

*TOLEDO CITY
PLAN COMMISSION
REPORT*

March 12, 2015

*Toledo-Lucas County Plan Commissions
One Government Center, Suite 1620, Toledo, OH 43604
Phone 419-245-1200, FAX 419-936-3730*

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

APPLICATION DEADLINE*	AGENDA SET	STAFF REPORT DISTRIBUTED	HEARING DATE
CITY PLAN COMMISSION (<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**
COUNTY PLANNING COMMISSION (<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

March 12, 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. M-1-15: | Review of 2015-2019 CIP Plan (bh) |
| ◆ | |
| 2. SUP-2001-15: | Special Use Permit for solar array field and parking lot improvements at 1 Owens Corning Parkway (gp) |
| ◆ | |
| 3. MRO-1-15: | Maumee River Overlay District Review for solar array field and parking lot improvements at 1 Owens Corning Parkway (gp) |
| ◆ | |
| 4. SUP-1003-15: | Special Use Permit for community recreation – active, at 321 Monroe Street (bh) |
| ◆ | |
| 5. DOD-1-15: | Downtown Overlay District review for community recreation facility at 321 Monroe Street (bh) |
| 6. Z-1002-15: | Zone Change from CR to RM36 at 3904 Strang Drive (gp) |
| 7. Z-1004-15: | Zone Change from CO to RM12 at 4761 and 4807 W. Sylvania Avenue (bh) |

8. SUP-11001-14:

Special Use Permit for fuel sales and tobacco shop at 4460
Lewis Avenue (gp)

9. M-9-14:

Text Amendment regarding funeral homes with accessory
cremating services in the CN Neighborhood Commercial
zoning district (gp)

ADJOURNMENT

GENERAL INFORMATION

Subject

- Request - Review of the 2015-19 Capital Improvement Program (CIP) for the Impact on the Master Plan
- Applicant - Paula Hicks-Hudson, Mayor

Applicable Plans and Regulations

- Toledo 20/20 Comprehensive Plan “Toledo by Choice” adopted by Ordinance 827-00.
- Toledo Municipal Code (TMC) Chapter 165, Capital Improvement Program

CIP Process

- TMC Chapter 165 provides for referral of the CIP from City Council to the City Plan Commission for review of the impact on the Master Plan.

STAFF ANALYSIS

The 2015-2019 City of Toledo Capital Improvement Program (CIP) has been forwarded to the Toledo City Plan Commission for review and recommendation pursuant to Toledo Municipal Code Chapter 165 - Capital Improvement Program. Although the 2015-2019 CIP includes capital expenditures from a variety of funding sources, the primary focus of this CIP review and analysis will be the “Traditional” (income tax-funded) portion of the Capital Improvement Program. The City of Toledo is steadily increasing the activities it undertakes with CIP funds given the previous years of challenging economic difficulties.

Toledo’s Income Tax consists of two components, a permanent 1½% tax and a ¾% tax subject to renewal by the voters every four years. Of the permanent 1½% tax, one sixth is allocated to capital projects (equaling ¼%). Of the temporary ¾% tax, one third is allocated to capital projects (also equaling ¼%). A portion of the percentages allocated to the CIP has been redirected to the operating budget for the past several years.

The administration has altered the CIP format from previous years and provided a more concise document. Exhibit “A” contains the sources and uses of funds for the income tax funded portion of the CIP. As shown in Exhibit “A”, the total of the CIP sources over the next five years is \$266.6 million, before deducting debt service obligation of \$136.0 million also shown in Exhibit “A”. The CIP sources total \$60.4 million for 2015, before deducting \$29.3 million for debt service and \$11.0 million for transfers to the general fund.

STAFF ANALYSIS (cont'd)

Although the CIP is a five-year plan, traditionally the focus of City Council and the Administration has been those projects that are proposed for funding in the first year. The CIP in years two through five is a guide to future capital spending that may be revised due to changing priorities and special project needs necessitating re-direction of funds in future years. Exhibit "B" contains a list of income tax funded capital improvement projects. This analysis will focus primarily on the 2015 expenditures and how they relate to the goals of the Toledo 20/20 Comprehensive Plan, "Toledo By Choice", adopted by Toledo City Council in 2000 as the master plan for the City of Toledo.

The Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Plan includes 193 recommendations grouped under the following categories: regional, overall policy, neighborhood and commercial land use, community design, marketplace, housing, recreation, transportation and other infrastructure. The 2015-2019 CIP projects are analyzed against the Toledo 20/20 Plan using the above categories, with special emphasis on those projects slated for 2015.

Regional

The 2015-2019 CIP does not specifically address regional needs associated with CIP funding for projects with regional impact.

Citywide

The Toledo 20/20 Plan establishes the overall character, extent and location of various land uses and serves as a guide to communicate the policies of the Toledo 20/20 Comprehensive Plan to citizens, the business community, developers and others involved in the development of the City of Toledo.

The 2015-2019 CIP allocates \$79,343 to support Plan Commission staff in 2015. This position is allocated under the operating budget for 2015 (Exhibit "C"). This project furthers the 20/20 Plan Recommendation #126 (promote self-sufficient neighborhoods by providing necessary amenities and services within the neighborhood) and other recommendations relating to the revitalization of existing neighborhoods.

Community Design

The CIP provides for \$201,456 in 2015 to support the *1% For the Arts Program* as shown in Exhibit "B". The Toledo Municipal Code requires that one percent of capital project funding be allocated for public art programs. An important element of community design is public art.

STAFF ANALYSIS (cont'd)

Marketplace

The Developer Incentive Pool is designed to provide capital for infrastructure improvements to generate new investment. The CIP does not allocate funding for the Developer Incentive Pool in 2015. However, it is anticipated that future funding for neighborhoods will be provided from 2016-2017.

Development

The CIP allocates \$200,000 towards the repair and replacement of HVAC and mechanical systems throughout city buildings. In 2014, CIP funding was specifically allocated for the demolition of the Clarion Hotel and upgrading and repairing the Erie Street Market Building.

Housing

There are no specific allocations in the 2015-2019 CIP to support housing programs. Prior to 2007, CIP funding was specifically allocated for demolition programs as well as infrastructure to support housing development projects. Currently, the funding for these activities is provided by the general fund, Lucas County Land Bank, and community development block grant.

Recreation

The CIP includes \$50,000 for the replacement of playground equipment throughout the city as stated in Exhibit "E". The CIP funding designated for these improvements furthers the 20/20 Plan Recommendation #73 (protect and invest in "green infrastructure") and Recommendation #84 (expansion of greenways, trails and biking paths).

Transportation and Other Infrastructure

The Toledo 20/20 Plan contains a number of recommendations pertaining to the construction and maintenance of infrastructure. Among the recommendations in the Plan that are met by the projects in the 2015-2019 CIP are Recommendation #75 (street resurfacing) and Recommendation #76 (bridge and culvert maintenance and construction).

A total of \$10.1 million is included for 2015 for major street projects (shown in Exhibit "B" as *Major Street Paving and Bridges*) to leverage state and federal funding. Information on the allocation from matching federal and state funds was not provided.

Vacant Industrial Land Use Report

The 2015-2019 CIP does not specifically address infrastructure needs associated with the sites included in the Vacant Industrial Land Use Report.

STAFF ANALYSIS (cont'd)

Other Major 2015 CIP Expenditures

Major 2015 CIP Expenditures not previously mentioned include \$1,000,000 to replace the UTAX tax collection system to prepare for change needed for House Bill 5. In addition, \$50,000 is allocated for cemetery improvements, \$215,000 for fire station renovations and replacement of equipment and \$300,000 for ICT Infrastructure upgrades as shown in Exhibit "E".

Summary

The 2015-2019 CIP furthers the implementation of at least five goals of the Toledo 20/20 Plan. The Toledo 20/20 Plan provides the framework to coordinate project planning between different City departments. The 2015 funding year is faced with financial challenges because of the severe reduction of over \$13,000,000 in local government funds from the State of Ohio, including the elimination of the estate tax, has necessitated the transfer of millions of from the Capital Improvement Fund to the General Fund. It appears that this economic situation will improve and that future CIP funding can continue to provide the resources to enhance the quality of life within the City of Toledo. With targeted and coordinated project implementation, CIP dollars will have a greater and more lasting impact on City neighborhoods.

PLAN COMMISSION RECOMMENDATION

The Toledo City Plan Commission recommends approval of the 2015-2019 Capital Improvement Program as in conformance with the Toledo 20/20 Comprehensive Plan, to the Toledo City Council, with the following provisions:

1. That CIP funding for street improvements be targeted to areas where housing programs funded by community development block grant and other sources are undertaken in order to secure the investment being made in the housing stock in these areas.
2. That the Vacant Industrial Land Use Study, adopted by Toledo City Council as an amendment to the Toledo 20/20 Comprehensive Plan, be used by the Administration and City Council to guide CIP spending to address infrastructure needs and thus promote development of the sites identified in the study.

BH

Exhibit A: Capital Improvement Program Estimated Sources of Funds 2015-2019 & Estimated Uses of Funds 2015-2019

Exhibit B: Capital Improvement Program – Schedule of Ordinances Passed and Amounts Yet to be Appropriated

Exhibit C: Capital Improvement Program – Operating Budget Fixed Costs 2015-2019

Exhibit C (cont'd): Capital Improvement Program – Other Fixed Costs 2015-2019

Exhibit D: Capital Improvement Program 2015-2019 – Lease Payments

Exhibit E: Capital Improvement Program – New Projects

EXHIBIT A

M-1-15

Capital Improvement Program

Estimated Sources of Funds 2015-2019

	2015	2016	2017	2018	2019	Total
Income Taxes	\$ 37,125,756	\$ 37,126,000	\$ 37,126,000	\$ 37,126,000	\$ 37,126,000	\$ 185,629,756
Other Transfers	1,529,398	624,961	624,899	629,587	593,436	4,002,281
Non-Tax Revenue (excluding Westfield TIF)	2,629,294	2,629,294	2,629,294	2,629,294	2,629,294	13,146,470
Investment Earnings	417,000	220,000	200,000	180,000	160,000	1,177,000
Proceeds from Bond Issues	12,000,000	8,500,000	6,500,000	4,500,000	3,000,000	34,500,000
Bond Premium	861,000	595,000	455,000	315,000	210,000	2,436,000
Proceeds from Refunded Notes	5,875,000	5,500,000	5,150,000	4,800,000	4,450,000	25,775,000
TOTAL SOURCES	60437448.25	\$ 55,195,255	52685193	50179880.5	\$ 48,168,730	\$ 266,666,507

Estimated Uses of Funds 2015-2019

	2015	2016	2017	2018	2019	Total
GO Debt Service	\$ 29,291,919	\$ 29,315,663	\$ 28,371,919	\$ 24,534,000	\$ 24,534,000	\$ 136,047,501
Operating Budget Costs	4,149,346	4,190,839	4,232,748	4,275,075	4,317,826	21,165,835
Matches and Planning						
Bridges	2,250,000	2,500,000	800,000	1,080,000	1,750,000	8,380,000
Major Street Paving	7,835,000	8,600,000	9,679,000	9,500,000	8,500,000	44,114,000
Lease Payment Commitments	3,279,653	1,237,175	1,237,175	940,065	-	6,694,068
1% for the Arts Commitment (201,456	178,796	178,133	196,459	186,347	941,191
Transfer to General Fund	11,000,000	8,000,000	6,500,000	6,000,000	5,000,000	36,500,000
New Projects (1,915,000	1,172,000	1,685,500	3,653,900	3,880,000	12,306,400
TOTAL USES	\$ 59,922,374	\$ 55,194,473	\$ 52,684,475	\$ 50,179,499	\$ 48,168,173	\$ 266,148,994

Balance \$ 515,074 \$ 782 \$ 718 \$ 381 \$ 557

* 3/4% tax available through 2016

EXHIBIT B

M-1-15

**Exhibit
Capital Improvement Program
Schedule of Ordinances Passed and Amounts Yet To be Appropriated**

Operating Budget Appropriations

Debt Service	\$ 29,291,919
Operating Budget Costs	\$ 4,149,346
Transfer To General Fund	\$ 11,000,000
Lease Payments	\$ 3,279,653
Total Operating Budget Appropriations	\$ 47,720,918

Prior 2015 CIP Appropriations

Major Street Paving Matched and Planning	\$ 7,835,000
Bridges Matches and Planning	\$ 879,600
Total Prior 2015 CIP Appropriations	\$ 8,714,600

Appropriations for New Projects	\$ 1,915,000
1% For the Arts	\$ 201,456
Remaining Bridge Matches and Planning	\$ 1,370,400
Total Amounts Yet to be Appropriated for CIP Ordinance	\$ 3,486,856

Total 2015 Proposed Capital Improvement Program	\$ 59,922,374
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EXHIBIT C**M-1-15****Capital Improvement Program Exhibit C – 2015-2019****Operating Budget**
Fixed Costs

	2015	2016	2017	2018	2019	Total
Transportation	\$607,877	\$613,956	\$620,095	\$626,296	\$632,559	\$3,100,784
SB&H	\$257,681	\$260,258	\$262,860	\$265,489	\$268,144	\$1,314,432
Engineering	\$2,674,403	\$2,701,147	\$2,728,159	\$2,755,440	\$2,782,994	\$13,642,143
Plan Comm	\$79,343	\$80,136	\$80,938	\$81,747	\$82,565	\$404,729
Finance ERP	\$86,682	\$87,549	\$88,424	\$89,309	\$90,202	\$442,165
Debt Management	\$150,433	\$151,937	\$153,457	\$154,991	\$156,541	\$767,359
Affirmative Action	\$23,658	\$23,895	\$24,134	\$24,375	\$24,619	\$120,680
Mayor's Office	\$20,989	\$21,199	\$21,411	\$21,625	\$21,841	\$107,065
Facilities	\$248,280	\$250,763	\$253,270	\$255,803	\$258,361	\$1,266,478
	\$4,149,346	\$4,190,839	\$4,232,748	\$4,275,075	\$4,317,826	\$21,165,835

EXHIBIT C (cont'd)

M-1-15

Capital Improvement Program Exhibit C (cont'd) – 2015 - 2019

<u>Other Fixed Costs:</u>	2015	2016	2017	2018	2019	Total
1% For The Arts	\$ 201,456	\$ 178,796	\$ 178,133	\$ 196,459	\$ 186,347	\$941,191
	<u>\$201,456</u>	<u>\$178,796</u>	<u>\$178,133</u>	<u>\$196,459</u>	<u>\$186,347</u>	<u>\$941,191</u>

EXHIBIT D**M-1-15****Capital Improvement Program Exhibit D – 2015-2019**

<u>Lease Payments:</u>	2015	2016	2017	2018	2019	Total
Police Vehicles	\$1,370,180	\$0	\$0	\$0	\$0	\$1,370,180
Transport Units (2010)	\$258,992	\$0	\$0	\$0	\$0	\$258,992
Compactor/ Dozer	\$413,306	\$0	\$0	\$0	\$0	\$413,306
Fire Transport Unit	\$297,111	\$297,111	\$297,111	\$0	\$0	\$891,332
Rescue Squad	\$196,308	\$196,308	\$196,308	\$196,308	\$0	\$785,231
Fire Engines & Bucket Truck	\$743,757	\$743,757	\$743,757	\$743,757	\$0	\$2,975,027
	\$3,279,653	\$1,237,175	\$1,237,175	\$940,065	\$0	\$6,694,069

EXHIBIT E

M-1-15

Capital Improvement Program Exhibit E – 2015 New Projects

Division	Project Name	2015 CIP Appropriation	Project Description
Taxation	Replacement of Tax Collection System	\$ 1,000,000	Replacement of the current UTAX tax collection system to prepare for changes needed for House Bill 5. Changes include: converting data, upgrading two Taxation servers located in ICT and purchase of two scanners for inputting checks into the new system.
SB&H	MLK Bridge	\$ 100,000	Upgrades to the control system for the MLK bridge.
Facilities	Various HVAC & Major Mechanical	\$ 200,000	Repair and/or replacement of HVAC and mechanical systems throughout City buildings.
Parks, Recreation & Forestry	Cemetery Improvements	\$ 50,000	Continued expansion of Forest Cemetery and improvements to existing facilities including plot organization, road paving, foundation replacement and comfort station restoration.
Parks, Recreation & Forestry	Playground Replacement	\$ 50,000	Replacement of playground equipment throughout the city.
Fire	Fire Station Renovations	\$ 215,000	Renovations and replacement of equipment for Fire Department buildings including, but not limited to: roofs, kitchen remodeling, overhead doors.
ICT	Infrastructure Upgrades	\$ 300,000	Hardware, software and services required for upgrading telecommunication, servers, storage and other related hardware devices and software on the City's network.
Total Requests		\$ 1,915,000	

GENERAL INFORMATION

Subject

- | | | |
|-----------|---|---|
| Request | - | Request for a Special Use Permit for a solar array and parking lot improvements |
| Location | - | 1 Owens Corning Parkway |
| Applicant | - | Owens Corning
1 Owens Corning Parkway
Toledo, OH 43659 |
| Engineer | - | Stephen M. Way, P.E.
DGL Consulting Engineers, LLC
3455 Briarfield Boulevard
Suite E
Maumee, OH 43537 |

Site Description

- | | | |
|--------------|---|---|
| Zoning | - | CD Downtown Commercial, MRO Maumee Riverfront Overlay |
| Area | - | ± 10.56 acres (parking lot) |
| Frontage | - | ± 1,445' along Ottawa Street |
| Existing Use | - | Parking Lot for Owens Corning |
| Proposed Use | - | Parking Lot improvements for Owens Corning |

Area Description

- | | | |
|-------|---|-----------------------------------|
| North | - | Swan Creek / CD, MRO |
| South | - | Undeveloped / POS, MRO |
| East | - | Maumee River North Bank / CD, MRO |
| West | - | Multi-Family Dwelling / CD, MRO |

Parcel History

- | | | |
|----------|---|---|
| MRO-1-15 | - | Request for a Maumee Riverfront Overlay District review for a solar array and parking lot improvements, companion case. |
|----------|---|---|

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit to facilitate the construction of a solar array field and parking lot improvements at 1 Owens Corning Parkway. The ±10.56 acre site is zoned CD Downtown Commercial and is within the Maumee Riverfront Overlay District (MRO). The site is currently occupied by the world headquarters of Owens Corning and its associated parking area. The site is currently an extensive asphalt parking lot of approximately 890 spaces that is utilized by the employees of Owens Corning. The northernmost area of the parking lot that is referred to as the visitors parking lot will remain in its current condition.

The site plan submitted for the parking lot improvements depicts the removal of the existing asphalt employee parking lot. This includes the existing light poles, parking lot islands and associated landscaping. The contractor will remove the existing parking lot down the stone base which is to be inspected for areas of failure and repair/recompact areas as required. Millings from the asphalt removal are to be used as fill for construction of the new parking lot. The parking lot reconstruction will be divided into two (2) phases.

The applicant is proposing to develop a solar array system that will cover the majority of the employee parking lot. The solar array system will be mounted on four (4) foot diameter concrete piers and will span above each vehicle parking row to create a canopy that will be made of solar panels. The canopies will be placed at optimal angle and various heights so to take advantage of the energy generating capabilities of the photovoltaic system. Stormwater that falls onto the solar array system will be captured internally and discharged directly into the Maumee River. The energy captured by the solar array system will be used to power Owen Corning's headquarters located adjacent to the parking lot. Pursuant to TMC§1105.0800 – *Accessory Uses*: Special Use approval is required when the solar panel energy conversion system is a stand-alone facility. A companion Maumee Riverfront Overlay District review accompanies this case.

Parking and Circulation

The employee parking area currently offers 890 parking spaces. The site plan indicates that the proposed site improvements will increase the number of parking spaces to 975. The Toledo Municipal Code requires that "Office, Administrative and Professional" adhere to the standards of off-street parking Schedule A located in TMC§1107.0500.

STAFF ANALYSIS (cont'd)

The Toledo Design Center has reviewed and supports this project. The committee feels that the Owens Corning solar field project is an exciting example of taking a negative aspect of a parking lot and converting it to a positive of energy conservation.

Landscaping and Screening

The applicant is proposing to remove the existing landscaping and trees that abut Ottawa Street and remove interior parking lot islands. Landscape islands will be provided at the ends of each row and plantings will be added to further screen the parking rows.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets 1 Owens Corning Parkway as Downtown Commercial for the portion of the site that is developed (building and parking lot) and Parks and Open Space for the portion of the site that is undeveloped (riverfront and designated walking area). The CD Downtown Commercial district is intended to accommodate a broad range of uses to reflect downtown's role as a commercial, cultural and governmental center. Development is intended to be intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The Special Use Permit is suitable for this location because it conforms to the 20/20 Comprehensive Plan and meets the stated purpose of the Toledo Municipal Zoning Code and Maumee Riverfront Overlay District. The proposed improvements will not negatively affect any nearby properties including the Central Business District. Public access to the waterfront and river vistas will not deviate from its current state.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-2001-15, a Special Use Permit for a solar array and parking lot improvements for a site located at 1 Owens Corning Parkway, to the Toledo City Council, for the following three (3) reasons:

1. The proposed use conforms to the Toledo 20/20 Comprehensive Plan.
2. The proposed use conforms to the Maumee Riverfront Overlay District.
3. The proposed use will not negatively impact any nearby properties.

STAFF RECOMMENDATION (cont'd)

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-2001-15, a request for a Special Use Permit for a solar array and parking lot improvements located at 1 Owens Corning Parkway, to the Toledo City Council, subject to the following twenty-four (24) 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. 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.
2. **With the removal of the grass islands in the parking lot**, the 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.
3. 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 BMP's. **Stormwater detention requirements may be waived if the storm will be discharged directly to the Maumee River without going through any publicly owned storm sewer. Post-construction Stormwater Best Management Practices (BMPs) will still be required.**
4. 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."
5. 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.

STAFF RECOMMENDATION (cont'd)

Engineering Services (cont'd)

6. 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.
7. 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.
8. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
9. No construction work, including grading, will be permitted without approved plans and inspection.
10. 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.
11. 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
Water: Andrea Kroma, ph. 419-936-2163
Roadway: Tim Grosjean, ph. 419-245-1344

Sewer & Drainage Services

No comments and/or objections to the site plan.

Environmental Services

12. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
13. Applicant shall maintain compliance with the Ohio EPA's General Stormwater NPDES permit programs.

STAFF RECOMMENDATION (cont'd)

Environmental Services (cont'd)

14. Any green infrastructure measures that can be included to minimize parking lot runoff to sewers from such a large parking area are highly advisable due to the site being situated between Swan Creek and the Maumee River. An in-depth Stormwater Pollution Prevention Plan is also recommended.
15. Applicant 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 the Anti-Noise Laws.

Fire Prevention

No comments and/or objections to the site plan.

Transportation

No comments and/or objections to the site plan.

Toledo Design Center

16. The committee supports the Owens Corning solar field project as an exciting example of taking the negative aspect of a parking lot and converting it to a positive of energy conservation.

Building Inspection

17. Any structural, mechanical or electrical installations to new construction or alterations to existing construction, including parking lots must be in compliance with the building, mechanical and fire codes of the City of Toledo and by referenced standards, those of the State of Ohio. Construction documents stamped by a licensed design professional showing such installations in detail may be submitted to the Division of Building Inspection for plan review and approval.
18. Packaged, connected solar arrays or photovoltaic cell are covered in the building codes of the City of Toledo and require permits. The foundation or support system for solar arrays or their mechanical or electrical installation or equipment must be shown in detail on stamped construction drawings submitted to the Division of Building Inspection for plan review, permitting and inspection.

STAFF RECOMMENDATION (cont'd)

Building Inspections (cont'd)

19. Further the electrical service connectors and/or distribution feeds must be indentified in detail on the construction drawings.

Plan Commission

20. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping areas **(if applicable)**.
21. 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. Landscaped terminal islands must be provided at the end of each parking row.
 - b. The location, type and size of any lighting fixtures.
22. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
23. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.
24. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year.

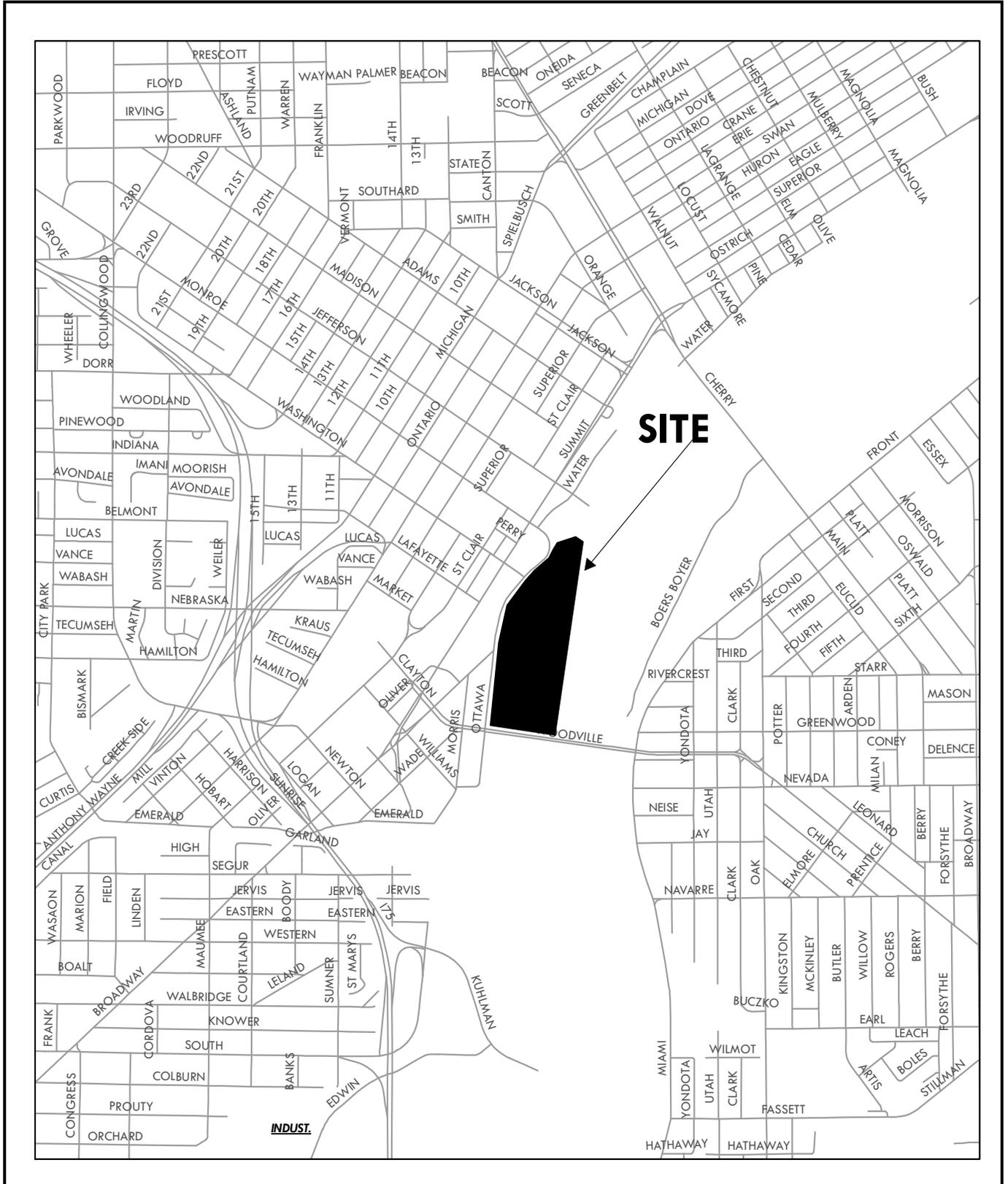
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-2001-15
DATE: March 12, 2015
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: March 18, 2015
TIME: 4:00 P.M.

GP/bk
Five (5) sketches follow

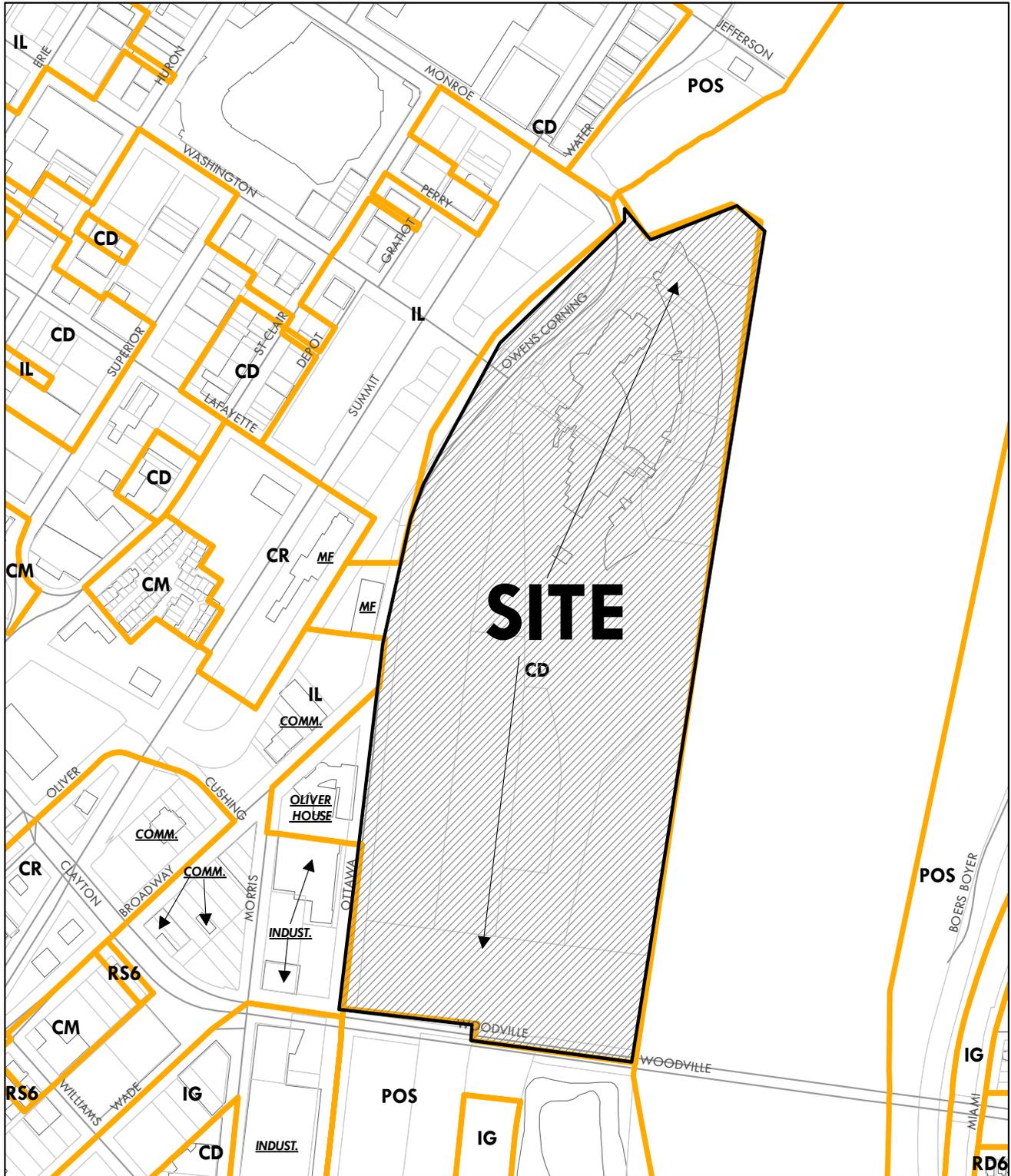
GENERAL LOCATION

SUP-2001-15
ID 10



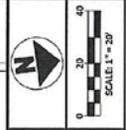
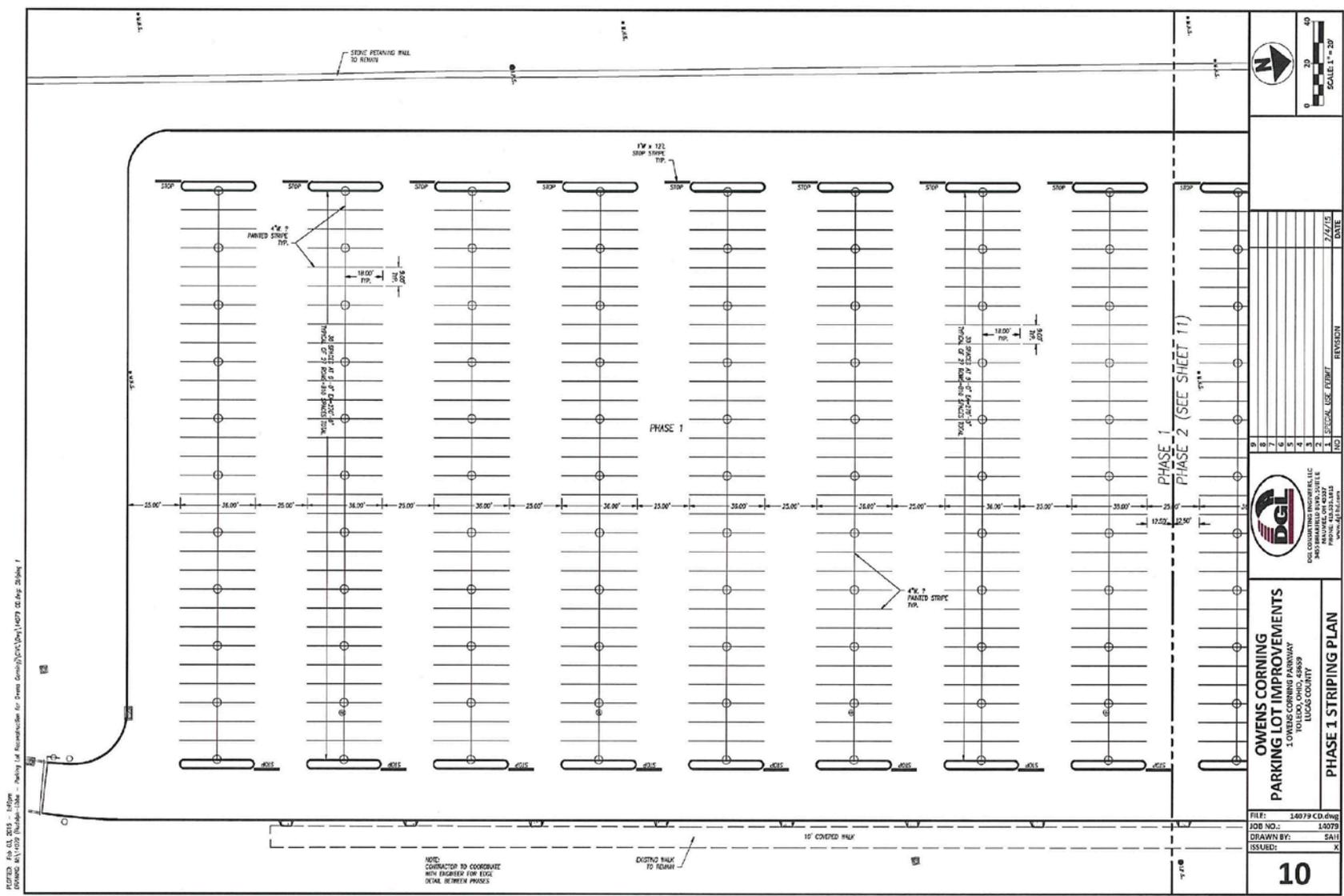
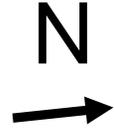
ZONING & LAND USE

SUP-2001-15
ID 10



SITE PLAN (PHASE#1)

SUP-2001-15
ID 10



NO.	REVISION	DATE
1	ISSUAL USE EXHIBIT	7/2/15
2		
3		
4		
5		
6		
7		
8		



**OWENS CORNING
PARKING LOT IMPROVEMENTS**
LOWELL CORNING PARKWAY
TOLEDO, OHIO 43604
LUCAS COUNTY

PHASE 1 STRIPING PLAN

FILE: 14079 CD.dwg
JOB NO.: 14079
DRAWN BY: SAH
ISSUED: X

10

DATED: 07/01/2015
 DRAWN BY: SAH
 CHECKED BY: JAC
 PROJECT: 14079 CD.dwg

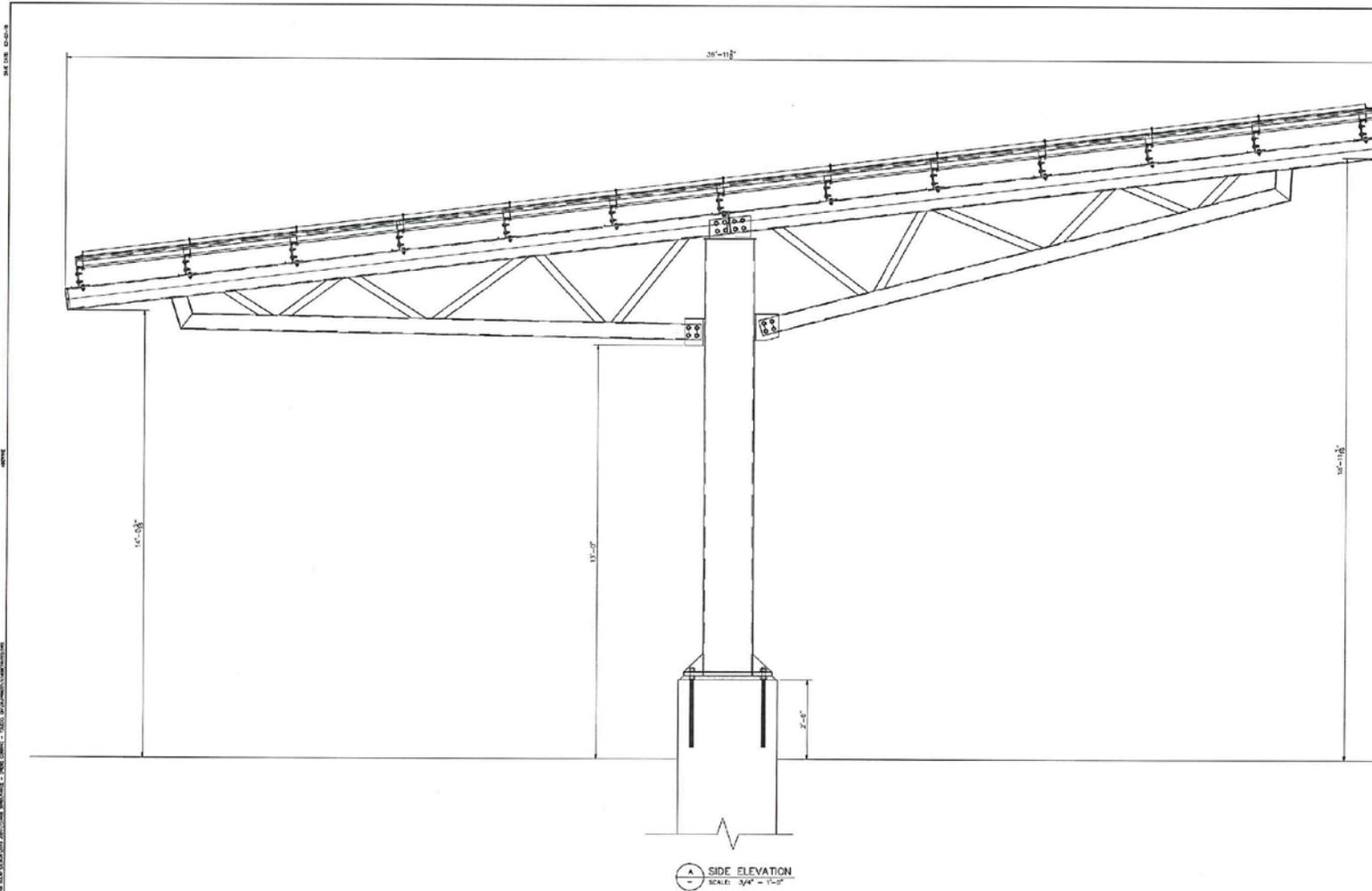
NOTE:
CONTRACTOR TO COORDINATE
WITH ENGINEER FOR ELEC
DICAL BETWEEN PHASES

EXISTING WALK
TO REMAIN

10' COVERED WALK

ELEVATION

SUP-2001-15
ID 10



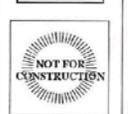
▲ SIDE ELEVATION
SCALE: 3/4" = 1'-0"



5515 VINE STREET
CINCINNATI, OHIO 45217
513-242-2051
FAX: 513-242-0816

The drawings and data in this document, and the intellectual property and confidential information it contains, are the property of RBI Solar, Inc. 5515 Vine Street, Cincinnati, Ohio, 45217. Any party accepting this document does so in confidence and agrees that it shall not be duplicated, in whole or in part, nor disclosed to others without the written consent of RBI Solar, Inc. ©

REVISION RECORD



RBI SOLAR BEING RESPONSIBLE FOR CONTAINING THIS FILE IN BUILT FILES BY LABELING "NOT FOR CONSTRUCTION"

NO.	DATE	REVISION
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OWNER:
SUNDELRANCH

PROJECT ADDRESS:
OWENS CORNING
TOLEDO, OH

DATE: 05/11/08
SHEET: 15/108
SHEET TITLE:
SIDE ELEVATION

DRAWN BY: ABB
CHECKED BY:
DATE: 05/07/15
CITY:

GENERAL INFORMATION

Subject

- | | | |
|-----------|---|---|
| Request | - | Request for a Maumee Riverfront Overlay District review for a solar array and parking lot improvements |
| Location | - | 1 Owens Corning Parkway |
| Applicant | - | Owens Corning
1 Owens Corning Parkway
Toledo, OH 43659 |
| Engineer | - | Stephen M. Way, P.E.
DGL Consulting Engineers, LLC
3455 Briarfield Boulevard
Suite E
Maumee, OH 43537 |

Site Description

- | | | |
|--------------|---|---|
| Zoning | - | CD Downtown Commercial, MRO Maumee Riverfront Overlay |
| Area | - | ± 10.56 acres (parking lot) |
| Frontage | - | ± 1,445' along Ottawa Street |
| Existing Use | - | Parking Lot for Owens Corning |
| Proposed Use | - | Parking Lot improvements for Owens Corning |

Area Description

- | | | |
|-------|---|-----------------------------------|
| North | - | Swan Creek / CD, MRO |
| South | - | Undeveloped / POS, MRO |
| East | - | Maumee River North Bank / CD, MRO |
| West | - | Multi-Family Dwelling / CD, MRO |

Parcel History

- | | | |
|-------------|---|--|
| SUP-2001-15 | - | Request for a Special Use Permit for a solar array and parking lot improvements, companion case. |
|-------------|---|--|

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Maumee Riverfront Overlay District review to facilitate the construction of a solar array field and parking lot improvements at 1 Owens Corning Parkway. The ±10.56 acre site is zoned for CD Downtown Commercial and is located within the Maumee Riverfront Overlay District (MRO). The site is currently occupied by the world headquarters of Owens Corning and its associated parking area.

The site plan submitted for the parking lot improvements depict the removal of the existing asphalt employee parking lot. The contractor will remove the existing parking lot down the stone base which is to be inspected for areas of failure and repair/recompact areas as required. Millings from the asphalt removal are to be used as fill for construction of the new parking lot. The northernmost area of the parking lot that is referred to as the visitors parking lot will remain in its current condition.

The improvements will also consist of a solar array system that will cover the majority of the employee parking lot. The solar array system will be mounted on four (4) foot diameter concrete piers and span above each vehicle parking row so to create a canopy that will be made of solar panels. The canopies will be placed at optimal angle and various heights so to take advantage of the energy generating capabilities of the photovoltaic system. Stormwater that falls onto the solar array system will be captured internally and discharged directly into the Maumee River. The energy captured by the solar array system will be used to power Owen Corning's headquarters located adjacent to the parking lot. A companion case accompanies this case.

The Toledo Design Center has reviewed and supports this project. The committee feels that the Owens Corning solar field project is an exciting example of taking a negative aspect of a parking lot and converting it to a positive of energy conservation.

STAFF ANALYSIS (cont'd)

Maumee Riverfront Overlay District (MRO)

The Maumee Riverfront Overlay District (MRO) enhances the requirements, regulations and procedures that apply in the underlying zoning district(s). The river is a visual, environmental and transportation resource affecting substantial portions of Downtown. The general intent and purpose of the MRO is to provide for maximum public benefit through the opportunity for enjoyment of river vistas and access by maximum number of citizens. Among others, it is also the intent of the MRO to eliminate or minimize negative environmental impact and to provide for improved scenic and aesthetic controls.

Maumee Riverfront Plan (MRO)

The Maumee Riverfront Plan was developed in response to an increasing public awareness of the Maumee Riverfront and the possibilities of redevelopment of large sections of the riverfront. The Owens Corning site is located in the section known as the “port segment”. The Port Segment is intended to be the focal point for a variety of urban uses and major parks in the downtown area. The Plan mentions Owens Corning Headquarters as a catalytic investment in Toledo’s riverfront and a demonstration of the private and public sectors willingness to invest in the area.

The Maumee Riverfront Overlay District review is suitable for this location because it conforms to the Maumee Riverfront Plan and meets the stated purpose of the Toledo Municipal Zoning Code.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of MRO-1-15, a Maumee Riverfront Overlay District review for a solar array and parking lot improvements for a site located at 1 Owens Corning Parkway, for the following two (2) reasons:

1. The proposed use conforms to the Maumee Riverfront Overlay District;
2. The proposed use meets the stated purpose of the zoning code.

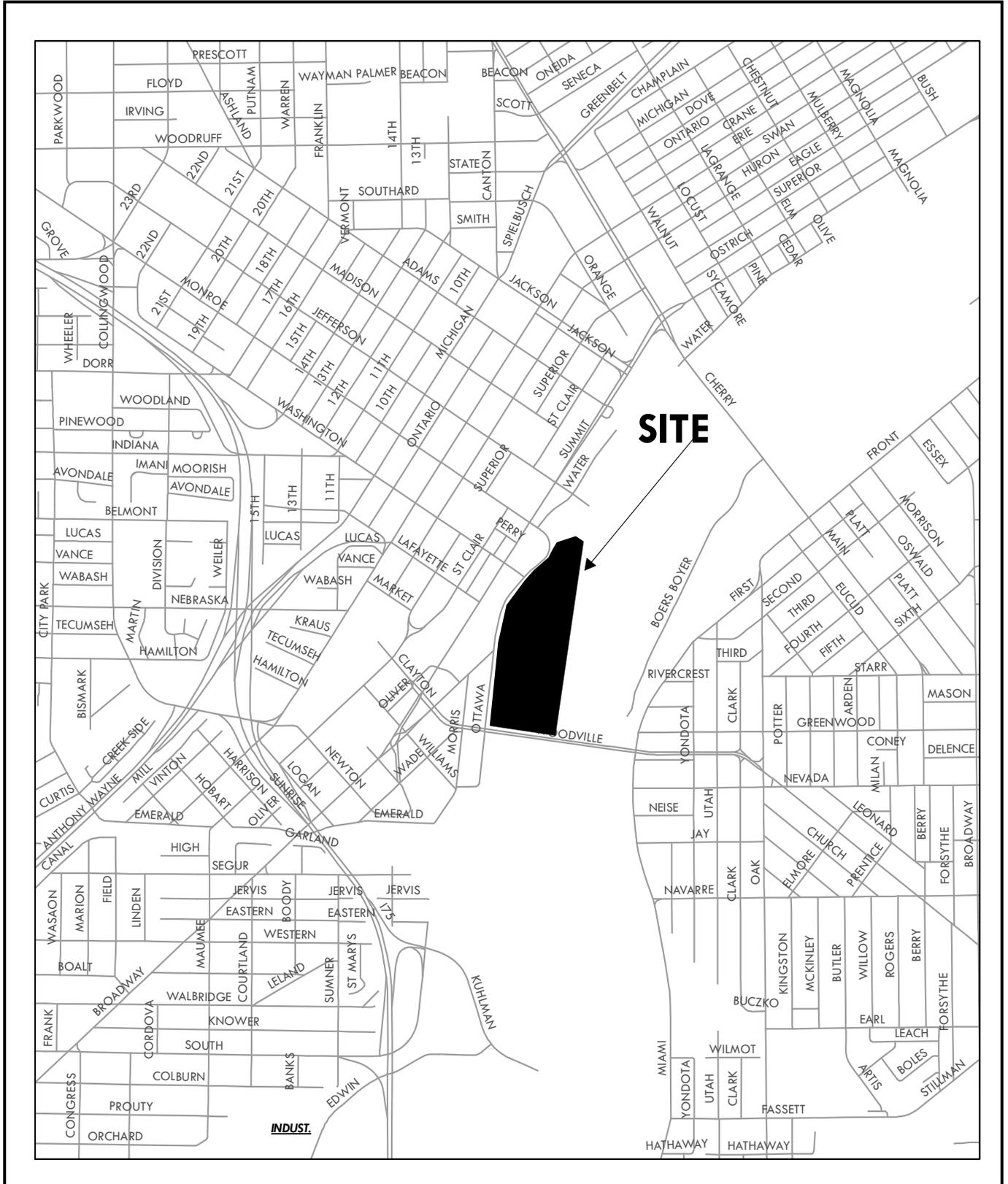
MAUMEE RIVERFRONT OVERLAY
TOLEDO CITY PLAN COMMISSION
REF: MRO-1-15
DATE: March 12, 2015
TIME: 2:00 P.M.

GP/bk

Two (2) sketches follow

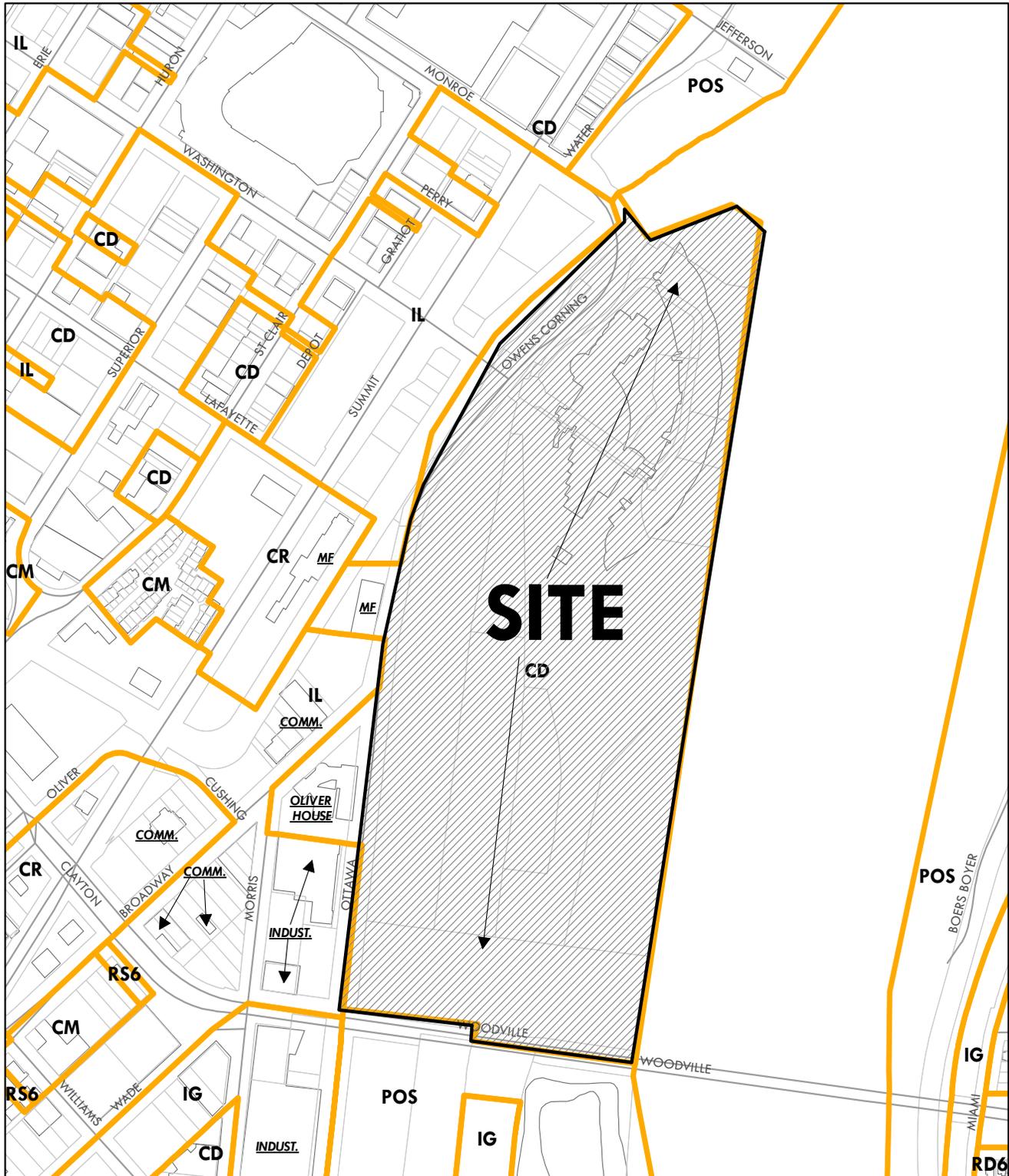
GENERAL LOCATION

MRO-01-15
ID 10



ZONING & LAND USE

MRO-01-15
ID 10



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GENERAL INFORMATION

Subject

- Request - Special Use Permit for an Event Park (Community Recreation – Active).
- Location - 321 Monroe Street
- Owner - Joe Napoli
The Toledo Mudhens
406 Washington Street
Toledo, OH 43604
- Architect - Rick Butera
The EDGE Group
33 S Michigan St, Suite 304
Toledo, OH 43604

Site Description

- Zoning - IL Limited Industrial & CD Downtown Commercial
- Area - ± 0.772 acres
- Frontage - ± 155' on St Clair Street
± 240' on Monroe Street
+ 150' on Summit Street
- Existing Use - Parking Lot
- Proposed use - Outdoor Event Park

Area Description

- North - Seagate Center, Hotel and Restaurant / CD
- South - Banquet Event Center and Offices / CD & IL
- East - Boeschstein Park / IL
- West - 5/3 Field / CD

Parcel History

- DOD-5-92 - Downtown Overlay District Review for the demolition of 28 N St. Clair St (PC approved 9/3/92)
- DOD-8-92 - Downtown Overlay District Review for the demolition of 34-36 N St. Clair St (PC approved 12/3/92)

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

- | | | |
|-------------|---|---|
| DOD-2-13 | - | Downtown Overlay District Review of a building demolition at 34 N St. Clair Street (PC approved 10/10/13) |
| DOD-6-14 | - | Downtown Overlay District Review for building renovations at 28 N St. Clair Street (Administratively approved 1/9/15) |
| TWDARC-1-15 | - | Toledo Warehouse District Architectural Review Committee for an Event Park (Community Recreation –Active) at 321 Monroe Street (Companion Case) |
| DOD-1-15 | - | Downtown Overlay District Review for Physical Changes at 321 Monroe Street (Companion Case) |

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit to allow for the construction of an event park. The 0.772-acre site is located on the corner of St. Clair, Monroe and Summit Streets and will be developed in conjunction with the building located at 28 N. St. Clair Street. The Warehouse District Architectural Review Committee is scheduled to review the site design and elevations at their March 10, 2015 meeting. The Toledo Design Center has reviewed and supports this project. A companion Downtown Overlay District review application accompanies this case.

The event park will be part of the “Hensville” improvements that are taking place at various locations around 5/3 Field. The applicant was recently granted approval, via DOD-6-14, to renovate “Building 28”, located at 28 N St. Clair Street. Once completed, this building will have a commercial component on the bottom floor and office and meeting/event space on the remaining floors. In addition, the roof is anticipated to be used for events and parties. To further build on this use, the applicant is proposing the redevelopment of the surface parking lots into a park like setting. This event park will have a patio located along the side of “Building 28” and a larger open space for larger congregations with such amenities as a recessed fountain, lawn areas, landscaping, fencing and a kiosk.

STAFF ANALYSIS (cont'd)

Surrounding land uses include 5/3 Field to the west, the Seagate Center and a hotel to the north, a park and the Owens Corning Headquarters to the east and commercial uses to the south.

Parking and Circulation

Pursuant to TMC§1107.0200 – *Special Parking Districts*, the parking requirement for community recreation uses are subject to Schedule “D”. Schedule “D” states - The Director of Planning must apply an off-street parking standard from the listed use that is deemed most similar to the proposed use or establish minimum off-street parking requirements on the basis of a parking demand study that is supported by evidence which may accommodate the parking requirement. The event park is served by the surrounding parking structures and surface lots, which may accommodate parking requirements. The applicant shall provide documentation of surrounding parking availability subject to the satisfaction of the Director of Planning. Additionally, staff has encouraged the applicant to rezone the site to CD Downtown Commercial. The CD zoning district exempts non-residential uses from minimum parking standards.

Landscaping & Fencing

Landscaping has been submitted as part of the site plan review. The applicant is proposing the use of large decorative “planter boxes” along the Monroe Street frontage. The applicant is proposing four (4) planter boxes, each measuring approximately ten (10) feet wide by fifty (50) long. These boxes are to be constructed with brick facades to compliment surrounding development. The planters will serve as a barrier between the sidewalk and the event park. The planter boxes contain a combination of both trees and shrubs and a two (2) foot high fence, resulting in an overall height of 4 ½ feet. The applicant has requested the maximum fence height of 3 ½ feet in the IL front yard setback be waived as part of this application.

The proposed patio (along the “Building 28” north wall) will be partitioned from the main event park for multiple reasons. First the grade of the site slopes approximately two (2) feet from St. Clair Street to the rear of the building. As a result the partition will serve as a retaining wall to aid in the leveling of the patio surface. Second, the patio may be used in the future for uses such as outdoor dining or private events, independent of those which may be taking place in the “Main Event Park”. The retaining wall will have a brick façade with a decorative fence.

The “Main Event Park” area will consist of a recessed fountain, an informational kiosk, planter boxes along Monroe Street, a large lawn area at the front of the fountain, and smaller lawn areas adjacent to the planter boxes.

Building Design

The applicant submitted renderings that detail the exterior improvements to the kiosk, planter boxes and retaining walls. A consistent brick façade with accent banding is proposed on all structures. The Warehouse District Architectural Review Committee will review the design proposal at the March 10th meeting.

STAFF ANALYSIS (cont'd)

Recommendation

The Toledo 20/20 Comprehensive Plan designates this site as Downtown Commercial. The Downtown Commercial future land use district was intended to accommodate a broad range of uses to reflect downtown's role as a commercial, governmental, cultural and entertainment center. Land uses are intended to be intense with high building coverage, large buildings, and buildings placed close together. In addition, the Warehouse District Community Development Plan stresses the importance of ample and interactive open spaces. Based on the nature of the proposed use and its location, the proposal meets the purpose and All applicable provisions of the zoning code as outlined in TMC 1111.0706 Review and Decision-Making Criteria.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-1003-15, a Special Use Permit for an Event Park (Community Recreation – Active), located at 321 Monroe Street, to Toledo City Council for the following three (3) reasons:

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

The staff recommends that the Toledo City Plan Commission make the following recommendations to the Toledo City Council on the waiver requested for a Special Use Permit for an Event Park (Community Recreation – Active), located at 321 Monroe Street:

Chapter 1105.0300 Fences and Hedges

Sec. 1105.0302 Commercial and Industrial Districts – Fence Height

Approve a waiver of the 3 ½ foot maximum height in the required front yard setback to allow for a maximum fence height not to exceed 4 ½ in height.

The staff further recommends that the Toledo City Plan Commission approve SUP-1003-15, a Special Use Permit for an Event Park (Community Recreation – Active), located at 321 Monroe Street, to Toledo City Council subject to the following thirty-five (35) conditions:

STAFF RECOMMENDATION (cont'd)

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. 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.
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. Plans for new water services or modifications to existing water services shall be submitted to the Division of Engineering Services for review and approval.
6. New water service taps will be installed by City of Toledo at the developer's expense.
7. If existing public water facilities are in conflict and must be relocated, they will be relocated by the City of Toledo at the developer's cost.
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 stormwater approval.
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.
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. 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.
14. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
15. No construction work, including grading, will be permitted without approved plans and inspection.
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
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.
18. 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.
19. Any existing sewers under proposed buildings or structures shall be relocated or abandoned. Developer shall verify any sewers to be abandoned are no longer in service.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

20. One of two planter boxes on Monroe St. appears to be on top of a combined sewer manhole, which will not be permitted.

Fire Prevention

No objections or concerns.

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.

Building Inspection

23. New construction and/or alterations to any building on the site will require construction documents stamped by a state-registered design professional to be submitted to the Division of Building Inspection for plan review and approval showing the improvements will be in compliance with the Ohio Building Code and associated mechanical, electrical codes and fire codes and ADA regulations.
24. Any signage or fencing will require separate permits. Fencing greater than 42" in height will require a waiver from the Board of Zoning Appeals.

Toledo Design Center

No objections or concerns.

Division of Transportation

25. Parking along Perry St. and St. Clair St. shall be accurately shown per previous discussions with the Division of Transportation.
26. Right-of-way on Summit St. and at the intersection of Summit St. & Monroe St. shall be accurately shown.
27. All existing unused drive approaches shall be completely removed and new curbs and sidewalks shall be installed in accordance with City of Toledo Construction Standards.

STAFF RECOMMENDATION (cont'd)

Plan Commission

28. New and/or Renovated buildings shall conform to TMC§1103.1500 & §1103.0200.
29. Trash containers, service and storage areas shall be screened and maintained. These areas should be separated from the main circulation and parking areas, **if applicable**.
30. The applicant shall provide documentation of surrounding parking availability subject to the satisfaction of the Director of Planning.
31. Prior to the issuance of a building permit, the applicant shall vacate the alley in the areas of the proposed development, **application has been received**.
32. 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, **acceptable as depicted on plan**.
 - b. The location, height and materials of any fencing to be installed and maintained; **acceptable as depicted on plan**.
 - c. The location, type and direction of any proposed lighting. The lighting is subject to the approval of the Director of the City of Toledo Plan Commission (lights are to be directed away from adjacent residential properties); **acceptable as depicted on plan**.
 - d. The location, lighting and size of any signs.
33. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
34. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
35. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

REF: SUP-1003-15... March 12, 2015

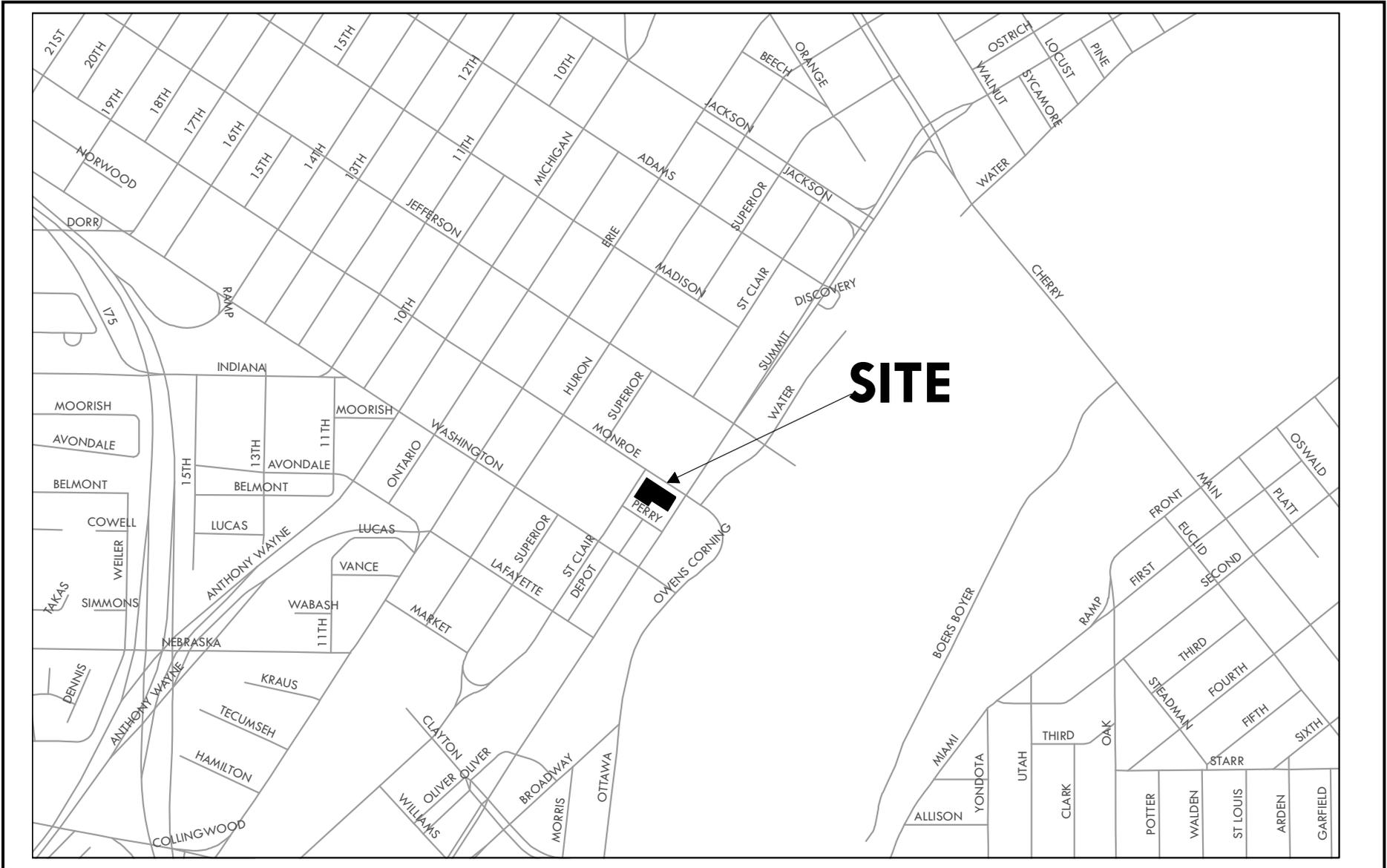
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-1003-15
DATE: March 12, 2015
TIME: 2:00 P.M.

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

BH
Six (6) sketches follow

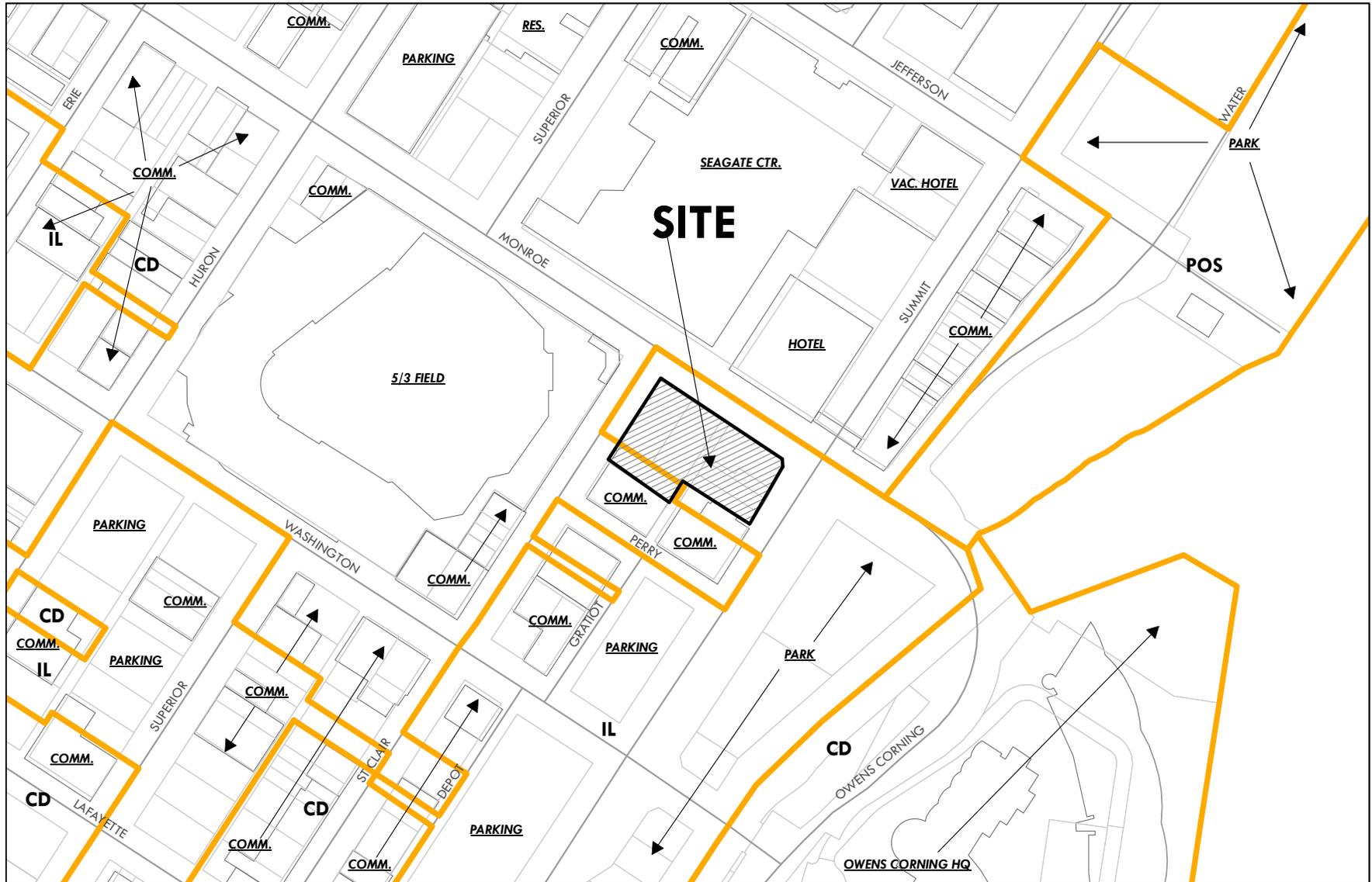
GENERAL LOCATION

SUP-1003-15
ID 10



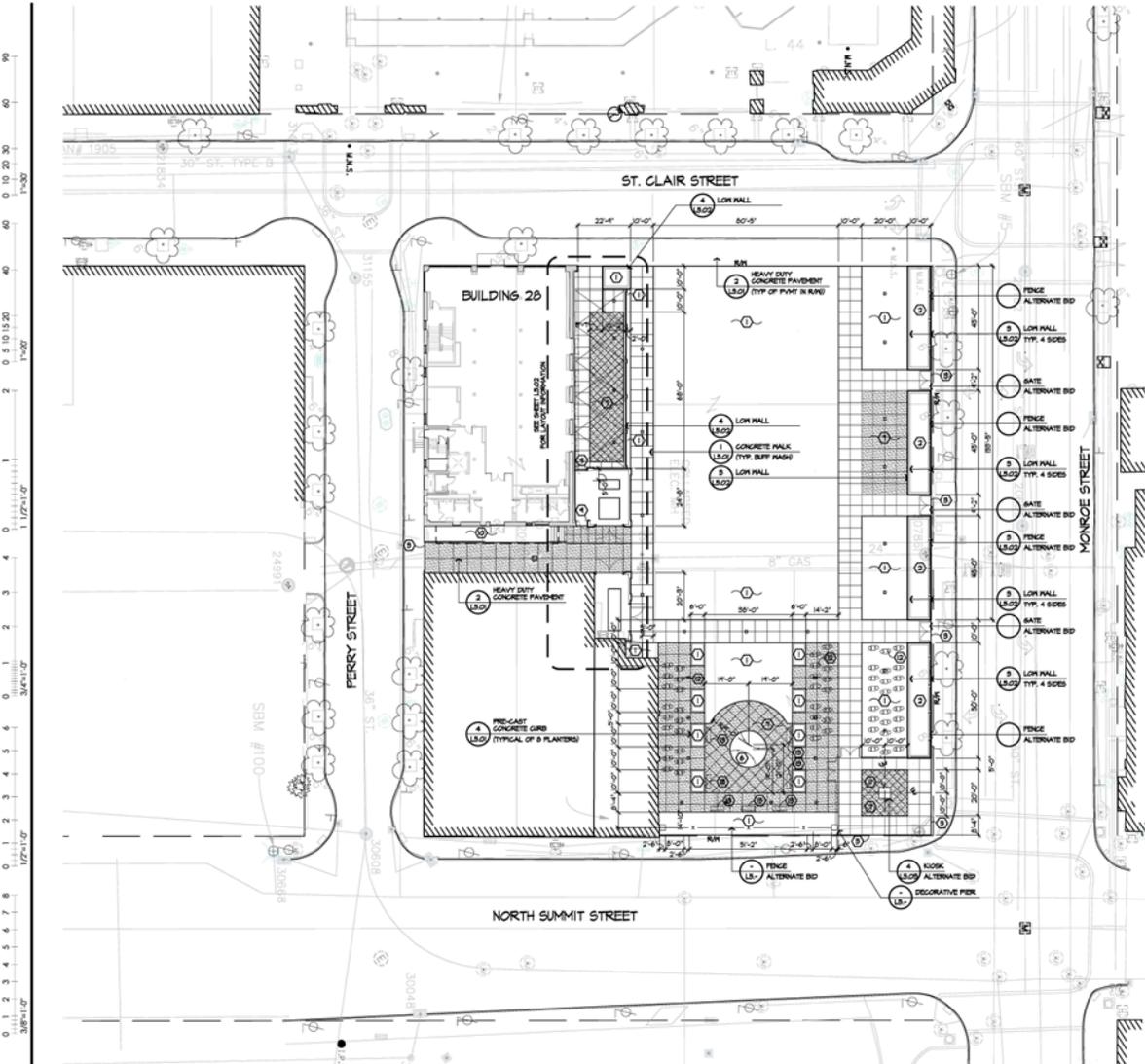
ZONING & LAND USE

SUP-1003-15
ID 10



SITE PLAN

SUP-1003-15
ID 10



- GENERAL NOTES**
1. ALL DIMENSIONS USING CURBS, BUILDING WALLS OR PAVEMENT AS A REFERENCE ARE FROM FACE OF CURB, FINISHED FACE OF BUILDING, FINISHED FACE OF WALL, OR EDGE OF PAVEMENT, UNLESS NOTED OTHERWISE.
 2. THE LOCATIONS OF THE EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE MANNER ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES PRIOR TO COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.
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 4. ALL LAYOUT TO BE BY A REGISTERED SURVEYOR OR ENGINEER. THE OWNER'S REPRESENTATIVE SHALL REVIEW THE LAYOUT FOR GENERAL CONFORMANCE PRIOR TO CONSTRUCTION.
 5. WORK SHOWN IS BASED ON A SURVEY PROVIDED BY / FROM / ADDRESS / PHONE.
 6. EXTERIOR PAVEMENT ELEVATIONS AT ALL ENTRANCES TO BUILDING ARE TO BE FINISH WITH THE FINISHED FLOOR ELEVATION OF THE BUILDING.
 7. ALL CONCRETE SURFACES SHALL RECEIVE 'BUFF HAND' FINISH UNLESS INDICATED OTHERWISE. SEE SPECIFICATIONS.

- CONSTRUCTION NOTES**
1. LAWN / PLANT BED.
 2. RAIN GARDEN.
 3. PAVEMENTS TO MEET FLUSH.
 4. TYPICAL CONTROL JOINT.
 5. TYPICAL EXPANSION JOINT.
 6. FOUNTAIN, SEE FOUNTAIN DRAWINGS.
 7. DECORATIVE CONCRETE FINISH.
 8. BICYCLE RACK, TYP. OF 8, SEE DETAIL M, L.S.O.
 9. BATE, SEE DETAIL #.
 10. RAMP AND STEPS, SEE ARCHITECT'S DRAWINGS.
 11. KIOSK.
 12. LOOSE FURNISHINGS, TABLES AND CHAIRS BY PERFORM.
 13. BENCH, SURFACE MOUNT, BY FORMS + SURFACES.



THOMAS PORTER ARCHITECTS
www.thomasporter.com
4 North D. Clair
Toldeo, Ohio 43004-1028 419.203.9022 FAX

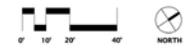
CONSULTANTS
Lathrop EDGE
mda engineering, inc.
WGL
TETRATECH
WC DESIGN

PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT TITLE:
HENSVILLE EVENT PARK
D.O.D. REVIEW AND SPECIAL USE PERMIT
28 N. ST. CLAIR ST.
TOLDO, OHIO 43004

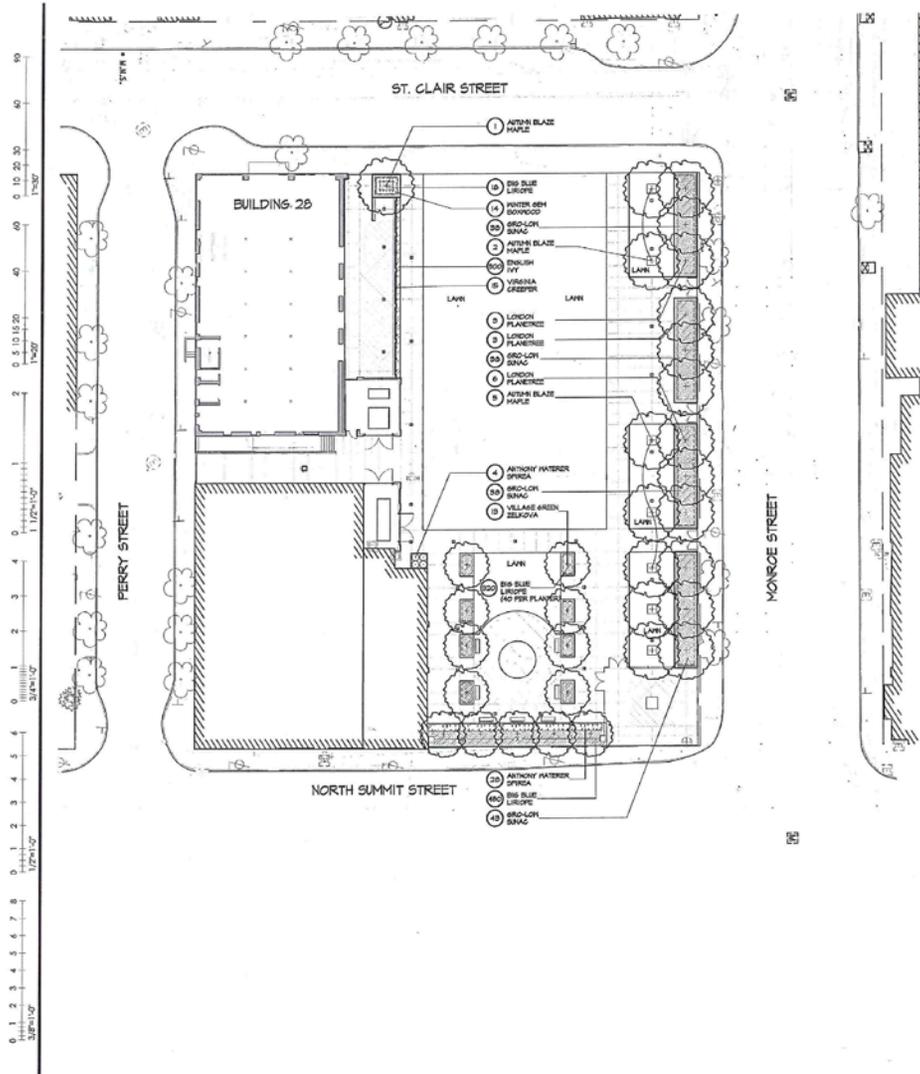
DATE	ISSUE / REVISION
01.27.2015	PLAN COMMISSION
03.17.2014	DESIGN DEVELOPMENT
DATE	ISSUE / REVISION
DESIGNED:	EDGE
DRAWN:	EDGE
CHECKED:	EDGE
SPA COMMISSION NUMBER:	13072

DRAWING TITLE:
LAYOUT PLAN
DRAWING NUMBER:
L1.01
SHEET ___ OF ___



LANDSCAPE PLAN

SUP-1003-15
ID 10

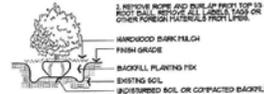


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- CONTRACTOR RESPONSIBLE FOR COST OF REPAIRS TO EXISTING SITE CONDITIONS FROM DAMAGE BY CONTRACTOR. REPAIR TO THE SATISFACTION OF THE OWNER.
- ALL PLANT TAGS TO BE OBTAINED WITHIN 9" DEEP HARDWOOD BARK TAGS SET.
- CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE IN LAWN AREAS.
- FINE GRADE LAWN AREAS TO PROVIDE A SMOOTH AND CONTROL GRADE FREE OF IRREGULARITIES OR DEPRESSIONS.
- CONTRACTOR SHALL SEED OR SOG ALL AREAS DISTURBED DURING CONSTRUCTION SEE PLAN.
- ALL PLANTS SHALL MEET OR EXCEED STANDARDS SET IN THE U.S.A. STANDARD FOR NURSERY STOCK.
- ALL PLANTING OPERATIONS SHALL ADHERE TO THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS.

NOTES

- TOP OF ROOT BALL TO BE 1"-1 1/2" ABOVE ADJACENT FRESH GRADE
- REMOVE MOSS AND BUILDUP WITHIN TOP 1/3 OF ROOT BALL. REMOVE ALL LABEL TAGS OR OTHER FOREIGN MATERIALS FROM LINES.



1 SHRUB PLANTING



2 TREE PLANTING

PLANT MATERIALS LIST

QTY.	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
TREES					
8	ANTHONY BLAZE MAPLE	Acer x Freemanii 'Anthony Blaze'	4" Cal.	B4B	
12	LONDON PLANETREE	Platanus x acerifolia Bloodgood London Plane	4" Cal.	B4B	
18	VILLAGE GREEN ZELKOVA	Zelkova serrata 'Village Green'	4" Cal.	B4B	
SHRUBS					
14	WINTER GEM SORBO	Buxus microcarpa 'Winter Gem'	18"-24" Hgt.	Cont.	
151	SPROUCH SPINE	Rhus aromatica 'Trop-Lux'	24" Hgt.	Cont.	
82	ANTHONY WINTER SPINEA	Spiraea x vanDykei 'Anthony Winter'	30" Hgt.	Cont.	
PERENNIALS / GROUND COVER / VINES					
500	ENGLISH IVY	Hedera helix	#1	Cont.	
88	BIG BLUE LIRIOPE	Liriope muscari 'Big Blue'	#1	Cont.	
18	VIRGINIA CREEPER	Parthenocarpus viticifolia	#0	Cont.	Staked

THOMAS PORTER ARCHITECTS
 419 S. 14th St. Toledo, OH 43603
 419.243.4378

Lathrop EDGE
 CONSULTANT:
 mda engineering, inc.
 1000 W. 10th St. Toledo, OH 43603
 419.243.4378

PRELIMINARY
 NOT FOR CONSTRUCTION

HENSVILLE EVENT PARK
 D.O.D. REVIEW AND SPECIAL USE PERMIT
 28 N. ST. CLAIR ST.
 TOLEDO, OHIO 43604

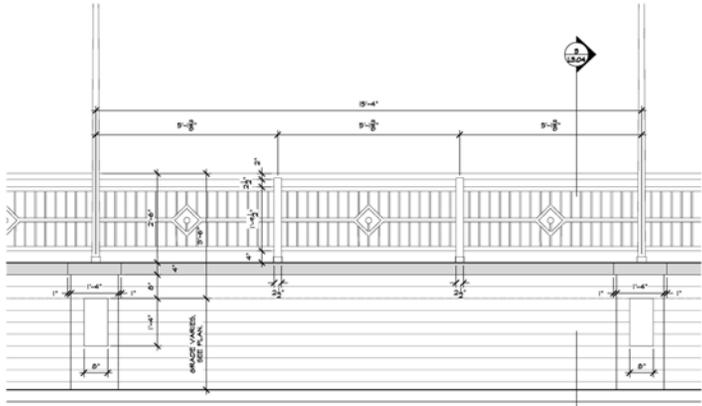
ISSUE OR REVISION:
 01.22.2018 PLAN COMMISSION
 03.10.2018 DESIGN DEVELOPMENT
 DATE ISSUE / REVISION
 DESIGNED: EDGE
 DRAWN: EDGE
 CHECKED: EDGE
 WA COMMISSION NUMBER: 13072
 DRAWING TITLE:

PLANTING PLAN
 DRAWING NUMBER:
13.02
 SHEET ___ OF ___

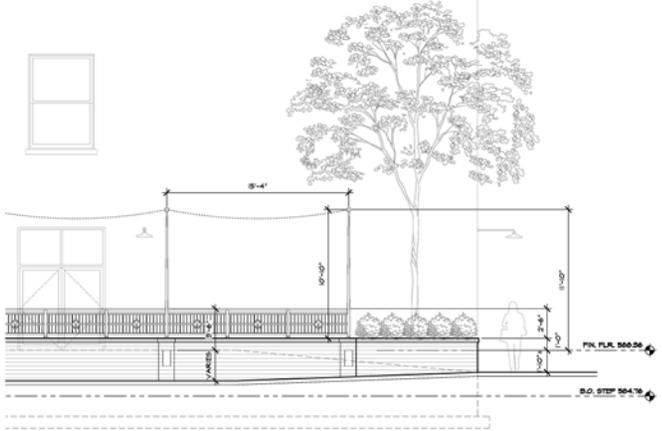


ELEVATION #2

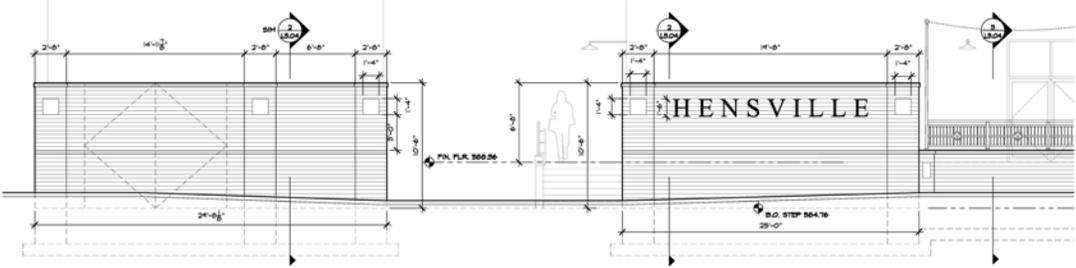
SUP-1003-15
ID 10



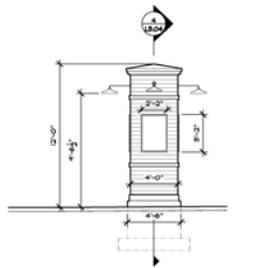
1 ENLARGED PATIO WALL AND RAILING DETAIL
SCALE: 3/4" = 1'-0"



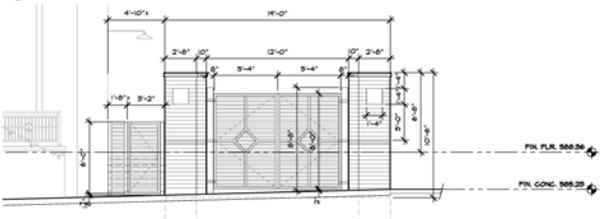
4 ENLARGED PATIO ELEVATION
SCALE: 1/4" = 1'-0"



2 ENLARGED SCREEN WALL ELEVATION
SCALE: 1/4" = 1'-0"



5 KIOSK ELEVATION
SCALE: 1/4" = 1'-0"



3 ENLARGED SCREEN WALL ELEVATION
SCALE: 1/4" = 1'-0"



THOMAS PORTER ARCHITECTS
www.thomaspporter.com
8 North D. Clair Toledo, OH 43604-1038 419.243.2403 FAX 419.243.9851 FAX



PRELIMINARY
NOT FOR CONSTRUCTION

HENSVILLE EVENT PARK
D.O.D. REVIEW AND SPECIAL USE PERMIT
28 N. ST. CLAIR ST.
TOLEDO, OHIO 43604

DATE	ISSUE / REVISION
01.27.2016	PLAN COMMISSION
10.17.2014	DESIGN DEVELOPMENT
	DATE
	DESIGNED: EDGE
	DRAWN: EDGE
	CHECKED: EDGE
	TRA COMMISSION NUMBER: 13072

ENLARGED SITE ELEVATIONS
DRAWING NUMBER: L5.03
SHEET ___ OF ___

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GENERAL INFORMATION

Subject

- Request - Downtown Overlay District Review for Physical Changes.
- Location - 321 Monroe Street
- Owner - Joe Napoli
The Toledo Mudhens
406 Washington Street
Toledo, OH 43604
- Architect - Rick Butera
The EDGE Group
33 S Michigan St, Suite 304
Toledo, OH 43604

Site Description

- Zoning - IL Limited Industrial & CD Downtown Commercial
- Area - ± 0.772 acres
- Frontage - ± 155' on St Clair Street
± 240' on Monroe Street
+ 150' on Summit Street
- Existing Use - Parking Lot
- Proposed use - Outdoor Event Park

Area Description

- North - Seagate Center, Hotel and Restaurant / CD
- South - Banquet Event Center and Offices / CD & IL
- East - Boeschstein Park / IL
- West - 5/3 Field / CD

Parcel History

- DOD-5-92 - Downtown Overlay District Review for the demolition of 28 N St. Clair St (PC approved 9/3/92)
- DOD-8-92 - Downtown Overlay District Review for the demolition of 34-36 N St. Clair St (PC approved 12/3/92)

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

- | | | |
|-------------|---|--|
| DOD-2-13 | - | Downtown Overlay District Review of a building demolition at 34 N St. Clair Street (PC approved 10/10/13) |
| DOD-6-14 | - | Downtown Overlay District Review for building renovations at 28 N St. Clair Street (Administratively approved 1/9/15) |
| TWDARC-1-15 | - | Toledo Warehouse District Architectural Review Committee for an Event Park (Community Recreation – Active) at 321 Monroe Street (Companion Case) |
| SUP-1003-15 | - | Special Use Permit request for an Event Park (Community Recreation – Active) at 321 Monroe Street (Companion Case) |

Applicable Regulations

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

STAFF ANALYSIS

The applicant is proposing to construct an event park at 312 Monroe Street within the Downtown Overlay District. The 0.772-acre site is located on the corner of St. Clair, Monroe and Summit Streets and will be developed in conjunction with the building located at 28 N. St. Clair Street. The Warehouse District Architectural Review Committee is scheduled to review the site design and elevations at their March 10, 2015 meeting. The Toledo Design Center has reviewed and supports this project. A companion Special Use Permit application accompanies this case.

The event park will be part of the “Hensville” improvements that are taking place at various locations around 5/3 Field. The applicant was recently granted approval, via DOD-6-14, to renovate “Building 28”, located at 28 N St. Clair Street. Once completed, this building will have a commercial component on the bottom floor and office and meeting/event space on the remaining floors. In addition, the roof is anticipated to be used for events and parties. To further build on this use, the applicant is proposing the redevelopment of the surface parking lots into a park like setting. This event park will have a patio located along the side of “Building 28” and a larger open space for larger congregations with such amenities as a recessed fountain, lawn areas, landscaping, fencing and a kiosk.

STAFF ANALYSIS (cont'd)

Landscaping & Fencing

Landscaping has been submitted as part of the site plan review. The applicant is proposing the use of large decorative “planter boxes” along the Monroe Street frontage. The applicant is proposing four (4) planter boxes, each measuring approximately ten (10) feet wide by fifty (50) long. These boxes are to be constructed with brick facades to compliment surrounding development and are also compatible with the Downtown Urban Design Guidelines as outlined in TMC§1103.0205. The planters will serve as a barrier between the sidewalk and the event park. The planter boxes contain a combination of both trees and shrubs and a two (2) foot high fence, resulting in an overall height of 4 ½ feet.

The proposed patio (along the “Building 28” north wall) will be partitioned from the main event park for multiple reasons. First the grade of the site slopes approximately two (2) feet from St. Clair Street to the rear of the building. As a result the partition will serve as a retaining wall to aid in the leveling of the patio surface. Second, the patio may be used in the future for uses such as outdoor dining or private events, independent of those which may be taking place in the “Main Event Park”. The retaining wall will have a brick façade with a decorative fence.

The “Main Event Park” area will consist of a recessed fountain, an informational kiosk, planter boxes along Monroe Street, a large lawn area at the front of the fountain and smaller lawn areas adjacent to the planter boxes.

Building Design

The applicant submitted renderings that detail the exterior improvements to the kiosk, planter boxes and retaining walls. A consistent brick façade with accent banding is proposed on all structures. The Warehouse District Architectural Review Committee will review the design proposal at the March 10th meeting.

Recommendation

The Downtown Master Plan (2002) established Key Assumptions in guiding the effort for future downtown development. The assumptions that are germane to this issue are:

- The Warehouse District is encouraged to offer venues that allow ballpark attendees to linger in Downtown after games.
- Downtown and the Riverfront should be understood as a destination for community-wide gatherings.
- Encourage pedestrian activity by providing high quality, creatively designed streetscapes and amenities.

STAFF ANALYSIS (cont'd)

Recommendation (cont'd)

The 2011 Toledo Downtown Plan established key planning guidelines to reflect the changes from the 2002 Downtown Plan. The guidelines that are relevant to this issue are:

- Enhance public realm links among Downtown's Entertainment (Live, Work, Play & Learn) anchors: •5/3rd Field • Huntington Center • SeaGate Convention Centre • Valentine Theatre •Imagination Station • Promenade Park • Toledo Lucas County Public Library
- Promote mixed-use re-use of a select number of vacant and underutilized historic and quality buildings beginning at the ground floor, then upper levels.
- Focus new mixed-use development on a key number of vacant sites (per Arena Neighborhood Development Initiative (ANDI) Vision) within the Central Business District.
- Foster a development and re-development culture built on sustainable design and energy efficiency principles.
- An outdoor event space in the middle of the Fifth Third Field, Huntington Center, Seagate Convention Centre activity hub.

The Downtown Toledo Plan envisioned an event center for Superior Street and the current proposal meets the overall goal by providing a pedestrian oriented event park in the area of the Fifth Third Field, Huntington Center, Seagate Convention Centre activity hub. The proposal is in concert with the objectives of both plans. In addition, the redevelopment of this parcel is vital to continue the resurgence of this area and promotes the Warehouse District's long-term viability. 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§1111.0903 (C), Downtown Overlay District Design Guidelines.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission approve DOD-1-15, physical changes to construct an event park, located at 321 Monroe Street for the following two (2) reasons:

1. The proposed complements the goals and objectives of both the Downtown Master Plan and the Toledo Downtown Plan (TMC§1111.0903(C)(1));
2. The proposal is compatible with the Downtown Urban Design Guidelines in TMC§1103.0205 (TMC§1111.0903(C)(2));

REF: DOD-1-15. . . March 12, 2015

DOWNTOWN OVERLAY DISTRICT
TOLEDO CITY PLAN COMMISSION

REF: DOD-1-15

DATE: March 12, 2015

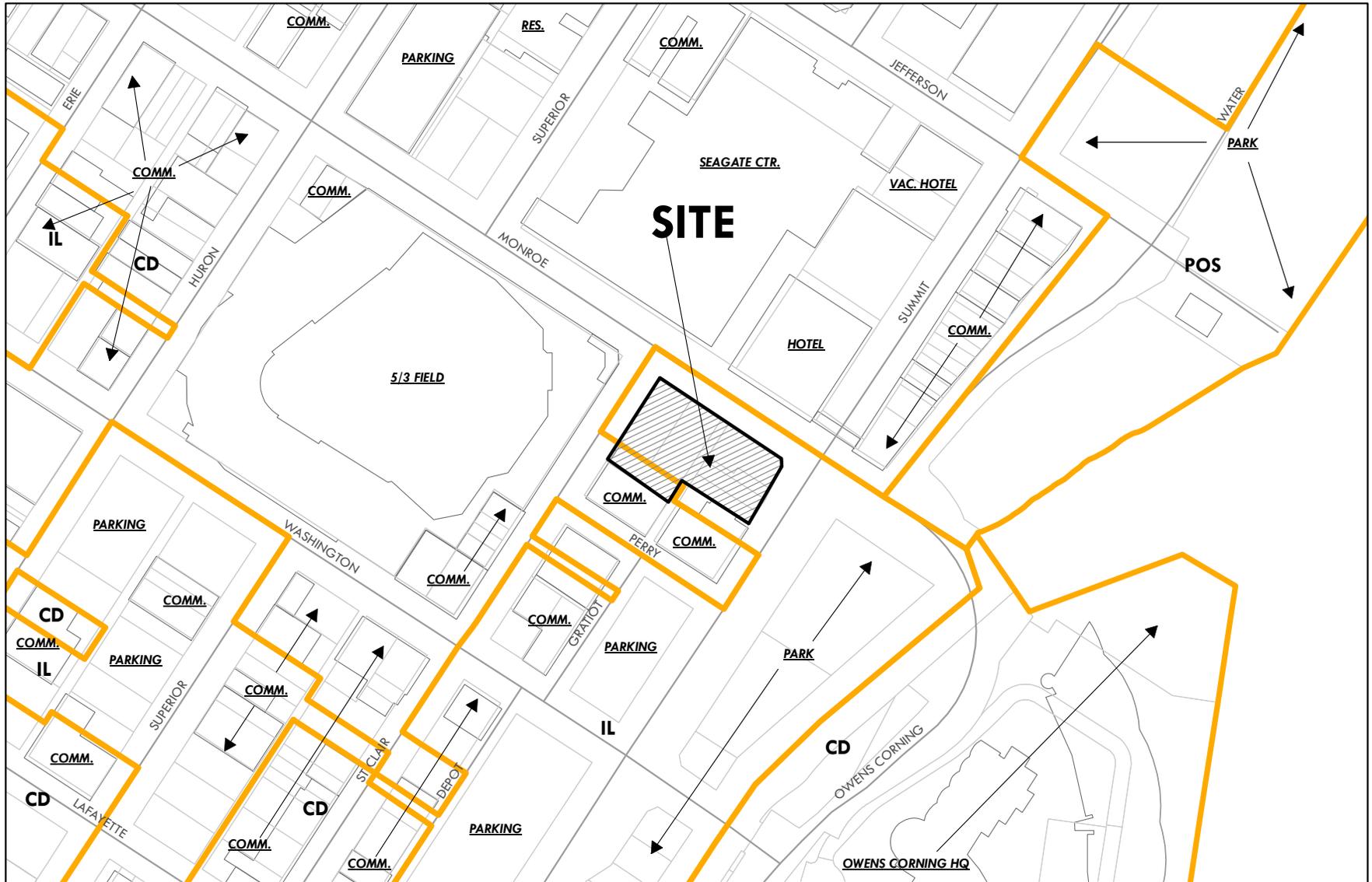
TIME: 2:00 P.M.

BH

Six (6) sketches follow

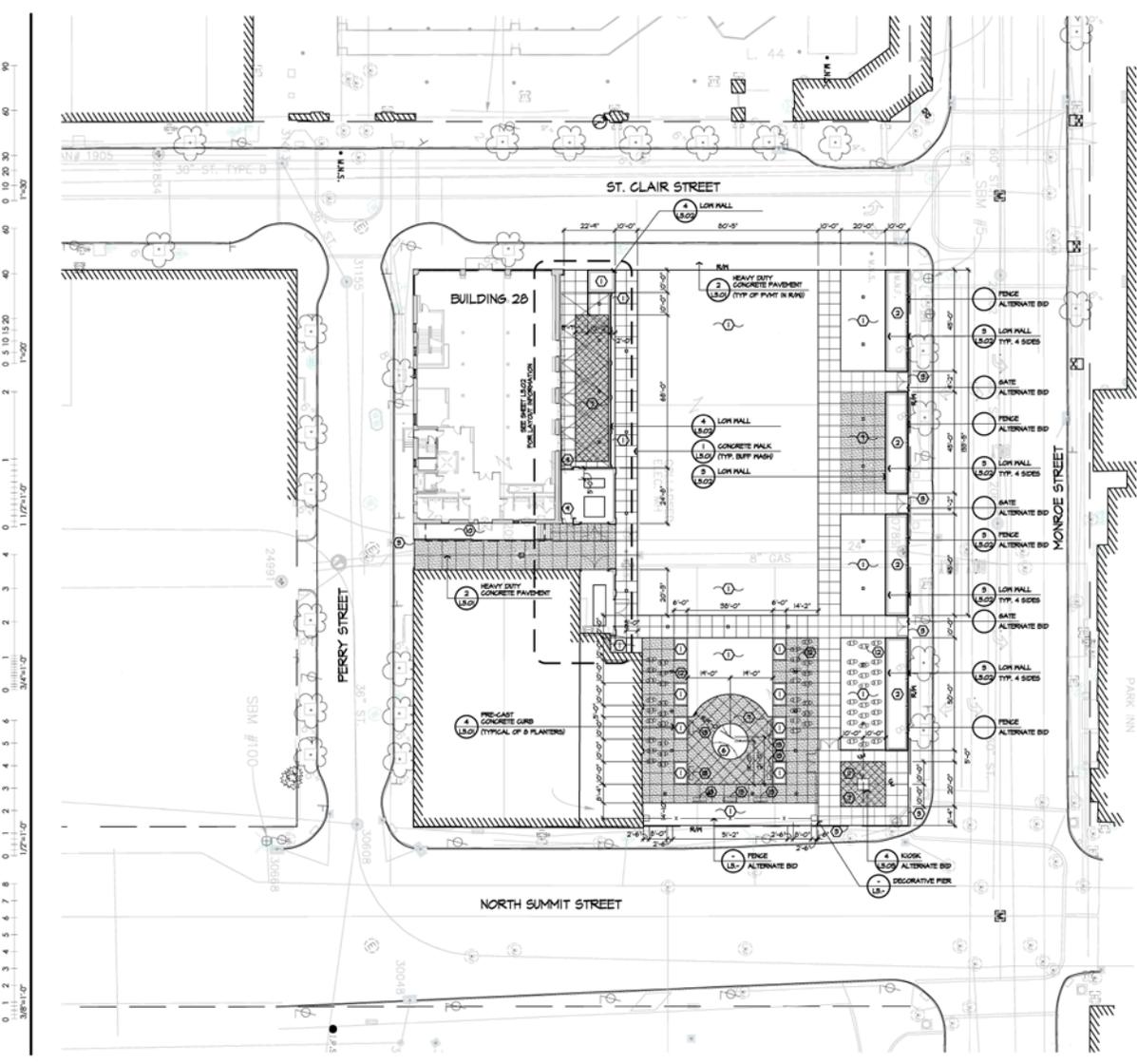
ZONING & LAND USE

DOD-1-15
ID 10



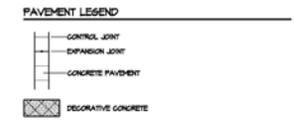
SITE PLAN

DOD-1-15
ID 10



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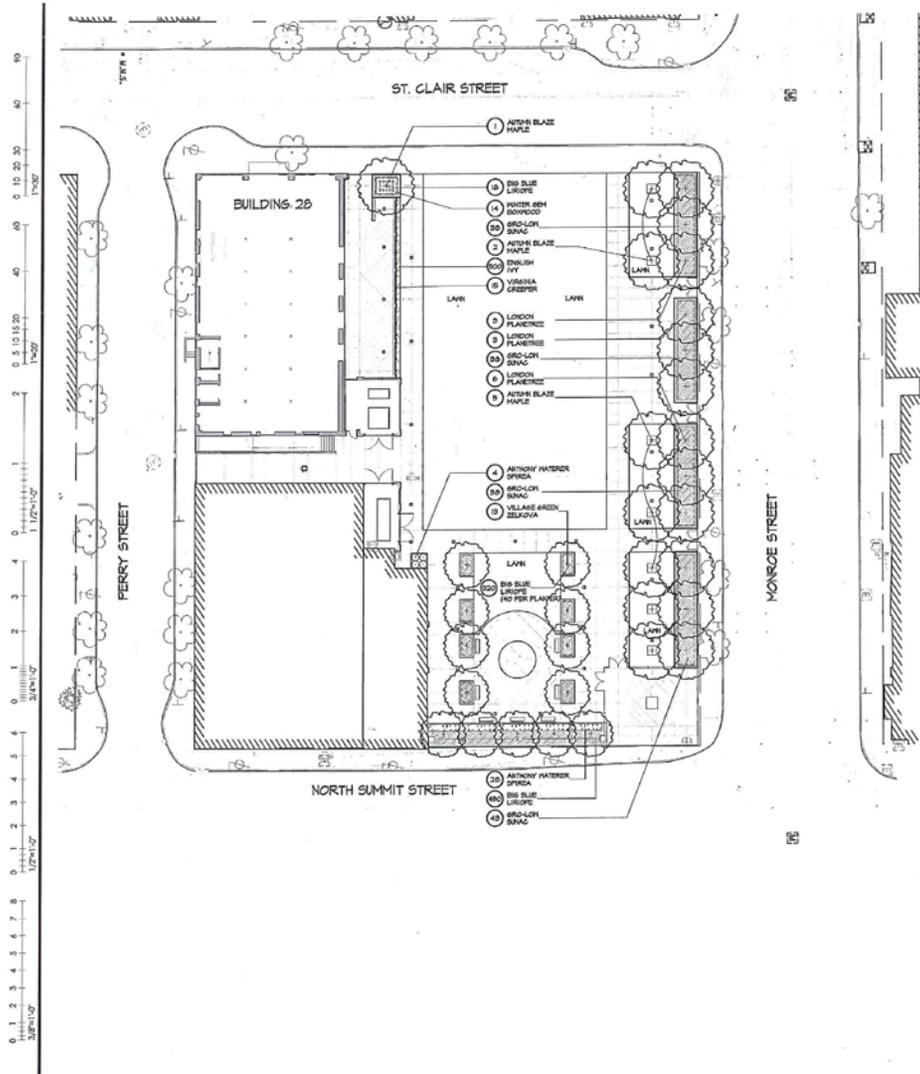
HENSVILLE EVENT PARK
D.O.D. REVIEW AND SPECIAL USE PERMIT
28 N. EL CAMINO
TOLDO, OHIO 43084

DATE	ISSUE / REVISION
01.27.2015	PLAN COMMISSION
10.17.2014	DESIGN DEVELOPMENT
DATE	ISSUE / REVISION
DESIGNED:	EDGE
DRAWN:	EDGE
CHECKED:	EDGE
SPA COMMISSION NUMBER:	13072

LAYOUT PLAN
DRAWING NUMBER: **L1.01**
SHEET ___ OF ___

LANDSCAPE PLAN

DOD-1-15
ID 10



GENERAL NOTES

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1 SHRUB PLANTING



2 TREE PLANTING

QTY.	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
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88	BIG BLUE LIRIOPE	Liriope muscari 'Big Blue'	1"	Cont.	
18	VIRGINIA CREEPER	Parthenoclimbing viticifolia	1"	Cont.	Staked

THOMAS PORTER ARCHITECTS
 4100 N. COLLEGE AVE. SUITE 100
 TOLEDO, OHIO 43623-1000
 TEL: 419.241.4400 FAX: 419.241.4401

CONSULTANT:
Lathrop EDGE
 inc. engineering, inc.
 1000 W. 10TH AVE. SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1100 FAX: 303.733.1101

PRELIMINARY
 NOT FOR CONSTRUCTION

1007 FOR CONSTRUCTION - HENSHAW & BLAIR
 HENSHAW & BLAIR
 28 N. ST. CLAIR ST.
 TOLEDO, OHIO 43604

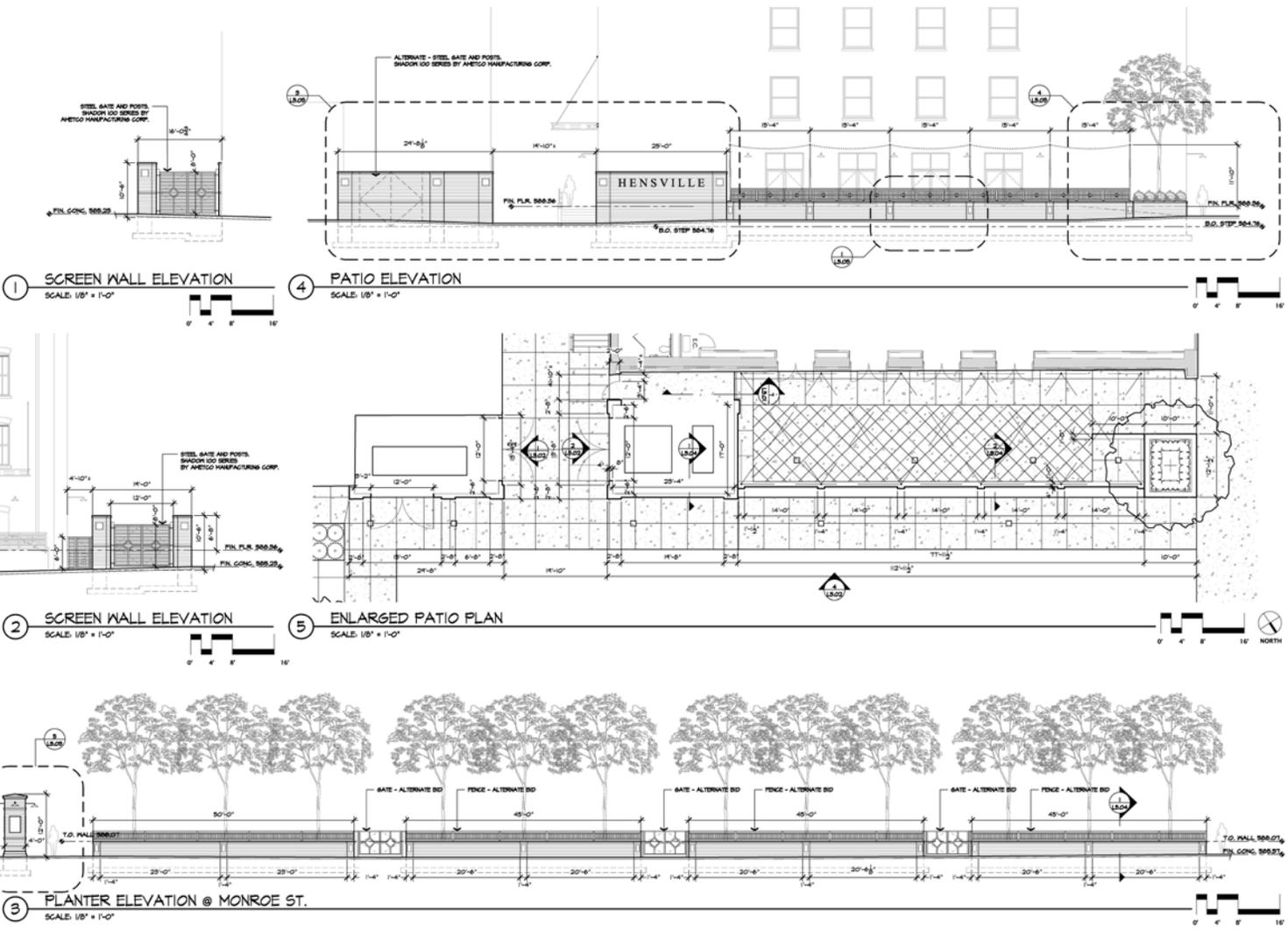
DATE: 01.22.2018
 DRAWN: EDGE
 CHECKED: EDGE
 IN CHARGE: EDGE
 PROJECT NO.: 13072

PLANTING PLAN
 DRAWING NUMBER: 13.02
 SHEET 1 OF 1



ELEVATION #1

DOD-1-15
ID 10



THOMAS PORTER ARCHITECTS
www.thomasporter.com
8 North St. Clair, Toledo, Ohio 43604-1008

CONSULTANTS:
Lathrop EDGE
mda engineering, inc. **L&L**
TETRA TECH
WC3 DESIGN

PRELIMINARY
NOT FOR CONSTRUCTION

100' FOR CONSTRUCTION WALL BOUND & BEYOND

PROJECT TITLE:
HENSVILLE EVENT PARK
D.O.D. REVIEW AND SPECIAL USE PERMIT
28 N ST. CLAIR ST.
TOLEDO, OHIO 43604

DATE	ISSUE OR REVISION
01.27.2015	PLAN COMMISSION
03.17.2014	DESIGN DEVELOPMENT
	DATE
	DESIGNED: EDGE
	DRAWN: EDGE
	CHECKED: EDGE

PTA COMMISSION NUMBER: **13072**

DRAWING TITLE:
SITE ELEVATIONS

DRAWING NUMBER:
L5.02
SHEET ____ OF ____

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REF: Z-1002-15
DATE: March 12, 2015

GENERAL INFORMATION

Subject

- | | | |
|-----------|---|--|
| Request | - | Request a for Zone Change from CR Regional Commercial to RM36 Multi-Family Residential |
| Location | - | 3905 Strang Drive (a.k.a. 0 Strang Drive) |
| Applicant | - | John Barone II
3103 Executive Parkway
Suite 100
Toledo, OH 43606 |
| Engineer | - | Matt Lewandowski
Lewandowski Engineers
234 N. Erie Street
Toledo, OH 43604 |

Site Description

- | | | |
|--------------|---|--------------------------|
| Zoning | - | CR / Regional Commercial |
| Area | - | ± 2.34 acres |
| Frontage | - | N/A |
| Existing Use | - | Undeveloped |
| Proposed Use | - | Multi-Family Housing |

Area Description

- | | | |
|-------|---|------------------------------|
| North | - | Kohl's Department Store / CR |
| South | - | Apartment Building / RM36 |
| East | - | Apartment Building / RM36 |
| West | - | Apartment Building / RM36 |

Parcel History

- | | | |
|-----------|---|--|
| Z-6010-03 | - | Request for Zone Change from R-4 Multi-Family Residential to C-3 Regional Commercial, approved by Plan Commission on 8/13/03, approved by City Council 9/30/03, Ord. 742-03. |
|-----------|---|--|

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

SPR-1-15 - Request for a Major Site Plan Review for multiple buildings on a lot, 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 CR Regional Commercial to RM36 Multi-Dwelling Residential for a site located at 3905 Strang Drive (a.k.a 0 Strang Drive). The ±2.34 acre site was previously occupied by a mobile home park. No structures are on the property and only the concrete slab foundation pads remain on the site. Residential living is permitted in the CR Regional Commercial zoning districts but only above the ground floor. A companion Major Site Plan Review accompanies this case.

The applicant is requesting a zone change to RM36 Multi-Dwelling Residential to facilitate the development of new multi-family housing complex. RM, Multi-Dwelling Residential zoning districts are primarily intended to accommodate the development of multi-dwelling housing. The districts are intended to create, maintain and promote higher density housing opportunities in areas with good transportation access. The regulations are intended to create desirable residential areas by promoting aesthetically pleasing environments, safety, privacy, and recreational opportunities. The proposed zoning district accommodates multiple buildings on a lot without the incorporation of a Planned Unit Development (PUD).

Surrounding land uses include detached multi-family housing to the east, west, and south of the site. To the north are commercial land uses and office buildings.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Regional Commercial land uses. The Regional Commercial district is intended to accommodate auto-oriented commercial development. Staff recommends approval of the Zone Change request. The proposed Zone Change is consistent with zoning classifications of properties within the general vicinity of the subject property.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-1002-15, a request for a Zone Change from CR Regional Commercial to RM36 Multi-Family Residential for the site located at 3905 Strang Drive (a.k.a 0 Strang Drive), to the Toledo City Council, for the following two (2) reasons:

1. The request is consistent with existing land uses in the general vicinity of the subject property (TMC§1111.0606(B) Review and Decision Making Criteria);
2. The request is consistent with zoning classifications of properties within the general vicinity of the subject property (TMC§1111.0606(C) Review and Decision Making Criteria).

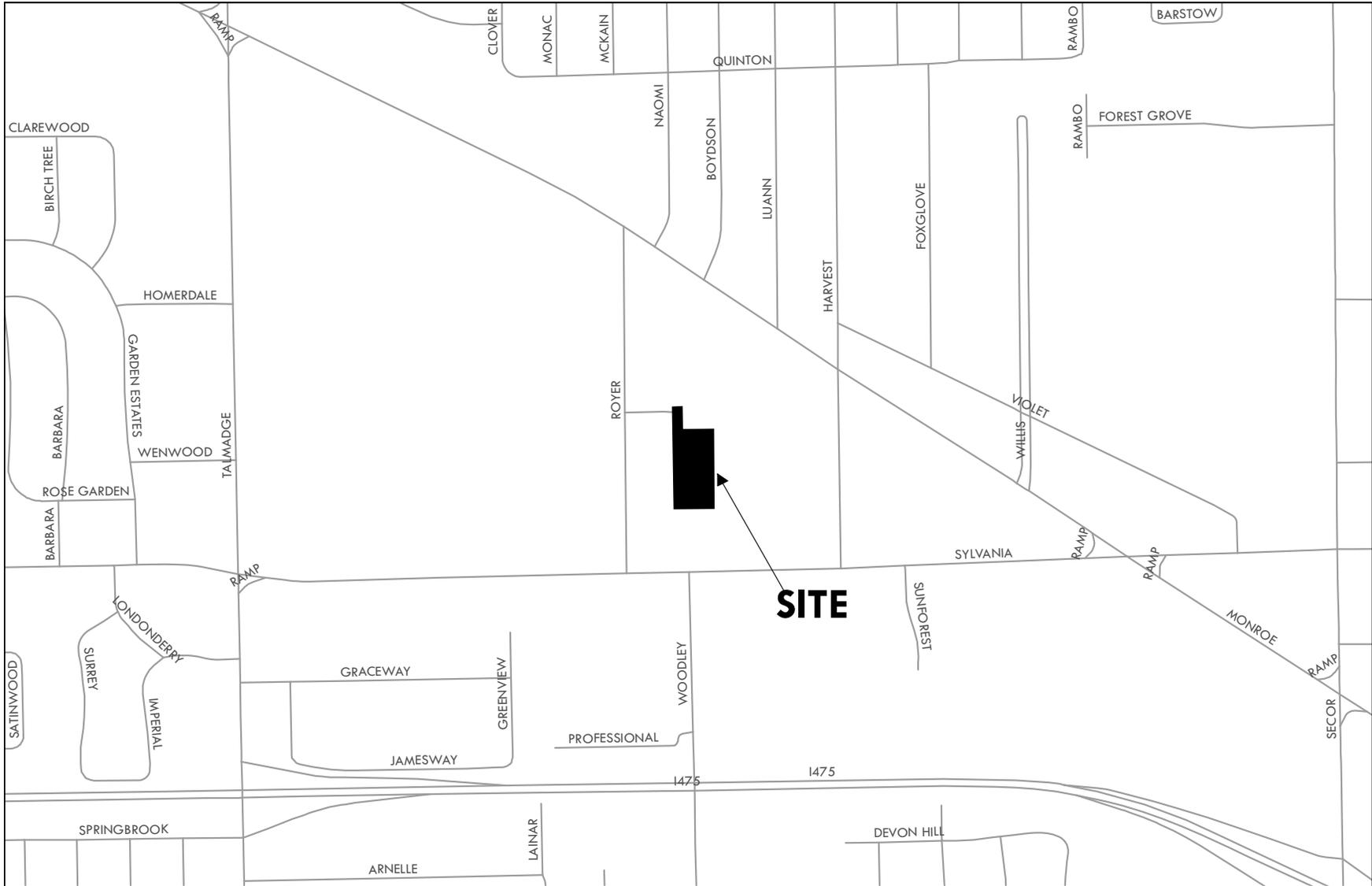
ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-1002-15
DATE: March 12, 2015
TIME: 2:00 P.M.

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

GP/gm
Two (2) sketches follow

GENERAL LOCATION

Z-1002-15
ID 77



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GENERAL INFORMATION

Subject

- Request - Zone Change from CO Office Commercial to RM12 Multi Dwelling Residential
- Location - 4761 & 4807 W Sylvania Ave
- Applicant - Sister Mary Delores Gatliff
Sisters of Notre Dame – Toledo Province
3837 Secor Road
Toledo, OH 43623
- Architect - Gary Ungerer
Technicon Design Group, Inc.
1800 N Perry St, Suite #102
Ottawa, OH 45875

Site Description

- Zoning - CO Office Commercial
- Area - ± 1.036 acres
- Existing Use - Vacant
- Proposed use - Multi Family Apartment

Area Description

- North - Residential / A-4 (Sylvania Township)
- East - Residential / RS6
- South - Residential / RS6
- West - Residential / RS6

Parcel History

- Z-5001-05 - Request for Zone Change from RS6 Single Family Residential to CO Office Commercial, denied by Plan Commission on 6/9/05, Application Withdrawn.
- SPR-29-05 - Major Site Plan Review for an office building, denied by Plan Commission on 6/9/05.

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

- Z-6005-07 - Request for Zone Change from RS6 Single Family Residential to RD6 Duplex Residential, Application Withdrawn.
- SPR-15-07 - Major Site Plan Review for more than one building on a lot, Application Withdrawn.
- Z-3008-08 - Request for Zone Change from RS6 Single Family Residential to CO Office Commercial, denied by Plan Commission on 5/8/08, City Council denied 6/11/08.
- Z-6007-10 - Request for Zone Change from RS6 Single Family Residential to CO Office Commercial, denied by Plan Commission on 9/9/10, City Council approved on 10/26/10, Ord. 576-10.
- SPR-23-10 - Minor Site Plan Review for a new building and a parking lot, denied by Plan Commission on 9/9/10.

Applicable Regulations

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

STAFF ANALYSIS

The request is for a Zone Change from CO Office Commercial to RM12 Multi Dwelling District. The 1.036 acre site is located approximately a half mile west of Talmadge Road on the south site of West Sylvania Avenue. The applicant requested the Zone Change to permit the construction of a six (6) unit multi dwelling structure for use by the Sisters of Notre Dame. A neighborhood meeting was held on February 4, 2015 to discuss the project and Zone Change.

Surrounding land uses include residential and a church to the east, residential, an office and a church to the west, residential uses across Sylvania Avenue to the north and residential uses to south.

Pursuant to TMC §1102.04, the RM zoning districts are generally intended to accommodate the development of multi dwelling housing. The districts are intended to create, maintain and promote higher density housing opportunities in areas with good transportation access. Based on the existing uses in the immediate area and the good transportation access along Sylvania Avenue, it is anticipated that a six (6) unit multi dwelling structure would be an appropriate use in this area.

STAFF ANALYSIS (cont'd)

The Toledo 20/20 Comprehensive Plan targets this area and for single-family residential uses. Although the 20/20 Plan targets the area for single-family residential uses, RM12 zoning is appropriate for this area as it allows a range of uses that will be compatible with surrounding land uses and will not negatively impact the adjacent neighborhood. Additionally, the proposed RM12 zoning is a “step-down” from the existing commercial zoning and is more compatible with the surrounding properties. 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-1004-15, a Zone Change from CO to RM12 for the site at 4761 & 4807 W Sylvania Ave to Toledo City Council for the following three (3) reasons

1. 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).
2. The rezoning will not detrimentally affect properties within the vicinity of the subject property (TMC 1111.0606.E Review & Decision-Making Criteria).
3. The proposed RM12 zoning is a step-down from a more intense commercial zoning and is more compatible with surrounding properties.

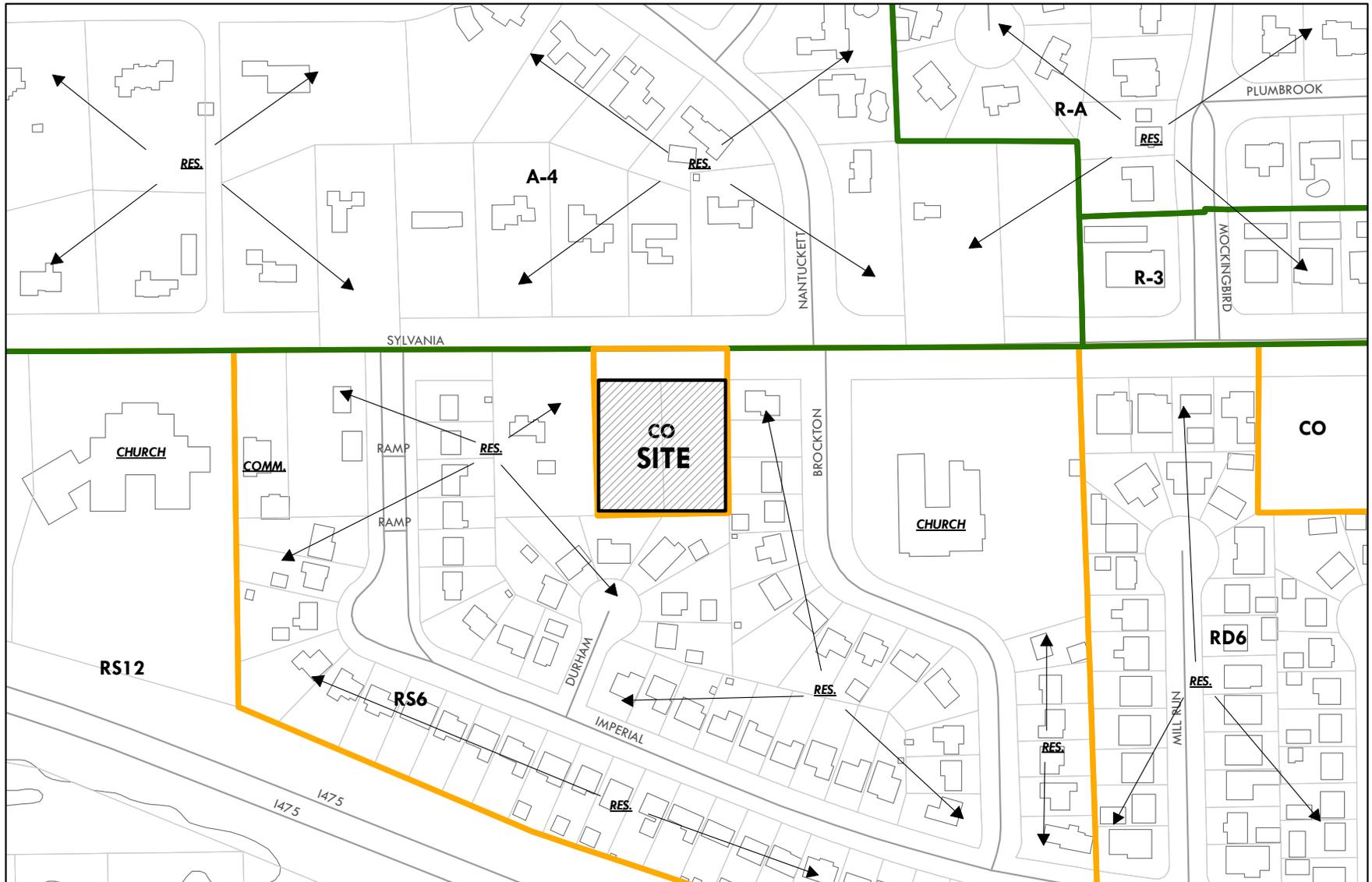
ZONE CHANGE REQUEST
TOLEDO CITY PLAN COMMISSION
REF: Z-1004-15
DATE: March 12, 2015
TIME: 2:00 P.M.

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

BH
Two (2) sketches follow

ZONING & LAND USE

Z-1004-15
ID 106



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GENERAL INFORMATION

Subject

- Request - Special Use Permit for fuel sales facility and tobacco shop
- Location - 4460 Lewis Avenue
- Applicant - Michael Safadi
38585 Scott
Westland, MI 48186
- Agent - John A. Weithman
P.O. Box 184
Waterville, OH 43566

Site Description

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

Area Description

- North - Drug Store / CR
- South - Commercial / CR
- East - Duplex Dwelling / CR & RD6
- West - Used Car Lot / CR

Parcel History

- SUP-5061-94 - Request for a Special Use Permit for a canopy installation to an existing filling station located at 4460 Lewis Avenue. Plan Commission recommended approval on 8/4/94, City Council approved on 9/6/94, Ord. 515-94.

GENERAL INFORMATION (cont'd)

Parcel History

SUP-6001-10 - Request for a Special Use Permit for a convenience store and gasoline station located at 4460 Lewis Avenue. Plan Commission recommended disapproval on 7/8/14. Planning and Zoning referred back to Plan Commission with new application on 8/11/10. Application was withdrawn.

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit for a site located at 4460 Lewis Avenue, to facilitate a fuel sales facility and tobacco shop. The site consists of one (1) parcel that is comprised of ±0.19 acres of total land area. The site is zoned CR Regional Commercial and was formerly a Clark Gas Station but has ceased operation for more than a year. A Special Use Permit is required because the 1994 Special Use Permit has lapsed.

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

Parking and Circulation

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

STAFF ANALYSIS (cont'd)

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

Landscaping

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

Building Design

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

Pursuant to TMC§1104.0903 *Use Regulations* – Support columns shall be brick, brick base, or other durable materials compatible with the principle building. The canopy does not meet the required setback of ten (10) feet or the design criteria per TMC§1104.0903. However, the canopy and columns are existing and therefore not required to be modified. A condition of approval has been added requiring these issues to be addressed if the canopy is upgraded in the future.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Neighborhood Commercial uses. The intent of the CN Neighborhood Commercial designation is to accommodate small and medium scale commercial uses that serve neighborhoods. The proposed development conforms to this land use designation.

STAFF ANALYSIS (cont'd)

A commercial use is appropriate for this site, however, staff does not support the request for the proposed development of fuel sales and a tobacco shop due to concerns from the Department of Transportation. The proposed use has been deemed too intense for the site and the site plan submitted does not meet vehicle stacking requirements. Furthermore, the site will not be able to offer the City and other service providers sufficient public safety, transportation, and utility facilities and services to the subject property while maintaining sufficient levels of service for the proposed development (TMC§1111.0706(E)).

Staff is recommending disapproval, however, conditions of approval are included as “Exhibit B”.

STAFF RECOMMENDATION

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

1. The proposed use is too intense for a site this size and meeting the requirements of TMC§1107, “Parking, Loading, and Access” will be extremely difficult. The Division of Transportation objects to the approval of the site plan by the Plan Commission and recommends disapproval of the subject matter.
2. Vehicular ingress and egress to and from the site and circulation within the site must provide for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well (TMC§1111.0809.C).

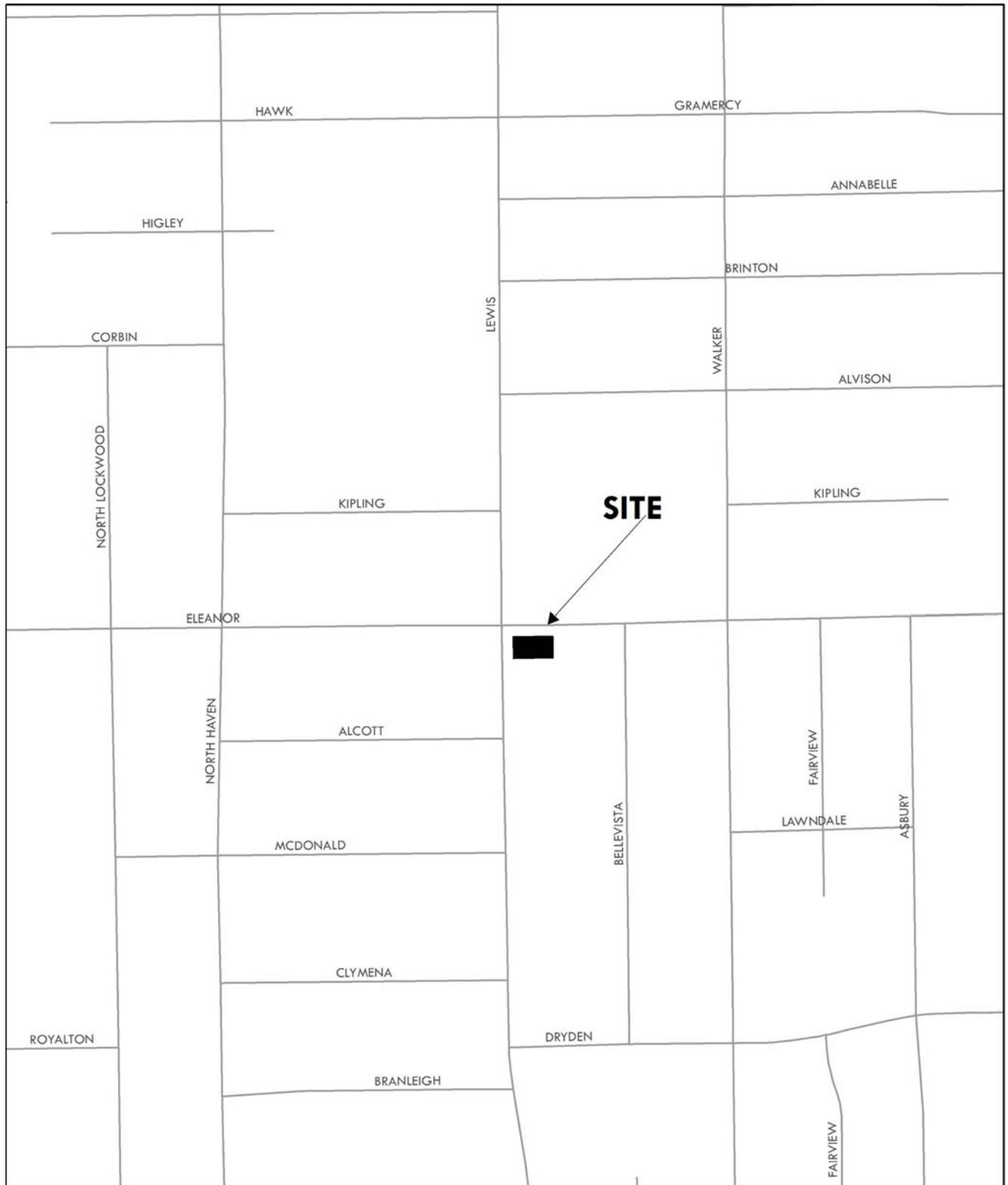
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-11001-14
DATE: March 12, 2015
TIME: 2:00 P.M.

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

GP/bp
Four (4) sketches follow
Exhibit “A” follows
Exhibit “B” follows

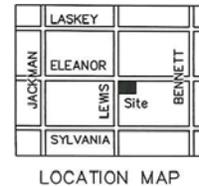
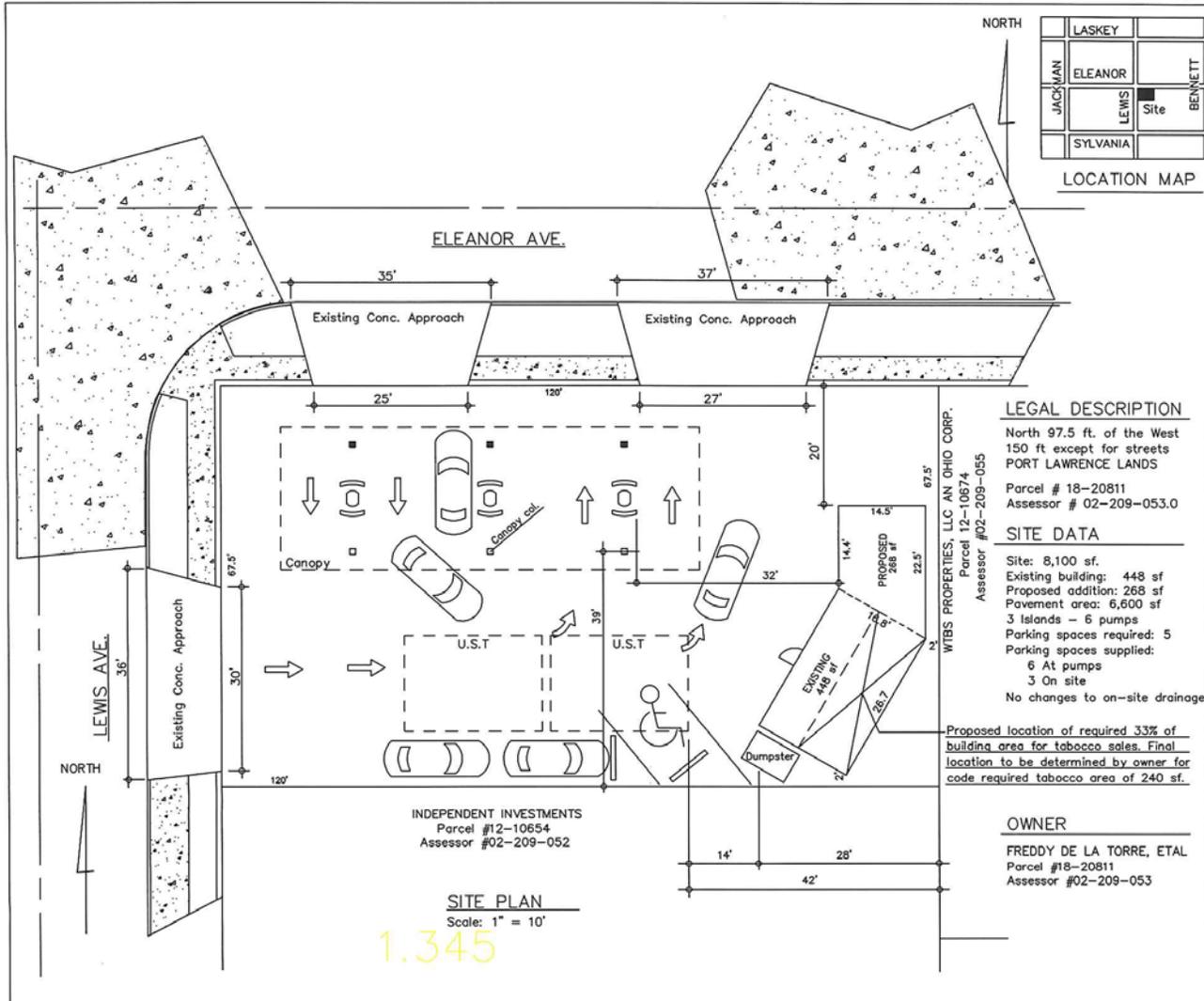
GENERAL LOCATION

SUP-11001-14
ID 38



SITE PLAN

SUP-11001-14
ID 38



PROFESSIONAL SURVEYOR
STATE OF OHIO
No. 10306
John A. Weithman, P.E.

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

SERVICE STATION WITH TOBACCO SALES
TOLEDO, OHIO 43612
4460 LEWIS AVENUE

SITE PLAN & SITE DATA

MAJOR SITE PLAN REVIEW - SPECIAL USE PERMIT

ENCLOSURE

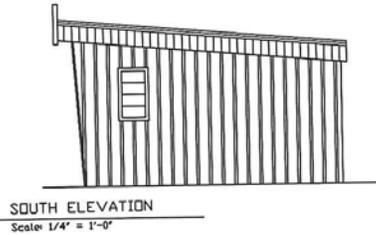
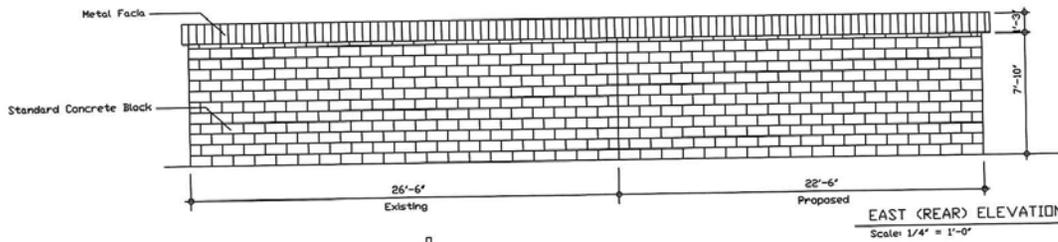
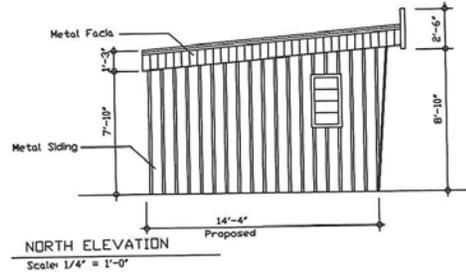
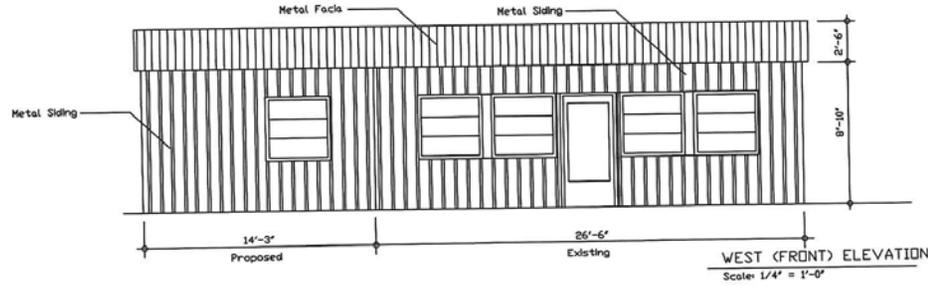
DATE 10/09/14

DRAWING 1 of 2

8-7

ELEVATIONS

SUP-11001-14
ID 38



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

SERVICE STATION	
TOLEDO, OHIO	
4460 LEWIS AVENUE	
BUILDING ELEVATIONS	
REVISED	
DATE	10/09/14
DRAWING	2 of 2

Exhibit “B”

The staff further recommends that the Toledo City Plan Commission recommend disapproval of SUP-11001-14, a request for a Special Use Permit for fuel sales facility and tobacco shop located at, 4460 Lewis Avenue, to the Toledo City Council, subject to the following thirty-five (35) conditions:

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

Engineering Services

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

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

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

STAFF RECOMMENDATION (cont'd)

Sewer & Drainage Services

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

Environmental Services

8. Applicant shall maintain compliance with the City of Toledo's Sanitary Sewer Use Regulations specified in the Toledo Municipal Code.
9. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
10. Applicants shall maintain compliance with the City of Toledo's Air Quality Regulations specified in the Toledo Municipal Code.
11. Applicant shall maintain compliance with the City of Toledo's Underground Storage Tank Requirements specified in the Toledo Municipal Code.

Fire Prevention

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

Division of Transportation

12. Drive approaches must be a minimum of 65' away from an intersection. The westernmost Eleanor Ave. drive approach does not meet this requirement and shall be removed.
13. All existing unused drive approaches shall be completely removed and new curbs and sidewalks shall be installed in accordance with City of Toledo Construction Standards.
14. The site is required to maintain 25' drives aisle to accommodate two-way traffic.
15. The angled parking and parallel parking creates a conflict in traffic movements.

STAFF RECOMMENDATION (cont'd)

Division of Transportation

16. Vehicle stacking is required for fuel sales. One stall stacking is required in addition to the vehicle at the pump by the Toledo Municipal Code. The stacking stall area is not included the previously mentioned 25' drive aisle requirement.
17. The position of the dumpster prevents proper access by service vehicles.

The proposed use is too intense for a site this size and meeting the requirements of TMC 1107, "Parking, Loading and Access" will be extremely difficult. The Division of Transportation objects to the approval of the site plan by the Plan Commissions and recommends disapproval of the subject matter.

Building Inspection

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

Plan Commission

20. A detailed floor plan shall be submitted indicating the location and percentage of tobacco sales. Floor area dedicated to tobacco sales shall be 33%.
21. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping area.
22. Dumpster location(s) shall be clearly defined, have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks.
23. Lights and light fixtures used to illuminate any parking or loading area must be selected and arranged to direct and reflect light away from any adjacent residential property and public ways and away from the sky above the light fixture.
24. Hours of operation may be limited to 5:30 a.m. to 1 a.m., or other hours consistent with a liquor permit issued by the State of Ohio, to reduce detriment to the area (TMC§1104.0901.H).

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

25. A tobacco shop shall not be located within 500 feet of any of the following uses: school, public park, public library, child day care center, or other use established specifically for the activities of minors (TMC 1104.1701).
26. A tobacco shop must adhere to all state and federal regulations regarding cigarette making machines and other machines for making tobacco products, spacing of said machines in relation to a tobacco shop, and all other statutory and regulatory requirements.
27. If the canopy is upgraded or modified in the future, then the following shall apply: Canopy shall be setback minimum of 10' from the property line, support columns shall be brick, brick base, or other durable materials compatible with the principle building. The Planning Director may require a peaked roof to complement the principle building (TMC§1104.0903.A).
28. Non-petroleum displays must be within 25 feet of the building but not within 25 feet of any right-of-way. The maximum height of such displays shall not exceed 5 feet (TMC§1104.0903.C).
29. Free air (with the capability of filling standard automobile tires), water, and restrooms shall be provided and maintained during operating hours of the station (TMC§1104.0903.D).
30. Ingress and egress to a parking lot in a Commercial or Industrial zoning district must be from a major street or from a street located in a Commercial or Industrial district with Commercial or Industrial zoning on the opposite side of the street (TMC§1107.1203). **Acceptable as depicted on site plan.**
31. Façade colors for the addition shall be low-reflectance, subtle, neutral or earth tone colors. Building trim and accent areas may feature brighter colors, including primary colors subject to the approval of the Planning Director. The building materials of the addition shall meet the requirements of TMC§1109.0500 - *Building Façade Materials and Color*.
32. A detailed site, lighting, sign, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. A minimum five (5) foot greenbelt is required along both street frontages and shall consist of trees and evergreen hedge;

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- b. Foundation plantings are required along all main and secondary entrances of the building, and patio areas that are visible from the public right of way, and landscaping at all major building entrances. (TMC 1108.0205.B Landscaping and Screening).
 - c. Topsoil must be back filled to provide positive drainage of the landscape area;
 - d. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage, **as pertaining to the foundation plantings;**
 - e. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC§1108.0400 Landscape Materials Standards;
 - f. The location, type and direction of any proposed lighting. The lighting is subject to the approval of the Director of the City of Toledo Plan Commission (lights are to be directed away from adjacent residential properties).
 - g. The location, lighting and size of any signs, all signage is subject to TMC§1387.
33. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
34. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission.
35. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

GENERAL INFORMATION

Subject

- Request - Text Amendment regarding Funeral Homes with accessory cremating services in the CN Neighborhood Commercial district
- Applicant - Toledo Lucas County Plan Commissions
One Government Center, Suite 1620
Toledo, Ohio 43604

Applicable Plans and Regulations

Toledo Municipal Code Part Eleven: Planning and Zoning

STAFF ANALYSIS

Definitions

- A **cemetery** is land reserved for human or animal (pet) remains.
- A **columbarium** is a place for the respectful and usually public storage of cinerary urns (i.e. urns holding a deceased's cremated remains).
- A **crematory** (also known as a **crematorium**, **cremator** or **retort**) is a machine in which cremation takes place. Crematories are usually found in funeral homes, chapels, cemeteries, or in stand-alone facilities. A facility which houses the actual cremator units is referred to as a **crematorium**.
- **Burial** or **interment** is the ritual act of placing a dead person or animal, sometimes with objects, into the ground. This is accomplished by excavating a pit or trench, placing the deceased and objects in it, and covering it over.
- A **funeral director**, also known as a **mortician** or **undertaker**, is a professional involved in the business of funeral rites. These tasks often entail the embalming and burial or cremation of the dead, as well as the planning and arrangement of the actual funeral ceremony. Funeral directors may at times be asked to perform tasks such as dressing (in garments usually suitable for daily wear), casketing (placing the human body in the container), and cossetting (applying any sort of cosmetic or substance to the viewable areas of the person for the purpose of enhancing appearances).

STAFF ANALYSIS (cont'd)

Background

City Council Ordinance 413-14 requested that the Plan Commission review crematories and cremation services in the CN zoning district, emissions, and distance requirement, in relation to the impact on residential areas. City Council requests that the Plan Commission research and present to Council a text amendment that will ensure the protection of residential neighborhoods. The request was prompted by a large amount of opposition to the allowance of crematorium services to be located in close proximity to residential districts.

Research

Staff researched various local and regional municipal codes to determine a consensus for the best approach to the subject matter. Data was collected from staff's interpretation of zoning code ordinances followed by an inquiry call to zoning departments and city planners to verify interpretations. Ten (10) cities were researched (Exhibit B) to determine various zoning code regulations and what would be the optimal approach for the City of Toledo. Staff contacted and looked at the crematory services land use regulations for Cleveland, OH; Cincinnati, OH; Columbus, OH; Dayton, OH; Sylvania, OH; Perrysburg, OH; Maumee, OH; Oregon, OH; Fort Wayne, IN and Tampa Bay, FL. These cities were chosen due to their size, proximity to Toledo and similar state-level policies.

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

Local Regulations

Toledo Municipal Code (TMC) Sec. 1116.0219 – *Funeral Interment Services* is defined as “provision of services involving the care, preparation or disposition of the dead”. This land use is subdivided into four (4) stand-alone categories: A) Cremating B) Interment C) Undertaking and D) Cemeteries. Regulations require crematories to have an exhaust height of at least twenty-five (25') feet above ground and they shall be in compliance with all applicable Ohio EPA requirements, local and state building codes and ordinances, environmental laws and OSHA requirements.

STAFF ANALYSIS (cont'd)

Local Regulations (cont'd)

On October 7, 2014 an amendment to the Toledo Municipal Code was passed to allow cremations services in CN Neighborhood Commercial zoning districts as an accessory use to undertaking. A Special Use Permit is required for said use along with fulfilling the regulations of TMC§1104.2100 – *Cremating*, and the principal use must have frontage on a major street as determined by the Toledo-Lucas County Major Street and Highway Plan. A spacing requirement from residentially zoned districts was not mandated as part of that amendment.

Analysis

A study of comparable zoning codes was performed by the Plan Commission staff to determine the impacts of cremations services on nearby residential neighborhoods in terms of traffic, noise, odor, and potentially unhealthy air pollution from emissions. This analysis found that each city had their own way of regulating the land use. Results varied widely. Some cities restricted the use from certain zoning districts, some require a Special Use Permit, some required a spacing distance from residentially zoned districts and others did not.

The study revealed that there is a combination of ways that cremation services can be introduced into a city. The service can be its own principal use, an accessory use to a cemetery, or an accessory use to a funeral home. All of the researched cities required a Special Use Permit, with the exception of Cincinnati, Ohio and Fort Wayne, Indiana. Cincinnati was the most lenient by allowing cremation services in multi-family residential zoning districts and all commercial districts. No spacing or Special Use Permits are required. The use is prohibited in the manufacturing and institutional zoning districts. Fort Wayne, Indiana also does not require a Special Use Permit or any spacing from residential districts for cremation services proposed for industrially zoned districts. Crematories are allowed in commercial zoning as an accessory use to funeral homes provided a Special Use Permit has been issued.

Research found that the growing business trend of funeral homes offering cremation services was not a major topic of concern for inquired cities due to the rarity of requests and advancements in the performance of incinerating equipment. For most cities, cemeteries are proposing to obtain incinerating equipment to service the growing demand for cremations rather than funeral homes. Whether or not a spacing requirement is mandated, all cities with the exception of Cincinnati required that cemeteries acquire a Special Use Permit. Cremation services in that city require a Special Use Permit for cemeteries which are only permitted in Parks and Recreation zoning districts.

STAFF ANALYSIS (cont'd)

Analysis (cont'd)

Dayton, Ohio has the most restrictive regulations for crematories of all the cities contacted. Crematories are only permitted in I-2 (General Industrial) zoning and require a Special Use Permit, must be 1,000 feet from residential districts and occupy a minimum of 10 acres of land. In cases where no residential districts are in the immediate area, crematories are required to be 300' from all lot lines not zoned residential. In addition, a minimum landscape buffer with 6 foot tall evergreen trees is required within the regulated setback. The city planner contacted knew of none located in the city.

The City of Tampa Bay, Florida was faced with a similar issue that lasted two years and was finally resolved in 2007. A cemetery located across the road from a residential neighborhood proposed to build a crematory and residents feared traffic, noise, odors, and potentially unhealthy air. City commissioners realized cemeteries were permitted at cemeteries. Their solution was to restrict crematories to industrial districts with a minimum lot size of 20,000 square feet. They are also required to be located 500 feet from residencies.

Proposal

Currently the Toledo Municipal Code allows cremation services in CN Neighborhood Commercial zoning district if the site has frontage on a major street and a Special Use Permit has been approved. It is important to note that Cremation Services are only offered as accessory uses for Funeral and Interment Services. Staff met with City Council to jointly make the following recommendation based on the information gathered from comparable cities:

- Remove Cremation Services as a permitted use in the CN Neighborhood Commercial zoning category.
- Require Cremation Services in CR Regional Commercial zoning districts to obtain a Special Use Permit.
- Require a minimum 500' spacing buffer from residentially zoned districts.

Additionally, staff recommends the following:

- The addition of the prerequisite of having frontage on a major street for CR Regional Commercial districts.
- The "Undertaking" land use shall now be permitted in the IG General Industrial and IL Limited Industrial zoning districts.
- Crematories may only operate as an accessory use to Funeral and Interment Services.

STAFF RECOMMENDATION

Based on the analysis conducted for this report, staff recommends that the Toledo City Plan Commission recommend approval of M-9-14 as shown in Exhibit “A” to the Toledo City Council.

ZONING TEXT AMENDMENT
TOLEDO CITY PLAN COMMISSION
REF: M-9-14
DATE: March 12, 2015
TIME: 2:00 p.m.

CITY COUNCIL PLANNING
AND ZONING COMMITTEE
DATE: April 15, 2015
TIME: 4:00 p.m.

GP/bk
Exhibit “A” follows
Exhibit “B” follows

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

Proposed
Changes

Use Category	RS 12	RS 9	RS 6	RD 6	RM (all)	R MH	CN	CO	CM	CS	CR	CD	IL	IG	IP	POS	IC
Funeral and Interment Services																	
Cremating	-	-	-	-	-	-	S [9]	-	-	-	S [9] [28]	-	P [28]	P [28]	-	-	-
Interring	S	S	S	S	S	-	S [13]	S	S	S	S	S	-	-	-	P	-
Undertaking	S [9]	S [9]	S [9]	S [9]	S [9]		P [13]	-	P	P	P	P	P	P	-	-	-
Cemeteries	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	P	-

1104.0107 Use Categories.

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

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

1104.2100 Cremating

1. The crematory shall be in compliance with all applicable Ohio EPA requirements, local and state building codes and ordinances, environmental laws and OSHA requirements;
2. The crematory shall have an exhaust stack height of at least 25 feet above ground.
3. ***The crematory shall be located a minimum of 500 feet from any residentially zoned district.***

Proposed
Changes

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STAFF REPORT CONDITIONS OF APPROVAL – AGENCY SOURCE IDENTIFICATION

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

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

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

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

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

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

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

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

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

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

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

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

LUCAS COUNTY ENGINEER
KEITH EARLEY
1049 S. MCCORD ROAD
HOLLAND, OH 43528
419-213-2860

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

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

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

TOLEDO-LUCAS COUNTY
HEALTH DEPT.
LANA GLORE, ENV. HEALTH SERV.
635 N. ERIE STREET ROOM 352
TOLEDO, OH 43604
419-213-4209

A T & T
ATTN: DESIGN MANAGER
130 N. ERIE, ROOM 714
TOLEDO, OH 43604
419-245-7000

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

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

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

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

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

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

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

