

*TOLEDO CITY  
PLAN COMMISSION  
REPORT*

*JUNE 11, 2015*

*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**

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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**

**June 11, 2015**

**2:00 p.m.**

PUBLIC HEARING WILL BE HELD AT ONE GOVERNMENT CENTER

AT JACKSON BOULEVARD AND ERIE STREET

IN COUNCIL CHAMBERS

ON THE FOLLOWING CASES

**AGENDA**

**ROLL CALL** - Toledo City Plan Commission

**PROOF OF NOTICE**

**SWEARING IN**

**MINUTES**

**FINAL PLATS**

**DIRECTOR'S REPORT**

**CHAIRMAN'S REPORT**

**ITEM  
NO.**

**CASE DESCRIPTION**

- |                        |   |
|------------------------|---|
| 1. Z-4001-15 & M-8-15: | Zone Change from RS6 to IC and adoption of Master Plan at 5601 Clegg Drive (bh)                   |
| 2. M-5-15:             | Review of the City of Toledo Bike Plan as an adoption to the Toledo 20/20 Comprehensive Plan (gp) |
| 3. SPR-16-15:          | Minor site plan review for site modifications at 5742 Telegraph Road (bh)                         |
| 4. Z-3004-15:          | Zone Change from CO to CN at 1457 and 1509 Dorr Street and 1508 and 1510 Woodland Avenue (bh)     |
| 5. Z-3003-15:          | Zone Change from RS9 to CR at 3835 Secor Road (bh)  |
| 6. SPR-10-15:          | Major Site Plan Review for new commercial development at 3835 Secor Road (bh)                     |

- 7. Z-3007-15: Zone Change from CN to CR at 2485, 2487 and 2497 N. Detroit Avenue (mm)
- 8. SUP-3008-15: Special Use Permit for used auto sales facility at 2481, 2485, 2487 and 2497 N. Detroit Avenue (mm)
- 9. Z-3005-15: Zone Change from RS6 to CO at 4248 Secor Road (gp)
- 10. M-7-15: Modification to approved street tree list as referenced in the City of Toledo Subdivision Regulations (jl)

**ADJOURNMENT**

## GENERAL INFORMATION

### Subject

- Request - Request for a Zone Change from RS6 Single Dwelling Residential & RD6 Duplex Residential to IC Institutional Campus and Adoption of an Institutional Master Plan for Whitmer High School.
- Location - 5601 Clegg Drive
- Applicant - Patrick Hickey  
Washington Local Schools  
3505 West Lincolnshire Blvd.  
Toledo, OH 43606
- Agent - Richard E. Wolff  
Spengler Nathanson P.L.L.  
Four SeaGate, Suite 400  
Toledo, OH 43604-2622
- Engineer - Jeff H. Ruch P.E.  
ESA Engineers, Surveyors & Associates, LLC  
5353 Secor Road  
Toledo, OH 43623

### Site Description

- Zoning - RS6 Single-dwelling Residential & RD6 Duplex Residential
- Area - ± 55.347 acres
- Frontage - ± 1245' on Alexis Road  
± 1826' on Whitmer Drive  
± 1416' on Clegg Drive  
± 1037' on Lyceum Place
- Existing Use - School
- Existing Parking - 1058 spaces
- Required Parking - Approximately 850 spaces

### Area Description

- North - Church and Residential Uses / RS6
- South - Residential Uses / RS6
- East - Commercial Retail and Residential Uses / RD6
- West - Residential Uses / RS6

**GENERAL INFORMATION (cont'd)**

Parcel History

- Z21-394 - Zone Change Request from R-2 to R-4 (Disapproved 2/20/64)
- Z-68-67 - Zone Change Request from R-2 to R-4 (Disapproved 5/18/67)
- Z-127-67 - Request for a Community Unit Plan (Deferred 6/29/67)
- M-8-72 - Request for a Playfield (PC approved 4/14/72)
- V-100-72 - Request to Vacate Edger Drive and Clegg Drive South of Edger Drive (PC approved 4/19/72, Ord. 472-72)
- M-15-72 - Review of an Addition to Whitmer High School (PC approved 6/26/72)
- M-21-72 - Request to Operate a Vocational School in the Washington Local School District (PC approved 8/22/72)

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 RS6 Single Dwelling Residential & RD6 Duplex Residential to IC Institutional Campus and the adoption of an Institutional Master Plan for the Whitmer Campus. The adoption of this master plan is required to allow for the future improvements to the Whitmer Campus in a phased approach. Each phase of the project will be required to obtain Site Plan Review to insure minimum municipal standards are being met. Adoption of this plan is approving the concept and building envelopes that will allow for the construction of a new softball complex, the relocation of the existing tennis courts, realignment and improvement of Edger Drive, new student drop-off and visitor parking areas and landscaping. The applicant anticipates that the improvements will be completed within five (5) years, however construction details of the project were not available. A neighborhood meeting is scheduled for June 3, 2015 to discuss the project with the surrounding property owners.

**STAFF ANALYSIS** (cont'd)

The Whitmer Campus is situated on approximately 55 acres and consists of four (4) main structures. These structures are the following: Whitmer High School (271,500 square feet) contains classrooms for 2,930 students, Whitmer Career Technology Center (125,055 square feet) contains classrooms for 1,290 students, Washington Junior High School (66,400 square feet) contains classrooms for 1,150 students and Jefferson Junior High School (60,500 square feet) contains classrooms for 1,040 students. Based on the site plan submitted, the number of parking spaces provided is 1058. The current enrollment at all four (4) locations is approximately 3,200 students with 300 faculty and staff members. Based on these enrollments the parking requirement would be approximately 850 spaces.

**PROPOSED INSTITUTIONAL CAMPUS MASTER PLAN**

The following is the proposed Institutional Campus Master Plan for the project site. This proposed plan is responsive to the factors listed in Toledo's zoning code at section 1111.1304, each of which are set forth below along with the applicants response.

**TMC 1111.1304(A): Planning Horizon: Expiration and Lapse of Approval.** The Institutional Master Plan shall cover at least a 6-year period unless City Council approves a different Planning Horizon at the time of Institutional Master Plan approval.

**RESPONSE:** The applicant's plan looks forward at least 10 years, and will be implemented in three (3) phases. Phase 1 will permit the new softball complex, phase 2 will improve Edgar Drive and student drop-off zones and phase 3 will enhance the landscaping.

**TMC 1111.1304(B): Mission and Objectives.** The Institutional Master Plan shall include a statement that defines the organizational mission and objectives of the institution and description of how all development contemplated or defined by the Institutional Master Plan advances the goals and objectives of the institution. The statement should describe the population to be served by the institution, and any projected changes in the size or composition of that population. It should also specify any services to be provided to residents in adjacent neighborhoods and in other areas of the region.

**RESPONSE:** Whitmer High School, a public comprehensive, coeducational institution, exists to enable young men and women of diverse backgrounds to develop spiritually, academically, physically, and socially by providing outstanding academic programs and opportunities to grow. Whitmer celebrates its diversity and recognizes how diversity in the school environment helps build well-rounded students prepared for the real world.

Whitmer has two (2) main objectives:

1. Provide a fully comprehensive education (academically, physically, and socially) for our young men and women to enable them to grow into the leaders of the future.

**STAFF ANALYSIS** (cont'd)

2. Bring student events and activities along with parents and spectators back to the Whitmer campus to experience the new vibrancy, appearance, and tradition of the Whitmer High School campus.

In order to achieve these objectives, Whitmer will need to provide its students with advanced, clean, safe and fully integrated facilities. While several Whitmer athletic teams practice and play games on campus, the girls' varsity and reserve softball teams currently practice and play home games off campus. This not only presents a safety concern of high school students driving all over town, but also keeps the parents and spectators in the community from experiencing how the Whitmer campus has grown and developed. In addition, the improvements to Edger Drive will provide improve the vehicular and pedestrian safety of the students and visitors to the campus.

**TMC 1111.1304(C): Existing Property and Uses.** The Institutional Master Plan shall include a description of land, buildings, and other structures occupied by the institution as of the date of submission of the Institutional Master Plan. At a minimum, the following information shall be required: 1. Illustrative site plans showing the footprints of each existing and proposed building and structure, roads, sidewalks, parking, landscape features and other significant site improvements; 2. Land and building uses; 3. Floor area in square feet; 4. Building height in stories and feet; 5. Landscaping and lighting concept plans; and 6. A description of off-street parking and loading areas and facilities, including a statement of the approximate number of parking spaces in each area or facility.

**RESPONSE:** The Whitmer Campus is situated on approximately 55.5 acres in west Toledo. The campus consists of four (4) main structures: Whitmer High School, Whitmer Career Technology Center, Jefferson Junior High and Washington Junior High. Additional structures include Whitmer Stadium (Football and Track Stadium), warehouse facilities, maintenance hut, various athletic fields and courts and parking areas for staff, students and visitors.

**TMC 1111.1304(D): Needs of the Institution.** The Institutional Master Plan shall include a summary and projection of the institution's current and future needs for the following facilities: 1. Academic; 2. Service; 3. Research; 4. Office; 5. Housing; 6. Patient care; 7. Public assembly; 8. Parking; and 9. Other facilities related to the institutional use.

**RESPONSE:** Whitmer offers 20 out of 21 possible sports recognized by the Ohio High School Athletic Association. Currently, the girls' varsity and reserve softball teams practice and play all home games off campus. This presents a safety concern of high school students driving to and from sporting events and practices. With the implantation of the master plan, this will allow for the construction of a new softball complex. The new complex will include practice and game day fields, as well as, a press box, concession stand and bathroom building. This will require the existing tennis courts to be relocated to the west side of Clegg Drive. In addition, improvements are proposed to Edgar Drive to discourage its use as a "high-speed" cut-through and new visitor parking, student drop-off areas and landscaping is proposed throughout the campus.

**STAFF ANALYSIS** (cont'd)

**TMC 1111.1304(E): Development Envelope.** The Institutional Master Plan shall include a description of the land area and "development envelope" within which future development will occur. The development envelope shall be described in narrative and through the use of drawings or models. The intent of this provision is to provide the institution with certainty regarding the future development potential of the site subject to the Institutional Master Plan while protecting the integrity of adjacent neighborhoods. The Institutional Master Plan shall include the following in describing the development envelope: 1. Floor area ratio; 2. Average daily and peak-hour traffic; 3. Height; 4. Setbacks; 5. Total site area of open space; and 6. Total number of parking spaces to be provided.

**RESPONSE:** The major improvement as part of this master plan review is the softball complex. The traditional building envelope standards that are outlined above do not apply well to "non-building" related development. The floor area ratio, traffic, height and overall parking are not anticipated to be impacted significantly as part of these improvements. The softball complex improvements are approximately thirty (30) feet from the rear property lines of the residential properties located along the north side of Schroeder Street.

The new student drop-off zones and "Visitor" parking areas will not increase the overall number of parking spaces on-site. Currently, parking is provided along Clegg Drive. The proposal will relocate the parking and drop-off areas away from the roadways and provide a safer environment for pedestrian movements. Based on the plans submitted the parking will be reduced by approximately 20 spaces.

**TMC 1111.1304(F): Transportation Management Plan.** The Institutional Master Plan shall include a transportation and parking management plan that identifies any traffic mitigation measures to be employed.

**RESPONSE:** The existing day-to-day school traffic operations will not be affected as part of this plan, as student enrolment is not anticipated to be impacted. The plan further indicates that adequate parking for the softball complex will continue to exist on the west side of Clegg Drive. Although concerns with the amount of "convenient" parking located within close proximity to the new fields were expressed from the Division of Transportation, the applicant has worked with this Division to improve the plan. The agreement will require Whitmer to restrict the access to Cowan Road by fully fencing and removing the sidewalk. Staff feels that without parking in close proximity to an athletic field, the likelihood of parking in unapproved areas greatly increases. Removal of this access to Cowan Road will encourage the use of the schools parking facilities.

**TMC 1111.1304(G): Pedestrian Circulation Plan.** The Institutional Master Plan shall include pedestrian circulation guidelines and objectives, including a description of the circulation system to be provided through the campus and plans for ensuring the accessibility of pedestrian areas and open spaces.

**STAFF ANALYSIS** (cont'd)

**RESPONSE:** New sidewalks will be constructed in the areas of the softball complex and the relocated tennis courts. They will be connected with existing sidewalks leading to existing building entrances and parking areas. With the reconfiguration of the parking areas along Clegg Drive and along the main entrances of Washington and Jefferson Elementary Schools, pedestrian safety is anticipated to be greatly improved. Finally, the improvements to Edger Drive are designed to reduce overall speed and traffic flow, resulting in better public safety.

**TMC 1111.1304(H): Urban Design Guidelines.** The Institutional Master Plan shall include design guidelines and objectives for new and renovated buildings and structures to assure their appropriateness with surrounding neighborhoods and districts and to minimize potential adverse impacts on such neighborhoods. Urban design guidelines shall include listings of appropriate materials, height, bulk, massing, and colors that will be used to guide the course of proposed and future development.

**RESPONSE:** The applicant has indicated that new construction will adhere to the following design: The exterior walls will be of masonry construction with 20% of the surface to be exposed and finished concrete fascia (primarily at the base of the building, windows and door penetrations). Roofs will be either EPDM rubber roofing or standing seam metal roofing systems. All Soffits, fascias, gutters, downspouts and signage will match the existing styles throughout the campus. No elevations of the new softball complex press box and concession building were provided. As a result, staff was unable to determine if the design outlined by the applicant will meet the City of Toledo design standards outlined in TMC 1109.0500. Compliance with these standards will be reviewed as part of the site plan review process.

The new fencing will match existing fencing and the new athletic fields will have eight (8) foot chain link. Landscaping along the athletic areas will vary based on the design buffers and setbacks and will consist of small to medium sized deciduous trees spaced every twenty-five (25) feet. The submitted plan does not indicate where landscaping currently exists, or will be installed. However, a wooded area currently exists between the area of the new softball complex and the residential properties to the south. Staff feels that this should be maintained to serve as a buffer between the uses.

**TMC 1111.1304(I): Neighborhood Protection Strategy.** The Institutional Master Plan shall identify standards and programs that will be put in place to ensure that the quality of the surrounding neighborhoods is maintained or enhanced.

**RESPONSE:** The Whitmer High School's Institutional Master Plan has been developed not only to enhance the facilities and experience at Whitmer, but also to improve and enhance the existing neighborhood by improved security through density reduction, lighting enhancements and physical security patrol presence. In addition, Whitmer is working to reduce the high-speed cut through on Edger Drive. The Whitmer Campus has existed in this neighborhood for almost 60 years and will continue to support the neighbors and enhance the neighborhood experience.

## STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-4001-15 & M-8-15, a request for a Zone Change from RS6 Single Dwelling Residential & RD6 Duplex Residential to IC Institutional Campus and the adoption of an Institutional Master Plan for the Whitmer High School Campus, at 5601 Clegg Drive, to Toledo City Council for the following two (2) reasons:

1. The proposed use is consistent with the Toledo 20/20 Comprehensive Plan;
2. The proposed use complies with all applicable provisions of this Zoning Code (TMC 1111.0706.B Review & Decision-Making Criteria);

The staff further recommends that the Toledo City Plan Commission recommend approval of Z-4001-15 & M-8-15, a request for a Zone Change from RS6 Single Dwelling Residential & RD6 Duplex Residential to IC Institutional Campus and the adoption of a Institutional Master Plan for the Whitmer High School Campus, at 5601 Clegg Drive, to Toledo City Council, subject to the following thirty-four (34) conditions:

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

### Division of Engineering Services

1. All **existing 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 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.**
3. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from One Stop Shop, (419) 245-1220.

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

4. Plans for new water services or modifications to existing water services shall be submitted to the Division of Engineering Services for review and approval.
5. If existing public water facilities are in conflict and must be relocated, they will be relocated by the City of Toledo at the applicant's cost.

**STAFF RECOMMENDATION** (cont'd)

Division of Engineering Services (cont'd)

6. There is an existing ditch, Silver Creek, enclosed in a 60-inch pipe located on the Whitmer High School property. In the interest of the public, and to allow for future maintenance, the City requests a recorded easement over the enclosure of this pipe. The standard easement for this size pipe and depth is 30 feet centered on the pipe. The following language, and/or other such terms and conditions as determined to be appropriate or necessary by the Director of Law, shall appear on the recorded easement:

A 30-foot utility easement (or however it is described on the drawing) is hereby dedicated to the City of Toledo for public (sewer/water/drainage) facilities. The easement shall be primary in nature to any other easements located therein, and any easement retained by any other entity shall be subject first to the easement rights of the City of Toledo. Said easement herein shall be permanent in nature for each utility facility currently located thereon and shall run with the land. Said easement also includes reasonable rights of ingress and egress over and through the utility easement area for the purpose of operating, maintaining, replacing, repairing, and/or constructing any utility facilities located within the easement. The property owner shall not construct fences, walls, or other barriers that would impede access onto the easement. No temporary or permanent structures, including building foundations, roof overhangs, or other barriers denying access, may be constructed on or within the easement. Driveways, parking lots, walkways, and other similar improvements are acceptable. The property owner hereby releases the City of Toledo, only, from any liability, responsibility, or costs resulting from the City's removal of any barriers that deny ingress or egress from the easement or that obstruct access to the public utilities located on said property; and the City of Toledo shall have no obligation or duty to restore or compensate the property owner for the removed facilities.

7. The proposed tennis courts are shown to be over an existing 60-inch enclosed ditch, Silver Creek. Be advised that any future restoration of the tennis courts required due to maintenance or repair of the 60-inch sewer will be the responsibility of the school district.
8. 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 storm water approval. No construction work, including grading, will be permitted without approved plans and inspection.
9. Plan submittals shall be in conformance with the latest version of Infrastructure Design and Construction Requirements available at <http://toledo.oh.gov/services/public-utilities/div-engineering-services/plan-review-process/>, including the requirements for stormwater detention and post-construction stormwater Best Management Practices (BMPs).

**STAFF RECOMMENDATION** (cont'd)

Division of Engineering Services (cont'd)

10. 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."
11. 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. 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.
12. 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.
13. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
14. Being in or adjacent to a flood hazard zone, this area is subject to Toledo Municipal Code, Chapter 1110, which must be complied with in full.
15. To allow for maintenance access, structures, permanent fences, walls, or other obstructions are not permitted within 12 feet of the top of bank or ordinary high watermark of Silver Creek or within the floodway. Clearing of vegetation, storage of materials or development within 40 feet of the ordinary high watermark of Silver Creek is discouraged due to water quality impacts.
16. A pre-submittal meeting is not required; however, one may be requested. 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; Andy Stepnick 419-245-1338  
Water: Andrea Kroma, ph. 419-936-2163  
Roadway: Tim Grosjean, ph. 419-245-1344
17. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.

**STAFF RECOMMENDATION (cont'd)**

Fire Prevention

No objections or concerns.

Sewer & Drainage Services

18. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
19. 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

20. Demolition of nay existing buildings will require demolition permits issued from the City of Toledo through its Division of Building Inspection requiring termination of all utilities. Documentation from Columbia Gas and Toledo Edison/Energy One must be provided to Building Inspection that service termination has occurred. If the existing water and sewer taps are to be re-used, the applicant and/or contractor must identify this to the Department of Public Utilities and secure their release for demolition permits to be processed and issued.
21. The construction of any new structure, addition, or alterations to any building and/or parking lot 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, or alterations will be in compliance with the building, mechanical, electrical 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.
22. Any signs on the property, will require a separate plan review and permit(s) in accordance with the City of Toledo's sign codes (TMC §1377-§1397).
23. Any fence screening will require a Certificate of Zoning Compliance, issued by the Division of Building Inspection.

**STAFF RECOMMENDATION (cont'd)**

Division of Transportation

24. The future Edgar Drive improvements and the future student drop off areas are a result of the workshop and long term traffic evaluation by the District. The intent of these improvements is to reduce speed on Edgar, provide designated walkways for pedestrians and provide designated drop off areas for students. Additional improvements will be considered as the safety review process moves forward.
25. Parking for the softball fields will be in the existing parking spaces in front of the High School (off Clegg Drive) and the Staff and Customer Parking lot south of the Whitmer Career Technology Center. There is an existing fence along the south side of the property of the proposed softball fields. This fence will be maintained which will deny access from the residential areas and Cowan Street.
26. The detailed design for the drop off areas and parking will be developed in the future and will be submitted to the City at that time for review and approval.
27. A sidewalk will be added to the Master Plan along Whitmer Drive in front of Jefferson Junior High and is planned to be constructed in 2016.
28. The existing parking lots will be evaluated for potential improvements in accordance with TMC 1107.
29. The Edgar Drive improvements are planned for 2016 and the detailed design will be developed and submitted to the City at that time for review and approval.

Plan Commission

30. Each project (softball complex, Edger Drive improvements, and student drop-off zones) will require minor site plan review to determine compliance with the City of Toledo Municipal Code minimum standards (design standards, drive aisle and parking stall widths, etc...).
31. Each site plan review will require 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. 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.

**STAFF RECOMMENDATION (cont'd)**

Plan Commission (cont'd)

- 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.
  - d. The location, lighting and size of any signs.
32. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
33. Minor adjustments to the site plan that do not violate the above conditions or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
34. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

**ZONE CHANGE AND MASTER PLAN ADOPTION  
TOLEDO CITY PLAN COMMISSION**

REF: Z-4001-15  
DATE: June 11, 2015  
TIME: 2:00 P.M.

**TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE**

DATE: July 15, 2015  
TIME: 4:00 P.M.

BH/jj  
Four (4) sketches follow

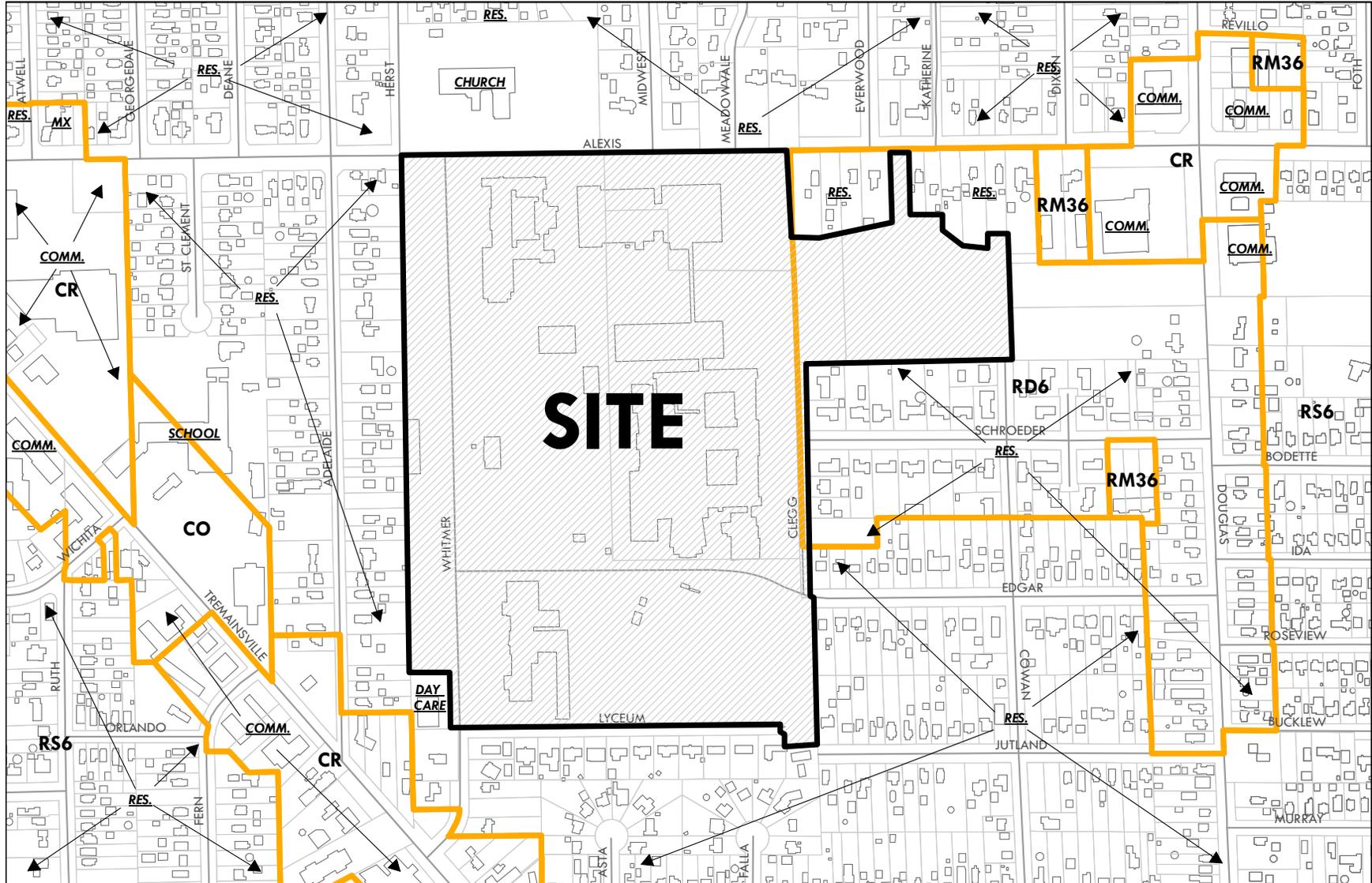
# GENERAL LOCATION

Z-4001-15  
M-8-15  
ID 55



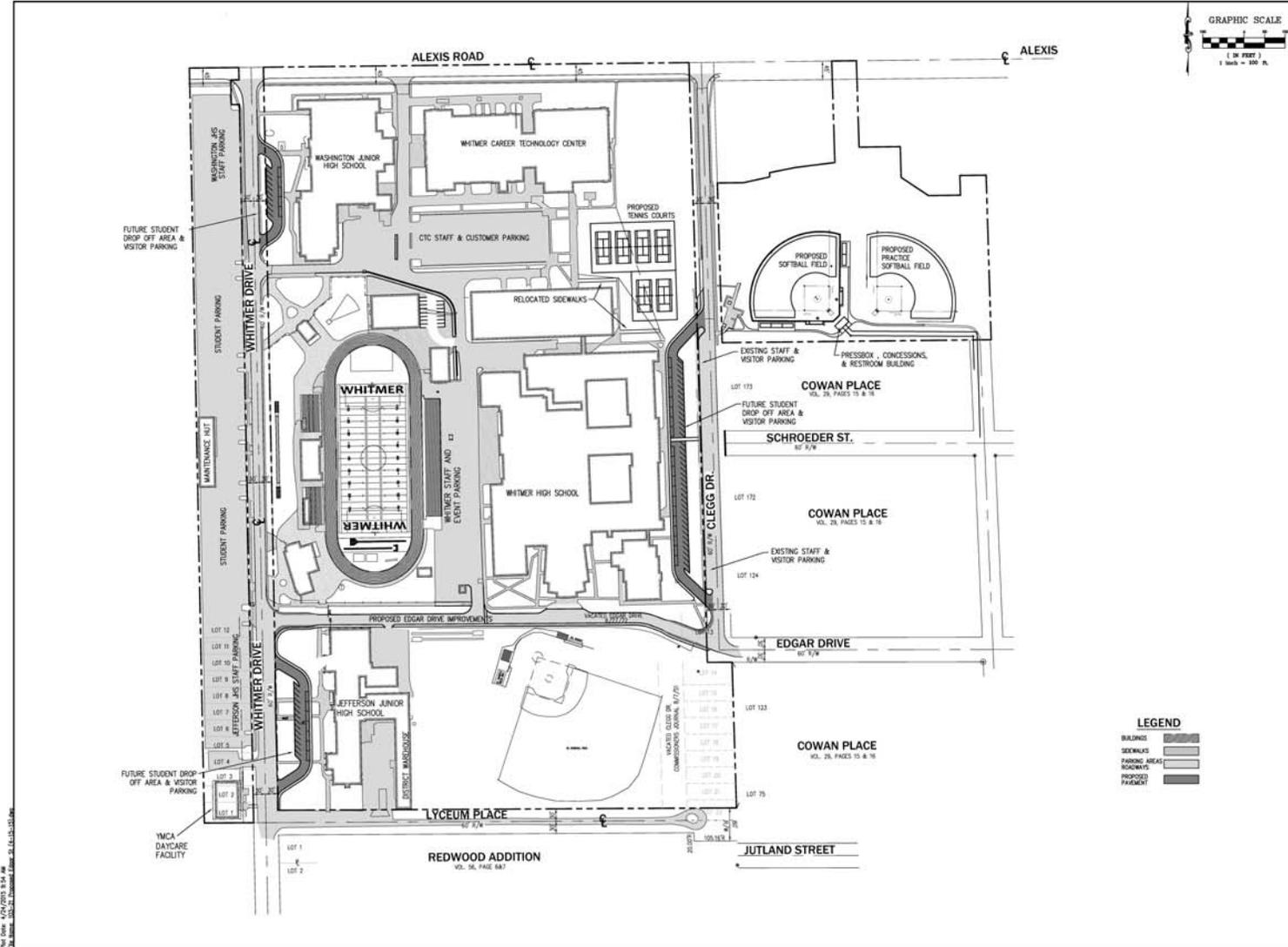
# ZONING & LAND USE

Z-4001-15  
M-8-15  
ID 55



# SITE PLAN

Z-4001-15  
M-8-15  
ID 55



DATE	12/17/15
DESIGNED FOR	ES&A
NO.	1

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

PROPOSED SITE PLAN  
INSTITUTIONAL CAMPUS MASTERPLAN  
WASHINGTON LOCAL SCHOOLS  
5604 CLEGG DRIVE  
TOLEDO, OHIO

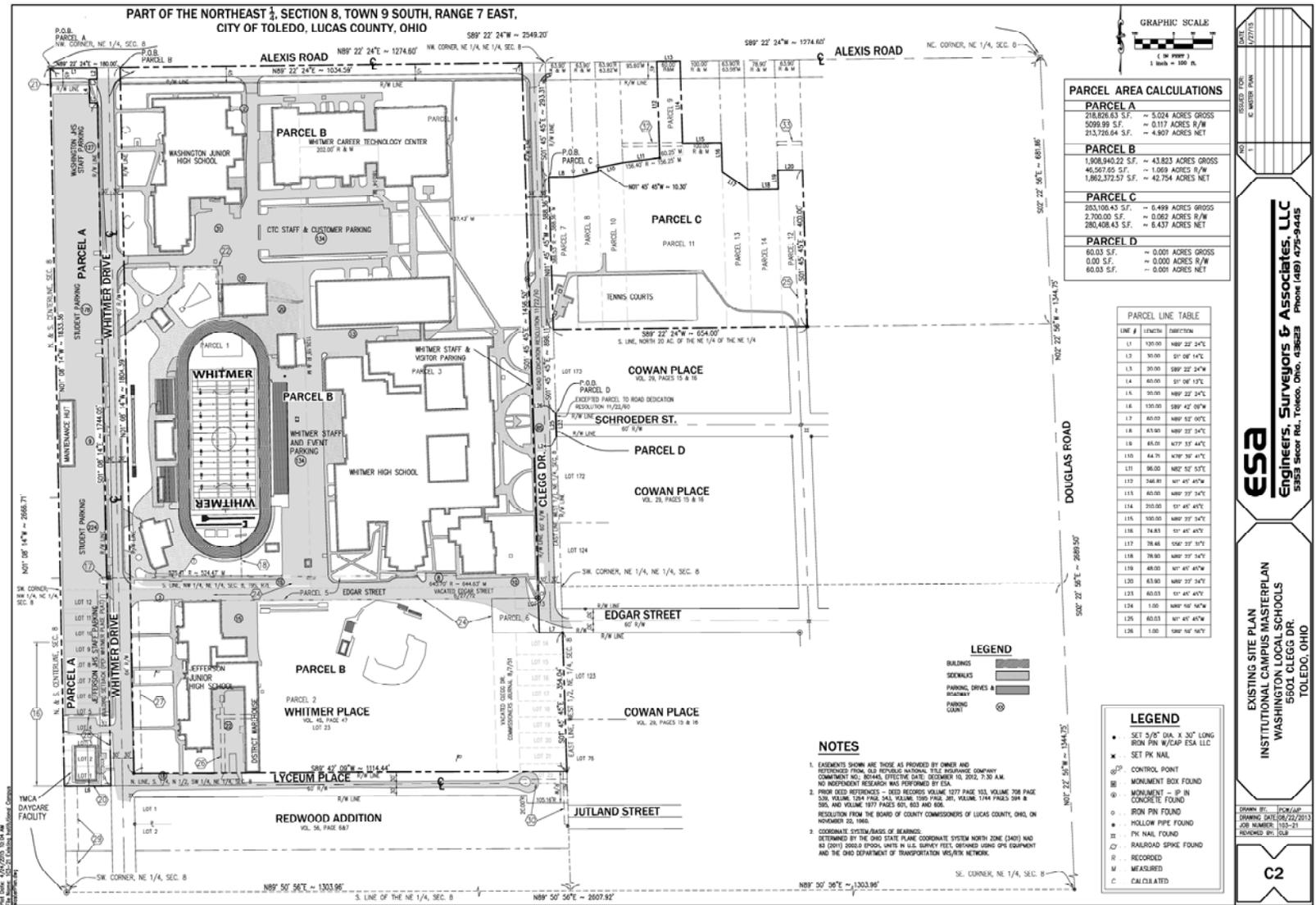
DATE	12/17/15
DRAWN BY	SK/ML
CHECKED BY	SK/ML
DATE	12/17/15
JOB NUMBER	1503-21
REVISION BY	SK/ML

**C3**

1 - 15

# EXISTING SITE PLAN

Z-4001-15  
M-8-15  
ID 55



**PARCEL AREA CALCULATIONS**

Parcel	Area (S.F.)	Area (Acres)
PARCEL A	218,826.63	~ 5.024 ACRES GROSS
	5,999.59	~ 0.137 ACRES R/W
	213,726.04	~ 4.907 ACRES NET
PARCEL B	1,908,940.22	~ 43.823 ACRES GROSS
	46,567.85	~ 1.069 ACRES R/W
	1,862,372.37	~ 42.754 ACRES NET
PARCEL C	203,108.43	~ 4.699 ACRES GROSS
	2,700.00	~ 0.062 ACRES R/W
	280,408.43	~ 6.437 ACRES NET
PARCEL D	60.03	~ 0.001 ACRES GROSS
	0.00	~ 0.000 ACRES R/W
	60.03	~ 0.001 ACRES NET

**PARCEL LINE TABLE**

LINE #	LENGTH	DIRECTION
L1	130.00	N89° 22' 24"E
L2	30.00	S1° 01' 04"E
L3	20.00	S89° 22' 24"W
L4	60.00	S1° 01' 04"E
L5	30.00	N89° 22' 24"E
L6	130.00	S89° 42' 00"W
L7	60.00	N89° 52' 00"E
L8	63.90	N89° 33' 24"E
L9	64.00	S77° 33' 44"E
L10	64.70	N78° 38' 44"E
L11	98.00	N87° 52' 57"E
L12	346.81	N1° 45' 40"W
L13	60.00	N89° 33' 24"E
L14	30.00	S1° 01' 04"E
L15	30.00	N89° 33' 24"E
L16	34.81	S1° 45' 40"E
L17	38.46	S89° 22' 24"E
L18	38.00	N89° 22' 24"E
L19	48.00	N1° 45' 40"W
L20	63.90	N89° 33' 24"E
L21	60.03	S1° 01' 04"E
L22	1.00	N89° 48' 40"W
L23	60.03	N1° 45' 40"W
L24	1.00	S89° 48' 40"W

**LEGEND**

- BUILDINGS
- SOCKMANS
- PARKING, DRIVES & HIGHWAY
- PARKING COUNT

**LEGEND**

- SET 3/8" DIA. X 30" LONG IRON PIN W/CAP ESA LLC
- SET PK NAIL
- CONTROL POINT
- MONUMENT BOX FOUND
- MONUMENT W/ IRON CONCRETE FOUND
- IRON PIN FOUND
- HOLLOW PIPE FOUND
- PK NAIL FOUND
- RAILROAD SPIKE FOUND
- RECORDED
- MEASURED
- CALCULATED

**NOTES**

- EXISTMENTS SHOWN ARE THOSE AS PROVIDED BY OWNER AND RETRIEVED FROM OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY OWNERSHIP AND RECORD SYSTEMS DATED DECEMBER 10, 2012, 2:30 A.M. NO INDEPENDENT RESEARCH WAS PERFORMED BY ESA.
- PRINER DEED REFERENCES -- DEED RECORDS VOLUME 1277 PAGE 133, VOLUME 708 PAGE 539, VOLUME 1204 PAGE 343, VOLUME 1205 PAGE 381, VOLUME 1714 PAGES 018 & 365, AND VOLUME 1977 PAGES 001, 013 AND 016.
- RESOLUTION FROM THE BOARD OF COUNTY COMMISSIONERS OF LUCAS COUNTY, OHIO, ON NOVEMBER 23, 1985.
- COORDINATE SYSTEM/BASES OF MEASUREMENT -- THE GRID STATE PLANE COORDINATE SYSTEM NORTH ZONE (340) AND 83 (2011) 2008.0 PROJ. UNITS IN U.S. SURVEY FEET, OBTAINED USING GPS EQUIPMENT AND THE OHIO DEPARTMENT OF TRANSPORTATION WEBSITE NETWORK.

GRAPHIC SCALE  
1 inch = 100 ft.

**ESA**  
Engineers, Surveyors & Associates, LLC  
3939 Slocum Rd., Toledo, Ohio, 43603 Phone (419) 479-9445

EXISTING SITE PLAN  
INSTITUTIONAL CAMPUS MASTERPLAN  
WASHINGTON LOCAL SCHOOLS  
5501 CLEGG DR.  
TOLEDO, OHIO

DATE: 12/27/15  
DRAWN BY: JPK/CAP  
DRAWING NUMBER: 22/2015  
JOB NUMBER: 1504-01  
REVISIONS BY: CCB

C2

**GENERAL INFORMATION**

Subject

- Request - Adoption of the City of Toledo Bike Plan 2015 as an amendment to the Toledo 20/20 Comprehensive Plan
- Applicant - Engineering Services  
Doug Stevens, Commissioner  
600 Jefferson Avenue Suite 300  
Toledo, OH 43604

Applicable Plans and Regulations

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

**STAFF ANALYSIS**

The applicant is requesting approval of the 2015 City of Toledo Bike Plan as an amendment to the Toledo 20/20 Comprehensive Plan. The City of Toledo Bike Plan maps out a system of thirteen primary routes to connect city neighborhoods, major parks and primary destinations. The system includes designated paths, side paths, bike lanes and sharrow lanes that will utilize the public right-of-way. The Plan is a guide to direct future investment. Installation of the Plan's primary routes can be accomplished by themselves as funding is available or developed as part of other street or infrastructure projects within the recommended corridor. Some infrastructure has already been completed and will be integrated into the bike route system. The City of Toledo Bike Plan is envisioned as a system that will be constructed incrementally over time.

The Bike Plan includes recommended types of different travel modes along routes throughout the City, as a guide and for cost estimation analysis. Primary Routes or Trails are composed of various types of bike facilities to best accommodate the bicyclist. There are five (5) types of bicycle travel modes included in the Plan: 1) Bike Paths are the highest mode level of bicycle travel. Located in an exclusive right-of-way, bike paths area generally fenced or separated from vehicular traffic. 2) Side Paths provide a separate path for bicyclists with physical separation from vehicular traffic but run parallel along a street or roadway right-of-way. With a minimum of ten (10') feet of path width, both directions of travel are provided side by side. 3) Bike Lanes only use striping on the street pavement to designate a separate lane for bicycles flowing in the same direction as vehicular traffic. Design requirements mandate a minimum of five (5') feet in width for this mode of travel.

**STAFF ANALYSIS** (cont'd)

4) Sharrow Lanes utilize bicycle symbol pavement markings to designate a vehicle travel lane where motorists should expect bicycle traffic and to remind them to accommodate for bicycles in the flow of traffic. 5). Share the Road Street, are streets that have signage posted to remind motorists that bicycles are considered vehicles with regard to road usage and have the legal right to travel in the travel lane.

Primary Network Trails

**Angola-Scott Park Trail:** This route connects Springfield Township and residential areas in southwest Toledo via Angola, South, and Hill Avenue to the University of Toledo Scott Park Campus and the Chessie Circle Trail. Angola-Scott Park Trail is a total of 5.4 miles in length and has an estimated cost of \$2,049,000.

**Bancroft-Promenade Trail:** This route starts at the City limit of Ottawa Hills at the intersection Bancroft and Secor and travels along Bancroft Street to the Toledo Museum of Art and then down Jefferson to Promenade Park and the Riverside Trail. Bancroft-Promenade Trail is a total of 5.25 miles in length and has an estimated cost of \$1,434,000.

**Buckeye Basin Trail:** This route connects the Cherry-University Trail at Franklin in Uptown along the Buckeye Basin Greenbelt to the Oregon and Riverside East Trails Parkway at the Craig Street Bridge and to Point Place at Shoreland Park and across Manhattan to the Riverside Trail at Detweiller Park. Buckeye Basin Trail is a total of 7.9 miles in length and has an estimated cost of \$1,227,000.

**Cherry University Trail:** This route connects the University of Toledo and the Chessie Circle Trail at Dorr and Douglas to Uptown via Dorr Street and, via a connector, to the Riverside Trail at Emerald and then to Cherry Street to the Overland Trail at Manhattan Boulevard. Cherry University Trail is a total of 6.7 miles in length and has an estimated cost of \$1,192,000.

**Chessie Circle Trail:** This route connects from the City of Maumee along the abandoned Toledo Terminal Railroad (TTRR) alignment to Glanzman Road and then to the UT Health Sciences Campus along residential streets then sharing the south of the Swan Creek Trail east to Highland Park then to Scott Park and along abandoned rail corridors again to the UT Main Campus, Ottawa Park and Bowman Park with a connector to the Trilby-Washington Trail near Whitmer. Chessie Circle Trail is a total of 13.6 miles in length and has an estimated cost of \$5,903,000.

**Greenhouse Trail:** This route connects from the City of Maumee at Cass or Eastgate up to Swan Creek Park and then north on Wenz to Hill and then to Richards Road up to Ottawa Hills or along Hill to the Keil Farms Park around the Park to Nebraska and then up residential streets to Bancroft to the Botanical Gardens and then up to the University Parks Trail. Greenhouse Trail is a total of 11.6 miles in length and has an estimated cost of \$3,566,000.

**STAFF ANALYSIS** (cont'd)

Primary Network Trails (cont'd)

**Oregon Trail:** This route connects Buckeye Basin Trail to Riverside Trail at Summit Street and Riverside Trial East at Front Street then through Ravine Park and along Seaman to the City of Oregon. Oregon Trail is a total of 2.4 miles in length and has an estimated cost of \$736,000.

**Overland Trail:** This route connects the Chessie Circle Trail near the University of Toledo through Ottawa, Jermain and Beatty Parks to Auburn and then to Willys-Parkway and Jeep Parkway to Berdan, then along Berdan and Manhattan to Joe E. Brown Park and then up Windemere to Expressway Drive North to Chrysler Drive to Manhattan and the Buckeye Basin Trial. Overland Trail is a total of 10.2 miles in length and has an estimated cost of \$3,326,000.

**Riverside Trail:** This route begins at the Chessie Circle path where it crosses the Anthony Wayne Trail (AWT) then along the east side of the AWT to the Zoo parking lot entrance where it crosses to the west side of the AWT right of way to Emerald and then along Emerald Avenue to Ottawa Street; then along the Swan Creek path and waterfront promenade by Promenade Park and Imagination Station; and then along Water Street connecting to the Summit Street side path through Jamie Farr Park and up to Cullen Park. Riverside Trail is a total of 12.7 miles in length and has an estimated cost of \$3,918,000.

**Riverside East Trail:** Connecting Rossford along Miami Street to International Park the Marina District and the Great Lakes Maritime Museum and then along Front to Millard to the City of Oregon. Riverside East Trail is a total of 6.65 miles in length and has an estimated cost of \$1,424,000.

**Swan Creek Trail:** This route begins on Manley Road at the city limit to Garden Road and then to Holland Sylvania and north to Anderson Belt Park and the Swan Creek Valley and along Swan Creek Metropark then through the park to Arlington at Byrne and then along Arlington to Detroit and along Detroit across Swan Creek to the flood control levy along the north bank of Swan Creek east of Detroit and then to Highland Park. Swan Creek Trail is a total of 4.2 miles in length and has an estimated cost of \$1,410,000

**Trilby-Washington Trail:** This route begins at the existing side path on Sylvania Avenue and travels along Sylvania to Harvest, to McGregor and along a connection to Whiteford Township in Michigan via Clover or east on McGregor to Trilby Park and crossing Tremainsville near Whitmer High School; and then through to Jackman Park and then to the Chessie Circle Trail south of Laskey and east of Jackman; and then to the Overland Trail at Lagrange and Expressway Drive North via Slater, Eleanor, Bennett, Sylvania and Lagrange with a connector north to Michigan trails on Douglas to the state line. Trilby-Washington Trail is a total of 12.5 miles in length and has an estimated cost of \$6,137,000

**STAFF ANALYSIS** (cont'd)

Primary Network Trails (cont'd)

**University-Parks Trail:** Existing rail trail corridor from City limits near Wildwood Metropark to the University of Toledo main campus connecting to the Chessie Circle Trail near Oakwood-Douglas intersection. University-Parks Trail is a total of 3.1 miles in length and has an estimated cost of \$0, improvements by others.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission approve M-5-15, a request for Adoption of the City of Toledo Bike Plan 2015 as an amendment to the Toledo 20/20 Comprehensive Plan, for the following one (1) reason:

1. The proposed plan is in conformance with the Toledo 20/20 Comprehensive Plan and supports many of the visions and recommendations of the Plan.

The staff further recommends that the Toledo City Plan Commission approve M-5-15, Adoption of the City of Toledo Bike Plan 2015 as an amendment to the Toledo 20/20 Comprehensive Plan, to the Toledo City Council, subject to the following four (4) conditions:

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

Engineering Services

1. Installation of additional impervious surfaces can trigger an Ohio EPA requirement to install post-construction BMP's (Best Management Practices). As projects are designed, engineer should consult with the Stormwater Engineer to determine if a post-construction BMP will be required.

Sewer & Drainage Services

Comments not received at time of printing

Environmental Services

2. All parties participating in the construction of bike paths shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.

**STAFF RECOMMENDATION (cont'd)**

Environmental Services (cont'd)

3. All parties participating in the construction of bike paths shall maintain compliance with Ohio EPA's Stormwater NPDES permit programs.
4. All parties participating in the construction of bike paths shall maintain compliance with the City of Toledo and State of Ohio's Air Quality Regulations specified in the Toledo Municipal Code and the Ohio Administrative Code including, but not limited to Anti-Noise Laws.

Fire Prevention

Comments not received at time of printing

Transportation

Comments not received at time of printing

Building Inspection

No comments and/or objections

Plan Commission

No comments and/or objections

BIKE PLAN ADOPTION AMENDMENT  
TOLEDO CITY PLAN COMMISSION

REF: M-5-15  
DATE: June 11, 2015  
TIME: 2:00 P.M.

CITY COUNCIL PLANNING  
AND ZONING COMMITTEE

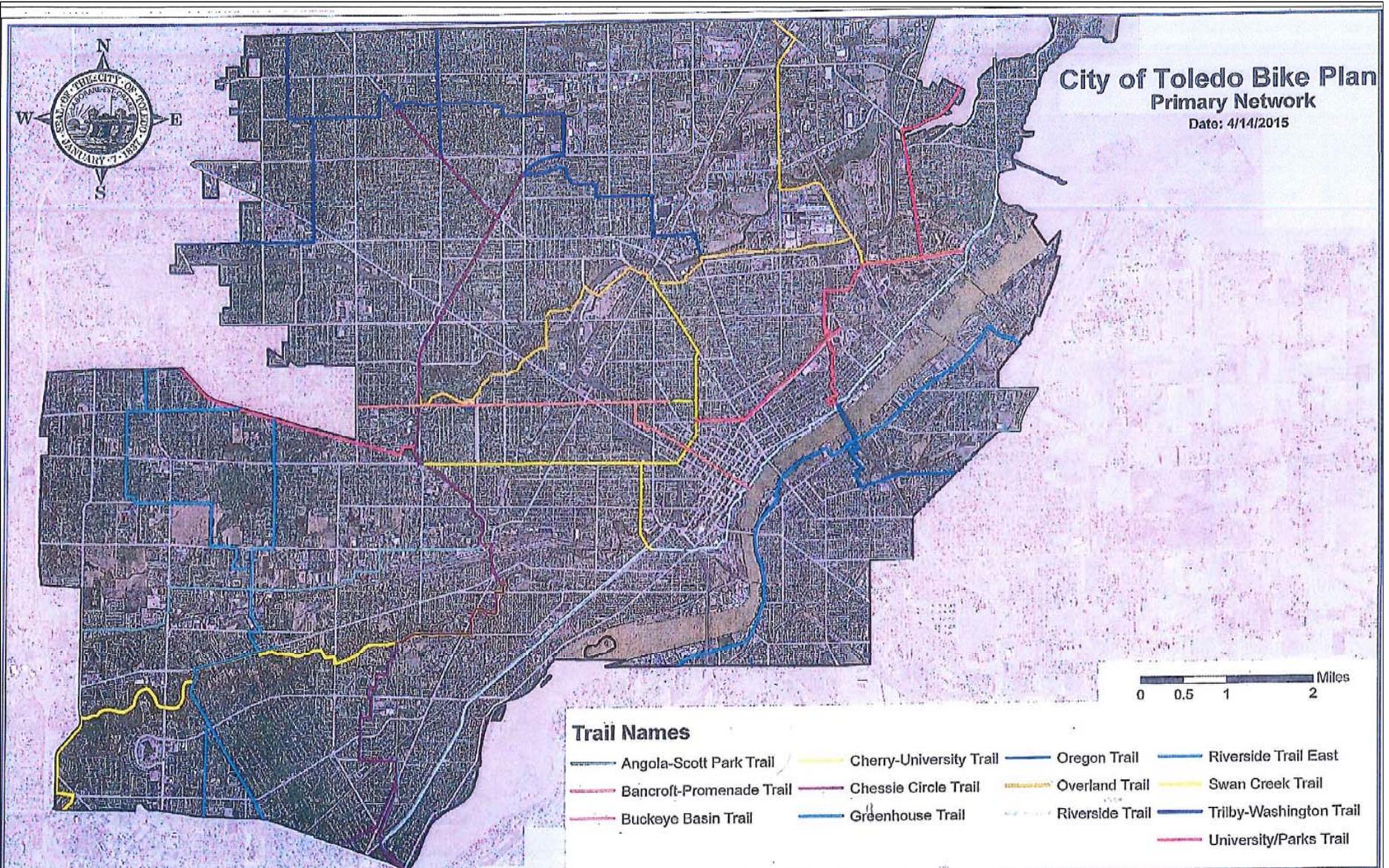
DATE: JULY 15, 2015  
TIME: 4:00 p.m.

GP/jj  
Exhibit "A" follows

# EXIHBIT- "A"

## Bike Plan Primary Network

M-5-15



**GENERAL INFORMATION**

Subject

- Request - Minor Site Plan Review for site modifications.
- Location - 5742 Telegraph Road
- Applicant - John Moussaed  
3835 N Detroit Ave  
Toledo, OH 43612
- Engineer - Curtis Hong  
Hong Inc.  
300 Phillips Avenue, #4  
Toledo, OH 43612

Site Description

- Zoning - CR Regional Commercial
- Area - ± 0.18 Acres
- Frontage - ± 125' on Telegraph Road
- Existing Use - Vacant
- Proposed use - Bar/Tavern

Area Description

- North - Commercial Retail / CR
- South - Single Dwelling Residential & Mobile Home Park / CR
- East - Restaurant / CR
- West - Sexually Oriented Business / CR

Parcel History

No case history on file.

Applicable Plans and Regulations

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

## **STAFF ANALYSIS**

The request is for a Minor Site Plan Review for site modifications, located at 5742 Telegraph Road. The applicant is proposing the establishment of a bar/tavern, a nineteen (19) spaces parking lot, dumpster enclosure and landscaping. Pursuant to TMC 1111.0807, the Planning Director has requested this application be forwarded to the Plan Commission for review and action.

Surrounding land uses includes Scarlett's Gentlemen's Club to the west, a convenience store and commercial retail to the north, single dwelling residential and a mobile home park to the south and a restaurant to the east.

### Parking and Circulation

In order to establish a bar/tavern onsite the applicant was requested to address the required parking. The contiguous properties to the south were obtained, cleared of existing structures and vegetation and combined with the property that will serve as the bar/tavern. A bar/tavern of this size has a parking requirement of eighteen (18) spaces. The proposed parking lot will provide nineteen (19) spaces. The Division of Transportation does not object to the proposed layout or configuration of the parking.

### Landscaping

The site is existing and per TMC§1114.0500 Appearance Upgrade for Nonconforming Development, the applicant is only required to bring the landscaping closer into compliance with the 2004 zoning code. A fifteen (15) foot frontage greenbelt is proposed along Telegraph Road. In addition, a Type "A" landscape buffer is proposed where abutting the residential uses to the south. This buffer will include a solid fence and a combination of trees and shrubs. The board-on-board fence will extend along the rear of the property.

The applicant will be required to provide landscape islands at the end of each parking row. Landscape islands are required to provide both tree and shrubs as part of the internal parking lot landscaping requirements; in addition the island will be required to have grass, mulch or other vegetative ground cover. Foundation plantings are also required along all main and secondary entrances of the building that are visible from the public right of way. A landscape plan indicating compliance with these requirements is listed as a condition of approval.

### Toledo 20/20 Comprehensive Plan

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

## STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission approve SPR-16-15, a request for a Minor Site Plan Review for site modifications, located at 5742 Telegraph Road, for the following two (2) reasons:

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

The staff recommends that the Toledo City Plan Commission approve of SPR-16-15, a request for a Minor Site Plan Review for site modifications, located at 5742 Telegraph Road, subject to the following thirty-two (32) 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 and drive approaches 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. Contact Joe Warnka at (419) 245-1341 for inspections.
2. All proposed drive approaches, curb, and sidewalk shall be constructed in accordance with the City of Toledo Construction Standards and Toledo Municipal Code. All commercial drive approaches shall be 8-inch-thick concrete. No curb shall be permitted in the right-of-way along either side of the drive approach. **No horizontal curb cutting will be permitted.**
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. Occupancy permits will not be issued until all inspections have been completed.
4. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
5. Existing water services to structures removed from the site will be abandoned by the City of Toledo at the owner's/developer's expense.
6. Plans for new water service or modifications to existing water service shall be submitted to the Division of Engineering Services for review and approval.

**STAFF RECOMMENDATION** (cont'd)

Engineering Services (cont'd)

7. Contact the City of Toledo Fire Prevention Bureau to determine the fire protection requirements for this site.
8. Contact the Division of Water Distribution to determine the backflow prevention requirements for this site.
9. 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.
10. 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 Best Management Practices (BMPs).
11. 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.”
12. 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.
13. 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.
14. 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.
15. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
16. No construction work, including grading, will be permitted without approved plans and inspection.

**STAFF RECOMMENDATION (cont'd)**

Engineering Services (cont'd)

17. A pre-submittal meeting is not required; however, one may be requested. 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; Andy Stepnick 419-245-1338

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

Roadway: Tim Grosjean, ph. 419-245-1344

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

19. If there are any existing structures to be demolished at the site, the sanitary services to such structures will be killed by the City of Toledo at the developer's cost.

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

Sewer & Drainage Services

21. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.

22. 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

23. Building shall have approved address numbers places in a position to be plainly legible and visible from the street side of the building. Numbers shall be a minimum of four (4) inches high by one-half (1/2) inch wide.

**STAFF RECOMMENDATION** (cont'd)

Building Inspection

24. The construction of any new structure, addition, or alterations to any building and/or parking lot 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, or alterations will be in compliance with the building, mechanical, electrical 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.
25. Any signs on the property, will require a separate plan review and permit(s) in accordance with the City of Toledo's sign codes (TMC §1377-§1397).
26. Any fence screening will require a Certificate of Zoning Compliance, issued by the Division of Building Inspection.

Division of Transportation

No objections or concerns.

Plan Commission

27. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces overhanging a pedestrian walkway or sidewalk and when adjoining a building.
28. 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.
29. A detailed landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
  - a. All parking spaces must be within 100 linear feet of a landscaped area.
  - b. Type "A" Landscape buffer is required along the southern and eastern property lines, a ten (10) foot wide Type "A" Buffer with a board-on-board fence shall installed and include four (4) trees and twenty (20) shrubs for every 100 Linier feet of property line; **shall be noted on revised plan.**
  - c. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area; **shall be noted on revise plan.**

**STAFF RECOMMENDATION** (cont'd)

Plan Commission (cont'd)

- d. Foundation plantings are required along all main and secondary entrances of the building that are visible from the public right of way, and landscaping at all major building entrances. (TMC 1108.0205.B Landscaping and Screening; **shall be noted on revise plan.**
  - e. Topsoil must be back filled to provide positive drainage of the landscape area; **shall be noted on revise plan.**
  - f. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage; **shall be noted on revise plan.**
  - g. Landscape terminal islands must be provided at the end of each parking row; **shall be noted on revise plan.**
  - h. Two canopy trees and six shrubs are required to be installed in interior landscape areas for each 10 parking spaces within the parking lot; **shall be noted on revise 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; **shall be noted on revise plan.**
  - j. The location, height and materials of any fencing to be installed and maintained; **acceptable as depicted on landscape plan.**
  - k. 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 revise plan.**
30. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed and maintained indefinitely.
31. 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)

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

MINOR SITE PLAN REVIEW  
TOLEDO CITY PLAN COMMISSION  
REF: SPR-16-15  
DATE: June 11, 2015  
TIME: 2:00 P.M.

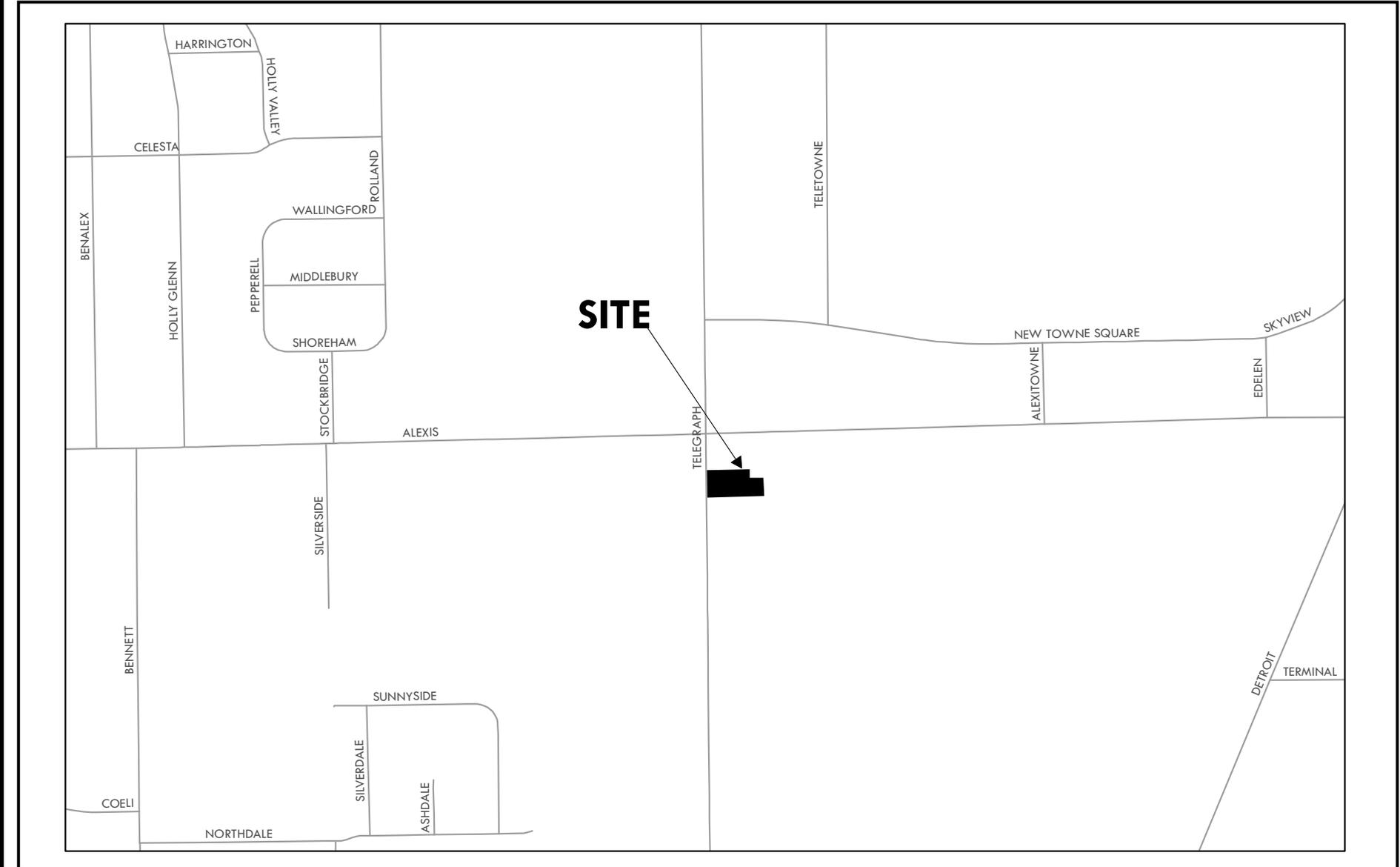
BH/jj  
three (3) sketches follow

# GENERAL LOCATION

SPR-16-15  
ID 59



3 - 9

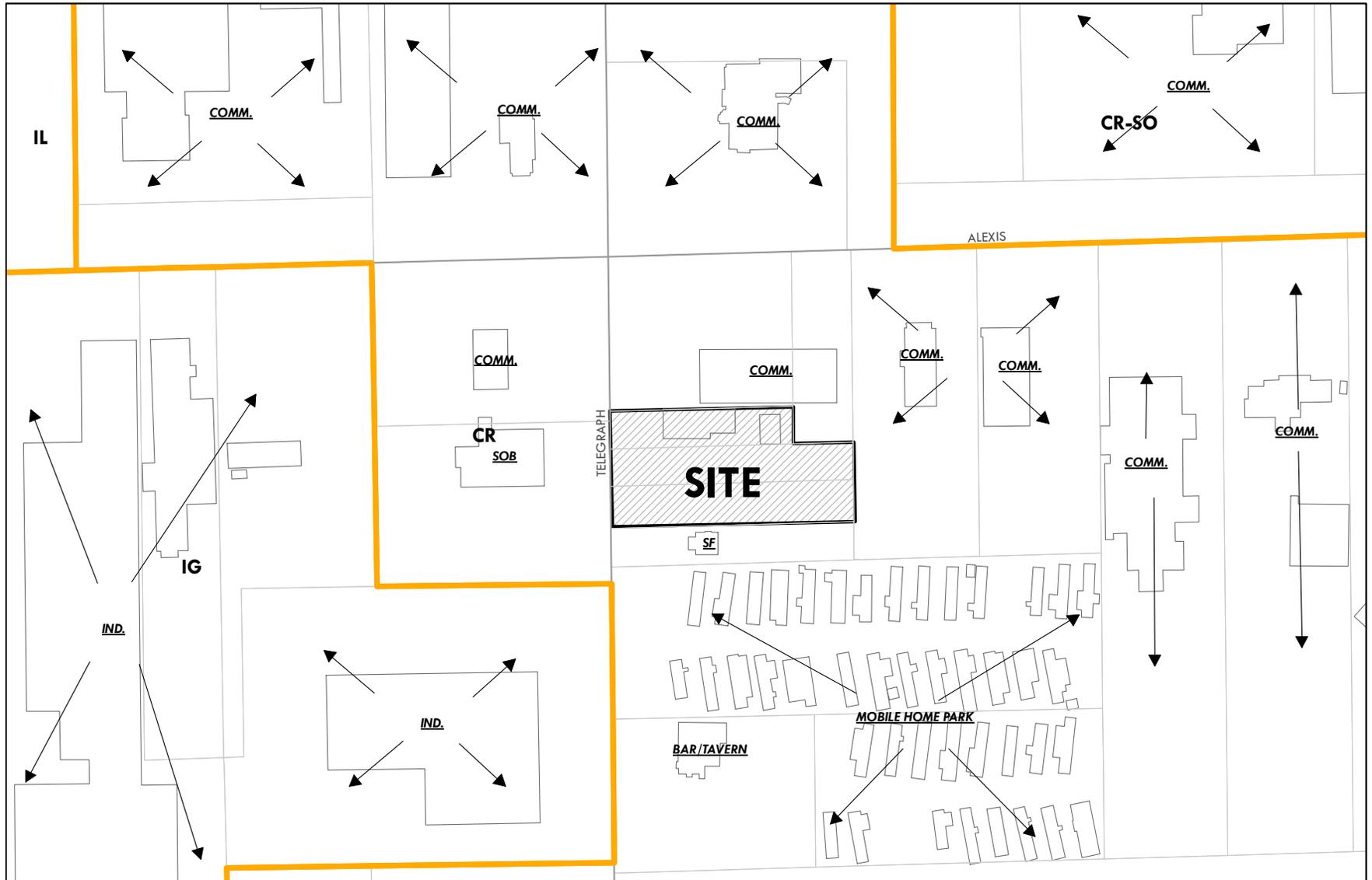


# ZONING & LAND USE

SPR-16-15  
ID 59



3 - 10



# SITE PLAN

SPR-16-15  
ID 59



LOCATION MAP  
NOT TO SCALE

- SEE 17923  
SIGN MANUAL OR UNIFORM  
TRAFFIC CONTROL DEVICES
- SEE 22180  
SIGN MANUAL OR UNIFORM  
TRAFFIC CONTROL DEVICES
- SEE 22123  
SIGN MANUAL OR UNIFORM  
TRAFFIC CONTROL DEVICES
- ONE SIGN TO BE INSTALLED  
AT EACH ACCESSIBLE PARKING SPACE  
AT A MINIMUM OF 60 INCHES TO THE  
RIGHT SIDE OF THE SIGN
- \*VAN ACCESSIBLE SIGN  
REQUIRED ONLY AT  
DISCRIMINATED VAN  
ACCESSIBLE SPACES
- GENERAL NOTES:  
1. 12" X 18" X 1/4" GALV STEEL SIGN  
POST SET IN BATH IF OUTSIDE  
PARKING DRIVE OR ON  
CONCRETE IF WITHIN PAVEMENT  
TO A MINIMUM DEPTH OF 3" IF
- SEE 17621 NOTES:  
1. 12" X 18" X 1/4" GALV STEEL SIGN  
WITH LETTERING AND BORDER  
ON WHITE BACKGROUND AND  
WHITE SYMBOL OF ACCESSIBILITY  
IN BLUE SIGN
- SEE 22140 NOTES:  
1. 8" X 12" X 1/4" GALV STEEL SIGN  
2. CANON LETTERING AND BORDER  
ON WHITE BACKGROUND
- SEE 22142 NOTES:  
1. 8" X 12" X 1/4" GALV STEEL SIGN  
2. CANON LETTERING AND BORDER  
ON WHITE BACKGROUND  
3. FINE PER LOCAL REGULATIONS  
IN BLUE SIGN

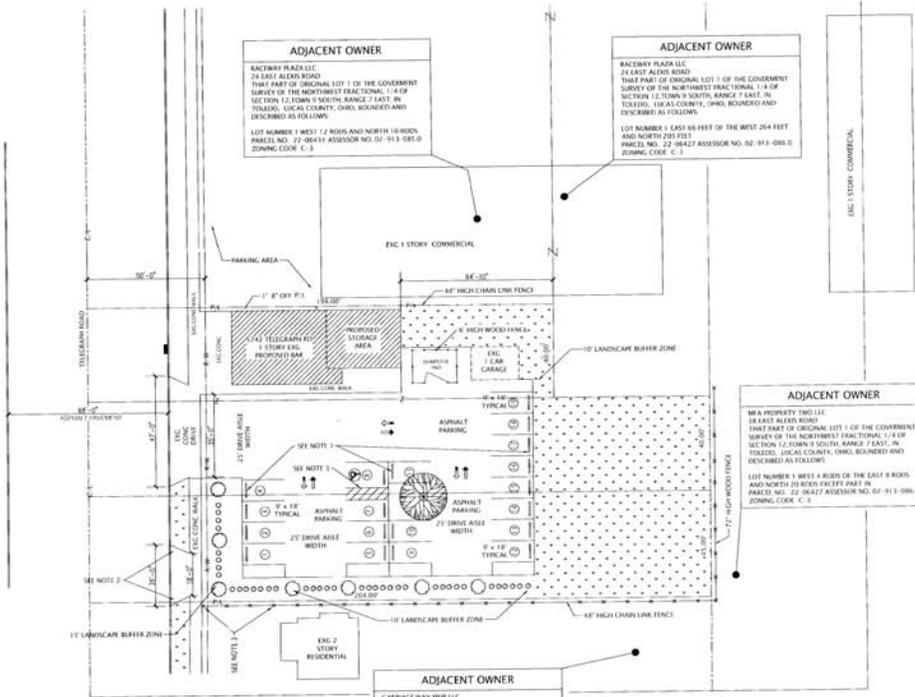
ADA NOTE 3

SYMBOL	DESCRIPTION
1	1/4" JOINTS W/SHI INSIDE
2	1/4" JOINTS T/SHI OF SET FILE
3	LANDSCAPED AREA

### PARKING SPACE REQUIREMENT

TOTAL SIGNABLE AREA 930 SF	13 SPACES
PARKING SPACE 1.75 -	
BARRETTED SIGN AREA - 212 SF	1 SPACE
REQUIRED PARKING - 750 SF	
BARRETTED SIGNATURE AREA - 750 SF	4 SPACES
REQUIRED PARKING -	
TOTAL ADA REQUIRED 3.75 -	1 VAN SPACE
TOTAL SPACES REQUIRED -	18 SPACES
TOTAL SPACES PROVIDED -	19 SPACES

- GENERAL NOTES:  
1. DRAWINGS ARE SCHEMATIC AND EXACT CONDITIONS MUST  
BE VERIFIED AT THE SITE AND CORRECTED BETWEEN THE  
CONTRACTOR FROM DOCUMENTS AND AS SHOWN CONDITIONS  
SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER  
FOR RESOLUTION BEFORE WORK COMMENCES.  
2. ALL WORK SHALL CONFORM TO ALL APPLICABLE FEDERAL,  
STATE AND LOCAL REGULATIONS.  
3. PROVIDE BLOCKING IN WALLS FOR WALL MOUNTED ITEMS.



### LEGAL DESCRIPTION

1742 TELEGRAPH ROAD  
THAT PART OF ORIGINAL LOT 1 OF THE GOVERNMENT  
SURVEY OF THE NORTHWEST QUARTER 1/4 OF SECTION 12,  
TOWN 9 SOUTH RANGE 7 EAST, IN TOLEDO, Lucas  
COUNTY, OHIO, BOUNDED AND DESCRIBED AS FOLLOWS:  
THE SOUTH 40 FEET OF THE NORTH 205 FEET AND WEST 198  
FEET OF LOT 1 AND THE SOUTH 1/2 FEET OF THE NORTH 205  
FEET AND WEST 204 FEET OF LOT 1  
PARCELS NO. 22-06417 ASSESSOR NO. 02-913-084.0  
ZONING CODE C-3

### NOTES

1. PLACE CONCRETE CURB STOPS TO  
PREVENT ENCROACHMENT OF THE  
VEHICLES INTO THE REQUIRED  
STREET AND LANDSCAPE AREAS.
2. REMOVE EXISTING CONCRETE  
CURB AND REPLACE  
CONCRETE CURB AND WALL IN ACCORDANCE  
WITH THE CITY OF TOLEDO  
CONSTRUCTION STANDARDS.

SITE PLAN  
SCALE 1" = 20' 0"

**HONG**  
300 Phillips Avenue # 4  
Toledo, Ohio 43612  
Corky Hong  
ph: 419-729-2000  
email: corkyhong@attolink.net

**Minor Site Review Plan**  
Proposed Remodelations  
Bar  
5742 Telegraph Road  
Toledo, Ohio 43612

DATE: 04-20-15  
AS NOTED  
DATE: 15-001  
DATE: 15-001.dwg(A1.0)  
**A1.0**

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**GENERAL INFORMATION**

Subject

- Request - Zone Change from CO Office Commercial to CN Neighborhood Commercial
- Location - 1457 & 1509 Dorr Street and 1508 & 1510 Woodland Avenue
- Applicant - David Kitzmiller  
Ninety Nine 90, LLC  
1401 Vine Street  
Cincinnati, OH 45202
- Consultant - Ashley Combs  
Morning Star Partners, LLC  
1401 Vine Street  
Cincinnati, OH 45202

Site Description

- Zoning - CO Office Commercial
- Area - ± 1.177 acres
- Existing Use - Former St. Teresa Church
- Proposed use - Family Dollar Retail Store

Area Description

- North - Single Dwelling Residential / RD6
- East - Commercial / CO
- South - Single Dwelling Residential / RS6
- West - Post Office & Single Dwelling Residential / CR & RS6

Parcel History

- M-11-87 - Review of Tri-Street Block Club Neighborhood Plan (PC approved 2/4/88, Ord. 169-88, 2/23/88).
- Z-273-87 - Request for a Zone Change from C-3 & R-3 to C-2 (PC approved 2/4/88, Ord. 172-88, 2/23/88).

**GENERAL INFORMATION** (cont'd)

Parcel History (cont'd)

Z-3004-15 - Request for a Zone Change from CO Office Commercial to CN Neighborhood Commercial (Case Deferred on 5/14/15).

Applicable Regulations

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

**STAFF ANALYSIS**

The request is for a Zone Change from CO Office Commercial to CN Neighborhood Commercial for a site at 1457 & 1509 Dorr Street and 1508 & 1510 Woodland Avenue. The 1.177 acre site is located on the southeast corner of Dorr Street and Smead Avenue. The applicant is requesting the Zone Change to permit the construction of 8,320 square foot Family Dollar store. A Minor Site Plan review and Lot Split application are anticipated in the future. This case was deferred from the May 14, 2015 Plan Commission hearing.

Surrounding land uses include residential uses to the north, a commercial building and residential uses to the east, residential uses to the south and a post office and residential uses to the west.

Pursuant to TMC §1102.06, the CN zoning district is generally intended to accommodate pedestrian oriented small-scale retail and service businesses that serve nearby residential areas. In addition, the Dorr Street Vision plan stresses a pedestrian friendly street design with buildings close to the street and hidden parking areas. Based on the existing uses in the immediate area, it is anticipated that an 8,320 square foot general retail store would be an appropriate use in this area. The CN Zoning will require the developer to orient the future building close to the right-of-way to ensure a pedestrian corridor along Dorr Street and Smead Avenue.

The Toledo 20/20 Comprehensive Plan and the Dorr Street Vision Plan target this site for Neighborhood Commercial uses. Based on the nature of the proposed use and its location, the proposal is in compliance with both plans. 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-3004-15, a Zone Change from CO to CN for the site at 1457 & 1509 Dorr Street and 1508 & 1510 Woodland Avenue to Toledo City Council for the following three (3) reasons

1. The request is consistent with the goals and objectives of the Dorr Street Vision Plan.

**STAFF RECOMMENDATION** (cont'd)

2. The request is consistent with the adopted 20/20 Comprehensive Land Use Plan and will support the goal of the Neighborhood Commercial District in this area. (TMC1111.0606.A Review & Decision-Making Criteria).
3. The proposed zoning will facilitate land uses that are compatible with the land uses within the general vicinity of the subject property (TMC 1111.0606.B Review & Decision-Making Criteria).

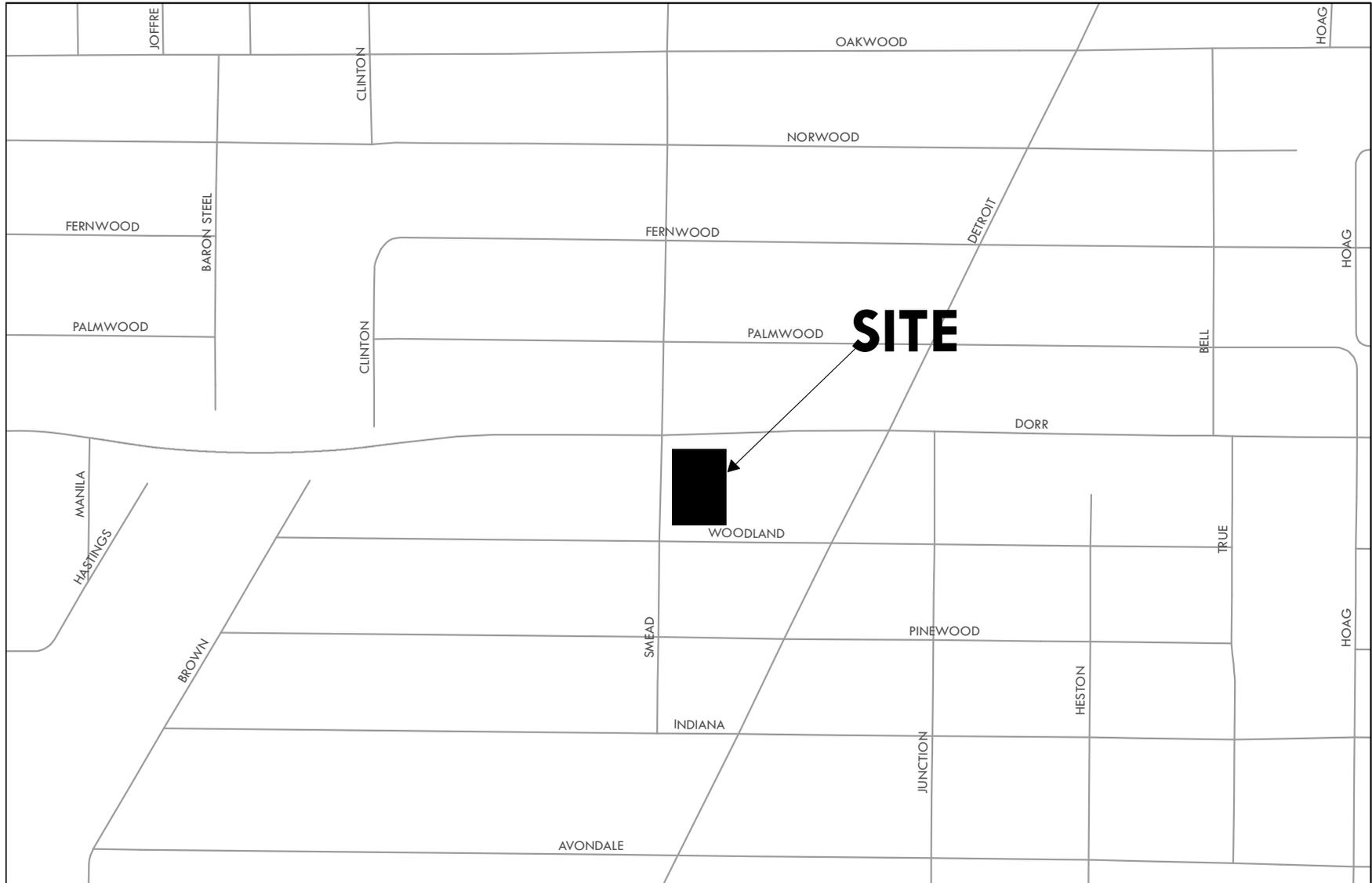
ZONE CHANGE REQUEST  
TOLEDO CITY PLAN COMMISSION  
REF: Z-3004-15  
DATE: June 11, 2015  
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE  
DATE: July 15, 2015  
TIME: 4:00 P.M.

BH/jj  
Two (2) sketches follow

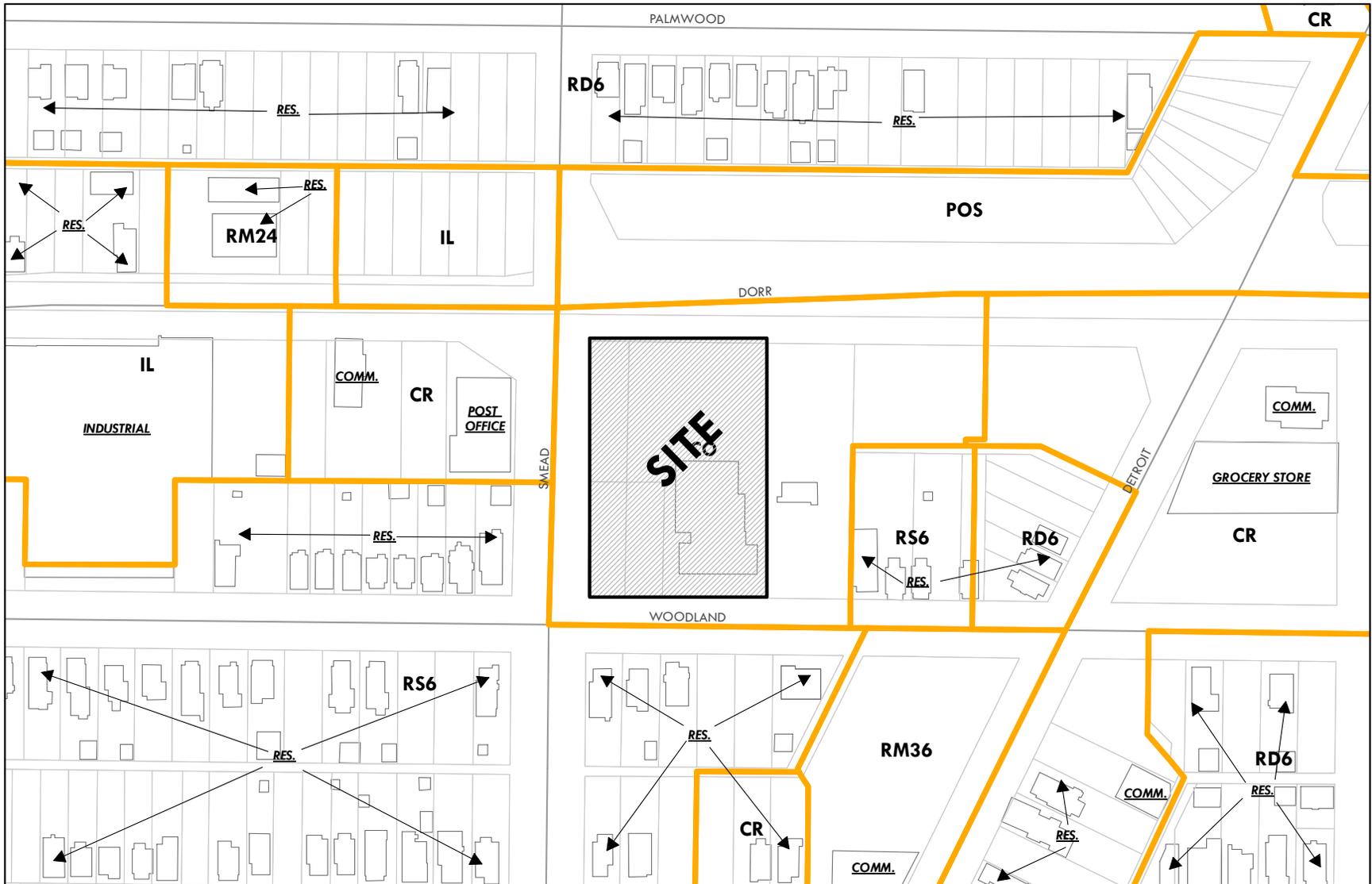
# GENERAL LOCATION

Z-3004-15  
ID 19



# ZONING & LAND USE

Z-3004-15  
ID 19



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**GENERAL INFORMATION**

Subject

- Request - Zone Change from RS9 Single Dwelling Residential to CR Regional Commercial
- Location - 3835 Secor Road
- Applicant - Alan McLaughlin  
The Kroger Company  
4111 Executive Parkway  
Westerville, OH 43081
- Engineer - Andrew A. Gardner  
Bird & Bull Engineers and Surveyors  
2875 W Dublin-Granville Road  
Columbus, OH 43235
- Architect - CR Architecture & Design  
600 Vine Street, Suite 2210  
Cincinnati, OH 45202

Site Description

- Zoning - RS9 Single Dwelling Residential
- Area - ± 18.714 Acres
- Frontage - ± 940' along Secor Road  
± 720' along Monroe Street
- Existing Use - Sisters of Notre Dame Campus
- Proposed Use - Kroger Grocery Store with Four (4) Out Lots

Area Description

- North - Daycare and Commercial Uses / RS9 & CR
- South - I-475 & Self Storage / RS9 & IP
- East - Commercial / CR
- West - Notre Dame High School & Offices / RS9 & CO

Parcel History

- Z-141-63 - Establishment of Permanent Zoning to R-1 Single Dwelling Residential (PC approved 8/29/63, Ord 719-63, 10/14/63)

**GENERAL INFORMATION** (cont'd)

Parcel History (cont'd)

- |           |   |  |
|-----------|---|--|
| PL-4-04   | - | Parking Lot Review for revisions to the existing lot (Administratively approved 7/7/04)                              |
| SPR-10-15 | - | Major Site Plan Review for a New Commercial Development (Companion Case, Deferred on 5/14/15)                        |
| Z-3003-15 | - | Request for a Zone Change from RS9 Single Dwelling Residential to CR Regional Commercial (Case Deferred on 5/14/15). |

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 RS9 Single Dwelling Residential to CR Regional Commercial for a site located at 3835 Secor Road. The 18.714-acre site is located at the southwest corner of Secor Road, Monroe Street and Sylvania Avenue. The applicant is requesting the Zone Change to facilitate the development of a new 123,455 square foot Kroger Marketplace and four (4) out lots. A companion Major Site Plan Review accompanies this case. A block watch neighborhood meeting was held on March 19, 2015 and a surrounding property owner neighborhood meeting was held on May 7, 2015. This case was deferred from the May 14, 2015 Plan Commission Hearing.

Surrounding land uses includes a daycare, a Kroger Fuel Station and commercial retail uses to the north, commercial uses including the existing Kroger Store to the east, Interstate I-475 to the south and Notre Dame Academy and office uses to the west.

Staff has concerns over the requested zone change for several reasons. First, the Toledo 20/20 Comprehensive Plan targets this area for Institutional Campus uses. The 20/20 Plan is a written and graphic document that serves as a guide for community growth. It provides the basis for policies and regulations affecting growth and establishes a framework for long range planning. The intent of the Institutional Campus future land use designation is to accommodate large institutional use in campus-like settings, such as hospitals, schools and colleges. It is also used to recognize distinct areas in Toledo such as “church row” along Collingwood Boulevard. The park-like residential setting is a unique feature surrounded by commercial development and should be preserved. The redevelopment of this site, from its current “park-like residential setting”, into a large scale commercial development with multiple outparcels is not consistent with the 20/20 Plan.

**STAFF ANALYSIS** (cont'd)

Second, the surrounding area, along Sylvania Avenue, is dominated by low-intensity land uses including a high school, an elementary school, churches, a daycare and office uses. The introduction of a zoning category such as the proposed CR Regional Commercial zoning on the south side of Sylvania Road (west of Monroe Street) would facilitate higher intensity land uses that would alter the character of the area. Currently, no Regional Commercial zoning exists on the south side of Sylvania Avenue between Monroe Street and Talmadge Road. The intensity of the proposed development and the physical characteristics of the site plan are not compatible with the character of the area. As a result, the proposed CR Regional Commercial zoning will be out of character with and detrimental to the nearby uses.

Third, over the past decade several large scale retail developments have occurred within the general vicinity of the proposed site and have added a substantial amount of square footage to the area. These developments have occurred on sites historically used for commercial purposes and have not resulted in the spread of commercial development. On residential parcels rezoning the subject site will increase commercial acreage in the area while leaving an existing commercial site vulnerable to vacancy and blight.

Finally, promoting incompatible land uses adjacent to one another such as a large commercial complex and a high school may create potential conflicts for the future. This may result in additional requests to potentially rezone adjacent residential land.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend disapproval of Z-3003-15, a Zone Change from RS9 Single Dwelling Residential to CR Regional Commercial for the site at 3835 Secor Road to Toledo City Council for the following four (4) reasons

1. The proposed Zone Change does not conform to the Toledo 20/20 Comprehensive Plan, which targets the site for Institutional Campus uses and reflects the desire to preserve a distinct area in Toledo.
2. The proposed Zone Change is out of character with the surrounding zoning and uses (TMC §1111.0606.C Review & Decision-Making Criteria).
3. The proposed Zone Change will increase commercial acreage in an area that has seen substantial square footage added while leaving an existing commercial site vulnerable to vacancy and blight.
4. The proposed Zone Change would promote incompatible land uses and may result in additional requests to rezone adjacent residential land.

REF: Z-3003-15 . . . June 11, 2015

ZONE CHANGE REQUEST  
TOLEDO CITY PLAN COMMISSION

REF: Z-3003-15

DATE: June 11, 2015

TIME: 2:00 P.M.

TOLEDO CITY COUNCIL  
ZONING AND PLANNING COMMITTEE

DATE: July 15, 2015

TIME: 4:00 P.M.

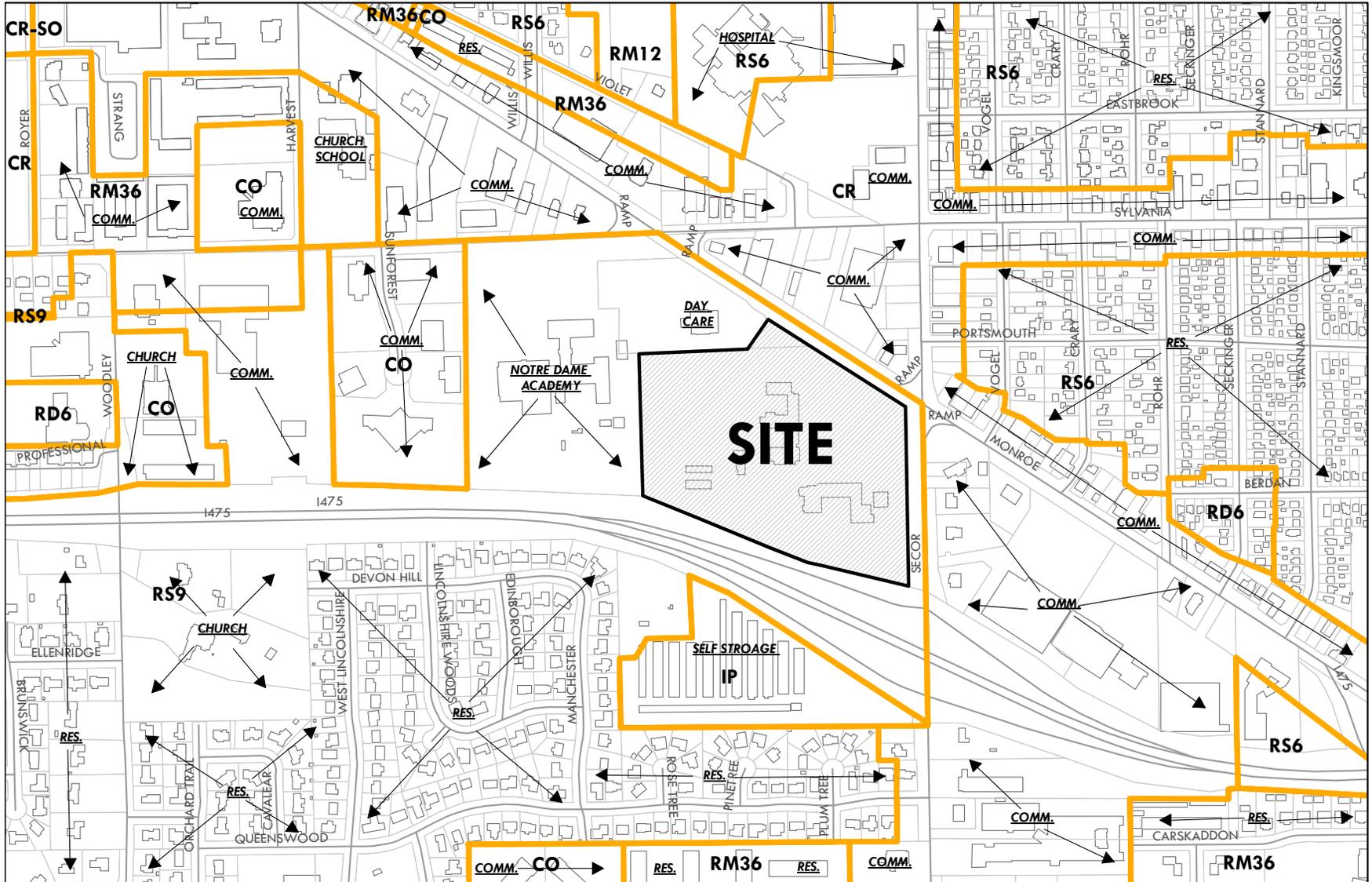
BH/jj

Two (2) sketches follow



# ZONING & LAND USE

Z-3003-15  
ID 78



**GENERAL INFORMATION**

Subject

- Request - Major Site Plan Review for a New Commercial Development
- Location - 3835 Secor Road
- Applicant - The Kroger Company  
Alan McLaughlin  
4111 Executive Parkway  
Westerville, OH 43081
- Engineer - Bird and Bull Engineers & Surveyors  
Andrew Gardner  
2875 W Dublin-Granville Rd  
Columbus, OH 43235

Site Description

- Zoning - RS9 Single Dwelling Residential
- Area - ± 18.714 Acres
- Frontage - ± 940' along Secor Road  
± 720' along Monroe Street
- Existing Use - Sisters of Notre Dame Campus
- Proposed Use - Kroger Grocery Store with Four (4) Out Lots
- Proposed Parking - Kroger Only - 508 Spaces
- Required Parking - 362 Automobile Spaces

Area Description

- North - Daycare and Commercial Uses / RS9 & CR
- South - I-475 & Self Storage / RS9 & IP
- East - Commercial / CR
- West - Notre Dame High School & Offices / RS9 & CO

Parcel History

- Z-141-63 - Establishment of Permanent Zoning to R-1 Single Dwelling Residential (PC Approved 8/29/63, Ord 719-63, 10/14/63)

**GENERAL INFORMATION (cont'd)**

Parcel History (cont'd)

- PL-4-04 - Parking Lot Review for Revisions to the Existing Lot (Administratively Approved 7/7/04)
- Z-3003-15 - Request for Zone Change from RS9 Single Dwelling Residential to CR Regional Commercial (Companion Case, Deferred from 5/14/15)
- SPR-10-15 - Major Site Plan Review for a New Commercial Development (Deferred on 5/14/15)

Applicable Plans and Regulations

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

**STAFF ANALYSIS**

The applicant is requesting a Major Site Plan review for a new 123,455 square foot Kroger Marketplace located at 3835 Secor Road. The 18.714-acre site is located on the southwest corner of Secor Road, Monroe Street and Sylvania Avenue. A companion Zone Change application accompanies this case. A block watch neighborhood meeting was held on March 19, 2015 and a surrounding property owner neighborhood meeting was held on May 7, 2015. This case was deferred from the May 14, 2015 Plan Commission hearing.

Surrounding land uses includes a daycare, a Kroger Fuel Station and commercial retail uses to the north, commercial uses including the existing Kroger Store to the east, Interstate I-475 to the south and Notre Dame Academy and office uses to the west.

Parking and Circulation

The required parking for a new 123,455 square foot Kroger Marketplace is 363 spaces. The site plan indicates that 515 spaces will be provided. The uses for the out lots are not indicated on the site plan. Parking and access will be address on a case-by-case basis as the out lots are developed.

In addition to the required off-street parking, loading zones and bicycle parking is also required. TMC1107.1000 *Off-street Loading Schedule* - requires five (5) loading spaces be provided. A multi-bay loading area is shown on the west side of the grocery store. The elevations indicate that five (5) loading bays will be provided. The required bicycle parking is one (1) bicycle space per ten (10) automobile spaces provided, not to exceed fifty (50) spaces. As a result, the required bicycle parking is fifty (50) spaces.

**STAFF ANALYSIS (cont'd)**

Parking and Circulation (cont'd)

Access to the entire development, including outparcels, is proposed via two (2) curb cuts. The “main entrance” is located along Monroe Street, while the “secondary entrance” is located on Secor Road. The main entrance on Monroe Street will be a signalized intersection with multi-lanes in and multi-lanes out. The secondary entrance is designed as a right-in and right-out movement. These two (2) entrances direct traffic onto a twenty-four (24) foot wide interior site roadway. If approved, the out lots will not be permitted curb cuts directly onto Monroe Street or Secor Road. As a result, all traffic will utilize this interior access drive as the primary means of ingress/egress.

Large Scale Retail Projects

Large-scale retail projects over 50,000 square feet shall be subject to additional standards as outlined in TMC 1109.0300, including parking lot design, building design and the integration of a TARTA stop in the development. First, parking lots shall be designed to not exceed 200 spaces per field unless divided into two (2) or more sub-areas. The applicant appears to address this requirement via the incorporation of a landscape strip and pedestrian walkways. Walkways leading to the primary entrances are proposed from the Monroe Street and Secor Road public sidewalks, in the areas of the entrance drives. This pedestrian design will break-up the mass of the large parking lot.

The remaining two (2) standards, building design and transit stops, need to be taken into account. The proposed elevation does indicate recesses and projections; however these areas will need to be better defined. Finally, the applicant shall integrate a bus stop into the traffic and pedestrian circulation. The applicant will need to consult with TARTA and provide documentation to the Director of Planning.

Landscaping

A landscaping plan has been submitted for review. TMC§1108.0202 *Frontage Greenbelts* requires that sites over five (5) acres provide a thirty (30) foot frontage greenbelt. A frontage greenbelt of thirty (30) feet will be required along both the Monroe Street and Secor Road frontages, including each out lot once developed. The correct number of trees and shrubs will be required within all greenbelts. Staff is requesting that if approved, efforts should be taken to retain as much mature landscaping to maintain the “park like” setting that currently exists.

**STAFF ANALYSIS (cont'd)**

Landscaping (cont'd)

The interior parking lot landscaping requirement is two (2) canopy trees and six (6) shrubs for each ten (10) parking spaces within the parking lot. In addition, the applicant shall provide twenty (20) square feet of interior landscaping per parking space. Based on the landscape plan submitted the interior parking lot landscaping requirement is being met. Pursuant to TMC§1108.0406 *Irrigation/Watering*, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition and shall be required for projects of over ½ acre in site area. In addition, landscape islands are required at the end of each parking row and foundation plantings shall be incorporated into the design around the entrances.

The applicant provided a tree credit list of 252 credited trees for the 63 trees that will be retained along the I-475 property line. However, based on a successful Zone Change from RS9 to CR, a Type “A” landscape buffer would be required in this location. A Type “A” buffer of this length has a requirement of 34 trees and 167 shrubs. Based on the Type “A” buffer requirement and associated planting requirement, the tree credit will be reduced as a portion of these trees will be required to meet the Type “A” buffer yard requirement. In addition, no shrubs were indicated in the area of the Type “A” buffer. Staff is requesting that a revised landscape plan be submitted that shows a minimum of 167 shrubs in the southern Type “A” buffer and a revised tree credit plan.

Building Design

The applicant submitted elevations for consideration and review. The design primarily includes the use of brick, split-face CMU, glass and EIFS. The EIFS products shown are limited to fifteen (15) percent of any right-of-way facing façades. Staff has requested revised elevations that indicate material percentage breakdowns of all materials to be used. Based on the overall design of the site, all facades are visible from public right-of-ways and are subject to the high quality design standards as listed in TMC 1109.0501. In addition, staff is requiring the incorporation of additional windows and/or design features along the northern façade, this will aid in the varying of the mass of a large scale building.

Platting

Due to the large scale, complex nature, and need to control vehicular access, platting of this site is required pursuant to the City of Toledo Subdivision Rules and Regulations. The objectives outlined in the subdivision rules and regulations state that orderly development of land shall include safe and convenient vehicular and pedestrian circulation within, adjacent and between subdivisions. This shall be regulated through the planning, subdividing and development of land to promote and protect public health, safety, and general welfare.

**STAFF ANALYSIS (cont'd)**

Platting (cont'd)

A reconfiguration of both the Monroe and Secor Roadways is being proposed. The proposal widens both streets to accommodate deceleration lanes as well as signalized turn lanes at the Monroe Street and Secor Road intersection. In addition, the design of the site with multiple out lots will require access easements and utility infrastructure to be shared throughout the development and should be recorded on a comprehensive legal document. The result is a holistic design that is subject to agreements, variances and other regulation that necessitate commercial platting.

Recommendation

Staff recommends disapproval of the site plan request for several reasons. First, the Toledo 20/20 Comprehensive Plan targets this area for Institutional Campus uses. The 20/20 Plan is a written and graphic document that serves as a guide for community growth. It provides the basis for policies and regulations affecting growth and establishes a framework for long range planning. The intent of the Institutional Campus future land use designation is to accommodate large institutional use in campus-like settings, such as hospitals, schools and colleges. It is also used to recognize distinct areas in Toledo such as “church row” along Collingwood Boulevard. The park-like residential setting is a unique feature surrounded by commercial development and should be preserved. The redevelopment of this site, from its current “park-like residential setting”, into a large scale commercial development with multiple outparcels is not consistent with the 20/20 Plan.

Second, the commercial development does not comply with the approval criteria as outlined in TMC 1111.0809. The proposed use is not permitted in the current zoning district. Although the applicant has proposed a Zone Change for this site, staff is recommending denial as CR Regional Commercial zoning has been determined to be too intense and out of character with the surrounding area and uses. In addition, the applicant submitted a traffic study for review. Areas of this study indicate significant increases in traffic generation on the surrounding roadways, resulting in potential future issues with safe, efficient and convenient movements of traffic.

Third, the surrounding area, along Sylvania Avenue, is dominated by low-intensity land uses including a high school, an elementary school, churches, a daycare and office uses. The introduction of a zoning category such as the proposed CR Regional Commercial zoning on the south side of Sylvania Road (west of Monroe Street) would facilitate higher intensity land uses that would alter the character of the area. Currently, no Regional Commercial zoning or large scale commercial developments exist on the south side of Sylvania Avenue between Monroe Street and Talmadge Road. The intensity of the proposed development and the physical characteristics of the site plan are not compatible with the character of the area. As a result, the proposed large scale commercial development will be out of character with and detrimental to the nearby uses.

**STAFF ANALYSIS (cont'd)**

Recommendation (cont'd)

Fourth, over the past decade several large scale retail developments have occurred within the general vicinity of the proposed site and have added a substantial amount of square footage to the area. These developments have occurred on sites historically used for commercial purposes and have not resulted in the spread of commercial development on residential parcels. The addition of 125,000 square feet of floor area in addition to four (4) out lots will increase commercial acreage in the area while leaving an existing commercial site vulnerable to vacancy and blight.

As a result of the current and future land use designation, inconsistencies with the approval criteria as outlined in TMC 1111.0809, the sites proximity to Norte Dame Academy, Christ the King Elementary School, low intensity commercial uses and residential neighborhoods and over saturation of commercial acreage in the area, this site does not appear to be a viable location for a large scale intense commercial use. Therefore, staff recommends disapproval of the site plan review

Although staff is recommending disapproval, conditions are provided for information purposes in Exhibit "A".

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission disapprove of SPR-10-15, a major site plan review for a new commercial development, located at 3835 Secor Road, for the following four (4) reasons:

1. The proposed site plan review does not conform to the Toledo 20/20 Comprehensive Plan, which targets the site for Institutional Campus uses;
2. The proposed use does not comply with all standards of the Toledo Municipal Code (TMC 1111.0809.A Approval Criteria);
3. The proposed is not permitted in the district in which it is located (TMC 1111.0809.B Approval Criteria); and
4. The proposed use does not provide safe, efficient and convenient movements of vehicular ingress and egress to and from the site, not only on the site but also on adjacent roadways (TMC 1111.0809.C Approval Criteria).

REF: SPR-10-15 . . . June 11, 2015

MAJOR SITE PLAN REVIEW  
TOLEDO CITY PLAN COMMISSION

REF: SPR-10-15

DATE: June 11, 2015

TIME: 2 P.M.

BH/jj

Five (5) sketches follow

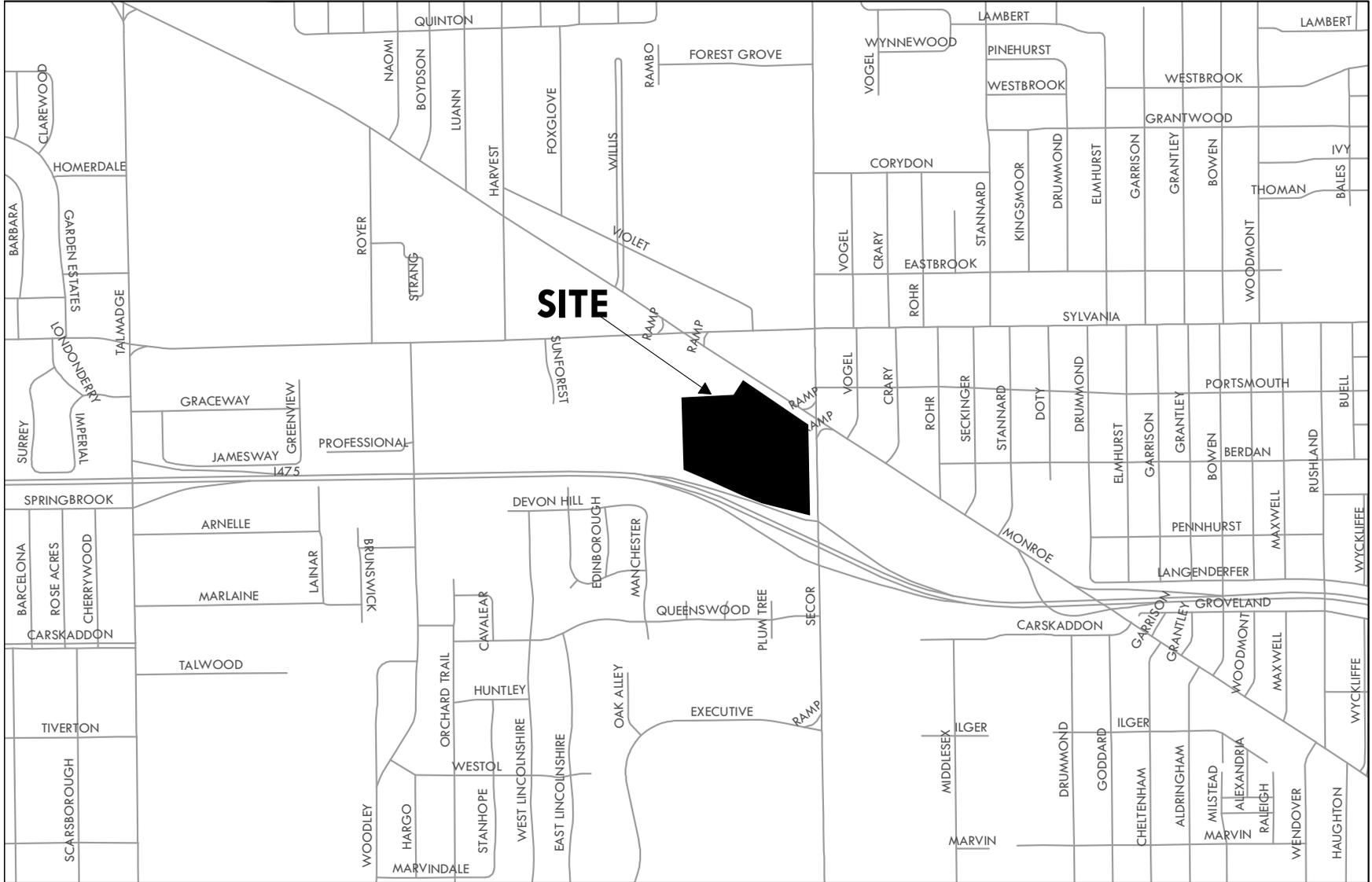
Exhibit "A"

# GENERAL LOCATION

SPR-10-15  
ID 78



8 - 9

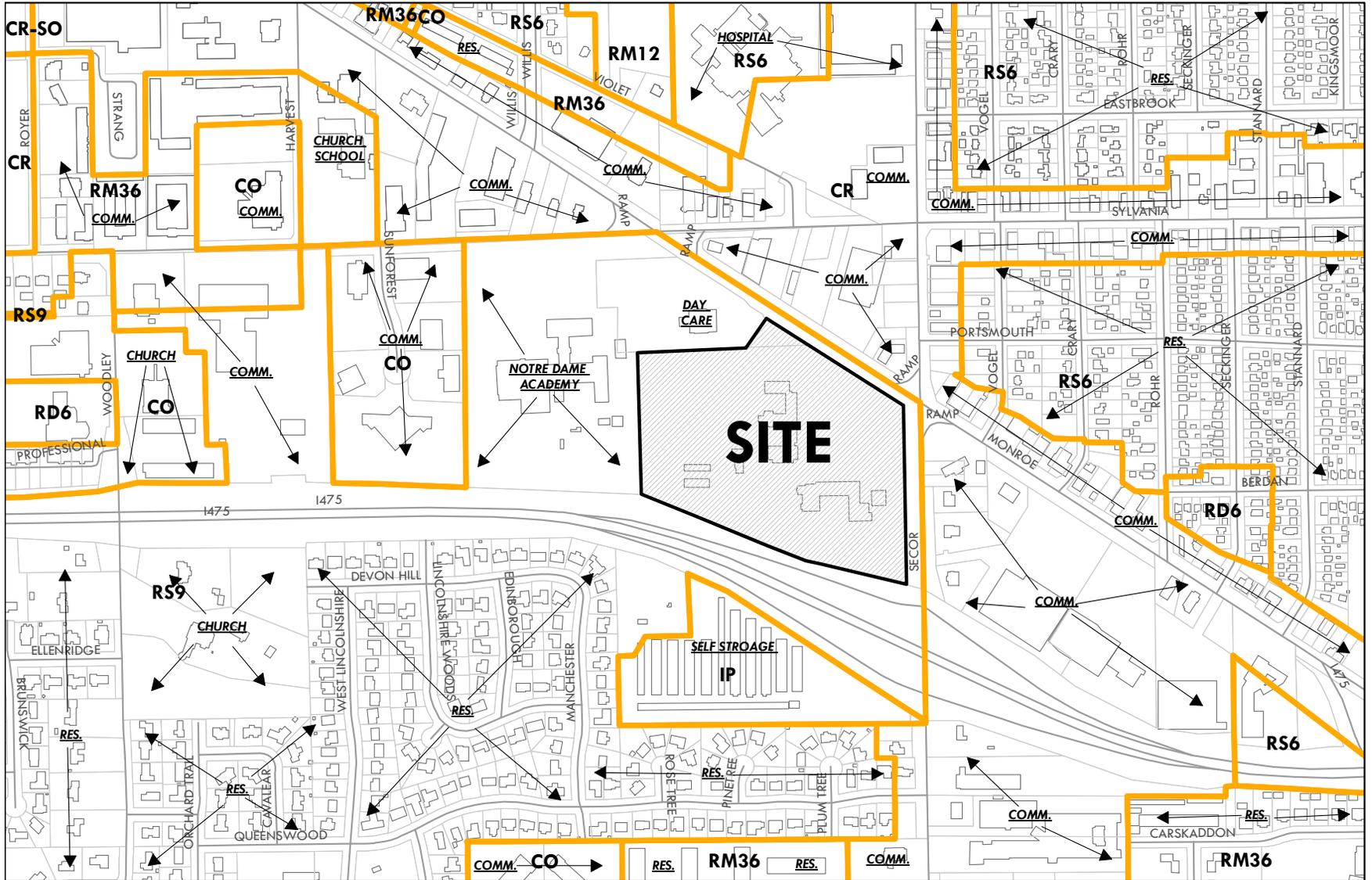


# ZONING & LAND USE

SPR-10-15  
ID 78



6-9

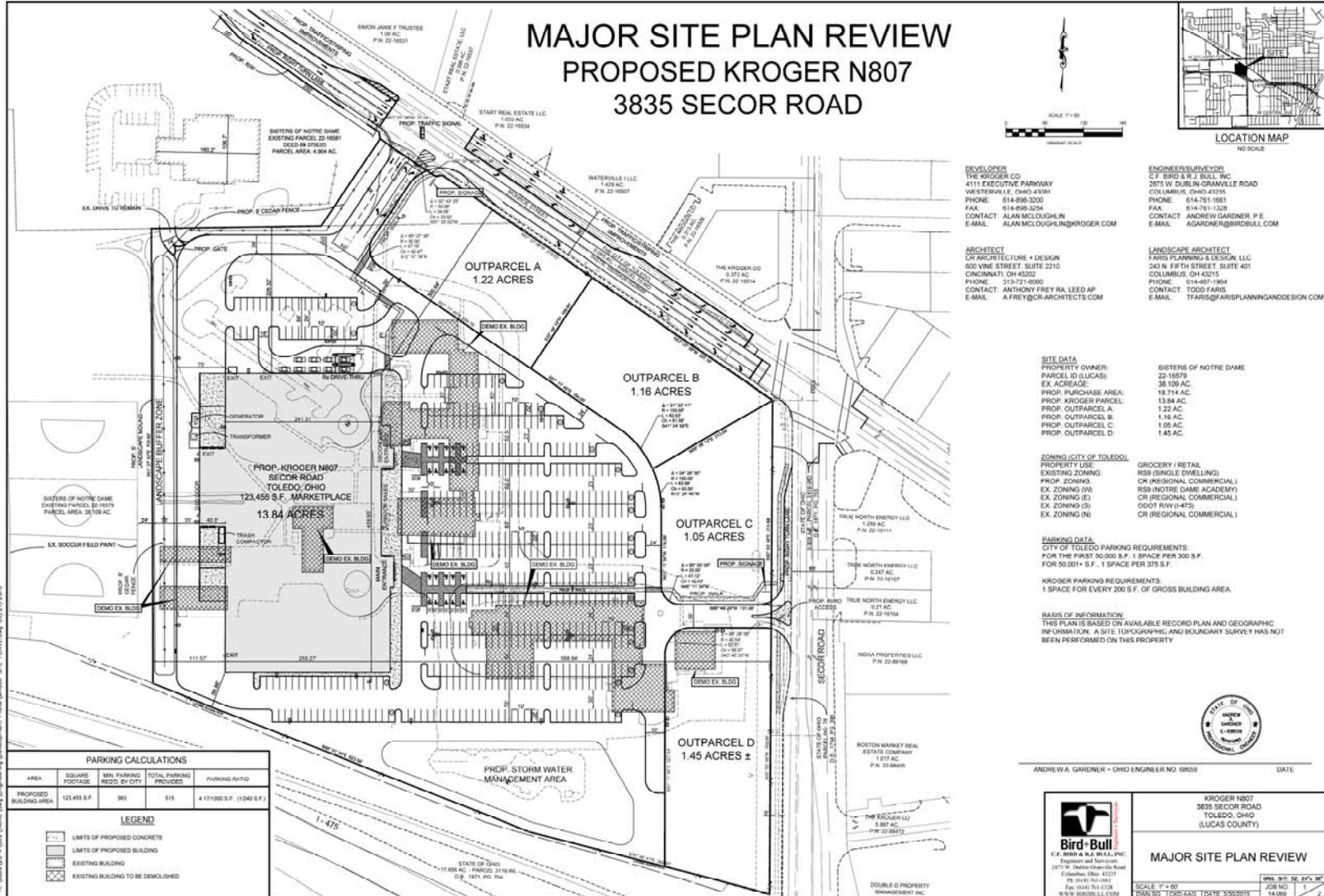


# SITE PLAN

SPR-10-15  
ID 78



## MAJOR SITE PLAN REVIEW PROPOSED KROGER N807 3835 SECOR ROAD



**DEVELOPER**  
THE KROGER CO  
4111 EXECUTIVE PARKWAY  
WESTERVILLE, OHIO 43081  
PHONE: 614-898-3200  
FAX: 614-898-3204  
CONTACT: ALAN MCGLOUGHLIN  
E-MAIL: ALAN.MCGLOUGHLIN@KROGER.COM

**ENGINEER/SURVEYOR**  
C.F. BIRD & R.J. BULL, INC.  
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**ARCHITECT**  
DR ARCHITECTURE + DESIGN  
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**LANDSCAPE ARCHITECT**  
FARIS PLANNING & DESIGN, LLC  
243 N. FIFTH STREET, SUITE 401  
COLUMBUS, OH 43215  
PHONE: 614-467-1904  
CONTACT: TODD FARIS  
E-MAIL: TFAIRIS@FARISPLANNINGANDDESIGN.COM

**SITE DATA**  
PROPERTY OWNER: SISTERS OF NOTRE DAME  
PARCEL ID (LUCAS): 22-16579  
EX. ACREAGE: 38.109 AC.  
PROP. PURCHASE AREA: 18.714 AC.  
PROP. KROGER PARCEL: 13.84 AC.  
PROP. OUTPARCEL A: 1.22 AC.  
PROP. OUTPARCEL B: 1.16 AC.  
PROP. OUTPARCEL C: 1.05 AC.  
PROP. OUTPARCEL D: 1.45 AC.

**ZONING (CITY OF TOLEDO)**  
PROPERTY USE: GROCERY / RETAIL  
EXISTING ZONING: RS9 (SINGLE DWELLING)  
PROP. ZONING: CR (REGIONAL COMMERCIAL)  
EX. ZONING (W): RS9 (NOTRE DAME ACADEMY)  
EX. ZONING (E): CR (REGIONAL COMMERCIAL)  
EX. ZONING (S): ODOT RAY (I-475)  
EX. ZONING (N): CR (REGIONAL COMMERCIAL)

**PARKING DATA**  
CITY OF TOLEDO PARKING REQUIREMENTS:  
FOR THE FIRST 50,000 S.F.: 1 SPACE PER 300 S.F.  
FOR 50,001+ S.F.: 1 SPACE PER 375 S.F.

**KROGER PARKING REQUIREMENTS**  
1 SPACE FOR EVERY 200 S.F. OF GROSS BUILDING AREA.

**BASIS OF INFORMATION:**  
THIS PLAN IS BASED ON AVAILABLE RECORD PLAN AND GEOGRAPHIC INFORMATION. A SITE TOPOGRAPHIC AND BOUNDARY SURVEY HAS NOT BEEN PERFORMED ON THIS PROPERTY.

PARKING CALCULATIONS				
AREA	SQUARE FOOTAGE	MIN. PARKING REQS. BY CITY	TOTAL PARKING PROVIDED	PARKING RATIO
PROPOSED BUILDING AREA	123,455 S.F.	363	515	4.17(1)80 S.F. (1.04) S.F.

LEGEND	
[Symbol]	LIMITS OF PROPOSED CONCRETE
[Symbol]	LIMITS OF PROPOSED BUILDING
[Symbol]	EXISTING BUILDING
[Symbol]	EXISTING BUILDING TO BE DEMOLISHED

ANDREW A. GARDNER - OHIO ENGINEER NO. 69559 DATE: \_\_\_\_\_

**Bird+Bull**  
C.F. BIRD & R.J. BULL, INC.  
Engineers and Surveyors  
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Columbus, Ohio 43229  
PH: 614-761-1961  
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WWW.BIRDBULL.COM

KROGER N807  
3835 SECOR ROAD  
TOLEDO, OHIO  
(LUCAS COUNTY)

**MAJOR SITE PLAN REVIEW**

DATE: \_\_\_\_\_  
JOB NO.: \_\_\_\_\_  
14-089 \_\_\_\_\_

6 - 10





**Exhibit “A”**  
REVIEW AGENCY CONDITIONS

The following fifty-four (54) 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. Substandard sidewalk and curb sections that exist within the public right-of-way abutting the site shall be replaced in accordance with City of Toledo Construction Standards and Toledo Municipal Code. Contact Joe Warnka at (419) 245-1341 for inspections. Contact Joe Warnka at (419) 245-1341 for inspections.
2. All proposed drive approaches, curb, and sidewalk shall be constructed in accordance with the City of Toledo Construction Standards and Toledo Municipal Code. All commercial drive approaches shall be 8-inch-thick concrete. No curb shall be permitted in the right-of-way along either side of the drive approach. **No horizontal curb cutting will be permitted.**
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. Occupancy permits will not be issued until all inspections have been completed.
4. Water service is available subject to the Rules and Regulations of the Department of Public Utilities.
5. Our records indicate that there is an existing private hydrant serving the adjacent parcel to the west that will need to be relocated onto said parcel. A separate plan will need to be submitted to the Division of Engineering Services for the relocation of this hydrant.
6. All existing water services to structures removed from the site will be abandoned at the owner’s/developer’s expense.
7. Plans for new water services 4-inch diameter and larger 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.

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

Engineering Services (cont’d)

9. The private fire line loop for the site shall be located within the main parcel and shall have a single owner that will be responsible for maintenance of the private fire line loop. Outparcel owners desiring to tap into the private fire line loop shall enter into an agreement with the owner of the fire line for permission to utilize the fire line loop for fire or domestic purposes.
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 sanitary or storm sewers. Maintain 12 inches of vertical clearance between proposed water service and any underground utility.
11. Contact the Division of Water Distribution to determine the backflow prevention requirements for this site.
12. New fire, domestic, and irrigation taps will be installed by City of Toledo at the owner’s/developer’s expense.
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. Storm Service is available subject to the Rules and Regulations of the Department of Public Utilities.
15. Plan Commission submittal indicates earth-disturbing activities greater than 2,500 square feet; therefore, a detailed site-grading plan for this project shall be submitted for stormwater approval.
16. 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 Best Management Practices (BMPs).
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.

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

Engineering Services (cont’d)

18. 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.
19. Post-construction BMPs for sites greater than 5 acres disturbed shall be selected from and designed in accordance with the latest Ohio EPA General Stormwater NPDES Permit Table 2 “Structural Post-Construction BMPs & Associated Drain (Drawdown) Times.”
20. Sites greater than 10 acres disturbed shall utilize a sediment-settling pond during construction for sediment and erosion control. Design requirements of a sediment-settling pond can be found in the latest Ohio EPA General Stormwater NPDES permit.
21. If the proposed stormwater management area is to satisfy the stormwater detention and post-construction BMPs for the entire developed property, including any future outparcel development, an overall drainage layout and design shall be developed, including an agreement between the outparcel owners and the main parcel owner establishing permission to drain through main property and to utilize the stormwater management area, and to establish the maintenance responsibilities of each party. Otherwise, each parcel, when developed, will be required to comply individually with the Ohio EPA General Stormwater NPDES permit Table 2 BMP’s at the time of their development.
22. Per City of Toledo Infrastructure Design and Construction Requirements, allowable stormwater discharge is based on right-of- way frontage. It is highly suggested that the engineer/developer schedule a pre-submittal stormwater meeting with the City of Toledo during their stormwater management planning/designing phase to discuss allowable discharge from the site.
23. 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. Proposal Suggestion: Parking-lot islands could be designed as bio-retention areas which could help satisfy the post-construction BMP requirement.

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

Engineering Services (cont'd)

24. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer. Our records indicate there are existing storm sewers on this property that service the adjacent parcel to the west. Property owners shall enter into an agreement establishing permission to drain through the property and the maintenance responsibilities of each party.
25. No construction work, including grading, will be permitted without approved plans and inspection.

A pre-submittal meeting is not required; however, one may be requested. 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; Andy Stepnick 419-245-1338  
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.
28. If there are any existing structures to be demolished at the site, the sanitary services to such structures will be killed by the City of Toledo at the developer's cost.
29. Any existing sewers under proposed buildings shall be relocated or abandoned. Developer shall verify any sewers to be abandoned are no longer in service.
30. Developer shall verify the routing of the existing site sewer connection into the public sewer.

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

Sewer & Drainage Services

31. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
32. 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

33. Fire Department connection must be located on plan Northwest corner of building (Monroe Street site).

Building Inspection

34. The construction of any new structure, addition, or alterations to any existing building and/or parking lot will require construction documents stamped by a design professional to be submitted to the Division of Building Inspection for review and approval. Construction documents must show that the new structure, addition or alterations will be built 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 requirements.
35. Any signs on the property, will require a separate plan review and permit(s) in accordance with the City of Toledo's sign codes (TMC §1377-§1397).
36. 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.

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

Plan Commission

37. The applicant shall reduce the scale of the parking areas as outlined in TMC 1109.0303, providing no more than 200 spaces per parking field. Parking areas of more than 200 spaces shall be divided into two (2) or more sub-areas.
38. Internal pedestrian connecting walkways shall be provided from each primary street frontage to the principal customer entrance(s).
39. Out lots shall utilize internal roadway for access. No curb cuts shall be permitted directly on to Monroe Street or Secor Road.
40. Wall surfaces longer than 100 feet shall incorporate a series of recesses or offsets that vary the depth of the building wall by a minimum of four (4) feet. Not less than twenty-five (25) percent of the wall shall be varied this way. **A revised elevation shall be submitted indicating compliance with this requirement.**
41. The northern façade shall include additional windows to aid in the varying of the mass of a large scale building, **subject to the review and approval of the Director of Planning.**
42. A TARTA stop as outlined in TMC 1109.0307 shall be incorporated into the design; **subject to the review and approval of the Director of Planning.**
43. The applicant shall plat the subject property and out lots in accordance with the City of Toledo Subdivision Rules and Regulations. This plat shall include a thirty (30) foot landscape easement along all street frontages, language addressing any shared access or shared parking agreements, and restrictions prohibiting additional curb cuts on Monroe Street and/or Secor Road.
44. The applicant shall submit a revised elevation that identifies all exterior materials to be used and the percentage of materials per façade. All building facades shall consist of a minimum 75% high quality material.
45. The building materials of the addition 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. Exterior building materials shall not include concrete blocks, concrete panels or wood sheet goods. EIFS products are limited to fifteen (15) percent of any façade. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors. The submitted elevations appear to meet the requirements of TMC 1109.0500 Building Façade Materials and Color.

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

Plan Commission (cont’d)

46. 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.
47. Incorporate curbs or other substantial permanent barriers to prevent encroachment of the vehicles into the required setback and landscape areas.
48. Ground level mechanical equipment shall be screened a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks.
49. Final landscape plan shall include the retention of as many existing mature trees as possible, **subject to the review & approval of the Plan Director, in consultation with the City of Toledo’s Landscape Architect.**
50. 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 thirty (30) foot Frontage Greenbelt is required along both the Monroe Street and Secor Road frontages and shall include one tree for every thirty (30) of lot frontage and a solid evergreen hedge. This applies to the main lot & all out lots; **shall be noted on revised landscape plan.**
  - b. Type “A” Landscape buffer is required along the western, northwestern and southern property lines where abutting residential zoning, a twenty-five (25) foot wide Type “A” Buffer shall include four (4) trees and twenty (20) shrubs for every 100 Linier feet of property line; **shall be noted on revised landscape plan.**
  - c. Foundation plantings are required along all main and secondary entrances of the building that are visible from the public right of way, and landscaping at all major building entrances. (TMC 1108.0205.B Landscaping and Screening; **acceptable as depicted on plan.**
  - d. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage; **acceptable as depicted on landscape plan.**
  - e. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained; **a revised preserved tree credit list shall be submitted.**

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

Plan Commission (cont’d)

- f. If site is ½ acre or larger, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans must be submitted with development plans and must contain all construction details; **acceptable as depicted on landscape plan.**
- g. Interior site landscaping shall include one (1) tree per 1000 square feet of building coverage. Interior site landscaping may consist of foundation shrub plantings and new tree planting or preservation of existing trees.
- h. Total interior parking lot landscaping shall be twenty (20) square feet per parking space. Landscape areas within the parking area shall be peninsular or island types and must be constructed with six (6) inch by eighteen (18) inch concrete curbing.
- i. All parking spaces must be within 100 linear feet of a landscaped area.
- j. All landscaped areas must have a minimum dimension of at least nine (9) feet and be at least 160 square feet in area.
- k. Topsoil must be back filled to provide positive drainage of the landscape area.
- l. 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.
- m. Landscape terminal islands must be provided at the end of each parking row.
- n. Divider medians that form a continuous landscaped strip may be installed between abutting rows of parking spaces; median shall be a minimum of ten (10) feet in width.
- o. Two canopy trees and six shrubs are required to be installed in interior landscape areas for each ten (10) parking spaces within the parking lot (existing trees may be used for credits).
- p. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place or driveway, or which is visible from an adjacent property, and shall be ten (10) feet in width.
- q. The location, height and materials for any fencing to be installed and maintained.
- r. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); and

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

Plan Commission (cont'd)

- s. The location, lighting and size of any signs.
- 51. Free-standing pylon signage is prohibited. Low profile signage not to exceed forty-two (42) inch in height shall be permitted.
- 52. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed and maintained indefinitely.
- 53. 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.
- 54. 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.

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## GENERAL INFORMATION

### Subject

- Request - Request for Zone Change from CN Neighborhood Commercial to CR Regional Commercial
- Location - 2485, 2487 & 2497 N. Detroit Ave
- Applicants - Robert Ramsey  
1330 Brookview Dr Apt 6  
Toledo, OH 43615

### Site Description

- Zoning - CN Neighborhood Commercial
- Area - .362 acres
- Frontage - 156 feet on Detroit Ave and 144 feet on Delaware Ave
- Existing Use - Office building
- Proposed Use - Used car sales

### Area Description

- North - Duplex Residential / RD6
- South - Multiple Residential / RM36
- East - Neighborhood Commercial / CN
- West - Duplex Residential / RD6

### Parcel History

- Z-110-63 - File unavailable.
- SUP-254-78 - Special Use Permit for a service station located at 2485 N. Detroit Ave approved by Plan Commission on 1/25/79, City Council approved the request on 2/6/79, Ord. 96-79.
- Z-3058-96 - Zone Change request from R-5 Multiple Dwelling District to C-1 Neighborhood Commercial located at 2481 N Detroit Ave was approved by the Plan Commission on 2/13/96; City Council approved the request on 2/21/97, Ord. 132-97.

**GENERAL INFORMATION (cont'd)**

Parcel History (cont'd)

- SUP-1009-97 - Amend SUP-254-78 granted for a service station located at 2485 N. Detroit Ave approved by Plan Commission on 7/10/97, City Council approved the request on 7/30/97, Ord. 499-97.
- Z-6004-04 - Zone Change request for CN to CR for 2481 N Detroit Ave was disapproved by Plan Commission on 8/18/04; City Council approved the request on 10/5/04, Ord. 695-04.
- SUP-3007-15 - Special Use Permit for used car sales, 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 CN Neighborhood Commercial to CR Regional Commercial for a site located at 2485, 2487 and 2497 N. Detroit Ave. The .362-acre site has an existing structure located on two of the parcels and is owned by the applicant. A Special Use Permit accompanies this case. The applicant is requesting the Zone Change in order to open a used car sales lot on the corner of N. Detroit Ave and Delaware Ave.

The Toledo 20/20 Comprehensive Plan targets this site for Neighborhood Commercial uses. The Neighborhood Commercial category is intended for small and medium commercial uses that serve neighborhoods. The Plan recommends that strip commercial development be contained along major streets in neighborhoods by limiting the commercial uses within 650 feet in both directions of major commercial intersections within designated neighborhoods. The Plan recommends that these neighborhood commercial nodes be the focus of future retail and commercial development and that intrusion into the neighborhoods not be permitted at other points. The proposed CR Regional Commercial zoning does not conform to the 20/20 Plan.

Additionally, the proposed zoning is not consistent with zoning classifications of the properties within the general vicinity of the site. The parcels to the north, south and west of the site are currently zoned RD6 Duplex Residential and RM36 Multiple Residential. On the east side of parcel, the parcel located on the corner of N. Detroit and Hollywood is zoned CN Neighborhood Commercial.

**STAFF ANALYSIS (cont'd)**

Finally, residential neighborhoods are located on all three sides of the site. The proposed CR Regional Commercial zoning allows for the establishment of intense commercial uses that are not compatible with these surrounding land uses.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommends disapproval of Z-3007-15, a request for a Zone Change from CN Neighborhood Commercial to CR Regional Commercial for a site located at 2485, 2487 and 2497 N. Detroit Ave, to the Toledo City Council, for the following three (3) reasons:

1. The propose Zone Change does not conform to the Toledo 20/20 Comprehensive Plan;
2. The proposed Zone Change is not consistent with existing land uses within the general vicinity of the subject property (TMC 1111.0606.B *Review and Decision-Making Criteria*); and
3. The proposed CR Regional Commercial zoning is not compatible with the zoning classifications of properties within the general vicinity of the subject property (TMC 1111.0606.C *Review and Decision-Making Criteria*).

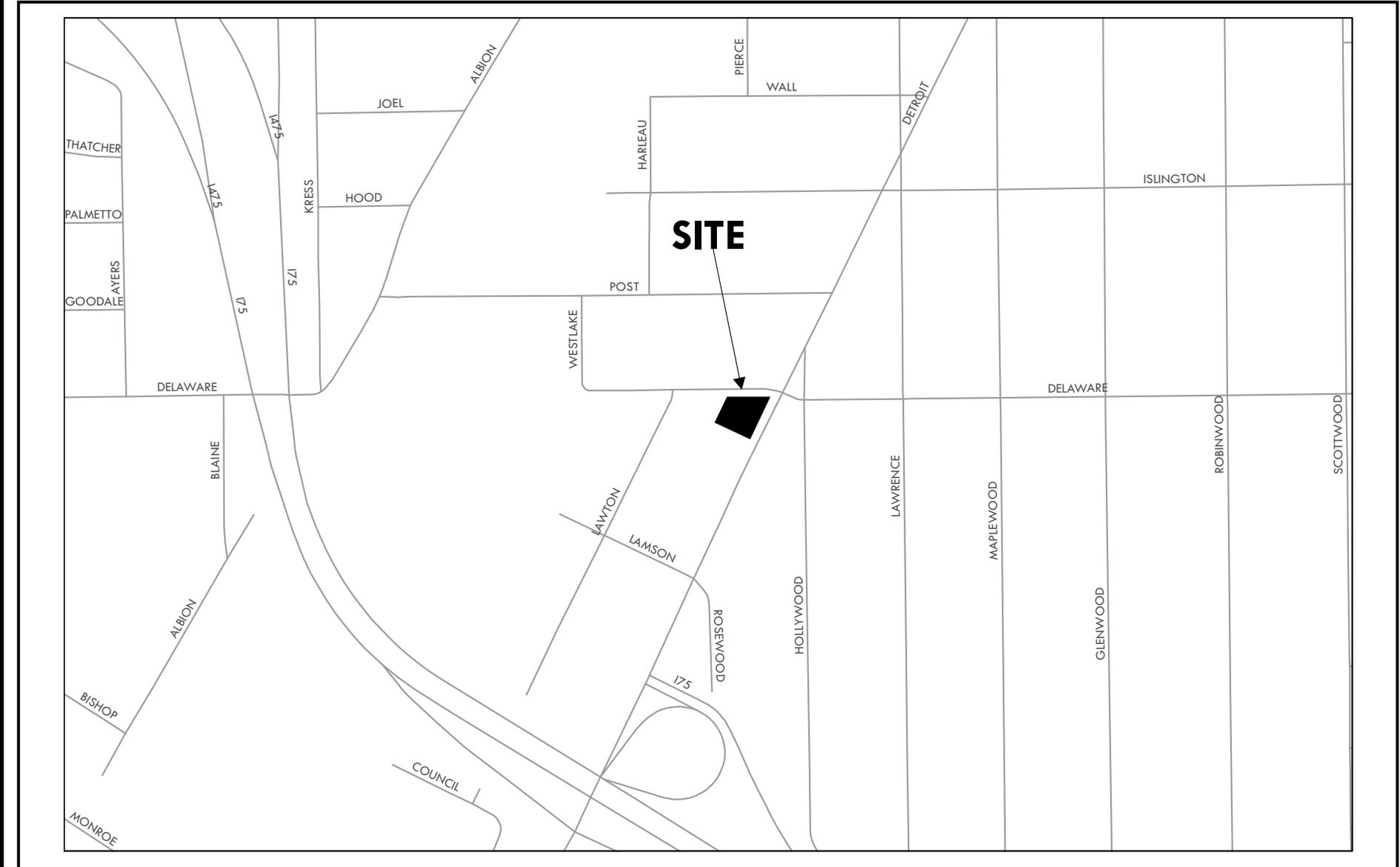
ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-3007-15  
DATE: June 11, 2015  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: July 15, 2015  
TIME: 4:00 P.M.

MM/jj  
Two (2) sketches follow

# GENERAL LOCATION

Z-3007-15  
ID 17



# ZONING & LAND USE

Z-3007-15  
ID 17



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## GENERAL INFORMATION

### Subject

- Request - Request for a Special Use Permit for a Used Auto Sales Facility
- Location - 2481, 2485, 2487 and 2497 N. Detroit Ave
- Applicants - Robert Ramsey  
1330 Brookview Dr Apt 6  
Toledo, OH 43615

### Site Description

- Zoning - CN Neighborhood Commercial
- Area - .492-acres
- Frontage - 156 feet on Detroit Ave and 144 feet on Delaware Ave
- Existing Use - Office building
- Proposed Use - Used car sales

### Area Description

- North - Duplex Residential / RD6
- South - Multiple Residential / RM36
- East - Neighborhood Commercial / CN
- West - Duplex Residential / RD6

### Parcel History

- Z-110-63 - File unavailable.
- SUP-254-78 - Special Use Permit for a service station located at 2485 N. Detroit Ave approved by Plan Commission on 1/25/79, City Council approved the request on 2/6/79, Ord. 96-79.
- Z-3058-96 - Zone Change request from R-5 Multiple Dwelling District to C-1 Neighborhood Commercial located at 2481 N Detroit Ave was approved by the Plan Commission on 2/13/96; City Council approved the request on 2/21/97, Ord. 132-97.

**GENERAL INFORMATION (cont'd)**

Parcel History (cont'd)

- SUP-1009-97 - Amend SUP-254-78 granted for a service station located at 2485 N. Detroit Ave approved by Plan Commission on 7/10/97, City Council approved the request on 7/30/97, Ord. 499-97.
  
- Z-6004-04 - Zone Change request for CN to CR for 2481 N Detroit Ave was disapproved by Plan Commission on 8/18/04; City Council approved the request on 10/5/04, Ord. 695-04.
  
- SUP-3007-15 - Special Use Permit for used car sales, companion case.

Applicable Plans and Regulations

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

**STAFF ANALYSIS**

The applicant is requesting a Special Use Permit to open a used car facility located at 2481, 2485, 2487 and 2497 N. Detroit Ave. The .492-acre site is owned by the applicant and is currently occupied by a vacant building. A companion Zone Change from CN Neighborhood Commercial to CR Regional Commercial accompanies this case. The applicant was encouraged to host a public meeting and send notices to the abutting property owners. Staff provided the name list to the applicant for the mailing to include attending the public meeting on April 21st from 6:30 pm until 7:30 pm at the Mott Public Library on Dorr St. There was no opposition for the request at this meeting. Prior to the meeting, the applicant did go door to door and received signatures in support of the request.

Previously, the site was used as a gas station and a portion of the site was used car for sales. The applicant had the existing underground storage tanks inspected to ensure there are no leaks. The Department of Commerce issued a permit to confirm the tanks are in compliance.

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

### Used Auto Regulations

The TMC§1104.0300 – Auto and RV Sales, Used Only outlines site design criteria for used auto sales facilities before a Special Use Permit can be granted. Used auto sales facilities shall be located on a lot with no less than one-half (1/2) acre and provide an average width of 150 feet along the main road frontage. In addition, the applicant shall clearly define the open display areas and customer/employee parking areas. The site is .492-acres and has an average width of approximately 192 feet on Detroit Ave and 145 feet on Delaware Ave when measured according to TMC 1104.0306. The site is in compliance with the frontage requirement but not the acreage requirement. Additionally, TMC 1104.0300 requires a fifty (50) foot separation between open display areas and the residentially zoned parcels to the west and south. Per the site plan as submitted, this criteria has not been met.

### Parking and Circulation

The required parking for used auto sales is 1 space per 5,000ft<sup>2</sup> of open sales area, 1 space per 500ft<sup>2</sup> of enclosed sales area and 1.5 spaces per service bay as shown in TMC 1107.0300. The subject site requires thirteen (13) spaces. The applicant has proposed a vehicle storage area that will be fenced in on the site plan. No allowance is made for a display area for vehicle sales. If approved, a revised site plan showing striped parking spaces for the display vehicles shall be provided. Additionally, the vehicle display area must offer appropriate drive aisle widths for circulation.

### Building Elevation

The applicant will re-use the existing building on the site and has not submitted a building elevation for the proposed facility. However, because the building is existing modifications will not be required unless a future addition takes place.

### Landscaping

Currently, the site has little landscaping. A fifteen (15) foot greenbelt is required along all street frontages. The proposed site plan indicates compliance with this requirement, offering fifteen (15) foot greenbelts along Detroit Ave and Delaware Ave. As required, a ten (10) foot landscape buffer is shown along the southern property line where the site abuts residential zoning. This must include ten (10') feet of landscaping with a solid wood fence. The existing six foot chain-link fence does not meet the buffers and screening requirements.

If approved, staff is requiring the installation of wheel stops in the parking spaces that are in front of the building and abutting the landscape buffer. Additionally, one sign is required to be posted directly in front of the handicap parking space that is provided.

**STAFF ANALYSIS (cont'd)**

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Neighborhood Commercial uses. The Neighborhood Commercial category is intended for small and medium commercial uses that serve neighborhoods. The Plan recommends that strip commercial development be contained along major streets in neighborhoods by limiting the commercial uses within 650 feet in both directions of major commercial intersections within designated neighborhoods. The Plan recommends that these neighborhood commercial nodes be the focus of future retail and commercial development and that intrusion into the neighborhoods not be permitted at other points. Staff recommends disapproval of the applicant's request because the proposed use does not conform to the 20/20 Plan and is out of character with surrounding land uses. Additionally, the criteria governing the location of used auto sales lots cannot be met.

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

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend disapproval of SUP-3008-15 a request for a Special Use Permit to for a site located at 2481, 2485, 2487 and 2497 N. Detroit Ave, to the Toledo City Council, for the following three (3) reasons:

1. The proposed use does not conform to the Toledo 20/20 Comprehensive Plan.
2. The proposed use is out of character with surrounding land uses; and
3. The site cannot meet the criteria of TMC 1104.0300 "Auto and RV Sales, Used Only".

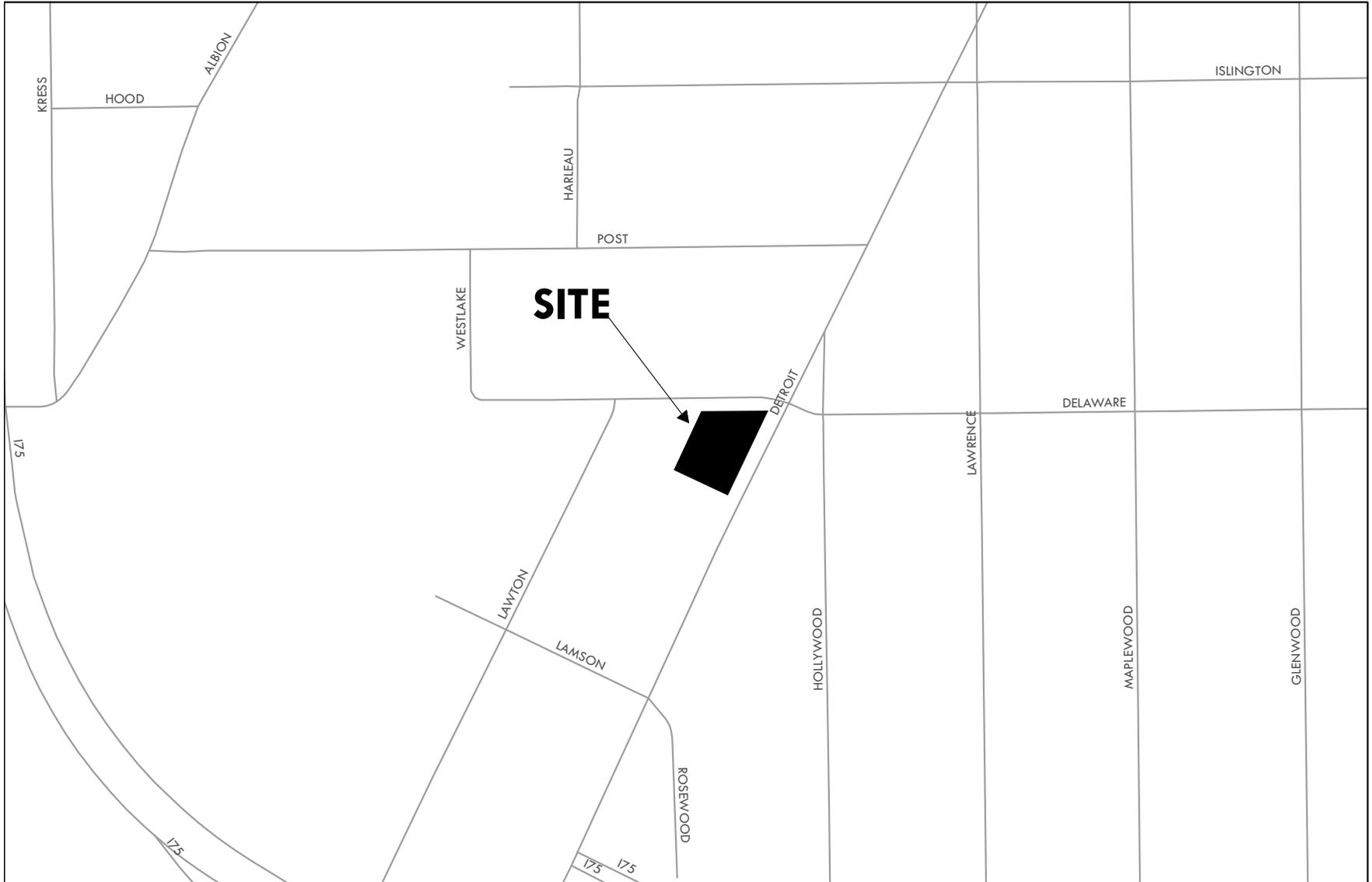
SPECIAL USE PERMIT  
TOLEDO CITY PLAN COMMISSION  
REF: SUP-3007-15  
DATE: June 11, 2015  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: July 15, 2015  
TIME: 4:00 P.M.

MM/jj  
Three (3) sketches follow  
Exhibit "A"

# GENERAL LOCATION

SUP-3008-15  
ID 17





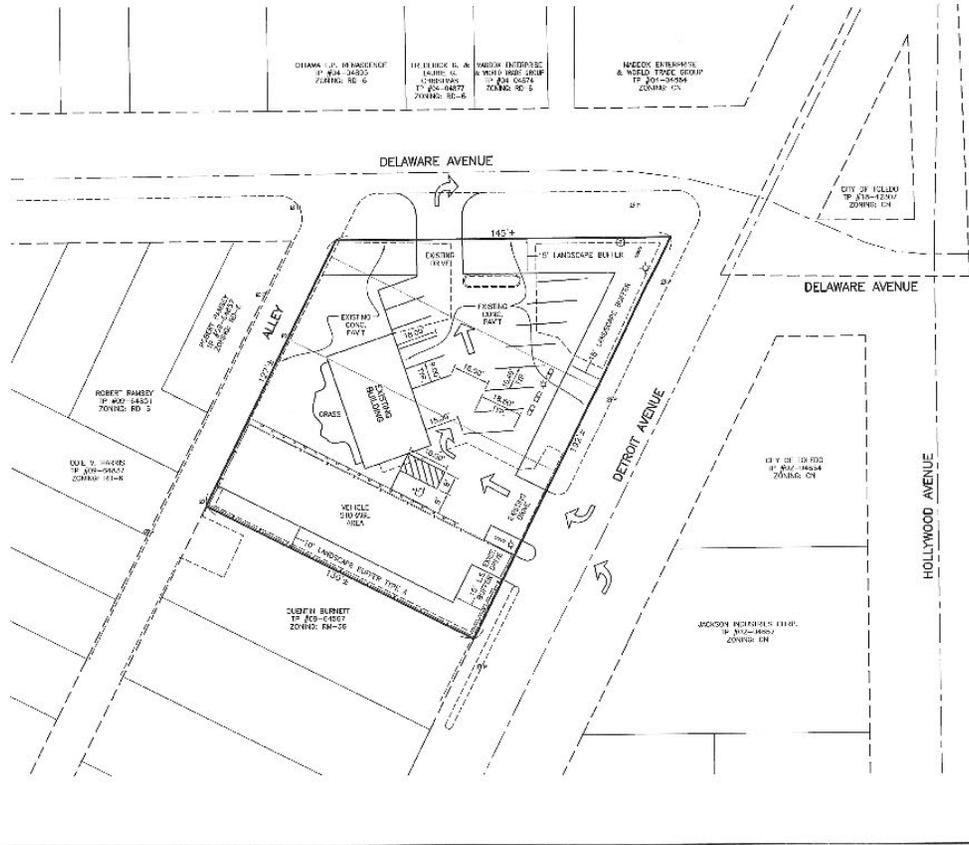
# SITE PLAN

SUP-3008-15  
ID 17



## Ramsey Used Car Sales

CITY OF TOLEDO, LUCAS COUNTY, OHIO



### ZONING DATA

TAX PARCEL No.	EXISTING ZONING	PROPOSED ZONING
08-84551	CN	CR
08-84557	CN	CR
08-84561	CN	CR
08-84564	CN	CR

### PARKING SUMMARY

REQUIRED:	OPEN SALES AREA	= 2
	ENCLOSED SALES AREA	= 1
	SERVICE BAY	= 5
	TOTAL REQUIRED	= 8
	TOTAL PROVIDED	= 13

### OWNER/DEVELOPER:

ROBERT RAMSEY II  
1330 BROOKVIEW DR., #6  
TOLEDO, OHIO 43614



1633 Woodstone Drive, Maumee, Ohio 43537  
Phone: (419) 885-2482  
Fax: (419) 885-2482  
www.fellerfinch.com



PROJECT: RAMSEY USED CAR SALES  
SHEET: PROPOSED USED CAR SALES

DATE	DESCRIPTION
11-20-15	PRELIMINARY
4-22-15	REVISED
10-07-14	REVISED
10-07-14	REVISED
10-07-14	REVISED

SHEET 1 of 1

**Exhibit “A”**  
Review Agency Conditions

The following thirty (31) 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 the current City of Toledo Construction Standards Specifications; The Toledo Municipal Code; and The Americans with Disabilities Act Guidelines.
2. All **proposed** drive approaches, curb, and sidewalk shall be constructed in accordance with the City of Toledo Construction Standards and Toledo Municipal Code. All commercial drive approaches shall be 8-inch-thick concrete. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted.**
3. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from the One Stop Shop, ph. (419) 245-1220. Occupancy permits will not be issued until all inspections have been completed.
4. 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 Best Management Practices (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.

Transportation

5. The vehicle storage area south end of property needs to show parking stalls and drive aisle spacing.

**Exhibit "A" (cont'd)**  
Review Agency Conditions

Transportation (cont'd)

6. Only one access drive on Detroit shall be permitted. The other drives shall be removed and curb and sidewalk replaced in accordance with City of Toledo Construction Standards.
7. The traffic flow within the site is too tight and will not allow maneuverability to all parking stalls. Additionally, not all parking stalls support a one-way traffic flow a mixture of angled and ninety degree spaces are shown.
8. Crumbling and deteriorating curbs and sidewalks should be rebuilt in accordance with City of Toledo Construction Standards.
9. Cracked and crumbling concrete and/or asphalt included in the display/customer parking area shall be resurfaced with concrete, with bituminous asphalt, or other dust free material other than gravel or loose fill.
10. All parking areas shall be clearly marked and meet the dimension requirements of the Toledo Municipal Code.
11. The division of Transportation does not object to the approval of the site plan by the Plan Commission provided the previously mentioned conditions are addressed to the satisfaction of this division.

Building Inspection

12. The property is NOT in a special flood hazard area (SFHA).
13. Construction of a new multi-unit halfway house 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 (Ohio Building Code). 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 and installations, in accordance with the Administrative Code of the Ohio Building Code Chapter 106 and federal Accessibility regulations.
14. Any new fencing or signage will require separate plan review, approval and permits through the Division of Building Inspection.

**Exhibit “A” (cont’d)**  
Review Agency Conditions

Sewer and Drainage Services

15. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
16. 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 two (2) years. An electric copy (DVD/memory stick) shall be provided to S&DS demonstrating the lines cleaning and integrity.

Fire Prevention

No comments or objections to site plan as submitted.

Economic Development

No comments or objections to site plan as submitted.

Plan Commission

17. Incorporate curbs or other substantial permanent barriers to prevent encroachment of the vehicles into the required setback and landscape areas. (TMC 1108.0302.B. Use Regulations).
18. Elevated displays lifts or metal structures used in conjunction with the display of motor vehicles shall be permitted only within those areas specifically designated upon the site plan and shall not be allowed in any required front yard. (TMC 1104.0302.A. Use Regulations).
19. A 50’ separation measured along the street frontage between open display sales lot and a residential district boundary line shall be maintained and fifteen (15) parking spaces shall be denoted and reserved for “Customer and Employee only”; **shall be noted on revised site plan.**
20. All used motor vehicles parked or displayed outdoors shall conform to Chapter 337, Safety and Equipment, of the Traffic Code and shall be operable.
21. Repairs and services of vehicles shall be conducted wholly within an enclosed building permanently located on the site.

**Exhibit “A” (cont’d)**  
Review Agency Conditions

Plan Commission (cont’d)

22. Any future building additions shall meet the criteria of TMC 1114.0502 Appearance Upgrade for Nonconforming Development – Exterior Changes
23. If applicable, dumpster location(s) shall have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks.
24. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscape areas TMC 1107.1907.
25. The applicant shall post signs directly in front of the physically disabled person parking spaces as stated in TMC 1107.1704.
26. All vehicles, including those for sale, shall be parked in designated parking spaces and indicated on the site plan. Areas for customer parking and vehicles for sale shall be specified. Parking spaces and drive aisles shall be properly dimensioned, striped, and meet all requirements of the Toledo Municipal Zoning Code. Vehicle parking that deviates from these requirements is not permitted. **A revised plan shall be submitted indicating compliance.**
27. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Zoning Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
28. A detailed site, lighting, sign, fencing, and landscape plan shall be submitted to the Plan Director for review and approval (separate from required building permit plans). Such plan shall include:
  - a. A 15’ Greenbelt is required along the Detroit Avenue and Delaware Avenue street frontages and shall include one tree for every 30’ of lot frontage and a solid evergreen hedge; greenbelt including plantings shall be noted on revised landscape plan.
  - b. A Type A landscape buffer is required along all portions of the site when abutting residential zoning; buffer including plantings and fence shall be note on revised landscape plan.

**Exhibit “A” (cont’d)**  
Review Agency Conditions

Plan Commission (cont’d)

- c. 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.
  - d. All parking spaces must be within 100 linear feet of a landscaped area.
  - e. All landscaped areas must have a minimum dimension of at least nine (9) feet and be at least 160 square feet in area.
  - g. Two canopy trees and six shrubs are required to be installed in interior landscape areas for each ten (10) parking spaces within the parking lot (existing trees may be used for credits).
  - h. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage.
  - i. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage.
  - j. The location, height and materials for any fencing to be installed and maintained.
  - k. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); and
  - l. The location, lighting and size of any signs
29. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed and maintained indefinitely.
30. Minor adjustments to the site plan that do not violate the above conditions or the Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
31. No permits shall be issued until arrangements satisfactory to the director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

**GENERAL INFORMATION**

Subject

- Request - Request a for Zone Change from RS6 Single Family Residential and CR Regional Commercial to CO Office Commercial
- Location - 4248 Secor Road
- Applicant - Secor Reality, LLC  
C/O: Binod Thakur, M.D.  
9308 Tranquil Breeze Lane  
Sylvania, OH 43560
- Architect - Hales Architecture and Planning  
C/O: Walter J. Hales, AIA  
3601 West Alexis Road  
Suite 200  
Toledo, OH 43623

Site Description

- Zoning - RS6, CR / Single Family Residential, Regional Commercial
- Area - ± 1.18 acres
- Frontage - N/A (Land-locked Parcel) – the site has frontage on two (2) unimproved right-of-ways
- Existing Use - Undeveloped
- Proposed Use - Commercial Building

Area Description

- North - Knights of Columbus / CR, RS6
- South - Single Family Dwellings / RS6
- East - Elmhurst Park / POS
- West - Undeveloped / CR

**GENERAL INFORMATION (cont'd)**

Parcel History

- V-36-99 - Request for a Vacation of the portion of Vogel Drive between lots 1 and 32 located north of Corydon Drive, disapproved by Plan Commission on 8/31/00, disapproved by City Council on 10/18/00.
  
- V-796-99 - Request for a Vacation of the portion of Crary Drive between lots 3 and 4 located north of Corydon Drive. Request was withdrawn.
  
- S-13-00 - Preliminary Plat subdividing the parcel into five (5) residential lots, disapproved by Plan Commission on 6/13/00.
  
- Z-3005-15 - Request for Zone Change deferred at the request of the applicant on 5/14/15.

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 and CR Regional Commercial to CO Office Commercial for a site located at 4248 Secor Road (parcel #18-86251). The ±1.18 acre site is an undeveloped land-locked parcel between a residential neighborhood to the south and a commercial development to the north. To the east of the site is a City owned public park. The site is bordered to the west by three (3) undeveloped parcels that are owned by the applicant and will be incorporated into the final development, if approved.

The applicant is requesting a Zone Change to CO Office Commercial to facilitate the development of medical offices. The letter of intent states that the development will be occupied mostly during daytime hours and is intended to have a low impact on the adjacent residential neighborhood. The three (3) parcels that front onto Secor Road are zoned commercial and are part of a shallow commercial corridor that runs north and south along Secor Road. This commercial corridor does not extend into or disrupt the residential neighborhood on the east side of Secor Road.

**STAFF ANALYSIS (cont'd)**

Requests to vacate the stub portion of Vogel Drive lying north of Corydon Drive and the stub portion of Crary Drive north of Corydon Drive were disapproved by City Council in the year 2000. At that time, staff was concerned that allowing access through Crary Drive would have a negative impact on the park and the two (2) lots at the corner of Crary and Corydon Drives. A two (2') foot wide no-access easement exists at the northerly edge of both street stubs and access can only be gained through a dedication of a ten (10') right-of-way to the City of Toledo, which would in effect remove the no-access easement. If the Zone Change and subsequent office development is approved, these right-of-ways cannot be used to access the site per TMC § 1107.1203.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Single Family Residential land uses. The category is intended to create, maintain and promote housing opportunities for individual households, although they do permit nonresidential uses that are typically compatible with residential neighborhoods. Staff recommends disapproval of the Zone Change request for several reasons. The proposed Zone Change would intrude to a significant depth into a residentially zoned district and allow for land uses that are of the character of the neighborhood. Furthermore, the Zone Change request is not consistent with Toledo 20/20 Plan and is not compatible with the public park or the residentially zoned properties adjacent to the subject site.

**STAFF RECOMMENDATION**

The staff recommends that the Toledo City Plan Commission recommend disapproval of Z-3005-15, a request for a Zone Change from RS6 Single Family Residential and CR Regional Commercial to CO Office Commercial for the site located at 4248 Secor Road, to the Toledo City Council, for the following three (3) reasons:

1. The request is not consistent with The Toledo 20/20 Comprehensive Plan (TMC§1111.0606(A) Review and Decision Making Criteria);
2. The request will have a negative impact on the public park and residential properties adjacent to the subject site (TMC§1111.0606(E) Review and Decision Making Criteria);
3. The requested CO Office Commercial zoning is not compatible with nearby residential and park uses.

REF: Z-3005-15. . .June 11, 2015

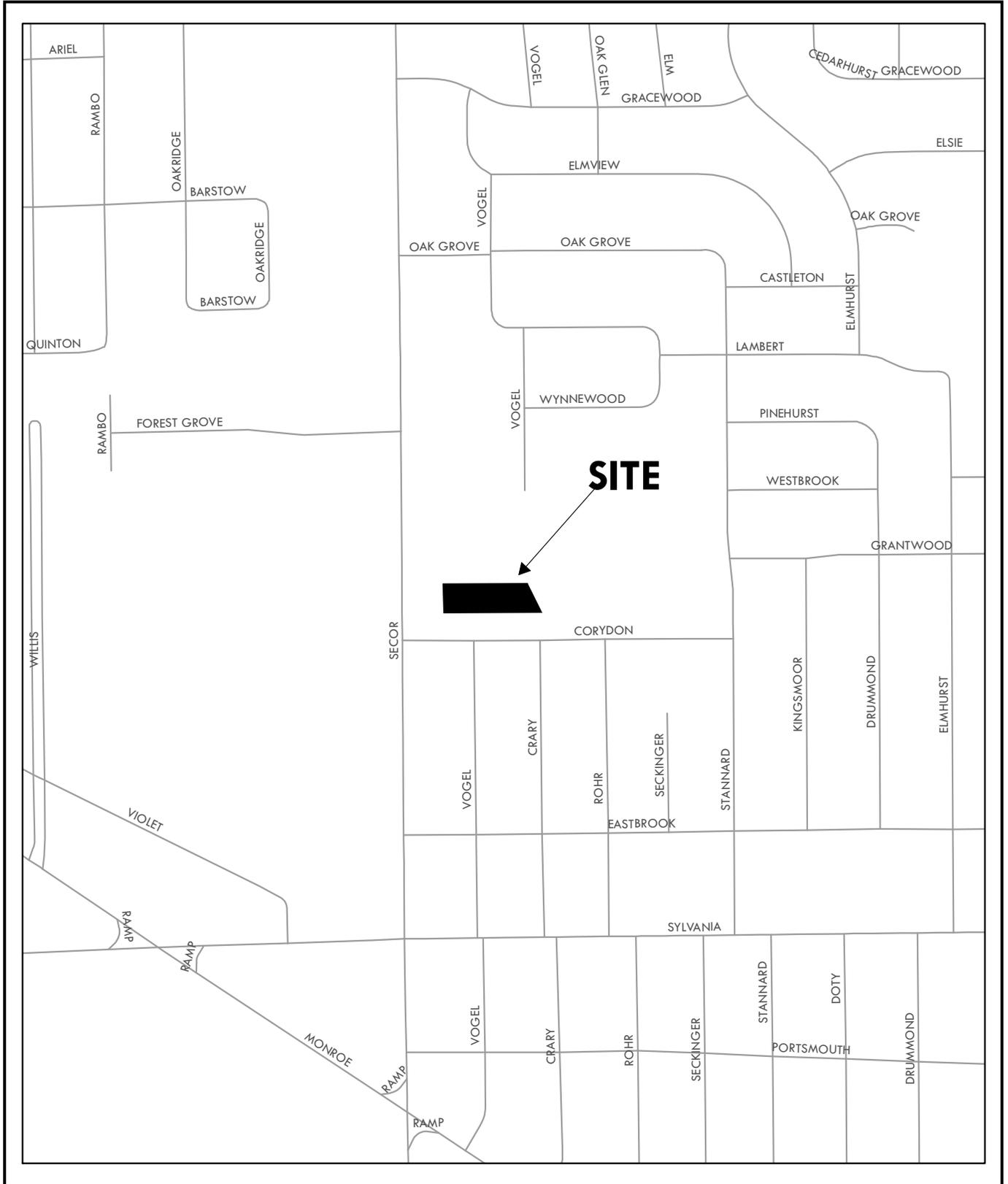
ZONE CHANGE  
TOLEDO CITY PLAN COMMISSION  
REF: Z-3005-15  
DATE: June 11, 2015  
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF  
PLANNING AND ZONING  
DATE: July 15, 2015  
TIME: 4:00 P.M.

GP/jj  
Two (2) sketches follow

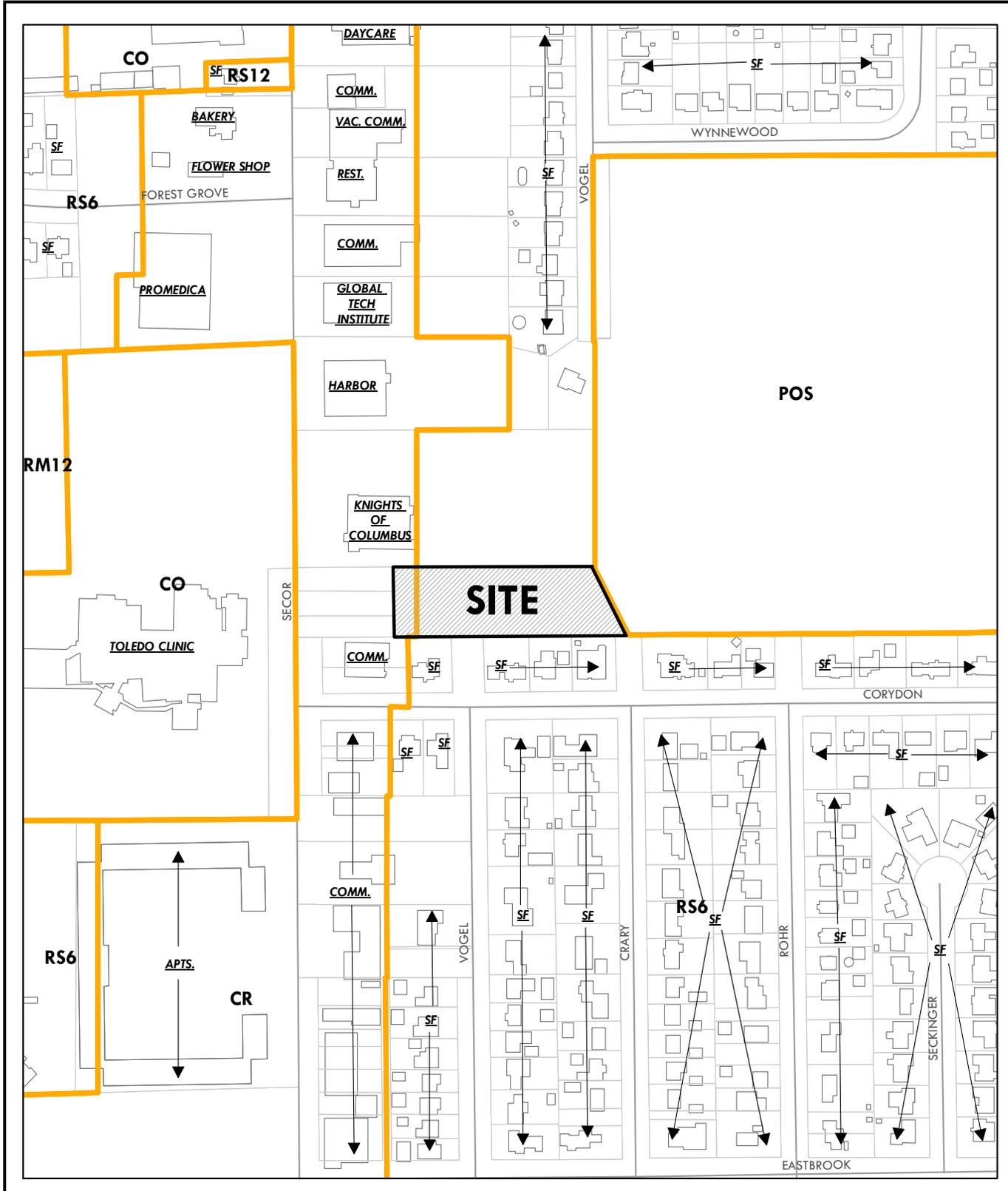
# GENERAL LOCATION

Z-3005-15  
ID 49



# ZONING & LAND USE

Z-3005-15  
ID 49



## GENERAL INFORMATION

### Subject

Request - Amendment to modify and adopt the Approved Street Tree List referenced in the Toledo City Subdivision Rules and Regulations.

Applicant - Toledo City Plan Commission

## STAFF ANALYSIS

The request is an amendment to modify and adopt the Approved Street Tree List referenced in the Toledo City Subdivision Rules and Regulations. Monclova Township submitted a letter to the Lucas County Planning Commission asking to remove trees in the *Pyrus Calleryana*, or Callery Pear, family from the Approved Street Tree List based on their experiences with this tree type. The Lucas County Planning Commission approved the proposed amendment at their May 27<sup>th</sup> hearing. The Toledo City Plan Commission is considering this request in order to have a unified list for the City of Toledo and Lucas County. The proposed changes to the Approved Street Tree List are included as Exhibit "A".

Monclova Township submitted a letter that outlined four reasons they are making this request. A copy of the letter is included as Exhibit "B". The reasons are summarized below:

1. The trees are easily damaged in a storm due to the weak branch structure.
2. The leaves fall later than most trees, affecting leaf collection.
3. The trees have a short life span, usually declining within twenty years.
4. The trees easily populate into the wild and grow in other areas.

Notice of this proposed change was sent to the local Home Builders Association (HBA), developers, and consultants. Input was also gathered from landscape architects and forestry experts. Effort was made to contact individuals in both the City of Toledo and Lucas County. The majority of feedback we received was supportive of the request. This includes responses from consultants, landscape architects, and forestry experts. The local HBA had no issues with the proposal, but did ask that existing street tree plans with these tree types be grandfathered and allowed to finish. Staff has no objections to this request.

## STAFF RECOMMENDATION

Staff recommends that the Toledo City Planning Commission modify and adopt the Approved Street Tree List referenced in the Toledo City Subdivision Rules and Regulations, as shown in Exhibit "A".

REF: M-7-15 ... June 11, 2015

TEXT AMENDMENT  
TOLEDO CITY PLANNING COMMISSION  
REF: M-7-15  
DATE: June 11, 2015  
TIME: 9:00 A.M.

JL/jj  
Exhibit "A" follows  
Exhibit "B" follows

**Exhibit "A"**

(Additions in bold italics. Deletions in strikethrough.)

## Approved Street Tree List

<u>Common Name</u>	<u>Scientific Name</u>
Trident Maple	<i>Acer buergeranum</i>
Hedge Maple	<i>Acer campestre</i>
Red/Silver Maple Cross	<i>Acer x freemanii</i>
Amur Maple	<i>Acer ginnala</i>
Bigtooth Maple	<i>Acer grandidentatum</i>
Paperbark Maple	<i>Acer griseum</i>
Japanese Maple	<i>Acer palmatum</i>
Norway Maple	<i>Acer platanoides</i>
Planetree Maple	<i>Acer psuedoplatanus</i>
Red Maple	<i>Acer rubrum</i>
Sugar Maple	<i>Acer saccharum</i>
Tartarian Maple	<i>Acer tartaricum</i>
Shantung Maple	<i>Acer truncatum</i>
Three Flower Maple	<i>Acer triflorunt</i>
Alder	<i>Alnus spp</i>
European Hornbeam	<i>Carpinusbetulus</i>
Bluebeech	<i>Caprinus caroliniana</i>
Hackberry	<i>Celtis occidentalis</i>
Japanese Katsuratree	<i>Cercidiphyllum japonicum</i>
Redbud	<i>Cercis canadensis</i>
Yellowwood	<i>Cladrastis kentukea</i>
Flowering Dogwood	<i>Cornus florida</i>
Turkish Filbert	<i>Corylus colurna</i>
Thicket Hawthorn	<i>Crataegus punctata var. inermis</i>
Hardy Rubber Tree	<i>Eucommia ulmoides</i>
Korean Evodia	<i>Evodia danielii</i>
American Beech	<i>Fagus grandifolia</i>
European Beech	<i>Fagus sylvatica</i>
Ginkgo (male)	<i>Ginkgo biloba</i>
Honeylocust	<i>Gledistsia triacanthos var. inermis</i>
Caroline Silverbell	<i>Halesia carolina</i>
Goldenraintree	<i>Koelreutaria paniculata</i>
Japanese Larch	<i>Larix kaempferi</i>
Tuliptree	<i>Liriodendron tulipifera</i>
Amur Maackia	<i>Maackia amurensis</i>
Crabapple	<i>Malus spp</i>
Crabapple	<i>Malus seiboldii</i>

**Exhibit “A”** (cont’d)  
 (Additions in bold italics. Deletions in strikethrough.)

Approved Street Tree List (cont’d)

<u>Common Name</u>	<u>Scientific Name</u>
<del>Callery Pear</del>	<del><i>Pyrus calleryana</i></del>
Dawn Redwood	<i>Metasequoia glyptostroboides</i>
Black Tupelo	<i>Nyssa sylvatica</i>
Amur Corktree	<i>Phellodendron amurense</i>
Amur Chokeberry	<i>Prunus maackia</i>
Flowering Cherry	<i>Prunus spp</i>
Chokecherry	<i>Prunus virginiana</i>
Sawtooth Oak	<i>Quercus acutissima</i>
White Oak	<i>Quercus alba</i>
Swamp White Oak	<i>Quercus bicolor</i>
Scarlet Oak	<i>Quercus coccinea</i>
Hungarian Oak	<i>Quercus frainetto</i>
Shingle Oak	<i>Quercus imbricaria</i>
Chestnut Oak	<i>Quercus michauxii</i>
Chinkapin Oak	<i>Quercus muehlenbergii</i>
English Oak	<i>Quercus robur</i>
English Oak	<i>Quercus robur x alba</i>
Red Oak	<i>Quercus rubra</i>
Shumard Oak	<i>Quercus shumardii</i>
Black Oak	<i>Quercus velutina</i>
Korean Mt. Ash	<i>Sorbus alnifolia</i>
Meinichii Mt. Ash	<i>Sorbus meinichii</i>
Pekin Lilac	<i>Syringa pekinensis</i>
Pondcypress	<i>Taxodium ascendens</i>
Baldcypress	<i>Taxodium distichum</i>
Basswood	<i>Tilia americana</i>
Littleleafed Linden	<i>Tilia cordata</i>
Silver Linden	<i>Tilia tomentosa</i>
Crimean Linden	<i>Tilia x euchlora</i>
Lacebark Elm	<i>Ulmus parvifolia</i>

**Exhibit “A”** (cont’d)  
 (Additions in bold italics. Deletions in strikethrough.)

Prohibited Street Tree List

<u>Common Name</u>	<u>Scientific Name</u>
Box Elder	<i>Acer regundo</i>
Silver Maple	<i>Acer saccharinum</i>
Tree of Heaven	<i>Ailanthus altisimo</i>
Shadblow Serviceberry	<i>Amelchier canadensis</i>
Sweet Birch	<i>Betula lenta</i>
River Birch	<i>Betula nigra</i>
Paper Birch	<i>Betula paperifera</i>
Catalpa	<i>Catalpa speciosa</i>
Cottonwood (Alder Buckthorn)	<i>Frangula almus</i>
White Ash	<i>Fraxinus americana</i>
European Ash	<i>Fraxinus excelsior</i>
Black Ash	<i>Fraxinus nigra</i>
Green Ash	<i>Fraxinus pennsylvanica</i>
Blue Ash	<i>Fraxinus quadrangulata</i>
Kentucky Coffeetree	<i>Gymnocladus dioicus</i>
Common Walnut	<i>Juglans regia</i>
Black Walnut	<i>Juglans nigra</i>
Sweetgum	<i>Liquidambar styraciflua</i>
White Mulberry	<i>Morus alba</i>
Black Mulberry	<i>Morus nigra</i>
Ironwood	<i>Ostrya virginiana</i>
London Planetree	<i>Platanus x acerifolia</i>
White Poplar	<i>Populas alba</i>
Black Poplar	<i>Populas nigra</i>
<b><i>Callery Pear</i></b>	<b><i>Pyrus calleryana</i></b>
Burr Oak	<i>Quercus macrocarpa</i>
Willow	<i>Salix alba</i>
Chinese Elm	<i>Ulmus parvifolia</i>



# Monclova Township

4335 Albon Road, Monclova, Ohio 43542

TEL 419-865-7862 FAX 419-865-8481 www.monclovatwp.org

February 25, 2015

Mr. Thomas Gibbons, Director  
Toledo Lucas County Plan Commissions  
One Government Center, Suite 1620  
Toledo, OH 43604

Dear Mr. Gibbons,

The Monclova Township Board of Trustees is asking that ornamental pear trees also known as Bradford or Callery Pears and whose scientific name is *Pyrus calleryana* be added to the list of prohibited street trees for subdivisions in Lucas County. The township has experienced numerous issues with this particular kind of tree when it is planted as a street tree in subdivisions. These trees grow 25-30 feet tall, with a canopy 20-25 feet wide. They have a very weak branch structure and it is common for large branches or limbs to fall during storms. Frequently, the trees split down the middle from storms or ice. The leaves usually linger, not falling until winter, after the township has stopped collecting leaves. In addition, these trees have a relatively short lifespan. They usually start to decline after 20 years and most don't make it past 30 years. Ornamental Pears are also starting to escape into the wild in the Monclova area and are becoming a problem. The meadow at the south east corner of Maumee-Western Road and Technology Drive is a perfect example of how these trees can take over in a matter of three or four years. While nurseries continue to sell these trees, in many areas they are considered an invasive species. Thank you for your consideration of this important request. Please let me know if you need more information of if there is anything else we need to do to facilitate this request.

Sincerely,  
Monclova Township Board of Trustees

A handwritten signature in blue ink, appearing to read "Harold A. Grim".

Harold A. Grim - Administrator

---

Administrator  
Harold A. Grim  
419-865-9662

Board of Trustees  
Brian D. Craig  
Barbara S. Lang  
Charles V. Hoecherl

Fiscal Officer  
Gavin S. Pike  
419-865-7862 x 13

## 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  
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COLUMBIA GAS COMPANY  
TONY BUCKLEY  
FIELD ENGINEER TECHNICIAN  
2901 E. MANHATTAN BLVD  
TOLEDO, OH 43611  
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LUCAS COUNTY  
SANITARY ENGINEER  
JIM SHAW  
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HOLLAND, OH 43528  
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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  
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BUCKEYE CABLESYSTEM, INC.  
GARY KASUBSKI  
4818 ANGOLA ROAD  
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VERIZON  
BRAD SNYDER  
300 W. GYPSY LANE  
BOWLING GREEN, OH 43402  
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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

