 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.
26. Any existing sewers under proposed buildings shall be relocated or abandoned. Developer shall verify any sewers to be abandoned are no longer in service.

Sewer & Drainage Services

27. All Storm drainage lines connected to the city storm main shall be metered according to the requirements of engineering services. In addition, a manhole with a minimum 4 foot deep sump to trap any sediment should be built over these storm lines. The pipes entering and exiting manhole "CB-32" should have 90 degree bends to trap floating debris. This manhole "CB-32" is to be built on private property and maintained privately. Each connection to the city storm system shall have a similar manhole/catch basin. The last inlet structure on the pipe exiting the site could be built as a trapped manhole.
28. All sewer lines, including any undocumented, shall be located and cleaned and televised. GPS Coordinates (including elevation) of the locations of manholes, basins, pipes, grates, etc. shall be provided to the division of Sewer and Drainage Services and the Division of Engineering Services. They shall also be indicated on an aerial view map of the parcel(s).

**STAFF RECOMMENDATION** (cont'd)

Sewer & Drainage Services (cont'd)

29. S&DS recommends that all private sewer lines (both storm & sanitary) be cleaned and inspected.
30. S&DS recommends that the private sanitary lines (after they have been cleaned) be televised from the building (or private cleanout) to where they connect with the public sewer system. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

Fire Prevention

The Toledo Fire and Rescue Department has no objections or concerns regarding the site for this proposed project.

Building Inspection

31. Construction of any new buildings, or building additions, to existing structures 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.
32. Any new fencing and new signs will require a separate plan review and permit(s).

Division of Transportation

Comments not received at the time of printing.

Plan Commission

33. Except where waived, a twenty-five foot (25') perimeter open space area is required when abutting a residential district. This provision shall apply to the northern property boundary that is contiguous to a residential district. It has been determined that this does not apply to contiguous right-of-ways.

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

34. Except where waived, thirty-foot (30') perimeter open space area is required when abutting an industrial district. This provision shall apply to the northern property boundary that is contiguous to a commercial district. It has been determined that this does not apply to contiguous right-of-ways.
35. Maximum building height is not permitted to exceed 35 feet.
36. The building materials shall meet the requirements of TMC 1109.0500 Building Façade Materials and Color. Exterior building materials shall not include concrete blocks, concrete panels or wood sheet goods. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors; **elevations shall be submitted for review and approval of the Planning Director.**
37. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping area.
38. 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.
39. 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. Except where waived, thirty (30) foot width frontage greenbelts are required along all public right-of-way, but not including alleys;
  - b. Foundation plantings for the full street-facing building elevation, and landscape areas at major building entrances shall be provided; **acceptable as depicted on site plan;**
  - c. In addition to the other landscape requirements for buffer areas, frontage greenbelts, and landscaping for parking lot areas, the following shall be provided: one 2-inch caliper tree for every 1,000 square feet of building coverage (footprint); foundation plantings along all portions of the building that are visible from the public rights-of-way; and landscaping at all major building entrances; **acceptable as depicted on site plan;**

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

- d. 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 site plan.**
  - e. 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 site plan.**
  - f. Topsoil must be back filled to provide positive drainage of the landscape area;
  - g. 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;
  - h. Landscape terminal islands must be provided at the end of each parking row in the parking lot bordering the new building; **acceptable as depicted on landscape plan;**
  - i. 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;
  - 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);
  - k. The location, lighting and size of any signs, all signage is subject to TMC§1387.
41. At least one main entrance must face the street, place or the main access drive with the development. Staff is also recommending one entrance face Central Avenue.
42. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
43. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

44. 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.

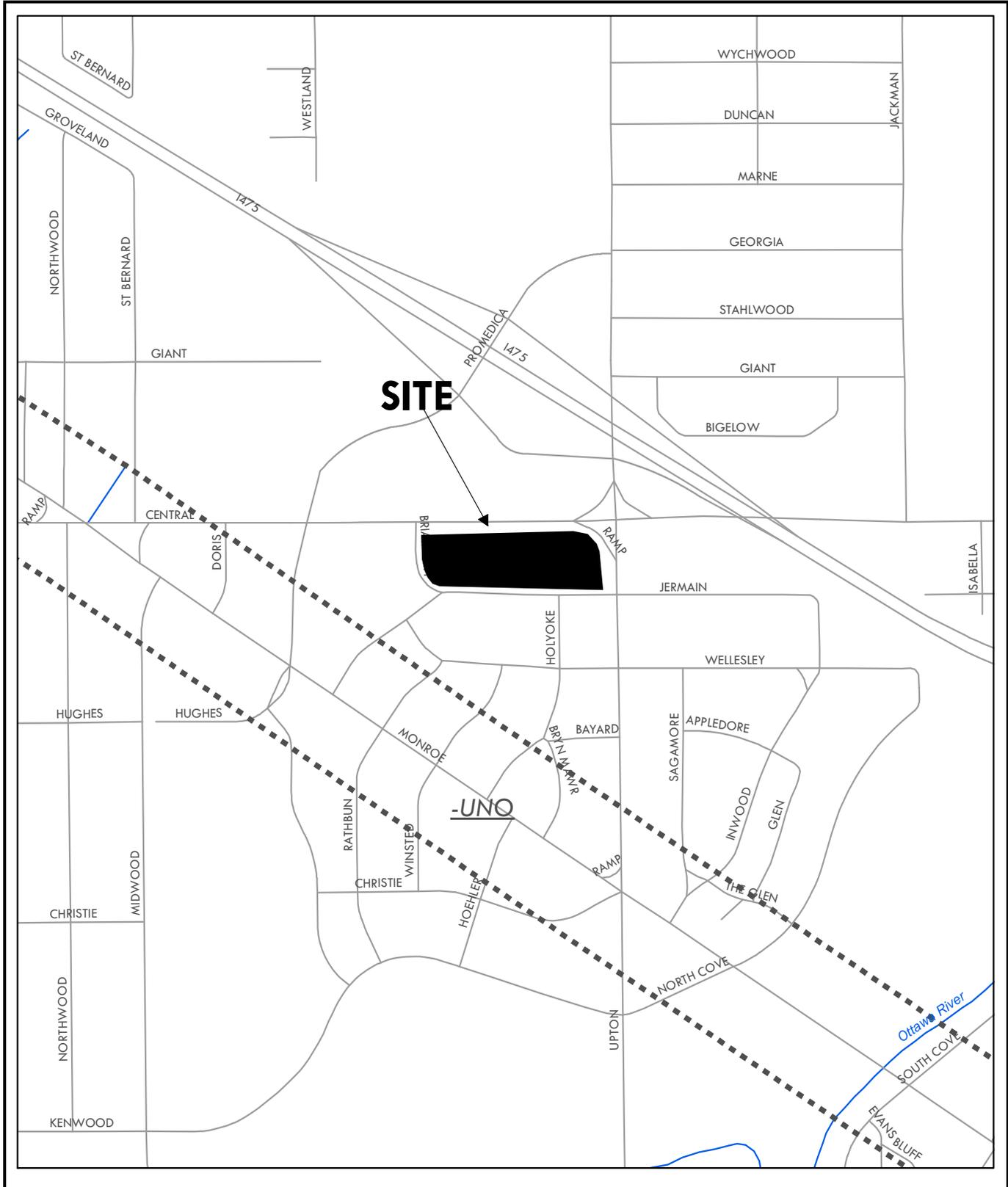
PLANNED UNIT DEVELOPMENT  
TOLEDO CITY PLAN COMMISSION  
REF: PUD-10007-14  
DATE: December 4, 2014  
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: January 7, 2015  
TIME: 4:00 P.M.

GP/bp  
Four (4) sketches follow

# GENERAL LOCATION

PUD-10007-14  
Z-9010-14  
ID 41

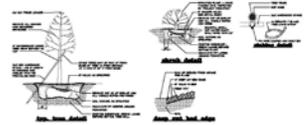






# LANDSCAPE PLAN

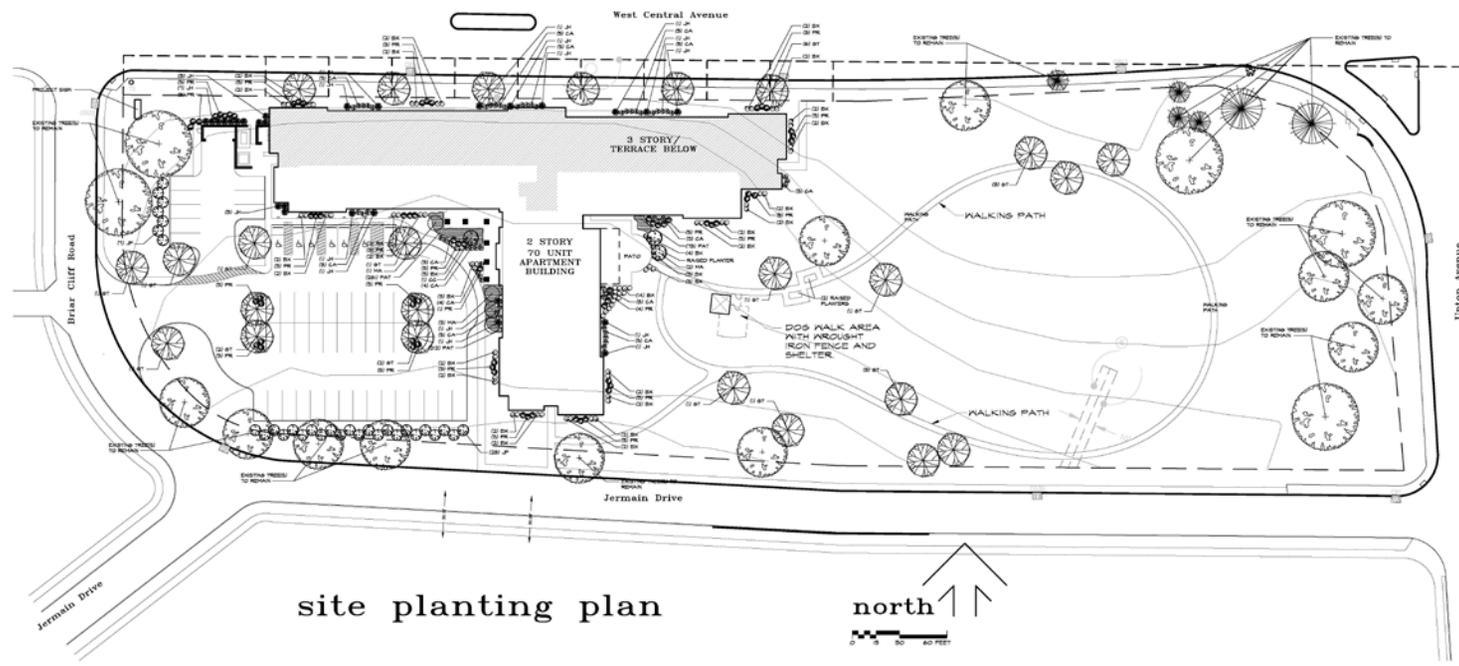
PUD-10007-14 &  
Z-9010-14  
ID 41



planting schedule:

CODE	TYP.	COMMON NAME	SCIENTIFIC NAME	SIZE	SPACING	NOTES
01	TR	THORNLESS FRUITCUSTARD	QUERCUS PRINCEPIUM VARI. NIMBUS	12" CA. 10" DBH. 20' H.	10' CA.	2014
02	TR	FAUXN BERRY	QUERCUS SANDWICHII	12" CA. 10" DBH. 20' H.	10' CA.	2014
03	TR	DOGWOOD	DOGWOOD	12" CA. 10" DBH. 20' H.	10' CA.	2014
04	TR	DOGWOOD	DOGWOOD	12" CA. 10" DBH. 20' H.	10' CA.	2014
05	TR	DOGWOOD	DOGWOOD	12" CA. 10" DBH. 20' H.	10' CA.	2014
06	TR	DOGWOOD	DOGWOOD	12" CA. 10" DBH. 20' H.	10' CA.	2014
07	TR	DOGWOOD	DOGWOOD	12" CA. 10" DBH. 20' H.	10' CA.	2014
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**National Church Residences Promedica**  
Toledo, Ohio  
2014  
ARCHITECT: NATIONAL CHURCH RESIDENCES  
LANDSCAPE ARCHITECT: BERARDI +  
DATE: 10/22/14  
PROJECT # 14158  
COPYRIGHT: 2014  
SCALE: AS SHOWN



site planting plan



**DESIGN DEVELOPMENT SET**  
DATE: 10/22/14  
PROJECT #: 14158  
COPYRIGHT: 2014  
SCALE: AS SHOWN

**SITE PLANTING SET**  
**C301**  
**berardi+**  
landscape + interior design + engineering  
309 East Vinegar Ave. Columbus, Ohio 43215  
Phone (614) 221-1110 Fax (614) 221-0831  
Email: bberardi@pajon.com

7-17

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**GENERAL INFORMATION**

Subject

- Request - Zone Change from RS6 Single Dwelling Residential and RD6 Duplex Residential to RM12 Multi Dwelling Residential
- Location - 5301 Nebraska Avenue
- Applicant - National Church Residences  
2245 North Bank Drive  
Columbus, Ohio 43220
- Engineer - Lewandowski Engineers  
Matt Lewandowski  
234 N Erie Street  
Toledo, OH 43604
- Attorney - Mark Rose  
Marshall & Melhorn, LLC  
Four Seagate, 8<sup>th</sup> Floor  
Toledo, OH 43604

Site Description

- Zoning - RS6 Single Dwelling Residential and RD6 Duplex Residential
- Area - +/- 6.470 acres
- Frontage - +/- 285' on Nebraska Avenue
- Use - Church Parking Lot and Wooded Area
- Proposed use - 75 Unit Senior Housing Facility

Area Description

- North - Single Dwelling Residential / RS6
- East - Church / RS6
- South - Open Space / RD6
- West - Single Dwelling Residential / RS6

Parcel History

- Z-130-68 - Request to rezone 40-acre parcel from R-2 Single Family Residential to C-3 Commercial (deferred by Plan Commission on 5/29/68)

**GENERAL INFORMATION (cont'd)**

Parcel History (cont'd)

- Z-45-89 - Request to rezone 3-acre parcel from R-2 Single Family Residential to C-2 Restricted Office (deferred by PC on 5/4/89, withdrawn by applicant 5/17/89)
- PL-6-95 - Request for parking lot review for Friendship Baptist Church (Administratively approved 9/28/95)
- Z-2008-04 - Request for zone change from R-2 and C-3 to R-3 (PC Recommended Approval 4/8/04, Ord. 359-04 Approved 6/12/04)
- CUP-2007-04 - Request for community unit plan for 168 unit senior housing complex (PC Recommended Approval 4/8/04, Ord. 360-04 Approved 6/12/04)
- SPR-24-05 - Request for major site plan review for a multi family building (PC approved 5/12/05)

Applicable Plans, Regulations

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

**STAFF ANALYSIS**

The applicant is requesting a Zone Change from RS6 and RD6 to RM12 for a site located at 5301 Nebraska Avenue. The 6.470-acre site is comprised of the westernmost 285 feet of 5301 Nebraska Avenue (Parcel 20-17005). The applicant is requesting the zone change to facilitate the construction of a 75-unit senior housing facility. A Site Plan Review will be required and is anticipated in the future. A neighborhood meeting was held on October 22, 2014 to discuss the zone change.

Surrounding land uses include single family residences to the north, commercial uses to the east, vacant land to the south and single family residences, a church and Rogers High School to the west.

**STAFF ANALYSIS (cont'd)**

Pursuant to TMC §1102.04, the RM zoning districts are generally intended to accommodate the development of multi dwelling housing. The districts are intended to create, maintain and promote higher density housing opportunities in areas with good transportation access. Based on the existing uses in the immediate area and the good transportation access along Reynolds Road and Nebraska Avenue, a senior housing facility would be consistent with the existing development in the area, while providing an essential service to the Greater Toledo Area.

The Toledo 20/20 Comprehensive Plan targets this area and for single-family residential uses. Although the 20/20 Plan targets the area for single-family residential uses, RM12 Zoning is appropriate for this area as it allows of uses that will be compatible with surrounding land uses and will not negatively impact the adjacent neighborhood. In addition, RM12 zoning would serve as an appropriate transition between the residential uses to the west and the commercial uses to the east. As a result, the proposal meets the purpose and all applicable provisions of the zoning code as outlined in TMC 1111.0706 Review and Decision-making Criteria.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of Z-10008-14, a Zone Change from RS6 and RD6 to RM12 for the site at 5301 Nebraska Avenue to Toledo City Council for the following two (2) reasons

1. The request is similar to existing land uses within the general vicinity of the subject property (TMC 1111.0606.B Review & Decision-Making Criteria); and
2. The proposed RM12 zoning is an appropriate transitional zoning between the residential uses to the west and the commercial uses to the east.

ZONE CHANGE REQUEST  
TOLEDO CITY PLAN COMMISSION  
REF: Z-10008-14  
DATE: December 4, 2014  
TIME: 2:00 P.M.

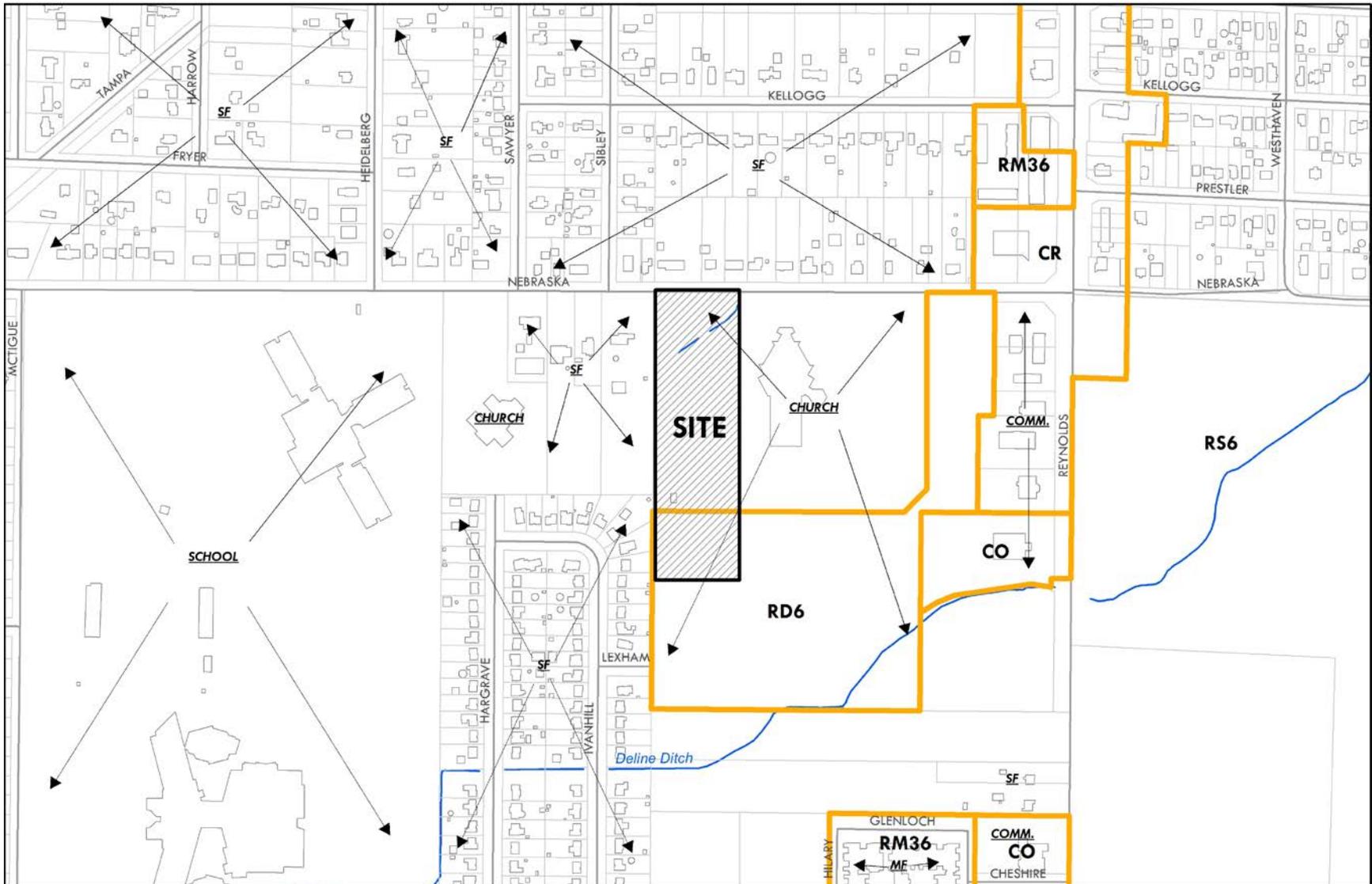
TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: January 7, 2015  
TIME: 4:00 P.M.

BH/bp  
Three (3) sketches follow



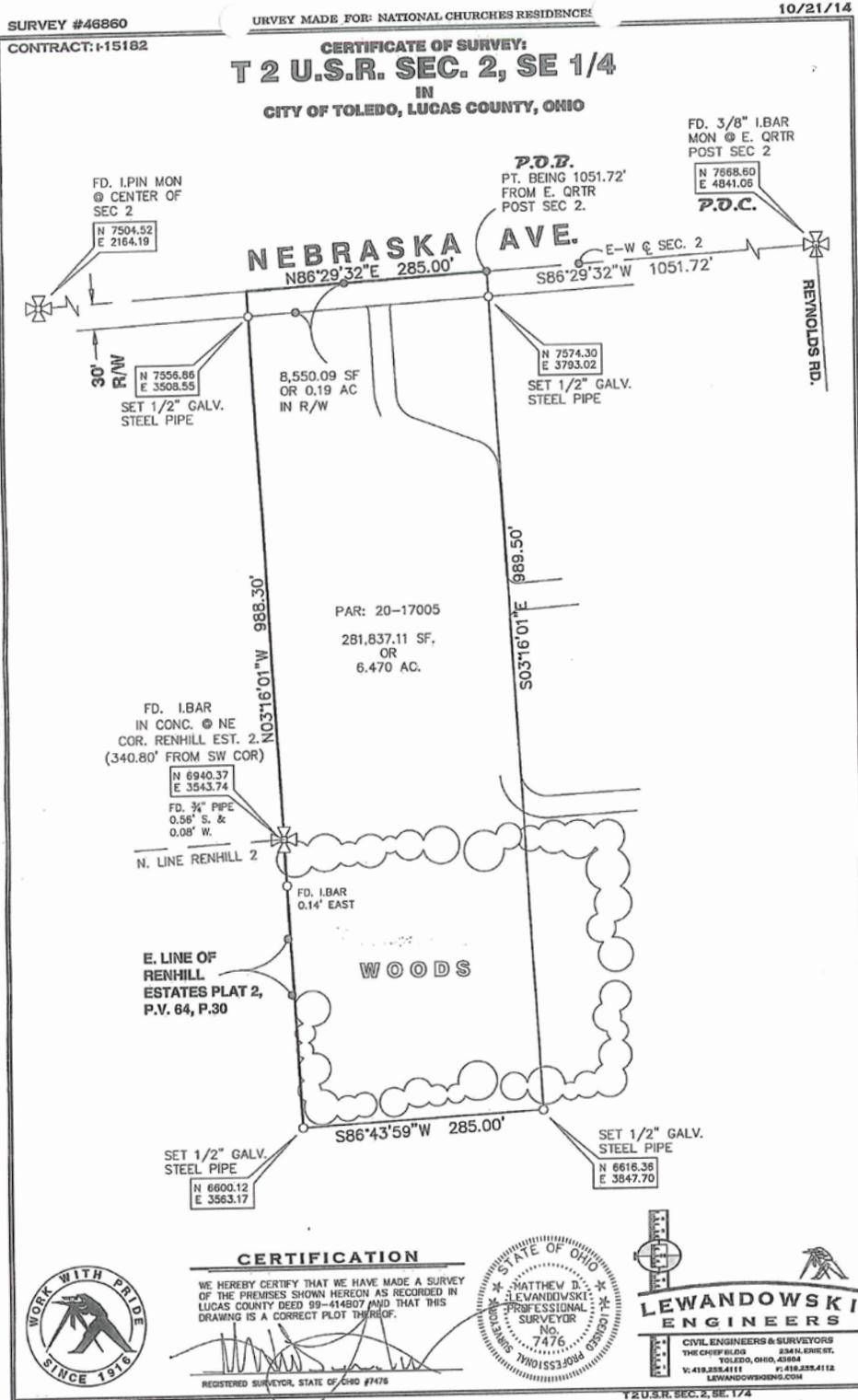
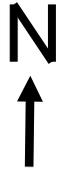
# ZONING & LAND USE

Z-10008-14  
ID 119



# SURVEY

Z-10008-14  
ID 110



**GENERAL INFORMATION**

Subject

- Request - Zone change from IL Limited Industrial to IG General Industrial
- Location - 4919 South Ave
- Applicant - Aunt Mae's Holdings, LLC  
Donald Williams  
21186 County Road D  
Archbold, OH 43502

Site Description

- Zoning - IL Limited Industrial
- Area - ± 18.472 Acres
- Frontage - ± 650' along South Ave
- Existing Use - Greenhouse
- Proposed Use - Scrap and Salvage Operation

Area Description

- North - Single Family Residences / RS6
- South - Agriculture and Industrial Uses / IL
- East - Self-Storage and Industrial Uses / IL
- West - Mobile Home Park / RD6

Parcel History

- Z-9006-14 - Zone change from IL Limited Industrial to IG General Industrial (PC deferred 11/6/14)

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 IL Limited Industrial to IG General Industrial for the site located at 4919 South Ave. The applicant is proposing to develop the 18.472-acre site with a scrap and salvage operation that will process and crush construction debris and concrete. The site is located approximately a quarter mile east of Reynolds Road and is contiguous to the 266 Lot Willowbrook Place Mobile Home Park. Other surrounding land uses include single family residences to the north, a self storage facility to the west and agricultural and industrial uses to the south. This case was deferred from the November 6, 2014 Plan Commission hearing at the request of the applicant.

The existing IL Limited Industrial zoning district is intended to accommodate uses that are not employment-intensive and is an appropriate transitional zoning district. The IG General Industrial zoning district is intended for moderate to high-impact industrial uses. Additionally, the IG General Industrial zoning district permits large scale, intense uses that that require good transportation access. South Avenue is a two-lane collector street with residential uses to the north and west of the subject property. A scrap and salvage operation that processes and crushes construction debris and concrete would not be compatible with the contiguous nearby residential uses.

The Toledo 20/20 Comprehensive Plan targets this area for Light Industrial land uses. The intent of the Light Industrial designation is to accommodate uses such as research, wholesale activities, warehouses and industrial/manufacturing operations that are not employment-intensive and are compatible with commercial and residential land uses. The proposed IG zoning does not conform to this designation. Additionally, IG zoning is not appropriate for the site based on the intensity of uses permitted and proximity nearby residential uses and will be out of character with and detrimental to the nearby residential uses.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend disapproval of Z-9006-14, a zone Change from IL Limited Industrial to IG General Industrial for the site at 4919 South Avenue 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 light industrial 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).

ZONE CHANGE REQUEST  
TOLEDO CITY PLAN COMMISSION  
REF: Z-9006-14  
DATE: December 4, 2014  
TIME: 2:00 P.M.

REF: Z-9006-14 . . . December 4, 2014

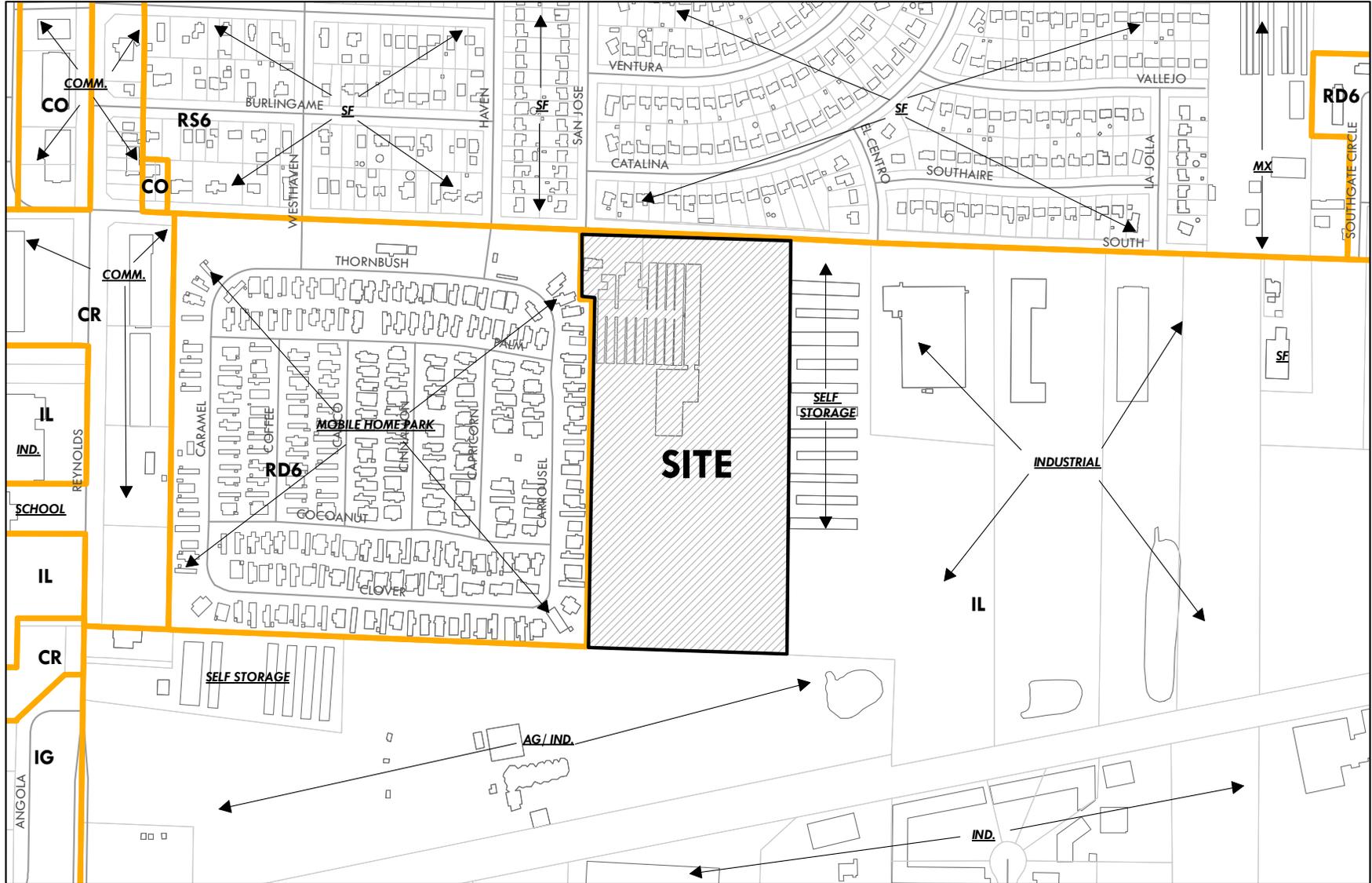
TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: January 7, 2015  
TIME: 4:00 P.M.

BH/bp  
Two (2) sketches follow



# ZONING & LAND USE

Z-9006-14  
ID 108



9 - 6

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## GENERAL INFORMATION

### Subject

- Request - Special Use Permit for fuel sales facility and tobacco shop
- Location - 4460 Lewis Avenue
- Agent - John A. Weithman  
P.O. Box 184  
Waterville, OH 43566

### Site Description

- Zoning - CR / Regional Commercial
- Area - ±0.19 acres
- Frontage - ±67' along Lewis Avenue
- Frontage - ±120' along Eleanor Avenue
- Existing Use - Vacant Gas Station
- Proposed Use - Fuel Sales and Tobacco Shop

### Area Description

- North - Drug Store / CR
- South - Commercial Building / CR
- East - Duplex Dwelling / CR
- West - Used Car Lot / CR

### Parcel History

- SUP-5061-94 - Request for a Special Use Permit for a canopy installation to an existing filling station located at 4460 Lewis Avenue. Plan Commission recommended approval on 8/4/94, City Council approved on 9/6/94, Ord. 515-94.
- SUP-6001-10 - Request for a Special Use Permit for a convenience store and gasoline station located at 4460 Lewis Avenue. Plan Commission recommended disapproval on 7/8/14. Planning and Zoning referred back to Plan Commission with new application on 8/11/10. Application was withdrawn.

## 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 Special Use Permit for a site located at 4460 Lewis Avenue, to facilitate a fuel sales facility and tobacco shop. The site consists of one (1) parcel that is comprised of ±0.19 acres of total land area. The site is zoned CR Regional Commercial and was formerly a Clark Gas Station but has not been in operation for more than a year. A Special Use Permit is required to facilitate the tobacco shop and fuel sales because the 1994 Special Use Permit has lapsed.

The applicant intends to add 268 square feet to the existing building. The canopy and pumps on the site will not be modified. The existing building will be utilized as a tobacco shop that offers fuel sales. Tobacco shops are defined as any retail establishment that devotes 33 percent or more of floor area or display area to the sale or exchange of retail packaged tobacco products and/or tobacco paraphernalia and must be at least 500 feet from activities related to children. Hours of operation for a tobacco shop may be limited from 5:30am to 1am, or other hours consistent with a liquor permit issued by the State of Ohio.

### Parking and Circulation

The site plan depicts three (3) existing fueling station pumps and canopy located on the north side parallel to Eleanor Avenue. The site is accessed via one (1) curb cut on Lewis Avenue and two (2) curb cuts on Eleanor Avenue. Pursuant to TMC§1107.0304 *Parking, Loading, and Access* – Schedule A, fuel sales are required to have one (1) parking space per pump (count as if parked at pump) plus one (1) parking space per 300 square feet of customer area. Tobacco sales require one (1) parking spot per 75 square feet total floor area (TMC§1107.0304 – Schedule B). The total number of parking spaces that are required is 9, including one (1) space for physically disabled persons. The site plan submitted depicts 9 parking spaces and is in compliance with the zoning code.

The number of required bicycle parking slots is one (1) per ten (10) parking spaces. The Planning Director may waive the bicycle parking requirements for a particular use if the owner or operator can demonstrate in writing, supported by evidence, that the use does not generate any bicycle usage.

**STAFF ANALYSIS (cont'd)**

Landscaping

A landscape plan has not been submitted. According to TMC 1114.0502 *Nonconformities – Appearance Upgrade for Nonconformities*, an existing site need only be altered to bring the site closer into conformance with the landscaping requirements of the 2004 zoning code. Staff recommends the installation of foundation plantings. Additionally, staff recommends the installation of greenbelts along both street frontages, outside of the right-of-way, to include a minimum of five (5) feet in width and shall consist of trees and an evergreen hedge. The submittal of a landscape plan is a condition of approval.

Building Design

A building elevation has been submitted indicating metal siding as the predominant exterior building material on the north, south, and west facades. The east façade is primarily standard concrete block. The elevation drawing shows that the proposed 268 square foot addition will mimic the existing structure in material and roof type. Façade colors shall be low-reflectance, subtle, neutral or earth tone colors. Building trim and accent areas may feature brighter colors, including primary colors subject to the approval of the Planning Director (TMC§1109.0502(A) - *Design Standards*).

Pursuant to TMC§1104.0903 *Use Regulations* – Support columns shall be brick, brick base, or other durable materials compatible with the principle building. The canopy does not meet the required setback of ten (10) feet nor the design criteria per TMC 1104.0903. However, the canopy and columns are existing and therefore not required to be modified. A condition of approval has been added requiring these issues to be addressed if the canopy is upgraded in the future.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for neighborhood commercial uses. The intent of the CN Neighborhood Commercial designation is to accommodate auto-oriented commercial development in areas already built in this manner and to accommodate community and regional-oriented commercial uses. The proposed development conforms to this land use designation.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-11001-14, a request for a Special Use Permit, for fuel sales facility and tobacco shop located at 4460 Lewis Avenue, to the Toledo City Council, for the following two (2) reasons:

1. The Toledo Municipal Code permits the proposed use in the underlying zoning district;  
and

**STAFF RECOMMENDATION** (cont'd)

2. The proposed use complies with the Toledo 20/20 Comprehensive Plan.

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-11001-14, a request for a Special Use Permit for fuel sales facility and tobacco shop located at, 4460 Lewis Avenue, to the Toledo City Council, subject to the following twenty-six (26) conditions:

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

Engineering Services

1. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced/upgraded to conform to current City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines
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 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 City of Toledo Construction Standards and Specifications. **No curb shall be permitted in the right-of-way along either side of a drive approach. No horizontal curb cutting will be permitted to create a curb drop/opening.**
4. Required permits for all approved work in the public right-of-way shall be obtained before work begins from One Stop Shop, (419) 245-1220.
5. Contact Joe Warnka at (419) 245-1341 for inspection of above mentioned items.

**STAFF RECOMMENDATION (cont'd)**

Engineering Services (cont'd)

6. Plans submitted for review do not detail any revisions to the existing site that will require earth-disturbing activity of 2,500 or more square feet, nor are any changes shown to the existing storm sewer system. Therefore, it appears that there are no items requiring a storm water plan review. However, if revisions are made to the site plan that will result in earth-disturbing activity of 2,500 or more square feet or cause changes to the existing storm sewer, a full site plan review and approval will be required. Plans will be subject to the rules and regulations of the City of Toledo, Storm Water Utility, including stormwater detention and post-construction stormwater BMPs as specified in the City of Toledo Infrastructure Design and Construction Requirements and the Ohio EPA NPDES General Storm Water Permit for Construction Activities.

Sewer & Drainage Services

7. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
8. S&DS recommends that the private sanitary lines (after they have been cleaned) that are not being removed or properly abandoned be televised from the building (or private cleanout) to where they connect with the public sewer system if this has not been done in the past (2) two years. An electronic copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

Environmental Services

Comments not received at time of printing

Fire Prevention

No comments and/or recommendations for the site plan review.

Transportation

Comments not received at time of printing

Building Inspection

9. Any construction new and/or alterations of any existing building on this site will require stamped construction documents submitted to the Division of Building Inspection for plan review and approval showing the improvements to be in compliance with the Ohio Building Code and the associated mechanical, electrical and fire codes along with compliance of federal ADA standards.

**STAFF RECOMMENDATION (cont'd)**

Building Inspection (cont'd)

10. Signage and fencing must be separately reviewed and permitted.

Plan Commission

11. A detailed floor plan shall be submitted indicating the location and percentage of tobacco sales. Floor area dedicated to tobacco sales shall be 33%.
12. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping area.
13. Dumpster location(s) shall be clearly defined, 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.
14. Lights and light fixtures used to illuminate any parking or loading area must be selected and arranged to direct and reflect light away from any adjacent residential property and public ways and away from the sky above the light fixture.
15. Hours of operation may be limited to 5:30 a.m. to 1 a.m., or other hours consistent with a liquor permit issued by the State of Ohio, to reduce detriment to the area (TMC§1104.0901.H).
16. A tobacco shop shall not be located within 500 feet of any of the following uses: school, public park, public library, child day care center, or other use established specifically for the activities of minors (TMC 1104.1701).
17. A tobacco shop must adhere to all state and federal regulations regarding cigarette making machines and other machines for making tobacco products, spacing of said machines in relation to a tobacco shop, and all other statutory and regulatory requirements.
18. If the canopy is upgraded or modified in the future, then the following shall apply: Canopy shall be setback minimum of 10' from the property line, support columns shall be brick, brick base, or other durable materials compatible with the principle building. The Planning Director may require a peaked roof to complement the principle building (TMC§1104.0903.A).
19. Non-petroleum displays must be within 25 feet of the building but not within 25 feet of any right-of-way. The maximum height of such displays shall not exceed 5 feet (TMC§1104.0903.C).

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

20. Free air (with the capability of filling standard automobile tires), water, and restrooms shall be provided and maintained during operating hours of the station (TMC§1104.0903.D).
21. Ingress and egress to a parking lot in a Commercial or Industrial zoning district must be from a major street or from a street located in a Commercial or Industrial district with Commercial or Industrial zoning on the opposite side of the street (TMC§1107.1203). **Acceptable as depicted on site plan.**
22. Façade colors for the addition shall be low-reflectance, subtle, neutral or earth tone colors. Building trim and accent areas may feature brighter colors, including primary colors subject to the approval of the Planning Director. The building materials of the addition shall meet the requirements of TMC§1109.0500 - *Building Façade Materials and Color*.
23. 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. A minimum five (5) foot greenbelt is required along both street frontages and shall consist of trees and evergreen hedge;
  - b. 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. (TMC 1108.0205.B Landscaping and Screening).
  - c. Topsoil must be back filled to provide positive drainage of the landscape area;
  - d. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage, **as pertaining to the foundation plantings;**
  - e. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC§1108.0400 Landscape Materials Standards;

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

- f. 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).
  - g. The location, lighting and size of any signs, all signage is subject to TMC§1387.
- 24. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
  - 25. 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.
  - 26. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

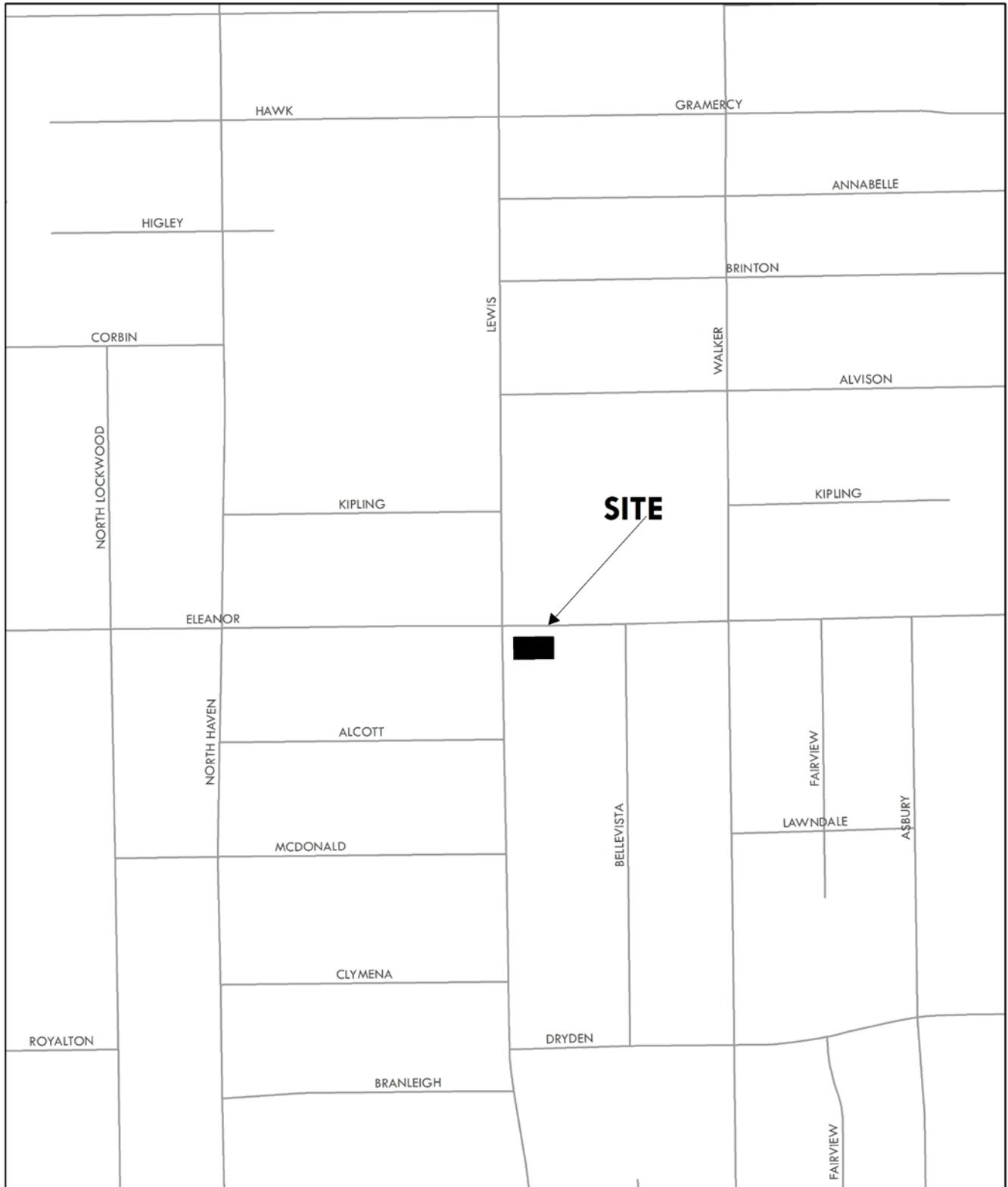
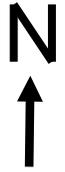
SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP-11001-14  
DATE: December 4, 2014  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: January 7, 2015  
TIME: 4:00 P.M.

GP/bp  
Four (4) sketches follow

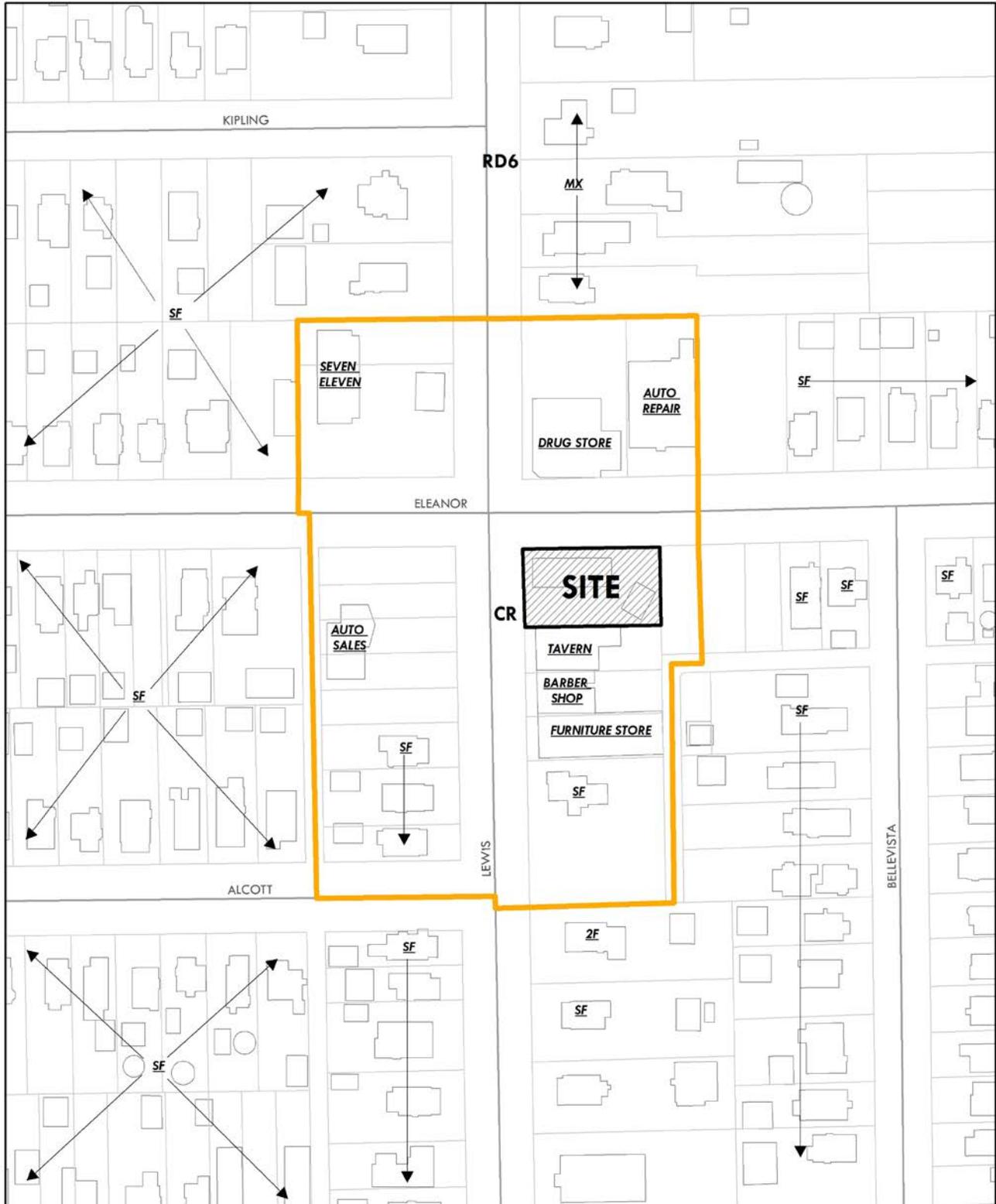
# GENERAL LOCATION

SUP-11001-14  
ID 38



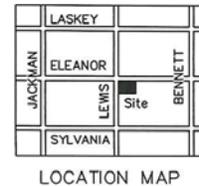
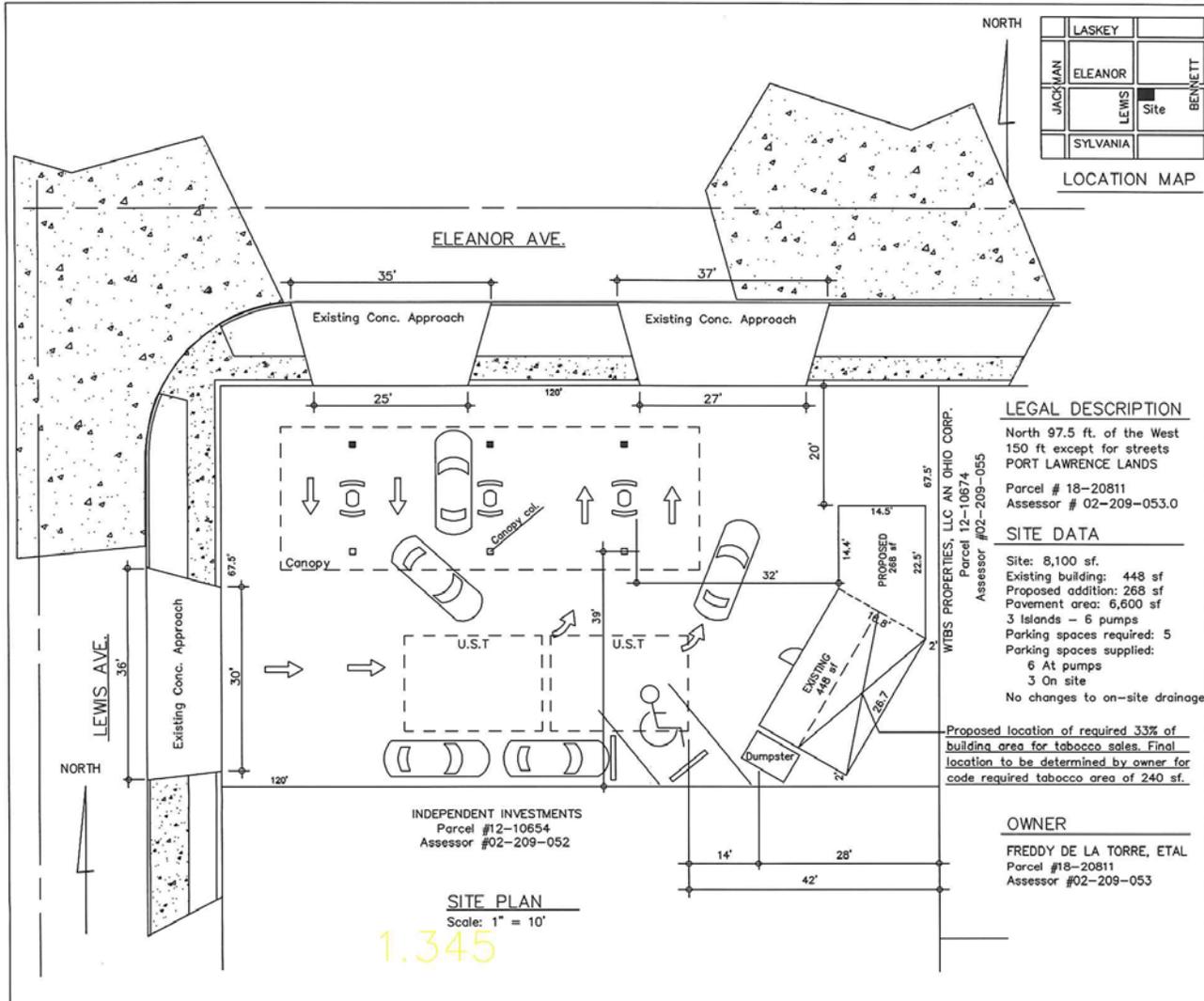
# ZONING & LAND USE

SUP-11001-14  
ID 38



# SITE PLAN

**SUP-11001-14**  
ID 38



**JOHN A. WEITHMAN, P.E.**  
P.O. BOX 184  
WATERVILLE, OHIO 43566  
ENGINEERING SURVEYING  
Ph 419-868-7778 Fax 419-868-7774

**SERVICE STATION WITH TOBACCO SALES**  
TOLEDO, OHIO 43612  
4460 LEWIS AVENUE  
SITE PLAN & SITE DATA

**LEGAL DESCRIPTION**  
North 97.5 ft. of the West 150 ft except for streets  
PORT LAWRENCE LANDS  
Parcel # 18-20811  
Assessor # 02-209-053.0

**SITE DATA**  
Site: 8,100 sf.  
Existing building: 448 sf  
Proposed addition: 268 sf  
Pavement area: 6,600 sf  
3 Islands - 6 pumps  
Parking spaces required: 5  
Parking spaces supplied:  
6 At pumps  
3 On site  
No changes to on-site drainage

WTBS PROPERTIES, LLC AN OHIO CORP.  
Parcel 12-10674  
Assessor #02-209-055

Proposed location of required 33% of building area for tobacco sales. Final location to be determined by owner for code required tobacco area of 240 sf.

**OWNER**  
FREDDY DE LA TORRE, ETAL  
Parcel #18-20811  
Assessor #02-209-053

**SITE PLAN**  
Scale: 1" = 10'

1.345

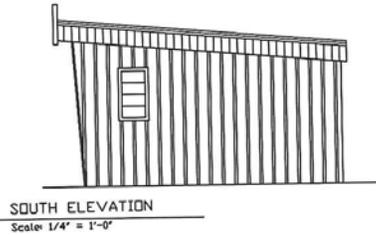
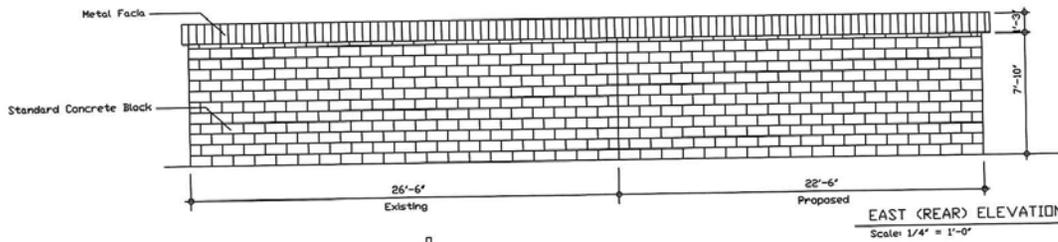
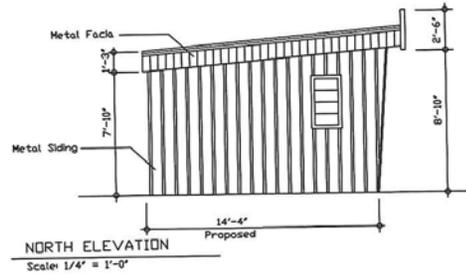
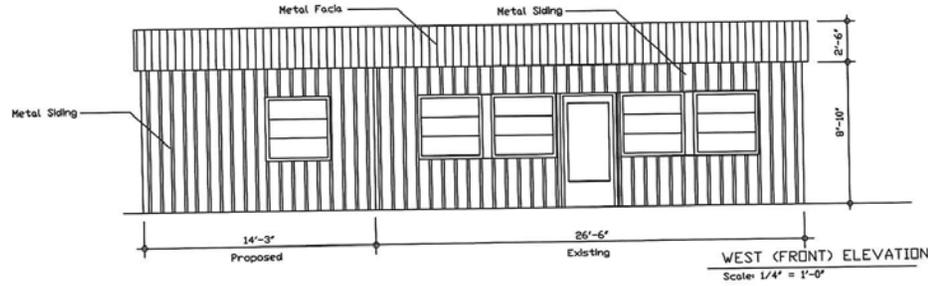
MAJOR SITE PLAN REVIEW - SPECIAL USE PERMIT

ENCLOSURE	
DATE	10/09/14
DRAWING	1 of 2

11-01

# ELEVATIONS

**SUP-11001-14**  
ID 38



JOHN A. WEITHMAN, P.E.  
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SERVICE STATION  
4460 LEWIS AVENUE  
TOLEDO, OHIO  
BUILDING ELEVATIONS

REVISED	
DATE	10/09/14
DRAWING	2 of 2

## 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  
130-A 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  
1049 S. MCCORD ROAD  
HOLLAND, OH 43528  
419-213-2860

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

COLUMBIA GAS COMPANY  
TONY BUCKLEY  
FIELD ENGINEER TECHNICIAN  
2901 E. MANHATTAN BLVD  
TOLEDO, OH 43611  
419-539-6078

LUCAS COUNTY  
SANITARY ENGINEER  
JIM SHAW  
111 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  
419-213-4209

A T & T  
ATTN: DESIGN MANAGER  
130 N. ERIE, ROOM 714  
TOLEDO, OH 43604  
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  
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 E. CLINTON STREET  
NAPOLEON, OH 43545  
419-599-4030

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

