

*TOLEDO CITY
PLAN COMMISSION
REPORT*

April 9, 2015

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

MEMBERS OF THE TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

TOLEDO CITY PLAN COMMISSION

CATHERINE G. HOOLAHAN
(Chairman)

KEN FALLOWS
(Vice Chairman)

BALSHARAN SINGH GREWAL

OLIVIA HOLDEN

LUCAS COUNTY PLANNING COMMISSION

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LISA COTTRELL, ADMINISTRATOR

**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

April 9, 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

S-4-15: Final Plat of the Replat of Secor Village, located east of Secor Road, north of Executive Parkway

DIRECTOR'S REPORT

CHAIRMAN'S REPORT

**ITEM
NO.**

CASE DESCRIPTION

- | | |
|-----------------|---|
| 1. Z-2002-15: | Zone Change from IL to CD at 151 S. St. Clair Street (bh) |
| ◆ 2. Z-2008-15: | Zone Change from IL to CD at 313 and 321 Monroe Street and 31-41 N. Summit Street (bh) |
| ◆ 3. V-69-15: | Vacation of a portion of an alley running north-south from Perry Street to Monroe Street (bh) |
| 4. Z-2006-15: | Zone Change from CO to CM at 311 18 th Street (gp) |
| 5. V-139-15: | Vacation of a 30' by 300' of right of way running west of South Ave off of Reynolds Road (gp) |
| 6. SPR-4-15: | Major Site Plan Review for new commercial development at 3430 Secor Road (bh) |

- 7. SUP-2003-15: Special Use Permit for fuel sales and convenience store at 4644 N. Summit Street (gp)
- 8. SUP-2007-15: Special Use Permit for Type A Day Care at 2946 E. Lincolnshire Boulevard (gp)
- 9. SUP-11001-14: Special Use Permit for fuel sales and tobacco shop at 4460 Lewis Avenue (gp)

ADJOURNMENT

GENERAL INFORMATION

Subject

- Request - Zone Change from IL Limited Industrial to CD
Downtown Commercial
- Location - 151 S St Clair Street
- Applicant - Michael Moriarty
Swan Crick Rentals
151 N Michigan Street
Toledo, OH 43614

Site Description

- Zoning - IL Limited Industrial
- Area - ± 1.453 acres
- Existing Use - Commercial/Industrial
- Proposed use - Multi dwelling residential

Area Description

- North - Residential / CM
- East - Summit Street and Swan Creek / IL
- South - Swan Creek / IL
- West - Commercial / IL

Parcel History

No case history on file.

Applicable Regulations

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

STAFF ANALYSIS

The request is for a Zone Change from IL Limited Industrial to CD Downtown Commercial District for a 1.453 acre site located at 151 S St. Clair Street. The applicant requested the Zone Change to redevelop the property with a multi dwelling residential use.

Surrounding land uses include multi dwelling residential to the north, multi dwelling residential to the east, Swan Creek to the south and the Erie Street Market and commercial uses to the west.

STAFF ANALYSIS (cont'd)

The property is located within the Warehouse District Overlay which lists key elements throughout the district plan. One of the key elements of the plan is to “have more people living in the neighborhood who either personally invest or contribute rent, in an effort to sustain the districts economic vitality”. A Zone Change to CD will allow the applicant to pursue the redevelop the site for a multi dwelling residential use.

The Toledo 20/20 Comprehensive Plan designates this site as Urban Village. The Urban Village future land use district was intended as a specialized residential and commercial district that possesses characteristics of Traditional Neighborhood Development (TND), such as pedestrian orientation, zero building setbacks, mixed uses, and distinct architectural character. Based on the nature of the proposed use and its location, the proposal is in compliance with both plans.

Additionally, the proposed CD zoning is a “step-down” from the existing industrial 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-2002-15, a Zone Change from IL to CD for the site at 151 S St Clair Street 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 proposed CD zoning is consistent with the key elements of the Warehouse District Community Development Plan & the Toledo 20/20 Comprehensive Plan.
3. The proposed CD zoning is a step-down from a more intense industrial zoning and is more compatible with surrounding properties.

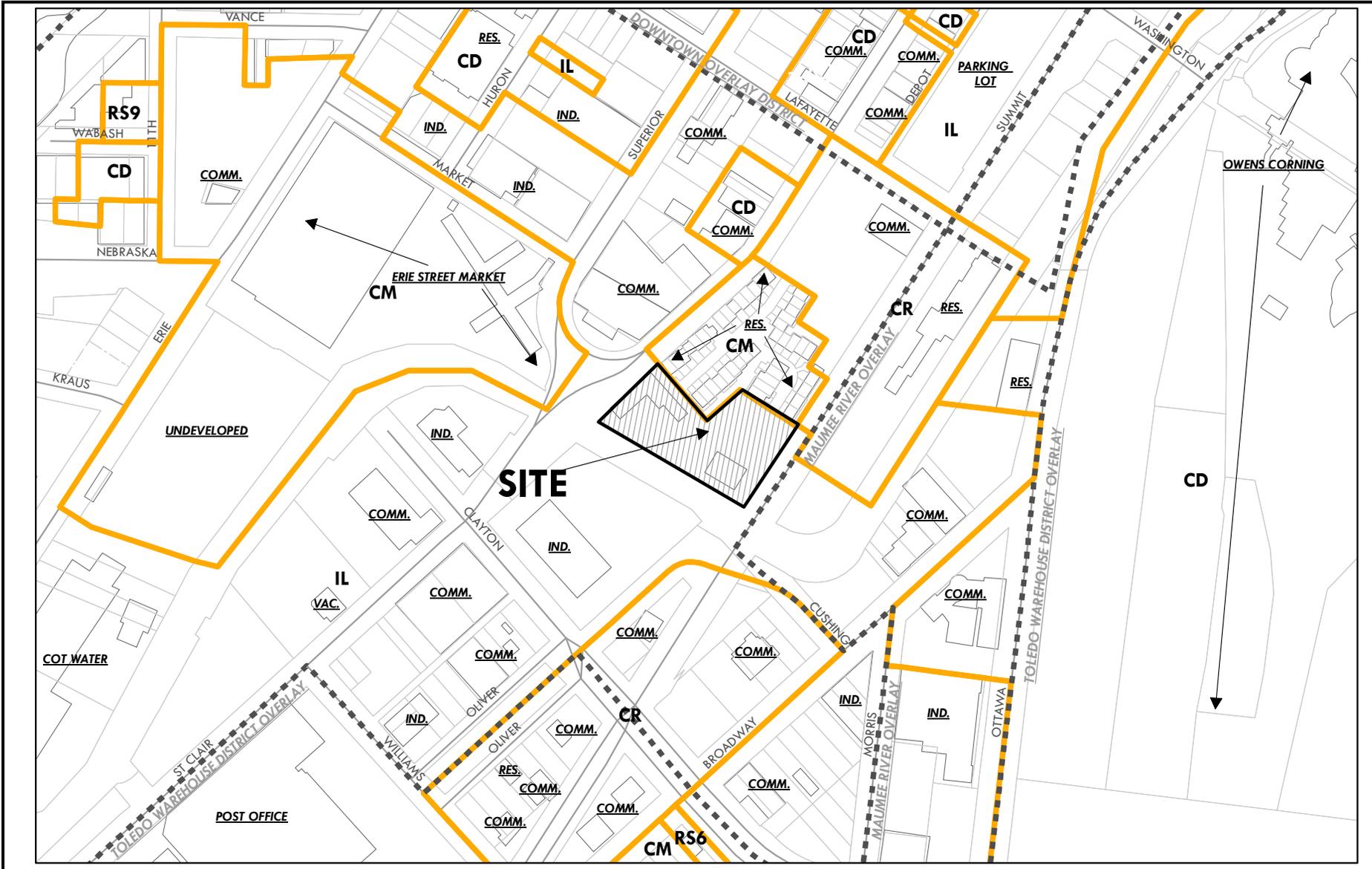
ZONE CHANGE REQUEST
TOLEDO CITY PLAN COMMISSION
REF: Z-2002-15
DATE: April 9, 2015
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: May 13, 2015
TIME: 4:00 P.M.

BH
Two (2) sketches follow

ZONING & LAND USE

Z-2002-15
ID 10



GENERAL INFORMATION

Subject

- Request - Zone Change from IL Limited Industrial to CD
Downtown Commercial
- Location - 313-321 Monroe Street and 31-41 N Summit Street
- Applicant - Midland Agency of Northwest Ohio
401 Adams Street
Toledo, OH 43604
- Joe Napoli
The Toledo Mudhens
406 Washington Street
Toledo, OH 43604
- Attorney - Matthew J Fischer, Esq
Marshall & Melhorn
4 Seagate, 8th Floor
Toledo, OH 43604

Site Description

- Zoning - IL Limited Industrial
- Area - ± 0.754 acres
- Existing Use - Commercial Parking Lot and Office
- Proposed use - Event Park and Office

Area Description

- North - Seagate Center, Hotel and Restaurant / CD
- South - Hensville Building 28 & Banquet Event Center / CD
- 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 (TWDARC approved 3-10-15)
- DOD-1-15 - Downtown Overlay District Review for Physical Changes at 321 Monroe Street (PC approved 3/12/15)
- SUP-1003-15 - Special Use Permit request for an Event Park (Community Recreation – Active) at 321 Monroe Street (PC approved 3/12/15)
- V-69-15 - Vacation of a portion of an alley running north/south from Perry Street to 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 request is for a Zone Change from IL Limited Industrial to CD Downtown Commercial for a 0.754 acre site located on the corner of St Clair, Monroe and Summit Streets. The applicant is pursuing the Zone Change as part of the overall redevelopment process for the Mudhens Event Park. Additionally the rezoning will provide a consistent zoning designation throughout the project. The Zone Change also includes the commercial building located at 31 N Summit Street. The area of the proposed zone change is located in both the Downtown and Warehouse District Overlays and CD zoning will allow for more compatible uses throughout these overlays.

STAFF ANALYSIS (cont'd)

The Toledo Mudhens are proposing to construct an event park at this location that will include a large event lawn, outdoor seating area, pot fountain and landscaping. The Plan Commission recommended approval of a Special Use Permit and Downtown Overlay Review for an event park on March 12, 2015. A companion alley vacation accompanies this case.

Surrounding land uses include the Seagate Center, Park Inn Hotel and attached restaurant to the north, residential, Boeschstein Park and Owens Corning to the east, Hensville Building #28 and an event center to the south and 5/3 Field to the west.

The 2002 Downtown Master Plan and 2011 Toledo Downtown Plan established key assumptions and planning guidelines to steer the effort for future downtown development. These assumptions encourage the Warehouse District to offer venues that allow ballpark attendees to linger in downtown after games and provide an outdoor event space in the middle of the Fifth Third Field, Huntington Center, Seagate Convention Centre activity hub.

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. 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 is in compliance with both plans.

Additionally, the proposed CD zoning is a "step-down" from the existing industrial 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-2008-15, a Zone Change from IL to CD for the site at 313-321 Monroe Street and 31-41 N Summit Street 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 proposed CD zoning is consistent with the goals, objectives and assumptions of the 2002 Downtown Master Plan, 2011 Toledo Downtown Plan and the Warehouse District Community Development Plan.
3. The proposed CD zoning is a step-down from a more intense commercial zoning and is more compatible with surrounding properties.

REF: Z-2008-15. . . April 9, 2015

ZONE CHANGE REQUEST
TOLEDO CITY PLAN COMMISSION

REF: Z-2008-15

DATE: April 9, 2015

TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE

DATE: May 13, 2015

TIME: 4:00 P.M.

BH

Two (2) sketches follow

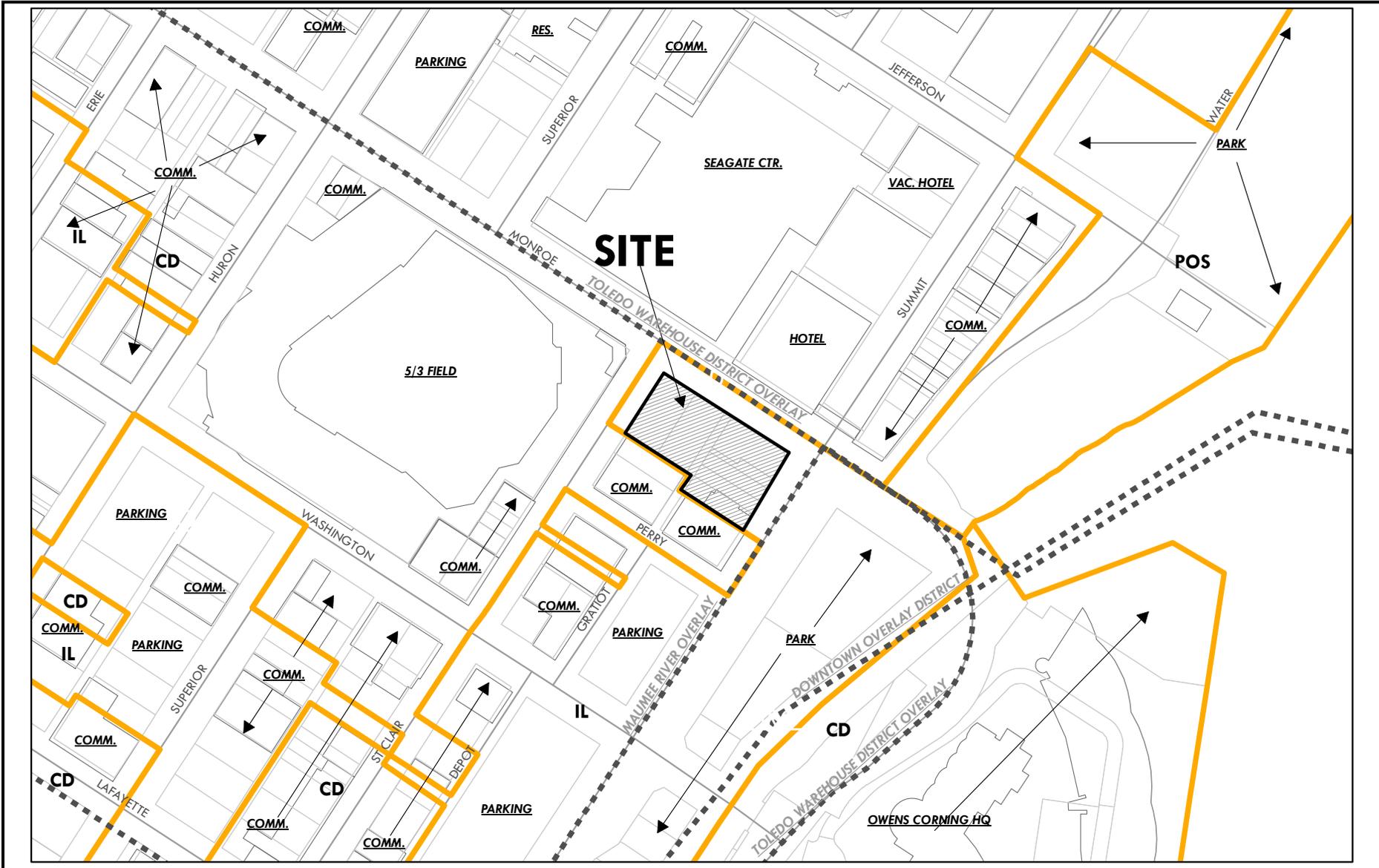
GENERAL LOCATION

Z-2008-15
ID 10



ZONING & LAND USE

Z-2008-15
ID 10



GENERAL INFORMATION

Subject

- Request - Vacation of a portion of an alley running north/south between Perry Street and Monroe Street.
- Applicant - Midland Agency of Northwest Ohio
401 Adams Street
Toledo, OH 43604
- Joe Napoli
The Toledo Mudhens
406 Washington Street
Toledo, OH 43604
- Attorney - Matthew J Fischer, Esq
Marshall & Melhorn
4 Seagate, 8th Floor
Toledo, OH 43604
- Surveyor - James A. Broadway, PS
Mannik Smith Group
1800 Indian Wood Circle
Maumee, OH 43537

Site Description

- Zoning - IL Limited Industrial
Area - ± 0.041 acres
Existing Use - Alley
Proposed Use - Event Park

Area Description

- North - Seagate Center, Hotel and Restaurant / CD
South - Hensville Building 28 & Banquet Event Center / CD
East - Boeschenstein 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)

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

- DOD-8-92 - Downtown Overlay District Review for the demolition of 34-36 N St. Clair St (PC approved 12/3/92)
- 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)
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- SUP-1003-15 - Special Use Permit request for an Event Park (Community Recreation – Active) at 321 Monroe Street (PC approved 3/12/15)
- Z-2008-15 - Zone Change from IL Limited Industrial to CD Downtown Commercial (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

This is a request to vacate a portion of the alley running north/south between Perry Street and Monroe Street. The applicant is requesting the vacation in order to redevelop the surrounding area into an event park. The Plan Commission recommended approval of a Special Use Permit and Downtown Overlay District Review for an event park on March 12, 2015. A companion zone change accompanies this case.

STAFF ANALYSIS (cont'd)

The subject right-of-way is twelve (12) feet wide and runs approximately one-hundred forty-seven (147) feet south from the Monroe Street right-of-way. The total area to be vacated is approximately .041 acres in size. The remaining seventy-four (74) feet of alley will be “Closed”. This will allow for utility and alley access for the buildings fronting onto St. Clair and Summit Streets. The applicant has indicated that the use of removal bollards will be installed along the Perry Street right-of-way, limiting vehicular access and encouraging pedestrian use.

The City of Toledo’s Division of Engineering Services has indicated that a twenty-four (24) inch sewer exists in the alley to be vacated and a full twelve (12) foot easement will need to be retained.

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 is in compliance with both plans.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of V-69-15, the request to vacate a portion of an alley running north/south between Perry Street and Monroe Street to Toledo City Council for the following two (2) reasons:

1. The vacated area will be incorporated into the future development design; and
2. The proposed vacation conforms to the Toledo 20/20 Comprehensive Plan.

The staff recommends that the Toledo City Plan Commission recommend approval of V-69-15, the request to vacate a portion of an alley running north/south between Perry Street and Monroe Street to Toledo City Council, subject to the following eight (8) conditions:

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

Division of Engineering Services

1. Eliminate access of alley at Monroe Street by removing the existing curb drops and drive approach aprons. New curb shall be installed through the old approach to match the adjacent curb in height along each street.

STAFF RECOMMENDATION (cont'd)

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

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

3. The proposed separated storm sewer within the vacated portion of the alley shall be privately owned and maintained.
4. Easement will be required for 24-inch sewer in alley. The following language shall be recorded and a notation placed in the remarks section of the County's real estate records:

That a full width (12-foot) easement is hereby retained over, across, under, and through said vacated area as described in Section 1 herein, for the existing sanitary or combined sewer located in said vacated alley. All City of Toledo facilities located within said easement are hereby dedicated to the City of Toledo, for City utility use only, to allow for future maintenance, repairs, replacements, etc., and shall not be combined with easements for other utilities. The easement hereby retained by the City of Toledo herein shall be primary in nature to any other utilities located therein, and any easement retained by any other utility as a result of this Ordinance shall be subject first to the easement rights of the City of Toledo. Said easement herein shall be permanent in nature for each utility currently located thereon and shall run with the land. Said easement also includes reasonable rights of ingress and egress over and through the utility easement area for the purpose of operating, maintaining, replacing, repairing, and/or constructing any utilities located within the easement. The property owner shall not construct fences, walls, or other barriers, that would impede access onto the easement. No temporary or permanent structure, including building foundations, roof overhangs, or other barriers denying access, may be constructed on or within the easement. Driveways, parking lots, walkways, and other similar improvements are acceptable. The property owner hereby releases the City of Toledo, only, from any liability, responsibility or costs resulting from the City's removal of any barriers that deny ingress or egress from the easement or that obstruct access to the public utilities located on said property; and the City of Toledo shall have no obligation or duty to restore or compensate the property owner for the removed facilities. Further, any modification and/or release of any easement granted or retained by any utility as a result of this Ordinance shall be obtained by the owner separately from each utility, as to their interest(s) only, by separate, recordable instrument.

Fire Prevention

No objection to vacation.

STAFF RECOMMENDATION (cont'd)

Building Inspection

No objection to vacation.

Division of Transportation

No objection to vacation.

Sewer & Drainage Services

5. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
6. 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.
7. S&DS REQUIRES, for operation and maintenance purposes, 20 foot wide sewer and drain easements (centered on the pipe), for City use, shall be retained along the existing sewers and drains located within the vacation. City access to the vacated area shall not be denied by fences, walls, material stock piles, or other barriers (of any type). The easement shall state that no temporary or permanent structure (excluding parking lot pavement), including barriers denying access, may be constructed within the easement area. Paved areas within the vacation shall remain paved.

Division of Streets, Bridges and Harbor

No objection to vacation.

Toledo Edison

No objection to vacation.

Tarta

No objection to vacation.

Planning Commission

8. Alley access shall be maintained for the closed portion, subject to the review and approval of the Director of Planning.

REF: V-69-15 . . . April 9, 2015

ALLEY VACATION
TOLEDO CITY PLAN COMMISSION

REF: V-69-15

DATE: April 9, 2015

TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE

DATE: May 13, 2015

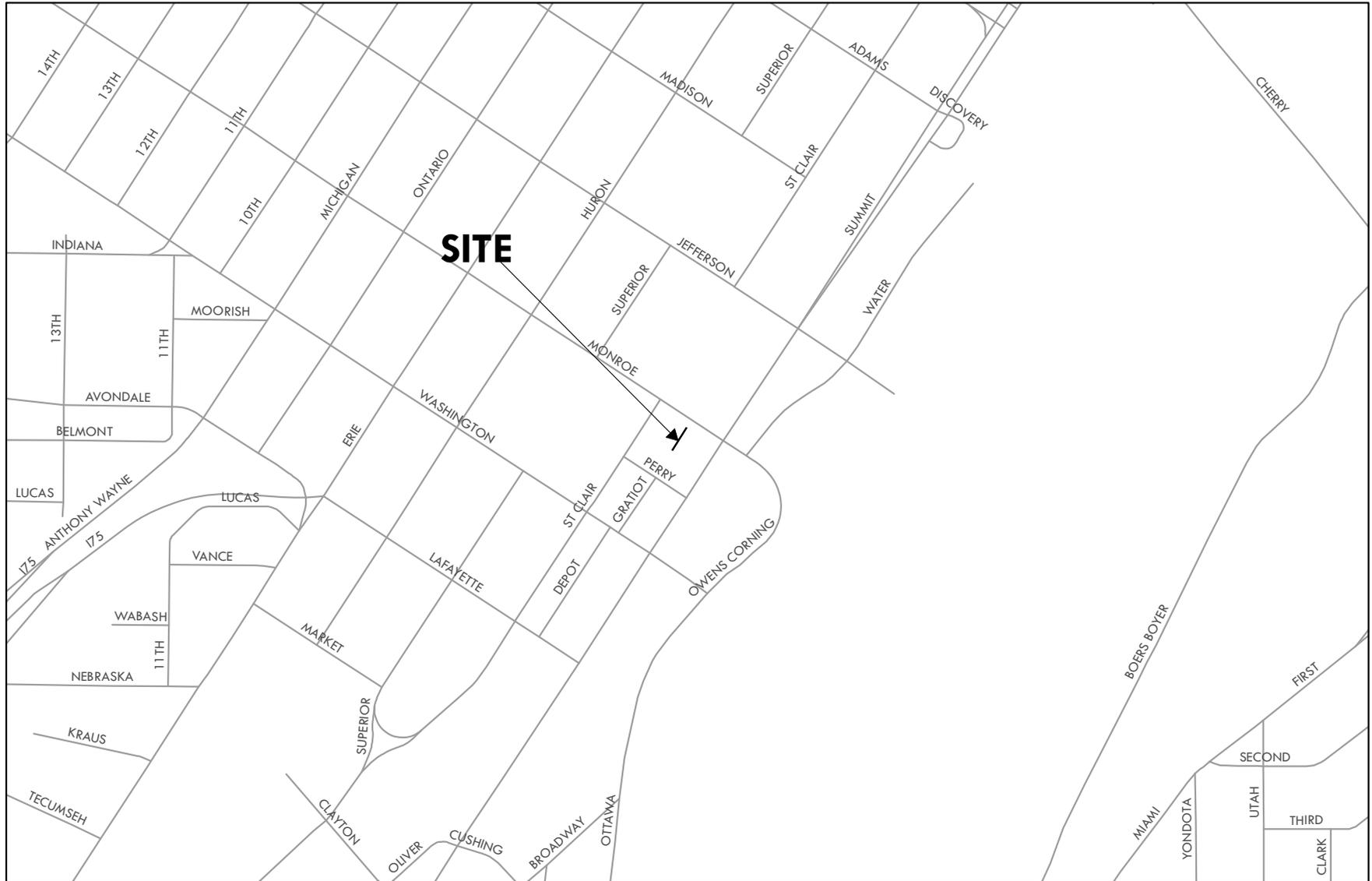
TIME: 4:00 P.M.

BH

Three (3) sketches follow

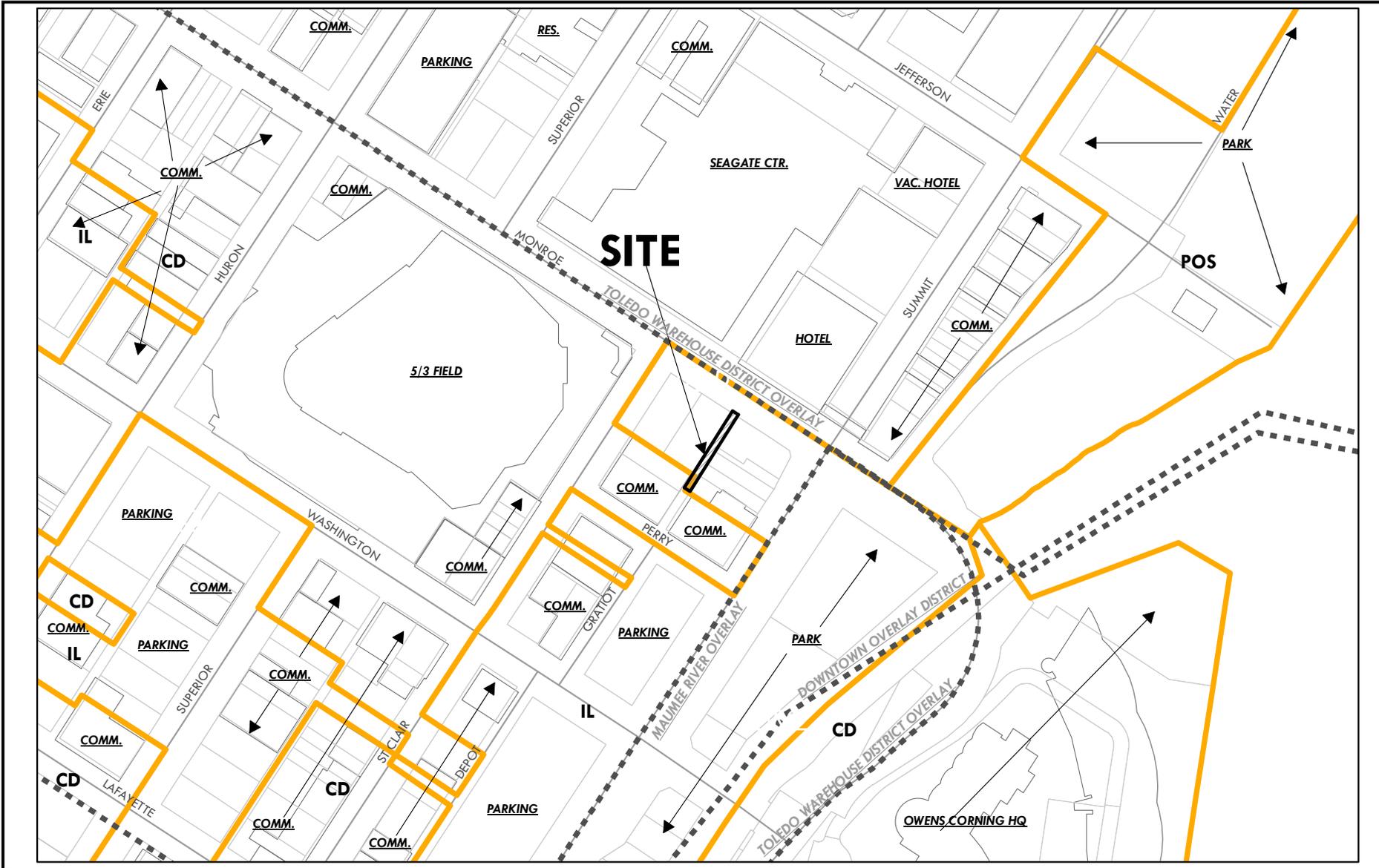
GENERAL LOCATION

V-69-15
ID 10



ZONING & LAND USE

V-69-15
ID 10



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REF: Z-2006-15
DATE: April 9, 2015

GENERAL INFORMATION

Subject

- | | | |
|-----------|---|---|
| Request | - | Request a for Zone Change from CO Office
Commercial to CM Mixed Commercial-Residential |
| Location | - | 311 18 th Street |
| Applicant | - | Robin L. Whitney
ProMedica Health Systems
311 18 th Street
Toledo, OH 43624 |
| Contact | - | Ronata Robinson
1801 Richards Road
Toledo, OH 43607 |

Site Description

- | | | |
|--------------|---|-------------------------------------|
| Zoning | - | CO / Office Commercial |
| Area | - | ± 0.15 acres |
| Frontage | - | ±141' along 18 th Street |
| Frontage | - | ±50' along Madison Street |
| Existing Use | - | Vacant Building |
| Proposed Use | - | Mixed-Use Commercial Building |

Area Description

- | | | |
|-------|---|--------------------------|
| North | - | Uptown Green / POS |
| South | - | Undeveloped / CO |
| East | - | Commercial Building / CO |
| West | - | Uptown Green / POS |

Parcel History

No file on record

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Zone Change from CO Office Commercial to CM Mixed Commercial-Residential for a site located at 311 18th Street. The ±0.15 acre site is occupied by a four (4) story commercial office building. The building is unoccupied and was previously owned by the City of Toledo. The property has recently been sold to ProMedica Health Systems Incorporated, an Ohio non-profit corporation.

The applicant is requesting a Zone Change to CM Mixed Commercial-Residential to facilitate the development of new mixed use commercial building. CM Mixed Commercial-Residential zoning districts are intended to accommodate mixed-use, pedestrian-oriented development. The applicant intends to operate a food market on the first floor of the structure and a variety of uses on the remaining floors. Among the other uses will be a computer classroom for GED tutoring and resume writing workshops. Community nutrition classes will be held on site and will utilize a new kitchen to aid in the teaching of health and nutrition.

Parking for the proposed use is established by the standards set forth in TMC§1107.0400 – Parking Schedule “B”. Estimates indicate that a total of nineteen (19) parking spaces and two (2) bicycle parking slots are required. Due to the unique characteristics of the site, the applicant will need to obtain an off-site parking agreement. The parking plan must be a properly drawn and executed written agreement among the owners of record and approved as to form and execution by the Law Department and Planning Director.

Surrounding land uses include a commercial business to the east across 18th Street. To the south of the site across Madison Avenue are undeveloped parcels. To the west and to the north of the site is Uptown Green Park.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for Urban Village land uses. This is a specialized residential and commercial district that possesses characteristics of Traditional Neighborhood Development (TND), such as pedestrian orientation, zero building setbacks, mixed uses, and distinct architectural character. The proposed Zone Change is consistent with Toledo 20/20 Plan and is compatible with zoning classifications of properties within the general vicinity of the subject property. Additionally, the site is located within the Toledo Uptown District Plan. The intent of the plan is to form a more cohesive neighborhood and create a better sense of community by making the district a more identifiable neighborhood. The proposed development is compliant with the intent of the Toledo Uptown District Plan

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-2006-15, a request for a Zone Change from CO Office Commercial to CM Mixed Commercial-Residential for the site located at 311 18th Street, to the Toledo City Council, for the following four (4) reasons:

1. The request is consistent with The Toledo 20/20 Comprehensive Plan (TMC§1111.0606(A) Review and Decision Making Criteria); and
2. The request is compatible with existing land uses in the general vicinity of the subject property (TMC§1111.0606(B) Review and Decision Making Criteria); and
3. The request is compatible with zoning classifications of properties within the general vicinity of the subject property (TMC§1111.0606(C) Review and Decision Making Criteria); and
4. The request is consistent with The Toledo Uptown District Plan.

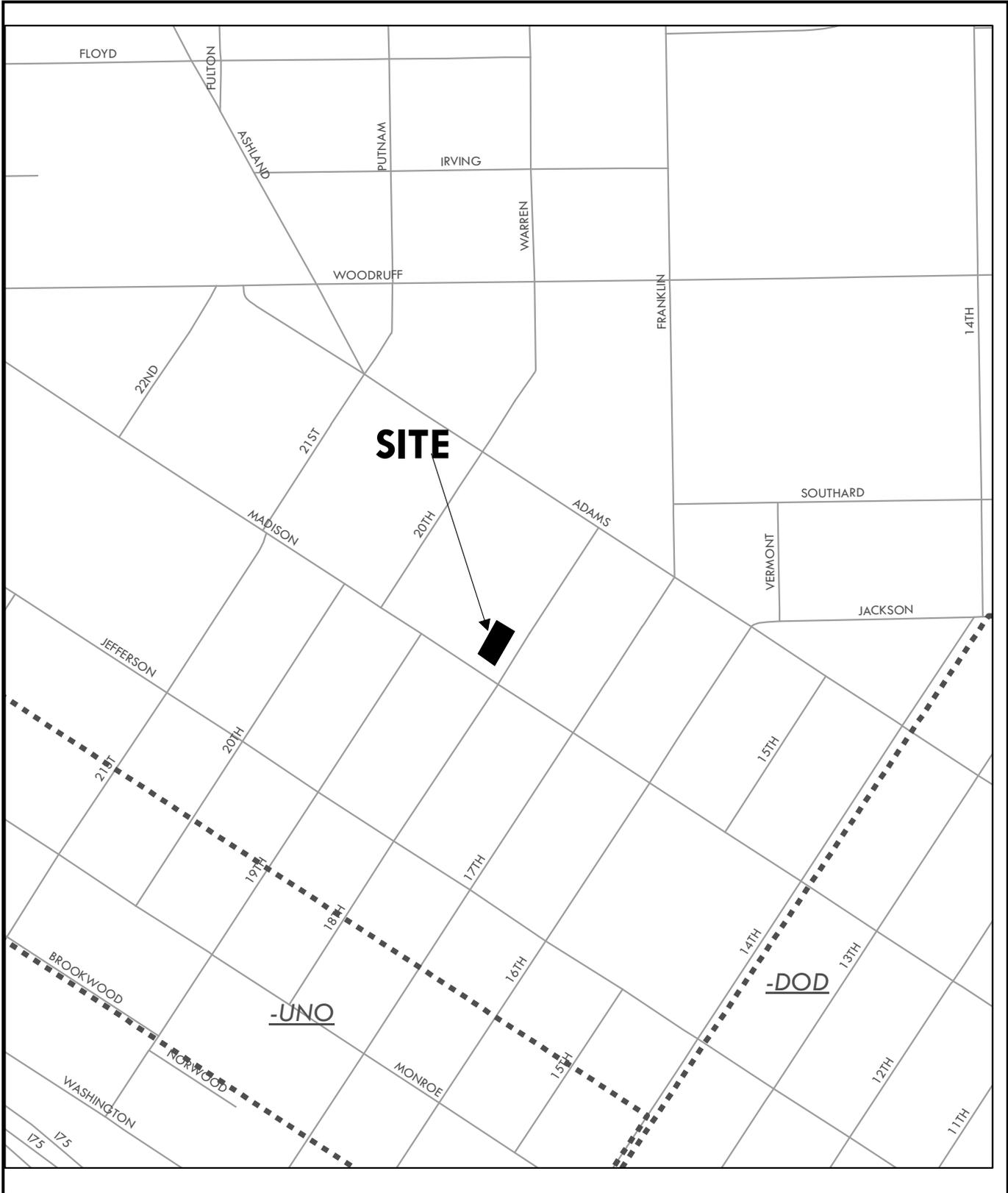
ZONE CHANGE
 TOLEDO CITY PLAN COMMISSION
 REF: Z-2006-15
 DATE: April 9, 2015
 TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
 PLANNING AND ZONING
 DATE: May 13, 2015
 TIME: 4:00 P.M.

GP/bk
 Two (2) sketches follow

GENERAL LOCATION

Z-2006-15
ID 14



ZONING AND LAND USE

Z-2006-15
ID 14



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GENERAL INFORMATION

Subject

- Request - Vacate a portion of right of way running west of South Avenue off of Reynolds Road
- Applicant - Newcomer Movers and Delivery, LLC
Josh Marriucci
P.O. Box 8641
Toledo, OH 43623
- Attorney - Thomas G. Mackin
105 Louisiana Avenue
Perrysburg, OH 43551

Site Description

- Zoning - IL / Limited Industrial
- Area - ±0.21 acres
- Dimensions - 30' X 300'
- Existing Use - Undeveloped right of way

Area Description

- North - Manufactured Housing Park / RS6
- South - Vacant Land / IL
- East - Commercial Plaza / CR
- West - Vacant Land / IL

Parcel History

- S-138-95 - Final Plat for MBM Commercial Complex, approved by Plan Commission on 6/8/95.

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting the vacation of a portion of right of way running west of South Avenue off of Reynolds Road. The portion of right of way is approximately 30 feet wide and 300 feet long and is zoned IL Limited Industrial. The entire dedicated right of way is 60' X 567' and dead ends into a buffer lot. Approximately one-half (½) of the right-of-way is paved, providing access for the manufactured housing park to the north and the commercial development on Lot 1 to the south. The subject site abuts the northern property line of Lots 1 & 2 of the MBM Commercial Complex.

The proposal to vacate the site comes at the request of Newcomer Movers and Delivery, LLC, a company that specializes in a variety of moving and delivering services for residential and commercial clients. The applicant owns Lot 2 of the MBM Commercial Complex and has a desire to relocate his business and fleet storage to said lot. The parcel is landlocked and the vacation will allow the applicant to provide ingress and egress for the site. Additionally, the vacation facilitates the removal of a plat recitation that had rendered the site undevelopable. Although the vacation request is for 300', only the eastern ten (10') feet will be paved to allow ingress and egress for Lot 2.

The Toledo 20/20 Comprehensive Plan targets the surrounding area for IL Limited Industrial land uses. The IL Limited Industrial district is intended to accommodate uses such as wholesale activities, warehouses and industrial/manufacturing operations that are not employment-intensive and are compatible with commercial and residential land uses. The proposed vacation is suitable for the location because it allows a development that is compatible with surrounding uses in terms of operating characteristics such as noise, traffic generation, and other impacts associated with the use's operation. Approval of the vacation will allow a landlocked parcel to be developed in a manner consistent with the Toledo 20/20 Comprehensive Plan.

Review agency conditions have not been received. A revised staff report will be issued when conditions are available.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of V-139-15, the request to vacate a 30 foot wide and 300 foot long portion of right of way running west of South Avenue off of Reynolds Road, to Toledo City Council, for the following two (2) reasons:

1. The proposed vacation will allow a land locked parcel to be developed in a manner consistent with the Toledo 20/20 Comprehensive Plan; and
2. The street vacation will not negatively affect properties within the vicinity of the subject property.

STAFF RECOMMENDATION (cont'd)

The staff recommends that the Toledo City Plan Commission recommend approval of the request to vacate a 30 foot wide and 300 foot long portion of right of way running west of South Avenue off of Reynolds Road, to Toledo City Council, subject to agencies 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

Comments not received at time of printing.

Division of Transportation

Comments not received at time of printing.

Fire Prevention

Comments not received at time of printing.

Division of Streets, Bridges, and Harbors

Comments not received at time of printing.

Columbia Gas Company

Comments not received at time of printing.

AT&T (Ohio)

Comments not received at time of printing.

Toledo Edison Company

Comments not received at time of printing.

Buckeye Cablevision

Comments not received at time of printing.

TARTA

Comments not received at time of printing.

STAFF RECOMMENDATION (cont'd)

Lucas County Solid Waste

Comments not received at time of printing.

Republic Services

Comments not received at time of printing.

Plan Commission

No comments or objections to this vacation.

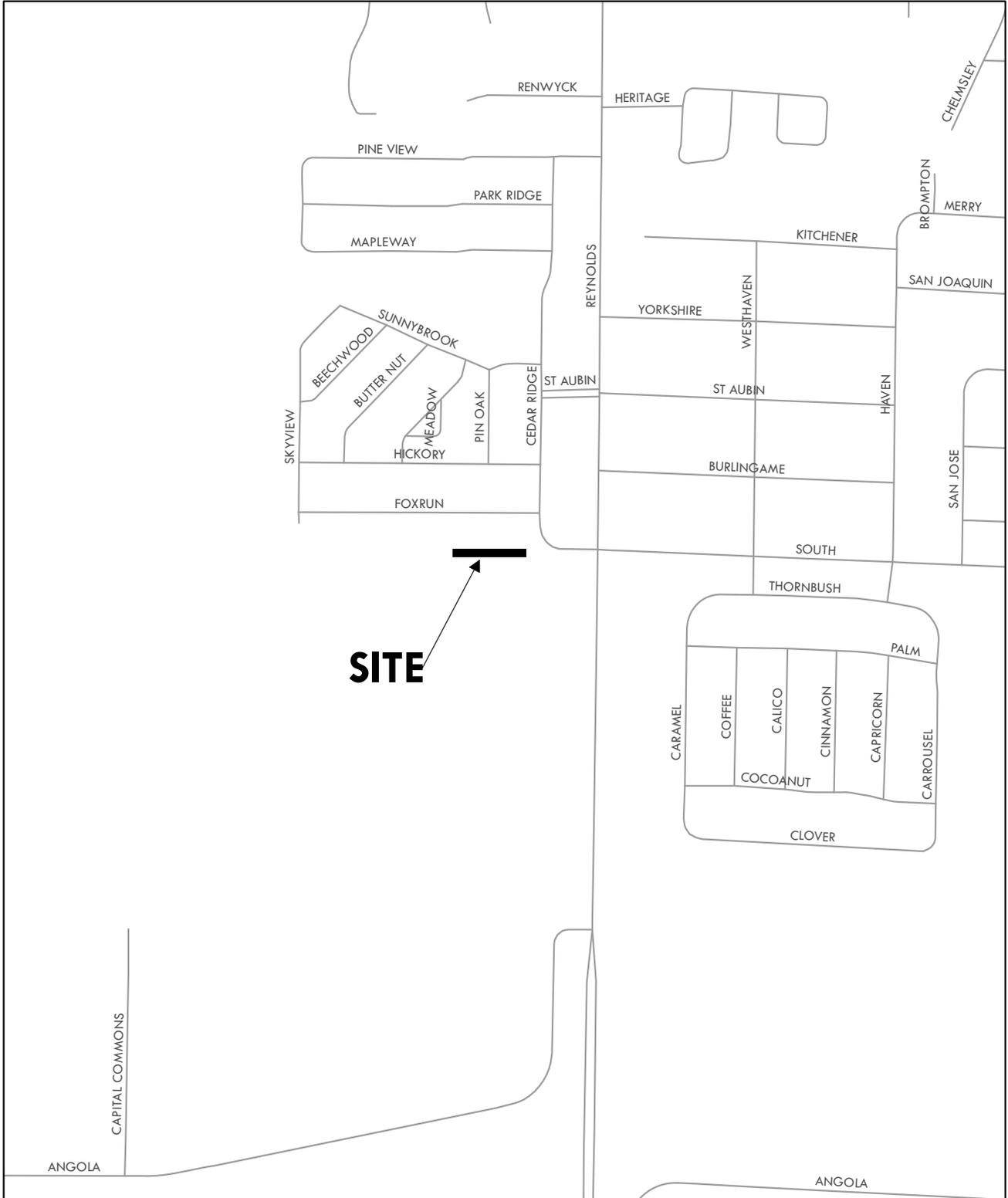
STREET VACATION
TOLEDO CITY PLAN COMMISSION
REF: V-139-15
DATE: April 9, 2015
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: May 13, 2015
TIME: 4:00 P.M.

GP/jj
Three (3) sketches follow

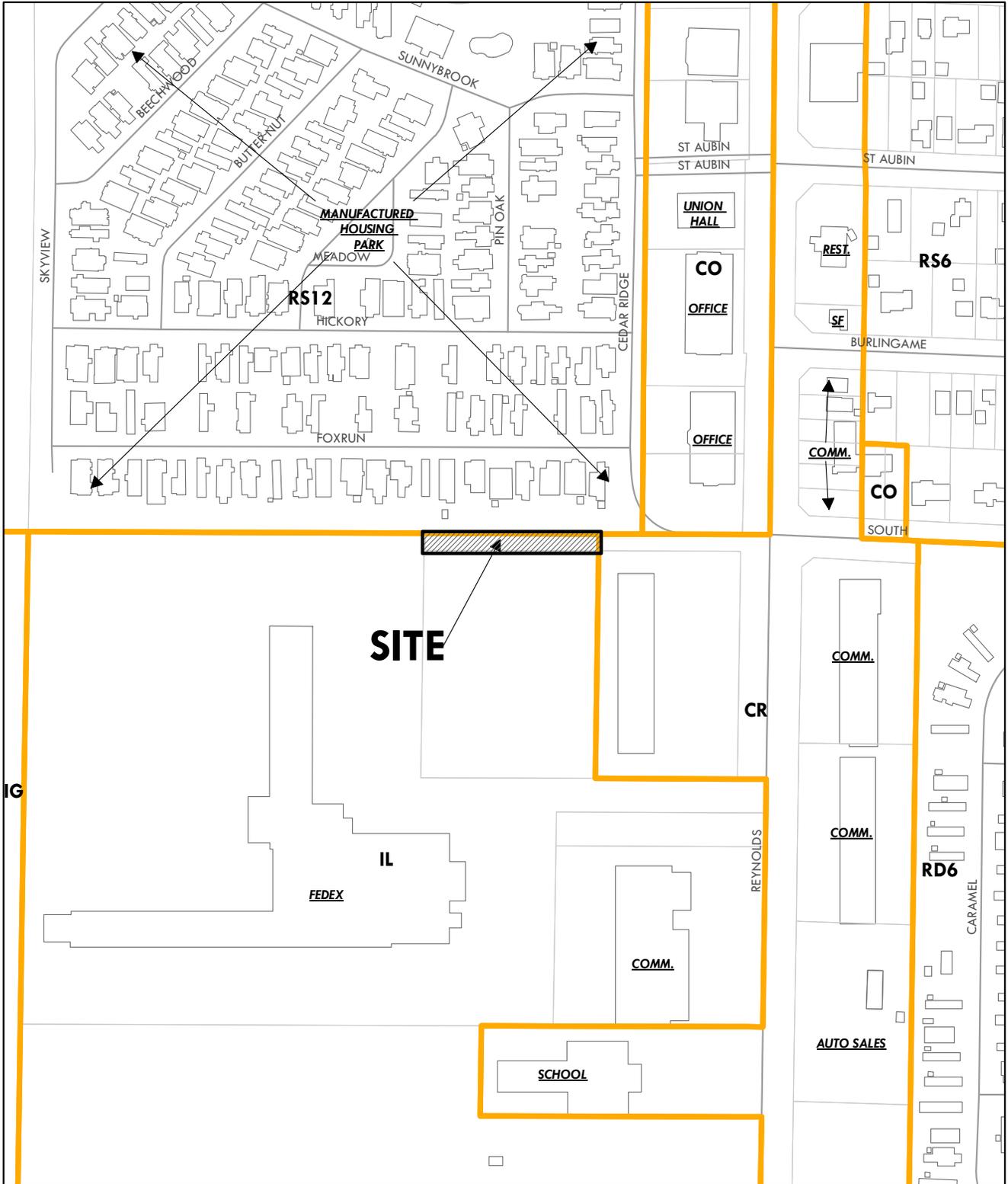
GENERAL LOCATION

V-139-15
ID 120



ZONING AND LAND USE

V-139-15
ID 120



PLAT

V-139-15
ID 120



00150

MBM COMMERCIAL COMPLEX

CITY OF TOLEDO, LUCAS COUNTY, OHIO

SOUTH AVENUE

LOT 2
3.332 ACRES

LOT 1
2.319 ACRES

REYNOLDS ROAD

LEGAL DESCRIPTION

MBM COMMERCIAL COMPLEX, of which this is a correct plat, is held out and comprises part of the East one half of the Southeast quarter of Section 11, Township 2 of the United States Range of Townships square of the foot of the range of Lots 6 to 10 in the City of Toledo, Lucas County, Ohio and being more particularly described as follows:

COMMENCEMENT of a monument found at the Northeast corner of the East one half of the Southeast quarter of Section 11;

thence South 02° 15' 20" West, on the North line of the Southeast quarter of Section 11 a distance of 624.21 feet to a point on the West right of way line of Reynolds Road, said point being the TRUE POINT OF BEGINNING of the parcel herein described;

thence South 02° 00' 00" West, on the West right of way line of Reynolds Road, being 60.00 feet westerly of, an enclosed perpendicular to and parallel with, the East line of the Southeast quarter of Section 11, a distance of 434.13 feet to a point;

thence South 82° 13' 20" West, on a line being parallel with the North line of the Southeast quarter of Section 11, a distance of 267.02 feet to a point;

thence North 02° 00' 00" East, on a line being parallel with the East line of the Southeast quarter of Section 11, a distance of 434.13 feet to a point on the North line of the Southeast quarter of Section 11;

thence North 02° 15' 20" East, on the North line of the Southeast quarter of Section 11 a distance of 607.02 feet to the TRUE POINT OF BEGINNING of the parcel herein described containing 5.651 acres, of land, more or less. Subject to all restrictions of record.

SURVEYOR'S CERTIFICATION

I do hereby certify that during February, 1992 and April, 1993, a survey of the parcel delineated and described herein was performed under my direct supervision subdividing the same into lots numbered 1 and 2, both inclusive and Buffer Lot "A", and that all dimensions and property details are correct, distances being given in feet and decimal parts thereof. Boundary monuments, marked thereon, measuring 4 inches in diameter and 30 inches in length, have been set either at the corners of the plat plat boundary or on other suitable locations in the line, marked thereon, measuring 4 1/2 inches in diameter and 30 inches in length have been set at all other lot corners.

J. C. Andrews & Associates, Inc.
Surveyors - Planners
445 10th Street, Toledo, Ohio

Signed this 17th day of October, 1997.

Jan D. Allen Joe Guadagnoli Sr., P.S. 7247

PLAT RECITATION

It is hereby stipulated and agreed by the owner of the real property covered by this Plat, for itself or himself, and his or its respective heirs, successors and assigns, that at such time as Lot No. 2 of this Plat is developed and/or improved cover agree:

- That the street and/or alleys along the north side of the property covered by this Plat (the extension of South Street) shall be extended and/or improved in accordance with applicable governmental and plat commission recommendations to the westerly line of the property covered by this Plat at the expense of the owner (subject to possible partial contribution from the owner or owners of the property immediately to the North of the Plat), in accordance with provisions of ordinance 622-03 as enacted by the City of Council of Toledo, Ohio, and;
- That the storm sewer connections presently existing at the property covered by this Plat shall be subject to possible modification by the Department of Public Utilities of the City of Toledo, when every include, but not be limited to, the construction and installation of a separate and new storm sewer line from the property north along Reynolds Road to Holbrook Street;
- That the water meter and sanitary sewer lines shall be extended and/or improved in accordance with applicable governmental and plat commission recommendations to the westerly line of the property covered by this Plat at the expense of the owner (subject to possible partial contribution from the owner or owners of the property immediately to the North of the Plat), in accordance with applicable provisions of ordinance enacted by the City Council of Toledo, Ohio.

TOLEDO CITY PLATTING COMMISSIONER

I, the Platting Commissioner for the City of Toledo, hereby certify that I have reviewed this plat and find it to be in accordance with the Subdivision Rules and Regulations as approved by the City of Toledo Lucas County Platting Commission and hereby approve this plat.

Signed this 17th day of December, 1997.

Richard J. ... Toledo City Platting Commissioner

OWNER'S CERTIFICATION

The undersigned, owner of the property herein described, does hereby adopt the subdivision as shown on this plat, establish the network lines as shown, dedicate to public use the streets and right of way as shown, accept Buffer Lot "A", which is dedicated to the City of Toledo for the express purpose of providing access over said Buffer Lot until such a time as the adjoining right of way dedication, being that of South Avenue, is extended or widened beyond said Buffer lot. Said parcel subject to a temporary easement for roadway purposes as shown hereon, and as recorded in Volume 2214, Page 72 of the Lucas County Deed Records. This easement is terminated, as per said deed, by the dedication of South Avenue hereon. The undersigned hereby establishes easements as shown hereon and designated as "Utility Easement" for the purpose of permitting the construction, operation, relocation and maintenance of public or quasi-public utilities thereon. Maintenance shall include the right to remove any branches or other growth or obstructions within such easements that might interfere with the construction, maintenance or safe operation of said utility facilities.

IN WITNESS WHEREOF, I have set my hand on this 16th day of October, 1997.

WITNESSES: *William ...* *Harvey A. Tolson*
Raymond ... *Harvey A. Tolson*

STATE OF OHIO
COUNTY OF LUCAS

Before me, a Notary Public in and for the State of Ohio, County of Lucas, personally appeared Harvey A. Tolson who acknowledged the signing of this plat to be his free act and deed for the purposes herein specified.

IN WITNESS WHEREOF, I have hereupon subscribed my name and official seal this 16th day of October, 1997.

Raymond ... Notary Public

TOLEDO CITY PLAN COMMISSION

We hereby certify that this plat is approved by the City of Toledo Plan Commission in accordance with the subdivision rules and regulations as adopted by this commission and the Council of the City of Toledo.

Signed this 16th day of December, 1997.

Richard J. ... Chairman, City of Toledo Plan Commission
William ... Secretary, City of Toledo Plan Commission

LUCAS COUNTY TAX MAP DEPARTMENT

Ownership of the property concerning this plat is correctly represented hereon.

Signed this 17th day of October, 1997.

Walter ... Tax Map Department

LUCAS COUNTY AUDITOR

This plat has been submitted for the purpose of approval.

Signed this 17th day of October, 1997.

William ... Lucas County Auditor

LUCAS COUNTY RECORDER

Received for record this 17th day of October, 1997 at 2:30 o'clock P.M.

and recorded in Volume 1411, Page 7, Lucas County Book of Plats.

William ... Lucas County Recorder

PAGE 1 OF 1

Needs removed

11798-11

11798-11

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GENERAL INFORMATION

Subject

- Request - Major Site Plan for a new Commercial Development
- Location - 3430 Secor Road
- Applicant - Stephen J. Collins
S.J. Collins Enterprises
PO Box 214
Fairburn, GA 30213
- Engineer - George V. Oravec
Oravec & Associates, LLC
5333 Secor Road, Suite 2
Toledo, OH 43623

Site Description

- Zoning - CR Regional Commercial
- Area - ± 6.961 total acres
- Frontage - ± 601' on Secor Road (total frontage)
± 540' on Executive Parkway
- Existing Use - Vacant
- Proposed use - Grocery Store, Multi-tenant & Single-tenant
Commercial Retail

Area Description

- North - Hotel / CR
- South - Commercial / CR
- East - Hotel / CR
- West - Commercial / CR

Parcel History

- Z21-C130 - Request for zone change from R-2 Single Family Residential to C-2 Commercial (disapproved by Lucas County Plan Commission on 4/3/58, Washington Township Trustees approved on 6/10/58, westerly 500' only).

GENERAL INFORMATION (cont'd)

Parcel History (cont'd)

- Z21-C131 - Request for zone change from R-2 Single Family Residential to C-2 Commercial (disapproved by Lucas County Plan Commission on 4/3/58, Washington Township Trustees approved on 6/10/58, westerly 500' only).
- Z21-C343 - Request for zone change from R-2 Single Family Residential to C-2 Commercial (approved by Lucas County Plan Commission on 11/8/62, Washington Township Trustees approved on 1/2/63).
- Z21-C354 - Request for zone change from R-2 Single Family Residential to C-2 Commercial (approved by Lucas County Plan Commission on 1/3/63, Washington Township Trustees approved on 3/12/63).
- Z21-C356 - Request for zone change from R-2 Single Family Residential to C-2 Commercial (disapproved by Lucas County Plan Commission on 1/3/63, Washington Township Trustees approved on 3/12/63).
- PL-7-00 - Request for parking lot review (PC approved 10/12/00).
- PL-10-02 - Request for parking lot review (PC approved 2/13/03).
- SPR-13-09 - Request for major site plan review for multiple buildings on a lot (withdrew on 10/20/09).
- S-16-13 - Preliminary Drawing Review of Secor Village Plat I (PC approved 9/12/13).
- S-1-14 - Final Plat of Secor Village Plat I (PC approved 2/13/14).
- S-4-15 - Final Plat of the Amended Plat of Secor Village (Companion Case).

GENERAL INFORMATION (cont'd)

Applicable Regulations

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

STAFF ANALYSIS

The applicant is requesting a Major Site Plan to facilitate a new commercial development at 3430 Secor Road. The applicant is proposing to construct three (3) buildings, 40,000 square feet, 22,500 square feet and 4,800 square feet, on individually platted lots. The largest building will accommodate a grocery store (3.743-acres), while the remaining buildings will serve as multi-tenant (2.767-acres) and single-tenant (.451-acres) commercial retail spaces. The site was the former cinema site that was razed in 2011. The rear of the Secor Village Plat (Lot 3) is currently developed with a hotel. An amendment to the Secor Village Plat accompanies this case. While the project involves three (3) buildings on separate lots; it is being reviewed as one project for site plan review.

Parking and Circulation

The required parking for a 40,000 square foot grocery store is 134 spaces. The site plan indicates that 201 spaces will be provided for this building. Although uses are not indicated for the remaining buildings, the required parking for general retail is 1 space per 300 square feet in floor area. This will result in a parking requirement of 75 spaces for the multi tenant building and 16 spaces for the single-tenant building (Pursuant to TMC 1107.0302 *Maximums* – an applicant may provide up to 150 percent of the minimum required parking as-of-right). The parking provided for the grocery store is in this range; however, the parking for the retail buildings exceeds what is allowed. As a result, an alternative parking plan will be required to justify parking is excess of 150 percent.

In addition to the required off-street parking, loading zones and bicycle parking is also required. TMC1107.1000 *Off-street Loading Schedule* - requires three loading spaces be provided. A multi-bay loading area is shown on the south side of the grocery store. Though only two (2) loading bay doors are shown on the elevations, enough space appears to exist to accommodate a third loading area. The remaining buildings appear to be divided into floor areas that are less than 5,000 square feet; therefore loading zones are not required. The required bicycle parking is one (1) bicycle space per ten (10) automobile spaces. As a result, the required bicycle parking is fourteen (14) spaces for the grocery store and ten (10) for the two retail buildings.

The site is accessed via Executive Parkway to the south and a private drive near the midpoint of the plat. Executive Parkway will continue to be serviced by a traffic light at Secor Road. Careful consideration was paid to pedestrian circulation. Walkways will connect each development to Secor Road at various points. The walkways along Secor Road are decorative in nature and meander from Executive Parkway to the north end of the site.

STAFF ANALYSIS (cont'd)

Landscaping

A landscaping plan has been submitted for review. Pursuant to the approved preliminary plat drawing a minimum twenty (20) foot frontage greenbelt is required for the site along Secor Road. Because the parking is being developed in the front yard of the properties, the frontage greenbelts are required to include a solid evergreen hedge to screen the parking lot to ensure that headlights do not project onto the public street. Additionally, staff is supportive of the “meandering” sidewalk along Secor Road as this is part of the grocery store’s corporate design.

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

In addition, to the other landscaping requirements for frontage greenbelts and landscaping for parking lot areas, additional interior landscape standards shall include a two (2)-inch caliper tree for every 1,000 square feet of building coverage, foundation plantings along all portions of the building that are visible from the public right-of-way and landscaping at all major entrances. In addition, dumpsters and loading zones are also to be screened and maintained and shall be separated from the main circulation and parking areas. The loading zone uses a screen wall to aid in buffering this area from neighboring properties; however, no dumpsters were indicated on the grocery property. In the event outdoor dumpsters are to be used, proper screening shall be provided as outlined in TMC1108.0203 (G) - *Dumpster/Trash Receptacle Screening*. Staff has found that the proposed landscape plan to be in compliance with these requirements.

Building Design

The applicant submitted elevations of the three (3) buildings for consideration and review. A consistent exterior design is proposed for all buildings. This will provide a uniform look throughout the development. The design primarily includes the use of brick, stucco, glass and decorative block veneer. However, the use of block or block veneer is not listed as an acceptable material pursuant to TMC design standards. In addition, EIFS products are shown in areas throughout the project. The use of EIFS is limited to fifteen (15) percent of any right-of-way facing façade. Staff has requested revised elevations that indicate material percentage breakdowns of all materials to be used. Based on the overall design of the plat, the only non-public facing façade is the north façade of the multi-tenant building; all other buildings and facades shall be subject to the high quality design standards as listed in TMC 1109.0501 on all four (4) sides. Additionally, staff is requesting that a sample of the stucco be submitted, because of issues with the installation of some stucco-like products on nearby development.

STAFF ANALYSIS (cont'd)

Recommendation

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

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission approve SPR-4-15, a request for a Major Site Plan Review of a new Commercial Development at 3430 Secor Road, for the following three (3) reasons:

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

The staff recommends that the Toledo City Plan Commission approve SPR-4-15, a request for a Major Site Plan Review of a new Commercial Development at 3430 Secor Road, subject to the following thirty-nine (39) conditions:

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

Division of Engineering Services

1. 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.**

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

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 water services 4-inch diameter and larger shall be submitted to the Division of Engineering Services for review and approval.
6. Contact the City of Toledo Fire Prevention Bureau to determine the fire protection requirements for this site.
7. Contact the Division of Water Distribution to determine the backflow prevention requirements for this site.
8. The site plan submitted for this Plan Commission review, does not match previously approved plat. A new plat shall be submitted and approved prior to any stormwater approval.
9. **A 30-foot easement for the storm sewer was approved per previously submitted plat. Reducing this easement to 20 feet is currently under review to determine if it would allow sufficient clearance from the proposed building for future maintenance, repairs, or replacement of the existing 48-inch storm sewer (Peterson Ditch).**
10. 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.
11. 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) and including treatment of 100 percent of the water quality volume from Lots 1, 4 and 5.
12. Plans are also subject to the: Criteria and Regulations of The Departments of Public Utilities and Public Service; The Toledo Municipal Code, including but not limited to Chapters 941, 1110, and 1107; The Toledo City Charter; The "Subdivision Rules & Regulations" of Toledo-Lucas County Plan Commissions; City of Toledo Infrastructure Design and Construction requirements; and "The Comprehensive Ditch Plan."

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

13. 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.
14. 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.
15. 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.
16. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
17. No construction work, including grading, will be permitted without approved plans and inspection.
18. A pre-submittal meeting is not required; however, one may be requested. Contact Information is as follows:

 Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850
 Sanitary Sewers: Mike Elling, ph. 419-936-2276
 Stormwater Drainage: Lorie Haslinger, ph. 419-245-3221; Andy Stepnick 419-245-1338
 Water: Andrea Kroma, ph. 419-936-2163
 Roadway: Tim Grosjean, ph. 419-245-1344
19. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
20. 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.
21. Developer shall be responsible for meeting the requirements of the Ohio EPA anti-degradation policy. Requirements shall be met before any taps are made into the sanitary sewer system.
22. All sanitary sewer manholes shall have solid lids installed on them.

STAFF RECOMMENDATION (cont'd)

Fire Prevention

No objections or concerns.

Sewer & Drainage Services

23. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
24. 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

25. New construction and/or additions of any buildings on this 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 to be in compliance with the Ohio Building Code and the associated mechanical and fire codes and ADA requirements.
26. Any signage or fencing will require separate permits. Fencing greater than 42" in height will require a waiver from the Board of Zoning Appeals.

Division of Transportation

27. The sidewalks extending west from Parcel 2 shall connect with the Parcel 1 sidewalk on the north side of the private drive.

Plan Commission

28. Cross-access agreements shall be provided between Lot 1 & Lot 5.
29. The applicant shall submit a revised elevation that identifies all exterior materials to be used and the percentage of materials per façade. All building facades visible from any right-of-way shall consist of a minimum 75% high quality material.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

30. The building materials of the addition shall meet the requirements of TMC 1109.0500 Building Façade Materials and Color. Elevations shall be submitted to meet the approval of the Plan Director. Exterior building materials shall not include concrete blocks, concrete panels or wood sheet goods. EIFS products are limited to fifteen (15) percent of any façade. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors. The submitted elevations appear to meet the requirements of TMC 1109.0500 Building Façade Materials and Color.
31. The applicant shall provide a sample of the proposed stucco to be used on the retail buildings.
32. Applicant shall submit an alternative parking plan to allow for parking in excess of 150% of the required parking, subject to the review and approval of the Director.
33. A minimum of fourteen (14) bicycle spaces shall be provided for the grocery store, eight (8) bicycle spaces for the multi-tenant building and two (2) bicycle spaces for the single-tenant building, per Toledo Municipal Code Section 1107.0300.
34. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping areas.
35. Trash containers, service and storage areas shall be screened and maintained. These areas should be separated from the main circulation and parking areas, **shall be noted on revised site plan.**
36. 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. In addition to the other landscape requirements for buffer areas, frontage greenbelts, and landscaping for parking lot areas, the following shall be provided: one 2-inch caliper tree for every 1000 square feet of building coverage (footprint); foundation plantings along all portions of the building that are visible from the public rights-of-way; **acceptable as depicted on landscape plan.**
 - b. All parking spaces must be within 100 linear feet of a landscaped area; **acceptable as depicted on landscape plan.**
 - c. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area; **acceptable as depicted on landscape plan.**

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- d. Landscape terminal islands must be provided at the end of each parking row; **acceptable as depicted on landscape plan.**
 - e. A twenty (20) foot Greenbelt is required along the Secor Road frontage and shall include one tree for every thirty (30) of lot frontage and a solid evergreen hedge; **acceptable as depicted on landscape plan.**
 - f. A fifteen (15) foot greenbelt is required along the Executive Parkway frontage and shall include one tree for every thirty (30) of lot frontage and a solid evergreen hedge; **acceptable as depicted on landscape plan.**
 - g. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage; **acceptable as depicted on landscape plan.**
 - h. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained; **acceptable as depicted on landscape plan.**
 - i. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained; **acceptable as depicted on landscape plan.**
 - j. If site is ½ acre or larger, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans must be submitted with development plans and must contain all construction details; **acceptable as depicted on landscape plan.**
 - k. The location, height and materials for any fencing to be installed and maintained; **acceptable as depicted on landscape plan.**
 - l. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); **acceptable as depicted on landscape plan;** and
 - m. The location, lighting and size of any signs; **acceptable as depicted on landscape plan.**
37. 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.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

38. 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.
39. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

MAJOR SITE PLAN REVIEW
TOLEDO CITY PLAN COMMISSION
REF: SPR-4-15
DATE: April 9, 2015
TIME: 2:00 P.M.

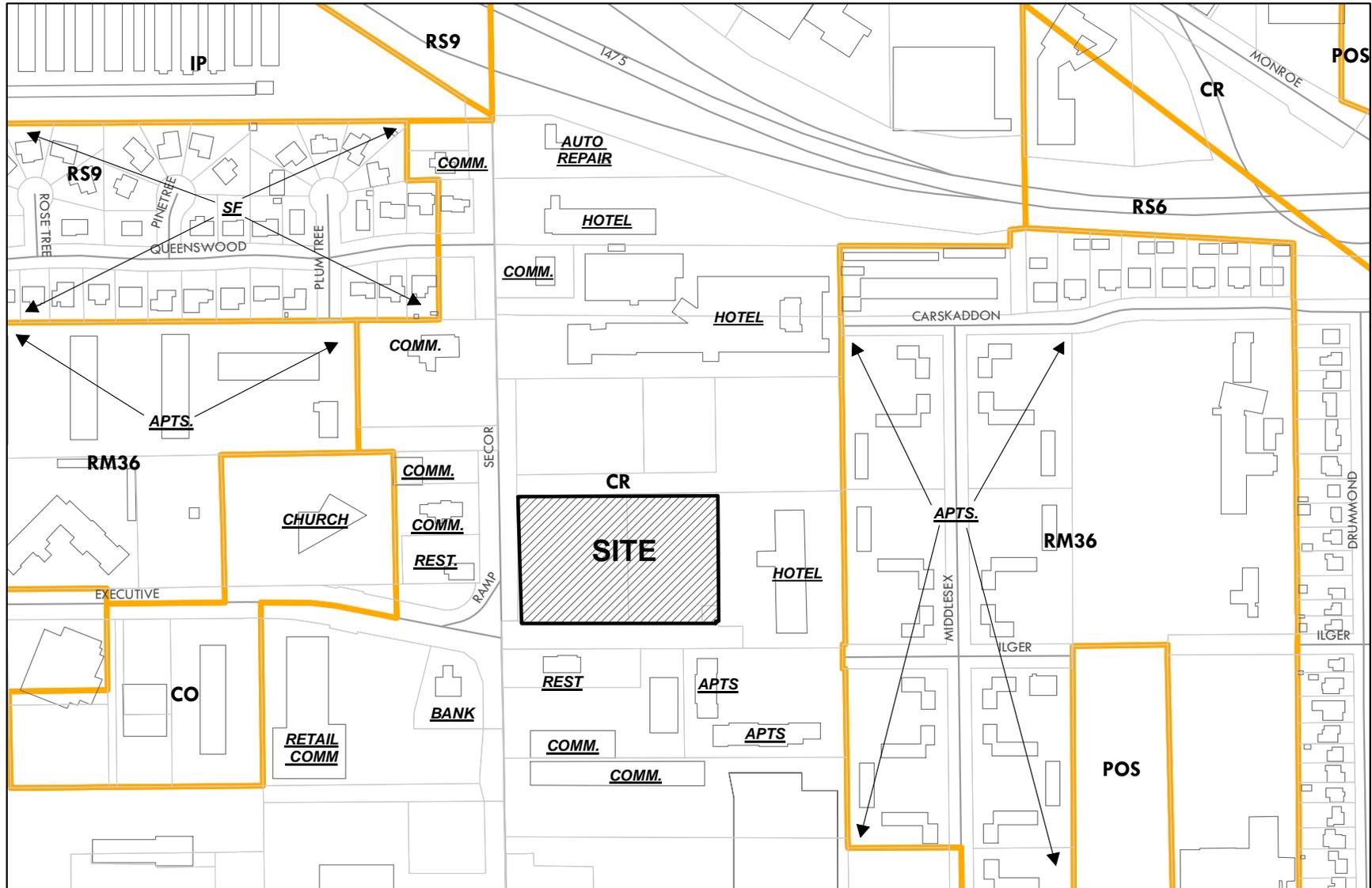
BH
Eleven (11) sketches follow

ZONING & LAND USE

SPR-4-15
ID 46

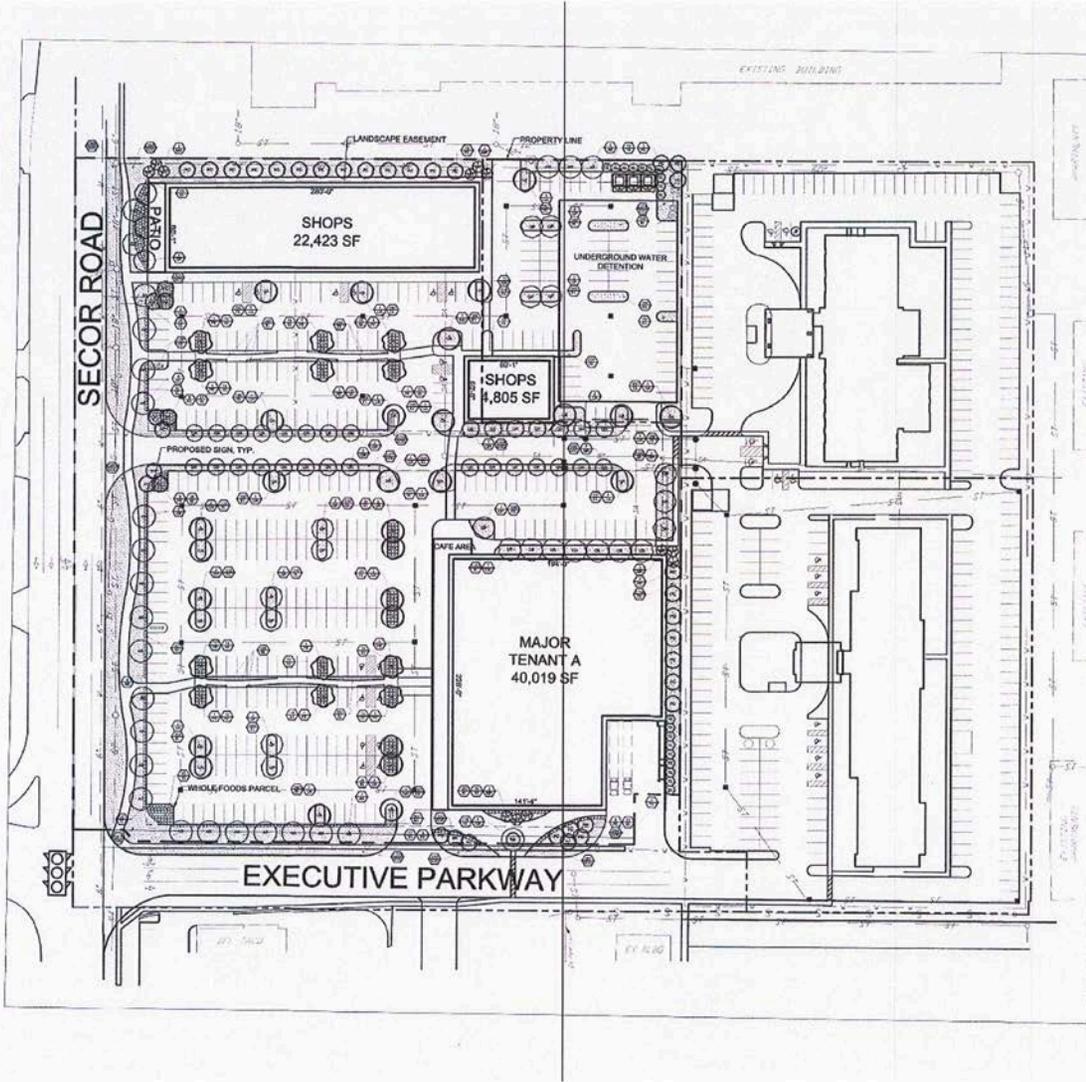


6 - 13



LANDSCAPE PLAN

SPR-4-15
ID 46



ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
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100	Plant Schedule				

STUE Solutions

PROFESSIONAL ENGINEER

SECOR VILLAGE
PREPARED FOR
S. J. COLLINS

DATE: 03.22.2015

LANDSCAPE DEVELOPMENT PLAN

PROJECT NUMBER: 15017

L1.0A

GROCERY STORE ELEVATION #1

SPR-4-15
ID 46



CLIENT



PROJECT

EXECUTIVE VILLAGE
TOLEDO, OH

JOB NUMBER

1429404

DATE

03.20.15

BY

MLH/WHH

DRAWING

FRONT AND REAR ELEVATION



GROCERY STORE ELEVATION #2

SPR-4-15
ID 46



PRELIMINARY

CLIENT



PROJECT

EXECUTIVE VILLAGE
TOLEDO, OH

JOB NUMBER

1429404

DATE

03.20.15

BY

MLH/WHH/KMC

DRAWING

LOD



SHOP 300 ELEVATION #1

SPR-4-15
ID 46

1 FRONT ELEVATION (SOUTH)
SCALE: 1/32" = 1'-0"



2 FRONT ELEVATION (SOUTH)
SCALE: 3/32" = 1'-0"



3 FRONT ELEVATION (SOUTH)
SCALE: 3/32" = 1'-0"



CLIENT



PROJECT

EXECUTIVE VILLAGE

TOLEDO, OH

JOB NUMBER
1429404

DATE
03.20.15

BY
KMC/MLH

DRAWING
SHOPS 300
LOD-4.3 - ELEVATIONS



PHILLIPS

NORTH TERRACES
400 PERIMETER CENTER TERRACE - SUITE 650
ATLANTA, GA 30346

770.394.3616 770.394.1314

6 - 18

SHOP 300 ELEVATION #2

SPR-4-15
ID 46



CLIENT



PROJECT

EXECUTIVE VILLAGE
TOLEDO, OH

JOB NUMBER

1429404

DATE

03.20.15

BY

KMC/MLH

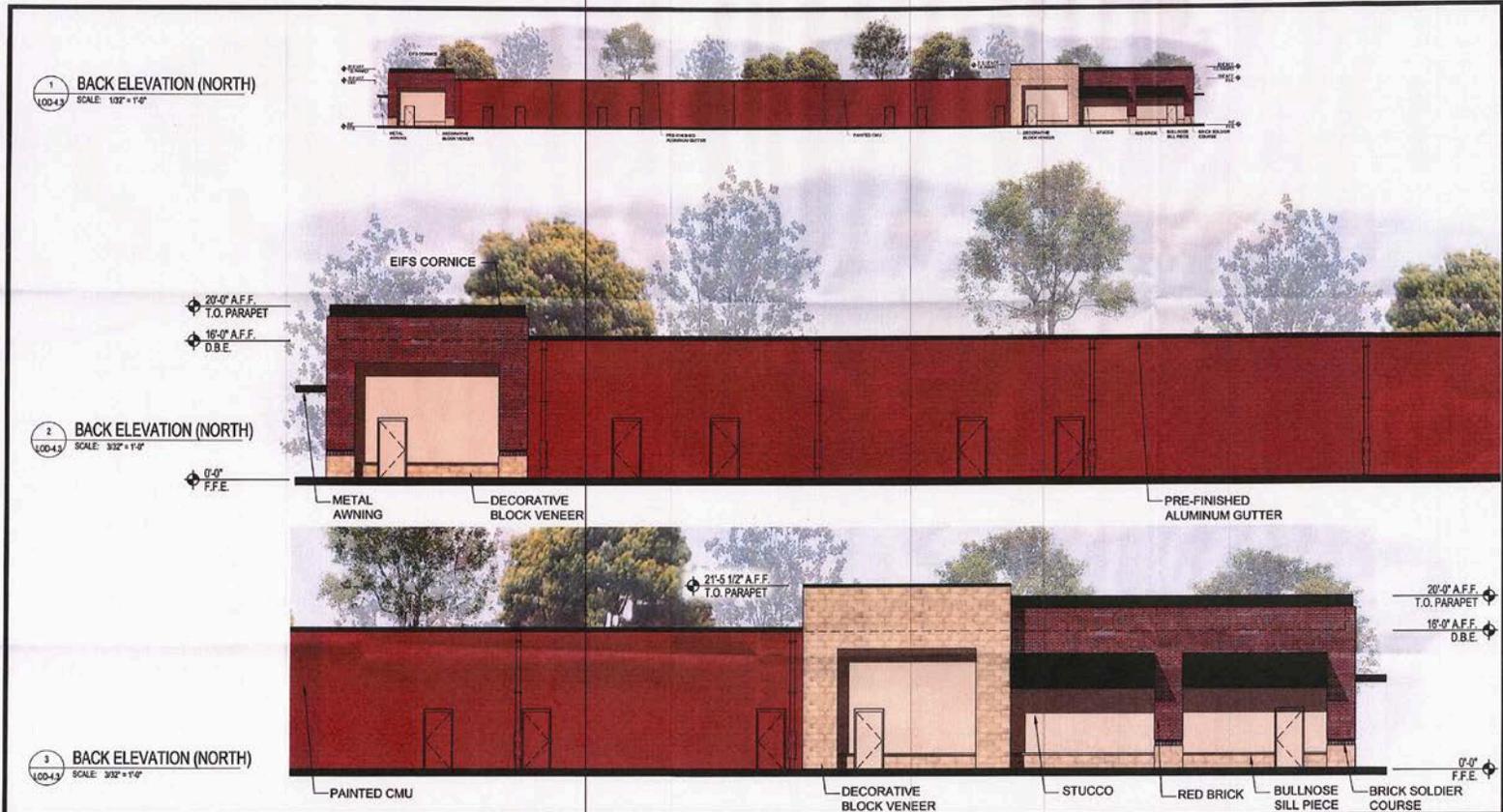
DRAWING

SHOPS 300
LOD-4.3 - ELEVATIONS



SHOP 300 ELEVATION #3

SPR-4-15
ID 46



CLIENT

PROJECT

EXECUTIVE VILLAGE

TOLEDO, OH

JOB NUMBER

1429404

DATE

03.20.15

BY

KMC/MLH

DRAWING

SHOPS 300

LOD-4.3 - ELEVATIONS

NORTH TERRACES

400 PERIMETER CENTER TERRACE - SUITE 610

ATLANTA, GA 30348

770.394.1616 770.394.1314

6 - 20

SHOP 200 ELEVATION #1

SPR-4-15
ID 46

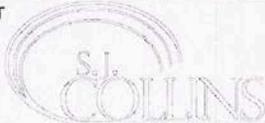


SHOP 200 ELEVATION #2

SPR-4-15
ID 46



CLIENT



PROJECT

EXECUTIVE VILLAGE
TOLEDO, OH

JOB NUMBER

1429404

DATE

03.20.15

BY

WHHMLH

DRAWING

SHOPS 200
LOD-4.2 - ELEVATIONS



PHILLIPS

NORTH TERRACES
400 PERIMETER CENTER TERRACE - SUITE 650
ATLANTA, GA 30348

770.394.1616 770.394.1314

GENERAL INFORMATION

Subject

- Request - Special Use Permit for the addition of fuel pumps and convenience store to an existing gasoline sales and auto repair facility
- Location - 4644 North Summit Street
- Applicant - Ashland Bancroft LLC
1133 Buck Road
Rossford, OH 43460
- Contact - Dawn Powell
1410 Starr Avenue
Toledo, OH 43605
- Engineer - Michael Cappelletty, P.E.
Cappelletty Engineering-Construction
6145 Douglas Road
Toledo, OH 43613

Site Description

- Zoning - CR / Regional Commercial
- Area - ±0.79 acres
- Frontage - ±211' along N. Summit Street
- Frontage - ±151' along 107th Street
- Existing Use - Gasoline Sales and Auto Repair facility
- Proposed Use - Addition of fuel pumps and Convenience Store to existing Gasoline Sales and Auto Repair facility

Area Description

- North - Fifth Third Bank / CR, RS6
- South - Single family home / CR, MRO
- East - Single family home / RS6
- West - Vacant Commercial Building/ IL

GENERAL INFORMATION (cont'd)

Parcel History

SUP-6015-99 - Request for a Special Use Permit for the expansion of an existing gas station, approved by Plan Commission on 9/9/99, approved by City Council 10/26/99, Ord. 850-00.

Applicable Plans and 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 to redevelop a former auto repair facility into a fuel sales facility and convenience store at 4644 North Summit Street. The ±0.79 acre site consists of one (1) parcel and is zoned CR Regional Commercial. The auto repair facility, currently non-operational, included fuel sales and a small retail sales area. The proposal includes the realignment of existing pumps and addition of new pumps, a ±549 square foot building addition (for coolers) and the conversion of the auto repair facility into a convenience store. A Special Use Permit is required because of the addition of fuel pumps and the convenience store.

The site plan indicates the addition of two (2) new fuel pump stations, a new canopy that will be parallel to the existing one (1) story building and a single marine fueling pump station. The new canopy will be ±3,920 square feet (28 X 140) in total area and will cover a total of four (4) fueling stations (8 pumps). One (1) of the new fueling stations will be designated for diesel fuel sales. The new marine fueling pump station will be located away from the primary fueling area.

Parking and Circulation

Pursuant to TMC§1107.0304 *Parking, Loading, and Access* – Schedule A, a convenience store with fuel sales is 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 building area. The size of the building is 3,679 square feet. The total number of parking spaces required is thirteen (13). According to the table for the number of required ADA parking spaces, one (1) parking space is required. The site plan submitted depicts seventeen (17) parking spaces and is in compliance with the number of parking spaces required. The site is accessed via two (2) curb cuts, one (1) on Summit Street and the other on 107th Street.

STAFF ANALYSIS (cont'd)

Landscaping and Screening

The site is existing and per TMC§1114.0500 – *Appearance upgrade for Nonconforming Development*, the site is only required to be brought closer into compliance with the 2004 zoning code in terms of landscaping. Currently, the site has little landscaping. A landscape plan has been submitted that includes the following: a row of trees along Summit Street, a landscape island at the corner of Summit Street and 107th Street, and a five (5) to ten (10) foot greenbelt along 107th Street. Additionally, an existing lawn area behind the building will be retained. While the proposed landscaping brings the site closer into compliance with the zoning code, staff recommends that a five (5') foot greenbelt with shrubs be added along Summit Street and a Type A landscape buffer along the eastern property line where the site abuts residential zoning. This must include ten (10') feet of landscaping with a solid wood fence. The proposed detention pond as shown on the site plan will require modifications to accommodate this buffer.

Building Design

Pursuant to TMC§1104.0903 *Use Regulations* – Canopies shall be set back a minimum of (10) feet from the property line, and shall be designed to be consistent with the building materials and colors of the principle building. 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 principal building. An elevation showing compliance with this regulation shall be submitted for the approval of the Planning Director.

Predominant exterior building materials must be high-quality materials as listed in TMC§1109.0501 *Facade Materials*. For facades visible from the public right-of-way, predominant materials must comprise at least seventy-five percent (75%) of the total wall area of the façade. However, because the proposal involves an addition to an existing building the materials of the addition can match that of the existing structure. An elevation showing building material type and color showing compliance with this regulation shall be submitted for the approval of the Planning Director.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan this site for Neighborhood Commercial land uses. The CN Neighborhood Commercial district is intended to accommodate predominately small and medium scale commercial uses that serve neighborhoods. Small and medium scale offices and mixed uses may be included.

STAFF ANALYSIS (cont'd)

Staff is recommending disapproval of the request for two (2) reasons. First, convenience stores are restricted from being located within a 2,000 foot radius of another convenience store or 1,000 foot radius of a school, public park, public library, licensed day care, or other use established specifically for the activities of minors (TMC§1104.0603). Research indicates that there are two (2) convenience stores within the restricted radius, the closest being approximately 1,046 feet away. Another infraction of the spacing requirement is a day care located approximately 543 feet away from the subject site.

Second, Division of Transportation deems the proposed development too intense for the site and ultimately, circulation cannot meet the requirements of the Toledo Municipal Code (see Exhibit "A"). The Division of Transportation has rejected the development as proposed.

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-2003-15, a request for a Special Use Permit for the addition of fuel pumps and convenience store sales to an existing auto repair shop located at 4644 North Summit Street, to the Toledo City Council, for the following four (4) 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 Special Use Permit.
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).
3. A convenience store shall not be located within a 2,000 foot radius of another convenience store (TMC§1104.0603.A).
4. A convenience store shall not be located within a 1,000 foot radius of a licensed child day care center (TMC§1104.0603.B).

REF: SUP-2003-15...April 9, 2015

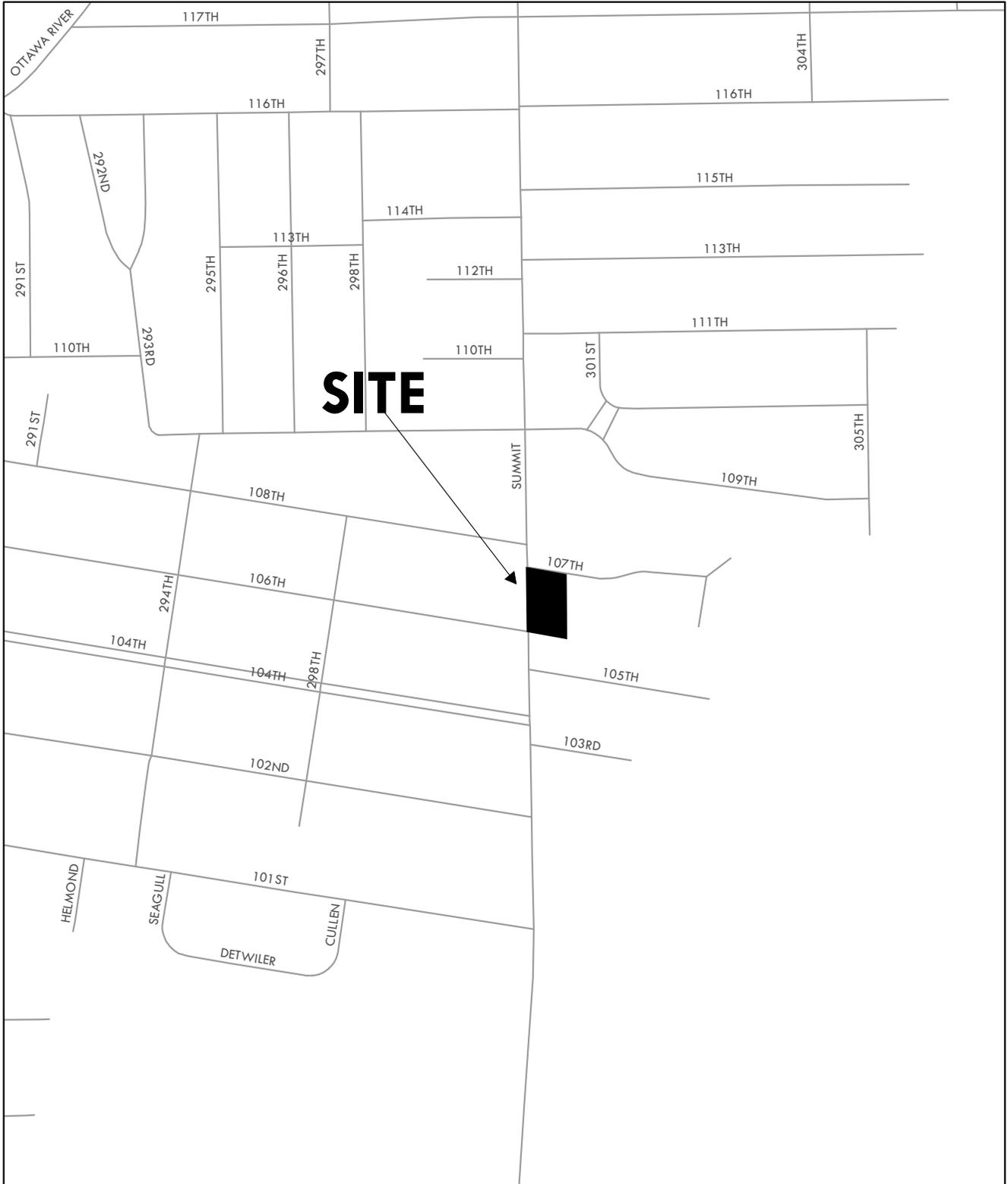
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-2003-15
DATE: April 9, 2015
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: May 13, 2015
TIME: 4:00 P.M.

GP/bk
Four (4) sketches follow
Exhibit "A" follows
Exhibit "B" follows

GENERAL LOCATION

SUP-2003-15
ID 63



ZONING AND LAND USE

SUP-2003-15
ID 63

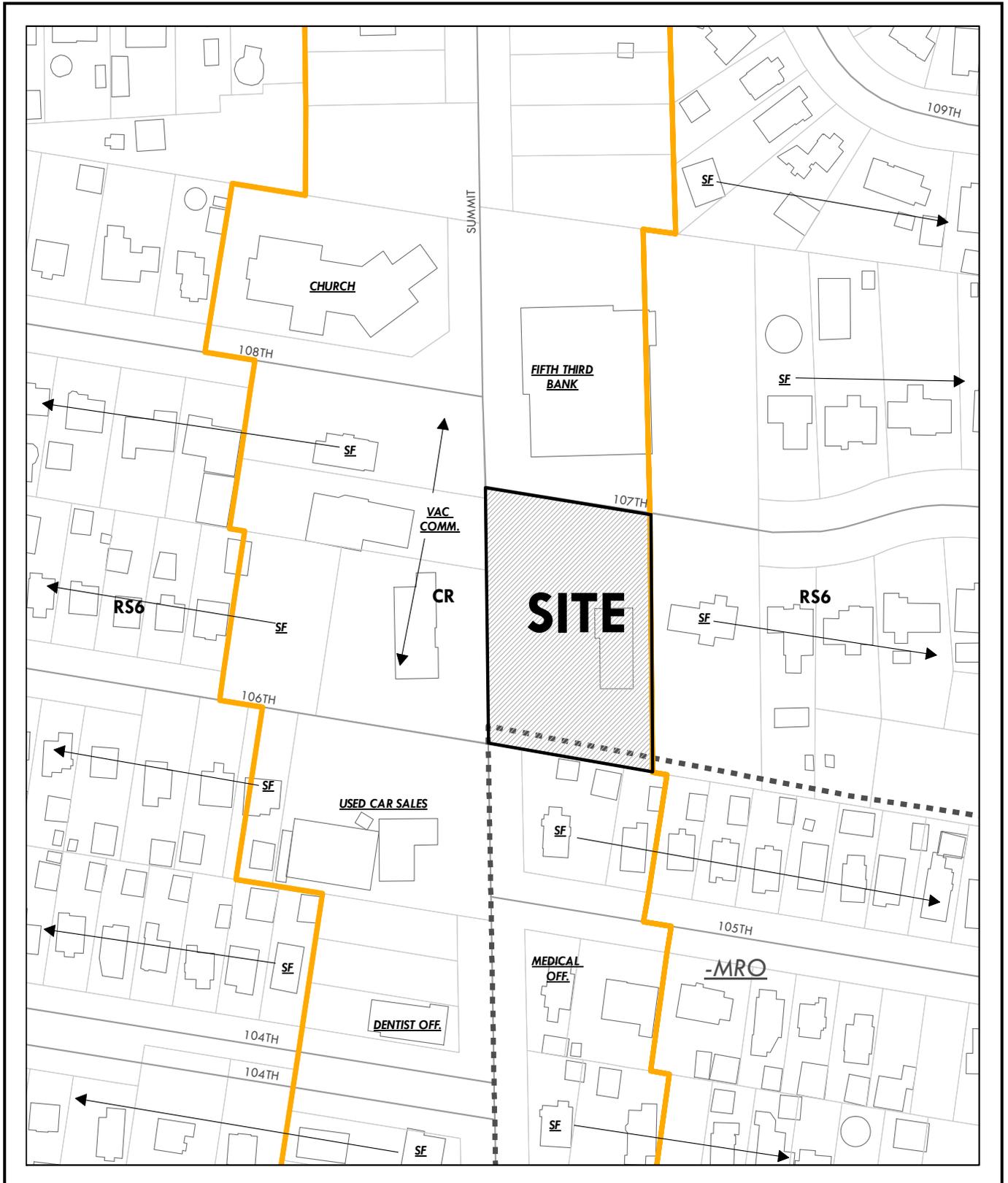


Exhibit "A"

Ref: SUP-2003-15
Planner: Gyasi "JC" Pullum
Prepared By: Joslyn Jones, 03/17/15

DEPARTMENT OF PUBLIC SERVICE
DIVISION OF TRANSPORTATION
RECOMMENDATION ON A SITE PLAN

To: Tom Gibbons, Director, Toledo-Lucas County Plan Commissions
Thru: William H. Franklin, P.E., Director of Public Service *WHF 3/12*
From: Sherri L. Frederick, Acting Commissioner, Division of Transportation
Subject: A gas station with convenience store located at 4644 N. Summit St.

The Division of Transportation has reviewed the site plan and has the following comments:

1. Twenty-five foot drives aisles must be provided in all directions to accommodate two-way traffic.
2. A one stall stacking minimum at the gas pump is required by Toledo Municipal Code 1107. This minimum is not included in the required minimum 25' drive aisles to support two-way traffic on the site.
3. Existing unused drive approaches shall be completely removed and new curbs and sidewalks shall be installed in accordance with City of Toledo Construction Standards.
4. Crumbling and deteriorating curbs and sidewalks should be rebuilt in accordance with City of Toledo Construction Standards.

The proposed use for this site is too intense for this site and ultimately circulation cannot meet the requirements of the Toledo Municipal Code. As a result, the Division of Transportation objects to the approval of the site plan by the Plan Commission.

Sherri L. Frederick *3/9/15*

 Sherri L. Frederick Date
 Acting Commissioner
 Division of Transportation

ref: SUP-2003-15
cc: Gyasi "JC" Pullum

Exhibit “B”

The following forty-two (42) 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. Sidewalk shall be maintained through the property along East Broadway Street.
3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with eight-inch (8”) thick concrete per City of Toledo Construction Standards and Specifications. **No curb shall be permitted in the right-of-way along either side of a drive approach. No horizontal curb cutting will be permitted to create a curb drop/opening.**
4. Required permits for all approved work in the public right-of-way shall be obtained before work begins from One Stop Shop, (419) 245-1220.
5. Contact Joe Warnka at (419) 936-2756 for inspection of above mentioned items.
6. Water service is available subject to the Rules and Regulations of the Department of Public Utilities
7. Plans for new water service or modifications to existing water service shall be submitted to the Division of Engineering Services for review and approval.
8. Contact the City of Toledo Fire Prevention Bureau to determine the fire protection requirements for this site.
9. Contact the Division of Water Distribution to determine the backflow prevention requirements for this site.

Exhibit “B”

STAFF RECOMMENDATION (cont’d)

Engineering Services (cont’d)

10. 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.
11. 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).
12. 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.”
13. Any person performing earth-disturbing activities within the City of Toledo shall employ Construction BMPs. All disturbed land areas over 1 acre must submit an NOI to and obtain a permit from the Ohio EPA.
14. 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.
15. 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.
16. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
17. No construction work, including grading, will be permitted without approved plans and inspection.

Exhibit "B"

STAFF RECOMMENDATION (cont'd)

Engineering Services (cont'd)

18. 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

Comments not received at the time of printing.

Environmental Services

19. Applicant shall maintain compliance with the City of Toledo's Stormwater Regulations specified in the Toledo Municipal Code.
20. Applicant shall maintain compliance with the City of Toledo's Sanitary Sewer Use Regulations as specified in the Toledo Municipal Code.
21. Applicant shall maintain compliance with the City of Toledo's Air Quality Regulations including, but not limited to, the Anti-Noise Law specified in the Toledo Municipal Code.
22. 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 objections to the site plan.

Transportation

23. Twenty-five feet drives aisles must be provided in all directions to accommodate two-way traffic.

Exhibit "B"

STAFF RECOMMENDATION (cont'd)

Transportation (cont'd)

24. A one stall stacking minimum at the gas pump is required by Toledo Municipal Code 1107. This minimum is not included in the required minimum 25' drive aisles to support two-way traffic on the site.
25. Existing unused drive approaches shall be completely removed and new curbs and sidewalks shall be installed in accordance with City of Toledo Construction Standards.
26. Crumbling and deteriorating curbs and sidewalks should be rebuilt in accordance with City of Toledo Construction Standards.

The proposed use for this site is too intense for this site and ultimately circulation cannot meet the requirements of the Toledo Municipal Code. As a result, the Division of Transportation objects to the approval of the site plan by the Plan Commission.

Building Inspection

27. Construction of the new convenience store will require construction documents stamped by a licensed design professional to be submitted to the Division of Building Inspection for review and approval showing the construction to be in compliance with the City of Toledo's building, mechanical and fire codes and, by referenced standards, those of the State of Ohio. Plans must identify the correct building type, use group, occupancy load, plumbing fixture count, egress and emergency egress locations, emergency evacuation routes and other life-safety and ADA compliancy facilities, in accordance with the Administrative Coded on the Ohio Building Code Chapter 106.

Plan Commission

28. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping area.
29. 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.

Exhibit "B"

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

30. Intensity, location, and screening of outside lighting, including canopies, especially when abutting a residential district. Flat lens lighting shall be used (TMC§1104.0901(D)).
31. 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)).
32. Canopies shall be set back a minimum of 10 feet from the property line, and shall be designed to be consistent with the building materials and colors of the principal building. 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)). **Applicant shall submit an elevation indicating compliance with this requirement.**
33. Pump islands shall be set back a minimum of 15 feet from the property line (TMC§1104.0903(B)). **Acceptable as depicted on the submitted site plan.**
34. 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)).
35. 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)).
36. 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.**
37. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device consisting of a concrete stop, permanent concrete curb, an expanded sidewalk or other suitable restraint as approved by the Planning Director must be installed to prevent any part of a parked motor vehicle from extending beyond the property line, overhanging a pedestrian walkway or sidewalk, or damaging any structure or landscaping (TMC§1107.1907(A)).

Exhibit "B"

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

38. Predominant exterior building materials must be high-quality materials as listed in TMC§1109.0501 *Façade Materials*. For facades visible from the public right-of-way, predominant materials must comprise at least seventy-five percent (75%) of the total wall area of the façade. However, because the proposal involves an addition to an existing building the materials of the addition can match that of the existing structure. **An elevation showing building material type and color showing compliance with this regulation shall be submitted for the approval of the Planning Director.**

39. A detailed site, lighting, sign, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. One tree is required for every 30' linear feet of frontage or fraction thereof, for all structures and shall be installed along both street frontages. Foundation plantings for the full street facing building elevation; and landscape areas at major building entrances;

 - b. A Type A landscape buffer is required along the eastern property line;

 - c. Topsoil must be back filled to provide positive drainage of the landscape area;

 - d. Landscaping is required at all major building entrances;

 - e. Foundation plantings along all portions of the building that are visible from the public rights-of-way;

 - f. Landscaped areas **may not** contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground coverage, **as pertaining to the foundation plantings;**

 - g. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC§1108.0400 Landscape Materials Standards; **acceptable as depicted on landscape plan.**

Exhibit "B"

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- h. 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).
 - i. The location, lighting and size of any signs, all signage is subject to TMC§1387.
- 40. 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.
- 41. 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.
- 42. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

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REF: SUP-2007-15
DATE: April 9, 2015

GENERAL INFORMATION

Subject

Request	-	Special Use Permit for a Type A Day Care
Location	-	2946 East Lincolnshire Boulevard
Applicant	-	Edward Colbert Jr. 1609 North Erie Street Toledo, OH 43604
Engineer	-	John A. Weithman, P.E. P.O. Box 184 Waterville, OH 43566

Site Description

Zoning	-	RS9 / Single Family Residential
Area	-	± 0.29 acres
Frontage	-	± 90' along East Lincolnshire Boulevard
Existing Use	-	Single Family Residence
Proposed Use	-	Type A Family Day Care Home

Area Description

North	-	Single Family Dwelling / RS9
South	-	Single Family Dwelling / RS9
East	-	Single Family Dwelling / RS9
West	-	Single Family Dwelling / RS9

Parcel History

None on file

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit to facilitate the development of a Type A Family Day Care Home for a site located at 2946 East Lincolnshire Boulevard. The ±0.29 acre site is zoned RS9 Single Family Residential and occupied by a single family residence that is leased by the applicant. The neighborhood is entirely dedicated to single family residential land uses. In residential zoning districts, a Type A Family Day Care Home must have frontage on a major street (TMC 1104.0701(C)). According to the Toledo-Lucas County Major Street and Highway Plan, East Lincolnshire Boulevard is not classified as a major street.

The applicant is intending to operate a Type A Family Day Care Home that will care for young children while their parents are at work during the day and will also provide after school care. The service is allowed to provide care for a maximum of 12 children provided that thirty-five (35) square feet of useable indoor is regularly available for each child. Sixty (60) square feet of useable outdoor space must be provided for each child in care using the outdoor area at any time.

Parking and Circulation

TMC§1107.0300 – *Parking Schedule A*, requires Type A day cares are to provide one (1) space in addition to the required parking for a dwelling. Calculations conclude that a total of three (3) parking spaces are required for a Type A daycare that is operated in a single family dwelling. The existing two (2) car garage may be used to meet parking requirements. The site plan offers a concrete paved driveway for the designated drop off and pick up area. The area designated for dropping off and picking up persons in the facility must be approved by the Division of Transportation.

Landscaping

Pursuant to TMC§1104.0701(E) – *Outdoor Space Requirements*, sixty (60) square feet of useable outdoor space must be provided for each child in care using the outdoor area at any time. The outdoor space depicted on the site plan is a total of 5,220 square feet. A Type B landscape buffer as depicted in TMC§1108.0203(F) or a solid board-on-board fence is required around the designated outdoor space. The site plan submitted shows compliance with these requirements.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for single-family residential uses. These districts are intended to create, maintain and promote housing opportunities for individual households, although they do permit nonresidential uses that are typically compatible with residential neighborhoods. A Special Use Permit for a Type A Family Day Care Home is not suitable for this location because it is not compatible with surrounding uses in terms of operating characteristics such as noise, traffic generation, and other impacts associated with the use's operation.

STAFF ANALYSIS (cont'd)

Also, the site does not meet the criteria for a Type A Family Day Care Home to have frontage on a major street, per TMC§1104.0701(C) and the proposal would allow the applicant to operate more than one (1) Type A Day Care Home, which is a violation of TMC§1104.0701(A). Further, the Division of Transportation discourages the approval of Type A Day Care Homes in residential areas (See Exhibit A) and the Division of Building Inspections does not approve of a day care for this site (See Exhibit B). Staff is recommending disapproval, however, conditions of approval are included as “Exhibit C”.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of SUP-2007-15, a request for a Special Use Permit for a Type A Family Day Care Home located at 2946 East Lincolnshire Boulevard, to the Toledo City Council, for the following five (5) reasons:

1. Due to the traffic generated by the day-to-day activities associated with Type-A daycares, such as parking, parent drop-off/pick-up, etc. the Division of Transportation discourages the approval of daycares in residential areas (Exhibit A); and
2. The Division of Building Inspections does not approve of a day care for this site (Exhibit B); and
3. The site does not meet the criteria for a Type A Family Day Care Home to have frontage on a major street, per TMC§1104.0701(C) - *Type A Family Day Care Home*; and
4. The use is not compatible with adjacent uses in terms of operating characteristics such as noise, traffic generation, and other impacts associated with the use’s operation; and
5. The approval of the proposal would allow the applicant to operate more than one (1) Type A Day Care Home which is a violation of TMC§1104.0701(A).

SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-2007-15
DATE: April 9, 2015
TIME: 2:00 P.M.

REF: SUP-2007-15. . .April 9, 2015

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING

DATE: May 13, 2015

TIME: 4:00 P.M.

GP/bk

Three (3) sketches follow

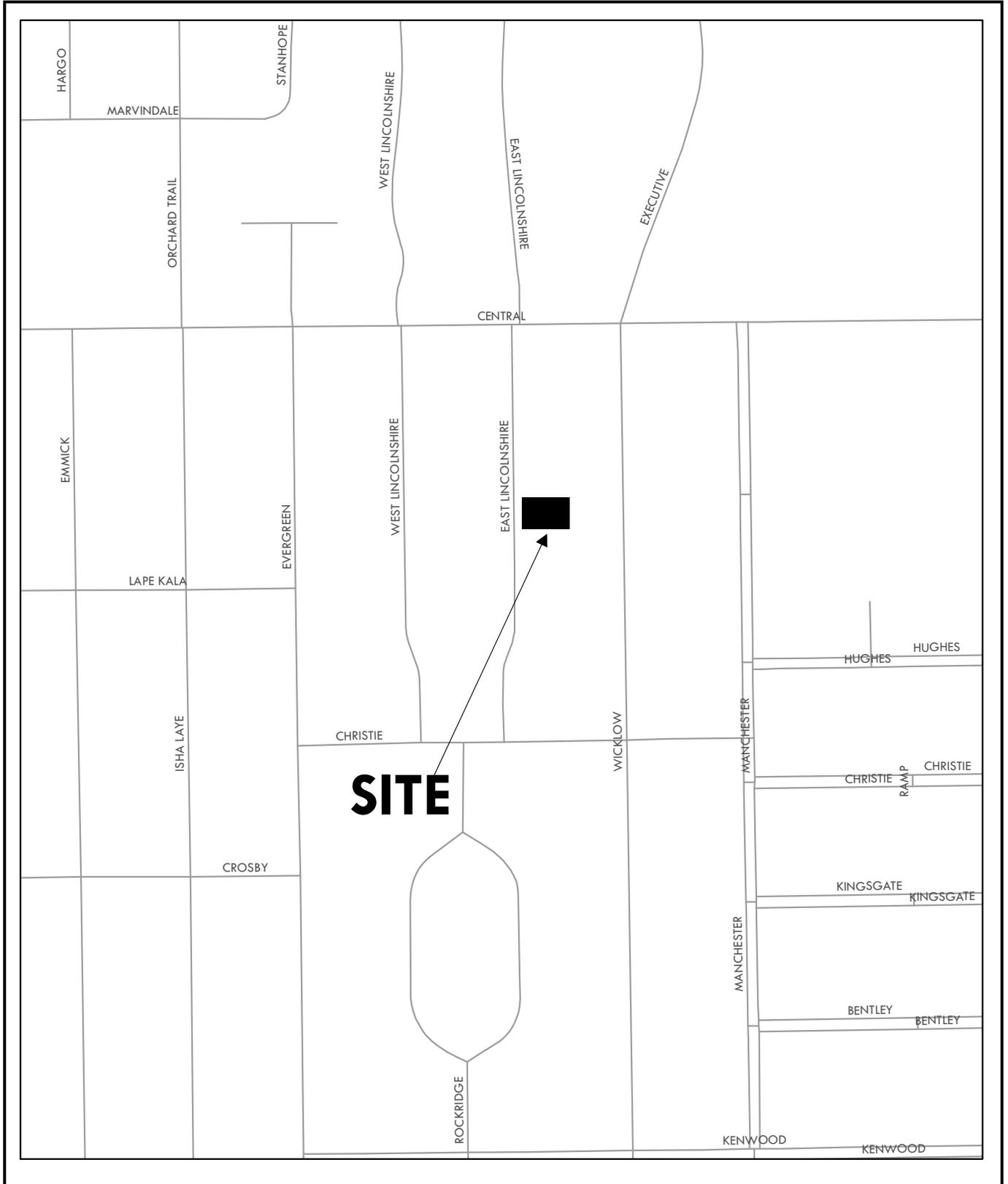
Exhibit "A" follows

Exhibit "B" follows

Exhibit "C" follows

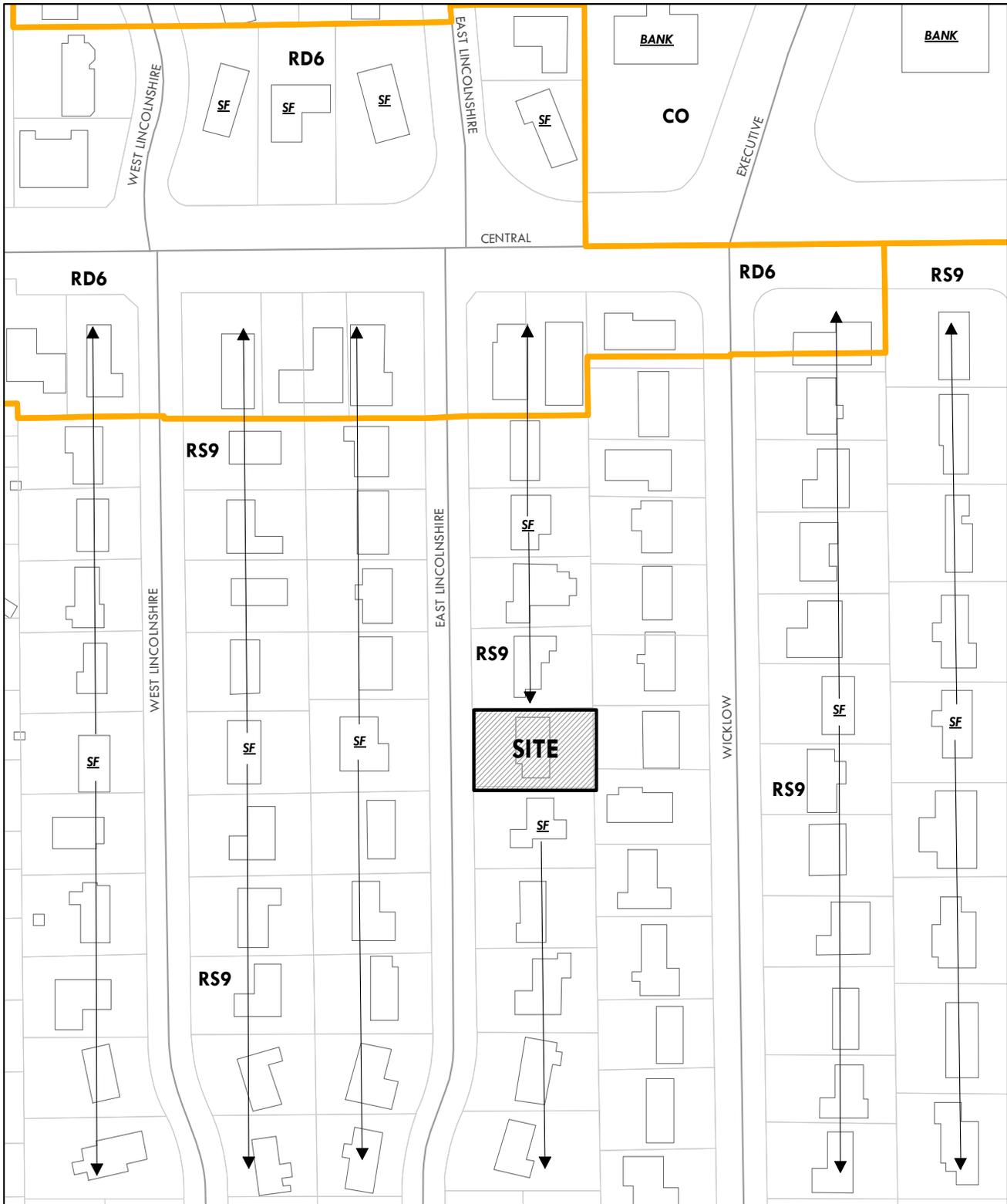
GENERAL LOCATION

SUP-2007-15
ID 79



ZONING AND LAND USE

SUP-2007-15
ID 79

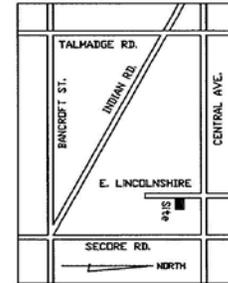
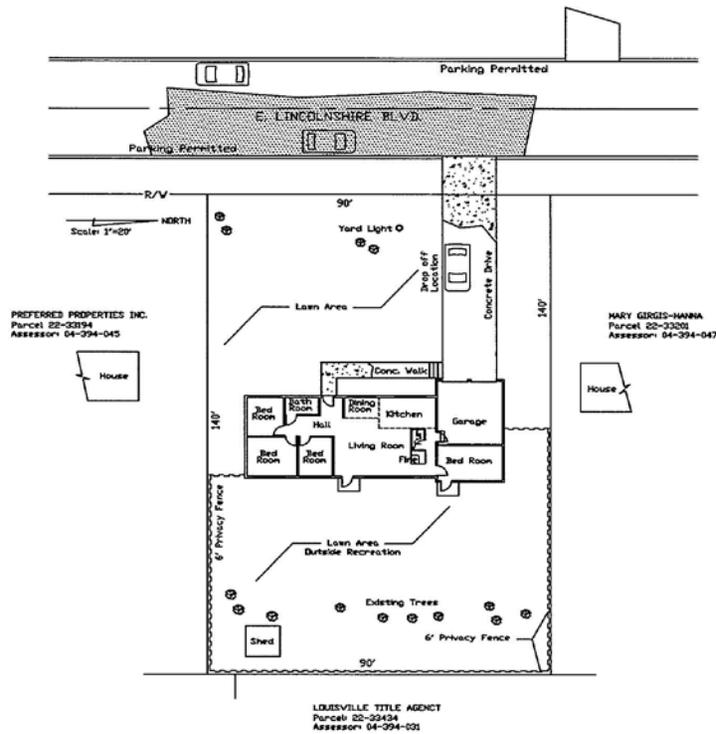


SITE PLAN

SUP-2007-15
ID 79



8-7



Location Map
No Scale

Legal Description
Lot 62 Lincolnshire Plat 3
Parcel: 22-33197
Assessor: 04-394-046

Site Information
Site Area: 12,600sf (90x140)
Building Area: 1,780sf
Type: Single story frame
Outside Recreation Area: 5,400sf
Area Zoned: RS9 Single Dwelling

Operator:
E. Colbert Jr, LLC/Edward Colbert, Jr.
2946 E. Lincolnshire Blvd.

PLAN REVIEW - SPECIAL USE PERMIT



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

TYPE A DAY CARE
2946 E. LINCOLNSHIRE BLVD.
TOLEDO, OHIO
SITE PLAN

REVISED	
DATE	03/10/15
DRAWING	SP-1

Exhibit "A"

Ref: SUP-2007-15
Planner: Gyasi "JC" Pullum
Prepared By: Joslyn Jones, 03/17/15

DEPARTMENT OF PUBLIC SERVICE
DIVISION OF TRANSPORTATION
RECOMMENDATION ON A SITE PLAN

To: Tom Gibbons, Director, Toledo-Lucas County Plan Commissions
Thru: William H. Franklin, P.E., Director of Public Service *WJF 3/10*
From: Sherri L. Frederick, Acting Commissioner, Division of Transportation
Subject: A type A daycare at 2946 E. Lincolnshire Blvd.

The Division of Transportation has reviewed the site plan and has the following comments:

1. According to the Toledo Municipal Coe, a minimum of three parking spaces is required for Type-A daycares. The garage is permitted to be included in the available parking total; however the measurements of the driveway cannot sufficiently meet Toledo Municipal Code requirements to accommodate two vehicles maneuvering the remaining area.

Due to the traffic generated by the day-to-day activities associated with Type-A daycares, such as parking, parent drop-off/pick-up, etc. the Division of Transportation discourages the approval of daycares in residential areas.

Sherri L. Frederick *3/9/15*

Sherri L. Frederick Date
Acting Commissioner
Division of Transportation

ref: SUP-2007-15
cc: Gyasi "JC" Pullum

Exhibit "B"

CITY OF TOLEDO

Chris J. Zervos
Commissioner
Division of Building Inspection



David M. Golis, P.E.
Chief Building Official
Floodplain Administrator

BUILDING INSPECTION

Our Division's web-site can be accessed 24/7 at www.toledo.oh.gov

March 6, 2015

JC Pullum, Planner
Toledo Plan Commission
One Government Center, Suite 1620
Toledo, Ohio 43604

Re: SUP-2007-15 site plan review for a Type A daycare at 2946 E. Lincolnshire Blvd. Toledo, Ohio 43606. Tax parcel 22-33197

Mr. Pullum:

1. I do not approve the proposed daycare at this site for the following reasons:
 - a. The applicant is not a "resident domiciliary" of the subject home and owns more than one such property, in violation of TMC 1104.0701.A;
 - b. The subject property does not front on a major street, as provided in TMC 1104-.0701C. The adjacent residents have the right to expect that their neighborhood will be maintained as a residential, not a commercial neighborhood; and
 - c. There is no paved area for dropping off and picking up persons, per TMC 1104-0701F, other than the existing public right of way. I believe the intent of this code section is to require a private drop-off / pick-up area separate from and beyond the public right of way.
2. The State of Ohio in licensing such facilities, requires inspections of the building by a certified building inspection department (OAC:2-13-10). Arrangements must be made through City of Toledo Building Inspection to provide special inspections of the mechanical, plumbing and electrical systems of the structure, as well as life-safety conditions showing the systems to meet minimum habitability standards found in the Toledo Municipal Code §1745.

It is recommended that if construction and/or alterations of the building on this site are planned, that construction documents be submitted to the Division of Building Inspection for plan review and approval showing the improvements to be in compliance with the Residential Code of Ohio and its associated mechanical, electrical codes and fire codes.

3. Any signage or fencing will require separate plan review and permits.

Respectfully submitted,

Chris J. Zervos,
Commissioner of Building Inspection
(419) 245-1229 Office
(419) 245-1329 Fax
chris.zervos@toledo.oh.gov

Exhibit “C”

The following thirteen (13) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Engineering Services

No comments or objections

Sewer & Drainage

Comments not received at the time of printing

Fire Prevention

1. Approved address numbers are required on the building and shall be plainly legible and visible from the street fronting the property.

Transportation

2. According to the Toledo Municipal Code, a minimum of three parking spaces is required for Type-A daycares. The garage is permitted to be included in the available parking total; however the measurements of the driveway cannot sufficiently meet Toledo Municipal Code requirements to accommodate two vehicles maneuvering the remaining area.

Due to the traffic generated by the day-to-day activities associated with Type-A daycares, such as parking, parent drop-off/pick-up, etc. the Division of Transportation discourages the approval of daycares in residential areas.

Building Inspection

The Division of Building Inspections do not approve of the proposed day care for this site.

3. The applicant is not a “resident domiciliary” of the subject home and owns more than one such property, in violation of TMC§1104.0701(A)
4. The subject site property does not front on a major street, in violation of TMC§1104.0701(C).
5. There is no paved area for dropping off and picking up persons, per TMC§1104.0701(F), other than the existing public right-of-way.

Exhibit “C”

Building Inspection (cont’d)

6. The State of Ohio in licensing such facilities, requires inspection of the building by a certified building inspection department (OAC: 2-13-10). Arrangements must be made through City of Toledo Building Inspection to provide special inspection of the mechanical, plumbing and electrical systems of the structure, as well as life-safety conditions showing the systems to meet minimum habitability standards found in things the Toledo Municipal Code §1145.

It is recommended that if construction and/or alterations of the building on this site are planned, that construction documents be submitted to the Division of Building Inspection for plan review and approval showing the improvements to be in compliance with the Residential Code of Ohio and its associated mechanical, electrical codes and fire codes.

7. Any signage or fencing will require separate plan review and permits.

Plan Commission

8. 35 square feet of useable space per person in care must be regularly available for the day care operation. (TMC§1104.0701.D).
9. 60 square feet of useable outdoor space must be provided for each person in care using the outdoor space at any one time. A Type B landscape buffer shall be provided around the outdoor space. **Acceptable as depicted on site plan.** (TMC§1104.0701.E).
10. Group Living facilities, Type A Day Care Home, and Nonresidential Drug and Alcohol Centers that are subject to this spacing requirement Section in the Use Table of Sec. 1104.0100, must be at least 500 feet from a site with any other Group Living facilities, Type A Day Care Home, and Nonresidential Drug and Alcohol Center that is subject to this spacing requirement. (TMC§1104.1001).
11. A paved area for dropping off and picking up persons in care at the facility must be provided with the approval of the Division of Transportation. (TMC§1104.0701.F).
12. 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.
13. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

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GENERAL INFORMATION

Subject

- Request - 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).

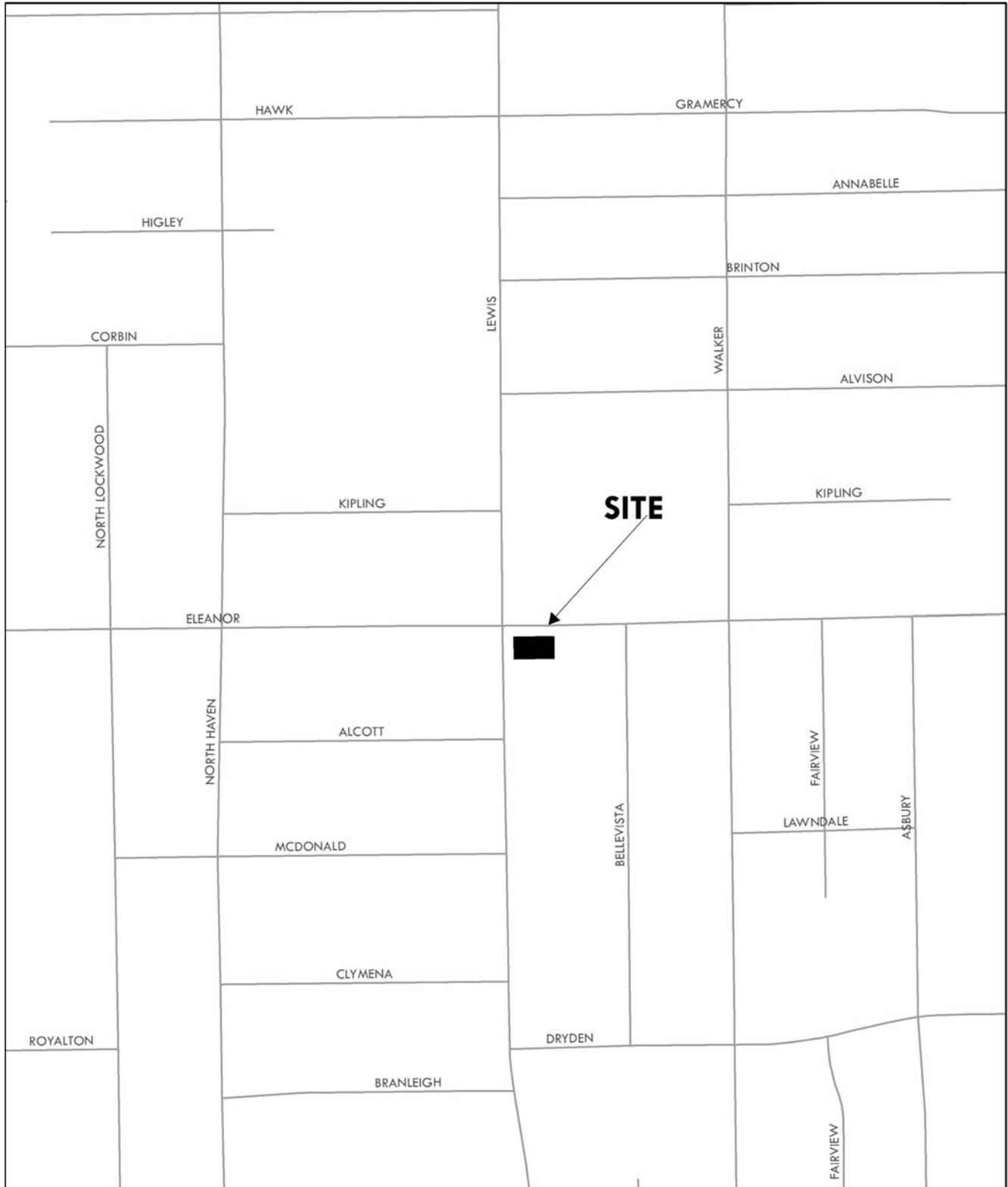
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-11001-14
DATE: April 9, 2015
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: May 13, 2015
TIME: 4:00 P.M.

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

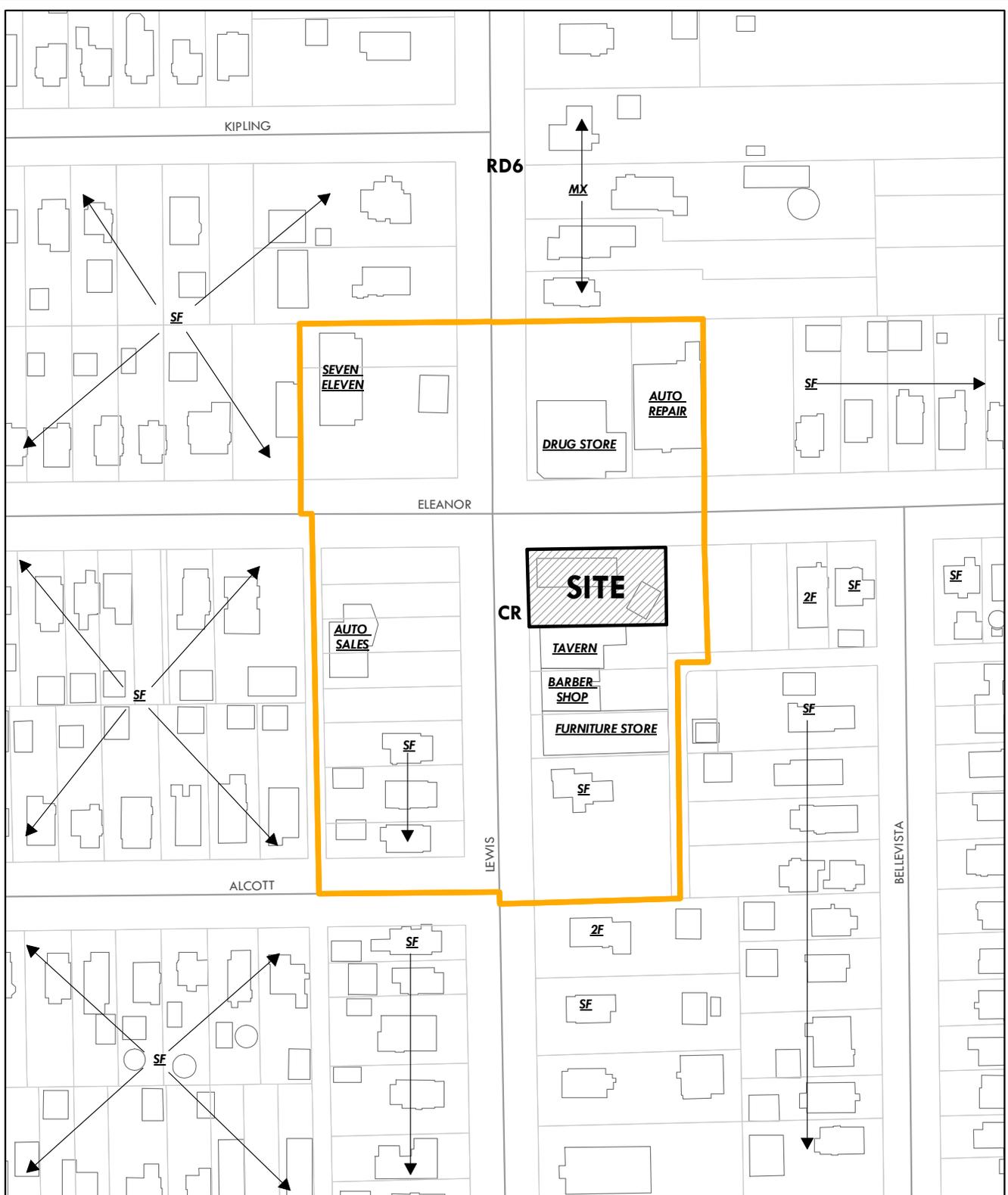
GENERAL LOCATION

SUP-11001-14
ID 38



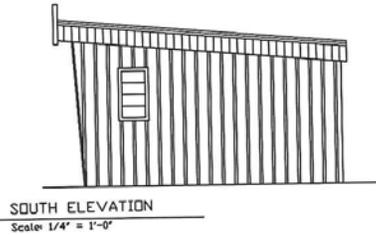
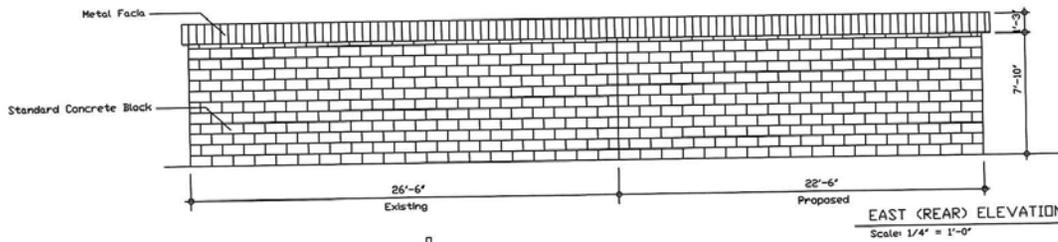
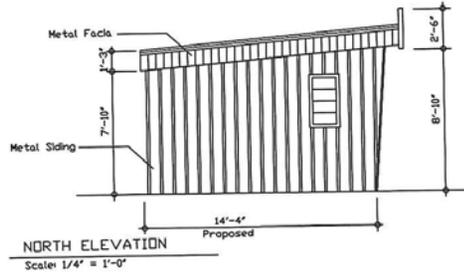
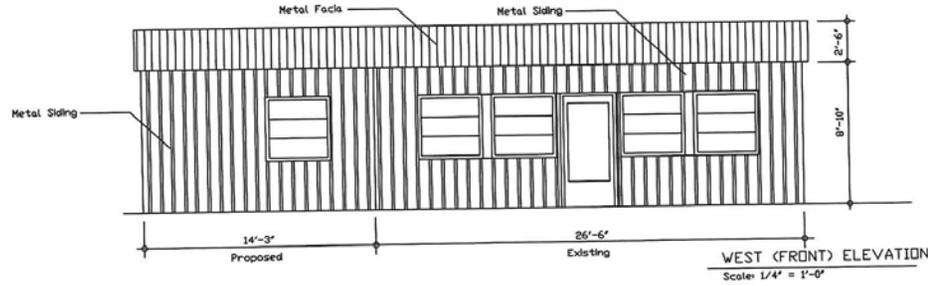
ZONING & LAND USE

SUP-11001-14
ID 38



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

8-6

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.

Exhibit "B"

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.

Exhibit "B"

STAFF RECOMMENDATION (cont'd)

Division of Transportation

15. The angled parking and parallel parking creates a conflict in traffic movements.
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 a minimum of 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.

Exhibit “B”

STAFF RECOMMENDATION (cont’d)

Plan Commission (cont’d)

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).
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*.

Exhibit "B"

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

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;
 - 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.

Exhibit "B"

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

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.

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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

