

*TOLEDO CITY
PLAN COMMISSION
REPORT*

December 3, 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

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(Vice Chairman)

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

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

* County deadlines are for Preliminary Drawings

** Date shifts are due to holidays

**TOLEDO-LUCAS COUNTY PLAN COMMISSIONS
APPLICATION DEADLINE, AGENDA, STAFF REPORT AND HEARING
SCHEDULE - 2016**

APPLICATION DEADLINE*	AGENDA SET	STAFF REPORT DISTRIBUTED	HEARING DATE
CITY PLAN COMMISSION (<i>HEARINGS BEGIN AT 2PM</i>)			
November 30	December 28	December 31**	January 14
December 28	January 25	January 29	February 11
January 25	February 22	February 26	March 10
February 29	March 28	April 1	April 14
March 28	April 25	April 29	May 12
April 25	May 23	May 27	June 9
May 30	June 27	July 1	July 14
June 27	July 25	July 29	August 11
July 25	August 22	August 26	September 8
August 29	September 26	September 29	October 13
September 19	October 17	October 31	November 3**
October 17	November 14	November 18	December 1**
COUNTY PLANNING COMMISSION (<i>HEARINGS BEGIN AT 9AM</i>)			
December 14	January 11	January 15	January 27
January 11	February 8	February 12	February 24
February 8	March 7	March 11	March 23
March 14	April 11	April 15	April 27
April 11	May 9	May 13	May 25
May 9	June 6	June 10	June 22
June 13	July 11	July 15	July 27
July 11	August 8	August 12	August 24
August 15	September 12	September 16	September 28
September 12	October 11**	October 14	October 26
October 3	October 31	November 4	November 16**
October 31	November 28	December 2	December 14**

* County deadlines are for Preliminary Drawings

** Date shifts are due to holidays

**Conversion Table
Toledo Zoning Code Update - Zoning District Designations**

Existing District	New District Effective June 6, 2004
R-A, Single Family	RS12, Single Dwelling
R-B, Single Family	
R-1, Single Family	RS9, Single Dwelling
R-2, Single Family	RS6, Single Dwelling
R-3, Two Family	RD6, Duplex
R-2A, Restricted Multi Family	RM12, Multi Dwelling
None	RM24, Multi Dwelling
R-4, Multi Family	RM36, Multi Dwelling
R-4A, Multi Family	
R-5, Multi Family	
R-MH, Manufactured Home	RMH, Manufactured Housing Park
Commercial Districts	
C-1, Neighborhood	CN, Neighborhood
N-MX, Neighborhood Mixed Use	
C-2, Restricted Office	CO, Office
C-7, Office Park	
C-6-HS Redevelopment - Heritage South*	CS, Storefront
C-6-LA, Redevelopment - Lagrange*	
C-MX, Community Mixed Use	CM, Mixed Use
C-3, Commercial	CR, Regional
C-4, Shopping Center	CR-SO, Regional - Shopping Ctr. Sign Overlay
C-5, Central Business District	CD, Downtown
Industrial District	
M-1, Restricted Industrial	IL, Limited Industrial
M-2, Industrial	IG, General Industrial
M-4, Warehouse	
M-3, Planned Industrial	IP, Planned Industrial/Business Park
Special Purpose District	
P, Parks	POS, Park & Open Space
None	IC, Institutional Campus
Overlay Districts	
CUP, Community Unit Plan	None
D.O.D, Downtown	-DO, Downtown
HD, Historic District	-HO, Historic District
MR-O, Maumee River	-MRO, Maumee River
None	-UNO, Urban Neighborhood
None	-PO, Pedestrian
None	-SO, Shopping Center Sign

*The Heritage South and Lagrange C-6 Standards remain unless repealed

TOLEDO-LUCAS COUNTY PLAN COMMISSIONS

December 3, 2015

2:00 p.m.

PUBLIC HEARING WILL BE HELD AT ONE GOVERNMENT CENTER

AT JACKSON BOULEVARD AND ERIE STREET

IN COUNCIL CHAMBERS

ON THE FOLLOWING CASES

AGENDA

ROLL CALL - Toledo City Plan Commission

PROOF OF NOTICE

SWEARING IN

MINUTES

FINAL PLATS

DIRECTOR'S REPORT

CHAIRMAN'S REPORT

**ITEM
NO.**

CASE DESCRIPTION

- | | |
|------------------|---|
| 1. Z-9002-15: | Zone Change from IL to CD at 29 S. Erie Street, 35 S. Erie Street, 111 S. Erie Street, 614-618 Lafayette Street and 615-625 Lafayette Street (rs) |
| 2. Z-9004-15: | Zone Change from CO to IG at 1821 E. Manhattan Boulevard (rs) |
| 3. Z-10006-15: | Zone Change from CR to CO at 4242, 4248 and 4250 Secor Road (gp) |
| 4. SUP-10003-15: | Special Use Permit for day care center at 700 Eleanor Avenue (rs) |
| 5. SPR-46-15: | Site Plan Reivew for new storage buildings at Alexis Road and Dalton Road (rs) |
| 6. Z-10004-15: | Zone Change from CR to RM24 at 2740 Monroe Street (gp) |
| 7. SUP-10005-15: | Special Use Permit for residential facility, large, at 2740 Monroe Street (gp) |

8. SUP-6003-15: Special Use Permit to expand gas station at 4315 W. Alexis Road (bh)
9. SUP-6004-15: Special Use Permit to expand gas station at 4819-4833 Summit Street (mm)
10. M-10-15: Amendment to TMC 1104.0603 Convenience Stores Spacing, to exempt gas station that have at least 4 pumps (rs)

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GENERAL INFORMATION

Subject

- Request - Zone Change from IL Limited Industrial to CD Downtown Commercial
- Location - 29 & 35 South Erie Street and 614-625 Lafayette Street
- Applicant - James Kniep
Kwik Parking Inc.
709 Madison Avenue
Toledo, OH 43604
- Architect - Paul Sullivan
23 South St. Clair Street
Toledo, OH 43604

Site Description

- Zoning - IL / Limited Industrial
- Area - ± 0.83 acres
- Frontage - ± 224' along Erie Street & ±185' along Lafayette Street (all parcels added together)
- Existing Use - Commercial building/ Vacant space/ Parking lot
- Proposed Use - Mixed Use

Area Description

- North - Warehouse / CD
- South - Condominiums / CD
- East - Restaurant/ CD
- West - Multi-dwelling residential / CD

Parcel History

- Z-12007-09 - Zone Change from IL to CR at 35 S Erie Street (Plan Commission recommended disapproval on 2/11/2010. CD zoning approved by City Council on 4/27/2010 by Ord. 208-10)

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

Toledo Municipal Code Part Eleven: Planning and Zoning
Toledo 20/20 Comprehensive Plan
Toledo Warehouse District Plan
Toledo Warehouse District Urban Neighborhood Overlay
Toledo Downtown Overlay District

STAFF ANALYSIS

The applicant is requesting a Zone Change from IL Limited Industrial to CD Downtown Commercial for a site located at 29 & 35 South Erie Street and 614-625 Lafayette Street. The ±0.83 acre site consists of nine parcels zoned IL Limited Industrial and CD Downtown Commercial (one parcel) and occupied by a two-story commercial building, parking lot and vacant space. Surrounding land uses include warehousing to the north-northeast, commercial restaurants to the east, commercial parking lot and condominiums to the south and multi-dwelling residential to the west.

The property is located within the Warehouse District Urban Neighborhood Overlay which aims “to foster and guide further development and redevelopment that is compatible with the scale and physical character of the original and recently renovated structures through the use of specific policy, development, and design standards in conformance with the Toledo Warehouse District Plan”. The current Limited Industrial zoning classification is not conducive to the vision that has been adopted by the district plan. A Zone Change to CD will allow the applicant to pursue and accomplish the redevelopment of the site for a mixed-use commercial development.

The Toledo 20/20 Comprehensive Plan targets this area 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. Downtown Commercial zoning requires buildings to be oriented in a pedestrian based design that requires distinct architecture and also allows a mix of uses not permitted in the IL district. The applicant is pursuing a mixed-use commercial development which is consistent with the Urban Village future land use designation. Additionally, the proposed CD zoning is consistent with the current zoning designations of abutting properties.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommends approval of Z-9002-15, a request for a Zone Change from IL Limited Industrial to CD Downtown Commercial, for a site located at 29 & 35 South Erie Street and 614-625 Lafayette Street, to the Toledo City Council, for the following three (3) reasons:

STAFF RECOMMENDATION (cont'd)

1. The CD Zone Change conforms to the Toledo 20/20 Comprehensive Plan, which targets the site for Urban Village use.
2. The proposed CD Downtown Commercial zoning is compatible with the zoning districts within the general vicinity of the site (TMC§1111.0606.C Review and Decision Making Criteria); and
3. The proposed CD zoning is consistent with the goals of the Warehouse District Plan.

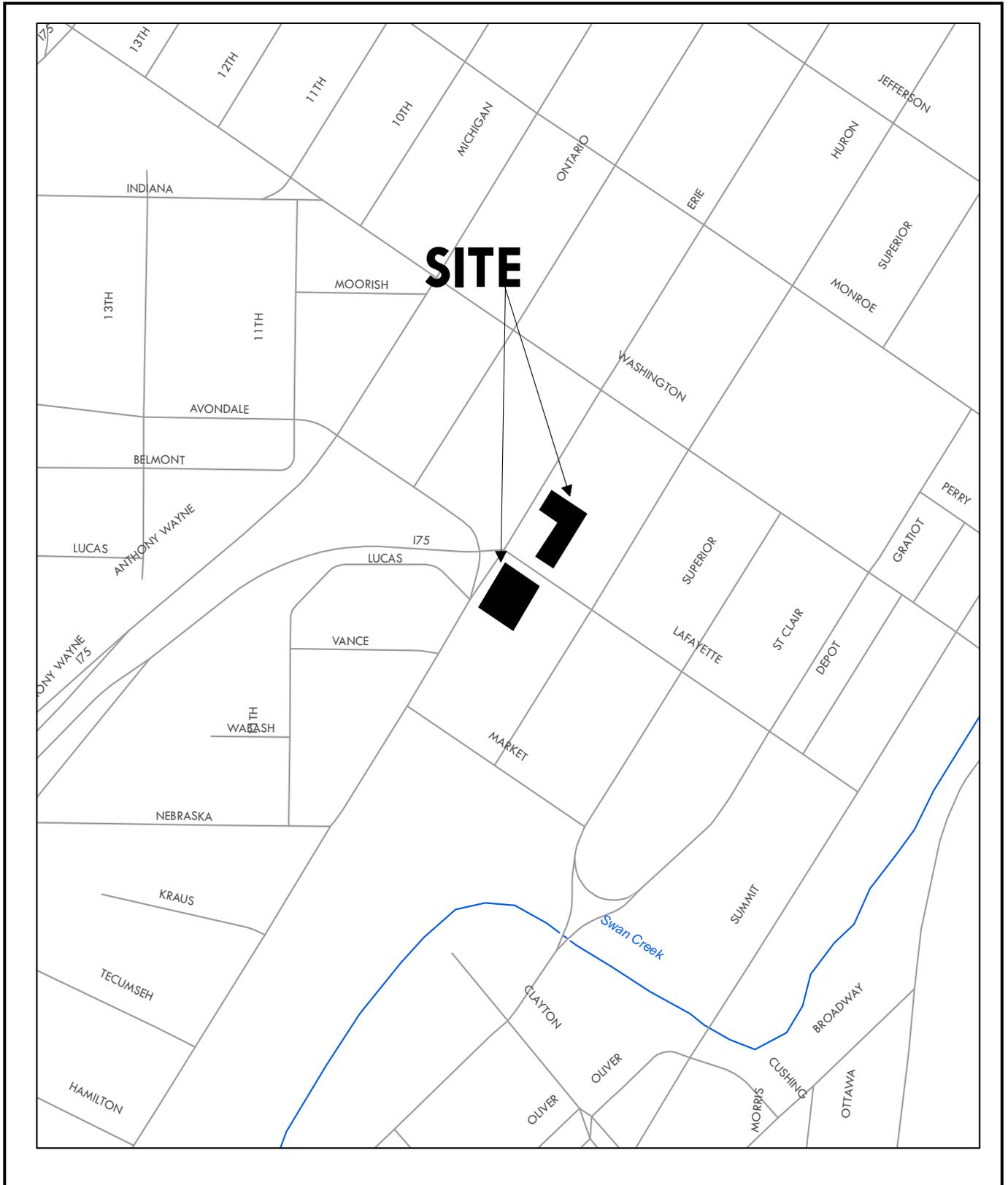
ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-9002-15
DATE: December 3, 2015
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: January 13, 2016
TIME: 4:00 P.M.

RS
Two (2) sketches follow

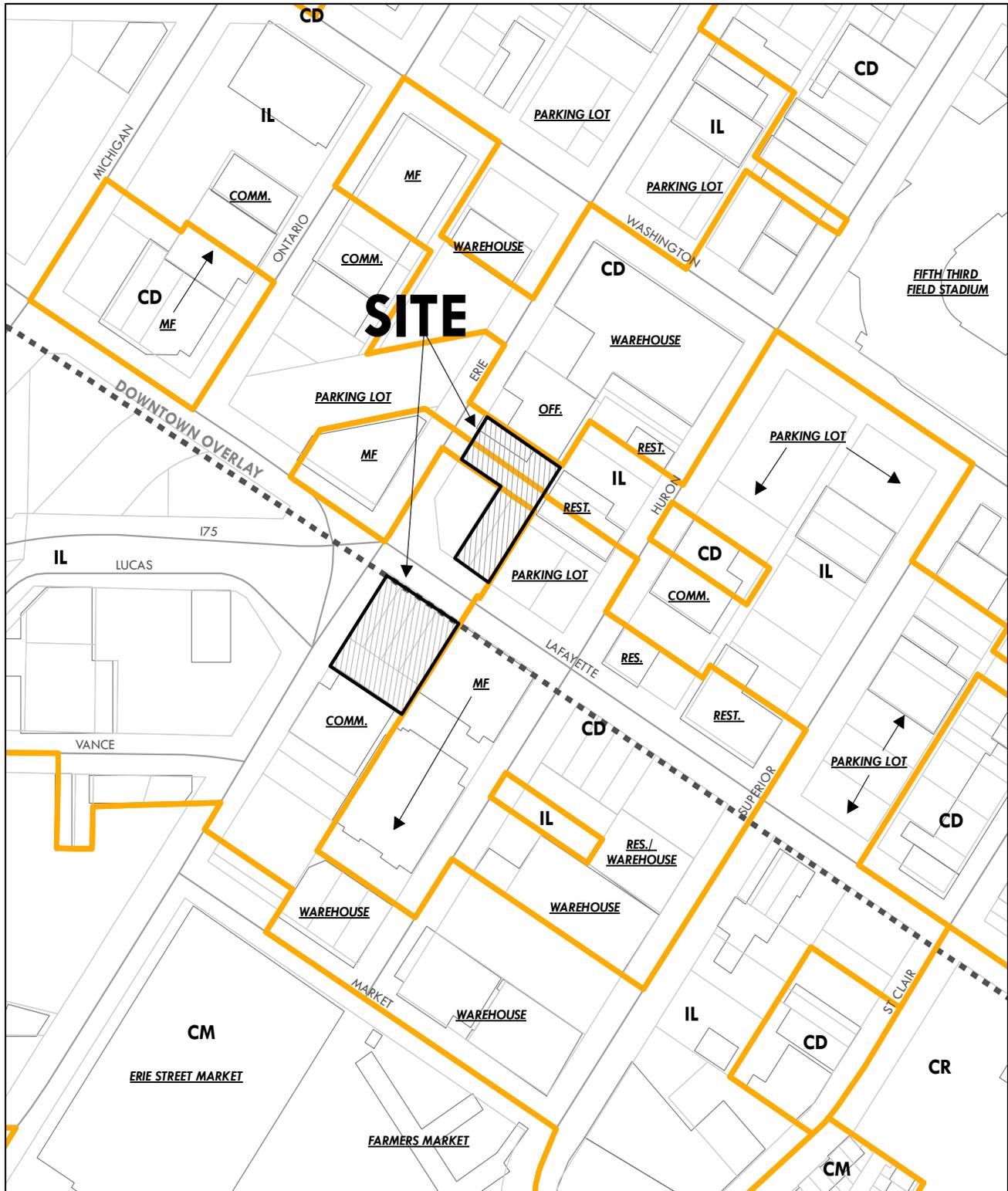
GENERAL LOCATION

Z-9002-15
ID 10



ZONING & LAND USE

Z-9002-15
ID 10



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GENERAL INFORMATION

Subject

- Request - Zone Change from CO Office Commercial to IG General Industrial
- Location - 1821 East Manhattan Boulevard
- Applicant - Matthew Aaron Schaedler
1831 East Manhattan Boulevard
Toledo, OH 43608

Site Description

- Zoning - IL / Limited Industrial
- Area - ± 7.69 acres
- Frontage - ± 64' along Manhattan Street
- Existing Use - Vacant motel / Parking lot
- Proposed Use - Industrial equipment storage

Area Description

- North - General Industrial / IG
- South - Regional Commercial / CR
- East - General Industrial / IG
- West - General Industrial / IG

Parcel History

- Z-60-63 - Zone Change from M-2 to C-3 at N. side of E. Manhattan at 1811 E. Manhattan (Plan Commission recommended approval on 04/11/1963. Approved by City Council by Res.60-63).
- Z-269-71 - Zone Change from C-3 to C-2 at N. side of Manhattan E. of Detroit-Toledo Expressway (Plan Commission recommended approval on 10/07/1971. Approved by City Council by Ord. 833-71).

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Zone Change from CO Office Commercial to IG General Industrial for a site located at 1821 East Manhattan Boulevard. The ± 7.69 acre site is zoned Office Commercial and is currently occupied by a vacant motel. Surrounding land uses include general industrial to the north, east and west of the property; regional commercial bordering the south of East Manhattan Boulevard; and single-family residential five-hundred feet (500') to the south of East Manhattan Boulevard.

The applicant operates a construction equipment storage facility abutting the property to the south of the site. The applicant is requesting the Zone Change to facilitate an expansion of the existing construction equipment storage facility (located at 1831 East Manhattan Boulevard). A Zone Change is required because outdoor storage of heavy manufacturing equipment is not a permitted use in the CO Office Commercial zoning district. In all industrial districts, fencing to screen from public view open storage areas, except display areas for customer viewing when abutting a commercial or industrial district, shall be required in accordance with the Outdoor Storage Screening requirements per TMC§1108.0203.H.

The Toledo 20/20 Comprehensive Plan targets this area for Light Industrial land uses but abuts a large area targeted for General Industrial uses. Staff recommends approval of the Zone Change for this location because it is compatible with the zoning and land uses in the immediate area. Additionally, IG Zoning is established in the majority of the immediate area surrounding the site.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-9004-15, a request for a Zone Change from CO Office Commercial to IG General Industrial for a site located at 1821 East Manhattan Boulevard, to the Toledo City Council, for the following two (2) reasons:

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

REF: Z-9004-15 . . . December 3, 2015

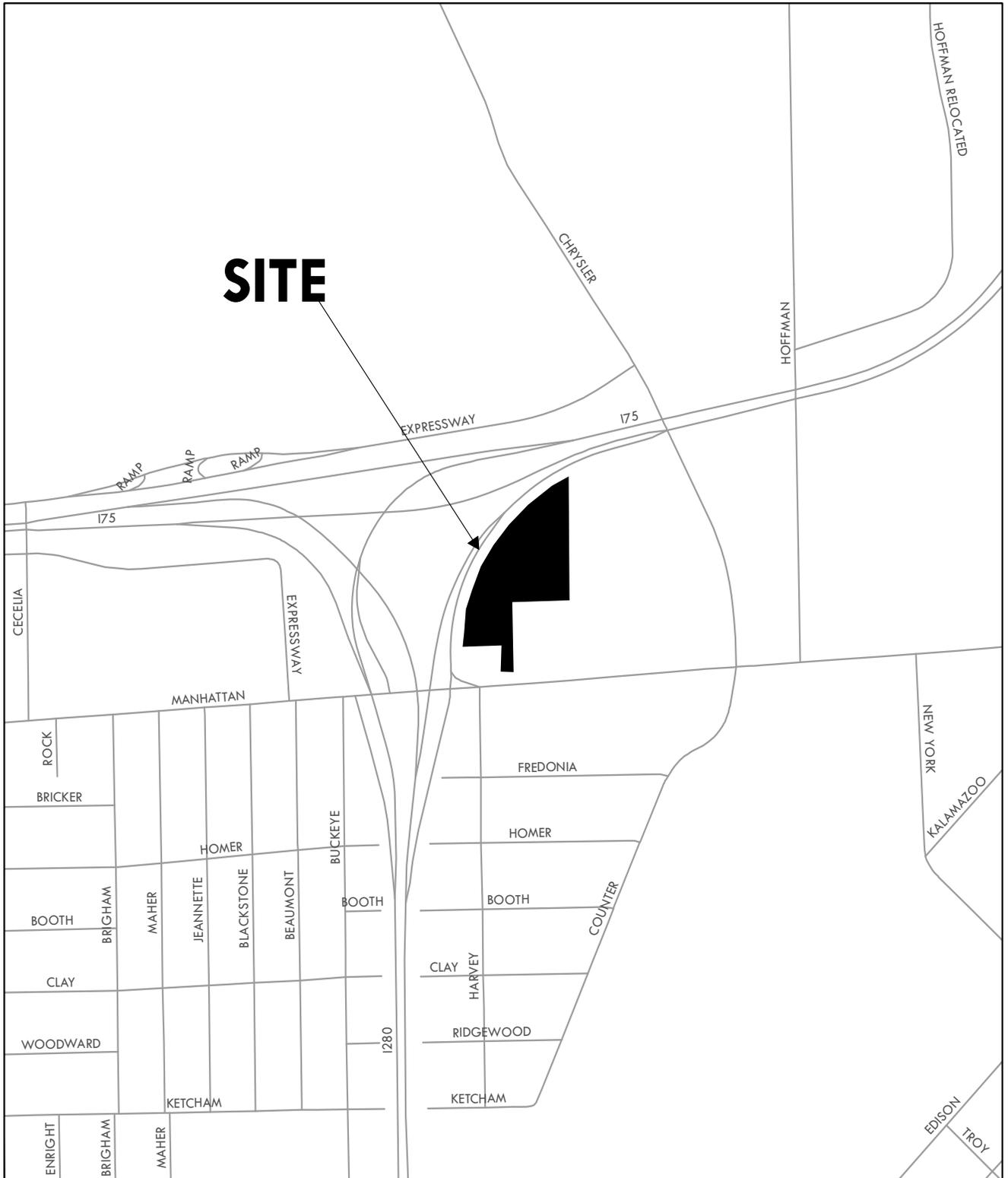
ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-9004-15
DATE: December 3, 2015
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: January 13, 2016
TIME: 4:00 P.M.

RS
Two (2) sketches follow

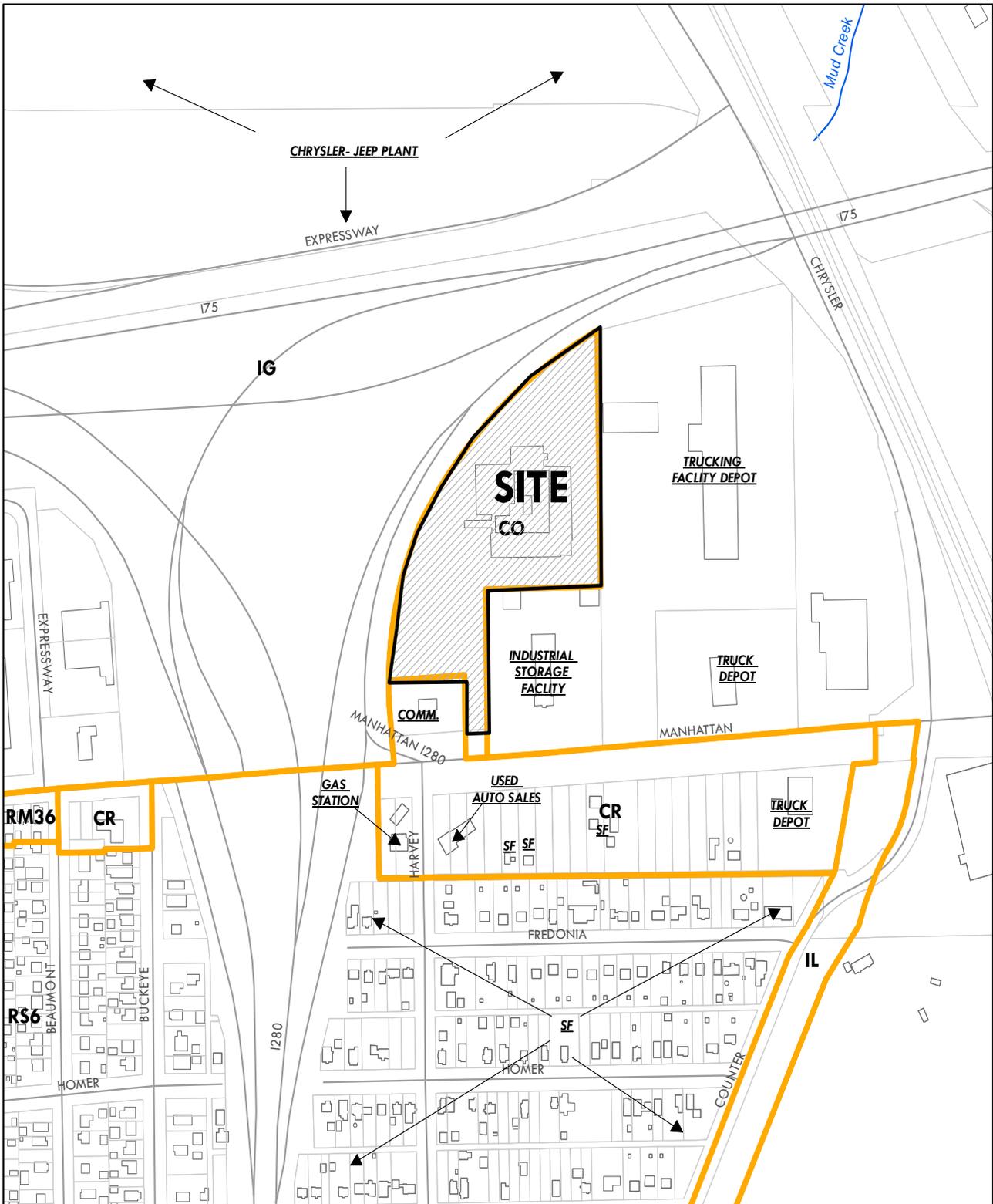
GENERAL LOCATION

Z-9004-15
ID 6



ZONING & LAND USE

Z-9004-15
ID 6



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GENERAL INFORMATION

Subject

- Request - Zone Change from CR Regional Commercial to CO Office Commercial
- Location - 4242, 4248, and 4250 Secor Road
- Applicant - Secor Reality, LLC
C/O: Binod Thakur, M.D.
9308 Tranquil Breeze Lane
Sylvania, OH 43560
- Architect - Hales Architecture and Planning
C/O: Walter J. Hales, AIA
3601 West Alexis Road
Suite 200
Toledo, OH 43623

Site Description

- Zoning - CR / Regional Commercial
- Area - ± 0.51 acres
- Frontage - ± 128' along Secor Road
- Existing Use - Undeveloped
- Proposed Use - Medical Office Building

Area Description

- North - Knights of Columbus / CR
- South - Commercial Building / CR
- East - Undeveloped / CR, RS6
- West - Toledo Medical Clinic / CO

GENERAL INFORMATION (cont'd)

Parcel History

- Z-3005-15 - Request for a Zone Change from CR Regional Commercial and RS6 Single Family Residential to CO Office Commercial, Plan Commission recommended approval subject to the approval of a commercial site plan on 8/14/15, City Council approved on 7/21/15, Ord. 383-15.
- SPR-30-15 - Minor Site Plan review for a new medical office and parking lot, Administratively approved on 9/10/15.
- S-13-00 - Preliminary Plat subdividing the parcel into five (5) residential lots, disapproved by Plan Commission on 6/13/00.
- V-36-99 - Request for a Vacation of the portion of Vogel Drive between lots 1 and 32 located north of Corydon Drive, disapproved by Plan Commission on 8/31/00, disapproved by City Council on 10/18/00.
- V-796-99 - Request for a Vacation of the portion of Crary Drive between lots 3 and 4 located north of Corydon Drive. Request was withdrawn.

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Zone Change from CR Regional Commercial to CO Office Commercial for a site located at 4242, 4248 (parcel #18-86251), and 4250 Secor Road. The ±0.51 acre site is owned by the occupant and consists of a total of three (3) parcels. The parcels were once occupied by single family homes but are now undeveloped. The three (3) parcels front onto Secor Road and are part of a shallow commercial corridor that runs north and south along Secor Road. The ± 1.18 acre located east of the site was recently rezoned to CO Office Commercial and will be combined with the subject site to produce one (1) parcel under a single tax identification number.

The applicant is requesting a Zone Change to CO Office Commercial to facilitate the development of medical offices and parking lot that includes the subject site and the adjacent lot to the east. The uses permitted under the proposed zoning classification are suitable for the subject site in relation to the surrounding commercial and residential land uses. The letter of intent states that the development will be occupied mostly during daytime hours and is intended to have a low impact on the adjacent residential neighborhood. An arrangement that involves the preservation of a portion of the forested area located east of the site was previously proposed and agreed upon between the applicant and concerned residents.

Surrounding land uses include the Knights of Columbus social hall located north of the site. West of the site across Secor Road is the Toledo Medical Clinic and south of the site is a commercial building that houses two (2) different enterprises. To the east of the property is an undeveloped parcel that will be joined with the subject site and developed as medical offices.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for CN Neighborhood Commercial uses. This category is intended to accommodate pedestrian orientated small-scale retail and service business that serve nearby residential areas. The proposed CO Office Commercial zoning is generally intended to function as a low to medium-intensity office zoning district that is generally intended for application along arterial streets. The district is also intended to serve as a land use buffer between higher intensity commercial areas and residential neighborhoods. The Zone Change is consistent with the 20/20 Comprehensive Plan. Additionally, the CO Office Commercial zoning is compatible with nearby zoning classifications and will facilitate low-intensity land uses that will not be detrimental to nearby land uses.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-10006-15, a request for a Zone Change from CR Regional Commercial to CO Office Commercial for the site located at 4242, 4248 (parcel #18-86251), and 4250 Secor Road, to the Toledo City Council, for the following three (3) reasons:

STAFF RECOMMENDATION (cont'd)

1. The Zone Change conforms to the Toledo 20/20 Comprehensive Plan.
2. The proposed CO Office Commercial zoning is compatible with the zoning classifications of nearby properties (TMC§1111.0606(C) Review and Decision Making Criteria).
3. The uses permitted under the proposed zoning classification are suitable for the subject site in relation to surrounding uses (TMC§1111.0606(D) Review and Decision Making Criteria).

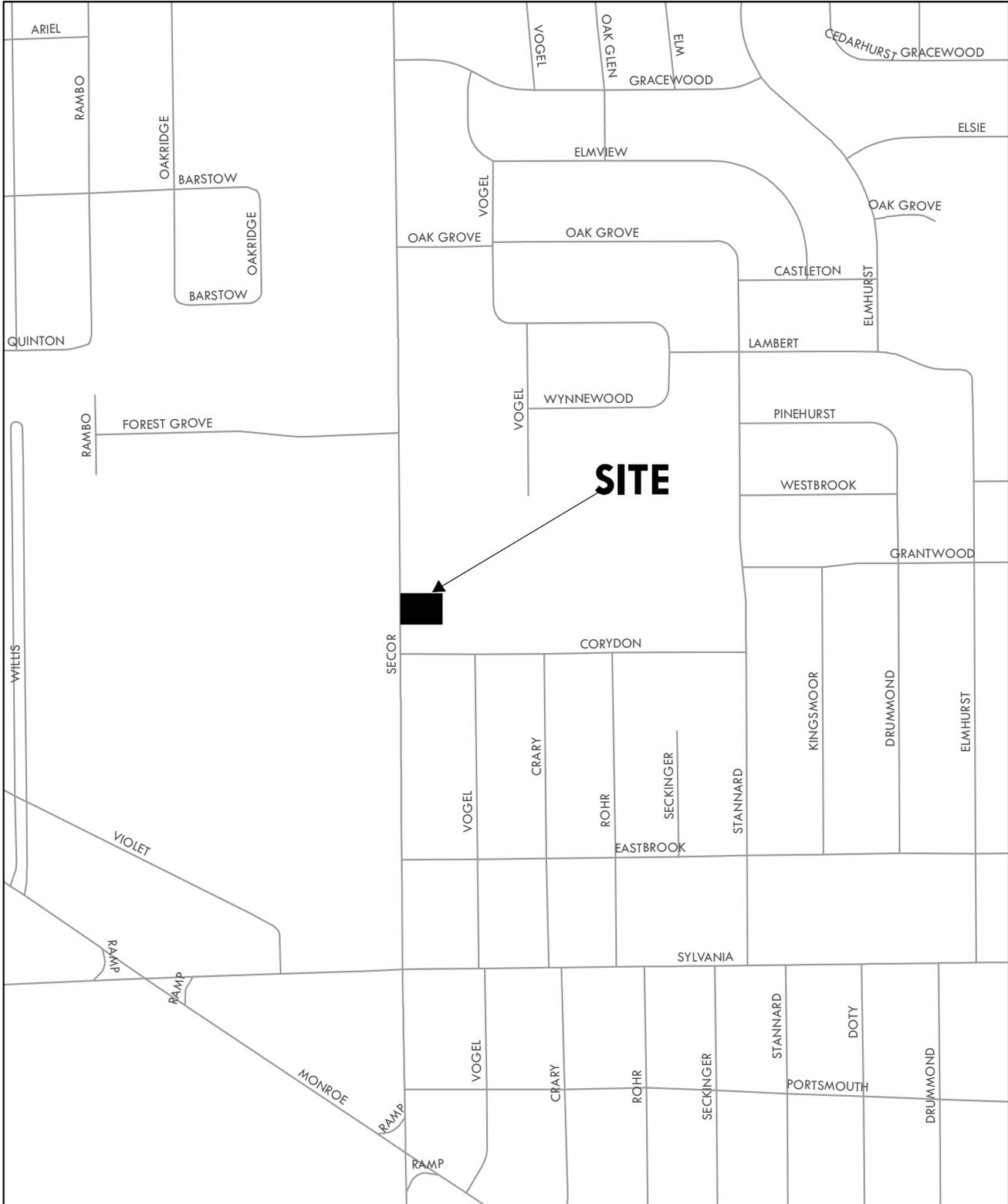
ZONE CHANGE
TOLEDO CITY PLAN COMMISSION
REF: Z-10006-15
DATE: December 3, 2015
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: January 13, 2016
TIME: 4:00 P.M.

GP/
Two (2) sketches follow

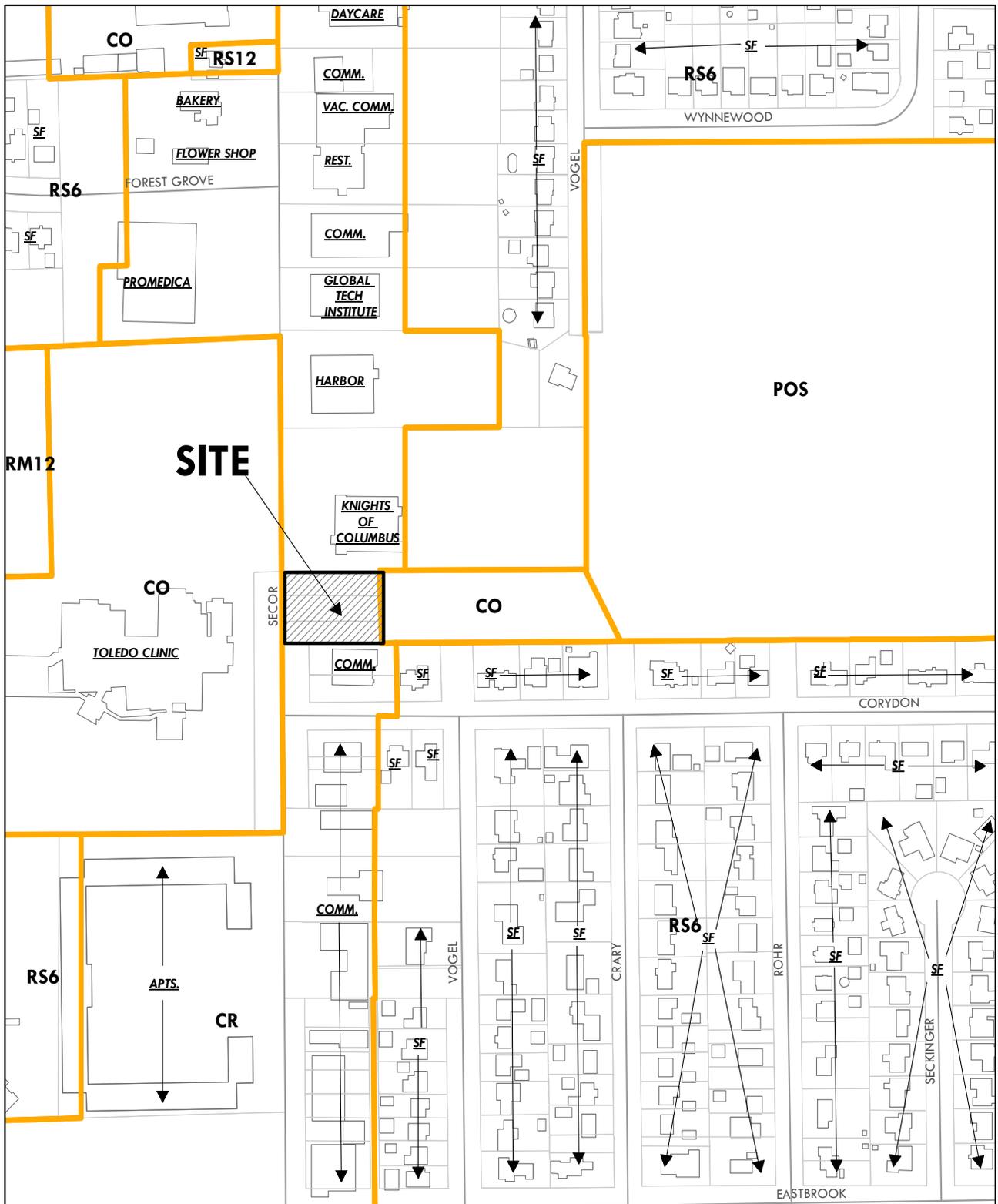
GENERAL LOCATION

Z-10006-15
ID 49



ZONING & LAND USE

Z-10006-15
ID 49



GENERAL INFORMATION

Subject

- Request - Special Use Permit to convert “accessory use” day care to day care center
- Location - 700 Eleanor Avenue
- Applicant - Gladys Green
Little Generation Day Care, LLC.
700 Eleanor Avenue
Toledo, Ohio 43612

Site Description

- Zoning - RD6 & RS6 / Duplex & Single-family Residential
- Area - ± 1.58 acres
- Frontage - ± 350’ along Eleanor Avenue & ±160’ along Vermaas Avenue
- Existing Use - Church / Day Care Center
- Proposed Use - Day Care Center

Area Description

- North - Single-family Residential / RS6
- South - Duplex Residential / RD6
- East - Duplex Residential / RM36
- West - Single-family Residential / RD6

Parcel History

- Z-140-50 - Records not available
- P-29-54 - Records not available
- P-48-55 - Records not available
- P-3-60 - Off-street parking for Holy Cross Lutheran Church at N. side of Eleanor between Walker and Vermaas Avenues (Plan Commission granted administrative approval with conditions on 6/23/1960).

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit to convert an “accessory use” day care to a day care center for a site located at 700 Eleanor Avenue. The site consists of one (1) parcel that encompasses ±1.58 acres of total land area which is split zoned RS6 Single-Family Residential and RD6 Duplex Residential. The site is a corner lot that has ±350’ of frontage along Eleanor Avenue and ±160’ along Vermaas Avenue. The site is occupied by an existing church that is to be converted into a daycare center. A Special Use Permit is required because the site is located in a residentially zoned district and no longer permitted as an accessory use when principal use (church) ceased operation. Additionally, due to the site not having building frontage on a major street, the applicant is pursuing a waiver of TMC§11104.0703.B.

The applicant is the owner of Little Generation Day Care. The Little Generation Day Care will provide child care services for children from 2 ½ -12 years of age. The applicant is requesting to convert the church sanctuary into two (2) large open classrooms and does not propose any alterations to the exterior of the building

Parking and Circulation

The site plan indicates the parking lot is existing and proposes no changes for this development. The drop off and pickup area is not shown on the site plan but will likely be located at the rear of the building in conjunction with the parking lot. The Division of Transportation has no objections to this configuration. However, One-way and Do Not Enter pavement markings and/or signage shall be installed where appropriate to indicate the traffic pattern due to the angled parking. Additionally, all parking spaces reserved for persons with disabilities must comply with the parking space dimension standards as required by federal and local law. A car-accessible space must have at least a five (5) foot wide aisle abutting the designated parking space or an eight (8) foot wide aisle abutting space for a van accessible space.

Pursuant to TMC§1107.0304 *Parking, Loading, and Access* – Schedule A, a daycare center is required to have one (1) parking space per 6-person capacity or one (1) parking space per 400 square feet, whichever is greater. The site plan indicates that the total square footage of the building is 25,814 square feet. Calculations conclude that a total of sixty-five (65) parking spaces are required with three (3) accessible parking spaces for physically disabled persons to be included. The site plan depicts a total of seventy-seven (77) parking spaces, eight (8) of which are accessible parking spaces and in compliance with the Toledo Municipal Code.

STAFF ANALYSIS (cont'd)

Day Care Center Requirements

As a requirement for operating a Day Care Center a minimum square feet of indoor and outdoor space must be provided for each person. Thirty-five (35) square feet of usable indoor space per person must be regularly available to the Day Care Center. The site plan depicts the total allowable floor area at 19,973 square feet. The building could theoretically accommodate more than 500 persons at a time. Sixty (60) square feet of usable outdoor space must be provided for each person in care using the outdoor area at any one time. The site plan offers a ±4,500 square foot outdoor space that can accommodate seventy-five (75) persons at a time. A Type B landscape buffer fence is required to be around the outdoor space. Although the site plan submitted did not detail a Type B landscape buffer, upon site visit it appeared the outdoor space was surrounded by a six (6) foot high wrought iron fence. A landscape plan depicting the size, material and color of the Type B landscape buffer is required to be submitted as a condition of approval.

Landscaping

The site is existing and therefore only required to be brought closer into compliance with the 2004 zoning code landscape standards. However, in order to determine necessary upgrades a landscape plan shall be submitted that depicts all existing landscaping to verify regulations are met or if additional landscaping is required. The Toledo Municipal Code landscape standards require one (1) tree per every thirty (30) feet of lot frontage or fraction of thereof. A reduction in the number of interior and greenbelt trees is allowed in exchange for the preservation of existing trees. Per TMC§1108.0407.B *Existing Landscape Material Credits*, existing mature trees that are to be maintained can be applied to current landscape standards. The existing site offers at least six (6) mature trees that could be preserved. A landscape plan documenting the caliper of trees and number of requested tree credits is required and included as a condition of approval.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area as Single-Family Residential land uses. This category is intended to create, maintain and promote housing opportunities for individual households, although it may include nonresidential uses, duplexes, and planned unit developments that are typically compatible with residential neighborhoods. Additional uses may include libraries, schools, churches, and community centers. The proposed development conforms to this land use designation and is not out of character with adjacent uses.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of SUP-10003-15, a Special Use Permit for a Day Care Center at 700 Eleanor Avenue, to Toledo City Council for the following two (2) reasons:

STAFF RECOMMENDATION (cont'd)

1. The request is consistent with The Toledo 20/20 Comprehensive Plan (TMC§1111.0606.A Review & Decision Making Criteria).
2. The request is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other impacts associated with the use's operation) (TMC§1111.0706.C Review & Decision-Making Criteria).

The staff recommends that the Toledo City Plan Commission make the following recommendations to the Toledo City Council on the waiver requested for the expansion of an existing used car lot operation located at 700 Eleanor Avenue:

Chapter 1104 Use Regulations

Sec. 1104.0703 Day Care Center – B. Location

Approve a waiver of the requirement that a Day Care Center must have building frontage on a major street.

The staff further recommends that the Toledo City Plan Commission recommend approval of SUP-10003-15, a Special Use Permit for a Day Care Center at 700 Eleanor Avenue to the Toledo City Council subject to the following twenty-two (22) conditions:

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

Division of Engineering Services

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

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8-inch-thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop or opening.**
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. Plan commission submittal does 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 by the Division of Engineering Services. Plans will be subject to the rules and regulations of the City of Toledo, Storm Water Utility, including storm-water detention and post-construction storm water Best Management Practices (BMPs) as specified in the City of Toledo Infrastructure Design and Construction Requirements and the Ohio EPA NPDES General Storm Water Permit for Construction Activities.

Sewer & Drainage Services

6. Recommend that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
7. Recommend 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 Sewer & Drainage Services demonstrating the lines cleaning and integrity.

Fire Prevention

8. No objection to the proposed site and use of the existing building, however consideration must be given to sprinkler system and fire alarm system requirements for the enlargement of the day care facility.

STAFF RECOMMENDATION (cont'd)

Fire Prevention (cont'd)

9. Fire Department access must be maintained to a structure where immediate access is restricted (i.e. gates). A fire department key box may be required.
10. Approved building address numbers must be from the street fronting the property.

Building Inspection

11. Building plans must be submitted for the change in use.

Division of Transportation

12. One-way and Do Not Enter pavement markings and/or signage shall be installed where appropriate to indicate the traffic pattern created by the angled parking.
13. All parking spaces reserved for persons with disabilities must comply with the parking space dimension standards as required by federal and local law. A car-accessible space must have at least a 5-foot wide aisle abutting the designated parking space or an 8-foot wide aisle abutting space for a van accessible space.

Division of Economic Development

No concerns or objections.

Plan Commission

14. 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; **dumpster location not depicted on Site Plan, shall be noted on landscaping plan.**
15. Dumpsters may not be located in the public right-of-way as stated in TMC§1361.10(B)(10) of the Building Code.
16. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

17. Whenever a parking lot extends to a property line, sidewalk, planting strip, or building, a wheel stop device consisting of a concrete stop, a 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)).
18. A detailed site, lighting, sign, fencing and three (3) copies of a landscaping plan (separate from building & site plans) shall be submitted to the Plan Director for review and approval. Such plan shall include:
 - a. A Type B Landscape Buffer is required around the outdoor play area. A fence, wall, or berm six (6) feet to eight (8) feet in height may be used and can substitute for shrub requirements; **shall be noted on landscaping plan.**
 - b. Interior site landscaping shall include one tree per 1000 square feet of building coverage. Greenbelt frontage trees are included in this total, minimum of 2 trees in the front and side yards. Interior site landscaping may consist of foundation shrub plantings and new tree planting or preservation of existing trees; **subject to review of completed landscaping plan.**
 - c. Foundation plantings for the full street-facing building elevation; and landscape areas at major building entrances; **shall be noted on landscaping plan.**
 - d. All parking spaces must be within 100 linear feet of a landscaped area; **acceptable as depicted on site plan.**
 - e. All landscaped areas must have a minimum dimension of at least 9 feet and be at least 160 square feet in area; **existing nonconforming site.**
 - 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.
 - g. Divider medians that form a continuous landscaped strip may be installed between abutting rows of parking spaces, median shall be a minimum of 10' in width; **existing nonconforming site.**
 - h. Two canopy trees and six shrubs are required to be installed in interior landscape areas for each 10 parking spaces within the parking lot (existing trees may be used for credits); **existing nonconforming site.**

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- i. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standards; **shall be noted on landscaping 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.
 - k. The location, height and materials for any fencing to be installed and maintained; **shall be noted on landscaping plan.**
 - l. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); and
 - m. The location, lighting and size of any signs.
19. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. **Landscaping shall be installed and maintained indefinitely.**
 20. 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.
 21. 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.
 22. Per TMC 1111.0814 If a building permit is not issued within one year of this approval date (November 20, 2016) then the site plan approval shall become null and void.

REF: SUP-10003-15 . . . December 3, 2015

SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-10003-15
DATE: December 3, 2015
TIME: 2:00 P.M.

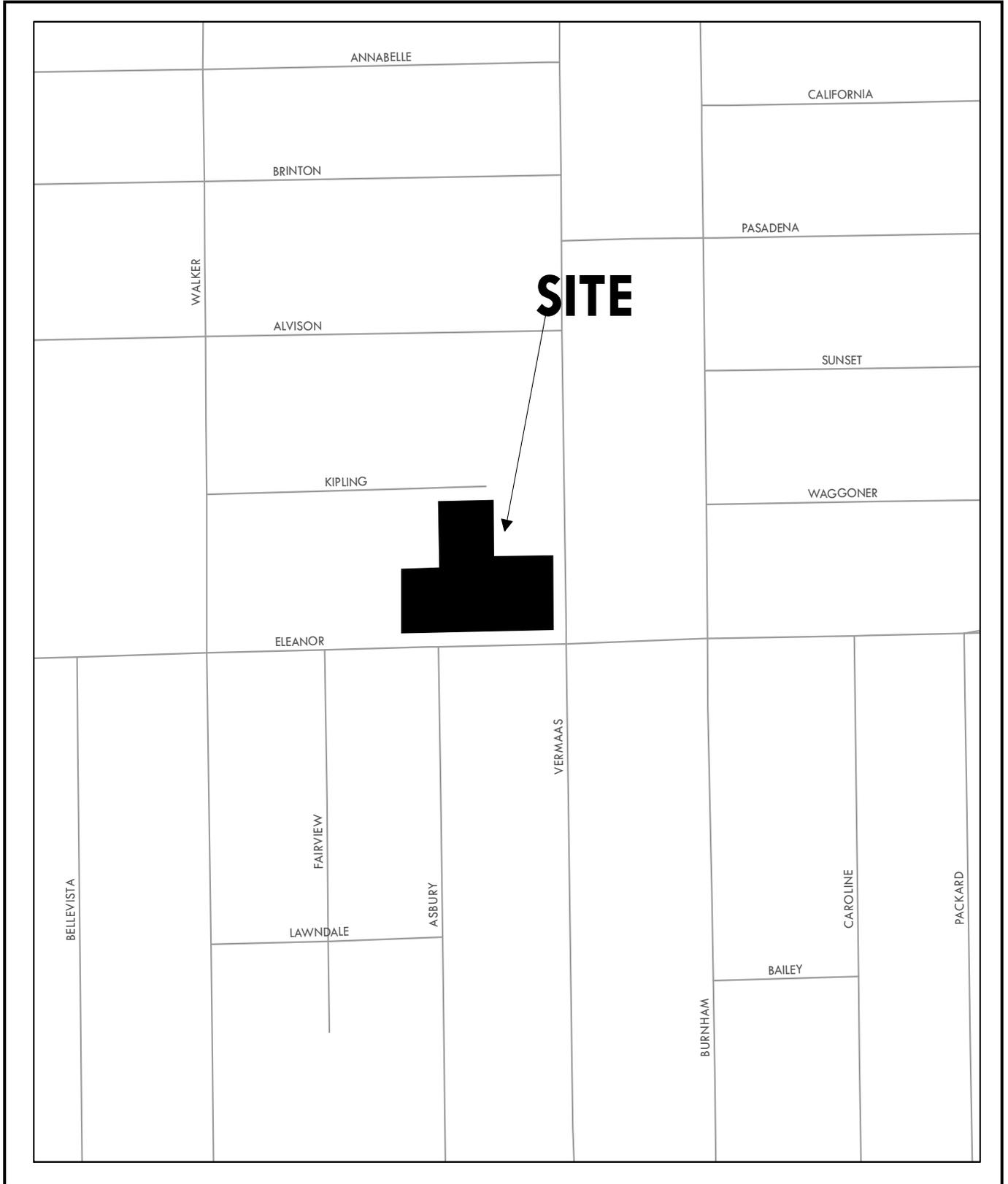
CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: January 13, 2016
TIME: 4:00 P.M.

RS

Three (3) sketches follow

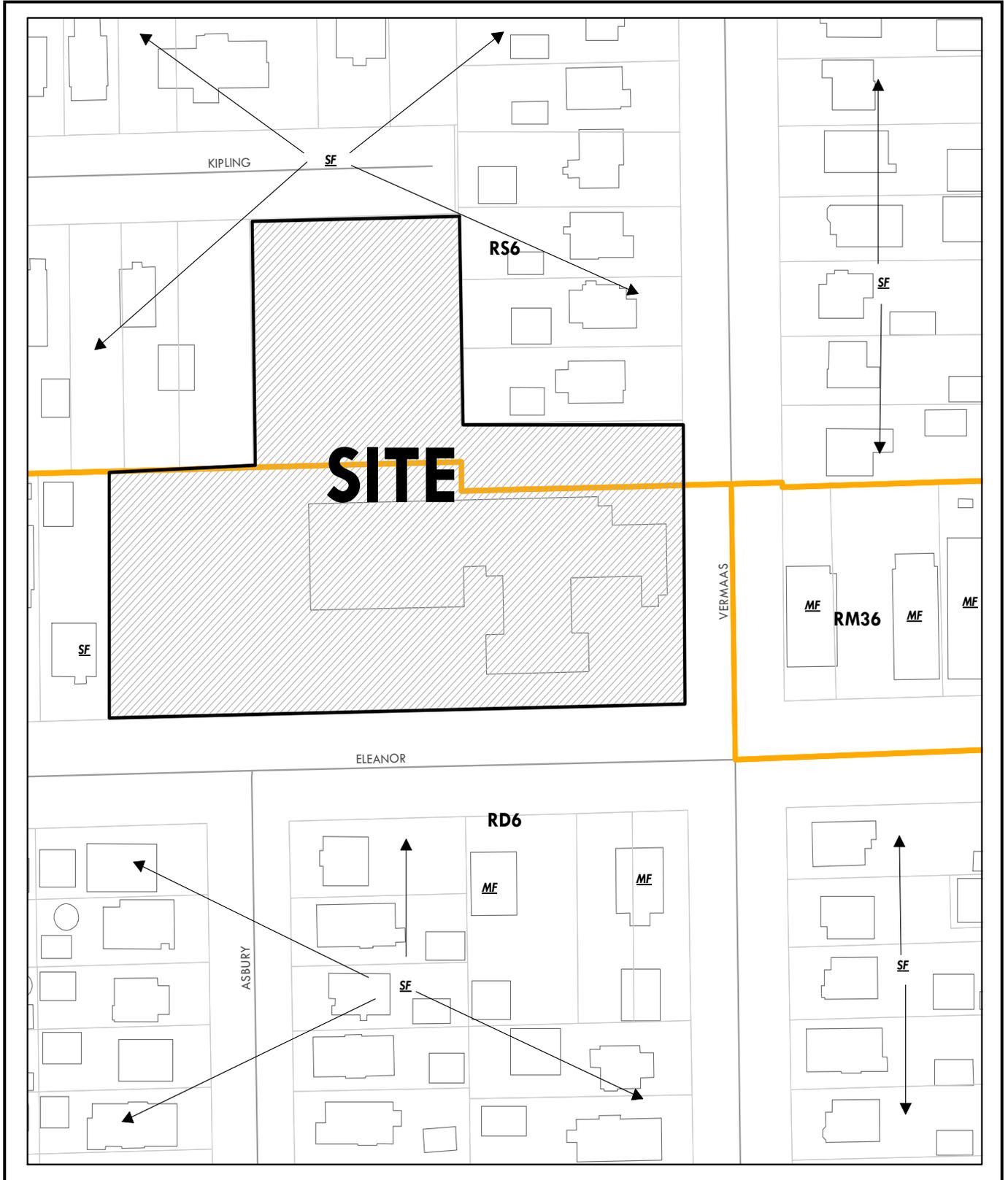
GENERAL LOCATION

SUP-10003-15
ID 38



ZONING AND LAND USE

SUP-10003-15
ID 38



SITE PLAN

SUP-10003-15
ID 38



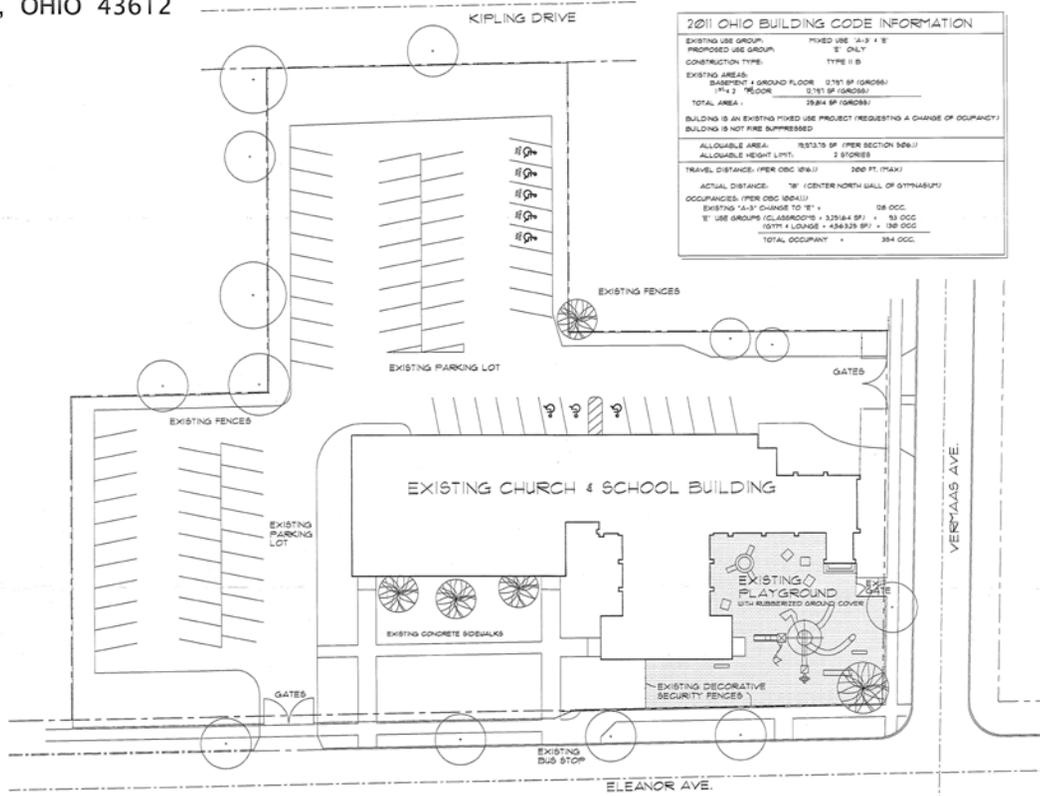
PROPOSED BUILDING CHANGE of USE at:

"LITTLE GENERATION DAY CARE CENTER"

FORMERLY KNOWN AS - "GENERATION EMPOWERED MINISTRIES & LITTLE GENERATION DAY CARE CENTER"
700 ELEANOR AVENUE, TOLEDO, OHIO 43612

GENERAL NOTES:

1. THIS PROJECT IS THE CONTINUATION OF AN EXISTING CHURCH AND DAY CARE FACILITY. THE CHURCH AND BIBLE PLAYERS ARE OF TOLEDO, OHIO. THEY ARE REQUESTING A CHANGE OF USE AS THE FACILITY IS BEING PROPOSED TO BE REDESIGNED FOR THE (2) LARGER OPEN CLASSROOMS TO ACCOMMODATE THE CROWD FOR "LITTLE GENERATION DAY CARE". THIS WORK HAS FORMALLY OPERATED "LITTLE GENERATION DAY CARE" AT THIS LOCATION SINCE THEIR OPENING IN 2010. "LITTLE GENERATION DAY CARE" IS A THE STATE LICENSED FACILITY.
2. THE BUILDING IS NOT ADA COMPLIANT AT THIS TIME. HOWEVER, A LONG RANGE PLAN HAS BEEN DESIGNED TO ACCOMMODATE THIS ISSUE.
3. ALL CONSTRUCTION WORK WILL BE COMPLETED BY LICENSED CONTRACTORS.



2011 OHIO BUILDING CODE INFORMATION	
EXISTING USE GROUP:	MIXED USE "A-3" & "B"
PROPOSED USE GROUP:	"B" ONLY
CONSTRUCTION TYPE:	TYPE II-B
EXISTING AREA:	
BASEMENT & GROUND FLOOR:	5791 SF (GROSS)
"A-3" REGION:	2717 SF (GROSS)
TOTAL AREA:	2974 SF (GROSS)
BUILDING IS AN EXISTING MIXED USE PROJECT (REQUESTING A CHANGE OF OCCUPANCY); BUILDING IS NOT FIRE SUPPRESSED	
ALLOWABLE AREA:	187475 SF (PER SECTION 5406.1)
ALLOWABLE HEIGHT LIMIT:	2 STORES
TRAVEL DISTANCE (PER OBC 1206.1):	300 FT. (MAX)
ACTUAL DISTANCE:	78' (CENTER NORTH WALL OF 017TH/BLVD)
OCCUPANCIES (PER OBC 1004.1):	
EXISTING "A-3" CHANGE TO "B":	08 OCC.
"B" USE GROUPS (CLASSROOMS):	3258.4 SF / 103 OCC.
10TH & LOUNGE:	434.225 SF / 138 OCC.
TOTAL OCCUPANT:	384 OCC.

EXISTING SITE PLAN
SCALE 1" = 20'

SCOTT J. HEACOCK / ARCHITECT
13023 SABRA ROAD
TOLEDO, OHIO 43612
419/260-8719
419/478-1271 fax
s.j.heacock@buckeye-express.com

SITE PLAN & OBC CODE INFORMATION
PROPOSED BUILDING CHANGE OF USE #1:
"LITTLE GENERATION DAY CARE CENTER"
700 ELEANOR AVE, TOLEDO, OHIO 43612

1556
OCTOBER 8, 2009
SHEET NO.
SP-1
SET OF: 1
OCT 13 2009

GENERAL INFORMATION

Subject

- Request - Major Site Review plan review for new self-storage units
- Location - Alexis Road & Dalton Road
- Applicant - Shamrock Holdings of Toledo, LLC.
216 West Wayne Street
Maumee, OH 43537
- Engineer - George Oravec
5333 Secor Road
Toledo, OH 43623

Site Description

- Zoning - CR / Regional Commercial
- Area - ±1.442 acres
- Frontage - ±195' along Alexis Road & ±360' along Dalton Road
- Existing Use - Vacant space
- Proposed Use - Storage Units

Area Description

- North - Single-family Residential / RS6
- South - GM Powertrain / IG
- East - Commercial self-storage units / CR
- West - Single-family Residential / RS6

Parcel History

- Z-6014-00 - C-3 and R-2 to C-3, disapproved by Plan Commission on 12/7/00, City Council Committee of Planning and Zoning disapproved on 2/8/01, petition withdrawn by applicant on 3/14/01.

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Major Site Plan Review for the development of new self-storage units for a site located at the northeast corner of Alexis & Dalton Roads. The 1.44 acre site is comprised of one parcel and currently occupied by one (1) ±275' square foot building planned for demolition. The site is accessed via a drive off Alexis Road which is shared by the mobile home park to the rear of the property at 1320 Alexis Road.

The proposed development is an expansion of an existing self-storage facility located on the abutting parcel to the east of the site. The self-storage facility was approved by the Plan Commission in 2005 for three (3) buildings and additional expansion to the north for four (4) smaller buildings in 2009. The expansion includes the development of eight (8) new storage buildings with storage units that vary in size.

Access/Parking

The site is accessed via a driveway that runs along the eastern side of the site and is shared with the mobile home park. Internal drives are offered between the proposed storage unit buildings.

The applicant indicated there is adequate parking on the original self-storage development to the east of the site. However, parking requirements for the expansion indicate four (4) parking spaces plus one (1) additional space per 250 storage units. The site plan submitted depicts a total of 214 storage units, resulting in five (5) additional parking spaces required for this development. Because no new parking is proposed, the applicant will be required to submit an alternative parking plan offering justification for the reduction in required parking.

Landscaping

A Type A Landscape Buffer is required along the northern side of the site, where the site abuts residential zoning. The site plan submitted depicts an adequate landscape buffer along the north and west property line. The Type A Landscape buffer requires twenty-five feet (25') of landscaping or ten feet (10') of landscaping with a solid fence. A fifteen foot (15') frontage greenbelt is required along street frontages for sites less than five (5) acres. The site plan submitted depicts an adequate frontage greenbelt along both Alexis Road and Dalton Road.

Building Design

Building elevations shall comply with TMC§1109.0500 – *Façade Materials*. Predominant exterior building materials shall be high-quality materials. For facades visible from the public right-of-way, predominate materials must comprise at least seventy-five percent (75%) of the total wall area of the façade. Façade colors shall be low-reflectance, subtle, neutral or earth tone colors. Building trim and accent areas may feature brighter colors, including colors subject to the approval of the Planning Director.

STAFF ANALYSIS (cont'd)

Building Design (cont'd)

The applicant has indicated the building materials and facades will be consistent with the existing storage facilities that currently operate to the east of the site. Renderings were submitted along with a letter indicating façade materials. Moreover, staff requires a formal elevation be submitted that clearly defines building material, percentages of proposed materials, and color.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this site for a transition from regional commercial to manufactured housing residential uses. Staff recommends approval of the applicant's request, provided that adequate buffers are provided against nearby residential zoning to the north and along Dalton Road to the west. Additionally, the proposed development is allowed in the zoning district in which it is located (TMC§1111.08809.B) and allows for safe, efficient movement of traffic on and around the site (TMC§1111.0809.C).

STAFF RECOMMENDATION

The staff further recommends that the Toledo City Plan Commission approve SPR-46-15, a request for a Major Site Plan Review for new self-storage units located at Alexis Road & Dalton Road, for the following two (2) reasons:

1. The proposed use is allowed in the CR Regional Commercial zoning district (TMC§1111.08809.B).
2. The proposed development allows for safe, efficient movement of traffic on and around the site (TMC§1111.0809.C).

The staff further recommends that the Toledo City Plan Commission recommend approval of SPR-46-15, new storage units for a site located at Alexis Road & Dalton Road subject to the following thirty-four (34) conditions:

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

Division of Engineering Services

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

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8-inch-thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop or opening.**
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. All existing water services to structures removed from the site will be abandoned by the City of Toledo at the developer's expense.
6. Plans submitted indicate earth-disturbing activity greater than 2,500 square feet; therefore, a detailed site-grading plan, Storm Water Pollution Prevention Plan (SWP3), and plans for storm-water service for this project shall be submitted to the Division of Engineering Services for storm-water review and approval.
7. 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 storm-water detention and post-construction storm-water Best Management Practices (BMPs).
8. Any person performing earth-disturbing activities within the City of Toledo shall employ Construction Best Management Practices (BMPs).
9. 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 storm-water utility fee through the Storm Water Credit Program.
10. A site-specific Storm Water Pollution Prevention Plan (SWP3) shall be submitted for review and approval. The SWP3 shall address all components required per the latest Ohio EPA General Storm Water NPDES permit.

STAFF RECOMMENDATION (cont'd)

Division of Engineering Services (cont'd)

11. All storm drainage must be internal and not run off onto adjacent properties unless approved by the City of Toledo Drainage Engineer.
12. No construction work, including any earth disturbing work, will be permitted without approved plans and inspection.
13. 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
Storm-water 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
14. Sanitary sewer service for this development is available subject to the Rules and Regulations of the Department of Public Utilities.
15. 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.

Sewer & Drainage Services

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

Building Inspection

No concerns or objections.

STAFF RECOMMENDATION (cont'd)

Division of Environmental Services

18. Applicant shall maintain compliance with the City of Toledo's Stormwater regulations as specified in the Toledo Municipal Code.
19. Applicant shall maintain compliance with Ohio EPA's General Stormwater NPDES permit programs.
20. Applicant shall maintain compliance the City of Toledo's Sanitary Sewer Use Regulations specified in the Toledo Municipal Code.
21. Applicant shall maintain compliance with the City of Toledo's and State of Ohio's Air Quality Regulations applicable in the Toledo Municipal Code and the Ohio Administrative Code including, but not limited to the Anti-Noise Laws.

Division of Economic Development

No concerns or objections.

Fire Prevention

22. All new buildings must be within three hundred-fifty feet (350') of a hydrant on a public way or private hydrants may be required.
23. Facility address must be visible from the street fronting the property.
24. If fire department access to the facility is restricted in any way (gates locked or key card access) a "key box" may be required.

Division of Transportation

25. 4' sidewalks shall be installed adjacent to Dalton Rd. in accordance with City of Toledo Construction Standards.

Plan Commission

26. The building design shall meet the requirements of TMC§1109.0500 *Building Façade Materials and Color*. Exterior building materials shall not include concrete blocks, concrete panels or wood sheet goods as a predominant material. EIFS may not constitute more than 15% of the exterior for facades visible from the public right-of-way. The façade colors shall be low-reflectance, subtle, neutral or earth tone colors. **Applicant shall submit details on the percentage of façade materials used and color of materials.**

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

27. A dumpster may not be in any required setback or landscape buffers and shall be located as far away from residential areas as possible. **Dumpster location not depicted on site plan; shall be noted on revised site plan.**
28. Dumpster location(s) shall have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall be located in any required setbacks; **shall be noted on revised site plan.**
29. Applicants who wish to provide fewer or greater number of off-street parking spaces than required in the off-street parking schedules of Chapter 1107 must secure approval of an Alternative Access and Parking Plan. At a minimum, such plans must detail the type of alternative proposed and rationale for such a proposal, including supporting research on or documentation of parking demand for the proposed use. **Alternative parking plan shall be submitted for approval by the Director of Transportation and Planning Director.**
30. 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 Type A landscape buffer is required along abutting residential zoning districts to the north and west of the site. The Type A landscape buffer shall meet the standards included in TMC§1108.0203 *Buffer and Screening Requirements*; **acceptable as depicted on landscape plan.**
 - b. A fifteen foot greenbelt is required along the Alexis Road and Dalton Road frontages. This greenbelt shall include one tree per every 30 feet of frontage and a solid evergreen hedge planting to screen the parking lot; **acceptable as depicted on landscape plan.**
 - c. The location, height and materials for any fencing to be installed and maintained.
 - d. The location and direction of any proposed lighting (lights are to be directed away from adjacent residential properties); and
 - e. The location, lighting and size of any signs.

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

- f. Interior site landscaping shall include one tree per 1000 square feet of building coverage. Greenbelt frontage trees are included in this total, minimum of 2 trees in the front and side yards. Interior site landscaping may consist of foundation shrub plantings and new tree planting or preservation of existing trees; **acceptable as depicted on landscape plan.**
 - g. Foundation plantings for the full street-facing building elevation; and landscape areas at major building entrances; **not applicable.**
 - h. All parking spaces must be within 100 linear feet of a landscaped area; **not applicable.**
 - i. 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.**
 - j. Topsoil must be back filled to provide positive drainage of the landscape area.
 - k. 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.
 - l. Perimeter landscaping must be installed along any parking lot area adjacent to a street, place or driveway, or which is visible from an adjacent property, and shall be ten feet (10') in width; **acceptable as depicted on landscape plan.**
 - m. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC§1108.0400 Landscape Materials Standards.
 - n. If site is ½ acre or larger, landscaped areas must be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation plans must be submitted with development plans and must contain all construction details.
31. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. **Landscaping shall be installed and maintained indefinitely.**

STAFF RECOMMENDATION (cont'd)

Plan Commission (cont'd)

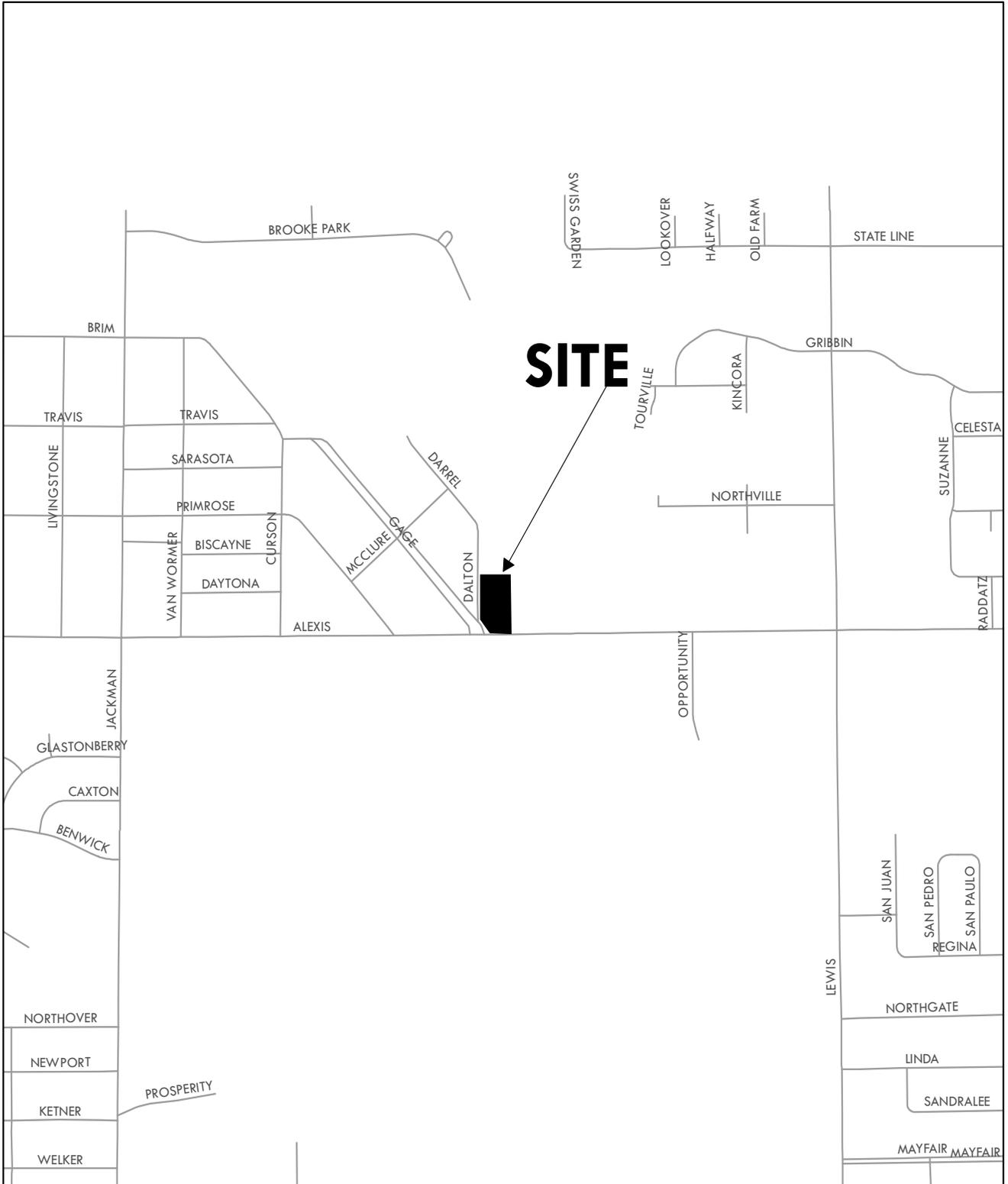
32. Minor adjustments to the site plan that do not violate the above conditions, or the Toledo Municipal Code, may be reviewed and approved by the Director of the Toledo City Plan Commission
33. Per TMC§1111.0814, if a building permit is not issued within one year of this approval date (12-3-2015) then the site plan approval shall become null and void.
34. No Permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions set forth above.

MAJOR SITE PLAN REVIEW
TOLEDO CITY PLAN COMMISSION
REF: SPR-46-15
DATE: December 3, 2015
TIME: 2:00 P.M.

RS
Four (4) sketches follow
Exhibit "A" follows

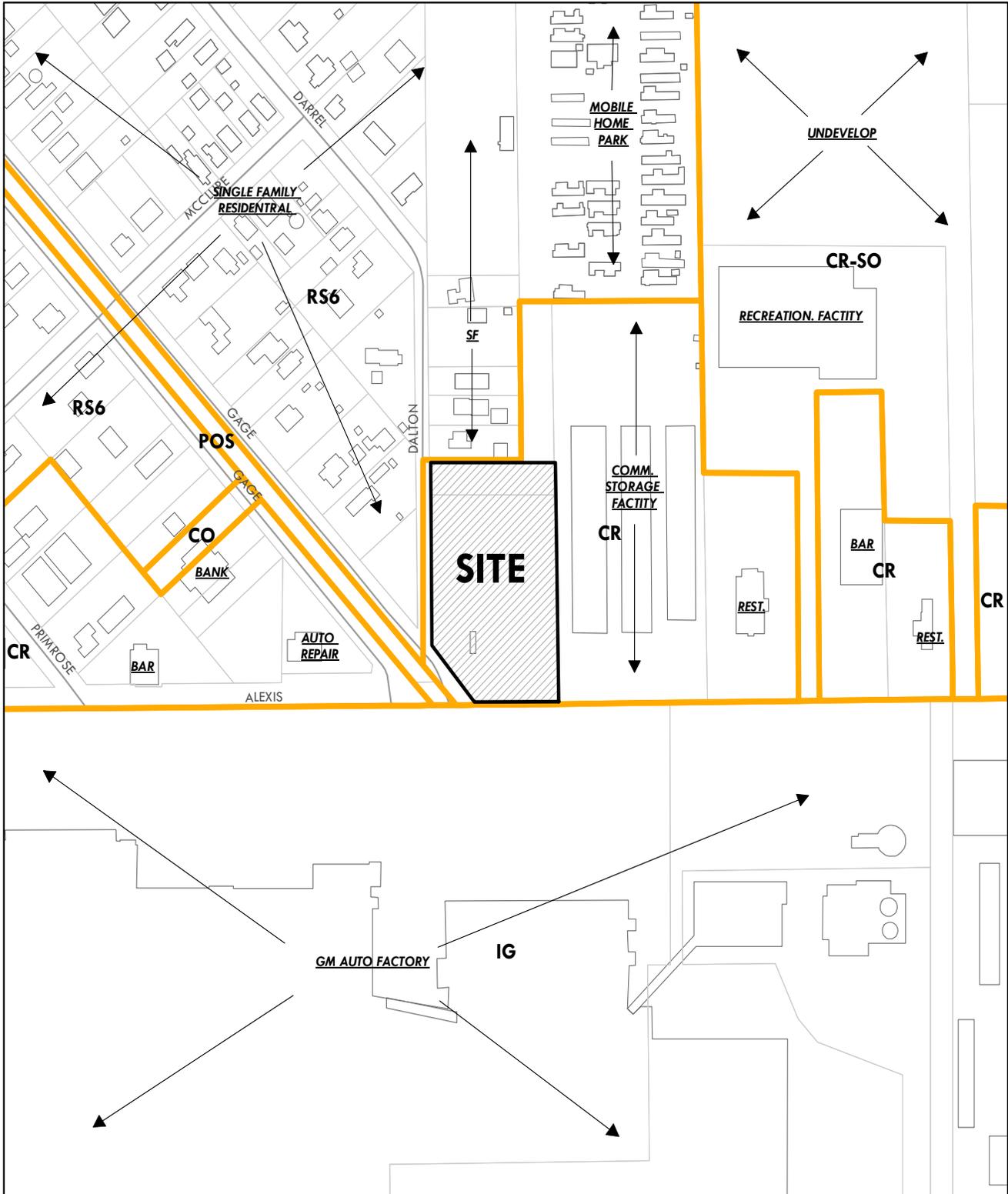
GENERAL LOCATION

SPR-46-15
ID 72



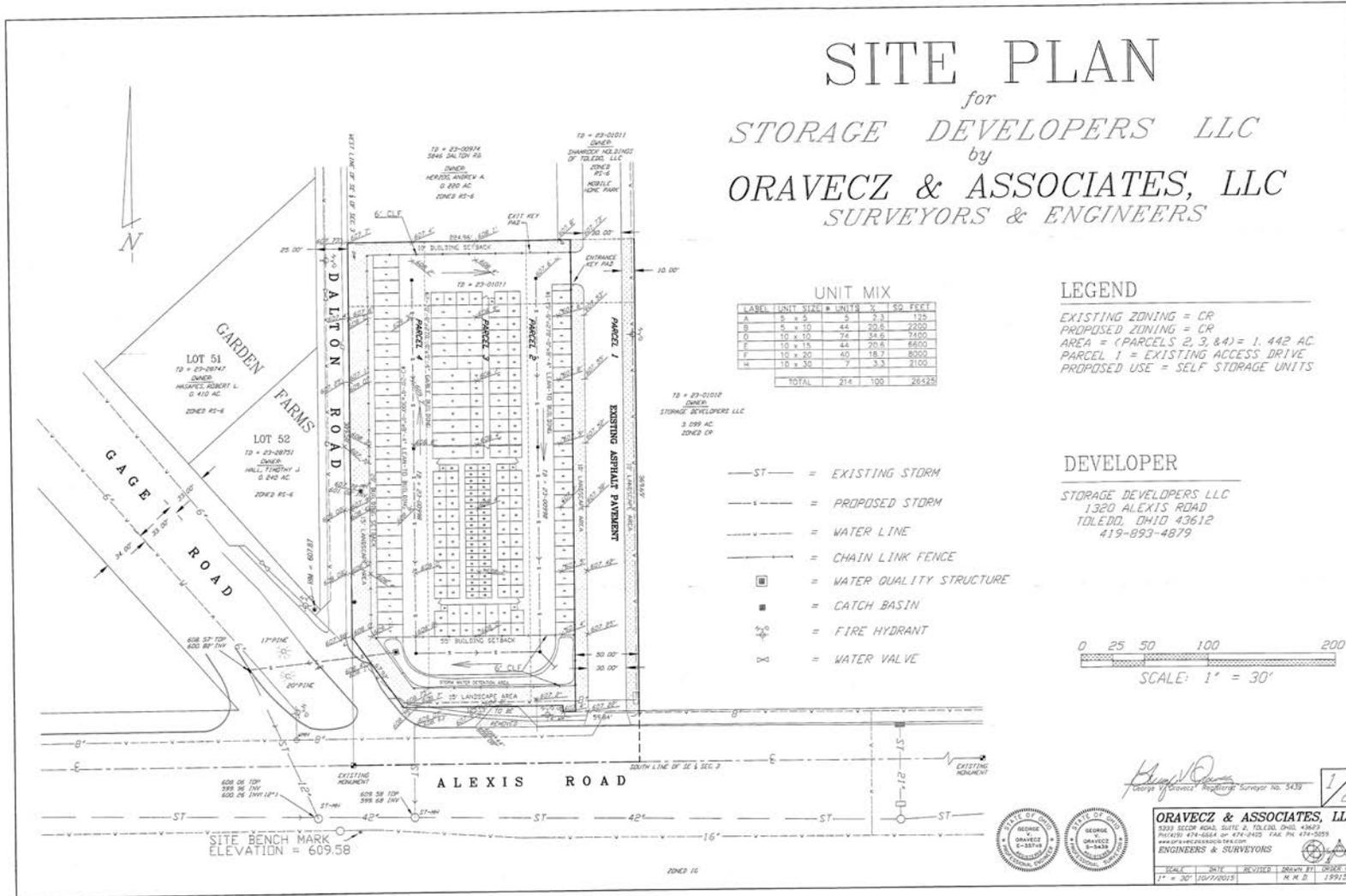
ZONING AND LAND USE

SPR-46-15
ID 72



SITE PLAN

SPR-46-15
ID 72





Oravec Consulting & Engineering Services

George V. Oravec
Consulting Engineer

P.O. Box 38
Maumee, OH 43537

Mobile: 419.351.2725
Office: 419.867.6518
Home: 419.866.8362
Fax: 419.868.7990

October 28, 2015

Lisa Cottrell

RE: ALEXIS AND DALTON SELF STORAGE

Lisa;

The elevations for the storage buildings is as follows:

1. The portion of the building that faces Alexis Road will be stone brick on the blank walls and aluminum metal where doors are present. (See 1 and 2)
2. The Dalton Road side and service road side will be aluminum metal no doors. (see 3)
3. The internal access drive side will be aluminum metal with doors. (see 4)

This is the duplicate of the existing storage units to the east of the service drive. The office and required parking is being provided on the existing site. Landscaping evergreen trees along Alexis Road and Dalton Drive minimize the view of the storage units from Alexis and Dalton Drive.

If you have any questions please contact me at 419.351.2725.

Sincerely,

George V. Oravec

George V. Oravec
P.E. P.S.

Registered In
Ohio
Michigan
Colorado
Florida

EXHIBIT "A" - PROPOSED ELEVATION #1

SPR-46-15
ID 72

1.



**EXHIBIT "A" - PROPOSED
ELEVATION #2**

**SPR-46-15
ID 72**

2.

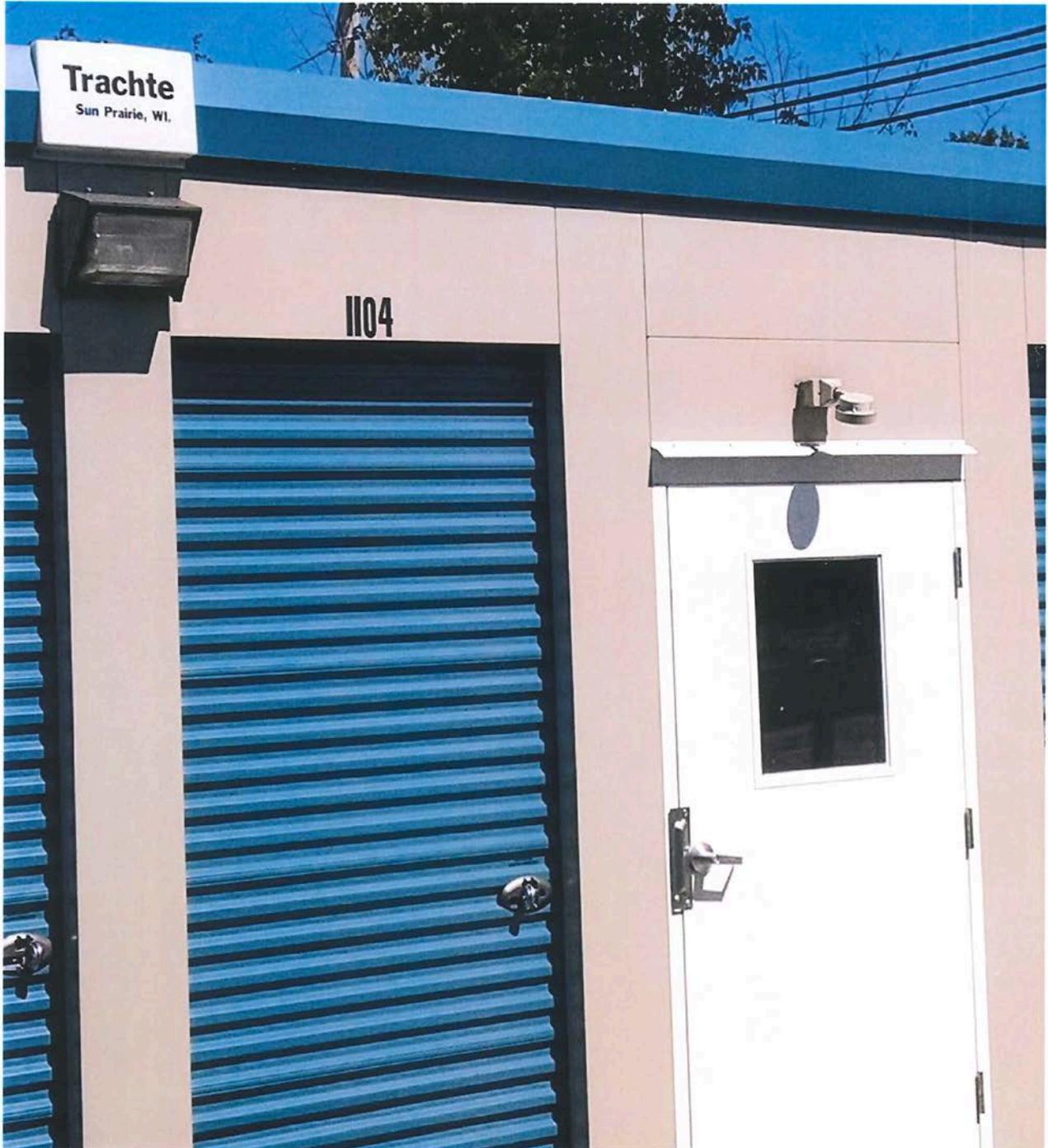


EXHIBIT "A" - PROPOSED ELEVATION #3

SPR-46-15
ID 72

3.



EXHIBIT "A" - PROPOSED ELEVATION #4

SPR-46-15
ID 72

4.



GENERAL INFORMATION

Subject

Request	-	Zone Change from CR Regional Commercial to RM24 Multi-Family Residential
Location	-	2740 Monroe Street
Applicant	-	Mary L. Noble 4118 Douglas Road Toledo, OH 43612

Site Description

Zoning	-	CR, M-UNO / Regional Commercial, Monroe Street Corridor Overlay District
Area	-	± 0.18 acres
Frontage	-	± 50' along Monroe Street
Existing Use	-	Residential Duplex
Proposed Use	-	Residential Facility, Large

Area Description

North	-	Undeveloped / CR, M-UNO
South	-	Senior Housing Facility / RM36, M-UNO
East	-	Parking Lot / CO, M-UNO
West	-	Residential Duplex / CR, M-UNO

Parcel History

V-4-93	-	Request for a Vacation of an alley in the block bounded by Bancroft Street, Lawrence Avenue and Monroe Street , approved by City Council 5/24/93.
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Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- Monroe Street Corridor Overlay District

STAFF ANALYSIS

The applicant is requesting a Zone Change from CR Regional Commercial to RM24 Multi-Family Residential for a site located at 2740 Monroe Street. The ±0.18 acre site is zoned CR Regional Commercial and is also located in an Urban Neighborhood Overlay District. The site is currently occupied by a conventional two-family dwelling and a one story garage. The property is on the main bus line and is close to downtown as well as in close proximity to some of Toledo's greatest attractions. A companion Special Use Permit request accompanies this case.

The applicant is requesting a Zone Change to RM24 Multi-Family Residential to facilitate the development of a residential facility, large. The Toledo Municipal Code does not allow large residential facilities to operate in commercially zoned districts therefore the applicant is seeking a Zone Change. Along with a Special Use Permit, the requested RM24 zoning is the proper zoning classification that will accommodate the proposed development.

Large residential facilities are defined in the Toledo Municipal Code as: a state-licensed or state-regulated home or facility that provide room and board, personal care, habilitation services, and supervision in a family setting for more than nine (9) but not more than sixteen (16) persons who require such care and/or other similar uses of the same size licensed by the state but not requiring skilled nursing care. The applicant intends to provide care for those with mental disabilities, developmental disabilities, and/or mental health issues.

Surrounding land uses include an undeveloped parcel intended to be future parking for the church currently under development further north of the site. West of the site are duplex residential dwellings and east of site is a parking lot associated with the vacant commercial building further east. To the south of the property across Dorr Street is a newly developed senior housing facility.

Monroe Street Corridor UNO

The Monroe Street Corridor UNO district is an overlay zoning classification established as an Urban Neighborhood Overlay (UNO). The overlay zoning district establishes additional design standards for development allowed by the underlying zoning district. The Monroe Street Corridor is intended to provide a review process for proposed physical changes to structures and public space along the corridor, implement appropriate building and parking lot setbacks, and promote development that features retail display windows, rear parking lots, and other pedestrian-oriented site design features.

STAFF ANALYSIS (cont'd)

Toledo 20/20 Comprehensive Plan

Although staff is recommending disapproval of the companion Special Use Permit (due to a spacing violation), staff is recommending approval of the Zone Change for two reasons. First, the Toledo 20/20 Comprehensive Plan targets this area for CR Regional Commercial uses. The Toledo 20/20 Comprehensive Plan states that “multi-family residential uses may be included in this area”. Second, the Zone Change is suitable for this location because the proposed zoning is compatible with zoning classifications of properties within the general vicinity (TMC§1111.0606(C)). Finally, the rezoning will not negatively affect properties within the vicinity of the subject site the proposed RM24 zoning is compatible with the zoning classifications of nearby properties.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of Z-10004-15, a request for a Zone Change from CR Regional Commercial to RM24 Multi-Family Residential for the site located at 2740 Monroe Street, to the Toledo City Council, for the following two (2) reasons:

1. The request is consistent with The Toledo 20/20 Comprehensive Plan (TMC§1111.0606(A) Review and Decision Making Criteria).
2. The requested RM24 Multi-Family Residential zoning is compatible with zoning classifications of properties within the general vicinity (TMC§1111.0606(C) Review and Decision Making Criteria); and
3. The rezoning will not negatively affect properties within the vicinity of the subject site (TMC§1111.0606(E) Review and Decision Making Criteria).

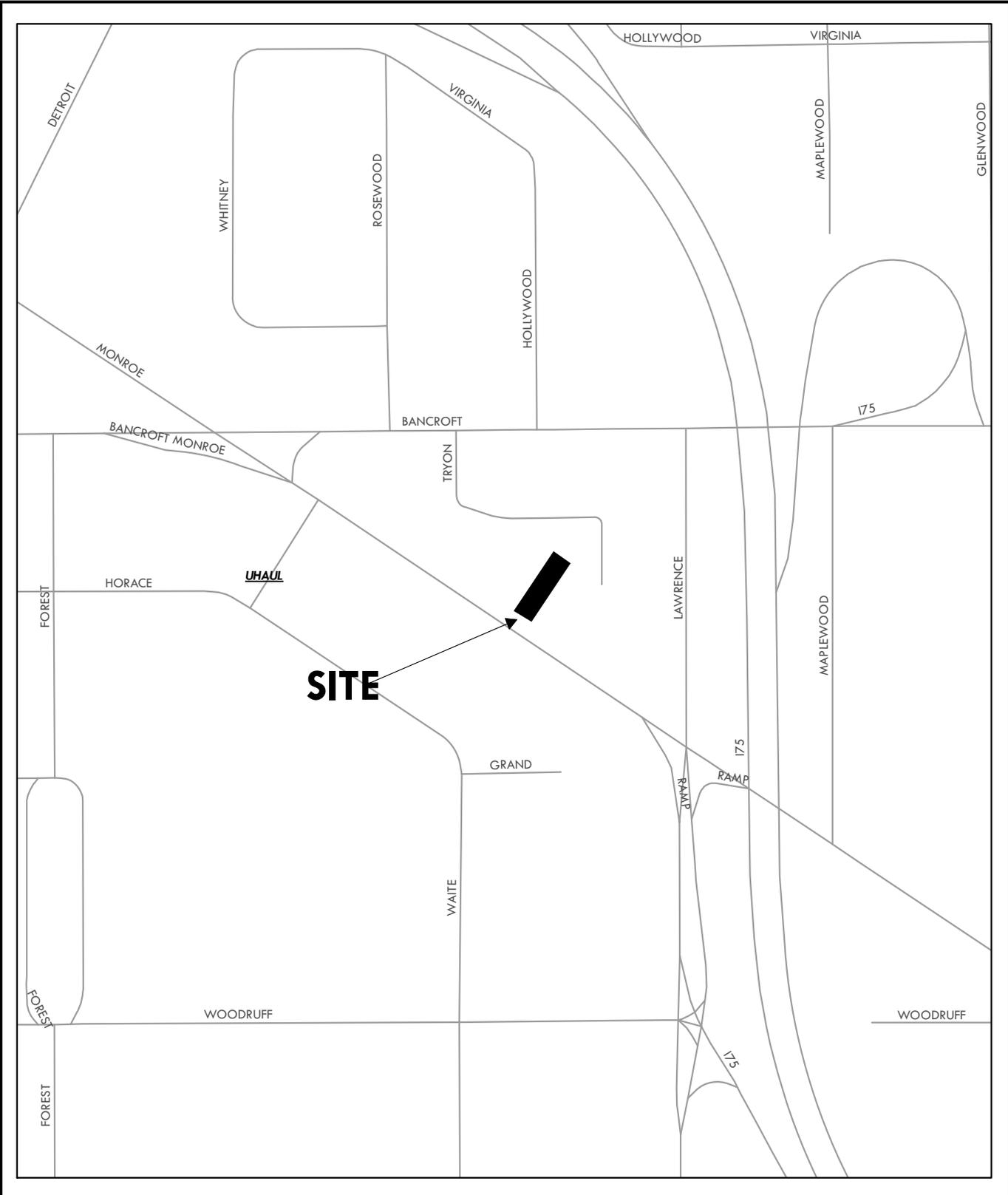
ZONE CHANGE
 TOLEDO CITY PLAN COMMISSION
 REF: Z-10004-15
 DATE: December 3, 2015
 TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
 PLANNING AND ZONING
 DATE: January 13, 2016
 TIME: 4:00 P.M.

GP/
 Two (2) sketches follow

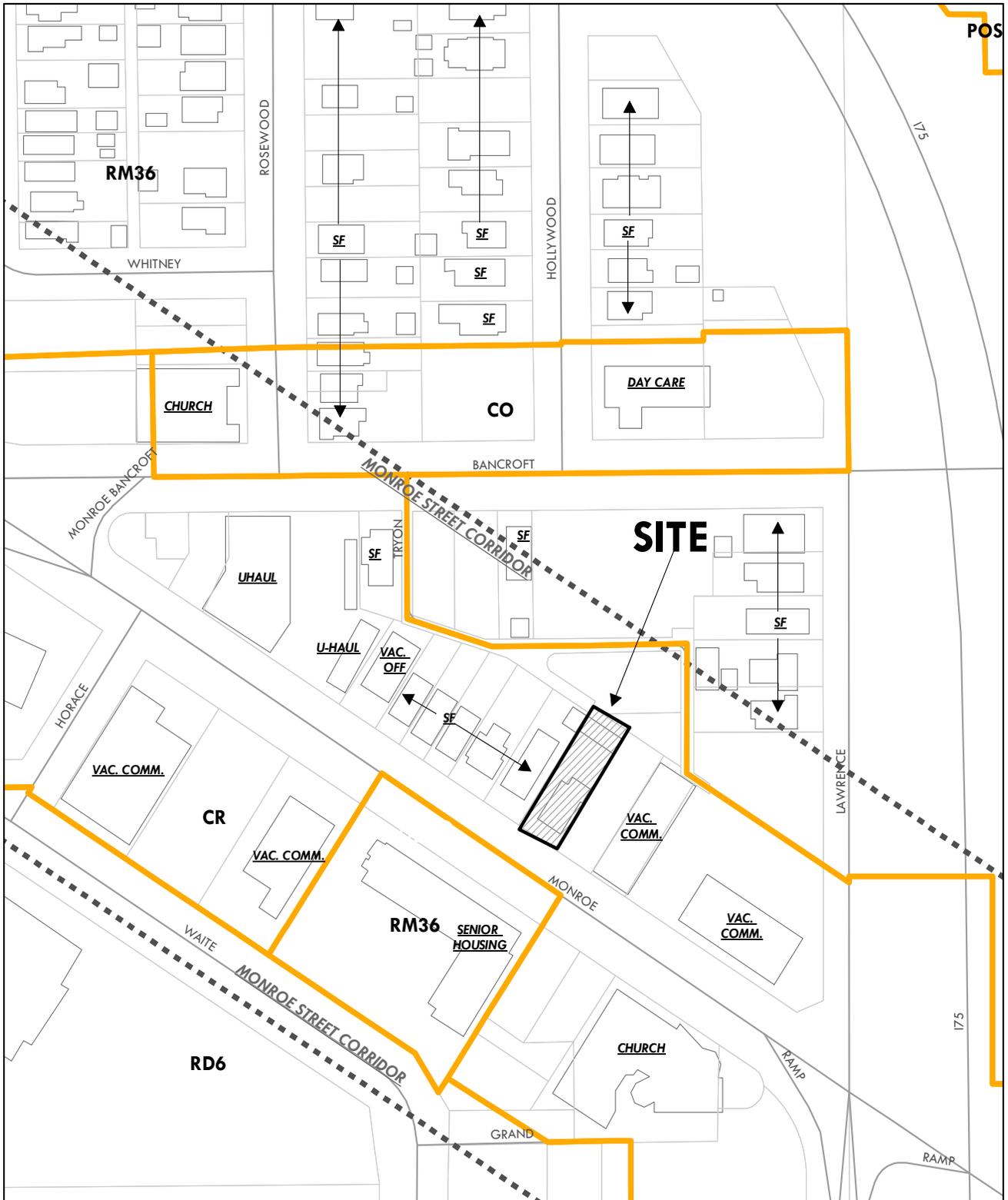
GENERAL LOCATION

Z-10004-15
ID 18



ZONING & LAND USE

Z-10004-15
ID 18



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GENERAL INFORMATION

Subject

- Request - Special Use Permit for a residential facility, large
- Location - 2740 Monroe Street
- Applicant - Mary L. Noble
4118 Douglas Road
Toledo, OH 43612
- Architect - Seshrake Architecture
2020 Parkwood Avenue
Toledo, OH 43620

Site Description

- Zoning - CR, M-UNO / Regional Commercial, Monroe Street Corridor Overlay District
- Area - ± 0.18 acres
- Frontage - ± 50' along Monroe Street
- Existing Use - Residential Duplex
- Proposed Use - Residential Facility, Large

Area Description

- North - Undeveloped / CR, M-UNO
- South - Senior Housing Facility / RM36, M-UNO
- East - Parking Lot / CO, M-UNO
- West - Residential Duplex / CR, M-UNO

Parcel History

- V-4-93 - Request for a Vacation of an alley in the block bounded by Bancroft Street, Lawrence Avenue and Monroe Street , approved by City Council 5/24/93.

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning
- Toledo 20/20 Comprehensive Plan
- Monroe Street Corridor Overlay District

STAFF ANALYSIS

The applicant is requesting a Special Use Permit to facilitate the development of a residential facility, large at 2740 Monroe Street. The ±0.18 acre site is zoned CR Regional Commercial and is also located in the Monroe Street Corridor Neighborhood Overlay District. The site is currently occupied by a conventional two-family dwelling and one story garage. The property is on the main bus line and located in a central area of the City. A companion Zone Change request accompanies this case.

The applicant is requesting the Special Use Permit to operate a residential facility, large. Large residential facilities are defined in the Toledo Municipal Code as: a state-licensed or state-regulated home or facility that provide room and board, personal care, habilitation services, and supervision in a family setting for more than nine (9) but not more than sixteen (16) persons who require such care and/or other similar uses of the same size licensed by the state but not requiring skilled nursing care. The applicant intends to provide care for those with mental disabilities, developmental disabilities, and/or mental health issues.

The Toledo Municipal Code does not allow a residential facility large, to operate in a commercially zoned district therefore the applicant is also seeking a Zone Change. TMC§1104.1001 – *Group Living and Day Care Spacing*, mandates that group living facilities must be located at least 500' away from any day care facility. A Day Care facility is within 500' of this site and approval of the proposal will produce a spacing violation. A waiver of TMC§1104.1001 will be required in order to have the proposal in compliance.

Surrounding land uses include an undeveloped parcel intended to be future parking for the church currently under development further north of the site. West of the site are duplex residential dwellings and east of site is a parking lot associated with the vacant commercial building further east. To the south of the property across Dorr Street is a newly developed senior housing facility.

STAFF ANALYSIS (cont'd)

Monroe Street Corridor UNO

The Monroe Street Corridor UNO district is an overlay zoning classification established as an Urban Neighborhood Overlay (UNO). The overlay zoning district establishes additional design standards for development allowed by the underlying zoning district. The Monroe Street Corridor is intended to provide a review process for proposed physical changes to structures and public space along the corridor, implement appropriate building and parking lot setbacks, and promote development that features retail display windows, rear parking lots, and other pedestrian-oriented site design features.

Toledo 20/20 Comprehensive Plan

The Toledo 20/20 Comprehensive Plan targets this area for CR Regional Commercial uses. The Toledo 20/20 Comprehensive Plan states that “multi-family residential uses may be included in this area”. The Special Use Permit is not suitable for this location because the proposed use would violate the spacing requirement mandated in TMC§1104.1001.

Although staff is recommending disapproval, conditions of approval are attached as Exhibit “A”.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommends disapproval of SUP-10005-15, a Special Use Permit for a residential facility, large for the site located at 2740 Monroe Street, to the Toledo City Council, for the following two (2) reasons:

1. The proposed use is within 500’ of a day care facility and would be in violation of TMC§1104.1001 – *Group living and Day Care Spacing*.
2. The proposed use does not comply with all applicable provisions of this Zoning Code (TMC§1111.0706(B) Review and Decision Making Criteria).

REF: SUP-10005-15. . .December 3, 2015

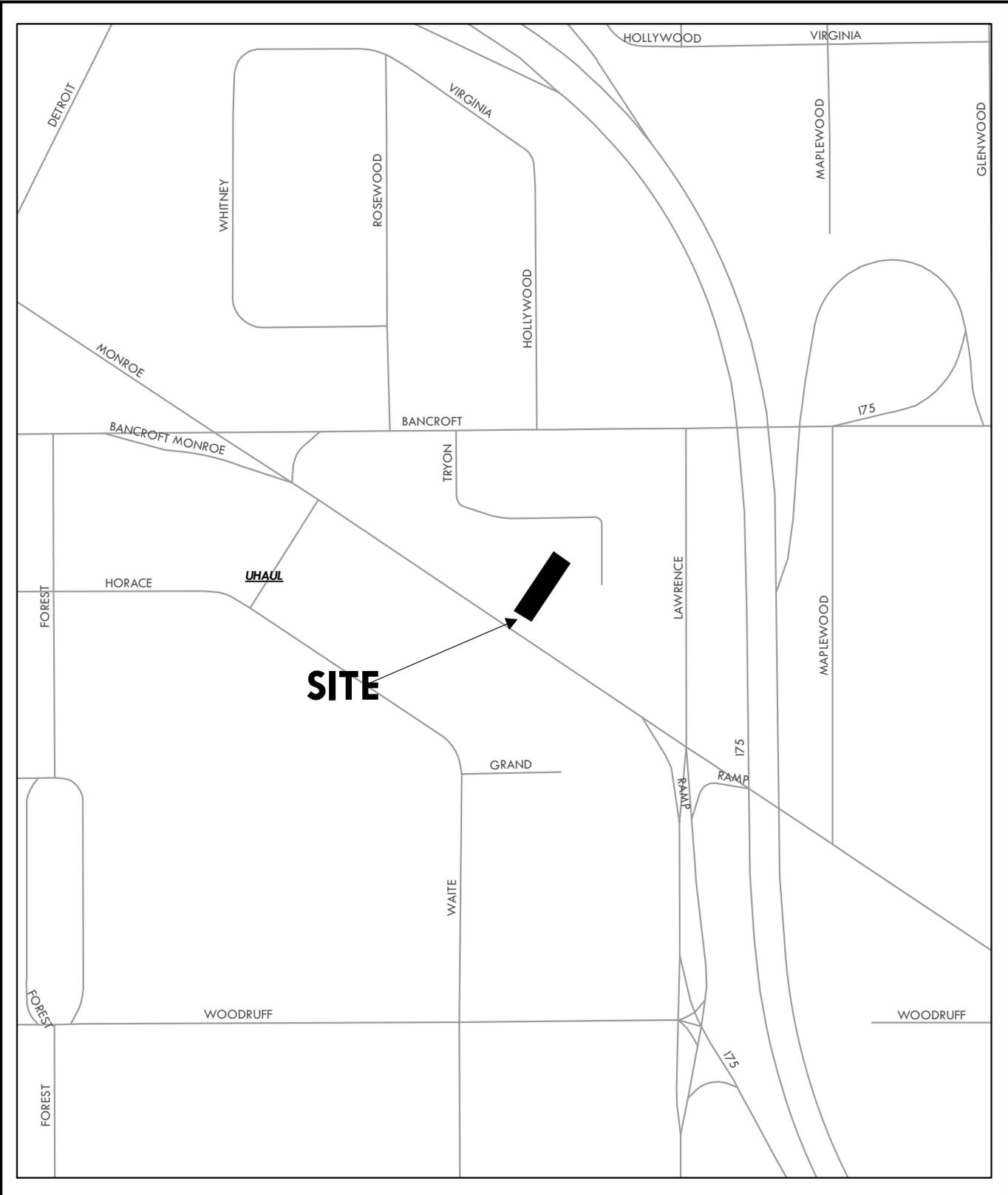
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-10005-15
DATE: December 3, 2015
TIME: 2:00 P.M.

CITY COUNCIL COMMITTEE OF
PLANNING AND ZONING
DATE: January 13, 2016
TIME: 4:00 P.M.

GP/
Three (3) sketches follow

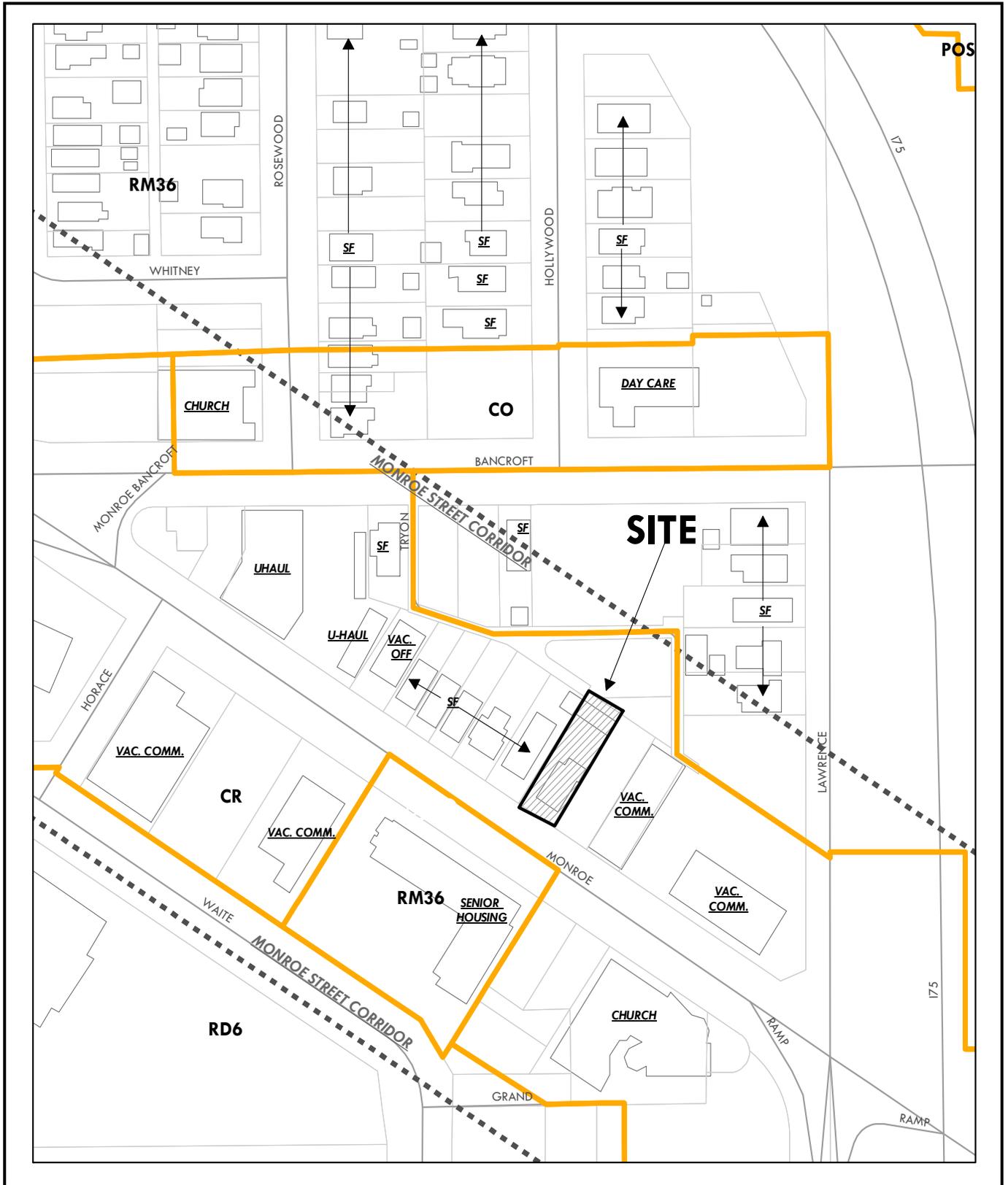
GENERAL LOCATION

SUP-10005-15
ID 18



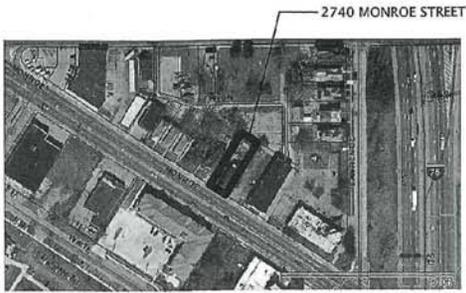
ZONING & LAND USE

SUP-10005-15
ID 18



SITE PLAN

SUP-10005-15
ID 18



AERIAL
GRAPHIC SCALE

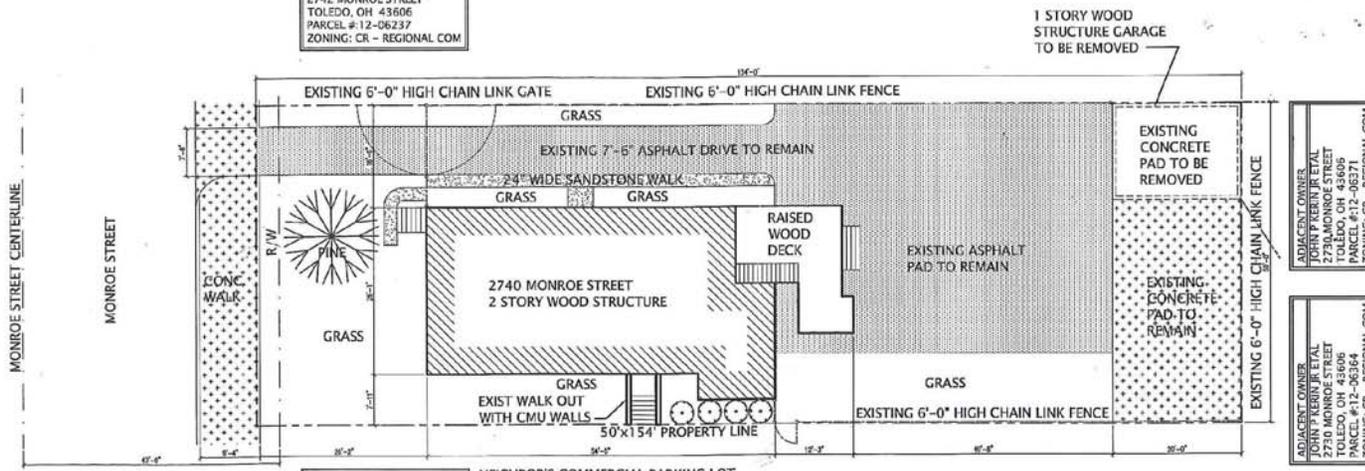


PHOTOGRAPH
NORTHEAST



PHOTOGRAPH
NORTHWEST

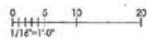
ADJACENT OWNER
CHARLOTTE K. SICKLAND
2742 MONROE STREET
TOLEDO, OH 43606
PARCEL #: 12-06237
ZONING: CR - REGIONAL COM



ADJACENT OWNER
JOHN P. KERIN JR ETAL
2730 MONROE STREET
TOLEDO, OH 43606
PARCEL #: 12-06231
ZONING: CR - REGIONAL COM

ADJACENT OWNER
JOHN P. KERIN JR ETAL
2730 MONROE STREET
TOLEDO, OH 43606
PARCEL #: 12-06231
ZONING: CR - REGIONAL COM

ADJACENT OWNER
JOHN P. KERIN JR ETAL
2730 MONROE STREET
TOLEDO, OH 43606
PARCEL #: 12-06231
ZONING: CR - REGIONAL COM



1 SITE PLAN
1/16" = 1'-0"



TAX PARCEL NUMBER: 12-06234
LEGAL: L K PARKS SUBDN OF LOT 378 ENGLEWOOD LOT 7 & SWLY 1/2 VAC ALLEY ADJ
ZONING CODE: CR (Regional Commercial)
CLASS/LAND USE: R / 20
LOT DIMENSIONS: 50'x154'
LOT SIZE: 7,787 SF

CI.0
PROJECT #
15002
09.30.2015

SESHRAKE ARCHITECTURE
Architecture Interiors Planning
2009 National Avenue
Toledo, OH 43620
419.252.1100
seshkearchitect@gmail.com

MARY NOBLE
2740 Monroe Street, Toledo, Ohio 43606
SITE PLAN
CHANGE OF ZONING CLASSIFICATION AND SPECIAL USE PERMIT
DATE: 09.30.2015

7-7

Exhibit “A”

The following eighteen (18) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Engineering Services

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

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

5. It is unclear how much earth disturbing work will occur at this site by the plans submitted through plan commission.
6. If the site will require earth-disturbing activity of 2,500 or more square feet or more, a detailed site-grading plan, Storm Water Pollution Prevention Plan (SWP3), and plans for storm-water service for this project shall be submitted to the Division of Engineering Services for storm-water review and approval.

Exhibit “A” (cont’d)

Engineering Services (cont’d)

7. 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/>. Plans will also be 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.”
8. Any person performing earth-disturbing activities within the City of Toledo shall employ Construction Best Management Practices (BMPs).
9. An Engineering Plan 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
Storm-water 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

Sewer & Drainage Services

10. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
11. 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

No comments or objections to the site plan.

Exhibit “A” (cont’d)

Fire Prevention

No comments or objections to the site plan.

Economic Development

No comments or objections to the site plan.

Transportation

12. Designated parking shall be striped, marked and must meet the dimension requirements of Toledo Municipal Code 1107, including parking for disabled persons. A site plan showing the disposition of available parking shall be submitted for review and approval by the Division of Transportation.

Plan Commission

13. One parking space per every two employees shall be provided in order to show compliance with the minimum off-street parking ratios of Parking Schedule “A” in TMC§1107.0304.
14. Off-street parking and loading spaces, parking lots, maneuvering areas, aisles and driveways must be surfaced with concrete, bituminous asphalt, or other dust-free material other than gravel or loose fill, and be graded to drain all surface water towards the interior of the parking lot.
15. 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 **(If applicable)**;
16. 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.
17. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.

Exhibit “A” (cont’d)

Plan Commission (cont’d)

18. 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 to add and relocate gas pumps to existing gas station
- Location - 4315 W Alexis Road
- Applicant - Ridi Reio, LLC
5131 W Alexis Road
Sylvania, OH 43560
- Architect - Dwight Gilliland
Architecture by Design
5622 Mayberry Square
Sylvania, OH 43560

Site Description

- Zoning - CR Regional Commercial
- Area - ± 0.584 acres
- Frontage - ± 190' on Alexis Road
± 134' on Telegraph Road
- Existing Use - Gas Station with Convenience Store
- Proposed use - Gas Station with Convenience Store

Area Description

- North - Commercial Retail and Single Dwelling Residential / C-2 & R-A (Sylvania Township)
- East - Light Industrial / CR
- South - Commercial Retail / CR
- West - Commercial Retail / CR

Parcel History

- SUP-161-84 - Special Use Permit to install a canopy over existing fuel pumps (PC approved 10/18/84, Ord. 830-84 approved 11/13/84)
- SUP-6003-15 - Special Use Permit to add and relocate gas pumps to existing gas station (PC deferred at applicants request 8/13/15)

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit to add and relocate gas pumps to an existing gas station on a site located at 4315 W Alexis Road. The .584-acre site is zoned CR Regional Commercial and contains a 6,150 square foot multi-tenant building with a convenience store and a general retail store dividing the space. The site also currently has two (2) fuel islands with four (4) dispensers covered by a canopy. The proposal includes the addition of a new fuel island (two (2) pumps), a new canopy and the realignment of the fuel islands.

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 submitted plan indicates that a 6,159 square foot multi-tenant building currently exists on the site. The applicant is currently providing sixty-seven percent (67%) of the required parking for a commercial retail building of this size.

The site is currently accessed via three (3) curb cuts, two (2) along Alexis Road and one (1) access point at Talmadge Road frontage. The applicant has indicated that the easternmost curb along Alexis Road will be removed and the curb cut along Talmadge Road will be reduced to provide additional space for landscaping. The Division of Transportation has indicated that twenty-five foot (25') drive aisles shall be maintained throughout the site to accommodate two-way traffic. In addition, a ten foot by twenty foot (10'x20') vehicle space shall be provided at each pump plus one (1) additional stacked vehicle space shall be provided and still allow for maneuverability around the site. The submitted plan does not provide adequate space to accommodate either twenty-five foot (25') drive aisles or additional stacking spaces, resulting in the Division of Transportation objecting to the improvements.

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. The applicant is proposing landscaping that is entirely within the right-of-way. Pursuant to TMC§1108.0202(A) Frontage Greenbelt plantings shall not be located within the public right-of-way.

STAFF ANALYSIS (cont'd)

Canopy 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. Based on the site plan and elevations submitted, the new canopy appears to be compliant with the setbacks and design standards.

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. The proposed SUP amendment is consistent with the 20/20 plan. However, the additional fuel pumps on an already intense commercial site will not be consistent with the intent of the Neighborhood Commercial district.

Staff is recommending disapproval of the request because of the Division of Transportation objection; the location of the landscaping in the public right-of-way; the addition of fuel pumps on an already intense commercial site; and the inability to provide adequate parking. The site is too small to facilitate the proposed additions and meet the applicable provisions of the zoning code. This will result in an overdeveloped site that is not compatible with adjacent land uses.

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

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of SUP-6003-15, a Special Use Permit to add/relocate gas pumps to existing gas station at 4315 W Alexis Road, to the Toledo City Council, for the following four (4) reasons:

1. The proposed does not meet the stated purpose of this Zoning Code (TMC 1111.0706.A Review & Decision-Making Criteria);
2. The proposed use does not comply with all applicable provisions of this Zoning Code; (TMC 1111.0706 B Review & Decision-Making Criteria);
3. The proposed modifications will result in an overdeveloped site that will not be compatible with surrounding land uses (TMC 1111.0706 C Review & Decision-Making Criteria; and

STAFF RECOMMENDATION (cont'd)

4. 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. The Division of Transportation objects to the approval of the Special Use Permit.

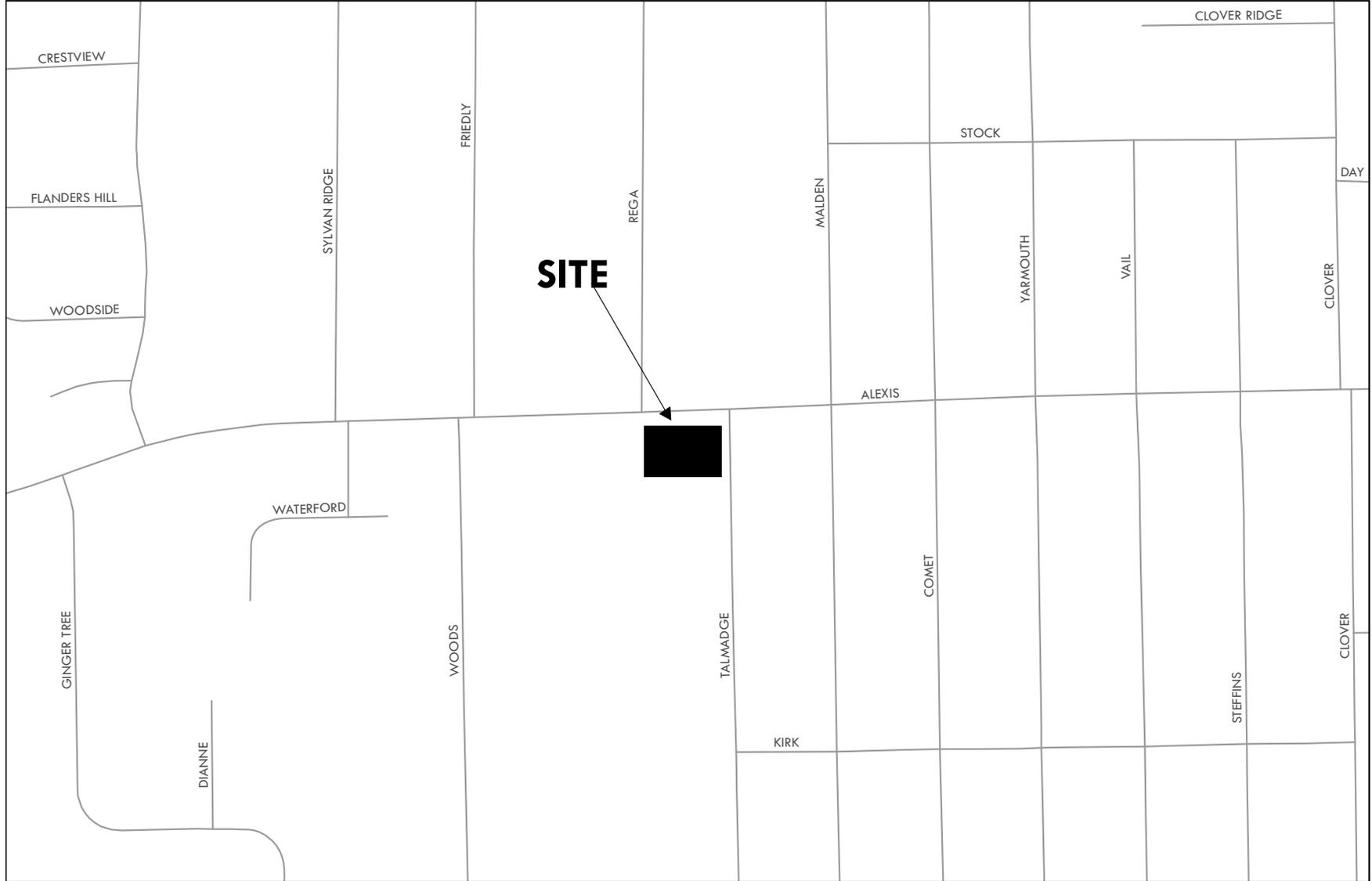
SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-6003-15
DATE: December 3, 2015
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: January 13, 2016
TIME: 4:00 P.M.

BH
Four (4) sketches follow
Exhibit "A"

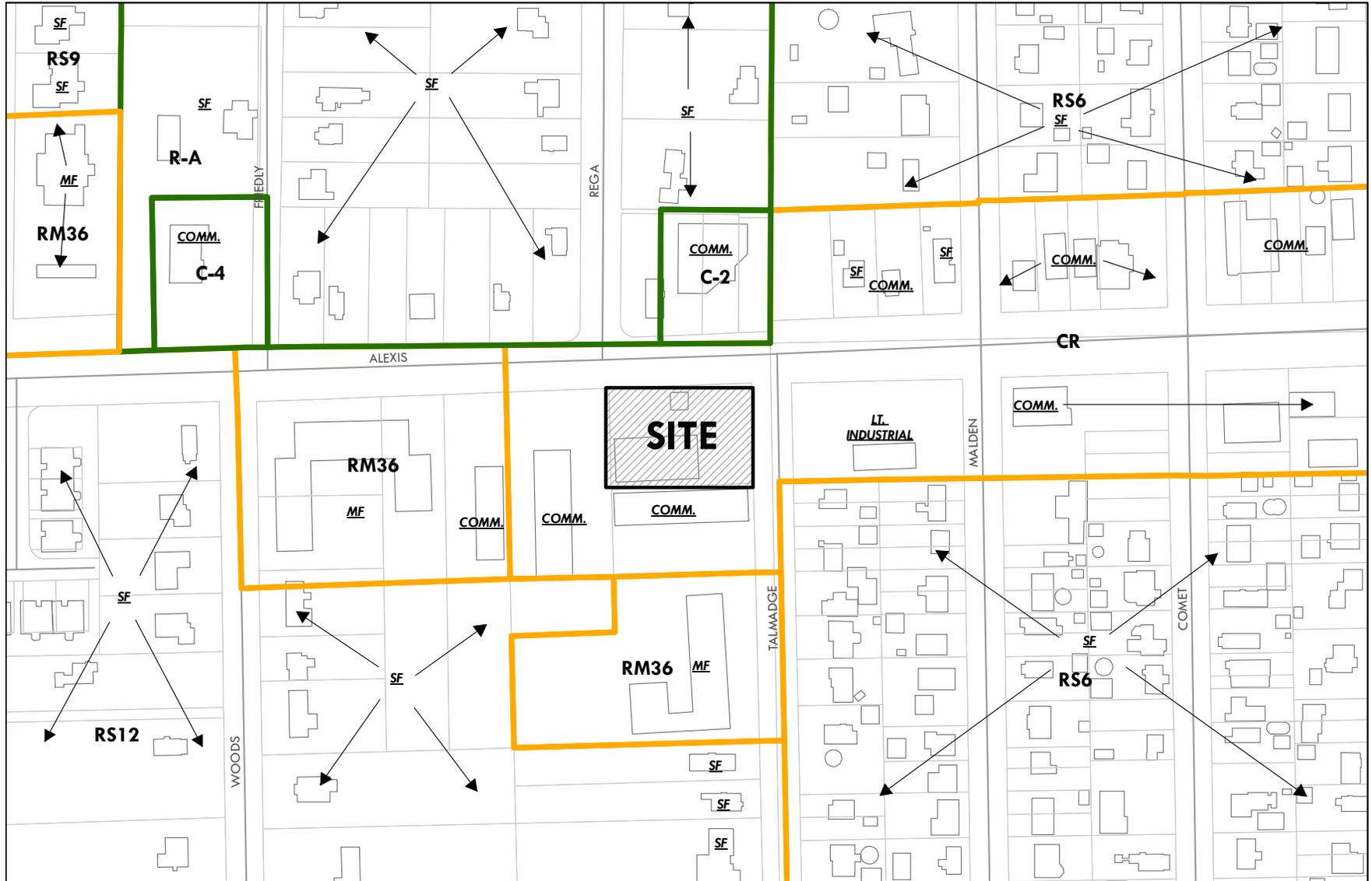
GENERAL LOCATION

SUP-6003-15
ID 104



ZONING & LAND USE

SUP-6003-15
ID 104



ELEVATIONS

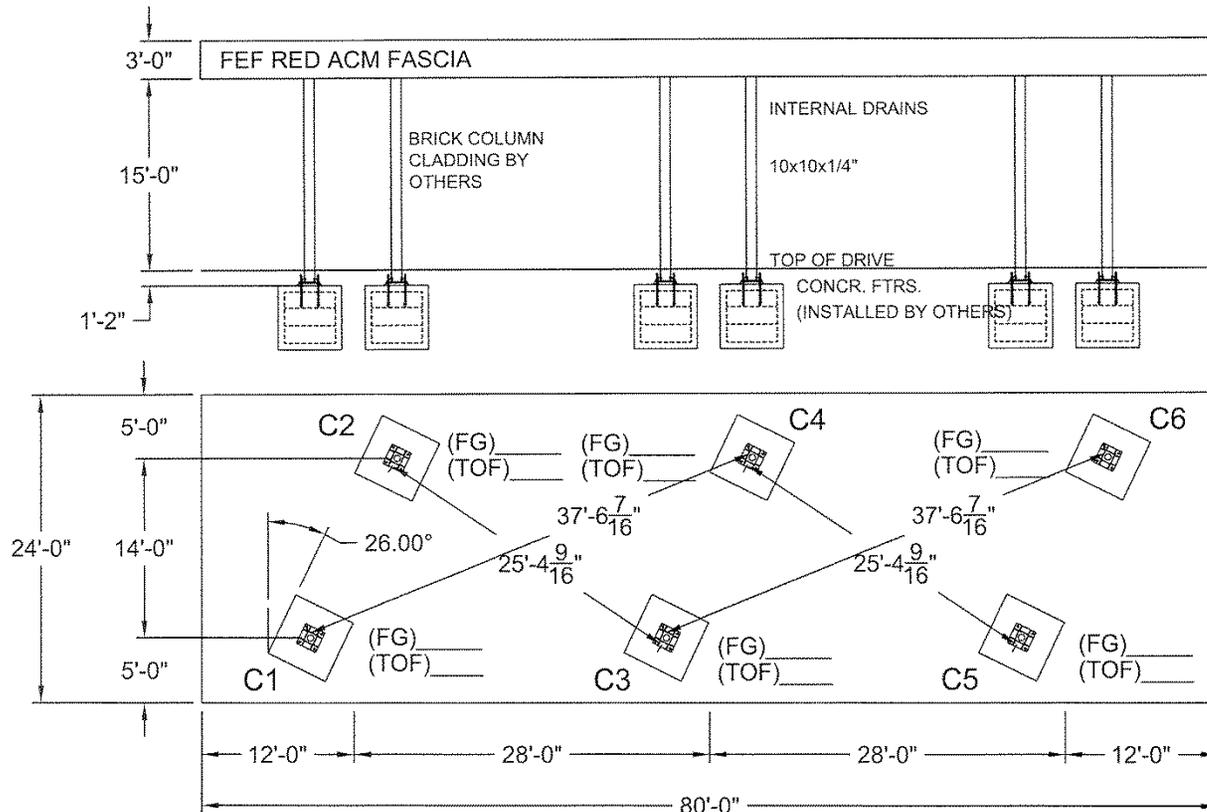
SUP-6003-15
ID 104



"QUICKIE PRELIM"
CUSTOMER TO REVISE IF NEEDED,
THEN SIGN AND RETURN

Preliminary Drawing
NOT TO BE USED FOR CONSTRUCTION
"SUBJECT TO CHANGE"

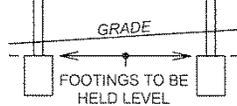
ABBREVIATIONS:
(FG) _____ ~ FINISHED GRADE ELEVATION
(TOF) _____ ~ TOP OF FOOTER ELEVATION



CONTRACTOR TO CALL TFC CANOPY AT TIME FOOTINGS ARE TO BE POURED TO VERIFY FOOTING SIZES, FOOTING DEPTHS, ANCHOR BOLT PATTERNS, COLUMN CENTERS AND THE AMOUNT OF SLOPE IN GRADE. FAILURE TO CALL SHALL RELEASE TFC FROM ANY ASSOCIATED LIABILITY.

IS GRADE SLOPED?

YES NO



CUSTOMER TO INDICATE:
LOCATIONS & DIRECTIONS OF
DRAINS, VENTS, CONDUITS.
SIGN LOCATIONS, NORTH
DIRECTION, COL. WRAPS.
GRADE INFO.

ALL TFC COLUMNS TO DRAIN
UNLESS NOTED OTHERWISE

SHEET 1 OF 2

DATE: Jul-06-2015
JOB: 2480Toledo
QUOTE: N/A
CUST: R.W Mercer
JOB LO: Toledo, OH



TFC CANOPY
1107 NORTH TAYLOR RD.
GARRETT, IN 46738
FAX - (260) 357-6533
PHONE - (260) 357-6665

Exhibit “A”
REVIEW AGENCY CONDITIONS

The following twenty-eight (28) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Division of Engineering Services

1. All **existing substandard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced and/or upgraded to conform to current City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8-inch-thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop or opening.**
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 storm water detention and post-construction storm water Best Management Practices (BMPs) as specified in the City of Toledo Infrastructure Design and Construction Requirements and the Ohio EPA NPDES General Storm Water Permit for Construction Activities.

Division of Environmental Services

6. Applicant shall maintain compliance with the City of Toledo’s Stormwater regulations as specified in the Toledo Municipal Code.

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

Division of Environmental Services (cont'd)

7. Applicant shall maintain compliance with the City of Toledo's Sanitary Sewer Use Regulations specified in the Toledo Municipal Code.
8. 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.
9. Applicant shall maintain compliance with the City of Toledo's Underground Storage Tank Requirements specified in the Toledo Municipal Code.

Fire Prevention

No concerns or objections.

Sewer & Drainage Services

10. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
11. 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

12. Demolition of any existing building(s) will require a demolition permit issued from the City of Toledo through its Division of Building Inspection requiring termination of all utilities. Documentation from Columbia Gas and Toledo Edison/Energy One must be provided to Building Inspection that this has occurred. If the existing water and sewer taps are to be re-used, the applicant/contractor must identify this to the Department of Public Utilities and secure their release from the demolition permit to processed and issued. Otherwise, water and sewer service must be terminated as well.
13. New construction and/or alterations to any existing building or gas pump islands or canopies on the site will require 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 associated mechanical, electrical codes and fire codes along with compliance of federal ADA standards.

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

Division of Transportation

14. 25' wide access drive aisles shall be maintained throughout the site to accommodate two-way traffic as per TMC 1107.
15. Each Pump station is required to accommodate a vehicle (10'x20') parked at the pump plus one additional stacked vehicle and still allow for maneuverability around the site (TMC 1107).
16. Stacking vehicles are shown encroaching the Alexis Rd. drive approach. Stacked vehicles are not permitted to conflict with ingress / egress locations.
17. The proposed modifications create traffic conflicts too intense for the size of the site.

Plan Commission

18. The canopy and columns shall be designed to meet the criteria of TMC 1104.0903 Gasoline and Fuel Sales – General Requirements. The columns will need to be completely bricked.
19. Free air (with the capability of filling standard automobile tires), water and restrooms shall be provided and maintained during operating hours of the station per TMC 1104.0903 (D).
20. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping areas.
21. Flat lens lighting shall be used for all outside lighting, including canopies.
22. Non-petroleum displays must be within twenty-five (25) feet of the building but not within twenty-five (25) feet of any right-of-way. The maximum height of such display shall not exceed five (5) feet.
23. Dumpster location(s) shall have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks.
24. A detailed site, lighting, sign, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:

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

Plan Commission (cont’d)

- a. Per TMC 1108.0202.B.3, a fifteen (15’) greenbelt is required along the Alexis and Talmadge Road frontages and may not be located within the public right-of-way. This shall include one (1) tree per every 30 linear feet and a solid evergreen hedge along both rights-of-way, **shall be noted on revised plan.**
 - b. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standard, **acceptable as depicted on plan.**
 - c. Topsoil must be back filled to provide positive drainage of the landscape area, **shall be noted on revised plan.**
 - d. Landscaped areas may not contain bare soil, aggregated stone or decorative rock. Any ground area must be covered with hardwood mulch, grass or other vegetative ground cover, **shall be noted on revised plan.**
 - e. The location, height and materials of any fencing to be installed and maintained; **acceptable as depicted on plan.**
 - 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); **acceptable as depicted on plan.**
 - g. The location, lighting and size of any signs.
25. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
26. 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.
27. 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.

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

Plan Commission (cont'd)

28. 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 to add gas pumps to an existing convenience store
- Location - 4819-4833 Summit Street
- Applicant - Ridi Reio, LLC
5131 W Alexis Road
Sylvania, OH 43560
- Architect - Dwight Gilliland
Architecture by Design
5622 Mayberry Square
Sylvania, OH 43560

Site Description

- Zoning - CR Regional Commercial
- Area - \pm .2 acres
- Frontage - \pm 177' on Summit Street
 \pm 125' on 114th
 \pm 100' on 112th
- Existing Use - Convenience Store along with vacant commercial stores and multi-family structure
- Proposed use - Convenience Store with gas station

Area Description

- North - Commercial Retail and Single Dwelling Residential / CR – RS6
- East - Commercial Retail and Single Dwelling Residential / CR – RS6
- South - Commercial Retail and Single Dwelling Residential / CR – RS6
- West - Commercial Retail and Single Dwelling Residential / CR – RS6

Parcel History

Nothing on file in the Plan Commissions office.

GENERAL INFORMATION (cont'd)

Applicable Plans and Regulations

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

STAFF ANALYSIS

The applicant is requesting a Special Use Permit to add gas pumps to an existing convenience store on a site located at 4819-4833 Summit Street. The .2-acre site is zoned CR Regional Commercial and contains a 2,964 square foot convenience store, two commercial structures to the south along with a multi-family structure in the rear of one of the parcels facing 112th Street. The proposal includes demolishing the small commercial structures and multi-family house in order to install the three, new fuel islands.

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 submitted plan indicates that a 2,964 square foot building currently exists on the site. The applicant is providing one-hundred percent (100%) of the required parking for a commercial retail building of this size.

The site is currently accessed via four (4) curb cuts, two (2) along Summit Street, one (1) along 114th Street frontage and one (1) access point at 112th Street frontage. The Division of Transportation has indicated that twenty-five foot (25') drive aisles shall be maintained throughout the site to accommodate two-way traffic. In addition, a ten foot by twenty foot (10'x20') vehicle space shall be provided at each pump plus one (1) additional stacked vehicle space shall be provided and still allow for maneuverability around the site. The submitted plan does not provide adequate space to accommodate either twenty-five foot (25') drive aisles, resulting in the Division of Transportation objecting to the improvements.

Landscaping and Screening

The site is existing and per TMC§1114.0500 – Appearance Upgrade for Nonconforming Development, is only required to be brought closer into compliance with the 2004 zoning code in terms of landscaping. Currently, the site has little landscaping. The site plan offers landscaping only in the right-of-way. Pursuant to the TMC§1108.0202(A) Frontage Greenbelt plantings shall not be located within the public right-of-way. Landscaping is required on-site and must comply with this section.

STAFF ANALYSIS (cont'd)

Canopy Design

Pursuant to TMC§1104.0903 Use Regulations – If canopies are installed, the set back shall be 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 applicant provided an elevation showing the use of brick in the areas of the support columns.

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. The proposed Special Use Permit amendment is consistent with the Toledo 20/20 Comprehensive Plan, however, the addition of fuel pumps on an already intense commercial site will not be consistent with the intent of the Neighborhood Commercial district.

Staff is recommending disapproval of the request due because the Division of Transportation objections; no landscaping is offered on the site; and the addition of fuel pumps on an already intense commercial site. The site is too small to facilitate the proposed additions and it cannot meet the applicable provisions of the zoning code. This will result in an over developed site that is not compatible with adjacent land uses.

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

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of SUP-6004-15, a Special Use Permit to add gas pumps to existing convenience store at 4819-4833 Summit Street, to the Toledo City Council, for the following four (4) reasons:

1. The propose use does not meet the stated purpose of this Zoning Code (TMC§1111.0706.A Review & Decision-Making Criteria);
2. The proposed use does not comply with all applicable provisions of this Zoning Code; TMC§1111.0706 B Review & Decision-Making Criteria);
3. The proposed modifications will result in an over-developed site that will not be compatible with the surrounding land uses (TMC§1111.0706, letter C).

STAFF RECOMMENDATION (cont'd)

4. 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. The Division of Transportation objects to the approval of the Special Use Permit.

SPECIAL USE PERMIT
TOLEDO CITY PLAN COMMISSION
REF: SUP-6004-15
DATE: December 3, 2015
TIME: 2:00 P.M.

TOLEDO CITY COUNCIL
ZONING AND PLANNING COMMITTEE
DATE: January 13, 2016
TIME: 4:00 P.M.

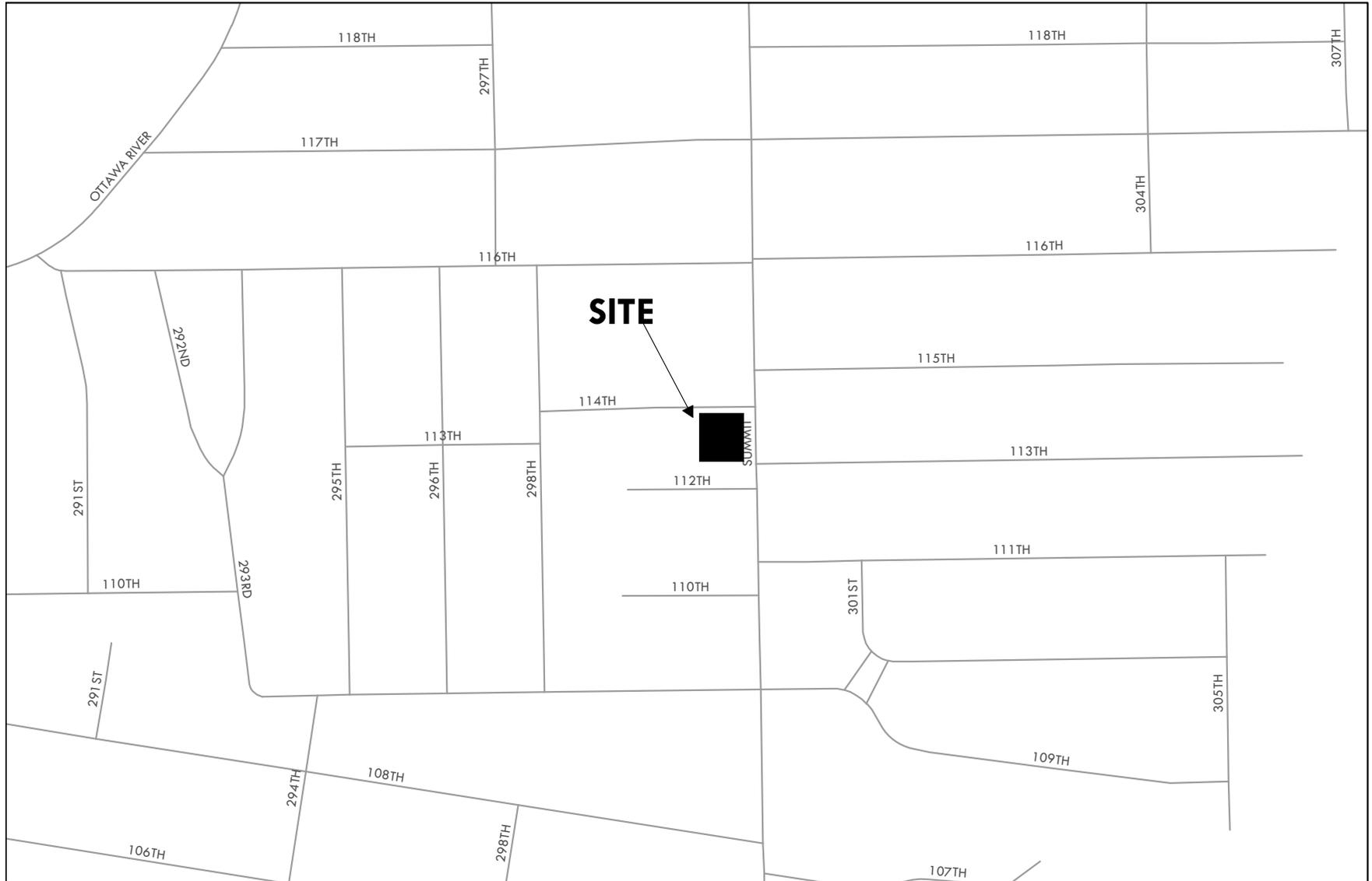
MM
Four (4) sketches follow
Exhibit "A"

GENERAL LOCATION

SUP-6004-15
ID 65

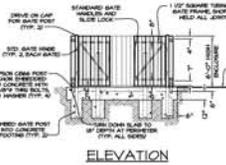
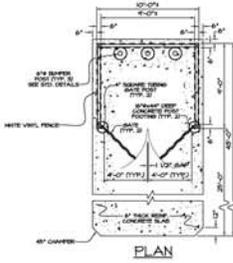


S - 6



SITE PLAN

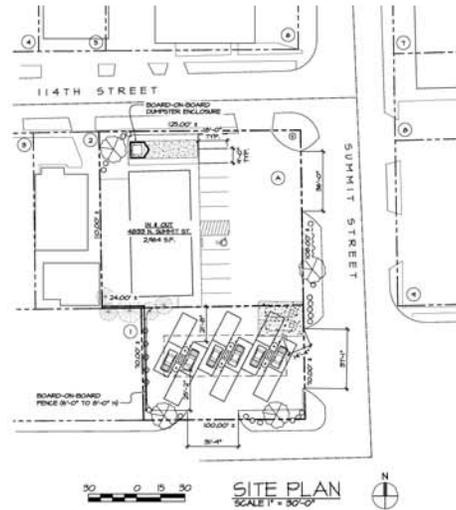
SUP-6004-15
ID 65



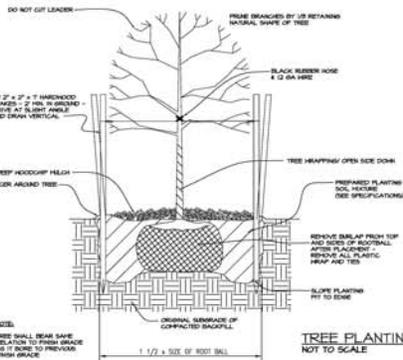
DUMPSTER ENCLOSURE DETAIL
SCALE: NONE

PROPERTIES KEY

- | | |
|--|---|
| <p>1 ZONED R1W
PARCEL ADDRESS - 4838 N SUMMIT ST
TOLEDO, OHIO 43608
OWNER - LINDA & BARBARA HENDERSON
OWNER ADDRESS - 2328 27TH ST
TOLEDO, OHIO 43608
LEGAL DESCRIPTION
FOURTH ADDITION LOT 2 & 3</p> <p>2 ZONED CR
PARCEL ADDRESS - 2328 27TH ST
TOLEDO, OHIO 43608
OWNER ADDRESS - HESTON COMPANY, OHIO
SAME AS PARCEL</p> <p>3 ZONED R1W
PARCEL ADDRESS - 2328 27TH ST
TOLEDO, OHIO 43608
OWNER - DUMPER REVELLE
SAME AS PARCEL</p> <p>4 ZONED R1W
PARCEL ADDRESS - 2328 27TH ST
TOLEDO, OHIO 43608
OWNER - HESTON COMPANY, OHIO
SAME AS PARCEL</p> <p>5 ZONED CR
PARCEL ADDRESS - 2328 27TH ST
TOLEDO, OHIO 43608
OWNER - EARL WARTY A TR
OWNER ADDRESS - P.O. BOX 8504
TOLEDO, OHIO 43608
LEGAL DESCRIPTION
FOURTH ADDITION LOT 3</p> | <p>6 ZONED CR
PARCEL ADDRESS - 4838 N SUMMIT ST
TOLEDO, OHIO 43608
OWNER - TRIPLE PROPERTIES LLC
OWNER ADDRESS - 204 BENTONVILLE DR
TERRAPACE PLAZA ANN
LEGAL DESCRIPTION
FOURTH ADDITION LOT 2</p> <p>7 ZONED CR
PARCEL ADDRESS - 4838 N SUMMIT ST
TOLEDO, OHIO 43608
OWNER - HESTON COMPANY, OHIO
OWNER ADDRESS - 238 CHERRY ST
CANTONOHIO, TENNESSEE 37402
LEGAL DESCRIPTION
KOBELA PLACE LOT 26</p> <p>8 ZONED CR
PARCEL ADDRESS - 4838 N SUMMIT ST
TOLEDO, OHIO 43608
OWNER - HESTON COMPANY, OHIO
OWNER ADDRESS - 238 CHERRY ST
CANTONOHIO, TENNESSEE 37402
LEGAL DESCRIPTION
KOBELA PLACE LOT 26</p> <p>9 ZONED CR
PARCEL ADDRESS - 4838 N SUMMIT ST
TOLEDO, OHIO 43608
OWNER - HESTON COMPANY, OHIO
OWNER ADDRESS - 238 CHERRY ST
CANTONOHIO, TENNESSEE 37402
LEGAL DESCRIPTION
KOBELA PLACE LOT 26</p> <p>10 ZONED CR
PARCEL ADDRESS - 4838 N SUMMIT ST
TOLEDO, OHIO 43608
OWNER - HESTON COMPANY, OHIO
OWNER ADDRESS - 238 CHERRY ST
CANTONOHIO, TENNESSEE 37402
LEGAL DESCRIPTION
KOBELA PLACE LOT 26</p> <p>11 ZONED CR
PARCEL ADDRESS - 4838 N SUMMIT ST
TOLEDO, OHIO 43608
OWNER - HESTON COMPANY, OHIO
OWNER ADDRESS - 238 CHERRY ST
CANTONOHIO, TENNESSEE 37402
LEGAL DESCRIPTION
KOBELA PLACE LOT 26</p> |
|--|---|



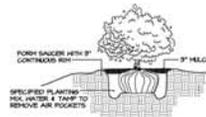
SITE PLAN
SCALE 1" = 30'-0"



TREE PLANTING
NOT TO SCALE

PLANT MATERIAL LIST

- 1 EXISTING LANDSCAPE
- 2 HALF PRUNED (PRUNING FLOWERING GRABAPLES)
- 3 1/2\"/>



SHRUB PLANTING
NOT TO SCALE

CODE INFORMATION (SPECIAL USE PERMIT APPLICATION)

- | | |
|--|--|
| <p>1 ZONED CR
PARCEL ADDRESS - 4838 N SUMMIT ST
TOLEDO, OHIO 43608
ZONING - REGIONAL COMMERCIAL
OWNER - RICE RED LLC
OWNER ADDRESS - 538 N ALDINE RD.
SILVERDALE, OHIO 43060
LEGAL DESCRIPTION
FOURTH ADDITION LOTS 11 & 12
LUCILLE COURT 18 510-2 28 FT
LUCILLE COURT 18 528 FT</p> | <p>EXISTING REQUIREMENTS:
PUB. STATION (2164 8-7)
PARKING REQUIRED (SCHEDULE NO. 1 PER PART 1) PER 800 SF² REQUIRED. 18 SPACES
PROVIDED: 2 EXISTING SPACES (2 ACCESSIBLE) & 2 NEW SPACES & 2 SPACES AT 15:00. 18 SPACES.</p> |
|--|--|



LOCATION MAP
NOT TO SCALE

Project Owner: Linnell #2371
12/15/2014

(419) 884-3311
5625 Mulberry Square
Summit, OH 44500

Architecture
by
Design, Ltd.
© Architecture by Design, Ltd. 2015

SITE PLAN
NEW CONSTRUCTION FOR:
IN & OUT
4838 SUMMIT ST.
TOLEDO, OHIO

DRAWN BY	CHECKED BY
DATE/REVISION	DATE/REVISION

A-1

1 OF 1 SHEETS

ELEVATIONS

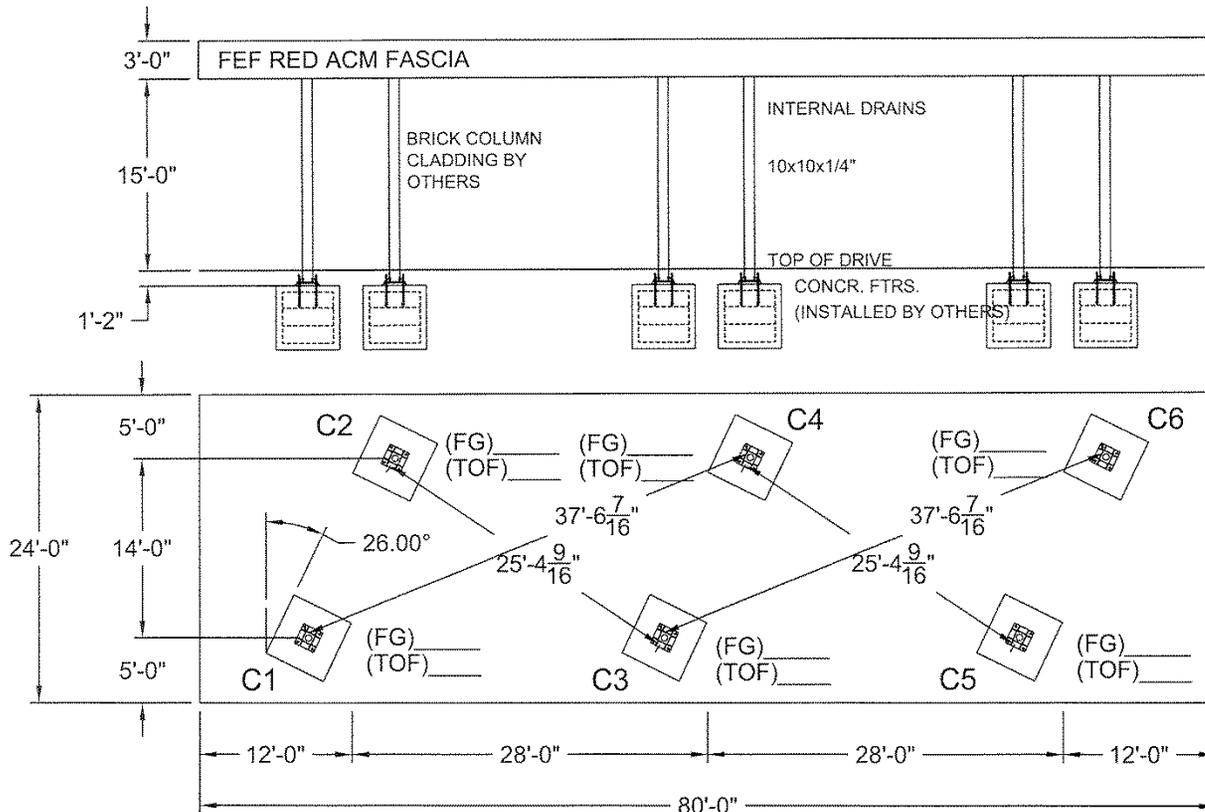
SUP-6004-15
ID 65



"QUICKIE PRELIM"
CUSTOMER TO REVISE IF NEEDED,
THEN SIGN AND RETURN

Preliminary Drawing
NOT TO BE USED FOR CONSTRUCTION
"SUBJECT TO CHANGE"

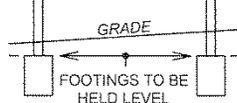
ABBREVIATIONS:
(FG) _____ ~ FINISHED GRADE ELEVATION
(TOF) _____ ~ TOP OF FOOTER ELEVATION



CONTRACTOR TO CALL TFC CANOPY AT TIME FOOTINGS ARE TO BE POURED TO VERIFY FOOTING SIZES, FOOTING DEPTHS, ANCHOR BOLT PATTERNS, COLUMN CENTERS AND THE AMOUNT OF SLOPE IN GRADE. FAILURE TO CALL SHALL RELEASE TFC FROM ANY ASSOCIATED LIABILITY.

IS GRADE SLOPED ?

YES NO



CUSTOMER TO INDICATE:
LOCATIONS & DIRECTIONS OF
DRAINS, VENTS, CONDUITS.
SIGN LOCATIONS, NORTH
DIRECTION, COL. WRAPS.
GRADE INFO.

ALL TFC COLUMNS TO DRAIN
UNLESS NOTED OTHERWISE

SHEET 1 OF 2

DATE: Jul-06-2015
JOB: 2480Toledo
QUOTE: N/A
CUST: R.W Mercer
JOB LO: Toledo, OH



TFC CANOPY
1107 NORTH TAYLOR RD.
GARRETT, IN 46738
FAX - (260) 357-6533
PHONE - (260) 357-6665

8-6

Exhibit “A”
REVIEW AGENCY CONDITIONS

The following twenty-six (26) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Division of Engineering Services

1. All **existing standard** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way abutting the site shall be replaced and/or upgraded to conform to current City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards and Specifications, Toledo Municipal Code, and Americans with Disabilities Act Guidelines.
3. All commercial drive approaches (along with the sidewalk through the drive) shall be constructed with 8-inch-thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop or opening.**
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 storm water detention and post-construction storm water Best Management Practices (BMPs) as specified in the City of Toledo Infrastructure Design and Construction Requirements and the Ohio EPA NPDES General Storm Water Permit for Construction Activities.

Division of Environmental Services

6. Applicant shall maintain compliance with the City of Toledo’s Stormwater regulations as specified in the Toledo Municipal Code.

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

Division of Environmental Services (cont'd)

7. Applicant shall maintain compliance with the City of Toledo's Sanitary Sewer Use Regulations specified in the Toledo Municipal Code.
8. 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.
9. Applicant shall maintain compliance with the City of Toledo's Underground Storage Tank Requirements specified in the Toledo Municipal Code.

Fire Prevention

No concerns or objections.

Sewer & Drainage Services

10. S&DS recommends that all private sewer lines that are not being removed or properly abandoned (both storm & sanitary) be cleaned and inspected.
11. 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

No objections.

Division of Transportation

12. The site shall be limited to only two access drives.
13. All drive aisle, parking stalls and driving lanes shall be dimensioned.
14. 25' wide access drive aisles shall be maintained throughout the site to accommodate two-way traffic as per TMC 1107.
15. Each Pump station is required to accommodate a vehicle (10'x20') parked at the pump plus one additional stacked vehicle and still allow for maneuverability around the site (TMC 1107).

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

Division of Transportation (cont'd)

16. The proposed modifications create traffic conflicts too intense for the size of the site. The Division of Transportation objects to the approval of the site plan by the Plan Commission.

Plan Commission

17. The canopy and columns shall be designed to meet the criteria of TMC 1104.0903 Gasoline and Fuel Sales – General Requirements. The columns will need to be completely bricked.
18. Free air (with the capability of filling standard automobile tires), water and restrooms shall be provided and maintained during operating hours of the station per TMC 1104.0903 (D)
19. A concrete curb or permanent wheel stops shall be constructed along the edge of all parking spaces adjoining landscaping areas.
20. Flat lens lighting shall be used for all outside lighting.
21. Non-petroleum displays must be within twenty-five (25) feet of the building but not within twenty-five (25) feet of any right-of-way. The maximum height of such display shall not exceed five (5) feet.
22. Dumpster location(s) shall have a concrete pad and be surrounded by a solid wooden fence or a masonry screen enclosure with landscaping and shall not be located in any required setbacks.
23. A detailed site, lighting, sign, fencing and landscaping plan shall be submitted to the Plan Director for review and approval. Such plan shall include:
- a. Per TMC 1108.0202.B.3, a fifteen (15') greenbelt is required along Summit Street and 112th frontages. This shall include one (1) tree per every 30 linear feet and a solid evergreen hedge along both rights-of-way, **shall be noted on revised plan.**
 - b. The location, number, height, diameter and species of any materials to be planted and maintained, as well as the location and number of any existing trees to be retained, trees, shrubs, and landscape materials shall meet the standards included in TMC 1108.0400 Landscape Materials Standard, **shall be noted on revised plan.**
 - c. Topsoil must be back filled to provide positive drainage of the landscape area, **shall be noted on revised plan.**

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

Plan Commission (cont'd)

- 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 cover, **shall be noted on revised plan.**
 - e. The location, height and materials of any fencing to be installed and maintained; **shall be noted on revised plan.**
 - 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); **acceptable as depicted on plan.**
 - g. The location, lighting and size of any signs.
24. The Special Use Permit may be reviewed for compliance with the conditions of approval, negative secondary effects, and adherence to all requirements of the Toledo Municipal Code. If outstanding issues are found and not addressed the Special Use Permit may be considered for revocation.
25. A Bond of Performance or suitable assurance acceptable to the Division of Inspection valid for a period of two (2) years shall be posted with the Commissioner of Inspection providing for the installation of required landscaping within one (1) year. Landscaping shall be installed & maintained indefinitely.
26. No permits shall be issued until arrangements satisfactory to the Director of the City of Toledo Plan Commission have been made for compliance with the conditions as set forth above.

GENERAL INFORMATION

Subject

- Request - Text amendment to Chapter 1104.0603 of the City of Toledo Planning and Zoning Code to exempt gas stations with at least four (4) pumps from convenience store spacing requirements.
- Applicant - City of Toledo City Council
One Government Center, Suite 2120
Toledo, Ohio 43604

Applicable Plans and Regulations

- Toledo Municipal Code Part Eleven: Planning and Zoning

STAFF ANALYSIS

The request is a text amendment to TMC 1104.0603 *Convenience Stores – Spacing Requirements* to exempt convenience stores that are partnered with gasoline and fuel sales facilities with more four (4) or more gas pumps from spacing requirements. The zoning code defines Convenience Store (TMC 1104.0600) and Gasoline and Fuel Sales Facilities (1106.0900) as separate principal uses, and each has standards that apply specifically to them. Spacing only applies to convenience stores. However, the two uses are often paired as one on the same site; therefore the spacing requirements of TMC 1104.0603 are applied.

The proposed text amendment targets only the standards listed for convenience stores. TMC 1104.0603 A and B include spacing requirements for convenience stores from one another and from uses established specifically for the activities of minors (schools, parks, etc.). TMC 1104.0603.C provides measurement criteria and TMC 1104.0603.D exempts convenience stores located in any Community Entertainment District from spacing. The proposed text amendment will add TMC 1104.0603.E, and proposes to exempt convenience stores that have at least four (4) gasoline pumps from spacing.

Spacing requirements were originally introduced into the 1959 zoning code in 1993. They were removed from the 2004 zoning code and then reintroduced in 2009. On both instances, spacing requirements were added because the clustering of convenience stores led to secondary negative effects, such as littering and crime, which factored into the destabilization of neighborhoods.

STAFF ANALYSIS (cont'd)

Staff researched negative secondary effects in terms of nuisance conditions and crime. Using forty-two (42) convenience stores and thirty-four (34) gas station/convenience store addresses which were issued Special Use Permits (SUP) from 2007-2015, the Division of Code Enforcement provided data for Nuisance Abatement Enforcement Actions and citations issued from 2007-2015. A copy of total Nuisance Abatement Enforcement Actions for each convenience store and gas station/convenience store address is attached (Exhibit "B"). Typical reports included nuisance conditions like junk, debris, trash, litter, graffiti, brush and tall grass along with zoning regulation infractions like exceeding maximum fence height or operating a business without a Special Use Permit. Results from the data indicated forty-eight (48) reports of Nuisance Abatement Enforcement Actions from twenty-six (26) convenience store and (22) gas station/convenience store addresses. Eleven (11) of the addresses with Nuisance Abatement Enforcement Actions were issued citations more than once. This analysis indicates that convenience stores and gas station/convenience stores are equally problematic with regard to nuisance conditions.

With the help of crime analysts from the Toledo Police Department, crime report data was obtained for forty-two (42) convenience stores and thirty-four (34) gas station/convenience store addresses issued SUPs from 2007-2015. A copy of total crimes reported for each convenience store and gas station/convenience store address is attached (Exhibit "C"). The crimes reported varied from minor misdemeanor charges like fraudulent checks to serious criminal felonies like assault and armed robbery. Total crime reports were summarized for each address and compared to convenience store crime reports. Analysis of the crime reports resulted in nearly twice the amount of crimes reported at gas stations that are paired with convenience stores rather than stand-alone convenience stores. Furthermore, all of the 34 gas stations/convenience stores that were issued SUPs from 2007-2015 had a least two (2) pump islands with four (4) fuel pumps and would be exempt from spacing.

Based on this analysis staff does not find supporting evidence to exempt gas stations/convenience stores with at least four (4) existing fuel pumps in operation from the convenience store spacing requirements.

STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend disapproval of the amendment to the Planning and Zoning Code as shown in Exhibit "A" to the Toledo City Council.

REF: M-10-15...December 3, 2015

ZONING TEXT AMMENDMENT
TOLEDO CITY PLAN COMMISSION

REF: M-10-15

DATE: December 3, 2015

TIME: 2:00 p.m.

CITY COUNCIL PLANNING
AND ZONING COMMITTEE

DATE: January 13, 2016

TIME: 4:00 p.m.

RS

Exhibit "A", "B" & "C" follows

Exhibit "A"

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

1104.0603 Spacing Requirements

- A. A convenience store shall not be located within a 2,000 foot radius of another convenience store, whether that other convenience store is operating pursuant to a Special Use Permit or operating without such Special Use Permit by virtue of having been in operation prior to the requirement to obtain such permit.
- B. A convenience store shall not be located within a 1,000 foot radius of a school, public park, public library, licensed child day care center, or other use established specifically for the activities of minors.
- C. The distances specified in this section shall be measured per TMC 1106.0208, Distances for Spacing Requirements.
- D. A convenience store shall not be subject to the foregoing restrictions if the convenience store is located within the boundaries of any Community Entertainment District (CED) now in existence or subsequently established by ordinance of City Council.

(Ord. 568-09. Passed 11-24-09.)

- E. A convenience store shall not be subject to the foregoing restrictions if the convenience store is partnered with a gasoline & fuel sales facility that has at least four (4) fuel pumps in operation.***

Exhibit "B"

Total Nuisance Abatement Enforcement Actions at Recent SUP for Convenience Stores 2007-2015		Total Nuisance Abatement Enforcement Actions at Recent SUP for Gas Stations/Convenience Stores 2007-2015	
Address	Total Nuisances	Address	Total Nuisances
1103 SYLVANIA AVE	0	1005-1023 SOUTH AVE	0
1111 STARR AVE	0	1027 N REYNOLDS RD	1
1250 FLAIRE DR	0	1049 WESTERN AVE	1
1256 BROADWAY	1	1223 N BYRNE RD	1
1515 S BYRNE	2	1410 STARR	1
1853 EASTGATE RD	0	1438 W ALEXIS	0
1910 COLLINGWOOD	0	1702 W LASKEY	0
2011 STARR AVE	1	1829 EASTGATE	0
2029 S BYRNE RD	0	1853-1857 CENTRAL	0
2209 REYNOLDS	1	1872-1896 FRONT ST	1
22 S REYNOLDS	0	2202 S REYNOLDS & 5225 SOUTHWYCK	2
2301 LAGRANGE	2	2315 N DETROIT	0
2346 SEAMAN	1	2441 S REYNOLDS	2
2350 AIRPORT HWY	0	2445 W ALEXIS RD	1
2351 W SYLVANIA	0	2446 W ALEXIS RD	1
2467 NEBRASKA	0	2555 GLENDALE AVE	0
250 FEARING BLVD	1	2969-2963 TREMAINSVILLE	0
2600 SYLVANIA	1	2 N REYNOLDS RD	1
2603 DORR ST	0	3070 AIRPORT HWY	1
2938 STICKNEY AVE	1	30 S ST. CLAIR ST	0
2959 TREMAINSVILLE RD	0	3301 W CENTRAL	0
3131 W SYLVANIA AVE	1	3365 MONROE ST	1
320 N HURON ST	1	3405 CENTRAL AVE	0
3407 STICKNEY	2	3535 HEATHERDOWNS BLVD	1
3431 ELM ST	0	3841 AIRPORT HWY	0
3435 ELM ST	0	4401 HILL AVE	0
3519 W ALEXIS	0	4460 LEWIS AVE	2
3740 N SUMMIT ST	0	4630 MONROE ST	1
3944 SECOR	0	4633 SUDER AVE	0
4023 MONROE ST	0	4644 N SUMMIT ST	1
4365 HILL AVE	2	4933 SECOR RD	2
4625 N DETROIT	0	5001 DOUGLAS RD	0
503 OAKDALE AVE	2	740-758 E BROADWAY	1
522 S REYNOLDS RD	0	905 SOUTH AVE	0
5255 HILL AVE	1	34 Total	22
551 S REYNOLDS	0		
5624 SECOR	0		
580 N BYRNE RD	2		
5831 DORR ST	1		
832 WALNUT	0		
841 W ALEXIS RD	1		
901 MADISON AVE	2		
42 Total	26		

Exhibit "C"

Total Crimes Reported at Recent SUP for Convenience Stores 2007-2015		Total Crimes Reported at Recent SUP for Gas Stations/Convenience Stores 2007-2015	
Address	Total Crime	Address	Total Crime
1103 SYLVANIA AVE	1	1005-1023 SOUTH AVE	2
1111 STARR AVE	47	1027 N REYNOLDS RD	15
1250 FLAIRE DR	3	1049 WESTERN AVE	15
1256 BROADWAY	19	1223 N BYRNE RD	86
1515 S BYRNE	74	1410 STARR	56
1853 EASTGATE RD	22	1438 W ALEXIS	2
1910 COLLINGWOOD	1	1702 W LASKEY	17
2011 STARR AVE	1	1829 EASTGATE	5
2029 S BYRNE RD	5	1853-1857 CENTRAL	11
2209 REYNOLDS	11	1872-1896 FRONT ST	40
22 S REYNOLDS	3	2202 S REYNOLDS & 5225 SOUTHWYCK	44
2301 LAGRANGE	9	2315 N DETROIT	62
2346 SEAMAN	6	2441 S REYNOLDS	41
2350 AIRPORT HWY	30	2445 W ALEXIS RD	16
2351 W SYLVANIA	1	2446 W ALEXIS RD	96
2467 NEBRASKA	4	2555 GLENDALE AVE	254
250 FEARING BLVD	44	2969-2963 TREMAINSVILLE	95
2600 SYLVANIA	193	2 N REYNOLDS RD	23
2603 DORR ST	14	3070 AIRPORT HWY	75
2938 STICKNEY AVE	5	30 S ST. CLAIR ST	1
2959 TREMAINSVILLE RD	4	3301 W CENTRAL	20
3131 W SYLVANIA AVE	21	3365 MONROE ST	107
320 N HURON ST	7	3405 CENTRAL AVE	171
3407 STICKNEY	2	3535 HEATHERDOWNS BLVD	10
3431 ELM ST	20	3841 AIRPORT HWY	3
3435 ELM ST	5	4401 HILL AVE	67
3519 W ALEXIS	21	4460 LEWIS AVE	2
3740 N SUMMIT ST	38	4630 MONROE ST	2
3944 SECOR	3	4633 SUDER AVE	157
4023 MONROE ST	4	4644 N SUMMIT ST	19
4365 HILL AVE	1	4933 SECOR RD	8
4625 N DETROIT	22	5001 DOUGLAS RD	15
503 OAKDALE AVE	1	740-758 E BROADWAY	1
522 S REYNOLDS RD	36	905 SOUTH AVE	49
5255 HILL AVE	25		
551 S REYNOLDS	4		
5624 SECOR	11		
580 N BYRNE RD	3		
5831 DORR ST	5		
832 WALNUT	63		
841 W ALEXIS RD	2		
901 MADISON AVE	16		
42 Total	807	34 Total	1587

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

